

ORIGINAL

Decision No. 11269

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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Highland Park Chamber of Commerce,)
Complainant,)

vs.)

Case No. 1748.

The Atchison, Topeka and Santa Fe)
Railway Company,)
Defendant.)

Highland Park Chamber of Commerce,)
Complainant,)

vs.)

Case No. 1749.

Los Angeles and Salt Lake Railroad)
Company,)
Defendant.)

D. M. Cuthbert and G. J. Burns, for Complainant.
R. H. Tuttle and E. T. Lucey, for The Atchison,
Topeka and Santa Fe Railway Company.
F. E. Pettit, Jr., for Los Angeles and Salt Lake
Railroad Company.
Milton Bryan and E. Z. Osborne, Jr., for City
of Los Angeles.

BY THE COMMISSION:

O P I N I O N

In these proceedings the Chamber of Commerce of Highland Park asks that certain grade crossings of public streets over the tracks of the defendants be provided with automatic flagmen and that the bells or gongs now installed at certain grade crossings be removed.

A public hearing was held on these matters in Los Angeles September 12, 1922, before Examiner Williams. No objection

was made to joint hearing and decision.

The Highland Park Chamber of Commerce, complainant herein, is a voluntary association of individuals residing in that portion of the City of Los Angeles, commonly known as the Highland Park District.

Complainant asks in Case 1748, that the automatic bells or gongs now located at the crossings of West Avenue 54, West Avenue 59, West Avenue 60 or at any other crossings herein mentioned, be removed or silenced and that an automatic flagman (sometimes called a wig wag) be installed and maintained at the crossings of West Avenue 51, West Avenue 53, West Avenue 55, West Avenue 58, West Avenue 60 and West Avenue 61, respectively, over the tracks of The Atchison, Topeka and Santa Fe Railway.

Complainant also asks in Case 1749, that the automatic gongs or bells now installed at the grade crossings of East Avenue 43, East Avenue 52 and Arroyo Glen, respectively, over the tracks of the Los Angeles and Salt Lake Railroad be removed or silenced and that an automatic flagman be installed at the crossings of East Avenue 43, East Avenue 52, East Avenue 54, East Avenue 55, East Avenue 57, Hayes Avenue, East Avenue 60, Echo Street, East Avenue 61, Arroyo Glen, Avenue 63 and Avenue 64, respectively, over the tracks of the Los Angeles and Salt Lake Railroad.

The defendant railroads, in answer to these complaints, both deny that any of the above named crossings are dangerous or require any protection other than that now provided at the several crossings.

Although the City of Los Angeles did not introduce any evidence at the hearing it was stipulated that the city should have the privilege of filing any exhibit desired within ten days, complainant and defendants reserving the right to cross-examine on any such exhibit. No such exhibit has been filed.

The district known as Highland Park extends along the right bank of the Arroyo Seco in the City of Los Angeles in a northerly and southerly direction from Avenue 40 to Avenue 66. The tracks of both the Salt Lake and Santa Fe extend also in a northerly and southerly direction through practically the entire length of the district. The track of the Santa Fe is its main line between Los Angeles and San Bernardino via Pasadena and there is operated over it approximately ten passenger trains daily and from three to ten freight trains daily. This track through Highland Park is on a grade of from one to two per cent ascending northerly. The track of the Los Angeles and Salt Lake is a branch line running from Los Angeles to Pasadena and there are operated over it four passenger trains and four freight trains daily.

The territory traversed by each of the railroads is essentially residential. The traffic on the various streets varies considerably. The hazard of accidents at the various crossings, is in most instances considerably augmented by the fact that the view afforded vehicles of approaching trains at many of the crossings, is seriously obstructed.

Considerable testimony was introduced showing conditions at several crossings covered in this complaint and from this evidence it appears that certain steps should be taken to safeguard the public in this district.

Each of the crossings involved in these proceedings will be briefly discussed.

ATCHEISON, TOPEKA & SANTA FE RAILWAY CROSSINGS (CASE 1748)

West Avenue 51

The traffic over this crossing is light, the view for the most part is not seriously obstructed, and the street is

essentially local in character. The necessity for additional protection at this crossing has not been demonstrated.

West Avenue 53

Here the view is very seriously obstructed and there is a moderate amount of highway traffic. It therefore appears that the installation of an automatic flagman is justified at this crossing.

