

Decision No. 34972

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
JOSEPH EARL STEPHENS, doing business)	
as Autoway Travel Bureau, for a)	
license authorizing him to engage in)	Application No. 24631
the business or act in the capacity)	
of a motor carrier transportation agent)	
in the City of Los Angeles, County of)	
Los Angeles, State of California.)	

HIRAM McTAVISH, for applicant.

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

JAMES GUNN, for Board of Public Utilities & Transportation of the City of Los Angeles, interested party.

WILLIAM F. BROOKS, for Atchison, Topeka & Santa Fe Railway Company and Santa Fe Transportation Company, protestants.

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 in Los Angeles before Examiner Loughran on January 7, 1942.

Applicant desires to do business as such agent at 221 East 6th Street, Los Angeles. He proposes to represent and procure passengers for persons who are going on interstate automobile trips for personal business or pleasure, and who desire to take a few fare-paying passengers with them to help defray the expenses of their trips.

Each car owner will be charged a fee of one dollar at the time he registers his car, and each passenger will be charged a fee when transportation has been arranged for him in a car so registered. Applicant does not intend to represent nor will he procure passengers for cars operated by persons regularly engaged in the business of transporting passengers for profit. The service will be confined entirely to interstate transportation, and applicant has requested a license limited to this kind of service.

This applicant has heretofore unlawfully engaged in business as a motor carrier transportation agent by so acting without a license. In January of 1941 he purchased a travel bureau in Los Angeles which he operated for three or four days. He closed this business at the insistence of Captain Gunn of the Los Angeles Police Department who told him that he was operating illegally and that such a business could only be conducted under authority of a license issued by the Railroad Commission. Applicant again engaged in business as a motor carrier transportation agent without the necessary license in July of 1941. This time he continued to so operate until July 21, 1941 when he was arrested for and thereafter convicted of violating the provisions of the Motor Carrier Transportation Agent Act.

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

O R D E R

Public hearing having been had in the above-entitled proceeding, evidence having been received, the matter having been submitted, and the Commission now being fully advised in the premises,

IT IS HEREBY ORDERED that the application of Joseph Earl Stephens for a license to engage in the business or act in the capacity of a motor carrier transportation agent in the city of Los Angeles be and the same is hereby denied.

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

Dated at San Francisco, California, this 3rd day of February, 1942.

Justin F. Quinn
Ray H. Avery
J. B. ...
Francis R. Havens
Richard ...
COMMISSIONERS