

**Adopted Pursuant to Executive Director's Order,  
Decision 16-04-014**

GENERAL ORDER NO. 175-A

**PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA**

**RULES AND REGULATIONS GOVERNING ROADWAY WORKER PROTECTION  
PROVIDED BY RAIL TRANSIT AGENCIES AND RAIL FIXED GUIDEWAY  
SYSTEMS**

**Adopted March 17, 2016 and April 12, 2016  
Decision 16-03-006 and Decision 16-04-014  
Rulemaking 09-01-020**

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*Rail Transit Agencies (RTA)* and *Rail Fixed Guideway Systems (RFGS)* operating in California shall comply with the following rules governing *roadway worker* protection. Terms defined in the Definition section are italicized throughout this General Order.

## 1. GENERAL PROVISIONS

- 1.1 **Authority.** These rules and regulations are authorized by and implement the provisions of 49 U.S.C. § 5330; 49 C.F.R. § 659<sup>1</sup>; and California Public Utilities Code Sections 778 and 99152, as well as the California Public Utilities Code sections establishing each individual *rail transit agency* within California.
- 1.2 **Purpose.** The purpose of these rules and regulations is to provide a safe working environment for *RTA roadway workers*. These rules and regulations are intended to ensure that each *RTA* adopts a program for *roadway workers* containing specific rules for protecting these workers from the danger of being struck by trains or other *on-track equipment*.
- 1.3 **Applicability.** These rules and regulations are applicable to all *RTAs* in California. These rules and regulations do not prohibit *RTAs* from implementing rules that provide greater safety. These rules and regulations do not apply to:
  - a. Fire protection and law enforcement personnel.
  - b. *Employees* responding to a life-threatening emergency.
  - c. Track that is being constructed until any *RTA* vehicles or *employees* occupy the construction area, except for *RTA employees* who must occupy the area to perform inspections needed during construction, and who will do so under the construction *contractor's* protections and regulatory obligations.
  - d. Work being performed on a platform outside of the platform edge warning strip where an *employee* or any tool does not infringe on the warning strip.

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<sup>1</sup> Section 20021 of Moving Ahead for Progress in the 21st Century Act (Pub. Law 112–141, July 6, 2012) replaces 49 U.S.C. § 5330 with U.S.C. § 5329, three years after the Federal Transit Administration (FTA) adopts new rules. FTA has proposed new rules to replace 49 CFR Part 659 with 49 C.F.R. Part 674.

- 1.4 **Additional Rules.** The Commission may make such additional rules and regulations or changes to these rules and regulations as necessary for the purpose of safety.
- 1.5 **Exemptions and Modifications.** Requests for exemptions or modifications from these rules and regulations shall contain a full statement of the reasons justifying the request. A request must demonstrate that safety would not be reduced by the proposed exemption or modification. Any exemption or modification so granted shall be limited to the particular matter covered by the request and shall require Commission approval.

## 2. DEFINITIONS

Terms defined in this section are italicized throughout this General Order.

- 2.1 *Confirmed Hold* means a specific procedure that can be used as specified in this General Order to hold *rail transit vehicles*, including *on-track equipment*, out of a work location as follows: The rail operations control center will instruct a *rail transit vehicle* operator of the next vehicle in line to arrive at the work zone to stop at a designated location, and the *rail transit vehicle* operator will confirm to the rail operations control center that the vehicle is actually stopped at the designated location. *Roadway workers* will not be permitted to enter the work zone until the *Employee in Charge (EIC)* receives notification from the rail operations control center that a *Confirmed Hold* has been verified for each approaching *rail transit vehicle*. The *Confirmed Hold* will not be lifted until the *EIC* has determined all *roadway workers* are clear of the *track zone*, or in a *place of safety* as applicable, and confirms the release of the work location to the rail operations control center.

A *confirmed hold* can be established by a *rail transit vehicle* operator when the operator is the person performing the authorized *minor task*. In this instance, the operator acts as both the *EIC* and the train operator, and can establish the required communication with the rail operations control center.

- 2.2 *Director* means the Director of the Commission's division overseeing rail transit safety, or the Deputy Director overseeing rail transit safety.
- 2.3 *Employee* means a person employed by a *rail transit agency (RTA)*

in California, an employee of a utility providing services to the RTA or accessing the RTA's *right-of-way* to maintain their facilities who could occupy the *track zone*, or a *contractor* working on behalf of such RTA.

- 2.4 *Employee in Charge (EIC)* means the RTA employee with responsibility for supervising and ensuring safety, including use of *roadway worker* protections, at a *right-of-way* worksite. In the case of a *minor task*, the EIC would be the *roadway worker* performing the *minor task* if alone.
- 2.5 *Fifteen-second rule, or 15-second rule*, means a rule that requires a *roadway worker* to be clear of the *track zone* or in a *place of safety* 15 seconds before a *rail transit vehicle* moving at the *maximum authorizable speed* on that track could arrive at the location of the *roadway worker*.
- 2.6 *Job safety briefing* means a meeting conducted at the job site by the EIC of the work that focuses on the hazards of the work to be performed and the provisions to eliminate or protect against those hazards. The term is further defined through the requirements for a *job safety briefing* provided in this General Order.
- 2.7 *Maximum authorizable speed* is defined only for the purpose of calculating the *15-second rule* distance, and is defined as the maximum allowable speed under all conditions on that track, unless a lower speed restriction is enforced by automatic train controls that also control speeds trains operating in manual mode. If a lower speed is enforced by automatic train controls, then the *maximum authorizable speed* on that track is the automatic train control-enforced speed.
- 2.8 *Minor tasks* are defined as those tasks without tools unless specified herein where an individual can continue to look out at least every five (5) seconds for approaching *rail transit vehicles* and where they can be performed without violating the *15-second rule*. *Minor tasks* are limited to the following:
- a. Retrieving or removing an item from the *track zone*.
  - b. Lining manual or electric-lock track switches, including the use of a switch bar.
  - c. Placing or removing flags.
  - d. Taking photographs of an actual or suspected safety hazard or an actual or suspected violation of a rail safety law, regulation, order, or standard using a stand-alone camera that cannot be used for

electronic communications; the only exception to the stand-alone requirement is that a camera may have a send-only feature that can send photos. After each time pressing the camera shutter release to take one photo or a one-second burst of photos, the *employee* must step out of the *track zone* to check the surroundings for any hazards, and only when it is safe step back into the *track zone* to take additional photos. Sending photos is not a *minor task*, and must be done either outside the *track zone* or under higher levels of protection.

- e. A visual inspection at one specific fixed location, deemed an immediate need.

Tasks and tools not listed herein may be performed and used upon written request to the *Director* with copy to the affected *employees'* labor union representative(s) and written concurrence from the *Director*.

- 2.9 *Near-miss* means an incident infringing on the safety of a *roadway worker* on or near the tracks, but without contact or injury.
- 2.10 *On-track Equipment* is a subset of the comprehensive *rail transit vehicle* definition herein, and means any rolling equipment besides revenue vehicles used for any purpose, including but not limited to testing, inspection, and maintenance. The definition is included to avoid possible confusion in subsections herein where a *rail transit vehicle* mistakenly might be assumed to be only a vehicle in revenue passenger service.
- 2.11 *Place of Safety* means a space where a person or persons can safely get sufficiently clear of any *rail transit vehicle*, including any *on-track equipment*, moving on any track.
- 2.12 *Rail Fixed Guideway System (RFGS)* means any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, cable car, automatic people mover, or automated guideway transit system used for public transit and not regulated by the Federal Railroad Administration or not specifically exempted by statute from Commission oversight.

