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APTA Rail Transit Standards Operating Practices
Working Group

Contractors' Responsibility for Safety on the Right-of-Way (ROW)

Abstract: This *Rail Standard* identifies a contractor's responsibilities for knowing, complying with and enforcing rail transit system (RTS) guidelines, rules and procedures and should govern the activities of contractors performing work on or near the right of way.

Keywords: contractor, right-of-way, safety

Summary: This standard shall be applied whenever contractors perform any work on or near the RTS in order to assist in protecting themselves, their employees and subcontractors, passengers, RTS employees and the public. It is the responsibility of every individual entering or working in close proximity to the RTS to follow all safety rules and procedures contained in this standard, to use caution, and to apply all safe work practices.

Scope and purpose: This *Rail Standard* for contract construction on or near the RTS governs any type of construction, engineering or maintenance work performed by contractors at any location on, over, under, adjacent to or in the vicinity of the RTS right-of-way. This standard also applies to RTS yards, passenger stations, tracks, substations and any other facilities (structures, maintenance shops, etc.), where contractors are performing any type of work close to moving rail vehicles or to the traction power distribution system. It is the intent of this standard to give contractors a basic understanding of the special conditions that exist in and around the RTS right-of-way and to identify the safety rules, procedures and other precautions that they (and their employees, subcontractors, etc.) should follow while working in that environment. This standard should be part of a unified RTS safety program and supplements the Special Conditions Section of any engineering, maintenance or construction contract. This standard is not intended to amend or supersede any applicable safety standards, design criteria or codes (municipal building codes, NFPA, etc.), federal regulations (OSHA, EPA, FRA), state oversight requirements, or RTS standard operating procedures.

This *Rail Standard* represents a common viewpoint of those parties concerned with its provisions, namely, transit operating/planning agencies, manufacturers, consultants, engineers and general interest groups. The application of any standards, practices or guidelines contained herein is voluntary. In some cases, federal and/or state regulations govern portions of a transit system's operations. In those cases, the government regulations take precedence over this standard. NATSA (North American Transit Services Association) and its parent organization APTA recognizes that for certain applications, the standards or practices, as implemented by individual transit agencies, may be either more or less restrictive than those given in this document.

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Introduction

This introduction is not a part of APTA RT-OP-S-010-14 Rev 1 *Standard for Contractors' Responsibility for Safety on the Right of Way (ROW)*.

This standard represents a common viewpoint of those parties concerned with its provisions, namely transit operating/planning agencies, rail transit systems, manufacturers, consultants, engineers and general interest groups. The application of any standards or recommended practices contained herein is voluntary. In some cases, federal and/or state regulations govern portions of a rail transit system's operations. In those cases, the government regulations take precedence over this standard. APTA recognizes that for certain applications, the standards or recommended practices, as implemented by individual rail transit systems, may be either more or less restrictive than those given in this document.

Note on alternate practices

Individual rail transit systems may modify the practices in this standard to accommodate their specific equipment and mode of operation. APTA recognizes that some rail transit systems may have unique operating environments that make strict compliance with every provision of this standard impossible. As a result, certain rail transit systems may need to implement the standards and practices herein in ways that are more or less restrictive than this document prescribes. A rail transit system may develop alternates to APTA standards so long as the alternates are based on a safe operating history and are described and documented in the system's safety program plan (or another document that is referenced in the system safety program plan).

Documentation of alternate practices shall do the following:

- Identify the specific APTA rail transit safety standard requirements that cannot be met.
- State why each of these requirements cannot be met.
- Describe the alternate methods used.
- Describe and substantiate how the alternate methods do not compromise safety and provide a level of safety equivalent to the practices in the APTA safety standard (operating histories or hazard analysis findings may be used to substantiate this claim).

Contractors' Responsibility Safety on the Right-of-Way (ROW)

1. Summary

This Standard defines Rail Transit System (RTS) requirements for formalizing contractors' responsibilities for knowing, complying with and enforcing RTS guidelines, rules and procedures. These requirements shall govern the activities of contractors performing work on or near an RTS ROW.

2. Standard Requirements

The RTS shall develop a standard set of requirements for how it assures the safety of contractors working on the property. The following provisions apply to contractors whose employees work on or near the ROW, but the RTS should determine how the provisions may also apply to those contractor employees whose work affects rail operations. The requirements shall apply to all roadway workers employed by the contractor.

The RTS shall identify which department or departments are responsible for developing and maintaining the contractor safety requirements, documentation, and guidelines. The RTS shall determine how separate responsibilities for rail operations, training, safety, procurement, contracting, and other departmental personnel shall coordinate development of the provisions of this standard.

The RTS shall establish requirements for inclusion of all contractor safety requirements in requests for proposals, contracts, and other contractual requirement documentation.

2.1 Rules/Procedures

The RTS shall establish Contractor's responsibilities for knowing, complying with, and enforcing the RTS guidelines, rules and procedures. This includes the governance of the activities of Contractors performing inspection, investigation, design, construction and/or any other work on or near the RTS.

2.2 Coordination

The RTS shall identify the requirements for how contractors communicate with RTS personnel. The RTS shall identify: how contractors are granted authorization to work on or near an RTS property; and the hours of work requirements that meet applicable RTS policy and procedures. Examples are compliance with the Track Allocation Standard, proper licensing, or permits.

2.3 Interaction with RTS personnel

The RTS shall require contractors to coordinate with RTS personnel as part of the project/scope of work that they are performing on or near RTS ROW. The RTS shall identify all requirements for contractors to interact and/or coordinate with RTS personnel.

