

FMCSA Roadability Rules and Regulations
UP Ramp Rules, Policies, Procedures
Union Pacific Railroad
Revised: July 2, 2010

FMCSA Roadability Rules and Regulations

A. Regulatory Requirements – IEPs

As a result of the FMCSA rulemaking in Docket No. FMCSA 2005-23315, ocean carriers, railroads, chassis pool operators and other Intermodal Equipment Providers (IEPs) will for the first time be subject to the Federal Motor Carrier Safety Regulations. Additionally, the final rule establishes shared safety responsibility among IEPs, motor carriers and drivers.

Specifically, as mandated by section 4118 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the regulations will require IEPs to:

- Establish a systematic inspection, repair, and maintenance program to ensure the safe operating condition of each intermodal container chassis;
- Maintain documentation of the program;
- Display the USDOT Number, or other unique identifier, on each intermodal container chassis offered for transportation in interstate commerce;
- Provide a means to effectively respond to driver and motor carrier reports about intermodal container chassis mechanical defects and deficiencies; and,
- Ensure that intermodal chassis are roadable before the equipment is made available to the driver for transport.
- Intermodal Equipment Providers will be subject to on-site reviews to ensure compliance with the new rules. Penalties for violating these rules range from civil fines to a prohibition on providing or operating intermodal equipment found to pose an imminent hazard.

B. Regulatory Requirements - Motor Carriers

Motor Carriers are required to inspect and report any Roadability Component Defect(s) (RCD) (see list below) to the IEP at the completion of each days' work.

C. Equipment Covered

All Chassis When used here, the term "chassis" and "equipment" are used interchangeably.

D. Affected Parties

Motor Carriers, Intermodal Equipment Providers, UP Maintenance and Repair Vendors.

E. Registration Requirements

- 1) All IEPs
 - a) Equipment must be registered in IANA's Global Intermodal Equipment Register (GIER).
 - b) UP will assume that all IEPs will use IANA's System to prepare and transmit Driver Vehicle Inspection Reports (DVIRs) unless otherwise advised and agreed upon.
- 2) All Drivers
 - a) Must be registered in IANA's Intermodal Driver Data Base (IDD).

F. Inspectors on UP Property

- 1) Under the new Regulations, Federal and/or State Inspectors will have the right to audit our inspection, repair and maintenance records for RCD compliance.
 - a) Upon notice that any inspection is being requested by these authorized inspectors, the IEP must notify Dan Klaus, UP's Director of Intermodal Maintenance, for further instructions. (402-544-6697), DKlaus@UP.com

UP Ramp Rules, Policies, Procedures

Effective June 30, 2010 the following Rules, Procedures, and Policies will govern the application of FMCSA regulations at Union Pacific Intermodal and UP CY Facilities.

Acronyms Used Throughout

DVER	Driver Vehicle Examination Report
DVIR	Driver Vehicle Inspection Report
EIR	Equipment Inspection Report
FMCSA	Federal Motor Carrier Safety Administration
GIER	Global Intermodal Equipment Register
IANA	Intermodal Association of North America
IDD	Intermodal Driver Data Base
IEP	Intermodal Equipment Provider
IIM	Intermodal Inventory Management System
IME	Intermodal Equipment
RCD	Roadability Component Defect
UP or UP	Union Pacific Railroad

I. At Time of In - Gate - Electronic - AGS Gates or Standard Gates - Non Virtual Reporting

- 1) At the time of In-Gate, all Drivers must report any Roadability Component Defect (RCD) (see list of RCDs below).
 - a) At AGS Gates, Gate Stands are programmed to accept this information via Key Pad. The Driver will be prompted for Yes or No to RCD. If Yes, the Driver will be further prompted for the specific RCD information.
 - b) At Standard Gates, UP gate personnel will record any RCD information provided by the Driver as outlined in 1a above.
- 2) If no RCD to report, Drivers will declare "No RCD."
 - a) At AGS Gates, Gate Stands are programmed to accept this information via Key Pad.
 - b) At Standard Gates, UP gate personnel will record "No RCD" if the Driver does not report any RCD information.
- 3) UP will record specific required information. This information includes:
 - a) Date/time of gate transaction (system generated).
 - b) Alpha-numeric equipment identification number (Electronic or gate personnel generated).
 - c) Motor Carrier SCAC - (system generated).
 - d) Driver's license number/license state (Biometric or gate personnel generated).
 - e) Location of interchange (system generated).
 - f) "No RCD" (Driver provided).
 - g) "Yes RCD" RCD information (Driver provided).
- 4) UP will furnish the Driver with a copy of the J1 Interchange and Inspection Report with all Driver reported Roadability Component Defect(s).
 - a) The reporting of RCDs by the Driver is an in-gate reporting responsibility separate from Damage reporting. At Non-AGS Gates, Inspections will document other Non-RCD defects (Damages).
- 5) "No Roadability Component Defect" will be documented if no RCDs are reported by the Driver.
- 6) UP will transmit the DVIR information collected at the in-gate to IANA or other Intermodal Equipment Provider's (IEPs) database, for DVIR completion.
- 7) IANA or the IEPs database will prepare the DVIR and electronically transmit the completed DVIR to the registered IEP.
- 8) UP will automatically place all Equipment identified with RCDs in bad order Hold status.
- 9) UP will not release Equipment from Hold (no out-gate allowed) until the IEP or its Agent releases the equipment from bad order status.
 - a) After the IEP or its Agent inspects and repairs equipment as may be required, IEP or its Agent will electronically certify by use of UP's IIM Web based system that the Equipment has been inspected and or repaired.

