

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CITY OF PACIFIC,

Petitioner,

UNION PACIFIC RAILROAD
COMPANY,

Respondent.

DOCKET TR-220088

ORDER 01

GRANTING PETITION TO MODIFY
ACTIVE WARNING DEVICES AT A
PUBLIC HIGHWAY-RAIL GRADE
CROSSING AT STEWART ROAD IN
PACIFIC, PIERCE COUNTY

USDOT: 396597R

BACKGROUND

- 1 On February 8, 2022, the City of Pacific (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify active warning devices at a railroad-highway grade crossing located at Stewart Avenue in Pacific, Pierce County, identified as USDOT 396597R.
- 2 On March 9, 2022, respondent Union Pacific Railroad Company (Union Pacific or Respondent) consented to entry of a Commission order without further notice or hearing.
- 3 Stewart Road is a two-lane roadway with a posted vehicle speed limit of 35 miles per hour. Average annual daily traffic through the crossing is estimated at 15,900 vehicles. Stewart Road is part of an established truck route with approximately 10 percent commercial vehicle traffic. Stewart Road is not part of an established school bus route. Due to development in the area, annual daily vehicle traffic is expected to increase to 25,000 vehicles and truck traffic is expected to increase to 15 percent.
- 4 Warning devices at the Stewart Road crossing consist of pavement markings, advance warning signs, reflectorized crossbucks, Emergency Notification System signs, mast and cantilever-mounted flashing warning lights, gates, and bells. Union Pacific operates seven freight trains per day over this crossing at up to 45 miles per hour. No passenger trains operate over the crossing.
- 5 The Petitioner proposes to widen Stewart Road through the crossing from two lanes to four lanes and expand the crossing surface. The Petitioner also proposes to remove the existing cantilever-mounted flashing warning lights and install new mast-mounted

flashing light and gate assemblies. The Petitioner will install wide raised medians on each approach to the crossing, with flashing warning lights and gates installed on each median. The Petitioner will add a shared-use path on the north side of the roadway, add a sidewalk on the south side of the roadway, and install flashing lights for pedestrian warning. The railroad crossing signals will be interconnected with the adjacent intersection traffic signals with 24 seconds of advance preemption. All pavement markings and signage will be updated.

- 6 These improvements are intended to improve public safety by increasing traffic flow, reducing queuing over the crossing, and extending adjacent pedestrian facilities through the crossing.
- 7 According to the Petition, the City and Union Pacific confirmed that the parties have reached an agreement related to apportionment of costs for the proposed upgrades.
- 8 Commission staff (Staff) has 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, (3) the City must complete the proposed modifications within three years, and (4) the City must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

DISCUSSION

- 9 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. When the Commission directs the installation of the active warning devices, it will apportion installation and maintenance costs in accordance with the applicable statutes.¹ RCW 81.53.261 provides that the parties may enter into an agreement providing for the installation of signals or other warning devices or for the apportionment of the cost of installation and maintenance. The parties to this Petition confirmed that they have reached an agreement related to cost apportionment. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

¹ See RCW 81.53.261–.295.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 11 (2) The Stewart Road grade crossing, identified as USDOT 396597R, is a public railroad-highway grade crossing within the state of Washington.
- 12 (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 WAC 480-62-150.
- 13 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 8, above.
- 14 (5) After examining the Petition filed by the City on February 8, 2022, and considering all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 15 The City of Pacific's Petition to modify active warning devices at a railroad-highway grade crossing located at Stewart Road is granted and the parties are directed to proceed with the modifications described in the Petition, 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.
 - (3) The City must complete the modifications within three years of the effective date of this order.
 - (4) The City must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is

subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

- 16 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 Lacey, Washington, and effective April 5, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL,
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.