

ODOT Railroad Rules and Regulations

Chapter 741 Oregon Administrative Rules Divisions 300 through 335 and Selected Railroad Safety Statutes

August 2006



**Rail Safety Section
Commerce and Compliance Division**

Copies of this book can be obtained from the Department of Transportation Rail Division by calling 503-986-4321 or by writing to: ODOT Rail Division, Railroad Safety Rules, 555-13th Street NE, Suite 3, Salem, Oregon 97301-4179 or from our website at www.odot.state.or.us/rail.

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Division 300

Minimum Clearances — General

741-300-0011

Definitions

- (1) "Department" means the Oregon Department of Transportation in all rules contained in Chapter 741, Divisions 300 through 335.
- (2) "Ladder Tracks" are lead and main switching tracks in yards and switching areas from which yard tracks extend for switching or storing railroad equipment.
- (3) "Main Track" is a track extending through yards and between stations that must not be occupied without authority or protection.
- (4) "Overhead Clearance" is that distance measured vertically from the top of rail to the lowest point of the structure or obstruction overhead.
- (5) "Railroad" as defined by ORS 824.020(2)(a) and (b) applies to all rules contained in Chapter 741, Divisions 300 through 335.
- (6) "Retractable Platforms" are platforms which are firmly attached to a permanent structure, and retract when not in use.
- (7) "Side Clearance" is the shortest distance from the centerline of the track to a structure or obstruction above top of rail at the side of the track.
- (8) "Track Centers" are the shortest distance between the centerlines of adjacent tracks.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.052

Stats. Implemented: ORS 824.050 & ORS 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0015; RS 2-1998, f. & cert. ef. 8-20-98, Renumbered from 741-300-0040

741-300-0021

Applicability of Rules

- (1) The minimum clearance rules apply to construction completed on or after January 1, 1982.
- (2) Except as provided in section (3) of this rule, construction completed before January 1, 1982, shall comply with the minimum clearance rules or orders in effect at the time such construction was completed.
- (3) Signs conforming to OAR 741-330-0010 shall be installed and maintained in cases where the minimum clearance rules or orders in effect at the completion of construction are less stringent than those currently in effect.
- (8) Unless otherwise authorized by the Department, a railroad is prohibited from moving freight cars, locomotives, or other rolling equipment over tracks where the clearances are less than those prescribed in the minimum clearance rules.

- (5) The minimum clearance rules apply to each railroad owning and capitalizing railroad trackage, and each person or unit of government owning, leasing or holding a salvage interest in railroad trackage.
- (6) No facility shall be constructed or altered in such a manner that it does not comply with the minimum clearance rules unless authorized by order of the Department.
- (7) A railroad operating on its own or on another railroad's property, shall comply with all the rules contained in chapter 741, divisions 300 through 335, and any order issued by the Department or any predecessor agency, for that portion of the railroad facility upon which it is operating.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0005; RS 2-1998, f. & cert. ef. 8-20-98, Renumbered from 741-300-0010; RD 1-2006, f. & cert. ef. 8-28-06

741-300-0031

Standards for Granting Variances

The primary purpose of ORS 824.052, and the track clearance standards adopted by the Department thereunder, is to protect the safety of railroad employees. However, subsection (2) of ORS 824.052 authorizes the Department to permit variances from the clearance standards for "good cause." "Good cause", for purposes of variances from the Department's clearance standards, exists if:

- (1) The risk to railroad employee safety caused by the nonstandard condition(s) will not be significantly greater than the risk railroad employees would ordinarily encounter if the facility was in compliance with the clearance standards;
- (2) The degree of impairment to railroad employee safety does not justify the expense of bringing the facility into compliance with the clearance standards; or
- (3) Other useful purposes served by the nonstandard condition(s) outweigh the impairment to railroad employee safety.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.052

Stats. Implemented: ORS 824.050 & ORS 824.052

Hist.: PUC 11-1983, f. & ef. 10-6-83 (Order No. 83-620); PUC 2-1984, f. & ef. 2-10-84 (Order No. 84-091); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0008; RS 2-1998, f. & cert. ef. 8-20-98, Renumbered from 741-300-0020

741-300-0041

Applications for Variances and Operation Restrictions

- (1) An [Application for Authority for Variance from Standard Clearance](#) (form 2459) shall contain a statement of the condition(s), the reason(s) for the request, and the estimated cost of bringing the facility involved into full compliance with the clearance standards. Application forms may be obtained from the Rail Safety Section or online at <https://www.oregon.gov/odot/MCT/Pages/Rail-Forms.aspx>. Applications must be filed with

the Department within 30 days of the date the Department documents the nonstandard condition(s). Incomplete applications will be returned.

- (2) In lieu of requesting a variance from the clearance standards, if railroad employee safety will not be impaired, the owner or lessee of a track on which service is provided to no other businesses may restrict operations over any portion of the track by posting an operation restriction sign, conforming to OAR 741-330-0010(2). Signs shall be located on each side of the track, facing incoming railroad movements, at a point beyond which no railroad employee may go or move equipment. The person posting the signs shall notify the Department and each railroad that provides service over the track of the intent to restrict operations. Notification shall be furnished in writing to the Department and to each railroad at least two weeks in advance of installation of the operation restriction signs.
- (3) In lieu of requesting a variance from the clearance standards, if neither railroad service to another rail user nor railroad employee safety will be impaired, the owner or lessee of a track on which service is provided to one or more other businesses may apply to the Department (copy to the affected railroad) for written approval to restrict operations over any portion of the track by use of an operation restriction sign conforming to OAR 741-330-0010(2). Signs shall be located on each side of the track facing incoming railroad movements, at a point beyond which no railroad employee may go or move equipment. Following railroad comment the Department may act upon the application as circumstances warrant. If the application is approved, the person permitted to install such signs shall notify the Department and each affected railroad in writing of the fact of installation at least two weeks in advance of intended operation.
- (4) Upon receipt of the foregoing notification of installation, each affected railroad shall immediately instruct its operating employees in writing, by special instruction or timetable bulletin, not to go or move equipment beyond the point at which the operation restriction signs are posted.
- (5) An owner or lessee of a track shall not remove an operation restriction sign unless the facility is in full compliance with the clearance rules or unless the Department has approved an application for a variance.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 3-1985, f. & ef. 4-8-85 (Order No. 85-291); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0010; RS 2-1998, f. & cert. ef. 8-20-98, Renumbered from 741-300-0030; RD 1-2006, f. & cert. ef. 8-28-06

741-300-0050

Temporarily Impaired Clearances

- (1) The minimum clearance rules do not apply:
 - (a) During construction or maintenance of the railroad, if restricted clearances are caused by materials and/or equipment necessary to the construction or maintenance, and if all rail movements are conducted in a safe manner; or

- (b) During periods of emergency due to derailments, wrecks, washouts and like conditions, provided all rail movements are conducted in a safe manner.
- (2) When materials and/or equipment do not comply with the minimum clearance rules, as allowed by section (1) of this rule, railroad employees shall be notified immediately and written notice issued to them within 24 hours, with a copy to the Department. Unless authorized by the Department, impairments shall not be allowed to exist for a period exceeding 30 days, unless all reasonable efforts are being made to complete the work as soon as is possible.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.052

Stats. Implemented: ORS 824.050 & ORS 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0016; RS 2-1998, f. & cert. ef. 8-20-98

741-300-0060

Authorization for Impaired Clearances

If written notice has been given to the Department and the written consent of the railroad has been obtained, the minimum clearance rules do not apply:

- (1) For such tracks, buildings, facilities, structures, or rolling equipment operated exclusively for the loading and unloading of logs, and signs conforming to OAR 741-330-0010(1) are installed;
- (2) For wood chip loading and other loading facilities which, when operated, impair minimum overhead clearance, provided such facilities are retracted to minimum clearance when not in operation and signs conforming to OAR 741-330-0010(1) are installed;
- (3) For retractable platforms which, when operated, impair minimum side clearance, provided such platforms are retracted to minimum clearance when not in operation; or
- (4) For dumping devices for offloading the contents of cars, provided prior notice of the installation of such devices is given to the Department and provided signs conforming to OAR 741-330-0010 (as appropriate) are installed.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.052

Stats. Implemented: ORS 824.050 & ORS 824.052 Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 6-1983, f. & ef. 6-13-83 (Order No. 83-313); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0017; RS 2-1998, f. & cert. ef. 8-20-98

Division 305 — Overhead Clearances

NOTE: The overhead clearances set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater clearances.

741-305-0010

Minimum Overhead Clearance

- (1) Except as provided in section (2) of this rule, all overhead clearance shall be at least 20 feet 9 inches above the top of rail.
- (2) Minimum clearance may be decreased to the extent defined by a half- circumference of a circle having a radius of 8 feet 6 inches with its center at a point 14 feet above top of rail and directly over centerline of track.
- (3) The overhead clearances set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater clearances.
- (4) See **Figures 305-1** and **305-3** for a diagram of minimum clearances. For bridges and tunnels see OAR 741-310-0040(2).

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0055; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-305-0020

Buildings

- (1) With the exception of engine houses and car repair shops, when tracks terminate within enclosed buildings, all overhead clearances shall be at least 18 feet above the top of rail. In all cases where clearances of less than 20 feet 9 inches exist in buildings, all cars, locomotives or other equipment shall be brought to a stop before entering. "**STOP**" signs conforming to OAR 741-330-0010(3) shall be installed.
- (2) See **Figure 305-2** for a diagram of minimum clearance inside buildings. For overhead clearances through bridges and tunnels, see OAR 741-310-0040(2).

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-00060; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

