

Chapter NR 6

SNOWMOBILE STANDARDS CERTIFICATION AND SNOWMOBILE RAIL CROSSINGS

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Note: Chapter NR 6 as it existed on February 28, 1977, was repealed and a new Chapter NR 6 was created effective March 1, 1977.

Subchapter I — Snowmobile Standards Certification

NR 6.01 Purpose. The purpose of this subchapter is to establish procedures for certification of snowmobile equipment standards pursuant to s. 350.09, Stats., and establishes requirements for snowmobile races and derbies.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77; am. Register, November, 1989, No. 407, eff. 12-1-89; am. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.02 Applicability. The provisions of this subchapter are applicable to all snowmobiles which are manufactured, sold or offered for sale within the state of Wisconsin.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77; am. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.03 Definitions. In this subchapter and in ch. 350, Stats., these definitions shall apply.

(1) "Department" means the department of natural resources.

(2) "Headlamp" has the meaning designated in s. 340.01 (21), Stats.

(3) "Raceway facility" means an area, including a marked warmup and testing area, specifically designated by a sponsor for the purpose of conducting a sanctioned race or derby for which any required local permits have been obtained.

(4) "Sanctioned race or derby" means a competitive snowmobile event sponsored by a local unit of government, chamber of commerce, snowmobile club, promoter or similar organization.

(5) "Snowmobile" has the meaning designated in s. 340.01 (58a), Stats.

(6) "Sound level" (noise) means total noise emission from the entire snowmobile.

(7) "Tail lamp" has the meaning designated in s. 340.01 (66), Stats.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77; renum. (1) to (5) to be (5), (1), (6), (2) and (7), cr. (intro.), (3) and (4), Register, November, 1989, No. 407, eff. 12-1-89; am. (intro.) Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.05 Department approval. (1) No snowmobile manufactured after January 1, 1977 may be sold or offered for sale by any manufacturer, distributor or dealer in the state of Wisconsin unless such snowmobile is constructed so as to meet the requirements of s. 350.09, Stats. Proof of compliance with the foregoing requirements shall be in the form of either:

(a) A Snowmobile Safety and Certification Committee, Inc. certified label conspicuously attached to the snowmobile, showing that such snowmobile meets the requirements of s. 350.09, Stats., or

(b) A letter from the applicant to the Wisconsin Department of Natural Resources, Box 7921, Madison, Wisconsin 53707 (atten-

tion: Snowmobile Safety Section) listing the following information on each model of snowmobile:

1. The description and model number of the snowmobile to be approved;

2. A copy of the test results required by s. NR 6.08 done by an independent testing laboratory currently engaged in the examination, testing and evaluation of noise control devices and which maintains or employs adequate staff and facilities to perform such function;

3. A certificate certifying that the snowmobile has been tested in accordance with s. NR 6.08 and meets the requirements of s. 350.09, Stats.

(2) The certification and test reporting procedure followed shall be approved by the department, provided that:

(a) The snowmobile has a S.S.C.C. label conspicuously attached, showing that said snowmobile meets the requirements of s. 350.09, Stats., and has been tested in accordance with the provisions of s. NR 6.08, or

(b) Certification has been obtained from an independent testing laboratory as defined in sub. (1) (b) 2., and said certification and test report states that the equipment has been tested in accordance with the provisions of s. NR 6.08. The certification shall be accompanied by a full and complete test report setting forth the specifications and the general conditions under which the test was conducted.

(3) Upon receipt of a copy of an acceptable certification under sub. (2) (b), the department shall by letter notify the applicant that the snowmobile has been approved and that it may legally be manufactured, imported, offered for sale and sold in the state of Wisconsin.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77.

NR 6.06 Modification. No manufacturer shall modify a snowmobile on which approval has been issued so as to change its conformance with the requirements of s. 350.09, Stats., without resubmission of the modified snowmobile for approval in the same manner as required for the original snowmobile.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77.

NR 6.07 Inspection. The department may, in order to insure compliance with the requirements contained in s. 350.09, Stats., and s. NR 6.08 inspect during normal business hours any snowmobile manufacturing plants and any snowmobile being offered for sale in the state of Wisconsin by commercial dealers.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77.

