Action Responsibilities

The railway company is responsible for:

- the part of the road surface of the grade crossing that lies between the rails of each track, the part that lies outside the rails, up to the ends of the railway ties, and the elevation of the railway tracks in relation to the road;
- sightlines along the railway right of way;
- drainage along the railway right of way;
- railway crossing signs, stop signs when installed on the same signpost as the railway crossing signs; and
- grade crossing warning devices/systems (maintenance and testing).

The road authority is responsible for:

- the road approaches and those parts of the surface of the road up to the ends of the railway ties, including the elevation of the road in relation to the railway track;
- sightlines along the road right of way;
- drainage along the road right of way;
- traffic control devices on road approaches and stop signs installed on separate signposts from railway crossing signs at grade crossings, including devices that interconnect with grade crossing warning systems (maintenance and testing);
- lighting devices to illuminate trains, engines and other railway equipment occupying grade crossings to ensure that they are clearly visible to pedestrians and drivers of vehicles; and
- the removal of snow from the road for the safe passage of vehicles, bicycles, pedestrians and persons using assistive devices over the grade crossing.

The road authority and railway company are legally obligated to undertake duties related to the respective action responsibilities above. Action responsibility shall not be interpreted as determining liability for costs.

With respect to ensuring clear sightlines in both the railway and road rights of way, either the railway or road authority may informally agree to remove plant growth sightline obstructions on behalf of the other party in the rights of way overlap area or the immediate vicinity.

Traffic control costs associated with carrying out maintenance or construction activities related to the above are the responsibility of the party carrying out the work (or initiator of the work). Traffic control must be in accordance with the minimum requirements outlined in the Alberta Transportation Traffic Accommodation in Work Zones manual. District offices may establish blanket approvals for certain work activities to eliminate the need for a Traffic Accommodation Strategy for each work occurrence.

Sharing of Information

Both the road authority and the railway company are required to share information contained in Transport Canada Grade Crossings Standards, at specific times and circumstances prescribed in the Grade Crossings Regulations.

Cost Responsibilities

There are costs involved at railway crossings: crossing protections, crossing approaches, and the crossing surface. Some of these costs are shared, some are

not. General rules in railway crossing cost apportionment are summarized as follows:

Crossing Protection Devices (Signals, Gates, etc.)
Cost sharing formulas of the capital and maintenance costs of crossing protection, including signals, gates, and other devices vary from site to site.

Generally, for new crossing construction the initiating proponent is responsible for the capital cost of the crossing protection devices. The ongoing operations and maintenance costs are shared equally between the road authority and the railway company.

Crossing Approaches
The road authority is wholly responsible to construct and maintain road approaches within the crossing vicinity to meet their own or federal standards, whichever is higher.

However, if the railway company change existing track elevations which causes a "bump" or "rough" crossing, they would be responsible for adjusting or repairing of the roadway approaches to meet the road authority and/or federal standards, whichever is higher.

Crossing Surface
The responsibility for the crossing surface varies from site to site depending on the seniority status accorded in the order or agreement currently in force.

Since the late 1970s, the junior party (defined by survey/registration date, or a site specific agreement) has been responsible for the crossing surface (construction and maintenance). However, because the seniority rules and cost assignment practices have changed many times in the past few decades, it would be prudent to conduct a review of relevant federal orders and crossing files to ascertain whether any update of the cost assignment formula is needed. Current guidelines and practice are summarized as follows:

Railway Junior
If the railway is the junior party, it is only responsible for constructing, widening and maintaining the crossing surface up to the original right-of-way width (usually 20.12 m or 66 ft.). The road authority is responsible for any portion beyond.

Railway Senior
If the road authority is junior, it is then responsible for the whole crossing surface cost.

Crossing Surface Maintenance

The most common crossing surface types are:

Timber Plank	Basic crossing surface type.
Asphalt	Typical when upgrading from timber surface. Cheapest for construction, but more maintenance required. Needs to be repaired or repaved much more often than the road approaches.
Rubber	Typically provides the smoothest ride, if maintained properly. Low maintenance.
Concrete	Used when lower maintenance is desired.

Typically the choice of crossing surface is jurisdictional preference. If the railway company is junior at the crossing, they are only obligated to provide timber planking. If the road authority desires a better crossing surface to serve roadway traffic, the road

authority would typically be required to pay the difference in cost between timber planking and the desired crossing surface type.

Upgrading of the substructure to the crossing surface may be required when the crossing surface is upgraded (or reconstructing crossing due to highway shift, etc.). In such cases, the road authority would contribute to the cost. The road authority does not pay for substructure maintenance as part of the normal crossing surface maintenance (i.e., when road authority is junior).

Crossing Surface Upgrading

Typically the need for crossing surface upgrading originates with complaints from the public, Maintenance Contract Inspector or highway Maintenance Contractor identifying that the crossing is “rough”. The determination of when a crossing is deemed “rough” is judgmental, but usually involves a breaking up/crumbling of the crossing surface.

The next step involves the Maintenance Contract Inspector approaching the railway company and establishing an agreement to repair or replace the crossing surface (either with the same surface type or upgraded surface type).

The railway company then repairs or replaces the crossing surface with cost apportionment according to the established cost sharing arrangement (typically the junior party pays for the crossing surface) unless there is an Order issued by the Canadian Transportation Agency or under another name before name changes over the years for the Agency.

Damages to Crossing Surface

If the crossing surface is damaged as a

result of poor rail subsurface grade design and construction, the railway company is responsible for both the crossing surface and subsurface grade repairs.

Orders of the Canadian Transportation Agency

The Order of the Canadian Transportation Agency or its former name of the Agency (e.g., Canadian Transport Commission, National Transportation Agency, etc.) prevails, unless a railway company, road authority or beneficiary can demonstrate on the basis of an Order that it is not responsible for the foregoing action and/or cost responsibilities with respect to a grade crossing.

References to Standards

Canada Railway Safety Act	Grade Crossings Regulations
	Grade Crossings Standards