



Memorandum

U.S. Department
of Transportation

**Federal Railroad
Administration**

Date: January 10, 2005

Reply to Attn of: G-05-10

Subject: Roadway Worker Protection Technical Bulletin
Train approach warning and place of safety

From: 
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To: Regional Administrators
Deputy Regional Administrators
Track Supervisory Specialists
Signal and Train Control Supervisory Specialists
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Train approach warning is one form of on-track safety frequently used by roadway work groups. This is a method of establishing on-track safety by warning roadway workers of the approach of trains in ample time for them to move to or remain in a place of safety in accordance with the requirements of the Rule.

Question: What locations are acceptable as a “place of safety” for roadway workers to use to clear into upon the approach of trains when using train approach warning as a form of on-track safety?

As defined in the rule, train approach warning means a method of establishing on-track safety by warning roadway workers of the approach of trains in ample time for them to move to or remain in a place of safety in accordance with the requirements of this part. Section 214.329 establishes the procedures for on-track safety of roadway work groups that utilize train approach warning and specifies the circumstances and the manner in which roadway work groups may use this method of on-track safety¹.

This section also prescribes the minimum amount of time for roadway workers to retreat to a previously arranged place of safety (designated during on-track safety job briefing), the duties of the watchman/lookout and the fundamental characteristics of train approach warning communication.

¹ Part 214 defines on-track safety as “... a state of freedom from the danger of being struck by a moving railroad train or other railroad equipment, provided by operating and safety rules that govern track occupancy by personnel, trains and on-track equipment.”

As indicated in the Rule, employees must be provided a place of safety to clear to upon the approach of a train. In normal circumstances, it is expected that workers will clear **all** tracks upon the approach of a train. Clearing onto another track where train approach warning is established may potentially trap workers if multiple trains movements occur at the location in question. Regardless of the number of tracks at a work site, it is important to consider impediments to train approach warning at locations such as rock cuts or other locations with limited clearance.

It is also important to review §214.313(b) which states: “*A roadway worker shall not foul a track except when necessary for the performance of duty.*” Therefore, workers must have a specific reason in order to move into another track upon the approach of a train (e.g., work activity). This practice is only then acceptable if train approach warning is provided for all tracks without interruption and the workers have absolutely no chance of being trapped if multiple train movements simultaneously occur.

In all cases where train approach warning is used, it is critical that comprehensive instructions are provided to roadway workers about where to clear track(s) upon the approach of trains.

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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