

# **2013 Rails-With-Trails Report Overview**

## **Belmont Community Path Advisory Committee**

### **2013-11-17**

This is an overview of the [America's Rails-with-Trails](http://community.railstotrails.org/media/p/38186.aspx) report released in October 2013 by the Rails-to-Trails Conservancy (RTC). This report available at <http://community.railstotrails.org/media/p/38186.aspx> examines the characteristics of 88 existing Rails-With-Trails in 33 states, based on a survey of trail managers and the results of RTC's ongoing research on Rails-With-Trails.

### **Growth**

RTC has identified 161 Rails-With-Trails in 41 states, up 164% from the year 2000 when RTC identified 61 Rails-With-Trails in 20 states.

### **Safety**

Significantly, the research found only one record of a fatality involving a Rail-With-Trail user and a train, and just two reports of injury, in the 20-year period of study by RTC on this subject. Given the frequency of injuries and fatalities on railroads outside the context of Rails-With-Trails, this suggests that providing a well-designed and safe pathways dedicated for cyclists and pedestrians provides a safe travel alternative and reduces the incentive to trespass on train tracks or to walk on train tracks for shortcuts.

### **Dual Benefits**

Constructing a trail along an active railroad multiplies the value a community derives from the rail corridor and provides residents with greater transportation options. Fifteen percent of the active Rails-With-Trails identified in this study are located adjacent to mass transit corridors.

### **Range of Designs**

Rail-With-Trail designs vary widely, depending on factors such as their proximity to trains, the frequency and speed of rail service, and the presence of at-grade crossings. States implement Rail-With-Trails according to different standards. A majority of Rails-With-Trails in this report have trail segments within 30 feet from active railroad tracks. More than 80 percent of respondents to the survey reported that their trail included a barrier (fence, vegetation or grade separation, for example) between the path and the tracks. These characteristics are similar to the Rails-With-Trails analyzed in RTC's 2000 report.

## **Liability/Risk Management**

The vast majority of the Rails-With-Trails included in this report are insured by an existing local umbrella policy, similar to most rail-trails and greenways. A substantial proportion of the trail managers surveyed responded that no indemnification was required by the railroad or was included in the easement or license agreement. Significantly, in the only known case of a trail user struck and killed by a train while on a Rail-With-Trail, the court found neither the trail manager nor the railroad liable due to the protections provided by the state's RUS (Recreational Use Statute). In that case no successful claims were made against the railroad or the trail manager.