



Figure 7-Roll pin crack on king pin



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### Recommended Actions

To ensure the safety of the Nation's railroads, their employees, and the general public, FRA recommends that railroads take the following actions:

(1) Inspect king pin assemblies in highway-rail grade crossing warning systems and replace all worn components.

(2) Develop inspection and maintenance programs for king pin assemblies that incorporate maintenance procedures recommended by the manufacturer (if applicable), including lubrication of king pin assemblies to reduce wear and tear on the components. These inspection and maintenance programs should include periodic inspections of the king pin assembly with the crossing gate removed, as well as inspection of the king pin assembly each time the crossing gate is re-hung or replaced. These inspection and maintenance programs should also address the replacement of worn components and give special consideration to highway-

rail grade crossing warning systems that are exposed to high levels of salt, which can cause corrosion.

(3) Issue instructions requiring employees to stay clear of descending crossing gates until fully lowered and to discuss potential failure of the king pin assembly in job safety briefings, when applicable. Railroads should also issue instructions requiring employees to warn others to stay clear of descending crossing gates until fully lowered.

Issued in Washington, DC.

**Amitabha Bose,**  
Administrator.

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### DEPARTMENT OF TRANSPORTATION

#### Federal Railroad Administration

#### Safety Advisory 2023-06; Roadway Maintenance Machines—Importance of Clear Communications and Compliance With Applicable Rules and Procedures

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of safety advisory.

**SUMMARY:** FRA is issuing Safety Advisory 2023-06 to emphasize the importance of rules and procedures regarding the safety of roadway workers who operate or work near roadway maintenance machines (RMM). This safety advisory recommends that railroads and contractors review and update their rules regarding the safety of roadway workers who operate or work near RMMs, communicate those changes to their employees, and monitor their employees for compliance with existing rules and procedures and

updated rules and procedures, if implemented. In addition, this safety advisory recommends that railroads and contractors conduct additional safety briefings to raise workers' awareness of the hazards associated with operating and working around RMMs.

**FOR FURTHER INFORMATION CONTACT:** Yu-Jiang Zhang, Staff Director, Track and Structures Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE, Washington, DC 20590, telephone (202) 493-6460.

**Disclaimer:** This Safety Advisory is considered guidance pursuant to DOT Order 2100.6A (June 7, 2021). Except when referencing laws, regulations, policies, or orders, the information in this Safety Advisory does not have the force and effect of law and is not meant to bind the public in any way. This document does not revise or replace any previously issued guidance.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

FRA is concerned about the incidents in the past few years resulting in fatalities of two roadway workers struck by RMMs on main line track. Information regarding these incidents, discussed below, is based on FRA's preliminary findings and the respective railroad's latest reporting. This safety advisory is not intended to attribute a cause to these incidents or place responsibility for these incidents on the acts or omissions of any person or entity.

The following is a summary of the circumstances involved in the incidents:

In August 2023, an RMM struck and fatally injured a contractor working on the Housatonic Railroad Company's main line. FRA's preliminary investigation shows that at the time of his injury, the contractor was part of a four-person work group. The work group consisted of two machine operators (each operating an RMM) and two roadway workers (each working on one of the RMMs). Before the incident, one of the RMMs (RMM-1) left the work area and traveled south to conduct repairs.

While waiting for RMM-1 to return, the remaining two roadway workers on the other RMM (RMM-2), including the worker who was subsequently fatally injured, dismounted RMM-2 to clear ballast away from the tie plates in preparation for the drilling and lag screw installation. One roadway worker used his hands to remove the ballast, while the other used a backpack blower. When RMM-1 returned to the work site, the worker using the backpack blower did not clear the track and was struck

by RMM-1 when he did not respond to its approach.

In December 2021, a contractor working on the Norfolk Southern (NS) was fatally injured when struck by an RMM while working on the main line. The contractor was working with an NS rail gang and was marking rail for pickup and had started walking in the gauge of the track when the machine operator of the RMM made a backup move. The machine operator did not see the contractor walking in the gauge of the track and struck the contractor.

These incidents represent the worst-case scenario that can occur when roadway workers are working on or near RMMs. These incidents highlight the need for railroads to examine their rules and procedures for protecting roadway workers who operate or work near RMMs.

##### **Recommendations**

In light of the above discussion, FRA recommends that railroads and railroad contractors:

1. Review, update, and communicate applicable rules and procedures related to the operation of RMMs to ensure the safety of roadway workers who operate and work with or around the machines.
2. Increase monitoring of roadway workers, railroad employees, and contractors for compliance with all existing applicable rules and procedures (and any updated rules and procedures to result from paragraph (1)), particularly those involving the operation of RMMs and roadway workers working on and in the vicinity of RMMs.
3. Conduct additional safety briefings to raise workers' awareness of the hazards associated with operating and working around RMMs.

FRA encourages all railroad industry members to take actions consistent with the recommendations of this Safety Advisory. FRA may modify this Safety Advisory, issue additional safety advisories, or take other appropriate action necessary to ensure the highest level of safety on the Nation's railroads, including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC.

**Amitabha Bose,**

*Administrator.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

**[Docket No. DOT-OST-2023-0143]**

#### **Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection(s): Procedures for Transportation Workplace Drug and Alcohol Testing Programs (ICR 2105-0529)**

**AGENCY:** Office of the Secretary (OST), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Transportation (DOT) invites public comments about our intention to request Office of Management and Budget (OMB) approval to renew information collection 2105-0529, Procedures for Transportation Drug and Alcohol Testing Program (ICR 2105-0529). The information to be collected will be used to document tests conducted and actions taken to ensure safety in the workplace and/or are necessary under the Omnibus Transportation Employee Testing Act of 1991, which requires DOT to implement a drug and alcohol testing program in various transportation-related industries. DOT is required to publish this notice in the **Federal Register** in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments to this notice must be received by November 28, 2023.

**ADDRESSES:** You may submit comments by any of the following methods:

- **Website:** <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.
- **Federal eRulemaking Portal:** <http://www.regulations.gov> Follow the instructions for submitting comments.
- **Fax:** 1-202-493-2251.
- **Mail or Hand Delivery:** Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**Instructions:** You must include the agency name and docket number [DOT-OST-2023-0143] of this notice at the beginning of your comment. Note that all comments received will be posted without change to <http://www.regulations.gov> including any personal information provided. Please see the Privacy Act section of this document.

**Docket:** You may view the public docket through the internet at <http://www.regulations.gov>