

ORIGINALDecision No. 62558

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own Motion into the equipment, maintenance and operation of cabooses by railroad corporations.)
)
) Case No. 7002
)

Richard W. Bridges, for Western Pacific Railroad Co., Sacramento Northern Railway and Great Northern Railway Co.; W. A. Gregory, for Southern Pacific Company; William K. Denton, for Pacific Electric Railway Company, Northwestern Pacific Railroad Company, and San Diego & Arizona Eastern Railway Company; Melvin A. Wilkie, Leonard M. Wickliffe and George P. Lechner, for Order of Railway Conductors and Brakemen; George W. Ballard and J. J. Corcoran, for Brotherhood of Railroad Trainmen, AFL-CIO; Marshall W. Vorkink, for Union Pacific Railroad Company; and J. H. Cummins, for The Atchison, Topeka and Santa Fe Railway Company, respondents.
Elmer J. Sjostrom, for the Commission staff.

O P I N I O N

This is an investigation on the Commission's own motion to determine whether minimum requirements for health, safety and comfort should be established for cabooses operating within the State of California.

The Commission directed that an Examiner's Proposed Report be filed in the matter. The proposed report was filed on July 13, 1961. The parties who so desired filed exceptions and replies thereto on or before July 19, 1961.

The Commission has carefully considered all of the exceptions. The Commission adopts as its own the findings and conclusions made by the Examiner in the Proposed Report except as hereinafter indicated.

The record discloses that some railroads use cabooses as rider cars to transport yard crews, as distinguished from train crews, in connection with yard transfer movements. The staff proposal recommended exempting cabooses used as rider cars in movements having a one-way route mileage of 15 miles or less from the major provisions of the General Order. All the parties agreed that the General Order should not generally apply to cabooses used as rider cars in yard transfer movements. The Proposed Report recommends an applicability provision for the General Order which would make certain portions of the General Order applicable to rider cars.

The Commission is of the opinion that the General Order should not apply to cabooses used as rider cars in movements having a one-way route mileage of 16 miles or less. If it is necessary to establish rules and requirements for such cars, this should be done upon a full record developed for that purpose.

The Commission finds that the health, safety and convenience of railroad employees require the adoption of the following section in the General Order:

1. Applicability

The provisions of this order shall not apply to cabooses used as rider cars in yard transfer movements having a one-way route mileage of 16 miles or less. The provisions of Sections 2, 3, 4, 5 and 11 shall not apply to cabooses presently operated by railroads having less than 100 miles of main and branch line trackage; provided, however, that any additional cabooses acquired by said railroads shall comply with all of the provisions of this order.

No caboose shall be used in service subsequent to one year after the effective date of this order unless it complies with Sections 3, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 hereof.

No caboose shall be used in service subsequent to two years after the effective date of this order unless it complies with Sections 2, 4, 5 and 7 hereof.

Line 12 of Page 21 of the Proposed Report should be corrected to refer to the "Central California Traction Company" rather than the "California Traction Company."

The order recommended by the Examiner in the Proposed Report, as herein modified, is hereby made the order of the Commission.

O R D E R

IT IS ORDERED that:

1. A General Order providing minimum safety, health and comfort requirements for railroad cabooses operating within the State of California is hereby established. The General Order is attached hereto as Appendix A and made a part hereof, and is hereby designated General Order No. 114. The effective date of the General Order shall be the effective date of this order.
2. The Atchison, Topeka and Santa Fe Railway Company is authorized a period of three years from the effective date hereof in which it shall comply with the seats and cushions section of the General Order with respect to Santa Fe cabooses having Butler seats installed therein.
3. Within one hundred and twenty days from the effective date of this order every railroad corporation shall place in each caboose used in service an equipment defect and repair register comprising a card or paper having thereon spaces to record the date and train upon which a defect occurs, the name of the person reporting the defect, the date and place at which the defect was corrected and the name of the person making the repair. Said equipment defect and repair register shall be provided for a period of one year. The

railroads may provide reasonable regulations for the use of the register, and in the absence of such regulations, it shall be available for the voluntary use by trainmen.

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

Dated at San Francisco, California, this 12th day of September, 1961.

Carroll A. Rose
President
D. M. [unclear]
E. [unclear]
George H. Grover
Fredrick B. Halblott
Commissioners

GENERAL ORDER NO. 114

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

REGULATIONS ESTABLISHING MINIMUM SAFETY, HEALTH
AND COMFORT REQUIREMENTS FOR RAILROAD CABOOSES.Adopted *September 22, 1961*, Effective *October 2, 1961*.
Decision No. 62558.

IT IS ORDERED by the Public Utilities Commission of the State of California that each railroad corporation operating in the State of California shall observe the following rules and regulations in the operation of cabooses:

Sec. 1. Applicability: The provisions of this order shall not apply to cabooses used as rider cars in yard transfer movements having a one-way route mileage of 16 miles or less. The provisions of Sections 2, 3, 4, 5 and 11 shall not apply to cabooses presently operated by railroads having less than 100 miles of main and branch line trackage; provided, however, that any additional cabooses acquired by said railroads shall comply with all of the provisions of this order.

No caboose shall be used in service subsequent to one year after the effective date of this order unless it complies with Sections 3, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 hereof.

No caboose shall be used in service subsequent to two years after the effective date of this order unless it complies with Sections 2, 4, 5 and 7 hereof.

Sec. 2. Construction: Cabooses shall be of either the cupola or bay window type. Cabooses of metal construction shall have wooden or insulated metal floors. A cupola shall not extend inward toward the center line of the car more than three inches from either side of the caboose.

Sec. 3. Trucks: Trucks shall provide riding qualities at least equal to those of freight type trucks modified with elliptic or additional coil springs or other means of equal or greater efficiency and shall be equipped with steel wheels.

Sec. 4. Draft Gears: Draft gears shall have a minimum travel of $2\frac{1}{2}$ inches and a minimum capacity of 18,000-foot pounds. Draft gears shall be of rubber or a combination of friction and rubber types, or shall have other means of providing equal shock control.

- Sec. 5. Lighting: An adjustable, shielded electric light, or lights, shall be provided for the direct illumination of the caboose desk. A ceiling or wall light, or lights, operable from separate switches shall be provided to otherwise illuminate the caboose interior. The area of the drinking water and lavatory facilities shall be illuminated. The caboose marker, or markers, shall be electrically lighted. All cabooses constructed after the effective date of this order shall have toilets which are illuminated.
- Sec. 6. Heating: A heating facility shall be maintained and shall be capable of providing a temperature of at least 70 degrees Fahrenheit in a standard caboose.
- Sec. 7. Seats and Cushions: Seats and cushions shall be provided with a shock absorbent material initially at least three inches in thickness and backrests shall be of a sufficient height to protect the neck and head from injuries. Seats in cupolas shall be of the pullman type and those in bays shall be of the passenger reversible type. The top of said seats shall not be lower than 11 inches nor higher than nine inches beneath the cupola or bay window sills and no more than 18 inches above the floor or footrest. The backrests shall incline backward to not less than three inches nor more than five inches from the perpendicular and shall be provided with shock absorbent material initially of at least three inches in thickness. Subject to the approval of the Commission, seats of a different design or materials may be used when such design or materials provide equal or better protection or comfort than those enumerated in this section.
- Sec. 8. Bunks: Each caboose shall have at least one bunk of not less than 24 inches in width and not less than 72 inches in length which shall be provided with a cushion of the same dimensions made of shock absorbent material initially of at least three inches in thickness.
- Sec. 9. Safety Glass and Wind Deflectors
- a. Safety Glass: Wherever glass or glazing materials are used in partitions, doors, windows or wind deflectors, they shall be of the safety glass type. For the purpose of this section, safety glass is any type of glass or glazing material so manufactured, fabricated, treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects, other external sources, or by glass or glazing material when the same is cracked or broken.

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- b. Wind Deflector: Each cupola side window shall be equipped with a wind deflector.
- Sec. 10. Weatherstripping: Weatherstripping or weather-proof sash shall be installed and maintained at all windows and doors to protect against weather and the seepage of dirt or dust.
- Sec. 11. Window Shades: With the exception of windows in bays and cupolas, windows shall be equipped with shades.
- Sec. 12. Stanchions: Stanchions, grab handles, or bars, shall be installed at entrances and exits and at other locations within convenient reach of employees moving about the caboose while a train is in motion.
- Sec. 13. Drinking Water: Drinking water facilities shall be installed and maintained so as to provide fresh and pure drinking water. When ice is used for water cooling purposes, the containers shall be so arranged that the drinking water will not come in contact with the ice. Containers used for storing or dispensing potable water shall be kept clean at all times and shall be subjected to effective bactericidal treatment as often as may be necessary to prevent the contamination of the water so stored and dispensed.
- Sec. 14. Lavatory Facilities: Facilities for the washing of hands and face shall be provided at a location where the use thereof will not result in contamination of the drinking water dispensing system.
- Sec. 15. Fire Extinguisher: Caboose used in road service shall be equipped with an effective means of extinguishing minor fires. Such extinguishing agents shall be placed in a readily accessible location and shall be effectively maintained.
- Sec. 16. First Aid Kit: Each caboose shall carry in a visible and readily accessible place, a plainly marked first aid kit which shall be so constructed that it and its entire contents are readily removable. The kit shall be fully equipped and maintained in good condition.
- Sec. 17. Maintenance and Supplies: Caboose shall be supplied with fresh water, paper towels, sanitary drinking cups, fuel, ice as needed, hand soap or other cleaning agent in appropriate dispensers and such other equipment as may be required for service.

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Sec. 18. Conditions Arising after Departure from Terminal:
In the event a failure of required equipment or standards of maintenance occurs in a caboose after it has commenced a move in service, the railroad operating that caboose shall not be deemed in violation of this General Order if said failure of equipment or standards of maintenance is corrected at the first point at which maintenance supplies are available, or, in the case of repairs, the first point at which materials and repair facilities are available and repairs can reasonably be made.

Exemptions: If, in any particular case, an 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.

Approved and dated at San Francisco, California, this 12th
day of September, 1961.

PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA

By: R. J. Pajalich, Secretary