**Section 1536.20 Criteria for Crossing Closure**

a) The hearing examiner shall assign the crossing proposed for closure to one of the following categories:

1) Category 1: the crossing is located in an incorporated area and the crossing is signalized;

2) Category 2: the crossing is located in an incorporated area and the crossing is unsignalized;

3) Category 3: the crossing is located in an unincorporated area and the crossing is signalized; or

4) Category 4: the crossing is located in an unincorporated area and the crossing is unsignalized.

b) The categories listed in subsection (a) of this Section shall be differentiated by:

1) the crossing's ADT; and

2) the crossing's Train Volume and Speed Index (TVSI), which is calculated by taking the average number of freight and passenger train movements per day which use the crossing and multiplying each by their maximum timetable train speed. This calculation is represented by the following equation:

TVSI = (Tf x Sf) + (Tp x Sp)

Where:

TVSI = Train Volume and Speed Index

Tf = Average number of freight trains/day

Tp = Average number of passenger trains/day

Sf = Maximum timetable speed for freight trains

Sp = Maximum timetable speed for passenger trains

c) The ADT and TVSI thresholds for each category are:

|  |  |  |
| --- | --- | --- |
| Category | Characteristics | Closure Criteria |
| 1: | Incorporated/Signalized\* | ADT ≤125 and TVSI ≥ 240 |
| 2: | Incorporated/Unsignalized | ADT ≤175 and TVSI ≥ 240 |
| 3: | Unincorporated/Signalized\* | ADT ≤75 and TVSI ≥ 300 |
| 4: | Unincorporated/Unsignalized | ADT ≤100 and TVSI ≥ 300 |

\* Where signal equipment or last circuitry update is 10 years old or older.

d) The Commission shall determine if the crossing meets the following criteria:

1) the crossing has a permanent or seasonal obstruction(s) whereby the visibility of trains to motorists approaching the crossing or to motorists stopped at the crossing is not adequate per Appendix 1, "A Policy of Geometric Designs of Highways and Streets", incorporated in Section 1536.10 (b)(9) of this Part;

2) the crossing has an ADT value less than or equal to the threshold for the category; and

3) the crossing has a TVSI value equal to or greater than the threshold for the assigned category.

e) The Commission shall consider evidence regarding the amount of adverse distance which closure will cause. For the purposes of this Part, adverse distance is defined as the distance which must be traveled, from one side of the crossing to be closed to reach a point adjacent to and on the opposite side of the crossing, via the nearest alternate public crossing and roadway. The Commission shall also consider the adequacy of the alternate crossing and roadway.

f) The alternate public crossing shall not be considered adequate unless, in the case of an at-grade crossing, it is equipped with automatic warning devices and conforms with the requirements of 92 Ill. Adm. Code 1535, or it is grade separated.

g) The alternate roadway shall be considered adequate if:

1) it is a roadway with an all-weather surface;

2) it is of sufficient width to accommodate its existing vehicular traffic plus the vehicular traffic rerouted by the closure, as determined by IDOT's Bureau of Local Roads and Streets;

3) when an existing road is used as an alternate, the roadway is already, or may legally be, utilized by the same types of vehicular traffic as the roadway where the crossing is sought to be closed; and

4) rerouting of the crossing's vehicular traffic over the alternate roadway will not have a significant adverse effect on public safety. Factors to be considered in making this determination include:

A) the extent to which rerouting will cause or increase an unsafe and incompatible mix of traffic on the alternate roadway;

B) the extent to which rerouting will increase emergency response time; and

C) any other evidence of record relating to the safe public use of the alternate roadway.

h) Proponents of the closure will bear the burden of proving the alternate public crossing and roadway meet the requirements in subsections (f) and (g) above or will meet them after improvements have been made.

i) The alternate public crossing will not be considered adequate if the amount of adverse distance, as measured along the centerline of the routes which comprise the alternate roadway, which the closure will cause:

1) is greater than 0.75 miles when any part of the railroad right-of-way or highway right-of-way at the crossing lies within an incorporated town, village or city, or abuts the corporate limits of any town, village or city; or

2) is greater than four miles in any other case.

j) The Commission shall order the crossing closed if it meets the criteria set forth in subsections (d), (f), (g) and (i) of this Section or if, under the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401] (ICTL), the Commission finds, based on the totality of evidence presented, that public safety requires the crossing be closed and that public convenience served by the crossing in question is not such as to justify its further retention. No two consecutive crossings shall be closed in a row without the consent of the affected highway agency(s) if the distance between the two crossings from the centerline of each crossing along the railroad's centerline is equal to or greater than one mile.

k) The Commission shall, when such action is supported by the evidence, order the construction of a turn-around or cul-de-sac to accommodate school bus traffic and/or highway maintenance equipment affected by the crossing closure.

l) The Commission shall allocate the cost of any improvements found necessary to accommodate a crossing closure required by this Section among the railroad, IDOT and the Grade Crossing Protection Fund. The Commission may also allocate costs to the highway agency when evidence of record supports such allocation.