Private Car Inspector Qualification Protocol

Effective Oct 1, 2026

A. DEFINITIONS

1. Amtrak: The National Railroad Passenger Corporation, a corporation organized under 49 U.S.C. § 24101 *et seq*., and the laws of the District of Columbia with offices at 1 Massachusetts Avenue, N.E., Washington, D.C. 20001.
2. Amtrak Private Car Website: The portion of the amtrak.com website that is devoted to Private Cars. The URL is: https://www.amtrak.com/planning-booking/private-train-cars.html.
3. Amtrak Property: Land, yard, tracks, or other real or personal property owned or controlled by Amtrak.
4. Amtrak Train: A train operated by Amtrak for its own account, i.e., not operated by Amtrak under contract to another entity.
5. Business Car: A railroad passenger car owned, leased, operated, or otherwise controlled by a Host Railroad and has had an 800000-series number assigned by Amtrak.
6. Host Railroad: A Class I railroad (as defined by the Surface Transportation Board) where Amtrak has an agreement for use of rail lines.
7. Host Railroad Business Car Inspector: An employee of a Host Railroad who meets the requirements set forth in this Private Car Inspector Qualification Protocol, specifically section D and is placed by Amtrak on the Host Railroad Business Car Inspector's List.
8. Indemnitees: Amtrak, its host railroads, other railroads or transit agencies to the extent Amtrak is obligated to indemnify or save harmless such railroads and transit agencies, station and terminal companies, other railroads on whose right of way or property a Private Car operates, and their respective officers, directors, employees, contractors, agents, insurers, indemnitors, servants, successors, assigns and subsidiaries.
9. Manager of Special Movements: Employee in Charge of Amtrak's Special Movements Department available via email at SpecialMoves@amtrak.com.
10. Private Car: Rail rolling equipment that is used only for excursion, recreational or private transportation purposes. A Private Car is not a passenger carrying car.
11. Private Car Inspector: A private contractor who meets the requirements set forth in this Private Car Inspector Qualification Protocol and is listed by Amtrak on the Private Car Inspectors List.
12. Private Car Inspectors List: A list maintained by Amtrak of Private Car Inspectors and available on the Amtrak Private Car Website.
13. Private Car Maintenance Contractor: A private contractor or subcontractor hired by a Private Car Inspector or Private Car Owner to perform maintenance services under his or her authority, responsibility, and direction.
14. Private Car Owner: A party other than Amtrak who owns, leases, operates, or otherwise controls a Private Car. A Host Railroad can also be defined as a Private Car Owner or Business Car owner.

B. ROLES

Private Car Inspectors certify that Private Cars are in suitable mechanical condition for safe operation on Amtrak Trains. Private Car Inspectors are selected from the Private Car Inspectors List, hired, scheduled, and paid directly by Private Car Owners. Private Car Inspectors establish payment arrangements directly with Private Car Owners. No contracts, billing, payment, or any other matter regarding Private Car Inspectors and their relationship with Private Car Owners are handled by or through Amtrak.

C. INSPECTION AND QUALIFICATION REQUIREMENTS PROCESS

1. To be eligible for placement and to maintain position on the Private Car Inspectors List, all of the requirements in this document must be met by current and prospective Private

Car Inspectors. To be approved by Amtrak for placement on the Private Car Inspectors List, a prospective Private Car Inspector must complete all of the following steps.

a. As a prerequisite for enrolling in the Amtrak Private Car Training Class (see step (c)), potential inspectors must demonstrate experience, knowledge and understanding of how to properly maintain and repair railway passenger cars, including safety critical systems such as trucks, air brakes, and safety appliances. This requirement may be satisfied by providing Amtrak training and work records for persons who are current/former Amtrak employees, work records for persons who are current Host Railroad employees (for Host Railroad Business Car Inspectors only), and by submission of a resume and references for others. In the latter case, at least two references must be currently Amtrak approved Private Car Inspectors. Parties who desire to enroll in the Amtrak Private Car Training Class may contact Amtrak's Manager of Special Movements.

b. Provide an affidavit attesting that he or she has a clean record with no legal or administrative fines, penalties, or judgements, including but not limited to Federal Railroad Administration actions entered against him or her related to private car inspection or maintenance work for the preceding five (5) years (the "Affidavit"). This document must be submitted to Amtrak's Manager of Special Movements.

c. Successfully complete an Amtrak Private Car Training Class. This is a prerequisite for enrolling in the Amtrak QMP Certification class (see next step). All Private Car Inspectors must successfully complete the Amtrak Private Car Training Class once before inspecting Private Cars. This class is offered periodically by Amtrak's Training Department. Parties who desire to enroll in the class may contact Amtrak's Manager of Special Movements. This Amtrak Private Car Training Class certification must be renewed every six years to remain on the Private Car Inspectors List.

