

CONSULTATION SUMMARY: CANADIAN RAIL OPERATING RULES

Anticipated Impacts

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

- Technical Safety BC anticipates that changes to **Rule 113**, regarding coupling of equipment, will require railway companies to change protocols or procedures and will require additional work time to ensure train movements are secure and safe. Some procedures will no longer be permissible without positive connection to a railcar.
- Some impacts from changes to **Rule 113.3 Switching with Air Brakes** may impact some provincially-regulated railways, although this requires further investigation, as the 2000 ton stipulation is likely above the weight capacity of most provincial rail switching activities. Technical Safety BC would appreciate your comments on this matter.
- It is anticipated that the addition of **113.4 Restrictions** (on kicking, running switch and gravity drop) may impact some provincially-regulated railways. However, gravity drops and running switches are rare across the industry. Gravity drops and running switches are often not permitted under a railway's own GOI, and as such the impacts of rules **113.6 Running Switch** and **113.7 Gravity Drop** are expected to be negligible.
- The addition of **113.5 Kicking Equipment** prohibits the kicking of equipment by default, unless permission is otherwise given in special instructions. Despite the restrictions on kicking now codified in the CROR, 113.5 is anticipated to have minimal impact on provincially-regulated railways as (1) most do not engage in kicking railcars, and (b) those that do kick railcars already have procedures encompassing many of 113.5's provisions within their GOIs.
 - It is anticipated that the impact of the changes to the CROR regarding remote control train operations will be primarily limited to the larger provincial railways.
 - Changes including item (e) added to **26 Blue Signal Protection**, rules **803 Track Unit and Track Work Authorization** and **841 Protection of Track Work on Non-Main Track and in Cautionary Limits** are anticipated to have minimal impact to provincially-regulated railways, as most do not engage in kicking railcars.
 - The following rules are not applicable to any known provincially-regulated rail operations:
 - Definition of **Humping** equipment
 - **66 Securing Equipment After an Emergency Brake Application on Grade**

Timelines

- Technical Safety BC is considering recommending that the province adopt the July 30, 2021 Canadian Rail Operating Rules so those railways that are dual-regulated by Technical Safety BC and Transport Canada are not required to operate under two different and conflicting versions of the CROR.
- Comments from provincially regulated railway companies on the potential impacts of these changes, and Technical Safety BC's impact assessments, are welcomed as we consider this recommendation.

Background

The federal Minister of Transportation has ordered changes to the Canadian Rail Operating Rules (CROR). Because of the interconnected nature of federal and provincial rail operations, Technical Safety BC is consulting on the ordered changes to better understand how these changes could be implemented in British Columbia for provincial railways.

On April 24, 2020, the Railway Association of Canada filed with the federal Minister of Transport a revised version of the CROR. The rules were approved, with an effective date of June 24, 2020. The complete changes can be viewed at [this link](#).

A number of changes in the CROR are related to an uncontrolled runaway CP train in Field, BC, on February 4 2019. In response to the occurrence in Field, Technical Safety BC issued [Railway Safety Advisory 2019-01](#), Securement of trains on grades on March 6, 2019. This advisory alerted provincially regulated railways to the potential risks associated with stopping trains on mountain grades without the proper application of handbrakes.

On June 1, 2021, the Railway Association of Canada filed with the federal Minister of Transport a revised version of the CROR. The rules have been approved and came into effect for federally-regulated railways on October 28, 2021. A final date for implementation of the revised CROR rules for provincially regulated railways is yet to be determined, however it is proposed that they will come into full effect in 2022. Technical Safety BC will advise railways of the finalized date as soon as it is known.

The revisions to the CROR are a result of Federal MO 20-09, which required railway companies to improve the safety of switching operations following the Transportation Safety Board's (TSB) investigation into incident in which a railway employee was fatally injured while switching. The TSB recommended that Transport Canada develop and implement strategies and/or regulatory requirements to reduce the number of uncontrolled movements while switching without air.

Summary of Changes

The following highlights the changes and additions that are now contained in the new CROR.

Part I: New definitions relating to the grades of track have been created, along with certain types of operations relating to the movement of equipment using train or car momentum.

Part II: New Rule 66: A new rule has been created outlining procedures for securing equipment that has experienced an emergency brake application on a heavy or mountain grade, including requirements for handbrakes and considerations for weather and temperature conditions.

Part III: Expanded/Revised Rule 113

- Rule 113 of the new CROR has been significantly revised.
- Changes to rules around coupling to equipment, moving equipment after coupling, uncoupling from equipment, switching air brakes, restrictions, kicking equipment, running switch, and gravity drop have been made.
- Many of these changes relate to the proper application of brakes or movement procedures.

Part IV: Other New/Revised/Deleted Rules

- Speed restrictions for entraining or detraining from moving equipment, along with communications requirements.
- Number of crew required for remote control locomotives in transfer movements and other rules around remote control operation.
- Rules around blue signal protection when employees are working on railcars and kicking cars.
- Rules around kicking equipment to protect foreman and maintenance-of-way employees.