

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

THE BURLINGTON NORTHERN)	DOCKET NO. TR-031167
SANTA FE RAILWAY)	
COMPANY,)	ORDER NO. 01
)	
Petitioner,)	
)	ORDER GRANTING PETITION TO
v.)	UPGRADE RAILROAD WARNING
)	DEVICES AT SWAN ROAD
YAKIMA COUNTY,)	
)	USDOT: 098583L
Respondent.)	WUTC: 1U 55.50
.....)	

BACKGROUND

- 1 On July 18, 2003, The Burlington Northern Santa Fe Railway Company filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Swan Road and the petitioner’s tracks, in the SE ¼ of the NE ¼ of Section 27, Township 10 N., Range 22 E., W.M., in Yakima County, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.

- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.

- 3 In the vicinity of the crossing, Swan Road is classified as a minor collector and consists of one lane for each direction of traffic. The Swan Road/Yakima Valley Highway intersection is located approximately 65 feet north of the grade crossing. The roadway intersection is controlled by a stop sign. Although the posted roadway speed limit on Swan Road is 50 mph, the proximity of the grade crossing to the roadway intersection limits vehicles to significantly lesser speeds when approaching the crossing from either direction. Sight distance down the tracks for motorists approaching the crossing is obscured by vegetation in the

southeast and southwest quadrants of the crossing. Average daily traffic through the crossing is estimated at 1,878 vehicles, including 94 trucks and 16 school bus trips.

4 Respondent maintains one branch-line track through the crossing. Average daily train traffic includes two freight trains, traveling at a maximum speed of 20 mph.

5 Warning devices at the crossing consist of standard crossbucks and advance warning signs. Petitioner seeks to install shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

FINDINGS AND CONCLUSIONS

6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*

7 (2) The Swan Road grade crossing, identified as USDOT 098583L, is a public railroad-highway grade crossing within the state of Washington.

8 (3) RCW 81.53.261 requires that the Commission grant approval prior to making changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.

9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

10 (5) This matter was brought before the Commission at its regularly scheduled meeting on September 10, 2003.

11 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on July 18, 2003, and giving consideration to all

relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

12 The petition of the Burlington Northern Santa Fe Railway Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Swan Road and the tracks of the Burlington Northern Santa Fe Railway Company, in Yakima County, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the plans filed in this proceeding.
- (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) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
- (4) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 10th day of September, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary