

Order under Section 32.01 of the Railway Safety Act due to COVID-19, No. 9

From: Transport Canada

Whereas the World Health Organization has characterized COVID-19 as a pandemic and this pandemic is affecting Canada;

Whereas across Canada, all levels of government are taking measures to mitigate the transmission of COVID-19;

Therefore, the Minister of Transport considers it necessary in the interests of safe railway operations to make this order under section 32.01 of the *Railway Safety Act* requiring certain companies to follow the procedures set out below.

Ottawa, November 30, 2020

Le ministre des Transports,

Marc Garneau

Minister of Transport

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Interpretation

Definition

1 In this Order, **COVID-19** means the coronavirus disease 2019.

Health Check

Health check – listed companies

2 Subject to section 4, a company listed in the schedule to this Order must not operate railway equipment on a railway unless the company has conducted a health check of every person prior to their boarding the railway equipment.

Health Check

3 (1) A company conducting a health check must ask questions of every person to verify whether they exhibit the following symptoms:

- (a)** a fever;
- (b)** a cough; and
- (c)** breathing difficulties.

Additional question

(2) In addition to the health check, the company must ask every person

- (a)** whether they have been refused boarding by a company or any other carrier in the past 14 days due to a medical reason related to COVID-19, and
- (b)** whether they are subject of a provincial or local public health order.

False declaration – obligation for company

(3) The company must advise every person not to provide answers to the health check or the additional question in a way that they know to be false or misleading.

Exceptions

4 The company is not required to conduct the health check for any of the following persons:

(a) an employee of the company who works on board the railway equipment;

(b) a person who provides a medical certificate certifying that the symptoms referred to in subsection 3(1) are not related to COVID-19.

Prohibition

5 The company must not allow a person to board railway equipment if

(a) the person's answers to the health check indicate that they exhibit

(i) a fever and cough, or

(ii) a fever and breathing difficulties;

(b) the company observes, during the health check, that the person is exhibiting

(i) a fever and cough, or

(ii) a fever and breathing difficulties;

(c) the person's answer to the additional question asked to them under subsection 3(2) is in the affirmative; or

(d) the person is a competent adult and refuses to answer any questions asked of them under subsections 3(1) or (2).

Expiry

6 This Order expires on January 31, 2021.

Coming into Force

December 1, 2020

7 This Order comes into force on December 1, 2020.

Schedule

(Section 2)

List of Companies

1 Great Canadian Railtour Company Ltd.

2 Keewatin Railway Company

3 National Railroad Passenger Corporation (AMTRAK)

4 Pacific & Arctic Railway Navigation, British Columbia & Yukon Railway,
British Yukon Railway doing business as White Pass & Yukon Route Railroad
(WP&YR)

5 Transport Ferroviaire Tshiuetin Inc.

6 VIA Rail Canada Inc.

 **Did you find this information helpful?**

i Transport Canada is closely monitoring the COVID-19 situation. In response, we have issued some **transportation-related measures and guidance**. Please check if any of these measures apply to you.

You may experience longer than usual wait times or partial service interruptions. If you cannot get through, please **contact us by email**.

For information on COVID-19 updates, please visit **Canada.ca/coronavirus**.

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