

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. TR-051923
)	
THE WASHINGTON STATE)	ORDER NO. 01
DEPARTMENT OF)	
TRANSPORTATION)	
)	
Petitioner,)	
)	ORDER GRANTING EXEMPTION
Requesting Exemption From WAC)	FROM OVERHEAD CLEARANCE
480-60-040)	RULES IN WAC 480-60
.....)	

BACKGROUND

- 1 On December 12, 2005, the Washington State Department of Transportation (WSDOT) filed a petition with the Commission and on December 19, 2005, filed an amendment to that petition. The resulting petition requests an exemption from railroad clearance rules in WAC 480-60-040, which generally requires an overhead clearance of at least 22 feet, 6 inches. Although the rule provides for exceptions, the structures associated with WSDOT’s request are subject to the general rule.
- 2 Tacoma Rail, the rail operator impacted by the proposed clearance waivers, has provided WSDOT with a letter supporting the proposal. Tacoma Rail’s letter is attached to WSDOT’s request for the clearance waiver filed in this proceeding.
- 3 The request relates to the Interstate 5 (Grand Mound to Maytown) widening project, where one lane will be added in each direction and improvements will be made at certain interchanges within the project limits. The project impacts two railroad over-crossings of Tacoma Rail’s tracks. At the south end of the project, the SR-12 over-crossing (USDOT 092568N) will be widened to incorporate two additional traffic lanes, sidewalks, and bike lanes. At the north end of the project, the Interstate 5 over-crossing (USDOT 396755N) will be replaced with a wider over-crossing structure.

- 4 WSDOT has requested clearance waivers in two stages. The first involves temporary clearances during construction where vertical clearances will be limited to 19 feet so that both the Interstate 5 and SR-12 over-crossings can accommodate temporary bridge support structures (falsework). WSDOT estimates that the 19-foot clearance will be necessary until January 2009. The second stage involves only the SR-12 over-crossing, where the structure is not being replaced, but widened from its existing height of 22 feet. WSDOT requires that all railroad bridges being widened either conform to the 22 feet, 6 inch requirement in WAC 480-60 or WSDOT must seek an exemption to the rule from the Commission. At this time, it is not possible to increase the height of the SR-12 over-crossing.
- 5 Current train volumes at this location average one train per month traveling at 10 miles per hour. WSDOT and Tacoma Rail agree that any clearance exemptions at the proposed locations will be conditioned upon a prohibition on riding on top of any rail equipment in the vicinity of either over-crossing during the temporary construction clearance duration, and under the SR-12 over-crossing thereafter. In addition, both over-crossings should be clearly signed for the benefit of rail users as having 19 feet of vertical clearance during the temporary construction period and the SR-12 over-crossing should be clearly signed as having 22 feet of vertical clearance thereafter.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over railroad clearance requirements. *Chapter 81.28.010 RCW and WAC 480-60-020.*
- 7 (2) Commission Staff investigated the request for an exemption from the rule and recommended that it be granted, subject to specified conditions.

- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on January 11, 2006.
- 9 (4) After examination of the petition filed by the Washington State Department of Transportation on December 12, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 10 The petition of the Washington State Department of Transportation, requesting exemption from WAC 480-60 as specified above, is granted. Approval of the petition is subject to the following conditions:
- (1) Tacoma Rail must issue a General Order to all train crews operating under USDOT railroad over-crossings 092568N and 396755N prohibiting the practice of riding on top of any on-track equipment when approaching or traveling under either structure.
 - (2) For the duration of the temporary construction clearance period, WSDOT must install and maintain cautionary signs on each railroad approach to USDOT railroad over-crossings 092568N and 396755N that indicate the specific vertical clearance from the top of the rails to the bottom of the overhead structure. The signs must be reflectorized, designed, and placed so as to be highly visible and clearly indicative of the points of close clearance.

- (3) Upon completion of the SR-12 over-crossing widening, WSDOT must install and maintain cautionary signs on each railroad approach to USDOT railroad over-crossing 092568N that indicates the specific vertical clearance from the top of the rails to the bottom of the overhead structure. The signs must be reflectorized, designed, and placed so as to be highly visible and clearly indicative of the points of close clearance.
- (4) WSDOT must notify Commission Staff upon installation of the signs required by conditions (2) and (3), above.

The Commissioners, having determined that this filing complies with the requirements of Chapter 81.28.010 RCW and WAC 480-60-020, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 11th day of January, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary