

Railroad Safety Advisory Committee
Task Statement: Roadway Worker Protection

Task No.: 2022-01

Date initially presented to the RSAC: December 8, 2021

Purpose: To consider specific safety improvements to Roadway Worker Protection (RWP) found in Subpart C of Part 214 by clarifying certain requirements, simplifying some regulations, addressing technological advances, and taking other actions designed to enhance roadway worker safety.

Improve safety features of on-track roadway maintenance machines with newer technology found in Subpart D of Part 214.

Clarify certain definitions in Subpart A of Part 214.

Background: On April 6, 2021, the National Transportation Safety Board (NTSB) published its 2021-2022 “Most Wanted” List of Transportation Safety Improvements, which included the item, “Improve Rail Worker Safety.” FRA agrees there is a need to improve the safety of rail workers, including roadway workers, and will consider several aspects of RWP to help prevent future accidents, injuries, and fatalities.

As of July 2021, 8 of the last 10 RWP fatalities involved roadway workers being struck by roadway maintenance machines, or by a failure of train approach warning. These regulations should be evaluated to ensure an acceptable level of protection exists for roadway workers.

Additionally, the adjacent track rule may require improvements and simplification in a way that provides an equivalent level of safety, while making it easier to understand and follow by all roadway workers.

RSAC should evaluate new technologies and work processes that can be utilized to improve the safety of roadway workers. Inspection technologies and procedures should also be addressed.

Several aspects of Part 214 should be evaluated to adapt to the ever-changing work environment and current/upcoming technologies. FRA believes strongly that our current regulations can be effectively improved by simplifying several regulations, which will better allow roadway workers to easily follow them. FRA also believes RWP could be improved by clarifying some potentially misunderstood regulations.

Description: Review and evaluate the following:

Current Part 214, Subparts A, C, and D—RWP/RMM requirements

- 214.317(c) – should discuss ways to include inspection activities and not use 301(c) to do routine hi-rail inspections. 301(c) was intended for movements only (tramping).

- 214.321(e)(4) –specifically address separate work groups as a general requirement and not only behind trains.
- Methods to travel and work on/through interlockings should be specifically addressed.
 - Procedures for manual interlockings
 - Procedures for automatic interlockings
 - Procedures for dark/non-controlled interlockings
 - Procedures for foreign railroads
 - Procedures must be readily accessible
- 214.329 - evaluate formalizing the process of TAW and discuss how new technology/procedures may be able to improve TAW.
- Revise definition of “Watchman/lookout” to make it consistent with the regulatory requirement (Subpart A).
- 214.336 – simplify adjacent track protection so all roadway workers can easily understand.
- 214.345 – add a requirement to ensure all roadway workers understand the procedures for working around roadway maintenance machines.
- 214.355 – add requirement for on-track roadway maintenance machine operators to be trained and qualified on the operating rules and relevant physical characteristics of the territory since they operate on the railroad or be piloted by a qualified person.
- 214.355(b) – expand on what demonstrated proficiency means in the roadway maintenance machine arena. Discuss best practices to ensure demonstrated proficiency captures the necessary elements of operating each machine.
- Consider provisions for specialized maintenance of way equipment.
- Clarify training requirements under 214.343(b).
- Discuss requirement for announcing track occupancy on the road/yard channel regardless of the form of on-track safety.
- Discuss ways to specifically cover wrecking crews under separate section.
- Discuss ways to clarify/simplify the Roadway Worker Definition.
- Evaluate safety features on On-Track Roadway Maintenance Machines under 214 Subpart D (installation of operator presence controls, collision avoidance technology and/or back up cameras on newly built on-track roadway maintenance machines).

Issues requiring specific report:

The Roadway Worker Protection Working Group will consider current or proposed RWP/RMM concerns and other relevant information in making recommended changes to Subparts A, C, and D of 49 CFR Part 214 on the above principles.

Refer to/establish the following working group: Roadway Worker Protection 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