Oregon Department of Transportation Minimum Standard Clearances for Structures

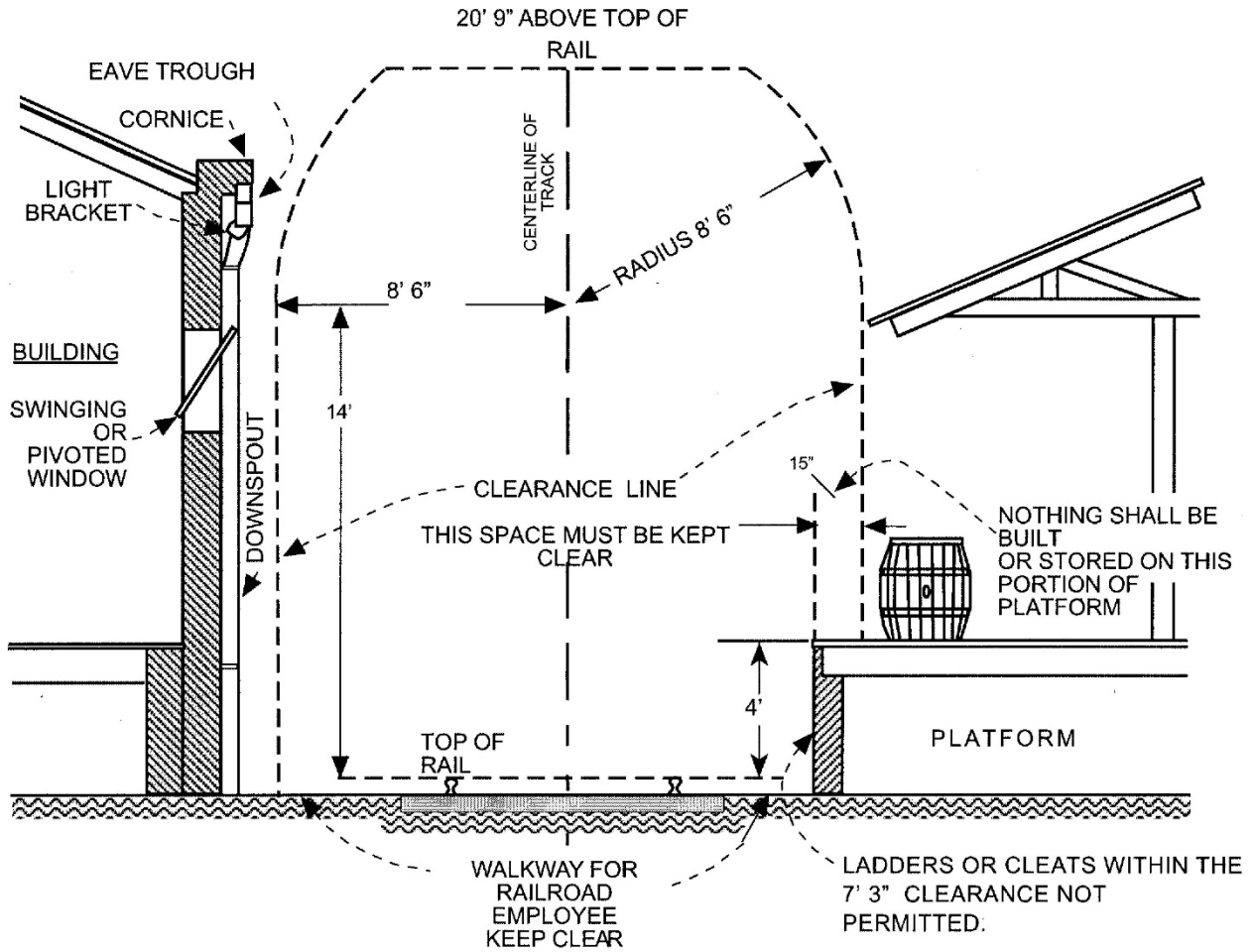


Figure 305-1
741-305-0010 through 305-0020
and 310-0010 through 310-0030

Doorways Where Tracks Terminate Inside Entirely Enclosed Buildings

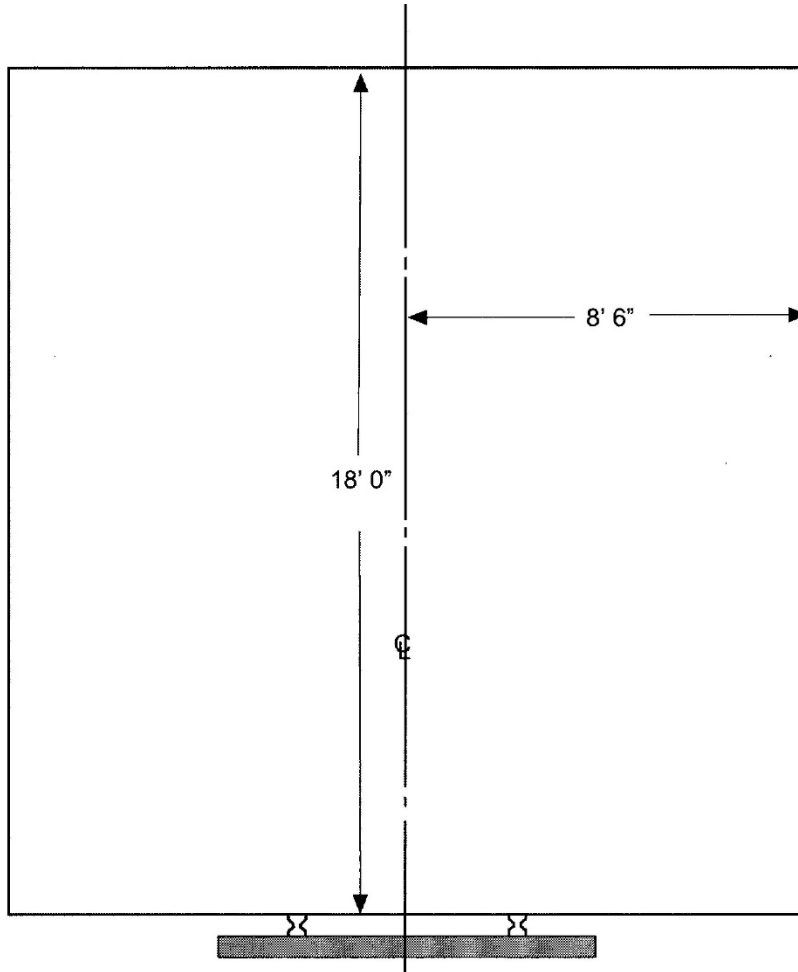


Figure 305-2
OAR 741-305-0020

A stop sign of standard size and design shall be properly displayed at the entrance.
See rule OAR 741-330-0010(3).

Overhead Clearances in General

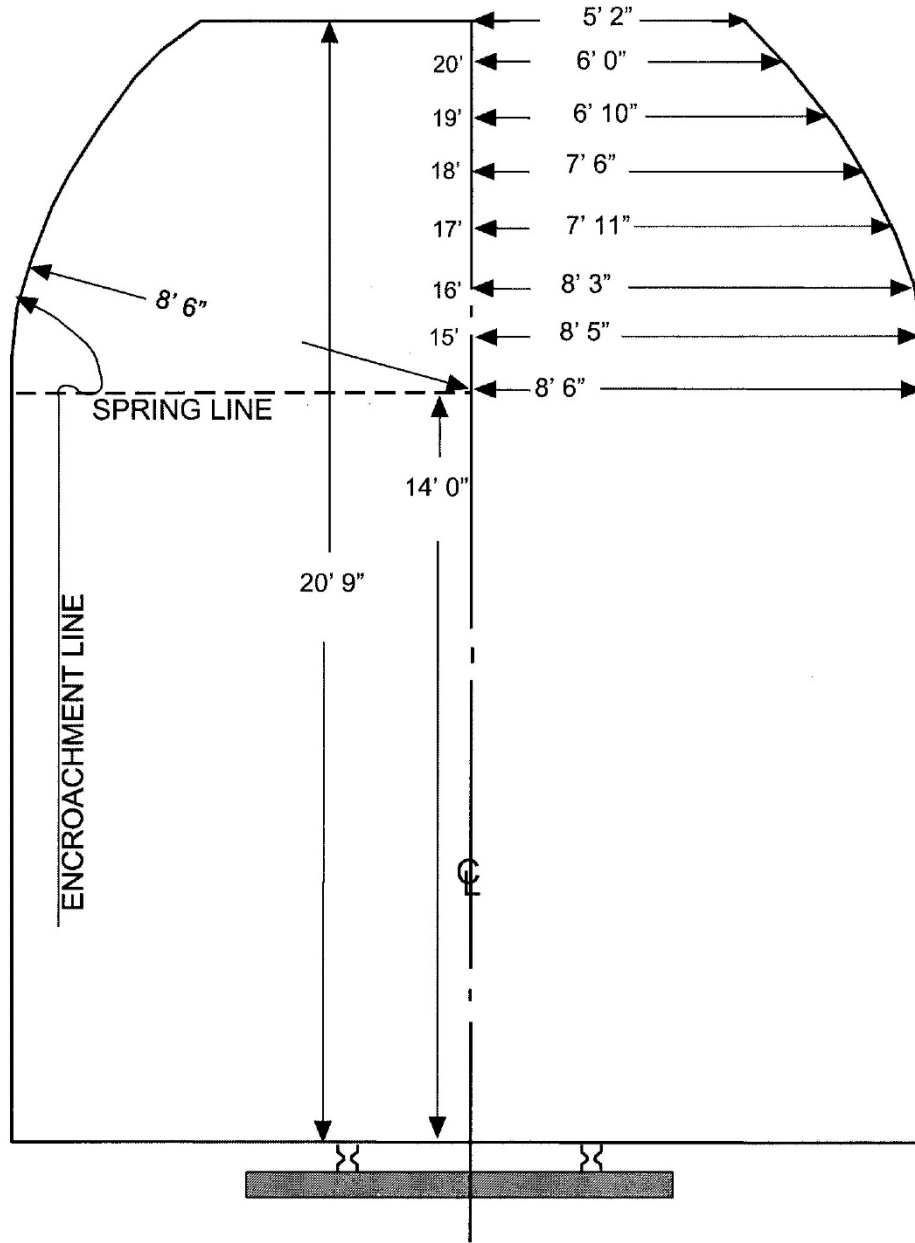


Figure 305-3
OAR 741-305-0010

Division 310 — Side Clearances

NOTE: The side clearances set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater clearances.

741-310-0010

In General

- (1) Except as otherwise provided, all side clearance shall be at least 8 feet 6 inches, as measured from centerline of track.
- (2) The side clearances set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater clearances.
- (3) See **Figure 305-1** and **Figure 310-1** for diagrams of the minimum side clearances.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0105; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-310-0020

Side Clearance for Curved Track

- (1) Minimum side clearance for objects adjacent to curved track constructed on or after May 3, 1983, covered by OAR 741-310-0010 through 741-310-0050, shall be increased at the rate of 1/2 inch per degree of curvature above that prescribed for tangent track.
- (2) The Department recommends that minimum side clearance for curved tracks, covered by OAR 741-310-0010 through 741-310-0050, be at least 12 inches greater than that prescribed for tangent track.
- (3) See **Figure 305-1** and **Figure 310-1** for diagrams of the minimum side clearances.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 6-1983, f. & ef. 6-13-83 (Order No. 83-313); PUC 4-1990, f. & cert. ef. 4-17-90 (Order No. 90-488); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0106; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-310-0030

Platforms

(1) Minimum side clearances for platforms as measured from centerline of track shall be:

Description	Minimum Clearance
(a) Platforms constructed 8 inches or less above top of rail at greatest height.	4 feet 8 inches
(b) Platforms constructed in excess of 8 inches but 4 feet or less above top of rail at greatest height.	7 feet 3 inches
(c) Platforms constructed prior to January 1, 1982, in excess of 4 feet but 4 feet 6 inches or less above top of rail at greatest height.	8 feet

(2) All platforms, except as described in subsection (3)(b) of this rule, shall have a continuous regular surface extending out to a point at least 8 feet 6 inches from centerline of track.

(a) See **Figure 310-2** for diagrams of the minimum clearances for platforms.

(b) Platforms described in subsection (1)(a) of this rule may be combined with a platform described in subsection (1)(b) or (c) of this rule, provided the lower platform is level from the clear point (4 feet 8 inches from centerline of track) to track side face of the upper platform. See **Figure 305-1** and **Figure 310-3**.

(c) Platforms described in subsection (1)(a) of this rule may create a walkway condition that requires compliance with OAR 741-320-0070(1).

(d) The Department recommends that platforms described in subsection (1)(b) of this rule, which consists of a cantilever dock or otherwise elevated platform, should have the ends facing approaching train movements, painted with fluorescent paint or reflectorized material to warn train crews of the obstruction.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0110; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-310-0040

Bridges and Tunnels

(1) Except as provided in sections (2) and (3) of this rule, side clearance for bridges and tunnels is 8 feet as measured from centerline of track.

(2) Minimum side clearance in tunnels and through bridges may be decreased, above 14 feet 6 inches, to the extent defined by a half-circumference of a circle having a radius of 8 feet with its center at a point 14 feet 6 inches above top of rail directly over the centerline of track. This rule does not alter the 20 feet 9 inches overhead clearance requirement of OAR 741-305-0010.

(3) Except where walkways are used by employees engaged in switching, the minimum side clearance does not apply to the lower section of a bridge so long as no part of the structure falls inside an encroachment line drawn from a point 5 feet from centerline of track and level with top of rail, diagonally upward to a point 8 feet from centerline of track at a height 4 feet above top of rail.

(4) See **Figure 310-3** for a diagram of minimum clearances for tunnels and through bridges.
See **Figure 310-4** for a diagram of minimum clearances for the lower section of bridges.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0115; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-310-0050

Miscellaneous Structures

The minimum side clearance for the following structure is:

Description	Minimum Clearance
(1) Cattle guards and cattle chutes.	OAR 741-310-0040(3) applies.
(2) Refuge platform. (OAR 741-310-0040(3) applies to bracing for platform railing)	7 feet 3 inches
(3) Block signals on bridges and trestles.	8 feet
(4) Handrails on bridges and trestles 44 inches high or less.	7 feet 9 inches
(5) Interlocking mechanisms including all devices at switches used for the control of signals or protective devices at crossings 4 inches high or less above top of rail. Interlocking mechanisms 4 inches high or less above top of rail at power switches and spring switches require no minimum clearance. This section applies only to interlocking mechanisms located at or above top of rail.	3 feet from centerline of track or located adjacent to switch stand.
(6) Signals, switch stands, and switch housings constructed 3 feet high or less above top of rail. Power switches require no minimum clearance. This section applies only to signals, switch Stands and switch housings which are at or above top of rail.	6 feet
(7) Engine Service Facilities: (a) Engine house doors (b) Inside engine houses (c) Outside engine service facilities	6 feet 3 inches; 5 feet 5 inches; 6 feet 6 inches;

Description	Minimum Clearance
(d) Oil, sand and/or water columns, used exclusively for engine servicing.....	8 feet

- (8) See **Figure 310-5** for a diagram of minimum clearances on miscellaneous structures.
- (9) Overhead wires, used to transmit electric energy, and the poles that support them, should have a minimum clearance of not less than that specified by the 2002 edition of the National Electric Safety Code, part 2, "Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines", Section 23, "Clearances", approved by the American National Standards Institute. [Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.052

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 6-1983 f. & ef. 6-13-83 (Order No. 83-313); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0120; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

