

RAILROAD CROSSING PROTECTION MAINTENANCE FUND

CALIFORNIA PUBLIC UTILITIES COMMISSION RAIL CROSSINGS AND ENGINEERING BRANCH

Fiscal Year 2023-2024



Summary

In Fiscal Year (FY) 2022-23, the California Department of Transportation (Caltrans) set aside \$3.75 million for the Railroad Crossing Protection Maintenance Fund (Maintenance Fund) and received \$3.65 million in claims from railroad companies (railroad) for maintenance of automatic warning devices at railroad crossings (crossings). On January 26, 2023, the California Transportation Commission (CTC) approved a \$4 million Maintenance Fund allocation for Caltrans to set-aside to pay railroad claims to maintain crossing automatic warning devices for FY 2023-2024.



Schedule and Claims

Table 1 lists the work activities and milestones for the associated Maintenance Fund cycle. Table 2 lists the railroad Maintenance Fund claims for the previous five years.

Table 1. Work Activities and Milestones

Work Activity	Approximate Milestone Date
CPUC prepares and circulates the CTC Resolution (FY 2024-2025)	October 7, 2023
CPUC mails out approved CTC Resolution (FY 2024-2025)	October 30, 2023
CTC approves allocation Set-aside for CPUC (FY 2024-2025)	December 7, 2023
CPUC letter regarding request for apportionment mailed to railroads (FY 2023-2024)	October 18, 2023
Deadline for railroads to submit apportionment request to include additional crossings in the maintenance fund program (FY 2023-2024)	January 8, 2024
Railroads update the cost for the Apportionment	January 15, 2024
CPUC prepares Resolution to update cost of maintaining crossings ("Cost Resolution") (FY 2023-2024)	January 23, 2024
CPUC mails approved Cost Resolution and billing forms to railroads (FY 2023-2024)	February 6, 2024
CPUC prepares Apportionment Resolution (FY 2023-2024)	February 8, 2024
Deadline for railroads to submit billing forms with full list of crossings and amounts to be reimbursed (FY 2023-2024)	March 4, 2024
CPUC mails out approved Apportionment Resolution (FY 2023-2024)	March 12, 2024
CPUC begins working on new claims for payment (FY 2023-2024)	April 4, 2024
CPUC mails the Maintenance Fund Claims (CPM), Remittal paperwork & letters to CTC & Railroads (FY 2023-2024)	June 24, 2024



Table 2. Railroad Claims for the previous Five Years

Calendar Year	Fiscal Year	Number of Crossings	Total Claims	Maximum Amount Authorized
2018	18-19	2,585	\$3,677,854	\$3,750,000
2019	19-20	2,582	\$3,671,717	\$3,750,000
2020	20-21	2,574	\$3,656,447	\$3,750,000
2021	21-22	2,585	\$3,675,330	\$3,750,000
2022	22-23	2,569	\$3,649,494	\$3,750,000

The Maintenance Fund Background

The Maintenance Fund was established by the State Legislature to pay the local road agencies' share of the crossing automatic warning devices maintenance cost. For most crossings, the maintenance costs for automatic warning devices have been apportioned equally between the railroad and the local roadway authority. For a new crossing, the automatic warning device maintenance costs are apportioned pursuant to the agreement between the railroad and the local roadway authority.

Railroads perform the required automatic warning device maintenance during a given calendar year and file a claim with the California Public Utilities Commission (CPUC/Commission) for reimbursement of the local roadway authority's share of the maintenance costs. The CPUC verifies the claims and forwards valid claims to Caltrans for payment from the set-aside State Highway Account.

In 1961, the state Legislature promulgated Public Utilities Code Sections 1231 and 1232, which provides funds to pay the local roadway authority's share of the costs to maintain automatic grade-crossing protection. Section 1231.1, specifically, requires Caltrans to set aside a minimum of \$1 million of its annual budget-act appropriation from the State Highway Account for maintenance costs of highway-rail grade crossing protection.

Public Utilities Code Section 1202.2 requires that the local agencies' portion of maintenance costs be funded from this set aside fund. At the time, \$1 million was sufficient to cover all claims filed by railroads. Since then, the number of automatic warning devices and cost for maintaining these devices has increased.



The methodology applied to allocate the funds changes with time. In 1982, the railroads submitted Application (A.) 82-05-05, which presented to the Commission a methodology for determining the maintenance costs of automatic warning devices at crossings. On September 4, 1984, the Commission approved A.82-05-05 with Decision (D.)84-09-057. In 1986, the railroads conducted a restudy and revision of the methodology, which was submitted to the Commission in A.87-07-024. On January 13, 1988, the Commission approved A.87-07-024 with D.88-01-018.

Adding New Crossings Process

To reimburse the railroad for the local roadway authority's share of costs of maintaining automatic warning devices, CPUC staff verify the apportionment of maintenance costs at that crossing. The railroad submits the following documentation:

1. A cover letter for each apportionment request, which must include:
 - a) Crossing name / street.
 - b) Milepost number.
 - c) United States Department of Transportation Number.
 - d) Former warning devices/current warning devices.
 - e) Percentage cost of maintenance apportionment requested.
2. A copy of the agreement with the City, County, or local authority if the request is for a new crossing or upgraded warning devices.
3. A completed Form G, "Report of Completed Changes at Rail Crossings."
4. Other data on the crossing as may be requested by the CPUC's Rail Crossings and Engineering Branch.

Proof of Maintenance – Existing Crossings

Every year, the CPUC's Rail Crossings and Engineering Branch and Caltrans require the railroads to submit proof of maintenance for 100 crossings already on the Railroad Crossing Protection Maintenance Fund list, including crossing maintenance records and maintenance date. Proof of maintenance must have occurred during the Railroad Crossing Protection Maintenance Fund submittal year.



Costs for Annual Maintenance

The established cost of maintaining automatic warning devices at a crossing is based on the type of warning devices installed (automatic gates with flashing lights or just flashing light signals), and the type of railroad line (main, branch, or other).

On December 3, 1992, the Commission approved A.91-06-027 per D.92-12-009 to establish costs for annual maintenance per crossing type. No further revisions have occurred since 1992. There are five crossing types with associated established costs for annual maintenance as detailed in Table 3:

Table 3. Annual Costs for Maintenance
CPUC Decision D.92-12-009 dated December 3, 1992

Crossing Type	Costs
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



CPUC and CTC Contacts

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