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ORIGINAL

Decision No. 70156

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the COUNTY OF VENTURA for approval of the removal of stop signs from Pleasant Valley Road, Crossing No. E-415.8; Oak Park Road, Crossing No. 430.9; and Cavin Road, Crossing No. BE-428.3, of Southern Pacific Company, in the County of Ventura.	Application No. 48113

ORDER RESCINDING RESOLUTION NO. ET-1044

Commission Resolution No. ET-610, adopted in 1952, approved the installation of "stop signs" at four grade crossings of Southern Pacific Company in Ventura County, including Crossing No. BE-428.3 at Cavin Road.

On October 5, 1965 the Commission, at the request of the County, adopted Resolution No. ET-1044, "authorizing" the County to remove stop signs at three crossings, including the Cavin Road crossing. Southern Pacific Company filed a petition for rehearing, seeking to vacate that portion of the 1965 resolution relating to removal of the signs at the Cavin Road crossing.

It appears from the application of the County of Ventura[1/] that in July of 1965 the Ventura County Traffic Safety Council recommended removal of the signs at the Cavin Road crossing because of extremely light traffic, low train movements, and poor compliance by motorists. The County Board of Supervisors thereafter approved removal, and directed the County Department of Public Works to request rescission of the Commission's 1952 resolution as to the Cavin Road crossing. As stated, Resolution No. ET-1044 "authorized" removal of the signs.

1/ Following receipt of the petition for rehearing, a letter dated August 11, 1965, addressed to the Commission by the Department of Public Works of the County of Ventura, was docketed as an application.

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The railroad's petition for rehearing seeks vacation of the resolution, requests oral argument, and contends that the Commission's action was arbitrary and unreasonable for numerous reasons set forth in the petition.

Vehicle Code sec. 21110 (formerly sec. 459.5) provides as follows:

> "21110. Local authorities may adopt rules and regulations by ordinance or resolution to require that all vehicles stop before entering or crossing the tracks at any highway railroad grade crossing when signs are in place giving notice thereof, but no such ordinance shall be effective unless approved by an order of the Public Utilities Commission."

Section 21110 is in that part of the Vehicle Code relating to local traffic regulations. (Ch. 1 of Division 11.) Local authorities may regulate traffic by means of official traffic control devices, such as stop signs. (Secs. 21100, 21351.) Under sec. 21110 local authorities may not place stop signs at highway railroad grade crossings without first obtaining Commission approval. The section does not require Commission approval or authorization for the removal of stop signs. For this reason Resolution No. ET-1044 will be rescinded.

IT IS ORDERED that Resolution No. ET-1044, adopted October 5, 1965, is hereby rescinded.

Dated at San Francisco, California, this 4th day of JANUARY, 1966.

Frederick B. Holoboff
President

Peter E. Mitchell

George G. Grover

A. W. Gatov

William M. Bennett
Commissioners