Standard Side Clearance in General

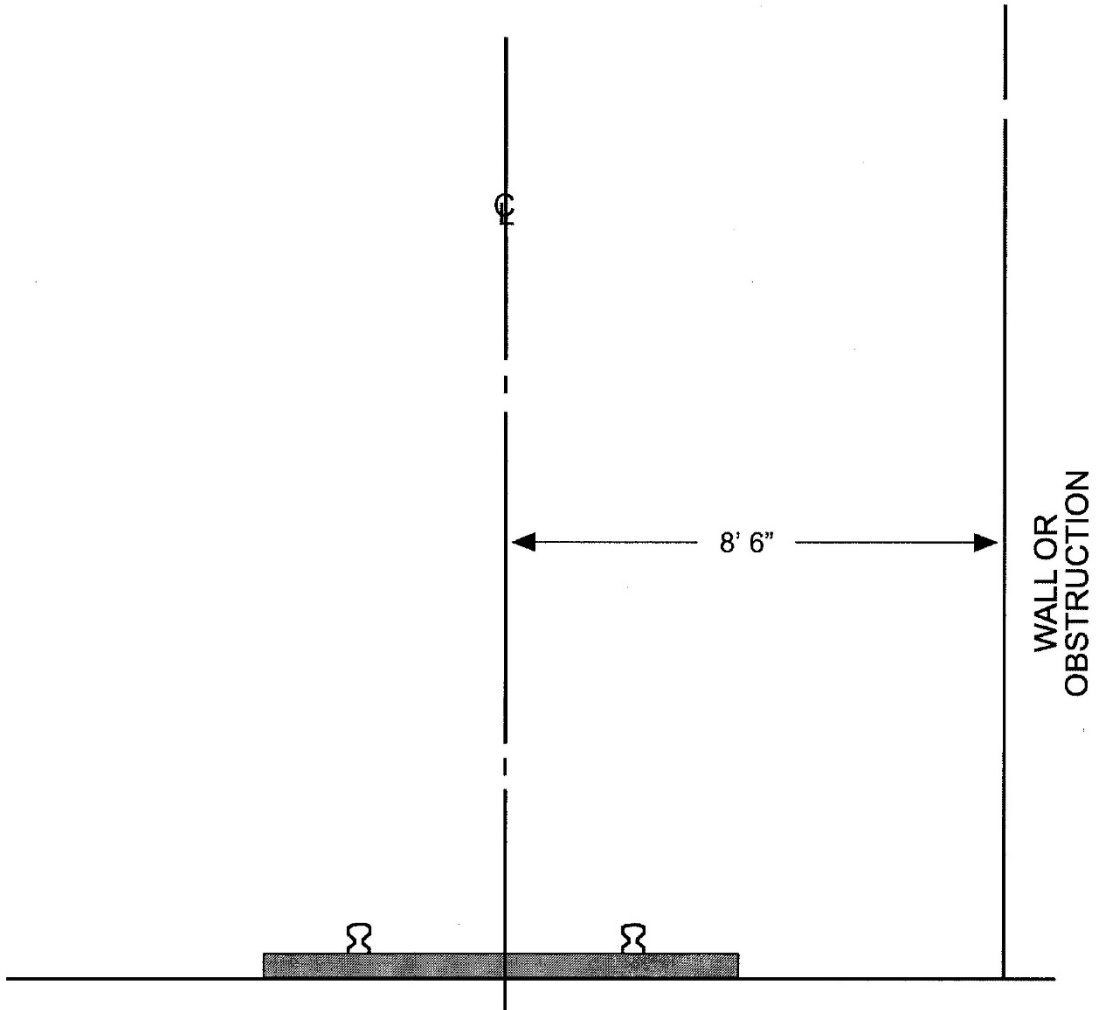


Figure 310-1
OAR 741-310-0010

Platform Clearance

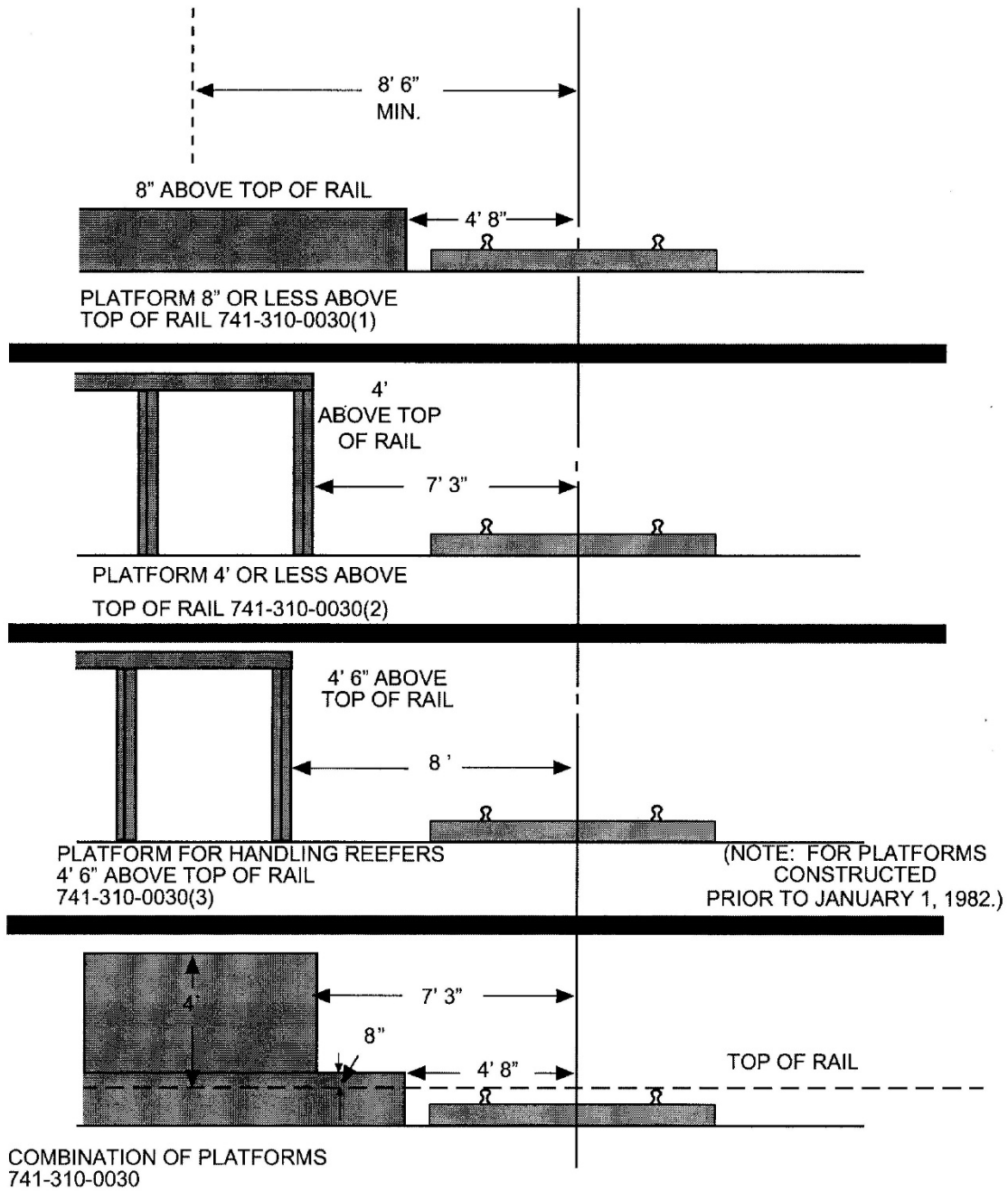


Figure 310-2
OAR 741-310-0030

Bridges and Tunnels

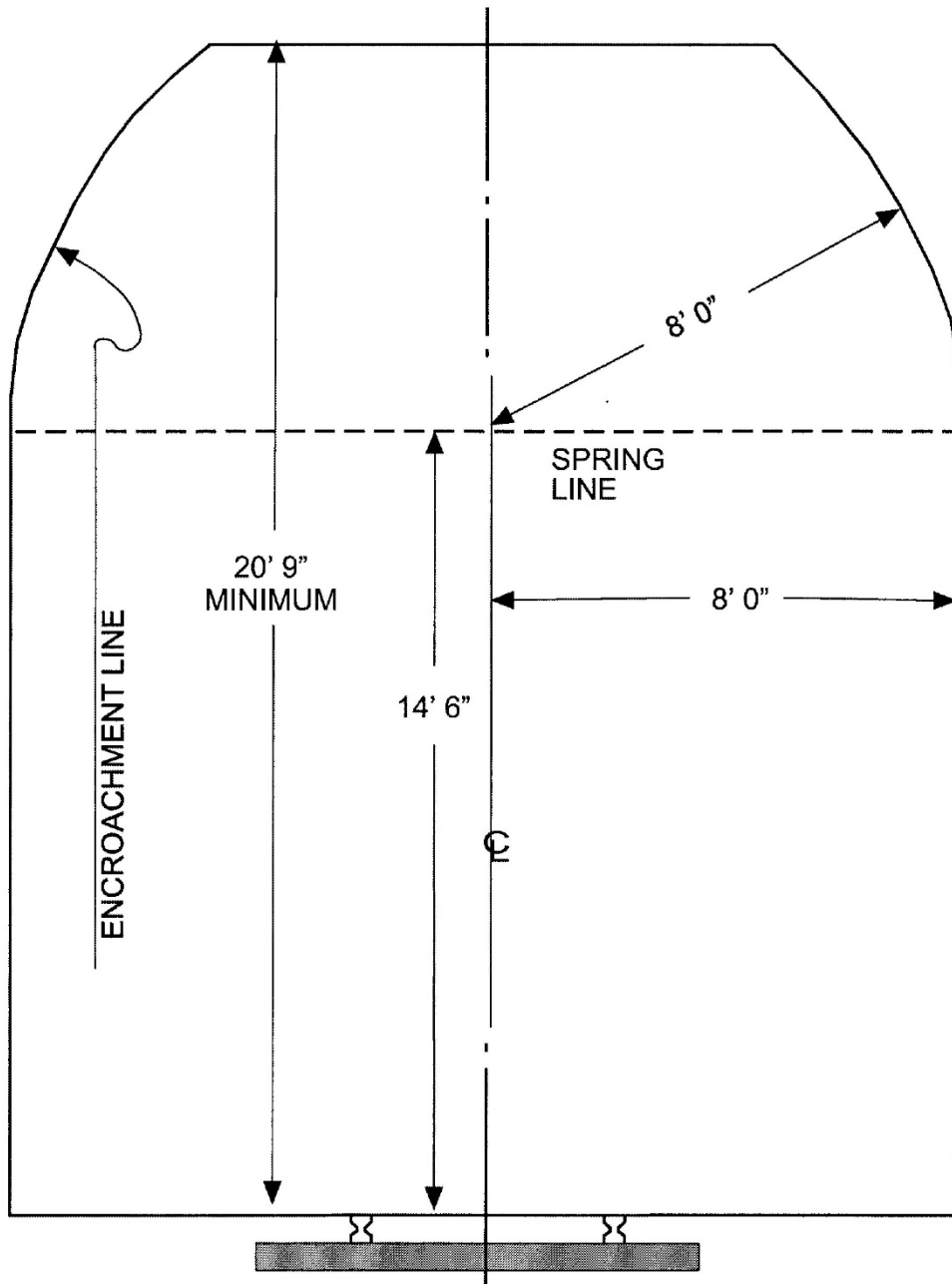


Figure 310-3
OAR 741-310-0040(1), (2)

Bridge-Lower Section and Structures 4 Feet 0 Inches High or Less

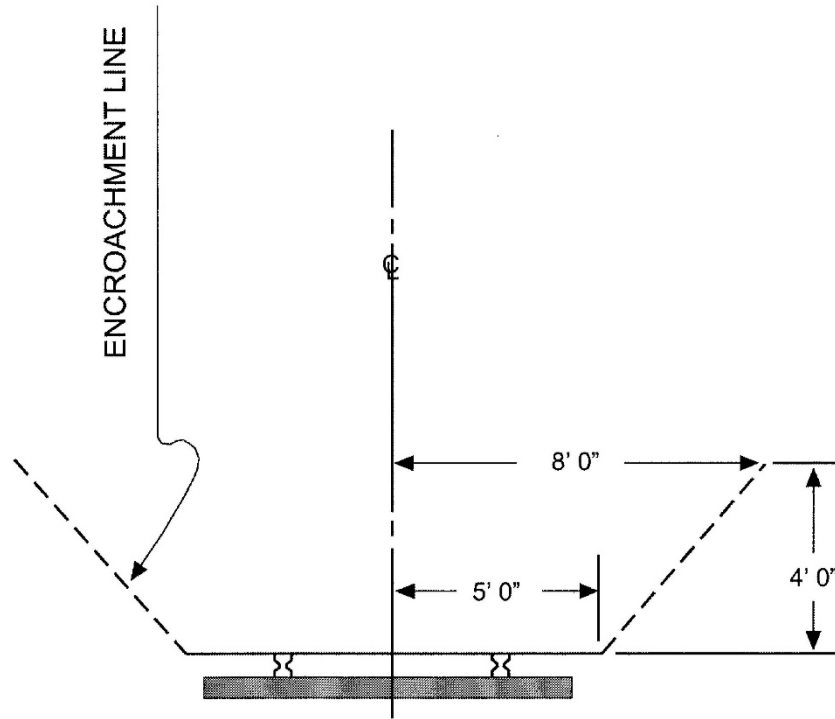


Figure 310-4
OAR 741-310-0040(3)

Clearance for Miscellaneous Structures

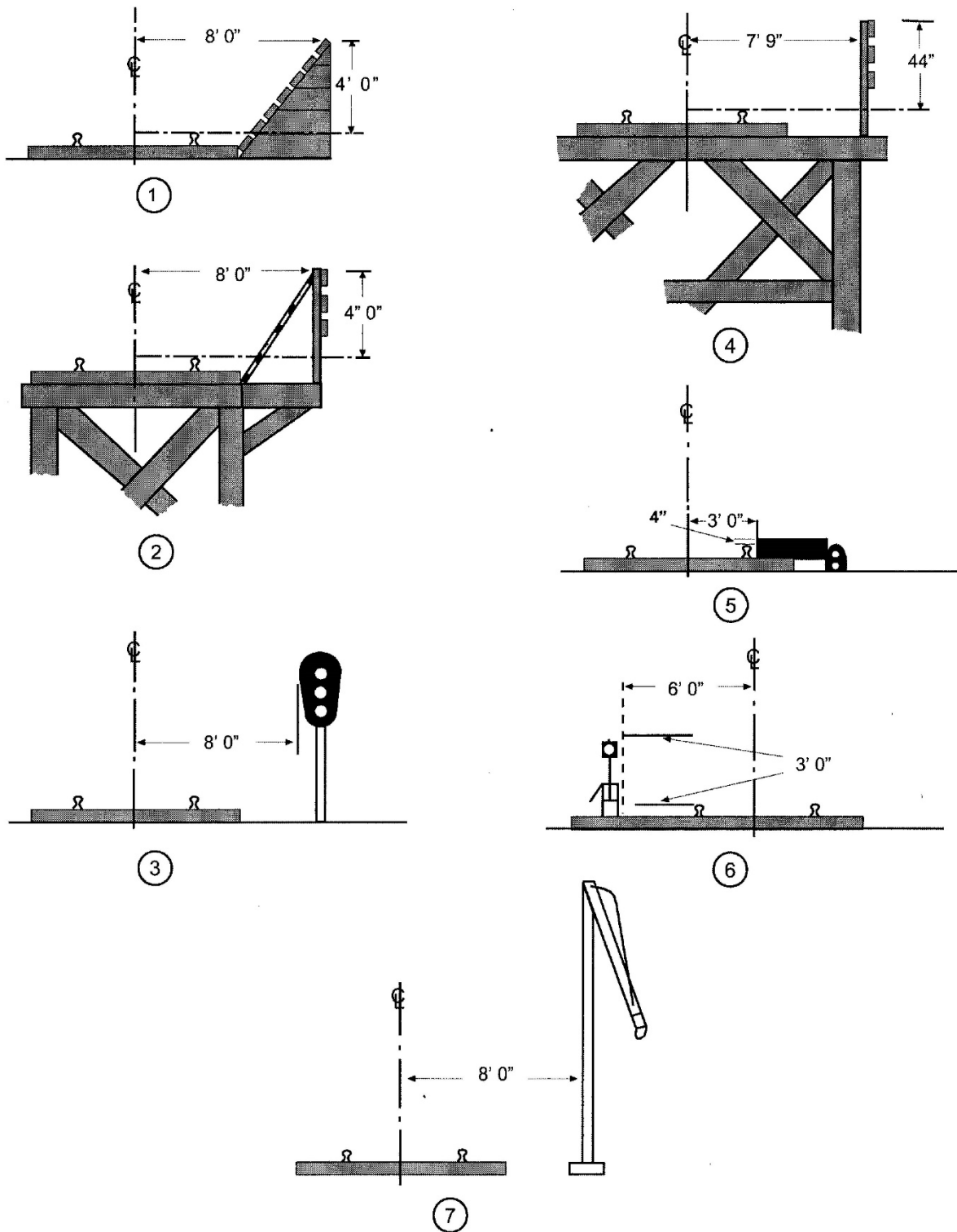


Figure 310-5
OAR 741-310-0050

Division 315 — Track Centers

NOTE: The track centers set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater distances.

741-315-0010 Track Centers

(1) The following track centers are minimum required distances between the centerlines of tangent tracks:

Type of Track	Track Centers
(a) Between main tracks or between a main track and a subsidiary track, other than a ladder track.	15 feet
(b) Between parallel ladder tracks or between ladder tracks and other tracks.	20 feet
(c) Between tangent tracks not otherwise specified	14 feet

(2) Minimum track centers for curved track constructed prior to April 29, 1983, shall be at least 1/2 inch per degree of curvature greater than that prescribed for tangent tracks.

(3) Track centers on tracks for which 14 feet minimum track centers are required on tangent track shall be increased from 14 feet at the rate of 1 1/2 inches per degree of curvature.

(4) Track centers on tracks for which 15 feet minimum track centers are required on tangent track shall be increased from 15 feet at the rate of 1 1/2 inches per degree of curvature in excess of eight degrees.

(5) The track centers set forth in these rules are minimum requirements established for employee safety. Nothing in these rules shall prohibit a railroad from requiring greater distances.

(6) See **Figure 315-1** for a diagram of minimum clearances for track centers.

Stat. Auth.: ORS 184.616, 184.619 & 823.011

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0155; RS 2-1998, f. & cert. ef. 8-20-98; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

Track Clearance

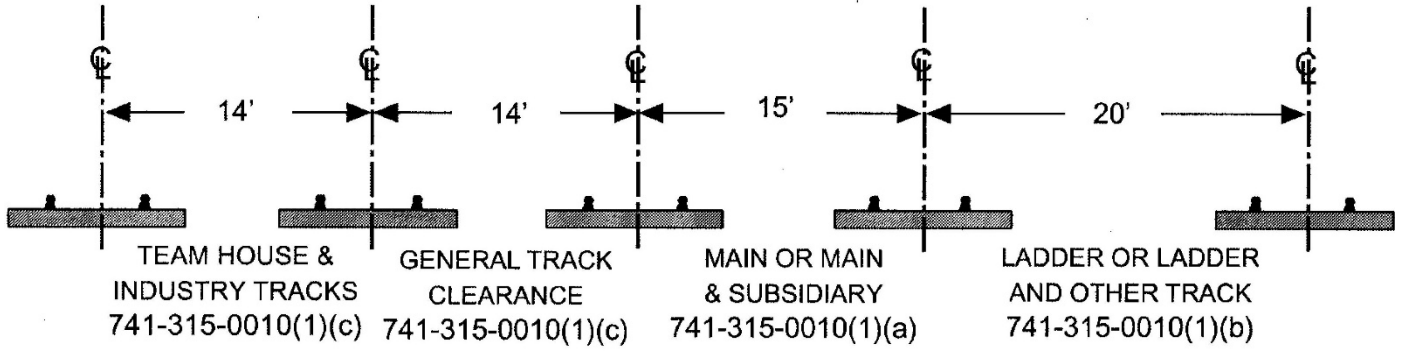


Figure 315-1
OAR 741-315-0010

Division 320 — Standard Walkways

741-320-0010

Applicability of Rules

- (1) Except as provided in section (2) of this rule, the walkway rules shall apply to each railroad owning and capitalizing railroad trackage, and each person or unit of government owning, leasing or holding a salvage interest in railroad trackage.
- (2) OAR 741-320-0060(4) shall apply to those occupying property adjacent to railroad trackage, in addition to those entities or persons set forth in section (1) of this rule.
- (3) The Department may order walkways conforming to OAR 741-320-0080 be constructed and maintained along one or both sides of any railroad track, structure, or railway tunnel where not otherwise required by these rules, only after notice to the affected railroad and hearing (in case of dispute).
- (4) Except as approved by the Department, no railroad track or structure shall be placed in service until walkways have been provided that are in compliance with the applicable standard and notice is given to the Department.
- (5) Other than for routine maintenance, any structure altered or rebuilt shall be equipped with a walkway on at least one side conforming to standards set forth in OAR 741-320-0130.
- (6) A railroad operating on its own or another railroad's property shall comply with all the rules contained in chapter 741, divisions 300 through 335, and any order issued by the Department or any predecessor agency, for that portion of the railroad facility upon which it is operating.
- (7) These rules do not apply:
 - (a) During periods of new track construction, maintenance, repair, renewal, reconstruction, or alteration of a right-of-way, track, or structure, where obstruction or removal of a walkway is unavoidable, provided affected railroad personnel are given prior written notice and provided walkways are returned to standard upon completion of the work. Unless authorized by the Department, non-standard walkways shall not exist for a period exceeding 30 days, unless all reasonable efforts are being made to complete the work as soon as is possible;
 - (b) During periods of heavy rain or snow, derailments, rock and earth slides, washouts, and like unforeseen conditions, including a reasonable time to permit necessary restorations.
 - (c) During periods of new construction of industry tracks, not to exceed 15 calendar days from date of first use without written consent of the Department, provided written notice is given to all affected railroad employees and to the Department; or
 - (d) At locations where the Department or the Public Utility Commission has authorized an impairment of standard clearance for a permanent obstruction, which has been placed or constructed alongside a track in such a location as to block the walkway partially or to prevent construction of the applicable standard walkway, the available space between the impairing obstruction and the track shall meet the applicable walkway standard in every respect except as prevented by the impairment.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 4-1990, f. & cert. ef. 4-17-90 (Order No. 90-488); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0180; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0020

Definitions

As used in OAR 741-320-0010 through 741-320-0170, 741-325-0010, 741-330-0010 through 741-330-0040 and 741-335-0010 through 741-335-0050, unless the context requires otherwise:

- (1) "Structure" is any bridge or trestle on which a railroad track is constructed.
- (2) "Walkway" is a pathway located alongside or in the vicinity of a railroad track for the purpose of providing an area for railroad employees to perform their normal trackside duties.
- (3) "Inside edge of a walkway" is that edge of a walkway closest to the nearest rail of the track for which the walkway is constructed.
- (4) "Yard" is a system of tracks, other than main tracks and sidings, used for making up trains, storing cars and other purposes including the inspection, repair and cleaning of cars.
- (5) "Railroad shop or repair track" is a fixed repair facility or track that is regularly and consistently used to perform major repairs, regardless of whether a mobile repair vehicle is used to conduct the repairs.
- (6) "Major repair" means a repair that normally requires greater than four person- hours to accomplish or involves the use of specialized tools and equipment. Major repairs include such activities as coupler replacement, draft gear repair, and repairs requiring the use of an air jack but exclude changing wheels on intermodal loading ramps either with or without an air jack.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0190; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0040

Standards for Granting Variances

The primary purpose of ORS 824.056, and the walkway standards adopted by the Department is to protect the safety of railroad employees. However, subsection (2) of ORS 824.056 authorizes the Department to permit variances from the walkway standards for "good cause" shown. "Good cause," for purposes of variances from the Department walkway standards, exists if:

- (1) The risk to railroad employee safety caused by the nonstandard condition(s) will not be significantly greater than the risk railroad employees would ordinarily encounter if the facility was in compliance with the walkway standards;

- (2) The degree of impairment to railroad employee safety does not justify the expense of bringing the facility into compliance with the walkway standards; or
- (3) Other useful purposes served by the nonstandard condition(s) outweigh the impairment to railroad employee safety.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.056

Stats. Implemented: ORS 824.050 & ORS 824.056

Hist.: PUC 11-1983, f. & ef. 10-6-83 (Order No. 83-620); PUC 2-1984, f. & ef. 2-10-84 (Order No. 84-091); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0245; RS 2-1998, f. & cert. ef. 8-20-98

741-320-0050

Applications for Variances and Operation Restriction(s)

- (1) An [Application for Authority for Variance from Standard Walkway](#) (form 2703) shall contain a statement of the condition(s) involved, the reasons for the request, and the estimated cost of bringing the facility involved into full compliance with the walkway standards. Application forms may be obtained from the Rail Safety Section or online at <https://www.oregon.gov/odot/MCT/Pages/Rail-Forms.aspx>. Applications must be filed with the Department within 30 days of the date the Department documents the nonstandard condition(s). Incomplete applications will be returned.
- (2) In lieu of requesting a variance from the walkway standards, if railroad employee safety will not be impaired, the owner or lessee of a track on which service is provided to no other businesses may restrict operations over any portion of the track by posting operation restriction signs, conforming to OAR 741-330-0010(2). Signs shall be located on each side of the track, facing incoming railroad movements, to a point beyond which no railroad employee may go or move equipment. The person posting the signs shall provide written notification of the intent to restrict operations, to the Department and each railroad that provides service over the track at least two weeks in advance of installation of the operation restriction signs.
- (3) In lieu of requesting a variance from the walkway standards, if neither railroad service to another rail user nor railroad employee safety will be impaired, the owner or lessee of a track on which service is provided to one or more other businesses may apply to the Department (copy to the affected railroad) for written approval to restrict operations over any portion of the track by use of operation restriction signs conforming to OAR 741-330-0010(2). Signs will be located on each side of the track facing incoming railroad movements, at a point beyond which no railroad employee may go or move equipment. Following railroad comment the Department may act upon the application as circumstances warrant. If the application is approved, the person permitted to install such signs shall provide written notification of the intent to restrict operations to the Department and each affected railroad at least two weeks in advance of installation of the operation restriction signs.
- (4) Upon receipt of the foregoing notification of installation, each affected railroad shall immediately instruct its operating employees in writing, in special instruction or timetable bulletin, not to go or move equipment beyond the point at which the operation restriction signs are posted.

