**Section 530.480 Track and Rail Facilities**

An applicant may be granted a permit for the placement of track and rails on a State highway right-of-way based upon the following classifications: a) An applicant which is a registered rail carrier in accordance with the rules and procedure of the Illinois Commerce Commission shall, in addition to the permission required by this Part, have the permission of the ILCC to place track and rail across a highway at grade.

b) An applicant which is a registered rail carrier shall secure the permission required by this Part to place track and rail in any manner on highway right-of-way except as provided in Section 530.480(a).

c) An applicant which is not a registered rail carrier shall secure the permission required by this Part to place track and rail on highway right-of-way in any manner.

d) A registered rail carrier which has track and rail facilities located at grade or otherwise on highway right-of-way pursuant to permit issued by the Department, agreement with the Department or order of the ILCC issued prior to the adoption of this Part need not comply with the provisions of Section 530.40(i).