

8830.2500 FLAGGER.

A flagger is a rail carrier employee other than a train crew member who, as a part of normal duties, could be expected to direct roadway traffic. At a grade crossing where a flagger is temporarily stationed by the rail carrier to direct roadway traffic, or where a flagger is temporarily stationed as provided for in the operating license, shown in part 8830.9991, or at a grade crossing designated by the commissioner as a flagged crossing where all train movements over the grade crossing are to be preceded by a member of the train crew, items A and B apply.

A. While directing traffic, the flagger shall wear garments and be equipped as directed under "appropriately equipped flagger" in Code of Federal Regulations, title 49, section 234.5, as amended.

B. Flaggers shall direct roadway traffic only when there is potential danger at the grade crossing, such as when an active warning device is malfunctioning, a train is approaching the grade crossing, or the grade crossing is occupied by railroad equipment.

When a flagger is needed due to the malfunction of an active warning device, the flagger's activities and responsibilities must be as directed under Code of Federal Regulations, title 49, sections 234.105 and 234.107, as amended.

Statutory Authority: *MS s 218.071; 219.073; 219.165; 219.17; 219.384; 222.50; 222.58; 222.63*

History: *17 SR 1279; 23 SR 524*

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