

Decision No. 33674

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on the)
Commission's own motion into proposed Safety)
Rules, Operating and other Regulations)
governing passenger stage corporations and) Case No. 3963
transportation companies, and the cancella-)
tion of General Orders Nos. 67, 67-A, 81,)
83, and 86.)

G. E. DUFFY, BERNE LEVY, LEO E. SIEVERT, W. T. QUIRK,
ROBERT BRENNAN, and WILLIAM F. BROOKS, for Santa
Fe Transportation Company.

LEO E. SIEVERT, BERNE LEVY, W. T. QUIRK, and G. E. DUFFY,
for The Atchison, Topeka and Santa Fe Railway Co.

G. E. DUFFY, BERNE LEVY, W. T. QUIRK, ROBERT BRENNAN, and
WILLIAM F. BROOKS, for the Santa Fe Trailways.

REGINALD L. VAUGHAN, for Clark Bros., for Santa Cruz Ex-
press, and for Coast Line Truck Service.

ROY B. THOMPSON, and WARE & BEROL, by EDWARD M. BEROL, for
Truck Owners Association of California.

H. C. LUCAS and T. FINKBOENER, for Pacific Greyhound Lines.

HARRY SEE and G. S. GOREAM, for Brotherhood of Railroad
Trainmen.

HAROLD HAYES, for Intercity Transportation Company and
for Pioneer Express.

EDWARD VANDELEUR, for California State Federation of Labor.

RUSSELL BEVINS and WILLIAM V. LONG, for the Interstate Com-
merce Commission.

H. F. HIRSCHHEY, for Valley Express and for Valley Motor Lines,
on behalf of James J. Broz.

ANSEL S. WILLIAMS, FRANCIS X. VIEIRA, and R. E. WEDEKIND,
for Southern Pacific Company.

ANSEL S. WILLIAMS and R. E. WEDEKIND, for Pacific Motor
Trucking Company.

ANSEL S. WILLIAMS, C. W. CORNELL, FRANK KARR, E. L. E.
BISSINGER, and R. E. WEDEKIND, for Pacific Electric
Railway Company.

MESSRS. McCARTHY, RICHARDS & CARLSON, by T. K. McCARTHY and
FRANK S. RICHARDS, for East Bay Transit and Key System.

G. F. IRVINE, for Brotherhood of Locomotive Firemen and
Enginemen.

O. A. ROWAN, for Amalgamated Association of Street Electric
Railway Employees and Motor Coach Employees of America.

WOODWARD M. TAYLOR and MAX E. UTT, for Los Angeles Railway Corporation

WALLACE K. DOWNEY, for Pacific Freight Lines and Keystone Express System.

D. B. SHEARER, for the Certified Highway Carriers, Inc., interested party.

JAMES J. BROZ, for Valley Express Company, Valley Motor Lines, Terminal Warehouse Company, George Harm Truck Lines, H. Frasher Truck Lines, and Frasher Trucking Company, Inc., interested parties.

C. W. CORNELL, FRANK KARR, and E. L. H. BISSINGER, for Motor Transit Company, interested party.

C. W. CORNELL, FRANK KARR, E. L. H. BISSINGER, and WOODWARD M. TAYLOR, for Los Angeles Motor Coach Company, interested party.

T. S. HAWORTE, for Orange Belt Stages.

CHARLES BEAN, by J. W. WALTERS, for the Board of Public Utilities and Transportation of Los Angeles.

F. E. ASBURY and P. L. CAMPBELL, for Asbury Transportation Company, Pasadena and Ocean Park Stage Lines, and the Original Stage Line, interested parties.

A. L. OWENS, for Motor Coach Corporation, interested party.

JACKSON W. KENDALL, for Bekins Van Lines, Inc., respondent.

L. N. BRADSHAW and W. H. EVANS, for Sacramento Northern Rwy.

L. N. BRADSHAW, for The Western Pacific Railroad Company, and Tidewater Southern Railroad Company, Ltd.

BEVERLY GIBSON and HARRY A. ENCELL, by BEVERLY GIBSON, for River Auto Stages and California-Nevada Stages, Inc.

R. K. JEFFERIES, for Fresno City Lines, Inc., San Jose Railroads, and Stockton Electric Railway.

H. D. RICHARDS and E. C. LUCAS, for Pierce Arrow Stages, Inc., Pacific Southland Stages, Inc., and California Parlor Car Tours Company.

J. B. HELD, for Peerless Stages.

W. P. NUTTER and C. P. RANDALL, for Brotherhood of Railroad Trainmen on Pacific Greyhound Lines.

MRS. LILLIAN REID, for Chico, Hamilton City, and Orland Stage.

F. B. PEARSON, for Palo Alto Transit.

V. R. PROPER, for Los Angeles-Trona Stage Company.

C. P. REINHARD, for Laguna Beach-Santa Ana Stage Line.

MELVIN PINKHAM, for Humboldt Motor Stages.

BY THE COMMISSION:

O P I N I O N

The Commission, by its Order in Decision No. 29736, dated May 3, 1937, promulgated General Order No. 93, entitled "Safety Rules and Other Regulations Covering the Operation of Passenger Stage Corporations and Highway Common Carriers, as such are defined by the Public Utilities Act." In order to determine whether General Order No. 93 should be rescinded, altered, or amended, the above proceeding was reopened for further hearing.⁽¹⁾

General Order No. 93 has been in effect since May 23, 1937, and the interested parties have had an opportunity to test the workability of the rules contained therein. Subsequent to the effective date of General Order No. 93 the Interstate Commerce Commission's regulations entitled "Motor Carrier Safety Regulations" M.C.4, and "Hours of Service," M.C.2, have been placed in effect. Many of the carriers in this State, particularly passenger stage carriers, operate in both interstate and intrastate service, therefore it appears desirable, wherever possible, to have the rules and regulations of the two regulatory bodies conform with each other.⁽²⁾

At the hearing on November 1, 1939, a committee of the passenger stage carriers submitted for the record (Exhibit 21) a recommended set of rules and regulations to replace General Order No. 93. The Engineering Division of this Commission also submitted recommendations for changes in and additions to the provisions of General Order No. 93, as did the Brotherhood of Railway Trainmen,

(1) Public hearings were held before Examiner Hall on February 2nd and April 5th, 1938, in San Francisco; on February 3rd, 1938, in Los Angeles; on June 21st, 1939, in San Francisco; and before former Examiner Edwards on August 23rd, 1939, in San Francisco; and before Examiner Hall on November 1, 1939, in San Francisco.

(2) The safety rules and regulations, and the regulations for the hours of service of the Interstate Commerce Commission were introduced and made a part of this record in Exhibit No. 24.

in Exhibit No. 26.

After the hearings Examiner Hall prepared a report which included a recommended set of rules to replace General Order No. 93. This report was sent to the parties of record with a statement that they could submit exceptions to the report if they so desired. Exceptions have been filed and the matter is now ready for determination.

