

**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 82 AND STATE  
ROUTE 534 GRADE CROSSINGS IN  
TRUMBULL COUNTY.**

**CASE NO. 18-1279-RR-RCP**

**IN THE MATTER OF A REQUEST BY THE  
TRUMBULL COUNTY ENGINEER FOR AN  
EXEMPTION FROM STOPPING FOR  
SCHOOL BUSES AND HAZARDOUS  
MATERIALS VEHICLES AT THE COUNTY  
HIGHWAY 114D/BRACEVILLE ROBINSON  
ROAD GRADE CROSSING IN TRUMBULL  
COUNTY.**

**CASE NO. 18-1280-RR-RCP**

**ENTRY**

Entered In the Journal on September 27, 2018

{¶ 1} R.C. 4511.63 provides that, except where the Commission has granted an exemption, any bus, school vehicle, or vehicle transporting a material that is required to be placarded pursuant to 49 C.F.R. Parts 100-185 must stop before crossing at grade any railroad track. This section also provides that any local highway authority (LHA) may file an application with the Commission requesting approval of an exempt crossing.

{¶ 2} On August 13, 2018, Brian Honaker (Mr. Honaker), District 4 Railroad Coordinator for the Ohio Department of Transportation (ODOT), the LHA, filed a letter on behalf of LaBrae Local School District. In the letter, Mr. Honaker requests an exemption for school buses and motor vehicles carrying certain hazardous materials from stopping at the State Route 82 (DOT#262593S) grade crossing and the State Route 534 grade crossing (DOT#262590W) in Trumbull County. He contends that the Norfolk Southern Railway rail line at the crossings “has not been in use for several decades.” Mr. Honaker asserts that an exemption from stopping at the crossings will increase safety for the traveling public.

{¶ 3} Also on August 13, 2018, Gary Shaffer, Deputy Engineer of Trumbull County, filed a letter requesting an exemption for school buses and motor vehicles carrying certain hazardous materials from stopping at the County Highway 114D/Braceville Robinson Road (DOT#2625944) grade crossing in Trumbull County.

{¶ 4} Accordingly, the attorney examiner finds that Staff should file a report of investigation regarding the two requests by October 16, 2018.

{¶ 5} Further, the attorney examiner finds that, in order for the public to have an opportunity to comment on the exemption request, a local hearing should be scheduled. Accordingly, a public hearing on this matter should be held on October 19, 2018, at 1:00 p.m., at the Braceville Township Administration Building, 586 Braceville Robinson Road SW, Newton Falls, Ohio 44444.

{¶ 6} The Secretary of the Commission should cause publication of the following legal notice in a newspaper of general circulation in Trumbull County, Ohio, one time, not less than seven days prior to the scheduled hearing:

#### LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled a public hearing in Case Nos. 18-1279-RR-RCP and 18-1280-RR-RCP regarding requests for exemption for school buses and motor vehicles carrying certain hazardous materials from stopping at the State Route 82 (DOT#262593S), State Route 534 (DOT#262590W), and County Highway 114D/Braceville Robinson Road (DOT#2625944) grade crossings in Trumbull County.

The purpose of the hearing will be to take public comment regarding the exemption requests. The hearing will be held on October 19, 2018, at 1:00 p.m., in the Braceville Township Administration Building, 586

Braceville Robinson Road SW, Newton Falls, Ohio 44444. For additional information regarding this matter, contact the Commission's Hotline at 1-800-686-7826. The hearing impaired can reach the Commission by dialing 7-1-1 (Ohio Relay Service).

{¶ 7} Pursuant to R.C. 4511.63, the Commission shall authorize a limited period for the filing of comments by any interested person regarding the exemption request. Therefore, any interested person may file comments on the exemption request by October 19, 2018.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Commission Staff file a report of investigation as set forth in Paragraph 4. It is, further,

{¶ 10} ORDERED, That a hearing be held in this case as set forth in Paragraph 5. It is, further,

{¶ 11} ORDERED, That the Secretary of the Commission cause publication of the legal notice in accordance with Paragraph 6. It is, further,

{¶ 12} ORDERED, That comments on the exemption request be filed as set forth in Paragraph 7. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served by certified and regular mail on NS, and by regular mail on the ODOT District 4 Railroad Coordinator, Supervisor of Transportation for LaBrae Local School District, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James Lynn

By: James M. Lynn  
Attorney Examiner

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**9/27/2018 2:16:18 PM**

**in**

**Case No(s). 18-1279-RR-RCP, 18-1280-RR-RCP**

Summary: Attorney Examiner Entry directing Commission Staff to file report of investigation, scheduling a local hearing, publication of legal notice and setting a limited period for comments electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission