



Section 130 Program Overview

SHRP2 Railroad-DOT Mitigation Strategies

Community of Interest Meeting

February 8, 2017



U.S. Department of Transportation
Federal Highway Administration



<http://safety.fhwa.dot.gov>

Agenda

1. Overview of Section 130
2. Funding Updates
3. Eligibility
4. Fatalities
5. Reporting Requirements
6. Alternative Funding Sources
7. What's New & Other Resources
8. Questions



Who We Are

James (Jim) Dahlem
FRA Office of Railroad Safety
Washington DC

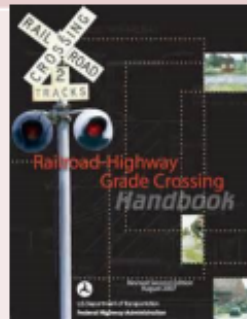
Kelly Morton
FHWA Office of Safety
Remotely from Arizona



Who Does What

Agency Roles

FHWA	FRA
Oversees and administers the Section 130 program with State DOTs	Regulates grade crossing and trespassing safety issues with railroads
Oversees public grade crossings and grade separation safety issues, regulates the public road agency	Oversees public and private grade crossing and grade separation issues, regulates the railroad
Publishes the MUTCD Section 8	Oversees the national crossing inventory
Publishes the Grade Crossing Handbook	Oversees quiet zone issues



Overview – What is “Section 130”?

- Also called “Rail-Highway Crossings Program”
- Title 23 of the United States Code, Section 130, was created by Congress in 1987 to provide funds for the “Elimination of Hazards” at public railway-highway crossings
 - \$160 million per year
- ISTEA and TEA-21 continued Section 130
 - \$160 million per year

Overview

- 2006: SAFETEA-LU increased Section 130 apportionment
 - \$220 million per year
 - Changed reporting requirements
 - Added 2% provision for States to use when analyzing data for annual report
- 2012: MAP-21 continued Section 130
 - \$220 million per year

FAST Act

Fixing America's Surface Transportation (FAST) Act signed into law on December 5, 2015

- Authorizes \$305 billion over five years from FY 2016-FY 2020
- Increased Section 130 funding by \$5 million per year

2016	2017	2018	2019	2020
\$350 M*	\$230 M	\$235 M	\$240 M	\$245 M

*Includes a one-time \$350 million increase from the FY 2016 Omnibus bill passed on December 18, 2015

Other FAST Act Requirements

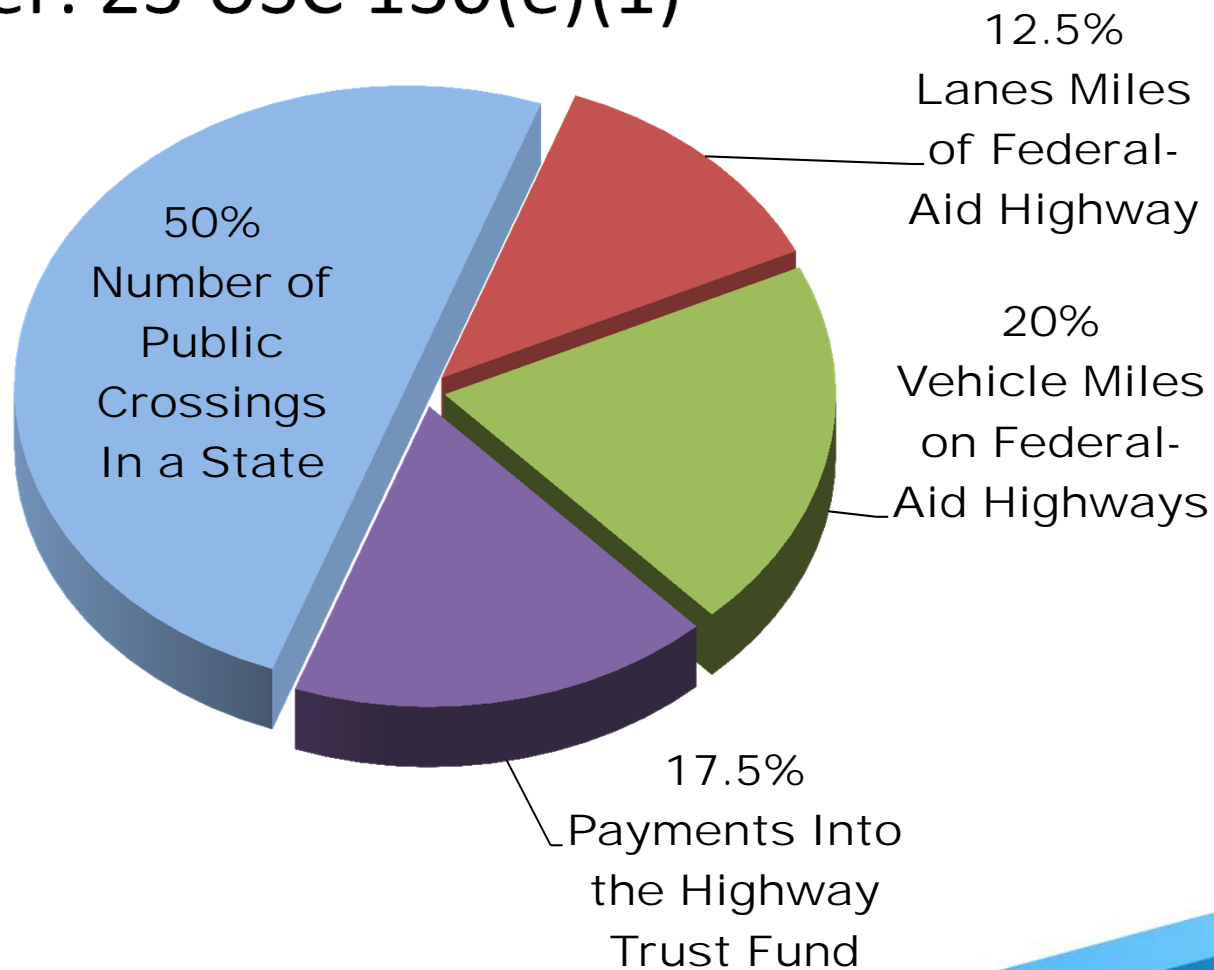
- Adds a provision to include projects that eliminate hazards from crossings blocked due to idling trains
- Requires FRA to develop a model grade crossing action plan
- Requires FRA to create regulations that require each State to develop or update a State Action Plan
- States able to use Section 130 funding to develop or update their State Action Plan
- State Action Plans will be reviewed and approved by FRA

Funding

- Section 130 funds are set-aside from a State's Highway Safety Improvement Program (HSIP) funds
- Funds are apportioned to States by formula
- Minimum of 0.5% to each State

Funding distribution formula for a State

Per: 23 USC 130(e)(1)



Updates – FY 2017 Funding Apportionments

- For FY 2017 the largest amounts are:

