

FILE

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**Public Utilities
Commission of Ohio**

PUCO

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: PUCO Case No. 12-3007-RR-RCP
Date: December 10, 2012

Please docket the attached staff report in the above referenced case.

**A report by the Staff of the
Public Utilities Commission of Ohio**

**Request of the Wellston City School District for Exempt Crossing Status
Case Number 12-3007-RR-RCP**

December 10, 2012

INTRODUCTION

Rail Division

The Public Utilities Commission of Ohio (PUCO) works with local highway authorities and communities to provide safety for the citizens of Ohio at highway-railroad grade crossings.

The PUCO has the statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public pursuant to Ohio Revised Code Section 4905.471; and

The PUCO has the authority to close public at grade crossings pursuant to Ohio Revised Code Sections 4907.474 and 4907.475. The sections set forth a variety of factors to be considered by the Commission in determining whether there is a demonstrable need for any public grade crossing to exist and whether any such crossing could be closed to vehicular traffic, pedestrian traffic, or both and the travel over the grade crossing diverted to other grade crossings.

The PUCO is responsible for evaluating public highway-railroad grade crossings to determine the need for upgrading the warning devices and apportioning the cost thereof pursuant to Ohio Revised Code Section 4907.471.

The PUCO has the authority under Ohio Revised Code Section 4511.63 (B) to declare a grade crossing exempt, whereby vehicles normally required to stop at a grade crossing under that title and Code of Federal Regulations Title 49, 392.10 would be able to proceed through the crossing without stopping.

The PUCO enforces all aspects of the Federal Railroad Administration regulations through inspections and evaluations of Ohio's public highway-railroad grade crossings.

I. DESCRIPTION OF APPLICANT

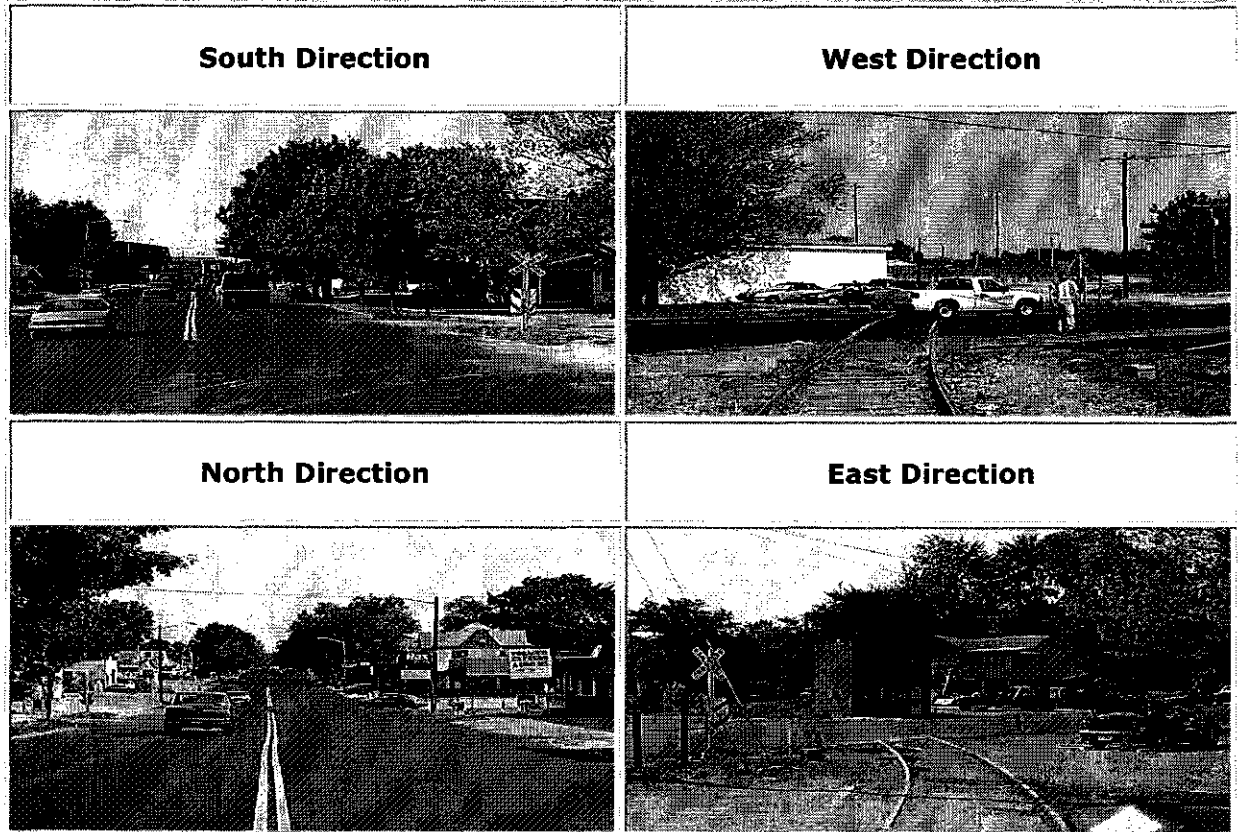
The Wellston City School District is located in Jackson County.

