

ORIGINAL

Decision No. 67573

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF RIVERSIDE, CALIFORNIA, for an order authorizing the widening of Streeter Avenue at the existing crossing at grade of the mainline tracks of LOS ANGELES & SALT LAKE RAILROAD COMPANY, and its Lessee, UNION PACIFIC RAILROAD COMPANY, at Crossing No.3-53.8 in the City of Riverside.

Application No. 45610

(Filed July 19, 1963)

John Woodhead, Assistant City Attorney,
and Al Theal, Assistant City Engineer,
for applicant.
W. I. Kennedy, for Union Pacific Railroad,
interested party.
William F. Hibbard, for the Commission
staff.

O P I N I O N

Applicant City proposes to improve Streeter Avenue, a dedicated street, to accommodate additional vehicle and pedestrian traffic by the widening and alteration of Crossing No. 3-53.8 at grade of Streeter Avenue and the Los Angeles & Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company.

A public hearing was held in Riverside, California, on April 9, 1964, before Examiner DeWolf, at which time three witnesses testified, two exhibits were received in evidence and the matter was submitted.

An engineer for the Commission staff testified that he made an investigation of this crossing and prepared a report, which was admitted in evidence as Exhibit No. 1. This exhibit contains a map of the area, describes the present conditions and type of protection and states that visibility is restricted in the northeast and southeast quadrants and is good in the northwest and southwest quadrants.

Exhibit No. 1 states that the accident record since 1955 shows two accidents with none killed and three injured, that the average daily traffic is 7,000 vehicles and that, as Streeter Avenue is a principal collector street, it is expected that the traffic volume will substantially increase as this section of the City of Riverside continues to develop. The staff witness also testified that a new Sears Roebuck and Company store will soon be opened at the intersection of Streeter and Arlington Avenues, approximately one-third of a mile south of the crossing, and that posted vehicular speed limits are 30 miles per hour north of the crossing and 35 miles per hour south of the crossing.

The staff witness further testified that the average daily train traffic consists of 6 passenger trains and 15 freight trains. The timetable train speed at this location is 45 miles per hour for passenger trains and 40 miles per hour for freight trains. High intensity illumination is provided on Streeter Avenue north of the crossing. Dewey Avenue parallels the railroad on the south side. A switch to a second passing track is located 68 feet west of the west edge of pavement. The general area surrounding the

crossing is residential. A grammar school is located a short distance north of the crossing. Many school children use the crossing to and from school. A crossing guard is provided by the school. The City proposes to widen Streeter Avenue (Crossing No. 3-53.8) from the present width of 40 feet to a proposed width of 60 feet between curbs, provide raised center dividers four feet wide, and construct sidewalks as shown in City's Plan No. R-379, attached to the application.

The staff engineer recommended that, coincident with the improvement, the crossing protection be upgraded to two Standard No. 8 flashing light signals (General Order No. 75-B) supplemented with automatic crossing gates, and he testified that the installation of automatic gates is justified because of the present and anticipated future vehicular traffic volume, number of train movements, train speeds, view conditions, and number of tracks. Studies made by the staff show that automatic gates are the most effective type of crossing protection short of a grade separation.

The City Attorney stated that the applicant concurs with the staff's position and recommendations, and he adopted for the applicant the testimony and evidence of the staff.

The Riverside City Engineer testified that the traffic at the crossing would increase by about one thousand cars per day soon after the opening of the Sears store in the vicinity in about three weeks, that another large shopping center was being planned

called the Hardman Center and that this will add additional business to the area.

An engineer for the railroad testified that he had inspected this crossing and reviewed the traffic experience, that the flashers had been installed in 1955, that there had been only two accidents since that time with no deaths and that in his opinion automatic gates were not necessary at this time. The engineer testified that one passenger train will soon be removed and there will be only four passenger trains per day. The engineer recommended that the flashers be relocated, with an additional two flashers to be installed in the medians at the sole expense of the City of Riverside. He testified that the 1957 accident was caused by two trains passing and that in the 1960 accident, the vehicle had been stopped and then advanced, but the driver was found to be under the influence of alcohol.

The engineer for the railroad testified that the cost of installation of gates would be about \$22,000, and maintenance about \$1,100 per year, so that over a 20-year period the maintenance would be as costly as the installation. He testified that the cost of the added lights in the median and the relocation would be about \$8,000, with maintenance at about \$500 per year, or \$10,000 for 20 years. The engineer further testified that the rail traffic can be expected to decrease and that automatic gates could not be expected to improve the past accident record at

this crossing. The engineer identified a copy of an agreement, dated July 20, 1954, between the Railroad and the City of Riverside, which contains, among other things, the following provision:

"Section 3. It is understood that at some later date the City proposes to widen Streeter Avenue at the above location. In the event of such widening, it may be necessary to relocate the two flashing light signals above provided for. In that event the City agrees to bear the cost of such relocation, such cost now being estimated to be Two Hundred Eighty Dollars (\$280.00)."

There are no issues in connection with the application of the City to widen the crossing. The only issues concern the necessity for the installation of improved crossing protection and the apportionment of the cost of the additional crossing protection.

The Commission finds that:

1. The recommendation of the Commission staff engineer for improving the protection at the Union Pacific Railroad crossing of Streeter Avenue (Crossing No. 3-53.8) when the street is widened, by installation of two Standard No. 8 flashing light signals supplemented with automatic crossing gates, is reasonable and is justified by public health, safety, convenience and necessity and should be adopted.
2. The proposal of the railroad to install median lights would be insufficient protection for this crossing in view of the increasing traffic and business improvement taking place in this area. The reduction in rail traffic by one passenger train at this two-track crossing will not alter the hazards at the crossing significantly.
3. Public health, safety, convenience and necessity require that the protection of the crossing at Streeter Avenue in the City of Riverside be

upgraded by installation of two Standard No. 8 flashing light signals (General Order No. 75-B) supplemented with automatic crossing gates, to be done with the widening of said crossing, as provided in the following order.

Based upon the findings of fact, and in conformity with the policy and holding announced in Decision No. 66454, dated December 10, 1963, and Decision No. 66831, dated February 25, 1964, we conclude that the cost of maintaining protective devices at the crossing, herein concerned, should be borne exclusively by the Railroad.

O R D E R

IT IS ORDERED that:

1. The City of Riverside is authorized to widen and improve the grade crossing at Streeter Avenue and the Union Pacific Railroad Company tracks (Crossing No. 3-53.8) substantially in the manner and in accordance with the plans introduced in this proceeding, subject to the conditions as herein set forth.
2. The work required to be performed at said crossing between lines two feet outside of rails and the work of moving and installing signals and automatic gates shall be performed by Union Pacific Railroad Company.

3. Union Pacific Railroad Company shall bear the entire cost of preparing the tracks to receive the pavement for the widened portions of the crossing between lines two feet outside of rails and the full cost of improving the present crossing between such lines.

4. Crossing protection at said crossing shall be by two Standard No. 8 flashing light signals as prescribed in General Order No. 75-B, supplemented by automatic crossing gates.

5. The City of Riverside shall bear the portion of the cost of relocation of the flashing lights as provided in the agreement dated July 20, 1954, to be determined as of the date said improvement is made, and said amount shall be deducted from the total cost of installation of said crossing protection and the City of Riverside and Union Pacific Railroad Company shall each bear one-half of the remaining costs of installation of the automatic gates at said crossing.

6. The maintenance costs of the crossing between lines two feet outside of the outside rails and for the automatic protection installed at the crossing shall be borne by the Union Pacific Railroad Company.

7. The City of Riverside shall bear the remainder of the expense of constructing and maintaining the proposed widened crossing and approaches.

8. Within thirty days after the completion of the work hereinabove authorized applicant and protestant shall notify the Commission in writing of the compliance with the conditions hereof.

9. The improvements herein provided for are to be completed within two years from the date of this order.

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

Dated at San Francisco, California, this 21st day of July, 1964.

[Signature] President
[Signature]
[Signature]

Commissioners

We concur in the order, except as to Paragraph 6 thereof. We would apportion half of the maintenance cost of the automatic protection to the city and half to the railroad.

George G. Trover
Frederick B. Holloff