

# BRIEFING INFORMATION NOTE

<b>Topic</b>	<b>Revisions of the Canadian Rail Operating Rules</b>					
<b>Purpose</b>	For Decision			For Information	<b>X</b>	

## Issue

Transport Canada has updated the *Canadian Rail Operating Rules* to address causes of uncontrolled movements. Given the degree of changes, the set of rules requires a full review and assessment to consider how this may apply to BC's provincially regulated railways.

## Background

- On March 10, 2021, Transport Canada amended the *Canadian Rail Operating Rules* (CROR). The rules have an effective date of October 1, 2022.
- These revisions are a result of [Federal Ministerial Order 21-01](#). The *Canadian Rail Operating Rules* will clarify definitions of attended versus unattended equipment as well as incorporate requirements on the use of roll-away protection to reduce the risk of an uncontrolled movement.
- The need for action was prompted by the increase of uncontrolled movements in recent years and its potential consequences for employees and communities (e.g., the Goderich - Exeter Railway train incident in February 2021 and Canadian Pacific train incident in November 2016). The Transportation Safety Board outlined concerns about the number of uncontrolled movements, noting the existence of an upward trend in their number since 2015, which peaked most recently in 2019 at 78.
- Rule revisions and additional requirements are in the interest of safe railway operations to prevent further occurrences of uncontrolled movements.

## Discussion

Pursuant to the provisions of paragraph 19(1)(a) of the *Railway Safety Act* (RSA), railway companies and local railway companies must revise the *Canadian Rail Operating Rules* to develop a precise definition of attended versus unattended equipment as well as incorporate requirements on the use of roll-away protection to reduce the risks of an uncontrolled movement.

### Revisions to the *Canadian Rail Operating Rules*

1. The revisions to the *Canadian Rail Operating Rules* outline that railway equipment on main track, sidings, subdivision track and high-risk locations is considered unattended unless:
  - a. it is coupled to a controlling locomotive with a qualified person who can assume effective control of the brakes; and
  - b. the brake pipe of the controlling locomotive is coupled to the equipment and is open.
2. The revisions outline requirements for the use of roll-away protection as follows:

- a. the length of time a locomotive with or without cars can remain stationary without being subject to verification by an employee that the roll-away protection remains operational, and the locomotive is stationary; and
  - b. the length of time between subsequent verifications that the roll-away protection remains operational and the locomotive is stationary.
3. The revisions incorporate any additional consequential amendments required to implement sections 1 and 2 above.

See Appendix A for the full additions and revisions of the *Canadian Rail Operating Rules*.

## Impacts

### *Canadian Rail Operating Rules*

- It is anticipated that Section 112, **Securing Unattended Equipment on Main Track, Subdivision Track, Siding or High Risk Locations**, may have some impact on provincially regulated railways. The revised rule provides more extensive safety measures as it clarifies definitions of attended and unattended equipment and outlines when rollaway protection is required. Revisions include safety procedures and requirements that must be met before leaving a locomotive, such as confirming that brakes are effectively set and double-checking with another employee that safeguard measures have been implemented.
  - These rules are specific to securing unattended equipment on the main track, subdivision track, siding or high-risk locations. Most provincially regulated carriers do not operate these tracks and locations. Many updates to the CROR are reflective of the roll-away protection requirements in the *Railway Locomotive Inspection and Safety Rules*.

## CONCLUSION

To ensure provincially-regulated railways align with the latest industry best practices, Technical Safety BC advises the Province to adopt the October 1, 2022, *Canadian Rail Operating Rules*.

## **Appendix A: Additions and Revisions to the Canadian Rail Operating Rules**

*Addition- Section 112 (a) (ii): Securing Unattended Equipment on Main Track, Subdivision Track, Siding or High Risk Locations*

- Equipment shall be considered unattended and must be secured unless:
  - The equipment is coupled to a controlling locomotive; and
  - The brake pipe of the controlling locomotive is coupled to the equipment and the brake pipe is open; and
  - A qualified employee is on the controlling locomotive and able to operate the air brake system. Alternatively, a locomotive engineer can be located on the ground in accordance with CROR 109 and within arm's reach of the locomotive to complete passing train/transfer inspections.
  
- When rollaway protection is used as an additional means of securement, the proper authority must be notified. One of the following means of verification must be used to ensure the rollaway protection remains operational:
  - When automatic notification is used, it must notify the proper authority when rollaway protection has been activated, who must arrange for prompt inspection; or
  - In the absence of the above, an employee must verify that air pressure is maintained, and a penalty brake application has not occurred. This verification must be carried out at consecutive intervals of 18 hours or less. If air pressure cannot be maintained, notify the proper authority, and secure the equipment per (a)(i).