



APPLICATION FOR A RAILWAY OPERATING CERTIFICATE

SECTION 1 – COMPANY INFORMATION	
Legal name	Other name(s) and abbreviation (if applicable)
Mailing address	
Contact name	Title
Contact phone number (e.g. 999-999-9999)	Contact email
Check the appropriate box to indicate the type of company, as defined in the Railway Safety Act <input type="radio"/> Railway Company <u>OR</u> <input type="radio"/> Local Railway Company	
SECTION 2 – DESCRIPTION OF OPERATIONS	
The company's operations involve (check all that apply) <input type="checkbox"/> a) operation and maintenance of line work <input type="checkbox"/> b) transport of passengers <input type="checkbox"/> c) transport of freight	
Describe the railway by province and territory, and the operations conducted on the railway. See the instructions on page 7 for more information. Attach extra pages if additional space is required.	

SECTION 3 – RULES

Applicants must have certain rules approved by Transport Canada, depending on the type of company and types of operations. Only complete the subsections applicable to the type of company (identified above in Section 1) and types of operations (identified above in Section 2). To complete a subsection, check the box and insert the name of each applicable rule (e.g. ***Railway Locomotive Inspection and Safety Rules***). See the instructions on page 8 for more information.

SUBSECTION 3A – RULES FOR ALL COMPANIES

Canadian Rail Operating Rules

OR

Equivalent: _____

SUBSECTION 3B – RULES FOR RAILWAY COMPANIES (not applicable to Local Railway Companies)

Management of fatigue for operating employees

Medical fitness for duty of employees who hold positions that are critical to safe railway operations

Employee qualifications

SUBSECTION 3C – RULES FOR THE OPERATION AND MAINTENANCE OF LINE WORKS BY RAILWAY COMPANIES (not applicable to Local Railway Companies)

Minimum safety standards for track

SUBSECTION 3D – RULES FOR COMPANIES THAT TRANSPORT PASSENGERS

Safe handling of passengers

Minimum safety standards for passenger cars

Minimum safety standards for train brakes

Minimum safety standards for locomotives

SUBSECTION 3E – RULES FOR COMPANIES THAT TRANSPORT FREIGHT

Minimum safety standards for freight cars

Minimum safety standards for train brakes

Minimum safety standards for locomotives

Minimum safety standards for retroreflective materials and their application on railway equipment

SECTION 4 – LIST OF INSTRUMENTS FOR LOCAL RAILWAY COMPANIES (not applicable to Railway Companies)

List all instruments by type (agreement with host railway company, provincial/territorial law, or other) that contain safety requirements for the operation of railway equipment by the company. Provide all information requested for each instrument. Attach extra pages if there are more instruments of the same type. See the instructions on page 9 for more information.

SUBSECTION 4A – AGREEMENTS WITH RAILWAY COMPANIES

Title of agreement number 1	Name of host railway company
Describe any requirements respecting the management of fatigue for operating employees	
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations	
Describe any requirements respecting employee qualifications	

Title of agreement number 2	Name of host railway company
Describe any requirements respecting the management of fatigue for operating employees	
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations	
Describe any requirements respecting employee qualifications	

SUBSECTION 4B – PROVINCIAL AND TERRITORIAL LAWS

Title of law number 1	Province or Territory
Describe any requirements respecting the management of fatigue for operating employees	
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations	
Describe any requirements respecting employee qualifications	

Title of law number 2	Province or Territory
Describe any requirements respecting the management of fatigue for operating employees	
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations	
Describe any requirements respecting employee qualifications	

SUBSECTION 4C – OTHER INSTRUMENTS

Type of other instrument number 1	Title of instrument	Name of authority or third party
Describe any requirements respecting the management of fatigue for operating employees		
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations		
Describe any requirements respecting employee qualifications		

Type of other instrument number 2	Title of instrument	Name of authority or third party
Describe any requirements respecting the management of fatigue for operating employees		
Describe any requirements respecting the medical fitness for duty of employees who hold positions that are critical to safe railway operations		
Describe any requirements respecting employee qualifications		

