

TITLE 415, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 6

NEBRASKA DEPARTMENT OF TRANSPORTATION
LOCAL ASSISTANCE DIVISION

RULES AND REGULATIONS CONCERNING
HIGHWAY-RAIL CROSSINGS - CONSTRUCTION, REPAIR AND MAINTENANCE

TITLE 415 – NEBRASKA DEPARTMENT OF TRANSPORTATION – LOCAL ASSISTANCE DIVISION

Chapter 6 – Highway-Rail Crossings - Construction, Repair and Maintenance

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Chapter 6 – Highway-Rail Crossings - Construction, Repair and Maintenance

001 PURPOSE To establish rules and regulations for the construction, repair and maintenance of public and private highway-rail grade crossings pursuant to the mandate of Nebraska Revised Statutes, Sections 74-1332 and 74-1336.

002 CONSTRUCTION STANDARDS FOR NEW PUBLIC HIGHWAY-RAIL GRADE CROSSINGS

002.01 DIAGNOSTIC TEAM REVIEW A Diagnostic Team Review will be completed to determine the final design for the approach roadway, grade crossing and type of traffic control devices including active warning devices. The determination of the Diagnostic Team Review shall be final. The following minimum design standards shall apply to new public highway-rail grade crossings.

002.01A APPROACH ROADWAY/CROSSING SURFACING The approach roadway and crossing surfacing shall be constructed to conform to the design standards for new construction applicable to the State functional classification of the public roadway, or the following standards, whichever are more stringent.

002.01B CROSSING SURFACING - WIDTH The crossing surfacing, from end of tie to end of tie, shall extend at least two feet beyond the outside edge of the highway surfacing, but in no case shall the crossing width be less than 20 feet.

002.01C CROSSING SURFACING - HEIGHT The surface elevation of the roadway and the top of the railroad tracks shall be within 1/2 inch of each other, measured between the top of the railroad track and the plane of the approach roadway 2 feet outside the near rail.

002.01D CROSSING SURFACING - BETWEEN RAILS The highway-rail grade crossing must be solidly constructed with no openings except as necessary for operation of the railroad track. The crossing surfacing shall be made of durable material. Durable material shall mean timber, asphalt, concrete or equivalent.

002.01D1 The following types of crossing surface systems between rails shall be the minimum required at all public highway-rail crossings:

<u>Exposure Factor</u>	<u>Surfacing</u>
0-3000	Timber or Asphalt
3000 & Above	Concrete or Equivalent

002.01E ROADWAY VERTICAL ALIGNMENT The crossing surface shall be on the same plane as the top of the rails for a distance of 2 feet outside the rails. The surface of the approach roadway shall not be more than 3 inches higher or lower than the top of the nearest rail at a point 30 feet from such rail. Vertical curves shall be used to traverse from the roadway grade to a level plane at the elevation of the rails.

002.01F TRAFFIC CONTROL DEVICES Traffic control devices must be placed as shown in the MUTCD, and such devices shall be of a type, size, and construction that conform to MUTCD requirements. Active warning devices shall be considered the minimum required devices necessary for any location with a Class 3 or greater track. Active warning devices shall be considered the minimum required devices necessary for any location with a Class 2 or lower track when any one of the following conditions is present:

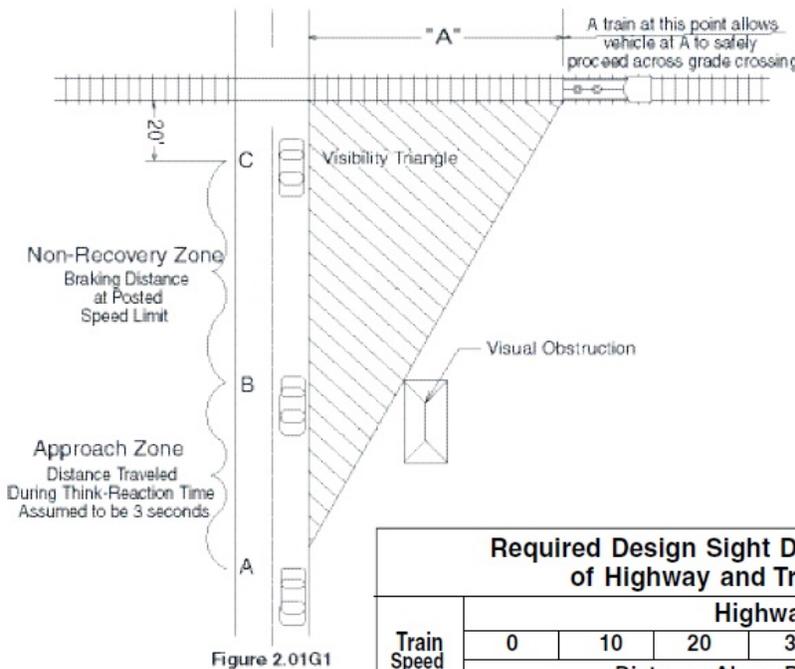
002.01F1 Anticipated exposure factor of 3000 or above.

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- 002.01F2 Train count of 2 or more trains a day.
- 002.01F3 Sight or visibility triangle not meeting the requirements of Section 002.01G.
- 002.01F4 Multiple tracks.
- 002.01F5 Approach angle of roadway and tracks greater than 15 degrees.

002.01G SIGHT DISTANCE Sight distance for new public highway-rail grade crossings shall be determined according to the following table. The sight triangle must be clear of all permanent obstructions such as buildings, structures or topography. The Diagnostic Team shall evaluate obstructions such as haystacks, crops or other vegetation, continual or seasonal.



Required Design Sight Distance for Combinations of Highway and Train Vehicle Speeds								
Train Speed	Highway Speed (mph)							
	0	10	20	30	40	50	60	70
	Distance Along Railroad From Crossing "A"							
10	162	126	94	94	99	107	118	129
20	323	252	188	188	197	214	235	258
30	484	378	281	281	295	321	352	387
40	645	504	376	376	394	428	470	516
50	807	630	470	470	492	534	586	644
60	967	756	562	562	590	642	704	774
70	1129	882	656	656	684	750	822	904
80	1290	1008	752	752	788	856	940	1032
90	1450	1134	844	844	884	964	1056	1160
Distance Along Highway From Crossing B								
	20	65	125	215	330	470	640	840

002.01H HORIZONTAL ALIGNMENT Public highway-rail crossings shall, whenever practicable, be constructed so that the highway intersects the tracks at a right angle (90 degrees) with no public highway intersections or driveways on railroad property or within

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100 feet of the outside rail. Railroad access drives and maintenance of way service roads are excluded from this requirement.

002.02 RELAXATION OF STANDARDS A relaxation of the standards set out in Section 002.01 will be considered only if a written request is submitted to the Department by a professional civil engineer licensed to practice in the State of Nebraska. The engineer shall state in writing that the engineer is familiar with the standards set out in these rules and with all the relevant aspects of the proposed crossing necessary to design a crossing that would operate safely. The engineer shall also provide: (1) a detailed explanation of why the standard for which a relaxation is requested is not practicable or economically feasible and why the standard should not apply to the proposed crossing, and (2) a statement that the design of the crossing to be constructed has been examined by the engineer and the engineer believes that the crossing will function safely as designed.

003 CONSTRUCTION STANDARDS FOR RECONSTRUCTED PUBLIC HIGHWAY-RAIL GRADE CROSSINGS

003.01 DIAGNOSTIC TEAM REVIEW A Diagnostic Team Review will be completed to determine the final design for the approach roadway, grade crossing and type of traffic control devices including active warning devices. The determination of the Diagnostic Team Review shall be final. The following minimum design standards shall apply to reconstructed public highway-rail grade crossings.

003.01A APPROACH ROADWAY/CROSSING SURFACING The approach roadway and crossing surfacing shall be constructed to conform to the design standards for new construction applicable to the State functional classification of the public roadway, or the following standards, whichever are more stringent.

003.01B CROSSING SURFACING - WIDTH The crossing surfacing, from end of tie to end of tie, shall extend at least two feet beyond the outside edge of the highway surfacing, but in no case shall the crossing width be less than 20 feet.

003.01C CROSSING SURFACING - HEIGHT The surface elevation of the roadway and the top of the railroad tracks shall be within 1/2 inch of each other, measured between the top of the railroad track and the plane of the approach roadway 2 feet outside the near rail.

003.01D CROSSING SURFACING - BETWEEN RAILS The highway-rail grade crossing must be solidly constructed with no openings except as necessary for operation of the railroad track. The crossing surfacing shall be made of durable material and the elevation of the surfacing shall be within 1/2 inch of the top of the rail. Durable materials shall mean timber, asphalt, concrete or equivalent.

