

WASHINGTON



UTILITIES AND TRANSPORTATION
COMMISSION

Legislative Director

Amanda Cecil
(360) 664-1138

**Transportation Policy
Advisor**

Jason Lewis
(360) 664-1206

Media Relations Manager

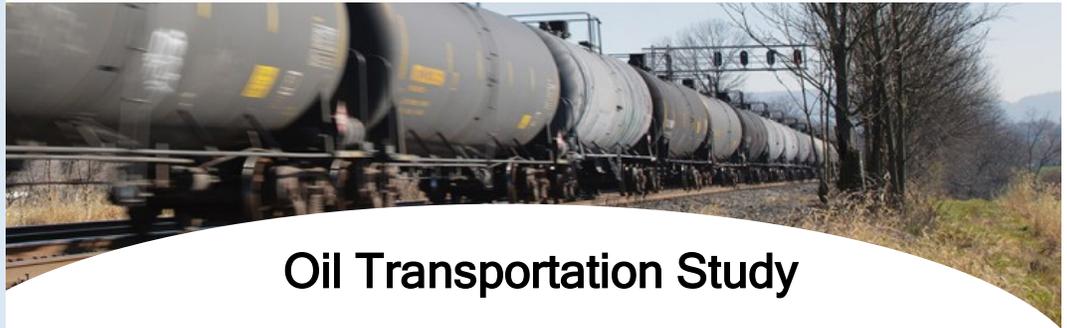
Anna Gill
(360) 664-1116

The commission 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 Pipeline
- Railroads

Utilities and Transportation
Commission
PO Box 47250
1300 S Evergreen Pk Dr SW
Olympia WA 98504
360-664-1160
www.utc.wa.gov



Oil Transportation Study

In April 2014, in response to rapid changes surrounding crude oil transportation in Washington state, the Legislature directed the Washington State Department of Ecology, in consultation with the Utilities and Transportation Commission, and other state and federal agencies, to conduct a study on marine and rail oil transportation, and to submit an initial draft by Dec. 1, 2014, and a final report on March 1, 2015.

In the report filed on Dec. 1, 2014 the commission recommended legislation that would:

- Hire additional rail inspectors
- Authorize UTC to enter private shipper property
- Allow First-Class cities to opt in to UTC crossing program
- Prescribe minimum safety standards at private crossings

Hire Additional Rail Inspectors

The UTC rail program is funded by fees paid for by the railroad industry. The current fee on railroads is 1.5 percent of the gross annual intrastate operating revenues. Existing fees do not apply to oil, since oil is considered an interstate activity. The recommendation is to amend the regulatory fee to 0.2 percent of the total of the companies' gross annual intrastate and the Washington portion of the interstate operating revenue. This would allow the UTC to hire eight (8) additional inspectors in the areas of track, hazardous materials, motive power and equipment, signal and train control and operating practices.

Access to Private Shipper Property

The UTC, accompanied by the FRA, currently enters private shipper property to conduct hazardous materials inspections. State law requires the UTC to be escorted by the FRA when entering private shipper property which creates delays and inefficient scheduling. This provision would allow the UTC to continue to conduct hazardous materials inspections on private shipper property without FRA escort. Since 2010 there have been approximately 134 safety defects discovered during these inspections.

Railroad Crossings in First Class Cities

First-class cities are exempt from the UTC's railroad safety jurisdiction. However, the influx of hazardous materials and train traffic has overwhelmed the resources of some first-class cities. This provision

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would allow first-class cities to opt in to the UTC's grade crossing inspection program. There is also a requirement that first-class cities inform the UTC when crossings are opened or closed. There are no costs associated with a city opting in to the UTC program and it is voluntary. The UTC inspects approximately 1,000 crossings per year and issues around 200 safety defects.

Private Crossings

Neither the state nor federal government have authority over private crossings. This provision would allow the UTC to adopt minimum safety language, probably requiring a sign, at private crossings along the oil routes and give UTC authority to inspect the crossings. There are approximately 3,000 private crossings in the state of Washington with 350 along the oil routes. The safety measures prescribed for private crossings could be funded, in part, by the Grade Crossing Protective Fund.

- Accidents at public crossings have decreased by almost 61% between 1985 and 2006; Accidents at private crossings have decreased only 26%.
- Accidents at public crossings generally involve automobiles. Accidents at private crossings generally involve semi-trucks and trailers.
- Requiring a minimum set of warning devices would, most likely, be effective in reducing the number of accidents at private crossings.

State and Federal Regulatory Authority

The commission's rail safety program supports and assists the Federal Railroad Administration (FRA) by performing inspections and issuing notices and violations for non-compliance with federal railroad safety regulations. The FRA trains and certifies state inspectors to conduct federal inspections and investigations in these five safety disciplines:

- Safety of track;
- Signal and train control;
- Motive power and equipment;
- Operating practices; and
- Movement of hazardous materials.

Federal interstate commerce laws prevent state governments from refusing to allow certain products or materials from travelling in the state.

For More Information

Jason Lewis, Transportation Policy Advisor
(360) 664-1206

jlewis@utc.wa.gov

www.utc.wa.gov/rail