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DEC 09 2022

SECRETARY OF STATE  
ADMINISTRATIVE RULES

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 265—Motor Carrier and Railroad Safety  
Chapter 9—Rail Fixed Guideway Systems**

**PROPOSED AMENDMENT**

**7 CSR 265-9.110 Rail-Highway Grade Crossing Warning Devices.** The Missouri Highways and Transportation Commission is amending section (1).

*PURPOSE:* This amendment updates references to the *Manual on Uniform Traffic Control Devices*.

*PUBLISHER'S NOTE:* The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The division incorporates by reference in this rule Part 8 of the *Manual on Uniform Traffic Control Devices* (2009 edition **including Revisions 1 and 2**), which is incorporated herein by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [\[http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf\\_index.htm\]](http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm) <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf> and makes it applicable to rail fixed guideway systems (RFGS). This rule does not incorporate any subsequent amendments or additions of this manual. Part 8, entitled "Traffic Control for Railroad and Light Rail Transit Grade Crossings," establishes standards for the design, installation, and operation of rail-highway grade crossing warning devices. The commission recommends that the standards in Part 8 be applied in the installation of all grade crossing warning systems on RFGSs in Missouri, unless otherwise provided by rule of the commission or order of the division.

*AUTHORITY:* sections 389.1005 and 622.027, RSMo 2016. \* This rule originally filed as 4 CSR 265-9.110. Emergency rule filed Feb. 5, 1993, effective Feb. 15, 1993, expired June 14, 1993. Original rule filed Nov. 4, 1992, effective June 7, 1993. Amended: Filed June 22, 1998, effective Feb. 28, 1999. Moved and amended: Filed Nov. 20, 2006, effective June 30, 2007. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed December 9, 2022.

\*Original authority: 389.1005, RSMo 1996 and 622.027, RSMo 1985, amended 1993, 1995.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**By JCAR at 10:50 am, Dec 09, 2022**

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or [Pamela.Harlan@modot.mo.gov](mailto:Pamela.Harlan@modot.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*