

Decision No. 23590.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 SAN DIEGO ELECTRIC RAILWAY COMPANY,
 a corporation, for installation of
 "Exemption Signs" at spur railroad
 tracks located near Broadway and
 Kettner Blvd. and Broadway and Pacific
 Highway in San Diego, California, in
 order that applicant's motor vehicles
 carrying passengers for hire need not
 stop, in accordance with Section 576
 of the Vehicle Code.

Application No. 20999.

ORIGINAL

BY THE COMMISSION:

ORDER

In the above-numbered application San Diego Electric Railway Company requests approval of its plan to erect and maintain distinctive signs, hereinafter referred to as "exempt signs," as provided in Section 576(d) of the Vehicle Code and General Order No. 89 of this Commission, at the following described crossings with spur tracks.

<u>Crossing Number</u>	<u>Name of Railroad</u>	<u>Street</u>	<u>City</u>	<u>County</u>
36-0.96-C	San Diego & Arizona Eastern Railway Co.	Broadway	San Diego	San Diego
2-267.6-C	The Atchison, Topeka & Santa Fe Rwy Co.	Broadway & Pacific H'wy	"	"
S.D.H.D.1	San Diego Harbor Department.	Pacific H'wy	"	"

San Diego and Arizona Eastern Railway Company and The Atchison, Topeka and Santa Fe Railway Company have signified, in writing, that they will not oppose the granting of this application.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that the Railroad Commission of the

State of California approves the plan to install and maintain distinctive or "exempt signs," in accordance with Section 576(d) of the Vehicle Code, at the above described crossings, subject, however, to the following conditions:

- (1) Said "exempt signs" shall be in accordance with the requirements of General Order No. 29.
- (2) Said "exempt signs" shall be erected or caused to be erected and maintained by those authorities designated and employed by the Vehicle Code 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 Vehicle Code 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 approved, the authority 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 signs are again displayed.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said "exempt signs."
- (6) The approval herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.
- (7) 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 8th day of March, 1937.

W. A. ...
Leon ...
Frank ...
Ray ...
Commissioners.