**Section 1536.10 Petition to Close Grade Crossing**

a) A party may petition the Commission to close a grade crossing of a public highway with the tracks of a registered rail carrier on the grounds that public safety requires such a closure. The Commission shall, at public hearing, consider the evidence presented in the petition. Such hearing shall be conducted in accordance with the Commission's rules of practice (83 Ill. Adm. Code 200).

b) The petition filed under subsection (a) of this section shall include the following information about the crossing:

1) whether the crossing is located in an incorporated city, village or town or in an unincorporated area;

2) whether the crossing is signalized (i.e., equipped with automatic flashing lights, with or without gates) or unsignalized (i.e., all other types of warning devices, including crossbuck signs), and, if signalized, when warning devices were installed or circuitry was updated;

3) the average daily vehicular traffic (ADT) which traverses the crossing and posted speed limit (if speed is not posted, it shall be assumed to be 55 mph for crossings outside of incorporated cities and municipalities, or 30 mph for crossings within the limits of incorporated cities and municipalities). The ADT, which must have been taken in a calendar year not more than two calendar years prior to the year of the filing of the petition, shall be obtained from the Illinois Department of Transportation (IDOT); however, if IDOT does not respond within 90 days to such a request, the petitioner may determine the ADT by performing a traffic study utilizing IDOT's current traffic monitoring practices and procedures;

4) the average number of freight train movements per day over the crossing, calculated by taking the total number of freight train movements which occur over the crossing during a period of 28 consecutive days and then dividing that number by 28;

5) the average number of passenger train movements per day over the crossing, calculated by taking the total number of passenger train movements which occur over the crossing during a period of 28 consecutive days and then dividing that number by 28;

6) the maximum timetable speed for freight and for passenger trains operating through the crossing;

7) the location of the two nearest public rail-highway crossings;

8) the crossing's accident history for the last 5 years;

9) the alignments of the roadway and railroad and the angle of intersection of those alignments, and whether visibility of trains to motorists approaching the crossing or to motorists stopped at the crossing is adequate according to Appendix 1, "A Policy of Geometric Designs of Highways and Streets", published by the American Association of State Highway and Transportation Officials (AASHTO) in 1990 (no later editions or amendments included);

10) the types of vehicular traffic that use the grade crossing (e.g., automobiles, trucks carrying hazardous materials, vehicles carrying passengers for hire, school buses, etc.); and

11) the location and mailing address of emergency response units having responsibility for the area where the grade crossing is located, as obtained from the county sheriff or county emergency management agency.

c) Parties to the proceeding or Commission staff may contest the validity of the information included in the petition in accordance with subsection (b) above.