

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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ORIGINAL

Decision No. 1177

In the Matter of the Application of
NORTHWESTERN PACIFIC RAILROAD COMPANY
for an extension of time within which
to comply with the provisions of
Chapter 284 of the Laws of 1913 relat-
ing to headlights on locomotives.

Application No. 915.

Jesse W. Lillienthal, Albert Raymond and Lillienthal,
McKinstry and Raymond for applicant.

THELEN, Commissioner.

O P I N I O N .

This is an application for an extension of time within
which to comply with the provisions of Chapter 284 of the Laws of
1913, approved June 4, 1913, regulating headlights on locomotives
and providing penalties for the violation of the Act. Section 1
of this Act reads as follows:

"It shall be the duty of every railroad corporation,
or receiver or lessee thereof, operating any line of railroad
in this state, within six months after the passing of this
act, or within such additional time as may be prescribed by
order of the railroad commission of California, after such
railroad has made a proper showing of its inability to com-
ply therewith, to equip all locomotive engines, used in the
transportation of trains over said railroad, with electric
or other headlights which will project sufficient light to
enable the locomotive engineer to observe clearly a dark
object the size of an average man, at a distance of not less
than eight hundred feet on a dark, clear night while his train
is running at a rate of speed not less than thirty miles per
hour; provided, that this act shall not apply to locomotive
engines regularly used in the switching of cars or trains;
provided, further, that this act shall not apply to locomotive
engines used exclusively between sunup and sundown, nor going
to or from repair shops when ordered in for repairs, nor to
locomotives engines used on short lines or local ~~xxxx~~ lines
where in the judgment of the railroad commission, the head-
light herein provided for is not necessary for the preservation
of public safety."

The applicant's testimony offered on behalf of the ap-
plicant shows that applicant has ordered thirty type "S" National
Pyle Generator headlights and that the manufacturer has agreed to
ship the order by the end of this month. Applicant states that if

the order is so shipped, it will be necessary to secure an extension until April 4th in order to be able to receive and install the headlights. ✓

Applicant is of the opinion that this type of headlights will comply with the provisions of the law and presented evidence with reference to a test of this type of headlights made by officials of the Southern Pacific Company, in support of its belief in this behalf. The manufacturer guarantees that the headlights will comply fully with the provisions of the law. While this Commission will not undertake to pass on the sufficiency of any particular type of headlights, we desire to draw the attention of the railroads to the necessity of assuring themselves that such type as they may order will comply with the law.

Applicant's electric locomotives are said to be already supplied with headlights fully meeting the requirements of the law. Applicant, however, owns some 65 steam locomotives, of which 30 may at times be called upon for service before sunup or after sundown. It is applicant's intention to ultimately equip all of its locomotives with headlights complying with the provisions of the law.

I am convinced that applicant is proceeding in good faith to comply with the provisions of the law and that its request for an extension of time until April 4, 1914, is a reasonable one.

Applicant should exert itself so as to comply fully with the requirements of the statute within the extension hereby granted.

I recommend that the application be granted and submit herewith the following form of order:

O R D E R .

NORTHWESTERN PACIFIC RAILROAD COMPANY having applied to the Railroad Commission under the provisions of Chapter 284 of the Laws of 1913, for an extension of time within which to comply with said chapter, and the Railroad Commission finding that said company is proceeding in good faith to carry out the provisions of said

chapter, and that an extension of time until April 4, 1914, would be reasonable.

IT IS HEREBY ORDERED that the time within which applicant must comply with the provisions of said Chapter 284 of the Laws of 1913 be and the same is hereby extended to April 4, 1914.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 15th day of January, 1914.

H. D. Loveland
W. G. ...
Max Thelen

Commissioners.