

Agenda Date: April 30, 2003  
Item Numbers:

**Dockets:** TR-030559, TR-030560, TR-030561, TR-030562  
Company Name: Tacoma Rail

Staff: Mike Rowswell, Rail Safety Manager  
Ed Harper, Crossing Signal Inspector  
Ahmer Nizam, Grade Crossing Specialist

**Recommendation:**

Grant the petitions of Tacoma Rail to temporarily change the method of traffic control at certain railroad-highway grade crossings pending repair or replacement of active warning systems.

**Discussion:**

On April 24, 2003, Tacoma Rail, which operates a railroad line owned by the city of Tacoma, filed petitions for authorization to temporarily substitute flagging practices for active signal systems to warn vehicular traffic of the approach of trains. Authorization is needed to continue use of the rail line in the Centralia city limits because the active warning systems are inoperable. Repairs are planned and should be completed within five months. Certain conditions are recommended to ensure continued safety of the railroad employees and the traveling public.

The signal systems have been inoperable for a number of years. During the last decade, the line through Centralia was used only once or twice per year. A former operator of the line removed parts of the warning systems at the subject crossings to repair warning devices at other crossings where the rail line was used. As a result, the active warning systems at the four crossings were made inoperable.

Federal Railroad Administration (FRA) rules require railroads to repair inoperable signal systems without "undue delay." "Undue delay" is not defined. During the last five years, a steam engine has traversed the crossings twice a year. Given the low frequency of use, and the fact that revenue-producing business was unavailable, there seemed to be no "undue delay," and the cost of repair made placing the signals back in service impractical. Also, the FRA gave written permission for the moves because safety was not compromised under the conditions imposed by it, and because of the very low number of train movements.

Recently, an increased need for use of the line through Centralia developed. Tacoma Rail was given a grant to reinstate train service to Morton. However, it also needs to upgrade the Centralia signals in order to have an alternate route if needed, and to accommodate requests in the Centralia area. Commission Staff worked with Tacoma Rail and the Washington State Department of Transportation to solve the funding problems associated with the upgrades, and also found a way to upgrade nine additional crossings on the Tacoma Rail line.

In January 2003 the projects identified by Staff were verbally approved by the Department of Transportation. Although some documentation must be completed, and the Commission must approve the final plan, no difficulties are expected. The defunct signals should be back in operation no later than September 30, 2003.

The subject petitions are necessary because the FRA has limited authority to grant waivers, and because there is a need for some train movements through Centralia between now and the end of September. The FRA and Commission Staff are working together on this project to ensure safety and allow necessary train movements. If the conditions requested below are imposed, safety concerns are satisfied for everyone involved including the city of Centralia and WSDOT (one of the crossings is a state highway).

The primary safety precaution is for vehicular traffic to be flagged by train crews. The FRA has requested other precautions that they normally include in their waivers, which have been agreed to by the railroad. WSDOT also had a request. Staff recommends that the Commission adopt them. The requested conditions for each crossing include:

- (1) All train moves through the crossing must be limited to daylight hours as long as active warning is not in service at the crossing;
- (2) Each train must stop before entering the crossing and permit a crewmember to dismount and flag highway traffic to a stop. The train may proceed through the crossing only when the flagger determines that it is safe to do so;
- (3) Any train crew member or other individual controlling traffic at the crossing must be equipped with a reflectorized safety vest, high

visibility hard hat, and official stop/slow paddle designed for flagging;

- (4) Tacoma Rail must issue instructions or orders to all train crews using the crossing, stating that the active warning devices at the crossing are not in service and that a "stop and flag" order is in effect. A copy of the order must be provided to Commission Staff;
- (5) All trains using the crossing must be operated by a certified locomotive engineer that is qualified to operate over the track involved for the subject train moves, pursuant to CFR 240, "Qualification and Certification of Locomotive Engineers"; and
- (6) Gate arms at the crossing must be removed, and the signal heads must be removed, hooded, or turned from view to clearly indicate that they are not in operation.

**Conclusion:**

Grant the petitions of Tacoma Rail to temporarily change the method of traffic control at four railroad-highway grade crossings pending repair or replacement of active warning systems.