

Decision No. 41135

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on the)
 Commission's own motion into the reasonable-)
 ness of minimum clearances on railroads and)
 street railroads, with reference to side)
 structures, overhead structures, parallel)
 tracks, and crossings of public roads, high-)
 ways and streets, as prescribed by General)
 Order 26-C and Supplement 7 thereto.)

Case No. 4919

ORIGINAL

Robert W. Walker for The Atchison, Topeka & Santa Fe Railway Company.
R. E. Wedekind and E. C. Crocker, for Southern Pacific Company, the
 Petaluma & Santa Rosa Railroad Company, the Northwestern Pacific
 Railroad Company and Holton Interurban Railway Company.
E. E. Bennett for the Union Pacific Railroad Company.
C. E. Geoble for the Order of Railway Conductors.
W. W. Stevens for the Brotherhood of Locomotive Engineers.
George F. Irvine for Brotherhood of Locomotive Firemen and Enginemen.
Clair W. MacLeod for California Western Railroad and Navigation Co.
Frank B. Durkee for State of California, Division of Highways.
R. W. Duval for Pacific Gas and Electric Company.
C. W. Dooling for Western Pacific Railroad Company, Tidewater Southern
 Railway Company and Sacramento Northern Railway.
James G. Marshall for The Pacific Telephone and Telegraph Co.
F. G. Pellett for Brotherhood of Railroad Trainmen.
Lester K. Wells for California Street Cable Railroad Company.
C. W. Cornell and E. L. H. Bissinger for Pacific Electric Railway Company.
L. C. Thompson for Los Angeles Transit Lines.
Harry E. Jung for Southern California Edison Company.
William P. Avery for Switchmen's Union of America.

O P I N I O N

This investigation, instituted by the Commission upon its own motion, is an inquiry into the reasonableness of regulations governing minimum clearances adjacent to and over tracks of railroads and street railroads, and other matters pertaining to railroad and street railroad clearances, as prescribed in General Order 26-C, approved March 28, 1927 and effective April 1, 1927, and the Seventh Supplemental Order thereto, Decision No. 39472, in Case No. 2290, effective October 1, 1946.

Public hearings were had before Commissioner Rowell at San Francisco on November 19, 1947, and January 7, 1948.

Representations, from time to time, have been made on the part of interested parties to have certain provisions of General Order 26-C changed, on the

grounds that there is an increasing use in California of freight cars having dimensions in excess of ten (10) feet eight (8) inches in width overall and heights of over fifteen (15) feet one (1) inch from top of rail to top of running board, upon which the clearances as prescribed in the said order were based. The points raised appeared to be of sufficient importance to justify a careful study on the part of the Commission's Operations and Safety Division into the entire matter of railroad clearances. This study included several consultations with representatives of many of the carriers, the railroad brotherhoods, City and State agencies, and industry.

As a result of the studies and understandings reached during the conferences, there was drafted by the Commission's Operations and Safety Division a proposed general order on this subject which was introduced at the hearing on November 19, 1947, and identified in this proceeding as Commission's Exhibit No. 1. However, during the hearing some objections and new recommendations were made by interested parties and it was suggested that a further informal conference be held with interested parties in order that the formal proceedings might be shortened. Accordingly such an informal conference was had and at the adjourned hearing on January 7, 1948, the Commission's Exhibit No. 7 was presented, which embodied provisions upon which the conferees were in agreement and to which there was no opposition.

Upon the terms of the proposed new general order, existing facilities lawfully erected in accordance with earlier clearance general orders are permitted to be maintained according to the rules effective when such facilities were constructed or reconstructed, but any construction or reconstruction after the effective date of the new general order must comply with the regulations contained therein. In other words, the new general order does not require any reconstruction of existing facilities installed prior to its effective date.

In adopting regulations governing clearances, the Commission must approach this problem not only from the point of economic cost, but from the view point of physical possibility. It is therefore provided that upon application the Commission will consider deviation from the provisions of the new general order when such request contains a full statement of existing conditions, together with the reasons why authority is asked and believed to be justifiable.

