

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

LONGVIEW SWITCHING COMPANY,

Petitioner,

v.

PORT OF LONGVIEW, COWLITZ COUNTY
DEPARTMENT OF PUBLIC WORKS,

Respondents.

DOCKET TR-230728

ORDER 01

GRANTING PETITION TO
MODIFY WARNING DEVICES
AT A PUBLIC HIGHWAY-RAIL
GRADE CROSSING AT
INTERNATIONAL WAY,
LONGVIEW, COWLITZ
COUNTY

USDOT: 914213L

BACKGROUND

- 1 On September 8, 2023, Longview Switching Company (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 International Way in Longview, Cowlitz County, identified as USDOT 914213L.
- 2 Respondents Port of Longview (Port), the track owner, and Cowlitz County Department of Public Works (County), consented to entry of a Commission order without hearing.
- 3 International Way is a two-lane county road with a posted vehicle speed limit of 35 miles per hour that crosses two industrial siding tracks. Average annual daily traffic at this location is estimated at 1,342 vehicles. International Way is part of an established truck route with 25 percent daily commercial vehicle traffic. It is not part of an established school bus route. Longview Switching operates up to four freight trains over this crossing daily at up to 10 miles per hour. No passenger trains operate over this crossing.
- 4 Warning devices at the International Way crossing consist of advance warning signs, pavement markings, reflectorized crossbucks, Emergency Notification System signs, and Yield signs.
- 5 Longview Switching proposes to change the existing Yield sign-controlled crossing to a Stop sign-controlled crossing. In describing the public safety need for these modifications

in its Petition, Longview Switching states there are limited sight lines for vehicles approaching the crossing, even at slow speeds. Information in the technical memorandum included with the Petition states that on-street parking on both sides of International Way, including large trucks, can limit a driver's view of warning signs. Trains staged on the outside tracks can also obscure the view of a moving train. Incidents at the crossing include a vehicle driving into the side of a moving train at the crossing in 2017. Longview Switching personnel have also reported several near misses where vehicles sped up to cross the tracks in front of an oncoming train. A Stop sign-controlled crossing would force motorists to stop where there are adequate sight lines to approaching trains in both directions.

- 6 According to the Petition, the Petitioner and the Respondents have reached an agreement related to the apportionment of costs for the proposed modification.
- 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, (3) Longview Switching must complete the proposed modifications within one year, and (4) Longview Switching must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with 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 modification will improve overall safety for drivers and pedestrians. When the Commission directs the installation of warning devices, it will apportion installation and maintenance costs in accordance with the applicable statutes.¹ RCW 81.53.261 provides that the parties may enter into an agreement providing for the installation of signals or other warning devices or for the apportionment of the cost of installation and maintenance. The parties to this Petition confirmed that they have reached an agreement related to cost apportionment. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

¹ See RCW 81.53.261–.295.

- 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 International Way grade crossing, identified as USDOT 914213L, 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 WAC 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 Longview Switching on September 8, 2023, and considering all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

14 THE COMMISSION GRANTS Longview Switching Company's Petition to modify warning devices at a railroad-highway grade crossing located at International Way is granted and the parties are directed to proceed with the modifications described in the Petition, 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) Longview Switching Company must complete the modifications within one year of the effective date of this Order.
- (4) Longview Switching Company must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with

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.
- 16 DATED at Lacey, Washington, and effective October 2, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KATHY HUNTER,
Acting 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.