

Decision No. 28733.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of MOTOR CARRIERS ASSOCIATION for installation of "Exemption Signs" at spur railroad tracks where motor vehicles carrying passengers for hire need not stop in accordance with Section No. 135, California Vehicle Act, and C. C. 89 of Railroad Commission of the State of California, in vicinity of Sausalito and San Francisco.

Application No. 19248

ORIGINAL

BY THE COMMISSION:

O R D E R

Motor Carriers Association, representing the certificated passenger automotive stage lines, on December 23, 1933, filed the above numbered application, requesting approval, pursuant to the provisions of Section 135 of the California Vehicle Act, effective August 14, 1931, to erect and maintain distinctive signs, hereinafter referred to as "exempt signs," at certain track crossings at grade of Northwestern Pacific Railroad Company in Marin County, and at certain spur track crossings at grade of State Belt Railroad, in the City and County of San Francisco, as hereinafter described.

Northwestern Pacific Railroad Company has signified, in writing, that it has no objection to the granting of the application in so far as it relates to said railroad. The Superintendent of the State Belt Railroad stated to an engineer of our Transportation Division that he had no objection to the granting of the application in so far as it applies to said State Belt Railroad.

An investigation made by our Transportation Division shows that the request is reasonable and that automotive passenger stage operation would be facilitated by the granting of the application.

It appears that this is not a matter in which a public hearing should be held and that the application should be granted, 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 135 of the California Vehicle Act, at the following described spur track grade crossings:

<u>Mark or Signs</u>	<u>Railroad</u>	<u>Location</u>	<u>Remarks</u>
5C-7.1-C	Northwestern Pacific R.R.	Freight house Spur, Sausalito	
5C-7.04-C	"	Lumber Yard Spur, "	
S.B.R.67	State Belt R.R.	C.P.C. Spur, Jefferson & Leavenworth Streets, San Francisco	Eastward only
S.B.R.68	"	S.O. Spur, Jefferson & Jones Streets, San Francisco	" "
S.B.R.69	"	Jones and North Point Streets, San Francisco	Southward only
S.B.R.70	"	Leavenworth & Columbus Avenue, San Francisco	Northward only,

subject, however, to the following conditions:

- (1) Said "exempt signs" shall be in accordance with the requirements of General Order No. 89.
- (2) Said "exempt signs" shall 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 operator 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 the "exempt signs" herein provided, the authority granted to move over such spur track crossings, 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.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the erection of said "exempt signs."
- (6) The Commission reserves the right to make such further orders relative to the establishment of "exempt signs" at said crossings as to it may seem right and proper and to revoke its approval if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 15th
day of January, 1934.

C. C. Kenney
L. A. Whipple
W. A. Lewis
M. B. Lewis
Robert M. Ware
Commissioners.