



A G E N D A

Idaho Transportation Board Policies Subcommittee Meeting

November 13, 2024

Idaho Chinden Campus
11331 Chinden Blvd., Building 8
Long Bridge Room
Boise, Idaho

Call in: 1-415-655-0003

Access code: 2867 255 8175

Meeting password:1234

	<u>Page</u>	<u>Time*</u>
<u>Action Items</u>		
1. Call Meeting to Order – Chairman Gary Osborn		1:30
• Formal approval of August 29, 2024 meeting minutes	2	
2. Administrative Policy A-01-11 Hazardous Materials/Waste Activities Employee Safety & Risk Manager Randy Danner	4	1:35
<u>Information Item</u>		
3. Administrative Policy 5558 Use of Electronic Devices While Driving and Operating ITD Vehicles and Equipment Employee Safety & Risk Manager Randy Danner	7	1:40
<u>Action Items</u>		
4. Administrative Policy 5538 Purchase, Inventory and Disposal of Property Business and Support Management Manager Michelle Doane	10	1:50
5. Policies 4085/5085 Rail-Highway Crossing Program RHCP Manager Blaine Schwendiman	14	1:55
6. Adjourn (estimated time)		2:05

*All listed times are local and are estimates only. The Board reserves the right to move agenda items and adjust the time schedule.
The meeting is open to the public, except for the executive session.

-Attendance is mandatory and lunch cannot be claimed on per diem.

Idaho Transportation Board Subcommittee on Policies
August 29, 2024, Chinden Campus, American Falls conference room

Idaho Transportation Board Subcommittee on Policies met remotely on August 29, 2024. Chairman Gary Osborn called the meeting to order at 10:02 AM. Subcommittee members present were District 2 Member Gary Osborn (Chairman), District 3 Member Julie DeLorenzo and District 6 Member Bob Hoff, and Business Executive to the Board Lorraine Dennis.

Key principals staff members advisor Deputy Attorney General (DAG) Tiffany Hales, Chief External Affairs Officer (CEAO) Mollie McCarty, DMV Administrator Lisa McClellan, and DMV Program Specialist Heather Fleck were present. LHTAC Administrator Laila Kral participated remotely.

Minutes. Member DeLorenzo made a motion to approve the minutes of the March 19, 2024, meeting as submitted. Member Hoff seconded the motion and it passed.

4040 Board and 5040 Administrative Dealer Advisory Board (DAB) Policies. DMV Administrator McClellan gave a summary of the proposed revisions for the Board and Administrative Dealer Advisory Board policies. The review is an effort to modernize the purpose statement for all advisory groups, provide clarification to common questions, and eliminate redundancy. The Board DAB policy updates the purpose statement and clarifies responsibilities. Some Administrative DAB policy highlights included updating language for legal authority, adding authority for ICAR, and clarifying responsibility and membership appointment.

Member DeLorenzo verified the proposed policy changes were seen by the DAB. She also asked staff to spell out references to the DAB and the Idaho Transportation Board “the Board” on both policies so it was clear to the reader which board was being referenced.

Member Hoff inquired if the Idaho Code reference, 49-1603, under the DAB Administrative policy Legal Authority was in align with the written narrative in the policy under “Dealer Advisory Board Membership.”

Chairman Osborn asked DAG Hales to research the answer regarding IC 49-1603 as we move forward to the next item on the agenda.

4042 Board and 5042 Administrative Trucking Advisory Council (TAC) Policies. DMV Administrator McClellan gave a summary of the proposed revisions for the Board and Administrative Trucking Advisory Council policies. Revisions to the Board TAC policy are to update the purpose statement, clarify scope of responsibilities, and define role as it pertains to legislative issues. Administrative TAC policy changes clarifies the Council’s responsibilities, and membership eligibility and appointments.

Member DeLorenzo requested language be retained in the Board TAC policy that states the Idaho Transportation Board’s responsibility to appoint TAC members. She stated it

strengthens the policy on how TAC members are appointed and should be included. It had been proposed to remove that language and insert it in the Administrative TAC policy. Staff will revise the policy to retain that specific language in both policies.

In response to Member Hoff's question in the Board TAC policy regarding how legislative ideas recommendations run through the department versus the Transportation Board, CEAO McCarty stated that was an intentional effort to set expectations. The desire is for the TAC members to work with the department first and then ultimately seek Board approval.

