

## No. 142

## AN ACT

## HB 1731

Requiring that flag protection be provided against following trains occupying the same track.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. That all railroads operating in the Commonwealth of Pennsylvania, within 30 days enactment hereof, promulgate appropriate operating rules and special instructions for the government of their respective employees in conformity with the following:

(1) When a train stops under circumstances in which it may be overtaken by another train, a member of the crew must provide flagging protection, that is, go back immediately with a red flag, torpedoes and fuses by day and with a red and/or white light, torpedoes and fuses by night, a sufficient distance to insure full protection, placing two torpedoes on the rail and when necessary, in addition, display lighted fuses.

(2) When recalled and safety to the train will permit, he may return.

(3) When conditions require, he will leave the torpedoes and a lighted fusee.

(4) The front of the train must be protected in the same way, when necessary, by a member of the crew.

(5) When a train is moving under circumstances in which it may be overtaken by another train, a member of the crew must take such action as may be necessary to insure full protection. By night (or by day, when the view is obscured) lighted fusees must be dropped off the moving train or displayed at proper intervals.

(6) When day signals cannot be plainly seen, owing to weather or other conditions, night signals must also be used.

(7) Conductors and enginemen are responsible for the protection of their trains.

(8) When a pusher engine is assisting a train, coupled behind the cabin or caboose car, and the member of the crew who protects the rear-end of the train is riding in the cabin or caboose car, the requirements as to the fusees will be met by dropping them off between the cabin or caboose car and pusher engine on the track the train is using, and not between that track and an adjacent track.

Provided, however, that unless specific circumstances indicate to the contrary, it will be presumed that trains stopping under the following circumstances will not be overtaken by another train:

(i) Passenger trains making normal station stops.

(ii) All trains stopping in manual block territory protected by absolute block.

(iii) All trains stopping so as to be completely within the limits of classification or storage yards at the usual place to change crews or remove power.

Section 2. For the purposes of this act a "train" will be considered a movement on which the air brakes must be connected and functioning under Federal law.

Section 3. Nothing in this act shall be deemed to require the employment of additional employees or restrict the use of crew members in any manner.

Section 4. The provisions of this act shall be enforced by the Pennsylvania Public Utility Commission.

APPROVED—The 3rd day of December, A. D. 1975.

MILTON J. SHAPP