

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAFETY DIVISION
Railroad Safety Branch

RESOLUTION SR-77
March 22, 1995

R E S O L U T I O N

RESOLUTION SR-77. APPORTIONING RAILROAD CROSSING PROTECTION MAINTENANCE COSTS BETWEEN THE RAILROADS AND THE CITIES AND COUNTIES.

SUMMARY

Public Utilities (PU) Code Section 1202.2 requires the Commission to apportion between the railroads and the affected public agencies the cost of maintenance of automatic grade-crossing protection constructed or altered after October 1, 1965.

BACKGROUND

PU Code Section 1231.1 requires the Department of Transportation (Caltrans) to set aside in its annual budget a minimum of \$1,000,000 into the Automatic Grade-Crossing Protection Maintenance Fund for allocation to the Public Utilities Commission for the purpose of paying to railroads the cities' and counties' share of maintaining warning devices. The maximum allocation to this fund is determined annually by the California Transportation Commission.

DISCUSSION

The Commission has received requests from railroads for the apportionment of the cost of maintaining warning devices for several recently constructed automatic grade-crossing protection installations as shown in Attachment A. For the crossings that were improved pursuant to the Federal Grade-Crossing Improvement Program, the maintenance costs are apportioned 50/50 between the railroad and the public agency as prescribed in the Commission decision authorizing the crossings. The percent apportionment for the public agencies shown in Attachment A will be applied to the maintenance bills submitted by the railroads for the individual crossings and will be prorated to the amount made available from the Automatic Grade-Crossing Protection Maintenance Fund.

FINDINGS

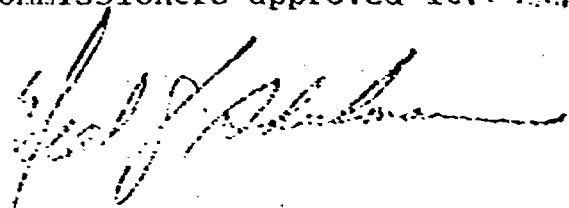
We find that the apportionments listed in Attachment A are reasonable.

THEREFORE, IT IS ORDERED that:

The total maintenance costs for each crossing listed in Attachment A shall be divided between the railroads and the cities and counties as shown in the column headed "Maintenance Apportioned". The liability assigned to cities and counties is limited to funds set aside in the Automatic Grade-Crossing-Protection Maintenance Fund for allocation by the Commission pursuant to PU Code Section 1231.1.

This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on March 22, 1995. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

DANIEL W. FESSLEP
President
P. GREGORY CONLON
JESSIE C. KNIGHT, JR.
Commissioners