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***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



# Agenda

State Action Plan – Introduction and Background

FAST Act State Action Plan

Recap and Next Steps

# Action Plan??

- 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

THE YEAR CONSIDERED  
11. **DEFINITION.**—A  
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# 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

# State Action Plan (SAP)

## 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

# Rail Safety Improvement Act of 2008

## P.L. 110-432, Section 202

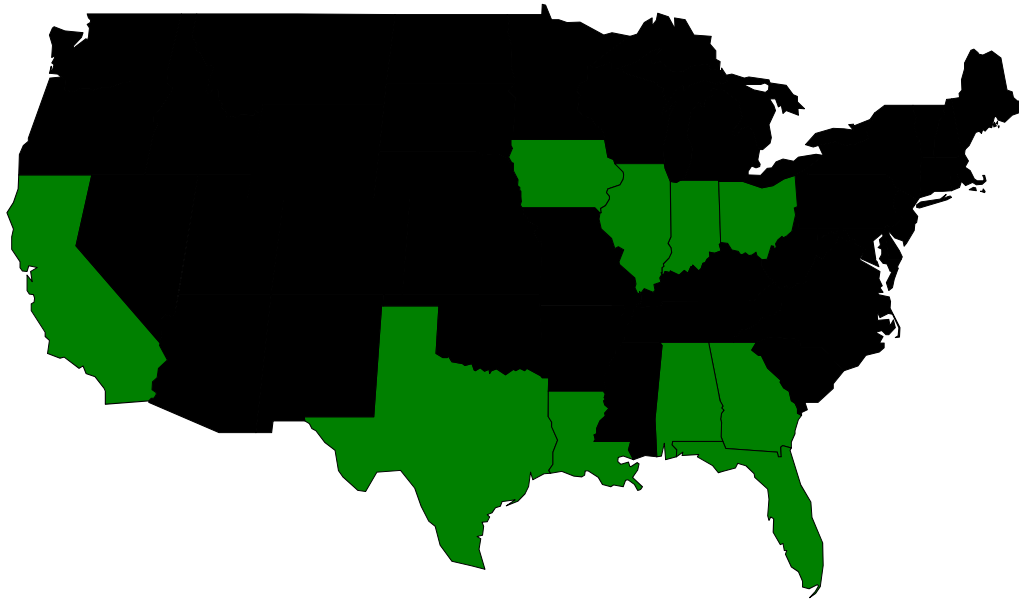
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### *USDOT Secretary...*

- 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

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### *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

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## *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

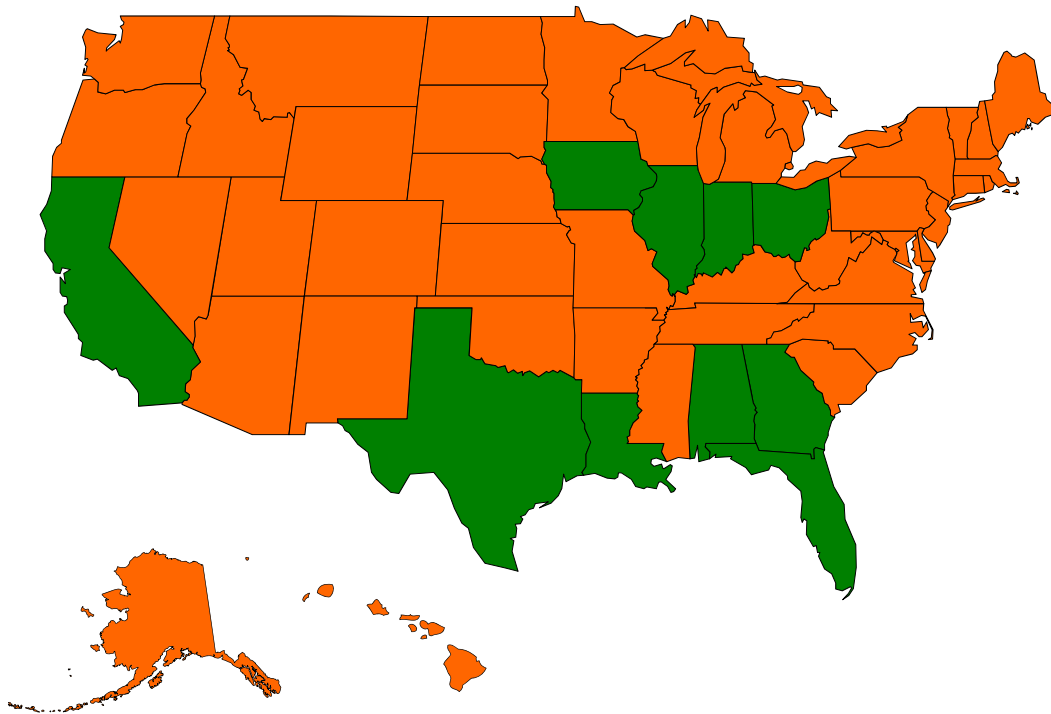
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## *USDOT Secretary...*

- May condition rail improvement grant awards to a State providing an acceptable SAP
- May allow the Section 130 funds to develop a SAP



# FAST Act SAP Requirements



*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

# Agenda

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

# Section 11401(a)

## MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN



*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 web site at [www.fra.dot.gov/eLib/Details/L18430](http://www.fra.dot.gov/eLib/Details/L18430)



# MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN

## Contents

*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*

# MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN

## Contents

- *Plans to alleviate the **blocked crossings** due to idling trains, including strategies for:*
  - *Education*
  - *Engineering*
  - *Enforcement*



# MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN

## Contents

- *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.*

# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

## Contents

- *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*

# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

## Contents

- *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*

# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

## Grant Awards

*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?



# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

- *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*



# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

## REPORT TO CONGRESS (RTC)

- *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*

# RAILWAY-HIGHWAY CROSSING FUNDS

*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...*



FHWA to provide requirements and/or guidance

# Agenda

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FAST Act State Action Plan Highlights

**Recap and Next Steps**

# The Action Plan

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# Action Plan

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## P.L. 112-141, Section 11401

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# Fixing America's Surface Transportation Act P.L. 112-141, Section 11401

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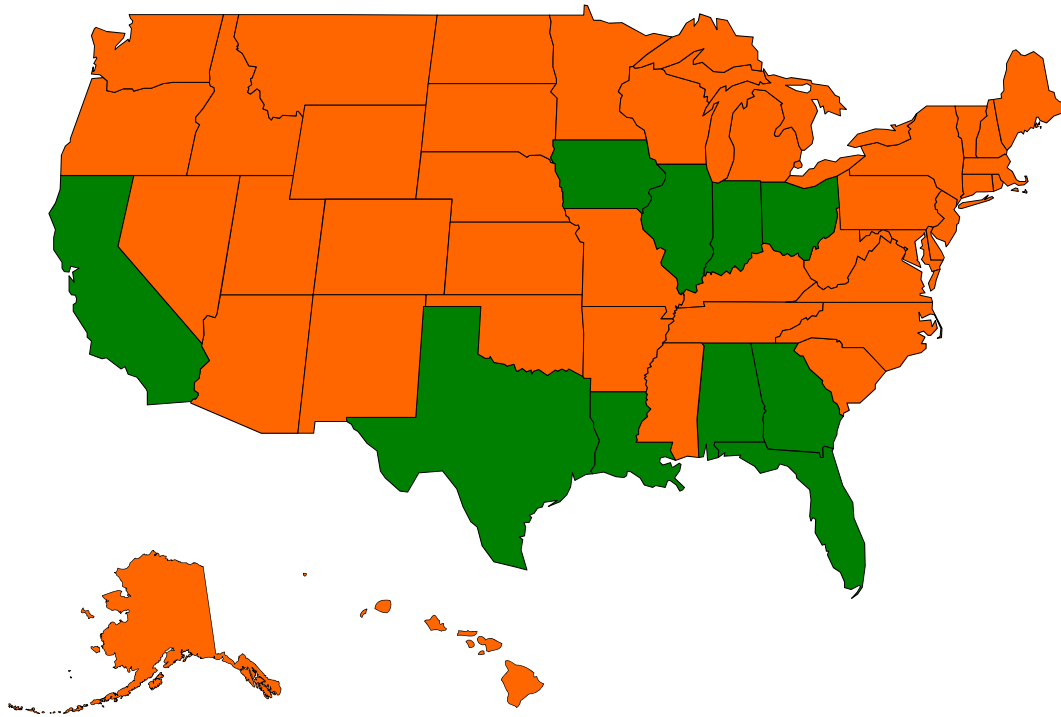
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# FAST Act SAP Requirements



Now there are TWO  
different reporting  
requirements!

