

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
CITY OF MOUNT VERNON,  
  
Petitioner,  
  
BNSF RAILWAY COMPANY,  
  
Respondent.

DOCKET TR-190503

ORDER 01

GRANTING PETITION TO MODIFY  
WARNING DEVICES AT A PUBLIC  
HIGHWAY-RAIL GRADE CROSSING  
AT NORTH 4<sup>TH</sup> STREET/RIVERSIDE  
DRIVE IN MOUNT VERNON

USDOT: 084754U

**BACKGROUND**

- 1 On June 17, 2019, the City of Mount Vernon (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to modify warning devices at a railroad-highway grade crossing located at North 4th Street/Riverside Drive, identified as USDOT 084754U.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of an Order by the Commission without further notice or hearing.
- 3 North 4th Street/Riverside Drive is a five-lane road with a posted vehicle speed limit of 30 miles per hour. Average annual daily traffic through the crossing is estimated at 17,338 vehicles. North 4th Street/Riverside Drive is part of an established school bus route with 40 school buses traveling over the crossing daily. North 4th Street/Riverside Drive is also part of an established truck route with approximately five percent commercial vehicle traffic.
- 4 Warning devices at the North 4th Street/Riverside Drive crossing consist of advance warning signs, crossbucks, and cantilever-mounted flashing lights. BNSF operates one freight train over this spur track crossing per week at 10 miles per hour. No passenger trains travel over the crossing.
- 5 As part of this project, the City proposes to install shoulder-mounted flashing lights in the northwest quadrant of the crossing. All existing warning lights will be upgraded to LEDs. The crossing surface will be upgraded to concrete crossing panels. The City will install a

wayside horn system at the nearby main line crossing, identified as USDOT 084754U, which will operate for both crossings (see docket TR-190456). The City will also install a wider, realigned sidewalk on the west side of the crossing with ADA-compliant ramps, flangeways, and tactile warning. The City will regrade and pave the existing roadway to reduce the vertical curve, and install new pavement markings, channelization, and signage. These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program.

- 6 Commission staff (Staff) 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 (MUTCD), and (3) upon completion of the modifications authorized herein, the City of Mt. Vernon must notify the Commission with 60 days. 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**

- 7 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 and pedestrians. Accordingly, the Commission grants the petition subject to the conditions that Staff recommends.

### **FINDINGS AND CONCLUSIONS**

- 8 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 9 (2) The North 4th Street/Riverside Drive grade crossing, identified as USDOT 084754U, is a public railroad-highway grade crossing within the state of Washington.

- 10 (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.
- 11 (4) Staff investigated the petition and recommends that it be granted with the conditions set out in paragraph 6, above.
- 12 (5) After examination of the petition filed by the City on June 17, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

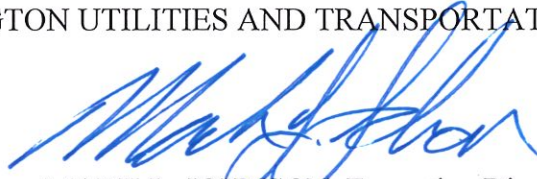
#### THE COMMISSION ORDERS:

- 13 The City of Mt. Vernon's petition to modify a railroad-highway grade crossing located at North 4th Street/Riverside Drive is granted. Approval of the petition is 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 MUTCD.
  - (3) Upon completion of the modifications authorized herein, the City of Mt. Vernon must notify the Commission within 60 days. 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.

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 Olympia, Washington, and effective June 18, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



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.**