

Decision No. 25948.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of Motor Carriers Association for authorization of special Exempt Signs by General Order No. 89 and installation of such signs at Certain Crossings in San Francisco and San Rafael, California.

Application No. 18648.

BY THE COMMISSION:

O R D E R

In the above numbered application the Motor Carriers Association, representing the certificated passenger automotive stage lines, requests approval pursuant to the provisions of Section No. 135 of the California Vehicle Act, effective August 14, 1931, to erect and maintain distinctive signs, hereinafter referred to as "exempt signs" at two spur track crossings at grade over public highways or streets at the following two locations:

<u>Crossing No.</u>	<u>Railroad</u>	<u>Location</u>
4L-0.61-C	The Western Pacific Railroad Company	Potrero Avenue, San Francisco.
5-16.9 (Spur only)	Northwestern Pacific Railroad Company	Third Street, San Rafael.

In view of the fact that these spurs are not far removed from main line tracks, applicant requests that special signs be approved, bearing the words "spur only."

An inspection has been made at said crossings by an engineer of our Transportation Division, which discloses that train movements are slow and infrequent and that particularly at Crossing No. 4L-0.61-C the stopping of the passenger stage causes a considerable

amount of congestion of other vehicles following.

The spur track involved is approximately two hundred and seventy feet removed from a main line and the "exempt sign" as designated in the Commission's General Order No. 89 should be erected on each side of the said crossing instead of a special sign.

The spur track involved at Crossing No. 5-16.9 is less than one hundred feet from a heavily used main line and it appears that the application for approval of the erection of "exempt signs" at this location should be denied.

It appearing that this is not a matter in which a public hearing should be held and that the application should be granted in part and denied in part, therefore

IT IS HEREBY ORDERED that the Railroad Commission of the State of California approve the plan to install and maintain "distinctive or exempt signs" in accordance with Section No. 135 of the California Vehicle Act, at the crossing at grade of a spur track of The Western Pacific Railroad Company across Potrero Avenue, San Francisco, and designated as Crossing No. 4L-0.61-C, subject, however, to the following conditions:

- (1) Said "exempt signs" shall be in accordance with the requirements of our General Order No. 89.
- (2) Said "exempt signs" shall be erected or caused to be erected and maintained by those authorities designated and empowered by the California Vehicle Act to erect and maintain highway traffic signs.
- (3) The approval herein granted does not exempt the operation of any vehicle from the observance of any provision of the California Vehicle Act pertaining to the operation of vehicles at railroad crossings.
- (4) In the event of removal, for any cause whatsoever, or obstruction to view of said "exempt signs" herein provided, the authority granted to move over such spur track crossing, without first coming to a full and complete stop, is annulled and revoked and such full and complete stop must at all times be made by the operator of the vehicle until such sign is again displayed.