

WASHINGTON



UTILITIES AND TRANSPORTATION  
COMMISSION

**Consumer Help Line**  
888-333-WUTC (9882)  
consumer@utc.wa.gov

**TTY**  
800-416-5289

**Education and Outreach**  
360-664-1110

**Media Line**  
360-664-1116

The UTC regulates the services of privately or investor owned utility and transportation companies. Our mission is to ensure that services are fairly priced, available, reliable and safe.

**Regulated companies:**

- Telephone
- Electricity
- Natural Gas
- Water
- Garbage
- Recycling
- Residential Movers
- Charter Buses
- Airport Shuttles
- Commercial Ferries
- Natural Gas Pipelines
- Railroad Safety

**General Information**

360-664-1160  
www.utc.wa.gov

PO Box 47250  
1300 S Evergreen Pk Dr SW  
Olympia WA 98504



## Changes to Public Railroad Crossings

The Utilities and Transportation Commission's rail safety program ensures that grade crossings, where roads and highways cross railroad tracks, are as safe as possible. Railroad crossings are a necessary part of our transportation system, but all crossings have some level of inherent danger.

In Washington, the commission is a state agency governed by three governor-appointed commissioners. It is the independent, impartial decision maker when warning devices, such as lights and gates, at a public crossing are proposed to be changed in any way or the crossing itself is proposed to be physically altered. The commission investigates whether public safety standards are met or maintained by the proposed changes. The commission considers such factors as number and speed of vehicles crossing the railroad tracks; number and speed of trains; the geometry at the crossing (e.g. crossing angle, elevations, width of the crossing, type of crossing surface, number and type of tracks); sight distance for both train and vehicle operators; whether pedestrians use the crossing; and the accident history at the crossing. Commission staff are a key part of the process, along with the railroad and road authority, which is typically a county or city.

Interested persons are encouraged to share their comments and questions on proposed grade crossing changes to assist the commission in making an informed decision that is in the best interest of the local community and the railroad.

When a petition is filed to modify warning devices or physically alter a crossing:

- Commission staff will perform an independent review of the proposed changes, including an on-site investigation and inspection with the railroad and road authority.
- In most cases, the road authority, railroad and staff agree that the changes are necessary to maintain or improve public safety and the commission will issue an order approving the changes.

# Changes to Public Railroad Crossings

- When the parties do not agree, the commission will schedule a formal public hearing. A commission hearing is similar to a court proceeding with attorneys representing clients, sworn witnesses, and exhibits (evidence). An administrative law judge is assigned and a prehearing conference notice is sent to the parties and interested persons.
- At a prehearing conference, any person with a substantial interest in the case may petition to formally intervene. If granted, that person has status as a 'party.' This means they can sponsor testimony and exhibits, cross-examine other parties' witnesses, and file legal briefs, pleadings and motions.
- Those who wish to comment, but not become an official party, will be informed on how the case is progressing and be asked to provide written comments or to testify in person at the public hearing.
- After all the hearings have concluded, the administrative law judge issues an "initial order" with his or her proposed decision. Parties in the case have 20 days to either accept the decision or ask that the commissioners review the order to change or affirm the decision.
- As necessary, the commissioners issue a final order with their decision. Final commission orders may be appealed in Superior Court by any party.
- To comment on a proposed crossing modification or change to warning devices: submit an online comment form at [www.utc.wa.gov/comments](http://www.utc.wa.gov/comments), call the commission at 1-888-333-WUTC (9882) or e-mail [comments@utc.wa.gov](mailto:comments@utc.wa.gov).

## **For more information**

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