

CONSULTATION SUMMARY: RULES RESPECTING TRACK SAFETY

Anticipated Impacts

Here are some of the possible impacts that have been identified based on the changes described below:

- It is anticipated that the impact of the changes to the TSR will be primarily limited to the larger provincial railways.
- For those impacted by the track geometry plan requirements, they will need to formalize and document a process or plan as it relates to the new requirements under the TSR.
- Those railways who certify Track Inspectors and Supervisors will now be required to formalize and document their certification process.

Timelines

Technical Safety BC proposes that provincial timelines mirror those provided by the federal government, with timelines commencing upon adoption of the rule into BC's regulatory framework.

Background

On April 1, 2021, the Railway Association of Canada filed with Minister of Transport a revised version of the Rules Respecting Track Safety (Track Safety Rules or TSR). The rules have been approved, with an effective date of February 1, 2022.

Summary of changes

The Rules Respecting Track Safety consists of two Parts. **Part I – General** now consists of nine sections (increased from eight), and **Part II – Track Safety Rules** contains six subparts, and under each subpart, multiple sections.

Part I – OVERVIEW OF CHANGES

1. The new rule has been amended to include the addition of the following definitions:
 - Key Routes
 - Quality Assurance (QA)
 - QA personnel
2. The definition of Track Inspector and Track Supervisor has been refined to now state that both positions require certification.
3. A rule has been created to ensure each railway company undertakes track inspections at a frequency and method that ensures the track is compliant with the TSR and is safe for all movements at the authorized speed.
4. The following has been added to the section 7, regarding Knowledge, Qualifications and Certification:
 - Each railway company shall ensure that track inspectors and supervisors are qualified to inspect for defects, supervise restoration projects, and oversee the renewal of track infrastructure under traffic conditions. The railway must also develop and adhere to the documentation process that demonstrates employees' training and qualifications. Additionally, railways must also be able to present this documentation upon request to Transport Canada.

- Each railway company shall ensure that the certification process for each track inspector and each track supervisor contains: (a) minimum training requirements; (b) requirements for minimum experience in railway track inspection and maintenance; and (c) a process for demonstrating competency.
 - Each railway company shall ensure that track inspectors and track supervisors know and understand the requirements of the TSR, understand the railway company's requirements, procedures, and standards for track inspection and maintenance. In addition, railways must be able to detect deviations from those requirements and prescribe appropriate remedial action to correct those deviations.
 - Each railway must recertify track inspectors and track supervisors at intervals not exceeding three years.
 - Railway companies must issue a certificate demonstrating that it is satisfied that each track inspector and track supervisor is qualified and certified.
 - Each railway company must maintain a record of each certificate issued and of each person who has been certified as a track inspector or track supervisor. Records shall be made available, upon request, to Transport Canada.
 - Each railway company shall ensure that persons performing maintenance or repair work be knowledgeable on the relevant standards and procedures and have the necessary skills and abilities.
 - A new rule now outlines the qualifications standards required of an individual to authorize movement over a broken rail.
5. A new section has been added outlining the standards by which track maintenance and repairs can be performed. Also required is a list of all qualified employees, inspection requirements, reporting timelines if requested by Transport Canada, and timelines for record keeping records of performed track maintenance and repair work.

PART II – OVERVIEW OF CHANGES

1. PART II of the new TSR has been amended to now require railways to incorporate management plans in the following areas:
- Track Geometry
 - Rail Surface
 - Continuous Welded Rail (CWR)
 - Rail Wear

Within each of the four listed Management Plans, the railways must develop and demonstrate that the requirements of each of the plans are adhered to. To accomplish this, each management plan must include: installation requirements, inspections details, methods to measure, establish acceptable limits, and describe corrective actions to be taken when conditions approach or exceed the acceptable limits. In addition, if operating at Class 3 speeds or on a key route, the Plan must be approved by a professional engineer. The railway company must also file a copy of each Management Plan with Transport Canada, as well as maintain records for a minimum of one year.

2. A new rule has been created to describe the qualification requirements of persons authorizing movement over various rail breaks. In addition, this rule outlines the conditions where unsupervised movement over a rail break may occur.