

Education and Enforcement Initiatives in RSIA

Title II – Highway-Rail Grade Crossing and Pedestrian Safety & Trespass Prevention: Rail Safety Improvement Act of 2008 (Public Law 110-432)

2009 Illinois Railroad Safety Education and Enforcement Workshop
Chicago, IL
September 14, 2009

Macomb Journal September 3, 2009

In cooperation with the Illinois Commerce Commission, Federal Railroad Administration and Burlington Northern Santa Fe Railway Company, the MPD targeted education and enforcement of safety at railway crossings through Macomb. Officers handed out safety information at crossings, ticketed offenders and rode the train to observe violations.

Jeff Schmid, BNSF Manager Field Safety Support, said the goal of the operation was not to punish, but rather to enforce the laws, raise awareness and lower the number of crossing collisions.

"They're doing pretty well here in Macomb," said Schmid. "The number of collisions is down from past years, **and we give a lot of credit to law enforcement.**"

Pedestrian Crossing Safety Section 201





Pedestrian Crossing Safety

Section 201

Provide guidance to railroads on strategies and methods to prevent pedestrian accidents, incidents, injuries, and fatalities at or near passenger stations, including—



Pedestrian Crossing Safety

Section 201

- Audible warning of approaching trains
- Signs, signals, or other visual devices
- Infrastructure at pedestrian crossings to improve the safety of pedestrians crossing railroad tracks;
- Fences to prohibit access to railroad tracks; and
- Other strategies or methods as determined by the Secretary.



Pedestrian Crossing Safety

Section 201

- Time frame – guidance due 10/16/09
- Status
 - Compilation of Pedestrian Devices is done
 - Initial draft is completed



State Action Plans

Section 202



State Action Plans

Section 202

- Identify the 10 States with the most collisions over the past 3 years
- Require those States to develop a State grade crossing action plan within a reasonable period of time
- Identification by October 16, 2009



State Action Plans

Section 202

- Identify specific solutions for improving safety including:
 - crossing closures or grade separations,
 - focus on crossings with multiple accidents or are at high risk for such accidents.
- Provide assistance in developing and carrying the plan
- May be coordinated with other State or Federal planning requirements
- Cover a period of time determined to be appropriate by the Secretary.

Education & Enforcement may be key elements



State Action Plans

Section 202

- State may lose eligibility for grants under:
 - Sec. 20158 – Railroad Safety Technology Grants - \$50M/yr – PTC
 - Sec. 20167 – Railroad Safety Infrastructure Grants - \$5M/yr – general safety improvements
 - Sec. 22501 – Crossing Safety Grants – 2 grants at \$1.5M/yr each



State Action Plans

Section 202

- REVIEW AND APPROVAL.—review and approve or disapprove it within 60 days.
- If disapproved, notify the State of the specific deficient areas
- State shall correct all deficiencies within 30 days

State Action Plans

Section 202

- Currently the Top 9 are – TX**, CA, IL*, IN, GA, LA*, OH, AL, FL
 - * Have already completed AP
 - ** Is working on AP
- 10th is IA but AR and MS are within 2 collisions
- This is through May 2009

Improvements to Sight Distance at Highway-rail Grade Crossings

Sec. 203



Sight Distance at Crossings

Sec. 203

- Develop model State legislation for improving safety by addressing sight obstructions at passive crossings
- Including
 - vegetation growth
 - topographic features
 - structures
 - standing railroad equipment

Sight Distance at Crossings

Sec. 203

- Time Frame – 4/16/10
- Status
 - Draft model law is prepared and being reviewed after comments from AAR
 - Outreach to National Conference of State Legislatures and Governor's Conference
- Enforcement of State sight distance laws will be important

National Crossing Inventory Sec. 204

Telephone Number to Report Grade Crossing Problems (ENS) Sec. 205

Figure 8B-4. Emergency Notification Signs



ENS Sec. 205

Require each railroad carrier to establish and maintain a toll-free telephone service for ROWs over which it dispatches trains

ENS Sec. 205

- To directly receive calls reporting—
 - malfunctions of signals, crossing gates, and other devices on public or private roads;
 - disabled vehicles blocking railroad tracks
 - obstructions to the view of a pedestrian or a vehicle operator for a reasonable distance in either direction of a train's approach; or
 - other safety information involving such grade crossings;

ENS

Sec. 205

- Upon receiving report of malfunction of signals or disabled vehicles:
 - Immediately contact trains
 - Then contact appropriate local safety officials and provide information so that they can assist as necessary

ENS

Sec. 205

- Upon receiving a report of sight obstructions or other safety information:
 - Timely investigate and remove the obstruction if possible, or correct the safety problem

ENS

Sec. 205

- Install appropriately placed signs at each crossing that contains, at a minimum, the following:
 - Toll-free number
 - Explanation of the purpose of the toll-free number
 - DOT Inventory Number
- May waive the toll-free requirement for Class II and Class III railroads
- Due by April 16, 2010

Operation Lifesaver

Sec. 206



Operation Lifesaver Sec. 206



- FRA shall make a grant or grants to OL for a public information and education program to help prevent and reduce pedestrian, motor vehicle, and other accidents, incidents, injuries, and fatalities, and to improve awareness along railroad rights-of-way and at highway-rail grade crossings.

Operation Lifesaver Sec. 206



- The program shall include,
 - PSA in newspaper, radio, television, and other media.
 - School presentations, brochures and materials, support for public awareness campaigns, and related support for the activities of Operation Lifesaver's member organizations.
- Shall provide information to the public on how to identify and report to the appropriate authorities unsafe or malfunctioning highway-rail grade crossings.

Operation Lifesaver Sec. 206



- May implement a pilot program, to be known as the Railroad Safety Public Awareness Program, that addresses the need for targeted and sustained community outreach
- Established in 1 or more States identified under Section 202 (Top 10).

Operation Lifesaver Sec. 206



- OL shall work with the State, community leaders, school districts, and public and private partners to:
 - identify the communities at greatest risk
 - develop appropriate measures to reduce such risks
 - coordinate the pilot program with the State grade crossing action plan.



Operation Lifesaver Sec. 206



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- Authorization of appropriations to FRA
 - \$2M for FY 2010 and 2011
 - \$1.5M for FY 2012 and 2013



Federal Grants to States for Highway-Rail Grade Crossing Safety Sec. 207



Federal Grants to States for Highway-Rail Grade Crossing Safety Sec. 207

- Provides for two new grant programs for crossing safety
 - Enhanced public education and enforcement programs (e.g., PEERS) to reduce violations of traffic laws at crossings and reduce casualties along ROWs. Includes measurement.
 - Provide priority crossing safety improvements (signals, gates, 4 quad, medians, traffic signals, lighting, signs, crossing surfaces)



Federal Grants to States for Highway-Rail Grade Crossing Safety Sec. 207

- Grants to the State agency or agencies responsible for crossing safety.
- \$1.5M per year for each grant program is authorized

Federal Grants to States for Highway-Rail Grade Crossing Safety

Sec. 207

- Awarding grants
 - Education-Enforcement grant – based on merits and the greatest safety benefits. May give priority to States that have implemented a State Action Plan.
 - Infrastructure grant – Priority improvements on an expedited basis at a location where there has been a serious collision within the last 2 years involving major loss of life. Grants may not exceed \$250K.
 - May not be used for Quiet Zones

Trespasser Prevention and Highway-Rail Grade Crossing Safety

Sec. 208



Trespasser Prevention and Highway-Rail Grade Crossing Safety

Sec. 208

- EVALUATION OF EXISTING LAWS
 - Evaluate laws regarding trespassing, vandalism, and violations of crossing traffic control devices
 - Develop model prevention strategies and enforcement laws
 - Completed by 10/16/09. - revise the model prevention strategies and enforcement codes periodically.

Trespasser Prevention and Highway-Rail Grade Crossing Safety

Sec. 208

- Traffic Laws
 - Consult with State and local governments and railroad carriers
 - Develop model State legislation providing for civil or criminal penalties, or both, for violations of crossing traffic control devices
 - Completed by 4/16/10



Trespasser Prevention and Highway-Rail Grade Crossing Safety

Sec. 208

- DEFINITION.— “violation of crossing traffic control devices” includes any action by a motorist, unless directed by an authorized safety officer—
 - to drive around a crossing gate in a position intended to block passage over railroad tracks;
 - to drive through a flashing crossing signal;
 - to drive through a crossing with passive warning signs without ensuring that the crossing could be safely crossed before any train arrived; and
 - in the vicinity of a crossing, who creates a hazard of an accident involving injury or property damage at the crossing.



Trespasser Prevention and Highway-Rail Grade Crossing Safety

Sec. 208

- EDUCATIONAL OR AWARENESS PROGRAM ITEMS FOR DISTRIBUTION.—May purchase items of nominal value and distribute them to the public without charge as part of an educational or awareness program to accomplish the purposes of this section and of any other sections of this title related to improving the safety of highway-rail crossings and to preventing trespass on railroad rights of way, and the Secretary shall prescribe guidelines for the administration of this authority.



Accident and Incident Reporting

Sec. 209



Accident and Incident Reporting

Sec. 209

- FRA shall:
 - conduct an audit of each Class I railroad at least once every 2 years
 - conduct an audit of each non-Class I railroad at least once every 5 years
- To ensure that all crossing collisions and fatalities are reported to any Federal national accident database.



Fostering Introduction of New Technology to Improve Safety at Grade Crossings

Sec. 210

Fostering Introduction of New Technology to Improve Safety at Grade Crossings

Sec. 210

POLICY.—It is the policy of the United States to encourage the development of new technology that can prevent loss of life and injuries at highway-rail grade crossings. The Secretary of Transportation is designated to carry out this policy in consultation with States and necessary public and private entities.



Fostering Introduction of New Technology to Improve Safety at Grade Crossings

Sec. 210

- New technology
 - Reviewed in accordance with FRA’s standards for processor-based signal and train control systems
 - Shall consider the effects of safety.
- Preempts State laws concerning adequacy of the warning
 - If approved and installed in accordance with the approval



To Get a Copy of RSIA

- Posted of FRA’s web site – www.fra.dot.gov
- Thomas – thomas.loc.gov
 - Search Multiple, Previous Congresses
 - Enter “hr 2095” and check 110
 - Click on “H.R.2095.EAH”



Questions??

Ron Ries

Ron.Ries@dot.gov

(202) 493-6285