

# Memorandum

SENT VIA ELECTRONIC MAIL

Subject: ACTION: Guidance on 23 U.S.C. 130 Annual Reporting  
Requirements for Rail-Highway Crossings

Date: MAY - 9 2006

From:  Jeffrey A. Lindley  
Associate Administrator for Safety 

Reply to  
Attn. of: HSA-10

To: Division Administrators

Section 130(g) of title 23, United States Code, requires the States to submit an annual report on the progress being made to implement the railway-highway crossings program, the effectiveness of such improvements, an assessment of the costs of the various treatments employed, and subsequent crash experience at improved locations. The information provided by the States is used as the basis for the Secretary's report to Congress on the progress being made by the State in implementing railway-highway crossings program. Section 1401(d)(3) of the SAFETEA-LU amended section 130(g) to make this a biennial report to Congress. This memorandum transmits guidance on the preparation of the States' annual reports on section 130. States are encouraged to use this guidance (which includes a checklist and template) to ensure compliance with section 130(g).

Separate guidance has been issued for the "5 percent report" [section 148(c)(1)(D)] and the Highway Safety Improvement Program (HSIP) report on program administration and effectiveness as required by section 148. While section 148(g) also includes a requirement to address how improvements contribute to reducing the occurrence of crashes at railway-highway crossings, this information should be included as part of the section 130 report. The States should submit their section 130 reports together with the "5 percent reports" and HSIP reports by August 31 of each year, beginning in 2006. States may submit three separate reports or one report with three distinct sections. The Division Offices are to forward these reports to the FHWA Office of Safety (HSA) by September 30 of each year. States are strongly encouraged to submit their reports to the FHWA Division Offices in an electronic format.

Modifications to this guidance may be necessary as a result of review by the Office of Management and Budget under the Paperwork Reduction Act. This process, which includes publication of the expected staff-hours required for this data collection effort in the *Federal*



*Register* for comment, is now underway and is expected to take approximately six months to complete. If changes are necessary as a result of this process, the guidance will be modified accordingly.

If you have any questions, please feel free to contact Ms. Guan Xu at [Guan.Xu@dot.gov](mailto:Guan.Xu@dot.gov) or (202) 366-5892.

Attachment