

ORIGINAL

Decision No. 72206

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the status, safety, maintenance, use and protection or closing of all crossings at grade on the Escondido Branch Line of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY between Oceanside and Escondido in the County of San Diego.

Case No. 8273
(Filed September 28, 1965)

Neal W. McCrory, for respondent.
Dale Austin, for City of Oceanside;
Arthur Rutsch, for City of Vista;
Sam B. Ward, for County of San Diego; Graham K. Fleming and John A. Williamson, for City of Escondido; Douglas A. Stark, for City of San Marcos; and G. R. Mitchell, for Locomotive Engineers, interested parties.
S. M. Boikan, for the Commission staff.

O P I N I O N

On September 28, 1965, the Commission instituted an investigation into 30 street crossings of The Atchison, Topeka and Santa Fe Railway Company in the cities of Oceanside, Vista, San Marcos and Escondido and the County of San Diego.

Public hearings were held at Oceanside on October 25, 1966, and at Escondido on October 27, 1966, before Examiner DeWolf, and on the latter date the case was submitted.

The order states that it was issued to determine whether or not the public health, safety and welfare require relocation, widening, closing or other alteration of said crossings or require installation and maintenance of additional or improved protective

devices at said crossings, and on what terms such improvements shall be made, and to determine apportionment of costs among the affected parties as may appear just and reasonable, and to make any other order or orders that may be appropriate in the lawful exercise of the Commission's jurisdiction.

The railroad crossings involved in this proceeding are listed as follows:

<u>Crossing Number</u>	<u>Name of Street</u>	<u>Location</u>
2E-0.3	Hill Street	City of Oceanside
2E-0.88	Cavalier Mobile Estates Driveway	City of Oceanside
2E-1.6	Crouch Street	City of Oceanside
2E-2.9	El Camino Real	City of Oceanside
2E-8.0	North Avenue (Also known as North Dr.)	City of Vista
2E-8.2	Los Angeles Drive	City of Vista
2E-9.2	West Vista Way	City of Vista
2E-9.4	State Route No. 196 (Also known as West Broadway)	City of Vista
2E-9.6	Guajome Street	City of Vista
2E-10.1	Lado de Loma Drive (Also known as Sunset Drive)	City of Vista
2E-11.2	Avocado Drive (Also known as Mar Vista Drive)	City of Vista
2E-12.0	South Santa Fe Avenue	County of San Diego
2E-12.4	Buena Creek Road	County of San Diego
2E-12.8	Estrelita Drive	County of San Diego
2E-14.6	Mission Road	City of San Marcos
2E-14.8	Arctic Street	City of San Marcos
2E-15.1	Bent Avenue	City of San Marcos
2E-16.1	San Marcos Avenue	City of San Marcos
2E-16.5	Encinitas Road	City of San Marcos
2E-16.7	Val Preda Road	City of San Marcos
2E-17.8	Richland Road	City of San Marcos
2E-18.4	Mission Frontage Road	City of San Marcos
2E-18.9	Barham Drive	City of Escondido
2E-19.0	Country Club Drive	City of Escondido
2E-20.29-C	Santa Fe Avenue	City of Escondido
2E-20.3-C	Washington Avenue	City of Escondido
2E-20.4	Hale Avenue	City of Escondido
2E-21.1	Grand Avenue	City of Escondido
2E-21.2	Third Street (Also known as 3rd Ave.)	City of Escondido
2E-21.3-C	Quince Street	City of Escondido

The Commission staff witness prepared and introduced into evidence Exhibit 1, an engineering report of investigation describing the physical characteristics of these crossings, the local conditions of population, traffic and accidents, and containing recommendations as to maintenance, improvement and apportionment of costs. The witness testified that he personally studied and examined each crossing.

The Atchison, Topeka and Santa Fe Railway Company, hereinafter referred to as respondent, appeared and examined the witnesses, but offered no evidence in opposition to the recommendations of the Commission staff. The Cities of Oceanside, Vista, San Marcos and Escondido and the County of San Diego appeared and examined witnesses and presented evidence.

Exhibit No. 1 describes the area and crossings as being in the northwesterly portion of San Diego County and shows that the Oceanside-Escondido Freeway runs through the Cities of Vista, San Marcos and San Diego County. The freeway generally parallels and is to the south of respondent's Escondido Branch Line. It has off and on ramps which are strategically located in the vicinity of the above cities and pass over or near the grade crossings of the railroad tracks. This requires vehicles that wish to gain access to or from the freeway to use the various railroad grade crossings.

The Escondido Branch Line branches off of the main line of the railroad in the westerly portion of the City of Oceanside, thence travels southeasterly for a distance of approximately

20 miles, and ends in the City of Escondido. The railroad lines run through the Cities of Vista and San Marcos and a portion of the County of San Diego and, in doing so, pass over 30 street crossings on the route.

There are two trips per day (each trip carries freight): the first trip leaves the City of Oceanside at about 10:00 a.m. and travels southeasterly to Escondido; the second trip leaves the City of Escondido about 11:00 p.m. and travels northwesterly. The speed on this line varies from 15 M.P.H. to 20 M.P.H.

Southern California has had and is now experiencing a dynamic population growth. It has recently become apparent that this growth is on the increase in the County of San Diego and, in particular, the northern portion thereof. An engineering study prepared for the City of San Marcos recently indicates that this population growth will continue to increase.

Exhibit 1 contains a sheet of statistical data concerning each of the 30 crossings and shows the number of tracks, width of the crossing and approach, angle of crossing, drivers' visibility, the present crossing protection, the illumination, train and auto speeds at the crossing, amount of train and vehicular traffic, the accident record, and the staff recommendations.

The transportation engineer for the Commission staff testified that dangerous conditions exist at ten crossings due to increasing automobile traffic, street alignment, freeway construction and angles of approach, and that improvements in crossing protection should be made.

The staff recommendations for the changes or improved crossing protection is as follows:

<u>Crossing Number</u>	<u>Street</u>	<u>Public Agency</u>	<u>Recommendations</u>
2E-0.3 2E-9.2	Hill Street W. Vista Way	Oceanside Vista	Install automatic gates. Install flashing light signals coordinated with adjacent traffic signals.
2E-11.2	Mar Vista Dr.	Vista	Install flashing light signals.
2E-12.0	S. Santa Fe Ave.	San Diego County	Install flashing light signals.
2E-12.8	Estrelita Dr.	San Diego County	Install flashing light signals.
2E-14.6	Mission Rd.	San Marcos	Install flashing light signals.
2E-15.1	Bent Avenue	San Marcos	Close crossing.
2E-20.3-C	Washington Ave.	Escondido	R.R. flag crossing.
2E-20.4	Hale Avenue	Escondido	Install flashing light signals.
2E-21.1	Grand Avenue	Escondido	Install flashing light signals.

In addition to the above specific recommendations, the staff also made the following recommendations:

1. All work shall be completed within 18 months of the effective date of any order in this case.
2. The installation costs of the automatic protection shall be apportioned 50 percent to the railroad and 50 percent to the public agency.
3. The railroad shall carry out and bear the cost of closing the Bent Avenue (No. 2E-15.1) crossing.
4. The cost of maintenance of the automatic protection shall be apportioned pursuant to Section No. 1202.2 of the Public Utilities Code.

5. The railroad shall install a minimum of two reflectorized No. 1 signs at each crossing. The appropriate public agency shall paint appropriate RXRs, crossbars and center line striping on the pavement and install an advance warning sign on the approach of each crossing.

The Cities of Oceanside, Vista, San Marcos and Escondido and the County of San Diego all were represented at said hearing. Exhibit 2 (a letter from the County Engineer of San Diego County dated October 4, 1966) sets forth reasons for the County's objection to the improvement of the crossing protection at Estrelita Drive and concludes that any improvement of this protection is highly premature at this time.

The position of the County of San Diego is that its budget for 1966-1967 covers two grade separations and the upgrading of six other crossings involving costs of more than \$1,000,000. The County claims that there are eight crossings higher in priority for improvement than Estrelita Drive (No. 2E-12.8) for which the County does not have budgeted funds at this time.

