



Memorandum

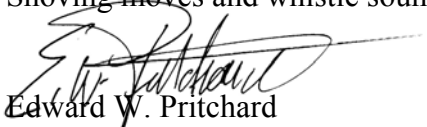
U.S. Department
of Transportation

**Federal Railroad
Administration**

Date: January 10, 2005

Reply to Attn of: G-05-26

Subject: Roadway Worker Protection Technical Bulletin
Shoving moves and whistle sounding

From: 
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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

There is concern regarding the locomotive whistle sounding requirement during shoving moves. In addition, what is Federal Railroad Administration's enforcement position with respect to multiple unit (MU) passenger trains that do not have bells?

Sec. 214.339, audible warning from trains states:

Each railroad shall require that the locomotive whistle be sounded, and the locomotive bell be rung, by trains approaching roadway workers on or about the track. Such audible warning shall not substitute for on-track safety procedures prescribed in this part.

There are no exceptions to the requirement of affording roadway workers with an audible warning. It is incumbent on the railroad to determine how to provide the warning under all circumstances.

MU equipment without bells can't ring the bell. There is no requirement that MUs be equipped with bells. MU equipment not equipped with bells is in compliance with the rule when the horn is sounded.

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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