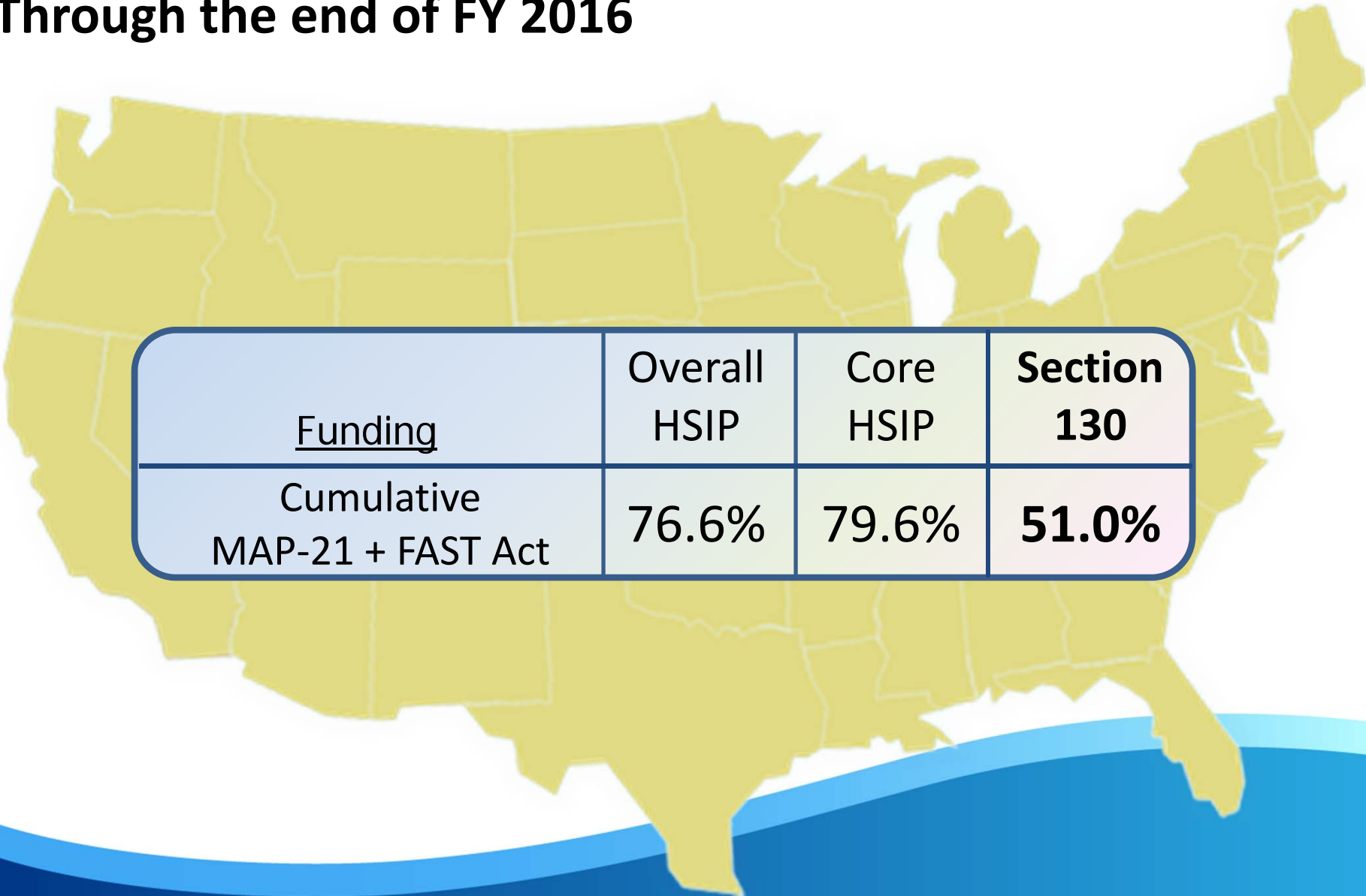


Funding

- Obligation Period is the Fiscal Year + 3 Years. After obligation period ends, the funds lapse and can no longer be obligated.
 - For example, funds apportioned in FY 2017 are eligible for obligation through the end of FY 2020
 - Some States “pool” their funds for 2-4 years to pay for larger projects
- Federal Share is 90% for Section 130 funds

National Obligation Rates

Through the end of FY 2016



<u>Funding</u>	Overall HSIP	Core HSIP	Section 130
Cumulative MAP-21 + FAST Act	76.6%	79.6%	51.0%

Funding

Per: 23 USC 130(e)(1)

- 50% of a State's apportionment are set-aside to be used for protective devices
- Remaining 50% can be used for any hazard elimination project including protective devices
 - The FAST-Act added eligibility for crossings blocked by idling trains



Eligibility

Section 130 funds CAN be used at:

- Any public railway-highway grade crossing
- Bike / Ped Crossings: Definition of a public crossing includes separate public bike paths and public pedestrian trails in addition to sidewalks adjacent to a public roadway



Eligibility

Section 130 funds **CAN** be used for:

- Preliminary Engineering, Design, Right-of-Way and Construction Costs
- Matching funds for a local agency on State funded projects per 23 USC 130(h)
- Incentive payments to local agencies to close a public crossing per 23 USC 130(i)
- Data collection for a State's reporting requirements: up to 2% of a State's apportionment per 23 USC 130(g)
- Developing a State Action Plan as required under the FAST-Act

Eligibility

Section 130 funds can **NOT** be used for:

