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**FAX COVER SHEET**

**TO:** Washington Utilities and Transportation Commission  
**FROM:** Pat Anderson  
**DATE:** September 27, 1999  
**RE:** Railroad Companies - Operations, Docket No. TR-981102

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Accompanying is the City of Snoqualmie's Comment Letter on the above-referenced proposed rules.

**TO FAX NUMBER:** 360-586-1150

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P.O. Box 987, Snoqualmie, Washington 98065

September 27, 1999

Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: Proposed Amendments to WAC 480-62 Via Fax Only  
Docket No. TR-981102

Dear Commission Members:

Thank you for the opportunity to submit the following comments on behalf of the City of Snoqualmie on the above referenced Rulemaking proceedings.

The City of Snoqualmie, which is home to the Northwest Railway Museum, is the northern terminus of a short section of track upon which the Museum conducts intermittent seasonal excursion railway operations between Snoqualmie and North Bend. The railway operations are conducted by volunteers, essentially as their hobby. The City suggests that the definition of "Railroad" in the proposed new definitions (page 2, lines 48 - 54f) should clarify, one way or another, whether or to what extent the regulations apply to such a railway operation. Although the definition says "every railroad" (itself a circular reference, which is generally to be avoided), the Museum's operations are most similar to an amusement ride. It is neither fish nor fowl, in that it is not a "railway which conveys persons or freight for hire" nor a "street railway." While it is somewhat unique, we request that the application of the regulations to this entity be clarified in the definition of "Railroad."

If the regulations are fully applicable to the operations of the Northwest Railway Museum, then the City offers the following additional comments.

First, the proposed new Procedure to Set Train Speed Limits (page 4, line 136 through page 5, line 184) should specifically address a lower (more easily achievable) standard for setting speed limits within cities for excursion railway operations. Such railways are not essentially transportation facilities for conveyance of persons and properties for hire, and the federal interest in uniformity presumably does not apply to such operations. The City of Snoqualmie is very heavily dependent on pedestrian tourist traffic, much of it generated by the Museum itself. The speed of trains within the downtown area is of very great concern to the City, and where there is no overriding need for adherence to the

federal standard, there should be no special showing required beyond the public safety decisions of local officials.

Second, the City welcomes the proposed new section relating to Railroad Community Notice Requirements (page 10, line 379 - 400). The new section proposes to require notice for planned actions, including any event that will block a crossing for longer than 10 minutes. The City suggests that the threshold for such notice should be reduced from 10 minutes to a number between five and seven minutes. In fact, the blocking of crossings by the Northwest Railway Museum operations occurs routinely in the City, and if not "planned," is foreseeable by the Museum. The City would prefer a new section that prohibits blocking crossings unless necessary for some important purpose, except for very short periods of time, and requires notice when the blockage for longer periods of time is unavoidable. Again, the conflict between automobile and pedestrian traffic and the excursion train seems quite different in the context of excursion trains, as opposed to "real" railways which convey persons and property for hire.

Thank you again for the opportunity to submit these comments.

Very truly yours,

CITY OF SNOQUALMIE



Patrick B. Anderson  
City Attorney

Cc: Mayor and Council  
Kim Wilde, City Administrator  
Don Isley, Director of Public Safety  
Gary Armstrong, Director of Public Works