

ORIGINAL

Decision No. 34976

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JAMES H. COCHRANE for a license as) Application No. 24449
a Motor Carrier Transportation Agent.)

HARRY A. ENCELL, for Applicant.

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

BY THE COMMISSION:

O P I N I O N

James H. Cochrane here seeks a license to engage in
the business of a motor carrier transportation agent⁽¹⁾ at 1933
San Pablo Avenue, Oakland.

He proposes to limit his business to the arranging
of transportation between so-called casual or share-expense
operators of automobiles destined to points outside of the
State of California, on the one hand, and persons seeking
transportation to such points, on the other hand. Compensation
will be exacted from both car operator and passenger.

After public hearing before Examiner McGettigan in
San Francisco and Oakland on October 7 and 15, 1941, respec-
tively, the matter was submitted on briefs duly filed with the
Commission and it is now ready for decision.

(1) As defined in Chapter 390, Statutes of 1933, as amended.

Granting of the license sought was opposed by Passenger Carriers, Inc.

Applicant has been for the past two and one-half years, and was at the time of the hearing, doing business as a motor carrier transportation agent without a license at the San Pablo Avenue address above mentioned. He has also engaged in such business without a license in San Francisco, Los Angeles, Hollywood and San Jose. Applicant has operated as a passenger stage corporation⁽²⁾ between San Francisco and Los Angeles without holding a certificate from the Railroad Commission authorizing him to so operate.⁽³⁾ During the time that applicant has been engaged in these activities, persons employed by him and working under his direction have been arrested for violations 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,

(2) Named as respondent in Case No. 4495. Ordered to cease and desist such activities by Decision No. 34924, dated January 9, 1942.

(3) Since enactment of the 1941 amendments to Chapter 390, applicant has ceased all intrastate operations and is currently engaged solely in the interstate travel bureau work defined by said statute.

IT IS ORDERED that the application of James H. Cochran
for a license to operate as a motor carrier transportation agent
in the city of Oakland be and it hereby is denied.

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

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

Matthew J. Cooney
Ray L. Riley
A. J. Baker
Francis J. Haven
Richard Locke
COMMISSIONERS