

Decision No. 27875

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
LOS ANGELES JUNCTION RAILWAY COMPANY,
for exemption from track clearance
requirements imposed by C.R.C. General
Order No. 26-C on trackage serving
livestock chutes platform at the Los
Angeles Union Stock Yards, and for
order permitting applicant to lessen
track clearance thereat, and to op-
erate said tracks as impaired clear-
ance.

ORIGINAL

) application
) No. 19528
)
)
)

B. E. Bishop for Applicant

Harry See for Brotherhood of
Railroad Trainmen, Protestant

BY THE COMMISSION:

O P I N I O N

The applicant herein, Los Angeles Junction Railway Company, seeks permission from this Commission for exemption from track clearance requirements imposed by C.R.C. General Order No. 26-C on trackage serving livestock chutes platform at the Los Angeles Union Stockyards and for an order permitting applicant to lessen track clearance thereat and to operate these said tracks with impaired clearance.

The matter came on for hearing before Examiner Johnson on September 21, 1934, at Los Angeles, at which time it was submitted and is now ready for decision.

The various officers of the Railway Company testified at the hearing as to the alleged benefits they expected would

result to their company if the Railroad Commission made a special exception as herein called for in the matter of impaired platform clearance. The application was protested by the Brotherhood of Railroad Trainmen.

It was indicated by the testimony of the Railway officials that the applicant desired to shift and thereafter maintain its track with exceedingly close impaired clearance on account of the fact that it was having trouble with stock getting off the run-boards and otherwise escaping from the loading and unloading chutes. No testimony was offered that the applicant had endeavored to improve conditions in any way with reference to the mechanical condition of the chutes. From the cross-examination of our engineers it was brought out that it would be possible and feasible for the applicant to construct run-boards of sufficient length to provide the proper incline, putting such run-boards into the platforms at properly spaced locations and hinging same substantially at the platform ends, in a manner so that when not in use they would be folded back on top of the platform not creating any additional impaired clearance over the present one of 6 feet, 9 inches. The present clearance is an impairment of 6 inches in respect to our present General Order No. 26-C. If the run-boards are constructed in a substantial manner in accordance with the suggestion of our engineers there appears to be no reason why stock should escape from the run-way when being loaded or unloaded. With properly built and operated side gates there should be no trouble in stock getting down between the opening at the sides of adjacent cars and the present platform. Furthermore, and as a stronger reason, the hazard of trainmen being injured will not be created.

In spite of the statements of the officials of the applicant railway as to impaired clearances existing in other states, there seems no special reason, nor was any proof adduced at this hearing sufficient to warrant the Commission in exempting this railroad from the General Order previously referred to in reference to clearances. For the safety of trainmen the present conditions should be maintained or, if anything, improved.

O R D E R

The RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
being fully advised in the premises,

IT IS HEREBY ORDERED that the relief prayed for be denied, and the application herein be dismissed.

Dated at San Francisco, California, this 14th day
of January, 1935.

Leon Whitney

M. J. Cunniff

W. B. ...

A. ...

Arthur ...

Commissioners