NR 6.08 Testing criteria. Testing criteria are as follows:

(1) **SOUND LEVEL LIMIT.** (a) The total vehicle noise produced by every snowmobile manufactured after July 1, 1972 and offered for sale or sold in the state of Wisconsin shall not exceed 82 dB on an A weighted network at 50 feet when measured in accordance with the procedures required herein.

(b) The total vehicle noise produced by every snowmobile manufactured after July 1, 1975 and offered for sale or sold in the state of Wisconsin shall not exceed 78 dB on an A weighted network at 50 feet when measured in accordance with the procedures required herein.

(c) The sound level requirements and testing criteria of the Society of Automotive Engineers Technical Report J192a, as amended 1975, shall be adhered to in certifying compliance with snowmobile sound level requirements.

(2) **HEADLAMP REQUIREMENTS.** After February 12, 1970 the headlamp(s) on a snowmobile may be of the single beam or multi-beam type; in either case, the headlamp requirements and testing criteria of the Society of Automotive Engineers Technical Report J280, as amended 1973, shall be adhered to.

(3) **TAIL LAMP REQUIREMENTS.** After February 12, 1970 the tail lamp(s) on a snowmobile shall adhere to the tail lamp requirements and testing criteria of the Society of Automotive Engineers Technical Report J279, as amended 1972.

(4) Copies and amendments of the 1975 Society of Automotive Engineers Technical Report J192a, entitled "Exterior Sound Levels for Snowmobiles"; 1973 Society of Automotive Engineers Technical Report J280, entitled "Snowmobile Headlamps"; and 1972 Society of Automotive Engineers Technical Report J279, entitled "Snowmobile Tail Lamps", are available for inspection in the following offices:

(a) The Department of Natural Resources, 101 S. Webster St., Madison, Wisconsin.

(b) The Office of the Secretary of State, 30 W. Mifflin St., Madison, Wisconsin;

(c) The Revisor of Statutes Bureau, 131 W. Wilson St. Madison, Wisconsin. Copies may also be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, Pennsylvania 15096.

(5) Copies of the Snowmobile Safety and Certification Committee, Inc. minimum safety standards for snowmobile product manufacture, entitled "Safety Standards for Snowmobile Product Certification" October 15, 1974, are available for inspection in the following offices:

(a) The Department of Natural Resources, 101 S. Webster St., Madison, Wisconsin;

(b) The Office of the Secretary of State, 30 W. Mifflin St., Madison, Wisconsin;

(c) The Revisor of Statutes Bureau, 131 W. Wilson St., Madison, Wisconsin. Copies may also be obtained from the Snowmobile Safety and Certification Committee, Inc., Suite 850 South, 1800 M Street, NW, Washington, D. C. 20036.

(6) **REFUSAL TO ALLOW TESTING.** No operator or owner of any snowmobile may deny inspection of the equipment or operating system of a snowmobile or may refuse to operate his or her snowmobile in a manner prescribed by the law enforcement officer who reasonably suspects a violation of snowmobile equipment requirements found in either ch. 350, Stats., or this subchapter.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77; corrections in (4) and (5) made under s. 13.93 (2m) (b) 6., Stats., Register, January, 1989, No. 397; cr. (6), Register, December, 1999, No. 528, eff. 1-1-00; correction in (4) (c) and (5) (c) made under s. 13.93 (2m) (b) 6., Stats., Register, December, 1999, No. 528.

NR 6.09 Races and derbies. The sponsor conducting a sanctioned race or derby when on the frozen surfaces of public waters shall:

(1) Make provisions to keep spectators from within 100 feet of a race or derby.

(2) Give prior notice of the race or derby to the local conservation warden or law enforcement agency having jurisdiction.

History: Cr. Register, November, 1989, No. 407, eff. 12-1-89.

NR 6.11 Display of trail use sticker. No person may operate and no owner may permit operation of a snowmobile which is subject to the snowmobile trail sticker requirement of s.

