

ORIGINAL

Decision No. 34923

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
WILLIAM NUTTALL for a license as a ) Application No. 24616  
motor carrier transportation agent. )

W. H. SHERWIN, for Applicant.

ORLA ST. CLAIR, for Passenger Carriers, Inc.,  
Protestant.

H. C. LUCAS and H. D. RICHARDS, for Pacific  
Greyhound Lines, Protestant.

JAMES GUNN, for Board of Public Utilities and  
Transportation of the City of Los  
Angeles, Interested Party.

BY THE COMMISSION:

O P I N I O N

This is an application for a license to engage in business as a motor carrier transportation agent, as defined in the Motor Carrier Transportation Agent Act (Chapter 390, Statutes 1933, as amended). Public hearing was held at Los Angeles before Examiner Loughran on December 17 and 22, 1941.

Applicant seeks authority to do business as such an agent in the city of Los Angeles. He proposes to register and to sell transportation via the automobiles of persons who are going on interstate trips in said automobiles for their own business or pleasure purposes, and who desire to take a few fare-paying passengers with them to defray the cost of their trip. He will not represent or have any dealings with car operators who are engaged in the transportation of passengers as a business for profit.

The Motor Carrier Transportation Agent Act provides that the Commission shall not issue a license to operate as a motor carrier transportation agent when it shall determine that the applicant is not a fit and proper person to hold the same.

Applicant has been in violation of the regulatory acts administered by this Commission for a long time. In November of 1937, he opened a travel bureau in Los Angeles at East Fifth Street, where he engaged in business as a motor carrier transportation agent without a license. In 1938, he acquired a partnership interest in the All-American Travel Bureau operated by Sam Analora. The All-American Travel Bureau was a passenger stage corporation regularly engaged in the business of transporting passengers between San Francisco and Los Angeles in sedan automobiles owned and operated by the partnership. None of the partners held authority required by the Public Utilities Act to conduct such an operation, and in so doing, they violated the provisions of said Act. In 1939, some time after the Commission issued an order directing Analora to discontinue the operations of the All-American Travel Bureau,<sup>(1)</sup> applicant disposed of his partnership interest, went into the same business for himself, and thereafter, operating individually, he conducted an illegal passenger stage service between San Francisco and Los Angeles until October of 1939. Applicant resumed his illegal transportation activities in September of 1941, when he commenced to do business in Los Angeles as a motor carrier transportation agent without the necessary license. He continued in this unlawful occupation until October of 1941, and shortly thereafter he applied for this license.

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(1) Decision No. 30950, June 6, 1938, 41 C.R.C. 390.

After a full consideration of all the facts of record in this matter, the Commission finds that applicant William Nuttall is not a fit and proper person to hold a license as a motor carrier transportation agent, and his application, therefore, will be denied.

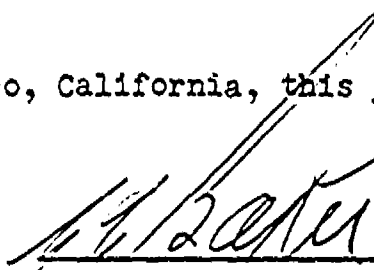
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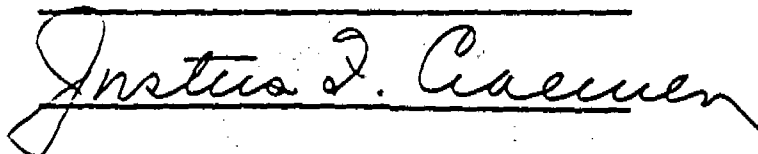
A public hearing having been held in the above application, evidence having been received, the matter having been duly submitted, and the Commission now being fully advised:

IT IS ORDERED that the application of William Nuttall for a license to operate as a motor carrier transportation agent be and the same is hereby denied.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of January, 1942.

  
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COMMISSIONERS