

**Track Safety Standards Working Group  
Consensus**

**CWR Proposed Regulatory Text  
February 2008**

**§213.7(c)**

- (c) Individuals designated under paragraphs (a) or (b) of this section that inspect continuous welded rail (CWR) track or supervise the installation, adjustment, and maintenance of CWR track in accordance with the written procedures of the track owner shall have:
- (1) Current qualifications under either paragraph (a) or (b) of this section;
  - (2) Successfully completed a comprehensive training course specifically developed for the application of written CWR procedures issued by the track owner;
  - (3) Demonstrated to the track owner that the individual:
    - (i) Knows and understands the requirements of those written CWR procedures;
    - (ii) Can detect deviations from those requirements; and
    - (iii) Can prescribe appropriate remedial action to correct or safely compensate for those deviations; and
  - (4) Written authorization from the track owner to prescribe remedial actions to correct or safely compensate for deviations from the requirements in those procedures and successfully completed a recorded examination on those procedures as part of the qualification process to be made available to the FRA.

**§ 213.119      Continuous welded rail (CWR); general**

Each track owner with track constructed of CWR shall have in effect and comply with a plan that contains written procedures which address: the installation, adjustment, maintenance, and inspection of CWR; inspection of CWR joints; and a training program for the application of those procedures. The track owner shall submit his CWR plan to the Federal Railroad Administration not less than 30 days prior to its implementation. FRA will send a written statement to the track owner acknowledging receipt of the plan. Upon review of the plan, FRA reserves the right, for cause stated, to disapprove the plan. Notice of such disapproval shall be made in writing and specify the basis for the disapproval decision. If FRA disapproves the plan, the railroad shall be provided an

opportunity of not less than 30 days to respond and to provide written submissions in support of the plan. FRA shall render a final decision in writing and the railroad shall be provided a period of not less than 30 days to amend the plan in accordance with FRA's decision. FRA reviews each plan for compliance with the following- -

**§ 213.119(e)**

(e) Procedures which govern train speed on CWR track when-

(1 and 2 remain unchanged)

- (3) The difference between the average rail temperature and the average rail neutral temperature is in a range that causes buckling prone conditions to be present at a specific location.

**§ 213.119(f)**

(f) Procedures which prescribe when physical track inspections are to be performed. At a minimum, these procedures shall address inspecting track to identify-

- (1) Buckling prone conditions in CWR track
  - (i) locations where tight or kinky rail conditions are likely to occur;
  - (ii) locations where track work of the nature described in paragraph (e)(1) of this section have recently been performed; and
  - (iii) in formulating the procedures under this paragraph (f), the track owner shall-
    - (a) specify the timing of the inspection; and
    - (b) specify the appropriate remedial actions to be taken when buckling prone conditions are found.
- (2) Pull-apart prone conditions in CWR track
  - (i) locations where pull-apart or stripped joint rail conditions are likely to occur; and
  - (ii) in formulating the procedures under this paragraph (f), the track owner shall-
    - (a) specify the timing of the inspection; and
    - (b) specify the appropriate remedial actions to be taken when pull-apart prone conditions are found.

**§ 213.119(h)**

(h) The track owner shall have in effect a comprehensive training program for the application of these written CWR procedures, with provisions for annual re-training, for those individuals designated under § 213.7(c) as qualified to supervise the installation, adjustment, and maintenance of CWR track and to perform inspections of CWR track. The track owner shall make the training program available for review by the FRA upon request.

**§ 213.119(j)**

- (j) The track owner shall make readily available, at every job site where personnel are assigned to install, inspect or maintain CWR, a copy of the track owner's CWR procedures and all revisions, appendices, updates, and referenced materials related thereto prior to their effective date. Such CWR procedures shall be issued and maintained in one CWR procedures manual.

(the definitions currently under 119(j) would be moved to 119(k))

**§ 213.119(k)**

***Continuous Welded Rail (CWR)*** means rail that has been welded together into lengths exceeding 400 feet. Rail installed as CWR remains CWR, regardless of whether a joint or plug is installed into the rail at a later time.

***CWR Joint*** means any joint directly connected to CWR.

***Rail neutral temperature*** is the temperature at which the rail is neither in compression nor tension.

**§ 213.121(f)**

Strike the last sentence ("these locations when over 400 feet in length are considered to be continuous welded rail track and shall meet all the requirements for continuous welded rail track prescribed in this part.").