Railway Safety Management System Regulations:
Guidelines for British Columbia’s Provincial Heritage Railways

INTERPRETATION

1. The definitions in this section apply in these Guidelines.

“BCSA” means British Columbia Safety Authority;

“disabling injury” has the meaning assigned in section 15.1 of the federal Department of Justice’s regulation Canada Occupational Safety and Health Regulations and section 11.1 of the federal Department of Justice’s regulation On-Board Trains Occupational Safety and Health Regulations.

“minor injury” has the meaning assigned in section 15.1 of the federal Department of Justice’s regulation Canada Occupational Safety and Health Regulations and section 11.1 of the federal Department of Justice’s regulation On-Board Trains Occupational Safety and Health Regulations.

“reporting criteria” means
(a) in respect of an accident, the criteria set out in the definition “reportable railway accident” in subsection 2(1) of the federal Department of Justice’s regulation Transportation Safety Board Regulations; and
(b) in respect of an incident, the criteria set out in the definition “reportable railway incident” in subsection 2(1) of the federal Department of Justice’s regulation Transportation Safety Board Regulations.

“risk” means the chance of injury or loss measured as the probability and severity of an adverse effect on health, property, the environment or other things of value.

“risk control strategy” means a course of action intended to reduce the frequency or severity of injury or loss, including a decision not to engage in or not to continue an activity.

SAFETY MANAGEMENT SYSTEM

2. A railway company shall implement and maintain a safety management system that includes, at a minimum, the following components:
(a) the railway company safety policy and annual safety performance targets and the associated safety initiatives to achieve the targets, approved by a senior company officer and communicated to employees;
(b) clear authorities, responsibilities and accountabilities for safety at all levels in the railway company;
(c) a system for involving employees and their representatives in the development and implementation of the railway company’s safety management system;
(d) systems for identifying applicable
   (i) railway safety regulations, rules, standards and orders, and the procedures for demonstrating compliance with them, and
(ii) exemptions and the procedures for demonstrating compliance with the terms or conditions specified in the notice of exemption;

(e) a process for
   (i) identifying safety issues and concerns, including those associated with human factors, third-parties and significant changes to railway operations, and
   (ii) evaluating and classifying risks by means of a risk assessment;

(f) risk control strategies;

(g) systems for accident and incident reporting, investigation, analysis and corrective action;

(h) systems for ensuring that employees and any other persons to whom the railway company grants access to its property, have appropriate skills and training and adequate supervision to ensure that they comply with all safety requirements;

(i) procedures for the collection and analysis of data for assessing the safety performance of the railway company;

(j) procedures for periodic internal safety audits, reviews by management, monitoring and evaluations of the safety management system;

(k) systems for monitoring management-approved corrective actions resulting from the systems and processes required under paragraphs (d) to (j); and

(l) consolidated documentation describing the systems for each component of the safety management system.

SAFETY PERFORMANCE ASSESSMENT

3. (1) A railway company shall maintain records of the following information for the purpose of assessing its safety performance:
   (a) accident and incident investigation reports and a description of the corrective actions taken for accidents and incidents that meet the reporting criteria; and
   (b) accident rates expressed as follows:
      (i) employee deaths, disabling injuries and minor injuries, per 200,000 hours worked by the employees of the railway company, and
      (ii) train and grade crossing accidents that meet the reporting criteria, per million train miles.

   (2) At the request of the BCSA, a railway company shall collect, maintain and submit to the BCSA specified performance or safety data for the purpose of monitoring the effectiveness of its safety management system and its safety performance.

SUBMISSIONS TO THE BCSA

4. (1) A railway company shall submit to the BCSA the following information in respect of its safety management system:
   (a) the name, address and position of the person responsible for the safety management system;
   (b) a description of the railway company’s operations and rail network;
   (c) the railway company’s safety policy;
   (d) the railway company’s safety performance targets and the associated safety initiatives to achieve the targets for the calendar year in which the submission is made;
   (e) information showing the reporting structure and safety relationships of positions and departments in the company, including organization charts;
   (f) a list of the applicable railway safety regulations, rules, standards, orders and exemptions;
   (g) a description of the railway company’s risk management process and risk control strategies;
(h) a list of the railway company’s training and qualification programs, including those of external sources;
(i) a description of the data being collected by the railway company for the purpose of assessing its safety performance;
(j) a description of the railway company’s internal safety audit program; and
(k) a list of the titles and dates of all documents in the railway company’s safety management system that describe how the railway company is meeting its obligations with respect to each safety management component set out in section 2.

(2) The information shall be submitted
  (a) in respect of a railway company that is in operation on March 31, 2001, before April 30, 2001; and
  (b) in any other case, at least 60 days before the railway company begins operations.

5. (1) Not later than March 1 of each year following the year in which a railway company submits the information required pursuant to subsection 4(1), the railway company shall submit to the BCSA the following information in respect of the preceding calendar year:
  (a) any revisions made to the information referred to in subsection 4(1);
  (b) its safety performance relative to its safety targets; and
  (c) its accident rates expressed as required in paragraph 3(1)(b).

(2) The railway company shall include in the information its safety targets for the calendar year in which the submission is made.