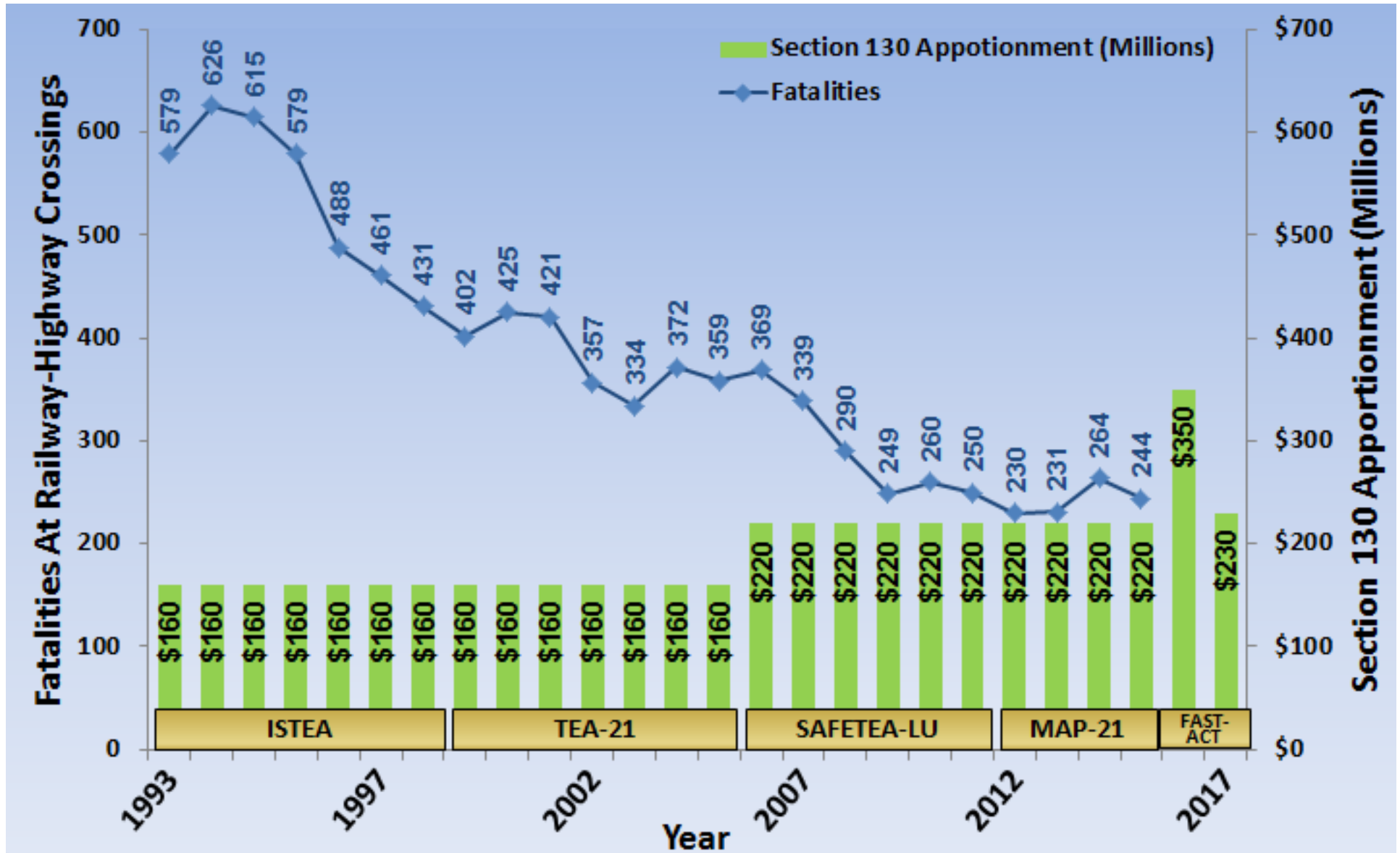
- Pedestrian trespassing away from a grade crossing such as fencing along a railroad right-of-way
- New grade crossing on a new railway or roadway
- Automated enforcement such as cameras
- Quiet zones
- Crossings on light-rail, streetcar, or trolley lines



Overview – Program Administration

- The Section 130 Program is funded by Federal Highway Administration (FHWA), and administered by the State DOTs
 - States prioritize and select the projects
 - States oversee the design and construction
- FHWA Division Office in each State has a safety engineer who is primary contact for Section 130

Fatalities at Crossings



Reporting Requirements

- Per 23 USC 130(g), each State shall submit a report to FHWA each year on the progress being made to implement Section 130 and the effectiveness of the improvements
- Report is submitted annually by August 31 along with a State's annual HSIP report



Reporting Requirements



Biennial Report to Congress

- Every two years, FHWA submits a Section 130 Report to Congress (required by law)
- It uses the States annual reports from the previous two years
- Next report due in 2018