5068 DMV/County Automated Systems Policy. DMV Administrator McClellan gave a summary of the proposed changes. Revisions included refining language for standard and hybrid offices regarding equipment, setting annual training to maintain federal compliance, conducting background checks for all agents accessing DMV's systems and implementing a multi-factor authentication for all DMV system users.

Chairman Osborn inquired if the required training is offered virtually. DMV Administrator McClellan stated the department travels to them and have refined it down to one day.

Member DeLorenzo questioned, under "Background Checks" there is a reference to a federal regulation that seemed to be out of place. The statement "referenced in this section" did not coincide with additional information within that paragraph, but rather shown in a subsequent paragraph. Staff noted the discrepancy and will make the correction.

Member Osborn called on DAG Hale to clarify language contained in Idaho Code 49-1603. DAG Hale confirmed the statute as noted under Legal Authority for the Administrative DAB policy is an accurate summary of what is in code.

The subcommittee members concurred with staff's policy revisions as discussed for each and to refer with amendments to the full Transportation Board for approval.

The meeting adjourned at 10:50 A.M.

Respectfully submitted by:

LORRAINE DENNIS

Business Executive, Idaho Transportation Board



HAZARDOUS MATERIALS/WASTE ACTIVITIES

Purpose

The purpose of this policy is to implement the Idaho Hazardous Materials/Weapons of Mass Destruction Incident and Response Support Plan and establish responsibility guidance to promote a safe environment for employees and the public.

Legal Authority

- Idaho Code Title 39 Chapter 44 Hazardous Waste Management
- Idaho Code Title 39 Chapter 71 Hazardous Substance Emergency Response Act
- Idaho Code Title 39 Chapter 88 Idaho Underground Storage Tank Act
- Idaho Code Title 46 Chapter 10 State Disaster Preparedness Act
- Governor's Executive Order No. 2010-09 Mandates that the Idaho Transportation Department (ITD) shall support the disaster/emergency services of state and/or local agencies.
- 29 Code of Federal Regulations Part 1910 Occupational Safety and Health Standards
- 40 Code of Federal Regulations Part 261 Identification and Listing of Hazardous Waste
- 40 Code of Federal Regulations Part 262 Standards Applicable to Generators of Hazardous Waste
- 49 Code of Federal Regulations Part 172 Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans

In accordance with federal and state of Idaho hazardous materials/waste legislation, the Idaho Emergency Operations Plan, and the Idaho Transportation Department's (ITD) commitment to human health and the environment, ITD shall take all appropriate action to control or eliminate exposing people and the environment to hazardous materials/waste.

General Requirements

All ITD operations employees will receive a four-hour hazardous materials training through the training office. Point of entry employees will receive hazmat training from the Idaho State Police. The Learning Hub tracks all hazmat training. Employees, who work with hazardous materials, ship or receive hazardous materials, or respond to hazardous materials incidents are required to attend specific training.

Areas of Responsibility

District Engineers shall:

1. Implement and follow the State Hazardous Materials /WMD Incident Command and Response Support Plan, supporting ITD policies and any changes to them.
2. Verify that the district HMC's and their alternates are properly trained.
3. Ensure that the HMC reports to the District Engineer or designee.
4. Manage the generation and disposal of hazardous wastes/materials within their district.
5. Report and respond to hazardous materials contamination encountered during construction, operation, and maintenance of state highways and ITD facilities when required or requested.
6. Resident Engineers shall notify the District Environmental Planner and District Hazardous Materials Coordinator of unidentified or suspected hazardous wastes/materials located in construction projects.

The Emergency Management Planner shall:

1. Manage ITD's role in Idaho's Hazardous Materials/WMD Incident Command and Response Support Plan and Idaho's Emergency Plan plus provide Emergency Response Guidebooks to ITD Districts/Divisions.
2. Collect, manage, and disseminate information involving hazardous materials releases, and spill response occurring on ITD Property or right of way.
3. Provide assistance, support and training on a yearly basis to Hazmat coordinators throughout ITD. Areas of support/discussion will include responding to hazardous materials contamination encountered during operation on state highways and ITD facilities.

The Environmental Section shall:

1. Provide department wide technical assistance needed for compliance with hazardous materials/waste, handling, storage, disposal, generation or remediation.
2. Assist, coordinate, support and respond to requests from the districts/divisions when hazardous materials contamination is encountered. This can be during operations or maintenance on ITD's right of way, facilities or during any phase of project development.
3. When requested be available to provide assistance and support during emergencies.

The Right of Way Section shall:

1. Notify the District Environmental Planner and the HQ Environmental Section of unidentified or suspected hazardous wastes/materials prior to purchase.
2. Determine the value of property considering the presence of hazardous wastes/materials.
3. Obtain from property owners or contract purchasers a statement concerning their knowledge of hazardous wastes/materials on the subject property.

All districts, divisions, and sections shall review the hazardous materials/waste plans and policies and implement those plans. Close coordination between the Emergency Management Planner, Environmental, Employee Safety/Risk Management and the training sections are essential for the distribution of information and training needs in the hazardous materials/waste area.

Date: _____

Brian W. Ness

Director

This policy based on:

- 29 CFR 1910; 40 CFR 261,262; 49 CFR 172
- Title 39, Chapters 44, 71 and 88, and Title 46, Chapter 10, Idaho Code
- Executive Order No. 2006-10
- Decision by the Director

Department wide supervision and coordination assigned to:

- OHOS Engineer and Employee Safety/Risk Management Manager

Direction for activity and results assigned to:

- District Engineers, Aeronautics Administrator, Environmental Manager, Business and Support Management Manager, Emergency Management Planner, Hazardous Materials Coordinators, Supervisors and Employees

Department procedures contained in:

- This policy
- Environmental Process Manual Chapter 1400, Hazardous Materials
- Idaho Hazardous Materials/WMD/ Incident Command and Response Support Plan

Former dates of A-01-11:

9/18/91 and 5/25/2000

Cross-reference to related Administrative Policies:

- A-04-04, PRESERVATION OF FISH AND WILDLIFE IN RELATION TO HIGHWAY DESIGN, CONSTRUCTION, AND MAINTENANCE
- A-04-07, ENVIRONMENTAL MONITORING
- A-05-09, FUEL STORAGE TANK INSURANCE
- A-05-34, CLOSURE OR RESTRICTED USE OF STATE HIGHWAYS
- A-05-38, DISASTER/EMERGENCY SUPPORT
- A-06-16, SECURITY OF DEPARTMENT FACILITIES
- A-06-17, REPORTING LOSSES TO HEADQUARTERS
- A-23-01, EMPLOYEE SAFETY AND RISK MANAGEMENT PROGRAM



ADMINISTRATIVE POLICY 5558

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**USE OF ELECTRONIC DEVICES WHILE DRIVING AND OPERATING ITD
VEHICLES AND EQUIPMENT**

Purpose

The Idaho Transportation Department (ITD) leadership is committed to the safety and security of all employees. A key element of this is to provide guidance for eliminating or reducing distractions while operating ITD-owned vehicles and equipment. This policy establishes guidelines for the use of cellular phones, two-way radios, cameras, Bluetooth-connected or wired music players, as well as GPS-mapping and guidance systems while driving ITD vehicles or operating ITD-owned or leased equipment. Examples include, but are not limited to, automobiles, SUVs, pickups, trucks, snow plows, cranes, boom trucks, bucket trucks, backhoes, excavators, loaders, motor graders, rollers, tractors of any kind.

Legal Authority

- Idaho Code 40-314(2) - The Idaho Transportation Board has authority over all employment matters.
- Idaho Code 40-314(3) - The Idaho Transportation Board exercises the powers and duties necessary to carry out the provisions of title 40.
- Idaho Code 40-505 - The Director of the Idaho Transportation Department is the administrative officer of the Idaho Transportation Board and has authority to control, supervise and direct employees, subject to the Board's oversight.

Applicability

This policy applies to all ITD employees and non-ITD personnel while driving ITD vehicles or operating off-road/heavy equipment. This policy does not apply to passengers in ITD vehicles.

Responsibility

Employees who are charged with traffic violations or other criminal offenses resulting from the use of a mobile device while driving will be solely responsible for all liabilities that result from such actions.

Headphones

Wired or wireless earbuds, earphones or Bluetooth headsets are prohibited. Two way radio communication headphones with boom microphones, required for ITD specific tasks, are permitted.

Cell Phone Use for Voice Communication

In an effort to model safe driving practices, all personnel are prohibited from using cell phones or other “smart” or mobile devices for voice or video communication while operating ground vehicles or a piece of off-road motorized equipment. Voice or video communication may be performed by operators only if the vehicle is parked out of the roadway with the vehicle transmission in park or neutral with the brake set, or equipment implements grounded with the engine at idle for heavy equipment.

Texting in ITD Vehicles and Equipment

Reading, writing, reviewing, sending, or manual preparation and transmission of written communications via handheld-wireless devices is prohibited while operating any ITD vehicle or equipment. This includes voice-to-text and any other hands-free form of text communication. Operators may text in ITD vehicles only if the vehicle is parked out of the roadway with the vehicle transmission in park or neutral and the brake set, or equipment implements grounded with the engine at idle for heavy equipment.

Two-way Radios

ITD personnel are permitted to use two-way radio systems for short, focused, burst communication. Transmissions should be limited to official ITD business.

Cameras

Cameras, including cell phone, still or video cameras, may be used while operating ITD vehicles and equipment under the following conditions: the cameras must be fixed in place with a permanent or temporary mount. The camera must be aimed, turned on and readied for use while the vehicle is parked out of the roadway with the vehicle transmission in park or neutral with the brake set. Cameras must be able to be activated using a single button to begin and single button to end filming. Any review of the images captured must be conducted once the vehicle is parked out of the roadway with the vehicle transmission in park or neutral with the brake set.

Music Players

Music players (i.e. MP3, MP4, iPads, iPods, tablet or cell phone) may be used while operating ITD vehicles and equipment under the following conditions: the system must be connected, programmed, manipulated or synced only when the vehicle is parked out of the roadway with the vehicle transmission in park or neutral with the brake set, or equipment implements grounded with the engine at idle for heavy equipment.

Navigation Systems

Built-in vehicle-mounted navigation systems or stand-alone navigation systems may be utilized in the hands-free mode while driving ITD automobiles, SUVs and pickups only. Stand-alone navigation systems, including cell phone and tablet applications may be utilized only in the hands-free, turn-by-turn voice mode. All navigation systems must be initiated, programmed or recalibrated only if parked out of the roadway with the vehicle transmission in park or neutral with the brake set.



Brian W. Ness
Director

Date

6/23/2020



PURCHASE, PAYMENT, INVENTORY AND DISPOSAL OF STATE PERSONAL STATE PERSONAL PROPERTY

Purpose

This policy defines the responsibility for the Department's purchase, payment, inventory and disposal of state personal property.

Legal Authority

- Idaho Code 40-309 - Authority of Board to contract in the name of the state.
- Idaho Code 40-314(3) - Authority of Board to exercise any power or duty necessary to implement and carry out the provisions of Title 40 and the control of the financial affairs of the Board and the Department.
- Idaho Code 40-505 - The Director of the Idaho Transportation Department is the administrative officer of the Board.
- Idaho Code 67-9205 – Powers and Duties of the Administrator ~~67-5717 – 67-5718~~ – Acquisition of property through the Division of Purchasing.
- Idaho Code 67-9208 - Solicitations
- Idaho Code 67-5732A - The Director may sell, transfer, recycle or discard state personal property which is of no further use to the Department.
- Idaho Code 67-5746 - The Director shall maintain an inventory system, and be accountable for the maintenance, security, and efficient economic use of the Department's personal property.

Department activities related to the purchase, payment, inventory and disposal of state ~~personal state personal~~ property (all property belonging to the state of Idaho other than real property) and services are within the purview of the Idaho State Department of Administration and the State Board of Examiners. ~~No personal property, regardless of the value, may be taken, salvaged or used by Department employees.~~

To ensure compliance with all Idaho laws and regulations, the Chief Administrative Officer is responsible for managing coordinating or and delegating Department-wide activities related to as follows:

- Purchase of state personal property or negotiation of service contracts for personal property services for Department use to Headquarters Purchasing Agent.
- Payment of state personal property or services for Department use to Headquarters Accounts Payable Financial Manager.
- ~~Negotiation of service contracts on personal property.~~
- ~~Accountability for Department-owned state personal property to Headquarters Purchasing and Supply Support Manager.~~
- Disposal of Department-owned state personal property to Headquarters Purchasing and Supply Support Manager and Headquarters Fleet Management.

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- ~~Sale of personal property for other agencies, when requested.~~
- ~~Financial reporting for Department-owned state personal property to General Ledger Financial Manager.~~

~~District Engineers, Section Managers and higher authorities shall develop adequate specifications for their purchase requests.~~

~~No state personal property, regardless of the value, may be taken, salvaged or removed from the premises for personal use outside of work responsibilities by Department employees.~~

Signed

Date November 25, 2014

Brian W. Ness L. Scott Stokes

Director



PURCHASE, PAYMENT, INVENTORY AND DISPOSAL OF STATE PERSONAL PROPERTY

Purpose

This policy defines the responsibility for the Department's purchase, payment, inventory and disposal of state personal property.

Legal Authority

- Idaho Code 40-309 - Authority of Board to contract in the name of the state.
- Idaho Code 40-314(3) - Authority of Board to exercise any power or duty necessary to implement and carry out the provisions of Title 40 and the control of the financial affairs of the Board and the Department.
- Idaho Code 40-505 - The Director of the Idaho Transportation Department is the administrative officer of the Board.
- Idaho Code 67-9205 – Powers and Duties of the Administrator – Acquisition of property through the Division of Purchasing.
- Idaho Code 67-9208 - Solicitations
- Idaho Code 67-5732A - The Director may sell, transfer, recycle or discard state personal property which is of no further use to the Department.
- Idaho Code 67-5746 - The Director shall maintain an inventory system, and be accountable for the maintenance, security, and efficient economic use of the Department's personal property.

Department activities related to the purchase, payment, inventory and disposal of state personal property (all property belonging to the state of Idaho other than real property) and services are within the purview of the Idaho State Department of Administration and the State Board of Examiners.

To ensure compliance with all Idaho laws and regulations, the Chief Administrative Officer is responsible for managing and delegating Department-wide activities as follows:

- Purchase of state personal property or negotiation of service contracts for personal property services for Department use to Headquarters Purchasing Agent.
- Payment of state personal property or services for Department use to Headquarters Accounts Payable Financial Manager.
- Accountability for Department-owned state personal property to Headquarters Purchasing and Supply Support Manager. Disposal of Department-owned state personal property to Headquarters Purchasing and Supply Support Manager and Headquarters Fleet Manager.
- Financial reporting for Department-owned state personal property to General Ledger Financial Manager.

No state personal property, regardless of the value, may be taken, salvaged or removed from the premises for personal use outside of work responsibilities by Department employees.

L. Scott Stokes
Director

Date _____



RAIL-HIGHWAY CROSSING PROGRAM

Purpose

The purpose of the Rail-Highway Crossing Program (RHCP) is to enhance safety at public rail-highway crossings throughout the State of Idaho and to promote rail safety education.

Legal Authority

The Department shall be responsible for executing the RHCP in accordance with:

Idaho Code 40-310 – The Board has the authority to locate, design, construction, reconstruct, alter, extend, repair and maintain state highways and plan, design and develop statewide transportation systems

~~Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board~~

Idaho Code 40-314 – The Board shall exercise all powers necessary to carry out the provisions of Title 40 of the Idaho Code and the control of the financial affairs of the Department and Board

~~Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board.~~

Idaho Code 40-317 – Authority to enter into cooperative agreements with the federal government and local governments.

Idaho Code 40-702(5) – Establishment of the state highway account to include all federal surface transportation funds received from the United States government.

Idaho Code 62-301 and 62-303 – Cost sharing when eliminating or altering crossings of State highways and railroads

Idaho Code 62-304A, B, C, D – Railroad Grade Crossing Protection Fund

Idaho Code 62-306 – Construction and Maintenance of Railroad Grade Crossings

Idaho Code ~~6263~~-2412 (c) – State Fuel Tax distribution to the Railroad Grade Crossing Protection Account

Title 23, U.S. Code Section 130 – Railway-Highway Crossings - the cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains, may be paid from sums apportioned in accordance with federal law from the federal funds set aside by this section.

34

35 **Funding**

36 The RHCP is comprised of two dedicated funding sources:

- 37 • Federal set-aside (~~Title 23, U.S. Code~~~~Federal~~ Section 130) from the Highway Safety
- 38 Improvement Program (HSIP) apportionment
- 39 • \$250,000 annual allocation (~~Idaho Statute 63-2412 (c) from to~~ the State Railroad Grade
- 40 Crossing Protection Account. ~~These funds are used as the State's 10% match (90%~~
- 41 ~~Federal: 10% State) for the RHCP.~~

42 **Selection and Programming of Projects**

43 The Director shall establish a committee to nominate and assess projects on a statewide basis
44 utilizing a data-assisted evaluation process. The committee shall estimate costs, prioritize,
45 compile and present a recommended list of projects to the Board for approval.

46 The Director or delegate annually shall provide a maximum of ~~twenty-five thousand dollars~~
47 ~~(\$25,000)~~ from the State's Railroad Grade Crossing Protection Account to support public
48 education and safety programs which promote awareness of public safety at rail-highway grade
49 crossings.

50 **Program Management**

51 The Director or delegate shall coordinate with the districts when advancing and delaying projects
52 based on project readiness. Delays and advances must conform to the available funding for a
53 given year and be presented to the Board for approval.