350.12 (3), Stats., unless a snowmobile trail sticker is permanently affixed by its own adhesive to the bottom center portion of the snowmobile windshield. If there is no windshield, the sticker shall be displayed in a highly visible location on the front of the cowling of the snowmobile.

History: Cr. Register, December, 1999, No. 528, eff. 1-1-00.

NR 6.12 Transfer of trail use sticker. Once affixed a trail use sticker may not be removed or transferred to another snowmobile.

History: Cr. Register, December, 1999, No. 528, eff. 1-1-00.

Subchapter II — Snowmobile Rail Crossings

NR 6.40 Purpose. The purpose of this subchapter is to establish maintenance, design and construction standards for snowmobile railroad crossings.

History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.41 Definitions. In this subchapter these definitions shall apply:

(1) "Established snowmobile rail crossing" has the meaning given in s. 350.139 (1) (a), Stats.

(2) "Rail authority" has the meaning given in s. 350.138 (1) (b), Stats.

(3) "Snowmobile organization" has the meaning given in s. 350.138 (1) (f), Stats.

History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.42 Maintenance standards for established snowmobile rail crossing. A snowmobile organization shall maintain an established snowmobile rail crossing in the following manner:

(1) Adequate drainage shall be maintained, both in the snowmobile and non-snowmobile season to prevent the pooling of water along the grade or the saturation of the track subgrade.

(2) Crossbucks, crossing placards and snowmobile STOP signs shall be maintained in a legible condition. No other signs may be posted on the crossbuck warning signs. Temporary caution signs on the trail as identified in s. NR 50.09 (4) (c) 3. b. and the railroad advance warning sign, W10-1, Manual of Uniform Traffic Control Devices, erected to slow snowmobile traffic and warn of the impending crossing shall be posted and inspected on a regular basis to insure their presence.

(3) During the winter season, no snow may be compacted over the surface of the crossing by snowmobile trail grooming machinery. The rail crossing for this purpose is considered 2 feet on either side of each rail.

Note: The Manual on Uniform Traffic Control Devices, MUTCD, is available from the Federal Highway Administration, Washington, D.C. or the Government Printing Office, Washington, D.C.

History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.43 New snowmobile rail crossing standards.

(1) **DESIGN AND CONSTRUCTION STANDARDS.** (a) *Horizontal alignment.* The intersection between the snowmobile trail and the railroad track shall be as close to 90° as possible, but may not be less than a 70° angle on either side of the track. The alignment within 30 feet of the outside rail on either side shall be a straight line.

(b) *Vertical alignment.* The crossing surface shall be in the same plane as the top of the rails for a distance of 2 feet outside of the rails. The surface, without snow, of the snowmobile trail approaching the crossing for a distance of 28 feet from 2 feet outside the nearest rail may not be higher than one foot lower than the top of the nearest rail or 1.5 foot lower than the top of the nearest rail.

(c) *Drainage.* Where the grade of the snowmobile trail approach descends toward the crossing, provisions shall be made to intercept surface and subsurface drainage and discharge it laterally. Routing of drainage may require ditches, culverts, french

drains, piping, geotextile fabrics or combinations of these improvements.

(d) *Train speed.* Public snowmobile trail crossings may not be sited across rail lines where the maximum allowable speeds through the section of track exceed 69 miles per hour.

(e) *Sight distances.* The snowmobile rail crossing shall be located so that when stopped on the crossing approach at the crossbuck and posted STOP sign, the snowmobile operator has a sight distance along the tracks in both directions, free of obstructions, to determine whether a train is approaching. The position from which the sight distance is measured is 15 feet outward from the nearest rail. The sight distances for the following maximum allowable train speeds shall be minimum distances that clear vision is available in both directions to determine the approach of a train:

| | | | | | | |
|--|-----|-----|-----|-----|------|------|
| Maximum Allowable Train Speed (mph) | 19 | 29 | 39 | 49 | 59 | 69 |
| Distance Along Railroad from Crossing (feet) | 240 | 480 | 720 | 960 | 1200 | 1440 |

