

Summary of US DOT National Crossing Inventory Requirements for the Rail Safety Improvement Act of 2008 (RSIA 2008)

Public Law 110-432, H.R.2095 / S.1889
Enacted on October 16, 2008

Title II – Highway-Rail Grade Crossing and Pedestrian Safety and Trespasser Prevention

Section 204 – National Crossing Inventory

Requires Railroads and States to update the US DOT National Crossing Inventory File (National File) on a regular basis for all existing open crossings, including the inventorying and numbering of any existing or new crossings that are not in the National File, and the transfer of crossings to a new Operating Railroad when rail lines are sold. Railroads are responsible for public, private and pedestrian crossings; States are responsible for only public crossings. The Act requires the following:

Existing Crossings (updating current Inventory records)

Railroads and States must update their DOT Crossing Inventory Records for all existing open crossings (i.e., updating inventory records to reflect closure of closed crossings and update current records for crossings that are open):

- By October 16, 2010.
- Thereafter, every year by September 30th.
- Railroads must ensure that the information is reported by the primary Operating Railroad if the more than one railroad operates through the crossing.

New Crossings (includes existing crossings that have not been inventoried)

Railroads and States must inventory any new and previously unreported crossings:

- By October 16, 2009.
- Thereafter, within 6 months after the crossing becomes operational. Crossings established after April 16, 2009, have 6 months to be reported to the Inventory. Current policy requires Railroads to initiate the process.
- Railroads must ensure that the information is reported by the main Operating Railroad if it operates through the crossing.

Sold Crossings (or transferred)

Railroads must report the change in ownership for crossings on lines sold or transferred to a different Operating Railroad including the Effective Date of the action:

- By April 16, 2010.
- Thereafter, within 3 months after the sale or transfer.
- Crossings must be identified under the name of the primary Operating Railroad, which will usually be the dispatching railroad.

Existing Policies and Guides Apply

The current *Policies, Procedures, and Instructions* of the US DOT National Highway-Rail Crossing Inventory Program, which were in effect on October 16, 2008 apply and may be enforced, without the need for separate regulations.

These are found on FRA's Website at <http://www.fra.dot.gov/us/content 801>.

FHWA Title 23

Section 130 of Title 23 is revised to require States to comply with the provisions of this Act, except that the States are only responsible for public at-grade, grade-separated, and pathway (pedestrian) crossings. The term 'States' includes the District of Columbia and Puerto Rico.

Definition of a Crossing

The Act defines a 'Crossing' as follows: A crossing means a location within a State where (1) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, intersects one or more railroad tracks either at-grade or grade-separated, or (2) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, and intersects one or more railroad tracks either at-grade or grade-separated.

Rulemaking Authority

FRA is granted Rulemaking Authority to implement the requirements of this statute and to change or modify provisions of Section 204. "National Crossing Inventory" of the Act through the Rulemaking process.

Reference Website Addresses

The following Website Addresses provide access to specific Inventory information:

- To review current Crossing Inventory records, go to the FRA Safety Data Website at the link below and click on the “Crossing” tab:
<http://safetydata.fra.dot.gov/officeofsafety/>

- To obtain instructions, documents, forms, or additional information related to the US DOT National Crossing Inventory Program including:

Accessing Crossing Inventory Information
 How to Initiate Updating of Crossing Inventory Records
 Obtaining the DOT Crossing Inventory Form (FRA F 6180.71)
 Inventory Program Instructions, Policy, and Procedures
 Obtaining and Assigning Crossing Inventory Numbers
 How to Submit Electronic Data Updates
 State and Railroad Inventory Contacts

Go to the following Website: <http://www.fra.dot.gov/us/content/801>

- To review other Highway-Rail Crossing Safety Publications, Studies and Reports, go to:
<http://www.fra.dot.gov/us/content/1779>
- Additional information which may answer many questions regarding the National File and the Crossing Inventory Program is contained in the section on ***Frequently Asked Questions*** located at:
<http://www.fra.dot.gov/us/content/801>

Questions or need assistance: Contact Tom Woll at 202-493-6290 or via tom.woll@dot.gov