- 2.13 *Rail Transit Agency (RTA)* means the entity that plans, designs, constructs, and/or operates a *RFGS*.
- 2.14 *Rail Transit Vehicle* means an *RTA*'s rolling stock, including but not limited to passenger and maintenance vehicles.
- 2.15 *Right-of-way* means a strip of land that is granted, through an easement or other mechanism, for transportation purposes which includes the *RTA*'s rails; track; crossties; ballast; bridges; underpasses; tunnels; wayside signals; communication, overhead catenary system, and substation facilities adjacent to or extending into the track zone; and station areas in or adjacent to the *track zone*, excluding *station platforms*.
- 2.16 *Roadway Worker* means any *employee* who performs any work on the *right-of-way*.
- 2.17 *Contractor* means an entity that performs tasks on behalf of the *RTA*.
- 2.18 *RWP* means *Roadway Worker* protection.
- 2.19 *Station Platform* means the portion of a transit facility directly adjacent to the tracks at a station where a transit vehicle stops to load and unload passengers, and where passengers are allowed to be when trains are moving.
- 2.20 *Stopping Point* means the specific location where trains must stop according to the provisions herein.
- 2.21 *System Safety Program Plan (SSPP)* means a document adopted by an *RTA* detailing its safety policies, objectives, responsibilities, and procedures.
- 2.22 *Track Zone* means an area within six (6) feet of the outside rail on both sides of any track.
- a. The *track zone* definition is intended to provide a threshold that can be identified by workers as an area where a person or equipment could be struck, or has the potential to be struck, by the widest equipment that could occupy the track. The zone provides additional space away from the widest revenue *rail transit vehicle* that could occupy the track to address the potential for inadvertent movement into the area where a person or roadway working equipment could be struck.
  - b. This zone should be widened, or extra safety provisions put in place, to safely accommodate any movement that might be

anticipated into the area. Examples include equipment placed just outside the zone that has a bucket or swing boom that could extend far enough to be struck, or have the potential to be struck, or *on-track equipment* that might be wider than revenue *rail transit vehicles*.

- 2.23 *Watchperson*, sometimes called a lookout, means an *employee* who has been trained and qualified on *RWP* rules and procedures, whose sole duty is to provide effective warning in compliance with the *15-second rule* to *roadway workers* of approaching *rail transit vehicles*, including trains or any *on-track equipment*, who does not perform or assist in any other work aside from the *watchperson* duty, and who remains clear of the *track zone*, or when clearance is unavailable, remains in a *place of safety*.

### **3. RTA RESPONSIBILITIES**

- 3.1 Each *RTA* shall adopt and implement a program that will afford safety to all its *roadway workers*.
- 3.2 Each *RTA* shall adopt *RWP* rules that satisfy the requirements of this General Order.
- 3.3 Each *RTA* shall adopt a training program in accordance with Section 9.
- 3.4 Each *RTA* shall maintain for a minimum of four years records of *employee*-reported unsafe acts or conditions that could result in a *roadway worker* accident or incident. Records may be kept as part of an *RTA's Near-Miss* program and recordkeeping specified in Section 10.
- 3.5 Each *RTA* shall create and maintain a separate dedicated manual excerpting all necessary *roadway worker* safety procedures and rules from its rule book(s), make it freely available to *roadway workers*, and ensure that *roadway workers* have easy access to the manual when performing job functions.
- 3.6 Each *RTA* shall specify one or more objective method(s) to determine appropriate sight distance for *15-second rule* compliance as part of their training program. The information shall be provided to all *employees* who are involved in operations requiring the *15-second rule*. Appropriate use of the rule shall be included in each *RTA's* training program.

Examples:

- a. Track surveys that designate areas with insufficient sight distance to see a *rail transit vehicle* traveling in any direction at the *maximum authorizable speed* per the *15-second rule*.
  - b. Speed-distance tables, the time it would take for a vehicle to close the distance from where it could first be seen to arriving at the location of the *roadway worker* and/or *watchperson*, and roadside markers *roadway workers* can confidently rely on to determine the sight distance necessary to be able to clear the *track zone* per the *15-second rule*.
- 3.7 Each *RTA* shall include *RWP* rules in its compliance testing program to ensure compliance, to assess the degree of compliance, and to make any necessary changes to enhance compliance.
- 3.8 If an *RTA* uses flag protection to provide *roadway worker* safety, it shall establish written flag protection procedures and rules and include those rules in the manual described in Section 3.5.
- 3.9 Each *RTA* shall establish what safety equipment a person accessing the *track zone* is required to use consistent with applicable standards such as federal, state, American Public Transportation Association or other industry rules and/or guidelines.
- 3.10 Anyone allowed access to the *track zone*, by request, easement, or other form of permission, shall either complete the required *RWP* training or be escorted by an *RWP*-trained *employee*.

#### **4. RIGHTS AND RESPONSIBILITIES**

- 4.1 Right to a *job safety briefing*. Each *RTA* shall require that a *job safety briefing* be performed prior to the performance of any job duty that may occur on the *right-of way*, and shall require that all *roadway workers* at the job participate.
- 4.2 Right to discuss and confirm understanding. In any *job safety briefing* provided prior to work on the *right-of-way*, each *RTA* shall grant each *roadway worker* the right to discuss and confirm understanding of the safety provisions to be provided.
- 4.3 Right to challenge. Each *RTA* shall provide every *roadway worker* the right to challenge, and/or refuse, in good faith, any *RWP* assignment he or she has reason to believe is unsafe or would violate any *RWP* rule or procedure. The *roadway worker* must describe the safety or rule concern

and remain clear of the *track zone* until the challenge is resolved.

- 4.4 Right and responsibility to report unsafe acts or conditions. Each *RTA* shall provide opportunities for *roadway workers* to report to the *RTA* any unsafe acts or conditions that could result in an accident or incident, and shall not discourage such reporting.
- 4.5 Each *RTA* shall ensure that every *roadway worker* knows they have a responsibility to ascertain that *track zone* safety is established and understood prior to entering the *track zone*.
- 4.6 Each *RTA* shall ensure that every *roadway worker* knows they have a duty to warn other *roadway workers* and *employees* in an unprotected *track zone* to move to the clear.
- 4.7 Shared responsibility. Each *RTA* shall communicate to its *roadway workers* that each worker ultimately is responsible for his or her actions at a work site, and that compliance with the *RWP* rules are designed to require actions that will keep workers safe and must be followed consistent with this section.

## **5. JOB SAFETY BRIEFING**

- 5.1 Each *RTA* shall require that an *EIC* provide a *job safety briefing* prior to any roadway work within the *RTA right-of-way*. The *job safety briefing* for each *roadway worker* must include a discussion and explanation of the job function, rules, and procedures for carrying out job duties. The *job safety briefing* shall include the following aspects as applicable:
  - a. The general work plan for a crew; or for each crew when there are multiple crews, each with a different general work plan.
  - b. The hazards involved and the means by which safety is to be provided to the *roadway workers* through compliance with these *roadway worker* safety rules and procedures. Special attention shall be given to the presence of *on-track equipment*, to the presence of any adjacent tracks, and to any need to widen the *track zone* according to the provisions of the *track zone* definition.
  - c. Personal Protective Equipment.
  - d. Identification and location of key personnel such as a *watchperson* and an *EIC*.
  - e. Appropriate flags and proper flag placement.

- f. A *place of safety* shall be predetermined that will allow workers to move to the safe area at least 15 seconds before any approaching *rail transit vehicle* moving at the *maximum authorizable speed* on that track can pass the location of the *roadway worker*.
  - g. The means for determining if and how the *15-second rule* will be met shall be discussed including:
    - i. Determination of sight distance.
    - ii. Visibility conditions.
    - iii. Ambient noise interference.
    - iv. Maximum authorizable speed.
    - v. Time needed to disengage from the work.
    - vi. Location of places of safety.
    - vii. Time to get to the place of safety.
    - viii. Adjacent tracks, the hazards associated, and provisions to address those hazards.
  - h. The means of communication among the *roadway workers* to be used in the job performance, including communication with any roadway maintenance machine operators.
  - i. Acknowledgement by each *employee* that they understand the rules to be used.
  - j. If a *watchperson* is being used, each *employee*, including the *watchperson*, must receive a review of the *watchperson's* duties, at a minimum to include the information in the definition herein of a *watchperson*, as follows: The *watchperson's* sole duty is to provide effective warning in compliance with the *15-second rule* to *roadway workers* of approaching *rail transit vehicles*, including trains or any *on-track equipment*. The *watchperson* does not perform or assist in any other work aside from the *watchperson* duty and remains clear of the *track zone*. If clearance is unavailable, the *watchperson* remains in a place of safety.
- 5.2 If there is any change in the scope of work or crew after the initial *job safety briefing*, a follow-up *job safety briefing* shall be conducted.
- 5.3 In the case of an individual *roadway worker* moving from one location to another (Section 6.1) or performing a *minor task* (Section 6.2), the *job safety briefing* will be a discussion, between the *roadway worker* and the *employee* providing the authorization to enter the right-of-way, of the protection to be used.

**6. MINIMUM CONTROLS/LIMITATIONS FOR EMPLOYEES  
PERFORMING DIFFERENT CATEGORIES OF WORK WHEN WITHIN  
THE TRACK ZONE ON ANY TRACK OTHER THAN YARD OR END-OF-  
LINE STORAGE TRACKS**

Each *RTA* shall provide the protections specified in this section. The following categories of work and levels of protection proceed from low to high. A higher level of protection may be used for any category of work. *Employees* may occupy passenger platforms, except for the platform-edge warning strip, or train operator platforms, without the provisions in the sections below.

- 6.1 Moving from one location to another with full attention on surroundings. The requirements in this section, a, b, and c below, do not apply to moving from one location to another on semi-exclusive and non-exclusive alignments (as defined in the General Order 143 series), with full attention to surroundings.
- a. *Roadway worker/crew* must establish authorization for the identified area, and
  - b. *Roadway worker(s)* must be able to comply with the *15-second rule*.
  - c. *Roadway workers* may occupy General Order 143 series compliant emergency walkways in tunnels and on elevated structures where there is insufficient clearance to remain clear of the *track zone*. Trains must be slowed to 25 miles per hour or less before *roadway workers* may occupy the *track zone* on the emergency walkway.
  - d. *Roadway workers* may occupy an area outside a fence installed as a physical barrier between the *roadway worker* and the track, where the fence is within the *track zone*.
- 6.2 Performing *minor tasks* with sufficient attention to surroundings.
- a. *Roadway worker* must establish authorization for identified work area, and
  - b. Notification must be given to train operators, and
  - c. Notification of reverse direction and other abnormal train movement must be provided to roadway worker, and
  - d. *Roadway worker* must be able to comply with the *15-second rule*, and
  - e. One of the following, i or ii:

- i. Trains must stop short of the work location unless the *roadway worker* communicates by radio or hand signals to the train operator that the train may proceed. Trains approaching the work location must sound an audible warning until it is acknowledged by the *roadway worker*. Upon radio communication between the train operator and *roadway worker*, or upon visual confirmation by the *roadway worker*, that the train is stopped, the *roadway worker* may enter the *track zone*. Upon radio communication or hand signals from the *roadway worker* that he or she is clear of the *track zone* or on a walkway under the provisions of Section 6.1.c, the train may proceed.
- ii. Trains are held outside the work location under a *Confirmed Hold*.

### 6.3 Visual Inspections, Maintenance, and Repairs, Using Hand Tools, Machines, or Equipment.

The provisions of this section must cover all *roadway worker/crew* activities not covered in sections 6.1 and 6.2.

- a. *Roadway worker/crew* must establish authorization for identified work area, and
- b. Communication between the rail operations control center, the train operator, and the *EIC* must be established, and the means by which protection is going to be provided documented and confirmed by these individuals, affirming that no worker will be permitted to enter the *track zone* until the provisions in this section are implemented, and
- c. Notification of reverse direction and other abnormal train movement must be provided to *roadway worker(s)*, and
- d. On-rail vehicle movement into the work zone must be controlled by applying one or more of the following controls, i through v, as appropriate:
  - i. with flags:
    - (a) flags that indicate speed restrictions, advance warnings of *stopping points*, and *stopping points*, and
    - (b) *watchperson(s)*, and
    - (c) with all movements proceeding at a speed that will allow stopping within half the range-of-vision, and no greater than 25 miles per hour unless the *EIC* sets a slower speed, and,
    - (d) after November 7, 2017, with an early warning alarm device, and
    - (e) Trains must stop at *stopping points*, unless the *EIC* provides permission to proceed without stopping under all four of

the following conditions:

- (1) train operator communicates directly with the *EIC* using a radio; and
- (2) train operator identifies the train and its location. *EIC* identifies their work zone area; and
- (3) *roadway workers* are clear of the *track zone*, or when clearance is unavailable, are in a *place of safety*.
- (4) hand signals are given by a person who can visually be identified as being authorized to give such hand signals.

