



Utilities and Transportation Commission Railroad Crossing Safety

Jason Lewis
Senior Transportation and Legislative Policy Advisor

June 21, 2016

- The Washington State Legislature created the three-member Railroad Commission in 1905.
 - Authority to inspect railroad company accounts, set rates, approve schedules and regulate safety.
- In 1970 and 1980, the U.S. Congress passed several acts that preempted states in all areas of economic regulation and in most areas of safety regulation.
- The Utilities and Transportation Commission's (UTC or commission) authority to regulate railroad safety continues to evolve.



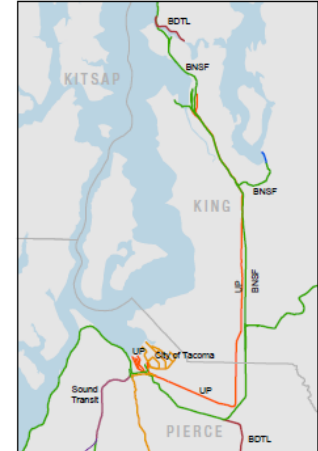
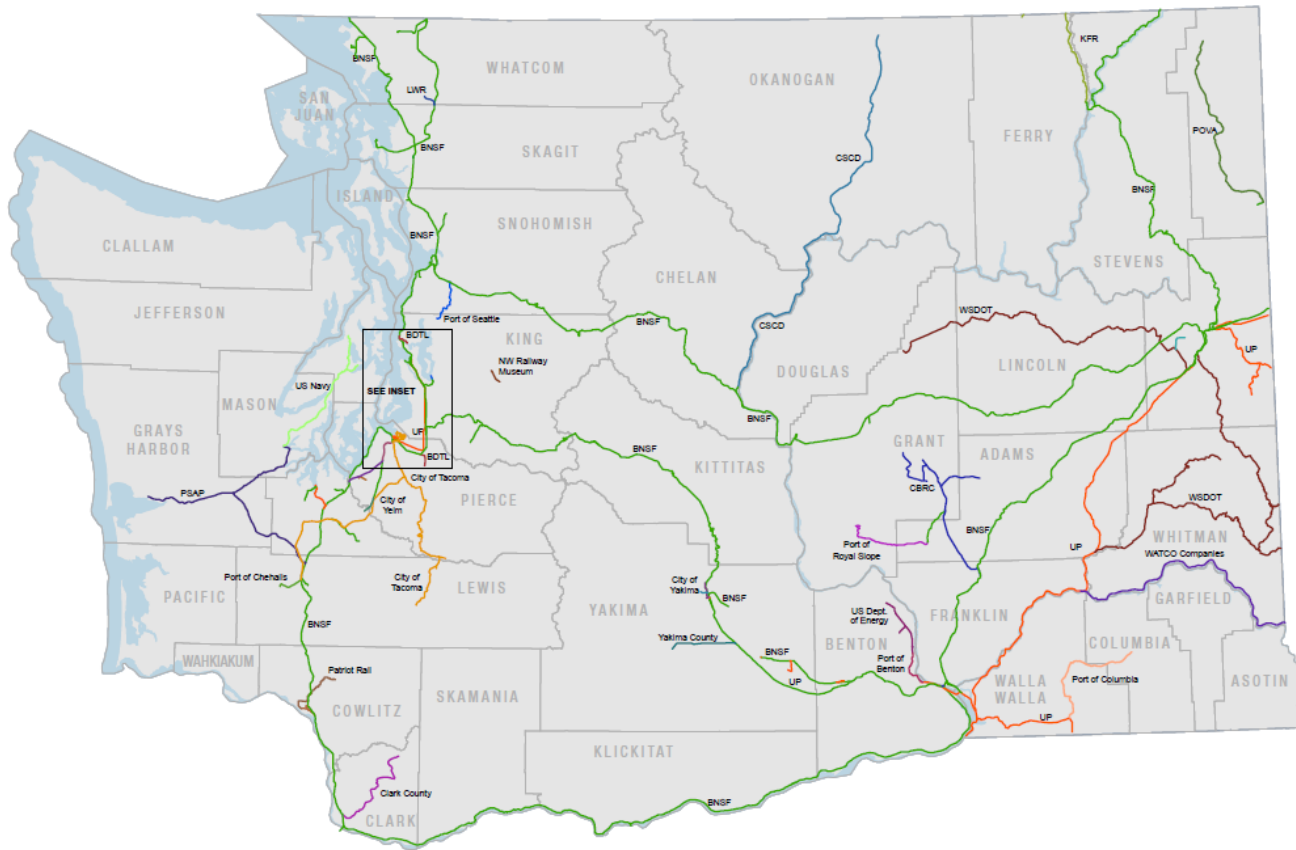
Washington Railroad Industry

- 28 railroads operate over 3,000 miles of track, traveling an average of 10 million miles a year in Washington.
- Two primary railroads, BNSF Railway and Union Pacific Railroad, and less than 30 short-line railroads operate in Washington.
- WSDOT owns and manages several freight lines in Eastern Washington.
- There are approximately 2,700 public railroad crossings in the state.
- Changing landscape with crude oil transportation over rail lines and proposed coal and oil export facilities.



Rail Service in Washington

2015 Washington State Rail System by Owner



- Owner**
- Ballard Terminal Railroad (BOTL)
 - BNSF Railway (BNSF)
 - BNSF/UP
 - Columbia Basin Railroad (CBRC)
 - Cascade & Columbia River Railroad (CSCC)
 - City of Tacoma
 - City of Yakima
 - City of Yelm
 - Clark County
 - Clark County
 - Kennewick Transfer
 - Kettle Falls International Railway (KFR)
 - Lake Whatcom Railway
 - Mount Vernon Terminal Railway
 - Northwest Railway Museum
 - Pend Oreille Valley Railroad (POVA)
 - PSAP - Puget Sound & Pacific Railroad
 - Patriot Rail
 - Port of Benton
 - Port of Chehalis
 - Port of Columbia
 - Port of Seattle
 - Sound Transit
 - Spokane County
 - Tacoma Rail
 - Union Pacific Railroad (UP)
 - US Army
 - US Department of Energy
 - US Navy
 - Central Washington Railroad
 - Washington State Dept of Transportation (WSDOT)
 - Watco Companies
 - Yakima County
 - Port of Royal Slope

- **Public Grade Crossing Safety Jurisdiction:**

- Title 81.53 provides UTC with safety jurisdiction over public crossings in non-first class cities.
- Road authorities, railroads, WSDOT and State Parks must obtain commission approval prior to opening, closing or modifying a public crossing.
- UTC inspectors routinely inspect crossings for compliance to federal and state standards and issue notices of defect to ensure that crossings are properly maintained.
- Investigate accidents and incidents at crossings.
- New expanded jurisdiction with the passage of HB 1449 allows First Class cities to “opt in” to UTC’s crossing safety inspection program.

- **Private Grade Crossing Safety Jurisdiction:**
 - New expanded jurisdiction with the passage of HB 1449 to adopt rules governing safety standards at private crossings on oil routes.
 - UTC recently adopted minimum signage standards for private crossings on oil routes.
 - May order improvements to private crossings.
 - Provides authority to inspect private crossings.
 - UTC inspectors recently inspected all private crossings on oil routes to establish accurate crossing data.
 - Now working with railroads to ensure that minimum signage standards are met.
 - Private crossings on oil routes will be routinely inspected every 18 months.

Other UTC Responsibilities

- **Railroad employee safety** –Inspect walkways within railroad yards and respond to requests for exemptions to overhead and side clearance rules.
- **Grade Crossing Protective Fund** – Administer and fund safety upgrades at crossings and along railroad rights-of-way.
- **Partner with the Federal Railroad Administration** – Employ eight inspectors certified by the FRA to enforce federal safety regulations for hazardous materials, signal and train control, track, operating practices, and motive power and equipment disciplines.
- **Respond to citizen complaints** - Investigate grade crossing complaints, respond to blocked crossing concerns and train horn noise.
- **Promote public awareness of railroad safety** – Employ the state coordinator and administer activities of Operation Lifesaver Washington state, a non-profit public education program.



Questions?

Jason Lewis
(360) 664-1206
jlewis@utc.wa.gov