




Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Secretary & CEO  
Phillip Eng, General Manager & CEO



TO: MBTA Contractors

FROM: Sam Zhou, Assistant GM & Chief Engineer 

CC: Timothy Lesniak, Chief Safety Officer, Safety Department  
Steven Culp, Chief of Safety Engineering & Construction, Safety Department

DATE: September 13, 2024

RE: Right of Way (ROW) Requirements

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The purpose of this memo is to remind all contractors working on the Right of Way (ROW) of the safety requirements that must always be met while working on the ROW. These requirements include both training requirements and Personal Protective Equipment (PPE) requirements. Safety is a top value at MBTA, and staff take enforcement of all safety rules very seriously with the full support of MBTA leadership.

The first requirement that needs to be completed before ROW access is allowed is the completion of the ROW training, which is an 8-hour in-person training. You will be issued a ROW card upon completion of the training that must **always** be with you while on the ROW and presented to gain entry to the work site. Only the physical **valid** ROW card, issued by the MBTA, will be accepted as proof that ROW training has been completed **no other documentation (including copies of the card)**, written or otherwise, will be accepted. ROW certification is valid for 2 years upon which time you will need to recertify by completing a 4-hour online training.

In addition to completing the training and possessing your ROW card the following items are **always** required when on the ROW:

Valid ROW License ▪ MBTA Safety Approved Upper Body Safety Reflective Garment ▪ Lower Body Safety Garment ▪ Working Flashlight ▪ Whistle ▪ Working Portable Radio (if needed) ▪ Safety Glasses ▪ Hard Hat ▪ Work Boots

All MBTA employees, contractors, and vendors must follow the updated rules and procedures regarding PPE usage on the ROW, as required by MBTA Special Order# 22-244 and the Rules for Operations Employees, August 2023. We want to make it very clear that failure to comply with all these requirements **will** result in denial of access to the ROW or immediate removal of personnel from the ROW. All ROW rules and procedures will be strictly enforced and violations of any of these rules will not be tolerated. I expect contractors to comply with our safety standards and fully support any action taken by MBTA staff to enforce these important rules.

I appreciate your cooperation in this matter.

Enc: March 17, 2023 Safety Flash  
Special Order # 22-244

**OPERATIONS SPECIAL ORDER 22-244  
SPECIAL ORDER RULE**

**TO: ALL OPERATIONS PERSONNEL**

**SUBJECT: RULE/PROCEDURE CHANGE: DIRECTIVE FOR UPDATED PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS AND RIGHT OF WAY SAFETY RULEBOOK, 3rd EDITION DATED JULY 1, 2014**

**OVERVIEW**

The purpose of this Special Order is to inform all MBTA Personnel of the newly compiled and adopted minimum personal protective equipment (PPE) required to access the right of way (ROW).

Effective on February 1, 2023, the PPE and additional MBTA requirements for ROW access listed in the tables below shall be required at all times while on the ROW. The MBTA Chief Safety Officer or designee must approve any exceptions to the below-referenced minimum PPE requirements.

**MBTA MINIMUM PPE REQUIREMENTS ON FTA-REGULATED RAPID TRANSIT LINES/LIGHT & HEAVY RAIL OPERATIONS FOR PERSONNEL PERFORMING WORK WITHIN THE RIGHT-OF-WAY (ROW)**

<b>PPE</b>	<b>MINIMUM REQUIRED PPE TYPE</b>
Hard Hat	OSHA 1910.135, ANSI Z89.1 and NFPA 70E 130.7, Type I, Class E
Safety Eyeglasses	OSHA 1910.133 and ANSI/ISEA Z87.1
Work Boot	OSHA 1910.136, ASTM F-2412-18a & ASTM F-2413-18 Composite Toe, EH-Electrical Hazard Resistant, PR-Puncture Resistant, Slip Resistant, 6-inch, Defined Heel
Upper Body Safety Reflective Garment	ANSI/ISEA 107 High visibility, yellow-green, retro reflective, Class 2, Type R, 5-point breakaway (vest only), "X" stripe pattern on back (MBTA requirement)
Lower Body Safety Garment	Full Length Pants (Cotton or Wool preferred)
<b>ADDITIONAL MBTA REQUIREMENTS FOR ROW ACCESS</b>	<b>MINIMUM ROW ACCESS REQUIREMENTS</b>

Special Order #22-244

Page 2 of 3

Right-of-Way (ROW) License	MBTA valid (unexpired) ROW license on person (Employee and Contractor)
Flashlight (Hand-held)	ANSI/NEMA FL 1-2009 LED, Polypropylene industrial construction, 35 Lumens, 45 meters, 100 hours*, Impact & Water resistant
Whistle	High-impact plastic, sharp loud blast, >120dB, 3150 hertz tone preferred

Note that the items above are minimum requirements only. Enhanced PPE and other safety equipment may be required depending on a specific job function, if there is greater potential for injury/illness as indicated by a Job Hazard Analysis (JHA) or Job Safety Analysis (JSA).

Until such time that the *Right of Way Safety Rulebook 3rd Edition, Dated July 1, 2014*, and *PPE Safety Program SP19-001, dated May 29, 2019*, are completely revised, the minimum requirements specified in the table above shall supersede all specific PPE requirements referenced in those documents.

**APPLICABILITY**

For the purpose of this Special Order, “Personnel” is inclusive of all employees, contractors, oversight, or other individuals who access the ROW for the purpose of performing work. ROW includes the property over which trains and authorized rail equipment operate, and ten feet from the centerline of track in any direction, including sidings and yards (ROW Safety Rulebook 3rd Edition July 2014). This does not apply to car houses.

Per the exception granted by the Safety Department on December 1, 2022, the requirement for transportation personnel to wear a hard hat while conducting transportation duties is waived, except when working immediately within the defined construction or maintenance work zone. Minimum PPE requirements within the work zone will be mandated, as well as any additional PPE as defined by a Job Hazard Analysis (JHA) or Job Safety Analysis (JSA).

**PHASE IN/OUT CYCLE DATES**

With the exception of the work boot requirement, the minimum PPE requirements in this Special Order will be effective as of February 1, 2023, with the exception of the boot requirement as described below. Starting on that date, MBTA Personnel shall not enter the ROW without meeting all minimum PPE requirements stated above. This includes the “X” stripe pattern requirement for upper body safety garments. If a winter coat is worn that does not have the “X” strip pattern, a compliant reflective vest shall be worn over it.

The work boot requirement will go into effect on March 1, 2023.

Special Order #22-244

Page 3 of 3

### **MBTA OPERATIONS EMPLOYEE'S RESPONSIBILITIES**

All MBTA Personnel who receive any of the PPE materials included in this policy through departmental issue must ensure that they are in compliance with this special order by wearing and carrying only approved PPE on the ROW as outlined in the ROW Rulebook. Personnel must care for and promptly replace damaged, worn, or outdated PPE.

### **SPECIAL ORDER COMPLETION AND/OR CANCELLATION**

This Special Order will remain in effect until it is canceled or superseded by a Special Order or through a rulebook revision for the *Right of Way Safety Rulebook, 3rd Edition, dated July 1, 2014*, and *Rules for Operations Employees, dated August 1, 2018*.

If you have any questions regarding this directive, please contact your district's immediate Foreperson/Supervisor, Superintendent's Office, the OCC Dispatcher, the Heavy Rail Training School at x5377, the Light Rail Training School at x3768, or the Bus Operations training at x5306.


**Expiration Date:** Issuance of new Rulebook

**Post until Date:** Not Applicable


**Review/Cancel/Reissue Date:** 12/1/2023

**Area/Title to Review:** Division Chief of Training

This is the signature page for Document #22-244, created 12/1/2022 5:12 PM.

OCC & Training Approval	12/1/2022 4:29 PM
Dwarika, Kimberly	


Division Chief – OCC

Chief Investigation and Safety Assurance Officer Approval	12/1/2022 4:37 PM
Culp, Steven	

Chief Investigation and Safety Assurance Officer

Division Chief of Construction Logistics Approval	12/1/2022 4:37 PM
Crowley, Thomas	


