



July 29, 2025

Docket Operations  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
West Building, Ground Floor  
Washington, DC 20590-0001

**RE: [Docket No. FMCSA–2021–0050] RIN 2126–AC39**  
**Railroad Grade Crossings; Stopping Required: Exception for Railroad Grade Crossing Equipped**  
**With Active Warning Device Not in Activated State**

Dear Sir or Madam:

National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) on its Railroad Grade Crossings; Stopping Required: Exception for Railroad Grade Crossing Equipped With Active Warning Device Not in Activated State, as published in Volume 90 Number 103, of the Federal Register on May 30, 2025.

**About The National School Transportation Association**

NSTA has been the leading resource for school transportation solutions and the voice for private school bus operators for over 60 years. We are a membership organization for school bus contract operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses to large multi-state operators. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals such as bus drivers, mechanics, maintenance workers, dispatchers, and administrative workers. School transportation represents the largest form of mass transportation in the United States, and daily, approximately 25 million K-12 students are transported by an estimated 480,000 yellow school buses.

**NSTA Acknowledges FMCSA's Intent to Streamline Traffic Operations**

NSTA recognizes FMCSA's goal to improve traffic flow and reduce unnecessary stops at railroad grade crossings, for Commercial Motor Vehicles (CMVs), where active warning devices are present but not activated. While we understand the rationale behind the proposed exception, NSTA urges FMCSA to approach this rule change with caution and ensure a safe and smooth transition through careful planning and coordination.

NSTA asks that the Agency carefully examine several considerations that we believe are critical to implementation of a new regulation. To that end, NSTA emphasizes that any changes related to the traffic flow, specifically at railroad grade crossings, must be accompanied by comprehensive communication strategies and safety campaigns. Deploying robust communication campaigns can ensure that affected drivers, especially school bus drivers and motorists operating in close proximity to school buses, clearly understand the revised standards for Railroad Grade Crossings. Implementation, without clarity, can potentially pose a risk to safety and cause confusion. Clarity on the new protocols becomes imperative in order to eliminate confusion and get all motorists to operate their respective vehicles in concert with new standards.

**National School Transportation Association**

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Additionally, the proposal may assume that drivers operate from the same knowledge base. CMV operators, with local knowledge, will undoubtedly be aware of existing railroad crossings. Drivers who are new to a certain area do not have that same knowledge base and keen situational awareness, and this dynamic could prove difficult under certain conditions.

In addition, to implement the new standards effectively, state, and local law enforcement agencies must be adequately informed and trained. Inconsistent application from local and state law enforcement can create enforcement challenges and confusion, ultimately undermining compliance efforts. Finally, NSTA urges the FMCSA to collaborate with key stakeholders in order to develop and distribute education materials to the public. Such materials will increase the awareness of any and all compliance efforts. Public outreach in this manner provides parents, caregivers, and community members a basis of what to expect following implementation of the rule.

Furthermore, NSTA reiterates the importance of ensuring robust supporting materials such as documents, templates, and implementation checklists are provided to aid in local adoption of the rule. NSTA encourages the FMCSA to give future attention to railroad crossings involving high-speed rail systems, where the consequences of misunderstanding or misapplying the rule can be severe.

### **Summary and Conclusion**

NSTA recognizes the rationale behind this proposal and supports FMCSA's efforts to streamline vehicle operations at Railroad Crossings where no immediate hazard is present. However, NSTA believes that without adequate implementation support, this proposal could unintentionally add to the operational pressures already faced by school bus drivers, and all motorists operating in close proximity to them.

NSTA appreciates the opportunity to offer comments on FMCSA-2021-0050, RIN 2126-AC39, and we look forward to a continued dialogue with the Agency in monitoring the results of this proposal.

If you have any questions about our position, or need further clarification on our comments is required, please do not hesitate to contact me via email at [cmacysyn@yellowbuses.org](mailto:cmacysyn@yellowbuses.org), or via telephone at 703-684-3200, ext. 700

Sincerely,



Curt Macysyn  
Executive Director  
National School Transportation Association