



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 9 • 650 EASTERN AVENUE • CHILLICOTHE, OHIO 45601 • (740) 773-2691

JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • VAUGHN WILSON, P.E., DISTRICT DEPUTY DIRECTOR

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TRANSMITTAL

FILE

To: Daniel E. Fullin
Attorney Examiner
Public Utilities Commission of Ohio Dept. of Transportation
Legal Department
180 East Broad Street
Columbus, Ohio 43215-3793

From: Dianne E. Kahal-Berman, P.E.
Planning & Engineering Dept.
Ohio Department of Transportation
District 9
650 Eastern Ave., PO Box 467
Chillicothe, OH 45601

RECEIVED DOCKETING UNIT
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Date: June 3, 2016

Subject: Case No. 16-243-RR-RCP
Request for Exemption and Downgrade
Norfolk Southern at SR 104/McDermott-Rushtown Road
Scioto County, Ohio

Dear Mr. Fullin:

As requested, included with this transmittal are testimony from Ms. Sharon Conley, Transportation Supervisor of Northwest Local School District and Mr. Merit Smith, Transportation Director of South Central Education Service Center.

Both administrators support exemption and downgrade at this Norfolk Southern/SR 104 at grade crossing.

Please contact me if you have any questions or concerns.

Sincerely,

Dianne E. Kahal-Berman, P.E., CPM
Project Manager

Enclosure: Ms. Sharon Conley testimony
Mr. Merit Smith testimony

Cc: file

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician: Am Date Processed: 6/20/16

NORTHWEST LOCAL SCHOOL DISTRICT

Transportation Department

800 Mohawk Drive

McDermott, Ohio 45652

Telephone: (740) 259-8565 Fax: (740) 259-3476

Web Site Address: www.Northwest.k12.oh.us

Local Superintendent

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Board of Education

Keith Crabtree, President

Jill Carver, Vice President

Jason Taylor, Member

Jared Lute, Member

Adam Jones, Member

Transportation Supervisor

Sharon L. Conley

Sharon.Conley@nwmohawks.net

May 26, 2016

Dianne Kahal-Berman
Ohio Department of Transportation
Chillicothe, Ohio 45601

RE: CASE NO. 16-243-RR-RCP
Request for Exemption and Downgrade
Norfolk Southern at SR 104/McDermott-Rushtown Road
Scioto County, Ohio

Dear Ms. Kahal-Berman:

This correspondence is in support of the exemption and downgrade of the existing railroad crossing located in our school district at State Route 104 & McDermott-Rushtown Road.

The Northwest Local School District consists of 186 square miles, encompassing 5 townships. During the course of a normal day, we have 22 regular bus routes that perform 4 trips and cumulatively travel nearly 3,000 miles per day. Currently, our regular route school buses must perform crossing procedures at this particular crossing a minimum of 16 times per day. On days when buses have non-routine field trips or are transporting athletic teams, this number can double.

The railway, known locally as the "P-Vine," has been inactive for at least ten (10) years, perhaps as many as 12-14 years. Each time a school bus must perform railroad crossing procedures pursuant to Ohio State law, it takes approximately 90 seconds. While 90 seconds does not sound like a significant amount of time, when multiplied by the number of crossings our buses perform in the course of a normal day, it can become significant. (Please see attached worksheet.)

"Home of the MOHAWKS"

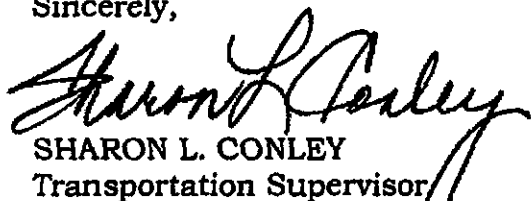
Additionally, each stop a school bus must perform poses a safety concern as each stop creates a significant risk that a vehicle will strike the bus in the rear. In fact, we have vehicles that are not required to stop at the crossing, pass our buses while they are stopped without a clear view of oncoming traffic. Also, since the railway has been inactive, maintenance of the sight lines at crossings are often times obscured by brush, etc. In pupil transportation, we have a saying, "It's not a matter of 'if,' it's a matter of 'when'" a vehicle will collide with a school bus. Any hazards that can be removed from bus routes, lessens those chances for us to ensure that our children are transported to and from school safely.

I would also like to take this opportunity to request that the additional crossings (as listed on the attached worksheet) in the Northwest Local School District be considered for exemption and/or downgrading as well. All these crossings are a part of the same railway (P-Vine) as the crossing being reviewed in Case No. 16-243-RR-RCP. Cumulatively, our school buses must perform crossing procedures a minimum of 135 times per school day...multiplied by 180 school days per year, this translates to 24,300 chances that a school bus can be involved in a rear-end accident. Also, 135 crossings per day equals approximately 3.375 hours per day (607.5 hours per school year) that students are on-board buses that could be shortened significantly.

If you require further information from me, I will be more than happy to assist you with any information I have at my disposal.

Thank you for your consideration of this request.

