

SAMPLE PETITION

STATE OF INDIANA

INDIANA DEPARTMENT OF TRANSPORTATION

PETITION OF THE ("NAME OF PETITIONER")
FOR THE APPROVAL TO REMOVE ("TYPE OF
PROTECTION") AT THE ("NAME STREET, ROAD
ETC."), PUBLIC GRADE CROSSING, LOCATED
IN THE ("CITY, TOWN, ETC."), ("NAME COUNTY"),
INDIANA,

PETITIONER,

and

("NAME CITY, TOWN, ETC.") AND THE
INDIANA UTILITY CONSUMER COUNSELOR
FOR THE STATE OF INDIANA, (ETC.), ANYONE
ELSE DIRECTLY AFFECTED

RESPONDENTS,

The ("Name of the Petitioner"), ("Petitioner") respectfully petitions the Indiana Department of Transportation ("I.N.D.O.T.") for approval to remove ("type of protection") at the ("name street, road, etc.") Public Grade Crossing located in the ("Name City, Town, Etc."), (Name County"), Indiana.

In support of this petition, Petitioner alleges the following:

1. Comes now ("Name of Petitioner") and states that it is a railway corporation authorized to do business in the State of Indiana, as a common and contract carrier in ("intra and/or interstate") commerce.
2. That ("Name of Petitioner") owns and operates the following line of railroad through the ("Name City, Town, etc."), ("Name County"), Indiana:
3. That ("Name City, Town, etc.") is named as Respondent for the reason that is a duly constituted, authorized and elected public body legally authorized and charged with the responsibility of construction, reconstructing, maintaining the operating all streets and roads, with the exception of state highways, in the ("name City, Town, etc."), ("Name County"), Indiana.
4. The Utility Consumer Counselor of Indiana is named as Respondent pursuant to I.C. 8-1-1-5.
5. Accordingly, this petition is filed pursuant to the provisions of I.C. 8-6-7.7 confers upon the Department special powers and duties regarding railroad highway crossings and safety precautions and devices.
6. ("Name Petitioner"), ("Name Division"), ("Name Subdivision"), ("Name Line") operates a ("single, double, etc.") track and ("one, two, etc.") spur tracks in a general ("east/west" etc.) direction through the ("Name City, Town, etc.") grade crossing DOT_AAR-_____ -_____.
7. The ("Name Petitioner" intends to remove and retie the (Type of protection) and install ("name replacement protection").

* *IMPORTANT INFORMATION REQUIRED WITH YOUR PETITION REQUESTING AUTHORITY TO DOWN GRADE PROTECTION.*

- A. HAS THIS CROSSING EVER BEEN DECLARED EXTRA-HAZARDOUS PURSUANT TO I.C. 8-6-7-1?
- B. DATE THIS PROTECTION WAS INSTALLED? (IF AVAILABLE)
- C. WAS FEDERAL OR STATE MONIES USED WITH REGARDS TO PROTECTION DEVICES OR INSTALLATION?
- D. LIST ALL RAIL-HIGHWAY GRADE CROSSING ACCIDENT/INCIDENTS AT THIS CROSSING.

- E. WHAT ARE THE MOTORIST VIEW SIGHTS AT THIS CROSSING IN FEET?
 (1.) TAKE TWENTY (20) FOOT BACK FROM CENTER R LINE OF RAIL.
- F. WHAT ANGLE OF DEGREES DOES THE ROAD INTERSECT THE TRACKS?
- G. WHAT ELEVATION IS THE ROAD IN CONJUNCTION WITH THE TRACKS?
- H. ARE THERE ANY ROAD CHARACTERISTICS OTHER THAN THE CROSSING THAT COULD DIVERT A MOTORISTS ATTENTION?
 (1) INTERSECTING ROADS (4) SCHOOL
 (2) ROAD CURVATURE (5) FACTORY
 (3) NARROW BRIDGE (6) OTHER _____
- I. IN WHAT TYPE OF AN AREA IS THIS CROSSING LOCATED?
 (1) RESIDENTIAL (3) FARM
 (2) INDUSTRIAL (4) OTHER _____
- J. ARE THERE ANY OF THE FOLLOWING WITHIN A ONE (1) MILE RADIUS?
 (1) SCHOOL (4) FIRE STATION
 (2) HOSPITAL (5) PARK
 (3) POLICE STATION
- K. VEHICLE TRAFFIC? *EX. HEAVY/HEAVY/MODERATE/LIGHT*
 (1) AUTOMOBILE AND LIGHT TRUCKS
 (2) SEMI-TRUCK TRAFFIC
 (3) SCHOOL BUSES
- L. CURRENT POSTED SPEED LIMIT OF THIS STREET, ROAD?
- M. HOW MANY SETS OF RAIL?
 (1) MAIN LINE _____
 (2) SPUR TRACKS _____
 (3) OTHER _____
- N. ARE THERE ANY SIDINGS IN VIEW OF THIS CROSSING?
- O. CURRENT NUMBER OF TRAINS PER WEEK?
 (1) FREIGHT _____
 (2) PASSENGER _____
 (3) OTHER _____
- P. CURRENT NUMBER OF TRAINS PER WEEK?
 (1) FREIGHT _____
 (2) PASSENGER _____
 (3) OTHER _____
- Q. FRA TRACK CLASSIFICATION?
- R. ARE HAZARDOUS MATERIALS BEING SHIPPED ON THIS LINE?

(1) IF YES INDICATE TYPE

S. DETAILED MAP OF THE ENTIRE AREA.

T. ALL OTHER COMMENTS OR FACTS PERTINENT TO THIS CAUSE.

The person executing this petition on behalf of petitioner hereby represents and certifies unto said Indiana Department of Transportation that the proper officers executed said petition and that the matters stated therein are correct to the best of their knowledge and belief.

BY: _____

TITLE: _____

ADDRESS: _____

CERTIFICATE OF SERVICE

I hereby certify that this date served copies of this Petition upon the following necessary parties to this proceeding:

Indiana Utility Consumer Counselor
501 Government Center North
Indianapolis, Indiana 46204

Said, Etc. service was accomplished by depositing said copies in the United States mail, addressed as shown above, and with first-class postage affixed.

Done this _____ day of _____ 20 __, at _____

SIGNED _____