

Decision No. 23037

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the People of the)
State of California, on relation of the Department of)
Public Works, for an order authorizing the construc-)
tion of a crossing at grade of the State highway and) Application
the tracks of the Pacific Electric Railway (Soldiers') No. 23037
Home Branch), at the intersection of Olympic Boulevard)
and Sepulveda Boulevard, in the City of Los Angeles,)
County of Los Angeles, State of California.)

FRANK B. DURKEE, for Applicant

RAY L. CHESEBRO, City Attorney, and FREDERICK VON SCHRADER,
Assistant City Attorney for the
City of Los Angeles.

C. W. CORNELL, for Pacific Electric Railway Company.

CRAEMER, COMMISSIONER:

O P I N I O N

In the above-numbered proceeding the People of the State of California, on relation of the Department of Public Works, seek the Commission's authority to construct Olympic Boulevard at grade over the Soldiers' Home branch of the Pacific Electric Railway Company immediately west of the intersection of Olympic Boulevard and Sepulveda Boulevard in the City of Los Angeles.

Public hearing in this matter was held on December 27, 1939, at which time it was duly submitted and is now ready for decision.

Olympic Boulevard is being developed as a major east and west traffic artery and upon its ultimate completion will extend from the easterly city limits of the City of Los Angeles to a connection with the Coast Highway in the City of Santa Monica. The crossing proposed in this application is one of the problems incidental to the construction of this highway. No difference of

opinion has developed as to the necessity for the crossing itself but there is a variance of ideas as to how the crossing should be protected. The rail line involved is used exclusively for freight purposes and the record indicates that there are eight express motor cars and eight freight trains in a 24-hour period, plus occasional switching movements over the site of the proposed crossing. The maximum length of the freight trains approximates forty cars. Sepulveda Boulevard parallels this line of railroad, its center line being approximately 50 feet east of the center line of the track. This highway is one of the most important north and south arteries in the metropolitan district of Los Angeles, extending from and connecting with Highway No. 99 north of San Fernando to a connection with Alternate Route 101 at Redondo Beach. Use of this highway enables through traffic to by-pass the heavy city traffic in the business district of the City of Los Angeles, and its use will become increasingly important.

It is the proposal of the City of Los Angeles that the intersection of Sepulveda and Olympic Boulevards shall be protected by the installation of automatic traffic signals, said signals to be synchronized with the tracks so that upon the approach of a train the signals for Sepulveda Boulevard traffic will be set in the "go" position, while those for Olympic Boulevard traffic will be in the "stop" position. The proposed signals will be of the two-way three-light type and it is proposed that an additional signal shall be installed at the southwest corner of the intersection west of the tracks, which shall only operate upon the approach of the train, the function of which will be to prevent automobiles from stopping upon the tracks when a train is in the circuit. In addition to this protection it is proposed that there will be four-way reflectorized boulevard stop signs which should provide ample protection during the period when the signals are not in operation. Further than this it is the intention of the city to install two special

lights, each capable of producing 10,000 lumens, for the specific purpose of providing adequate illumination of the proposed crossing.

Pacific Electric Railway Company takes the position that this should be further supplemented by two automatic wigwags of one of the types prescribed by the Commission's General Order No. 75-B. If such signals were installed and equipped with flashing lights, as is the usual practice on State highways, it would add some \$1,400 to the cost of providing the protection. If the signals were installed without the flashing light indication, the cost would be increased by \$900.

Strict adherence to the rules set forth in General Order No. 75-B of this Commission would dictate that the company's position is correct and that automatic wigwags should be installed. It appears to us, however, that in this particular instance unusual steps are being taken to provide a signal system which should, if properly observed, afford all reasonable protection to motorists. As stated above, if the City's proposal is followed and the traffic signals are synchronized with the rail movements, a train approaching the crossing would set the signals for Sepulveda Boulevard in the "go" position so that the only motorists requiring protection from the approaching train would be those who desired to turn west from Sepulveda Boulevard, and it is reasonable to assume that this number would be proportionately small as compared with the total number traveling upon the boulevard. The views are open in all directions and there appears to be no real reason why a motorist should fail to observe an approaching train, even though the train might be travelling in the same direction as himself. In this particular instance we are of the opinion that the addition of wigwags, particularly if they were to be of the flashing light type, would tend to confuse rather than add to the protection, and we fail to see the justification of the expenditure of approximately \$1,000 additional at this location when the benefits to be derived there-

from appear to be questionable. The following form of Order is recommended.

O R D E R

Public hearing having been held, the matter having been duly submitted, and the Commission being fully advised,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct Olympic Boulevard at grade across the track of the Pacific Electric Railway Company's Soldiers' Home branch at the location more particularly described in the application, and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions and not otherwise.

- (1) The above crossing shall be identified as Crossing No. 6AA-14.17.
- (2) The entire expense of constructing the crossing shall be borne in accordance with the terms of an existing agreement between the City of Los Angeles and the Pacific Electric Railway Company. The cost of maintenance of that portion of said crossing outside of lines two feet outside of the rails shall be borne by the City of Los Angeles. The maintenance of that portion of said crossing between lines two feet outside of the rails shall be borne by Pacific Electric Railway Company. Pacific Electric Railway Company shall perform all actual work of constructing the crossing between lines two feet outside of the rails.
- (3) The crossing shall be constructed of a width of not less than eighty-six (86) feet and at an angle of ninety (90) degrees to the railroad, and with grades of approach not exceeding two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 3 in General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Protection shall be by automatic vehicular traffic signals, such signals to be synchronized with Pacific Electric Railway Company's rail movements and installed substantially at the locations as shown on Exhibit No. 1 introduced in evidence at the hearing. In addition to the signals shown thereon, an

(4) Cont'd

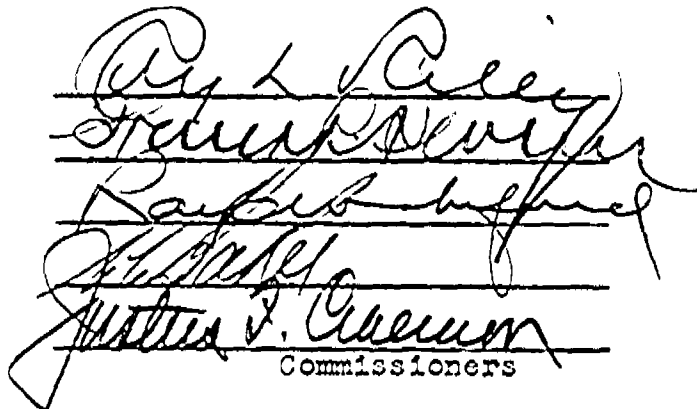
auxiliary signal to function only upon the approach of a train shall be installed at the southwest corner of the intersection immediately west of the tracks for the purpose of stopping vehicular traffic on Olympic Boulevard prior to reaching the track. Suitable lights shall be installed at the northeast and southwest corners of the crossing at the approximate locations as shown on Exhibit No. 1, so that adequate illumination of trains passing over the crossing at night will be provided. The cost of installing this signal protection shall be borne in accordance with the terms of an existing agreement between the City of Los Angeles and the Pacific Electric Railway Company. The maintenance of the traffic signals and illumination shall thereafter be borne by the City of Los Angeles.

- (5) No train, motor, engine, or car shall enter upon said crossing at a speed greater than fifteen (15) miles per hour.
- (6) Applicant shall within thirty (30) days thereafter notify this Commission in writing of the completion of the installation of such crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void if not exercised within one (1) year of the date hereof, unless further time is granted by subsequent order.
- (8) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance, and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 13th day of February, 1940.


Commissioners