Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated August 14, 2012, the City of Oshkosh, WI (the City), has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 222—Use of Locomotive Horns at Public Highway-Rail Grade Crossings. FRA assigned the petition Docket Number FRA–2012–0074.

The City is seeking a waiver from the provisions of 49 CFR Section 222.9—Definitions regarding the definition of a non-traversable curb. The City is seeking relief so that an existing safety measure at public crossing, County Highway Y (DOT #690219D), may be deemed an acceptable supplemental safety measure (SSM). County Highway Y is equipped with flashing lights, gates, and medians that comply with all of the requirements necessary to be a “gates with medians or channelization".