



Memorandum


U.S. Department
of Transportation

**Federal Railroad
Administration**

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Reply to Attn of: G-05-03

Subject: Roadway Worker Protection Technical Bulletin
Lone worker, generally

From: 
Edward W. Pritchard
Director, Office of Safety Assurance and Compliance

To: Regional Administrators
Deputy Regional Administrators
Track Supervisory Specialists
Signal and Train Control Supervisory Specialists
Operating Practices Supervisory Specialists

Individual train detection, as defined by the Rule, means “. . . a procedure by which a lone worker acquires on-track safety by seeing approaching trains and leaving the track before they arrive and which may be used only under circumstances strictly defined in this part.” The practice of individual train detection, if all of the regulatory elements are followed, can provide an adequate level of safety from being struck by trains and on-track equipment.

Several interpretive questions about individual train detection have been posed by railroad management and labor. This bulletin provides detailed explanation or interpretation regarding the following sections of 49 CFR Chapter 214, Subpart C, relating to individual train detection.

§214.337(f) On-Track Safety Statement/Size of Area

Question: What is the maximum area that can be included on an on-track safety statement?

Section 214.337(f) states: “A lone worker who uses individual train detection to establish on-track safety shall first complete a written Statement of on-track safety. The Statement shall designate the limits of the track for which it is prepared and the date and time for which it is valid. The statement shall show the maximum authorized speed of trains within the limits for which it is prepared, and the sight distance that provides the required warning of approaching trains.”

The on-track safety statement assists the roadway worker in focusing on the nature of the task, the risks associated with the task, and the form of on-track safety necessary to safely carry out assigned

duties. The regulation does not specify the maximum area which an on-track safety statement can encompass, however, the statement of on-track safety must always apply to the current task and conditions.

§214.315(e) Lone Worker Briefing/Qualification of Employee Providing Briefing

Question: What is the required qualification of the person providing a briefing to a lone worker?

Section 214.315(e) states: *“Each lone worker shall communicate at the beginning of each duty period with a supervisor or another designated employee to receive a job briefing and to advise of his or her planned itinerary and the procedures that he or she intends to use for on-track safety. When communication channels are disabled, the job briefing shall be conducted as soon as possible after the beginning of the work period when communications are restored.”*

This section addresses the required briefing that a lone worker is required to receive before fouling a track. This briefing will be slightly different than a briefing provided to a roadway work group, since the lone worker is not working under direct supervision. At the beginning of the duty period, and prior to fouling the track, the lone worker must communicate with a supervisor or another designated employee to advise of his or her itinerary and the means by which he or she plans to protect themselves. This briefing should include his geographical location, approximate period of time he or she is expected to be in this general locality, different locations planned for the day, and the planned method of protection. This paragraph assumes that in accordance with other sections the lone worker is capable of determining the proper means to achieve his or her own on-track safety.

The benefits of a lone worker briefing include triggering the lone worker to think about his or her on-track safety, providing a means to inform the railroad where the lone worker will be located during a tour of duty, and providing information (e.g., special instruction changes, etc.) to the lone worker. The regulation does not specify the qualifications that a supervisor or other designated employee must have in order to participate in a briefing with a lone worker. Therefore, in order to ensure the benefits associated with a lone worker briefing, the supervisor or other designated employee should be familiar with railroad operations and on-track safety rules.

§214.347 Lone Worker Qualifications/Physical Characteristics Qualification

Question: Does a lone worker using individual train detection require physical characteristics qualifications?

Section 214.347 requires a high degree of qualification for the lone worker as this worker is fully responsible for his or her own on-track safety. A primary consideration is that the lone worker should never be influenced to use individual train detection by a lack of qualification to establish a more positive form of on-track safety.

Unlike §214.353 (qualification of workers who provide on-track safety for roadway work groups), §214.347 does not specify physical characteristic qualifications or a recorded examination for lone workers. However, the regulation does require that the lone worker must demonstrate proficiency. It is incumbent on each railroad to assure that lone workers have the capability to properly use any form of on-track safety that a lone worker would use to provide on-track safety. In addition, §214.347(b) states that “*A lone worker retains an absolute right to use on-track safety procedures other than individual train detection if he or she deems it necessary, and to occupy a place of safety until such other form of on-track safety can be established.*” A lone worker should have sufficient knowledge of the characteristics of the railroad to be able to obtain, understand and use the information that he or she needs to perform as a lone worker. It is necessary that the lone worker know the speed limits of any segment of track, and to be able to identify his or her location along the railroad by station, mile post or other physical location.

It is also important to note that a lone worker who would provide on-track safety for others during the course of a tour of duty would then be subject to the qualification requirements of §214.353.

§214.337 Individual Train Detection/Setting Vehicles on a Track

Question: Is it acceptable to use individual train detection to place a vehicle, such as a hi-rail truck, on non-controlled track at a highway/rail grade crossing?

Section 214.337 establishes specific on-track safety procedures for the lone worker. Paragraph (a) sets forth the general requirement that restricts the use of individual train detection to circumstances prescribed in this section and the corresponding on-track safety program of the railroad. Paragraph (c) establishes a method of on-track safety for the lone worker, in which the roadway worker is capable of visually detecting the approach of a train and moving to a previously determined location of safety at least 15 seconds before the train arrives.

It important to note the 15-second train approach time does not include the time to takes for a roadway worker to move clear of the track and into a place of safety. If that movement to clear the track takes 10 seconds, then a train must be visible in time for a warning to be given 25 seconds before the train arrives.

It is important to note that the use of individual train detection is appropriate only in limited circumstances. Therefore this section prescribes strictly limited circumstances in which an individual may foul a track outside of working limits while definitely able to detect the approach of a train or other on-track equipment in ample time to move to a place of safety. This safety method requires the lone worker to be in a state of heightened awareness, since no other protection system will be in place to prevent one from being struck by a train or other on-track equipment.

Only if all of the elements of §214.337 are met, is it acceptable for a roadway worker to use individual train detection to place a highway/rail vehicle on a non-controlled track. Once on the track, movements may be conducted under the provisions of the a railroad operating rules [§214.301(c)].

§214.337(d) Clearing a Track to a Place of Safety

Question: Is it acceptable for a lone worker using individual train detection to clear onto another track and establish on-track safety on that track by becoming a flagman?

Section 214.337(d) states: “*The place of safety to be occupied by a lone worker upon the approach of a train may not be on a track, unless working limits are established on that track.*”

Paragraph (d) clearly states that a lone worker may not clear onto a track unless working limits are established on that track. The only exception is that a lone worker may clear into a track as long as working limits are established on that track in accordance with §214.319 (Working Limits, Generally). To establish working limits by becoming a flagman would require: 1) that worker to be equipped with the proper equipment and 2) have the capability to stop trains in both directions. Therefore, unless both of these requirements are met, it is not acceptable for a lone worker to clear onto a track upon the approach of a train and establish his or her own flagging type working limits.

This bulletin is based on consultation with FRA’s Office of Chief Counsel. Anyone desiring a formal legal interpretation on any issues discussed in this bulletin should contact that office.

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