

Decision No. 11567

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

SAN JOAQUIN COUNTY FARM BUREAU, )  
 )  
Complainant, )  
 )  
vs. )  
 )  
WESTERN PACIFIC RAILROAD COMPANY, )  
 )  
Defendant. )

Case No. 1825

F. S. Brittain  
by T. C. Nelson, for complainant,  
California Farm Bureau Federation,  
and for F. S. Williams.  
Foltz Rendon & Wallace, by G. B. Wallace  
for complainant.  
James S. Moore, Jr., for defendant.  
Wm. H. Faust, for Iodi Business Mens' Association.

BY THE COMMISSION:

O P I N I O N

This is a proceeding in which the San Joaquin County Farm Bureau complains of inadequate warning signals for the protection of the public at the crossing of the Lower Sacramento Road over the tracks of Western Pacific Railroad Company at Harte Station.

A public hearing was held upon the above entitled matter by Examiner Westover at Stockton, California.

The evidence shows that the highway is a paved road of the San Joaquin County highway system known as the Lower Sacramento

Road and carries a heavy traffic. The County Surveyor testified that the average traffic during the year 1921 over this crossing was 678 vehicles per day, and he estimated that this traffic at the present time averages between 900 and 1000 vehicles per day. He stated that this highway ranked fourth in importance with all the highways in San Joaquin County.

The railroad is approximately three feet above the general elevation of the highway in this vicinity, and grades of approach to the crossing itself are about four (4) per cent. The crossing is protected by a standard X-shape crossing sign, as well as the advance warning signs prescribed by Section 22 of the Motor Vehicle Act. There are no serious obstructions to view, except at that corner of the intersection lying southeasterly of the highway and northwesterly of the railroad, which corner is quite seriously obstructed by a Eucalyptus grove, together with the house and barn of an adjacent farm.

The evidence shows that the railroad operates an average of four passenger and six freight trains daily at speeds from 30 to 50 miles per hour. At this location on the highway, the automobiles usually run at relatively high speeds of 25 to 30 miles per hour.

It further appears that, in addition to the obstruction to view above noted, the country is subject to fog, it being estimated that there are approximately 30 to 40 foggy days per year.

In view of the conditions above described, considered with the importance of this highway, crossing, as it does, the main line of the railroad at grade, it appears that the hazard

at this crossing justifies the installation of an automatic flagman for the protection of the travelling public.

O R D E R

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

IT IS HEREBY FOUND AS A FACT that the public safety requires the installation of an automatic flagman at the crossing of the Lower Sacramento Road at grade with the track of the Western Pacific Railroad Company at Harte Station; therefore,

IT IS HEREBY ORDERED that the Western Pacific Railroad Company be and it is hereby required to install and maintain an automatic flagman at its sole cost for the protection of said crossing, said automatic flagman to be of a type, and installed in accordance with plans or data, approved by the Commission.

The installation of said automatic flagman shall be made within ninety (90) days of the effective date of this order and the Commission shall be notified, in writing, within thirty (30) days thereafter of the completion and installation of said signal.

This order shall become effective twenty- (20) days after the making thereof.

Dated at San Francisco, California, this 26 day of January, 1923.

C. Seavey

Dwight Martin  
Egerton Shore

Commissioners.