



GRADE CROSSING MAINTENANCE FUND PROGRAM

RAIL CROSSING ENGINEERING SECTION

July 2006

Summary

The Grade Crossing Protection Maintenance Fund was established by the Legislature in 1965 to pay the cities and counties share of the cost of maintaining automatic highway-rail crossing warning devices installed or upgraded after October 1, 1965. The Public Utilities Code, Section 1202.2 requires the California Public Utilities Commission (CPUC) to allocate the maintenance cost of railroad crossing 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 automatic railroad crossing warning devices maintenance fund 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.

Maintenance costs are apportioned pursuant to the maintenance agreement between the railroad and the local agency. If the railroad and local agency cannot agree to a specific cost sharing, the CPUC shall apportion such costs. Typically, agreements are established where the maintenance costs are split equally and are apportioned 50% between the railroad and the local agency. Under the program, the maximum payment for any specific crossing is 50% of the maintenance costs. Local agencies may agree to a larger share of the maintenance costs, but the difference shall be paid by 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 (\$)
2001	01-02	2,975	4,348,183	4,250,000
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

The CTC allocation for calendar year 2006 has been set at \$1 million. The maintenance fund costs and respective claims for calendar year 2007 are expected to be significantly higher than the \$1 million the CTC allocated for the prior two years (Calendar Year 2005 and 2006). CPUC (by Resolution SX-74) recommended to the CTC increased funding of \$4.1 million be set aside for maintaining grade crossing warning automatic devices.

Establishment of the Railroad's Maintenance Costs

On September 4, 1984 the Commission issued Decision (D.) 84-09-057, which established a methodology for determining the maintenance costs of automatic railroad crossing 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 Cost has 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) CPUC Crossing Number b) US DOT Crossing number c) Street Name d) Former warning devices/current warning devices e) % cost of maintenance apportionment requested.
2. If the request is for a new grade crossing or upgraded warning devices, a copy of the maintenance 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 with a completed Commission Form G (email Maria Cardenas at mc1@cpuc.ca.gov for questions).
4. Other data on the crossing as may be requested by the Commission's Rail Crossings Engineering Section in the annual solicitation for apportionment requests.

PU Code Sections 1202.1 & 1202.2

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

PU Code Section 1231.1

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

Maintenance Fund Schedule

Work Activity	Approximate Milestone Date
Commission approves CTC Resolution	September 07, 2006
Letter regarding request for apportionment mailed to RR's	October 06, 2006
Deadline for RR's to submit apportionment request	January 31, 2007
Executive Director signs costs Resolution	January 30, 2007
Mail out Commission approved Costs Resolution	February 03, 2007
Executive Director signs Apportionment Resolution	April 05, 2007
Mail out Commission approved Apportionment Resolution	April 06, 2007
Deadline for RR's to submit the Bills	March 31, 2007
Mail out CPM, Remittal paperwork & letters to CTC & RR's	June 30, 2007

CPUC and Caltrans Contacts -

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