The City Engineer of the City of San Marcos appeared for it, examined the staff witness, and objected to the proposed improvement of crossing protection at Crossing No. 2E-14.6 and closing of Crossing No. 2E-15.1. Exhibit 3, containing three pictures of the Mission Road crossing No. 2E-14.6, was introduced in evidence by the City and it is claimed shows that the view at this crossing is not obstructed. The City of San Marcos does not object to the closing of Bent Avenue, Crossing No. 2E-15.1, when

Bent Avenue is improved and made available to the San Marcos Valley Airport. This is in the planning stage, and improvements are to be partly at the cost of the land owners. The City representative testified that these improvements could not be completed within the 18 months proposed, but that they would require up to four years for the Mission Road widening and as much as two years for Bent Avenue work.

The pertinent information in Exhibit 1 regarding the improvement of the three crossings here in controversy follows:

Estrelita Drive (Crossing No. 2E-12.8)

- | | |
|---|-------------------------------------|
| 1. Number of tracks: | 1 Branch line
2 Spur track |
| 2. Width of crossing: | 24 Feet |
| Width of approach: | 24 Feet |
| 3. Angle of crossing: | 85 Degrees |
| 4. Drivers' visibility: | Restricted |
| 5. Present crossing protection: | 2 Standard No. 1
crossing signs. |
| 6. Illumination: | None |
| 7. Speeds: | |
| Trains (maximum permissible) | 20 MPH |
| Autos (observed) | 25 MPH |
| 8. Traffic: | |
| Trains | 1 Round trip per day |
| Vehicles | 930 (1966 count) |
| School buses | 24 per day |
| 9. Accident record since October 1, 1961: | |

<u>Date</u>	<u>No. Killed</u>	<u>No. Injured</u>
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| 10. Recommendations: | Install two Standard No. 8
flashing light signals. |
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Mission Road (Crossing No. 2E-14.6)

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|---|---------------------------------|
| 1. Number of tracks: | 1 Branch line |
| 2. Width of crossing: | 50 Feet |
| Width of approach: | 34 Feet |
| 3. Angle of crossing: | 45 Degrees |
| 4. Drivers' visibility: | Restricted |
| 5. Present crossing protection: | 2 Standard No. 1 crossing signs |
| 6. Illumination: | None |
| 7. Speeds: | |
| Trains (maximum permissible) | 20 MPH |
| Autos (observed) | 30 to 35 MPH |
| 8. Traffic: | |
| Trains | 1 Round trip per day |
| Vehicles | 3,640 per day (8-8-66) |
| School buses | 2 per day |
| 9. Accident record since October 1, 1961: | |

<u>Date</u>	<u>No. Killed</u>	<u>No. Injured</u>
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10. Recommendations: Install two Standard No. 8 flashing light signals.

Bent Avenue (Crossing No. 2E-15.1)

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|---|--------------------------------|
| 1. Number of tracks: | 1 Branch line |
| 2. Width of crossing: | 18 Feet |
| Width of approach: | 18 Feet |
| 3. Angle of crossing: | 90 Degrees |
| 4. Drivers' visibility: | Restricted |
| 5. Present crossing protection: | 1 Advance warning sign |
| 6. Illumination: | None |
| 7. Speeds: | |
| Trains (maximum permissible) | 20 MPH |
| Autos (observed) | Not observed |
| 8. Traffic: | |
| Trains | 1 Round trip per day |
| Vehicles | 20 per day
(estimated 8-66) |
| 9. Accident record since October 1, 1961: | |

<u>Date</u>	<u>No. Killed</u>	<u>No. Injured</u>
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10. Recommendations: Close crossing.

Portions of two maps showing the location of the crossings at Estrelita Drive, Mission Road and Bent Avenue are reproduced and attached hereto as Appendix A.

Respondent agrees with the Commission staff proposal for installation of automatic crossing gates at Crossing No. 2E-0.3 and for flashing light signals at Crossings Nos. 2E-9.2, 2E-11.2, 2E-12.0, 2E-12.8, 2E-14.6, 2E-20.4 and 2E-21.1; for a railroad flag crossing at Crossing No. 2E-20.3-C; and for closing of Crossing No. 2E-15.1. The County of San Diego and the City of San Marcos, object to the improvement of two of these crossings on the grounds that such would be premature and ahead of other needed crossing improvements in the locality. No evidence was offered by these public agencies to show that this area is not growing as indicated by the staff report or that the proposed improvements would not be needed within the 18 months specified for the installation of these improvements and changes.

Findings

The Commission finds that:

1. The portion of Northern San Diego County encompassing the Oceanside and Escondido area is rapidly growing in population and the growth may be expected to continue in the future.
2. The Escondido Branch of the Santa Fe Railway is in Northern San Diego County and is used for freight traffic only, and the maximum speed thereon is 20 miles per hour.
3. The growth of population in this area is rapidly increasing the vehicular traffic entering and leaving the new freeway on Highway 78 which increases the traffic over the railroad crossings to be protected by the order which follows.

4. Crossing No. 2E-15.1 has approaches to the track at an angle of 90 degrees, but the crossing has restricted visibility for approaching motorists and will not be necessary when other roadways are improved in the area at which time this crossing should be closed.

5. Crossing No. 2E-0.3 is located in the City of Oceanside and has restricted visibility. This crossing carries over 19,500 vehicles daily, has had two accidents since 1962 and should be protected by two Standard No. 8 flashing light signals supplemented with automatic crossing gates.

6. Crossings Nos. 2E-9.2, 2E-11.2, 2E-12.01, 2E-12.8, 2E-14.6, 2E-20.4 and 2E-21.1 have characteristics which are dangerous and are carrying increasing traffic, including school buses, and should be protected by installation of flashing red lights at each crossing.

7. Crossing No. 2E-20.3-C has restricted visibility for approaching motorists, and with a daily vehicular traffic count of 2,000, should be protected by a flagman while trains are crossing.

8. All of the 30 crossings described herein should have a minimum of two reflectorized No. 1 signs at each crossing to be installed by the railroad, and the appropriate public agency should install an advance warning sign on the approach of each crossing and should paint RXRs, crossbars, and center line striping on the pavement.

9. Installation cost for the signal work specified herein shall be apportioned 50 percent to the railroad involved and 50 per cent to the public agency or agencies involved.

10. Public welfare, health and safety require the installation of improved railroad crossing protection at the crossings listed and the closing of the named crossing, within the time specified, in the following order.

The 18 months' time allowed for the installation of the improvements will afford the public agencies concerned sufficient time for the budgeting and financial requirements involved.

We conclude that the proposed crossing changes and the proposed installation of crossing protection should be ordered, as set forth in the following order, and that the installation thereof can reasonably be accomplished within the time specified. We further conclude that the installation costs of automatic protection should be apportioned 50 percent to the railroad and 50 percent to the public agency involved, that the railroad should carry out and bear the cost of closing the Bent Avenue (No. 2E-15.1) crossing and that the cost of maintenance of the automatic protection should be apportioned pursuant to Section No. 1202.2 of the Public Utilities Code.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company shall install automatic signal protection within 18 months after the effective date of this order as follows:

a. Standard No. 8 flashing light signals (General Order No. 75-B), supplemented with automatic gate arms, shall be installed at Crossing No. 2E-0.3, Hill Street, Oceanside, California.

b. Standard No. 8 flashing light signals (General Order No. 75-B) shall be installed at each of the following crossings:

<u>Crossing Number</u>	<u>Street</u>	<u>Public Agency</u>	<u>Additional Recommendations</u>
2E-9.2	W. Vista Way	Vista	Flashing light signals shall be coordinated with adjacent traffic signals.
2E-11.2	Mar Vista Dr.	Vista	-
2E-12.0	S. Santa Fe Ave.	San Diego County	-
2E-12.8	Estrelita Dr.	"	-
2E-14.6	Mission Road	San Marcos	-
2E-20.4	Hale Ave.	Escondido	-
2E-21.1	Grand Ave.	Escondido	-

c. The Crossing No. 2E-20.3-C at Washington Avenue, Escondido, shall be designated a railroad flag crossing within sixty days after the date of this order, and train movements over the crossing shall be protected by a member of the train crew or other competent employee acting as a flagman.

2. The Atchison, Topeka and Santa Fe Railway Company shall close Crossing No. 2E-15.1, Bent Avenue, in San Marcos, on the first working day of the month after the expiration of 18 months after the effective date of this order, all work to be at the expense of the railroad.

3. The railroad shall install a minimum of two reflectorized No. 1 signs at each of the 30 crossings. The public agency involved shall paint appropriate RXRs, crossbars and center line striping on the pavement and install an advance warning sign on the approach of each of the 30 crossings.

4. Installation cost for the signal work specified herein shall be apportioned 50 percent to the railroad involved and 50 percent to the public agency or agencies involved.

5. Maintenance cost of automatic protection shall be divided between the railroad and the public agency or agencies involved pursuant to Section 1202.2 of the Public Utilities Code.

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

Dated at San Francisco, California, this 28th day of MARCH, 1967.

Robert E. Mitchell
 President

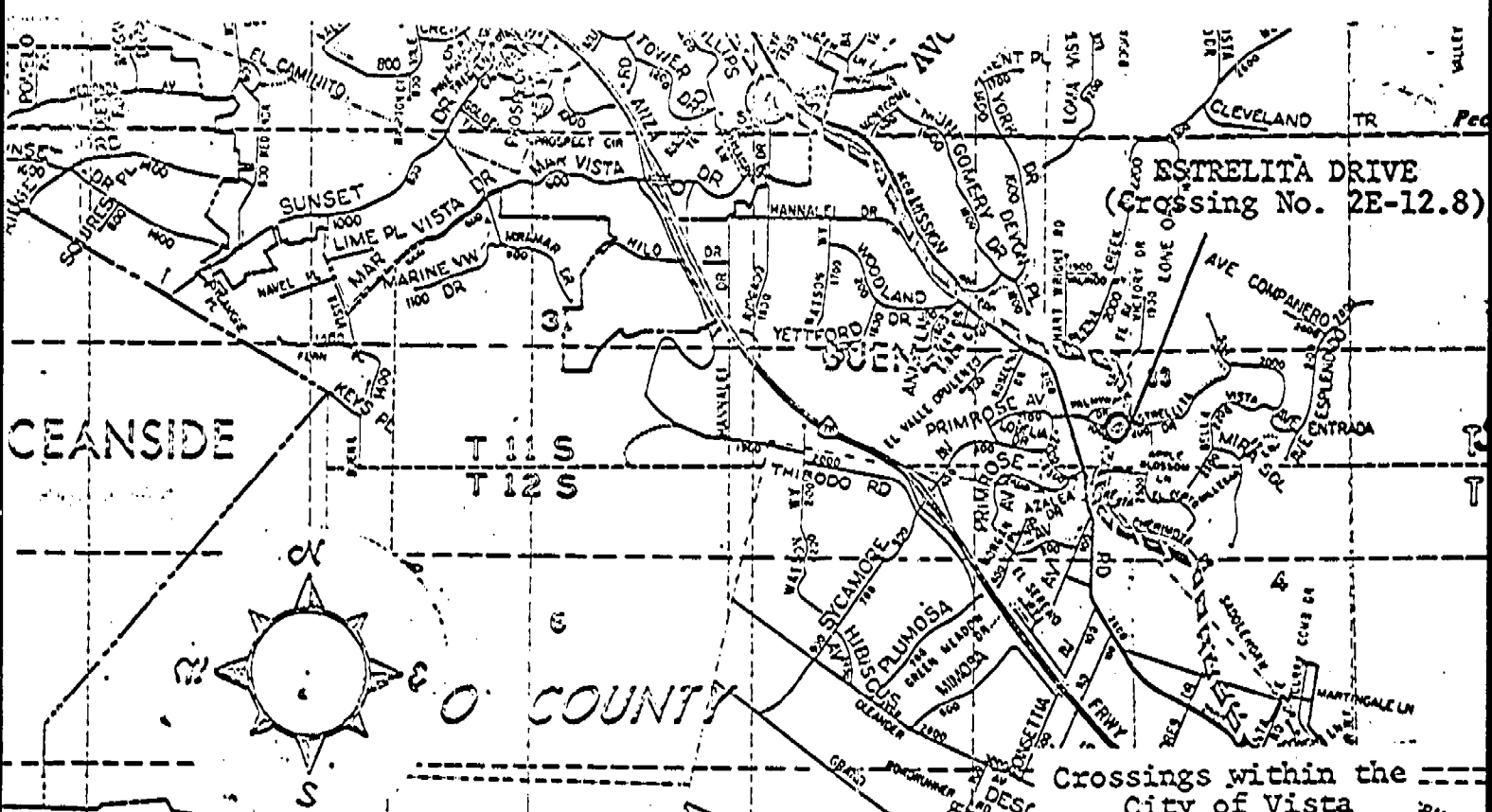
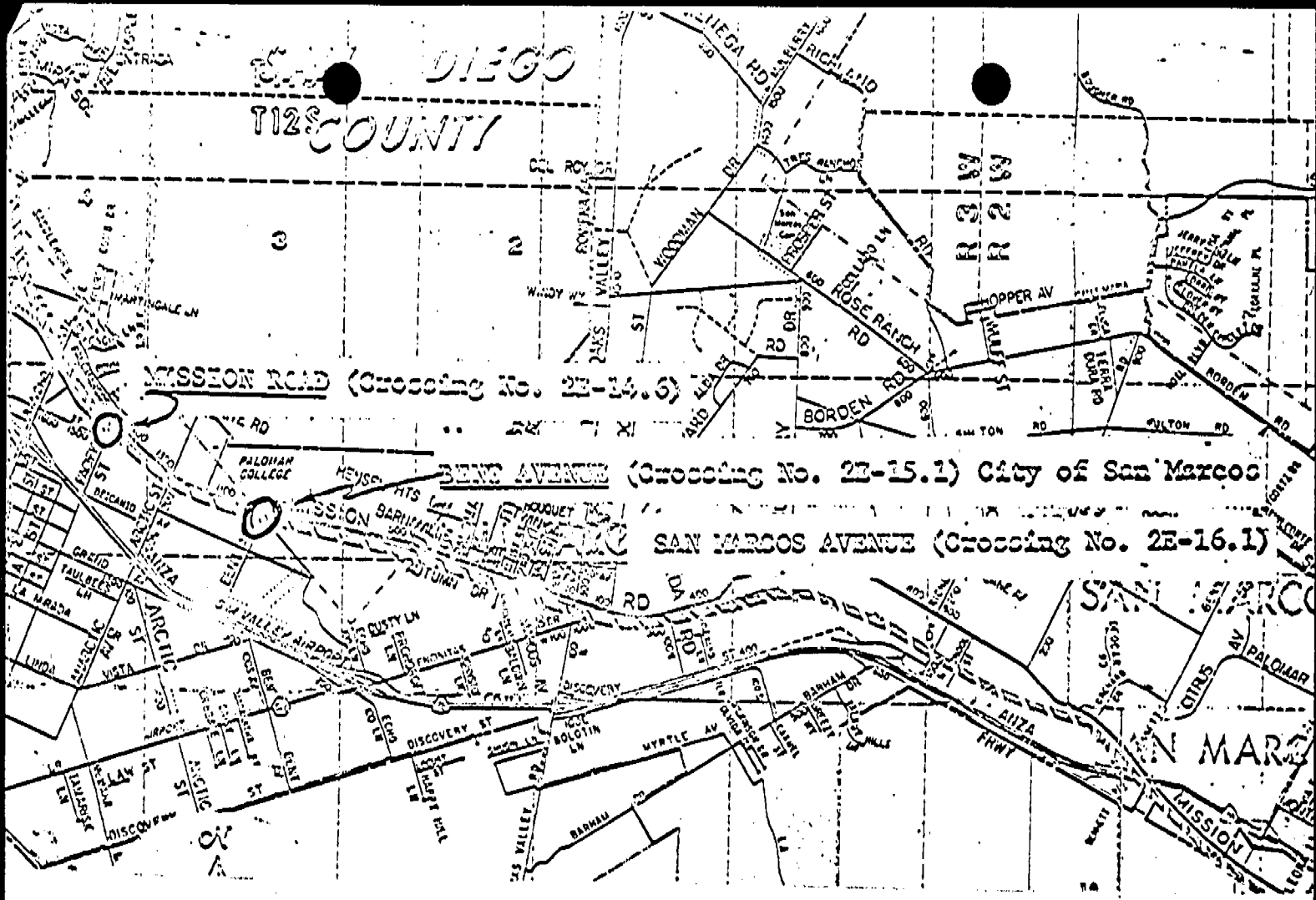
William W. Bennett

Augustus

William A. Quinn, Jr.

John P. Moroney
 Commissioners

SAN DIEGO
T12S COUNTY



CEANSIDE

T11S
T12S
O COUNTY

Crossings within the
City of Vista

1 INCH TO 2900 FT. APPROX. SCALE OF MAP

