



# Memorandum

U.S. Department  
of Transportation

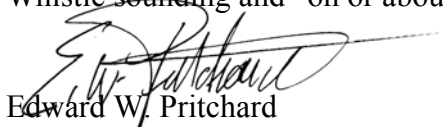
**Federal Railroad  
Administration**

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Date: January 10, 2005

Reply to Attn of: G-05-27

Subject: Roadway Worker Protection Technical Bulletin  
Whistle sounding and "on or about the track"

  
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

Sec. 214.339 states that "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."

At what point is it necessary to sound a warning when roadway workers are not on the track occupied by the train? How many feet or number of tracks away must the workers be to excuse the engineer from sounding a warning?

Trains must provide an audible warning to any roadway worker near enough to the track to have the potential to foul the track prior to the arrival of the train. *When citing defects or violations for failure to give an audible warning, inspectors should be able to describe the relative position of the roadway workers with the approaching train, and why there was a potential to foul that track.*

*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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