

ORIGINAL

Decision No. 56850

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation concerning toilet facilities
in cabooses of railroad corporations, pur-
suant to Public Utilities Code section 7614.

Case No. 6017

Joseph H. Cummins, for The Atchison, Topeka
and Santa Fe Railway Company, the Union
Pacific Railroad Company, and the Southern
Pacific Company, respondents.

E. L. Van Dellen, for The Western Pacific Rail-
road Company, respondent.

George W. Ballard, for Brotherhood of Railroad
Trainmen, AFL-CIO, and Melvin A. Wilkie, for
Order of Railway Conductors and Brakemen,
interested parties.

Eimer Sjostrom and C. E. Mline, for the Public
Utilities Commission.

O P I N I O N

Public hearing was held in this matter on May 8, 1958, in Los Angeles before Examiner Grant J. Syphers, at which time evidence was adduced and the matter submitted.

Section 7614 of the Public Utilities Code reads as follows:

"7614. It shall be unlawful for any owner or operator of a railroad running through or within the boundaries of the State of California and engaged in the business of common carrier to operate for or transport the public or its employees in a caboose which is not provided with flush-type toilet facilities, or chemical type toilet facilities approved by the commission."

It is further provided that the "operative date of this act shall be January 1, 1959" (see Statutes 1957, chapter 1774).

Under date of December 3, 1957, this Commission issued an order of investigation "for the purposes of determining approved types of facilities as contemplated by Public Utilities Code section 7614, establishing rules or procedures to facilitate administration of the statute, and issuing such orders as may be appropriate in the lawful exercise of the Commission's jurisdiction."

At the hearing the staff of the Commission introduced a proposed general order covering chemical-type toilet facilities. There was no opposition to this proposed general order from any of the appearances.

It should be noted that under the terms of the statute chemical-type toilet facilities are the only ones which are subject to Commission approval.

In the light of this record, the proposed general order recommended by the staff will be adopted.

O N D E R

An investigation having been instituted on the Commission's own motion, public hearing having been held thereon, and the Commission being fully informed in the premises and hereby finding it to be in the public interest,

IT IS ORDERED that on and after January 1, 1959, the rules and regulations attached hereto and designated as Appendix A,

shall be in full force and effect and shall be known as General Order No. 106.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California,
this 17th day of June, 1958.

[Signature]
President
[Signature]
[Signature]
[Signature]
[Signature]
Commissioners

Appendix A

PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

GENERAL ORDER NO. 106

RULES AND REGULATIONS GOVERNING THE INSTALLATION OF CHEMICAL-
TYPE TOILET FACILITIES IN COMMON CARRIER RAILROAD CABOOSSES
USED FOR THE TRANSPORTATION OF THE PUBLIC OR EMPLOYEES.

Approved JUN 17 1958. Effective January 1, 1959.

Authorized by Decision No. 56880, in Case No. 6017.

Appendix A

It is Ordered by the Public Utilities Commission of the State of California that on and after January 1, 1959, the installation and maintenance of chemical-type toilet facilities in common carrier railroad cabooses used in the transportation of the public or employees shall conform to the minimum rules and regulations hereinafter prescribed.

Section I - Type of Installation

- 1.1 The containers of chemical-type toilets shall be charged with a caustic chemical solution of proper strength and their contents shall be agitated as necessary when in service.
- 1.2 When containers are more than two-thirds full the contents thereof shall be disposed of such as by burial or into a public sewer system.
- 1.3 Containers shall be constructed in a manner that will prevent the caustic chemical solution therein from splashing upon any portion of the body of the person using the facility during any movement of a caboose likely to occur in usual train operations, including slack action.
- 1.4 The stacks connecting the seats with the containers of chemical-type toilets shall be cleaned as necessary to maintain them in a sanitary condition.

Section 2 - General (Chemical-Type Toilets)

- 2.1 The enclosure of every toilet room shall be of solid construction from floor to ceiling and shall have a solid door or a door with nontransparent lights.

- 2.2 The walls and ceilings of every toilet room shall be of suitable non-absorbent material and have a light-colored-water repellent finish at least equal to that of a good quality paint or varnish and shall be maintained in a clean and sanitary manner and free from defacement.
- 2.3 The finish of the floor of every toilet room and the side walls to a height of not less than six inches shall be smooth, cleanable and of non-absorbent material.
- 2.4 If practical, every toilet room shall be located so as to open to the outside light and air by windows. If not practical to provide ventilation by window, then ventilation shall be provided by an air vent of sufficient capacity to maintain the atmosphere free from objectionable odors.
- 2.5 An adequate supply of toilet paper with holder shall be supplied for each toilet.

Section 3 - Exemptions

- 3.1 This order does not apply to flush-type toilets.
- 3.2 If in any particular case exemption from any of the requirements of this order is deemed necessary by a 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.
- 3.3 The Commission reserves the right to modify any of the provisions of this order when in its opinion it is deemed necessary.