II. PROJECT DESCRIPTION

On November 16, 2012, under PUCO Case No. 12-3007-RR-RCP, the Wellston City School District filed a request for exempt crossing status under Ohio Revised Code section 4511.63 for the US Rail grade crossing at Pennsylvania Ave/SR 93, DOT# 151440G.

III. Photo's from PUCO RRIS database

Record ID: **14450**



Site Information	
AARDOT:	151440G
AARDOT Source:	Field
Adj. AARDOT:	
Adj. AARDOT Source:	Field
Survey Site ID:	JAC852
Init. Agency for Change:	State

Reason for Change:	Updated Record
Effective Date:	Jul 16 2009 12:00AM
Railroad Information	
Operating RR:	U.S. Rail Corporation
Division:	OH
Sub-Division:	PORT
Branch/Line Name:	
Milepost:	0.33
Railroad ID:	7873
Nearest Time Table Station:	WELLSTON
Parent RR Company:	
Crossing Owner:	
Location and Classification Information	
County:	JACKSON
(Nearest) City:	WELLSTON
Street:	PENNSYLVANIA AVE
Highway and SLM:	SR93-26.18
High Speed Corridor:	
County Map Ref. Number:	40
ODOT NLF ID:	SJACSR00093**C
Latitude:	39.1158449
Longitude:	-82.5338419
Elevation (ft):	689.2857
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	
Railroad Contact:	
State Contact:	
LHA:	CITY OF WELLSTON
LHA2:	State

Dev. Type:	Commercial
Crossing Angle:	30-59 Degrees
Main Tracks:	1
Other Tracks:	0
Lanes:	2

Warning Devices

Crossbucks, Standard:	0
Crossbucks, Buckeye:	2
Lights, Mast Mounted:	0
Lights, Cantilevered:	0
Lights, Other:	0
Gates:	0

Traffic Information

Day Thru Trains:	0
Day Switching Trains:	0
Night Thru Trains:	0
Night Switch Trains:	0
Date of Train Count:	12/7/2012
Highway AADT:	11250
Date of AADT:	2004

Highway Information

Distance to Nearest Intersection:	25
Type of Intersection:	Commercial Drive
Number of HW-HW Intersections:	1

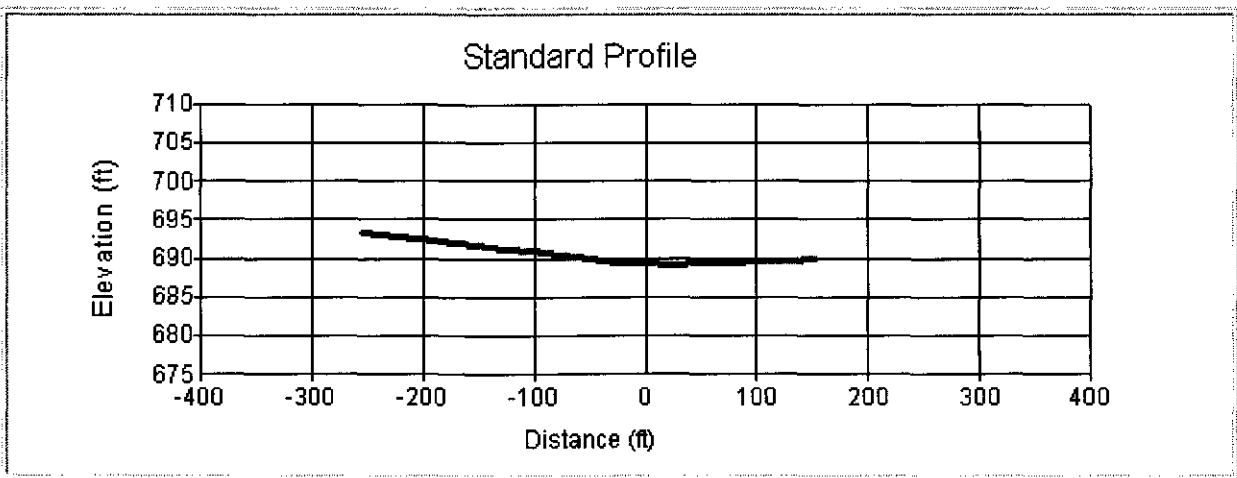
Highway 1:

Traffic Light:	NO
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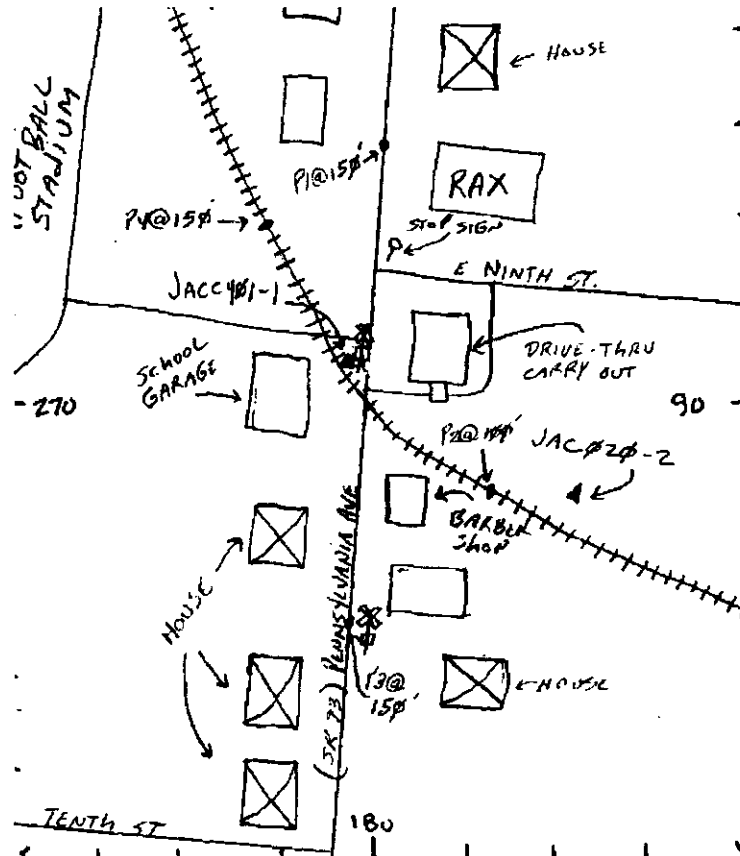
Flashing Light:	NO
Stop Sign:	YES
Yield Sign:	NO
Distance from Tie to Center of Intersection:	89
DO NOT STOP ON TRACK(S) Sign:	NO

Site Comments

No comments.



Site Sketch



**PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAIL DIVISION**

Date of Assignment: 11/19/2012
Date of Inspection: 11/21/2012
Subject: 12-3007-RR-RCP-Exemption request, Pennsylvania Avenue,
DOT 151-440G, City of Wellston Jackson County, U.S. Rail

FINDINGS

On November 21, 2012, a field inspection was conducted at Pennsylvania Ave. in Wellston, Ohio per request of the Wellston City School District for Exemption Status. The railroad line is a single track branch line that crosses Pennsylvania Ave. in an east\west direction with crossbucks providing passive warning. Wellston City School District is unaware of any active use of the Branch Line in the last several years. In discussion with Track Foreman Mike Claar with US Rail it was determined there has been no active use of the branch line across Pennsylvania Ave. in the last five years.

The petition dated November 15, 2012, from the Wellston City School District states "This railroad crossing is currently not functional and creates a safety hazard for our buses that must run right" (onto Pennsylvania Ave.) "and then immediately stop due to the rail road crossing."

SUMMARY AND CONCLUSIONS

There is no rail service on this branch line. The branch line has been inactive for the last 5 years. The exemption requested by the Wellston City Schools would lessen or eliminate the possibility of an accident occurring at the crossing due to vehicle required to stop being rear-ended.

RECOMMENDATIONS

Staff recommends that an exemption from stopping at the tracks as required by 4511.63 Ohio Revised Code be granted.

Joshua Elzey
PUCO Inspector
December 10, 2012

Ohio's Rail Grade Crossing Programs

Ohio is a national leader in terms of railroad operations. Ohio is home to nearly 40 railroads that operate thousands of trains in Ohio every day over approximately 5,200 miles of track and 5,900 public grade crossings. The Public Utilities Commission of Ohio (PUCO) is the state agency with regulatory authority over railroads operating in Ohio. The Commission works in partnership with the Federal Railroad Administration to ensure that rail operations and infrastructure are safe and in compliance with federal and state regulations.

In addition to central office planners and other support staff, the PUCO employs federally certified railroad inspectors throughout Ohio. These inspectors respond to inquiries and complaints and conduct specialized inspections of railroad tracks and equipment, rail operations, hazardous material transportation, and grade crossing signal circuitry. The inspectors also monitor railroad rights-of-way and grade crossings for surface conditions, view obstruction, fencing and drainage concerns, conditions on railroad equipment and at rail yards and other facilities, and related safety concerns of both the PUCO and railroad employees.

PUCO inspectors investigate all grade crossing and railroad employee fatalities and monitor company inspections of rail bridges throughout the state.

Safety is our highest priority

Grade crossing safety is one of the PUCO's highest priorities, and we are proud of our accomplishments. Since 1990, motor vehicle/train crashes at grade crossings in Ohio have declined by 66 percent and the number of fatalities has dropped by 77 percent. This dramatic improvement has been achieved during a period of steady increase in the amount of train traffic and in the number of registered motor vehicles and licensed drivers in Ohio. Over the past 10 years, the PUCO has participated in the installation of lights and gates at more than 1,000 grade crossings across Ohio. We look forward to working with your community to help make grade crossings as safe as possible.

Questions or Concerns?

Call the Ohio Rail Hotline at (866) 814-RAIL or log on to www.OhioRail.ohio.gov for answers to all of your railroad crossing needs.

The Public Utilities Commission of Ohio
John R. Kasich, Governor
Todd A. Snitchler, Chairman

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