IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.71.01 – Railroad Safety Rules

Who does this rule apply to?
All railroad tracks located in Idaho.

What is the purpose of this rule?
They determine railroad clearance standards for all railroad tracks located in Idaho, and set safety, and accident reporting standards for railroads operating in Idaho.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

General legal authority of the Public Utilities Law, Chapters 1-7, Title 61, Idaho Code, Chapter 3, Title 62, Idaho Code, and Chapter 12, Title 62, Idaho Code, and specific authority of Sections 61-110, 61-111, 61-129, 61-302, 61-501, 61-507, 61-510, 61-511, 61-512, 61-515, 61-517, 62-301, 62-302, 62-303, 62-304, 62-305, 62-306, 62-307, 62-308, 62-1201, 62-1202, 62-1203, 62-1204, 62-1205, 62-1206 and 62-1207, Idaho Code.

Who do I contact for more information on this rule?

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000. LEGAL AUTHORITY (RULE 0).
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001. TITLE AND SCOPE (RULE 1).
The title of these rules is "Railroad Safety Rules." The scope of these rules is that they determine railroad clearance standards for all railroad track located in Idaho, and set safety, and accident reporting standards for railroads operating in Idaho. (3-20-20)

002. WRITTEN INTERPRETATIONS – AGENCY GUIDELINES (RULE 2).
Written interpretations to these rules can be obtained from the Secretary of the Idaho Public Utilities Commission and are available from the office of the Commission Secretary. (3-20-20)

003. ADMINISTRATIVE APPEALS (RULE 3).
There are no administrative appeals under these rules. All requests for exemptions or waivers should be submitted directly to the Commission in accordance with the Commission's Rules of Procedure, IDAPA 31.01.01.000 et seq. (7-1-93)

004. (RESERVED)

005. DEFINITION (RULE 5).

01. Height of a Freight Car. "Height of a freight car" is the distance between the top of rail and the highest point of the car. (7-1-93)

02. Icing Platform. "Icing platform" includes structures used in performing the service of icing, cooling, heating, ventilating and servicing of cars used in the handling of commodities requiring these services. (7-1-93)

03. Overhead Clearance. "Overhead clearance" is that distance measured along a line which is perpendicular to and joins a horizontal plane passing through the top of the highest rail and the lowest point of the structure of obstruction overhead. (7-1-93)

04. Side Clearance. "Side clearance" is the shortest distance from centerline of track to a structure or obstruction at the side of the track. (7-1-93)

05. Track Clearance. "Track clearance" is the shortest horizontal distance between the centerlines of adjacent tracks. (7-1-93)

06. Width of a Freight Car. "Width of a freight car" is twice the distance from the center line of the car to its extreme outside part. (7-1-93)

006. (RESERVED)

007. INCORPORATION BY REFERENCE (RULE 007).
The Commission adopts, and incorporates by reference into these rules, the following national codes and standards: (3-20-20)

01. Code of Federal Regulations. Rules 700 and 701 reference the Code of Federal Regulations (CFR), and specifically 49 CFR Parts 107, 171, 172, 173, 174, 178, 179, 180, and 225 (October 1, 2014). The annual volumes of the CFR may be obtained on the web from the U.S. Government Bookstore, http://bookstore.gpo.gov/ and click on "Code of Federal Regulations," or by calling toll-free 866-512-1800. The full text of the CFR is also available in electronic format at http://www.gpoaccess.gov/cfr/index.html. The incorporated CFR Parts are also available for inspection and copying at the office of the Idaho Public Utilities Commission and the Idaho State Law Library. Whenever a federal regulation is adopted by reference in these rules, subsequent annual recompilations are also adopted by reference, but subsequent amendments to the CFR are not adopted by reference. (3-20-20)

02. National Electric Safety Code. Rules 52 and 312 reference the American National Standards Institute (ANSI) C2-2017 National Electrical Safety Code (NESC), 2017 Edition. The NESC is published by the

Institute of Electrical and Electronics Engineers, Inc., and is available from the Institute of Electrical and Electronics Engineers, Inc., 3 Park Avenue, New York, NY 10016-5997 and may be ordered by calling 1-800-678-IEEE. (3-20-20)

008. WAIVERS (RULE 8).
The Commission may waive the requirements of these rules. To request a waiver, a carriers or other interested persons will file an application that fully explains why the waiver is requested. A waiver is limited to the particular case covered by the application. (3-20-20)

009. EMERGENCIES (RULE 9).
A restricted clearance under these rules does not apply to: (3-20-20)

a. Falsework, shoo-fly tracks, or other temporary emergency conditions caused by derailments, wash-outs, slides, or other unavoidable accidents or disasters; (3-20-20)

b. Ballast, track material or construction material unloaded on and next to tracks for use there or in the immediate vicinity; or (3-20-20)

c. Falsework or temporary construction necessary on any construction project. (3-20-20)

010. MODIFICATIONS (RULE 10).
The Commission may permit deviation from these rules when it finds complying with them is impractical, unnecessary, or not in the public interest. (3-20-20)

011. -- 050. (RESERVED)

APPLICABILITY OF CLEARANCES
Rules 51 through 100

051. OVERHEAD CLEARANCE -- APPLICABILITY (RULE 51).
Overhead clearances authorized in these rules are applicable to tracks on which freight cars having a height from the top of the rail to the highest point of the car of fifteen feet six inches (15’6”) or less are transported. In the case of cars or loads exceeding fifteen feet six inches (15’6”), the overhead clearance provisions and excess height provisions of Rules 501 through 502 and 601 through 607 must be complied with unless the railroad prohibits its personnel from occupying the top of freight cars in train service. (7-1-93)

052. EXCEPTION TO OVERHEAD CLEARANCE RULES (RULE 52).
Overhead impairments will be granted without application or a hearing upon consent of the operating railroad, provided that the NESC is not violated. Overhead impairments created by the railroad, not violating the NESC will not require a variance from this Commission. Notice of the impairment and condition must be given to the Commission by letter. (3-20-20)

053. SIDE CLEARANCES (RULE 53).
Side clearances authorized in these rules are applicable to tracks on which freight cars having an overall width not greater than ten feet ten inches (10’10”) are transported. In the case of cars or loads exceeding ten feet ten inches (10’10”), Rules 501 through 502 and 601 through 607 must be complied with. (7-1-93)

054. -- 100. (RESERVED)

SPECIAL PROVISIONS
Rules 101 through 200

101. FACILITIES EXISTING BEFORE APRIL 1, 1955 (RULE 101).
Structures, operating appurtenances, pole lines, service facilities and track arrangements existing before April 1, 1955, are exempt from these rules except as provided by these rules. (3-20-20)

102. CHANGES IN EXISTING TRACKS (RULE 102).
No change in track location or elevation may reduce existing vertical or horizontal structural clearance below the minimums specified in these rules. (3-20-20)

103. REPAIRS TO EXISTING STRUCTURES (RULE 103).
No repair or maintenance work may be done on structures, operating appurtenances, pole lines, service facilities, or track arrangements if the repair or maintenance work would reduce existing vertical or horizontal structural clearance below the minimum specified in these rules. (3-20-20)

104. EXISTING STRUCTURES NOT COMPLYING WITH THESE RULES (RULE 104).
Where a structure existing before April 1, 1955, does not provide clearance equal to the minimum that is required by these rules, the portion of the structure producing the impaired clearance may be repaired and maintained by partial replacements. In no case shall the clearance available after April 1, 1955, be reduced. (7-1-93)

105. REPLACEMENT OF STRUCTURES NOT COMPLYING WITH THESE RULES (RULE 105).
When the owner replaces the part of a structure that violates the clearance standards of these rules, the replaced portion must satisfy the clearance standards unless otherwise ordered by the Commission. (3-20-20)

106. EXISTING TRACKS (RULE 106).
Existing tracks of all kinds may be maintained by reballasting, resurfacing and replacing rails and ties. Where existing yards are completely replaced or are partially replaced as a unit or section of a master plan, the arrangement must meet the provisions of these rules both as to track centers and clearance to structures and other facilities being built in connection with and as a part of such plan. Existing structures which are to remain and which do not provide the minimum clearance with respect to the proposed new tracks must be approved by the Commission for exemption from the terms of these rules. (7-1-93)

107. EXISTING TRACKS NOT MEETING CLEARANCE STANDARDS (RULE 107).
Tracks laid before April 1, 1955, having less vertical clearance than required by the rules may be maintained, but the top of rail may not be raised without raising the overhead structure an equal distance to maintain the existing available clearance. Tracks laid before April 1, 1955, having less horizontal clearance between them than required by these rules for new construction, or having less horizontal clearance to structures than required by these rules, may be maintained, but they may not be shifted horizontally to reduce either the existing track centers or the existing structural clearance. (7-1-93)

