

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

THE WASHINGTON STATE	)	DOCKET NO. TR-030966
DEPARTMENT OF	)	
TRANSPORTATION,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	
v.	)	ORDER GRANTING PETITION TO
	)	RELOCATE A RAILROAD-
THE BURLINGTON NORTHERN	)	HIGHWAY GRADE CROSSING AT
SANTA FE RAILWAY	)	91 <sup>ST</sup> AVENUE SE
COMPANY,	)	
	)	USDOT: 091815A
Respondent.	)	WUTC: 1G 30.30
.....	)	

**BACKGROUND**

- 1      On June 17, 2003, the Washington State Department of Transportation filed a petition with the Commission, seeking approval to relocate a railroad-highway grade crossing. The crossing is located at the intersection of 91<sup>st</sup> Avenue SE and tracks of the Burlington Northern Santa Fe Railway Company (BNSF), in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 24, Township 27 N., Range 5 E., W.M., in Maltby, Washington.
- 2      Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3      In the vicinity of the crossing, 91<sup>st</sup> Avenue SE is classified as a collector road with one lane for each direction of traffic, and a vehicle speed limit of 35 mph. 91<sup>st</sup> Avenue SE serves as a short connection between two roads that parallel the BNSF tracks on either side: the 91<sup>st</sup> Avenue/SR-522 intersection is located 50 feet southeast of the crossing, and the 91<sup>st</sup> Avenue/Broadway intersection is located 59 feet northwest of the crossing. 91<sup>st</sup> Avenue SE crosses the BNSF tracks at an

obtuse angle due to the current roadway configuration. Average daily traffic through the crossing is estimated at 5,270 vehicles, including 2,000 trucks.

4 Respondent maintains one branch track and one spur track through the crossing. Average train traffic includes two freight trains traveling at maximum speeds of 25 mph.

5 Warning devices at the crossing consist of shoulder-mounted flashing light signals with gates.

6 The petitioner seeks to relocate 91<sup>st</sup> Avenue SE to a location approximately 200 feet to the south. The new location provides the opportunity for the roadway to cross the tracks at an improved angle, while also improving the intersection geometries at the roadway intersections on either side of the crossing. The existing railroad warning signals will also be relocated to the new crossing. The relocation is proposed in the interest of improving safety and efficiency at the grade crossing and roadway intersections.

### FINDINGS AND CONCLUSIONS

7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*

8 (2) The 91<sup>st</sup> Avenue SE grade crossing, identified as USDOT 091815A, is a public railroad-highway grade crossing within the state of Washington.

9 (3) RCW 81.53.060 requires that the Commission grant approval prior to relocating public railroad-highway grade crossings within the state of Washington.

10 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on July 23, 2003.
- 12 (6) After examination of the petition filed by the Washington State Department of Transportation on June 17, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

#### THE COMMISSION ORDERS:

- 13 The petition of the Washington State Department of Transportation to relocate a railroad-highway grade crossing, located at the intersection of 91<sup>st</sup> Avenue SE and the tracks of the Burlington Northern Santa Fe Railway Company, in Maltby, Washington, is granted, subject to the following conditions:
- (1) The relocation must conform to the plans filed in this proceeding.
  - (2) The crossing must be hard-surfaced between the rails, and for a distance of one foot outside each rail for the full width of the traveled roadway, including the shoulders.
  - (3) To the extent practicable, the roadway approaches should be level with the plane created by the top of the rails. If this is not possible, the roadway surface must not be more than three inches higher nor six inches lower than the top of the nearest rail at a point at least 30 feet from the rail.
  - (4) Traffic control devices, including passive signs and markings, must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.

- (5) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
- (6) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.060, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 23<sup>rd</sup> day of July, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary