

National Railroad Passenger Corporation Guidelines: Guidelines for the Maintenance and Storage of Private Cars in Amtrak's Facilities/Properties.

Effective June 30, 2019

All private cars are governed by CONDITIONS FOR MOVEMENT OF PRIVATELY OWNED RAILROAD CARS ON AMTRAK and all related addendums.
In the event of any conflict, the most restrictive rule will apply.

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/privately-owned-rail-cars>
3. Amtrak Property: Land, yard, tracks, or other real or personal property owned or controlled by Amtrak.
4. Amtrak Officer: Amtrak Designated Representative and Primary Point of Contact located at each facility. This individually is typically a Trainmaster, Road Foreman, or Mechanical Foreman. They can vary by shift and facility.
5. Amtrak Train: A train operated by Amtrak for its own account, i.e., not operated by Amtrak under contract to another entity.
6. Designee: A representative of the Private Car Owner designated to Amtrak's Manager- Charter and Special Movements in writing and approved by Amtrak's Manager- Charter and Special Movements in writing.
7. 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, servants, successors, assigns and subsidiaries.
8. Manager- Charter and Special Movements, Lead, Sr Specialists- Charter and Special Movements, available via email at SpecialMoves@amtrak.com or via fax at (302) 683-2121.
9. Occupants: Persons in a Private Car or meeting or greeting a Private Car, other than persons serving in their capacity as Amtrak employees, including but not limited to passengers, meeters and greeters, invitees, and guests.
10. Person-in-Charge: A person representing the Private Car Owner who has authority to act on behalf of the Private Car Owner and will be physically present and accessible to Amtrak employees on each Private Car Move before, during, and after such move.
11. Private Car: A railroad passenger car owned, leased, operated, or otherwise controlled by a Private Car Owner and has had an 800000-series number assignment by Amtrak.
12. Private Car Inspector: A private contractor who meets the requirements set forth in Amtrak's Private Car Inspector Qualification Protocol and listed by Amtrak on the Private Car Inspectors List.
13. Private Car Inspectors List: A list maintained by Amtrak of Private Car Inspectors and available on the Amtrak Private Car Website.
14. 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.
15. Private Car Move: A journey of a Private Car or multiple Private Cars on an Amtrak Train, whether occupied or unoccupied, governed by one Passenger Name Record (PNR) and/or Transportation Notice (TN) issued by Amtrak signifying Amtrak authorization of the journey.
16. Private Car Owner: A party or entity other than Amtrak which owns, leases, operates, or otherwise controls a Private Car.
17. Private Car Owner Group: A Private Car Owner, Private Car Inspectors, Private Car Maintenance Contractors and the Private Car Owner's employees, contractors, subcontractors, lessees, agents, and servants.
18. Private Car Parking: A Private Car on Amtrak Property during the time when it is not engaged in a Private Car Move. The duration of a Private Car Move includes the period immediately before the start of the Private Car Move, time waiting for a connecting Amtrak Train as part of one continuous Private Car Move, and the time immediately after the completion of a Private Car Move.

General Conditions:

Amtrak reserves the right to refuse any request, including but not limited to requests which in Amtrak's sole judgment would cause a delay in movement of Amtrak Trains, result in any unusual additional costs or difficulties, or are for a Private Car Owner, Person-in-Charge, or Occupant whose Private Car Moves have been curtailed in accordance with Section I. Amtrak shall be the sole judge of which Amtrak Trains and Amtrak Property can accommodate requested Private Car Moves or Private Car Parking, between which points Private Cars may be moved, and on what dates Private Cars can be accommodated. Operation of Private Cars must be conducted in a safe manner and not to the detriment of Amtrak's other customers or operations. Additional Guidelines for Private Car Moves, including information on locations eligible to have Private Cars added or removed from Amtrak Trains, are available on the Amtrak Private Car Website.

Coordination and Arranging for Parking:

Private Car owners or designee may request Private Car parking using procedures and conditions referenced in the Conditions for Movement of Private Railroad Cars, which can be found on the Amtrak Private Car Website. This website has specific links to the appropriate documents as well as all related addendums governing, parking movement and other services.

Access, Security, and Repairs to Private Cars

A. Access

1. Roads and walkways beyond the guard rails of the visitor and employee parking areas are restricted. You must obtain permission from appropriate on-site manager to walk upon or drive any privately-owned vehicle onto roadways and over railroad crossings in the yard to reach your private car for loading/unloading or any other activity. **Please note:** Any Amtrak Officer has the discretion and authority to grant or deny such access and may establish specific time frames for your activities based upon yard conditions and operations. Parking will be granted on a case by case basis. Personal Protective Equipment (PPE) will be required for any extended time spent off the car, or if an Amtrak Officer deems that PPE is required for the circumstances. Private Car Owner Group and Occupants are not allowed to be on the ground "touring" or "wandering" in the yard or the S&I building. It is the Private Car Owner Group's responsibility that anyone associated with their private car remain on the car and not interfere with Amtrak employees performing their duties.

B. Security

1. At security gates and prior to entering any Amtrak facility, anyone associated with private car must stop at secured entrance and contact security by intercom to identify them self and the name of the car they are boarding. Do not follow another vehicle in while the gate is open or allow another car to do so. If you do not contact Security, you will be considered a trespasser and access may be revoked.

C. Repair

1. Private Car Owner Group is obligated to understand rules of the specific area where work is planned.
2. Inspections and associated repairs by a Private Car Inspector or Private Car 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 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. An appropriate Amtrak Officer 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. **ONLY THE APPROPRIATE AMTRAK OFFICER MAY SET OR REMOVE A BLUE FLAG.** This work shall not impede the servicing or maintenance of Amtrak equipment.
 - a. If you don't know or are unsure of anything, please ask! Always contact the appropriate Amtrak Officer when in doubt who can instruct you in the accepted route to and from the yard or shop offices.
 - b. Cars *may not* be jacked up for any reason in an Amtrak yard without permission. No heavy mechanical work is allowed without prior approval from the appropriate Amtrak supervisor; should you discover such work is needed on a private car, refer to the Conditions of Movement of Private Railroad Cars: Standards, Inspections, and Repairs.
 - c. No one is allowed on the roofs of private cars anywhere, anytime at any Amtrak location. If roof access is needed, specific authorization from an appropriate Amtrak Officer is required.

Safety:

Private Car Owner is responsible for making anyone associated with the private car aware of the safety standards and of the necessity that such standards are to be strictly observed. These standards shall include, but not be limited to, a clear understanding of the specific areas or portions of the car or cars, where, under no circumstances, passengers and guest are permitted to go. The presence of passengers and guests in areas of railroad property not designated for public use shall not be permitted, unless prior approval from the appropriate Amtrak Officer. Private Car Owners must not allow anyone to climb on top or underneath a parked car. For additional safety instructions, located at the Amtrak Private Car Website.

General Rules:

- A. These guidelines also apply to conduct on or about railroad property, with reference also to equipment in motion, wet or slippery rail, switches, electricity, and other potential hazards.
- B. Expect moving equipment at any time on any track, in either direction. Always look both directions before crossing tracks. Remain behind yellow lines while walking down paths giving yourself plenty of clearance away from equipment and tracks. *Rely on all your senses—keep alert—visually scan the area you are approaching.* When railroad passenger equipment is moving it is much quieter than you think.
- C. Be visible to yard employees and anticipate your actions relative to moving equipment.
- D. When stepping off any railroad rolling equipment, look both directions before stepping to the ground. Look for employees in golf carts passing your car and moving railroad equipment.
- E. Do not step on the top of rails. Step over the rail. Do not cross over any tracks or switches they can move and cause serious injury. Do not cross tracks between separated cars or locomotives at any time.
- F. When walking around the end of any car or locomotive, you must be at least 20 feet away from the end of the equipment when crossing tracks. This will assist you to get clear if the equipment moves.
- G. Unaccompanied minors are not allowed in the yard. Children must not run or play anywhere in the yard. All Children must be closely supervised at all times while in the yard. It is recommended that no one under the age of 14 be brought into the yard.
- H. Amtrak takes violations of its alcohol policies very seriously. Consumption of alcoholic beverages anywhere outside of the Private Car at any location is prohibited.
- I. Obey all direction and instruction given by any Amtrak Officer.
- J. Only designated walkways or roadways are to be used when walking or driving in the yard.
- K. Private Car Owners and anyone associated with a Private Car must park in designated visitor's parking spaces. Vehicles left in non- designated areas will be towed at the owner's expense.

Environmental Protection:

- A. Trash from Private Cars must be in approved trash receptacles. Bags used should be clear in color. All trash must be bagged. Please do not overfill bags. Cardboard boxes should be broken down and disposed of separately for recycling.
- B. Do not release hazardous materials from your car onto the ground, pavement or drain. Contact the on-duty manager should you need to plan to properly manage used oil, diesel, fuel or other hazardous materials. In addition, do not dispose of waste batteries, waste lamps, aerosol cans, compressed gas cylinders, electronic components or other hazardous or universal wastes in trash. It is the responsibility of the private car owner to properly dispose of oil, diesel fuel or other hazardous and universal wastes off-site. Owners must report to the on-duty manager any release of hazardous materials coming from a private car including but not limited to fuel, oil, grease, toilet waste, or mixtures thereof, or any other known or unknown substance that could pose a potential threat to public health or the environment. In addition, private car owners must notify Amtrak and clean up spills immediately in an authorized manner. Disposal of the cleanup material must be made promptly and properly at the owner's expense.

- C. Amtrak does not allow private car owners or contractors to store hazardous materials under any conditions.
- D. Persons handling refrigerants for either HVAC or Refrigeration systems must possess the appropriate licenses or certifications.
- E. Good housekeeping practices must be utilized while on Amtrak property:
 - a. Clean up workplace prior to leaving site
 - b. Keep work space safe always, eliminate unsafe conditions (tripping, slipping, or falling hazards)
 - c. The storage of items such as but not limited to, tools, parts, wheels, furniture, etc., related to private cars on Amtrak Property is prohibited, unless specifically authorized in writing in advance.
 - d. Frequent ongoing visual safety inspections of the car interior and exterior should be made whenever possible.
 - e. Do not pour anything down the storm drains. Do not drain any fluids including car washing water into the ballast.

