

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
AMTRAK,  
  
Petitioner,  
  
Seeking Exemption from the Provisions  
of WAC 480-60-050 Relating to Side  
Clearances

DOCKET TR-161004  
  
ORDER 01  
  
ORDER GRANTING  
PERMANENT  
EXEMPTION FROM RULE

**BACKGROUND**

- 1 On August 12, 2016, Amtrak (Amtrak or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting exemption from WAC 480-60-050(14) – Side clearances, which requires railroad companies to maintain a side clearance of at least six feet from the center of the tracks to the nearest structure for signals less than three feet tall.
- 2 Amtrak proposes to install dwarf bumper post signals at the ends of four new passenger loading tracks at King Street Station in Seattle. The two-foot-high “constant red” dwarf signals will be installed at platform tracks 6 and 7, directly in advance of the wheel chocks, and at the ends of platform tracks 8 and 9, directly in advance of the bumper posts. The dwarf signals will be located four feet from the center of the adjacent track instead of the required six feet due to tight track centers at the station. These signals must be installed to signify that the track ends at this location.
- 3 Commission Staff reviewed the request and recommends granting Amtrak’s request for exemption, subject to the following condition(s):
- (a) “No Clearance” signs must be posted on the dwarf signals to warn rail crews of the restricted side clearance.
  - (b) Notice of the restricted side clearance must be posted in the general orders for Amtrak, requiring that no employee ride on the side of a passenger car within 250 feet of the dwarf signals.
  - (c) Upon completion of the installation of the signals and signage, Amtrak must notify Commission Staff within 60 days. Acceptance is subject to

inspection by Commission Staff, verifying that signage and general orders to train crews are in full compliance with applicable laws, regulations and the conditions specified herein.

### FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public service companies, including railroad companies, within the state of Washington. RCW 80.01.040, RCW 81.01, RCW 81.04, and RCW 81.53.
- 5 (2) Amtrak is engaged in the business of providing railroad services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 6 (3) Amtrak is subject to WAC 480-60-050(14), which requires railroad companies to maintain side clearances of six feet from the center of the tracks to the nearest structure for signals less than three feet tall.
- 7 (4) Under WAC 480-60-020, the Commission may grant an exemption from the provisions of any rule in WAC 480-60, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-07-110.
- 8 (5) Commission Staff investigated the request and recommended that a permanent exemption be granted.
- 9 (6) This matter came before the Commission at its regularly scheduled meeting on September 8, 2016.
- 10 (7) After review of the petition filed in Docket TR-161004 by Amtrak on August 12, 2016, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 11 (1) After the effective date of this Order, Amtrak is granted an exemption from WAC 480-60-050(14), which requires railroad companies to maintain side clearances of six feet from the center of the tracks to the nearest structure for signals less than three feet tall.
- 12 (2) This exemption is subject to the following condition(s).
- (a) “No Clearance” signs must be posted on the dwarf signals to warn rail crews of the restricted side clearance.
  - (b) Notice of the restricted side clearance must be posted in the general orders for Amtrak, requiring that no employee ride on the side of a passenger car within 250 feet of the dwarf signals.
  - (c) Upon completion of the installation of the signals and signage, Amtrak must notify Commission Staff within 60 days. Acceptance is subject to inspection by Commission Staff, verifying that signage and general orders to train crews are in full compliance with applicable laws, regulations and the conditions specified herein.
- 13 (3) The Commission retains jurisdiction over the subject matter and Amtrak to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective September 8, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary