

Safety Enhancement at Passive Grade Crossings

**Development of Model Legislation to enhance safety at
passive grade crossings by addressing sight obstructions**

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October 25, 2007

Our Discussion Today

- Our mandate for this effort
- Background information
- A look at the draft Model Law that FRA has prepared as a starting point for the working group
- Where we go from here with this effort
- Request for additional working group members

Our Mandate

- On May 3, 2007, the US DOT Office of Inspector General issued its fourth audit report on FRA's activities in grade crossing safety.
- The report recommended that FRA work in partnership with the Federal Highway Administration to develop model legislation that would address the issue of sight obstructions at passive public highway-rail grade crossings.

Background Information

- In 1997, FRA drafted two Model Laws to address the issues of trespassing on railroad property and vandalism of railroad property.
- These were provided to the States for their consideration and use.
- As of March of this year, only 13 States had laws addressing all types of sight obstructions at crossings.
- The National Committee on Uniform Laws and Ordinances has developed a Model Law to help States reduce collisions at grade crossings.

Background Information

- From 2001 to 2005, railroads submitted 689 collision reports to FRA that documented sight distance obstructions.



- In these collisions, 242 people were injured, and there were 87 fatalities.

Our Draft Model Law is a starting point for the Working Group

- The draft Law currently has a three-part structure, but this is open to modification or addition by the Working Group:
 - Words and Phrases Defined
 - Vehicles Approaching a Passive Crossing
 - Provision of adequate Sight Distance
at Passive Public Highway-Rail Grade Crossings

Definitions for use in the Model Law

- Key Words and Phrases are defined:
 - Road User
 - Passive Public Crossing
 - Clearing Sight Distance
 - Stopping Sight Distance



Vehicles Approaching a Passive Public Crossing

The Model Law spells out the actions required of a road user approaching a passive crossing.



Vehicles Approaching a Passive Public Crossing

- Three different circumstances are listed; if any one of these is true, the road user must STOP not less than 15 feet from the nearest rail of the nearest track:
 - An approaching train is visible
 - An approaching train horn is being sounded
 - A STOP sign is posted at the crossing

Provision of Adequate Sight Distance at Passive Grade Crossings

- The Model Law identifies parties responsible for inspection of passive public crossings, and the determination of adequacy of sight distances.
- Responsible organization may order the removal of structures, topography, railroad equipment, trees or vegetation that restrict visibility.
- Property owner has 60 days to remove the cited obstructions, after receipt of notice, or suffer a civil penalty.

Provision of Adequate Sight Distance at Passive Grade Crossings

- If the obstructions are found within the public right-of-way, then written notice of the findings shall be issued to the responsible agency.
- If the obstruction is not removed within 60 days of notice, the State DOT shall remove the obstruction, and its costs shall be recoverable from the cited responsible agency.

This Isn't The End, But I Can See It From Here

- **FRA is asking for your help – we are eager to obtain participation by our safety partners.**
- **We will try to avoid requiring travel by using email, teleconferences, and other means of working together.**
- **Any and all comments, corrections or additions are welcomed.**

You Are Invited to Join

**We welcome your participation
in the Working Group!**

See us today to join!

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