The record shows that in August 1926 when General Order 26-C was being considered, there were in the United States 253 cars of a height in excess of fifteen (15) feet one (1) inch, but not over fifteen (15) feet six (6) inches from top of rail to top of running board, whereas in July 1947 there were 11,992 such cars. Also in July 1947 there were 282 freight cars of a height of sixteen (16) feet five (5) inches from top of rail to top of running board being operated by one carrier in the State of California over specific routes, subject to the conditions contained in the Commission's Decisions Nos. 39122 and 39597, in Case No. 2290.

In August 1926 there were 696 freight cars of an overall width of over ten (10) feet eight (8) inches, but not in excess of ten (10) feet ten (10) inches, whereas in July 1947, there were 56,726 such freight cars being operated in the United States. The record further indicates that in August 1926 there were 996 cars of an overall width exceeding ten (10) feet ten (10) inches and in July 1947 there were 3,171 cars of such widths. Throughout the record there appears no positive statement or prediction that in the future the size of freight cars will be increased beyond ten (10) feet ten (10) inches in width overall and over fifteen (15) feet six (6) inches in height from top of rail to top of running board, and the evidence shows that progressive steps are being taken by one carrier to reduce the overall width of its freight cars to ten (10) feet ten (10) inches, and that the remainder of such excess width equipment may be reduced in width to such dimensions by making minor alterations. In order that these carriers may have the opportunity to reduce the size of their freight equipment to ten (10) feet ten (10) inches in width, the order provides that freight cars of a width exceeding ten (10) feet ten (10) inches, but not greater than eleven (11) feet one (1) inch may be transported in the State of California for a period of not more than one (1) year after the effective date thereof, provided they shall be permanently marked, stenciled or placarded.

In view of the increased use of freight cars in excess of ten (10) feet eight (8) inches in width, and in excess of fifteen (15) feet one (1) inch in height from top of rail to top of running board, upon which the clearances prescribed in General Order 26-C are based, the new general order is predicated on the operation of freight cars of a width of ten (10) feet ten (10) inches in width

overall, and fifteen (15) feet six (6) inches in height from top of rail to top of running board. Consequently, among other revisions, side clearances from center line of track over which freight cars are operated are increased from seven (7) feet three (3) inches to seven (7) feet six (6) inches for platforms of a height of four (4) feet or less above top of rail, centers of certain parallel tracks are increased from thirteen (13) feet to fourteen (14) feet, centers of parallel team tracks are increased from eleven (11) feet six (6) inches to thirteen (13) feet, and clearances for overhead construction over tracks upon which freight equipment is operated are increased from twenty-two (22) feet to twenty-two (22) feet six (6) inches above top of rail.

It is the Commission's opinion that these new and revised regulations provide a reasonable standard of safety for railroad employees, passengers and customers of common carriers and the public in general.

In connection with this new general order certain conflicts have been created as between it and General Order No. 95, which governs overhead line construction. The Commission is considering bringing the two general orders into accord by a separate amendment to General Order No. 95.

In conformity with the recommendations agreed upon during informal conferences relative to this matter, and upon the evidence presented at the formal hearings thereon, it is our opinion that the same proposed order introduced as Exhibit No. 7 in the proceedings should be adopted.

O R D E R

The Commission on its own motion, having instituted an investigation into the reasonableness of regulations governing minimum clearances adjacent to railroads and street railroads, and the said investigation having been submitted following the taking of evidence at public hearings, and based upon the record and upon the findings contained in the foregoing opinion, it is hereby found that the regulations governing minimum overhead and side clearances adjacent to such railroads, contained in the attached General Order 26-D, are reasonable and should be adopted, and

IT IS HEREBY ORDERED that said General Order No. 26-D, attached hereto, be and it is hereby adopted, and shall become effective on February 1, 1948. Said General Order 26-D shall supersede General Order 26-C and Supplement 7 thereto, Decision No. 39472, in Case No. 2290.

The Secretary is hereby directed to cause a certified copy of this opinion and order to be served by registered mail upon each railroad corporation and each street railroad corporation.

The effective date of this order shall be February 1, 1948.

Dated at San Francisco, California, this 19th day of January, 1948.

R. F. Zimmerman
Justus F. Cameron
Leah F. Russell
Harold P. Hule
Samuel D. Potter
Commissioners.

GENERAL ORDER
NO. 26-D

(Superseding General Order No. 26-C)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

REGULATIONS GOVERNING CLEARANCES ON RAILROADS AND STREET RAILROADS WITH REFERENCE TO SIDE AND OVERHEAD STRUCTURES, PARALLEL TRACKS, CROSSINGS OF PUBLIC ROADS, HIGHWAYS AND STREETS.

Adopted *January 19, 1948*. Effective *February 1, 1948*

IT IS HEREBY ORDERED by the Public Utilities Commission of the State of California that the minimum clearance requirements for railroads and street railroads hereinafter prescribed shall hereafter be observed in this state in all construction or reconstruction of tracks or structures adjacent to tracks.

IT IS HEREBY FURTHER ORDERED that no railroad or street railroad corporation shall operate any cars, trains, motors, engines, or other rolling equipment over its own or other tracks, except as hereinafter provided, on which overhead or side clearances, or clearances between tracks, are less than the minimum herein prescribed, if such tracks or structures adjacent to such tracks are constructed or reconstructed subsequent to the effective date hereof.

DEFINITIONS

SECTION 1

For the purposes of these regulations definitions as hereinafter prescribed will govern.

- 1.1 HEIGHT OF A FREIGHT CAR is the distance between the top of rail and the top of the running board.
- 1.2 SIDE OF A FREIGHT CAR is that part or appurtenance of a car at the maximum distance measured at right angles from the center line of the car.
- 1.3 WIDTH OF A FREIGHT CAR is twice the distance from the center line to the side of a car as defined herein.
- 1.4 OVERHEAD CLEARANCE is the vertical distance from the level of the top of the highest rail to a structure or obstruction above.
- 1.5 SIDE CLEARANCE is the shortest distance from the center line of track to a structure or obstruction at the side of track.

STANDARD GAUGE RAILROADS AND STREET RAILROADS
TRANSPORTING FREIGHT CARS

SECTION 2

Overhead Clearances

- 2.1 The minimum overhead clearance above railroad and street railroad tracks, which are used or proposed to be used for transporting freight cars, shall be twenty-two (22) feet six (6) inches. Structures constructed prior to the effective date of this order may be maintained at such clearance as was lawful at the time of construction.
- 2.2 The overhead clearance above top of rail of such tracks located inside of buildings may be reduced to eighteen (18) feet, provided that this clearance shall apply only to tracks terminating within the building, and further provided, that when an overhead clearance of less than twenty-two (22) feet exists on tracks inside such building, all cars, trains, motors, engines or other equipment shall be brought to a stop before entering such building, the conditions provided to require such stop to be approved by the Commission.
- 2.3 Unless otherwise provided herein, overhead clearances authorized in this section are applicable only to tracks on which freight cars having a height not exceeding fifteen (15) feet six (6) inches are transported. Freight cars of a height exceeding fifteen (15) feet four (4) inches, but not greater than fifteen (15) feet six (6) inches shall be permanently marked, stenciled, or placarded as hereinafter required, and such markings maintained in a legible condition reading as follows:

"This car
EXCESS HEIGHT."

The markings required in this subsection shall be made permanent on owned cars as soon as practicable with a 3/4" stripe outlining an area not less than seven (7) inches by ten (10) inches, such stripes and lettering to be of a color contrasting with the car body color. All such required markings and placarding shall be placed on the side adjacent to the ladder or handholds near the floor line of the car at each of the four corners.

- 2.4 Freight cars not exceeding a height of fifteen (15) feet six (6) inches may be

transported without compliance with the requirements of subsection 2.3 of this order provided that the tracks over which such operations are conducted exhibit throughout the route an overhead clearance of twenty-two (22) feet six (6) inches as required in subsection 2.1 of this order.