Or,

ii. without flags:

- (a) either pursuant to specific authorization granted by the Commission and subject to any conditions accompanying that authorization; or pursuant to written authorization from the *Director* after an *RTA* submits a plan to the *Director* in a written proposal describing the intended use and plan for using this section, justifying the plan's safety, and only to be used under limited conditions where the use of flags cannot be reasonably implemented; and,
- (b) with an early warning electronic device; and
- (c) with *watchperson(s)*; and
- (d) with all movements proceeding at a speed that will allow stopping within half the range-of-vision, and no greater than 25 miles per hour unless the *EIC* sets a slower speed.
- (e) trains must stop upon receiving an alert and not proceed until receiving an appropriate proceed signal, but in the situation where the operator has to stop too far away from the work site to be able to receive a proceed signal, after stopping, the operator may proceed at restricted speed, but not to exceed 10 miles per hour, until the work site becomes visible. If at that point the operator does not receive a proceed signal, he or she must wait until the appropriate *employee* gives the signal;

Or,

- iii. lining and locking track switches or otherwise physically preventing entry and movement of *rail transit vehicles*, including *on-track equipment*, with a *watchperson*, or
- iv. restricting work to times when propulsion power is down with verification from control that track is out of service, and barriers are placed that physically prevent *rail transit vehicles*, including *on-track equipment*, from entering the work zone, or
- v. for *RTAs* with positive train control systems that are operating as designed across the entire system,

- (1) with a *watchperson*: the rail operations control center shall establish red signals or stop commands as applicable to the system, or
  - (2) without a *watchperson*: the rail operations control center shall establish red signals or stop commands as applicable to the system and stop commands are physically locked in a field train-control room, by means such as a route prohibit, or other means that make it impossible for the rail operations control center to inadvertently allow proceed signals or commands into the work limits. Exception: This subsection does not apply where the positive train control system allows operators to exceed 25 miles per hour in manual mode.
- e. Within working limits, *rail transit vehicles*, including *on-track equipment*, shall move only under the direction of the *EIC*, and shall move at a speed that will allow stopping within half the range-of-vision, and no greater than 25 miles per hour unless the *EIC* sets a slower speed.
  - f. Beginning November 7, 2017, early warning alarm technology must be used, with the exception that it is recommended but optional when the protections of Sections 6.3.d iii, iv, and v(2) are in place.
  - g. A standalone camera may be used for work-related purposes under the protections in this section. A cell phone, smartphone, or similar communication device camera may be used for work-related purposes under the protections in this section if it is an RTA-issued device and if it is rendered incapable of sending and receiving communications while in the *track zone*; the device must be made immediately available to an *RTA* supervisor or Commission inspector upon request. Photographs may only be sent from outside the *track zone* unless all of the following conditions are met:
    - The sender is unable to step out of the *track zone*.
    - No on-track vehicles are working in the *track zone*.
    - The protections of Sections 6.3.d, iii, iv, or v are being used.
    - The sender moves to as safe a location as possible.

**7. MINIMUM CONTROLS/LIMITATIONS FOR EMPLOYEES PERFORMING DIFFERENT CATEGORIES OF WORK WHEN IN THE TRACK ZONE ON YARD AND END-OF-LINE STORAGE TRACKS**

- 7.1 Each *RTA* shall have and submit to Commission staff its yard and end-of-line storage track *RWP* program within 90 days of the effective date of this General Order and each time the plan is changed.
- 7.2 Each *RTA* shall comply with its yard and end-of-line storage track *RWP* program.

**8. PROTECTIONS FOR EMERGENCY RESPONSE PERSONNEL**

- 8.1 The *RWP* plan of each *RTA* shall include provisions for protection of non-*RTA* emergency response personnel. The provisions shall include consideration of movements on adjacent tracks.
- 8.2 The *RWP* plan provisions shall include provisions for the *RTA* to offer coordination of emergency response activities with all fire protection and law enforcement agencies in their service territory, including emergency training drills with emergency response agencies. Notwithstanding the foregoing, when it is beyond their control, *RTAs* are not responsible for ensuring that other agencies participate in or comply with response coordination or training drills.
- 8.3 *RTAs* shall offer training to non-*RTA* emergency response personnel in their service territory either: 1) no less than every two years, or 2) regularly, and accommodating all requests for training. Under either option, records of training must be available for three years for Commission inspectors' review.
- 8.4 An *RTA's* *SSPP* must include provisions for training of *employees* who may occupy the *track zone* during response to emergencies.

