

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

In the Matter of an Exemption Request by the Trumbull County  
Engineer's Office for the Youngstown Belt Railroad Crossing at  
S. Leavitt Road (DOT#262-604C) in Trumbull County, Ohio.

Case Number 23-165-RR-RCP

May 17, 2023

## **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/RAILROAD**

The Youngstown Belt Railroad was established in 1997 and is headquartered in Youngstown, OH. They operate 14 miles in Portage and Trumbull counties.

Trumbull County, Ohio is found in the northeast portion of Ohio. This county, which was established in 1800, has a population of 201,977 according to the 2020 census. The village is located at the confluence of several major roadways including I-80, US 422, SR 11, 7, and 45.

## **PROJECT DESCRIPTION**

On February 10, 2023, the Trumbull County Engineer's Office (TCEO) filed a request for exemption for the S. Leavitt Road Crossings at DOT#142-710E and DOT#262-604C. In the request, TCEO stated that an exemption would increase safety for school buses and motor vehicles carrying certain hazardous materials travelling through the crossing when no train traffic is present. The crossing with DOT#142-710E has been found to have track removed by CSX and is now a closed crossing. Only the crossing with DOT# 262-604C is eligible for an exemption.

## **BACKGROUND**

This Youngstown Belt line has not experienced train traffic for several years and is classified by the railroad as out of service. The crossings have been asphalted over and the tracks have vegetation. Therefore, no train traffic will be seen at this grade crossing.

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

**Date of Assignment:** April 19, 2023

**Date of Inspection:** April 24, 2023

**Case Number:** 23-165-RR-RCP

**DOT No:** 262604C

**Road Name:** South Levitt Road

**FINDINGS**

On receipt of the present assignment, I conducted an inspection of the crossing on April 24, 2023. The Trumbull County Engineer 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 Levittsburg in Trumbull County, Ohio. Upon inspection I found a two-lane roadway that travels north and south with a highway rail grade crossing owned by the Youngstown Belt Railroad, Youngstown sub-division, Freedom Branch, and runs east and west. The crossing has lights, crossbucks and cantilever.

This line has been classified by the railroad as out of service and they do not currently operate on this track. This crossing is inaccessible to trains due to vegetation, and the next crossing Martin King Avenue (DOT# 262605J) having been asphalted over.

**SUMMARY**

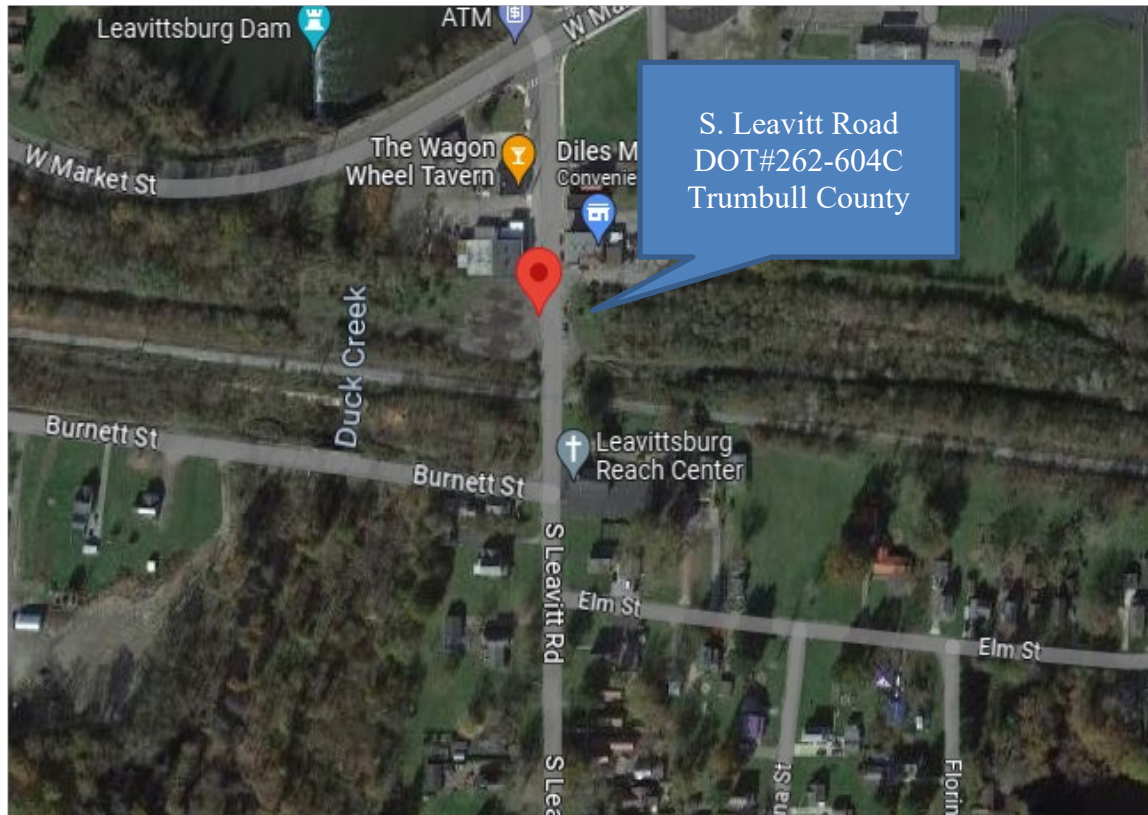
This line has been classified by the Railroad as out of service and they do not currently operate on this track. This crossing is inaccessible to trains, and it has been over a decade since a train has been on this line.

**CONCLUSIONS &  
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.

Kevin Lesh PUCO  
Inspector  
Date: April 27, 2023

## S. Leavitt Road (DOT#262-604C) / Trumbull County, Ohio



## Crossing Pictures



S. Leavitt Road (DOT#262-604C)  
South of Crossing looking  
North.



S. Leavitt Road (DOT#262-604C)  
North of Crossing looking South.





S. Leavitt Road (DOT#262-604C)  
West of Crossing looking East.



S. Leavitt Road (DOT#262-604C)  
East of Crossing looking West.



## **STAFF RECOMENDATIONS**

PUCO Rail Staff recommend the following actions be taken:

- 1) Approve the exemption request for S. Leavitt Road, in Trumbull County, to prevent vehicles from stopping at the crossing, since no train traffic will be on the tracks.
- 2) Require installation of derail devices west of crossing to prevent train traffic. Crossings east of this crossing are inaccessible due to being paved over.
- 3) Require Youngstown Belt Railroad to notify the PUCO if rail traffic resumes at this grade crossing, and any future train movements over the grade crossing be required to be flagged per operating rules.
- 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:

[\*\*S. Leavitt Road Trumbull County\*\*](#)

## **OTHER INFORMATION**

### **Ohio's Rail Grade Crossing Programs**

Ohio is a national leader in terms of railroad operations. Ohio is home to nearly 36 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 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 32 years, the PUCO has participated in the installation of lights and gates at more than 2,200 grade crossings across Ohio. We look forward to working with your community to help make grade crossings as safe as possible.

The Public Utilities Commission of Ohio  
Mike DeWine, Governor  
Jenifer French, Chair

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

*An Equal Opportunity Employer and Service Provider*

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**5/17/2023 10:06:42 AM**

**in**

**Case No(s). 23-0165-RR-RCP**

Summary: Staff Report Filed In the Matter of an Exemption Request by the Trumbull County Engineer's Office for the Youngstown Belt Railroad Crossing at S. Leavitt Road (DOT#262-604C) in Trumbull County, Ohio. electronically filed by Mr. Thomas Persinger on behalf of PUCO/Rail Division.