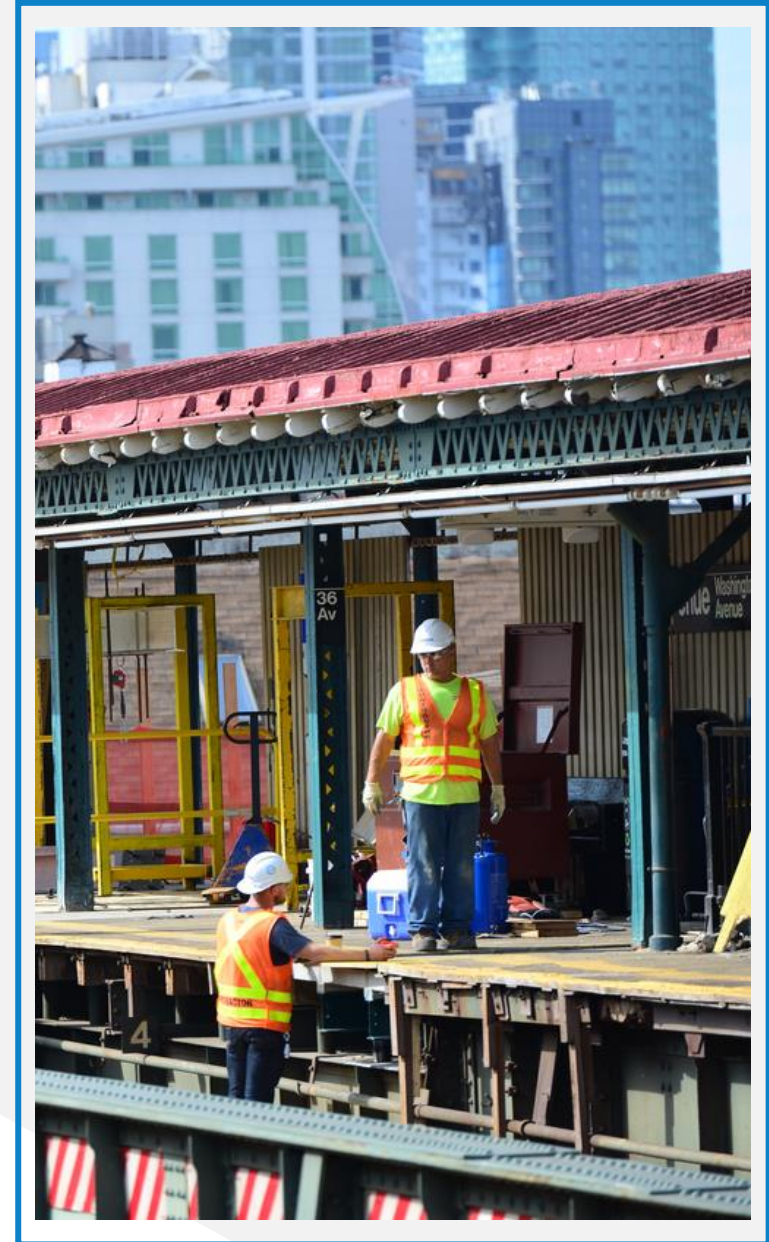


Part 671 – Rail Transit Roadway Worker Protection

November 19, 2024



U.S. Department of Transportation
Federal Transit Administration



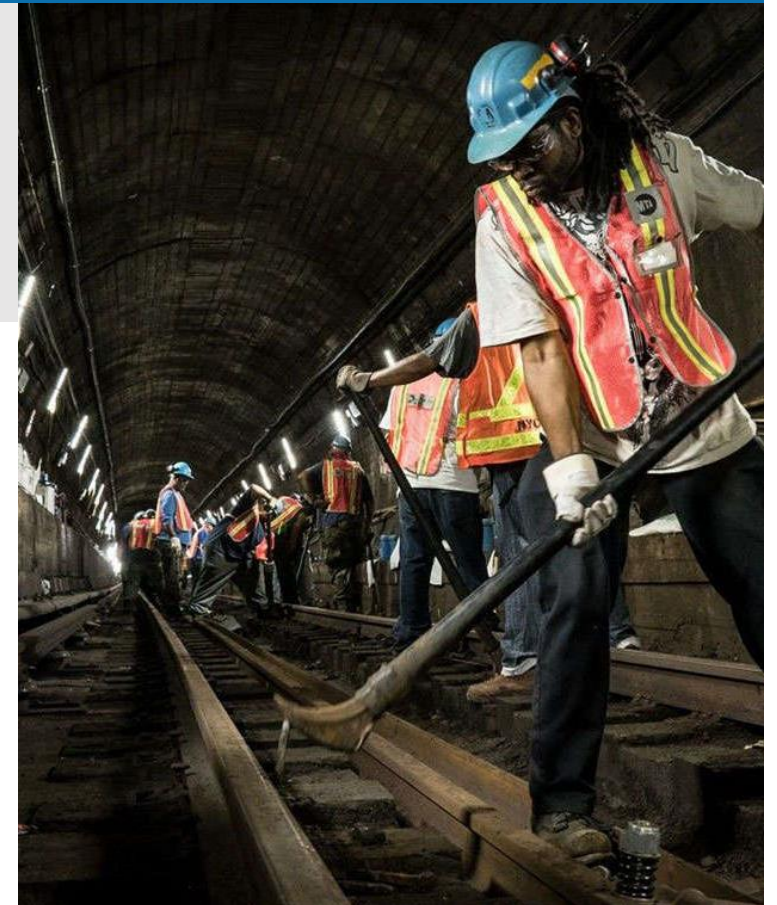
Purpose and Agenda

The purpose of this session is to outline the Rail Transit Roadway Worker Protection (RWP) regulation at 49 CFR part 671.

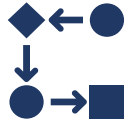
On October 31, 2024, FTA published the new RWP Rule (49 CFR part 671), establishing minimum RWP safety standards to prevent safety events, fatalities, and injuries to transit workers who may access the roadway in the performance of work.

Webinar Agenda

1. RWP Overview
2. RWP Timeline and Compliance Timeframe
3. RWP Summary
4. Resources
5. Questions & Answers



RWP Overview



Sets baseline RWP protections for workers across all RTAs overseen by FTA



Supports flexibility in building a compliant program commensurate with agency size and complexity

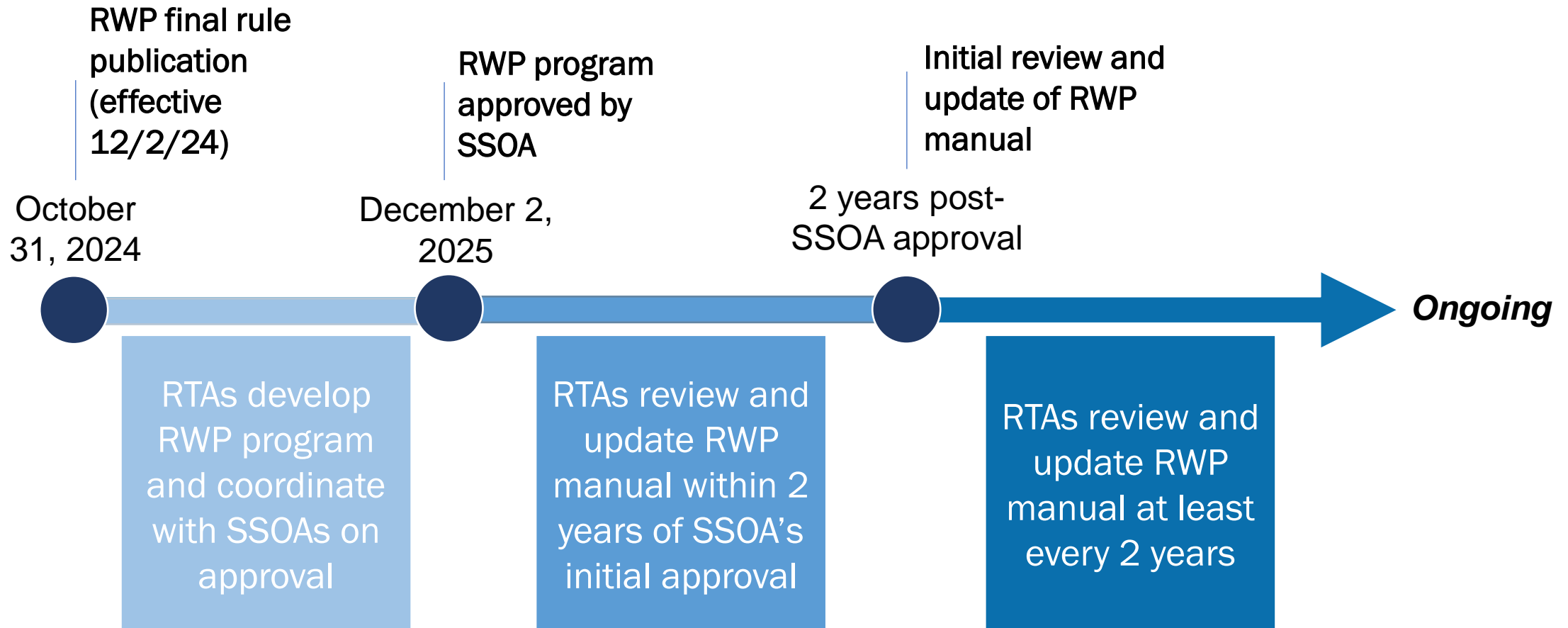


Requires SSOAs to oversee and enforce implementation of the RWP program requirements



Sets expectations that RTAs will use their existing Safety Management System (SMS) processes to determine any additional mitigations appropriate to address the level of RWP risk identified

RWP Timeline



Ongoing: SSOAs review and approve RWP program elements, monitor implementation, and conduct annual audits

Part 671 – Structure

Subpart A – General

Subpart B – RWP Program and Manual

Subpart C – Responsibilities

Subpart D – Required RWP Program Elements

Subpart E – Recordkeeping

Subpart A – Applicability

- 671.1—Purpose and Applicability
- 671.3—Policy
- 671.5—Definitions

Three
Sections

i

Each RTA must have established an SSOA-approved RWP program that complies with this part not later than one year after the effective date of the final rule.



§ 671.1 Purpose and Applicability (1)

This final rule applies to the following personnel and circumstance(s):



Rail transit workers who access the roadway to perform work



Rail Transit Agencies (RTAs) covered by the State Safety Oversight (SSO) program



State Safety Oversight Agencies (SSOAs) responsible for overseeing those rail systems



Rail transit systems in engineering or construction

§ 671.1 Purpose and Applicability (2)

This final rule does not apply to:



Rail systems subject to the safety jurisdiction of the FRA



Individuals who are trespassing, transit workers accessing the track for reasons other than the performance of work, or routine pedestrian activity where applicable

§ 671.1 Purpose and Applicability (3)

Each RTA must have established an SSOA-approved RWP program that complies with this part not later than one year after the effective date of the final rule.



§ 671.3 Policy

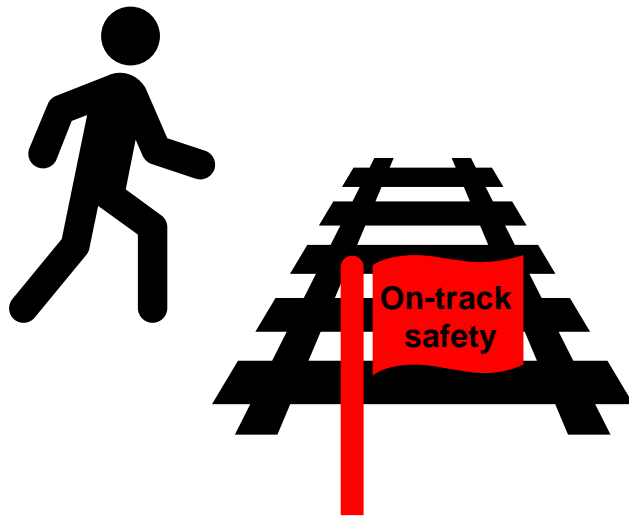
- This regulation establishes minimum safety standards for a rail transit agency's RWP to:
 - Ensure safe operation of public transportation systems, and
 - Prevent safety events, fatalities, and injuries to transit workers who may access the roadway in the performance of work.
- Activities conducted to carry out the RWP must be integrated into the RTA's SMS, including Safety Risk Management and Safety Assurance processes.



Each RTA and SSOA may prescribe additional requirements for the RWP program, as long as they are consistent with part 671.

§ 671.5 Definitions (1)

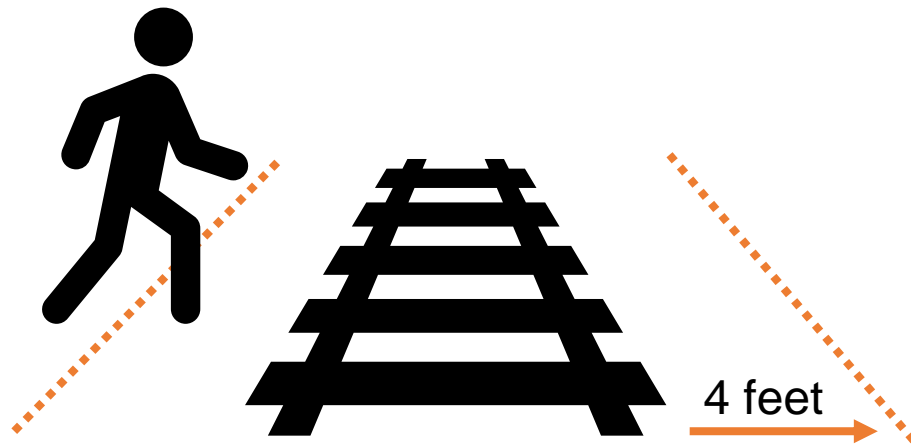
On-track Safety



- ***On-track safety*** means a state of freedom from the danger of being struck by a moving rail transit vehicle or other equipment, and other on-track hazards, as provided by operating and safety rules that govern track occupancy.
- Different types of protections may be put in place to keep roadway workers safe while fouling a track to complete their duties.

§ 671.5 Definitions (2)

Fouling a Track



- ***Fouling a track*** means the placement of an individual or an item of equipment in such proximity to a track that the individual or equipment could be struck by a moving rail transit vehicle or on-track equipment.
- **Typically**, an individual or equipment found within 4 feet of the outside rail on both sides of any track is considered **fouling a track**.



Due to significant variety of rail transit operating systems, the term “typically” allows RTAs to have flexibility to define distances appropriately. The RTA’s RWP program should clearly determine and communicate what constitutes fouling a track.

§ 671.5 Definitions (3)

Transit workers



Transit Workers and Roadway Workers

- The rule refers to both *transit worker* and *roadway worker*, as appropriate.
- **Transit workers** are individuals working on behalf of the RTA or SSOA such as transit employees, contractors, RTA police, and SSOA personnel.
- Some transit workers are **roadway workers**, but not all transit workers are roadway workers.

§ 671.5 Definitions (4)

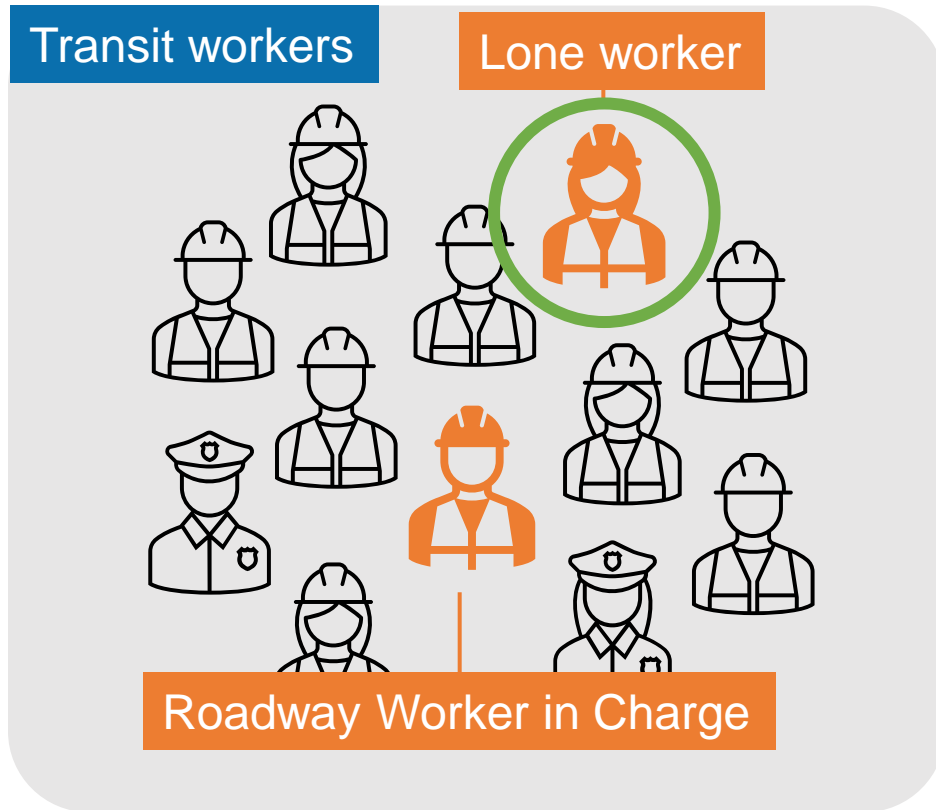
Transit workers



Transit Workers and Roadway Workers

Roadway workers are a subset of transit workers whose duties involve inspection, construction, maintenance, repairs, or providing on-track safety on or near the roadway or right-of-way or with the potential to foul the track

§ 671.5 Definitions (5)



Lone Workers and Roadway Workers in Charge

- A *lone worker* and *roadway worker in charge* are two specialized types of roadway workers.
- **Lone workers** are not afforded on-track safety by another roadway worker, are not in a roadway work group, and are not engaged in a common task with another roadway worker.
- **Roadway workers in charge** are qualified to establish on-track safety.



A lone worker must be qualified as a roadway worker in charge under the RTA's training and qualifications.

Subpart B – Roadway Worker Protection (RWP) Program and Manual

Two Sections

- 671.11—RWP program
- 671.13—RWP manual

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The rule requires RTAs to establish and maintain a single, authoritative RWP manual, in one document.



§ 671.13 RWP Program

RTAs must adopt and implement an RWP program that includes:

- An RWP manual that documents the program and defines responsibilities
- Risk-based redundant protections
- An RWP training and qualifications program
- An RWP compliance monitoring program



The RWP program should be sufficiently broad in application to address all transit workers who may access a track zone.

§ 671.13 RWP Manual (1)

RTAs must create, maintain, and distribute a dedicated RWP manual. The manual must be reviewed and updated by the RTA at least every two years, and as necessary upon any change to the system. The manual must include:

- Terminology used to describe all elements of the RWP program
- Defined responsibilities
- Required training, qualification, and supervision
- Processes and procedures for all rail transit workers who may access the track zone

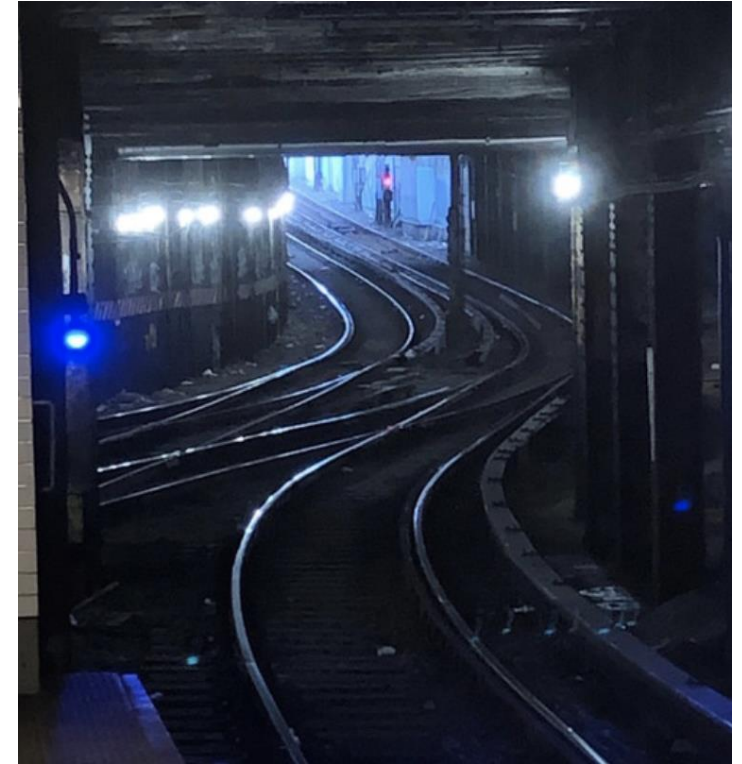


RWP manual revisions or updates completed by the RTA that result in RWP policy changes require SSOA review and approval.

§ 671.13 RWP Manual (2)

The RWP manual must include or incorporate by reference a **track access guide** that includes:

- Track locations where clearance may be a concern
- Locations subject to increased braking requirements or where visibility is a concern
- Curves and track locations with limited or no visibility
- Portals with restricted views
- Other locations with access considerations



The track access guide must be based on a physical survey of the track geometry and condition of the transit system.

Subpart C – Responsibilities

Three
Sections

- 671.21—Rail transit agency
- 671.23—Transit worker
- 671.25—State safety oversight agency

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This subpart sets forth RWP responsibilities for three distinct entities: the RTA, the transit worker, and the SSOA.



§ 671.21 Rail Transit Agency (1)

Each RTA must establish procedures to:

- Provide ample time and determine sight distance
- Prohibit using individual train detection as the only form of protection
- Provide job safety briefings and the right to good faith challenges to workers
- Require reporting of unsafe acts and conditions, and near-misses on the roadway
- Ensure workers understand, are qualified in, and comply with the RWP program
- Provide an escort, as needed, to support individuals who are not RWP-certified



Ample time means the time necessary for a roadway worker to be clear of the track zone or in a place of safety 15 seconds before a moving rail transit vehicle could arrive at the location of the roadway worker.



A near-miss is a narrowly avoided safety event.