Alternative Funding Sources for Crossings

Highway Safety Improvement Program (HSIP)

- \$2.3 billion+/- annually
- Projects are eligible if grade crossings are an emphasis area or focus area in a State's Strategic Highway Safety Plan (SHSP)
- Data driven program, all public roads eligible
- Get involved in your SHSP process!

www.fhwa.dot.gov/safety/hsip

www.fhwa.dot.gov/hsip/shsp

Alternative Funding Sources for Crossings

Surface Transportation Block Grant Program

(STBGP)

- \$11-\$12 billion annually
- Eligible activities include: *“Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, mitigation of hazards caused by wildlife, **railway-highway grade crossings.**”*
- Not for all roadways as STP funds are generally not eligible on rural minor collectors and local roads
 - However, a special provision in the STBGP allows a State to use up to 15% of its rural suballocation on minor collectors

www.fhwa.dot.gov/fastact/factsheets/stbgfs.cfm

Alternative Funding Sources for Crossings

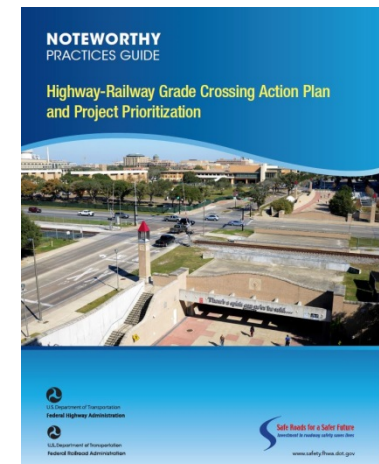
National Highway Performance Program (NHPP)

- \$22-\$24 billion annually (Under MAP-21)
- Eligible expenses include: *“Highway safety improvements for segments of the NHS. Highway safety improvements include those improvements on the NHS that are eligible under 23 U.S.C. 148(a)(4)”*
- Railway-highway crossings fall under 23 U.S.C 148(a)(4) eligibility. However, they must be on roadways on the National Highway System (NHS)

www.fhwa.dot.gov/fastact/factsheets/nhppfs.cfm

Updates – What's new?

- Model Action Plan–“Highway-Railway Grade Crossing Action Plan and Project Prioritization Noteworthy Practices” FHWA/FRA Joint project, Published November, 2016
- FHWA Biennial Report to Congress Signed August, 2016
- New Grade Crossing Handbook Just Kicked-off, Estimated 2018
- TRB Synthesis Study 47-15 (Preemption) Late 2016



Updates – What's coming?

- Web-Based, online version of NHI-380005 Railroad-Highway Grade Crossing Improvement Program Training 2018
- FRA Rulemaking on State Action Plans 2017-2018
- Mandate for all States to develop or update State Action Plans
FRA ????

Additional Resources



National Highway Institute (NHI) offers 2 training courses:

NHI-380005 Railroad-Highway Grade Crossing Improvement Program

2-Day Course that involves information on crossing technologies and a brief overview of the Section 130 Program

NHI-3800097 An Overview of the Railroad-Highway Grade Crossing Improvement Program

1-Day Course that involves more specifics of the Section 130 Program and eligibilities, etc.

www.nhi.fhwa.dot.gov/

Additional Resources

FHWA Rail-Highway Crossings Program (Section 130)

Website **RECENTLY UPDATED!**

<http://safety.fhwa.dot.gov/xings/>

FHWA Railroad-Highway Grade Crossing Handbook

http://safety.fhwa.dot.gov/xings/com_roaduser/07010/index.htm

FHWA Division Offices

www.fhwa.dot.gov/about/field.cfm

Each office website has a directory to find the Safety Engineer

FRA Railroad Crossing Safety & Trespass Prevention

www.fra.dot.gov/Page/P0841

Additional Resources

23 USC 130

www.gpo.gov/fdsys/pkg/USCODE-2011-title23/pdf/USCODE-2011-title23-chap1-sec130.pdf

FAST Act Apportionments

www.fhwa.dot.gov/fastact/funding.cfm

Section 130 Reporting Guidance

www.fhwa.dot.gov/map21/guidance/guiderhcp.cfm

Federal-Aid Essentials for Local Public Agencies

www.fhwa.dot.gov/federal-aidessentials/

Thank you!

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