003.01D1 The following types of crossing surface systems between rails shall be the minimum required:

<u>Exposure Factor</u>	<u>Surfacing</u>
0-3000	Timber or Asphalt
3000 & Above	Concrete or Equivalent

003.01E ROADWAY VERTICAL ALIGNMENT The crossing surface shall be on the same plane as the top of the rails for a distance of 2 feet outside the rails. The surface of the approach roadway shall not be more than 3 inches higher or lower than the top of the

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nearest rail at a point 30 feet from the rail. Vertical curves shall be used to traverse from the roadway grade to a level plane at the elevation of the rails.

003.01F TRAFFIC CONTROL DEVICES Traffic control devices must be placed as shown in the MUTCD, and such devices shall be of a type, size, and construction that conform to MUTCD requirements. Active warning devices shall be considered the minimum required devices necessary for locations with an exposure factor of 3,000 or above, a minimum of 100 vehicles per day, and when any one of the following conditions is present:

003.01F1 Clearing sight distance not meeting the requirements of Section 003.01G.

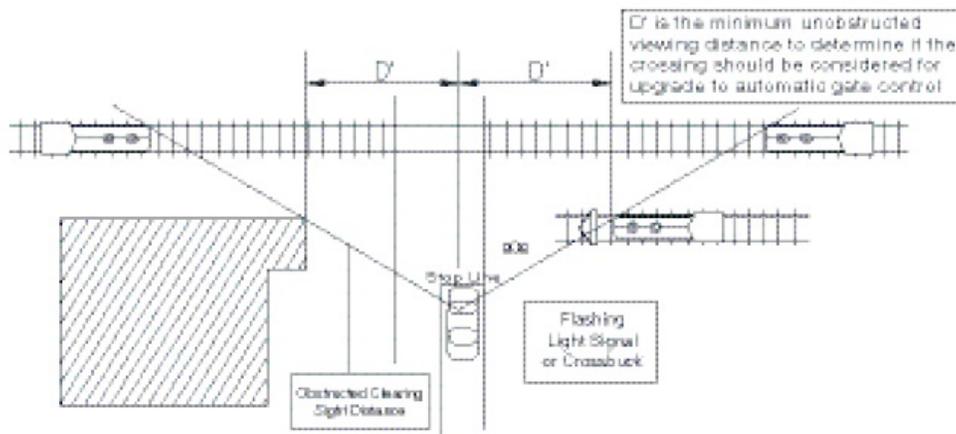
003.01F2 Multiple tracks.

003.01F3 Approach angle of roadway and tracks varying from 90 degrees by 15 degrees or more.

003.01G CLEARING SIGHT DISTANCE Clearing sight distance is defined as the distance a stopped driver must be able to see down the tracks in both directions from a distance of 15 feet from the near rail in order to move his or her vehicle safely across the tracks to a point 15 feet past the far rail, prior to arrival of a train. The required clearing sight distance along both directions of the track, from the stopped position of the vehicle, is dependent upon the maximum train speed and the acceleration characteristics of the “Design Vehicle.” The table values are for a level, 90 degree crossing of a single track. The Diagnostic Team shall evaluate circumstances not meeting these requirements and adjust the table accordingly.

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Required Clearing Sight Distance for Various Train Speeds

Train Speed	Clearing Sight Distance (in feet) *					
	Car	Single Unit Truck	Bus	WB-50 Semi Truck	65' Double Truck	Pedestrian**
10	105	185	200	225	240	180
20	205	365	400	450	485	355
25	255	455	500	560	605	440
30	310	550	600	675	725	530
40	410	730	795	895	965	705
50	515	910	995	1120	1205	880
60	615	1095	1195	1345	1445	1060
70	715	1275	1395	1570	1680	1235
80	820	1460	1590	1790	1925	1410
90	920	1640	1790	2015	2165	1585

* A single track, 90° level crossing.

** Walking 1.1 mps (3.5 fps) across two sets of tracks feet apart, with a two-second reaction time to reach a decision point 3 m (10 ft) before the center of the first track, and clearing 3 m (10 ft) beyond the centerline of the second track. Two tracks may be more common in commuter station areas where pedestrians are found.

003.01H HORIZONTAL ALIGNMENT Public highway-rail crossings shall be constructed so that the highway intersects the tracks at a right angle (90 degrees) with no public highway intersections or driveways on railroad property or within 100 feet of the outside rail. Railroad access drives and maintenance of way service roads are excluded from this requirement.