§ 671.21 Rail Transit Agency (2)

Each RTA must establish equipment and protections including required:

- Equipment and credentials for accessing the roadway or track zone
- Protections for emergency response personnel and for multiple work groups within a common area

Straightline Transit
Roadway Worker Protection



Name: Jane Doe
RWP ID: #1354457
Expiration: June 2026

§ 671.23 Transit Workers

Transit workers must:

- Follow the requirements of the RTA's RWP program
- Not foul the track unless they have received the permission and protections specified in the RWP manual
- Understand and acknowledge in writing the on-track safety provided before accessing the roadway or track zone
- Report unsafe acts and conditions and near misses



Transit workers may refuse to foul the track under a good faith challenge.

§ 671.25 State Safety Oversight Agency (1)

The SSOA must review and approve the RTA's RWP program elements.



Review and initially approve RWP program elements and program manuals for each RTA under their jurisdiction within one calendar year from the effective date of the rule



Review and approve any subsequent updates to RWP program elements



Submit all approved RWP program elements, and any subsequent updates, to FTA within 30 calendar days of approval

§ 671.25 State Safety Oversight Agency (2)

Each SSOA must also:

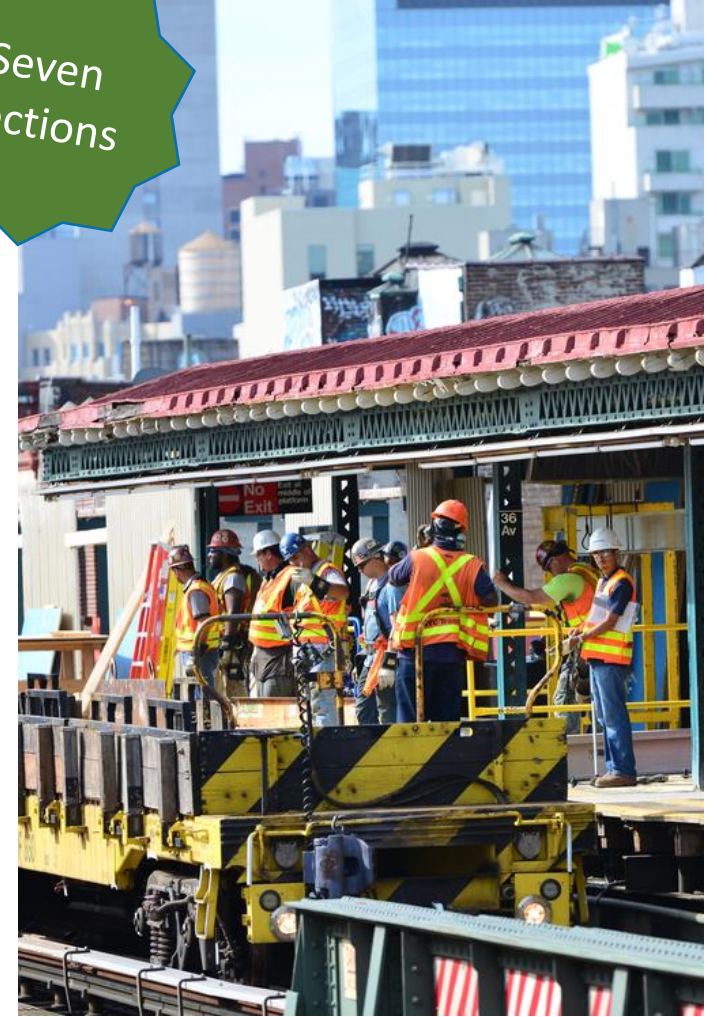
- Update its program standard to explain the role of the SSOA in overseeing an RTA's RWP program execution
- Conduct an annual audit of the RTA's compliance with its RWP program, including all required elements, and require corrective action as appropriate
- Issue a report with any findings and recommendations arising from the audit



Subpart D – Required RWP Program Elements

Seven Sections

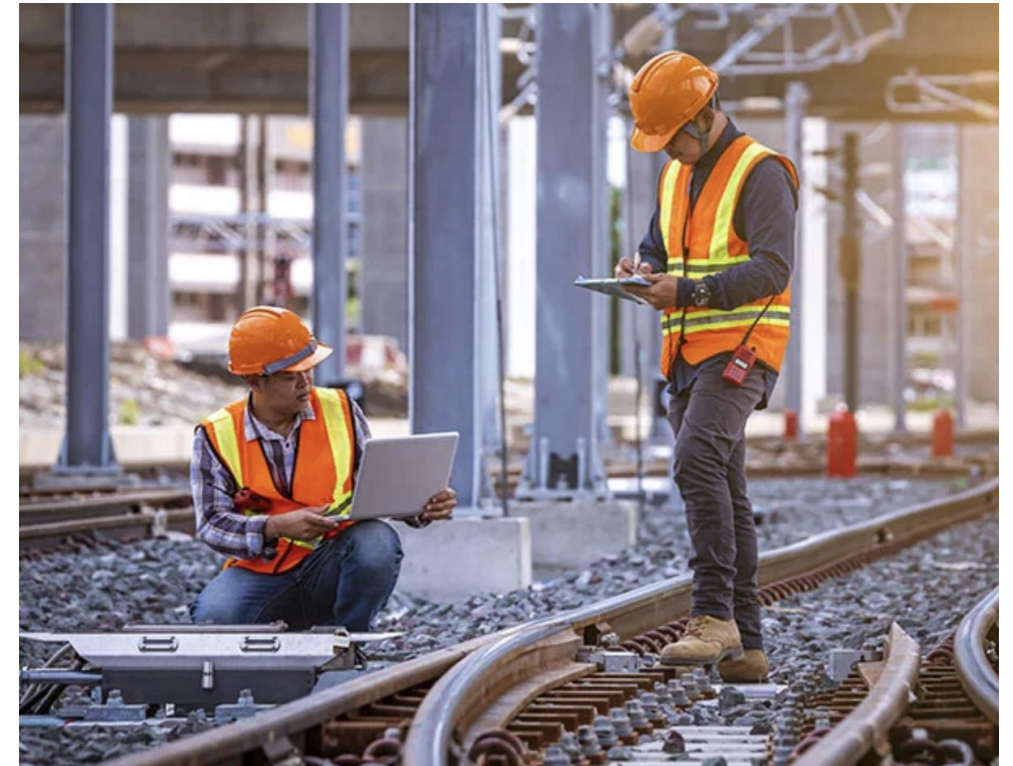
- 671.31—Roadway Worker In Charge Requirements
- 671.33—Job Safety Briefing Policies
- 671.35—Lone Worker
- 671.37—Good Faith Safety Challenge
- 671.39—Risk-Based Redundant Protections
- 671.41—RWP Training and Qualifications
- 671.43—RWP Compliance Monitoring Program



§ 671.31 Roadway Worker in Charge

RTAs must designate one roadway worker in charge, for all members of a roadway work group, who must:

- Be qualified as a roadway worker in charge under the RTA's RWP program
- Serve only in the role of maintaining on-track safety for all roadway work group members, performing no other unrelated job function
- Provide a job safety briefing for all roadway workers



§ 671.33 Job Safety Briefing (1)

A worker must receive a job safety briefing prior to fouling the track. A Job safety briefing will include:

- Confirmation and written acknowledgement by each roadway worker and the roadway worker in charge
- Follow-up briefings as needed



Remote or virtual job safety briefings are allowed so long as the RTA clearly establishes proper practices to meet this requirement and suit their track environment and RWP program

Job safety briefings must take place:

Before

- Any member of the work group fouls a track
- On-track safety procedures change

When

- On-track safety conditions change
- Scope of work or work groups change

Following

- A violation of on-track safety protections
- An emergency and on-track safety is re-established

§ 671.33 Job Safety Briefing (2)

Job safety briefing minimum elements include:

- Nature & characteristic of work
- Working limits & determination of ample time
- Work hazards, like the status of power
- On-track safety procedure & instructions
- On-track safety protections, positions of key personnel, & emergency event information

- Communication of roles & responsibilities
- Accessibility of the roadway worker in charge
- Personal protective equipment
- Designated place(s) of safety
- Adjacent track safety & on-track equipment or machines that may foul the adjacent tracks

§ 671.35 Lone Worker (1)

The RTA may authorize lone workers to foul a track if the lone worker is:

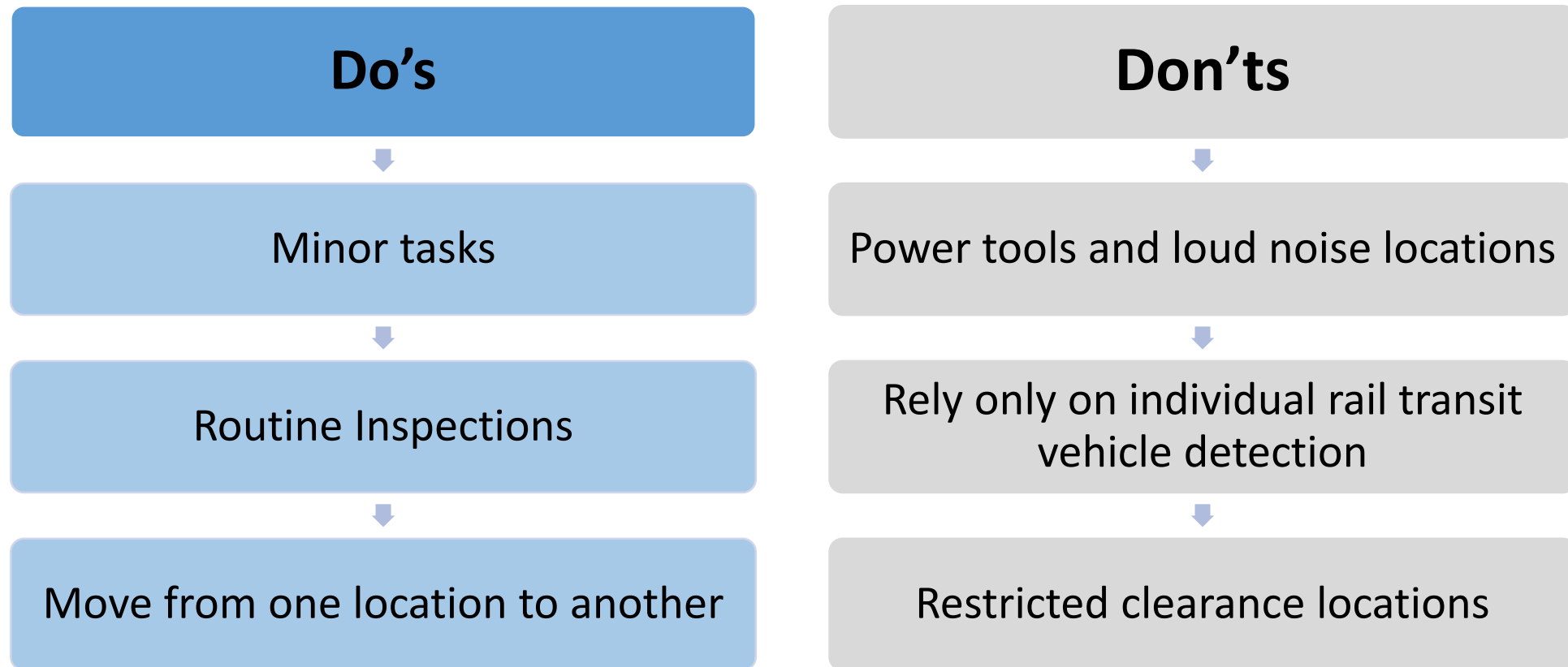
- Qualified as a roadway worker in charge and a lone worker under the RTA's training and qualification program
- Prohibited from using individual rail transit vehicle detection as the only form of on-track safety
- Provided an on-track safety briefing by a supervisor or other designated employee and acknowledges this briefing in writing



Individual rail transit vehicle detection is the process by which a lone worker acquires on-track safety by visually detecting approaching rail transit vehicles or equipment and leaving the track in ample time.

§ 671.35 Lone Worker (2)

The “do’s” and ”don’ts” for lone workers:



§ 671.37 Good Faith Safety Challenge

RTAs are required to document a process for a roadway worker to challenge and refuse in good faith any assignment they believe is unsafe or would violate the RTA's RWP program.

The safety challenge must:

- Include methods or processes to achieve prompt and equitable resolution of the challenge identified or refusal made
- Ensure a description of the safety concern is provided by the roadway worker
- Ensure that the roadway worker and/or work group remains clear of the track zone until the challenge or refusal is resolved

§ 671.39 Risk-based Redundant Protections (1)

RTAs must:

- Identify and provide redundant protections for each category of roadway work
- Establish redundant protections to ensure on-track safety for multiple roadway work groups within a common work area
- Perform a safety risk assessment to determine redundant protections



The safety risk assessment (1) must be consistent with the ASP and SSOA program standard; (2) may include engineering assessments; (3) may consider RWP safety assurance inputs; (4) must be reviewed and updated every two years; and (5) the SSOA may identify and require alternate redundant protections, as needed.

§ 671.39 Risk-based Redundant Protections (2)

Consider the following types of roadway worker activities when conducting a safety risk assessment:



Moving from one track zone to another



Performing minor tasks



Conducting visual inspections



Using hand tools, machines, or equipment



Minor tasks are tasks performed without the use of tools during which a roadway worker can hear and visually assess their surroundings at least every five seconds for approaching rail transit vehicles.

§ 671.39 Risk-based Redundant Protections (3)

Consider the following procedural and physical redundant protections:

Procedural

- Warning signs
- Vehicle approach warning
- Secondary warning signs
- Flag persons

- Speed restrictions
- Reduced time in track zones
- Work restrictions
- Foul time

Physical

- Lock outs
- Exclusive track occupancy
- Shunt devices
- Portable trip stops
- Physical barriers

§ 671.39 Risk-based Redundant Protections (4)

Lone Workers and Roadway Workers in Charge

Transit workers, including lone workers, may only foul the track in the performance of work once they have received the appropriate permissions and redundant protections (such as foul time) that have been established in the RWP manual.



FTA's intent is to ensure that lone workers can perform appropriate tasks while maintaining a high level of safety through redundant protections.

§ 671.41 RWP Training and Qualification Program (1)

The RTA RWP training program must:

- Address all transit workers responsible for on-track safety and ensure individuals complete training before performing roadway worker duties
- Be reviewed and updated every two years, at minimum, and provide an opportunity for roadway worker involvement in this process
- Include RWP hazard recognition and mitigation, lessons learned, and interactive training with discussion opportunities
- Include specialized training and qualification for transit workers with additional responsibilities for on-track safety
- Ensure trainers are competent to provide effective RWP training and have active RWP certification



§ 671.41 RWP Training and Qualification Program (2)

The RTA RWP training program must:

- Include initial and refresher training, by position
- Include worker demonstrations and trainer assessments of a worker's ability



Refresher training may be virtual or online provided it includes interactive training and ensures attendee's understanding of RWP requirements and instructions.



Initial training must include experience in a representative field setting.

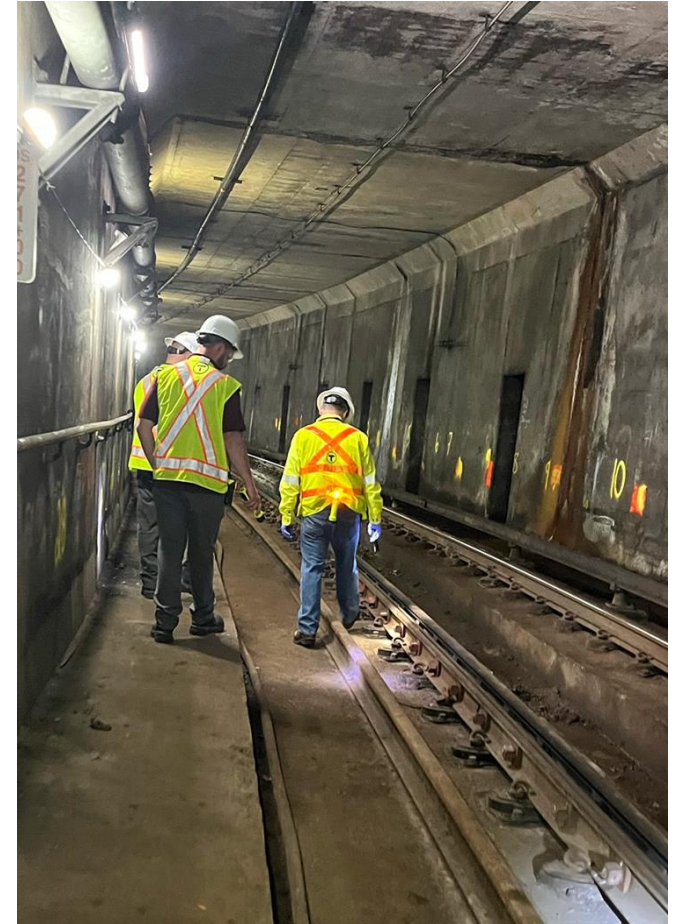


Refresher training must occur every two years, at minimum.

§ 671.41 RWP Training and Qualification Program (3)

An RTA's RWP training must cover:

- RWP manual and track access guide interpretation and use
- Hazards associated with working on or near tracks
- Good faith safety challenges
- Reporting of unsafe acts, conditions, and near-misses
- Compliance with on-track safety instructions
- Redundant protection rules and procedures
- Safe crossing of tracks in yards and on mainline



§ 671.43 RWP Compliance Monitoring Program

RTAs must adopt a program for monitoring RWP compliance to include:



Inspections, observations, and audits consistent with the RTA's Agency Safety Plan and the SSOA's program standard



Quarterly RWP compliance reports to the SSOA



Annual briefings to the Accountable Executive and Board of Directors on RWP program performance identifying deficiencies requiring corrective action

Subpart E – Recordkeeping

§ 671.51 Recordkeeping



RTAs must maintain RWP program documents for a minimum of three years.

- This includes documents related to program implementation and results from RWP program procedures, processes, assessments, compliance reviews, and training records.
- Documents must be made available upon request by the FTA, other Federal entities, or the SSOA.



Question and Answer

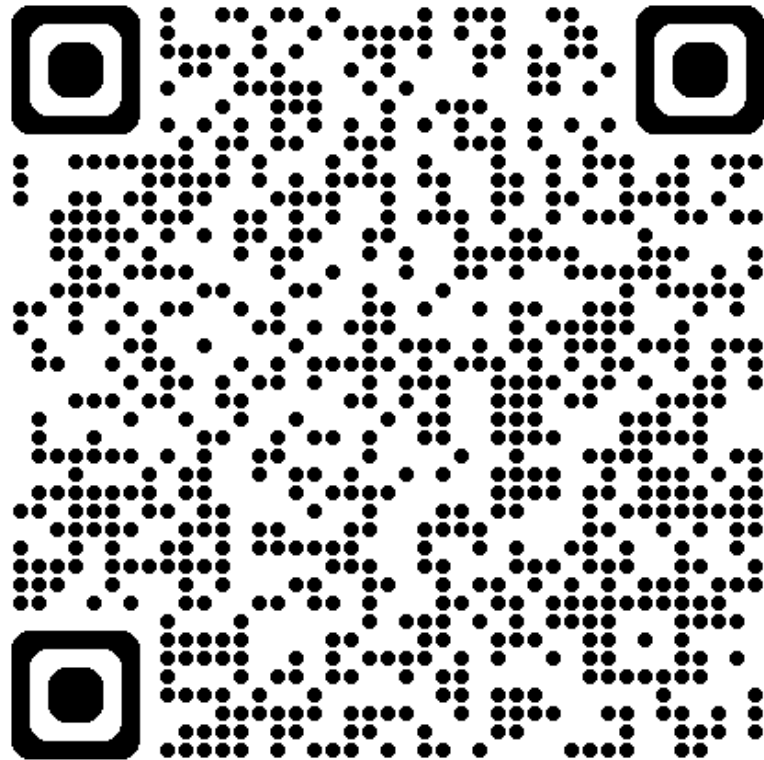


Questions welcome via the chat

If we do not have the opportunity to respond to your question today, we will process remaining applicable questions after the webinar.

You can also email FTASystemSafety@dot.gov with further questions.

More Information



The screenshot shows the Federal Transit Administration website. The header includes the FTA logo, the text "Federal Transit Administration", a search bar, and navigation links for "About", "Funding", and "Regulations & Programs". The main content area is titled "Rail Transit Roadway Worker Protection" and features a navigation menu on the left with items like "Transit Safety & Oversight", "Public Transportation Agency Safety Plans", "Safety Rulemaking", "Safety Guidance", "State Safety Oversight Program", "Safety Management Inspections", "Drug & Alcohol Program", "Program Oversight", "TRACS", "Safety Training", "Stakeholder Outreach", and "FAQ". The main text area contains an image of workers on a track, followed by a paragraph explaining the RWP regulation, its application to various agencies, the publication date (October 31, 2024), and a list of mandated RWP program elements.

Federal Transit Administration Search

About Funding Regulations & Programs

Rail Transit Roadway Worker Protection

The [Rail Transit Roadway Worker Protection \(RWP\) regulation](#) establishes minimum standards to ensure the safe operation of public transportation systems and prevent injuries and fatalities for transit workers. Rail transit agencies nationwide are required to create programs and processes that focus on safety for workers who work on or near the rails in an area known as the track roadway.

The rule applies to rail transit agencies in the [State Safety Oversight \(SSO\) program](#), State Safety Oversight Agencies (SSOAs), and transit workers who access the roadway to perform work.

FTA [published](#) the RWP regulation on October 31, 2024. Rail transit agencies have until December 2, 2025 to establish an SSOA-approved RWP Program to improve worker safety consistent with the final rule. It is critical that transit agencies coordinate with their SSOAs to develop the RWP programs and set reasonable timeframes for completing their work.

The rule mandates RWP program elements, including:

- The creation of an RWP manual and track access guide
- Requirements for on-track safety and supervision
- Job safety briefings
- Good-faith safety challenges and reporting unsafe acts and conditions and near-misses
- Development and implementation of risk-based redundant protections for workers
- Establishment of RWP training and qualification and RWP compliance monitoring activities

Related Links

- [Biden-Harris Administration Announces New Rule to Protect Rail Transit Workers ...](#)

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You can also email FTA@dot.gov with further questions.



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