

Transport
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Canada

Grade Crossings Regulations: what you need to know

There are about 14,000 public and 9,000 private grade crossings along more than 40,000 kilometres of federally regulated railway track in Canada. Transport Canada's *Grade Crossings Regulations* (the Regulations) help to improve safety at these crossings by:

- establishing comprehensive and enforceable safety standards for both new and existing crossings in Canada;
- clearly defining the roles and responsibilities of railway companies and road authorities; and
- ensuring that railway companies and road authorities share key safety information with each other.

What is a grade crossing?

A grade crossing is an intersection where a road or path crosses railway tracks at the same level. Grade crossings are also known as level crossings, railway crossings, or train 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 is 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.



Did you know that you may have responsibilities under the Regulations?

Railway companies, road authorities (provinces, municipalities and band councils) and private crossing owners are each responsible for managing the safety at grade crossings.

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

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

Do you know what's expected of you?

Greater Collaboration Through Information Sharing

Transport Canada has developed forms that may be used by the railway company or the road authority to facilitate information sharing. These forms can be found at www.Canada.ca/grade-crossings.

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.

What's happening when?

- **Immediately:** When constructing a new grade crossing or making a change to an existing grade crossing.
- **By November 28, 2016:** To share safety information with each other for existing public grade crossings.

Enforceable Grade Crossings Standards

The Regulations incorporate standards based on the best engineering practices known today and make them law. This requires all federally regulated 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.*

What's happening when?

- **Immediately:** The standards will apply to new grade crossings; or when making a change to an existing grade crossing – widening the road, for example.
- **By the end of 2021:** The standards will apply to surfaces, 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.

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.

What's happening when?

The Regulations prescribe customizable requirements for your crossings.

- **Immediately:** When constructing new grade crossings, or making a change to an existing grade crossing.
- **By the end of 2021:** To existing grade crossings.

Available funding for grade crossings

Transport Canada can provide funding for eligible costs related to a grade crossing improvement project.

To learn more visit: <https://www.canada.ca/en/services/transport/rail.html>



Working Together to Safeguard Public Grade Crossings

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

Blocked public crossings

Under the *Grade Crossings Regulations*:

- 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 inform Transport Canada.

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 (e.g. detours) to address any threat to the safety of railway operations.

Train whistling cessation

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

Whistling cessation

- Section 23.1 of the *Railway Safety Act* provides a process for whistling cessation at a public grade crossing subject to certain requirements outlined in the Regulations.
- 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.
- The municipality must also pass a resolution agreeing that the whistle should not be used at that crossing.

Transport Canada encourages railway companies and municipalities to work together to ensure that all the requirements have been met. Should these two parties disagree that the requirements have been met, they may approach Transport Canada for a final decision.

Should a road authority wish to pursue whistling cessation, the procedure for train whistling at public crossings can be found at www.canada.ca/grade-crossings.

Complaint and Dispute Resolution

Who can help when 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.Canada.ca/grade-crossings.

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 the Canadian Transportation Agency at www.otc-cta.gc.ca.

Need help?

For general inquiries:

Email: RailSafety@tc.gc.ca

Phone: 613-998-2985

Toll-free: 1-844-897-RAIL (1-844-897-7245)

Fax: 613-990-7767

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www.canada.ca/grade-crossings



Timelines