(2) **SIGNS.** (a) *Signs at the crossing.* A railroad crossing sign, commonly identified as a crossbuck, R15-1, MUTCD, shall be used to notify the snowmobiler of the railroad crossing. The crossbucks shall be 48 long by 9 in width and shall consist of white reflectorized background with reflective black lettering. The sign shall be constructed with commercially manufactured reflective sheeting applied to an aluminum or treated wood backing. Where physically possible, the crossbuck sign shall be located on the right hand side of the trail. Where circumstances do not allow posting of the crossbucks on the right hand side on both approaches, crossbucks may be posted back to back. The railroad crossing sign shall be erected 10 feet outward from the nearest rail and no further from the trail edge than 6 feet. The crossbucks shall be mounted approximately 9 feet above the bare ground on a preservative treated 4 x 6 post. A minimum of one crossbuck is to be used on each approach to the crossing. If the number of pairs of tracks is 2 or more, the number of pairs of tracks is to be indicated on a reflectorized auxiliary placard, R15-2, placed beneath the crossbuck. At least one STOP sign that complies with s. NR 50.09 (4) (c) 3.b. shall be posted beneath the crossbuck. An additional STOP sign may be posted on the left hand side of the trail.

(b) *Signs prior to the crossing.* Prior to the snowmobile rail crossing, the trail shall be signed with the appropriate caution signs identified in s. NR 50.09 (4) (c) 3. b. , including the railroad advance warning sign, W10-1, MUTCD, in such a manner to enable a snowmobile to come to a safe stop on the 30 foot approach prior to the rail crossing.

(3) **DESCRIPTION OF CONSTRUCTION.** (a) The construction consists of the installation of a grade crossing with the length not to exceed 12 feet.

Note: The intent of these design standards is to utilize the existing track bed, ballast, ties and rails and construct a crossing by installing materials between tracks and outside tracks to provide a reasonably smooth surface for the crossing of snowmobiles and related trail maintenance and grooming equipment.

(b) The snowmobile organization shall schedule the crossing construction with the appropriate railroad authority and Diggers Hotline (800-242-8511). Barricades shall be provided that comply with the Manual on Uniform Traffic Control Devices.

(c) The crossing surface material used by the snowmobile organization shall be consistent with the type of crossing material used on similar crossings constructed by the rail authority. The types of crossing materials include wood plank, aggregate or asphalt.

(d) Flangeway construction shall be either 2 rail, which has a flange rail placed inside each running rail, or 3 rail, which has a flange rail placed inside each running rail and a guard rail placed outside of each running rail. Flange and guard rail material shall be wood plank or rail. The choice of flangeway construction by the snowmobile organization shall be consistent with the flange-

way construction standards used by the rail authority on similar crossings under appropriate, shall be consistent with the materials used by the rail authority on similar crossings under its jurisdiction.

(4) **MATERIALS REQUIRED AND THEIR DESCRIPTION.** The following materials shall be used for a snowmobile rail crossing under this section and shall conform to Wisconsin Department of Transportation (DOT) Standard Specifications for Railroad Construction Rev. 1/94 and the American Railway Engineering Association (AREA).

Note: The address for the Wisconsin Department of Transportation is 4802 Sheboygan Avenue, Madison, WI, 53705. The address for the American Railway Engineering Association is 50 F Street, NW, Suite 70072, Washington, D. C. 20001.

(a) *Tie plates.* All tie plates furnished shall be new or second-hand of good relay quality, manufactured in accordance with AREA Manual, Chapter 5, and Wisconsin DOT specification 11.1, Standard Specifications for Railroad Construction, with 4 rail holding spike holes, and shall be a minimum of 7 by 10 with single or double shoulders. If double shoulder tie plates are used, both shoulders shall fit snug against the rail.

(b) *Track spikes.* All track spikes furnished shall be new x 6 and shall conform to current AREA Manual, Chapter 5, Section 2, and Wisconsin DOT specifications 16.0, Standard Specifications for Railroads.

(c) *Tie plugs.* Tie plugs shall be new, 4 , and shall conform to Wisconsin DOT specifications 23.1, Standard Specifications for Railroads.

