

**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
- Railroads

**General Information**

360-664-1160

www.utc.wa.gov

PO Box 47250

1300 S Evergreen Pk Dr SW

Olympia WA 98504



## About Railroad Crossing Closures

The primary responsibility of the Utilities and Transportation Commission's (commission) rail safety program is to make sure that grade crossings, where roads and highways cross railroad tracks, are as safe as possible. Grade crossings are a necessary part of our transportation system, but all crossings are inherently dangerous.

In Washington state, the commission is the independent, impartial decision maker when a public crossing is proposed to be closed. The commission will investigate whether the crossing is a "public necessity" as defined in RCW 81.53.060. The commission considers the convenience and necessity of the crossing, which includes analyzing the impacts on emergency response, traffic circulation, public access and planned development against the safety risk of leaving the crossing open to the public. Staff participates in the hearing process along with the railroad and road authority, typically the county or city.

Commission staff encourage interested persons to share their comments and questions with the commission and the local road authority on proposed grade crossing closures, so that staff can make an informed decision in the best interest of the surrounding community and the railroad.

What you can expect when a crossing is selected for potential closure:

- Commission staff will provide public notice of the proposal to close a crossing, per state law. This is done by physically posting a notice at the crossing site and placing a legal notice in a local paper.
- As a courtesy, the UTC will also mail a letter to nearby property owners inviting them to comment.
- Instructions on how to comment are included in the notice. Interested persons have at least 20 days to comment.
- Once the public comment period is over, commission staff review the comments. If objections are received, the UTC will schedule a hearing. The only instance where the commission might decide not to have a hearing is if no objection is raised.
- If no objection is raised, the UTC will issue an order approving the closure of the crossing.

# About Railroad Crossing Closures

- If objections are received, the hearing process begins. An administrative law judge is assigned and a prehearing conference notice is sent to the parties and interested persons.
- At a prehearing conference, any persons 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, file briefs, pleadings and motions.
- Those who wish to comment, but not to become an official party, will be informed on how the case is progressing and be asked to provide written comments or comments in person at the public hearing.
- After all hearings have concluded, the administrative law judge issues an "initial order" with their proposed decision. Parties in the case have 20 days to either accept the decision or ask that the commissioners personally 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 closure using our online comment form visit [www.utc.wa.gov/comments](http://www.utc.wa.gov/comments). To comment by telephone, 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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