Regulations:

- A. The owner or operator of each car shall not violate any rule or standard of the Federal Railroad Administration, the Association of American Railroads and its carrier members, or Amtrak. All cars must be maintained in strict conformity with all current mechanical and safety rules. This applies to all Amtrak locations.
- B. The private car owner (for him or herself and all employees, contractors and other persons who work or do anything for the owner) is responsible for the compliance with any local, state, or federal environmental rule or regulation including but not limited to the proper management of any hazardous materials and universal wastes.
- C. Amtrak adheres to strict FDA regulations concerning watering of passenger cars. To protect you and your guests/customers it is recommended that you comply with the Amtrak standards for your private car. All car watering should be handled by qualified Amtrak employees from an approved designated potable source.

Personal Protective Equipment (PPE):

When directed by an Amtrak Officer or by rule, Private Car Owner Group and Occupants must wear the minimum proper protective equipment and conform with the below

- A. While in yard and station areas walking ballast, crossing tracks or on any un-even surfaces to and from private cars - Safety Glasses with side shields, hard hats, and sturdy safety shoes are required. Sandals, flip-flops, high-heeled shoes, and athletic shoes are not appropriate footwear in these areas.
- B. Working on private cars or observing work being performed - Safety shoes with a defined heel (not Sandals, flip-flops, high-heeled shoes, and athletic shoes), safety glasses, and in some cases, hardhats are required for any private car personnel and/or their contractors.
- C. Appropriate PPE is the responsibility of the private car owners. Personal protective equipment can be purchased from a variety of providers none of which Amtrak officially endorses.
- D. Appropriate work clothing is required for private car personnel while working on or adjacent to equipment. Long pants and shirts are required. Shorts are not allowed.

Filming at Amtrak Facilities:

Filming on Amtrak Premises requires advance written authorization from Amtrak, which Amtrak, in its sole discretion, may grant, grant with conditions or deny. Please refer to information on the Amtrak website, found on the following link: <https://www.amtrak.com/photography-video-recording-policy>

Compliance:

If a Private Car Owner Group, Person-in-Charge, and/or Occupant fails to comply with any provision of this document, Amtrak's Manager of Special Movements shall, in his or her sole discretion, determine which of the following categories applies. In all cases, the determination is independent of the consequences, meaning a failure to comply is still a failure whether or not, for example, an accident or injury occurred.

- A. Human Error, defined as an inadvertent action such as a slip, lapse, or mistake. In this instance Amtrak's Manager of Special Movements shall issue a written acknowledgement of the incident to the Private Car Owner Group, Person-in-Charge, and/or Occupant.
- B. At-Risk Behavior, defined as a choice based on not recognizing or understanding a provision of this document. More than one instance of Human Error by the same Private Car Owner Group, Person-in-Charge, and/or Occupant regarding the same provision(s) of this document shall be deemed to be At-Risk Behavior. In this instance, Amtrak's Manager of Special Movements shall issue a written warning to the Private Car Owner Group, Person-in-Charge, and/or Occupant, and, in the sole discretion of Amtrak's Manager of Special Movements, may also terminate any requested and/or in-progress Private Car Move(s) of the involved Private Car. The Private Car Owner shall acknowledge receipt of the warning and provide to Amtrak's Manager of Special Movements a mitigation plan to prevent recurrence.
- C. Reckless Behavior, defined as conscious disregard of a provision of this document or taking a substantial risk. More than one instance of At-Risk Behavior by the same Private Car Owner Group, Person-in-Charge, and/or Occupant regarding the same provision(s) of this document shall be deemed to be Reckless Behavior. In this instance, the Private Car Owner Group, the Person-in-Charge, and/or the Occupant, and the involved Private Car, are prohibited from conducting or participating in any Private Car Moves for a period of one year. The one year time period shall begin on the date when Amtrak's Manager of Special Movements notifies the Private Car Owner Group, Person-in-Charge, and/or Occupant as appropriate of the prohibition affecting them and the involved Private Car. If the Private Car Owner Group, Person-in-Charge, and/or Occupant as appropriate elects to do so, they may within 15 days from the date of notification of the decision of Amtrak's Manager of Special Movements to appeal that finding to Amtrak's Manager of Charters & Amtrak Services, providing any information in writing to rebut or mitigate such prohibition. Amtrak's Manager of Charters & Amtrak Services shall respond within 30 days of receiving such information. The decision of Amtrak's Manager of Special Movements, or, if appealed, the decision of Amtrak's Manager of Charters & Amtrak Services, shall be final. If a Private Car Owner Group, Person-in-Charge, and/or Occupant is prohibited, after the period of such prohibition he or she may seek to return to making Private Car Moves by paying the Annual Car Administrative Fee and applying starting as a new Amtrak customer, which application may or may not be accepted at Amtrak's sole discretion. During a period of prohibition all charges owed to Amtrak remain due and owing and are not suspended.