

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

	)	DOCKET TR-150544
	)	
CITY OF PUYALLUP,	)	ORDER 01
	)	
Petitioner,	)	ORDER GRANTING PETITION FOR
	)	PEDESTRIAN IMPROVEMENTS AT
v.	)	THE 33 <sup>RD</sup> STREET SOUTHEAST
	)	CROSSING IN PUYALLUP
MEEKER SOUTHERN	)	
RAILROAD,	)	
	)	
Respondent.	)	USDOT: 085536R
	)	
.....	)	

**BACKGROUND**

- 1 On April 2, 2015, the City of Puyallup (Petitioner or City) filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to install a shared-use trail pathway at a railroad-highway grade crossing. The crossing is identified as USDOT 085536R and located at the intersection of 33<sup>rd</sup> Street Southeast and Meeker Southern Railroad's (Meeker Southern) tracks in Puyallup, Washington.
- 2 The City of Puyallup recently annexed a portion of 134<sup>th</sup> Avenue East from Pierce County and renamed this segment 33<sup>rd</sup> Street Southeast. The railroad-highway grade crossing which is the subject of this petition is located on this recently annexed portion of the roadway.
- 3 Meeker Southern, Respondent, consented to entry of an Order by the Commission without further notice or hearing.
- 4 Railroad warning devices at the 33<sup>rd</sup> Street Southeast grade crossing consist of crossbucks, shoulder-mounted flashing lights and advance warning signs.
- 5 Upon routine inspection of crossings in the vicinity, a Commission Inspector took exception to the installation of the trail pathway at the 33<sup>rd</sup> Street Southeast crossing. Upon further review and research Commission Staff determined that the crossing was modified without Commission approval. Commission Staff immediately contacted the

City and Meeker Southern regarding the unauthorized modification of the crossing, provided technical assistance, and initiated a safety diagnostic meeting to evaluate the modifications.

- 6 At the safety diagnostic meeting, the crossing upgrades were evaluated and agreement reached was on several changes to the present configuration. As a result of these discussions, the City filed its petition with the commission. The stop signs on the trail pathway approaches to the crossing will be replaced with yield signs, the bungalow will be updated to reflect the current street name and emergency notification telephone number. Placement of the advance warning signs and the tactile strips on the trail pathway approaches to the crossing are appropriate. The “Stop Here When Flashing” signage located at the vehicle crossing will be relocated to coincide with the stop line.
- 7 The trail pathway provides a smooth surface for trail users traversing the crossing and is consistent with industry standards. The Petitioner is responsible for long-term maintenance of the trail pathway.
- 8 33<sup>rd</sup> Street Southeast is a two-lane collector arterial with a posted speed limit of 30 miles per hour. Average daily vehicle traffic through the crossing is estimated at 2,500 vehicles which includes up to eight school buses. No passenger trains operate over the double track crossing. On average, one train per day operates over the crossing.
- 9 The trail pathway is in the interest of improving safety for trail users. The trail pathway will ensure that users have a designated path to safely cross the grade crossing. Commission Staff recommends granting the City of Puyallup’s petition subject to the following conditions:
- The Petitioner must replace the stop signs with yield signs on both approaches of the trail pathway to the crossing.
  - The Petitioner must coordinate with Meeker Southern Railroad to ensure that the bungalow information is updated to reflect 33<sup>rd</sup> Street Southeast and the emergency notification number is added.
  - Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.

- Upon completion of the modifications to the trail pathway and vehicle crossing, the Petitioner must notify the Commission within 60 days. 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.

### FINDINGS AND CONCLUSIONS

- 10 (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.*
- 11 (2) The 33<sup>rd</sup> Street Southeast grade crossing, identified as USDOT 085536R, is a public railroad-highway grade crossing within the state of Washington.
- 12 (3) WAC 480-62-150(1)(g) requires that the Commission grant approval prior to any changes to crossing at public railroad-highway grade crossings within the state of Washington.
- 13 (4) Commission Staff investigated the petition and recommended that it be granted.
- 14 (5) After examination of the petition filed by the City of Puyallup on April 2, 2015, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

#### THE COMMISSION ORDERS:

- 15 The petition of the City of Puyallup to install a trail pathway at a railroad-highway grade crossing, located at the intersection of 33<sup>rd</sup> Street Southeast and Meeker Southern Railroad's tracks in Puyallup, Washington, is granted. Approval of the petition is subject to the following conditions:
- (1) The modifications must conform to those described in the petition.
  - (2) The Petitioner must replace the stop signs with yield signs on both approaches on the trail pathway to the crossing.

- (3) The Petitioner must coordinate with Meeker Southern Railroad to ensure that the bungalow information is updated to reflect 33<sup>rd</sup> Street Southeast and the emergency notification number is added.
- (4) Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (5) Upon completion of the modifications to the trail pathway and vehicle crossing, the Petitioner must notify the Commission within 60 days. 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 Secretary of the Commission has delegated authority over this matter pursuant to Order 04 in Docket A-090485. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective April 24, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).