- (5) Before an owner or lessee of a track removes an operation restriction sign, an application for a variance under section (1) of this rule, must be filed with, and approved by, the Department, unless the facility is in full compliance with the walkway rules.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 3-1985, f. & ef. 4-8-85 (Order No. 85-291); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0250; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0060

Surface

- (1) Walkways shall have a reasonably regular surface and shall be maintained in a safe condition, clear of such vegetation, debris, standing water and other obstructions which may constitute a hazard to railroad employees working on the ground.
- (2) Except as provided in section (3) of this rule, walkways located along yard tracks and tracks where switching is regularly performed two or more times weekly shall be surfaced with crushed material not to exceed American Railway Engineering and Maintenance-of-way Association (**AREMA**) standard No. 4; 1 1/2 inches in size, or with asphalt, concrete, planking, grating or similar material.
- (3) Walkways located along switching lead tracks, switches in yards, car spotting areas, and railroad shop or repair tracks, shall be surfaced with crushed material not to exceed **AREMA** standard No. 5; 1 inch in size, or with asphalt, concrete, planking, grating or similar material.
- (4) The Department, after investigation, upon its own motion, or upon the petition of any aggrieved person may determine that the safety of railroad employees requires the applicable standard set forth in section (2) or (3) of this rule for any walkway.
- (5) No railroad, owner or lessee shall allow debris on walkways.
- (6) Walkways not covered by section (2) or (3) of this rule may be surfaced with crushed ballast materials.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0300; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0070

Slope

- (1) Except as provided in sections (2) and (3) of this rule, walkways shall not have a slope in excess of 1 to 8 in any direction.
- (2) Excess slope is permissible where the proximity of adjacent tracks so dictates so long as the slope between tracks is constant. When frequent switching occurs, or railroad employees

inspect and repair cars, terracing may be required between adjacent tracks to provide a level surface for a walkway.

- (3) Excess slope is permissible at locations where a vehicle or pedestrian way intersects a standard walkway unless the Department, after investigation, upon its own motion or upon the petition of any aggrieved person determines that the safety of railroad employees requires the slope prescribed by section (1) of this rule.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.056

Stats. Implemented: ORS 824.050 & ORS 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0305; RS 2-1998, f. & cert. ef. 8-20-98

741-320-0080

Walkway Standard No.1: Between Yards and Switches

- (1) Walkway Standard No. 1 shall be a walkway with a minimum width of at least 2 feet, the outside edge of which shall be no closer than 8 feet and no further than 22 feet from the centerline of the track. It shall be constructed and maintained so that the elevation of its surface is not below the base of the ballast section of the roadbed nor above the top of the ties and in compliance with OAR 741-320-0070(1). If required by the Department under OAR 741-320-0010(3), Walkway Standard No. 1 shall apply to all trackage, except where Walkway Standard No. 2, No. 3 or No. 4 is applicable.

- (2) See **Figure 320-1** for a diagram of the minimum measurements for walkway standard No. 1.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0310; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0090

Walkway Standard No. 2: Yards, Car Spotting Areas and Regular Crew Change Points

- (1) Walkway Standard No. 2 shall be a walkway constructed to a minimum width of 6 feet, as measured from the outside edge of the rail. It shall be constructed and maintained so that the elevation of its surface is approximately level with the tops of the ties, but not above top of rail. Walkway Standard No. 2 shall be located along both sides of all tracks within yards and in advance of, to include all points contiguous to yards where railroad employees normally work on the ground.

- (2) In areas where railroad or industry car spotting is performed, walkways conforming to Walkway Standard No. 2 shall be constructed and maintained throughout the area where cars are actually spotted, and in advance of, to include all locations where railroad employees normally work on the ground.

(3) At regular crew change points, a walkway conforming to Walkway Standard No. 2 shall be constructed and maintained on one side of the track throughout the area where employees are getting on and off locomotives or cabooses.

(4) See **Figure 320-2** for a diagram of the minimum measurements for Walkway

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0315; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0100

Walkway Standard No. 3: Switches

(1) Walkway Standard No. 3 shall be a walkway constructed to a minimum width of 6 feet, as measured from the outside edge of the rail. It shall be constructed and maintained so that the elevation of its surface is approximately level with the top of the ties, but not above top of rail. Except as provided in section (2) of this rule, Walkway Standard No. 3 shall be located along both sides of the track for a minimum distance of 125 feet on each side of every switch stand or other trackside switch-throwing mechanism.

(2) Walkways conforming to this standard shall be continuous and maintained from the switch stand through the switch frog and along the diverging tracks to a point at least 25 feet beyond the 13 feet clearance point of the switch.

(3) An additional 3 feet of walkway width shall extend for a minimum distance of 4 feet in each direction from the switch stand or other trackside switch-throwing mechanism on the side of the track where the mechanism is located. This additional 3 feet of width shall be gradually tapered back to the 6 feet minimum width in a distance of not less than 20 feet.

(4) See **Figure 320-3** for a diagram of the minimum measurements for Walkway Standard No. 3.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 6-1983, f. & ef. 6-13-83 (Order No. 83-313); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-44-0320; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0110

Walkway Standard No. 4: Derails

(1) Walkway Standard No. 4 shall be a walkway constructed and maintained to conform, in width and elevation, to OAR 741-320-0100 (Standard No. 3). As measured from the derail mechanism, the walkway shall extend for 20 feet toward the switch and 10 feet away from the switch. At derails operated by a switch stand, an additional 3 feet of walkway width shall extend for a minimum distance of 4 feet in each direction from the switchstand, and only on the switchstand side of the track. This additional 3 feet of width shall be gradually tapered

back to the 6 feet minimum width in a distance of not less than 20 feet in the direction toward the switch and not less than 10 feet in the direction away from the switch.

- (2) Derails located within 200 feet of a switch throwing mechanism shall have a continuous Standard No. 3 walkway between the two on the same side of the track as the derail or derail switch stand.
- (3) See **Figure 320-4** for a diagram of the minimum measurements for Walkway Standard No. 4.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0322; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0120

Access Walkways

- (1) Walkways shall be constructed and maintained to provide access between tracks in yards wherever adjacent tracks are 20 feet or less apart, as measured from centerline to centerline. Such walkways shall be at least 2 feet in width and shall be provided at intervals as necessary to enable railroad employees to walk from one track to another to perform switching or other work about trains.
- (2) Adequate access walkways shall be provided at locations where train crew members are regularly dropped off or picked up by a highway vehicle. Walkways of at least 2 feet in width shall be constructed and maintained to allow employees to safely walk between the normal stopping point of the highway vehicle and the track where the locomotive or caboose is located, or where work is to be performed.
- (3) Except as provided in sections (1) and (2) of this rule, access walkways with a minimum width of 2 feet shall be constructed and maintained when and where determined necessary by the Department.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0325; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0130

Walkways on Structures

- (1) A walkway on a structure shall have a minimum width of 2 feet, the outside edge of which shall be no closer than 7 feet 9 inches to the centerline of the track. It shall be constructed and maintained in such a manner that its surface is as close as possible to the top of ties. See **Figure 320-5** for a diagram of a walkway on a structure.

- (2) At each end of a structure the walkway shall be gradually tapered in accordance with OAR 741-320-0070 (slope) to meet the base of the ballast section or an existing walkway.
- (3) Any structure altered or rebuilt, other than for routine maintenance, shall be equipped with a walkway conforming to standards set forth in OAR 741-320-0130.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0330; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0140

Walkways in Tunnels

- (1) A walkway conforming to OAR 741-320-0080 (Standard No. 1), shall be constructed and maintained in a tunnel, upon order of the Department, only after notice to the affected railroad and hearing (in case of dispute), and be located as close as is possible to the tunnel wall, with its surface as close as possible to the top of ties.
- (2) At each end of a tunnel the walkway shall be gradually tapered in accordance with OAR 741-320-0070 (slope) to meet the base of the ballast section or an existing walkway.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.056

Stats. Implemented: ORS 824.050 & ORS 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0332; RS 2-1998, f. & cert. ef. 8-20-98

741-320-0150

Handrails

Except for walkways between tracks, each walkway on an elevated structure such as a bridge or trestle, shall be equipped with an adequate handrail at a height of 42 inches, plus or minus 3 inches, above the walkway surface. The handrail shall be constructed in such a manner that it shall not sag more than 3 inches from the height of the supporting fixture. The handrail shall be located at the outside edge of the walkway. Effective one year from the last effective date of this rule (August 28, 2006).

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 3-1985, f. & ef. 4-8-85 (Order No. 85-291); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0335; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0160

Walkways on Curves

Except where OAR 741-320-0080 (Standard No. 1) applies, a walkway located on the inside of a curve exceeding 17 degrees shall have a minimum width of 7 feet as measured from the outside edge of rail. See OAR 741-315-0010(3).

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.056

Stats. Implemented: ORS 824.050 & 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0340; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-320-0170

Walkways for Trackside Warning Devices

A walkway conforming to OAR 741-320-0080 (Standard No. 1) or 741-320-0130 (Walkways on Structures) as appropriate, shall be constructed and maintained, upon order of the Department, for such distance and in each location as is necessary to facilitate inspection of a train stopped by a trackside warning device, only after notice to the affected railroad and hearing (in case of dispute).

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 823.011 & ORS 824.056

Stats. Implemented: ORS 824.050 & ORS 824.056

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0342; RS 2-1998, f. & cert. ef. 8-20-98

Walkway Standard No. 1

Walkways Between Yards and Switches

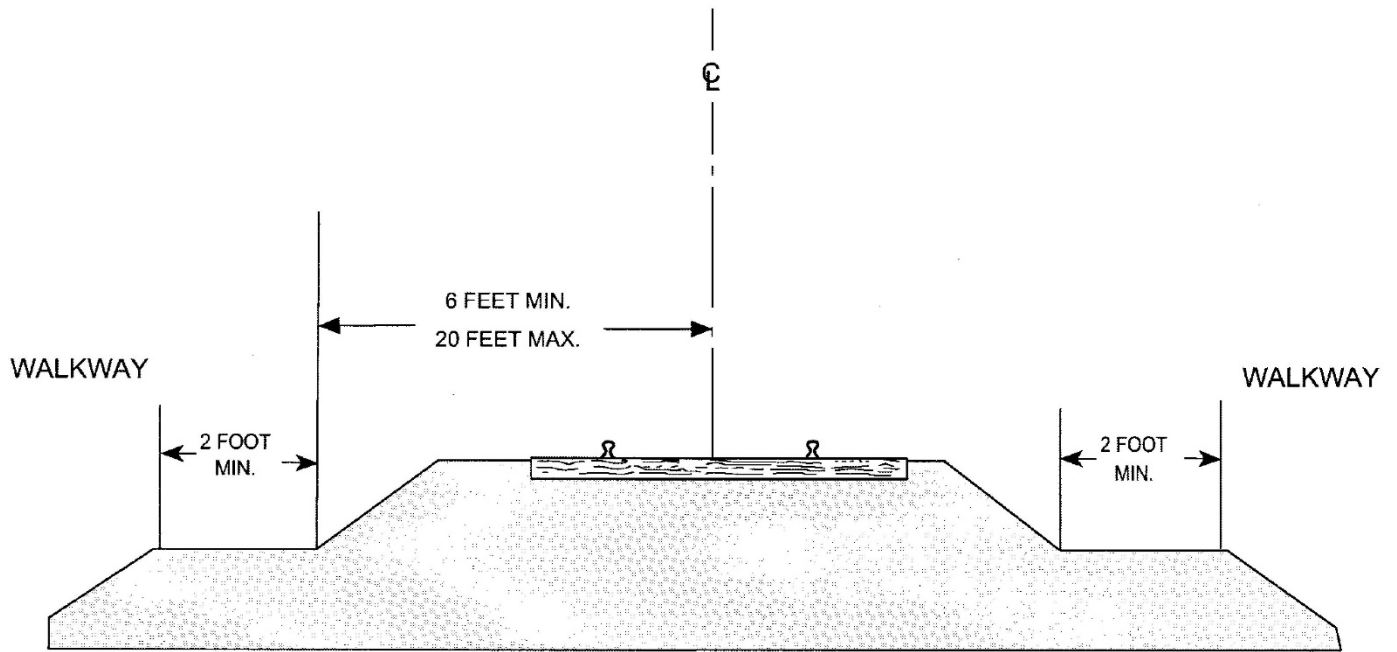


Figure 320-1
OAR 741-320-0080

Walkway Standard No. 2 Walkways in Yards and Points Where Industrial Switching is Performed

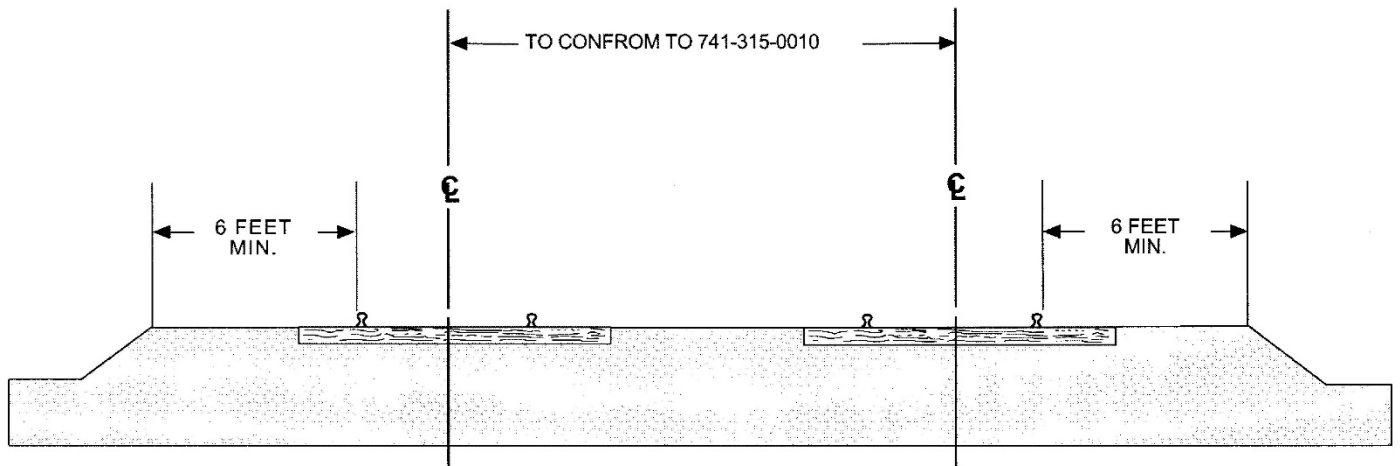


Figure 320-2
OAR 741-320-0090

Walkway Standard No. 3 — Walkways at Switches

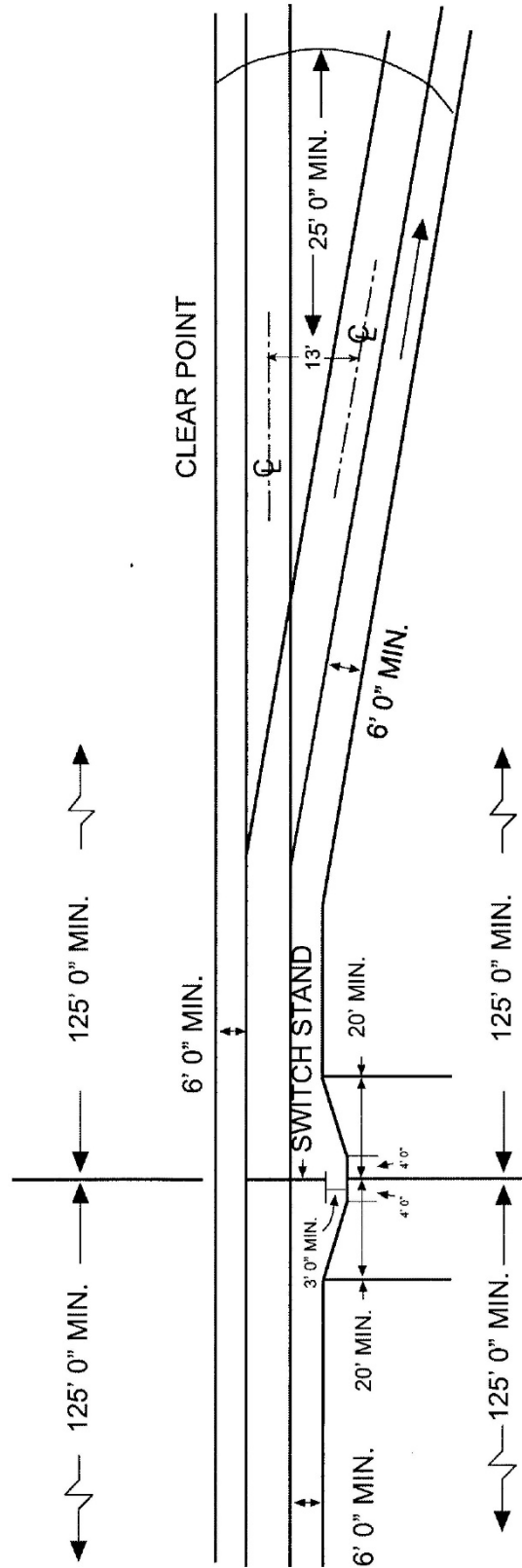


Figure 320-3
OAR 741-320-0100

Walkway Standard No. 4 Walkways at Derails

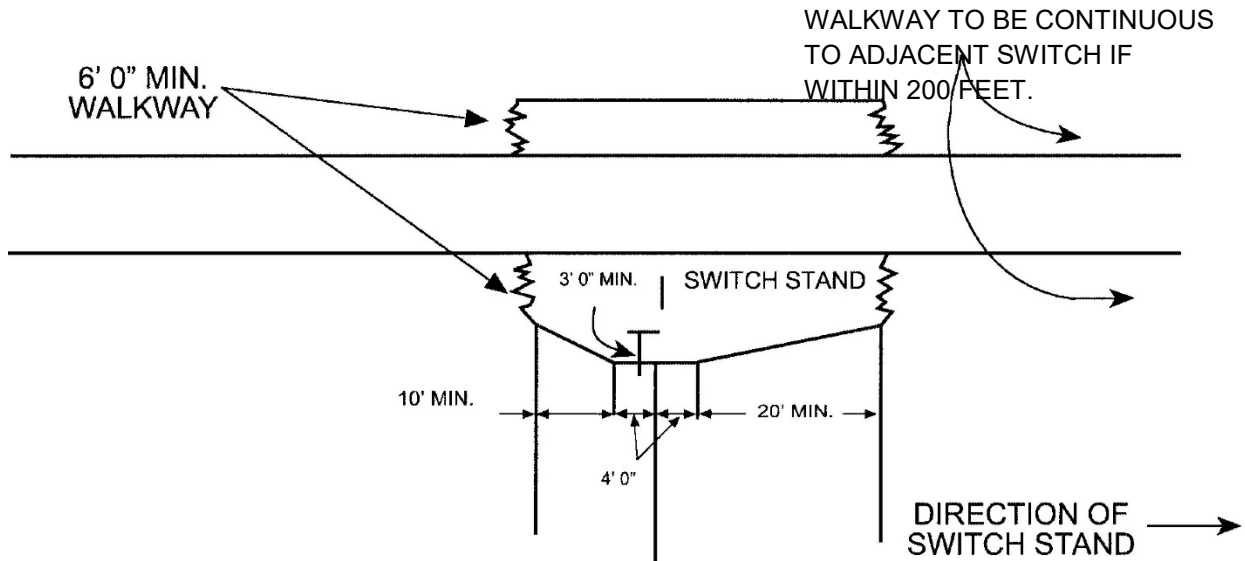


Figure 320-4
OAR 741-320-0110

Walkway on Structures and in Tunnels

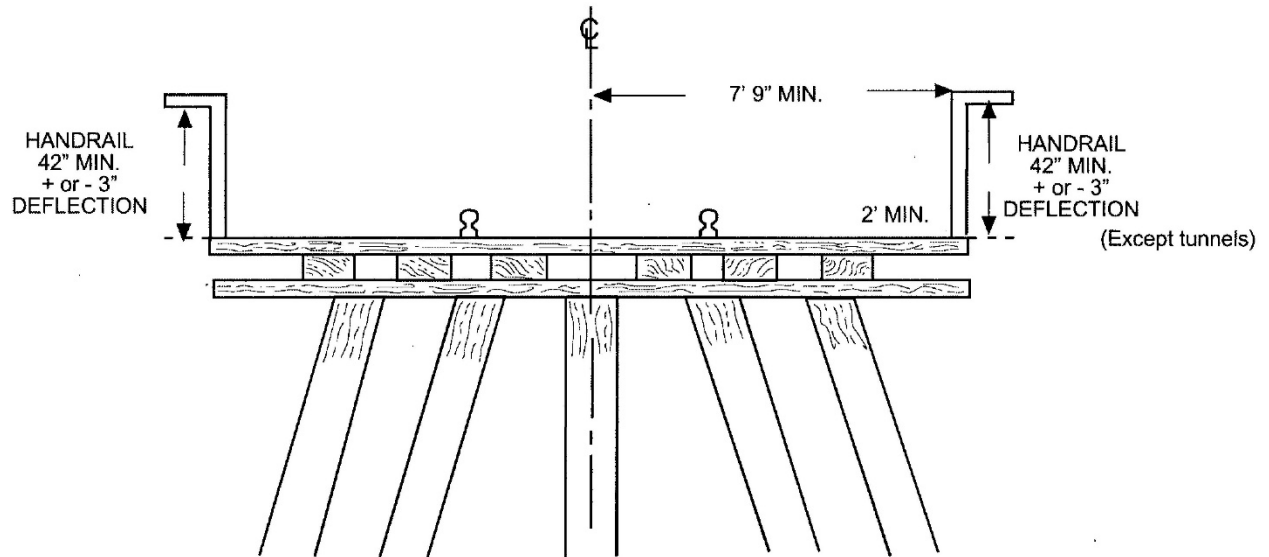


Figure 320-5
OAR 741-320-0130 through OAR 741-320-0150

Division 325 — Forms

741-325-0010

Return of Inspection Forms Required

Each railroad, industry or person subject to OAR 741-300-0010, 741-320-0010 and 741-335-0010 shall return inspection report forms following each inspection by Department's staff within 10 days following the requested compliance date shown on the report.

Stat. Auth.: ORS 184.616, ORS 184.619 & ORS 823.011

Stats. Implemented: none

Hist.: PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0351; RS 2-1998, f. & cert. ef. 8-20-98

Division 330 — Signs

741-330-0010

Impairment/Restriction/Stop Signs

- (1) Signs to warn railroad employees of clearance less than those prescribed in these rules shall be at least 16 inches vertically by 20 inches horizontally and located on the same side of the track as the impairment for each direction of approach. Each sign shall bear the words **"IMPAIRED SIDE, OVERHEAD OR SIDE AND OVERHEAD CLEARANCE"** as appropriate, in black letters, not less than 3 inches in height, against a white reflectorized background. In addition, the letters **"PUC"** or **"ODOT"** followed either by the word **"RULE"** or **"ORDER"** as appropriate and the number of the applicable rule or order in black letters and numerals not less than 1 inch high. Unless authorized by the Department, these signs shall be illuminated during hours of darkness.
- (2) Operation restriction signs shall be at least 16 inches vertically by 20 inches horizontally and shall bear the word **"STOP"** in black letters not less than 3 inches high and the words **"RAILROAD CREWS NOT TO MOVE EQUIPMENT BEYOND THIS POINT"** (or equivalent language), and other required wording in black letters not less than 1 1/2 inches high followed by the letters **"ODOT"** or **"PUC"** and the word **"RULE"** or **"ORDER"** as appropriate, and the number of the applicable rule or order in black letters 1 inch high on a white reflectorized background. These signs shall be illuminated during hours of darkness.
- (3) Stop signs shall be at least 16 inches vertically by 2 feet horizontally and shall bear the word **"STOP"** in white letters at least 8 inches high on a red reflectorized background. These signs shall be illuminated during hours of darkness.
- (4) Notes:
 - (a) See **Figure 330-1** for a diagram of the impaired clearance signs.
 - (b) See **Figure 330-2** for a diagram of the operational restriction sign.
 - (c) See **Figure 330-3** for a diagram of the stop sign.
 - (d) In cases where clearance impairments do not extend more than 2 feet above top of rail, the Department may order **"IMPAIRED WALKWAY"** signs as described in OAR 741-330-0020.

Stat. Auth.: ORS 184.616, 184.619 & 823.011

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 6-1983, f. & ef. 6-13-83

(Order No. 83-313); PUC 3-1985, f. & ef. 4-8-85 (Order No. 85-291); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-364; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-330-0020

Impaired Walkway/Nonstandard Walkway Warning Signs

- (1) Signs to warn railroad employees of walkways different than those prescribed in these rules shall be at least 16 inches vertically by 20 inches horizontally and located on the same side of the track as the impairment or nonstandard condition for each direction of approach. Each

sign shall bear the words "**IMPAIRED WALKWAY**" or "**NONSTANDARD WALKWAY**", as appropriate in black letters, not less than 3 inches high, against a white reflectorized background. In addition, the letters "**ODOT**" or "**PUC**" followed either by the word "**RULE**" or "**ORDER**" as appropriate, and the number of the applicable rule or order in black letters and numerals not less than 1 inch high. Unless authorized by the Department, these signs shall be illuminated during hours of darkness.

(2) See **Figure 330-4** for a diagram of the impaired walkway, and nonstandard walkway, signs.

Stat. Auth.: ORS 184.616, 184.619 & 823.011

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0365; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-330-0030

Location of Signs

(1) The bottom of a sign mounted on an existing structure, other than a sign post, shall be no less than 4 feet 6 inches, and no more than 8 feet above top of rail to which the sign applies. The bottom of a free standing sign, installed after August 1, 1998, shall not be less than 7 feet, and no more than 9 feet, above the top of ground.

(2) Signs shall be located at least 8 feet 6 inches and no farther than 15 feet from centerline of track.

(3) Signs, other than a standard operation restriction sign, shall be located in advance of the impairment, but no farther than 50 feet.

Stat. Auth.: ORS 184.616, 184.619 & 823.011

Stats. Implemented: ORS 824.050 & 824.052

Hist.: PUC 13-1981, f. & ef. 12-21-81 (Order No. 81-900); PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); PUC 26-1985, f. & ef. 12-19-85 (Order No. 85-1196); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0366; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-330-0040

Size and Design of Signs

Signs which are not in compliance with OAR 741-330-0010 and 741-330-0020, shall be replaced with signs of the required size and design.

Stat. Auth.: ORS 184.616, ORS 184.619 & ORS 823.011

Stats. Implemented: ORS 824.050 & ORS 824.052

Hist.: PUC 4-1983, f. & ef. 5-3-83 (Order No. 83-242); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0367; RS 2-1998, f. & cert. ef. 8-20-98

Impaired Clearance Warning Signs

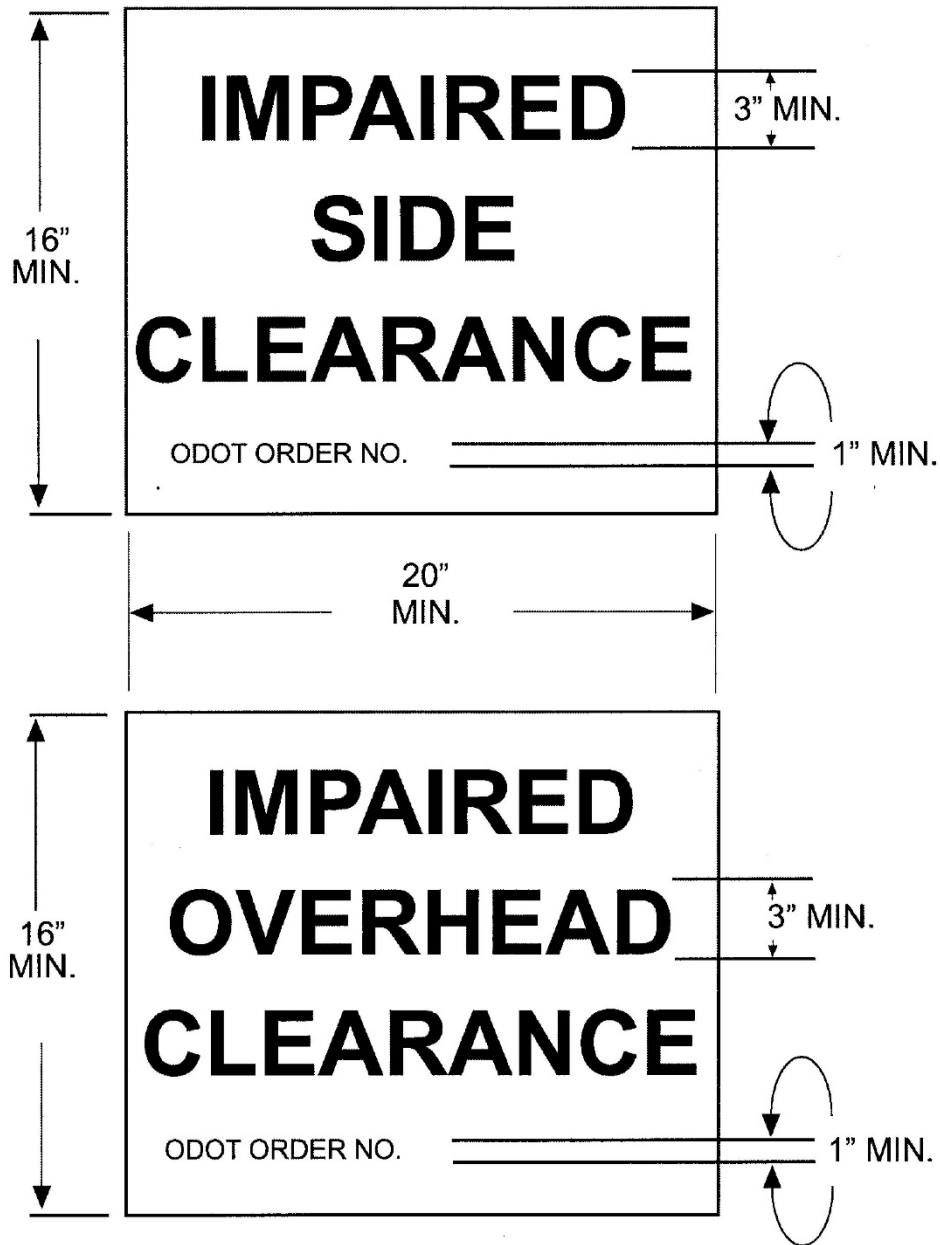


Figure 330-1
OAR 741-330-0010(1)

Operational Restriction Sign

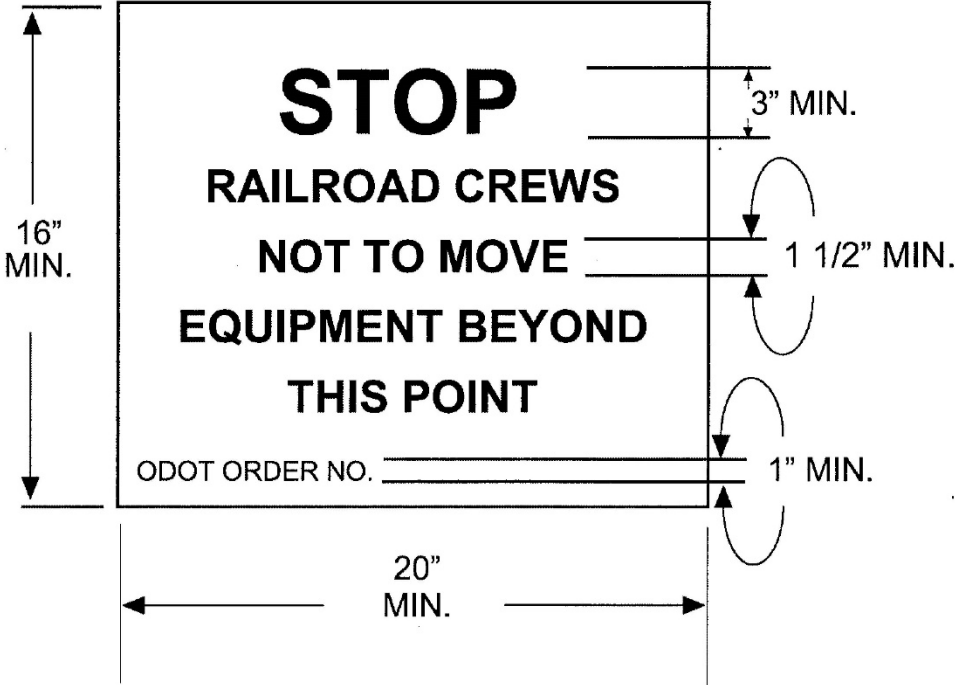


Figure 330-2
OAR 741-330-0010(2)

Railroad Stop Sign

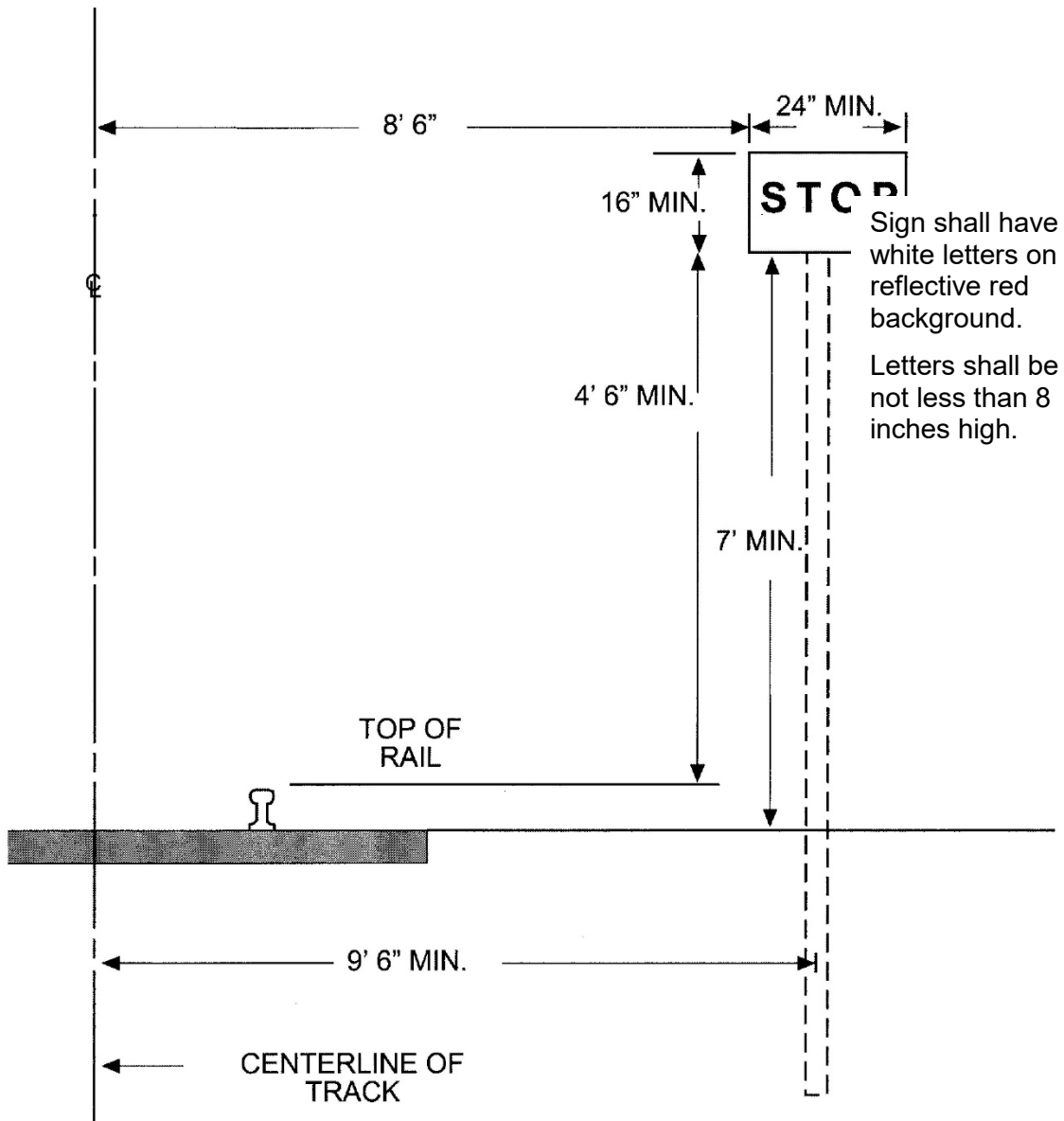


Figure 330-3
OAR 741-330-0010(3)

Impaired Walkway Warning Signs

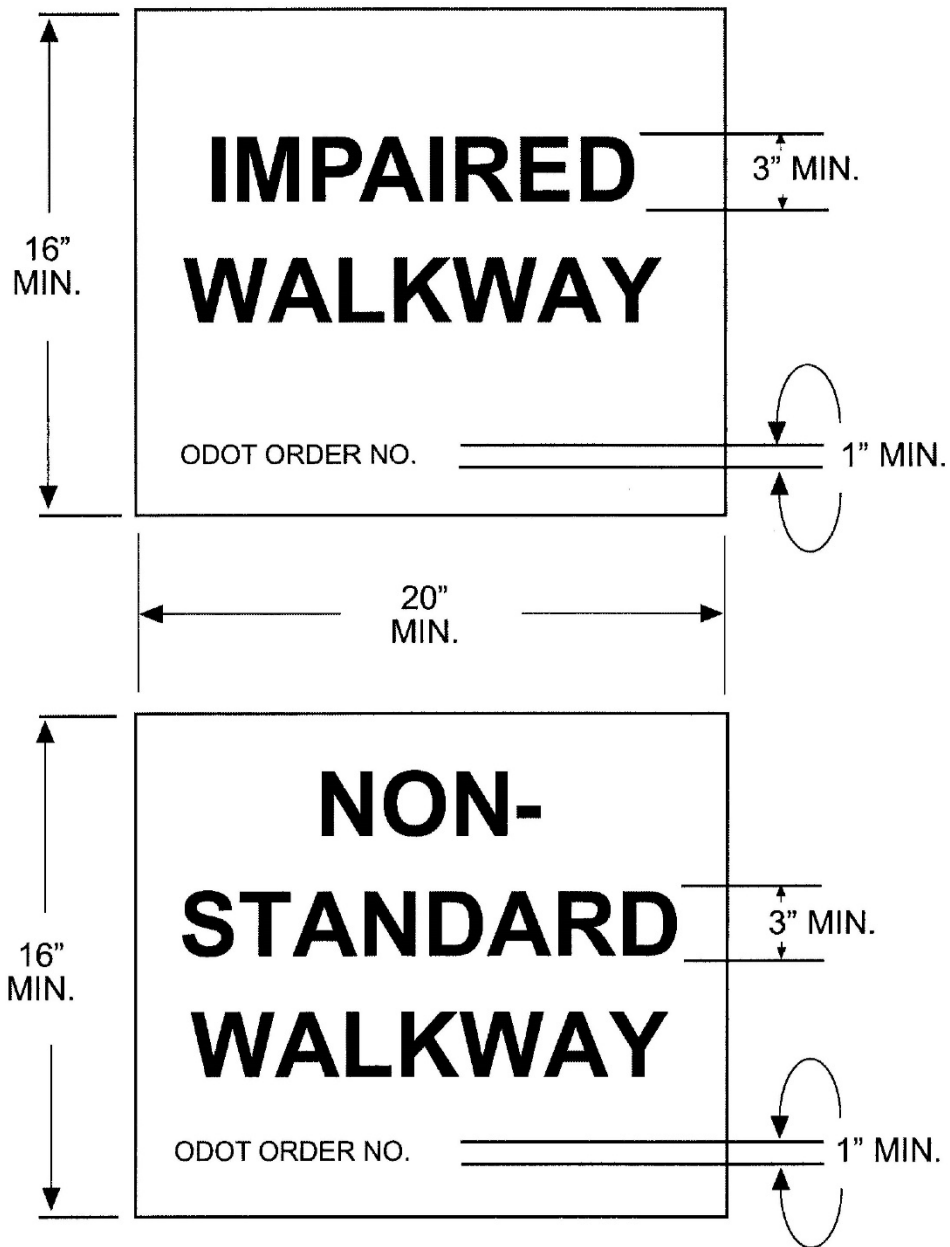


Figure 330-4
OAR 741-330-0020

Division 335 — Railroad Caboose and Locomotive Sanitation Facility and Water Standards

741-335-0010

Applicability of Rules

OAR 741-335-0020 through 741-335-0200 apply to each railroad operating locomotives and/or cabooses in this state.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); (Order No. 81-243), f. & ef. 4-8-81; RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-05007; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0020

Definitions

As used in OAR 741-335-0010 through 741-335-0200, unless the context requires otherwise:

- (1) "Caboose" is any car or coach used on a railroad train to carry a train crew.
- (2) "Locomotive" is any railroad vehicle used to propel a railroad train.
- (3) "Safe Drinking Water" means water which meets the quality standards in OAR 333-061-0020.
- (4) "Sanitary" means free from agents injurious to health.
- (5) "Seat Riser" means that structural support extending from the floor to a toilet seat.
- (6) "Terminal" means a system of tracks, the boundaries of which are set by a railroad, for the coupling and uncoupling of cars and/or where railroad employees report for or are relieved from duty.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); (Order No. 81-243), f. & ef. 4-8-81; RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-05005; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0030

Application for Variances

Applications for variances from OAR 741-335-0010 through 741-335-0180 shall contain a photo and/or drawing of the facility for which the variance is requested and shall describe the measures to be followed in lieu of the applicable rule. Each application shall be accompanied by at least five copies.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); (Order No. 81-243), f. & ef. 4-8-81; RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0520; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0040

Exempt Equipment

Toilets are not required on cabooses used exclusively in yards or in transfer service where railroad provided and maintained stationary toilet facilities are available to railroad employees and notice of such facilities is provided to employees.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); (Order No. 81-243), f. & ef. 4-8-81; RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0525; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0050

Caboose Sanitation Facilities

Each caboose which employees are required to occupy shall have a toilet in a toilet room. The enclosure of every toilet room shall be of solid construction from floor to ceiling with interior illumination, and have a solid door or a door with nontransparent windows. Doors to toilet rooms shall be latchable from the inside. The walls and ceilings in every toilet room shall be of suitable nonabsorbent material and have a light-colored water repellent finish at least equal to that of a good quality paint or varnish. The finish of the floor of every toilet room and side walls up to a height not less than 6 inches shall be smooth, cleanable and of a nonabsorbent material.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0530; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0070

Toilet Construction

All toilets on cabooses shall be constructed with a flush bowl so as to be easily cleaned and maintained in a sanitary condition, and shall be manufactured of a smooth finished material, impervious to moisture, with a hinged toilet seat and lid with a moisture-resistant finish. All toilets shall be maintained in a safe condition and properly secured.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0535; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0080

Toilet Room Ventilation

Toilet rooms on cabooses shall be ventilated. If not practical to ventilate by windows, ventilation shall be provided by some other means.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0537; RS 2-1998, f. & cert. ef. 8-20-98; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0090

Chemical Container Construction

No chemical container shall be installed in a toilet on cabooses unless it will prevent the waste treatment solution therein from splashing upon any portion of the body of the person using the facility during any movement likely to occur in usual train operation, including slack action.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0539; RS 2-1998, f. & cert. ef. 8-20-98; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-28-06

741-335-0100

Incinerator Toilets

- (1) Toilets that function by intense heat shall be installed and maintained to consume waste with the least amount of odor possible.
- (2) Incinerator toilets shall be vented to the outside in such a manner that the crew working area is free of objectionable odor.
- (3) Clear and concise instructions for use of incinerator toilets shall be provided.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0543; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0110

General Sanitary Maintenance of Toilets and Toilet Rooms

- (1) Toilets and toilet rooms in all cabooses shall be maintained in a sanitary condition.
- (2) The containers of chemical-type toilets shall be charged with sufficient treatment solution of adequate strength to function properly, and the contents shall be agitated as necessary when in service.
- (3) The waste passages connecting the seat riser with the containers of chemical-type toilets shall be cleaned as necessary to maintain them in a sanitary condition.

(4) When the holding tanks of chemical-type toilets are more than two-thirds full, before a tour of duty, the contents shall be removed from cabooses and properly discharged in a sanitary manner.

(5) Self-contained sewage treatment facilities shall be maintained in proper working order.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96;

Renumbered from 860-044-0545; RS 2-1998, f. & cert. ef. 8-20-98; RD 1-2006, f. & cert. ef. 8-8-06

741-335-0120

Toilet Room Supplies

An adequate supply of toilet paper with a convenient holder shall be supplied for each toilet. Crew packs adequately supplied with toilet paper are acceptable.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96;

Renumbered from 860-044-0547; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0130

Drinking Water

(1) Sanitary drinking water facilities shall be provided and maintained on locomotives and cabooses in service so as to provide an adequate supply of safe drinking water.

(2) When ice is used for water cooling purposes, the containers shall be so arranged that the drinking water will not come in contact with the ice.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96;

Renumbered from 860-044-0550; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0140

Drinking Water Containers

(1) Drinking water shall be supplied in suitable sanitary containers conveniently located for the use of the employees, but shall not be located in separately enclosed toilet rooms.

(2) Each reusable drinking water container shall be constructed so as to be easily cleaned and disinfected and shall be made of impervious and non-corrodible materials.

(3) Either single service drinking cups or drinking fountains with sanitary angle heads shall be provided for the use of employees.

(4) With the exception of individual disposable containers, no drinking water containers from which water must be dipped or poured shall be used.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); (Order No. 81-243), f. & ef. 4-8-81; RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0552; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0160

Hand Cleaning Facilities

Facilities for cleaning of hands shall be provided on cabooses and locomotives in service at a location where the use thereof will not result in the contamination of the drinking water dispensing system. An adequate supply of hand soap or other hand cleaning agents shall be provided in appropriate dispensers or crew packs and shall be capable of removing oil-based substances. Individual disposable or launderable towels and waste receptacles for used towels shall be provided.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-05607; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0170

Placing Cabooses and Locomotives in Service

Locomotives and cabooses shall not be placed in service until all sanitation, water and hand cleaning standards have been met. A locomotive or caboose shall be considered in service once it is removed from the service track or is occupied by a member of the train crew.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96; Renumbered from 860-044-0570; RS 2-1998, f. & cert. ef. 8-20-98; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0180

Caboose Defect and Repair Register

- (1) An equipment defect and repair register shall be furnished and maintained on each caboose. The register shall consist of a card, paper or book with spaces to record the date and train upon which a defect occurs, the defect and the name of the person reporting the defect. Each railroad shall require inspection of this register at all locations where maintenance can be performed, listing on the register the date and place the defect is corrected and initials and last name of the person making the repair. The railroads shall provide reasonable regulations for use of the register, including a provision for maintaining in each caboose all entries reporting defects within the previous 90 day period.
- (1) The equipment defect register may be used to report defects in equipment required by ORS Chapter 824 (fire extinguishers and rear-end markers) and sanitation regulations contained in OAR 741-335-0010 through 741-335-0160.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.068

Stats. Implemented: ORS 824.068

Hist.: PUC 2-1981, f. & ef. 4-8-81 (Order No. 81-184); RS 2-1996, f. & cert. ef. 3-14-96;

Renumbered from 860-044-0580; RS 2-1998, f. & cert. ef. 8-20-98

741-335-0200

First Aid Kits

(1) Each locomotive and caboose shall carry a first aid kit as required under ORS 824.060 containing the following minimum first aid supplies:

- (a) Gauze pads (small);
- (b) Gauze pads (large);
- (c) Adhesive bandages;
- (d) Gauze bandage;
- (e) Triangle bandage;
- (f) Pair scissors;
- (g) Soap solution or sealed moistened towelettes; and
- (h) Pair of latex gloves.

(2) First aid kits required by another state will be acceptable if the contents are reasonably equivalent to those required by this rule.

Stat. Auth.: ORS 184.616, 184.619 & 823.011

Stats. Implemented: ORS 824.060

Hist.: RS 2-1998, f. & cert. ef 8-20-98