Division Chief of Construction Logistics

Engineering and Maintenance Approval	12/1/2022 4:37 PM
Cheever, Joseph	


Senior Director of Engineering & Maintenance

Chief Mechanical Officer Approval Rail	12/1/2022 4:37 PM
Hicks, Steve	

Chief Mechanical Officer – Rail

Security Initiatives Approval	12/1/2022 4:37 PM
Stoothoff, Erik	

Chief Engineer

AGM Rail Operations Approval	12/1/2022 4:37 PM
Richmond, Patrick	

completed for Gordon, Andrea, the AGM Rail Operations

March 17, 2023  
ISSUE: 23-04

# SAFETY FLASH

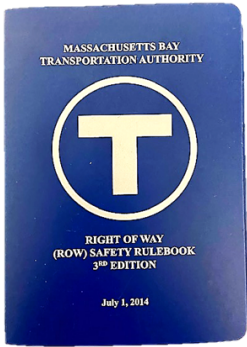
SAFETY HOTLINE  
617-222-SAFE

## PROPER PROCEDURES FOR ROW ACCESS

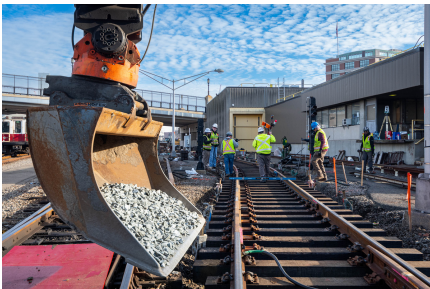
DETAIL >

### UNDERSTANDING THE HAZARDS

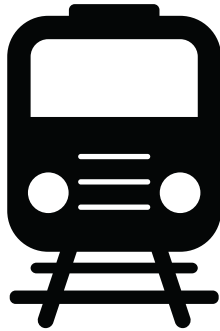
The MBTA Right of Way (ROW) poses many physical hazards. Whether you are out on the ROW for operations, track maintenance and inspection, or incident response, you must follow the ROW Rulebook, Special Order 22-244, as well as any additional Rules and Procedures your department may require per job task.



It is vital for overall ROW safety that all persons have a working knowledge of the MBTA safety rules and procedures relating to flagging, train safety features and equipment, as well as employee/personnel job duties and responsibilities.



If you observe an unsafe activity or work site on or near the ROW, you must immediately call the OCC Dispatcher to report the unsafe activity. Safety is everyone's responsibility!

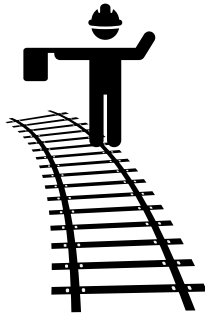


APPLICATION >

### WHOM IT AFFECTS

This may affect any MBTA employee, contractor, oversight, or other individuals who access the ROW for the purpose of performing work.

### MITIGATE THE HAZARDS



#### Request ROW Access

Before entering the ROW, the appropriate Operations Control Center (OCC) Dispatcher **must** be contacted to request access. Each request for ROW access **must** include contact with OCC via the radio to ensure that other crews and vehicle operators in the ROW are aware of the access request.

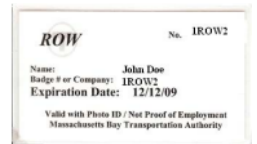
Your request to access must include the foreperson's name (if applicable), the dedicated Flagperson(s) name, the time, location, number in crew, level of flagging protection, and the reason for ROW access. Do not enter the ROW until approval is granted from the OCC Dispatcher.

#### General ROW PPE Compliance

Every person who accesses the ROW must have:

- Valid ROW License
- MBTA Safety Approved Upper Body Safety Reflective Garment
- Working Flashlight
- Whistle
- Working Portable Radio
- Safety Glasses
- Hard Hat
- Work Boot

All MBTA employees and contractors must follow the updated rules and procedures regarding PPE usage on the ROW, as required by Special Order# 22-244.



#### General Worksite Safety

Prior to accessing the ROW, coordination with the crew and other project teams must occur. A Safety Briefing should be conducted, including but not limited to: vehicle and foot traffic in or around the work area; all rules/procedures/policies/special orders/SOP's governing the work area; and what PPE and equipment including 3rd Rail/ Catenary Testers are necessary for the job. Any questions must be addressed in the initial briefing.

You must understand and obey ROW communication signals given and received. Assume that third rails, wires or cables are energized until tested and found de-energized in the field. Be alert; always protect yourself and others from moving rail vehicles.