2.4 Personal Protective Equipment

The RTS shall identify the required PPE for contractors who will work on or near the RTS property. The RTS shall identify a means to verify and audit contractors for compliance with proper PPE.

2.5 Training

The RTS shall:

- Develop a documented training program for contractors working on or near an RTS ROW.
- Develop a documented training program that includes requirements for classroom training.
- Determine if any specific job duties require field training in addition to classroom training.
- Require all contractors to complete training.
- Establish testing and/or certification requirements.
- Retain records of all training performed for each contractor.

2.6 Compliance Inspections

The RTS shall develop a formal program that outlines the consistent method of inspecting the contractors' compliance with RTS Rules and Regulations. The formal program shall include frequency and method in which the inspections are performed. The RTS shall develop a means of properly tracking and retaining records of inspections performed.

2.7 Enforcement

The RTS shall develop/identify a means of enforcement of RTS policies, rules and procedures. The RTS shall develop/identify a means of timely action when a contractor fails to comply with RTS rules, policies and procedures. The RTS shall develop a means to record, track and maintain a record of violations and any corrective actions taken.

3. Guide for Contractors

The RTS shall develop a contractor's guide which includes all applicable rules, procedures, training and requirements of the RTS while working on or near the RTS ROW.

The purpose of this document is to notify contractors of the restrictions for working on or near the RTS ROW during day/night revenue hours, non-revenue hours, and during adjustments to rail service.

The RTS shall identify a means to ensure that the contractor is in receipt of the guide prior to accessing RTS property or property near the RTS.

Related APTA Standards

- Standard for Roadway Worker Protection Program Requirements (RT-OP-S-016-11)
- Standard for Work Zone Safety Practices (APTA RT-OP-S-004-03 Rev 1).
- Standard for On-Track Equipment Safety Requirements (RT-OP-S-021-14)
- Standard for Rail Transit Track Allocation Program Requirements (RT-OP-S-020-13)

References

American National Standards Institute, ANSI/ISEA Z87.1, "American National Standard for Occupational and Educational Personal Eye and Face Protection Devices."

http://webstore.ansi.org/RecordDetail.aspx?sku=ANSI%2fISEA+Z87.1-2010&source=LP_safety_landing

Federal Highway Administration, "Manual on Uniform Traffic Control Devices," May 2012.
http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm

Definitions

Control Center/Central Control/Operations Control Center: That facility where train control, train dispatching and/or train supervision is accomplished for the entire RTS or for specific segments of a system if there is more than one Control Center; the train command center.

contractor or consultant: The individuals, partnership, firm, corporation, joint venture or other entity identified in the contract, including the contractor's own personnel and the personnel of any subcontractors.

flag person: Personnel assigned to control movement of train by the display of hand signals, flags or lights. May also be assigned to protect workers who are engaged in activities on or near the right-of-way.

hand signal: A signal conveyed by the motion or position of a person's hand or arm. A flag may be used to enhance visibility of a hand signal. A lantern or other suitable handheld light should be used to convey hand signals in tunnels or during hours of darkness.

lock out/tag out: The use of warning tags and/or lockout devices on an energy source control when machinery or equipment is being repaired. The person who places the tag/lock is the only person who may remove it.

right-of-way work: Work performed at track level or above track level within a distance designated by the RTS of the centerline of the closest tracks.

roadway worker: Any employee of an RTS, or a contractor to a RTS, whose duties include inspection, construction, maintenance or repair of RTS track, bridges, roadway, signal and communication systems, electric traction systems, roadway facilities or roadway maintenance machinery on or near track or with the potential of fouling a track, and other personnel directly involved with their protection. Flag persons are considered wayside workers.

temporary warning device: Signs, flags, lights, discs or targets installed when roadway workers are present to alert and direct the actions of train operators of approaching trains and removed when no longer needed.

train: Any motorcar, locomotive or other self-propelled on-rail vehicle, with or without other cars coupled.

train controller/dispatcher/supervisor: An employee, usually stationed in a control center, authorized and responsible to direct the operation of trains on the mainline. Some rail transit systems may employ other employees, subordinate to the controller, to facilitate train movements at critical locations.

train operator: The onboard employee who controls the movement of a train.

work zone: A section of track where train operations are temporarily restricted due to the presence of one or more roadway workers and that may be designated by the use of a temporary warning device.

Abbreviations and acronyms

| | |
|----------------|---|
| APTA | American Public Transportation Association |
| CSR | contractor safety representative |
| EPA | Environmental Protection Agency |
| FTA | Federal Transit Administration |
| FRA | Federal Railroad Administration |
| GFCI | ground fault circuit interrupter |
| NATSA | North American Transit Services Association |
| NFPA | National Fire Protection Association |
| OSHA | Occupational Safety and Health Administration |
| PPE | personal protective equipment |
| ROW | right-of-way |
| RTS | rail transit system |
| SWP/APP | Safety Work Program/Accident Prevention Program |
| UL | Underwriters Laboratories |

Summary of document changes

1. Document formatted to the new APTA standard format.
2. Sections have been moved and renumbered.
3. A “Note on Alterations” section was moved and renamed to “Note on Alternative Practices”.
4. Scope and summary moved to the front page.
5. Appendix deleted from text
6. Title changed from Standard for Contractor’s Responsibility for Right of Way Safety to Contractors’ Responsibility for Safety on the Right-of-Way (ROW)

Document history

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