

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution SR-5  
Safety Division

## R E S O L U T I O N

RECOMMENDATION TO THE CALIFORNIA TRANSPORTATION  
COMMISSION FOR INCREASED FUNDING TO BE SET ASIDE  
FOR MAINTAINING AUTOMATIC GRADE CROSSING PROTECTION  
DEVICES UNDER PUBLIC UTILITIES CODE SECTION 1231.1

Public Utilities Code Section 1231.1 requires the Department of Transportation's annual budget to set aside at least \$1,000,000 for allocation to the Public Utilities Commission to pay to railroad or street railroad corporations the cities and counties' share of the cost of maintaining automatic grade-crossing protection. The maximum allocation is determined by the California Transportation Commission.

In 1988, an amendment to Public Utilities Code Section 1231.1 was enacted<sup>1</sup> which specifies that the Public Utilities Commission may recommend a sum greater than \$1,000,000 be set aside if the Commission finds \$1,000,000 is not sufficient due to an increase in the number of grade-crossing protection devices or an increase in the cost of maintenance of those devices.

When the Automatic Protection Maintenance Fund of Public Utilities Code Section 1231.1 was first established in 1965 the maximum annual allocation of \$1,000,000 was sufficient to cover all claims filed by railroad and street railroad corporations. However, with the advent of a Federal grade-crossing protection funding program beginning with the 1973 Federal Highway Safety Act, the installation and upgrading of automatic grade-crossing protection devices increased which caused claims to exceed funds available for the calendar years 1977 and thereafter.

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1. AB 3065, (Polanco) September 29, 1988.

The maintenance fund claims and payments for the past four years are as follows:

<u>Fiscal Year</u>	<u>No. of Crossing</u>	<u>Total Claims</u>	<u>Total Paid</u>
1985-86	3,032	\$3,836,111	\$1,000,000
1986-87	2,985	3,983,131	1,000,000
1987-88	3,084	3,250,202	1,000,000

The automatic protection maintenance fund claim for 1988 is \$3,452,303 for 3,081 crossings. These claims for maintaining automatic grade-crossing protection devices far exceed the allocation of \$1,000,000.

IT IS RESOLVED that in accordance with Public Utilities Code Section 1231.1, the Commission recommends to the California Transportation Commission that a sum of three million five hundred thousand dollars (\$3,500,000) be set aside for the 1989/90 fiscal year for the purpose of paying to railroad or street railroad corporations the share of the cost of local agencies for maintaining automatic grade-crossing protection.

This resolution is effective today.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on JUL 6 1989.  
The following Commissioners approved it.

G. MITCHELL WALK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

Executive Director