



# Memorandum

U.S. Department  
of Transportation


**Federal Railroad  
Administration**

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Date: January 10, 2005

Reply to Attn of: G-05-06

Subject: Roadway Worker Protection Technical Bulletin  
Identifiable location for exclusive occupancy

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

Question: what are acceptable “physical locations” that railroads may use to delineate working limits established under exclusive track occupancy?

Controlled track is the type of track upon which exclusive track occupancy can be established by the dispatcher or control operator. By virtue of their authority to control train movements on a segment of controlled track, a dispatcher or control operator can also hold trains clear of that segment by withholding movement authority from all trains. The procedure depends upon communication of precise information between the train dispatcher or control operator, the roadway worker in charge of the working limits, and the crews of affected trains. This section is intended to prescribe that level of precision.

The track within working limits shall be placed under the control of the roadway worker in charge (RWIC) by: 1) authority<sup>1</sup> issued to the roadway worker in charge by the train dispatcher or control operator who controls train movements on that track, 2) flagmen stationed at each entrance to the track within working limits and instructed by the RWIC to permit the movement of trains and on-track equipment (OTE) into the working limits only as permitted by him or her, or 3) the RWIC causing fixed signals at each entrance to the working limits to display an aspect indicating “Stop.”

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<sup>1</sup> An “authority” is the instrument that confirms trains and OTE movements have been withheld from the track(s) encompassing an exclusive track occupancy. As required by the Rule, the authority must be a written or printed document and includes such instruments as a “NORAC Form D,” “Track Bulletin Form B,” “Track Warrant,” “Track and Time,” “OCS Clearance,” etc. As required by §214.321(b)(2), the roadway worker who establishes the working limits must maintain possession of the authority document while it is in effect.

The extent of working limits established through exclusive track occupancy must be defined by one of the various acceptable physical features clearly identifiable to a locomotive engineer or other person operating a train or OTE. Section 214.321(c)(5) permits “*A clearly identifiable physical location prescribed by the operating rules of the railroad that trains may not pass without proper authority.*” The intent of the Technical Bulletin is to clarify what types of acceptable physical locations, when used alone, may be an acceptable exclusive track occupancy delineation.

When an authority is issued to establish an exclusive track occupancy [§214.321(a)(1)], precise communication between the train dispatcher (or control operator) and trains/OTE is imperative to assure movements approaching exclusive track occupancy limits are withheld<sup>2</sup>. Any physical location that is used alone to delineate working limits must be clearly prescribed by the operating rules of the railroad whereby train engineers and OTE operators know, in advance, the exact location of these devices in advance. Procedures such as physical characteristic qualifications of employees and listing designated physical locations in special instructions are acceptable methods to assure safe use of physical locations to delineate exclusive track occupancy 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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<sup>2</sup> Any movements into exclusive track occupancy limits then may occur under the direction of the RWIC in accordance with §214.321(d).