

Decision No. 216323 ,

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE COUNTY OF TUOLUMNE for an order
authorizing the improvement and wid-
ening of grade crossing Number
39-54.4 over the Sierra Railway Com-
pany's main line in the vicinity of
Ralph.

ORIGINAL

Application No. 15637.

Mr. C. E. Grayson, District Attorney,
for Applicant County of Tuolumne.

Mr. W. E. Newell, for Sierra Railway
Company, Protestant.

BY THE COMMISSION:

O P I N I O N

In the above entitled application an order is sought authorizing a line change, together with the widening of the grade crossing of a county road (No. 39-54.4) over the Sierra Railway Company's Main Line at Ralph Station, Tuolumne County.

A public hearing was conducted by Examiner Williams at Sonora on August 16th, 1929.

Applicant alleges that the present crossing of the county road over the tracks of the Sierra Railway has been in use for the past twenty-five (25) years and that a separation of grades is impracticable on account of the prohibitive cost.

The Sierra Railway Company protests the change of alignment of the crossing, as shown on the map attached to the application, and contends that the angle of the crossing should be more nearly at right angles to the main track than is proposed by applicant. The railroad, however, does not protest the improvement or widening of the crossing.

This grade crossing is located at Ralph Station, on the Sierra Railway, which is at the summit of the hill between Tuolumne and Sonora. The present road crosses Southern Pacific Company's main line at an angle of about seventy-five (75) degrees and, in addition, three adjoining side tracks, two of which are owned by the Sierra Railway Company and the other by the Pickering Lumber Company, not a common carrier. The highway alignment is on a curve on both sides of the tracks. The grade of approach at the present crossing is approximately three (3) per cent to the west and one (1) per cent on the east.

The County now proposes to improve the road and change the angle of crossing to about twenty-eight (28) degrees by extending the roadway to the west over the track, thence on a curve to the right with radius of about eight hundred fifty (850) feet.

The grade of the tracks at the crossing and for a short distance each side thereof is approximately level; on each side of this level section, however, the track descends on a three (3) per cent grade. The road, as now constructed, crosses the frogs of one of the spur tracks and in close proximity to a frog of another track.

The Pickering Lumber Company's railroad has its interchange with the Sierra Railway Company at Ralph Station and cars are switched to and from their respective tracks over this crossing. All trains on the Sierra Railway stop before crossing the highway and register at Ralph Station. There are two passenger trains and four freight trains normally operated over the Sierra Railway Company's line daily, with no night operation. Freight trains do frequent switching over this crossing, all trains operating at a speed of about four miles per hour over the crossing.

Mr. Ernest H. Hodges, County Supervisor, under whose supervision the improvement of the county road is being made, testified that he objected to the present alignment of the grade

crossing referred to herein, due to the fact that the curves on the highway cannot be superelevated over the track and, in his opinion, the crossing proposed by the County would be the safest for the travelling public. He also testified that considerable of the vehicular traffic travelled at high rates of speed in the vicinity of the proposed crossing and, therefore, a straight crossing over the tracks would be safer than one on a curve, because a curved crossing presents a hazard to a vehicle if travelling at a high rate of speed, unless superelevated.

W. H. Newell, Assistant General Manager for the Sierra Railway, expressed an opinion that a crossing constructed on the alignment proposed by applicant would be more hazardous than one constructed more nearly at right angles to the track. In support of this position, he stated that:

(a) The crossing proposed by applicant over the railroad is much longer than would be the case if the angle is increased;

(b) A slight curve in the roadway would tend to reduce the speed of vehicular traffic; and

(c) The driver's view is improved with the crossing being on the greater angle, as the highway and railroad to the east of the crossing diverge on an angle of approximately 28 degrees.

After carefully considering all of the evidence in this case, it appears that the proper type of crossing to install, with respect to alignment, is one where the highway and main line track of the Sierra Railway will cross at an angle of approximately 50 degrees. This type of crossing will necessitate slight curves in the highway on either side of the track but if curves are selected with a reasonable length of radii, they should not present a serious hazard to the vehicular traffic in this location. Also such a crossing will be easier to maintain than would be the case of a crossing along the line proposed by applicant.

O R D E R

The Board of Supervisors of the County of Tuolumne, State of California, having filed with this Commission an application for permission to reconstruct and widen the present road crossing No. 39-54.4 across the tracks of the Sierra Railway Company, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the Board of Supervisors of the County of Tuolumne, State of California, to reconstruct and improve the public highway at grade across the tracks of the Sierra Railway Company, Crossing No. 39-54.4.

Said crossing to be constructed subject to the following conditions, namely:

(1) Said crossing shall be constructed in accordance with a plan to be submitted by applicant within sixty (60) days from the date of this order and subject to the Commission's approval. Said plan shall provide an angle of approximately 50 degrees and a width of not less than twenty-four (24) feet nor more than thirty (30) feet.

(2) The expense of constructing the crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The cost of constructing the crossing between lines two (2) feet outside of the outside rails shall be borne by the Sierra Railway Company. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by the Sierra Railway. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of the Sierra Railway Company.

(3) The crossing shall be constructed with grades of approach not greater than three (3) per cent; shall be constructed equal or superior to Standard No. 3, as specified in General Order No. 72 of this Commission; shall be protected by two Standard No. 1 crossing signs, as specified in General Order No. 75 of this Commission and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

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

(5) If said crossing 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.

(6) The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said crossing, 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 30th day of September, 1929.

Thomas S. Lovell

Edwards

W. M. Smith

Leon C. Howell

M. J. Carr

Commissioners.