

Willful Violations to RWP - Rules which can be written against Individuals (27 Rules)

214.313 Responsibility of individual roadway workers.

214.313(b)

(b) A roadway worker shall not foul a track except when necessary for the performance of duty.

214.313(c)

(c) Each roadway worker is responsible to ascertain that on-track safety is being provided before fouling a track.

214.313(d)

(d) Each roadway worker may refuse any directive to violate an on-track safety rule, and shall inform the employer in accordance with § 214.311 whenever the roadway worker makes a good faith determination that on-track safety provisions to be applied at the job location do not comply with the rules of the operating railroad.

214.315 Supervision and communication.

(e) Each lone worker shall communicate at the beginning of each duty period with a supervisor or another designated employee to receive a job briefing and to advise of his or her planned itinerary and the procedures that he or she intends to use for on-track safety. When communication channels are disabled, the job briefing shall be conducted as soon as possible after the beginning of the work period when communications are restored.

214.321 Exclusive track occupancy.

214.321(b)(1)

(1) Where authority for exclusive track occupancy is transmitted orally, the authority shall be written as received by the roadway worker in charge and repeated to the issuing employee for verification.

214.321(b)(2)

(2) The roadway worker in charge of the working limits shall maintain possession of the written or printed authority for exclusive track occupancy while the authority for the working limits is in effect.

214.321(b)(3)

(3) The train dispatcher or control operator in charge of the track shall make a written or electronic record of all authorities issued to establish exclusive track occupancy.

214.323 Foul time.

(b) Each roadway worker to whom foul time is transmitted orally shall repeat the track number, track limits and time limits of the foul time to the issuing employee for verification before the foul time becomes effective.

214.325 Train coordination.

(b) The roadway worker who establishes working limits by train coordination shall communicate with a member of the crew of the train holding the exclusive authority to move, and shall determine that:

214.325(b)(1)

(1) The train is visible to the roadway worker who is establishing the working limits,

214.325(b)(2)

(2) The train is stopped,

Roadway workers in a roadway work group who foul any track outside of working limits shall be given warning of approaching trains by one or more watchmen/lookouts in accordance with the following provisions:

214.329 Train approach warning provided by watchmen/lookouts.

214.329(a)

(a) Train approach warning shall be given in sufficient time to enable each roadway worker to move to and occupy a previously arranged place of safety not less than 15 seconds before a train moving at the maximum speed authorized on that track can pass the location of the roadway worker.

214.329(b)

(b) Watchmen/lookouts assigned to provide train approach warning shall devote full attention to detecting the approach of trains and communicating a warning thereof, and shall not be assigned any other duties while functioning as watchmen/lookouts.

214.329(d)

(d) Every roadway worker who depends upon train approach warning for on-track safety shall maintain a position that will enable him or her to receive a train approach warning communicated by a watchman/lookout at any time while on-track safety is provided by train approach warning.

214.329(f)

(f) Every roadway worker who is assigned the duties of a watchman/lookout shall first be trained, qualified and designated in writing by the employer to do so in accordance with the provisions of § 214.349. (**Non-qualified person accepting assignment as watchman/lookout.....**)

214.331 Definite train location.

214.331 (d)

(d) Definite train location shall only be used to establish on-track safety according to the following provisions:

214.331(d)(5)

(5) Roadway workers using definite train location for on-track safety shall not foul a track within ten

minutes before the earliest time that a train is due to depart the last station at which time is shown in approach to the roadway worker's location nor until that train has passed the location of the roadway worker.

214.335 On-track safety procedures for roadway work groups.

(b) No roadway worker who is a member of a roadway work group shall foul a track without having been informed by the roadway worker responsible for the on-track safety of the roadway work group that on-track safety is provided.

214.337 On-track safety procedures for lone workers.

(c) Individual train detection may be used to establish on-track safety only:

214.337(c)(2)

(2) While performing routine inspection and minor correction work;

214.337(c)(3)

(3) On track outside the limits of a manual interlocking, a controlled point, or a remotely controlled hump yard facility;

214.337(c)(4)

(4) Where the lone worker is able to visually detect the approach of a train moving at the maximum speed authorized on that track, and move to a previously determined place of safety, not less than 15 seconds before the train would arrive at the location of the lone worker;

214.337(c)(5)

(5) Where no power-operated tools or roadway maintenance machines are in use within the hearing of the lone worker; and

214.337(c)(6)

(6) Where the ability of the lone worker to hear and see approaching trains and other on-track equipment is not impaired by background noise, lights, precipitation, fog, passing trains, or any other physical conditions.

214.337(d)

(d) The place of safety to be occupied by a lone worker upon the approach of a train may not be on a track, unless working limits are established on that track.

214.337(e)

(e) A lone worker using individual train detection for on-track safety while fouling a track may not occupy a position or engage in any activity that would interfere with that worker's ability to maintain a vigilant lookout for, and detect the approach of, a train moving in either direction as prescribed in this section.

214.337(f)

(f) A lone worker who uses individual train detection to establish on-track safety shall first complete a written Statement of On-track Safety. The Statement shall designate the limits of the track for which it is prepared and the date and time for which it is valid. The statement shall show the maximum authorized speed of trains within the limits for which it is prepared, and the sight distance that provides the required warning of approaching trains. The lone worker using individual train detection to establish on-track safety shall produce the Statement of On-track Safety when requested by a representative of the Federal Railroad Administrator.