

ORIGINAL

Decision No. 14131

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the application of
NORTHWESTERN PACIFIC RAILROAD COMPANY
for permission to construct a second
track crossing certain streets at
grade between Fairfax and Manor, in
the County of Marin, State of Califor-
nia.

Application No. 10386.

Stanley Moore and Ralph W. Palmer, for
Applicant.
Henry E. Greer, for the County of Marin
and Fairfax School District.
Geo. H. Harlan and Thos. C. Jordan, for
Fairfax Lbr. Co.
D. M. Willis, pro se. protesting.

WHITTELSEY, COMMISSIONER:

O P I N I O N .

In this application the Northwestern Pacific Railroad Company seeks permission to install its second track at grade across two highways, more specifically described hereinafter, between Fairfax and Manor, Marin County.

A public hearing was held in this proceeding at San Anselmo, on September 11, 1924, in conjunction with Applications 10384 and 10385, the testimony and evidence being consolidated for the three applications.

This second tract is part of the double tracking contemplated between San Anselmo and Manor, the latter town being

the terminus of electric interurban service from San Francisco. Steam operation extends north beyond Manor.

Testimony shows that there has been a relatively great growth in this interurban traffic during the past few years; that single track operation is fraught with delays and inconvenience, particularly when trains are operating on thirty minute schedule; that a twenty minute interurban schedule, if and when substituted for the present thirty minute service, would be impossible with existing facilities; and that hazard of ^{train} accidents would be decreased by installing this second track.

The hearing developed that no one represented had any opposition to the installation of the second track, provided the operation of trains thereover was properly safeguarded.

Under present single-track conditions, the two highways have no signal protection, although the view is not wholly unobscured. The crossing north of Fairfax presents a sharp grade and curves from the west; from the east, a sharp down grade. The one south of Manor has a slight grade from the west. Hazard to highway traffic at the crossing will be substantially greater with double track operation than it is with single track operation. Protection should therefore be provided at both crossings, and automatic flagmen are therefore recommended.

The following form of order is recommended:

ORDER .

Northwestern Pacific Railroad Company, a corporation, having made application for permission to install its second track at grade across two highways, more specifically described hereinafter, in the County of Marin, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision

IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Northwestern Pacific Railroad Company to construct its second track at grade across the street or highway north of Fairfax at Engineer's Station 616 + 23, and the street or highway south of Manor at Engineer's Station 622 + 96, in the County of Marin, State of California, as shown by the map (Exhibit "A") attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said road now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding five (5) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) If said crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) Automatic flagmen shall be installed and maintained for the protection of said crossings at the expense of the applicant. Said automatic flagmen shall be of a type and installed in accordance with plans or data approved by the Commission.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 4th day of October, 1924.

H. B. Brundage

Irving Martin

J. T. Whittney
Commissioners.