West Avenue 54

This crossing is in a closely built up residential territory and the operation of an automatic gong in addition to the automatic flagman does not seem to be justified and it should therefore be silenced.

West Avenue 55

Since the view here is seriously obstructed in all directions and there is a moderate amount of vehicular traffic over this crossing, an automatic flagman should be installed for its protection.

West Avenue 58

The view at this crossing is quite seriously obstructed in at least two of the four directions and there is a moderate amount of traffic over it. An automatic flagman should be installed for the protection of this crossing.

West Avenue 59

This crossing is in a closely built up residential territory and the operation of an automatic gong in addition to the automatic flagman does not seem to be justified and it should therefore be silenced.

West Avenue 60

This crossing, when approached from the West, has its

view of trains approaching from the north entirely shut off by an adjacent lumber yard. It is protected by a gong type bell but this protection does not appear to be adequate. Although the traffic over this crossing is relatively light, there have been serious accidents at this location and it appears that the automatic bell should be replaced by an automatic flagman and the triangular type crossing sign replaced by a standard X-shaped crossing sign.

West Avenue 61

Although the view here is somewhat obstructed in at least two directions and the amount of vehicular traffic is moderately heavy, the crossing is so located that a reasonably prudent driver of a vehicle can obtain a warning of the approach of a train by virtue of the operation of the warning bell and gates protecting the crossing of Pasadena Avenue immediately adjacent, and under these circumstances the installation of an automatic flagman at this crossing does not appear to be justified at this time.

LOS ANGELES & SALT LAKE RAILROAD CROSSINGS (CASE 1749).

East Avenue 43

This crossing is now protected by a gong type bell and carries a fairly heavy traffic. The view is quite seriously obstructed in nearly all directions and under these circumstances it appears that the present automatic bell should be replaced with an automatic flagman.

East Avenue 52

The view at this crossing is also seriously obstructed in all directions and the street approaches the crossing from the west on a descending grade of about ten (10%) per cent; however, due to the relatively light vehicular traffic over this crossing it appears that the time has not yet arrived when an automatic

flagman should be installed. The crossing is at present protected by an automatic bell and this protection should in this case be retained, until such time as an automatic flagman is justified.

East Avenue 54

This crossing is at the foot of a very steep grade descending from the west and the crossing itself is not in line with the street on either side of the railroad. The actual use made of this crossing by the public is very slight and it appears clear that it would not seriously interfere with public convenience were this crossing closed, but that on the other hand the closing of this crossing would be in the interest of public safety. This crossing should therefore be closed to vehicular traffic.

East Avenue 55

The view at this crossing is only partially obstructed and the traffic is relatively light but upon the closing of the crossing at East Avenue 54, additional traffic will be diverted to this crossing and under these circumstances an automatic flagman would appear to be justified at this location. The city also should arrange to install proper advance warning signs as provided for in Section 22 of the Motor Vehicle Act.

East Avenue 57

The view in at least two directions is rather seriously obstructed and traffic is moderate and the installation of an automatic flagman appears to be justified.

Hayes Avenue

The view of this crossing is very seriously obstructed but the crossing is so located that it is not a vital public

necessity, all the territory being served by it having access to Avenue 60. The Hayes Avenue crossing should therefore be closed to vehicular traffic.

East Avenue 60

The view at this crossing is seriously obstructed and the traffic over this crossing is comparatively heavy, therefore the installation of an automatic flagman at this location appears to be justified.

Echo Street

This is a crossing having an obstructed view and there appears to be practically no public necessity for maintaining this crossing. The public does, in fact, make but very little use of it and ready access may be had to territory on each side of this crossing by means of the adjacent streets, - East Avenue 60 and East Avenue 61. Under these circumstances this crossing should be closed to vehicular traffic.

East Avenue 61

This crossing has some obstruction to view but carries a relatively light traffic. It is immediately adjacent to the grade crossing of the Los Angeles and Salt Lake Railroad's track over the Atchison, Topeka and Santa Fe track, which track crossing is protected during certain hours by a crossing flagman, whose duty it is to control the movements of Salt Lake trains across the Santa Fe track. It appears that it would be entirely feasible for this flagman to also act as flagman for the highway traffic, and this should be so arranged. During those hours that this flagman is not on duty, the members of the train crew of the Salt Lake trains should be required to flag the highway traffic on East Avenue 61.

