

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
SPOKANE COUNTY,  
  
Petitioner,  
  
BNSF RAILWAY COMPANY,  
  
Respondent.

DOCKET TR-200437  
  
ORDER 01  
  
GRANTING PETITION TO MODIFY  
WARNING DEVICES AT A PUBLIC  
HIGHWAY-RAIL GRADE  
CROSSING AT BROOKS ROAD IN  
SPOKANE COUNTY  
  
USDOT: 058642C

**BACKGROUND**

- 1 On May 14, 2020, Spokane County (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify warning devices at a railroad-highway grade crossing located at Brooks Road in Spokane County, identified as USDOT 058642C.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of a Commission order without further notice or hearing.
- 3 Brooks Road is a two-lane roadway with a posted vehicle speed limit of 45 miles per hour. Average annual daily traffic through the crossing is estimated at 2,462 vehicles. Brooks Road is part of an established school bus route with up to three school buses traveling over the crossing every school day. Brooks Road is also part of an established truck route with approximately 12 percent commercial vehicle traffic.
- 4 Warning devices at the Brooks Road crossing consist of advance warning signs, crossbucks, mast-mounted lights, and gates. BNSF operates up to 12 freight trains per day over this single mainline track crossing at up to 65 miles per hour. Two passenger trains travel over the crossing per day at 65 miles per hour.
- 5 As part of this project:
  - BNSF will relocate the existing signal masts to accommodate road widening and install LED lights.

- The County will install 100 feet of raised concrete center median islands with tube delineators on both approaches.
- The County will replace the existing concrete barrier shielding the railroad equipment with guardrails, and update signs and markers.

6 These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program and will improve the overall safety at the crossing.

7 Commission staff (Staff) has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the modifications must conform to those described in and attached to the Petition, (2) traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices, and (3) the County must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

### DISCUSSION

8 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 10 (2) The Brooks Road grade crossing, identified as USDOT 058642C, is a public railroad-highway grade crossing within the state of Washington.
- 11 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also 480-62-150.
- 12 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 7, above.

- 13 (5) After examining the Petition filed by the County on May 14, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

**O R D E R**

**THE COMMISSION ORDERS:**

- 14 Spokane County's Petition to modify warning devices at a railroad-highway grade crossing located at Brooks Road is granted, subject to the following conditions:
- (1) The modifications must conform to those described in and attached to the Petition.
  - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
  - (3) Spokane County must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.
- 15 The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Lacey, Washington, and effective May 28, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Mark L. Johnson*  
MARK L. JOHNSON,  
Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for**

**Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**