



## Legislation Text

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### 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 the Commissioner of Railroads for BRT improvements (5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 12<sup>th</sup> ADs)

### Body

**WHEREAS**, the City of Madison proposes to alter and improve the at-grade crossings of University Avenue, 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Madison hereby directs the Transportation Department 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 University Avenue, 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 FINALLY 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.