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Department of Transportation

Rail Division - Chapter 741

Division 100

RAILROAD-HIGHWAY CROSSINGS — GENERAL

741-100-0005

Jurisdiction of the State

The jurisdiction of the state for the regulation of highway-rail 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 highway-rail grade crossing.

[ED. NOTE: To view attachments referenced in rule text, [click here to view rule.](#)]

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 824.202 & 824.220

Statutes/Other Implemented: ORS 824.200

History:

RD 1-2013, f. & cert. ef. 10-15-13

RD 1-2009, f. & cert. ef. 2-20-09

741-100-0010

Measurements

Unless otherwise specified, measurements used in these rules refer to the distance from the centerline of the nearest track or roadway to the centerline of the nearest signal mast, post or other structure.

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 824.202 & 824.220

Statutes/Other Implemented: ORS 824.212

History:

RD 3-2003, f. 9-18-03, cert. ef. 10-1-03

RS 2-1996, f. & cert. ef. 3-14-96, Renumbered from 860-042-0001

PUC 3-1983, f. & ef. 3-16-83, Order No. 83-143

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" are defined in Section 1A.13 of the Manual on Uniform Traffic Control Devices (MUTCD), see section 13 below.

(4) "Bicycle lane" has the meaning given in Section 1A.13 of the MUTCD.

- (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 4) 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 1A.13 of the MUTCD.
- (a) "Preemption" is as defined in Section 1A.13 of the MUTCD. See also Section 4D.27 of the MUTCD.
- (b) "Advance Preemption" is as defined in 1A.13 of the MUTCD.
- (c) "Simultaneous Preemption" is as defined in Section 1A.13 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) "Pathway" is 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" is as defined in Section 1A.13 of the MUTCD.
- (23) "Sight Distance" means the distance from the highway-rail 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.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 824.202 & 824.220

Statutes/Other Implemented: ORS 824.200

History:

RD 1-2013, f. & cert. ef. 10-15-13

RD 1-2009, f. & cert. ef. 2-20-09

RD 3-2003, f. 9-18-03, cert. ef. 10-1-03

RS 2-1996, f. & cert. ef. 3-14-96, Renumbered from 860-042-0002

PUC 3-1983, f. & cert. ef. 3-16-83, Order No. 83-143

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 5 are hereby adopted and made a part of these rules.

[ED. NOTE: Tables & Figures referenced are available from the agency.]

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 824.202 & 824.220

Statutes/Other Implemented: ORS 824.212

History:

RD 1-2013, f. & cert. ef. 10-15-13

RD 1-2009, f. & cert. ef. 2-20-09

RD 3-2003, f. 9-18-03, cert. ef. 10-1-03

741-100-0040

Display of U.S. DOT Inventory Number

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

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 824.202 & 824.220

Statutes/Other Implemented: ORS 824.200

History:

RD 1-2013, f. & cert. ef. 10-15-13

RD 1-2009, f. & cert. ef. 2-20-09



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