

ORIGINAL

Decision 90-05-043 May 4, 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern Pacific
 Transportation Company, Union
 Pacific Railroad Company, and The
 Atchison, Topeka & Santa Fe Railway
 Company for an exemption from the
 width restrictions of General Order
 No. 26-D.

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) Application 89-12-029
 (Filed December 20, 1989)
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James A. Jones, for United Transportation Union, protestant.

Joseph O. Costello, Attorney at Law, for Northrop Corporation, Inc. and D. Dalzell, for Brotherhood of Maintenance Way Employees, interested parties.

Robert G. Webb, for Railroad Safety Branch, Transportation Division.

O P I N I O N

Southern Pacific Transportation Company (Southern Pacific), Union Pacific Railroad Company (Union Pacific), and The Atchison, Topeka & Santa Fe Railway Company seek an exemption from the provisions of General Order (GO) 26-D to permit the transportation of excess width cars between the California state line near Yuma, Arizona, and Palmdale, California, and between the California state line near Nipton, California, and Palmdale, California. The extra width is needed to accommodate large structural components for the B-2 bomber program which will be

shipped from Grand Prairie, Texas and from the State of Washington, to Palmdale, California. The cars to be used are gondola cars assigned to Northrop Corporation, Inc. (Northrop) under contract with the United States Department of Defense, specially equipped with metal canopies designed to conceal and protect the lading from damage.

The cars are designed to American Association of Railroads (AAR) standards. The AAR has assigned the identification numbers of NRPX 10001 through 10007 and 30001 through 30004 to these cars. NRPX 1000 series cars are 12 feet, 4 inches wide; NRPX 30001-30004 measure 13 feet, 6 inches. The Federal Railroad Administration (FRA) was also consulted in the design of the cars. The FRA inspected the prototype rail car and approved it as an excess width car. The FRA has also approved the stenciling and safety appliances on the cars.

Staff recommended that the application be granted, subject to certain conditions similar to those imposed in past decision (Decision (D.) 89639 dated November 9, 1978 in Application (A.) 58316, and in D.85-01-013 dated January 3, 1985 in A.83-10-056). It also recommended that the authorization cover only 11 of such cars.

The United Transportation Union (UTU), which represents operating employees on the three railroads, protested and demanded a hearing, citing concerns over the safety of its members. The Brotherhood of Maintenance Way Employees (BMWE) has also protested, citing similar concerns.

Prior Movement

By letter dated November 7, 1989 Southern Pacific requested emergency authorization to operate extra width car NRPX 30001, empty, between Nipton, California on tracks of the Union Pacific, and Colton, California, and from Colton, California on tracks of Southern Pacific, and Palmdale, California. This

movement was to allow Northrop to take delivery of the car at Palmdale and move it to the State of Washington.

By Resolution SR-9, dated December 6, 1989, we authorized this one movement and a return movement, empty. The movement was conducted with some damage to the car. However, applicants contend that this did not occur when the car was being moved. This contention is not challenged.

The General Order

GO 26-D generally prohibits movement of rail cars exceeding 10 feet 10 inches in width. Section 16.2 of GO 26-D provides for exemptions from this prohibition. The Commission has determined in the above-cited decisions that a flat car with a welded canopy cover is considered an excess width car (not a wide load) and that an exemption is required from GO 26-D before it may be legally operated within California. By those decisions, the Commission granted exemptions for the movement of 13-foot wide cars similar to those involved in this proceeding.

Southern Pacific has safely handled more than 200 shipments of 13-foot wide canopy cars under D.89639 and D.85-01-013 over a period of approximately six years.

Prehearing/Settlement Conference

On March 2, 1990, a prehearing/settlement conference was held before Administrative Law Judge Gilman. The parties agreed to a procedure for arriving at a settlement featuring stipulated ordering paragraphs designed to protect the interests of the parties and Safety Division of the California Public Utilities Commission (Safety Division). The stipulated order was to be based on a suggested ex parte decision as modified by a prehearing memorandum, both drafted by Safety Division. Further modifications to the order were proposed by Southern Pacific; the modified version was then circulated for comment and criticism by all appearances and BMWE. None of the parties objected to the procedure. Most of the circulation of comments was conducted by

fax, the rest by conventional or express mail. Copies of mailed and faxed correspondence have been retained and are designated as Exhibit C.

It appeared that Northrop will need to conduct additional movements of empty cars before the first loaded shipment which is expected in September. These experimental movements may be conducted as early as mid-May.

