



STATE OF WASHINGTON  
**UTILITIES AND TRANSPORTATION COMMISSION**

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August 13, 2019

Robert Brogan, Information Collection Clearance Officer  
Office of Railroad Safety, Regulatory Analysis Division  
Federal Railroad Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

**RE: UTC Comments on OMB Control Number 2130-NEW – Inquiry into Blocked  
Highway-Rail Grade Crossings throughout the United States**

Dear Mr. Brogan:

Staff of the Washington Utilities and Transportation Commission (UTC) provides this response to the Federal Railroad Administration's (FRA) Notice of Information Collection (Notice) and request for comment published on Jun. 14, 2019.

As described in the Notice, the FRA's proposed data collection related to blocked highway-rail grade crossings would be conducted using three methods:

1. A link would be added to FRA's existing website directing a user to a web-based form to submit information about a blocked crossing to FRA. Access would be unrestricted and available to the general public.
2. A link would be added to the existing FRA phone app "FRA Crossing Locator App" that will direct users to an app-based form to submit information about a blocked crossing to FRA. Access would be unrestricted and available to the general public.
3. A link would be added to FRA's existing website directing law enforcement personnel to submit information about a blocked crossing to FRA. Access for law enforcement personnel would be restricted to users with a username and password and managed by FRA.

Upon accessing the form, a user would be notified that there are no federal laws or regulations that specifically address the length of time a train may occupy a highway-rail grade crossing. The user would be notified that the information submitted will not be forwarded to a railroad, State, or local agency, and is only being used for data collection purposes to determine the locations, times, and impacts of blocked crossings. The questions asked on each form will be identical for all three methods of collection.

The FRA estimates the reporting burden for each method as follows:

<b>Form</b>	<b>Total estimated annual responses</b>	<b>Average time per response</b>	<b>Total annual burden hours</b>
General Public via the unrestricted form on the FRA website	335 responses	15 minutes	84 hours.
General Public via the FRA Crossing Locator Phone Application	50 responses	15 minutes	13 hours.
Law Enforcement Personnel via the limited access form on the FRA website	100 responses	15 minutes	25 hours.
<b>Total</b>	485 responses	15 minutes	122 hours.

In the Notice, the FRA requested comments on the following four items. UTC staff's comments are included with each item:

<b>Item</b>	<b>UTC Staff Comments</b>
1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility.	UTC staff believes the information collection activities related to blocked crossings are necessary for the FRA to properly execute its functions and support its mission of enabling safe, reliable, and efficient movement of people and goods. The activities will have a practical utility, as they will likely provide the FRA a better indication of the magnitude and frequency of blocked crossing problems across the country. Blocked crossings create safety issues for pedestrians and drivers nationally and need to be addressed at this level.
2) The accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates.	UTC staff believes the FRA's estimate for annual responses is low. Once the general public has a clearly-identified way to report blocked crossings to the FRA, UTC staff believes more citizens will report them. For example, between Jun. 14 and Jul. 31, 2019, the FRA received 125 public comments on this Notice. Only one comment was related to the proposed data collection methods, and the remaining comments were related specifically to blocked crossing incidents. That's one quarter of the responses FRA expects to get in a year, received in just over a month. Since 2013, the UTC received



Item	UTC Staff Comments
	an average of 13 complaints per year. Through Jun. 2019, we have already received 27 complaints.
3) Ways for FRA to enhance the quality, utility, and clarity of the information being collected.	UTC staff recommends that the FRA gather as much information about the location, duration, and nature of the crossing blockage as possible. If the FRA moves forward with blocked crossing data collection, UTC staff recommends a national educational campaign which provides information on how to report blocked crossings. Adequate public awareness and education is key to gathering representative data on any topic. Once the data is collected and analyzed, UTC staff hopes that the FRA will share the data publically.
4) Ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.	Providing a more "user-friendly" method for the public to comment on blocked crossings will help minimize the burden of information collection on the public. UTC staff recommends the FRA consider developing a simple web app that contains key data fields and/or the ability for users to associate photos such as an ENS sign when reporting a blockage. Given the widespread use of mobile phones, UTC staff believes this to be a key collection method.

The UTC currently forwards all blocked crossing complaints to the FRA. Once the new link is established on the FRA's site, our staff will direct members of the public there for any blocked crossing complaints. We will also feature the link on the UTC's website.

UTC staff urges the FRA to move forward with data collection, analysis and investigation of the impacts of blocked crossings and to take appropriate action to address the serious impacts.

Thank you for the opportunity to comment. Please contact Betty Young, Rail Safety Program Advisor, at (360) 664-1202 or [betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov) with any questions.

Sincerely,



Mark L. Johnson  
Executive Director and Secretary

