

COPY

Title [4]7—DEPARTMENT OF [ECONOMIC DEVELOPMENT]TRANSPORTATION
Division 265—[Division of] Motor Carrier and Railroad Safety
Chapter 8—Railroads [and Street Railroads]

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MAR 09 2018

SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

[4]7 CSR 265-8.032 Temporary Closing of a Public Grade Crossing. The Missouri Highways and Transportation Commission is moving the rule to Title 7, amending sections (1) and (2), and adding a publisher's note.

PURPOSE: This amendment moves the rule from Title 4 to Title 7 and changes the signing, work protection, and detours requirements from those in a 1988 Federal Highway Administration handbook to those contained in the Manual on Uniform Traffic Control Devices.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) Whenever [it is necessary to close] a public grade crossing is closed for the purpose of maintaining or reconstructing the crossing surface or track structure, the railroad shall notify the proper road authority and the local law enforcement agency[,] not less than seventy-two (72) hours in advance, except in emergency.

(2) When closing a grade crossing, the railroad shall conform to the requirements for signing, work protection and detours outlined in the [Federal Highway Administration, U.S. Department of Transportation, Traffic Control Devices Handbook (1988 edition).] **Manual on Uniform Traffic Control Devices for Streets and Highways (2009 edition)**, which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm. This rule does not incorporate any subsequent amendments or additions of this manual.

AUTHORITY: section 622.027, RSMo Supp. 1997.* Original rule filed May 2, 1991, effective Nov. 30, 1991. Amended: Filed June 22, 1998, effective Feb. 28, 1999. Amended: Filed March 9, 2018.

*Original authority: 622.027, RSMo 1985, amended 1993, 1995.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

JOINT COMMITTEE ON

MAR 09 2018

ADMINISTRATIVE RULES

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.