

Decision No. ✓

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of }
NEVADA-CALIFORNIA-OREGON RAILWAY }
for exemption from the provisions }
of the Headlight Law of California, }
Statutes of 1913, page 522. }

Application No. 1066.

Decision No. 1608

James Glynn for applicant.

ESELEMAN, Commissioner.

O P I N I O N

The applicant herein asks for relief from the provisions of the California Headlight Law on the ground that this line is a local line. It is admitted that trains on this line are operated after sundown, and unless the applicant's line can be called a local line the Commission will have no option but to deny the application.

The applicant operates a line of railway from Reno, Nevada, through California to Lake View, Oregon, and while it is not clear in the Act what is meant by the term "local", I am of the opinion that a line operating through three states and over the distances here covered is not what might be called a "local line".

The Commission's entire power is limited to exempting lines of a certain character, and when the line is not of such character we have no jurisdiction whatever to relieve the carrier in question.

The Commission, under the provision allowing extension, will extend the time within which this Company shall comply with the law for sixty days from date, within which time, if it has not brought itself within the provisions of the Act, it will be subject

to the penalties provided therein.

I submit the following order:

O R D E R .

NEVADA-CALIFORNIA-OREGON RAILWAY having applied to this Commission for an order exempting it from the requirements of the Headlight Law of the State of California, and a hearing having been held and being fully apprised in the premises,

IT IS HEREBY ORDERED that the application be and it is hereby dismissed.

IT IS FURTHER ORDERED that the time within which this applicant shall comply with the Law is extended to and including the first day of September, 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 24th day of June, 1914.

John M. Caserman
John G. Gordon
Max Shelen

Commissioners.