

APPLICATIONS

741-200-0010

Purpose

OAR 741-200-0020 to 741-200-0070 provide procedures for making applications for authority to construct, relocate, alter or close crossing.

Stat. Auth.: ORS Ch. 823 & 824

Stat. Implemented: ORS 824.202

741-200-0020

Applications Required

Except where formal proceedings are initiated by the Department and except as provided in OAR 741-110-0050 and 741-120-0040, an application for authority must be filed with the Department to:

- (1) Construct, relocate or alter a sidewalk, multi-use path or roadway across one or more railroad tracks at grade;
- (2) Construct or relocate one or more railroad tracks across a sidewalk, multi-use path or roadway at grade; or
- (3) Construct, relocate or alter a separated crossing of a sidewalk, multi-use path or roadway.

NOTE: See definition of “alter” in OAR 741-100-0020(1).

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

Stat. Implemented: ORS 824.204, 824.206 & 824.210

741-200-0030

Persons Who May Make Application

Pursuant to ORS Chapter 824, only a railroad company or the public authority in interest may file an application for authority to construct, relocate, alter or close a crossing.

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

Stat. Implemented: ORS 824.202

741-200-0040

Form of Applications

- (1) Applications shall be filed on forms approved by the Department.
- (2) An original and sufficient complete copies of the application and attachments to serve all parties must be filed with the Rail Division of the Department.

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

Stat. Implemented: ORS 824.204, 824.206 and 824.210

741-200-0050

Information to Accompany Application

Unless exceptions have been authorized pursuant to OAR 741-200-0060, each application shall be accompanied by an engineered plan (drawing). The plan shall include:

- (1) A vicinity map, drawn to scale, showing in detail the vicinity of the crossing, project site and surrounding area road grid. The map shall show:

- (a) The angle of intersection of the centerlines of railroad and roadway. In cases where such intersection is on a curved section of roadway or railroad, the angle of intersection shall be the angle formed by a tangent to the curve or curves at the point of intersection;
- (b) The right-of-way lines of the roadway and the railroad;
- (c) The location of all public and private crossings within the limits of the map;
- (d) The location of all structures or other obstructions to vision that are between approaching vehicles and trains;
- (e) The location of all signs and signals that govern the flow of rail or roadway traffic within the safe stopping distance and the location of all railroad signs and signals within the grade crossing approach circuit; and
- (f) Maximum distance of unobstructed view along the tracks, indicated by sight lines drawn from:
 - (A) Points on the roadway 18 feet on each side of the centerline of the nearest track; and
 - (B) Points on the roadway at the distance from the centerline of the nearest track in accordance with the table of safe stopping distances.
- (2) Drawings for Active Protective Devices. When active protective devices are to be installed or altered, a drawing (scale of 1 inch = 20 feet is recommended) shall be provided showing the location of proposed signal foundations in relation to distances from centerlines of highway and nearest railroad track. This drawing shall also show the proposed position of other related structures and devices such as guardrails, shoulders of roadway, curbs of roadway and part-time turn restriction signals.
- (3) Vehicle Traffic Signal Plan (if applicable) with Operation Matrix.
- (4) Roadway Profile. A profile showing to scale the grade of the roadway within the safe stopping distance on each side of the crossing.
- (5) Railroad Profile. A profile showing the track profile within 250 feet of the crossing.
- (6) Drawings for Separated Crossings. All applications to construct or alter separated structures shall include drawings showing the vertical and horizontal clearances above and adjacent to the railroad tracks that will exist upon completion. Such clearances shall not be less than those prescribed in OAR 741-305-0010 through 741-305-0020 and OAR 741-310-0010 through 741-310-0050.
- (7) Drawings for Undercrossings. All applications to construct or alter undercrossings shall include drawings showing the clearances beneath the structure that will be provided for roadway use.

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

Stat. Implemented: ORS 824.204, 824.206 and 824.210

741-200-0060

Application Alternative

Upon approval of Rail Division staff, certain requirements of OAR 741-200-0050 may be waived.

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

Stat. Implemented: ORS 824.202

741-200-0080

Assignment of Responsibility for Continuing Costs

Cost responsibility for the maintenance of facilities associated with any project for which an application is filed pursuant to these rules shall be assigned to a railroad or the public authority in interest.

Stat. Auth.: ORS Ch. 823 & 824
Stat. Implemented: ORS 824.244

741-200-0090

Expiration of Authority to Construct Crossings

Authority to construct a crossing expires two years from the effective date of the Order granting such authority unless the authorized construction is substantially in progress within that period or within such additional period as may have been provided by Order of the Department

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.202 and 824.220
Stat. Implemented: ORS 824.204