

Decision 02-04-043 April 22, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the City of Simi Valley Public Works Department to close a private grade crossing at the tracks of the Southern California Regional Rail Authority (SCRRA-Metrolink)/Union Pacific Railroad Company and construction of a public grade crossing in the City of Simi Valley, State of California.

Application 00-07-049
(Filed July 27, 2000;
Petition for Modification
filed December 17, 2001)

ORDER MODIFYING DECISION 00-12-015

By Decision (D.) 00-12-015, dated December 7, 2000, in Application (A.) 00-07-049, City of Simi Valley (City) was granted Commission authority to close a private grade crossing at railroad milepost 438.2, and construct "A" Street Crossing, to be identified as CPUC Crossing No. 101VE-438.27, across the Ventura Subdivision main line tracks of the Southern California Regional Rail Authority (SCRRA - Metrolink)/Union Pacific Railroad Company (UP), located at Parker Ranch in the City of Simi Valley, Ventura County. Among the conditions of approval to construct the "A" Street crossing at-grade, City was to conduct trial installations of Automated Horn System (AHS) and In-Pavement Red Flashing Light-Emitting Diode (LED) Lights System on experimental basis each for one year to evaluate the effectiveness of the devices, in providing warning to pedestrian and vehicular traffic of the approach of a train at an at-grade crossing.

On December 17, 2001, City filed Petition for Modification of D.00-12-015, stating that since D.00-12-015, City and SCRRA have completed further investigation into the use of the AHS and In-Pavement Flashing LED Lights System, and have determined that both devices are either not in compliance or not functional for this specific crossing.

In-Pavement Flashing LED Lights System

City was ordered to conduct a trial installation of the In-Pavement Flashing LED Lights System at the "A" Street crossing which consisted of installing an array of three unidirectional red LED heads across every lane in the pavement at the grade crossing; 18 inches outside of the limit line spanning the entire roadway width; all focused on the approaching lanes of traffic, and emitting a steady and/or flashing red light when activated in conjunction with and as a supplemental enhancement to the other installed railroad warning devices.

City states that In-Pavement Red Flashing LED Lights System are considered to be traffic control devices and their use at railroad crossings on the approaches requires approval from the California Traffic Control Devices Committee (CTCDC).¹

¹ California Vehicle Code Section 21400 requires that the Department of Transportation adopt rules and regulations prescribing uniform standards and specifications for all traffic control devices to be placed on highway by any person engaged in performing work. CTCDC is a vehicle by which the Department of Transportation fulfills its obligation to consult with local agencies and the public, before adopting rules, regulations uniform standards and specifications for an official traffic control device in California.

In its June 7, 2001 quarterly meeting and by letter dated June 20, 2001 attached in Petition for Modification of D.00-12-015, CTCDC denied the City's request on the basis that no data exists regarding the "before condition" since the success or failure of the experiment could not be measured in a meaningful manner without such data.

Automated Horn System

The AHS, also known as Wayside Horn System, was ordered to be installed at the "A" Street grade crossing on an experimental basis to evaluate the effectiveness of the devices in providing warnings to pedestrian and vehicular traffic of an approaching train. AHS is automatically activated by the approach of a train by means of the same circuitry that activates the flashing lights and gates at the crossing. AHS is installed at both roadway approaches to the crossing and is directed at the roadway traffic.

California Public Utilities Code Section 7604² and railroad operating rules require locomotive engineers to sound the train horn as the train approaches a highway-railroad at-grade crossing. The purpose of this demonstration project is to determine whether AHS may be an effective replacement of the train-mounted horn in providing warning to the roadway traffic near the highway-railroad at-grade crossing of the approach of a train.

City requests relief from installation of the AHS for the following reasons:

- A. There is an existing Los Angeles Avenue grade crossing 1,500 feet to the west and the Simi Valley Rail Station about 500 feet

² The California Public Utilities Code Section 7604 requires the railroad engineer to begin sounding the train horn at a distance of 1,320 feet from the railroad crossing.

westerly of the “A” Street crossing. Even though the AHS will replace the train-mounted horn at the “A” Street crossing, motorists and residents along the railroad right-of-way will be hearing the train horn sounded at these two locations. City believes this will defeat the primary purpose of the AHS, which is to provide the residents with a horn-free environment in the area.

