

EXHIBIT 3-E

Docket No. DCA-08-MR009

**NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C. 20594**

**General Code of Operating Rules, Rule 1.47,
Duties of Crewmembers**

G C O R

General Code of Operating Rules

Fifth Edition

Effective April 3, 2005

These rules herein govern the operations of the railroads listed and must be complied with by all employees regardless of gender whose duties are in any way affected thereby. They supersede all previous rules and instructions inconsistent therewith.

1.46 Duties of Yardmasters

The yardmaster is responsible for and shall directly supervise yard crews, clerks, and all other employees working in the yard. The yardmaster must see that they work in a safe, efficient, and economical manner, according to the rules, regulations, and instructions of the railroad. Yardmasters must ensure the prompt and regular movement of cars, especially the proper makeup of trains and their movement into and out of the yard.

At locations where yardmasters are on duty, employees in train, engine, and yard service must comply with the yardmaster's instructions. At locations where no yardmaster is on duty, these employees will work according to the instructions of designated employees.

1.47 Duties of Crew Members

The conductor and the engineer are responsible for the safety and protection of their train and observance of the rules. They must ensure that their subordinates are familiar with their duties, determine the extent of their experience and knowledge of the rules. They must instruct them, when necessary, how to perform their work properly and safely. If any conditions are not covered by the rules, they must take precautions to provide protection.

A. Conductor Responsibilities

1. The conductor supervises the operation and administration of the train (if trains are combined with more than one conductor on board, the conductor with the most seniority takes charge). All persons employed on the train must obey the conductor's instructions, unless the instructions endanger the train's safety or violate the rules. If any doubts arise concerning the authority for proceeding or safety, the conductor must consult with the engineer who will be equally responsible for the safety and proper handling of the train.
2. The conductor must advise the engineer and train dispatcher of any restriction placed on equipment being handled.
3. The conductor must remind the engineer that the train is approaching an area restricted by:
 - Limits of authority.
 - Track warrant.
 - Track bulletin.or
 - Radio speed restriction.

The conductor must inform the engineer after the train passes the last station, but at least 2 miles from the restriction.

4. When the conductor is not present, other crew members must obey the instructions of the engineer concerning rules, safety, and protection of the train.
5. Freight conductors are responsible for the freight carried by their train. They are also responsible for ensuring that the freight is delivered with any accompanying documents to its destination or terminals. Freight conductors must maintain any required records.

B. Engineer Responsibilities

1. The engineer is responsible for safely and efficiently operating the engine. Crew members must obey the engineer's instructions that concern operating the engine. A student engineer or other qualified employee may operate the engine under close supervision of the engineer. Any employee that operates an engine must have a current certificate in their possession.
2. The engineer must check with the conductor to determine if any cars or units in the train require special handling.

C. All Crew Members' Responsibilities

1. To ensure the train is operated safely and rules are observed, all crew members must act responsibly to prevent accidents or rule violations. Crew members in the engine control compartment must communicate to each other any restrictions or other known conditions that affect the safe operation of their train sufficiently in advance of such condition to allow the engineer to take proper action. If proper action is not being taken, crew members must remind engineer of such condition and required action.
2. Crew members in the engine control compartment must be alert for signals. As soon as signals become visible or audible, crew members must communicate clearly to each other the name of signals affecting their train. They must continue to observe signals and announce any change of aspect until the train passes the signal. If the signal is not complied with promptly, crew members must remind the engineer and/or conductor of the rule requirement.
3. When the engineer and/or conductor fail to comply with a signal indication or take proper action to comply with a restriction or rule, crew members must immediately take action to ensure safety, using the emergency brake valve to stop the train, if necessary.