



RESOLUTION NO. 40136

1 A RESOLUTION relating to railroad crossings; authorizing the execution of a
2 Memorandum of Understanding with the Washington State Utilities and
3 Transportation Commission (“UTC”), to allow the City to request
4 participation in the Railroad Crossing Inspection Program.

4 WHEREAS the City is currently responsible for its own rail crossing safety
5 inspections, and

6 WHEREAS, in 2015 the Washington State Legislature approved expanding
7 the UTC’s regulatory jurisdiction to improve safety in response to the increase of
8 crude oil trains traveling through the state, and the UTC developed rules to
9 implement the new law, which went into effect on March 11, 2016, and

10 WHEREAS as part of the new law, first-class cities are required to keep
11 public railroad crossing data current; the cities will be responsible for providing
12 updated crossing inventory information to the UTC as crossings are modified,
13 closed or opened; and first-class cities are allowed to opt-in to the UTC’s railroad
14 crossing safety inspection program (“Program”), and

15 WHEREAS the Program includes regular periodic inspections, identification
16 of defects, and enforcement for correcting those defects, and there is no cost to
17 the City to participate, and

18 WHEREAS, as a first-class city, the City must notify UTC in writing of its
19 intent to opt-in to the Program, and the request must be accompanied by
20 documentation stating that the City’s governing body has approved a
21 Memorandum of Understanding between the City and the UTC; Now, Therefore,

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Memorandum of Understanding with the Washington State Utilities and Transportation Commission, allowing the City to request participation in the Railroad Crossing Inspection Program, said document to be substantially in the form of the proposed memorandum on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney