

ORIGINAL

Decision No. 68730

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the status, safety,
maintenance, operations, use and
protection of a crossing at grade
of the Southern Pacific Company in
the City of Riverside at Kansas
Avenue - Crossing No. BJ-545.3.

Case No. 8057
(Filed November 10, 1964)

Randolph Karr and Walt A. Steiger, for the
Southern Pacific Company, and John Woodhead,
for the City of Riverside, respondents.
Elmer Sjostrom, for Commission staff.

O P I N I O N

This investigation of Crossing No. BJ-545.3 of the Southern Pacific Company at Kansas Avenue, in the City of Riverside, was instituted to determine the need, if any, of improving the crossing protection for the health and safety of the public, to prescribe terms on which any installation and maintenance of protection shall be done, and to make such apportionment of costs as may appear just and reasonable.

A public hearing was held at Riverside on January 14, 1965, before Examiner Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

The evidence shows that the said grade crossing consists of a branch line track at a 90-degree angle with Kansas Avenue and that the grades of approach are level. Approaching trains, however, are obscured by industrial buildings in three quadrants and a parking lot in the fourth. The immediate area is industrial

and residential. Kansas Avenue is a principal north-south street which is 56 feet wide at the south approach and 38 feet at the north approach to the track. Easterly from Kansas Avenue, paralleling the tracks on the north, is Massachusetts Avenue, a 30-foot street. An extension of Massachusetts Avenue westerly from Kansas Avenue serves only as a driveway into a lot of an adjacent industrial plant.

A Commission transportation engineer testified that on December 30, 1964, 2,539 vehicles passed the crossing between the hours of 8:30 a.m. and 5:30 p.m. and that peak traffic occurred between 3:00 p.m. and 5:00 p.m., the period which the one daily train operates and makes several switching movements across Kansas Avenue (five such movements on the day of the inspection). It was the opinion of said witness that the crossing is hazardous because of the coincidence of peak vehicular travel and train arrival and switching times, and the obstructed view from both north and south approaches.

The traffic engineer for the City of Riverside testified that a 24-hour count taken January 12, 1965, showed that 4,280 vehicles passed said crossing; that the peak travel was between 7:00 a.m. and 9:00 a.m., and 3:00 p.m. and 5:00 p.m., when 640 and 910 vehicles, respectively, moved over the tracks. Between 8:30 a.m. and 5:30 p.m., 2,790 vehicles were counted, or 250 more than the staff count of December 30, 1964. It was this witness' opinion that No. 8 flashing light signals are necessary at this crossing in view of the existing conditions and the increasing travel and industrial activity.

The accident record at said crossing shows that since January 1, 1959, there have been two train-auto collisions resulting in three injuries. Prior thereto, between 1926 and 1957,

there were four accidents resulting in two injuries and property damage.

The railroad's project engineer submitted an estimate of construction cost of two Standard No. 8 flashing signals of \$8,990, and maintenance cost of \$476 per year. It was the opinion of this witness that flashing light signals are not justified and that there would be no material improvement over signs as the signals would have to be placed some distance from the crossing tracks due to the alignment of the street.

Testimony of the witnesses for the city and the railroad indicated no objection to some sharing of the construction costs. No evidence was received pertaining to the allocation of maintenance costs, although an offer of proof on the issue of allocation of maintenance costs was made by counsel for the railroad (Exhibit No.3).

Based upon the evidence we find the facts to be as hereinabove set forth and conclude that the public safety and health require the installation and maintenance of protective devices at said crossing as are hereinafter provided. The cost of installing flashing light signals at Kansas Avenue should be apportioned 50 percent to the Southern Pacific Company and 50 percent to the City of Riverside, the Southern Pacific Company to pay for the cost of maintaining said protective devices.

O R D E R

IT IS ORDERED that:

1. The Southern Pacific Company shall, within ninety days after the effective date hereof, replace the existing crossing

protection devices at Kansas Avenue, in the City of Riverside, Crossing No. BJ-545.3, with two Standard No. 8 flashing light signals.

2. The installation costs for installing said No. 8 flashing light signals shall be apportioned on the basis of 50 per cent to be paid by the City of Riverside and 50 per cent to be paid by Southern Pacific Company.

3. The maintenance costs for the two No. 8 flashing light signals installed at Crossing No. BJ-545.3 shall be borne by Southern Pacific Company.

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

Dated at San Francisco, California, this 9th day of MARCH, 1965.

We concur, except as to apportionment of signal maintenance cost. Evidence on that issue should have been allowed.

*Frederick B. Holdhoff
George H. Traver*

[Signature]

President

[Signature]

[Signature]

Commissioners