108. ENGINE HOUSE AND SHOP FACILITIES (RULE 108).
The clearances in these rules do not apply to railroad's engine houses, engine house facilities or shop buildings. (3-20-20)

109. -- 200. (RESERVED)

OVERHEAD CLEARANCES
Rules 201 through 300

201. OVERHEAD CLEARANCE IN GENERAL (RULE 201).
The allowable clearances are: (7-1-93)

01. Begun, Installed or Constructed After April 1, 1955. For structures, operating appurtenances, pole lines, service facilities and track arrangements begun, installed or constructed after April 1, 1955, and before September 1, 1980 twenty-two feet six inches (22'6"). (7-1-93)

02. Begun, Installed or Constructed After September 1, 1980. For structures, operating appurtenances, pole lines, service facilities and track arrangements begun, installed or constructed after September 1, 1980, the vertical clearance required by the owner of the railroad tracks or twenty-two feet six inches (22'6"), whichever is greater. (4-5-00)

03. Structures on Main Lines. For structures on main lines identified by railroad for possible electrification: (7-1-93)

a. At twenty-five (25) kilovolts twenty-four feet three inches (24'3"); or (7-1-93)

b. At fifty (50) kilovolts twenty-six (26') feet. (7-1-93)

202. OVERHEAD CLEARANCE IN BUILDINGS (RULE 202).
Overhead clearances in buildings must be at least eighteen (18') feet. The overhead clearance inside an entirely enclosed building may be reduced to eighteen (18') feet with respect to tracks ending within the building or in the immediate plant area if the track extends through an enclosed building. When an overhead clearance in the building is less than twenty-two feet six inches (22'6"), all cars, locomotives or other equipment will stop before entering the building. (3-20-20)

203. OVERHEAD CLEARANCE IN TUNNELS AND BRIDGES (RULE 203).
Minimum overhead clearance in tunnels and through bridges may be decreased to the extent defined by the half-circumference of a circle having a radius of eight (8') feet and tangent to a horizontal line twenty-two feet six inches (22'6") above top of rail at a point directly above the centerline of track. (7-1-93)

204. DECREASES IN OVERHEAD CLEARANCES PRESCRIBED IN RULE 201 (RULE 204).
Minimum overhead clearance as prescribed in Rule 201 may be decreased to the extent defined by the half-circumference of a circle having a radius of eight feet six inches (8'6") and tangent to a horizontal line at the height prescribed by Rule 201 above the top of rail at a point directly over the centerline of track. (7-1-93)

205. -- 300. (RESERVED)

SIDE CLEARANCES
Rules 301 through 400

301. SIDE CLEARANCE IN GENERAL (RULE 301).
The general rule is that side clearances must be at least eight feet six inches (8'6"). To further reduce operational hazards, it is recommended that, wherever practicable, all posts, pipes, warning signals and other small obstructions be given a side clearance of ten (10') feet. (7-1-93)

302. SIDE CLEARANCE AT PLATFORMS (RULE 302).

01. Eight Inches. Eight (8") inches or less above top of rail -- four feet eight inches (4'8"). (7-1-93)

02. Four Feet. Four (4') feet or less above top of rail -- seven feet three inches (7'3"). (7-1-93)

03. Four Feet Six Inches. Four feet six inches (4'6") or less above top of rail when used principally for loading or unloading refrigerator cars if constructed after April 1, 1955, but before September 1, 1980 -- eight (8) feet, if constructed after September 1, 1980 -- eight feet six inches (8'6"). (7-1-93)

04. Platforms. Platforms complying with Subsection 302.01 of this rule may be combined with those complying with Subsections 302.02 and 302.03, provided that the lower platform presents a level surface from a point not more than four feet eight inches (4'8") from centerline of track to the face of the wall of the platform with which it is combined. No other combinations will be permitted. (7-1-93)

303. ICING PLATFORMS AND SUPPORTS (RULE 303).
The minimum side clearance for icing platforms and supports is six feet eight inches (6'8"). The platform's six feet eight inch (6'8") side clearance is measured from eave height of car. The platform's supports must provide clearance of eight (8') feet if constructed after April 1, 1955, but before September 1, 1980, and eight feet six inches (8'6") if constructed after September 1, 1980. (3-20-20)

304. PLATFORMS OTHER THAN ABOVE (RULE 304).
The general rule is that platforms not listed in earlier rules must have side clearance of at least eight feet six inches (8'6"). Retractable platforms, either sliding or hinged, which are attached to a permanent structure must be so constructed that, when retracted or in nonworking position and firmly secured or anchored, the resulting clearance

shall not be less than the clearances provided in these rules. (7-1-93)

305. EXTENSION OF EXISTING PLATFORMS (RULE 305).
Platforms which were constructed at prevailing clearances or clearances then authorized by this Commission's rules may be extended at existing clearances. (7-1-93)

306. SIDE CLEARANCE -- BRIDGES AND TUNNELS (RULE 306).
The general rule is that side clearances for bridges and tunnels must be at least eight (8') feet. (7-1-93)

307. BRIDGES AND TUNNELS -- UPPER SECTION (RULE 307).
Side clearance in through bridges and tunnels may be decreased to the extent defined by the half circumference of a circle having a radius of eight (8') feet and tangent to a horizontal line twenty-two feet six inches (22'6") above top of rail directly above centerline of track. See Rule 203. (7-1-93)

308. BRIDGES -- LOWER SECTION AND STRUCTURES FOUR FEET HIGH OR LESS -- GUARDS AND CATTLE CHUTES -- HAND RAILS ON BRIDGES AND TRESTLES -- OIL COLUMNS -- WATER BARRELS -- WATER COLUMNS (RULE 308).
Through bridges supporting track affected, hand rails, water barrels and refuge platforms on bridges and trestles, water columns, oil columns, block signals, cattle guards and cattle chutes, or portions thereof, four (4') feet or less above top of rail, may have clearances decreased to the extent defined by a line extending diagonally upward from a point level with the top of rail and five (5') feet distance laterally from centerline of track to a point four (4) feet above top of rail and eight (8') feet distant laterally from centerline of track: Provided that the minimum clearance for hand rails and water barrels shall be seven feet six inches (7'6") and the minimum clearance for fences of cattle guards shall be five feet nine inches (5'9"). Unless previously approved, the clearances authorized in this rule, except as provided for hand rails and water barrels, are not permitted on through bridges where the work of trainmen or yardmen requires them to be upon the decks of such bridges for the purpose of coupling or uncoupling cars in the performance if switching service on a switching lead. (7-1-93)

309. SIDE CLEARANCE INTERLOCKING MECHANISM SWITCH BOXES, ETC. (RULE 309).
The minimum side clearance for interlocking mechanism switch boxes, etc., is three (3') feet. Switch boxes, switch operating mechanism necessary for the control and operation of signals and interlocks projecting four (4") inches or less above top of rail. (7-1-93)

310. SIDE CLEARANCE -- MAIL CRANES AND TRAIN ORDER STANDS WHEN NOT IN OPERATIVE POSITION (RULE 310).
The minimum side clearance for mail cranes and train order stands when not in operative condition is eight feet six inches (8'6"). (7-1-93)

311. SIDE CLEARANCE -- POLES SUPPORTING TROLLEY CONTACT (RULE 311).
The minimum side clearance for poles with conductors supplying motive power to track affected--of bracket construction is eight feet three inches (8'3"). (7-1-93)

312. SIDE CLEARANCE -- POLES OTHER THAN TROLLEY POLES (RULE 312).
The minimum side clearance for poles besides trolley poles is eight feet six inches (8'6"). The NESC governs the side clearance for poles besides trolley poles that are described in the NESC. (3-20-20)

313. SIDE CLEARANCE SIGNALS AND SWITCH STANDS THREE FEET HIGH OR LESS ABOVE THE TOP OF THE RAIL (RULE 313).
The minimum height of signals and switch stands when located between tracks where not practicable to provide clearances otherwise prescribed in these rules is at least six (6') feet. (7-1-93)

314. SIDE CLEARANCE -- SIGNALS AND SWITCH STANDS OTHER THAN ABOVE (RULE 314).
The minimum side clearance for signals and switch stands other than above is at least eight (8') feet. (7-1-93)

315. SIDE CLEARANCE ON CURVED TRACK (RULE 315).
Side clearances on all structures adjacent to curved track shall be increased as necessary to give the equivalent of tangent track clearances. As a general rule, the side clearance on curved track should be increased one and one-half

inches (1 1/2") for each degree of curvature. (7-1-93)

316. SIDE CLEARANCES -- MATERIAL OR MERCHANDISE ADJACENT TO TRACKS (RULE 316).
No merchandise, material or other articles shall be placed or stored on the ground or platforms adjacent to any track at a distance less than eight feet six inches (8'6") from the centerline of track, except in cases of maintenance or emergency when such material is to be used within a reasonable period of time or where local conditions make compliance with this rule impossible. (7-1-93)