There was a general consensus that the movements could be conducted with minimal hazard to railroad employees if adequate warning could be given to crews of passing and opposing trains of the time and location of the meets. While BMWWE did not attend the conference, the safety of BMWWE members was actively considered; it appeared that giving adequate notice to such employees would similarly minimize the hazard to them.

Safety Division is concerned about recordkeeping. It wishes to be able to track the text and circulation of all warnings concerning each movement. It originally proposed that additional provisions be included which would specify additional penalties if any railroad failed to comply with any requirement.

A preliminary version of this order and the accompanying text were informally circulated for comments, in a manner parallel to our normal rulemaking procedure.

Safety Division no longer seeks special provisions concerning sanctions for violations.

After it had circulated its proposed modifications to the Safety Division Railroad Safety Branch (Branch) recommended order and after comments had been received, Southern Pacific suggested two additional, significant modifications. The first modification would have eliminated a requirement that all wide cars be blocked together in the train. Instead, such blocking would be required only "...where operations permit". A similar modification was supported by Union Pacific. It was strongly opposed by UTU and the Commission's Safety Division. Southern Pacific contends that being

required to block all wide cars at a single location in a long train could complicate railroad operations.

Southern Pacific also noted that it does not station car inspectors at the point where these cars would be delivered. It recommended that it not be required to report all damage to cars, but only damage severe enough to generate a complaint from shipper or receiver. This recommendation was seconded by Union Pacific.

Discussion

We are in agreement with the consensus; with proper operating procedures, these wide cars can be moved without unacceptable risks to employees.

Generally speaking, we do not intend to supersede or modify the railroad's operating rules. (The relevant rules are set forth in Appendix B.) We have relied heavily on those rules, including their provisions for notifying affected employees of the movements, in finding that the movements can be conducted safely. We will expect, however, that they be complied with meticulously. Insofar as the movement of these specific cars is concerned, a violation of any of the operating rules set forth in Appendix B may be considered a violation of a Commission order.

Appendix A is a description of each railroad's normal procedure for dealing with wide cars. This order is intended to make the minimum number of changes in those procedures. We have, however, imposed requirements for notification of staff and recordkeeping which are not part of the railroad's normal operating procedures. These requirements are needed to enable Branch to audit railroad compliance.

We have not adopted Southern Pacific's recommended liberalization of the provision concerning blocking. The first version of the order which was circulated to all parties included an unqualified requirement that all wide cars be blocked together. None of the railroads objected at that time. It is now alleged that prior Commission orders containing such a clause had caused

unnecessary operational problems. This allegation was not made until it was too late to set a hearing to resolve the dispute between Southern Pacific and Union Pacific and UTU and Safety Division.

We also anticipate that the expected movements of empty cars in the near-term future should provide Southern Pacific and Union Pacific with an additional opportunity to document any operating difficulties which might result from the unqualified order we have adopted. Our finding on this point is addressed less to the merits than to the fact that the problem surfaced too late to be resolved without delaying the experimental movements in May. If either railroad remains convinced that the operating problems outweigh whatever additional safety our blocking order provides, it is welcome to file a petition under Public Utilities Code § 1708. (Such a filing would also be appropriate if these experimental moves disclose any other problem with our order).

We have modified the circulated order concerning damage reports. We have not, however, adopted Southern Pacific's conclusions that only serious damage needs to be reported. It appears that even minor physical damage to the car might provide warning of a condition capable of causing injuries to workmen. We would therefore prefer that Safety Division be notified of even minor damage to these cars. However, to accommodate the carrier's concerns, we have modified the order, so that it can contract with the receiver of the freight to report damage. Southern Pacific will, of course, remain ultimately responsible for making such reports.

Findings of Fact

1. Rail transportation is the most practical, economical, and efficient means of transporting the aircraft assemblies in question between Grand Prairie, Texas and Palmdale, California, and between the State of Washington and Palmdale, California.

2. The use of the specially designed, excess width rail cars described in the application is necessary to protect the aircraft parts from damage.

3. All of the cars dealt with in this application will have steel canopies firmly affixed to gondola-type cars. NPRX 1000-1007 cars have extreme width dimensions of 12 feet, 4 inches; NPRX 30001-30004 cars have extreme width dimensions of 13 feet, 6 inches.

4. These cars can be moved with reasonable safety if operations are conducted under the provisions of GO 26-D, railroad operating rules, and the requirements of this order. The main objective of our order should be to ensure that all employees (including BMW employees, operating employees on any train which includes a wide car, and employees on meeting or passing trains) will receive adequate and timely warning.

5. The striping described above should be accepted as a reasonable alternate to the placarding required by GO 26-D.

6. The parties do not agree on Southern Pacific's proposal to liberalize the requirement that all wide cars be blocked together in a train; the proposal should not be adopted without an evidentiary hearing.