2.5 If freight cars of a height greater than fifteen (15) feet six (6) inches are transported or proposed to be transported, minimum overhead clearances shall be increased by an amount not less than such additional height.

SECTION 3

Side Clearances

3.1 Minimum side clearances from center line of tangent standard gauge railroad and street railroad tracks, which are used or proposed to be used for transporting freight cars, except as hereinafter prescribed, shall be as shown below.

	<u>Minimum Side Clearance</u>
<u>Description</u>	
3.2 All structures and obstructions above the top of the rail except those hereinafter specifically mentioned	8'6"
Note: Posts, pipes, warning signs and similar obstructions should, where practicable, have a side clearance of ten (10) feet.	
3.3 Platforms eight (8) inches or less above top of rail . . .	4'8"
3.4 Platforms four (4) feet or less above top of rail	7'6"
3.5 Platforms four (4) feet six (6) inches or less above top of rail when used principally for loading or unloading refrigerator cars	8'0"
3.6 Platforms previously constructed at clearance not less than seven (7) feet three (3) inches may be extended at such clearance unless such extension is in connection with the reconstruction of the original platform.	

Note: Combinations of platforms under subsections 3.4 and 3.5 will not be permitted. Combinations of platforms under subsection 3.3 with either of those under subsections 3.4 or 3.5 is permitted provided that the platform under subsection 3.3 presents a level surface from a point not more than four (4) feet eight (8) inches from center line of track to the face or wall of the platform with which it is combined.

3.7 Poles supporting trolley contact conductors supplying motive power to track affected, if of bracket construction, on either single or double main track 8'3"

Note: In order to bring switch stand targets into clear vision where pole lines are or have been constructed at legal clearance on railroads operated by overhead trolley contact the clearance as applied to switch stands may be reduced to seven (7) feet six (6) inches.

3.8 Switch boxes, switch-operating mechanisms and accessories necessary for the control and operation of signals and interlockers projecting four (4) inches or less above the top of rail 3'0"

3.9 Signals and switch stands three (3) feet or less above top of rail and located between tracks where not practicable to provide clearances otherwise prescribed in this order 6'0"

3.10 Through bridges supporting track affected, tunnels, water columns and oil columns 8'0"

3.11 The clearances for (a) through bridges supporting track affected, (b) water barrel platforms and refuge platforms on bridges and trestles not provided with walkways, (c) handrails, (d) water barrels, (e) water columns, (f) oil columns, (g) block signals, (h) cattle guards, and (i) stock chutes, when all or portions thereof are four (4) feet or less above top of rail, may be decreased to the extent defined by a line extending diagonally upward from a point level with top of rail and five (5) feet distant laterally from center line of track to a point four (4) feet above top of rail and eight (8) feet distant laterally from center line of track; provided, however, that the minimum clearance for handrails and water barrels on bridges with walkways shall be seven (7) feet nine (9) inches, and, provided further, the minimum clearance for fences of cattle guards shall be six (6) feet (9) inches.

Note: Unless previously approved by the Commission, the clearances authorized in subsection 3.11 of this order, except as provided for handrails and water barrels, are not permitted on through bridges where the work of trainmen or yardmen require them to be upon the decks of such bridges for the purpose of coupling and uncoupling cars in the performance of switching service on a switching lead.

