

TR-981102

Memorandum

October 17, 2000.

On October 16, 2000, I spoke withCarolynn Larson, attorney for the UP. She called to discuss the issue of the definition of multi-track crossings. I informed her that it had been deleted but the rule regarding responsibility for maintenance of crossing surfaces remained, but in altered form. I told her we tried to follow the language of the statute more closely. She commented that she didn't want current working relationships between UP and local jurisdictions disrupted. I told her that we did not have specific problems to point to but that we felt we needed to educate local jurisdictions about what the law said. I also pointed out that many jurisdictions seem to do the maintenance for the railroad because the railroad had not been doing it so it went to the local road authority by default. We also talked about the need for coordination between local road authorities and railroads so that crews weren't endangered. I felt that this rule might help spur more coordination. We spoke a little about the underlying philosophy of the maintenance statute but agreed that this was not the forum to go into that.



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Shaner
RMD