Debra Chappell
Coordinator
FRA Grade Crossing Task Force
FAST Act State Action Plans 101 for State DOTs

SHRP2 Railroad-DOT Mitigation Strategies
Community of Interest Meeting

Debra M. (Dee) Chappell
Federal Railroad Administration
Highway-Rail Grade Crossing and Trespass Prevention Team

February 8, 2017
State Action Plan – Introduction and Background
FAST Act State Action Plan
Recap and Next Steps
• Definition: A document that provides steps to be taken in order to achieve a specific goal.

• Purpose:
  - clarifies required resources to reach goal
  - formulates timelines for specific tasks
  - determines required resources

• The action plan is an important part of the program management process as a means to implement an organizational strategy.
Strategic Plan vs. Action Plan

• Strategic Plan: a document in which organizational leaders express their vision for the future as well as identify their goals and objectives for the organization.

• While the strategic plan is vital to creating the framework for a State to meet its goals and support its mission statement, it is the action plan that provides the means by which a State may accomplish this.
Strategic Plan vs. Action Plan

- Action plans can be adjusted based on, but not limited to:
  - context-sensitive data
  - incident trends
  - regulatory and legislative requirements

- **SMART** Action Plans
  - **S**pecific
  - **M**easurable
  - **A**greed Upon
  - **R**ealistic
  - **T**ime-bound
Rail Safety Improvement Act of 2008 (RSIA)
• Public Law 110-432, Section 202
• Title 49, Code of Federal Regulations, Section 234.11

Fixing America’s Surface Transportation Act (FAST)
• Public Law 112-141, Section 11401
• Update Title 49, Code of Federal Regulations, Section 234.11
USDOT Secretary...

- Identify the 10 States with the highest crossing collisions (2006-2008)
- Require States to develop a State grade crossing action plan
- Provide assistance to the States to develop and carry out the plan, as appropriate
- Condition awarding any grants under 20158, 20167 or 22501 of title 49, U.S.C.
RSIA “Top Ten” States

Alabama (Reg. 3)
California (Reg. 7)
Florida (Reg. 3)
Georgia (Reg. 3)
Illinois (Reg. 4)
Indiana (Reg. 4)
Iowa (Reg. 6)
Louisiana (Reg. 5)
Ohio (Reg. 2)
Texas (Reg. 5)
Fixing America’s Surface Transportation Act
P.L. 112-141, Section 11401

**FRA Administrator**...

- Distribute model State Action Plan and data
- Promulgate a Rule on the SAP that applies to:
  - Each State, except the RSIA “Top Ten” States
  - The RSIA “Top Ten” States
- Provide assistance to the States to develop and carry out the plan, as appropriate
- Review the SAP, make corrections if necessary...
Fixing America’s Surface Transportation Act
FAST Act

FRA Administrator...

- Publish the SAP online
- Publish notices on incomplete/non-compliant States online
- Submit a Report to Congress on the SAP
Fixing America’s Surface Transportation Act
FAST Act

**USDOT Secretary...**

- May condition rail improvement grant awards to a State providing an acceptable SAP
- May allow the Section 130 funds to develop a SAP
STATE—The term “State” means EVERYBODY...even the District of Columbia.

Now there are TWO different reporting requirements – “Top Ten” and the rest...including the District of Columbia.
State Action Plan – Introduction and Background

FAST Act State Action Plan

Recap and Next Steps
Section 11401

Sections

(a) Model State Highway-Rail Grade Crossing Action Plan
(b) State Highway-Rail Grade Crossing Action Plans
(c) Report to Congress
(d) Railway-Highway Crossing Funds
(e) Definitions
Not later than 1 year after the date of enactment of this Act, the FRA Administrator shall develop and distribute a model of a State-specific highway-rail grade crossing action plan.

**STATUS:** Complete. Published on the FRA website at [www.fra.dot.gov/eLib/Details/L18430](http://www.fra.dot.gov/eLib/Details/L18430)
The model plan shall include—

- Methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks
- Blocked crossings due to idling trains
- Best practices to reduce risk
Plans to alleviate the *blocked crossings* due to idling trains, including strategies for:

- Education
- Engineering
- Enforcement
Customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including

- Location
- Number of deaths
- Number of injuries
- Multiple accidents or incidents

SAP Implementation POC
STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

Requirements

• Non-RSIA States to develop and implement a State highway-rail grade crossing action plan; and
• RSIA States to update their State action plan
  ➢ What did the State do to implement their plan?
  ➢ how the State will continue to reduce highway-rail grade crossing safety risks.
• **Identify highway-rail grade crossings:**
  - Experienced recent highway-rail grade crossing accidents
  - Incidents or multiple highway-rail grade crossing accidents
  - That are at high-risk
Specific strategies for improving safety at highway-rail grade crossings

- Highway-rail grade crossing closures
- Grade separations

State POC responsible for managing implementation of the SAP
The Secretary may condition the awarding of grants* to the submission of an acceptable State action plan

* Rail Improvement Grants
Section 11401(b)(3)

State Highway-Rail Grade Crossing Action Plans

Who Can Help?
- FRA – GCMs, HQ
- FHWA – Divisions, RC, HQ
- Other USDOT Offices
- Stakeholders
- Other State agencies
- Other?

What Can Help?
- Current reports/plans
- Previous reports/plans
- Data analyses
- Handbook, references
- Model SAP
- Webinars – Coming in 2017
- Other?
- FRA – Plan review (60 DY)
- Plan approved? SAP is published online
- Plan not approved?
  - FRA notifies the State
  - Corrections made by State (60 DY)
  - State resubmit the plan
- Fail to submit/complete?
  - Notification on FRA website
  - Incomplete/No submission status
• NLT 3 years after Rule
• RTC on...
  ➢ Specific strategies to improve safety at highway-rail grade crossings, including crossings with multiple accidents or incidents
  ➢ Progress of RSIA States
The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop the SAP...
Agenda

State Action Plan – Introduction and Background

FAST Act State Action Plan Highlights

Recap and Next Steps
The Action Plan

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- Purpose:
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Action Plan

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Blocked crossings to be discussed!
Don’t forget...
✓ FAST Act – signed into law on December 4, 2015
✓ Model SAP to States – December 1, 2016
• SAP Rulemaking - NLT 18 months after Model SAP; Starting Spring/Summer 2017*
FAST Act SAP Milestones

• States to provide SAP for FRA review – 60 days
• If SAP requires update – FRA to return; States have another 60 days to resubmit
• FRA Report to Congress – Three years from Rule
Coming Soon!

Highway-Railway Grade Crossing Action Plan and Project Prioritization
State Action Plans

Debra M. (Dee) Chappell
Federal Railroad Administration
Debra.Chappell@dot.gov
(202) 493-6018
THANK YOU!!

QUESTIONS?