(d) *Steel rails.* Steel rails used for flange or guard rail shall be a minimum of 9020 and shall meet Wisconsin DOT specification 10.1, Standard Specifications for Railroad Construction. The minimum length of the rails shall be 12'.

(e) *Asphalt.* Asphalt material used for a crossing shall conform to Section 404, Wisconsin DOT Standard Specifications for Road and Bridge Construction.

(f) *Wood plank.* Wood plank used for a crossing shall be full depth from tie to top of rail or a minimum of 5.125 thick with shims which shall have a minimum thickness of 1.625. Wood plank shall be pressure treated with 8# creosote solution consistent with American Wood Preservers Association, AWP, process P2-89. Wisconsin DOT specification 17.1, Standard Specifications for Railroad Construction shall also apply with current AWP guidelines. The minimum length of the wood plank shall be 12'.

(g) *Crushed aggregate.* Crushed aggregate shall be grade 2 or 3 in accordance with Section 304 of the Wisconsin DOT Standard Specifications for Road and Bridge Construction.

(h) *New materials.* All materials shall be new, unless so indicated in this section. Materials shall conform to Wisconsin DOT Standard Specifications for Railroad Construction Rev. 1/94, and the AREA Manual.

(5) **INSTALLATION AND COMPONENTS.** (a) *Manual.* The work to be performed under this item shall follow the "Manual for Railway Engineering" of the AREA.

Note: The AREA Manual for Railway Engineering is available at DOT District Offices.

(b) *Flange rails.* 1. 'Steel flange rail.' a. Steel flange rails shall be the same height and shape as the running rails. They shall be installed inside running rails leaving a space at least 2 deep x 3 wide adjacent to the inside top of the running rail for the flange of the railroad wheels. The remaining space between the flange rail and the running rail may be filled with asphalt, wood plank or crushed aggregate. The steel flange rails shall be fastened with a minimum of 2 railroad spikes per tie. The ends of the flange rails shall taper down 3 over a 12 length. This shall be accomplished by removing a wedge of web material and bending down the top of the rail.

b. Steel flange rails shall be fully tie plated. Tie plates shall be placed so as to have full uniform bearing on ties and placed with shoulders snug against the base of the rail.

c. Spikes shall be driven vertically and square with the rail and driven to allow inch space between the underside of the heads of the spike and the top of the base of the rail. Crooked or bent spikes shall be removed and replaced. When spikes are withdrawn, the hole shall be plugged with a standard treated tie plug. No spikes may be driven against the ends of joint bars, or within 2 of the end of a joint bar, unless in contact with the face of the bar, or in slots of the joint bars.

2. 'Wooden flange rail.' a. The top of the wooden flange rails shall be equal in height to the running rail. They shall be installed inside the running rail leaving a space at least 2 deep x 3 wide adjacent to the inside top of the running rail for the flange of the railroad wheels. The remaining space between the flange rail and the running rail may be filled with asphalt, wood plank or crushed aggregate. The bottom of the wood plank shall be mitered to provide clearance for the tie plates and spike heads for the running rail. The ends of the wood planks shall taper down 3 over a 12 length.

b. Wood planks shall be fastened to ties with pole barn nails which shall penetrate at least 3 into the tie. There shall be at least 2 nails per plank per tie. The heads of the pole barn nails shall be installed flush with the top of the plank.

(c) *Guard rails.* 1. 'Steel guard rail.' a. Steel guard rails shall be the same height and shape as the running rails. They shall be installed outside running rails and the space between the guard and running rail filled with asphalt, wood plank or crushed aggregate. The steel guard rail shall be fastened with a minimum of 2 railroad spikes per tie. The ends of the guard rail shall taper down 3 over a 12 length. This shall be accomplished by removing a wedge of web material and bending down the top of the rail.

b. The specifications for tie plates and spikes are the same as for steel flange rails.

2. 'Wood plank guard rail.' a. Wood plank guard rails shall be the same height as the running rails. The bottom of the wood plank shall be mitered to provide clearance for the tie plates and spike heads for the running rail. The ends of the wood planks shall taper down 3 over a 12 length. They shall be installed outside running rails and the space between the guard and running rail filled with asphalt, wood plank or crushed aggregate.

b. Wood planks shall be fastened to ties with pole barn nails which shall penetrate at least 3 into the tie. There shall be at least 2 nails per plank per tie. The heads of the pole barn nails shall be installed flush with the top of the plank.

(d) *Crossing surface.* 1. Asphalt surfaced crossings shall be in conjunction with steel or wood flange rails. Asphalt shall be a minimum thickness of 3, installed in 2 equal thickness layers. The top of the asphalt between the 2 flange rails shall be equal in height to the running rails. The ends of the asphalt area shall taper down 3 over a 12 length. If asphalt is not installed full depth from tie to top of running rail, the base may consist of crushed aggregate allowing for the 3 minimum asphalt surface. The crushed aggregate shall be thoroughly compacted with a roller vibrator and hand tamped with tamping bars in the spaces between the ties.

2. Wood planks shall be used in conjunction with steel or wood flange rails. The wood planks shall be installed between flange rails flush with a height equal to the top of the running rails. Wood planks shall be fastened to ties with pole barn nails which shall penetrate at least 3 into the tie. There shall be at least 2 nails per plank per tie. The heads of the pole barn nails shall be installed flush with the top of the plank.

3. Crushed aggregate shall be used in conjunction with steel or wood flange rails. The crushed aggregate shall be installed between flange rails to a height equal to the top of running rails. The crushed aggregate shall be thoroughly compacted with a

roller vibrator and hand tamped with tamping bars in the spaces between the ties.

(e) *Approaches.* The approaches may be all aggregate or aggregate and asphalt combination. The height of the approach shall be equal to the height of the guard rail or running rail where no guard rail is used for a distance of 2 outside the running rail. The crushed aggregate shall be thoroughly compacted with a roller vibrator and hand tamped with tamping bars in the spaces between the ties. Where asphalt is used in combination with a crushed aggregate base, the asphalt shall be a minimum thickness of 3, installed in 2 equal thickness layers.

(g) *Crossing materials removed.* All unused materials from the construction of a crossing shall be disposed of by the snowmobile organization.

(h) *Contracting.* A snowmobile organization may contract out the construction of the crossing to a contractor.

(6) CLOSURE OF CROSSING FOR NON-SNOWMOBILE USE. The snowmobile organization shall be responsible for erecting a gate or barrier on both sides of the crossing and securing the gate or barrier to prevent the use of the crossing by other vehicles when not actively used for snowmobiling. The gate or barrier shall span the entire width of the crossing. The gate or barrier shall be signed with the standard barrier markers as specified under s. NR 50.09 (4) (c) 3. b. The placement of the gate or barrier shall be at the same location as the existing right-of-way fence or if no fence exists, the right-of-way line.

(7) RAIL CROSSING CONSTRUCTION PERMIT. (a) A snowmobile organization may not construct a rail crossing under this subchapter without obtaining a permit approved by the department.

(b) A separate permit is required for each snowmobile rail crossing constructed under this subchapter.

(c) A snowmobile organization may contact department district offices for prescribed application forms and instructions. The application submitted shall include adequate descriptions and drawings showing the proposed location of the snowmobile rail crossing, the design of the rail crossing, a list of materials needed to construct the crossing, and the location of snowmobile trails that connect with the snowmobile rail crossing. The completed application form with necessary attachments may be submitted to the appropriate department district office. The department may reject an application within 15 days after it is submitted if the application is incomplete or is not sufficiently detailed to determine whether to approve or deny the application.

Note: Copies of permit application forms and instructions are available from District Department of Natural Resources Offices located at:

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| Western District 1300 W. Clairemont Avenue P.O. Box 4001 Eau Claire WI 54702 | Southeast District 2300 N. Martin Luther King Jr. Dr. P.O. Box 12436 Milwaukee WI 53211 |
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| Southern District 3911 Fish Hatchery Road Fitchburg WI 53711 | Northwest District Hwy 70 W., P.O. Box 309 Spooner WI 54801 |
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| Lake Michigan District 1125 N. Military, P.O. Box 10448 Green Bay WI 54307 | North Central District 107 Sutliff Avenue, P.O. Box 818 Rhineland WI 54501 |
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(d) Permits shall be issued for all snowmobile rail crossings without the requirement of engineering detail on the permit application that are the result of an order from the Wisconsin office of the commissioner of rails or are the result of a written agreement between the rail authority and the snowmobile organization.

History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.44 Maintenance standards for new rail crossings. A snowmobile rail crossing subject to a permit under this subsection shall be maintained in the following manner by the snowmobile organization holding the permit:

(1) Vertical clearance over the crossing shall be maintained free of obstructions for a height of 23 feet over the crossing.

(2) Adequate drainage shall be maintained, both in the snowmobile and non-snowmobile season to prevent the pooling of water along the grade or the saturation of the track subgrade.

(3) Crossbucks, crossing placards and snowmobile STOP signs shall be maintained in a legible condition. No other signs may be posted on the crossbuck warning signs. Temporary signs on the trail as identified in s. NR 50.09 (4) (c) 3. b. and the railroad advance warning sign, W10-1, MUTCD, erected to slow snowmobile traffic and warn of the impending crossing shall be posted and inspected on a regular basis to ensure their presence.

(4) Portions of the crossing that become worn or damaged as a result of use shall be repaired as soon as practical under the same material and installation constraints as the installation of the original crossing.

(5) During the winter season, no snow may be compacted over the surface of the crossing by snowmobile trail grooming machinery. The surface of the rail crossing for this purpose is considered

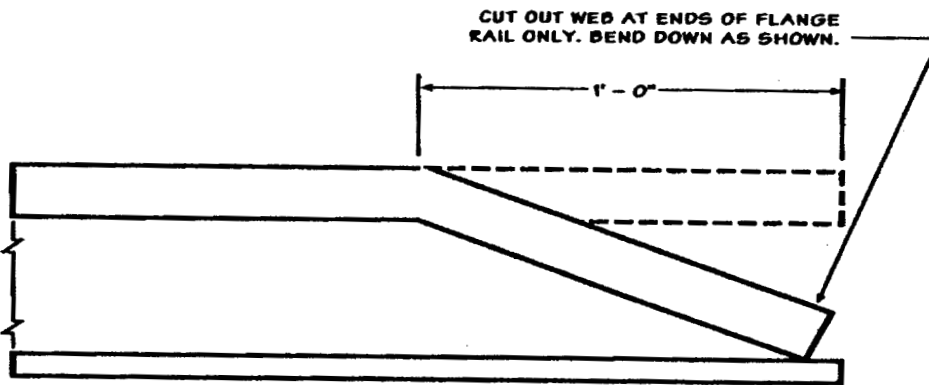
2 feet on either side of each rail.

(6) Gates or barriers erected to prevent vehicular use of the crossing during non-snow seasons shall be maintained in a functioning, working order. Barrier markers specified under s. NR 50.09 (4) (c) 3. b., shall be affixed to the gates and maintained in a legible manner.

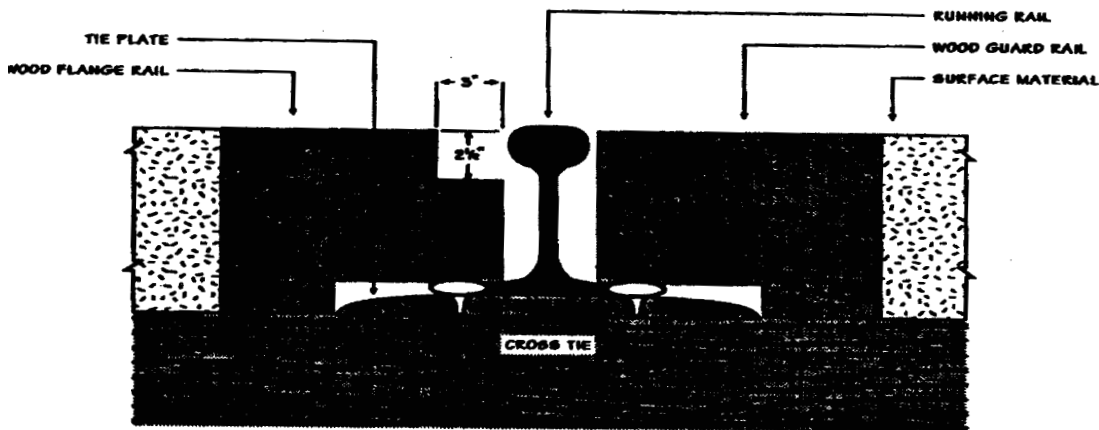
History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.

NR 6.45 Variances. The department may approve in writing variances from nonstatutory requirements of this subchapter upon request of a snowmobile organization when the department determines that the variances are essential to effect necessary permit actions or the department's snowmobile program objectives, and where special circumstances make variances in the best interests of public safety and the snowmobile program. Before granting a variance, the department shall take into account factors such as good cause and circumstances beyond the control of the snowmobile organization.

Note: The following illustrations graphically describe construction details outlined in the installation and components section:

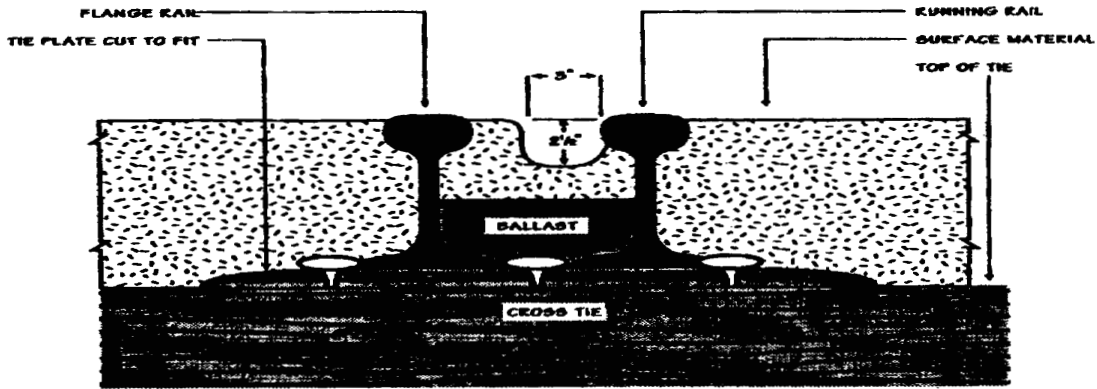


FLANGE RAIL END
DETAIL

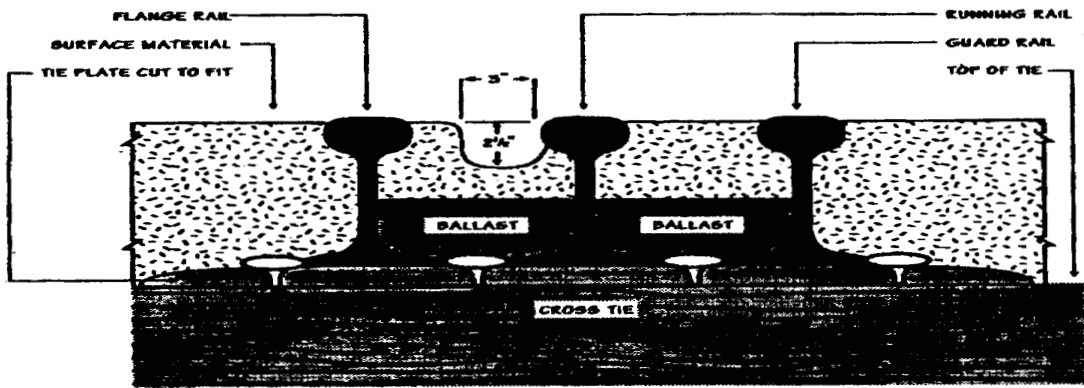


WOOD FLANGE & GUARD RAILS
CROSS SECTION

History: Cr. Register, May, 1995, No. 473, eff. 6-1-95.



2 RAIL — STEEL
CROSS SECTION



3 RAIL — STEEL
CROSS SECTION