



TO: Elizabeth A. Pauli, City Manager
FROM: Chris E. Larson, P.E., Engineering Division Manager, Public Works
Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer *10/06*
COPY: City Council and City Clerk
SUBJECT: Resolution – Washington State Utilities and Transportation Commission's Railroad Crossing Inspection Program – October 16, 2018
DATE: September 24, 2018

SUMMARY:

A resolution authorizing a Memorandum of Understanding with the Washington State Utilities and Transportation Commission, allowing the City of Tacoma to request participation in the Railroad Crossing Inspection Program.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Assure outstanding stewardship of the natural and built environment.

This Memorandum of Understanding will allow the City to opt-in to the Washington State Utilities and Transportation Commission's (UTC) railroad crossing safety inspection program, which includes regular periodic inspections, identification of defects, and enforcement for correcting those defects.

BACKGROUND:

In 2015, the Washington State Legislature approved expanding the UTC's regulatory jurisdiction to improve safety in response to increasing movements of crude oil trains traveling through the state. The UTC developed rules, which went into effect March 11, 2016, to implement the new law.

As part of the new law, first-class cities must keep public railroad crossing data current. Cities are responsible for providing updated crossing inventory information to the UTC as crossings are modified, closed, or opened. Another provision of the new law allows first-class cities to opt-in to the UTC's railroad crossing safety inspection program. Previously, first-class cities were responsible for ensuring safety at railroad crossings within their own city. There are ten first-class cities in Washington: Aberdeen, Bellingham, Bremerton, Everett, Richland, Seattle, Spokane, Tacoma, Vancouver, and Yakima.

ISSUE:

A first-class city must notify the UTC in writing of its intent to opt-in to the railroad crossing safety inspection program. A request must be accompanied by documentation demonstrating that the city's governing body has approved a memorandum of understanding between the city and the UTC.

The program includes an inspection of each at-grade crossing on a crude oil route once every 18 months and an inspection of crossings not on a crude oil route once every three years. During the inspection, UTC staff will inspect various aspects of the crossing and, if deficient conditions are present according to UTC regulations, staff will issue a defect notice. The railroad is required to respond to UTC within 30 days of receipt of the notice with a plan and timeline for correcting the defect. If a defect is the responsibility of the road authority, UTC will notify the City and work toward resolution of the defect. There is no cost to the City to participate in this railroad crossing inspection program.

ALTERNATIVES:

The City could choose to not opt-in to the railroad crossing safety inspection program and continue to assume rail crossing safety inspections.



RECOMMENDATION:

A resolution authorizing a Memorandum of Understanding with the Washington State Utilities and Transportation Commission, allowing the City of Tacoma to request participation in the Railroad Crossing Inspection Program.

FISCAL IMPACT:

There is no fiscal impact.