

ORIGINALDecision No. 68633

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the safety, main-)
 tenance, operation, use and protec-)
 tion of the following crossing at)
 grade with the line of the Union)
 Pacific Railroad Company in the)
 County of Riverside, California:)
 Crossing No. 3-44.5, Wineville Avenue.)

Case No. 7985

Edward C. Renwick, M. W. Vorkink,
William I. Kennedy, and Byron J.
Lawler, by Byron J. Lawler, for
Union Pacific Railroad Company;
Tilden L. Brooks, for County of
Riverside, respondents.

William E. Cozzo, for Industrial
Asphalt; George Thwing, Jr., for
Triangle Rock Products, Inc.,
protestants.

David F. Hunter, for Industrial
Asphalt, Inc., interested party.
Robert C. Marks, for the Commission
staff.

O P I N I O N

On August 18, 1964, the Commission instituted an inves-
 tigation for the purpose of inquiring into the safety, maintenance,
 operation, use and protection of the Wineville Avenue crossing with
 the tracks of the Union Pacific Railroad Company in the County of
 Riverside, California, to determine whether or not the public
 health, safety and welfare require improved protective devices at
 said crossing or require the relocation, widening, closing, or
 alteration of said crossing, and to prescribe the terms for instal-
 lation and maintenance of said improvements or changes.

Public hearing was held before Examiner DeWolf on January 7, 1965, at Riverside, California, and submitted on the same date.

A Commission transportation engineer who made an investigation of the grade crossing testified and his report was received in evidence as Exhibit No. 1. The report describes the area at the crossing and contains a description of alternate routes and a traffic count of automobiles and trains using the crossing.

A 24-hour count made by the County of Riverside on March 17, 1964, showed a total of 180 vehicles over the crossing. By far, the majority of vehicles traversing the crossing are trucks and truck-trailer combinations serving sand and gravel and asphalt industries located approximately three-tenths of a mile north of Mission Boulevard.

An observation of traffic using Wineville Avenue between Mission Boulevard and Patton Road made on December 16, 1964, between the hours of 8:00 a.m. and 11:00 a.m., showed that 59 vehicles entered or left the plants on Wineville Avenue.

The average daily train traffic consists of four passenger trains, ten through freight trains and four local freight trains. On Friday and Sunday there is an additional passenger train. Maximum speeds permitted are 79 MPH for passenger trains and 60 MPH for freight trains.

Exhibit No. 1 states that all alternate routes would be safer than the present use of the Wineville Avenue crossing and concludes as follows:

The hazards at the crossing are:

1. Restricted visibility combined with high train speeds.
2. Fouling of main line track by southbound truck-trailer units due to short distance from track to Mission Boulevard. If two vehicles are stopped simultaneously, the second vehicle may foul the tracks.

3. Truck-trailer units entering Wineville Avenue off of Mission Boulevard and stopping for approaching trains can foul the roadway, thereby creating a traffic hazard at the intersection. Even the installation of Standard No. 8 flashing light signals supplemented with automatic gates would not eliminate all of the hazards at this crossing. Without coordinated traffic signals at the adjacent intersection there would be no assurance that truck units blocked on the track could be safely cleared from the danger area on the approach of a train. The cost to install automatic gates and traffic signals for the convenience of relatively few vehicles is not warranted, particularly where satisfactory alternate routes are available.

The report recommends that the crossing be closed.

One witness each testified on behalf of the railroad and the County of Riverside and each testified that the crossing is extremely dangerous, both for automobile traffic and the railroad trains and both parties concurred in the staff recommendations.

Two protestants appeared who represented aggregate plants on Wineville Avenue north of the railroad crossing and one of these protestants examined the witnesses who testified. The protestants stated that they used the crossing and that their protest is based on increased travel distance for their aggregate trucks which would be caused if the crossing were closed.

At the close of the evidence, the protestants (who did not offer any evidence) stated that they did not want to be the cause of any deaths or hazards at the crossing and withdrew their protests.

