

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

In the Matter of the Petition of	)	DOCKET NO. TR-050205
	)	
TACOMA RAIL	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	ORDER GRANTING EXEMPTION
Requesting Exemption From WAC	)	FROM SIDE CLEARANCE RULE IN
480-60-050	)	WAC 480-60-050
.....	)	

**BACKGROUND**

- 1     On February 18, 2005, Tacoma Rail filed a petition with the Commission, requesting exemption from side clearance rules in WAC 480-60-050. The rule generally requires a lateral clearance of 8'6", measured from the centerline of track. Although the rule provides for exceptions, the types of structures associated with Tacoma Rail's request are subject to the general rule.
- 2     The request relates to a track located within the Port of Tacoma, in the vicinity of the Port Administration offices, and identified as track No. 919. Tacoma rail seeks exemption from the clearance requirements in WAC 480-60-050 at three points along the track. The southernmost location involves clearance from a utility pole located on the south side of the tracks, and the remaining locations to the north involve the two outer posts of a security gate that controls access to the port via the tracks.
- 3     Tacoma Rail operates on several tracks that serve various locations within the Port of Tacoma. Track No. 919 enters the port from the south, immediately after crossing 11<sup>th</sup> Street. It then curves to the northeast and parallels 11<sup>th</sup> Street for approximately 300 feet before a track switch, where the primary track curves to the north and a spur track continues to parallel 11<sup>th</sup> Street, exiting the port facility approximately 50 feet past the switch. The subject utility pole is located opposite the switch, and the security gate is located at the point where the spur track exits the port facility. Because the northern post of the security gate is placed between

the northern rail of the spur track and the southern rail of the primary track, the clearance issue regarding the northern post applies to both tracks.

- 4 The utility pole is located 7'4" from the railroad centerline (1'2" below the required minimum distance). Clearance from each of the security gateposts on either side of the spur track from the spur track centerline is also 7'4", and clearance from the northern post of the security gate from the primary track centerline is 7'10" (8" below the required minimum distance). The standard width of Tacoma Rail trains is 10'6." With the proposed clearances, probability of trains contacting the subject structures is negligible; however, the close clearances would present a significant risk to crewmembers riding on the side of a train.
- 5 Although train crewmembers do not typically ride on the side of trains in the vicinity, all parties agreed that any clearance exemption at the proposed locations should be conditioned upon Tacoma Rail issuing a General Order to all train crews that prohibits the riding of train cars along track No. 919; and clearly marking the utility pole and security gate posts as having substandard clearances. Such identification should consist of highly visible, reflectorized signs placed immediately in advance of the subject structures.

### FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over railroad clearance requirements. Chapter 81.28.010 RCW and WAC 480-60-020.
- 7 (2) Commission Staff investigated the request and recommended that it be granted, subject to specified conditions.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on March 31, 2005.

- 9 (4) After examination of the petition filed by Tacoma Rail on February 18, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

#### THE COMMISSION ORDERS:

- 10 The petition of Tacoma Rail, requesting exemption from WAC 480-60-050, related to railroad side clearance requirements, is granted. Approval of the petition is subject to the following conditions:
- (1) Tacoma Rail must issue a General Order to all train crews operating on the Port of Tacoma track, identified as track No. 919, prohibiting the practice of riding on the side of any train cars or other on-track equipment. A copy of the General Order must be provided to Commission Staff upon its issuance.
  - (2) Cautionary signs must be installed on each of the three close clearance locations specified in the petition that indicate that the clearance between the structures and the tracks is substandard. The signs must be reflectorized, and designed and placed so as to be highly visible and clearly indicative of the points of close clearance.
  - (3) Tacoma Rail or the Port of Tacoma must notify Commission Staff upon installation of the signs required by condition 2. Acceptance of the installations is subject to inspection by Commission Staff for compliance with the requirements herein.

The Commissioners, having determined that this filing complies with the requirements of Chapter 81.28.010 RCW and WAC 480-60-020, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 31<sup>st</sup> day of March, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary