

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

TACOMA RAIL,	)	DOCKET NO. TR-041471
	)	
Petitioner,	)	ORDER NO. 01
	)	
v.	)	
	)	ORDER GRANTING PETITION TO
THE WASHINGTON STATE	)	UPGRADE RAILROAD WARNING
DEPARTMENT OF	)	DEVICES AT SR-7
TRANSPORTATION,	)	
	)	USDOT: 397175B
Respondent.	)	WUTC: 20G 44.10
.....	)	

**BACKGROUND**

- 1     On August 13, 2004, Tacoma Rail 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 SR-7 and the petitioner’s tracks, in the NW ¼ of the SE ¼ of Section 20, Township 15 N., Range 5 E., W.M., in Elbe, 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, SR-7 is classified as an arterial roadway, with one lane for each direction of traffic, as well as one truck/bus pullout lane in each direction. The posted vehicle speed limit is 30 mph. The roadway crosses Tacoma Rail’s tracks at a sharply obtuse angle. Sight distance at the crossing is diminished by vegetation within the crossing’s southwest quadrant, roadway approach curves, and the crossing skew. Average daily traffic through the crossing is estimated at 5,000 vehicles, including school bus and truck traffic.

Traffic volumes increase drastically during the summer months, as the roadway is one of the main routes to Mount Rainier National Park.

- 4 Petitioner maintains one mainline track through the crossing. There is currently no regular train activity through the crossing; however, regular train movements consisting of two-to-four trains per day are expected to begin in 2005.
- 5 The proposal is related to a previous Commission order entered on May 6, 1983 under TR-1700. That order granted a petition by the Washington State Department of Transportation for the installation of "Exempt" signs at the SR-7 crossing. At the time the petition in TR-1700 was filed, train traffic through the crossing was negligible. Despite this, certain vehicles (*e.g.* school buses) were required to stop prior to crossing the tracks. The "Exempt" sign would allow vehicles otherwise required to stop to proceed without doing so. The Commission granted the petition in TR-1700 after having determined that traffic safety concerns associated with vehicles stopping at the tracks outweighed any potential hazards related to vehicle-train conflict.
- 6 In its "discussion" of the proposal, the order in TR-1700 states: "If respondent (the Chehalis Western Railroad Company, which has since been succeeded by Tacoma Rail) should desire to begin railroad service which necessitates periodic but regular use of the crossing, the respondent must petition the Commission before such service is initiated to request a change in signalization and procedure appropriate to the proposed use ..." The petition filed in TR-041471 represents the fulfillment of this requirement.
- 7 Warning devices at the crossing consist of passive devices only. Petitioner seeks to install cantilever-mounted signals, as well as replace the existing wood plank-crossing surface with concrete materials. The upgrades are proposed in the interest of improving safety for roadway users.

## FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) The SR-7 grade crossing, identified as USDOT 397175B, 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 a change in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.
- 11 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 12 (5) This matter was brought before the Commission at its regularly scheduled meeting on November 10, 2004.
- 13 (6) After examination of the petition filed by Tacoma Rail on August 13, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

## ORDER

### THE COMMISSION ORDERS:

- 14 The petition of Tacoma Rail to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of SR-7 and the petitioner's tracks, in Elbe, Washington, is granted, subject to the following conditions:
- (1) The upgrades must conform to the specifications 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.

DATED at Olympia, Washington, and effective this 10<sup>th</sup> day of November, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary