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Tips to comply with FRA cell-phone ban

The Federal Railroad Administration (FRA) issued an emergency order Oct. 2 banning the use of all personal electronic devices by railroad operating employees while operating trains and in other settings.

The ban went into effect Oct. 27, 2008.

Railroad operating employees are defined by the FRA as those subject to hours-of-service regulations -- employees engaged in or connected to the movement of a train, including a hostler.

Although the ban is commonly known as a cell-phone ban, it applies to any electronic device that was not provided to the railroad operating employee by the employing railroad for business purposes.

This includes cell phones, GPS devices, cameras, Game Boys, laptop computers, PDAs, texting devices, the calculator function of a cell phone or electronic watch, and iPods.

There are very limited circumstances where conductors or engineers may use electronic devices.

PENALTIES ARE SEVERE!

The penalties for violating the ban, in addition to discipline by the carrier, include being taken out of service by the FRA, and being fined up to \$25,000 by the FRA.

Carriers may set up a sting to catch you in violation of the ban, such as by calling your cell phone number under the guise of testing compliance with the emergency order.

Although the FRA's emergency order prohibits carriers from calling an engineer's cell phone while a train is in operation, there is no such prohibition on the carrier calling a conductor's cell phone while the train is in operation.

The simplest means of avoiding violation of the emergency order is to turn off all personal electronic devices when reporting for duty, stow them away from your person, and not retrieve or activate them until you are relieved from duty by the carrier.

FOLLOWING ARE OTHER PROHIBITIONS

1) The use of a railroad-supplied electronic device by a locomotive engineer (including a remote-control locomotive operator) is **prohibited** while on a moving train, or when a duty requires any member of the crew to be on the ground or to ride rolling equipment during a switching operation, or during any period when another employee of the railroad is assisting in preparation of the train, such as during an air-brake test.

2) For freight-train crewmembers, a railroad operating employee **may not** use a railroad-supplied electronic device for an approved business purpose while on duty outside the cab unless the following conditions are met: (1) The employee is not fouling a track; (2) No switching operation is underway; (3) No other safety duties are presently required; and (4) All members of the crew have been briefed that operations are suspended.

LIMITED USE IS PERMITTED:

1) A railroad operating employee other than a locomotive engineer operating the controls of a moving train **may** use a railroad-supplied mobile telephone or remote computing device in the cab of a moving locomotive for an **approved business purpose**, after a safety briefing, provided that all assigned personnel on the crew agree that it is safe to do so. Any other use is prohibited in the cab.

2) A railroad operating employee **may** use a railroad-supplied electronic device for an **approved business purpose** while on duty within the body of a passenger train or railroad business car. Use of the device shall not excuse the individual using the device from the responsibility to call or acknowledge any signal, inspect any passing train, or perform any other safety-sensitive duty assigned under the railroad's operating rules and special instructions.

3) A railroad operating employee **may** use an electronic device when the train is **stopped**, if not required to ride rolling equipment during switching operations, or not required to be on the ground, such as during an air-brake test, and not otherwise violating a carrier's operating rules.

4) A railroad operating employee **may** use the digital storage and display function of a personal or railroad-supplied electronic device to refer to a railroad rule, special instruction, timetable or other directive, if such use is **authorized** under a railroad operating rule or instruction.

5) Railroad operating employees **may** use a personal or railroad-supplied wireless communication device as necessary to respond to an **emergency situation** involving the operation of the railroad or encountered while performing a duty for the railroad.

6) A locomotive engineer (including a remote-control locomotive operator) **may** use electronic control systems and informational displays presented to the locomotive engineer within the locomotive cab or on a remote control transmitter to operate a train or conduct a switching operation, including functions associated with controlling switches.

7) Under conditions authorized under 49 CFR 220, a railroad operating employee **may use a railroad-supplied or railroad-authorized working wireless communication device**, in lieu of the railroad radio, to conduct train or switching operations.

8) A railroad employee **may** refer to a digital timepiece – such as an electronic stop watch, but **not** its calculator function – to ascertain the time of day or to verify the accuracy of speed indicators.

If in doubt, don't!

(Please share these explanations with fellow crew members and arrange for them to be posted on carrier-approved bulletin boards at reporting locations.)