



2601 SR 509 North Frontage Road  
Tacoma, Washington 98421

TR-230475

TACOMA PUBLIC UTILITIES

Tacoma Rail, a division of Tacoma Public Utilities (a department of the City of Tacoma), hereby submits this petition to the Washington Utilities and Transportation Commission ("Commission") for an exemption from a requirement of WAC 480-62-270(2) – Safety standards at private crossings, for USDOT crossing 932802Y ("the crossing"). In support of this petition, Tacoma Rail states the following:

1. Tacoma Rail's full name and address is:

Tacoma Municipal Beltline Railway d.b.a. Tacoma Rail  
2601 SR 509 North Frontage Road  
Tacoma, WA 98421

Received  
Records Management  
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2. Tacoma Rail is a common carrier by rail engaged in the transportation of freight in Tacoma, Washington.
3. The crossing is a private crossing located adjacent to Taylor Way approximately 1/3 of a mile northwest of SR-509 in Tacoma, WA, and consists of two tracks.
4. Tacoma Rail has a maximum authorized train speed of 10 MPH for freight and does not operate passenger trains over "the crossing."
5. Tacoma Rail traverses the crossing approximately 2-4 times in a 24-hour period.
6. Tacoma Rail transports crude oil across the crossing and has an obligation to comply with WAC 480-62-270.
7. WAC 480-62-270(2) states that:

At every private crossing through which any amount of crude oil is transported, the railroad must ensure that the following are installed on each side of the crossing within one hundred twenty days after this rule becomes effective:

(a) A thirty-inch or larger R1-1 stop sign, defined as a standard R1-1 in the Manual on Uniform Traffic Control Devices;

(b) An emergency notification system (ENS) sign that:

(i) Displays the necessary information for the dispatching railroad to receive reports of unsafe conditions at the crossing including, at a minimum:

(A) The toll-free telephone number of the railroad company established to receive reports;

(B) An explanation of the purpose of the sign (e.g., "Report emergency or problem to \_\_\_");

and

(C) The United States Department of Transportation (USDOT) National Crossing Inventory number assigned to that crossing.

(ii) Measures at least twelve inches wide by nine inches high;

(iii) Is retroreflective;

(iv) Has legible text (i.e., letters and numerals) with a minimum character height of one inch; and

(v) Has white text set on a blue background with a white border, except that the USDOT National Crossing Inventory number may be black text set on a white rectangular background.

(c) A rectangular sign, at least three hundred square inches (twenty thousand square centimeters) in size, with the legend "Private Crossing" and the crossbuck symbol.

8. Pursuant to WA 480-07-110, the Commission may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with public interest, the purposes underlying regulation, and applicable statutes.
9. Tacoma Rail cannot safely comply with WAC 480-62-270(2) at USDOT crossing 932802Y due to the configuration of the crossing and its proximity to an adjacent public roadway.
10. The tracks that lay within the crossing run parallel to and are 9 foot 3 inches (centerline) from the back of the roadway curb line.
11. WAC 480-60-050 – Side clearances, requires railroads to place obstructions such as signage a minimum of 8.5 feet from the centerline of track. There isn't enough distance between the track centerline and the back of roadway curb to enable Tacoma Rail to comply with the rule and therefore Tacoma Rail requests a safe and reasonable exemption from this UTC rule requirement.
12. The American Association of State Highway and Transportation Officials (AASHTO) "Green Book," includes roadway design guidelines followed by WSDOT and the City of Tacoma and prescribes a minimum "operational buffer" within an urban setting of 18 inches from the face of curb to the near side of objects located behind the curb.
13. Placing railroad signage 18 inches from the face of a curb that is perpendicular to the road doesn't provide adequate warning or visibility to afford motorists turning onto the driveway enough time and distance to safely stop prior to crossing the tracks
14. In the alternative, placing the required signage on the opposite side of the tracks would then *require* motorists to stop *on* the tracks at the sign prior to proceeding into the private

property/industry. By stopping on the tracks, this creates an unnecessary hazard for both the motorist and the railroad. This practice would be inconsistent with drivers licensing training and Operation Lifesaver messaging.

15. As indicated in the attached photo, instead of the required "Stop" sign, Tacoma Rail is requesting to place "Do Not Stop On Tracks" (MUTCD R8-8, 24"x30") signage on the opposite side of the tracks (where adequate space/separation is available and recognition/visibility from Taylor Way is far superior.) This would be a message/regulation more consistent with the rail/roadway configuration present at the crossing and would better ensure the safety of would-be crossers of the tracks. All other required signage will remain.
16. In addition, Tacoma Rail proposes to install W10-3 (L/R) advance warning signs at each end of the corridor indicating tracks with multiple adjacent driveways with a distance value informing how far along the corridor it applies.
17. Considering the foregoing information, Tacoma Rail respectfully submits that requested exemption from WAC 480-62-270(2) is consistent with public interest and the purposes of the underlying regulation.

Respectfully submitted on this 5<sup>th</sup> day of June 2023.



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Roadmaster