II. Pre- In-Gate Reporting by Driver - Virtual Reporting

- 1) IEPs may elect to have Drivers or Motor Carriers report RCDs to IANA or other IEPs Systems prior to arriving at UP's Intermodal Facilities
- 2) If IANA Databases/Systems/Process is utilized, IANA will electronically transmit the DVIR information to UP ahead of actual In-Gate movement.
 - a) UP will not accept DVIR information that is received after the actual in-gate date/time of the Equipment.
- 3) UP will hold this DVIR information in its computer system. When the equipment/unit arrives at the UP's Facility, this DVIR information will automatically match the in-gate record and produce an Equipment Inspection Report (EIR) documenting the RCD information to the Driver.
 - a) If no Pre-In-gate DVIR reporting is available to the UP at the time of in-gate, Drivers will be prompted for RCD information as outlined in the Non-Virtual In-Gate process outlined above.
- 4) UP will automatically place all Equipment identified with RCDs in bad order Hold status.
- 5) UP will not release equipment from Hold (no out-gate allowed) until the IEP or its Agent releases the Equipment from bad order hold status.
 - a) After the IEP or its Agent inspects and repairs Equipment as may be required, IEP or its Agent will electronically certify that chassis have been inspected and or repaired by use of UP's IIM Web Based system.

Roadability Component Defects (RCDs)

Alignment of 49 CFR Sections 392.7 (b) and 396.11 (a) (2) inspection component items, via December 29, 2009 Technical Amendments published in the Federal Register at 74 Fed. Reg. 68703. Corrected ordering of items:

- 01) Brakes - Brakes
- 02) Lights - Lighting devices, lamps, markers, and conspicuity marking material
- 03) Wheel - Wheels, rims, lugs, tires
- 04) Air Line - Air line connections, hoses, and couplers
- 05) Coupling - King pin upper coupling device
- 06) Frame - Rails or support frames
- 07) Bolster - Tie down bolsters
- 08) Fastener - Locking pins, clevises, clamps, or hooks
- 09) Slider - Sliders or sliding frame lock
- 00) No Defect

III. Pre - Out-Gate Inspections

- 1) Drivers are required to perform a pre-trip inspection of all Equipment prior to taking Equipment onto the highway.
 - a) UP will provide sufficient space for drivers to perform the required pre-trip inspection of the Equipment.
 - b) Drivers will document these inspections and maintain them for their records.
- 2) Any RCDs that are noted during the inspection process are to be handled in the following manner:
 - a) Operate the Equipment to the Roadability Lane.
 - b) Report the Defect to the IEPs Mechanical Repair Vendor
 - c) Mechanical Repair Vendor to place unit in bad order hold in UP's Intermodal Inventory Management System (IIM)
 - d) Receive advice regarding the ability of the M&R Vendor to repair the RCD and either:
 - i) Wait for the Repair to be completed (M&R Vendor to release chassis from bad order Hold in UP's IIM Based system).
Or
 - ii) Request a Flip from the available UP manager on duty (Max 30 minute wait).
Or
 - iii) Leave the Equipment on the Facility until repairs can be made.

Equipment with any reported RCD will not be allowed to take the Equipment out the UP gate. RCD information will not be accepted at the time of out-gate. Driver will be sent back to the Roadability Lane for inspection and Repairs if required after the inspection.

