

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

In the Matter of a Request by the Ohio Department of Transportation for an
Exemption from Stopping for School Buses and Hazardous Materials Vehicles at
the State Route 93/Adamsville Road Grade Crossing in Muskingum County.
Case Number 17-915-RR-RCP

May 18, 2017

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 (ORC) §4905.04.

The PUCO has the authority to close public at grade crossings pursuant to ORC §§4907.474 and 4907.475. These 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 and/or pedestrian traffic 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 ORC §4907.471.

The PUCO has the authority under ORC §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.

DESCRIPTION OF APPLICANT

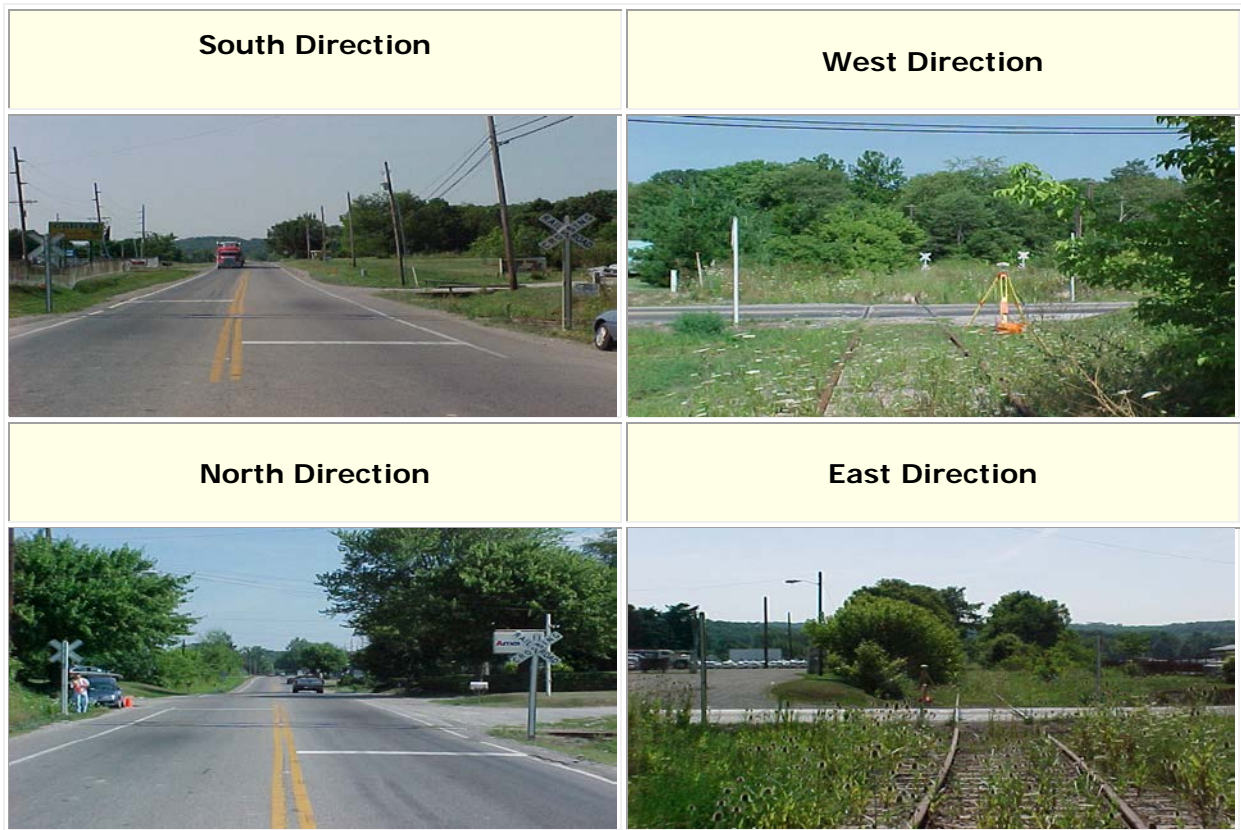
The Ohio Department of Transportation (ODOT), is the local highway authority with jurisdiction over the Adamsville Road/SR 93 grade crossing that is the subject of this petition for exemption under Ohio Revised Code (ORC) §4511.63.

PROJECT DESCRIPTION

ODOT has petitioned for an exemption from school buses and hazardous material transporters stopping at the Adamsville Road/SR 93 (DOT#515009L) grade crossing located just south of Crock Road in Avondale, Ohio.

According to ODOT, the Adamsville Road/SR 93 crossing is a two lane highway with a speed limit of 55mph. ODOT has received several complaints from the Crooksville Local School District regarding near miss accidents due to buses stopping at the crossing. They indicate in the petition that by granting an exemption, no vehicles would be required to stop. This would lessen the hazards and make the roadway safer.

This crossing is currently owned by the State of Ohio and operated by the Zanesville & Western Scenic Railroad (ZWSX). ZWSX told ODOT that they operate less than 5 trains per year through the crossing.



Site Information	
AARDOT:	515009L
AARDOT Source:	Field
Adj. AARDOT:	
Adj. AARDOT Source:	Field
Survey Site ID:	MUS574
Init. Agency for Change:	State
Reason for Change:	Updated Record
Effective Date:	Dec 18 2008 12:00AM
Railroad Information	
Operating RR:	Zanesville & Western Scenic Railroad
Division:	FULTONHAM
Sub-Division:	
Branch/Line Name:	GLASS ROCK SPUR
Milepost:	0.83

Railroad ID:	0.83
Nearest Time Table Station:	AVONDALE
Parent RR Company:	
Crossing Owner:	
Location and Classification Information	
County:	MUSKINGUM
(Nearest) City:	AVONDALE
Street:	Adamsville Road
Highway and SLM:	SR 93-3.66
High Speed Corridor:	
County Map Ref. Number:	60
ODOT NLF ID:	SMUSSR00093**C
Latitude:	39.8674884
Longitude:	-82.0637410
Elevation (ft):	741.8495
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	
Railroad Contact:	(740) 281-7431
State Contact:	
LHA:	STATE
LHA2:	
Dev. Type:	Commercial
Crossing Angle:	0-29 Degrees
Main Tracks:	1
Other Tracks:	0
Lanes:	2
Warning Devices	
Crossbucks, Standard:	2
Crossbucks, Buckeye:	0
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:	Nov 13 2008 12:00AM
Highway AADT:	9150
Date of AADT:	2013

Highway Information

Distance to Nearest Intersection:	21
Type of Intersection:	Commercial Drive
Number of HW-HW Intersections:	1

Highway 1:

Traffic Light:	NO
Flashing Light:	NO
Stop Sign:	YES
Yield Sign:	NO
Distance from Tie to Center of Intersection:	72
DO NOT STOP ON TRACK(S) Sign:	NO

Site Comments

Crossing Owner is State of Ohio.

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

Date of Assignment: May 2, 2017

Date of Inspection: May 3, 2017

Subject: 17-915-RR-RCP – Petition for exemption, Adamsville Road, South Zanesville, Muskingum County, Zanesville Western Scenic Railway.

DOT #: 515-009L

FINDINGS

On receipt of the present assignment, I conducted an inspection of the crossing on May 2, 2017. The Ohio Department of Transportation (ODOT) District 5 is seeking an exemption for the grade crossing under Ohio Revised Code 4511.63.

On the above noted day, I inspected the highway rail grade crossing which is located near South Zanesville. Upon inspection I found a two lane roadway that travels north and south with a highway rail grade crossing owned by Zanesville and Western Scenic Railway and runs east and west. The crossing has the old buckeye crossbucks as the passive warning system. Currently the railroad does not appear to have any traffic over the crossing. The rail currently ends roughly 300 feet west of the grade crossing.

May 4, 2017 I tried to contact a representative from the Zanesville and Western Scenic Railway his phone went to voicemail and was full. I tried to make contact with them via their website and still have not received a response. According to the letter received from ODOT the railroad has no issues with the crossing being exempt.

SUMMARY AND CONCLUSIONS

The railroad does not appear to be currently using this crossing. ODOT stated in their letter the railroad had no issues with an exemption for the crossing. Due to the high vehicle traffic count and low train count this crossing should be considered for an exemption.

RECOMMENDATIONS

In view of the foregoing findings and conclusion, I recommend the commission grant the exemption as requested. The railroad should also be placed on notice that any future train movements over the grade crossing will be required to be flagged per their operating rules.

Shawn Zurfley
PUCO/FRA Rail Inspector
Date: May 5, 2017



DOT#515-009L Adamsville
Rd/SR 93 Crossing

Adamsville Road/SR 93 Muskingum County, Ohio DOT#515-009L



Adamsville
Road/SR 93
DOT# 515-009L
Crossing looking
South.



Adamsville
Road/SR 93
DOT# 515-009L
Crossing looking
West.



Adamsville
Road/SR 93
DOT# 515-009L
Crossing looking
North.



Adamsville
Road/SR 93
DOT# 515-009L
Crossing looking
East.

STAFF RECOMENDATIONS

PUCO Rail Staff recommends the following actions be taken:

- 1) Approve the exemption request for the crossing to prevent vehicles from stopping at the crossing, since there is little train traffic on the tracks.
- 2) Require the operating railroad to place a stop and flag order on the crossing for all train movements over the crossing.
- 3) If train traffic increases at the crossing, require the operating railroad to notify the Commission, so that the exemption status can be reviewed to verify if it should remain in place.
- 4) Require staff to conduct a follow-up inspection to verify that exemptions signs are posted and to update the rail database.

OTHER INFORMATION

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 5,000 miles of track and 5,700 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 obstructions, fencing and drainage concerns. Additionally, inspections are conducted on railroad equipment at rail yards and other facilities and they review safety concerns of both the PUCO and railroad employees.

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 80 percent and the number of fatalities has dropped by 90 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 15 years, the PUCO has participated in the installation of lights and gates at more than 3,200 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
Asim Z. Haque, Chairman

180 E. Broad Street, Columbus, Ohio 43215-3793
(800) 686-PUCO (7826)

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Summary: Staff Report Filed In the Matter of a Request by the Ohio Department of Transportation for an Exemption from Stopping for School Buses and Hazardous Materials Vehicles at the State Route 93/Adamsville Road Grade Crossing in Muskingum County. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division