

8830.0320 VISIBILITY STANDARDS.

Subpart 1. **Design standards.** The AASHTO design manual must be used to determine the necessary sight triangle for both a moving vehicle and a vehicle stopped at the crossing. A sight triangle must be cleared so that adequate visibility can be obtained. Clearing a sight triangle so that a driver has adequate visibility means that vegetation, trees, and obstacles be removed to the extent that a driver can clearly ascertain the presence of a train. Clearing a sight triangle does not mean that everything within the triangle must be removed.

Subp. 2. **Signs and active warning devices in place.** Before a new grade crossing or private crossing is opened for use, the rail carrier, road authority, or property owner shall make certain that the appropriate warning signs and active warning devices are in place and operating properly.

Subp. 3. **Visibility standards.** Possible visibility obstructions include, but are not limited to, trees, vegetation, snow, crops, structures, utility poles, parked vehicles, parked rail equipment, signs other than those needed for traffic control, stockpiles of materials, and angle of crossing. Visibility obstructions must be removed according to the following:

A. For a grade crossing or private crossing with active warning devices and gates, the road authority or private crossing owner shall clear visibility obstructions so that all railroad advance warning signs are clearly visible from the roadway and the active warning devices are visible to a driver that is approaching the crossing at a distance from the crossing in which the vehicle can safely be brought to a stop before reaching the crossing. The rail carrier shall not park rail equipment on the portion of the track that would activate the active warning devices.

B. For a grade crossing or private crossing with only active warning devices or stop signs, the road authority or private crossing owner shall clear visibility obstructions as described in item A. The rail carrier and road authority or private crossing owner shall clear their respective rights-of-way within the stopped vehicle sight triangle as determined by the AASHTO design manual for a train traveling at the highest allowable speed at the crossing. The rail carrier shall not park rail equipment on the portion of the track that would activate the active warning devices.

C. For a grade crossing with crossbucks only, the road authority shall clear visibility obstructions as described in item A, and clear remaining right-of-way that is within the moving vehicle sight triangle as determined by the AASHTO design manual for trains and vehicles traveling at their highest allowable speed at the crossing. The rail carrier shall also clear its right-of-way that lies within the determined sight triangle. The sight triangle may contain property other than that belonging to the road authority and the rail carrier. This property must be cleared by the property owner in order to provide an adequate view of oncoming trains.

Subp. 4. **Alternatives.** If visibility standards cannot be achieved for a crossing with its existing warning system, a different warning system may be substituted if the visibility standards for the crossing can be met in such a way as to preserve safety. For example, if the visibility standards for a crossing with crossbucks cannot be achieved, adequate visibility may be achieved with an addition of a stop sign, an active warning device, or an active warning device with a gate. Other alternatives include, but are not limited to, lowering the vehicle speed, the train speed, or both; using a flagger; or closing the crossing and redirecting the traffic to another crossing.

Statutory Authority: *MS s 218.071; 219.073; 219.165; 219.17; 219.384; 222.50; 222.58; 222.63*

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