7. Safety Division should be informed of all damage to cars. Southern Pacific should be authorized to contract with the receiver to inspect an report on damage.

6. Since authority is needed for some movements of such cars in fewer than 30 days, the order should become effective without delay.

Conclusions of Law

1. The proposed operations are movements of wide cars, rather than wide loads.

2. The application should be granted, subject to the requirements set forth in the order. The FRA-approved striping should be authorized, as a deviation from the placarding requirements of GO 26-D.

3. Without an evidentiary hearing, the railroads should be required to report all damage; however, they should be permitted to arrange for the receiver of the loads to perform inspections.

4. Without an evidentiary hearing we should not permit the railroads to block wide cars at different locations in the same train.

5. Movements of such cars should not be delayed to permit an evidentiary hearing.

ORDER

IT IS ORDERED that:

1. Southern Pacific Transportation Company (Southern Pacific), Union Pacific Railroad Company (Union Pacific), and The Atchison, Topeka & Santa Fe Railway Company (Santa Fe) are authorized to deviate from General Order 26-D to operate cars NRPX 10001-10007 and NRPX 30001-30004 between the California state line and Palmdale for assembly at the Northrop Corporation, Inc. facility, and return to point of origin.

2. The NRPX 30001-30004 series cars shall be routed from the state line near Nipton, California to Colton, California on the Union Pacific railway, and from Colton, California to Palmdale, California, via the Palmdale Cutoff, on Southern Pacific.

3. The NRPX 10001-10007 series cars shall be routed from the state line near Yuma, Arizona to Colton, California, on Southern Pacific, and from Colton, California to Palmdale via the Palmdale Cutoff on Southern Pacific.

4. In an emergency, the NRPX 10001-10007 series may be routed from the state line between Topack, Arizona and Needles, California to Mojave, California on Santa Fe railway and from Mojave to Palmdale on the Southern Pacific.

5. Southern Pacific may operate to Rosamond but shall not move the cars to Mojave except for interchange with Santa Fe in connection with the emergency routing.

6. Transportation of these cars shall be subject to the following conditions:

- a. Such cars shall, if train length permits, be trained at least five (5) cars, but not more than fifteen (15) cars, from the engine.
- b. Such cars, and any other cars containing lading in excess of ten (10) feet, ten (10) inches wide shall be blocked together in the train where train lengths permit.
- c. Such cars shall not be left standing where adjacent track centers are less than fifteen (15) feet apart.
- d. Such cars shall not be operated on tracks when adjacent tracks are occupied or subject to being occupied where track centers are less than fourteen (14) feet apart.
- e. Such cars shall have alternating orange and white reflective stripes from floor to top on the end portion which extends more than five (5) feet, five (5) inches from centerline of rail.
- f. Movement of such cars shall be expedited and handled in through trains and mainlined wherever operations will permit.
- g. Employees shall be prohibited from occupying the space between such cars on adjacent tracks where track centers are less than fifteen (15) feet, unless cars on such tracks are prohibited from movements.
- h. Written notification shall be made to all crews (both road and yard) of all trains handling such cars. This notification shall contain all necessary information as to meeting and passing other trains and the restrictions that apply as to setouts and switching.
- i. The Code of Operating Rules and rules for maintenance of way employees shall be fully complied with.

7. The carrier which handles a wide car across the state line shall notify the Safety Division of the California Public Utilities Commission (Safety Division) not less than 24 hours or more than five (5) days before such car enters California.

8. Southern Pacific shall notify or arrange for notice to the Safety Division of damage to any car within 48 hours after the car's arrival at its destination. Notice shall be in writing transmitted in the most expeditious manner possible.

9. The carriers shall maintain records as to the shipments made under this order and as to any damage sustained to the cars. These records shall be maintained within the State of California, and shall be made accessible to Safety Division on request.

10. At the end of this production these cars are authorized one final move to the facility where they will be dismantled or stored. Notification of the final move shall be provided to the Railroad Safety Branch, Safety Division. At the end of this production and final move, these cars shall not be to operate within the State of California without further authority being granted.

11. The application is granted, with requirements and conditions.

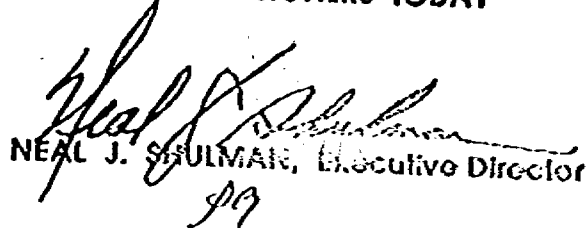
This order is effective today.

Dated MAY 4 1990, at San Francisco, California.

G. MITCHELL WELK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY

- 10 -


NEAL J. SCHULMAN, Executive Director

APPENDIX A
Page 1

Normal Railroad Practices--Excess Dimension Cars

Santa Fe

Before a car with excessive dimensions is moved over its system, Santa Fe's Transportation Office in Chicago programs the car's measurements into a computer which prints out any restrictions on the car's movement based upon published clearances. These restrictions are then issued to the various affected Divisions (portions of the railroad assigned to a Division Manager with boundaries that are identified in timetable) in the form of an authorization message. This computerized message automatically generates a Form C Track Bulletin bearing a unique number. When the excess width car enters a Division, the Form C Track Bulletin is issued to the crew handling the excess dimension car, as well as to any other train which may be affected by the movement. Trains on double track are required to secure a line-up of expected train movements and to assist the train dispatcher in determining locations to meet those trains having excess width cars. Trains handling excess width cars on tracks which are subject to Centralized Traffic Control are monitored as to meeting points by the train dispatcher.

Maintenance of Way employees are protected against train movements by one of the following:

1. Where Centralized Traffic Control (CTC) is in effect:
 - a. By securing Track and Time authority as prescribed by Rules 351 and 351(B) of Santa Fe's General Code of Operating Rules.
 - b. By the issuance of a Track Bulletin Form B advising train crews of the presence of men and machines along specified portions of track in accordance with Rules 455 and 455(A).

APPENDIX A
Page 2

2. Where Automatic Block Signal System is in effect:
 - a. By Track Bulletin Form B as prescribed by Rules 455 and 455(A).
 - b. By securing and being advised of line-up of expected train movements in accordance with Rules 951(1) and 952 of the Maintenance of Way Supplement to Santa Fe's General Code of Operating Rules.
 - c. By track warrant where Track Warrant Control is in effect pursuant to Rule 412 of General Code of Operating Rules.
3. Within nonsignaled territory: Same as 2 above.
4. Within Manual Interlocking limits: Maintenance of Way crews must protect themselves against movements on foreign railroad while being protected on Santa Fe by Control Operator (Rule 965) of Maintenance of Way Supplement.
5. Within Automatic Interlocking limits: By complying with instructions contained in the release box at the interlocking (Rule 99(3) of General Code of Operating Rules).

Furthermore, the Maintenance of Way Supplement to Santa Fe's General Code of Operating Rules generally provides that Maintenance of Way employees are to expect the movement of trains, engines, cars, or other movable equipment at any time, on any track, in either direction, and are required to stand a safe distance from passing cars, engines, or trains so as to avoid being hit by falling or protruding objects.

Southern Pacific

Excess dimension loads are inspected and measured by car inspectors who communicate the measurements to the Clearance Bureau

APPENDIX A
Page 3

in San Francisco. The Clearance Bureau enters the dimensions into the computer, where they are matched against line clearance data to determine if the load will clear all bridges, tunnels, signals, switch stands, etc. on the specified route, and also calculate the size of opposing excess dimension loads that can be safely met or passed on the route. A clearance message is generated which specifies restrictions by milepost location in sequential order in the direction of movement. It will also specify any additional restrictions that may apply within the State of California. This clearance message is entered into Southern Pacific's TOPS/TCC computer file, and it is available to anyone on the SP system with access to a computer terminal. The clearance message for a particular car is automatically written out on the yard track list or train consist whenever that car is to be moved. Such clearance messages are retained in the computer until they are deleted by the Clearance Bureau.

The conductor receives a copy of all clearance messages when he receives the consist tonnage profile for his train. He is required by the operating rules to have such a consist prior to commencing his trip. The clearance message on the consist tonnage profile will also contain specific instructions to the conductor that he is to notify the train dispatcher that he has an excess dimension load. The train dispatcher then calls up the clearance message on the computer terminal and issues appropriate track warrants to opposing trains, and calculates where meets with opposing excess width loads, if any, will occur. The clearance message also contains instructions to the conductor to contact yardmasters prior to entering terminals.

Maintenance of way employees are protected against train movements by the issuance of track permits which give them

APPENDIX A
Page 4

exclusive use of a designated track for a specified period of time. No train movements are allowed within track permit limits, until such time as the track permit is released to the train dispatcher, or it expires. Maintenance of way employees are also protected by Rules 1.7.8 and 1.7.9 of the Chief Engineer's Instructions for the Maintenance of Way Instructions and Engineering Personnel.

