



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS

100 Orange Street  
Providence, R.I. 02903  
(401) 277-3500

FAX (401) 277-6805  
TDD (401) 277-3500

November 28, 1990

The Honorable Kathleen Connell  
Secretary of State  
219 State House  
State of Rhode Island  
Providence, RI 02903

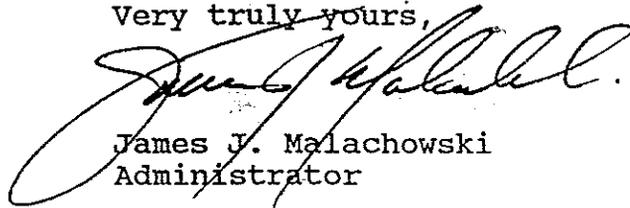
Re: New Rules and Regulations

Dear Mrs. Connell:

Enclosed please find recently promulgated Rules and Regulations of the Public Utilities Commission, Division of Public Utilities and Carriers. The enclosed copy, duly certified by the Public Utilities Commission Clerk, is being filed pursuant to Rhode Island General Laws, Sec. 42-35-4.

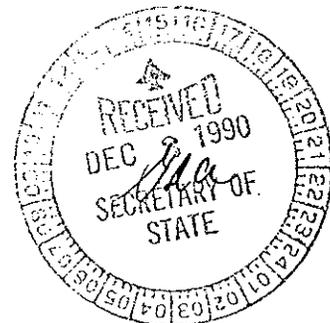
If you have any questions concerning the aforementioned Rules and Regulations, please contact the Division's legal counsel, John Spirito, Jr., at 277-3500.

Very truly yours,



James J. Malachowski  
Administrator

cc: J. Spirito, Jr.,  
James E. Lanni





State of Rhode Island and Providence Plantations  
 OFFICE OF THE SECRETARY OF STATE  
 STATE HOUSE  
 PROVIDENCE  
 02903

Kathleen S. Connell  
 Secretary of State

1. NAME OF AGENCY: PUBLIC UTILITIES COMMISSION - DIVISION OF PUBLIC UTILITIES AND CARRIERS  
 (address)  
 100 ORANGE STREET, PROVIDENCE, RI 02903

2. TITLE OF THE RULES AND REGULATIONS: SAFETY REQUIREMENTS FOR EQUIPMENT USED IN MAINTENANCE OF WAY WORK

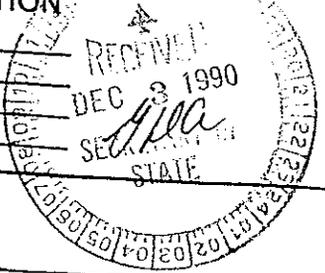
3. STATUTORY SOURCE OF AUTHORITY: 39-6-27 (b)  
 (section of Chapter of the General Laws)

4. TYPE OF RULES AND REGULATIONS: CHECK APPROPRIATE SECTION  
 a) 'new rules and regulations': \_\_\_\_\_  
 b) 'amendments': \_\_\_\_\_  
 c) 'technical revisions': \_\_\_\_\_  
 If yes to (b) above, identify amended sections or rule number(s): \_\_\_\_\_

5. PURPOSE OF NEW RULES AND REGULATIONS OR AMENDMENTS: PROMULGATED IN RESPONSE TO LEGISLATIVE MANDATE. DESIGNED TO HELP PROTECT RAILROAD MAINTENANCE OF WAY WORKERS.

6. TYPE OF FILING: a) Emergency \_\_\_\_\_  
 b) Pursuant to Chapter 42-35: \_\_\_\_\_  
 date of public hearing: \_\_\_\_\_  
 date of public notice: \_\_\_\_\_

7. DOCUMENTS FILED: CHECK APPROPRIATE SECTION  
 a) New Rules and Regulations \_\_\_\_\_  
 b) Amended Rules and Regulations \_\_\_\_\_  
 c) Only the amendments to the R&R \_\_\_\_\_  
 d) Technical revision only \_\_\_\_\_



*John Sprute, Jr.*  
 Signature of Person Filing

LEGAL COUNSEL  
 title

Received by: *[Signature]*  
 (Date of filing)

