

June 6, 2023

Robin Hutcheson, Administrator  
Federal Motor Carrier Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., S.E.  
Washington, DC 20590

Dear Administrator Hutcheson:

We are writing to you to petition that the FMCSA take appropriate action to reduce the possibility that tractor-trailers will get stuck on high centered railway crossings.

As the parents of two daughters who died due to a truck underride crash on May 4, 2013, we have been advocating for comprehensive underride protection on large trucks in order to make truck crashes more survivable. In the process, we have been told repeatedly that side underride guards would cause more tractor-trailers to get hung up on high-centered crossings. So we decided to do some investigation. This is what we have learned:

1. From a FRA spreadsheet, during 2014-2018, there were ZERO fatalities coded as "Truck Stuck on Tracks." I learned that in 2019.
2. We searched a more recent FRA website and found that from 2017-2022 there were two fatalities in the U.S. coded as "Truck-Trailer Stalled or Stuck on Crossing." Note: Both of these involved truck driver error.
3. While this is minimal compared to the hundreds of deaths which could be prevented by side underride guards each year, nonetheless it is a safety problem. [Low-Clearance Vehicles at Rail-Highway Grade Crossings: An Overview of the Problem and Potential Solutions](#); [How 'low ground clearance' railroad crossings can be made safer](#)
4. Doug Smith, a member of the NHTSA Advisory Committee on Underride Protection, stated at the first meeting on May 25: "There are 162,827 public railroad crossings," he said. "There are 1,160 low-clearance railroad crossings, according to the Federal Railroad Administration. I'm pretty sure there is no one else on this committee who has experienced the sheer terror of being grounded on a railroad crossing." [Underride committee must remain objective, trucker says](#)
5. Doug Smith also stated that some of these hazardous crossings do not have proper signage to alert truck drivers to this hazard.
6. The FRA previously funded research to study and develop Low Clearance Vehicle Detection & Warning Systems. I am aware that Phase I was completed but I do not know if Phase II has been funded and completed. [LOW GROUND CLEARANCE VEHICLE DETECTION AND WARNING](#), 2015, FRA Office of Railway Policy & Development <https://www.syntek.org/portfolio-2/low-clearance-vehicle-detection-and-warning-system/>
7. Signs are already available to meet crossing safety requirements. [Grade Crossing Safety Requirements](#); [MUTCD Compliant Railroad Crossing Sign: Railroad Low Ground Clearance \(X-W10-5\)](#)

8. This FRA database identifies low grade clearance railway crossings (columns DH & DI): [Crossing Inventory Data, FRA Office of Safety Analysis](https://railroads.dot.gov/safety-data/crossing-and-inventory-data/crossing-inventory-lookup) Detailed crossing information, such as how signage, can be found at this link by inputting the crossing number: <https://railroads.dot.gov/safety-data/crossing-and-inventory-data/crossing-inventory-lookup> e.g., Crossing

Inventory # 722812A (Burlington, NC),

2.E. Low Ground Clearance Sign (W10-5) <input checked="" type="checkbox"/> Yes (count 3) <input type="checkbox"/> No
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We do not know the extent of your authority in this matter. But we are hereby petitioning the Federal Motor Carrier Safety Administration, in accordance with the Department's National Roadway Safety Strategy, to foster interagency collaboration with the National Highway Traffic Safety Administration and the Federal Railroad Administration, to look into this matter and address this railway safety issue to ensure that:

1. Hazardous crossings are properly marked as soon as possible.
2. Low Ground Clearance Vehicle Detection and Warning System research and development are completed as soon as possible, if it has not already been completed.
3. Rulemaking is issued to require that LGCVDS technology is installed as appropriate to improve railway and roadway safety.
4. Discuss this roadway hazard with appropriate agency advisory committees.
5. Revise CDL driver training requirements to include information on how to identify and avoid low grade clearance railway crossings.
6. Publish information and resources on your website about this safety problem and available solutions, such as route planning software. Inform the trucking industry of the availability of this digital resource.

This safe system approach to a roadway hazard will also address one of the operational concerns which has deterred timely action on a side guard regulation. If safety is truly the mission of this agency, then you will welcome this collaborative strategy as much as we do.

*"This National Roadway Strategy represents a collective effort across the Department, and under the leadership of Secretary Buttigieg, to embrace the Safe System approach, and to recognize that no loss of life on our nation's roadways is acceptable. As we move towards swift implementation, we look forward to partnering with every level of government, industry, advocacy, and all who will come together to address this crisis," said Robin Hutcheson, former U.S. DOT Deputy Assistant Secretary for Safety Policy, and Acting Administrator for FMCSA. [U.S. Transportation Secretary Pete Buttigieg Announces Comprehensive National Roadway Safety Strategy](#)*

We look forward to hearing from you soon.

Respectfully,

Jerry and Marianne Karth