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218.25 Workmen on track other than a hump-yard track.
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Subpart C—Protection of Trains and Locomotives

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AUTHORITY: Secs. 202, 84 Stat. 971, (45 U.S.C. 431), Sec. 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).

2. By adding new paragraphs (e), (f) and (g) to § 218.5 to read as follows:

§ 218.5 Definitions.

(e) "Interlocking limits means the tracks between the opposing home signals of an interlocking.

(f) "Flagman's signals" means a red flag by day and a white light at night, and a specified number of torpedoes and fusees as prescribed in the railroad's operating rules.

(g) "Absolute block" means a block in which no train is permitted to enter while it is occupied by another train.

3. By adding a new Subpart C to Part 218 which reads as follows:

Subpart C—Protection of Trains and Locomotives

§ 218.31 Scope.

This subpart prescribes minimum operating rule requirements for the protection of railroad employees engaged in the operation of trains, locomotives and other rolling equipment.

§ 218.33 [Reserved]

§ 218.35 Yard limits.

(a) After August 1, 1977, yard limits must be designated by—

- (1) Yard limit signs, and
- (2) Timetable, train orders, or special instructions.

(b) After August 1, 1977, each railroad must have in effect an operating rule which complies with the requirements set forth below:

(1) The main tracks within yard limits may be used, clearing the time an approaching designated class train is due to leave the nearest station where time is shown. In case of failure to clear the time of designated class trains, protection must be provided as prescribed by § 218.37. In yard limits where main tracks are governed by block signal system rules, protection as prescribed by § 218.37 is not required.

(2) Trains and engines, except designated class trains, within yard limits must move prepared to stop within one-half the range of vision but not exceeding 20 m.p.h. unless the main track is known to be clear by block signal indications.

(3) Within yard limits, movements against the current of traffic on the main tracks must not be made unless authorized and protected by train order, yardmaster, or other designated official and

only under the operating restrictions prescribed in 218.35(b)(2).

(c) Each railroad shall designate in the operating rule prescribed under paragraph (b) of this section the class or classes of trains which shall have superiority on the main track within yard limits.

§ 218.37 Flag protection.

(a) After August 1, 1977, each railroad must have in effect an operating rule which complies with the requirements set forth below:

(1) Except as provided in subparagraph (2) of this paragraph, flag protection against following trains on the same track must be provided by a crew member by dropping off single lighted fusees at intervals that do not exceed the burning time of the fusee.

(i) When a train is moving on the main track at less than one-half the maximum authorized speed (including slow order limits) in that territory, flag protection against following trains on the same track must be provided by a crew member by dropping off single lighted fusees at intervals that do not exceed the burning time of the fusee.

(ii) When a train is moving on the main track at more than one-half the maximum authorized speed (including slow order limits) in that territory under circumstances in which it may be overtaken, crew members responsible for providing protection will take into consideration the grade, curvature of track, weather conditions, sight distance and relative speed of his train to following trains and will be governed accordingly in the use of fusees.

(iii) When a train stops on main track, flag protection against following trains on the same track must be provided as follows: A crew member with flagman's signals must immediately go back at least the distance prescribed by timetable or other instructions for the territory, place at least two torpedoes on the rail at least 100 feet apart and display one lighted fusee. He may then return one-half of the distance to his train where he must remain until he has stopped the approaching train or is recalled. When recalled, he must leave one lighted fusee and while returning to his train, he must also place single lighted fusees at intervals that do not exceed the burning time of the fusee. When the train departs, a crew member must leave one lighted fusee and until the train resumes speed not less than one-half the maximum authorized speed (including slow order limits) in that territory, he must drop off single lighted fusees at intervals that do not exceed the burning time of the fusee.

(iv) When required by the railroad's operating rules, a forward crew member with flagman's signals must protect the front of his train against opposing movements by immediately going forward at least the distance prescribed by timetable or other instructions for the territory placing at least two torpedoes on the rail at least 100 feet apart, displaying one lighted fusee, and remaining at that location until recalled.

(v) Whenever a crew member is providing flag protection, he must not per-

mit other duties to interfere with the protection of his train.

(2) Flag protection against following trains on the same track is not required if—

(i) The rear of the train is protected by at least two block signals;

(ii) The rear of the train is protected by an absolute block;

(iii) The rear of the train is within interlocking limits; or

(iv) A train order specifies that flag protection is not required.

(b) Each railroad shall designate by timetable or other instruction for each territory the specific distance which a crew member providing flag protection must go out in order to provide adequate protection for his train.

(c) Whenever the use of fusees is prohibited by a Federal, State or local fire regulation, each railroad operating within that jurisdiction shall provide alternate operating procedures to assure full protection of trains in lieu of flag protection required by this section.

This amendment is effective August 1, 1977. Earlier compliance with these regulations is authorized as of January 27, 1977.

Issued in Washington, D.C., on January 19, 1977.

ASAPH H. HALL,
Administrator.

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[Docket No. RSOR-5, Notice No. 3]

PART 220—RADIO STANDARDS AND PROCEDURES

Final Rule

On August 11, 1975, the Federal Railroad Administration (FRA) published in the FEDERAL REGISTER (40 FR 33682) a notice of proposed rulemaking (NPRM) stating that FRA was considering the issuance of a new Part 220, Radio Standards and Procedures. This new part would prescribe mandatory procedures governing the use of radio communications in connection with railroad operations. A technical correction to the proposed rule was published in the FEDERAL REGISTER on August 21, 1975 (40 FR 36575).

Interested persons were invited to participate in the rulemaking proceeding by submitting written comments before September 24, 1975. The notice also scheduled a public hearing which was held on September 25, 1975, in Washington, D.C. The written comments filed in response to the NPRM, and the comments submitted at the public hearing have been considered. FRA has determined, after reviewing and analyzing all of these comments, that several changes are necessary. These changes, which are discussed below, affect the following sections: § 220.1 Scope; § 220.5 Definitions; § 220.29 Statement of letters and numbers; § 220.43 Communication consistent with rules; § 220.49 Switching, backing or pushing; and § 220.61 Transmission of train orders by radio.