IV. Driver Vehicle Examination Report (DVER) Handling

- 1) Drivers may be stopped and inspected by Federal or State inspectors that may find RCDs while the Driver is on the highway.
- 2) If a DVER is prepared by the Federal or State Inspector, then a copy of the DVER is required to be furnished to the Driver's Motor Carrier. The Motor Carrier is required to transmit the DVER document to the appropriate IEP within 24 hours of receipt.
- 3) No DVER documents will be accepted or collected at UP's gates regardless if the IEP is the UP or other Company.
 - a) However, if the RCD is not repaired after the DVER was issued but prior to in-gate, the Driver is responsible to report an RCD using either the Virtual or Non-Virtual reporting as outlined above.
- 4) The Motor Carrier will be notified to send DVER's representing any chassis registered in GIER as UP as the IEP to our Asset Group in Omaha for their further handling via one of the following:
 - a) Facsimile: **(402) 271-4053**
 - b) EMAIL transmission: **ROADABILITY@UP.COM**
 - i) DVERs will be accepted from Motor Carriers only via Facsimile or EMAIL transmission to UP's Asset Team in Omaha. (EMAIL Address and Phone Numbers above only)
- 5) Upon receipt of the DVER by the Omaha Asset Team, the Omaha Asset Team will immediately enter a "DVER RCD Hold" in TCS for the specific chassis.
- 6) The DVER document will be held by our Asset Team for further handling as outlined below.
- 7) If a Road repair was made to the chassis after a DVER was issued, the Road Service Vendor will send a completed work order within 48 hours of repair to Dan Klaus, Director of Intermodal Maintenance, via one of the following:
 - a) Facsimile transmission: **(402) 271-4054**
 - b) EMAIL transmission: **ROADABILITY@UP.COM**
- 8) UP's Mechanical Repair Vendor will review the daily TCS/Oasis "DVER RCD Hold" and arrange to prioritize the inspection and required repairs for the chassis for RCDs.
 - i) The inspection, repair and/or record of no repair must be made within 48 hours and documented by the Repair Vendor. When complete, the mechanical completed work order of inspection and/or repairs must be sent within 48 hours from date of repair to Dan Klaus, Director of Intermodal Maintenance via one of the following:
 - b) Facsimile transmission: **(402) 271-4054**
 - c) EMAIL transmission: **ROADABILITY@UP.COM**
- 9) The Omaha Mechanical Team will match the mechanical inspection and/or repair information with the DVER and send the completed report to the issuing agency within 15 days from the original inspection date by the issuing agency.
 - i) A complete copy of the paperwork will be maintained by our Omaha Mechanical Team.

The above procedure does not modify or negate any existing mechanical procedures in effect including the inspection, repair, and invoicing of damages and other repairs.

UP's Mechanical Repair Vendors will not handle inspections, repairs, or invoicing of RCDs for chassis where UP is not the IEP.

- a) **UP may share the same Mechanical Repair Vendor at geographic locations. However, each will have a separate contract with the foreign IEPs and will be under the direction and control of the specific IEP who is registered in GIER.**

V. UP's Systematic Maintenance Program

In compliance with the Roadability Requirements, as outlined in UP's Ramp Rules, Policies, and Procedures dated May 28, 2010, Union Pacific Railroad supports the following "Systematic Maintenance Program."

- 1) All UP chassis (i.e., UP is the IEP) must be inspected using the criteria outlined below.
- 2) Inspections are required a minimum of every twelve months.

- 3) All inspections/repairs must be reported through the Union Pacific electronic billing system with all required information.
- 4) Inspection Criteria is outlined below:

Inspection Items	Inspection Criteria
License and Registration	Check for valid license and registration
Lights	Missing, Broken, or Inoperative
Wiring	Bare/exposed Wire, cut, or frayed
Reflectors/Conspicuity Marking Material	Broken, Missing, Loose
Brakes	Worn or Cracked Lining(s). Cracked/Broken/Leaking Chambers. Check and lubricate moving parts as required. Test ABS system and indicator lamp.
Air Lines	Cut/missing Glad Hand Gaskets. Loose, cut, leaking air hoses and connections
Kingpin	Check for bent, cracked, chipped king pin. Gauge with go/no go gauge for excessive wear.
Tires	Check tread, clearance, condition, pressure, and valve caps.
Wheels & Rims	Visual inspection of Wheel & Rims looking for gouges, chips, worn lock rings, clamps, nuts, and spacers.
Frame & Assembly	Check mainrails, gooseneck, and X members for cracks or broken welds. Check sub-frame and sliding lock pins for proper operation and engagement.
Suspension	Check 'U' bolts, hangers, springs, radius rods, and axles to insure they are not bent, broken, cracked.
Axles	Check for leaking (grease or oil) at end cap. (Small accumulation may be normal) Check for broken, cracked, missing hub cap.

- 5) Once the inspection/repair is completed, a decal containing the following information must be affixed to the front bolster.
 - a) Date and location of inspection and name of company performing inspection.
- 6) Inspection and Repair records will be maintained by UP's Central Database at UP's St. Louis, Illinois Facility.

VI. Definitions

- 1) **Intermodal Equipment Provider:** Any person that interchanges intermodal equipment with a motor carrier pursuant to a written interchange agreement or has the contractual responsibility for the maintenance of the inter-modal equipment.
- 2) **Intermodal Equipment:** Trailing equipment that is used in the intermodal transportation of containers over public highways in interstate commerce, including trailers and chassis.
- 3) **Intermodal Equipment Interchange:** The Uniform Intermodal Interchange and Facilities Access Agreement (UI-IFA) or any other written document executed by an intermodal provider or its agent, the primary purpose of which is to establish the responsibility and liabilities of both parties with respect to the interchange of the intermodal equipment.
- 4) **Interchange:** The act of providing intermodal equipment to a motor carrier pursuant to an intermodal equipment interchange agreement for the purpose of transporting the equipment for loading or unloading by any person or repositioning the equipment for the benefit of the equipment provider, but it does not include the leasing of equipment to a motor carrier for primary use in the motor carrier's freight hauling operation.
- 5) **Equipment:** A Chassis used for transporting an intermodal container.