003.02 RELAXATION OF STANDARDS A relaxation of the standards set out in Section 003.01 of this chapter will be considered only if a written request is submitted to the Department by a

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professional civil engineer licensed to practice in the State of Nebraska. The engineer shall state in writing that the engineer is familiar with the standards set out in these rules and with all the relevant aspects of the proposed crossing necessary to design a crossing that will function safely. The engineer shall also provide: (1) A detailed explanation of why the standard for which a relaxation is requested is not practicable or economically feasible and why the standard should not apply to the proposed crossing, and (2) A statement that the design of the crossing to be constructed has been examined by the engineer and the engineer believes that the crossing will function safely as designed.

004 CONSTRUCTION STANDARDS FOR NEW AND RECONSTRUCTED PRIVATE HIGHWAY-RAIL CROSSINGS

004.01 DIAGNOSTIC TEAM REVIEW A Diagnostic Team Review may be completed if requested by the parties involved to determine the final design for the approach roadway, grade crossing and type of traffic control devices including active warning devices.

004.01A A Diagnostic Team Review is mandatory for functional use or classification changes to private crossings such as the following:

004.01A1 Changing a residential private crossing to a commercial private crossing.

004.01A2 Changing a commercial private crossing to a residential private crossing.

004.01A3 Changing a farm/ranch private crossing to commercial private crossing.

004.01A4 Changing a farm/ranch private crossing to a residential private crossing.

004.01A5 Changing a private crossing to a public crossing.

004.01B The determination of the Diagnostic Team Review shall be final.

004.02 APPROACH ROADWAY/CROSSING SURFACING The approach roadway and crossing surfacing on railroad property shall be constructed to the following standards.

004.02A CROSSING SURFACING - WIDTH The crossing surfacing, from end of tie to end of tie, shall extend at least two feet beyond the outside edge of the roadway surfacing, but in no case shall a crossing used solely for access to farm, ranch or vacant land or to a single family residence be less than 12 feet in width. All other private crossings shall be no less than 16 feet in width, however, additional width may be required after consideration of all relevant circumstances, including but not limited to:

004.02A1 Speed and number of trains per day.

004.02A2 Type and number of tracks.

004.02A3 Approach angle of roadway and tracks.

004.02A4 Type, number and cargo of vehicles using the crossing.

004.02A5 Pedestrian traffic.

004.02A6 Geometrics of the roadway.

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004.02A7 Development within the surrounding area.

004.02B CROSSING SURFACING - HEIGHT The elevation of the surfacing of the roadway and the top of the railroad tracks shall be within 1/2 inch of each other.

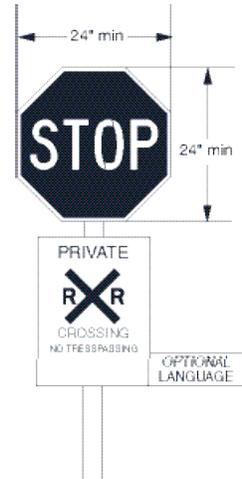
004.02C CROSSING SURFACING - BETWEEN RAILS Private highway-rail grade crossings must be solidly constructed with no openings except as necessary for the railroad track. The crossing surfacing shall be made of durable material and the elevation of the surfacing shall be within 1/2 inch of the top of the rail. Durable shall mean timber, asphalt, concrete or equivalent. Private crossings used solely for access to farm, ranch or vacant land may be constructed of a compactable material.

004.02D ROADWAY VERTICAL ALIGNMENT All crossings shall be at the same plane as the top of the rails for a distance of 2 feet outside the rails, measured between the top of the railroad track and the plane of the approach roadway 2 feet outside the near rail.

004.02D1 The approach roadway for private highway/rail crossings providing access to farm, ranch or vacant land shall be constructed in accordance with the Private Crossing Agreement between the railroad and the private owner to provide clearance for the typical vehicle that will use the crossing.

004.02D2 The approach roadway for private rail/highway grade crossings that are public in character providing access for business, commercial or industrial use shall be constructed to meet the clearance requirements for the typical vehicle using the crossing. Crossings with an exposure of 3,000 or above and 100 vehicles per day shall meet the requirements of Section 002.01E of this chapter.

004.02E TRAFFIC CONTROL DEVICES All private crossings must have, at a minimum, a stop sign and a sign that identifies the crossing as a private crossing, on both roadway approaches, with a warning that informs the motorist that the use of the crossing without permission is trespassing. Message, placement and dimension of the signs shall be clearly visible and be in substantial conformity with the following illustration:



004.02F ACTIVE WARNING DEVICES Active warning devices shall be considered the minimum required devices necessary for any new private crossing providing access to: (1) Three or more residences, (2) Commercial, retail or industrial businesses, (3) Recreational roadways open to the public, or (4) Private roadways that are public in nature.

004.02F1 Active warning devices shall be considered the minimum required devices for any reconstructed crossing providing access to three or more residences, commercial, retail or industrial businesses, recreational roadways open to the public or private roadways that are public in nature, when the crossing has an exposure factor of 3,000, is used by a minimum of 100 vehicles per day,

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and when any one of the following conditions is present: (1) Clearing sight distance not meeting the requirements of Section 003.01G, (2) Multiple tracks, (3) Approach angle of roadway and tracks varying from 90 degrees by 30 degrees or more.

004.02G HORIZONTAL ALIGNMENT Private roadway-rail grade crossings shall be constructed so that the roadway intersects the tracks at a right angle (90 degrees) unless the Department, in its sole discretion, authorizes a variance.

004.02H Reconstructed crossings that only involve the addition of a track shall be exempted from the rules in Section 004.02F1 and 004.02G.

004.02I Crossings providing access solely to vacant land or land used for farm or ranch purposes shall be exempted from the rules in Section 004.02F1.

004.03 A private field or single-family residential crossing shall not be used for access for business, commercial or industrial use or for providing access to more than two residences without being reconstructed to meet the new private crossing requirements set out in Section 004.02.

005 MAINTENANCE AND REPAIR OF PUBLIC HIGHWAY-RAIL GRADE CROSSINGS

005.01 The railroad company or railroad track owner shall have the obligation to inspect all public crossings for which they are responsible for conformity with the following maintenance and repair provisions:

005.01A The railroad or railroad track owner shall maintain the crossing surface, end of tie to end of tie, in a safe condition. The crossing surfacing or the rails shall be adjusted or replaced whenever the distance between the elevation of the crossing or approach surface and the elevation of top of rail exceeds 2 inches, measured between the top of the railroad track and the plane of the approach roadway 2 feet outside the near rail. In those instances where the repair and maintenance of the railroad track causes the elevation of top of rail to exceed the elevation of the crossing surface by 2 inches or more, the railroad or railroad track owner shall bring the crossing into compliance with the standards expressed in Section 003.01C and 003.01D of this chapter. The approach pavement shall be tapered at a rate of not less than 10 feet for each inch of rise in the track. The only exception to this rule will be if the approach roadway geometrics make this physically and economically impossible.

005.01B If the standards established in 005.01A cannot be met, the railroad or railroad track owner shall place signs as follows in conformance with the MUTCD:

005.01B1 DO NOT STOP ON TRACKS

(To be placed if there is a roadway intersection within 100 feet of the crossing).

005.01B2 HUMPED CROSSING.

005.01C The railroad or railroad track owner shall treat, mow or remove any vegetation within an area 300 feet from the edge of the crossing as measured along the railroad and 50 feet from the outside track or to the railroad right of way line, whichever is less.

005.01D The railroad or railroad track owner shall maintain the crossbuck sign and any signs attached to the crossbuck mast in a proper position and ensure the signs conform to the MUTCD.

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005.01E The railroad or railroad track owner shall maintain all active warning devices at crossings and ensure that train detection and control circuitry and signal systems and related components are in operable condition.

005.01F Class I railroads shall post a sign at each mainline highway-rail grade crossing listing a toll-free telephone number that can be used to report emergencies and other conditions present at the crossing. Railroads below Class I shall list a telephone number that can be used to report emergencies and other conditions present at the crossing.

005.02 The public entity with jurisdiction over the roadway leading to the crossing shall have the obligation to inspect all crossings which are the responsibility of the public entity for conformity with the following maintenance and repair provisions:

005.02A The public entity shall maintain the crossing approaches, including the area between multiple tracks, except for the area of the surfacing to be maintained by the railroad. When a road maintenance project causes the distance between the elevation of the crossing surface and the elevation of top of rail to exceed 2 inches, measured between the top of the railroad track and the plane of the approach roadway 2 feet outside the near rail, the public entity shall bring the crossing into compliance with the standards expressed in Section 003.01C of this chapter. The approach pavement shall be tapered at a rate of not less than 10 feet for each inch of rise in the roadway. The only exception to this rule will be if the approach roadway geometrics make this physically and economically impossible.