54 Annually a status report of the RHCP shall be submitted and presented to the Board.

55 Approved by the ~~Director~~ Board on:

56 _____ Date _____

57 ~~Jerry Whitehead~~ Bill Moad

58 Board Chairman

59



RAIL-HIGHWAY CROSSING PROGRAM

Purpose

The purpose of the Rail-Highway Crossing Program (RHCP) is to enhance safety at public rail-highway crossings throughout the State of Idaho and to promote rail safety education.

Legal Authority

The Department shall be responsible for executing the RHCP in accordance with:

Idaho Code 40-310 – The Board has the authority to locate, design, construction, reconstruct, alter, extend, repair and maintain state highways and plan, design and develop statewide transportation systems

Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board

Idaho Code 40-314 – The Board shall exercise all powers necessary to carry out the provisions of Title 40 of the Idaho Code and the control of the financial affairs of the Department and Board

Idaho Code 40-317 – Authority to enter into cooperative agreements with the federal government and local governments

Idaho Code 40-702(5) – Establishment of the state highway account to include all federal surface transportation funds received from the United States government

Idaho Code 62-301 and 62-303 – Cost sharing when eliminating or altering crossings of State highways and railroads

Idaho Code 62-304A, B, C, D – Railroad Grade Crossing Protection Fund

Idaho Code 62-306 – Construction and Maintenance of Railroad Grade Crossings

Idaho Code 63-2412 (c) – State Fuel Tax distribution to the Railroad Grade Crossing Protection Account

Title 23, U.S. Code Section 130 – Railway-Highway Crossings - the cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains, may be paid from sums apportioned in accordance with federal law from the federal funds set aside by this section.

Funding

The RHCP is comprised of two dedicated funding sources:

- Federal set-aside (Title 23, U.S. Code Section 130) from the Highway Safety Improvement Program (HSIP) apportionment
- \$250,000 annual allocation (Idaho Statute 63-2412 (c)) to the State Railroad Grade Crossing Protection Account.

Selection and Programming of Projects

The Director shall establish a committee to nominate and assess projects on a statewide basis utilizing a data-assisted evaluation process. The committee shall estimate costs, prioritize, compile and present a recommended list of projects to the Board for approval.

The Director or delegate annually shall provide a maximum of \$25,000 from the State's Railroad Grade Crossing Protection Account to support public education and safety programs which promote awareness of public safety at rail-highway grade crossings.

Program Management

The Director or delegate shall coordinate with the districts when advancing and delaying projects based on project readiness. Delays and advances must conform to the available funding for a given year and be presented to the Board for approval.

Annually a status report of the RHCP shall be submitted and presented to the Board.

Approved by the Board on:

Date _____

Bill Moad
Board Chairman



RAIL-HIGHWAY CROSSING PROGRAM

Purpose

This policy implements Board Policy 4085 and instructs the Department on the management of the Rail-Highway Crossing Program (RHCP). The RHCP is established to enhance safety at public rail-highway crossings throughout the State of Idaho and to promote rail safety education.

Legal Authority

The Department shall be responsible for executing the RHCP in accordance with:

Idaho Code 40-310 – The Board has the authority to locate, design, construct, reconstruct, alter, extend, repair and maintain state highways and plan, design and develop statewide transportation systems

Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board

Idaho Code 40-314 – The Board shall exercise all powers necessary to carry out the provisions of Title 40 of the Idaho Code and the control of the financial affairs of the Department and Board

~~Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board.~~

Idaho Code 40-317 – Authority to enter into cooperative agreements with the federal government and local governments.

Idaho Code 40-702(5) – Establishment of the State Highway Account to include all federal surface transportation funds received from the United States government.

Idaho Code 62-301 and 62-303 – Cost sharing when eliminating or altering crossings of state highways and railroads

Idaho Code 62-304A, B, C, D – Railroad Grade Crossing Protection Fund

Idaho Code 62-306 – Construction and maintenance of railroad grade crossings

Idaho Code ~~6263~~-2412 (c) – State Fuel Tax distribution to the Railroad Grade Crossing Protection Account

Title 23, U.S. Code Section 130 – Railway-Highway Crossings - the cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains, may be

paid from sums apportioned in accordance with federal law from the federal funds set aside by this section.

