

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
CITY OF MOUNT VERNON,  
  
Petitioner,  
  
BNSF RAILWAY COMPANY,  
  
Respondent.

DOCKET TR-190456

ORDER 01

GRANTING PETITION TO MODIFY  
WARNING DEVICES AT A PUBLIC  
HIGHWAY-RAIL GRADE CROSSING  
AT NORTH 4<sup>TH</sup> STREET/RIVERSIDE  
DRIVE IN MOUNT VERNON

USDOT: 084758W

**BACKGROUND**

- 1 On June 3, 2019, the City of Mount Vernon (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to modify warning devices at a railroad-highway grade crossing located at North 4th Street/Riverside Drive, identified as USDOT 084758W. The City filed a revised petition on June 17, 2019.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of an Order by the Commission without further notice or hearing.
- 3 North 4<sup>th</sup> Street/Riverside Drive is a five-lane road with a posted vehicle speed limit of 30 miles per hour. Average annual daily traffic through the crossing is estimated at 17,338 vehicles. North 4th Street/Riverside Drive is part of an established school bus route with 40 school buses traveling over the crossing daily. North 4th Street/Riverside Drive is also part of an established truck route with approximately five percent commercial vehicle traffic.
- 4 Warning devices at the North 4th Street/Riverside Drive crossing consist of advance warning signs, crossbucks, cantilever-mounted lights, and gates. BNSF operates 16 freight trains over this single main line track crossing daily at 45 miles per hour. Eight passenger trains travel over the crossing daily at 50 miles per hour.
- 5 As part of this project, the City proposes to install new pedestrian signals, including lights and gates. New pedestrian bells will be installed and all existing warning lights will be

upgraded to LEDs. Train detection will be upgraded to constant warning and the bungalow will be replaced. The crossing surface will be upgraded with new concrete crossing panels. The City will install a wayside horn system. New pedestrian fencing will be installed on the east side of the crossing, south of the main line track. The City will install a wider, realigned sidewalk on the west side of the crossing with ADA-compliant ramps, flangeways, and tactile warning. The City will also regrade and pave the existing roadway to reduce the vertical curve, and install new pavement markings, channelization, and signage. As part of this project, a nearby BNSF spur track crossing, identified as USDOT 084754U, will also be upgraded (see docket TR-190503). These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program.

6 Commission Staff (Staff) previously identified this crossing as a high priority for upgrades, due to multiple pedestrian fatalities at the crossing since 2014. The crossing was also identified in the top 50 crossings to be considered for safety improvements in the 2017 legislative Joint Transportation Committee Road-Rail Conflicts Study.

7 Staff investigated the petition and recommends that it be granted subject to the following conditions: (1) the modifications must conform to those described in and attached to the petition, (2) traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD), and (3) upon completion of the modifications authorized herein, the City of Mt. Vernon must notify the Commission with 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

### DISCUSSION

8 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users and pedestrians. Accordingly, the Commission grants the petition subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.

- 10 (2) The North 4th Street/Riverside Drive grade crossing, identified as USDOT 084758W, is a public railroad-highway grade crossing within the state of Washington.
- 11 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also 480-62-150.
- 12 (4) Staff investigated the petition and recommends that it be granted with the conditions set out in paragraph 7, above.
- 13 (5) After examination of the petition filed by the City on June 3, 2019, as revised on June 17, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

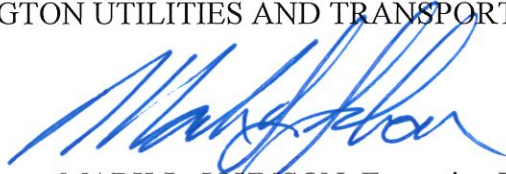
#### THE COMMISSION ORDERS:

- 14 The City of Mt. Vernon's petition to modify a railroad-highway grade crossing located at North 4th Street/Riverside Drive is granted. Approval of the petition is subject to the following conditions:
- (1) The modifications must conform to those described in and attached to the petition.
  - (2) Traffic control devices must comply with all applicable standards specified in the MUTCD.
  - (3) Upon completion of the modifications authorized herein, the City of Mt. Vernon must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective June 18, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON, Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**