

8830.1000 ACTIVE WARNING DEVICES; STANDARDS, USE, ALTERATION, REMOVAL.

Subpart 1. **When active warning device needed.** Active warning devices are used to advise motorists of the approach or presence of trains. At a grade crossing where the commissioner concludes that active warning devices are needed in addition to that provided by signs, the commissioner shall determine which devices are appropriate for the grade crossing. In determining which devices are appropriate for the grade crossing, the commissioner shall consider the type of roadway, volume of trains and vehicles per day, and visibility standards. These active warning devices must comply with part 8830.9901, subparts 3, 4, and 5, and be approved under part 8830.2125.

Subp. 1a. **Standards.** Except when modified and supplemented by parts 8830.1000 to 8830.3400, future modifications, replacements, and installations of active warning devices at grade crossings made after September 8, 1998, must be made in compliance with the applicable parts of both the AREMA signal manual and the MMUTCD.

Subp. 1b. **Use of active warning device.** Active warning devices of the type described in this chapter may only be installed at grade crossings as a warning of the approach of trains. These devices may not be used for any other purpose and may only be used upon authorization of the commissioner in accordance with part 8830.2125.

Subp. 2. **Alteration of active warning device.** No active warning device including its control circuit may be altered to be substantially different from the plan that was previously approved for the active warning device under part 8830.2125, without prior approval of the commissioner. In no case shall alterations be made that continue the use of control circuits or active warning devices when to do so creates an unsafe or hazardous condition.

Subp. 3. [Repealed, 23 SR 524]

Subp. 4. **Removing active warning device.** If a rail carrier or road authority decides that an in-place active warning device at a grade crossing is no longer needed, it may submit a request to the commissioner for approval to remove the active warning device. The commissioner shall investigate safety conditions at the crossing and determine if removal is appropriate. On determining that an active warning device may be removed based on the exposure of vehicles to trains at the grade crossing, the commissioner shall direct the rail carrier to remove the active warning device.

The treatment of active warning devices at abandoned grade crossings is governed by part 8830.2750.

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

History: *23 SR 524*

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