



5 On November 10, 1993, the Commission issued an Order, under docket TR-931228 approving the petition for installation of exempt crossing signs at the Columbia Way highway-rail grade crossing.

6 During staff's recent review of highway-rail grade crossings approved by the Commission for exempt status, staff determined that the location of the Columbia Way crossing is within the city of Vancouver which is designated as a First Class city per RCW 81.53.240. The Commission has jurisdiction over public-highway rail grade crossings within the state of Washington except at public crossings located within the boundaries of a First Class city such as Vancouver. First Class cities have independent authority to authorize the installation of exempt signs at crossings within their boundaries.

#### **FINDINGS AND CONCLUSIONS**

7 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over public highway-rail grade crossings located outside the boundaries of First Class cities within the state of Washington. Chapter 81.53 RCW.

8 (2) The Columbia Way highway-rail grade crossing is a public crossing located within the boundaries of a First Class city within the state of Washington.

9 (3) Commission staff investigated the appropriateness of the exempt status at the Columbia Way highway-rail grade crossing and recommended that it be rescinded because the rail grade crossing is located within the city of Vancouver which is designated a First Class city. The Commission does not have authority to authorize the installation of exempt signs at highway-rail grade crossing located with First Class cities.

10 (4) After examination of the petition filed by the City of Vancouver on October 11, 1993, under TR-931228 and approved by the Washington Utilities and Transportation Commission on November 10, 1993, and giving consideration to all relevant matters and for good cause shown, the Commission rescinds Order 01 authorizing the installation of exempt signs at the Columbia Way crossing

**ORDER**

**THE COMMISSION ORDERS:**

*11* The Commission's Order under docket TR-931228 authorizing the City of Vancouver to install R15-3 exempt signs a railroad-highway grade crossing at Columbia Way and Columbia Business Center's tracks in the city of Vancouver, is rescinded, as follows:

- (1) The Columbia Way highway-rail grade crossing is located within the city of Vancouver and is designated a First Class city. The Commission does not have authority to authorize the installation of exempt signs at highway-rail grade crossing located with First Class cities.
- (2) The City of Vancouver should remove the R15-3 exempt signs at the Columbia Way and Columbia Business Center's railroad-highway grade crossing within 60 days from the effective date of this order, unless the City of Vancouver exercises its independent authority to maintain exempt signs at the crossing.

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 April 11, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Acting Executive Director and Secretary