



MOVING THE
**AMERICAN
ECONOMY**

Federal Railroad Administration
Trespassing on Railroad Property
Fact Sheet

Background on Trespassing on Railroad Property

Trespassing on a railroad's private property and along railroad rights of way is the leading cause of rail-related fatalities in America. Nationally, approximately 500 trespassing deaths occur each year, the vast majority of which are preventable. Since 1997, more people have been killed each year by trespassing than in motor vehicle collisions with trains at highway-rail grade crossings.

By definition, trespassers are illegally on railroad property without permission. They are most often pedestrians who walk across or along railroad tracks as a shortcut to another destination, or they are engaged in another activity such as loitering, hunting, bicycling, snowmobiling, or ATV riding.

Overall, the railroad operating environment is inherently a hazardous one for which railroad employees receive extensive safety training. Trespassers do not have the benefit of this safety training nor are they aware of current and pending train movements. In addition, trespassers risk life-threatening injury and loss of life by failing to properly use designated crossing locations such as highway-rail grade crossings and dedicated pedestrian access paths.

And, in the majority of states, trespassing is codified as a property crime and a general offense. A number of the states specifically forbid trespassing on railroad property. A list of state-by-state trespassing laws is available at: http://www.fra.dot.gov/downloads/safety/cross_chp9.pdf.

Role of the FRA

The focus of the Federal Railroad Administration's (FRA) efforts to combat rail trespassing is to prevent it from occurring in the first place, not to make the behavior safe. The FRA's Highway-Rail Grade Crossing Safety and Trespass Prevention Program is committed to reducing the prevalence, popular indifference and social acceptability of trespassing. To that end, FRA sponsors and carries out wide-ranging efforts primarily focusing on public education. FRA works in partnership with the rail industry, State and local governments, and other transportation organizations to conduct numerous outreach efforts at schools, workplaces and community organizations all across the country to raise awareness and consciousness about the inherent dangers and consequences of trespassing. Law enforcement agencies and judicial officials in particular are critical in the success of these activities, since stopping individuals and issuing citations or tickets can significantly deter would be violators.

On the engineering front, the FRA has conducted research about the feasibility and practicality of erecting fencing along railroad rights-of-way, including virtual fencing approaches that are more commonly used for security purposes. This research is available at: www.fra.dot.gov/downloads/Research/ord0706.pdf.

Other assessments have examined the efficacy of different fencing designs and materials. An advanced project included a three-year technology demonstration of an automated deterrent and warning system that employs motion detection mechanisms on a railroad bridge that is capable of physically distinguishing between people trespassing and animals or other environmental stimuli.

FRA also maintains a state-by-state database of trespass fatalities based on required reporting by the railroads. This data does not include suicides as determined by local coroners or medical examiners. FRA does not track suicide data due to the fact that suicides are deemed intentional acts, not accidental events. Trespass fatality data is available at:

<http://safetydata.fra.dot.gov/OfficeofSafety/Query/Default.asp?page=castally4.asp>.

Role of Railroads

The railroads bear the most responsibility in preventing trespassers from entering their property. When a trespass fatality occurs, the locomotive engineer suffers the trauma of being witness to a tragic event, and the railroad incurs the cost of delays, litigation, and equipment damage. But most importantly, a member of the community is lost or irreparably injured.

The railroads mitigate trespassers through their police forces who patrol railroad rights-of-way including known trespass areas, post “No Trespass” signs, coordinate patrols with local law enforcement agencies along rights-of-way, educate their employees to report trespassers, install fences near grade crossings and passenger train stations to prevent people from taking shortcuts, and conduct local education programs, often in conjunction with Operation Lifesaver. And, where appropriate, they support the construction of grade separated pedestrian walkways.

Operation Lifesaver, Inc.

Operation Lifesaver, Inc. (OLI) is an international non-profit, continuing public education program first established in 1972 to end collisions, deaths and injuries at places where roadways cross train tracks, and along railroad rights-of-way. Its programs are sponsored cooperatively by federal, state, and local government agencies, highway safety organizations, and the nation’s railroads. Operation Lifesaver’s trained and certified volunteer speakers provide free safety presentations for various professions and for all age groups in order to increase public safety around railroad tracks.

FRA awards annual grant funding to OLI to provide grants to 50 state organizations that manage railroad safety awareness programs. The funds also support training programs such as regional workshops developed for Operation Lifesaver’s volunteer trainers and presenters, communications programs, publications, and the development and distribution of public service announcements.

Additional information is available at: www.oli.org.

The Average Trespasser

In order to better understand who is trespassing, their locations, and the reasons they are on railroad property, the FRA issued a report in March 2008 using three years of reported trespasser fatalities. Medical examiners and coroners across the country were surveyed, and based on the best information available from those who elected to participate in the study, the average trespasser is most often a 38 year old Caucasian male under the influence of alcohol and/or drugs, with a median household income of \$36,000. More than 25% did not graduate from high school.

The report, *Rail-Trespasser Fatalities: Developing Demographic Profiles*, includes a state-by-state breakdown and shows California and Texas recording the highest number of such events. The report strongly recommends additional demographic analysis to reinforce and expand on these results in order to develop targeted educational and outreach programs and law enforcement initiatives to reduce the number of rail trespassing incidents. The report is available at http://www.fra.dot.gov/downloads/safety/tdreport_final.pdf.

Key Safety Tips to Avoid Trespass Fatalities

- Always expect a train! This is the most important rule and is especially critical when you're in an area with multiple tracks where the sound of one train can mask the sound of a second train on the other set of tracks.
- Cross the tracks only at approved crossings. Crossing tracks at non-approved points puts you at risk of tripping on rails or slipping on icy ballast. There is no margin for error if a train is approaching.
- Don't try to beat a train at a crossing. Train speed can be very deceptive. If you misjudge it by just a little, you could become a statistic.
- Don't stand close to the tracks. A train is at least three feet wider than the tracks on each side. In addition, a fast moving train may kick up ballast or coal could be dislodged from an open hopper. Metal straps used to secure cargo may come loose and pose a danger to people standing too close to the tracks.
- Don't ever walk along tracks or on bridges or in tunnels. You may not hear an approaching train. And, since clearances in bridges and tunnels can be tight and you may not be able to escape an approaching train.
- Don't climb on rail equipment. Even a freight car that is standing on a siding and isn't attached to a train can be dangerous.
- Don't try to cross the tracks between cars of a stopped train. That train may begin moving at any moment.
- Don't ever try to hop a freight car.

**For more information contact:
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