

Types of Railroad Permits/Agreements

1. Project Notice Package (PNP):

- a. A PNP is an agreement used to modify existing or install new railroad warning devices and/or crossing surfaces. It typically consists of roadway construction plans, active warning device plans, cost estimate of the railroad work, a copy of the completed Diagnostic Review form, and a signature sheet. Roadway construction plans should be submitted to the DOTD Railroad Unit for review and determination of what is needed and a Diagnostic Review can be scheduled if necessary. A PNP approval takes approximately one year from the date we receive the roadway plans.
- b. Typical Project Types
 - i. New roadway with a new at-grade crossing
 - Some railroad companies may require one to three existing at-grade crossing closures and/or the road authority to assume all future maintenance costs of the new crossing surface and warning devices.
 - ii. Roadway widening
 - iii. Overlay with travel lane widening
 - iv. New pedestrian at-grade crossing

2. Construction and Maintenance Agreement (CMA):

- a. A CMA is an agreement between the affected railroad company and the road authority if the project will construct and require maintenance of a new facility/structure within or over the railroad's right of way. A CMA approval takes approximately two years from the date we receive the first set of roadway plans. The railroad company will review each plan submittal to ensure that their minimum design requirements are met. A new servitude may be required if the new facility/structure is on a new horizontal alignment.
- b. Typical Project Types
 - i. New overpass/underpass

3. Drainage Permit:

- a. A drainage permit is used when a project requires installation of a new drainage structure within the railroad's right of way or modification/replacement of an existing drainage structure that is within the railroad's right of way if the original drainage permit cannot be found. The permit form can typically be found on the railroad company's website with instructions of how to complete and submit. Drainage calculations may be required to show there aren't any negative effects to the railroad's facilities and right of way. A drainage permit can take from six to twelve months to receive approval, depending on the level of impact to the railroad's facilities. Generally there are processing fees ranging up to \$1,000 and permit fees ranging up to \$1,500. A servitude is not required as the permit serves to document the right of use.

- b. Typical Project Types
 - i. Subsurface drainage project that installs a drainage structure within the railroad's right of way, outfalls in the railroad's right of way, or crosses beneath the tracks.
 - ii. Cross drain and side drain installation and replacement.

4. Wireline Permit:

- a. A wireline permit is used when placing a utility within the railroad's right of way, either paralleling or crossing the tracks. The permit form can typically be found on the railroad company's website with instructions of how to complete and submit. A sketch showing the proposed location of the utility is generally required to determine if there will be any conflicts with existing utilities or active warning device wiring. A wireline permit can take from six to twelve months to receive approval, depending on the level of impact to the railroad's facilities or existing utilities. Generally there are processing fees ranging up to \$1,000 and permit fees ranging up to \$1,500. A servitude is not required as the permit serves to document the right of use.
- b. Typical Project Types
 - i. Water and sewer improvements
 - ii. Fiber optic line installation

5. Right of Entry Agreement (ROE):

- a. A ROE agreement is necessary for any project that will require the contractor to enter into the railroad's right of way. This agreement is a standard form agreement that all contractors must submit prior to beginning work on the railroad's right of way. This agreement is usually required in conjunction with all of the above permits/agreements. The ROE agreement is intended to protect the railroad company from all liability and damages that may be caused by contractor. It also advises the contractor of when he can work near the tracks, how to contact the railroad company if needed, and may require the contractor to provide a work schedule, and list what type of equipment will be used to complete the project. These agreements typically take one to three months to receive approval.
- b. Typical Project Types
 - i. Overpass/underpass construction
 - ii. Roadway widening
 - iii. Pavement preservation
 - iv. Drainage improvement/maintenance
 - v. Utility installation
 - vi. Striping