

Railroad Safety Advisory Committee
Task Statement: 220 Subpart C - Electronic Devices

Task No.: 2022-02

Date initially presented to the RSAC: December 8, 2021

Purpose: To consider and review existing 220 Subpart C - Electronic Devices regulations, previous information regarding such railroad-supplied electronic devices and current and historical safety data, and determine whether specific regulations, guidance, or other responsive actions are needed, so that relevant processes and procedures are in place to ensure the safety and usage of electronic devices are appropriate.

Background: On October 26, 2021, The Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART TD) petitioned the Federal Railroad Administration (FRA) for a Rulemaking to Amend 49 CFR Part 220, Railroad Communications, with emergency considerations, and requested this subject be recommended for consideration as a RSAC Working Group.

On September 27, 2010, FRA published a final rule amending its railroad communications regulations by restricting the use of mobile telephones and other distracting electronic devices by railroad operating employees. The rule codified most of the requirements of FRA Emergency Order No. 26¹, which is supplanted by the final rule.

At the time of the 2010 final rule, the regulation could not anticipate all technologies and advances. More railroads are relying on portable electronics devices from operating crews, and, in some cases, unintended complexities and distractions may be heightened. The petition suggests that railroad-supplied electronic devices should be further evaluated or a more evident standard to adapt to the ever-changing work environment and current/upcoming technologies (i.e., electronic mandatory directives).

As noted above, FRA concurs that the regulation as written in 2010 does not anticipate all technologies and advances. FRA also notes that there are other regulations that address distraction in the cab. FRA believes this regulation could be enhanced by clarifying some potentially underestimated or unfamiliar technologies since 2010 and should be evaluated given current electronic device trends and with the perspective of other FRA regulations.

Description: Review and evaluate the following:

- Current Part 220, Subpart C—Electronic Devices
- Studies of current technologies related to railroad supplied electronic devices
- Other regulations that evaluate cab-based technology
- Whether current electronic device regulations are adequate or need to be revised.

Issues requiring specific report:

The Working Group should consider, and specifically report on and, if appropriate, develop draft regulatory or guidance document language on issues presented in the description above.

Refer to/establish the following working group: Electronic Device Working Group

Target Dates: Report initial recommendations and ongoing work plan to the Committee no later than one year from the kick-off meeting date.

Disposition: Accepted

Date: 10/17/2022

¹ Emergency Order 26, which imposed restrictions on the use of personal cell phones by operating crews was published on October 7, 2008.