Union Pacific

Excess dimension cars are reported to the railroad's clearance bureau in St. Louis, which prepares necessary documentation for the cars and checks the requested routing for clearance restrictions. The clearance bureau then issues a written administrative message to the central dispatching office in Omaha, and to all managers of yard operations, train operations, operating practices, and car maintenance with jurisdiction over the requested routing. In addition, a copy of the administrative message is provided to each train crew handling the car.

The administrative message issued for each car describes the load, route, dimensions, special handling instructions, speed restrictions, and restrictions on where other trains can be met or passed.

In addition, each train crew handling the wide car and each train crew handling other trains in the territory receive either Form A or Form C track bulletins. These track bulletins are special written notices to the train crews concerning the existence of the wide car and its restrictions on movements, meets, and passes.

With respect to maintenance of way rules, the applicable rule on Union Pacific is Rule 109, the relevant portion which reads as follows:

"When trains are approaching and until they have passed, employees must stand outside and clear

APPENDIX A
Page 5

of all main tracks and when practicable must be at least 20 feet from the nearest main track. Where there are two or more main tracks, they must not stand between main tracks except where track centers are 50 or more feet apart."

There are no tunnels on Union Pacific Railroad's line between Las Vegas and Colton. Clearances on tunnels on Santa Fe's main line (over which Union Pacific has trackage rights) between Daggett and Colton are handled by Santa Fe.

(END OF APPENDIX A)

APPENDIX B

Page 1

Applicable rules from the General Code of Operating Rules.
(Adopted by all three affected railroads and
last revised October 29, 1989.)

Rule

Definition

101

PRECAUTIONS ACCOUNT UNUSUAL CONDITIONS: Trains and engines must be protected against any known condition which may interfere with their safety.

When conditions exist which may impair visibility or affect condition of track or structure, speed must be regulated to ensure safe passage and to ensure observance and compliance with signal indication.

108

SAFE COURSE: In case of doubt or uncertainty, the safe course must be taken.

406

SPECIFIC INSTRUCTIONS: Track warrants, once in effect, will include specific instructions which must be complied with by those addressed. A track warrant once in effect must not be added to or altered in any manner.

351

TRACK AND TIME LIMITS: Train may occupy a track or tracks within specified limits for time periods authorized by control operator in words "Track and time limits granted on (track) between (point) and (point) (time) until (time) ." Track may be used in either direction within limits specified until the limits have been cleared or released without flag protection, but all movements must be made at restricted speed.

When the limits are designated by a switch, such limits extend only to the signal governing movement over the switch.

Except at interlockings, trains granted track and time limits, after stopping, may pass a signal displaying Stop indication to enter the limits, or within the limits, without further authority and

APPENDIX B
Page 2

may pass signal within the limits displaying Stop and Proceed indication without stopping. Requirement for inspection of spring switches and dual control switches must be observed.

Track and time limits do not authorize occupancy of main track within interlocking limits.

Track and time limits must be cleared and released before expiration of time granted. If additional time is required, authority must be obtained from control operator before authorized time limit has expired. When unable to contact control operator and track and time limits have expired, authority is extended until control operator can be contacted or train clears such limits by signal indication.

If no other employee has been granted track and time limits within the same limits, track and time may be released by a train while within the limits to move in a specified direction and will then be governed by signal indications upon verbal authority of control operator in words "Track and time limits granted (train) on (track) between (point) and (point) released for movement (direction) at (time) ."

Control operator must be notified when trains are clear of the limits except when control operator authorizes a train to leave the limits by signal indication. Limits will be considered released when train has passed such signal and is clear of the limits.

351(B)

PROTECTING MACHINES, TRACK CARS OR EMPLOYEES:
Track and time limits may be granted for machines, track cars or employees in the same manner as to trains.

The employee granted track and time limits must notify control operator when machines, track cars or employees are clear of the limits, or if the limits were granted to protect maintenance work that such work is completed and track is safe for the passage of trains.

APPENDIX B
Page 3

412

PROTECTING MEN OR MACHINES: A track warrant may be issued in the same manner as to trains to permit men or machines to occupy or perform maintenance or main track without other protection.

A track warrant must not be used to protect men or machines within the same or overlapping limits with a train unless:

1. All trains authorized to occupy the same or overlapping limits have been authorized to move in one direction only and track warrant specifies that it is granted behind such trains; or,
2. Trains authorized to occupy the same or overlapping limits have been notified of the authority granted men or machines and have been instructed to make all movements at restricted speed and to stop short of men or machines on or fouling track and employee in charge of maintenance is so notified by track warrant. If track is not safe for movement at restricted speed, employee in charge must protect such track by placing red flags per Rule 10(A).