d. Successfully complete an Amtrak QMP Certification class to obtain a Qualified Maintenance Person ("QMP") certification. Classes are offered by Amtrak's Training Department. Parties who desire to enroll in a class may contact Amtrak's Manager of Special Movements. These certifications must be renewed every three years; the certifications that Private Car Inspectors are required to keep current to remain on the Private Car Inspectors List are as follows:

    - Train Brake Test
    - Locomotive Departure Test
    - Passenger Car Daily
    - Passenger Car PM
    - Single Car Test; Passenger
    - Single Car Test; Freight

    Notwithstanding the preceding section, a Host Railroad may fulfil this requirement through equivalent Host Railroad certifications, which shall be subject to approval by Amtrak at Amtrak's sole discretion.

e. Provide to Amtrak a Certificate of Insurance giving evidence that the prospective Private Car Inspector holds the Commercial General Liability insurance required by Attachment A of the Temporary Permit to Enter for Private Car Inspectors (available on the Amtrak Private Car Website). If entering Amtrak Property, the Private Car Inspector must satisfy all additional provisions of Amtrak's then-current Temporary Permit to Enter for Private Car Inspectors. Notwithstanding the foregoing, and in Amtrak's sole discretion, a Host Railroad may fulfil this requirement through other insurance and indemnity arrangements in place between Amtrak and said Host Railroad.

f. Prospective Private Car Inspector, after submitting the above requirements (a-e), will be required to perform two joint inspections with two different currently qualified Private Car Inspectors. This private car inspection will be listed under the current Private Car Inspector's credentials. The current Private Car Inspector will acknowledge and approve in writing, the prospective Private Car Inspector's

name to Amtrak's Manager of Special Movements. Should the inspection by the prospective Private Car Inspector be insufficient, Amtrak reserves the right to disapprove the prospective Private Car Inspector or allow for an additional observed inspection.

2. A prospective Private Car Inspector must submit written evidence of fulfilling the requirements of Section 1 and its agreement to the terms of this document to Amtrak's Manager of Special Movements in a format specified by Amtrak's Manager of Special Movements. If the prospective Private Car Inspector meets the conditions of Section 1, the Private Car Inspector's name and contact information will be eligible for placement on the Private Car Inspectors List. The decision of whether or not to place a Private Car Inspector's name and contact information on the Private Car Inspectors List shall be at Amtrak's sole discretion and shall be final. The Private Car Inspectors List, as may be amended from time to time, shall be available on Amtrak's Private Car Website and shall be the definitive list of Private Car Inspectors qualified to inspect Private Cars. Placement on the Private Car Inspectors List shall not render the Private Car Inspector an employee, partner, servant, agent, joint venturer, contractor, or representative of Amtrak or otherwise create an engagement or other relationship with Amtrak for any purpose.

3. Any Private Car Inspector on the Private Car Inspectors List will be subject to the following:

    a. By appearing on the Private Car Inspectors List, the Private Car Inspector agrees that Amtrak assumes no responsibility for and makes no representations or warranties, express or implied, as to the qualifications of, or work or inspections performed by, Private Car Inspectors and/or Private Car Maintenance Contractors, and that the Private Car Inspector hereby releases Indemnitees from any liability related to being placed on or removed from the Private Car Inspectors List, and will defend, indemnify and hold harmless Indemnitees from any liability in any way arising from the Private Car Inspector's work or this Protocol regardless of the cause thereof. The foregoing obligation shall not be limited by the existence of any insurance policy or by any limitation on the amount or type of damages, compensation, or benefits payable by or for the Private Car Inspector or any contractor or subcontractor and shall survive the termination or expiration of being listed on the Private Car Inspectors List for any reason.

    b. Amtrak reserves the right to suspend or remove a Private Car Inspector from the Private Car Inspectors List at any time, for any reason, such reason to be communicated by Amtrak to the Private Car Inspector in a Notice of Termination. Such reasons may include, but are not limited to, Sections 3(c) through 3(k) below.

    c. Amtrak may conduct random, unannounced audits of any Private Car Inspector's work at any time, for any reason, without the Private Car Inspector present. Failure to pass any Amtrak audit, as determined in the sole discretion of Amtrak, will result in immediate removal of the Private Car Inspector from the Private Car Inspectors List. Audit results will be transmitted in writing to the Private Car Inspector under audit who may offer comments or explanation to Amtrak's Manager of Special Movements within 60 days of the effective date of the removal. Following submission of the explanation, or in cases where no explanation is offered; the Private Car Inspector shall remain removed unless Amtrak's review of the explanation, if any was provided, causes Amtrak to revoke or modify the removal. The decision to remove a Private Car Inspector from the Private Car Inspectors List shall be at Amtrak's sole discretion and shall be final.

