

California Public Utilities Commission
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PRESS RELEASE

Docket #:R.08-10-

**CPUC LEADS INDUSTRY WITH BAN ON USE OF PERSONAL
ELECTRONIC DEVICES BY RAIL TRANSIT OPERATORS**

SAN FRANCISCO, Oct. 6, 2011 - The California Public Utilities Commission (CPUC) today unanimously adopted a first-of-its kind regulation enforcing prohibitions against the use of personal electronic devices, such as cell phones, by rail transit system operators.

The new General Order 172 was prompted by the September 2008 tragedy at Chatsworth, where 25 people died and more than 100 were injured when a Metrolink passenger train collided head-on with a Union Pacific freight train. The investigation concluded that the Metrolink train's engineer failed to stop for a red signal because he was distracted by numerous texting exchanges on his personal cell phone seconds before the collision occurred.

Six days after the accident, the CPUC adopted an interim emergency order prohibiting personal use of cell phones and other electronic communication devices, such as satellite phones, pagers, and smart phones, by railroad and rail transit crew members. In addition to the Chatsworth accident, additional evidence emerged that a June 2008 San Francisco Muni light rail vehicle collision was likely caused by operator cell phone distraction. The Federal Railroad Administration subsequently adopted a ban for the nation's railroads. However, those regulations do not cover rail transit systems that the CPUC has regulatory responsibility for, such as Bay Area Rapid Transit District (BART), the Los Angeles County Metropolitan Transportation Authority (LA Metro), the San Diego Trolley, San Francisco Muni, and other rail transit systems.

The new General Order approved today as a permanent regulation for rail transit systems will increase the safety of crews and passengers in the state by requiring a zero-tolerance policy for

personal electronic device use by operating employees, and by requiring effective enforcement of that policy. As a first in the nation, this General Order will require the state's rail transit systems to install inward facing cameras in the train operator's cab. The cameras will provide a level of accountability not possible without this enforcement tool.

Provisions in the new General Order include the following requirements:

- All personal electronic devices must be turned off and stowed not on the person. This includes anyone operating an on-track vehicle, anyone dispatching, flagging, or otherwise controlling the movement of any on-track vehicle, and anyone performing a task that would put them in the zone where they could be struck by any on-track vehicle.
- Continuously recording video cameras will be installed in rail transit vehicle cabs and will be focused on the operators.
- Video recordings must be reviewed not only after accidents, injuries, or complaints of device use, but routinely as part of a compliance testing program.
- The prohibitions for device use have been expanded and now include any wireless or portable electronic device.
- Those found violating these prohibitions will face discipline under a zero-tolerance program with clearly defined and automatic consequences, up to and including discharge.

Said Commissioner Mike Florio, "The CPUC is sending a clear message today to operators tempted by the attraction of cell phone use: it's not worth it – you will be held accountable."

The proposal voted on is available at

http://docs.cpuc.ca.gov/word_pdf/AGENDA_DECISION/143003.pdf.

For more information on the CPUC, please visit www.cpuc.ca.gov.

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