

Decision No. 10753

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

-oOo-

In the matter of the application of
the People of the State of California
on the relation of the Department of
Public Works for an order authorizing
the construction of a State highway
grade crossing over the tracks of the
Southern Pacific Railroad Company, a
corporation, about two miles northwest
of Indio, in Riverside County, California.)

ORIGINAL

) Application No. 7658.

S. V. Cortelyou, for Applicant.
F. B. Austin, for Southern Pacific Railway.
G. E. Bowles, for Associated Chambers of
Commerce of Imperial Valley.
J. Winn Wilson, for Indio Chamber of Com-
merce.

BY THE COMMISSION:

O P I N I O N

In this application the People of the State of California on the relation of the Department of Public Works ask for an order authorizing the construction of a State highway at grade across the track of Southern Pacific Company about two miles northwest of Indio.

A public hearing was held in this application on May 18, 1922, at Indio before Examiner Williams.

The Department of Public Works of the State of California is constructing a State highway from Edom to Indio, being designated as Division VII, Route 26, Section E. This highway will be a part of the main through route from Los Angeles to the Imperial Valley by way of Redlands and Coachella Valley. This highway is located on the northerly side of the main line of

the Southern Pacific all the way between Los Angeles and the point of the proposed crossing and in order to reach Imperial Valley it must necessarily cross the railroad at some point. The point designated in the application appears to be as satisfactory as any that could be selected for the location of a grade crossing, and there being no question as to the necessity for a crossing in some manner in this general vicinity, the only points to be determined are the particular point of crossing, the manner of crossing and the apportionment of the cost.

The Associated Chambers of Commerce of Imperial Valley objected to the construction of such an important highway at grade over the main line of Southern Pacific Company, claiming that this road would be of sufficient importance to justify a separation of grades.

It is estimated by the California Highway Commission that an undergrade crossing at this location would cost \$37,100.00 and that an overgrade crossing would cost considerably more.

It is estimated that the total traffic over the highway at this point will average about 250 vehicles per day. The traffic on the railroad at this location averages ten passenger trains, ten freight trains and six light engines daily. The view at the proposed crossing is open, unobstructed in all directions and the track is approximately three feet above the adjacent ground surface.

Under these conditions, it does not appear that the hazards incident to a grade crossing carrying no more than the amount of traffic indicated justifies an expense in excess of \$30,000 for its elimination.

It appears, therefore, that the application should be granted and that the crossing when installed should be protected by an automatic flagman.

O R D E R

The People of the State of California on relation of the Department of Public Works having made application for permission to construct a State highway at grade across the track of Southern Pacific Company about two miles northwest of Indio in the County of Riverside, a public hearing having been held, the Commission being apprised of the facts and the matter being under submission and ready for decision,

IT IS HEREBY FOUND AS A FACT, that public convenience and necessity require the establishment of a public crossing at grade at the point hereinafter set forth under certain conditions as hereinafter specified, therefore

IT IS HEREBY ORDERED, that permission be and it is hereby granted the People of the State of California on relation of the Department of Public Works to construct a State highway at grade across the track of Southern Pacific Company at the intersection of the track of said Southern Pacific Company with the west line of Section 15, T. 5 S., R. 7 E., S.B.B. & M., as shown on the map marked "Exhibit A" attached to the application subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twentyfour (24) feet and at an angle of fiftynine (59) degrees to the railroad and with grade of approach not greater than three (3) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles

and other road traffic.

(3) An automatic flagman shall be installed for the protection of said crossing. Said automatic flagman shall be of a type and installed in accordance with plans or data approved by the Commission. The cost of installing said automatic flagman shall be borne by the applicant and the cost of its maintenance thereafter shall be borne by Southern Pacific Company.

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

(5) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order 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.

Dated at San Francisco, California, this 6th
September
day of ~~August~~, 1922.

H. B. Brundage
Charles H. Brundage
Charles H. Brundage
Charles H. Brundage
Commissioners.