

ORIGINAL

Decision No. 77272

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation to establish rules
and procedures to facilitate ad-
ministration of 1957 amendment to
Vehicle Code Sections 576 and
576.5 relating to requirement
that certain motor vehicles must
stop at railway grade crossings. }

Case No. 5979

James Areida, for Lodi Unified School Dis-
trict, petitioner.

Harold S. Lentz, for Southern Pacific
Transportation Company, protestant.

M. E. Getchel, for the Commission staff.

O P I N I O N

By its petition filed December 3, 1969, Lodi Unified School District requests that Crossings DE-105.3-C and DE-105.45-C, which cross the tracks of the Southern Pacific Transportation Company on Turner Road in Lodi, be exempt from the provisions of Sections 576 and 576.5 of the Vehicle Code requiring stops by certain motor vehicles at industrial or spur track railway crossings.

Public hearing was held before Examiner Daly on April 22, 1970, at San Francisco.

The General Mills plant in Lodi is located on Turner Road and is served by two spur tracks of the Southern Pacific Transportation Company from its main track Woodbridge Branch. Turner Road crosses the spur tracks (Crossings DE-105.3-C and DE-105.45-C), which are approximately 150 feet apart, as well as the main branch track (Crossing DE-105.0) at a point approximately 200 feet from Crossing DE-105.3-C.

Train movements in and out of the General Mills plant are conducted daily between the hours of 5:45 a.m. and 9 a.m., with occasional movements during other times of the day. Crossing DE-105.3-C averages 12 moves a day, Crossing DE-105.45-C averages 4 moves a day and the main branch Crossing DE-105.0 averages 8 movements a day. Traffic checks indicate that 9,465 vehicles crossed the spur tracks during a 24-hour period on April 16, 1970, and that 10,177 vehicles crossed during a similar period on April 17, 1970.

In providing transportation for school children the Lodi Unified School District operates six buses daily during the school week over Turner Road. The buses average 26 stops a day at the spur tracks serving the General Mills plant. According to petitioner the stops are not only costly from a maintenance point of view, but are unnecessary because all train movements crossing Turner Road are controlled by a member of the train crew. Petitioner also contends that because of the close proximity of the three crossings and the heavy density of traffic along Turner Road it has received numerous complaints from motorists because of the delays and traffic hazards caused by the frequent bus stops.

The petition was supported by the Lodi District Safety Council and the Lodi District Chamber of Commerce.

Southern Pacific Transportation Company is opposed to the exempt status of these crossings because of the high use factor. The staff opposes the requested exemptions because of the close proximity of the spur tracks to the main branch track and of the strong possibility that certain drivers, including those operating gasoline tank trucks and trailers, might be under the impression that the exemption would apply to all three crossings.

After consideration the Commission finds that:

1. Crossings DE-105.3-C and DE-105.45-C are heavily traversed by train movements and vehicular traffic.

2. Because of the close proximity of the main branch crossing (Crossing DE-105.0) to Crossings DE-105.3-C and DE-105.45-C any exemption granted to the latter crossings could create confusion in the minds of drivers with respect to the status of the main branch crossing and thereby create a hazardous condition.

The Commission, therefore, concludes that the petition should be denied.

O R D E R

IT IS ORDERED that the petition of the Lodi Unified School District as herein considered is hereby denied.

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

Dated at San Francisco, California, this 22nd
day of MAY, 1970.

William J. Lyons, Jr.
President

Augusta
J. P. Williams

Norman L. Stinger
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.