



Rail Safety

Oversight and Expertise



Canada's Grade Crossings Regulations at-a-glance

Railway companies and road authorities (provinces, municipalities, band councils) and private crossing owners are each responsible for managing railway crossing safety in Canada. After national consultations with these stakeholders, Transport Canada has introduced *Grade Crossings Regulations*.

These new regulations are results-based. This means they contain options for bringing a consistent level of safety to each railway crossing in Canada. They will take full effect **over the next 7 years**.

The goal of the Grade Crossings Regulations is to save lives.

Why?

- From **2009 to 2013**, collisions at public and private crossings resulted in, on average, 26 deaths and 26 serious injuries **a year**.
- The Transportation Safety Board raised concerns that “the risk of passenger trains colliding with vehicles remains too high in busy rail corridors.”
- *Railway Safety Act* reviews highlighted the challenges for managing safety at grade crossings.

How?

The regulations:

- Provide for consistent grade crossing safety standards for both new and existing crossings in Canada.
- Clearly define roles and responsibilities of railway companies and road authorities.
- Promote collaboration between these parties.

Key Features

Clear Roles and Responsibilities

The regulations identify the roles and responsibilities of railway companies and road authorities that relate to:

- Information sharing
- Crossing surface
- Sightlines
- Roadway and railway signs
- Traffic signals
- Warning systems



Enforceable Grade Crossings Standards

The regulations incorporate standards based on the best engineering practices known today and makes them law. This requires all grade crossings in Canada to meet the same standard. Railway companies and road authorities will continue to apply the best options, building on the existing guidelines, for making their crossings safe.

When will these standards come into force?

- **Immediately:** the standards will apply to new grade crossings; or when making a change to an existing grade crossing – widening the road, for example.
- **Within 7 years:** the standards will apply to surface, signs, sightlines and warning systems for existing grade crossings.
- **Note:** Immediate action can and will be taken by Transport Canada where a serious safety deficiency is identified.

Greater Collaboration through Information Sharing

The regulations require that railway companies and road authorities share safety-related information on their grade crossings. Sharing this information with each other will allow them to determine what they need to do to make their crossings safer.

When will this happen?

- **Immediately:** When constructing a new grade crossing or making a change to an existing grade crossing.
- **Within 2 years:** To share safety information with each other for existing public grade crossings.

Transport Canada's Grade Crossing Improvement Program

can provide up to 50% of eligible costs related to a crossing improvement project at public grade crossings under federal jurisdiction.

To learn more, go to www.tc.gc.ca and enter **GCIP** into the *Search* box.



Effective Sightlines

A safe crossing is a visible crossing — so the regulations contain formulas for defining the area that road authorities, railway companies and private land owners must keep clear of anything that could block a road user's view of an oncoming train.

When should you think about this?

The regulations adopt customizable requirements for your crossings.

- **Immediately:** When constructing new grade crossings, or making a change to an existing grade crossing.
- **Within 7 years:** To existing grade crossings.



Working together to Safeguard Public Grade Crossings

What is a public grade crossing?

A public grade crossing is where railway tracks intersect with a road that is owned by a public authority, such as a province, municipality or band council, and used by the general public.

What is a private grade crossing?

A private grade crossing is where railway tracks intersect with a road that is owned and used by private parties, such as farmers, commercial businesses or private individuals.

The regulations and standards require road authorities and railway companies to work together on:

- **Blocked public crossings**

The requirements are that:

- Railway equipment cannot block a public grade crossing for more than five minutes when a road user requires passage, unless the railway equipment is moving.
- When emergency vehicles require passage, railway companies must immediately clear any grade crossing.

If the municipality has a safety concern relating to a crossing that is blocked, both parties must work together to find a solution to the safety concern. After 90 days, if they find no solution, the municipality can request that Transport Canada take action.

- **Activity on/near a crossing**

The requirements are that if a railway company or road authority performs any activity, such as rail or road repair at or near a crossing, they must:

- share information about the activity with each other, and
- take temporary protection measures to address any threat to the safety of railway operations.

- **Train whistling**

Train whistling is an important way to keep drivers, cyclists and pedestrians safe when using public grade crossings.

The requirements are that:

- Crossings must be equipped with an appropriate warning system based on railway speed design, vehicle and pedestrian use, and the number of railway tracks going through the crossing.
- To stop whistling at crossings, municipalities must ensure that crossings are equipped with appropriate warning systems.
- It is illegal to use a train whistle at a properly-equipped grade crossing after a municipality has passed a resolution.



Compliance

Transport Canada will continue to take appropriate enforcement action whenever it finds a safety concern at a crossing. Tools to mitigate safety threats and enforce compliance include:

- Letters of Non-Compliance
- Letters of Concern
- Notices
- Notices and Orders
- Emergency Directives
- Ministerial Orders
- Administrative Monetary Penalties
- Court Orders
- Railway Operating Certificates action
- Prosecution

Complaint and Dispute Resolution

Who can help when there are complaints or issues become disputes that railway companies and road authorities cannot resolve?

- If the complaint or dispute is about grade crossing **safety**, contact Transport Canada. Learn more at www.tc.gc.ca/railsafety.
- If a railway company and a road authority disagree on **who should pay** for railway work at a crossing, either party can ask the Canadian Transportation Agency to apportion the costs of the project. Learn more at www.otc-cta.gc.ca, click on *Industry Guidance* or the *Complaints and Disputes* tabs.