Funding

The RHCP is comprised of two dedicated funding sources:

- Federal set-aside (~~Federal Title 23, U.S. Code~~ Section 130) from the Highway Safety Improvement Program (HSIP) apportionment
- \$250,000 annual allocation (~~Idaho Statute 63-2412 (c)) from to~~ the State Railroad Grade Crossing Protection Account. ~~These funds are used as the State's 10% match (90% Federal; 10% State) for the RHCP.~~

Partnering with railroad companies, local agencies and the Idaho Public Utilities Commission for in-kind work, rail-highway crossing inventory, labor donations, etc. is encouraged to meet RHCP goals.

Eligible Projects, Types and Restrictions

Eligible projects include:

- Installation of protective devices at public rail-highway crossings, such as gates, lights, etc.
- Elimination of hazard(s) at public rail-highway crossings, such as removal of visual impairments, realignment of crossing, installation of safety features (protective devices), etc.
- Data compilation and analysis
- Reports mandated by FHWA and/or FRA
- Rail safety education

A maximum of ~~twenty-five thousand dollars (\$25,000)~~ from the State Railroad Grade Crossing Protection Account shall be spent annually to support public education and safety programs which promote awareness of public safety at rail-highway grade crossings.

~~In conformance with Title 23 U.S. Code Section 130, No more than two percent (2%) of no more than eight percent (8%) of these Federal Section 130 funds may be used for data compilation and analysis.~~

Recommendation Committee: Railroad Operation and Safety Team (**ROASTROaST**)

ROAST-ROaST proposes, reviews, evaluates and recommends projects. The voting members of **ROAST-ROaST** are comprised of a representative from each of ITD's six districts and the Idaho Operation Lifesaver State Coordinator. Ex officio members include: Federal Highway Administration, Local Highway Technical Assistance Council, ~~along with~~ ITD's Highway Design, Traffic Services Engineer, Freight Manager, Highway Safety Manager and Railroad/Utility-Highway Crossing Program Manager. All proposed projects are vetted through the applicable district **ROAST-ROaST** members.

Selection and Programming of Projects

Projects will be selected based on priority and in accordance with FHWA/FRA eligibility requirements and guidelines. ITD's Railroad/Utility-Highway Crossing Program Manager will solicit proposed projects based on current annual funding availability. Project selection criteria includes consideration of the Federal Railroad Administration's Web Based Accident Prediction System (WBAPS)¹, benefit cost ratio, project costs, project readiness, local/railroad knowledge, safety features consistent with proximate crossings, designated emergency and school bus routes, etc. Proposed projects will be reviewed, evaluated and ranked by the ROAST-ROaST based upon project selection criteria, feasibility and eligibility. A list of recommended projects will be submitted to the Idaho Transportation Board as a component of the annual update of the Idaho Transportation Investment Program (ITIP).

Project prioritization is determined utilizing a weighted criteria evaluation scoring process. ~~This process will elevate projects that achieve higher weighted scores.~~

Program Management

Funds made available due to project delay, removal, or project savings will be re-distributed by the Railroad/Utility-Highway Crossing Program Manager in collaboration with the ROAST-ROaST in the following priority:

1. Project Advancements: Advances shall be dependent upon project readiness and available funding, vetted and recommended through the ROAST-ROaST, with consideration given to projects on the prioritized list. Said recommendations for advances shall be presented to and approved by the Idaho Transportation Board.
2. Cover unforeseen project cost increases due to change in standards or conditions. This is not intended to cover changes in project scope.
3. Efforts will be made to transfer unused project funds to minor *(or emergency)* safety enhancements or experimental features at public rail-highway crossings. Partnering with railroad companies, local jurisdictions and safety organizations for these types of projects will be encouraged.

Annually a status report of the RHCP shall be submitted and presented annually to the ~~Board in September~~.

¹ In conformance with the US Department of Transportation, Federal Highway Administration's Railroad-Highway-Rail Grade-Crossing Handbook, Revised Second Third Edition August 2007/July 2019.

Approved by the Director on:

Brian W. Ness
Director

Date: _____

Seott L. Scott Stokes
Director

Date: _____



ADMINISTRATIVE POLICY 5085

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RAIL-HIGHWAY CROSSING PROGRAM

Purpose

This policy implements Board Policy 4085 and instructs the Department on the management of the Rail-Highway Crossing Program (RHCP). The RHCP is established to enhance safety at public rail-highway crossings throughout the State of Idaho and to promote rail safety education.