    d. Any legal or administrative fine, penalty, or judgement assessed, levied, or adjudicated against a Private Car Inspector, or failure of a Private Car Inspector to report any such fine, penalty, judgement to Amtrak's Manager of Special Movements, will result in the immediate removal of the Private Car Inspector from the Private Car Inspectors List.

    e. The Private Car Inspector shall be fully cognizant of and governed by all appropriate safety rules and standards governing their conduct in and about railroad property and equipment, which at a minimum includes safety rules and

standards issued (1) by Amtrak and available on Amtrak's Private Car Website, (2) by each Host Railroad on which the Private Car is located, and (3) by any applicable agencies having jurisdiction over the Private Car and the Private Car Move such as the Federal Railroad Administration (see applicable parts of 49 CFR Parts 200-299). All 219.603(c) plans must be submitted to Amtrak Senior Manager for Drug and Alcohol Compliance each calendar year. It is the responsibility of each Private Car Inspector to be familiar with and comply with all applicable rules and standards.

f. The instructions of Amtrak personnel are to be adhered to at all times.

g. The Private Car Inspector shall not offer or cause to be offered to any Amtrak employee any Business Courtesies. A Business Courtesy is a present, gift, hospitality or favor for which fair market value is not paid by the recipient. A Business Courtesy includes tangible or intangible benefits such as meals, drinks, entertainment, door prizes, transportation, discounts or professional items. Prohibited gifts include but are not limited to cash; services or gifts greater than $50.00 (fifty dollars) in value; transportation; favors; bonuses; commissions or kickbacks; living expenses; or entertainment.

h. Amtrak does not allow the same Private Car Inspector to perform more than two consecutive annual inspections on the same Private Car.

i. A Private Car Inspector may not provide any inspection or approval on work he or she has performed on a Private Car.

j. Inspections and associated repairs by a Private Car Inspector or Private Car Maintenance Contractor are authorized on Amtrak Property only for equipment that is covered by a valid Monthly, Short Term, or Long-Term Private Car Parking Permit (including where access to Amtrak Property is authorized in a Host Railroad agreement)At locations eligible for Private Car Moves and the Private Car Inspector holds a valid Temporary Permit to Enter for Private Car Inspectors, or for required daily inspections not performed by Amtrak personnel during a Private Car Move. Amtrak supervisors will provide blue flag protections and make available pit inspections, jacking pad and overhead fall protection areas as necessary, dependent on the availability of Amtrak facilities, equipment, and resources. This work shall not impede the servicing or maintenance of Amtrak equipment.

k. To Remain on the Private Car Inspectors List, prior to expiration of a Private Car Inspector's QMP certifications under Section 1(d), the Private Car Inspector must provide written evidence to Amtrak's Manager of Special Movements in a form specified by Amtrak's Manager of Special Movements that the Private Car Inspector's certifications have been renewed and the new expiration date.

l. A Private Car Inspector may at any time request to be removed from the Private Car Inspectors List by providing a request in writing to Amtrak's Manager of Special Movements.

4. If a Private Car Inspector is removed from the Private Car Inspectors List, the Private Car Inspector may seek to return to the Private Car Inspectors List by starting as a new prospective Private Car Inspector using the process in Sections 1 and 2, which application may or may not be accepted by Amtrak for processing at Amtrak's sole discretion.

5. If a Private Car Inspector is removed from the Private Car Inspectors List, all charges owed to Amtrak by the Private Car Inspector at the time of such removal will remain due and owing, and will not be eliminated.

D. HOST RAILROAD INSPECTION AND QUALIFICATION REQUIREMENTS PROCESS

All conditions outlined in Section C of these protocols shall apply to Host Railroads, with the Host Railroad Business Car Inspector List replacing the Private Car Inspector List and Host Railroad Business Car Inspector replacing Private Car Inspector. Furthermore, the following conditions apply to Host Railroad Business Car Inspectors:

1. All Host Railroad Business Car Inspectors shall be employees of said Host Railroad.

2. Host Railroad Business Car Inspectors may **only inspect Business Cars owned, leased, or otherwise in control of said Host Railroad**.
3. Nothing in these protocols is intended to amend any operating agreement in place between Amtrak and a Host Railroad, and in the event of a conflict, said operating agreement shall govern.