



Memorandum

U.S. Department
of Transportation

**Federal Railroad
Administration**

Date: January 10, 2005

Reply to Attn of: G-05-30

Subject: Roadway Worker Protection Technical Bulletin
"Quiet" power tools


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

Section §214.337 (c)(5) is explicitly clear that no power operated tools or roadway maintenance machines can be in use within the hearing range of lone worker using individual train detection. Accordingly, even though power tools can be made quiet so that they won't impair an individual's hearing ability, they still are defined as a power tool.

Power operated tools shall not be utilized by a lone worker using individual train detection. Although a "quiet" tool might not impair the hearing, the level of concentration required to operate such a device could have an impact on the individual's ability to detect approaching 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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