

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

In the Matter of a Request by Tuscarawas Township for an
Exemption from Stopping for School Buses and Hazardous
Materials Vehicles at the Pleasant Valley Drive (DOT#474-190P)
Grade Crossing in Tuscarawas Township, Coshocton County.

Case Number 19-844-RR-RCP

May 22, 2019

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) §4905.471.

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

Ohio Central Railroad (OHCR) is a short line railroad that began in 1988 and operates in Muskingum, Coshocton, Tuscarawas, Holmes, and Stark counties. They operate 74 miles of track and have interchanges with the Columbus & Ohio River Railroad, CSX Transportation, Norfolk Southern Railway, Wheeling & Lake Erie Railroad, and the Ohio Southern Railroad. They were acquired by Genesee & Wyoming in 2008.

PROJECT DESCRIPTION

On April 9, 2019, the Coshocton County Engineer, on behalf of the Tuscarawas Township Trustees, petitioned for an exemption from school buses and hazardous material vehicles from stopping at the Pleasant Valley Drive (DOT#474-190P) grade crossing in Coshocton County, Ohio.

In the petition, the Coshocton County Engineer states that the tracks at Ostego Avenue have been removed and this prevents a train from traveling through the Pleasant Valley Drive Crossing. Since there is no train traffic at Pleasant Valley Drive, the county engineer wants the crossing to be classified as exempt.

There has been no train traffic over this crossing for over seven years and OHCR has no plans to restore rail service on this line.

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

Date of Assignment: April 19, 2019

Date of Inspection: April 22, 2019

Subject: 19-844-RR-RCP – Petition for exemption, Pleasant Valley Drive, Coshocton, Coshocton County, Ohio Central Railroad (OHCR).

DOT #: 474-190P

FINDINGS

On receipt of the present assignment, I conducted an inspection of the crossing on April 22, 2019. Tuscarawas Township 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 in Coshocton. Upon inspection I found a two lane roadway that travels east and west and is intersected by a highway rail grade crossing owned by the Ohio Central Railroad. The tracks intersect the roadway at M.P. 115.78 and runs north and south. The crossing consists of one main track which currently has standard crossbucks and yield signs as a passive highway rail grade crossing warning system. The roadway has a speed limit of 35 mph. The rail line has a timetable posted speed limit of 10 mph.

This crossing is part of a line that is already out of service. On August 15, 2016, Ohio Central Railroad advised Staff the status of crossings in the Coshocton area. The crossings at Cambridge Rd and Chestnut Street are already downgraded. The rails have been pulled on both sides of the crossings and removed from the street. The rails are also pulled on the south side of Otsego Avenue. The crossings between Chestnut Street and Otsego Avenue are inaccessible. The Railroad has not had any train traffic over these crossings in a number of years and does not intend to run trains over them in the foreseeable future. We do not relinquish our right to open this line in the future, but understand the warning devices will be restored at the Railroads expense should we do so. The same conditions are in in place at the current time. The railroad did not object to the exemption when it was originally proposed for this crossing by the local schools, however an exemption request was not submitted by the township during the original exemptions of the other crossings in the area.

SUMMARY

Currently the railroad does not have any traffic over the roadway. The roadway is used by both school buses and hazardous material vehicles. The exemption would help reduce the possibility of rear end collisions at a crossing with no current rail traffic.

RECOMMENDATIONS

In view of the foregoing findings and conclusions, I recommend the commission grant the exemption with the requirement the railroad must place a stop and flag order on the crossing for any future train movements over the highway rail grade crossing. In the event rail traffic greatly increases, the exemption status should be reviewed to verify it is feasible to remain in place.

Shawn Zurfley
PUCO/FRA Rail Inspector
Date: April 23, 2019



Pleasant Valley Drive Coshocton County, Ohio DOT#474-190P



East of Crossing looking West.



West of 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 no train traffic is on the tracks.
- 2) Require the operating railroad to place a stop and flag order on the crossing if train movements begin over the crossing.
- 3) If train traffic begins at the crossing, require 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.

DATABASE INFORMATION

Detailed database crossing information for this location can be found at

<https://gradecrossings.puco.ohio.gov>.

or at the specific link:

<https://gradecrossings.puco.ohio.gov/crossing/1395;guid=8d6e20b5-e9c4-4ad6-a642-7ab973e4738e>

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 5,300 miles of track and 5,800 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 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 28 years, the PUCO has participated in the installation of lights and gates at more than 2,100 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
Mike DeWine, Governor
Sam Randazzo, Chairman

180 E. Broad Street, Columbus, Ohio 43215-3793
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Summary: Staff Report Filed In the Matter of a Request by Tuscarawas Township for an Exemption from Stopping for School Buses and Hazardous Materials Vehicles at the Pleasant Valley Drive (DOT#474-190P) Grade Crossing in Tuscarawas Township, Coshocton County. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division