It appears that a full investigation of the matter involved in this proceeding has been made by the Commission and that the parties at interest have had a full opportunity to present to the Commission any suggested changes in the rules; also that further detailed discussion of the various provisions in the attached General Order, which is to supersede General Order No. 93, would serve no useful purpose.

The entire record leads us to the conclusion that the safety rules and other regulations covering the operation of passenger stage corporations and highway common carriers set forth in the attached General Order are reasonable and in the interest of safety.

O R D E R

An investigation having been instituted on the Commission's own motion in the above-entitled matter, public hearings having been held, an Examiner's Proposed Report having been served upon the interested parties and their exceptions thereto having been filed, and the matter being duly submitted and ready for decision;

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY FINDS AS A FACT that the safety rules and operating or other regulations, as set forth in the General Order attached hereto and made a part hereof, are just and reasonable, and with their issuance this Commission's General Order No. 93 may properly be cancelled, revoked, annulled, and set aside.

IT IS HEREBY ORDERED that from and after the effective date of this order, the safety rules and operating or other regulations attached hereto and made a part hereof shall be in full force and effect, and said safety rules and operating or other regulations shall be known as General Order No. 93-A.

IT IS HEREBY FURTHER ORDERED that General Order No. 93 of the Railroad Commission of the State of California be and it is hereby cancelled, revoked, annulled, and set aside, effective as of the effective date of this order.

The effective date of this order shall be January 2, 1941.

Dated at San Francisco, California, this 19th day of November, 1940.

Ray A. Rice
Donald H. Lewis
Robert H. ...
...
Justus J. ...
Commissioners

GENERAL ORDER NO. 93-A

(Cancelling and Superseding General Order No. 93)

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

SAFETY RULES AND OTHER REGULATIONS COVERING THE OPERATION
OF PASSENGER STAGE CORPORATIONS AND HIGHWAY COMMON CAR-
RIERS AS SUCH ARE DEFINED BY THE PUBLIC UTILITIES ACT.

Approved Nov 19, 1940 Effective Jan 2, 1941

Authorized by Decision No. 33674 in Case No. 3963

PART I - DEFINITIONS AND GENERAL RULES

1.01 - Definitions

1.011. The terms "passenger stage," "passenger stage corporation," and "highway common carrier," as used in this order are defined in the Public Utilities Act, as amended.

1.012. The term "motor vehicle," when used in this order, means every motor truck, tractor, or other self-propelled vehicle used for transportation of property by highway common carriers over the public highways, otherwise than upon fixed rails or tracks, and any trailer, semi-trailer, dolly, or other vehicle drawn thereby.

1.013. The term "driver" or "operator," when used in this order, means a person who drives or is in actual physical control of a vehicle.

1.014. The term "urban service," when used in this order, means a service similar to that performed by street cars in frequent stop service, or service performed as an extension of or in lieu of street car service, provided such service is performed in full or in part in an area either wholly within business or residential districts or municipalities, or between business districts, residential districts, and municipalities in close proximity, provided, however, the one-way route mileage of such service shall not be more than 25 miles.

1.02 - Exemptions. These rules and regulations are subject to such changes and modifications as the Commission may hereafter from time to time establish. Exemptions may be made from these rules if found just and reasonable by the Commission; however, no exemption shall be made except upon written authority of this Commission. Such authority shall be granted only on the Commission's own motion, a written request from a passenger stage corporation, highway common carrier, or other interested party, and such request must fully set forth good and sufficient reasons for the desired exemptions.

1.03 - Not Retroactive. Nothing in these rules not previously contained in G.O. 93, the observance of which makes necessary the reconstruction of equipment, shall apply to equipment now in use, unless hereinafter particularly specified.

1.04 - Conflict with California Vehicle Code. This General Order is not to be construed as excusing any operator from complying with the provisions of the Vehicle Code of the State of California. In the event of any conflict between the Vehicle Code and this General Order, the provisions of the Vehicle Code shall control.

1.05 - Carrier may enforce additional rules. Nothing contained in these rules shall be construed as prohibiting any passenger stage or motor vehicle operator from enforcing additional rules and regulations relating to safety operation, not inconsistent with these regulations.

PART II - SAFETY RULES

2.01 - Equipment

2.0101 - Speedometer. Every passenger stage and self-propelled motor vehicle shall be equipped with a standard speedometer or tachometer, maintained to operate with reasonable accuracy, the speed indicator of which shall be visible at all times from the driver's position.

2.0102 - Windshields. No passenger stage or self-propelled motor vehicle shall be operated with a windshield in such a defective condition as to impair the driver's vision.

2.0103 - Windshield Wiper. Every passenger stage and self-propelled motor vehicle shall be equipped with at least one efficient power windshield wiper. All wipers shall be kept in good operating condition at all times.

2.0104 - Defrosting Device. Every passenger stage and self-propelled motor vehicle when operating under conditions likely to collect snow, ice, or frost on the windshield shall be equipped with a device or other means for preventing or removing such snow, ice, or frost.

2.0105 - Skid Chains. Every passenger stage and self-propelled motor vehicle likely to encounter conditions necessitating the use of skid chains shall carry at least one set of such skid chains which shall be applied to the rear wheels whenever necessary.

2.0106 - Fire Extinguishers. Every passenger stage and every self-propelled motor vehicle shall be equipped with at least one properly filled fire extinguisher, of a pump or automatic pressure type, inspected and labelled by Underwriters' Laboratories, Inc., under Classification B, and utilizing an extinguishing agent which does not need protection from freezing. (Minimum size: one-quart carbon tetrachloride type, or two-pound carbon dioxide type). Fire extinguisher shall be securely mounted in a bracket at an accessible location and continuously maintained in an operating condition.

2.0107 - Mirrors.

(a) Every passenger stage shall be equipped with a firmly attached mirror or mirrors, so located and adjusted as to give the driver a view of the interior of the vehicle and the highway to the rear.

(b) Every self-propelled motor vehicle shall be equipped

with a firmly attached mirror or mirrors so located and adjusted as to give the driver a view of the highway to the rear.

2.0108 - Horn. Every passenger stage and self-propelled motor vehicle shall be equipped with a suitable horn and actuating elements maintained in condition to give an adequate and reliable warning signal. In the event of failure of warning device while vehicle is on the road, repairs shall be made as soon thereafter as possible, or, if road repair is impossible, the passenger stage or motor vehicle shall be changed out of service at the earliest opportunity.

2.0109 - Tools. All passenger stages, except those in urban service, shall at all times carry the tools necessary to effect any emergency repairs which a driver might reasonably be expected to make in order to avoid delay while on the road.

2.0110 - Tires.

(a) Tires shall be provided on every passenger stage and motor vehicle adequate to support the maximum gross weight thereof, and shall be taken out of service when they show wear through breaker strip or strips. No tire shall be retreaded if worn through breaker strip or strips; where the cords have been separated in the outer wall of the casing; or the casing is otherwise damaged.

(b) All passenger stages, except those in urban service, shall be equipped with at least one serviceable extra tire.

2.0111 - Bell Cord or Buzzer. Every passenger stage (except those seating ten (10) or less passengers), shall be equipped with a bell cord or buzzer to enable passengers to signal to driver when stop is desired.

2.0112 - Axe. All passenger stages, except those in urban service, shall carry one hand axe visible and available for immediate use.

2.0113 - First-aid Kit. All passenger stages, except those in urban service, shall be equipped with and have ready for use at all times one metal first-aid kit containing at least the following:

4-inch bandage compresses, 1 package
2-inch bandage compresses, 1 package
1-inch adhesive compresses, 2 packages
40-inch triangular bandage, 1 package
Burn ointment, 1 package
Ammonia inhalents, 1 package
Iodine applicators, 1 package
Wire splint, 1 package
Tourniquet and forceps, 1 package
Instructions for use of above items

2.0114 - Driver's Seat. All passenger stages (except those seating ten (10) or less passengers), purchased subsequent to the effective date of this order shall be equipped with a driver's seat which has an adjustable back and which may be adjusted as to height and distance from the steering wheel.

2.02 - Heating, Lighting, Sanitation, and Ventilation

2.021 - Exhaust Gases. In so far as practicable every passenger stage shall be so constructed and maintained as to prevent its exhaust gases or engine fumes from entering the passenger compartment, and engines and appurtenances thereof shall be maintained in a condition which will minimize the obnoxious or harmful elements in the exhaust gases.

2.022 - Cleanliness. Every passenger stage shall be maintained in a sanitary and clean condition at all times.

2.023 - Interior Lighting. Every passenger stage operating during the hours of darkness between sunset and sunrise shall maintain a light or lights within the vehicle, so arranged as to illuminate the whole interior of the passenger stage without affecting the driver's vision.

2.024 - Heating. All passenger stages, except those in urban service, shall be equipped with and use a suitable, safe, and effective heating system sufficient to provide reasonable comfort for the occupants during cold weather. All pipes or radiators shall be shielded to protect passengers and their clothing. Mechanically connected joints must not be used in any portion of exhaust gas heating systems which contacts the air circulating in the interior of the vehicle.

2.025 - Ventilation. Every passenger stage shall be constructed to permit proper ventilation, regardless of weather conditions. Openings for ventilation which are in line of air stream from side louvers in the engine hood will not be permitted unless they are opened with shutters or doors hinged toward the engine to deflect the normal air stream from the opening. Every opening for ventilation through the front of a passenger stage shall be equipped with suitable screens to prevent the passage of objects.

2.03 - Fuel Containers :

2.031 - Fuel container not to project. No part of any fuel tank, container, or intake pipe shall project beyond the side of a passenger stage or motor vehicle.

2.032 - Location of fuel container on passenger stage. The intake pipe of any fuel tank or container, or any such container itself, shall not be located within the passenger-carrying portion of any passenger stage.

2.033 - Fuel containers of substantial construction. Every fuel tank or container supplying fuel for the propulsion of any passenger stage or motor vehicle shall be of substantial construction free from leaks, and securely attached to the vehicle in a manner which constitutes good practice.

2.034 - Care to prevent ignition of fuel. No passenger stage or motor vehicle shall be fueled or be permitted to be fueled with engine running, or in the presence of any open flame. Care shall be exercised to prevent the ignition of fuel by lighted cigars, cigarettes, pipes, or other sources of ignition.

2.035 - Electric grounding for fuel hose. The nozzle of the fuel hose shall be in contact with the intake of the fuel tank throughout the fueling process.

2.036 - Fueling of passenger stages. The fueling of a passenger stage carrying passengers shall be reduced to a minimum, and in no

event shall any such passenger stage be fueled in a closed building with passengers aboard.

2.037 - Reserve fuel supply. No reserve supply of fuel shall be carried on any passenger stage except in a properly constructed and mounted main fuel tank, cylinder, or auxiliary tank; however, this provision shall not be construed to prohibit the use of a properly constructed cargo tank for liquified fuel gases as a proper source of fuel supply.

2.04 - Entrances and Exits

2.041 - Doors, Platforms, and Steps. Doors, platforms, and steps of all passenger stages shall at all times be kept clear for the safe ingress and egress of passengers. Where side or rear doors are used on passenger stages the vehicles shall be equipped with a rear-view mirror adjusted to give the driver or operator a clear vision of such doors. All doors must be substantially constructed in a recognized standard manner, and maintained to operate suitably and safely for the ingress and egress of passengers. In addition, doors must be constructed and attached in a way which will permit them to open in the event of an emergency, even though they may be subjected to unusual pressure from within the passenger stage as a result of a panic. Exit doors not immediately adjacent to the operator, which are controlled by treadle steps, must normally be so interlocked with the passenger stage control equipment that the passenger stage cannot start while the doors are open, and the doors cannot open while the passenger stage is in motion. Such doors must also be equipped to release pressure or reverse motion in the event a person is caught, and to signal the driver if the door completely closes on clothing or part of a person's body.

2.042 - Grab Handles. On all passenger stages having a capacity of more than ten passengers, suitable grab handles must be installed at entrances and exits in locations convenient for persons boarding or alighting from said vehicles.

2.043 - Emergency Exit Door.

2.0431. All passenger stages shall be equipped with an emergency door on the left hand side of vehicle near the rear, except: (1) those in urban service, and (2), those having a seating capacity of less than ten (10) passengers:

- a. Such emergency door shall be fastened so that it can be readily opened by a passenger in case of emergency.
- b. There shall be an audible signal or red light on the instrument board which shall operate when the emergency door is unlatched.
- c. Emergency exit door openings shall extend at least from the floor to the top window line of the passenger stage and be not less than 24" in width.

2.0432 - Every passenger stage in urban service, except the following type of equipment, shall be equipped with an emergency exit on the left side of vehicle near the rear:

- a. Those provided with either a center or rear entrance or exit in addition to the front entrance or exit.
- b. Those having a seating capacity of less than ten (10) passengers.

2.0433 - On any passenger stage having a rear exit door controlled by the driver, in addition to the front entrance or exit door, such rear exit door may be used as an emergency exit if it is equipped so that it may be opened by a means readily apparent to any passenger in case of emergency.

2.0434. Emergency exits shall be provided with aisle space immediately adjacent thereto sufficient for reasonably rapid movement of passengers in the event of an emergency.

2.0435. Emergency doors must be conspicuously marked on the inside "Emergency Door."

2.05 - Inspection

2.051 - California Railroad Commission. The duly authorized representatives of this Commission shall have the right at all times to

enter into or upon any passenger stage or motor vehicle for the purpose of ascertaining whether or not those rules are being properly observed. The owner, driver, or operator of any such vehicle shall afford to such representative of this Commission all reasonable facilities to make such inspection.

2.052 - Company Inspection. All passenger stages in service shall be carefully inspected on a daily or mileage basis by a competent inspector, and a correct record shall be maintained by such inspector. Inspection records shall be kept on file for at least one year and made available to the Commission when requested.

2.053 - Inspection Reports. Each passenger stage corporation shall, within thirty (30) days after the effective date of this order, file with the Railroad Commission a report indicating a basis upon which equipment inspections are made and maintained, and if any change is made in such procedure or basis the Commission shall be immediately notified.

2.06 - Equipment Reports. On or before ninety (90) days after the effective date of this order, every passenger stage corporation shall file with the Commission a statement showing the type and characteristics of the passenger stage or passenger stages used by it. A similar statement must be filed for each passenger stage within ten (10) days after the date on which such passenger stage was first used in service. Such statement shall be prepared in a manner proscribed by the Commission and as shown in Appendix "A" attached hereto. These requirements shall not apply to passenger stages leased by passenger stage corporations for periods of less than ten (10) days. If a passenger stage is permanently withdrawn from the service the Commission shall be notified of such withdrawal.

2.07 - Seating of Passengers

2.071. Subject to the provisions of Rule No. 2.07 hereof, the number of passengers transported shall not exceed the number of securely

fastened permanent seats in any passenger stage, except that aisle or jump seats may be used to the following extent:

Three jump seats in 17-passenger car
Four jump seats in 21-passenger car
Five jump seats in 25-passenger car
Six jump seats in 29-passenger car
Seven jump seats in 33 (or more) passenger car

provided that such jump seats shall not be used as regular seating accommodations but shall be used only in the event of unexpected transportation demands. Jump or aisle seats will not be allowed after January 1, 1942.

2.072. Movable front seats shall not be considered "jump seats" when such seats are provided for the convenient loading or unloading of passengers.

2.073. No driver or operator of a passenger stage shall permit or allow on a seat designed to accommodate both driver and passenger more passengers than the seat is designed to carry. Such seat must not be occupied by a passenger when other seats are available. Seats may be installed forward of the driver's seat, provided they or their occupant or occupants do not interfere with the view of the driver necessary for safe operation.

2.074. Drivers and operators shall not allow passengers to ride on the running boards, fenders, or any part of the vehicle other than within the passenger compartment.

2.075. No person shall be allowed to sit on the front seat to the left of the driver in a left-hand drive passenger stage, or to the right of the driver in a right-hand drive passenger stage.

2.08 - Standees. Standees shall under no circumstances be permitted on any passenger stage other than those operating in urban service, and in urban service shall not be permitted unless the major portion of the aisle head room is 6' 2" or more. The number of standees who shall be permitted on any passenger stage operating in urban service shall not exceed the number which could reasonably and safely be

accommodated without crowding, and each standee shall be supplied with a grab handle or other means of support. Standees shall not be permitted to occupy a position which will interfere with the view of the driver necessary for safe operation.

2.09 - Trailers. No passenger stage in service shall be operated or driven with any trailer or any other vehicle attached.

2.10 - Brakes

2.101 - Adequacy of Brakes. Every passenger stage or motor vehicle shall be equipped with good and efficient service brakes, adequate to control the movement of and to stop and to hold such vehicle. In addition, every passenger stage or motor vehicle shall be equipped with a mechanically operated hand-powered auxiliary brake which shall employ a ratchet and pawl or other suitable locking and releasing mechanism to ensure the setting and holding of at least one set of brakes. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without brakes adequate to stop and hold such vehicle. When an auxiliary brake is located on drive shaft it must be on that portion of the drive shaft directly connected to the differential.

2.102 - Air brake system

(a) Where compressed air is used for power service brakes on passenger stages or motor vehicles, air storage tanks must be hydrostatically tested by operator at a pressure 25 per cent in excess of the working pressure of such tank at least once in every one hundred thousand (100,000) miles of vehicle operation. The date and pressure of such test must be stencilled on the tank in a position where it can be readily observed. A record must be made of such tests and kept on file for at least one year, and made available to the Commission or its representatives upon request.

(b) A reliable safety valve of a discharge capacity

equivalent to the maximum capacity of the air compressor must be installed with an uninterrupted connection to the reservoir first in line from the air compressor, and maintained in good condition. This safety valve shall be adjusted to discharge five (5) pounds or less above the working pressure of the reservoir. All passenger stages or motor vehicles using air brakes must be equipped with a reliable air-pressure gauge which shall be maintained in proper and serviceable condition; shall have an uninterrupted connection to the air reservoir; and shall be installed in a location readily visible at all hours from the driving position.

2.103 - Vacuum Brake Systems. Where vacuum or booster power service brakes are used on passenger stages or self-propelled motor vehicles there shall be installed:

- a. A reliable vacuum gauge which shall have an uninterrupted connection to the vacuum supply and shall be installed in a location readily visible at all hours from the driver's position.
- b. Vacuum supply tank or cylinder shall have sufficient capacity to provide power for at least one operation of the brakes, one operation of the doors if so controlled, or both, after the motor has stopped running.
- c. A check valve shall be installed first in line from the source of vacuum supply.

2.104 - Hydraulic Brakes. Where hydraulic brakes are used on passenger stages or self-propelled motor vehicles the hydraulic pressure shall not be higher than the manufacturer's rated capacity of the hose connections.

2.105 - Brake Tubing and Hose. All brake tubing and brake hose shall be adequate in material and construction to ensure proper continued functioning; shall be sufficiently long and flexible to accommodate without damage all normal motions of the parts to which they are attached; and shall be suitably secured and protected against chafing or other mechanical injury.

2.106 - Brake Tubing and Hose Connections. All connections for compressed air, vacuum, or hydraulic braking systems shall be adequate in material and construction to ensure proper continued functioning, and shall be so designed, constructed, and installed as to ensure, when properly connected, an attachment free from leaks, constrictions, or other defects. Suitable provision shall be made in every detachable connection to afford reasonable assurance against accidental disconnection.

2.107 - Brakes to be operative at all times. All brakes with which passenger stages or motor vehicles are equipped shall be operative at all times when vehicles are in service. Means may be used for reducing the braking effort on the front wheels of any passenger stage or self-propelled motor vehicle, provided that no such means shall be capable of making the front wheel brakes entirely inoperative.

2.11 - Vehicles Unattended. No passenger stage or motor vehicle shall be left unattended until after the auxiliary brake has been securely set, the motor of such passenger stage has been stopped, and all other reasonable precautions have been taken to prevent its movement while unattended.

2.12 - Qualifications of Drivers. Every person employed by any passenger stage corporation or highway common carrier to operate a passenger stage or motor vehicle, before being permitted to operate such passenger stage or motor vehicle shall comply with the following qualifications:

2.121 - Mental and Physical Condition

- a. No loss of foot, leg, hand, or arm.
- b. No mental, nerve, organic, or functional disease likely to interfere with safe driving.
- c. No loss of fingers, impairment of use of foot, leg, fingers, hand, or arm, or other structural defect or limitation likely to interfere with safe driving.

2.122 - Eyesight. Shall have good eyesight in both eyes (either without glasses or by correction with glasses), including ability to distinguish red, green, and yellow colors.

2.123 - Hearing. Adequate hearing.

2.124 - Liquors, Narcotics, and Drugs. Shall not be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors.

2.125 - Driving Experience. Experience in driving some type of motor vehicle (including private automobile) for not less than one year, including experience throughout the four seasons.

2.126 - Driving Skill. Shall have had such instruction as will result in driver or operator having sufficient driving experience with the type of vehicle which he is to operate as to fully qualify him as a competent driver, and shall have full knowledge of the road over which he is to operate and the type and kind of equipment to be operated.

2.127 - Knowledge of Rules and Regulations. Shall have knowledge of the rules and regulations issued by this Commission, and the rules and regulations contained in the Vehicle Code of the State of California, pertaining to the driving of motor vehicles.

2.128 - Age. Shall be not less than 21 years old.

2.129 - Knowledge of English. Shall be able to read, write, and speak the English language.

2.13 - Duties of Drivers.

2.131 - Collection of Fares. No driver or operator of a passenger stage shall collect fares, make change, issue or collect transfers, or endeavor to take on or discharge passengers while such passenger stage is in motion.

2.132 - Unnecessary Conversation. The drivers or operators of passenger stages shall not carry on unnecessary conversation with any one while the stage is in motion.

2.133 - Closing Doors. No passenger stage shall be started until its doors have been closed, nor shall its doors be opened until the vehicle is stopped.

2.134 - Use of Alcoholic Beverages on Duty Forbidden. No driver shall go on duty under the influence of, or drink while on duty, any alcoholic beverage or liquor, nor shall he knowingly be permitted to do so.

2.135 - Safety of Operation. Drivers of passenger stages or motor vehicles shall at all times operate such vehicles in a safe, prudent, and careful manner, having due regard to the traffic and use of the highway by others. All the requirements of the Vehicle Code of the State of California and the safety rules and operating regulations of this Commission must be strictly observed at all times.

2.136 - Equipment to be in Good Working Order. No passenger stage shall be driven in service unless the driver thereof has satisfied himself that the following required parts and accessories are in good working order:

Lighting devices and reflectors.
Brakes, both service and auxiliary (by making both standing and running test of each).
Horn.
Windshield Wiper.
Rear Vision Mirror.
Tires.
Steering Mechanism.

2.14 - Hours of Service

(a) No passenger stage corporation or highway common carrier subject to these regulations shall permit or require any driver (or owner-driver) to remain on duty, as defined in paragraph (c) of this rule, for a total of more than 60 hours in any week, as defined in paragraph (f) of this rule, provided, however, that a passenger stage corporation or a highway carrier operating vehicles on every day of the week may permit drivers in their employ to remain on duty for a total of not more than 70 hours in any period of 192 consecutive hours.

(b) Except under conditions set forth in paragraphs (h), (i), and (j) of this rule, no passenger stage corporation or highway common carrier subject to these regulations shall permit or require a driver (or owner-driver) to drive for more than 10 hours in the aggregate in any period of 24 consecutive hours, unless such driver is off duty with opportunity for required sleep or rest for eight consecutive hours during or immediately following the 10 hours aggregate driving and within said period of 24 consecutive hours, provided, however, that two periods of resting or sleeping in a berth, as defined in paragraph (g) of this rule, may be cumulated to give the aforesaid total of 8 hours off duty; provided that in urban service, when a driver at the end of said 10-hour period is at some point other than a regularly established relief point, the time required for return to relief point, provided it does not exceed one hour, shall not be included in the 10-hour period or in the time prescribed in paragraph (a) of this rule.

(c) A driver is on duty from the time he begins to work, or is required to be in readiness to work, until the time he is relieved from work and all responsibility of performing work. Time spent by a driver preparing to leave on a run, resting or sleeping in a berth, as defined in paragraph (g) of this rule, shall not be included in computing time on duty.

(d) The term "drive or operate" includes all time spent driving a moving vehicle, and any interval not in excess of ten minutes in which the driver is on duty but not on a moving vehicle. It does not include time spent resting or sleeping in a berth, as defined in paragraph (g) of this rule.

(e) The term "week" means any period of 168 consecutive hours beginning at the time the driver reports for duty, as defined in paragraph (c) of this rule.

(f) The term "24 consecutive hours" means any such period

starting at the time the driver reports for duty, as defined in paragraph (c) of this rule.

(g) The term "berth" means a berth or bunk on the motor vehicle which is properly equipped for the purpose of sleeping, including springs and a mattress, or an inner-spring mattress, pillow, adequate bed clothing (kept in a sanitary and clean condition), adequate ventilation, and ready means of entering and leaving the berth.

(h) In case of snow, sleet, fog, or other adverse weather conditions, or in case the highways are covered with snow or ice, or presence of unusual adverse road and traffic conditions, a driver may be permitted and required to drive or operate a passenger stage or motor vehicle for not more than 12 hours in the aggregate in any period of 24 consecutive hours in order to complete his run, without being off duty for a period of 8 consecutive hours, as provided by paragraph (b) of this rule, and this longer period of driving is permitted even though conditions named herein are known to the passenger stage corporation or highway common carrier before the trip is begun.

(i) In case of any emergency, a driver may complete his run, without being in violation of the provisions of these regulations, if such run, in the absence of any emergency, could reasonably have been completed without such violation.

(j) These regulations shall not apply to any passenger stage corporation or highway common carrier subject thereto when transporting passengers or property to or from any section of the state with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster.

(k) Each carrier shall make written monthly reports to the Commission, prior to the fifteenth day of each succeeding month, of every instance where a driver has been required or permitted to be on duty for hours in excess of those prescribed by this rule, and shall

fully explain the reasons for and circumstances surrounding such occurrences. Such reports shall be verified by a sworn statement.

2.15 - Instructions to Drivers. It shall be the duty of each passenger stage corporation and highway common carrier, by such method as it may elect, to see that every driver or operator is fully instructed as to, and has knowledge of, the requirements of these rules and regulations as well as of the Vehicle Code of the State of California.

2.16 - Smoking

2.161 - By Driver. No driver or operator of any passenger stage shall smoke or use tobacco in any form in any passenger stage during the time he is driving the vehicle.

2.162 - By Passengers. Smoking or the carrying of lighted pipes, cigars, or cigarettes shall not be permitted in any passenger stage except in such seats or passenger compartments as the company may specially designate for smoking purposes.

2.17 - Transportation of Property

2.171. The amount of freight, express, or baggage that may be carried in a passenger stage shall not be greater than can be safely or conveniently carried without discomfort or undue annoyance to the passengers.

2.172. Every passenger stage corporation transporting passengers when taking possession of a passenger's baggage shall give to such passenger, if requested, a numbered or lettered baggage check which will enable the carrier to identify the passenger's baggage, said check to be surrendered by passenger upon delivery of the baggage.

2.18 - Transportation of Firearms, Explosives, etc.

2.181. Passenger stage corporations shall not permit any person openly carrying any loaded firearm to board or to remain in or upon a passenger stage; provided that this rule shall not apply to sheriffs, constables, marshals, policemen, or other duly appointed peace officers; nor to any person summoned by a peace officer to

assist in making arrests or to preserve the peace while said person so summoned is actually engaged in assisting such officer; nor to members of the army, navy, or marine corps of the United States or the National Guard when on duty; nor to the guards or messengers of common carriers, banks, or other financial institutions while actually employed in and about the shipment, transportation, or delivery of any moneys, treasure, bullion, bonds, or thing of value.

2.182. For the purposes of this order, the rules and regulations of the Interstate Commerce Commission for the transportation of explosives, inflammable liquids or substances, compressed gases, etc., on motor vehicles, and entitled "The Regulations of the Interstate Commerce Commission for the Transportation of Explosives and Other Dangerous Articles on Public Highways by Motor Truck or Other Vehicle," in ex parte M.C. 13, decided April 1, 1940, effective June 15, 1940, are adopted as the rules and regulations governing this kind of transportation by motor vehicles. Explosives, inflammable liquids or substances, or dangerous or injurious gases shall not be transported on passenger stages.

2.183. Passenger stage corporations may transport moving picture or photographic films when such films are encased in safety containers.

2.19 - Transportation of Animals. Dogs or other animals transported in passenger stages must be muzzled or crated, except, however, that a "trained" dog when guiding a blind person may be carried (without being muzzled or crated) provided such blind person holds a permit issued by the carrier for this purpose.

2.20 - Right to Refuse or Reject Passengers. Any passenger stage corporation may, at its discretion, refuse to admit for transportation in passenger stages, or eject from its passenger stages, any person who is under the influence of intoxicating liquors or narcotics, conducting himself or herself in a boisterous or disorderly manner, or

using profane or obscene language.

2.21 - Railroad Grade Crossings and Drawbridges.

2.211. The driver of any passenger stage or motor vehicle shall approach any railroad and street railway crossing and any drawbridge at a speed not exceeding twenty-five (25) miles per hour during the last one hundred (100) feet of approach.

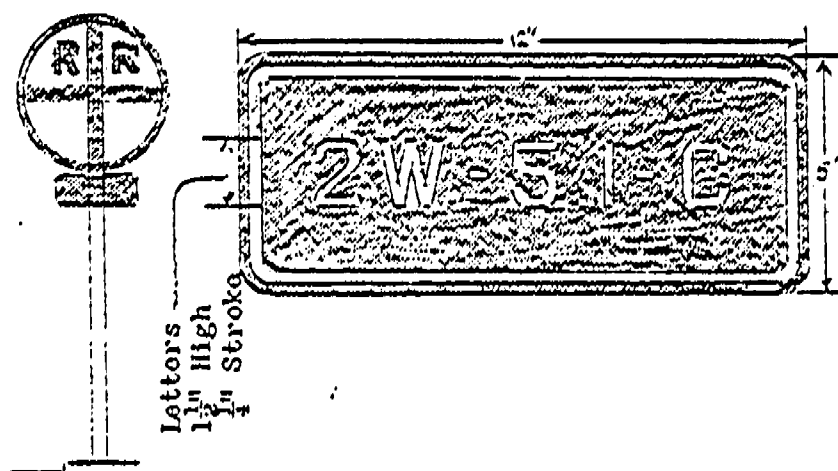
The driver of every passenger stage, and motor vehicle transporting explosives or other dangerous articles, whether loaded or empty, shall, before crossing the tracks of any railroad, bring such vehicle to a full and complete stop at a point where he can see the track clearly in both directions, but not less than ten (10) feet or more than fifty (50) feet from the nearest rail of such track, and while so stopped shall listen, and look in both directions along such track for any approaching railroad train, interurban car, or other vehicle using such rails, before traversing such crossing, except as hereinafter provided.

2.212 No stop need be made at any such crossing where an officer is on duty and directs traffic to proceed, nor where a "Stop and Go" signal is in operation and indicates that traffic may proceed.

2.213. No stop need be made at street railway tracks within a business or residential district.

2.214. The driver of any passenger stage need not stop at railroad track grade crossings at which a distinctive or exempt sign, as herein illustrated, is displayed at locations approved by this Commission. However, stops must be made when, for any reason, the driver or operator cannot read such sign from the driver's position.

DESIGN OF EXEMPT OR DISTINCTIVE SIGN



Suggested method of
installation on advance
warning sign.

2.215. The driver of every passenger stage shall approach all such grade crossings where distinctive or exempt signs are maintained at a speed not exceeding twenty-five (25) miles per hour during the last one hundred (100) feet of approach, and shall not cross the tracks at a speed in excess of twenty-five (25) miles per hour.

2.216. After making a stop at any railroad grade crossing, no passenger stage shall be placed in a different gear than that in which start has been made until all the tracks have been crossed. Coasting with gears in neutral or clutch disengaged on approach to any railroad grade crossing or any drawbridge is strictly prohibited.

2.22 - Reporting of Accidents

2.221. Passenger stage corporations operating any passenger stage involved in any accident resulting in death or serious injury to any person, or persons, shall immediately notify the Commission at its San Francisco office, by telegraph or telephone, of such accident. This preliminary notice shall state the date, time, place, and nature of the accident and give the number of persons killed or injured.

Notice shall be given to the Commission sufficiently in advance of the time and place of any investigation or hearing, if any is to be held, at which testimony or statements of employees or witnesses will be taken, to enable the Commission, or its authorized employees, to attend.

2.222. All reportable accidents occurring in the service operations of a passenger stage corporation, whether or not covered in a preliminary notice by telegraph or telephone, shall be reported monthly to the Commission by the proper officer of said passenger stage corporation. Said report shall be filed with the Commission not later than thirty (30) days from the end of the month in which the accident occurred. Said written reports to the Commission shall clearly explain every reportable accident and be filed on the Commission's prescribed form.

2.223. Reportable accidents are defined as those arising from the service operations of a passenger stage corporation that result in one or more of the following circumstances:

1. Death of a person.
2. Injury to a person (other than an employee on duty), if after due consideration of all of the facts obtainable in reference to the accident it is the opinion of the reporting officer that the injury is sufficient to incapacitate the injured person from following his customary vocation or mode of life for a period of more than one day.
3. Injury to an employee sufficient to incapacitate him for the performance of his ordinary duties for more than three (3) days in the aggregate during the ten (10) days immediately following the accident.
4. Damage to property or equipment of the passenger stage corporation totalling more than \$150.00, including cost of clearing wreck from right of way, street, or highway, but not including damage to or loss of freight or baggage, animals, or property of others on or adjacent to right of way, street, or highway.
5. Each occurrence in which a passenger stage accidentally leaves the highway or strikes a fixed object.
6. A person so seriously injured in an accident as to die within twenty-four (24) hours after its occurrence, is reportable as having been killed.