Arroyo Glen

The traffic over this crossing is relatively light and the view practically unobstructed. The crossing is at the top of a steep grade ascending from the East is at present protected by an automatic bell. It does not appear that any change is justified in the protection of this crossing for the present. It is probable that the need for the installation of an automatic flagman at this location could be indefinitely postponed, should the railroad company elect to stop its trains before proceeding over the South Pasadena line of the Pacific Electric which it crosses immediately adjacent to Arroyo Glen. Such a measure would not only increase the safety of operation over the highway but also would make it possible for the Pacific Electric to eliminate some delay at this point.

Avenue 63 and Avenue 64

The railroad across both of these streets is laid along Pasadena Avenue, but Pasadena Avenue is the main thoroughfare for vehicular traffic and all prudent vehicular drivers coming into or intersecting Pasadena Avenue will naturally be driving with caution and therefore are in a position to observe the approach of trains in sufficient time to avoid an accident. The trains operating on Pasadena Avenue at slow speeds actually stop before crossing the Pacific Electric tracks at Avenue 64. It therefore does not appear that any additional protection is required at this time at the crossings of either Avenue 63 or Avenue 64.

The cost of providing the protection above indicated at the Santa Fe crossings is estimated at about \$2500.00, and a

similar amount would probably be required to provide the protection indicated on the Salt Lake crossings.

It has been indicated above that the crossings of East Avenue 54, Hayes Avenue and Echo Street, respectively, over the track of the Salt Lake should be closed. This conclusion is based largely upon the testimony of the Commission's engineer, but since the representative of the City of Los Angeles was not present at the time this testimony was given, the attitude of the city is not known. Under this circumstance it is suggested that either the complainant or the railroad company or both together apply to the City of Los Angeles for the vacation and closing either temporary or permanent of these crossings. This action, together with the provision of protection to be ordered, would seem to afford adequate relief for the Highland Park district.

O R D E R

A public hearing having been held in the above entitled proceedings, the Commission being apprised of the facts, and the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that The Atchison, Topeka and Santa Fe Railway Company shall at its sole expense install and maintain an automatic flagman for the protection of each of the following crossings in the City of Los Angeles over its tracks:

West Avenue 53,
West Avenue 55,
West Avenue 58 and
West Avenue 60;

said automatic flagmen to be of a type and installed in accordance with plans or data approved by the Commission. The installation of said automatic flagmen shall be made within ninety (90) days from the date of this order and the Commission shall be notified, in writing, of the completion of their installation within thirty (30)

days thereafter.

IT IS HEREBY FURTHER ORDERED, that The Atchison, Topeka and Santa Fe Railway Company silence or remove the automatic alarm bells at the crossing in the City of Los Angeles of its track at each of the following streets:

West Avenue 54,
West Avenue 59 and
West Avenue 60.

IT IS HEREBY FURTHER ORDERED, that The Atchison, Topeka and Santa Fe Railway Company install a standard crossing sign for protection of the crossing in the City of Los Angeles of its track with West Avenue 60.

IT IS HEREBY FURTHER ORDERED, that the Los Angeles and Salt Lake Railroad Company shall at its sole expense install and maintain an automatic flagman for the protection of each of the following crossings in the City of Los Angeles over its track:

East Avenue 43,
East Avenue 55,
East Avenue 57 and
East Avenue 60;

said automatic flagmen to be of a type and installed in accordance with plans or data approved by the Commission. The installation of said automatic flagmen shall be made within ninety (90) days from the date of this order and the Commission shall be notified, in writing, of the completion of their installation within thirty (30) days thereafter, except, however, that the installation of the automatic flagman herein ordered for the protection of the crossing of East Avenue 55 may be deferred until after the crossing of East Avenue 54 shall have been legally abandoned and closed.

IT IS HEREBY FURTHER ORDERED, that the Los Angeles and Salt Lake Railroad Company shall silence or remove the automatic

alarm bell located at the crossing in the City of Los Angeles of its track with East Avenue 43.

IT IS HEREBY FURTHER ORDERED, that the Los Angeles and Salt Lake Railroad Company shall operate trains across East Avenue 61 in the City of Los Angeles only after human flagman protection is given at this crossing preceding each train movement.

Dated at San Francisco, California, this 23rd day of November, 1922.

H. B. Brundage
Erving Warren
Robert J. ...
J. J. ...

Commissioners.