


 Check out
 the video


Federal-aid Program Overview

Section 130—Rail-Highway Crossings Program

www.fhwa.dot.gov/federal-aidessentials

Safety upgrades for priority sites.



Every year in the U.S., thousands of drivers are involved in railroad crossing incidents and hundreds of lives are lost.



To address these tragedies, Congress enacted Section 130 of Title 23, U.S. Code to improve the safety of public rail-highway crossings. Each year, funds are made available as a set-aside under the Highway Safety Improvement Program.



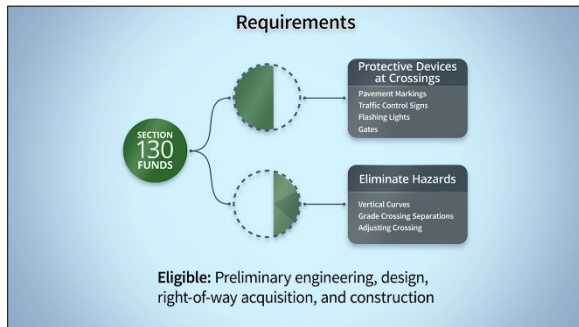
Using a formula outlined in section 130, the Federal Highway Administration, or FHWA, apportions Section 130 funds to each State Department of Transportation, or State DOT. While State DOTs are free to develop their own specific approach to highway safety, they must follow general eligibility requirements when selecting and prioritizing projects and annually report to the FHWA their effectiveness in achieving program goals.

Here we offer a look at requirements that State DOTs must follow when expending funds. Then we will look at one State DOT's specific approach for selecting and prioritizing projects.



Section 130 funds can be used at any public rail-highway crossing, including public sidewalks, pathways, and public shared use paths.

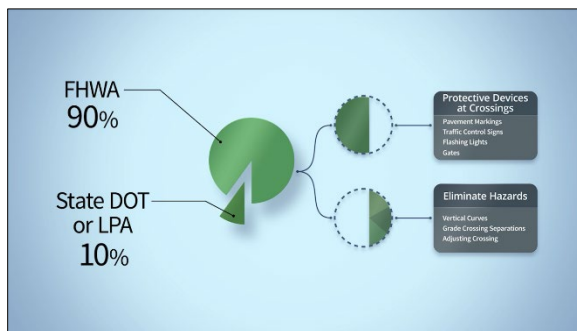
A State DOT must use at least half of its allotted funds on the installation of protective devices at rail-highway crossings as defined by the Manual on Uniform Traffic Control Devices, or MUTCD, including pavement markings, traffic control signs, flashing lights, and gates.



State DOTs must use the remaining funds on projects that eliminate hazards at crossings, such as vertical curves, grade crossing separations, and even adjusting the crossing itself. All phases of work are eligible for funding, including preliminary engineering, design, right-of-way acquisition, and construction.

State DOTs cannot use Section 130 funds to:

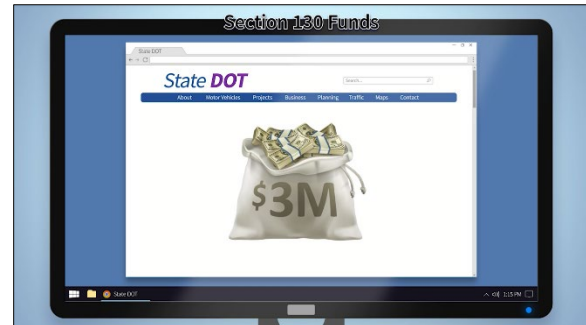
- Conduct routine maintenance or operations,
- Create new crossings,
- Abate noise at rail-highway crossings, or
- Erect fencing to eliminate pedestrian trespassing outside the crossing area.



In most cases, the Federal share of Section 130 project costs for Rail Highway Crossing Program

set-aside funds is 90 percent. The project sponsor, often State DOTs or local agencies, provides 10 percent matching funds which they may obtain from any number of non-Federal sources. States may exceed the matching share.

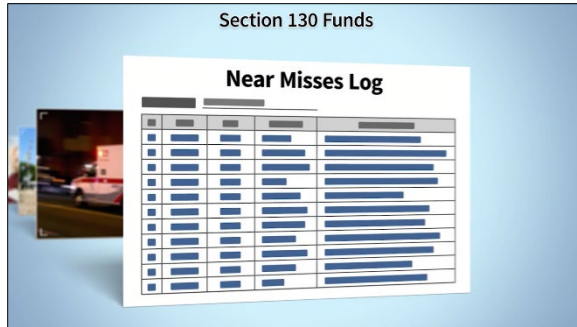
Here's an example of how one State DOT administers its \$3 million apportionment of Section 130 funds.



Their Section 130 policy specifies that for the majority of available funds, a cost-benefit factor will be used to prioritize eligible projects and that agency design engineers will analyze safety data and prepare plans and cost estimates.

The policy also states that funds are to be used on State highways to install flashing lights and gates. Additionally, a portion is allocated to local public agencies, or LPAs.


The public works director in Plains County learned that Section 130 funds reserved for LPAs might be available for a rail-highway crossing on one of the county's roadways with a history of fatalities. Since an area hospital recently closed, the railroad has logged an increasing number of near misses as more residents use the crossing at night to access emergency care in a nearby town.



Following the State DOT's application process, the public works director used safety data to show the increased incident rate and the potential to substantially decrease the fatal accident rate.

Based on the County's analysis, The State DOT prioritized the addition of flashing lights and gates at the rail-highway crossing and estimated the cost at \$165,000. The State contributed \$148,500 from the Section 130 fund and the county matched the contribution with \$16,500 from their own general fund.

Section 130 Funds



Project Funding

| | |
|----------------------|-------------------------|
| Section 130 Funds | \$148,500 |
| County General Funds | <u>\$16,500</u> |
| Total | <u><u>\$165,000</u></u> |

As illustrated by our example, State DOTs must follow Federal requirements when administering Section 130 funds. They must also

use safety data to justify project selection and a prioritization process and demonstrate their effectiveness in improving the safety of their railroad -highway crossings.



Each State DOT will develop its own approach to selecting and prioritizing eligible projects. Some may support an application process for LPAs while others may utilize a multi-year strategic planning process. Some States may obligate all their funds in the year in which they are received, while others may choose to pool their funds for a couple years to fund larger projects.

Contact your State DOT for information about using Section 130 funds for rail-highway crossing projects. Your State DOT can provide information and guidance on:

- The process for selecting and prioritizing eligible projects,
- The appropriate use of data to demonstrate safety concerns and justify expenditures, and
- Sources of matching funds.

Additional Resources

- FHWA link to Rail-highway Crossing Program (Section 130) webpage for additional resources <https://safety.fhwa.dot.gov/hsip/xings/>
- FHWA link for the downloadable Railroad-highway Grade Crossing Handbook https://safety.fhwa.dot.gov/hsip/xings/com_roaduser/07010/
- Link to the FHWA Fact Sheet on the Rail-Road highway crossing legislation <https://www.fhwa.dot.gov/fastact/factsheets/railwayhwycrossingsfst.cfm>
- Link to FHWA webpage for the Manual on Uniform Traffic Control Devices (MUTCD) for use in determining signs, signals, and pavement markings needed for rail crossings <https://mutcd.fhwa.dot.gov/>
- Virtual edition of the United States Code, see title 23, section 130(f)(2) for railroad-highway codification <https://www.gpo.gov/fdsys/pkg/USCODE-2017-title23/html/USCODE-2017-title23-chap1-sec130.htm>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH61-13-A-00001 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This Companion Resource is the script content for the video production of the same name.