455

PROTECTION BY TRACK BULLETIN: During the time and within the limits stated in track bulletin Form B, trains must move at restricted speed and stop short of men or machines fouling track or a red flag placed to the right of the track unless verbally instructed otherwise as prescribed below or entire train has passed a green flag or has cleared the limits.

The engineer must attempt to contact employee in charge by radio sufficiently in advance to avoid delay, advising his location and specifying track.

In granting verbal authority, the following words will be used:

"Foreman (name) (of Gang No.) using track bulletin No. line No. between MP and MP on Subdivision".

APPENDIX B
Page 4

1. To authorize train to pass a red flag, or enter limits, without stopping, the following will be added:

" (train) may pass red flag located at MP ___ (or enter limits) without stopping".

Train may pass red flag or enter limits without stopping, continuing to move at restricted speed and must stop short of men or equipment fouling track.

2. To authorize a train to proceed at a speed other than restricted speed, the following will be added:

" (train) may proceed through the limits at ___ MPH (or at "maximum authorized speed)."

Train may proceed through the limits at the prescribed speed unless otherwise restricted.

3. To require train to move at restricted speed, but less than 20 MPH the following will be added:

"(train) proceed at restricted speed but not exceeding ___ MPH (adding if necessary "until reaching MP ___")."

Train must not exceed the prescribed speed and must be prepared to stop short of men or equipment fouling the track or a red flag to the right of the track.

These instructions must be repeated by the engineer and "OK" received from the employee giving them before they are acted upon.

When the word STOP is written in the Stop column, train must not enter the limits until verbal authority is received from employee in charge as prescribed by item (1).

Yellow flags must be displayed as prescribed by Rule 10.

APPENDIX B
Page 5

455(A) **PROTECTION FOR ON-TRACK MACHINES:** Track bulletin Form B may be used to protect on-track machines such as rail detector cars without the use of yellow and green flags as prescribed by Rule 10 and Rule 455. Such machines must be identified in the track bulletin.

During the time and within the limits stated, trains, engines and the machine named will otherwise be governed by Rule 455. Other gangs and machines must not be protected by the same track bulletin.

456 **EXCESSIVE DIMENSION EQUIPMENT:** When excessive dimension equipment is handled, the train dispatcher must issue necessary instructions to arrange a point for meeting or passing trains where there is sufficient clearance and any additional precautions which may be required.

Crew handling such equipment must ascertain that it will clear nearby objects including equipment on adjacent tracks, and if unable to reach a point where clearances are sufficient, must see that protection is provided against movements on adjacent tracks.

Crews affected must be issued a track bulletin advising them of such equipment and the train or engine which is handling it and they will be responsible for knowing that proper precautions are taken before passing or meeting the equipment.

99(3) **PROTECTION ON TRACK EQUIPMENT:** Rail detectors and on track equipment other than engines or cars, must not be depended upon to actuate block signals, interlocking signals or highway crossing signals and must not be considered under the protection of such signals. Flag protection must be provided when required.

APPENDIX B
Page 6

Rules applying specifically to Maintenance of Way Employees
through supplements to the General Code of Operating Rules.

Southern Pacific

Rule

Definition

664

LOOKOUTS: Whenever necessary to do work on or above the track, and full protection is not otherwise provided, a sharp lookout must be kept at all times. When the view is restricted or hearing impaired by any conditions, employee in charge will assign one or more lookouts to insure the safety of the men. Employee in charge and lookouts will wear police whistles outside their clothing and will use them to provide additional warning.

665(B)

CHECKING ON REQUESTED PROTECTION: Employees using a track warrant or track bulletin for the protection of men and machines will assure themselves that the requested protection has been issued to trains before displaying flags as described by Rule 10 or before beginning work that will affect the operations of trains.

To afford proper identification when granting verbal authority to trains in connection with protection provided by Track Bulletin Form B, employee must also ascertain the track bulletin number and line number on which his gang or machine is listed.

Messages requesting such protection must specify the track(s) upon which restriction(s) apply, also the title and name of employee in charge and gang member.

Before giving a proceed signal or verbally notifying a train that the track is clear of men and machines it must be known that the track is clear of all men and machines ahead of such train within the limits of the protection.

APPENDIX B

Page 7

952 **LINE-UPS:** Line-up of all trains will be issued by the train dispatcher and will be copied on prescribed form unless otherwise provided and repeated. Before leaving the point at which line-up is obtained, the track car operator will read it aloud to all other occupants of the track car and retain line-up in his possession until the end of the work period.

Track car operators must not depend entirely on line-ups, but must at all times keep a sharp lookout and take such other measures as will ensure safety.

