

## **19A NCAC 02B .0150 RAILROAD RIGHT OF WAY DEFINITIONS**

The following definitions apply to Rules .0150 through .0158 of this Subchapter.

- (1) "At-grade crossing" means an intersection where roadways and railroads join or cross at the same level.
- (2) "Closed crossing" means a location where a previous crossing no longer exists because either the railroad tracks have been removed, or each pathway or roadway approach to the crossing has been removed, leaving behind no intersection of railroad tracks with either a pathway or roadway. A grade-separated highway-rail crossing that has been removed shall be considered a closed crossing.
- (3) "Crossing Agreement" means a written agreement between the Department and a railroad through which the railroad permits the Department to build a road across the railroad's tracks.
- (4) "Facilities" means real or personal property, or any interest in that property, that is situated for the provision of a freight or passenger rail fixed guideway facility or system. The term includes all property or interests necessary or convenient for the acquiring, providing, using, or equipping of a rail fixed guideway facility or system, including rights-of-way, trackwork, train controls, stations, and maintenance facilities.
- (5) "Flange guard" means a protective edge, rib, or rim made of rubber, steel, timber, or any other composite material on any object such as the base of a rail, on the top and bottom horizontal parts of a beam, or girder.
- (6) "Grade" means the rate of ascent or descent of a roadway, expressed as a percentage and calculated by the change in roadway elevation per unit of horizontal length.
- (7) "Grade point" means the point where the new construction of a facility ties into and terminates at the existing facility.
- (8) "Grade separation" means a crossing of a highway and a railroad at different levels that allows unimpeded traffic movement.
- (9) "Railroad" means an entity that owns or maintains the track through the at-grade crossing, or an entity that operates one or more trains through an at-grade crossing or grade separated crossing on or connected to the general railroad system of transportation.
- (10) "Separated" means the travelways of two transportation facilities, such as two highways or a highway and a railroad, that are disconnected by means of a bridge so that traffic on one shall not conflict with traffic on the other.
- (11) "Separation structure" means the bridge structure that separates the travelways of the two transportation facilities.
- (12) "Track" means an assembly of rails, ties, and fastenings that cars, locomotives, and trains traverse.
- (13) "Traffic control device" means a sign, signal, marking, or other device placed on or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.

*History Note:* Authority G.S. 136-18(5); 136-18(11); 136-20; 150B-2(8a)(h);  
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