

Decision No. 80904

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into the status, safety,)
maintenance, use and protection of)
a grade crossing over a track of)
Southern Pacific Transportation)
Company at County Line Road, partly)
in the County of Kern and partly)
in the County of Tulare.)

Case No. 9415
(Filed August 1, 1972)

Harold S. Lentz, Attorney at Law, for Southern
Pacific Transportation Company; Ronald L.
Shumaker, Deputy County Counsel of Kern, for
County of Kern; and William R. Carr, Public
Works Department Traffic Engineer, for
County of Tulare; respondents.
Harold Roland, Manager, Delano Growers Coopera-
tive Winery, for Delano Growers Cooperative
Winery, interested party.
William H. Kessenick, Attorney at Law, and
William L. Oliver, for the Commission staff.

INTERIM OPINION

Public hearing in this proceeding was held before Examiner Mooney in Delano on October 3, 1972. The matter was submitted subject to the receipt of briefs.

There are currently Standard No. 8 flashing light signals at the grade crossing in issue which crosses County Line Road near Delano and serves the Delano Growers Cooperative Winery. The road is a single lane in each direction. It has been improved, and the lanes have been widened. Turnout lanes in each direction have been constructed at the crossing. The signals have not been moved and are in the turnout lanes at the edge of the two widened traveled traffic lanes. The present location of the signals creates a hazard for vehicle traffic at the crossing.

The parties at the hearing were not in accord regarding the improvements in protection, if any, that should be made at the crossing or the allocation of the cost thereof. However, the County of Kern by letter dated November 30, 1972, has urged that an interim order alleviating the dangerous situation at the crossing be issued. Also, Southern Pacific Transportation Company by letter dated December 12, 1972, suggested that as an interim safety measure, the turnout lanes be barricaded.

It is apparent that because of the time element that will be involved in the issuance of a final decision in this matter and the installation of any additional permanent improvements in protection that may be ordered thereby, immediate steps should be taken to remedy the hazardous condition at the crossing. As an interim measure pending final decision in this matter, the signals should be moved a safe distance from the traveled traffic lanes and the turnout lanes should be barricaded.

We find that:

1. The crossing in issue (No. BCB-300.1-C) is a spur track at grade crossing County Line Road, partly in the County of Kern and partly in the County of Tulare. The centerline of the paving is the line between the two counties.
2. County Line Road, a single lane in each direction, has been improved and widened, and turnout lanes in each direction have been constructed at the crossing.
3. There are two Standard No. 8 flashing light signals (General Order No. 75-B) at the crossing.
4. The signals were installed prior to the improvement of County Line Road and are in the turnout lanes at the edge of the two widened traveled lanes.
5. The present location of the signals is hazardous to vehicular traffic at the crossing.

6. Public health, convenience, and safety require that as an interim measure to alleviate the hazardous condition at the crossing, the signals be relocated and the turnout lanes be barricaded as provided in the order which follows.

We conclude that the improvements described in the interim order which follows should be made at the earliest possible time.

INTERIM ORDER

IT IS ORDERED that:

1. The Southern Pacific Transportation Company shall relocate the Standard No. 8 flashing light signals at County Line Road near Delano in Kern County, identified as Crossing No. BCB-300.1-C so that the supporting posts for the signals are located not less than five feet from the outside edge of each existing traveled way.

2. The counties of Kern and Tulare shall erect Class II Barricades (California Traffic Manual, pages 5-8) adjacent to the traveled way of County Line Road at Crossing No. BCB-300.1-C to prohibit vehicular traffic from using the constructed turnout lanes.


3. The expenses for the work required by this order shall be allocated by further order of the Commission.

4. The work required by this order shall be completed sixty days from the effective date of this order.

5. No obstruction shall remain or be placed near the crossing which will impair the motorists' view of the signals.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 3rd day of JANUARY, 1973.


President



Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.