

IN

ORIGINAL

Decision No. 23962

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
BAKERSFIELD AND KERN ELECTRIC RAILWAY  
COMPANY for exemption from the pro-  
visions of Section 2.14 of General  
Order No. 93-A relating to hours of  
service.

Application No. 23962

BY THE COMMISSION:

O R D E R

In this proceeding, as amended, Bakersfield and Kern Electric Railway Company requests permission to deviate from the provisions of Section 2.14 of General Order No. 93-A so that it be relieved from the requirement that drivers should remain on duty not more than 70 hours in any period of 192 consecutive hours.

In the event said exemption is permitted, applicant agrees that it will not require, except in an absolute emergency, any driver or operator of any of its motor vehicles to work as such driver or operator for more than 10 hours in any one working period, and further agrees that said working period shall not spread over more than 15 hours, and that said driver or operator shall have at least 9 hours rest from duty between every two working periods. Applicant further agrees that each driver or operator shall have a minimum of three days off duty each calendar month.

Applicant alleges that to comply with all the provisions of Section 2.14 of General Order No. 93-A it would be required to employ extra men, thus cutting down their hours of service and working an undue hardship on such employees, and that the company, being small, is not in a financial position to employ the extra men required.

It appears that the operation proposed will not work an undue hardship on the men; that the service to the public will not

be impaired; that a public hearing is not necessary in this matter; and that the application should be granted, therefore

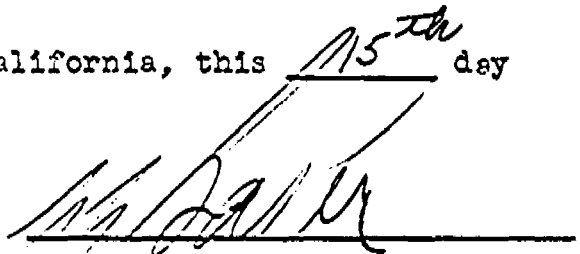
IT IS HEREBY ORDERED that Bakersfield and Kern Electric Railway Company is exempted from that provision of Section 2.14(a) of General Order No. 93-A which requires that in regular every day of the week service drivers shall remain on duty for not more than 70 hours in any period of 192 consecutive hours, subject to the following condition:

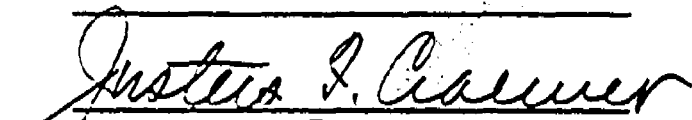


Applicant shall not require any driver or operator of any motor vehicle to work as a driver or operator more than ten (10) hours in any one working period, and said working period shall not be spread over more than fifteen (15) hours; that said driver or operator shall have at least nine (9) hours' rest from duty between every two working periods; that each operator shall have a minimum of three (3) full days off in each calendar month; and that in all other respects the requirements of Section 2.14 of said General Order shall remain in full force and effect.

IT IS HEREBY FURTHER ORDERED that the service performed by Bakersfield and Kern Electric Railway Company is urban service, as defined in Section 1.014 of said General Order No. 93-A.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15<sup>th</sup> day of July, 1941.



  
  
  
Commissioners