Legal Authority

The Department shall be responsible for executing the RHCP in accordance with;

Idaho Code 40-310 – The Board has the authority to locate, design, construct, reconstruct, alter, extend, repair and maintain state highways and plan, design and develop statewide transportation systems

Idaho Code 40-312(2) – Authority of Board to promulgate rules for the expenditure of all moneys appropriated or allocated by law to the Department or the Board

Idaho Code 40-314 – The Board shall exercise all powers necessary to carry out the provisions of Title 40 of the Idaho Code and the control of the financial affairs of the Department and Board

Idaho Code 40-317 – Authority to enter into cooperative agreements with the federal government and local governments

Idaho Code 40-702(5) – Establishment of the State Highway Account to include all federal surface transportation funds received from the United States government

Idaho Code 62-301 and 62-303 – Cost sharing when eliminating or altering crossings of state highways and railroads

Idaho Code 62-304A, B, C, D – Railroad Grade Crossing Protection Fund

Idaho Code 62-306 – Construction and maintenance of railroad grade crossings

Idaho Code 63-2412 (c) – State Fuel Tax distribution to the Railroad Grade Crossing Protection Account

Title 23, U.S. Code Section 130 – Railway-Highway Crossings - the cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains, may be paid from sums apportioned in accordance with federal law from the federal funds set aside by this section.

Funding

The RHCP is comprised of two dedicated funding sources:

- Federal set-aside (Title 23, U.S. Code Section 130) from the Highway Safety Improvement Program (HSIP) apportionment
- \$250,000 annual allocation (Idaho Statute 63-2412(c)) to the State Railroad Grade Crossing Protection Account.

Partnering with railroad companies, local agencies and the Idaho Public Utilities Commission for in-kind work, rail-highway crossing inventory, labor donations, etc. is encouraged to meet RHCP goals.

Eligible Projects, Types and Restrictions

Eligible projects include:

- Installation of protective devices at public rail-highway crossings, such as gates, lights, etc.
- Elimination of hazard(s) at public rail-highway crossings, such as removal of visual impairments, realignment of crossing, installation of safety features (protective devices), etc.
- Data compilation and analysis
- Reports mandated by FHWA and/or FRA
- Rail safety education

A maximum of \$25,000 from the State Railroad Grade Crossing Protection Account shall be spent annually to support public education and safety programs which promote awareness of public safety at rail-highway grade crossings.

In conformance with Title 23 U.S. Code Section 130, no more than eight percent (8%) of these funds may be used for data compilation and analysis.

Recommendation Committee: Railroad Operation and Safety Team (ROaST)

ROaST proposes, reviews, evaluates and recommends projects. The voting members of ROaST are comprised of a representative from each of ITD's six districts and the Idaho Operation Lifesaver State Coordinator. Ex officio members include: Federal Highway Administration, Local Highway Technical Assistance Council, ITD's Highway Design, Traffic Services, Freight Manager, Highway Safety Manager and Rail-Highway Crossing Program Manager. All proposed projects are vetted through the applicable district ROaST members.

Selection and Programming of Projects

Projects will be selected based on priority and in accordance with FHWA/FRA eligibility requirements and guidelines. ITD's Rail-Highway Crossing Program Manager will solicit proposed projects based on current annual funding availability. Project selection criteria includes consideration of the Federal Railroad Administration's Web Based Accident Prediction System (WBAPS)¹, benefit cost ratio, project costs, project readiness, local/railroad knowledge,

safety features consistent with proximate crossings, designated emergency and school bus routes, etc. Proposed projects will be reviewed, evaluated and ranked by the ROaST based upon project selection criteria, feasibility and eligibility. A list of recommended projects will be submitted to the Idaho Transportation Board as a component of the annual update of the Idaho Transportation Investment Program (ITIP).

Project prioritization is determined utilizing a weighted criteria scoring process.

Program Management

Funds made available due to project delay, removal, or project savings will be re-distributed by the Rail-Highway Crossing Program Manager in collaboration with the ROaST in the following priority:

1. Project Advancements: Advances shall be dependent upon project readiness and available funding, vetted and recommended through the ROaST, with consideration given to projects on the prioritized list. Said recommendations for advances shall be presented to and approved by the Idaho Transportation Board.
2. Cover unforeseen project cost increases due to change in standards or conditions. This is not intended to cover changes in project scope.
3. Efforts will be made to transfer unused project funds to minor (*or emergency*) safety enhancements or experimental features at public rail-highway crossings. Partnering with railroad companies, local jurisdictions and safety organizations for these types of projects will be encouraged.

Annually a status report of the RHCP shall be submitted and presented to the Board.

¹ In conformance with the US Department of Transportation, Federal Highway Administration's Highway-Rail Crossing Handbook, Third Edition July 2019.

Approved by the Director on:

Date _____

L. Scott Stokes
Director