

ORIGINAL

Decision No. 31776.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Pacific Electric Railway Company for installation of "exemption sign" at spur track of railroad track where motor vehicles carrying passengers for hire need not stop in accordance with Section 576 (D) of the California Vehicle Code, and C.O. No. 89 of the Railroad Commission of the State of California, in Los Angeles at Glendale Boulevard.

Application No.22513.

BY THE COMMISSION:

O R D E R

In the above numbered application, Pacific Electric Railway Company seeks the Commission's authority for the installation of an "exempt sign" at a spur track which crosses the westerly roadway of Glendale Boulevard approximately 150 feet south of the main line tracks of Southern Pacific Company, in the City of Los Angeles. The crossing involved is identified in the Commission's records as No. 6G-6.38-C.

Applicant alleges that its interurban motor coaches operating inbound on Glendale Boulevard between Glendale and the City of Los Angeles must stop at the Southern Pacific main line tracks intersecting this roadway (Crossing No. B-477.3), and are again required to stop at a point approximately 150 feet southerly at the spur track involved herein. Applicant contends that this second stop creates more of a hazard than would be the case if the coaches were permitted to cross without stopping, by reason of the fact that vehicles following are apt to collide with the rear of the coach. Further than this, at times of heavy traffic, it is possible that the second stop would result in trailing vehicles being stopped as far back as the main line tracks of Southern Pacific

Company, which carry a heavy volume of high-speed steam railroad traffic.

The track involved is an interchange track between Pacific Electric Railway Company and Southern Pacific Company, whereas Section 576 (d) of the Vehicle Code uses the language "spur track,"<sup>(1)</sup> in specifying locations where drivers of motor vehicles carrying passengers for hire need not stop if "exempt" signs, approved by this Commission, are displayed. Although this particular track is connected with Southern Pacific Company's tracks at one end and those of Pacific Electric Railway Company at the other, neither operator would be physically able to furnish service through the entire connection. This, by reason of the fact that Pacific Electric Railway's overhead construction does not run to a connection with Southern Pacific Company and a portion of the track is of too light construction for Southern Pacific operation. It therefore appears that, by definition, the track can be classed as a spur and the exemption sought be granted.

IT IS HEREBY ORDERED that approval is hereby granted for the display of a distinctive "exempt" sign (Vehicle Code, Section 576 (d), G.O. No. 89), at the crossing of the westerly roadway of Glendale Boulevard over a spur track of Pacific Electric Railway Company at a point approximately 150 feet southerly of Southern Pacific Company's main line tracks, in the City of Los Angeles, designated as Crossing No. 6G-6.38-C.

Such sign shall comply with G.O. No. 89 and shall be erected and maintained by the proper authorities. If this sign is removed, or the view thereof obstructed, vehicles carrying passengers

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(1) Webster's New International Dictionary, edition of 1927, defines a spur track as follows - "A short branch line of track; esp. a side track connected with its main line by a single switch; called also a stub track." The 1937 edition of this same dictionary gives the following definition - "A track diverging from a main or branch line over which no regular train service is maintained."

for hire must come to a full and complete stop before passing over the crossing. Within thirty days after erection of such sign, applicant shall so advise the Commission in writing. This approval does not exempt any vehicle operator from the observance of any provision of the Vehicle Code, and shall become void if the sign is not displayed within one year, unless time be extended, or if above conditions are not complied with. Approval may be revoked or modified if public convenience, necessity or safety so require. This Order shall be effective immediately.

Dated at San Francisco, February 20, 1939.

Robert W. ...  
John D. ...  
Chas. H. ...  
H. B. ...  
Justice J. ...  
Commissioners.