SAFETY REQUIREMENTS FOR EQUIPMENT USED IN  
MAINTENANCE OF WAY WORK

A. Requirement for Existing Equipment

1. All on track self propelled equipment used for tie renewal, weighing 10,000 lbs. or over, must be equipped with horn, mirrors on both sides, roof for rain or sun protection, flashing strobe light, brake lights front and rear (except equipment with rotating deck shall have rear lights only), and a turntable warning light if equipped with turntable.
2. All on track equipment used to load, unload, dispense, or handle ties or material must have full cab enclosure, windshield safety glass, horn, worklights front and rear, mirrors both sides, flashing strobe light, brake lights front and rear (except equipment with rotating deck shall have rear lights only), heater and fan, and a first aid kit whenever equipment is in use.
3. All on track self propelled equipment weighing 7,000 lbs. or over that tamps, compacts, scarifies, cribs, regulates, undercuts or moves ballast must be equipped with full cab enclosure that insures air quality and dust protection, windshield safety glass, horn, worklights front and rear, (except equipment with rotating deck shall have rear lights only), turntable warning light if equipped with turntable, two-way radio (if part of the equipment could foul an adjacent track during normal operations), heater and fan, fire extinguisher, and a first aid kit whenever equipment is in use.
4. All self propelled off track construction equipment weighing 10,000 lbs. or over must have windshield safety glass, heater and fan, windshield wipers if equipped with full cab enclosure, back-up warning beepers and brake lights. In addition, all self propelled off track construction equipment weighing 10,000 lbs. or over ordered after the effective date of these regulations shall also be equipped with roll bars if offered as an option by the manufacturer.
5. All self propelled equipment ridden by an operator shall be equipped with a horn, protective cover for rain or sun protection, flashing strobe light, turntable warning light if equipped with turntable, and weight of equipment displayed on side.



6. All brush cutting equipment weighing 7,000 lbs. or over using rotary blades shall have the operator and driver compartment protected against penetration into the compartment in the event a blade should break or fly off. It shall be equipped with full cab enclosure, horn, mirrors both sides, flashing strobe light, brake lights front and rear for on track equipment, rear brake lights only for off track or rubber tire type equipment, turntable warning lights if equipped with turntable, first aid kit whenever equipment is in use, heater and fan, and a two-way radio if a part of the equipment could foul an adjacent track during normal operations.

7. All on track self propelled equipment weighing 7,000 lbs. or over used to pick, move, lift, hoist, and vibrate rail shall be equipped with windshield safety glass, windshield wiper, full cab enclosure, horn, mirrors both sides, flashing strobe light, brake lights front and rear (except equipment with rotating deck shall have rear lights only), turntable warning light if equipped with turntable, first aid kit whenever equipment is in use, heater and fan, and a two-way radio if a part of the equipment could foul an adjacent track during normal operations.

B. Requirements for Newly Acquired Equipment

All newly acquired self propelled on track equipment, ordered on or after the effective date of these regulations, weighing 10,000 lbs. or more shall be equipped with full cab enclosure with heater and fan, windshield safety glass, windshield wipers, horn, mirrors both sides, flashing strobe lights front and rear (except equipment with rotating deck shall have rear lights only), turntable warning light if equipped with turntable, two-way radio if part of the equipment could foul an adjacent track during normal operations, and adequate work lights. The operator shall have clear view in travel directions. Operator's compartment shall be constructed in such a manner to protect operator from injury caused by equipment protrusions or hydraulic hose ruptures.

C. Radios on Equipment on Front and Rear of Production Gang

Equipment located at the front or rear of a production gang shall have a two way radio, which may be portable.

D. Waiver

A railroad or other interested party may petition the Commission for a temporary or permanent waiver of compliance with any of the requirements prescribed in paragraphs A, B or C above. No waiver may be granted unless the petitioner

establishes good cause for granting the waiver. The Commission may grant the waiver subject to any condition it deems necessary. The Commission shall normally rule on a waiver petition within three (3) months; provided, however, that a petitioner may request expedited consideration, which the Commission shall endeavor to provide.

E. Adoption of Federal OSHA Requirements

Upon compliance with the provisions of 29 U.S.C. Sec. 667, and approval by the Secretary of Labor of a Rhode Island State plan for the development and enforcement of air contaminant standards and noise exposure standards, the Federal Occupational Safety and Health air contaminants standards (Title 49 Code of Federal Regulations, Parts 1910.1000 - 1910.1200) and the noise exposure standards (Title 49 Code of Federal Regulations, Part 1910.95) shall be adopted and incorporated herein by reference as regulations of the Commission.

F. Exemptions

The following equipment shall be exempt from the provisions of these regulations:

(1) One Amtrak scarifier having Amtrak umber N21507 and serial number 243156

(2) One Amtrak Canron track undercutter Model GO-4 having Amtrak number A15001 and serial number 4781237

(3) Four Amtrak rail vibrators having the following Amtrak numbers and serial numbers:

<u>Amtrak #</u>	<u>Serial #</u>
N29201	001
N29202	RVT-101
A29204	SL154
A29205	CD103]

(4) Providence & Worcester Railroad Company equipment:

<u>PW #</u>	<u>Description</u>	<u>Serial #</u>
TC 302	Spike Puller	1376106
TC 305	Tie X Remover	101
TC 306	Tie Bed Scarifier	34-429
TC 309	Power Track Jack	10 FE 12
TC 310	Tie Inserter	TI 1015812
TC 311	Tie Saw	DT 360
TC 313	Super B Hydra Spiker	617
TC 402	Tie Crane (RTW)	n/a

(5) Equipment rented or leased by a railroad for a period of seven (7) calendar days or less.

G. Time for Compliance

The time for compliance shall be one year from the effective date of these regulations. Upon good cause shown, a railroad may seek a further extension.

H. Emergency

To the extent that sufficient equipment which complies with these regulations is not readily available, these regulations shall not apply in any case of casualty or unavoidable accident or act of God.

I hereby certify that this is a true and accurate copy.

Douglas W. Hartley  
Douglas W. Hartley, Notary Public  
11/30/90