Every possible safeguard must be observed in the operation of track cars. There must be a thorough understanding as to what action each person will take in handling the car, should an emergency arise.

Do not attempt to rescue the car at risk of personal safety.

956 **INFORMED ON TRAIN MOVEMENT:** Track car operators will at all times keep themselves informed as to train movements as far as possible and by all methods available. Reference to timetables and line-ups must be made frequently. Trains must be checked from line-ups as they pass.

957 **LOOKOUT FOR TRAINS:** When track cars are occupied by two or more persons, at least one must be designated to maintain a lookout for following trains.

On double track, on multiple main tracks, or on track adjacent to main track where track centers are 25 feet or less and view is clear for a safe distance, stop upon approach of train on adjacent track, and stand in clear of all tracks.

APPENDIX B
Page 8

Chief Engineer's Instructions for the
Maintenance of Way and
Structures and Engineering

- 1.1.1 Safety is of the first importance in the discharge of duty.
- 1.1.15 Employees must look in both directions before crossing any track or roadway.
- 1.1.18 Employees must not walk or stand between rails of tracks or permit portions of their bodies to foul tracks when practicable to avoid it.
- 1.1.32 Employees must not get on or off moving equipment except when their work requires them to do so.
- 1.1.71 When working on or near tracks, employee in charge of work must have line-up of train and engines which might use that track and furnish protection required by the rules.
- 1.7.2 Trains are to be expected at all times. Employees must not assume that a train may not come before any certain time, nor act under the assurance of any person to that effect, but must at all times protect themselves with proper signals as required by Rules 10, 10(A), 10(C). Foremen will be held responsible for the proper understanding and strict observance of these rules by themselves and those under them. Foremen must know that their gangs, flagmen and watchmen are always supplied with proper signals, flags, lanterns, torpedoes, etc., and must instruct as to their use.
- 1.7.7 Foremen and others in charge of work are responsible for the safety of their men and must see that no unnecessary risks are taken. They shall bear in mind that safety is the first and most important consideration.

APPENDIX B
Page 9

Employees must do all possible to prevent accidents even though in so doing they may necessarily perform the duties of others. In case of doubt, the safe course must be taken.

1.7.8

Employees must be alert when engines or cars are passing on adjacent tracks, and must keep a sufficient distance from passing equipment to avoid possibility of being struck by anything projecting or that may be falling or thrown therefrom. On multiple main tracks, they should keep clear of all main tracks while train is passing. They must not depend on others to notify them of approaching trains, engines or cars.

1.7.11

Foremen or others in charge of men working on or about tracks must guard their men against impending danger or injury.

Before starting to work on or about tracks, foremen or others in charge must have an understanding with their men as to where they will go when necessary to clear for trains.

A lookout equipped with a police whistle must be provided to warn of approaching trains, engines or cars under the following conditions:

1. When working on ladder tracks or other yard tracks, or main tracks within yards, upon which there are frequent movements.
2. When rail welding is being done.
3. When view is obscured on account of stormy or foggy weather, track curvature or other obstructions.
4. When noise from tools, machinery and equipment, or other source interferes with the hearing.

APPENDIX B
Page 10

Track foremen must exercise caution when their gangs are working with mechanized equipment or pneumatic machinery and if conditions are such that foreman is not able to act as lookout to protect his gang, he must designate a lookout to warn of approaching trains, engines or cars.

In situations where it is necessary to relay warning signals, or to protect a scattered gang, one or more additional lookouts should be assigned to warn the entire gang in order that they may clear tracks safely in advance of approaching trains.

APPENDIX B
Page 11

Union Pacific Maintenance of Way Rules

Rule

Definition

99(V)

PROTECTION FROM APPROACHING TRAINS: Foremen or others in charge of employees working on or about the track must instruct their men to be alert, watchful, and to keep out of danger, and must take necessary precautions to see that men working under their supervision receive warning of approaching trains in time to reach a place of safety.

If an employee is assigned to the sole duty of warning workmen when trains are approaching, such employee must maintain a continuous watch for trains and for any signals from other employees indicating a train's approach and must not perform any other function until relieved by the Foreman, without first notifying all men working at that location. When so notified, all workmen must immediately move clear of tracks and remain clear of tracks until the employee resumes his assignment or another employee is designated to take his place.

109

INSPECTING PASSING TRAINS: Employees must inspect passing trains and if overheated journals, brakes sticking, wheel sliding, dragging equipment, insecure lading or any other dangerous conditions are detected, they must give stop signals to crew members on passing train and in addition advise them of condition by any other available means. Train dispatcher must be notified at once if train does not stop. If no defect is detected, they will give proceed signals.