- B. SCRRA has not been able to find resolution on absolving the railroads of liabilities of the AHS. City, SCRRA and UP legal counsels have serious concerns with the liability-related issues arising from an incident or accident at or near the new crossing caused by any allegations of improper installation or operation of the AHS or any of its components.
- C. The AHS sensor for eastbound trains will be located on the tracks near the Simi Valley Station. AHS will be sounding while a train traveling from west to east is stopped at the station. The AHS will stop sounding only when the train has passed the “A” Street crossing. SCRRA indicates this could be as long as 5 minutes. City believes this will cause a nuisance for the residents near the crossing.

In lieu of installing AHS and In-Pavement Flashing LED Lights System at the “A” Street crossing, City proposes to coordinate with SCRRA to make improvements at five existing grade crossings in the City. The five crossings are Katherine Road, Los Angeles Avenue, Sequoia Avenue, Sycamore Drive, and First Street. The improvements will include construction of raised median islands, pavement marking and striping, installation of railroad warning signs and fencing along the railroad right-of-way. City and SCRRA believe these improvements will reduce the impact of the new crossing of “A” Street in the City.

After an in-depth review of this matter by Rail Safety and Carriers Division-Rail Crossings Engineering Section staff, it appears the City should

be released from its obligations to perform Ordering Paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) as indicated on Pages 11 and 12 of D.00-12-015 dated December 7, 2000.

Notice of the Petition for Modification of D.00-12-015 was published in the Commission's Daily Calendar on December 19, 2001. No protests have been received. A public hearing is not necessary. This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. City requests Commission authority to be released from its obligations to install and conduct trial experiments of AHS and In-Pavement Flashing LED Lights System at the "A" Street crossing at Parker Ranch in Simi Valley, Ventura County as set forth in D.00-12-015, dated December 7, 2000, in A.00-07-049.

2. In lieu of installing AHS and In-Pavement Flashing LED Lights System at the "A" Street crossing, City proposes to coordinate with SCRRA to make improvements at the Katherine Road, Los Angeles Avenue, Sequoia Avenue, Sycamore Drive, and First Street crossings in the City. The improvements will consist of construction of raised median islands, pavement marking and striping, installation of railroad warning signs and fencing along the railroad right-of-way.

3. City, SCRRA and staff of the Commission's Rail Carriers and Safety Division-Rail Crossings Engineering Section are in agreement with the City's request.

Conclusion of Law

Petition for Modification of D.00-12-015 in A.00-07-049 should be granted as set forth in the following order.

IT IS ORDERED that:

1. The City of Simi Valley (City) is released from its obligations to install and conduct trial experimentations of Automated Horn System and In-Pavement Red Flashing Light-Emitting Diode Lights System at “A” Street crossing, to be identified as CPUC Crossing No. 101VE-438.27, at Parker Ranch in the City of Simi Valley, Ventura County, as set forth in Petition for Modification of Decision (D.) 00-12-015 filed December 17, 2001.

2. City shall coordinate with Southern California Regional Rail Authority to make improvements at five existing grade crossings, Katherine Road CPUC Crossing No. 101 VE-439.70, Los Angeles Avenue CPUC Crossing No. 101 VE-437.70, Sequoia Avenue CPUC Crossing No. 101 VE-436.10, Sycamore Drive CPUC Crossing No. 101 VE-435.30, and First Street CPUC Crossing No. 101 VE-433.30, to include construction of raised median islands, pavement marking and striping, installation of railroad warning signs and fencing along the railroad right-of-way.

3. In all other respects, D.00-12-015, dated December 7, 2000, in Application (A.) 00-07-049 shall remain in full effect.

4. A.00-07-049 is closed.

This order is effective today.

Dated April 22, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL. W. WOOD
GEOFFREY F. BROWN
MICHAEL R. PEEVEY
Commissioners