317. -- 400. (RESERVED)

TRACK CLEARANCES
Rules 401 through 500

401. TRACK CLEARANCES -- IN GENERAL (RULE 401).
The minimum distance between the center line of parallel standard gauge railroad tracks, which are used or proposed to be used for transporting cars, engines, motors or like equipment, shall be fourteen (14') feet, except as otherwise prescribed in these rules. (7-1-93)

402. TRACK CLEARANCES -- MAIN AND SUBSIDIARY TRACKS (RULE 402).
The centerline of any standard gauge track, except a main track or a passing track, parallel and adjacent to a main track or a passing track shall be at least fifteen (15') feet from the centerline of such main track or passing track; provided, however, that where a passing track is adjacent to and at least fifteen (15') feet distant from the main track, any other track may be constructed adjacent to such passing track width clearance prescribed in Rule 401. (7-1-93)

403. TRACK CLEARANCES -- PARALLEL TEAM, HOUSE OR INDUSTRY TRACKS (RULE 403).
Minimum clearances between centerlines of parallel team, house or industry tracks shall be thirteen (13') feet. (7-1-93)

404. TRACK CLEARANCES -- PARALLEL LADDER OR LADDER AND OTHER TRACK (RULE 404).
The centerline of any standard gauge ladder track, constructed parallel to any other track, shall have a clearance of not less than twenty (20') feet from the centerline of such other track. (7-1-93)

405. TRACK CLEARANCES -- EXISTING TRACKS (RULE 405).
Existing tracks laid at prevailing clearances then authorized by this Commission's rules may be extended at these clearances. (7-1-93)

406. -- 500. (RESERVED)

MARKING OF CARS
Rules 501 through 600

501. CARS EXCEEDING FIFTEEN FEET SIX INCHES IN HEIGHT (RULE 501).
Each car of a height exceeding fifteen feet six inches (15'6") from top of rail to the highest point of the car, the movement of which is authorized by these rules, shall be marked, stenciled or placarded, and such markings maintained in a legible condition to read:

This Car
EXCESS
HEIGHT

The words "EXCESS HEIGHT" must occupy the greater portion of a rectangular space seven by ten inches (7" x 10") enclosed within a three-quarter inch (3/4") solid border. The markings required shall be made permanent on owned cars before their use. Lettering and border of signs shall be of colors contrasting to that of the car body. All such required marking and placarding shall be placed on the side adjacent to the ladder or handholds near the floor line of the car at each of the four (4) corners. (7-1-93)

502. CARS EXCEEDING TEN FEET TEN INCHES IN WIDTH (RULE 502).
Each car of a width exceeding ten feet ten inches (10'10"), the movement of which is authorized by these rules, shall be marked, stenciled or placarded, and such markings maintained in a legible condition to read:

This Car
EXCESS
WIDTH

The words "EXCESS WIDTH" must occupy the greater portion of a rectangular space seven by ten inches (7" x 10") enclosed within a three-quarter inch (3/4") solid border. The markings required shall be made permanent on owned cars before their use. Lettering and border of signs shall be of colors contrasting to that of the car body. All such required marking and placarding shall be placed on the side or end adjacent to the ladder or handholds near the floor line of the car at each of the four (4) corners. (7-1-93)

503. -- 600. (RESERVED)

OPERATIONS OF EXCESS DIMENSION LOADS
Rules 601 through 700

601. CARS CONTAINING LADING IN EXCESS OF FIFTEEN FEET SIX INCHES HIGH AND/OR FIVE FEET FIVE INCHES FROM CENTERLINE OF CAR (RULE 601).
Each open-top car containing lading of height exceeding fifteen feet six inches (15'6") above top of rail, or which extends laterally more than five feet five inches (5'5") from the centerline of the car, the movement of which is authorized by these rules, shall be marked, stenciled or placarded, and such marking maintained in a legible condition to read:

This car	**and/or**	**This car**
EXCESS		**EXCESS**
EXCESS		**EXCESS**
HEIGHT		**WIDTH**

The words "EXCESS HEIGHT" and/or "EXCESS WIDTH" must occupy the greater portion of a space seven by ten inches (7" x 10") enclosed within a three-quarter inch (3/4") solid border. Letters and border shall be of colors contrasting to the car body. These required markings and placarding shall be placed on the side or end adjacent to the ladder or handholds near the floor line of the car at each of the four (4) corners where practicable, and in addition one of these signs shall be placed on each side of the load in a conspicuous position before the car is used. (7-1-93)

602. CARS CONTAINING LADING WHICH EXTENDS LATERALLY IN EXCESS OF FIVE FEET FIVE INCHES (RULE 602).
The movement of open-top cars containing lading which extends laterally in excess of five feet five inches (5'5") is authorized if the lading is of such a nature that it cannot practically be reduced in dimensions. (7-1-93)

603. MOVEMENT AND NOTICE OF EXCESS HEIGHT AND/OR EXCESS WIDTH CARS AND LOADS (RULE 603).
The movement of all open-top cars having lading in excess of fifteen feet six (15'6") inches in height, or which extends laterally in excess of five feet five inches (5'5") from centerline of car, will be authorized by written notice to the train crew stating the total number of such cars, and specifying that no member of the train crew will ride on top of such high car or the side of any such wide car. (7-1-93)

604. WRITTEN NOTICE OF EXCESS HEIGHT OR EXCESS WIDTH RULE 604).
A written notice shall be delivered to every train containing any car, the lading of which extends laterally in excess of five feet five inches (5'5") from the centerline of the car or which is in excess of fifteen feet six inches (15'6") in height above top of rails, informing the crew of the train that the train includes such car or cars, stating the total number of these cars and advising that no member of the train crew will ride on the side of any such wide car or the

top of any such high car. (7-1-93)

605. NOTICE TO YARD SUPERVISORS (RULE 605).
Yard supervisors shall be notified sufficiently in advance of the arrival of such wide loads as described in Rule 603 as to enable them to take necessary precautions to safeguard employees in yard. (7-1-93)

606. LOADS WHICH CANNOT BE PASSED OVER BY EMPLOYEES (RULE 606).
Open-top cars containing lading having an overall height in excess of fifteen feet six inches (15'6") above top of rail or a width which extends laterally in excess of five feet five inches (5'5"), if otherwise in compliance with these requirements, and the nature of which precludes the possibility of employees passing over the cars, are exempt from the provisions of Rules 603, 604 and 605, but written notice must be given to all members of the train crew informing them of the presence of such loads. (7-1-93)

607. EXEMPTIONS (RULE 607).
The common carrier railroads are authorized to move excess height loads and excess width loads, as described in Rule 601, over roads or portions thereof, without complying with the provisions of Rule 601, provided that clearances equivalent to the minimum prescribed by these rules for cars having a height of fifteen feet six inches (15'6") and width of ten feet ten inches (10'10") are maintained. (7-1-93)

608. -- 700. (RESERVED)

701. TRANSPORTATION OF HAZARDOUS MATERIAL BY RAIL (RULE 701).

01. Hazardous Material Defined. "Hazardous material" means a substance or material which has been determined by the United States Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated by the Secretary of Transportation. The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials as defined in 49 C.F.R. Section 171.8, materials designated as hazardous under the provisions of 49 C.F.R. Section 172.101, and materials that meet the defining criteria for hazardous classes and divisions in 49 C.F.R. Part 173. (3-20-20)

02. Adoption of Federal Safety Regulations. The Commission hereby adopts by reference 49 C.F.R. Parts 107, 171, 172, 173, 174, 178, 179, and 180 (October 1, 2014). All customers offering hazardous materials for shipment by rail and all railroads operating in Idaho that transport hazardous materials listed in, defined by, or regulated by the adopted federal safety regulations must comply with 49 C.F.R. Parts 107, 171, 172, 173, 174, 178, 179 and 180. (3-20-20)

03. Recognition of Federal Exemptions. Whenever a railroad or shipper has applied to a federal agency and has been granted an exemption from the transportation or packaging requirements of the federal safety regulations adopted in Subsection 103.02, the federal exemption will also be recognized under these rules. The Commission shall not administer a program to duplicate consideration or approval of federal exemptions on a state level. (3-20-20)

702. REPORTING OF RAILROAD ACCIDENTS (RULE 702).
The Commission incorporates by reference 49 C.F.R. Part 225 (October 1, 2014). Pursuant to 49 C.F.R. 225.1, all railroads that are required to file a copy of any accident/incident report with the Federal Railroad Administration shall also file a copy of such report with the Commission Secretary for accidents or incidents occurring in Idaho. Copies of accident or incident reports will be mailed to: the Commission Secretary. (3-20-20)

703. -- 999. (RESERVED)

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