7. If death ensues after a lapse of twenty-four (24) hours from the time of the accident, the casualty is reportable as an injury.

PART III - SERVICE REGULATIONS

3.01 - Destination Signs. All passenger stages shall display destination signs visible from front of the passenger stage.

3.02 - Body Numbers. Each passenger stage shall be assigned an identifying number by the passenger stage corporation and the Commission shall be notified in case this number is changed. This number shall be painted or otherwise permanently attached to the rear and each side of the exterior of the passenger stage in figures of an easily discernible size and color.

3.03 - Body Names. No passenger stage shall be operated unless it carries prominently displayed on each side of its exterior, in letters easily discernible, the name, or trade name, of the passenger stage corporation. The provisions of this rule shall not apply to passenger stages temporarily leased by passenger stage corporations.

3.04 - Sections. Except in urban service, where a passenger stage schedule is operated in more than one section, with loaded cars going through, all except the section receiving passengers shall bear a sign indicating that a car or bus is following.

3.05 - Station Facilities. Every passenger stage corporation shall provide or maintain adequate rest rooms and facilities at sufficient intervals to provide for the adequate accommodation of passengers; said rest rooms and facilities shall be kept clean and comfortable for the accommodation of the traveling public. Rest rooms used during the hours of darkness must be properly illuminated. Passenger stages shall be required to stop at rest stations at intervals of not more than two hours and thirty minutes of travel, for a period of not less than five (5) minutes, unless the passenger stage is equipped with toilet facilities. This rule shall not apply to urban service.

PART IV - TIME TABLES, RULES AND REGULATIONS

4.01 - Time Table Filing.

4.011. Every passenger stage corporation and highway common carrier shall publish and keep on file with the Commission time tables made up in accordance with the following rules:

4.0111. Time tables shall be printed or typewritten on good quality paper, size 8½ x 11 inches, and may consist of as many pages as are necessary, and filed with the Commission in triplicate. However, the name of the passenger stage corporation and highway common carrier and the required identification shall appear on each page.

4.0112. The title page must be made up as follows:

- a. Show the name under which the carrier is operating (which must be the same as that appearing on its tariffs filed with this Commission).
- b. Time tables must be numbered in sequence beginning with No. 1. Each reissue must show, directly under the time table number, the number of the time table which it supersedes, as for example:

"Time Table No. 2 Cancels Time Table No. 1."
- c. Date issued (left side of page) and date effective (right side of page).
- d. The termini or points between which the time table applies, briefly stated.
- e. The name, title, and address of the officer issuing such time tables, including street address.

4.0113. The Time table must show:

- a. The time of ARRIVAL and DEPARTURE at and from all termini.
- b. The time of DEPARTURE from intermediate points between termini.
- c. The distance between points shown in the time table.
- d. If any restriction exists, such restriction must be so stated on the time table.
- e. Items (a) and (b) shall not apply to that part of a carrier's service which is performed on an "on call" basis.

4.0114. Supplements to time tables will not be accepted for filing by the Commission except for the purpose of withdrawing or canceling time tables or temporarily suspending service, when one supplement thereto may be filed. Any change in a time table will require the filing of a new time table bearing the next consecutive number to an operator's current filing. When a time table is filed by sections it will be sufficient that a revision of the particular section involved be filed, bearing the same time table number, for example:

"First Revised Section 'J' of Time Table No. 1,
Cancels Original Section 'J' of Time Table No. 1."

Subsequent revisions will follow in numerical order.

4.0115. If a receipt for the time table filing is desired, filing must be accompanied by a letter of transmittal, in duplicate, the carbon copy of which will be returned with the date of receipt stamped thereon.

4.012. Copies of time tables shall be posted and kept open for public inspection by every passenger stage corporation and every highway common carrier at its principal office and at each station or regular stopping place where an authorized agency is maintained.

4.013 - All passenger stage corporations and highway common carriers shall file a copy of each time table with each of the connecting carriers with whom either joint rates or interline arrangements exist, concurrently with the filing of notice to this Commission, if the new time table makes a change at the junction point with said connecting carrier.

4.014. Time tables, as filed with the Commission and posted for the information of the public, must normally be adhered to and in all instances provide for a schedule of operation between any given termini which will not require or permit the operation in question, or any portion of the same, to be made at a rate of speed over any portion of its route greater than the lawful speed.

4.015. All interruptions of regular service, where such interruptions are likely to continue for more than twenty-four hours, shall be promptly reported in writing to the Commission and to the agents of such passenger stage corporation along the route, with full statement of the cause of such interruption and its probable duration.

4.016. Time tables relating to the general route of the passenger stage concerned shall be kept on each passenger stage, available to passengers upon request.

4.02 - Time Table Changes

4.021. Before any changes in time tables affecting the time of any passenger stage or motor vehicle shall be made, written notice of such change shall be filed with the Commission and a copy thereof posted in all depots and passenger stages affected at least five (5) days prior to the effective date of said proposed new time table.

4.022. Before a change in service is made, resulting in the elimination of a schedule or schedules and consequent reduction in service, written notice of such change shall be filed with the Commission and a copy thereof posted in all depots and passenger stages affected at least ten days prior to the effective date of the proposed new schedule. The proposed change or changes in service may be put into effect after providing said ten days' notice to the public and the Commission, provided, however, that in case of public protest or for any other reason which the Commission may deem good cause, the carrier may be required to file an application seeking the formal approval of the Commission to reduce said passenger stage service or motor vehicle service, unless in such cases it elects to continue or restore the service, or unless the Commission allows the proposed service to be placed in effect temporarily pending its final decision.

4.023. All passenger stage corporations and highway common carriers whose operations are seasonal shall, at least ten (10) days prior to the discontinuance of seasonal service (unless said discontinuance is

forced suddenly by storms or unforeseen contingency), notify the Commission of said discontinuance by proper time table filing, notice of which shall be posted in all depots, freight offices, and passenger stages affected. When seasonal service is resumed, passenger stage corporations and highway common carriers shall file time tables showing resumption of service on at least one day's notice.

4.03 - Urban Service. Passenger stage corporations are exempted from the filing of time schedules, as provided in Rules 4.01 to 4.023, inclusive, on that part of their service which is urban in character, as defined in rule No. 1.014.

PART V - LEASING OF EQUIPMENT

5.01 - General Provisions.

5.011. All passenger stage corporations and highway common carriers shall either own their passenger stages or motor vehicles or lease such equipment for a specified amount on a trip, term, or mileage basis. The leasing of such equipment shall not include the services of a driver or operator. All employment of drivers or operators of leased vehicles shall be by contract or agreement, under which the relationship between the passenger stage corporation or highway common carrier and such driver or operator shall be that of master and servant. Nothing contained in this rule shall be construed to prevent highway common carriers from contracting with city carriers holding permits from this Commission for "pick-up" or "delivery" service conducted wholly within the limits of a single incorporated city, town, or city and county by means of equipment not so owned or leased.