SECTION 5 – ATTESTATION	
RAILWAY COMPANY	
I, _____, attest that the information in this application is complete <div style="text-align: center;">CEO or most senior officer name and title</div> and accurate, and that _____ has the human and financial resources to operate <div style="text-align: center;">Railway Company name</div> and maintain its railway at the highest level of safety, and _____ a safety management system that meets the requirements of the Railway Safety Management System Regulations, 2015 . <div style="text-align: center;">has / will have</div>	
LOCAL RAILWAY COMPANY	
I, _____, attest that the information in this application is complete <div style="text-align: center;">CEO or most senior officer name and title</div> and accurate, and that _____ has the human and financial resources to operate <div style="text-align: center;">Local Railway Company name</div> railway equipment on a railway at the highest level of safety, and _____ a safety management system that meets the requirements of the <div style="text-align: center;">has / will have</div> Railway Safety Management System Regulations, 2015 .	
SIGNATURE (all companies)	
Signature must be original, authentic, and handwritten in ink by the person named above; not stamped, electronic, or signed by procuration (i.e. by another person on their behalf).	
Signed _____ at _____ on _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Signature of CEO or most senior officer City, Province Date (dd-mm-yyyy) </div>	
SECTION 6 – FOR DEPARTMENT USE ONLY	
Application number	Date received

Third party information provided to Transport Canada is collected in accordance with the provisions of the **Privacy Act** for the purpose of issuing a Railway Operating Certificate. Information may be accessible or protected as required under the provisions of the **Access to Information Act** or the **Privacy Act**. Failure to provide all necessary information could result in the application being refused or its processing delayed.

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR A RAILWAY OPERATING CERTIFICATE (ROC)

The **Railway Safety Act** requires railways to have a Railway Operating Certificate (ROC) to operate or maintain a railway, or to operate railway equipment on federally-regulated track. To obtain a ROC, applicants must:

- provide all required information in this application form; and
- meet all **Railway Operating Certificate Regulations** requirements.

Important Notes:

1. Transport Canada will require applicants to redo incomplete or incorrect applications, which could delay delivery of a ROC. This is why we ask you to please contact Transport Canada at railsafety@tc.gc.ca or at 1-844-RAIL(7245) with any questions you may have, before you submit a ROC application.
2. You can find sample applications for railway companies and local railway companies on Transport Canada's web site at <http://www.tc.gc.ca/eng/railsafety/railsafety-faq-969.html#rocr>.

The instructions below explain what information you must provide in each section of this form.

SECTION 1 – COMPANY INFORMATION

Contact: Identify who the company authorizes to:

- discuss this application with Transport Canada;
- clarify information it contains; and
- provide additional information upon request.

Note: This person should have technical knowledge of the company's railway operations.

Type of Company: It is very important to indicate whether the company is a railway company or a local railway company as defined in the **Railway Safety Act**.

- A **railway company** is a federal company that operates or maintains federally-regulated track, and holds a Certificate of Fitness from the Canadian Transportation Agency.
- A **local railway company** is a provincial railway, shortline, tourist train or light transit rail service that operates equipment on a host railway company's federally-regulated track (e.g. track belonging to the Canadian National Railway Company (CN) or the Canadian Pacific Railway Company (CP)).

Why is this important? Requirements for getting a ROC **are different for each type**. Depending on the type of company, you must complete or leave blank, certain sections of the application form.

While **all applicants must complete sections 1, 2, 5, and subsection 3A:**

- only railway companies must complete subsection 3B.
- only local railway companies must complete section 4.

Note: If you are not completely certain about the type of company you represent, please contact Transport Canada before submitting an application for a ROC.

SECTION 2 – DESCRIPTION OF OPERATIONS

Types of Operations: Check the appropriate box for **every type of operation** the company proposes to undertake under the **Railway Safety Act**. The boxes you check here determine which subsections you must complete in Section 3 since the company will need different rules depending on the type(s) of operations.

- **Operation and maintenance of line work** - Only railway companies can check this box and complete subsection 3C if the operations will include the operation and maintenance of line work.

Note: Local railway companies should leave this box blank since the host railway company is responsible for any line work on federally-regulated track.

- **Transport of passengers** – If the operations will include transporting passengers, check this box and complete subsection 3D.
- **Transport of freight** – If the operations will include transporting freight, check this box and complete subsection 3E.

Note: The ROC will only authorize the type(s) of operations you indicate in the application. You must complete a new application if the company wishes to undertake a new type of operation after obtaining a ROC.

Description of Operations: Describe the railway by province and territory, and the operations to be conducted on the railway. Include the following information:

- **What:** Describe who (e.g. commuters) or what (types of freight) the company will transport, the types of equipment it will operate, what line works the company plans to operate or maintain (railway companies only), and the size of the operations (e.g. number of operating employees, size of locomotive fleet, size of railcar fleet).
- **Why:** Explain the purpose of the operations (e.g. to provide service to mining projects).
- **Where:** Specify geographic area(s) by province or territory, and where provincial or international boundaries will be crossed, if any.
- **When:** Indicate whether operations will be year-round or seasonal (specify which months); and when the company would like to begin operations (except for existing companies already operating on January 1, 2015, who should indicate that they already operate).
- **Who:** Indicate any other companies that will be involved in the railway operations (e.g. subsidiaries, contracted activities, etc).

Note: Local railway companies must identify the host railway company/companies on whose tracks the local railway company will operate equipment.

SECTION 3 – RULES

To obtain a ROC, applicants must have rules for various subjects related to safety, depending on the type of company (identified in Section 1), and the type(s) of operations (identified in Section 2). Applicants may either become signatory to existing rules (you will find examples in the tables below), or formulate and file new rules on the subjects.

The tables below indicate:

- which rules are required by type of company and types of operations; and
- the corresponding subsections (A-E) to complete on the ROC application form.

To complete the required subsection (i.e. those marked with a check mark), check the box that applies and insert the name of the rule the company has/will have. Leave the other subsections that do not apply (i.e. those marked with an X), blank.

TYPE OF COMPANY			
Subsection of ROC Application	Rule	Railway Company	Local Railway Company
3A	<i>Canadian Rail Operating Rules (CROR)</i>	✓	✓
3B	Management of fatigue for operating employees (e.g. <i>Work/Rest Rules for Railway Operating Employees</i>)	✓	X
	Medical fitness for duty of employees who hold positions that are critical to safe railway operations (e.g. <i>Railway Medical Rules for Positions Critical to Safe Railway Operations</i>)	✓	X
	Employee qualifications (e.g. <i>Rules Respecting Minimum Qualification Standards for Railway Employees</i>)	✓	X

TYPE OF OPERATIONS				
Subsection of ROC Application	Rule	Transport Freight	Transport Passengers	Operate & Maintain Line Work (Railway Companies Only)
3C	Minimum safety standards for track (e.g. <i>Rules Respecting Track Safety</i>)	X	X	✓
3D	Safe handling of passengers (e.g. <i>Railway Passenger Handling Safety Rules</i>)	X	✓	X
	Minimum safety standards for passenger cars (e.g. <i>Railway Passenger Car Inspection & Safety Rules</i>)	X	✓	X
3D or 3E	Minimum safety standards for train brakes (e.g. <i>Railway Freight and Passenger Train Brake Inspection and Safety Rules</i>)	✓ (3D)	✓ (3E)	X
	Minimum safety standards for locomotives (e.g. <i>Railway Locomotive Inspection and Safety Rules</i>)	✓ (3D)	✓ (3E)	X
3E	Minimum safety standards for freight cars (e.g. <i>Railway Freight Car Inspection & Safety Rules</i>)	✓	X	X
	Minimum safety standards for retroreflective materials and their application on railway equipment (e.g. <i>Railway Equipment ReflectORIZATION Rules</i>)	✓	X	X

Notes:

- If Transport Canada has not yet approved the company's rules, you must submit them to Transport Canada, who must approve them before the department will assess your ROC application. For information about how to submit rules, please contact Transport Canada at railsafety@tc.gc.ca or at 1-844-RAIL(7245).
- While you may submit rules for approval when applying for a ROC, Transport Canada will consider the application incomplete and place it on hold until it approves the rules.

SECTION 4 – LIST OF INSTRUMENTS

Only local railway companies must complete this section. Railway companies should leave this section blank.

While Transport Canada does not require local railway companies to have rules on fatigue management, medical fitness for duty, or employee qualifications because these matters remain under the jurisdiction of the province, third parties may impose such requirements. Third parties may be:

- the host railway company (in an agreement);
- the province or territory (in a law or regulation); or
- the company (in an internal policy).

Applicants must:

- list all third party instruments (i.e. documents) that contain safety requirements; and
- describe any safety requirements they contain, relating to employees, which the applicant must comply with.

Please be specific. It is not enough to simply state the company will comply with all requirements imposed by the host railway company, province or territory. You must explain to Transport Canada what those requirements are, to demonstrate you are aware of, and understand them.

SUBSECTION 4A – AGREEMENTS WITH RAILWAY COMPANIES

Most local railway companies have an agreement with one or more host railway companies to operate equipment on their track. Such agreements often impose safety requirements on the local railway company.

Include only what the host railway company requires in this subsection:

- Provide the title of the agreement (e.g. agreement between local railway company and railway company);
- Provide the name of the host railway company; and
- Describe the host railway company's requirements in the agreement that relate to managing fatigue, medical fitness for duty, employee qualifications and training (see the sample ROC application form for examples).

Note: Do not submit a copy of these agreements to Transport Canada, as they may contain confidential information.

SUBSECTION 4B – PROVINCIAL AND TERRITORIAL LAWS

Most local railway companies will be subject to provincial laws and regulations to operate railway equipment in a province or territory. Many provinces have laws and regulations that include safety requirements that apply to railway operations.

Include only what is required by the province or territory in which the company will operate in this subsection:

- Provide the name or title of the law or regulation (e.g. *British Columbia Railway Act*), and the name of the province or territory (e.g. British Columbia).
- Describe what the province or territory requires for managing fatigue, medical fitness for duty, employee qualifications and training (see the sample ROC application form for examples).

Note: If there is more than one provincial instrument containing requirements for safe railway operations, be sure to list and describe them all.

Be specific. It is not enough to state the company will comply with or abide by any applicable laws and regulations. You must:

- identify the instrument that contains safety requirements for railway operations (i.e. the name of the provincial law or regulation, such as *Ontario Shortline Railways Act, 1995*); and
- describe what requirements (if any) it contains related to managing fatigue, medical fitness for duty, and employee qualifications. This demonstrates you are aware of, and understand them.

SUBSECTION 4C – OTHER INSTRUMENTS

Local railway companies may also:

- be required to comply with safety requirements imposed by a third party (such as a client); or
- voluntarily implement safety commitments such as company policy.

Leave this subsection blank if no such requirements or commitments exist, or if they are identical to those you described in subsections 4A or 4B.

Include only what the company itself or a third party (other than the host railway company, province or territory) requires:

- Provide the title of the document that contains safety requirements or commitments (e.g. Local Railway Company Policy), and the name of the party that imposes them on the company (e.g. Third Party Company).
- Describe what is required under that document for managing fatigue, medical fitness for duty, and employee qualifications and training (e.g. company policy is to limit shifts to 4 hours since it only operates in the afternoons on a seasonal basis).

SECTION 5 – ATTESTATION

Complete only **one** attestation for the type of company you indicated in section 1 (railway company or local railway company). **Leave the other attestation blank.**

If the company already has a Safety Management System (SMS) that meets **Safety Management Systems Regulations, 2015** requirements, insert the word “has” in the last blank. If the company does not have an SMS, insert the words “will have”.

The company's Chief Executive Officer (CEO) or most senior officer named in the attestation must sign, date, and indicate where he or she signed the ROC application. Signatures:

- must be original, authentic, and handwritten in ink (blue, preferably); and
- may not be stamped, electronic, or signed by procuration (i.e. by another person on their behalf).

CONTACT

Please contact Transport Canada at railsafety@tc.gc.ca or at 1-844-RAIL(7245) with any questions or requests for help when completing an application form.