- 3.12 The side clearances specified herein shall not apply to mail cranes during such times as the arms of such mail cranes are supporting a mail sack for delivery, provided that the top arm is not then higher than ten (10) feet eight (8) inches above top of rail and neither arm extends within six (6) feet five (5) inches from the center line of track.
- 3.13 Icing Platforms and Supports 7'8"
- 3.14 Operations over portions of track adjacent to icing platforms heretofore constructed with a side clearance of less than seven (7) feet eight (8) inches shall be restricted to the movement or switching of trains containing refrigerator cars to be iced, and the necessary use of such tracks for the unloading of supplies required for the operation of the icing deck.
- 3.15 Proposed extension of existing icing platforms at less than seven (7) feet eight (8) inches shall be referred to the Commission for approval before proceeding with such project.
- 3.16 All minimum side clearances prescribed in this section are for tangent track. In general, all structures adjacent to curved track, shall have a minimum side clearance one (1) foot greater than the minimum side clearance otherwise required for tangent track. Where the Commission has determined that space is limited, the minimum side clearances for structures adjacent to tracks of not over twelve (12) degree curvature may be the same as for tangent track, but where track curvature exceeds twelve (12) degrees, one-half (1/2) inch for each degree of the curve shall be added to the minimum side clearance required for tangent track.
- 3.17 The center line of any track constructed in and along a public street shall be at least ten (10) feet from the property line of said street, or if the

street has a lawfully-established curb line, such track shall be at least ten (10) feet from such line.

3.18 When tracks are operated exclusively for logging purposes, log railroads which serve them may be erected at less than the minimum side clearances herein prescribed.

3.19 Minimum side clearances authorized in this section are applicable to tracks on which freight cars having a width not greater than ten (10) feet ten (10) inches are transported. Freight cars of a width exceeding ten (10) feet ten (10) inches but not greater than eleven (11) feet one (1) inch may be transported for a period of not more than one (1) year after the effective date of this order, provided they shall be permanently marked, stenciled, or placarded, and such markings maintained in a legible condition reading

"This Car
EXCESS WIDTH."

All such required markings and placarding shall be placed on the side adjacent to the ladder or handholds near the floor line of the car at each of the four corners.

3.20 Except as provided in subsection 3.19 of this order, if freight cars of a width greater than ten (10) feet ten (10) inches are transported or proposed to be transported, minimum side clearances shall be increased by an amount equal to one-half such additional width, and the distance between parallel tracks as provided in subsection 5.4 of this order shall be increased by the amount of such additional width.

SECTION 4

Overhead and Side Clearances

Minimum overhead and side clearances as prescribed in Sections 2 and 3 of this order may be decreased to the extent defined by the half circumference of a circle having a radius of eight (8) feet six (6) inches and tangent to a horizontal line twenty-two (22) feet six (6) inches above top of rail at a point directly over the center line of track; provided, however, that for tunnels and through bridges such radius may be eight (8) feet, and provided further, that subsections 2.3 and 3.19 of this order shall apply hereto.

SECTION 5

Clearance Between Parallel Tracks

- 5.1 The minimum distance between the center lines of parallel standard gauge tracks shall be fourteen (14) feet except as hereinafter provided.
- 5.2 The center line of any standard gauge track, except a main track or a passing track, parallel and adjacent to a main track or a passing track, shall be at least fifteen (15) feet from the center line of such main track or passing track; provided, however, that where a passing track is adjacent to and at least fifteen (15) feet distant from the main track, any other track may be constructed adjacent to such passing track with clearance prescribed in subsection 5.1 of this order.
- 5.3 . The center line of any standard gauge ladder track, constructed parallel to any other adjacent track, shall have a clearance of not less than twenty (20) feet from the center line of such other track.
- 5.4 The minimum distance between the center lines of parallel team, house and industry tracks shall be thirteen (13) feet.
- 5.5 Main, siding and yard tracks constructed prior to the effective date of this order with distance of not less than thirteen (13) feet between track centers may be extended without increasing such distances.

SECTION 6

Other Conditions and Obstructions Adjacent to Tracks

- 6.1 No merchandise, material or other articles shall be placed or permitted to remain either on the ground or on platforms adjacent to any track at a distance less than eight (8) feet six (6) inches from the center line of track.
- 6.2 A suitable line or other marker should be maintained at a distance of eight (8) feet six (6) inches from the center line of track, on all platforms, excluding passenger platforms, to indicate the space along edge of the platform which must be kept clear of merchandise, material or other articles.

SECTION 7

Lading on Open Top Cars

- 7.1 No movements shall be made of open top cars containing lading extending in excess of fifteen (15) feet six (6) inches in height above top of rail or extending laterally in excess of five (5) feet five (5) inches from center line of car, except as hereinafter prescribed.
- 7.2 The operation of cars, the lading of which extends laterally in excess of five (5) feet five (5) inches from center line of car, shall be restricted to lading the size or dimensions of which cannot be reduced.
- 7.3 All open top cars with lading extending laterally in excess of five (5) feet five (5) inches from center line of car or in excess of fifteen (15) feet six (6) inches in height above top of rail, shall be placarded on the load itself in a conspicuous place when practicable, and the car shall be marked, stenciled, or placarded at locations specified in subsection 3.19 of this order.
- 7.4 On any train, the consist of which includes cars loaded as described in subsection 7.3 of this order, such cars shall be blocked together in one place in the train and if its length permits, they shall be trained at least five (5) cars distant from both the caboose and the engine.
- 7.5 A train order shall be delivered to every train containing any car the lading on which extends laterally in excess of five (5) feet five and one-half (5-1/2) inches from center line of car or in excess of fifteen (15) feet six (6) inches in height above top of rail, informing the crew of the train that the train includes such car or cars, stating the total number thereof, and advising that no member of the train crew is required to ride on any such cars.
- 7.6 A train order shall be delivered to every train the operation of which may be affected by the presence or movement of a train containing such wide loads, described in subsection 7.5 of this order, informing the crew of the train of that fact.
- 7.7 Yard supervisors shall be given notifications sufficiently in advance of the arrival of cars, the lading on which extends laterally in excess of five (5) feet five and one-half (5-1/2) inches from center line of car, to enable them to take necessary precautions to safeguard employees in yard.

- 7.8 Cars on which the lading exceeds fifteen (15) feet six (6) inches in height above top of rail, if otherwise in compliance with these requirements as to width of lading, and the nature of which precludes the probability of employes getting on top of or passing over them, are exempt from the conditions of this section with the exception of subsection 7.4 of this order.

NARROW GAUGE RAILROADS TRANSPORTING FREIGHT CARS

SECTION 8

Overhead and Side Clearances

- 8.1 For the operation of equipment on narrow gauge tracks, the minimum overhead clearance shall provide a distance above the top of the highest car operated not less than that provided in this order for cars fifteen (15) feet six (6) inches in height operated on standard gauge tracks; the side clearances and distances between center lines of tracks shall provide a distance from the sides of, or between the widest cars operated, not less than those distances herein provided for cars ten (10) feet ten (10) inches in width operated on standard gauge tracks.
- 8.2 All other requirements of this order where applicable shall be observed by narrow gauge railroads.

RAILROADS AND STREET RAILROADS
NOT TRANSPORTING FREIGHT CARS

SECTION 9

Overhead and Side Clearances

- 9.1 The minimum overhead clearance above railroad and street railroad tracks which are not used or proposed to be used for transporting freight cars shall be fourteen (14) feet.
- 9.2 Minimum side clearances of railroad and street railroad tracks which are not used or proposed to be used for transporting freight cars shall be thirty (30) inches from the side of the widest equipment operated, except that for poles supporting trolley contact conductors between main line double tracks such distance may be decreased to twenty-four (24) inches.

9.3 Minimum overhead and side clearances as prescribed in this section may be decreased to the extent defined by a line extending diagonally downward from a point fourteen (14) feet above the top of rail and four (4) feet distant laterally from the center line of track to a point eight (8) feet above the top of rail and distant laterally thirty (30) inches from the side of the widest equipment operated.

9.4 Minimum side clearances as prescribed in this section may be decreased in bridges, tunnels or subways to the extent defined by a line extending diagonally upward from a point level with the top of rail and five (5) feet distant laterally from the center line of track to a point four (4) feet above the top of rail and distant laterally thirty (30) inches from the side of the widest equipment operated.

SECTION 10

Clearance Between Parallel Tangent Tracks

The minimum distance between the center lines of parallel tangent tracks shall be not less than the width of the widest car operated plus twenty-four (24) inches.

SECTION 11

Exceptions

11.1 Minimum clearances prescribed in Sections 9 and 10 of this order may be reduced along passenger platforms subject to approval by the Commission.

11.2 Minimum clearances prescribed in Sections 9 and 10 of this order may be reduced for trackage located in subways and tunnels or compartments thereof, which are used exclusively for railroad passenger traffic; provided that the passenger equipment operated thereon shall have all windows and other openings effectively barred.

PUBLIC ROADS, HIGHWAYS, AND STREETS CROSSING UNDER OR OVER RAILROADS AND STREET RAILROADS

SECTION 12

Public Roads, Highways, and Streets Crossing Under Tracks

12.1 Where a railroad or street railroad crosses above any public road, highway, or street, a minimum overhead clearance of fourteen (14) feet shall be

provided above the surface of such road, highway or street.

- 12.2 Where a railroad or street railroad crosses above any public road, highway, or street on a single supporting span, a minimum width of twenty-four (24) feet shall be provided for the opening for such public road, highway or street. Where two or more supporting spans are used over the public road, highway or street, a minimum width of twelve (12) feet shall be provided for each opening.
- 12.3 When the public road, highway or street is occupied by one or more tracks, minimum clearance dimensions shall be determined by this Commission for the case under consideration.

SECTION 13

Public Roads, Highways, and Streets Crossing Over Tracks

- 13.1 Where a public road, highway, or street crosses above any railroad or street railroad track used or proposed to be used for transporting freight cars, the minimum clearances prescribed in this order for such tracks must be observed.
- 13.2 Where a public road, highway, or street crosses over a railroad or street railroad track which is not used or proposed to be used for transporting freight cars, minimum clearances as prescribed in this order must be provided, except that a minimum overhead clearance of nineteen (19) feet above top of rail shall be provided unless otherwise ordered by the Commission.

GENERAL REQUIREMENTS

SECTION 14

Electrical Construction

All clearances of electrical construction over, above, adjacent to, along or across railroads and street railroads shall conform to the requirements specified in General Order No. 95, or such other and further general orders covering similar requirements as may be currently effective.

SECTION 15

Lesser Clearances Lawfully Created Prior to the Effective Date of this Order

Where the overhead or side clearances between a track and any building, structure or facility are less than the minimum prescribed in this order,

but were lawfully created prior to the effective date thereof, the minimum clearances prescribed herein shall be provided whenever the building, structure or facility is relocated or reconstructed; however, the Commission will consider specific requests for the future continuance of heretofore lawful clearances at such reconstructed building, structure or facility when application therefor has been made as provided in subsection 16.2 of this order.

SECTION 16

Exemptions

- 16.1 Nothing herein shall be construed as preventing the movement of material over tracks when such material is necessary in the construction or maintenance of such tracks, nor in the movement of special work equipment used in the construction, maintenance or operation of the railroad, provided such movements shall be carried on under such conditions as are necessary to provide for the safety of all concerned.
- 16.2 If in any particular case, exemption from any of the requirements herein is deemed necessary by the carrier concerned, the Commission will consider the application of such carrier for such exemption when accompanied by a full statement of the conditions existing and the reason why such exemption is asked. Any exemption so granted will be limited to the particular case covered by the application.
- 16.3 The Commission reserves the right to modify any of the provisions of these regulations in specific cases when, in the Commission's opinion, public safety, convenience or necessity would be served by so doing.

SECTION 17

Prior Orders, Decisions, and Exemptions

This order supersedes all regulations governing clearances between tracks of railroads or street railroads and structures or obstructions adjacent to such tracks heretofore promulgated under General Order No. 26, General Order No. 26-A, General Order No. 26-B, General Order No. 26-C, and Decisions Nos. 36007 and 39472 in Case No. 2290, provided however, that any exemption or

deviation heretofore granted and now in force and effect shall not be affected by this order and shall remain in force and effect until the further order of this Commission.

This order shall be effective February 1, 1948.
Approved and dated at San Francisco, California, this 19th
day of January, 1948.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

R. J. Rajalich
Secretary