

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 242

Session of  
1975

INTRODUCED BY MESSRS. VALICENTI, LAUDADIO, FISCHER, FEE,  
DOMBROWSKI, BELLOMINI, LETTERMAN AND WANSACZ,  
FEBRUARY 4, 1975

SENATOR LYNCH, TRANSPORTATION, IN SENATE, AS AMENDED,  
JUNE 24, 1975

AN ACT

1 Requiring that flag protection be provided against following  
2 trains occupying the same track.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. That all railroads operating in the Commonwealth  
6 of Pennsylvania, within 30 days enactment hereof, promulgate  
7 appropriate operating rules and special instructions for the  
8 government of their respective employees ~~so as to require that~~ <—  
9 ~~flag protection be provided against following trains occupying~~  
10 ~~the same track, by a properly qualified flagman or trainman~~  
11 ~~using standard flagging equipment, for trains moving on main or~~  
12 ~~secondary tracks, under circumstances in which such trains may~~  
13 ~~be overtaken by following trains and for trains stopped under~~  
14 ~~circumstances in which they may be overtaken by following~~  
15 ~~trains, in manual block signal, automatic block signal,~~  
16 ~~centralized traffic control or locomotive cab signal~~

1 ~~territories, except within the limits of interlocking plants, at~~  
2 ~~stations where passenger trains are making normal station stops,~~  
3 ~~within the limits of a classification or storage yard and manual~~  
4 ~~block territory protected by an absolute block.~~

5 ~~When trains are operating under automatic block signal system~~  
6 ~~rules (locomotive cab signal or centralized traffic control~~  
7 ~~signal rule), the requirements of flagging, insofar as~~  
8 ~~protecting against following trains is concerned, will have been~~  
9 ~~complied with when full protection is afforded against trains~~  
10 ~~moving at restricted speed.~~

11 ~~Section 2. The provisions of this act shall be enforced by~~  
12 ~~the Pennsylvania Public Utility Commission. IN CONFORMITY WITH~~ <—  
13 ~~THE FOLLOWING:~~

14 (1) WHEN A TRAIN STOPS UNDER CIRCUMSTANCES IN WHICH IT MAY  
15 BE OVERTAKEN BY ANOTHER TRAIN, A MEMBER OF THE CREW MUST PROVIDE  
16 FLAGGING PROTECTION, THAT IS, GO BACK IMMEDIATELY WITH A RED  
17 FLAG, TORPEDOES AND FUSEES BY DAY AND WITH A RED AND/OR WHITE  
18 LIGHT, TORPEDOES AND FUSEES BY NIGHT, A SUFFICIENT DISTANCE TO  
19 INSURE FULL PROTECTION, PLACING TWO TORPEDOES ON THE RAIL AND  
20 WHEN NECESSARY, IN ADDITION, DISPLAY LIGHTED FUSEES.

21 (2) WHEN RECALLED AND SAFETY TO THE TRAIN WILL PERMIT, HE  
22 MAY RETURN.

23 (3) WHEN CONDITIONS REQUIRE, HE WILL LEAVE THE TORPEDOES AND  
24 A LIGHTED FUSEE.

25 (4) THE FRONT OF THE TRAIN MUST BE PROTECTED IN THE SAME  
26 WAY, WHEN NECESSARY, BY A MEMBER OF THE CREW.

27 (5) WHEN A TRAIN IS MOVING UNDER CIRCUMSTANCES IN WHICH IT  
28 MAY BE OVERTAKEN BY ANOTHER TRAIN, A MEMBER OF THE CREW MUST  
29 TAKE SUCH ACTION AS MAY BE NECESSARY TO INSURE FULL PROTECTION.  
30 BY NIGHT (OR BY DAY, WHEN THE VIEW IS OBSCURED) LIGHTED FUSEES

1 MUST BE DROPPED OFF THE MOVING TRAIN OR DISPLAYED AT PROPER  
2 INTERVALS.

3 (6) WHEN DAY SIGNALS CANNOT BE PLAINLY SEEN, OWING TO  
4 WEATHER OR OTHER CONDITIONS, NIGHT SIGNALS MUST ALSO BE USED.

5 (7) CONDUCTORS AND ENGINEMEN ARE RESPONSIBLE FOR THE  
6 PROTECTION OF THEIR TRAINS.

7 (8) WHEN A PUSHER ENGINE IS ASSISTING A TRAIN, COUPLED  
8 BEHIND THE CABIN OR CABOOSE CAR, AND THE MEMBER OF THE CREW WHO  
9 PROTECTS THE REAR-END OF THE TRAIN IS RIDING IN THE CABIN OR  
10 CABOOSE CAR, THE REQUIREMENTS AS TO THE FUSEES WILL BE MET BY  
11 DROPPING THEM OFF BETWEEN THE CABIN OR CABOOSE CAR AND PUSHER  
12 ENGINE ON THE TRACK THE TRAIN IS USING, AND NOT BETWEEN THAT  
13 TRACK AND AN ADJACENT TRACK.

14 PROVIDED, HOWEVER, THAT UNLESS SPECIFIC CIRCUMSTANCES  
15 INDICATE TO THE CONTRARY, IT WILL BE PRESUMED THAT TRAINS  
16 STOPPING UNDER THE FOLLOWING CIRCUMSTANCES WILL NOT BE OVERTAKEN  
17 BY ANOTHER TRAIN:

18 (I) PASSENGER TRAINS MAKING NORMAL STATION STOPS.

19 (II) ALL TRAINS STOPPING IN MANUAL BLOCK TERRITORY PROTECTED  
20 BY ABSOLUTE BLOCK.

21 (III) ALL TRAINS STOPPING SO AS TO BE COMPLETELY WITHIN THE  
22 LIMITS OF CLASSIFICATION OR STORAGE YARDS AT THE USUAL PLACE TO  
23 CHANGE CREWS OR REMOVE POWER.

24 SECTION 2. FOR THE PURPOSES OF THIS ACT A "TRAIN" WILL BE  
25 CONSIDERED A MOVEMENT ON WHICH THE AIR BRAKES MUST BE CONNECTED  
26 AND FUNCTIONING UNDER FEDERAL LAW.

27 SECTION 3. THE PROVISIONS OF THIS ACT SHALL BE ENFORCED BY  
28 THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.