



## **GRADE CROSSING MAINTENANCE FUND PROGRAM**

### **RAIL CROSSING ENGINEERING SECTION**

**November 2007**

### **Summary**

The Grade Crossing Maintenance Fund Program was established by the Legislature in 1965 to pay the cities and counties share of the cost of maintaining highway-rail crossing automatic warning devices installed or upgraded after October 1, 1965. The California Public Utilities (PU) Code, Section 1202.2 requires the California Public Utilities Commission (CPUC) to allocate the maintenance cost of railroad crossing automatic warning devices between the railroads and the public agencies in the same proportion as the cost of construction, unless stated otherwise in the decision.

When the Grade Crossing Maintenance Fund Program was first established in 1965, the maximum annual allocation of \$1 million was sufficient to cover all claims filed by railroad and street railroad corporations. However, the increase in the number of crossing warning devices and the increase in cost for maintaining these devices caused claims to exceed the funds available for calendar years 1977 and thereafter.

With crossings that are improved under the Grade Crossing Maintenance Fund Program, the maintenance costs are apportioned 50% between the railroad and the city or county. For a new crossing, the maintenance costs are apportioned pursuant to the agreement between the railroad and the local agency.

The railroads perform the required maintenance during a given calendar year, and then file a claim with the CPUC for reimbursement of the local government's share of the

maintenance costs. CPUC verifies the claims and forwards valid claims to California Department of Transportation (Caltrans) for payment. These claims are paid from the allocation made by the California Transportation Commission (CTC) in the Caltrans budget. Claims and payments for the past five years were as follows:

### **Claims and Payments for the Maintenance Fund**

Calendar Year	Fiscal Year	No. of crossings	Total Claims (\$)	Total Paid (\$)
2002	02-03	2,814	4,076,295	4,076,295
2003	03-04	2,805	4,088,563	4,088,563
2004	04-05	2,810	4,102,674	4,102,674
2005	05-06	2,797	4,091,802	1,000,000
2006	06-07	2,788	3,899,995	1,000,000

Although CPUC recommended to the CTC to increase the allocation to fully fund the expected claims, the Grade Crossing Maintenance Fund Program claims for calendar year 2007 are expected to be significantly higher than the \$2 million the CTC allocated

### **The Railroad's Maintenance Costs**

On September 4, 1984 CPUC issued Decision (D.) 84-09-057, which established a methodology for determining the maintenance costs of railroad crossing automatic warning devices. A restudy and revision of the methodology was conducted in 1986 and approved by the Commission on January 13, 1988 per D.88-01-018. A third restudy was performed in 1989 and approved by the Commission on December 3, 1992 per D.92-12-009. No further revisions have occurred and, since 1992 the following maintenance costs have been used:

### **Annual Maintenance Cost**

<u>Crossing Type</u>	<u>Costs</u>
Main line	\$3,125
Branch line with gates	\$2,263
Branch line without gates	\$1,130
Other line with gates	\$1,672
Other line without gates	\$ 836

## **Apportionment Requirements**

1. The cover letter for each apportionment request must include: a) Crossing name b) milepost number c) Federal D.O.T crossing number d) former warning devices/current warning devices e) % cost of maintenance apportionment requested.
2. If the request is for a new crossing or upgraded warning devices, a copy of the agreement with the City or County must be attached.
3. All requests for apportionment, regardless of whether it is an upgrade or new crossing, must be submitted along with a completed Commission Form G (visit [www.cpuc.ca.gov/formg](http://www.cpuc.ca.gov/formg) for information and a sample form G).
4. Other data on the crossing as may be requested by CPUC's Rail Crossings Engineering Section in the annual solicitation for apportionment requests.

## **PU Code Sections 1202.1 & 1202.2**

PU Code Sections 1202.1 & 1202.2 grant CPUC power to apportion between the railroads and affected public agencies the cost of maintenance of grade crossing automatic warning devices constructed or altered after October 1, 1965.

## **PU Code Section 1231.1**

PU Code Section 1231.1 requires Caltrans to set aside in its annual budget a minimum allocation of one million dollars (\$1,000,000) into the Grade Crossing Maintenance Fund Program for allocation to CPUC for the purpose of paying to the railroads the cities and counties share of maintaining railroad crossing warning devices.

## Projected Maintenance Fund Schedule

Work Activity	Approximate Milestone Date
CPUC approves Resolution recommending CTC funding level	August 23, 2007
Letter regarding request for apportionment mailed to RR's	September 07, 2007
Deadline for RR's to submit apportionment request.	January 31, 2008
CPUC Executive Director signs cost Resolution.	February 08, 2008
Mail out CPUC approved Cost Resolution	February 10, 2008
Deadline for RR's to submit claims	March 31, 2008
CPUC Executive Director signs Apportionment Resolution.	April 14, 2008
Mail out CPUC approved Apportionment Resolution	April 17, 2008
Mail out Claims, Remittal paperwork & letters to CTC & RR's	June 30, 2008

## Commission and Caltrans Contacts -

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