005.02B If the standards established in 005.02A cannot be met, the public entity shall place signs as follows in conformance with the MUTCD:

005.02B1 DO NOT STOP ON TRACKS

(To be placed if there is a roadway intersection within 100 feet of the crossing).

005.02B2 HUMPED CROSSING.

005.02C The public entity shall maintain any traffic control devices pertaining to the crossing and erected in advance of the crossing except as provided in Section 005.01D and Section 005.01E of this chapter.

005.02D The public entity shall treat, mow or remove any vegetation within that portion of the sight triangle, as established in Section 002.01G, that is completely within the public entity's right of way if the height and density of the vegetation completely obscures the visibility of an oncoming train and to ensure that advance warning signs and crossing warning devices are clearly visible.

005.03 The State of Nebraska, Department of Transportation shall have no maintenance obligations at public or private crossings on driveways, streets, roads and highways that are not on the State highway system.

006 MAINTENANCE AND REPAIR OF PRIVATE ROAD-RAIL GRADE CROSSINGS

006.01 The railroad company or railroad track owner shall have the obligation to inspect all private crossings for which they are responsible for conformity with the following maintenance and repair provisions:

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006.01A The railroad or railroad track owner shall maintain the crossing surface, end of tie to end of tie, in a reasonably safe condition as stipulated in the Private Crossing Agreement between the railroad or railroad track owner and the private owner. Payment for work done to the crossing will be as stipulated in the Private Crossing Agreement.

006.01B The railroad or railroad track owner shall check the placement of the private crossing signs as described in Section 004.02E and ensure that the signs are clean and legible with proper visibility.

006.01C The railroad or railroad track owner shall maintain all active warning devices at crossings and ensure that train detection and control circuitry and signal systems and related components are in operable condition.

006.02 The private land owner utilizing the private crossing shall have the following maintenance obligations at private crossings as stipulated in the Private Crossing Agreement between the railroad or railroad track owner and the private owner unless otherwise stipulated in the Private Crossing Agreement:

006.02A To treat, mow or remove any vegetation on railroad right of way that obstructs the owner's view of approaching trains.

006.02B To maintain the approach roadway surfacing on railroad property.

007 CROSSING CLOSURES DUE TO RAILROAD CONSTRUCTION OR MAINTENANCE

007.01 Before the railroad company or railroad track owner closes a crossing on the State Highway System in order to perform maintenance work or new construction of rail lines, it shall contact the appropriate Nebraska Department of Transportation District Representative or designee at least two weeks in advance of the week of the planned closure, and then again 48 hours prior to closure. The railroad or railroad track owner shall place signs two weeks in advance of the date of the closure notifying the public of the date of the closure and the expected duration of the closure.

007.01A The railroad or railroad track owner shall contact the District Representative to coordinate a detour plan at least two weeks in advance of the week of the planned closure. The railroad or railroad track owner shall be responsible for coordinating all necessary detours, traffic control, and temporary crossings. The design, application, installation and maintenance of detours and temporary crossings shall comply with the MUTCD.

007.02 Before the railroad company or railroad track owner closes a crossing on any municipal or county road system for more than four hours in order to perform maintenance work or new construction of rail lines, it shall contact the appropriate Municipal Engineer/Street Superintendent or County Highway Engineer/ Superintendent or designee at least one week in advance of the week of the planned closure, and then again 48 hours prior to closure. The railroad or railroad track owner shall place signs one week in advance of the date of the closure notifying the public of the date of the closure and the expected duration of the closure.

007.02A The railroad or railroad track owner shall contact the Municipal Engineer/Street Superintendent or County Highway Engineer/Superintendent to coordinate a detour plan at least one week in advance of the week of the planned closure for approval. The railroad

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or railroad track owner shall be responsible for coordinating all necessary detours, traffic control, and temporary crossings. The design, application, installation and maintenance of detours and temporary crossings shall comply with the MUTCD.

007.03 Before the railroad company or railroad track owner closes a crossing on the municipal or county road system for four hours or less in order to perform maintenance work, it shall contact the appropriate Municipal Engineer/Street Superintendent or County Highway Engineer/Superintendent to coordinate detours if necessary, and be responsible for traffic control.

007.04 In the event of an emergency closure of a crossing(s), the railroad company or railroad track owner shall contact the NDOR District Representative or the appropriate Municipal Engineer/Street Superintendent or County Highway Engineer/Superintendent as soon as practicable after the closure.

ANNOTATION

**Title 415
Chapter 6**

**Enabling Legislation
§74-1332 and 74-1336
Neb. Rev. Stat.**