When inspecting caboosless trains, employees equipped with radio, shall contact train's head-end crew advising which side or sides of the train was inspected and results of inspection. Dispatcher must be notified by quickest available means if a defect is noted and employees are unable to notify train.

APPENDIX B
Page 12

When practicable, crew member on the engine must advise crew on rear of train by radio when train is being inspected by other employees or track side warning detector.

When trains are approaching and until they have passed, employees must stand outside and clear of all maintracks and when practicable must be at least 20 feet from the nearest main track. Where there are two or more main tracks, they must not stand between main tracks except where track centers are 50 feet or more apart.

When practicable and safe, foremen must divide their gangs so that the trains can be closely observed from both sides.

1409

LINE-UP INFORMATION AVAILABLE TO ALL OCCUPANTS: Before occupying main track all information included in the line-up must be given to all occupants of track cars together with advice as to the movement to be made or the work to be performed.

1420

PROTECTION AGAINST TRAINS AND OTHER CARS: In the operation of cars, foremen and others must move at all times with care and caution necessary for safety, protecting when necessary using prescribed signals. Care must be exercised to avoid collision with trains or other cars.

1427

PASSING TRAINS: Track car must be stopped when a train is passing on an adjacent track except that where track centers are 25 feet or more apart or where view to the rear is obscured track car may proceed at a safe speed past the moving train. When track car is stopped it must be secured against movement, and employees must stand clear of all tracks.

Except where proper safeguards are provided, car must not pass between the train and platform at which passengers are being received or discharged.

APPENDIX B
Page 13

1434

GETTING ON OR OFF: Employees must not get on or off moving track car except in emergency.

1477

PROTECTING AGAINST PASSING TRAINS: Pile drivers, wrecking cranes, wrecking derricks, roadway machines and work equipment with or without booms or derricks, working on or off track, must not be operated when trains or other movements are passing, and before blocking or fouling any adjacent track, protection in both directions must be provided as prescribed by Rule 99(E), unless relieved from protecting by train order or track bulletin.

APPENDIX B
Page 14

Santa Fe Rules and Instructions for
Maintenance of Way and Structures

Rule

Definition

664

LOOKOUTS: Whenever necessary to do work on or above the track, and full protection is not otherwise provided, a sharp lookout must be kept at all times. When the view is restricted or hearing impaired by any condition, employe in charge will assign one or more lookouts to insure the safety of the men. Employe in charge and lookouts will wear police whistles outside their clothing and will use them to provide additional warning.

665(B)

CHECKING ON REQUESTED PROTECTION: Employes using a track warrant or track bulletin for the protection of men and machines will assure themselves that the requested protection has been issued to trains before displaying flags as described by Rule 10 or before beginning work that will affect the operation of trains.

To afford proper identification when granting verbal authority to trains in connection with protection provided by Track Bulletin Form B, employe must also ascertain the track bulletin number and line number on which his gang or machine is listed.

Messages requesting such protection must specify the track(s) upon which restriction(s) apply, also the title and name of employe in charge and gang number.

Before verbally notifying a train that the track is clear of men and machines, it must be known that the track is clear of all men and machines ahead of such train within the limits of the protection.

APPENDIX B
Page 15

- 670 **MATERIAL NEAR RAILS:** Care must be used to avoid placing material between or near the rails where it could endanger or delay train movement.
- 952 **LINE-UPS:** Line-up of all trains will be issued by the train dispatcher and will be copied on prescribed form and repeated unless mechanically transmitted. Before occupying track, the track car operator will read the line-up to all other occupants of the track car and retain line-up in his possession until the end of the work period.
- Track car operators must not depend entirely on line-ups but must at all times keep a sharp lookout and take such other measures as will ensure safety.
- Every possible safeguard must be observed in the operation of track cars. There must be a thorough understanding as to what action each person will take in handling the car, should an emergency arise.
- Do not attempt to rescue the car at risk of personal safety.
- 956 **INFORMED ON TRAIN MOVEMENT:** Track car operators will at all time keep themselves informed as to train movements as far as possible and by all methods available. Reference to timetables and line-ups must be made frequently. Trains must be checked from line-ups as they pass.
- 957 **LOOKOUT FOR TRAINS:** When track cars are occupied by two or more persons, at least one must be designated to maintain a lookout for following trains.
- On double track, on multiple main tracks, or on track adjacent to main track where track centers are 25 feet or less and view is clear for a safe distance, stop upon approach of train adjacent track, and stand in clear of all tracks.

(END OF APPENDIX B)