5.012. Except for such equipment leased in an emergency by a passenger stage corporation or highway common carrier for a period of ten (10) consecutive days or less, the practice of leasing the equipment or employing drivers or operators on a basis of compensation dependent upon receipts per trip, or per period of time, or per unit of weight

of property transported, is hereby prohibited. Whenever such equipment is leased to a passenger stage corporation or highway common carrier for a period of ten (10) or more consecutive days, whether under a single lease for such period or under any renewal lease or successive leases for shorter periods, such lease shall be executed in writing and shall fully set forth the conditions under which such equipment is acquired, and all the terms and conditions of such leasing, including the terms of the lease, the compensation, and any conditions regarding cancellation. A true copy of said lease shall immediately be filed with this Commission. In every instance where the equipment is leased for a period of nine (9) consecutive days or less, the lease need not be executed in writing but the lessee shall, immediately upon entering into such agreement, forward to the Railroad Commission a statement describing the equipment leased, the name of the lessor, the period for which the equipment is leased, and the amount paid as rental for such equipment. Nothing in this rule shall apply to a conditional sales contract for the purchase of equipment.

5.013. If a receipt is desired for the filing of a lease, or a statement of equipment leased, as required by rule 5.012 above, said lease or statement must be accompanied by a letter of transmittal, in duplicate, the carbon or duplicate copy of which will be returned with the date of receipt stamped thereon.

5.02 - Suggested Form of Lease.

A suggested form of lease covering the data necessary for compliance with this General Order follows:

This lease made and entered into at _____
California, this _____ day of _____, 19____, between
_____, hereinafter called Lessor, and
_____, hereinafter called Lessee,

WITNESSETH:

That in consideration of the conditions and agreements herein contained, the said Lessor does hereby lease to the said Lessee, and the said Lessee does hereby lease, hire, and take from the said Lessor the following described personal

property upon the terms, covenants, and conditions hereinafter contained.

I

The property hereby leased is as follows: _____ automobile(s) (or truck(s)), of _____ make; motor number _____, state license number _____. Lessor hereby represents that he is the owner thereof.

II

The term of this lease is _____ months (years) (days) unless sooner canceled by either party, it being the intention and understanding of the parties that this lease may be canceled by either party upon giving to the other party written notice of _____ days of intention so to do.

III

It is agreed that said automobile(s) (or truck(s)) shall be used by Lessee for the carriage of passengers (or freight) in the maintenance by him of his automobile passenger stage (or freight) line between _____ and _____, California, and that during the term of this lease, Lessee shall have the sole possession, custody, and control of said automobile(s) (or truck(s)) at all times.

IV

Lessor agrees to maintain and keep said automobile(s) (or truck(s)) in good repair and running order and pay all operating expenses (including such other or additional conditions as are agreed upon between parties), except the wages of the driver, licenses, and insurance against public liability and property damage, which latter expense shall be borne by Lessee.

V

Lessee shall employ a competent licensed driver for the operation of said vehicle and shall pay to Lessor as rental for said vehicle the sum of _____ dollars for each one-way trip (or such other payments on a trip, term, or mileage basis as may be agreed upon between parties), said payments to be made (daily, weekly, or monthly) and Lessee guarantees to pay in any event to Lessor a minimum rental for said vehicle of _____ dollars per (week or month).

VI

When not in use in said stage line service or freight transportation service, said vehicle shall be stored in such garage as may be selected by Lessee.

VII

If at any time during the lease term Lessor shall fail properly to maintain said automobile (or truck), or to keep same in condition for the safe transportation of passengers (or freight), or so that said vehicle does not comply with the regulations and requirements of the Railroad Commission, Lessee shall have the right to make such repairs upon said vehicle as in his judgment may be necessary, and to charge the reasonable expense of same to the Lessor.

VIII

It is agreed that said automobile (or truck) is to be used by Lessee in the performance of his duties as a common carrier of passengers (or freight), and in the maintenance of regular schedules between points hereinabove named, and that in the event Lessor fails to perform the terms of this agreement on his part to be performed, Lessee will suffer great and irreparable damage, the exact nature and extent of which are unascertainable at this time, but in the event of failure or refusal of Lessor to so furnish and maintain the said automobile (or truck), Lessor shall pay to Lessee, as liquidated damages for such failure, a sum equal to _____ for each and every day during which such failure shall continue, and Lessee shall have a lien upon the said automobile (or truck) and upon the possession thereof until such damages shall have been paid for.

IX

In the event that the Lessor be hereafter employed by the Lessee as driver of an automobile stage (or truck), it is hereby agreed that such employment shall have no connection with this lease, and shall in every instance be, and be deemed to be, separate and distinct therefrom.

IN WITNESS WHEREOF the said Lessor and the said Lessee have hereunto set their hands the day and year first above mentioned.

Lessor

Lessee

This Order shall become effective on or after the 2nd day of January, 1941.

Approved and dated at San Francisco, California, this nineteenth day of November, 1940.

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

By:

H. G. MATHEWSON, Secretary

Form No.

CALIFORNIA RAILROAD COMMISSION
State Building San Francisco

APPENDIX "A"

PASSENGER STAGE EQUIPMENT RECORD

Code No.....Date in Service.....Date.....
Corporate Name.....Address.....
Company Serial No.....Manufacturer Chassis Serial No.....
Type.....Year Built.....Manufactured by.....
New.....Second Hand.....Leased.....Leased from.....

SEATS	: Seating Capacity	: Number of Seats	: No. of Berths	: DOORS	: Entrance	: Exit	: Emergency
	: Cross	: Longitude		: Location			
Over All Size	: Length	: Width	: Height	: of			
	: Front	: Rear	: Total	: Size	: x	: x	: x
Weight (lbs.)				: No. of Leaves			
Wheel Base		: Type		: Control			: XXXXX
	: Front	: Rear	: No. Tires	: Sensitive			
Tire Size	: x	: x		: Edges(No)	: XXXXX		: XXXXX
Steps	: Entrance	: Exit	: Coach	: Driver			
Height From Ground			: Unladen	: Alarm	: XXXXX		
			: Tires Fully Inflated	: Aisle			
AISLE	: Minimum Headroom	: Width		: Space to	: XXXXX	: XXXXX	
				: BHP	: No.Cyl.	: Bore	: Stroke
	: Heating System	: Ventilating System		: ENGINE			
				: FUEL	: Gas	: Butane	: Diesel
				: TANKS	: Total	: Number	: Location
					: Capacity	: Tanks	: of
				: BRAKES	: Service Brake	: Auxiliary Brake	
INTERIOR LIGHTS	: Number of Dome Lights	: Candle Power Each					
				: Type			
TAIL PIPE LOCATION				: Wheels			
				: Applied to			
				: Location			
				: of Drum	: XXXXX		

FILL IN FOR SECOND HAND EQUIPMENT ONLY

Previous owner.....Purchased from.....
Approximate mileage to date of purchase.....
Approximate general physical condition at time of purchase.....