



# Rules for the Control and Prevention of Fires on Railway Rights-of-Way

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## **1.0 SCOPE**

- 1.1 These rules are intended to ensure that there are in place acceptable methods to prevent the starting of fires and to control fires that may be started on railway rights-of-way.
- 1.2 These rules apply to all railway companies subject to the jurisdiction of Transport Canada pursuant to the *Railway Safety Act*.
- 1.3 These rules apply to all railway rights-of-way with respect to the prevention and control of fires.

## **2.0 DEFINITIONS**

- 2.1 “Department” means the Department of Transport, Surface Group.
- 2.2 “Extinguish” means to cause the arrest of burning where all signs of combustion (heat, light and smoke) have been eliminated.
- 2.3 “Fine fuel” means fuels that ignite readily and are consumed rapidly by fire (e.g. cured grass, fallen leaves, needles, small twigs).
- 2.4 “Fire patrol” means qualified employees with approved forest fire suppression equipment assigned to patrol railway rights-of-way at specific intervals.
- 2.5 “Fire service” means the federal, provincial, municipal or territorial ministry or department that is responsible for the prevention, detection and control of fires in the area adjacent to the right-of-way.
- 2.6 “Fire service inspector” means a person designated by the fire service and who is qualified in the prevention and control of fires.
- 2.7 “Hazard reduction” means removal or treatment of fine fuels to diminish the likelihood of a fire starting and to lessen the potential spread and resistance to control.
- 2.8 “Qualified person” means, in respect of a specified duty, a person who, because of his/her knowledge, training and experience, is qualified to perform that duty safely and properly and who is proficient in the use of fire equipment on hand.
- 2.9 “Right-of-way” means railway operated right-of-way.

### **3.0 GENERAL PRINCIPLES**

- 3.1 Railway companies will ensure that suitable measures are in place to prevent and control fires on railway rights-of-way through the provision of:
  - 3.1.1 training for employees;
  - 3.1.2 sufficient qualified persons to ensure fulfillment of fire patrol and fire fighting requirements;
  - 3.1.3 fire prevention and control plans developed in conjunction with the applicable fire service; and
  - 3.1.4 local fire prevention and hazard reduction practices, to be established and implemented in consultation with the appropriate fire service.
- 3.2 Railway companies will ensure that their employees are fully knowledgeable with the fire reporting requirements of the fire service for the areas in which they are working. They will also ensure that the appropriate fire service and railway employees are immediately notified of the existence and the location of the fire.
- 3.3 It is the responsibility of the railway company to extinguish all fires:
  - 3.3.1 on the railway rights-of-way irrespective of the manner in which the fires were started; and
  - 3.3.2 off the railway rights-of-way that were started, or presumed to have been started, as a result of railway operations.
- 3.4 When the railway company cannot extinguish a fire as described herein it will request assistance from the fire service.
- 3.5 Fire Service Inspectors
  - 3.5.1 Fire service inspectors may, at any reasonable time, enter any right-of-way for the purposes of inspecting to ensure compliance with the provisions of these rules.
  - 3.5.2 Railway companies will afford reasonable transportation to fire service inspectors for the fulfillment of their duties.
  - 3.5.3 Railway companies will ensure that the instructions of fire service inspectors in relation to the control of a fire are complied with promptly by employees of the company.

#### **4.0 REQUIREMENTS**

4.1 Railway companies will make available for inspection by the Department plans setting out the manner in which they will comply with the provisions of subsection 3.1 above. These may include the entering into of agreements with fire services establishing implementation practices and understandings for local conditions.

4.2 Railway companies will ensure that qualified employees are:

4.2.1 qualified through training, and fully conversant with the requirements of these rules, and any instructions issued in accordance therewith; and

4.2.2 in compliance with the requirements of these rules, and any instructions issued in accordance therewith, when engaged in their duties.