



Rail-Highway Grade Crossing Program



Board of Directors
April 9, 2007

Grade Crossing Enhancement Program

- Approved in June 2005
- Estimated cost of \$19.5 million in 2005
- Estimated cost of \$29.5 million in 2007
 - \$5.0 million – updates and changes
 - \$4.5 million - advanced signal preemption
- Quiet Zones
 - \$5.1 million to \$11.3 million dependent upon type of supplemental safety measure
- Total Program Cost = \$34.6 million - \$40.8 million
- Pedestrian Crossing Gates – Cost TBD

Quiet Zone

Basic Premises

- Trains required to sound horns at all rail-highway grade crossings, except in Quiet Zones established under federal rule.
- Rule preempts other local and state Quiet Zone ordinances, laws, and rules relating to the sounding of train horns.
- Rule attempts to ensure that safety measures compensate for lack of train horns within Quiet Zones.

Who Designates a Quiet Zone?

- “Public Authority” responsible for safety and maintenance of the roadway crossing the railroad tracks at a public rail–highway crossing.
- In short, it’s the responsibility of the **City owning the roadway** that crosses the tracks.

Who Approves a Quiet Zone?

- The City, under defined circumstances
- The Federal Railroad Administration (FRA), under other circumstances

City Approval

- By installation of Supplemental Safety Measures at every crossing, or
- By certifying that the Quiet Zone Risk Index is at or below a national threshold.
- By installation of measure sufficient to reduce the Quiet Zone Risk Index to a level below the risk level associated with the use of locomotive horns.

FRA Approval

- Pursuant to City application
 - Use of Alternate Safety Measures
 - Higher standard of review and coordination with railroads, California Public Utilities Commission, Federal Railroad Administration

Who Pays For This?

- Determination of Quiet Zone, methods, financing, and implementation are the responsibility of the City.
- Federal funding not available to compensate for lack of train horns.

Southern California Regional Rail Authority Board-Adopted Guidelines

- Adopted April 2006
- More stringent diagnostic requirements
- Explicit reservation of rights
- Recovery of increased maintenance costs
- Explicit indemnifications
- Project details in separate construction and maintenance agreements

Key Issues

- The Need for a Diagnostic Approach
- The Need for Advance Planning
- Anticipating Issues on Liability

Diagnostic Approach

- Diagnostic teams include crossing owner, all railroads, California Public Utilities Commission, others
- OCTA and Metrolink have completed 53 diagnostics under the Grade Crossing Enhancement Program

Diagnostic Issues

- Constrained sightlines
- Traffic queuing
- Inadequate turning radius
- Pedestrian impediments
- Skewed crossing angles
- Signage and active warning devices
- Traffic volumes and accident history

Liability

- Determination of Quiet Zone, methods, financing, implementation, and ongoing reporting are the responsibility of the City, not the railroad
- Strong administrative record documenting Congressional and regulatory intent to protect railroads from additional liability

Liability

- Clear expression of FRA intent to extend liability protection to public authorities
- Final Rule silent on indemnification and/or insurance requirements

Southern California Regional Rail Authority's Approach to Liability

- Rule No. 1: Don't be first in line!
- Cities should understand their insurance
- Carefully consider diagnostic team recommendations
- Document your decisions
- Develop immunities and preemptions

Essential Messages to Cities

- Work with the railroad early in the process
- You have more responsibility than before
- Involve as many partners as you can
- Preemptions and immunities won't keep you out of court
- Think “Safety” not “Silence”
- Make grade crossings safer than before

OCTA Staff Recommendations

- Grade Crossing Enhancement Program
 - Direct staff to provide updated cost estimates of the Rail-Highway Grade Crossing Enhancement Program to the cities for review and approval.
 - Continue with the current implementation strategy limited to grade crossing enhancements.

OCTA Staff Recommendations

- Quiet Zones
 - Authorize staff to work with affected cities in the development of consistent policies and procedures for the establishment of Quiet Zones by cities, which include the indemnification of the Orange County Transportation Authority and the Southern California Regional Rail Authority, and which adhere to a higher standard of safety in the design of grade crossings that make grade crossings safer than they were before.

OCTA Staff Recommendations

- Grade Separation Program
 - Direct staff to develop a process for the funding and implementation priorities of a Rail-Highway Grade Separation Program in Orange County, beginning with identifying potential candidate projects to compete for funding under the Trade Corridor Investment Fund made available with the passage of Proposition 1B.

Grade Crossing Photos











Lighting the California's Future!
McGuire
ELECTRIC
661.91.258-7437
www.mcguire-electric.com



LEVLAD
SHIPPING
&
RECEIVING
→

NO LEFT TURN
ON RED LIGHT



5 COMMERCIAL OFFICE
Shipping Receiving

NO TRUCKS

X



CB Richard Ellis
COMMERCIAL REAL ESTATE
INDUSTRIAL OFFICE
SPACE AVAILABLE
KIM EAKS - KIMMY BLACK
949-723-3500
www.cbre.com



RAILROAD
CROSSING
2
TRACKS







45

