

Decision No. 14587

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Rosemead Improvement Association, )  
Complainant, )

Vs. )

Southern Pacific Company, )  
Defendant. )

Case 2067.

ORIGINAL

F. D. McSweeney, for complainant.  
Frank Karr, for Southern Pacific Company, defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding the Rosemead Improvement Association, an organization for the welfare and protection of the people of Rosemead, Los Angeles County, complainant herein, alleges that the Southern Pacific Company operates its east and west bound trains across the public highway at Rosemead Avenue, a main thoroughfare of Rosemead, an unincorporated Community, without any warning signals whatsoever that can be seen from the highway, and complainant asks to have an automatic flagman erected at a convenient point which can be seen by north and south bound vehicular traffic.

The defendant answers complainant and denies that Rosemead Avenue is a main thoroughfare of Rosemead, and further denies that at the crossing of Rosemead Avenue and the tracks of the Southern Pacific Company, there is no warning signals that can be seen from the highway and alleges that said crossing is now protected by a standard highway crossing sign.

The defendant further alleges that the vehicle traffic is very light and that from a point 30 feet from either side of the center line of said track the view is unobstructed along the tracks eastward for approximately one mile, and westward for

approximately one and one-half mile, and that the cost of installing and maintaining an automatic flagman would not be justified.

A public hearing was held on this matter in Los Angeles January 16, 1925, before Examiner Williams.

This grade crossing is located approximately one-half mile north of the Community of Rosemead, Los Angeles County, and is now protected by the usual standard crossing and advance signs. Rosemead Avenue is a rural highway paved with oiled gravel.

Complainant introduced evidence that the view of approaching trains is obscured to some extent by brush and trees, and also estimated that from 300 to 400 vehicles normally pass over this crossing in 24 hours.

A traffic check made by the defendant shows that on Sunday, January 11, from 6:00 A.M. to 6:00 P.M. a total of 17 trains, 282 automobiles and 16 pedestrians passed over this crossing, and on Monday, January 12, from 6:00 A.M. to 6:00 P.M. a total of 16 trains, two motor cars, 222 automobiles, 10 horse drawn vehicles and 26 pedestrians passed over the crossing.

The evidence shows that the view from Rosemead Avenue from a point either 45 feet north or south from the center of the crossing is unobstructed along the tracks eastward and westward for more than a thousand feet. From points 60 feet north and south of the center of the crossing, the view along the track eastward and westward is unobstructed for approximately 600 feet. From points further back from the crossing, the view of approaching trains is obscured to some extent by brush on the right of way and along the highway adjacent to the right of way.

It appears that the view of approaching trains can be

greatly improved by the removal of all brush on the railroad right of way for at least 500 feet on each side of Rosemead Avenue, and also by removing the brush and trees along Grand Avenue adjacent to the right of way.

After due consideration of all the evidence, it appears that the present vehicular traffic is not heavy enough to warrant the installation of an automatic flagman. There are, in fact, many grade crossings apparently more hazardous and more heavily traveled than the one under consideration in this proceeding, that first require additional protection. It does not appear that public convenience and necessity justifies the approval of this complaint by the Commission at this time, and this complaint should be dismissed without prejudice.

#### O R D E R

Rosemead Improvement Association having asked that the grade crossing of Rosemead Avenue over the tracks of the defendant be provided with an automatic flagman, a public hearing having been held in the above entitled proceeding, the Commission being apprized of the facts, and the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the Southern Pacific Company shall, at its own expense, remove all brush on the right of way for a distance of at least 500 feet easterly and westerly of Rosemead Avenue. The removal of this brush shall be made within thirty (30) days from the date of this order and the Commission shall be notified, in writing, of the completion of the removal of this brush within thirty (30) days thereafter.

IT IS HEREBY FURTHER ORDERED that the above entitled  
complaint be and the same is hereby dismissed without prejudice.

Dated at San Francisco, California, this 14<sup>th</sup> day of  
February, 1925.

H. A. Brandege

C. L. Seaver

Egerton Shore

George D. Squires

Esmeralda

Commissioners.