

Railway Act

protective devices, unless there are special circumstances the cost of installing protective devices at level crossings, such as flashing lights and so on, is apportioned as follows: the fund, 80 per cent; the highway authority, 12½ per cent; the railway, 7½ per cent. As to grade separation, unless there are special circumstances the cost of constructing a grade separation to eliminate an existing level crossing, or to divert substantially all highway traffic from it, is usually apportioned as follows: where the cost is not more than \$625,000, the fund 80 per cent or \$500,000, whichever is the lesser; the highway authority, 15 per cent; the railway, 5 per cent. Where the cost is more than \$625,000, the fund \$500,000, and the remainder according to the particular circumstances. I think that answers the hon. member's question.

Mr. Rapp: Mr. Chairman, nothing was said about the share provided by municipalities. Is there any arrangement in this cost sharing procedure under which municipalities must also contribute to the cost?

Mr. McIlraith: It is the highway authority, whatever that highway authority may be, whether it is municipal or provincial.

Mr. Peters: Mr. Chairman, this is a very important resolution in that in connection with grade crossings someone is always fatally injured before anything is ever done about the spending of money from this particular fund. I am sure every riding has had a serious accident at some time or other before signals were installed or other protection given at almost every major crossing. It seems a great waste that this should be so.

I wonder whether the government has given consideration to establishing a technical advisory staff to provide municipalities or the provinces with a survey to indicate when a certain crossing is of such a nature that it warrants this kind of assistance. I am thinking of a particular accident which happened not long ago, as a result of which there was a certain amount of politicking as well as other factors. This accident occurred at a provincial railway crossing which was not under the jurisdiction of the board of transport commissioners. I realize that the board of transport commissioners does stipulate in relation to the grade crossing fund that if the traffic over a particular railway is sufficient, then before construction of the railroad can be completed these devices must be installed or that a separation of grade must be constructed.

In the case of this accident, as an election was due the construction of a by-pass became a political issue. The by-pass was routed across a railway on the northern trans-Canada highway. The police were very surprised that

it took ten days before the first fatality occurred on the level crossing. To make matters worse, earth had been piled up to make a grade separation on the road itself, and the road curved around the pile of mud, putting the level crossing in a position where it was almost impossible to see. In this case the board of transport commissioners could not exercise authority, so the department of highways and the railway got together and made an agreement. To make matters even worse, I understand the agreement provided that if there was an accident on the crossing, no matter what the insurance was the provincial department of highways would cover the cost so the railway would not lose any money. The reason I mention this case is because separation of grade will eventually take place, but I imagine it will be some 10, 15 or 20 years from now.

A few miles from that crossing there was another grade separation over a railway track. For 15 years it kept settling year by year, and a little fill was added from time to time. Then an election would occur and someone would say "We have to separate the grade". A little more fill would be put in; then that fill would drop and they would say it was not possible yet. I suggest that is what is going to happen in this case. It was almost 20 years before separation of grade resulted in the first case I mentioned, and I suggest that if left to their own devices it may be just as long in this other case.

I am wondering whether the federal government should have connected with the fund a number of technical advisers who would be able to suggest alternative methods of grade separation where such was indicated. In this particular case there is a terrific problem in that there is no solid bottom at the crossing in question until 80 or 100 feet down. There is even the suggestion that there may be quicksand close by. So undoubtedly a difficult problem of construction is involved, and technical advice would certainly be advantageous. But this would bring about what everybody knows must be done, and grade separation would take place by means of either an underpass or overpass. However, it is a problem which the department of highways of Ontario is completely incapable of solving at the present time.

Another thing we are interested in and for which there is great demand in my part of the country is the amount made available for the supply of markings to give protection to traffic approaching a line of box cars crossing the road at a level crossing. Personally I had the idea that when we passed a measure similar to this some years ago, box cars would be marked in a similar fashion to the way road signs are marked and would be easily