



Legislation Details (With Text)

**File #:** 75534      **Version:** 1      **Name:** Petition to Commissioners of Railroads - Revision  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/10/2023      **In control:** TRANSPORTATION COMMISSION  
**On agenda:** 1/17/2023      **Final action:** 1/17/2023  
**Enactment date:** 1/18/2023      **Enactment #:** RES-23-00075  
**Title:** Petition to Commissioners of Railroads - Revision  
**Sponsors:** Satya V. Rhodes-Conway, Keith Furman  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ex.-City of Madison-Cechvala-1-r.pdf

Date	Ver.	Action By	Action	Result
1/17/2023	1	COMMON COUNCIL	Adopt unanimously under suspension of MGO 2.055	Pass
1/11/2023	1	Transportation Department	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER	

**Fiscal Note**

The proposed resolution petitions the Commissioner of Railroads for crossing improvements related to Bus Rapid Transit (BRT). No City appropriation is required. Any future costs associated with improvements would be funded within Transportation's existing capital budget for BRT.

**Title**

Petition to Commissioners of Railroads - Revision

**Body**

WHEREAS, the City of Madison proposes to alter and improve the at-grade crossings of Randall Avenue, and East Washington Avenue, public streets, with the tracks of the Wisconsin Southern Railroad, and

WHEREAS, section 346.45 Wisconsin statutes requires certain specified vehicles, such as fuel trucks, school buses, and municipal buses, to stop at rail-highway crossings unless posted with an exempt sign, and

WHEREAS, the crossings of East Washington Avenue are used school buses, municipal buses, fuel trucks, and other vehicles required to stop at all non-exempt rail-highway crossings, and

WHEREAS, Section 195.285 Wisconsin Statutes authorizes the Office of the Commissioner of Railroads to determine whether it would be in the public interest to exempt vehicles specified in section 346.45 Wisconsin Statutes from stopping at such grade crossing, and

WHEREAS, the exemption of the East Washington Avenue crossings would be in the public interest, particularly in light of the planned east-west bus rapid transit line and its associated improvements, and

WHEREAS, the alteration of the crossing is necessary to promote public safety and convenience by accommodating changes that will benefit the East-West bus rapid transit line, and

WHEREAS, Sections 195.28 and 195.29 Wisconsin Statutes authorize the Office of the Commissioner of

Railroads to determine whether the alteration of the crossing is necessary to promote public safety and convenience, to determine the necessary warning devices for the new crossing, and to apportion all costs for the crossing, including the costs of any automatic warning devices, and

WHEREAS, on June 7, 2022 the Madison Common Council passed RES-22-00421 (legistar 71489) regarding submitting a Petition to the Commissioner of Railroads, and this resolution modifies the petition to remove the proposed changes at the University Ave crossing and adjacent pedestrian and bicycle crossings at Babcock Drive,

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison hereby directs the Transportation and Metro Transit staff to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order to approve the alteration of the crossing, to determine the necessary warning devices, and to apportion the costs for the crossing of Randall Avenue and East Washington Avenue with the tracks of the Wisconsin Southern Railroad in Madison, Dane County, Wisconsin.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Madison hereby directs the Transportation and Metro Transit staff to take all necessary steps to petition the Office of the Commissioner of Railroads to exempt the at-grade crossings of East Washington Avenue with the Wisconsin Southern Railroad tracks from the stopping requirement of section 346.45 Wisconsin Statutes in Madison, Dane County, Wisconsin.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Madison staff shall comply with Chapter 195, Wisconsin Statutes and RR 1.025, Wisconsin Administrative Code in the filing of the petition.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Madison staff shall provide a copy of this resolution and the petition to the Wisconsin Department of Transportation, the local school district, the Wisconsin Southern Railroad, and any other interested party.