

741-100-0005

Jurisdiction of the State

The jurisdiction of the state for the regulation of railroad-highway grade crossings includes all roadways open to or to be opened to and used by the public, which are equipped with protective devices as required under OAR Chapter 741, Divisions 100 through 200, or by Order of the Department. The state's jurisdiction extends a distance equal to the safe stopping distance, for the posted or statutory speed, measured back from the location of the stop clearance lines at the railroad-highway grade crossing.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.200

741-100-0020

Definitions

As used in OAR Chapter 741, Divisions 100 through 200, the following definitions apply:

(1) "Alter" means any change to the roadway or tracks at a crossing that materially affects use of the crossing by railroad equipment, vehicles, or pedestrians. Alterations include, but are not limited to adding or removing tracks; changing the width of the roadway; installing or removing protective devices; creating an additional travel lane; changing the direction of traffic flow; installing curbs, sidewalks, or bicycle facilities; or changing grade, including superelevation, if sufficient to necessitate a change of the grade of the railroad or highway being crossed.

(2) "AASHTO" means the American Association of State Highway and Transportation Officials, 2001, A Policy on Geometric Design of Highways and Streets, Fourth Edition.

(3) "Bicycle facilities" is a general term denoting improvements and provisions made to accommodate or encourage bicycling, including shared roadway not specifically designed for bicycle use.

(4) "Bicycle lane" has the meaning given in Section 1A.13 of the Manual on Uniform Traffic Control Devices (MUTCD), see section 13 below).

(5) "Crossing" means the area affecting or affected by the intersection of a highway with a track or tracks of a railroad or a rail-fixed guideway system.

(6) "Curb" means standard curb as per Oregon Standard Drawing No. RD700.

(7) "Grade crossing" means a highway-rail grade crossing as defined in Section 1A.13 of the MUTCD.

(8) "Guardrail" means a device as depicted in Oregon Standard Drawing No. RD445.

(9) "Highway" has the meaning given that term in ORS 824.200(2).

(10) "Illumination" means a system of luminaires arranged in a unique pattern (see Figure 7) to provide direct lighting on the side of railroad equipment occupying a grade crossing during hours of darkness.

(11) "Interconnection" is as defined in Section 8A.01 of the MUTCD.

(a) "Preemption" is as defined in Section 8A.01 of the MUTCD.

(b) "Advance Preemption" is as defined in Section 8A.01 of the MUTCD.

(c) "Simultaneous Preemption" is as defined in Section 8A.01 of the MUTCD.

(12) "Maintenance" includes but is not limited to the repair, replacement, alignment, cleaning of protective devices and other actions necessary to assure the proper warning is conveyed to users of the crossing. It also includes the required power to properly activate and operate the protective devices. Minor changes resulting from the maintenance of surface, grade, and

alignment, or the replacement in kind of existing signs and signals are not alterations. See OAR 741-120-0020 regarding maintenance of grade crossing surfaces.

(13) "MUTCD" means the Manual on Uniform Traffic Control Devices as adopted by OAR 734-020-0005.

(14) "Multi-use path" means shared-use path as defined in Section 1A.13 of the MUTCD.

(15) "Public authority" has the meaning given to the term "public authority in interest" in ORS 824.200(7).

(16) "Rail-fixed guideway system" means any light, heavy or rapid rail system, monorail, inclined plane, funicular, trolley or automated guideway used primarily for carrying passengers.

(17) "Railroad" has the meaning given that term in ORS 824.020(2) and 824.200(7).

(18) "Roadway" has the meaning given in Section 1A.13 of the MUTCD.

(19) "Safe Stopping Distance" (SSD) means the design stopping sight distance as set forth in AASHTO 2001, Exhibit 3-1 (see Table 1).

(20) "Separated crossing" means a crossing where the highway and railroad are not at common grade. There are two types of separated crossings:

(a) "Overcrossing" means the highway is above the railroad.

(b) "Undercrossing" means the railroad is above the highway.

(21) "Shoulder" means that portion of the roadway contiguous with the traveled way that accommodates stopped vehicles, emergency use, and lateral support of sub-base, base, and surface courses.

(22) "Sidewalk" means that portion of a grade crossing set aside for use by pedestrians.

(23) "Sight Distance" means the distance from the railroad-highway grade crossing, measured along the railroad, that a train must become visible to a motorist who is at the SSD.

(24) "Standard Protective Devices" means the traffic control devices listed in the MUTCD, and the Active, Passive, Auxiliary and Advance Warning devices listed in Sections (2), (3), (4), (5), (6), and (7) of OAR 741-110-0030.

(25) "Traffic Signal Preemption Control" is as defined in Section 4A.02, 42 of the MUTCD.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.200

741-100-0030

Adoption of Tables and Figures Related to Railroad-Highway Crossings

For the purposes of OAR Chapter 741, Division 100 through Division 200, Tables 1 and 2 and Figures 1 through 9 are hereby adopted and made a part of these rules.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.212

TABLE 1
SAFE STOPPING DISTANCES (SSD)
(The SSD is measured 15 feet from nearest rail)
(OAR 741-100-0020)

Vehicle Approach Speed	SSD
15 mph	80 feet
20 mph	115 feet
25 mph	155 feet
30 mph	200 feet
35 mph	250 feet
40 mph	305 feet
45 mph	360 feet
50 mph	425 feet
55 mph	495 feet
60 mph	570 feet
65 mph	645 feet

Source: Based on an equation from A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation officials, 2001, Fourth Edition, pg 112.

TABLE 2
MAINTENANCE RESPONSIBILITIES
OAR 741-115-0030

Standard Protective Device	Party Responsible for Installation and Maintenance	MUTCD Reference	Rule Reference
Advance EXEMPT sign	Public Authority	Sign W10-1a Section 8B.05	
Advance Warning Pavement Markings	Public Authority	Section 8B.20	
Advance Warning sign	Public Authority	W10 series signs Section 8B.04	
Automatic gate	Railroad	Section 8D.04	741-110-0030(3)(d)
Cantilevered Flashing-light signal	Railroad	Section 8D.03	741-110-0030(3)(b)
Crossbuck sign	Railroad	Sign R15-1 Section 8B.03	
Crossbuck/STOP sign assembly	Railroad		741-110-0030(2)(a) 741-110-0040(10)
Crossbuck/YIELD sign assembly	Railroad		741-110-0030(2)(b) 741-110-0040(10)

DO NOT STOP ON TRACKS sign	Public Authority and Railroad	Sign R8-8 Section 8B.07	
EXEMPT sign	Public Authority and Railroad	Sign R15-3 Section 8B.04	
Flashing-light signal	Railroad	Section 8D.02	741-110-0030(3)(a)
Guardrail	Public Authority		741-110-0030(6) 741-110-0040(7) Oregon Standard Drawing No. RD445
HIGH LEVEL WARNING DEVICE	Public Authority		741-115-0040(1)(b)
Illumination	Public Authority and Utility Companies	Section 8C.01	Figure 3 741-110-0030(2)(e) 741-110-0040(9) Figure 7
Multi-use Path Advance Warning sign	Public Authority	Sign W10-1 (15" diameter) Chapter 9B, Table 9B-1	
NO TURN ON RED sign	Public Authority	Signs R10-11, or 11a Section 8D.07	
Number of Tracks sign	Railroad	Sign R15-2 Section 8B.03	
Pedestrian flashing-light signal	Railroad		741-110-0030(3)(c) 741-110-0040(2) Figure 2
Railroad STOP sign	Railroad		741-110-0030(2)(c) 741-110-0040(3) Figure 1
Skewed Angle Bicycle Warning sign	Public Authority		741-110-0030(5)(b) Figure 9
Standard Curb	Public Authority		741-110-0030(7) 741-110-0040(8) Oregon Standard Drawing No. RD700 Figure 6
STOP AHEAD sign	Public Authority	Sign W3-1 or 1a Section 2C.29	741-110-0040(6)
Stop Clearance Line	Public Authority	Stop Line Section 8B.21	741-110-0040(4)
STOP HERE ON RED sign	Public Authority	Sign R10-6 Section 2B.40	
Traffic Signal	Public Authority and Railroad	Section 8D.07	741-110-0030(3)(g) 741-115-0040
Preemption Control	Public Authority and Railroad		741-110-0030(5)(a) 741-110-0040(6) Figure 5
Train-activated Advance Warning Device	Public Authority and Railroad		
Turn Restriction Devices During Train Preemption	Public Authority and Railroad	Sign R10-11a, 11b or 11c in Section 2B.45 and Section 8B.06	
Vehicle STOP sign	Public Authority	Sign R1-1 Section 2B.04	
YIELD AHEAD sign	Public Authority	Sign W3-2 or 2a Section 2C.29	741-110-0030(5)(b) 741-110-0040(6)

741-100-0040

Display of U.S. DOT Inventory Number

The U.S. DOT crossing number shall be displayed at all public railroad-highway crossings.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.200

741-110-0020

Application of Rules to Existing Protective Devices

(1) Protective devices installed on or after the effective date of these rules shall comply with these rules.

(2) Except as required by OAR 741-110-0050 (2), protective devices installed at grade crossings are deemed to be in compliance with the rules and regulations of the Department, if the installations were performed in accordance with the rules in effect at the time of their installation.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.202

741-110-0030

Standard Protective Devices

(1) The devices listed in the MUTCD and the devices listed in Sections (2), (3), (4), (5), (6), and (7) of this rule are “standard protective devices.”

(2) Passive Devices:

(a) Crossbuck/STOP sign assembly is depicted in Figure 4.

(b) Crossbuck/YIELD sign assembly is depicted in Figure 4.

(c) Railroad STOP Sign Figure 1 is a fixed rectangular sign that shall bear the word “STOP” in white reflective letters on red reflective material, or in black letters on white reflective material.

(d) Stop Clearance Line is a stop line as set forth in Section 3B.16 of the MUTCD, which is 24 inches wide.

(e) “Illumination” (Figure 7) is a system of luminaires arranged in a unique pattern to provide direct lighting on the side of railroad equipment occupying a grade crossing during hours of darkness.

(3) Active Devices at Grade Crossings:

(a) Flashing-Light Signal is as set forth in Section 8D.02 of the MUTCD, which has an audible warning device. For additional specifications for Flashing-light signals, refer to subsections (e) and (f) of this section.

(b) Cantilevered Flashing-Light Signal is as set forth in Section 8D.03 of the MUTCD, which has an audible warning device. For additional specifications on cantilevered Flashing-light signals, refer to subsections (e) and (f) of this section.

(c) Pedestrian Flashing-Light Signal is an active warning device that shall sound an audible warning and alternately flash two 12-inch diameter, vertically mounted, red lights in both directions along the multi-use path to provide warning of an approaching train. For additional specifications on Pedestrian Flashing-light signals, refer to subsections (e) and (f) of this section (See Figure 2).

(d) Automatic Gate is as set forth in Section 8D.04 of the MUTCD.

(e) Light units on Flashing-light signals, Cantilevered Flashing-light signals, and Pedestrian Flashing-light signals shall be aligned so that insofar as it is practical to do so, at least one full 12-inch diameter red light shall be visible when viewed from any point on the roadway within the safe stopping distance.

(f) Unless otherwise specified, 12-inch diameter roundels (lenses) on Flashing-light signals, Cantilevered Flashing-light signals, and Pedestrian Flashing-light signals, if incandescent bulbs are used, shall be as follows:

(A) Front light units: roundel rated with a 30-degree horizontal and 15-degree downward spread.

(B) Back light units: roundel rated with a 70-degree horizontal spread.

(C) Cantilevered front and back light units: roundel rated with a 20-degree horizontal and 32-degree downward spread.

(g) Traffic Signal Preemption Control is as set forth in Section 8D.07 of the MUTCD. Traffic Signal Preemption Control is required when railroad tracks are located on a roadway within 215 feet of a highway/highway intersection that is equipped with vehicle traffic signals. The distance is measured from the nearest rail at the crossing to the nearest vehicle stop location at the highway/highway intersection.

(4) Auxiliary Devices. The Department may authorize the installation of auxiliary signs and signals at a crossing. Such devices shall be installed so as not to obscure other crossing signs or signals at the crossing.

(5) Advance Warning Devices:

(a) Train-Activated Advance Warning Device (Figure 5) is a signal that shall alternately flash two yellow lights along the highway in advance of a crossing, to provide warning of an approaching train.

(b) Skewed Angle Bicycle Warning signs are signs OBW8-19R and OBW8-19L (See Figure 9).

(6) Guardrail is as depicted in Oregon Standard Drawing No. RD445.

(7) Curb is a standard curb as depicted in Oregon Standard Drawing No. RD700.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.220

741-110-0040

Location of Protective Devices

(1) Standard Protective Devices shall be located as set forth in Part 8 of the MUTCD.

(2) Pedestrian Flashing-light signals (Figure 2) shall be located at the side of the multi-use path in advance of the grade crossing and to the right of approaching pedestrians or bicyclists.

(3) Railroad STOP signs (Figure 1) shall be located adjacent to the track on which the stopping requirement applies not closer than six feet nor further than 25 feet from the nearest edge of the roadway.

(4) The stop clearance line described in OAR 741-110-0030(2) (d) shall be located in accordance with the MUTCD as adopted by OAR 734-020-0005.

(5) Advance warning signs and advance warning pavement markings shall be located in accordance with the MUTCD as adopted by OAR 734-020-0005.

(6) STOP AHEAD (W3-1 or W3-1a signs, YIELD AHEAD (W3-2 or W3-2a) signs and train-activated advance warning signals shall be located not less than 100 feet in advance of the advance warning sign. See Figure 5.

(7) Guardrails shall be located so that the face of the guardrail, at a point perpendicular to the roadway centerline, shall coincide with the outside edge of the roadway. No part of the guardrail shall be closer than 10 feet from the centerline of the nearest track.

(8) Curb shall be located on the outside edge of the roadway. See Figure 6. Curb shall commence not less than 10 feet from centerline of nearest track and must extend 50 feet in advance of the automatic protective device.

(9) Illumination Devices. The system of luminaires shall be located at the grade crossing, as determined by field conditions, to light the side of the train during hours of darkness. See Figure 7.

(10) Crossbuck/STOP sign and Crossbuck/YIELD sign assemblies (Figure 4). Unless otherwise ordered by the Department, the assemblies shall be located a minimum of 12 feet from the centerline of nearest track and on the right side of the highway approach to the railroad-highway grade crossing. The minimum clearance for the nearest edge of the assembly should be six feet from the edge of the traveled way.

(11) Overhead Mounting of Signs and Signals. At the option of the public authority, or by Order of the Department, authorized signs and signals may be installed directly over a lane of traffic on the roadway.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.220

741-110-0050

Authority Required for Installation, Removal or Change of Protective Devices/Exceptions

No protective device shall be installed, removed or substituted for any other device, without prior authorization by Order of the Department, except:

(1) Additional flashing light units may be installed on existing installations of Flashing-light signals and Cantilevered Flashing-light signals by the railroad.

(2) Worn out or destroyed protective devices may be replaced by a similar device; however, the replacement shall comply with the rules and regulations of the Department in effect at the time of replacement.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.202

741-110-0060

Required Installation of Specified Protective Devices

Unless otherwise ordered by the Department, the following protective devices shall be installed at the grade crossings described below.

(1) One railroad STOP sign shall be installed, where physical circumstances permit, on each track approach to each crossing equipped with Flashing-light signals, Cantilevered Flashing-light signals, Pedestrian Flashing-light signals, and automatic gates when the minimum signal activation requirement of OAR 741-110-0070(1) cannot be met.

(2) Two Number of Tracks (R15-2) signs shall be installed at each grade crossing consisting of two or more tracks.

(3) Stop Clearance Lines. One stop clearance line shall be installed on each paved roadway approach lane at each grade crossing.

(4) Advance Warning Signs. Appropriate railroad advance warning signs shall be installed on each roadway approach to each grade crossing.

(5) Advance Warning Pavement Markings. Advance warning pavement markings shall be installed on each paved vehicle approach lane to each grade crossing.

(6) Guardrail or Curb. Guardrail or curb, as appropriate, shall be installed at each crossing equipped with active protective devices.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.202

741-110-0070

Operation of Active Devices

(1) Activation of Devices. Unless otherwise ordered by the Department, Flashing-light signals, Cantilevered Flashing-light signals, Pedestrian Flashing-light signals, and automatic gates shall be activated by approaching trains through control circuitry in such a manner as will provide a warning through continuous signal operation for a period of not less than 20 seconds nor more than 40 seconds before the arrival of a train traveling at the highest speed permissible over that particular track. Prolonged signal operation shall be avoided by reasonable operating and engineering practices.

(2) Cessation of Operation. The warning aspect of Flashing-light signals, Cantilevered Flashing-light signals, Pedestrian Flashing-light signals, and automatic gates shall cease operation immediately after the passage of the train over the roadway unless approach circuits on adjacent tracks are occupied by an oncoming train.

(3) Advance Preemption (railroad detection) or other appropriate methods shall be used to provide a pedestrian clear-out interval (PCOI) before the vehicle clear-out interval (VCOI).

(a) When a VCOI is required, the indication for the track clearance phases shall be green.

(b) The road authority may submit an engineering study to the State Traffic Engineer to request a deviation from the standards. The State Traffic Engineer, together with the ODOT Rail Division Crossing Safety Section Manager, may authorize a signalized intersection operation consistent with the findings of the study.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.220

741-110-0080

Observance of Railroad Stop Signs

When Railroad STOP signs are installed, traffic on the railroad shall stop prior to entering the roadway and proceed when safe to do so, but not before automatic gate arms have fully lowered, or (in the case of a nongated crossing) not before active protective devices, if any, at the crossing have been fully activated for a period of not less than 20 seconds.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.202

741-110-0090

Maintenance and Replacement of Protective Devices

Protective devices installed at grade crossings shall be maintained in satisfactory condition, location and in proper alignment. Signs shall be legible at all times. Signal lenses shall be visible as required in OAR 741-110-0030(3)(e). After notification of damage, destruction, failure or malfunction of a protective device, the party responsible for its maintenance shall promptly replace or repair the device, and adequately protect the crossing in the interim.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.204 & 824.206

DIVISION 115 MISCELLANEOUS RULES AND PROCEDURES AT RAILROAD-HIGHWAY CROSSINGS

741-115-0030

Responsibility for Installation and Maintenance of Protective Devices

Unless otherwise ordered by the Department, or unless the parties agree otherwise, the party responsible for the installation and maintenance of protective devices at a grade crossing is as set forth in Table 2. At grade crossings with interconnected vehicle traffic signals, the responsibilities are shared between the railroad and the public authority. The railroad shall install and maintain the circuitry located on the track and its connection to the outside of the railroad signal case. The railroad shall provide appropriate electrical contacts to the public authority. The railroad shall install and maintain “DO NOT STOP ON TRACKS” (R8-8) signs on Cantilevered Flashing-light signals pursuant to OAR 741-110-0040 (11). The public authority shall install and maintain all other signs, signals and circuitry connected to the outside of the railroad signal case to assure proper operation of the subject device.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stat. Implemented: ORS 824.200 & 824.212

741-115-0040

Special Requirements for Traffic Signal Preemption Control

(1) Each public authority with responsibility for maintaining a vehicle traffic signal system interconnected with active protective devices at an adjacent grade crossing shall:

- (a) Install the notice, provided by the Department, in the traffic signal cabinet.
- (b) Install a “DO NOT STOP ON TRACKS” (R8-8) sign (see Figure 3) capable of holding three flags.
- (c) When the railroad preemption feature fails and cannot be repaired within 30 minutes, install flags on the “DO NOT STOP ON TRACKS” (R8-8) signs (see Figure 3) and/or provide manual flag protection alerting motorists of the potential hazard.
- (d) Remove the flags required in subsection (c) of this section upon completion of repairs to the railroad preemption feature.

(2) Upon notification of failure of the railroad preemption feature at a crossing equipped with an interconnected vehicle traffic signal system, the railroad shall immediately issue appropriate instructions to all train and switch crews operating over the crossing to be alert for trapped vehicles when approaching the crossing.

(3) The appropriate public authority will provide the Department with a report within 15 days of any signal interconnection malfunction reported to the railroad dispatcher.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220
Stat. Implemented: ORS 824.220

741-115-0060

Stop Signs at Private Crossings

(1) Unless otherwise ordered by the Department under ORS 824.224, the railroad shall cause to be installed one vehicle stop sign (24-inch minimum) on each side of any private or farm crossing at grade that is not equipped with automatic protective devices.

(2) The railroad shall also cause to be installed an auxiliary sign identifying the crossing as a private crossing by stating the words "PRIVATE CROSSING" in letters at least two inches high. The color of the sign shall be black letters on a white background (see Figure 8). Optional information such as the words "NO TRESPASSING," the name of the railroad from which permission must be secured for use of the crossing and permit number may be included on the auxiliary sign.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220
Stats. Implemented: ORS 824.224

741-115-0070

Bicycle Lane and Multi-use Path Construction

(1) Bicycle facilities shall intersect railroad tracks as close to 90 degrees as possible.

(2) Multi-use paths or bicycle lanes that have angles of intersection with railroad tracks of 60 to 74 degrees shall have an appropriate sign (see Figure 9) posted on each approach to the crossing.

(3) Multi-use paths or bicycle lanes that have angles of intersection with railroad tracks of 59 degrees or less shall require an engineering study.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220
Stats. Implemented: ORS 824.212

741-120-0020

Grade Crossing Construction and Maintenance

(1) At all new or altered grade crossings used by motor vehicles, bicycles, or pedestrians, the roadway or multi-use path shall be constructed to conform to or exceed nationally recognized and commonly used construction standards.

(2) The width of the crossing surface, including sidewalks, at the crossing shall be not less than the width of the roadway approaches to the crossing.

(3) Unless authorized in writing by the Department, the surface of the roadway shall be in the same plane as the top of rails for a distance of at least two feet outside the rails, and not more than three inches higher nor three inches lower than the top of the nearest rail at a point thirty feet from the rail, measured at right angles thereto.

(4) The surface of each grade crossing shall conform to the plane of the top of the rails and be constructed and maintained in a reasonably smooth condition.

(5) The railroad shall notify the public authority at least two weeks in advance of the date it intends to raise or lower the elevation of one or more tracks at the crossing.

(6) The public authority shall notify the railroad at least two weeks in advance of the date it intends to raise or lower the elevation of its roadway on the roadway approach to the crossing. See Section 8A.05 of the MUTCD.

(7) Upon notification by the Department of a condition that does not conform to the requirements of sections (1) through (5) of this rule, the railroad or the public authority, within 30 days of such notification, unless any party requests a hearing, shall bring its portion of the crossing into compliance with the provisions of this rule, unless a time extension is granted in writing by the Department. See OAR 741-120-0010.

(8) The construction of new driveways within 100 feet of any railroad track at existing grade crossings requires an application under ORS 824.206, except for railroad right-of-way roads.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stats. Implemented: ORS 824.212

741-120-0040

Authority for Closure of Crossings and Removal of Tracks at Crossings

(1) Permanent Closure of Roadway at Crossings. Whenever a crossing is permanently closed to motor vehicle, bicycle or pedestrian traffic, the public authority at the crossing shall notify the Department of the closure and comply with OAR 741-120-0050. After such closure has been accomplished, the roadway cannot be reopened without the authority of the Department pursuant to ORS 824.204 or 824.210.

(2) Temporary Closure of Roadway at Crossings by the Railroad. When a railroad desires to close a railroad-highway crossing temporarily, it shall provide to the public authority at least two weeks advance notification of its intent to close the crossing. The railroad may provide the road authority less than two weeks advance notice of its intent to temporarily close the grade crossing, if the temporary closure is needed for emergency circumstances. See Section 8A.05 of the MUTCD.

(3) Discontinuance of Railroad Operations at Crossings. Whenever railroad use of a crossing is to be discontinued in accordance with federal requirements, the owner of the track at the crossing and the railroad operating over such track shall notify the Department of the discontinuance.

(4) Removal of Trackage at Crossings. Whenever one or more tracks is to be removed at a grade crossing, the railroad operating over such trackage shall file an application to alter the crossing under ORS 824.206.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stats. Implemented: ORS 824.206

741-200-0010

Purpose

To provide procedures to apply for authority to construct, relocate, alter or close crossing.

Stat. Auth.: ORS 823 & 824

Stats. Implemented: ORS 824.202

741-200-0040

Form of Applications

(1) Applications shall be filed on forms approved by the Department.

(2) An original application and attachments must be filed with the Rail Division of the Department.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220

Stats. Implemented: ORS 824.204, 824.206, 824.210

741-200-0065

Submittal Process

Application and application materials may be submitted electronically or in hard copy format.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202, 824.220, 84.022, 84.025

Stats. Implemented: ORS 824.202