

AMENDATORY SECTION (Amending Docket No. TR-981102, General Order No. R-477, filed 1/30/01, effective 3/2/01)

WAC 480-62-125 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

"Class I railroad company" means a railroad company having annual operating revenues of \$250 million or more;

"Class II railroad company" means a railroad company having annual operating revenue of less than \$250 million, but more than \$20 million; and

"Class III railroad company" means a railroad company having annual operating revenues of \$20 million or less.

"Commission" means the Washington utilities and transportation commission.

"Department of labor and industries" means the Washington state department of labor and industries.

"Department of transportation" means the Washington state department of transportation.

"On track equipment" means self-propelled equipment, other than locomotives, that can be operated on railroad tracks.

"Passenger carrying vehicle" means those buses and trucks owned, operated, and maintained by a railroad company which transports railroad employees in other than the cab of such vehicles and are designed primarily for operation on roads which may or may not be equipped with retractable flanged wheels for operation on railroad tracks.

"Railroad" means every permanent road with a line of rails fixed to ties providing a track for cars or equipment drawn by locomotives or operated by any type of power, including interurban and suburban electric railroads, for the public use of conveying persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. Unless otherwise provided by rule, the term "railroad" does not include logging and industrial railroads, or street railways operating within the limits of any incorporated city or town.

"Railroad company" means every corporation, company, partnership, association, joint stock association, or person, their lessees, trustees, or receivers appointed by any court, and any common carrier owning, operating, controlling or managing any railroad or any cars or other equipment used on, or in connection with the railroad within this state.

"Railroad police officer" means a peace officer who is commissioned in his or her state of legal residence or state of employment by a railroad company to enforce state laws for the protection of railroad property, personnel, passengers and/or cargo.

"Remote-control area" means any place remote-control operations are conducted on a railroad.

"Remote-control operations" means the use of a radio transmitter and receiver system that can be operated by a person not physically located at the controls within the confines of a locomotive cab.

"Remote-control zone" means a designated area where access is restricted in which remote-control operations may occur under alternative point protection procedures.

"State" means the state of Washington.

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WAC 480-62-320 Remote controlled operations. (1) Railroad companies, including logging and industrial railroad companies, must report to the commission their intention to ((use remote control devices to operate trains)) create or enlarge a remote-control area at least thirty days before operations begin. ((The)) Reports must include:

(a) The name of the railroad company;

(b) The approximate date when operations will start; and

(c) The location of ((the)) operations((; and)). Railroads should provide sufficient information to allow the commission to determine what road crossings at grade are included within the remote-control area.

(((d) Whether trains with locomotives operated by remote control will travel over at-grade pedestrian or vehicular crossings.))

(2) ((If remote controlled trains will be operated over crossings, the railroad company must list the affected crossings)) Railroad companies must report to the commission their intention to create or enlarge a remote-control zone at least thirty days before operations begin. Reports must include:

(a) The name of the railroad company;

(b) The approximate date when operations will start; and

(c) The remote-control area within which the zone will be created.

(3) ((Each railroad company using remote control devices on

~~the effective date of this rule must submit the report within thirty days after the effective date.)~~ Railroads must report to the commission their intention to use cameras for point protection at crossings at least thirty days prior to the intended implementation date.