

Decision No. 21670

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of Los Angeles & Salt Lake Railroad  
Company, a corporation, for permission  
to maintain and operate an overhead  
bridge with impaired clearances.

ORIGINAL  
Application No. 15789.

BY THE COMMISSION:

O R D E R

Los Angeles and Salt Lake Railroad Company, a corporation, has filed with the Commission an application for an order authorizing a deviation from the requirements of paragraph (a) of Section 9 of the Commission's General Order No. 26-C, which order provides a minimum overhead clearance of 14 feet where railroads cross above public roads, highways, and streets.

There has existed near Brant Station, a highway crossing identified as No. 3-263.6: Applicant has recently extended a passing track at this location and in connection therewith has re-located this highway under Bridge No. 263.91; thus forming an undergrade crossing identified as Crossing No. 3-263.9-B.

Investigation by the Safety Division of the Commission discloses that the opening under this bridge where the highway is at present located is 11.76 feet wide and 10 feet high above the surface of the highway; that the road appears to be very little used, and that the opening under this bridge is apparently sufficient to accommodate any traffic that might desire to use said highway.

Applicant alleges that said highway is not a part of the county highway system of the County of San Bernardino, and is an unimproved road carrying very little traffic and probably will not be used to any extent except as a detour in the event of road work on the main highway in that vicinity.

The Highway Commission of San Bernardino County have advised by letter that they have no objection to the road change as proposed.

It appears that this highway has never been dedicated to public use and has never been formally accepted by the County of San Bernardino and that there is available for the public use a highway crossing over Los Angeles and Salt Lake Railroad at a point 3.8 miles east and 5.2 miles west of the location of said undergrade crossing.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to applicant, Los Angeles and Salt Lake Railroad Company, a corporation, to maintain and operate bridge known as No. 263.91, located near Brant Station, near Mile Post 263.5, County of San Bernardino, State of California, with overhead clearance of not less than ten (10) feet above surface of highway, said crossing being identified as Crossing No. 3-263.9-B, provided, however, that proper impaired clearance signs shall be erected and maintained on each side of said bridge by applicant, Los Angeles and Salt Lake Railroad Company, specifying the actual clearance to be maintained.

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

Dated at San Francisco, California, this <sup>15</sup> 14 day of October, 1929.

Thomas J. Lovell  
Chairman  
Leon Whittell  
Commissioner