Sincerely,



SHARON L. CONLEY
Transportation Supervisor

Copies to: Mr. Todd Jenkins, Superintendent
Mrs. Julie Smith, Treasurer

Northwest Local School District
McDermott, Ohio

Data Collection for Public Utilities Commission of Ohio

RAILROAD CROSSINGS

	Location of RR Crossing	Crossing Number	Bus #/Driver	Number of times crossed per day
1	Arion Road (County Road 48) at intersection with Wright's Run Road (Township Road), McDermott, Ohio 45652	Cannot decipher #	44D Partout 300 Cooke (Handicapped) 480 Gallon 47D Stapleton 26D Copas	8 2 4 4 4
			TOTAL CROSSINGS/DAY:	22
2	Center crossing ("Downtown McDermott"), McDermott, Ohio 45652	481910X	Periodic crossings may be necessary	
			TOTAL CROSSINGS/DAY:	0
3	East end crossing ("Downtown McDermott"), McDermott, Ohio 45652	181911X	11D Eichenlaub 24D Sexton 300 Cooke (Handicapped) 26P Breach (Handicapped) 29P Kramin (Handicapped)	4 4 2 2 2
			TOTAL CROSSINGS/DAY:	14
4	Smith Street crossing ("Downtown McDermott"), McDermott, Ohio 45652	481909D	24D Sexton 22P Munyon 26P Copas 11D Eichenlaub	4 8 4 8
			TOTAL CROSSINGS/DAY:	24
5	State Route 164 at intersection with McDermott-Rushtown Road, McDermott, Ohio 45652	473474R	27P Sexton 29P Kramin (Handicapped) 11D Eichenlaub	8 4 4
			TOTAL CROSSINGS/DAY:	16
6	State Route 348 just past intersection with State Route 73, Otway, Ohio 45657	481893T	8D Lantz 40D Webb 39D Webb 300 Cooke (Handicapped) 45D Mann	8 4 12 4 4
			TOTAL CROSSINGS/DAY:	35
7	State Route 73 at intersection with Hanley Comstock Road, McDermott, Ohio 45652	Cannot decipher #	47D Stapleton 300 Cooke (Handicapped) 26D Breach (Handicapped)	4 4 2
			TOTAL CROSSINGS/DAY:	10
8	Tatman-Coe Road (Township Road), McDermott, Ohio 45652	481907P	24P Sexton	8
			TOTAL CROSSINGS/DAY:	8
9	Rarden-Hazelbaker Road (County Road 39), Otway, Ohio 45657	481878G	39D Webb	4
			TOTAL CROSSINGS/DAY:	4
			GRAND TOTAL CROSSINGS/DAY:	135
No Crossings		N/A	46D Martin 10D McGuire 4D Scherer 5D Jenkins 20P Brown 25P Crabtree 3D Layne	0 0 0 0 0 0 0

NOTE: All crossings are currently inactive.

Kahal-Berman, Dianne

From: merit.smith <merit.smith@scoesc.org>
Sent: Friday, May 20, 2016 9:50 AM
To: Kahal-Berman, Dianne
Subject: RE: Case No. 16-243-RR-RCP Request for exemption and downgrade RE: Norfolk Southern at SR104 and McDermott-Rushtown Rd. in Scioto Co.

As the ESC we do not operate buses, but do help districts with their training and other aspects of the transportation. The crossing you mention is located in the Northwest local school district and I sure that Sharon Conley can give you all the information you need as far as numbers of crossing taking place daily. I would like to add that Bus Drivers are trained to stop at all railroad crossings and go through a very specific list of safety checks before crossing and the general public are not used to stopping at RR crossings so anytime the bus stops there is a chance that drivers may be distracted and rear end the bus causing injury or death also the area of this stop does tend to be foggy on many mornings and also when school buses are running you tend to have some young and very inexperienced drivers which creates a lot of problems in itself. if it is determined that there would be no trains on this set of tracks I think for the safety of all drivers and the children on the bus it make sense to exempt this crossing from school buses stopping.

Merit Smith
Transportation Director
South Central Ohio Educational Service Center.

From: Dianne.Kahal-Berman@dot.ohio.gov [Dianne.Kahal-Berman@dot.ohio.gov]
Sent: Thursday, May 19, 2016 3:24 PM
To: merit.smith; sharon.conley@nwmohawks.net; Brian Ruckel
Cc: Richard.Behrendt@dot.ohio.gov; Patricia.Wetzel@dot.ohio.gov
Subject: Case No. 16-243-RR-RCP Request for exemption and downgrade RE: Norfolk Southern at SR104 and McDermott-Rushtown Rd. in Scioto Co.

All:
A rail road crossing exemption is under consideration for the McDermott-Rushtown Rd. at grade rail crossing. Per ORC 4511.63 (B), that would mean that school buses as well as other buses and vehicles as noted in ORC 4511.63 (A) would not be required to stop at the tracks as directed by ORC 4511.63 (A).

Your school districts have been identified as those whose bus routes might benefit from this downgrade. This is a request that you provide the following information by next Monday or earlier if possible:

- The number of crossings that your school buses make at this location daily. (i.e. to and from would be 2 separate crossings.)
- Your opinion as to the safety of downgrading this crossing to an exempt status. (The Norfolk Southern (NS) rail line has not been in use for some time and NS does not expect the line to become active in the near future.)
- Any other opinion or experiences (such as rear end crash events) you may have concerning other like crossings in your district.

If you have any questions or concerns, my contact information is below. Please feel free to call.

Thank you in advance for this information.
Respectfully,

Dianne E. Kahal-Berman, PE, CPM
Project Manager/ District 9 Rail Coordinator
650 Eastern Avenue, P.O. Box 467
Chillicothe, Ohio 45601
Monday – Friday 7:30 am till 4:00 pm

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Fax: (740) 775-4889
Dianne.Kahal-Berman@dot.ohio.gov