Electronic Devices Training

**New Regulation for “Electronic Devices”**

**RIO GRANDE PACIFIC CORPORATION RAILROADS**

Changes to regulations regarding the use of electronic devices…where, when and how they may be used.

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New Electronic Device Rule

- Effective March 28, 2011
- Replaces EO26 (still in effect until that date)
- Railroad operating employees must be trained
- Rules comply with 49 CFR Part 220
- Rules issued by RGPC System Special Notice – includes additional instructions for ALL RGPC railroad employees

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Written Program & Training

Railroads are required to have a written program of instruction that addresses the regulatory requirements in place.

All training of affected railroad employees must be completed by March 28, 2011.

Operational Testing (Part 217) program must include compliance testing on this rule.
Written Program & Training

Training must include a written examination:
• Taken individually (not as a group)
• Pass/fail compliance (review and receive further instruction to fully understand the correct answers before being considered to have “passed”)
• Employee signature

Records Retention

The regulation requires that railroad maintain records of training for three years after the calendar year to which they relate. Records may be kept electronically consistent with FRA recordkeeping requirements.

Personal Electronic Devices

➤ Use of some Personal Electronic Devices are prohibited while on duty—List includes but not limited to:
  • Televisions
  • Radios
  • GPS
  • Electronic Games
  • Video Players
  • Video/Audio Recorders
  • MP3 Players
Personal Electronic Devices

- Personal Electronic Devices allowed with restrictions
  - Cell phones may be used in emergencies
  - Limited use may be allowed at other times in compliance with the rule
  - Digital storage device to review railroad rule or instruction
  - Stand alone camera to document safety hazards and issues

Personal Electronic Devices

- All Personal Electronic Devices must be turned off and stowed...

  OUT OF SIGHT

  with all associated earpieces removed from the ear and also stowed.

Unrestricted Electronic Devices

- Rule does not restrict certain Railroad Supplied and/or Personal Electronic Devices:
  - Telemetry devices
  - Railroad radios
  - RCL equipment
  - Integrated electronics
  - Medical devices
  - Stand alone time pieces
  - Stand alone calculators
Railroad Supplied Electronic Devices

- Certain Railroad Supplied Electronic Devices may be used for authorized business purposes with restrictions:
  - Cell phones
  - Car reporting devices
  - Cameras
  - Digital storage devices

Consequences for Non-Compliance

Any individual who violates these prohibitions or uses any of the described devices without observing any of the restrictions is subject to:
- Federal civil penalties ($9500 - $17,000)
- Company discipline (Category 2)

If there are any questions regarding the authorized use of a personal or railroad-supplied electronic device, employees should refrain from any use until the proper authority can be consulted.

THE RULES

The following operating rules govern the use of electronic devices, in compliance with Part 220, effective March 28, 2010:
- GCOR 1.10 (Games, Reading, or other Media)
- GCOR 2.21 (Electronic Devices)
- RGPC System Special Notice (Additional Instructions)

--REVIEW RULES BEFORE PROCEEDING WITH Q&A--
Who does this electronic device rule apply to?

The FRA regulation only applies to operating employees (Trainmen and Enginemen). It does not apply to maintenance of way, signal, dispatchers and other non-operating employees.

Can a railroad implement a rule regarding electronic devices that is more restrictive than the FRA regulation?

Yes, this is permitted. In the case of RGPC railroads, all employees are affected by the rules governing use of electronic devices (System Special Notice).

What is different with this rule and the requirements of EO26 / (former) GCOR 1.10?

The new rule is less restrictive and better defines which types of devices can/cannot be used and the procedures for doing so.
Q & A

Is other than voice communication allowed, such as texting or e-mailing?

The regulation prohibits other than voice communication on personal devices, but does allow other types of communication on railroad supplied devices for business purposes. HOWEVER...RGPC prohibits the following, regardless of device type:
- Texting or messaging
- Emailing
- Social Networking

May a personal cell phone be used while on duty?

A railroad operating employee may use a personal cell phone only for voice communication when:
- Not on the ground within 4 feet of any track,
- Rolling and on-track equipment is stopped,
- A safety briefing is conducted with all crew members to confirm that it will not interfere with any safety related duty,
- No member of crew will foul any track.

If I have a personal cell phone while on duty, where must I store the device and can I leave it in the “on” position?

Personal cell phones must be stowed in an out of sight location, such as in a grip, and must be in the “off” position. All related earpieces and head gear must also be removed, turned off and stowed.
Q & A

What are the types of medical devices allowed by the regulation?

Medical devices include those prescribed by a licensed medical practitioner and intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other conditions.

Q & A

While on duty may a T&E employee wear a digital watch that includes a calculator function?

No, a watch that functions only as a time piece is allowed and a stand alone calculator is allowed.

Q & A

Is it permissible to use a camera that is part of a cell phone?

Yes, but only if the device is railroad supplied and used for an authorized business purpose. If used in the cab of a moving train, can only be used by a crewmember other than the locomotive engineer.

The camera function must be turned off immediately after use.
**Q & A**

In a conventional freight switching operation when the engineer is in the cab and all members of the crew are clear of the tracks can the engineer use the company supplied cell phone?

Yes, but only if used for authorized business and in compliance with GCOR 2.21 C. If used for other than authorized business purposes, use must conform to all restrictions for personal electronic devices.

**Q & A**

In a conventional freight switching operation when the engineer is in the cab and the conductor is clear of the tracks can the conductor use the company supplied cell phone?

Yes, but only if used for authorized business and in compliance with GCOR 2.21 C. If used for other than authorized business purposes, use must conform to all restrictions for personal electronic devices.

**Q & A**

What are the consequences for not complying with the Electronic Device Rule?

Any individual who violates these prohibitions or uses any of the described devices without observing any of the restrictions is subject to federal civil penalties and/or disqualification, and company discipline up to and including discharge. A significant financial penalty may be assessed against an individual for willfully violating the regulation.
Q & A

Are there any other questions?

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EXAMINATION

---ISSUE EXAMINATION---