**9. ROADWAY WORKER PROTECTION TRAINING**

- 9.1 Each *RTA* shall adopt an *RWP* training program for *roadway workers* so that each worker understands the hazards of working along the *right-of-way* and the methods to safely work on the *right-of-way*.
- 9.2 Each *RTA* shall adopt an *RWP* training program for any *employee* who may affect *roadway worker* safety, including their own safety. For example, the program shall cover *employees* such as *rail transit vehicle* operators, dispatchers, rail operations control center staff, and supervisors.

- 9.3 Each *RTA* shall make changes to its training program to address problems identified through the results of compliance testing, *near-miss* reports, reports of unsafe acts or conditions, and comments received on the training program.
- 9.4 No *RTA* shall assign an *employee* to perform the duties of a *roadway worker* unless that *employee* has received training in the *RWP* procedures associated with the work assignment to be performed. Any person who is escorted and being provided *RWP* safety by an *RWP*-trained *employee* is exempt from these training provisions.
- a. Each *RTA* at least once every 24 months shall retrain all *roadway workers* and *employees* with *RWP* responsibilities on the *RWP* training program for *roadway workers*.
  - b. Records showing compliance with the requirement in subsection a. above shall be maintained for a minimum of three (3) years.
  - c. Each *RTA* shall provide an opportunity in its training program for *roadway workers* to raise and discuss issues regarding the effectiveness of the training program.
- 9.5 The training of all *roadway workers* at a minimum shall include:
- a. Classroom training with the opportunity to ask the *RWP* trainer questions and raise and discuss *RWP* issues.
  - b. Experience in a representative field-setting.
  - c. The *RTA*'s *RWP* rules and procedures.
  - d. Recognition of all tracks and understanding of the space around them within which *RWP* is required.
  - e. The functions and responsibilities of various persons involved with *RWP* procedures.
  - f. Checks or tests to ensure the ability to comply with *RWP* instructions given by persons performing, or responsible for, on- track safety and *RWP* functions.
  - g. The proper signals, standardized for each *RTA*, to be given by an *employee*, including hand signals, and the proper procedures upon receiving a *rail transit vehicle* approach warning from a *watchperson*, including applicable operating and flagging rules.
  - h. The hazards associated with working on or near all tracks, including review of *RWP* rules and procedures.

- i. Flag protection rules and procedures and how they are applied to *RWP*.
  - j. Classroom discussion of the compliance testing program requirements.
  - k. Classroom discussion of the *RTA's RWP near-miss* program including, but not limited to how to report *near-misses*.
- 9.6 Each *RTA* shall insure that their *RWP* training personnel are competent to provide effective *RWP* training, and at a minimum will consider the following:
- a. Experience and knowledge of effective training techniques.
  - b. Experience with the *RTA's RWP* rules
  - c. Knowledge of the *RTA's RWP* rules, program, operations, and operating environment, including applicable operating rules.
  - d. Knowledge of the training requirements specified in this General Order.

## **10. NEAR-MISS REPORTING PROGRAMS AND RECORDS**

- 10.1 Each *RTA* shall develop and implement a program for reporting and recording *near-misses* regarding *RWPs*.
- 10.2 *RWP near-miss* records shall be retained by the *RTA* for a period of four (4) years and shall be made available to CPUC staff on demand.
- 10.3 The *near-miss* program shall include:
- a. A policy statement supporting the *near-miss* program signed by the *RTA's* Chief Executive Officer, and
  - b. A process to encourage and allow *roadway workers* to report *near-misses*, and
  - c. Methods to store, easily access, and track *near-misses* and corrective actions, and
  - d. Analyses to identify primary and contributory causal factors including root causes, and to implement corrective actions.
- 10.4 Each *RTA* shall submit a copy of its *near-miss* program to staff within 90 days of the effective date of this order and within 30 days of any subsequent modifications.
- 10.5 Each *RTA* shall reference their *near-miss* program in their *SSPP*.

10.6 Each *RTA* shall periodically review the effectiveness of its *near-miss* program taking into consideration industry practices and make adjustments if needed for increased effectiveness to achieve program goals.