

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	DOCKET TR-240954
CITY OF NORTH BEND,	ORDER 01
Petitioner,	GRANTING PETITION TO MODIFY WARNING DEVICES AT A PUBLIC HIGHWAY-RAIL GRADE CROSSING AT BENDIGO BOULEVARD (SR-202), NORTH BEND
THE NORTHWEST RAILWAY MUSEUM, WASHINGTON STATE DEPARTMENT OF TRANSPORTATION,	USDOT: 092040A
Respondents.	

BACKGROUND

- 1 On December 16, 2024, the City of North Bend (City or 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 Bendigo Boulevard (State Route 202) in North Bend, identified as USDOT 092040A.
- 2 The Northwest Railway Museum and the Washington State Department of Transportation (Respondents) consented to entry of a Commission order without hearing.
- 3 Bendigo Boulevard is a three-lane roadway with a posted vehicle speed limit of 35 miles per hour that crosses a single mainline track. The average annual daily traffic at this location is estimated at 10,000 vehicles. Bendigo Boulevard is part of an established truck route with approximately 10 percent daily commercial vehicle traffic and is part of an established school bus route with 25 buses using the crossing on school days. No freight trains operate over this line. Approximately two passenger trains operate over this crossing daily at up to 15 miles per hour.
- 4 According to the Petition, vehicle traffic may decline with the opening of the new South Fork bypass in 2026. Average daily passenger train traffic will increase to six trains per day and train speed will increase to 20 miles per hour.
- 5 Warning devices at the Bendigo Boulevard crossing consist of advance warning signs, pavement markings, reflectorized crossbucks, Emergency Notification System signs, bells, vehicle gates, and mast and cantilever-mounted flashing warning lights.

- 6 The City proposes to relocate the crossing 14 feet to the south, replace and extend the crossing surface, replace the rail, install new cantilevers, upgrade all warning lights to LED, install additional warning lights over the third lane, upgrade to two electronic bells, replace aging electronics, and add R15-8 “Look” signs for each sidewalk. These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program.
- 7 According to the Petition, the City and the Respondents have reached an agreement related to the apportionment of costs for the proposed upgrades.
- 8 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) the City must complete the proposed modifications within five years, and (4) the City 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

- 9 Revised Code of Washington (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 modifications 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

- 10 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.

¹ See RCW 81.53.261–.295.

- 11 (2) The Bendigo Boulevard crossing, identified as USDOT 092040A, is a public railroad-highway grade crossing within the state of Washington.
- 12 (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.
- 13 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 8, above.
- 14 (5) After examining the Petition filed by the City on December 16, 2024, and considering all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 15 The City of North Bend's Petition to modify warning devices at a railroad-highway grade crossing located at Bendigo Boulevard 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) The City of North Bend must complete the modifications within five years of the effective date of this Order.
 - (4) The City of North Bend 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.
- 16 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.

DATED at Lacey, Washington, and effective December 31, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

A handwritten signature in black ink that reads "Jeff Killip". The signature is written in a cursive, flowing style.

JEFF KILLIP
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.