Blocked crossings to be  
discussed!

# STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS

*Don't forget...*

# FAST Act SAP Milestones

- ✓ 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

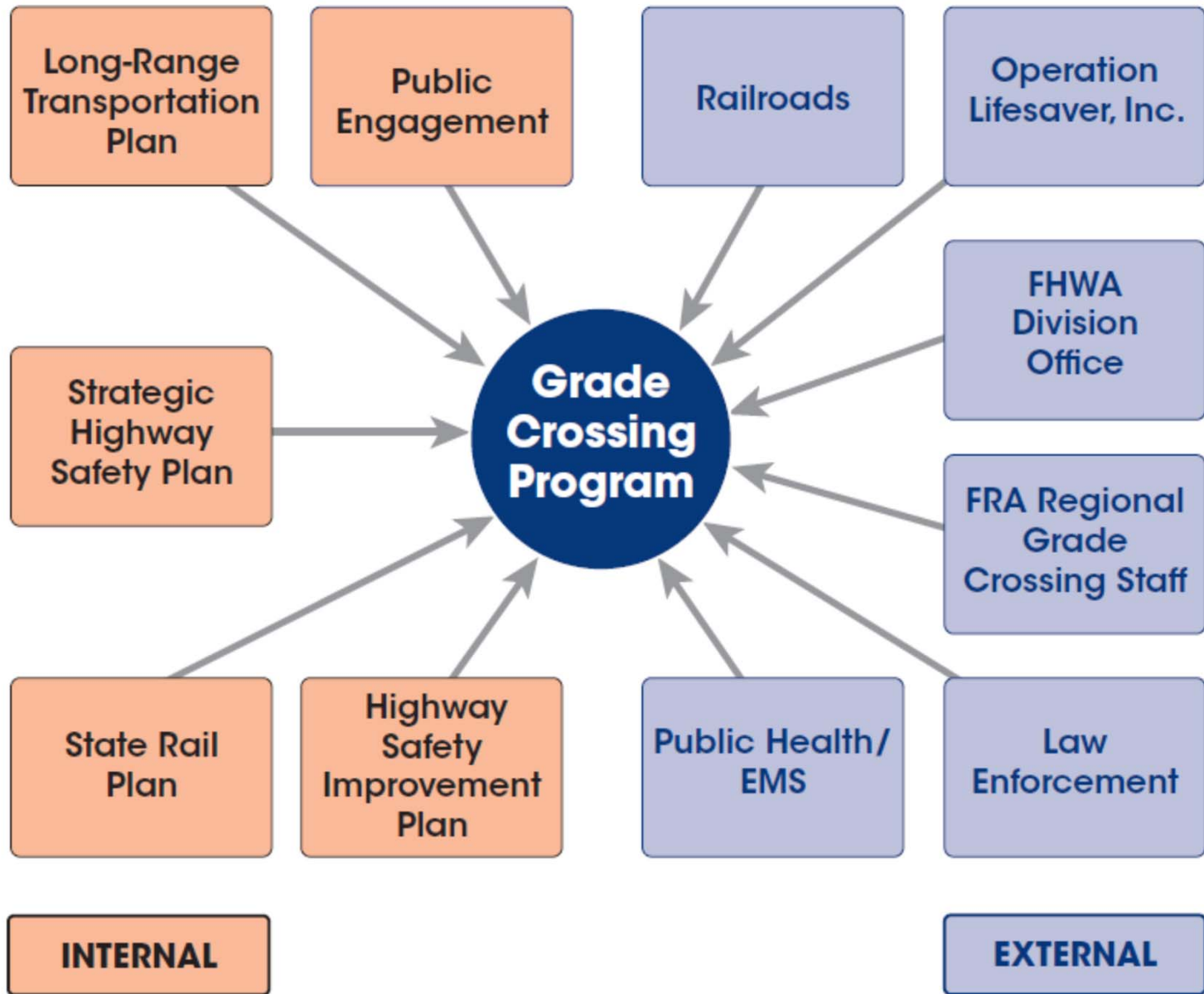


Coming Soon!

**NOTEWORTHY**  
PRACTICES GUIDE

**Highway-Railway Grade Crossing Action Plan  
and Project Prioritization**





# State Action Plans

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THANK YOU!!

QUESTIONS?

