

ORIGINAL

Decision No. 35094

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
SHELDON LEE FARBER, for a license )	
as Motor Carrier Transportation )	Application No. 24673
Agent. )	

F. W. TURCOTTE, 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.

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 (Statutes of 1933, Chapter 390, as amended).

Public hearing was held at Los Angeles before Examiner Loughran on January 21, 1942.

Applicant seeks authority to do business as such agent at 661 South Maple Avenue, Los Angeles, California. He proposes to register and procure passengers for private car owners who are going on interstate automobile trips for their own pleasure or business and who desire to transport a few fare-paying passengers to help defray their expenses. He will neither register nor sell transportation in cars operated by persons regularly engaged in the business of transporting passengers for profit. The service

will be limited entirely to interstate transportation.

Applicant is a resident of this State where he has been employed in various kinds of businesses. He appears to be a law-abiding person who is willing to assume the obligations of a motor carrier transportation agent and conduct his operation as such agent in accordance with the provisions of the Motor Carrier Transportation Agent Act pursuant to such rules or regulations as the Commission may issue.

After a full consideration of all the facts of record in this matter, the Commission is of the opinion that applicant should be licensed as a motor carrier transportation agent at 661 South Maple Avenue, Los Angeles, California. It will be ordered that a license be issued to him.

A motor carrier transportation agent license may be revoked by the Commission when it appears that the holder has engaged in false advertising or false representation, or has sold, offered for sale, or negotiated for sale transportation by any carrier operating without the proper authority or in violation of state or federal laws or the general rules and regulations of the Railroad Commission. It will be the policy of the Commission to revoke licenses with all possible dispatch when it appears that the holder thereof is engaged in unlawful or improper practices.

Applicant is cautioned to inform prospective passengers that he exercises no control over the operation of the vehicle in which they are to ride, but merely acts as an intermediary to place them in contact with the owner, and to refrain from false representations of any character whatsoever, either made personally or by advertisements, concerning the financial responsibility of either the licensee or the car operator.

A motor carrier transportation agent's license is personal to the holder. He is not permitted to transfer or assign such license or to delegate his authority to employees; to do so would constitute a violation of the Motor Carrier Transportation Agent Act and subject the license to revocation.

Applicant's attention is directed to the provisions of Section 11 of the Act, and he is admonished scrupulously to comply therewith in every respect by making and keeping the records therein specified.

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 ORDERED that Sheldon Lee Farber be and he is hereby licensed to engage in the business or act in the capacity of a Motor Carrier Transportation Agent, as defined in Chapter 390, Statutes of 1933, as amended, at the following location, to-wit, 661 South Maple Avenue, Los Angeles, California, to sell, offer for sale, negotiate for, furnish, or provide transportation to destinations outside the State of California only; subject to the condition, however, that he shall, within sixty (60) days from the date hereof, provide and file with the Railroad Commission a good and sufficient surety bond in the sum of one thousand dollars (\$1,000.00) in accordance with the provisions of Section 8 of said Act and in form prescribed or approved by the Railroad Commission.

IT IS FURTHER ORDERED that this license shall expire on December 31, 1942, subject to the provisions for renewal

prescribed by the Railroad Commission; provided, however, that this license shall be inoperative and of no force or effect during any period when there shall not be in effect and on file with the Railroad Commission for said Sheldon Lee Farber a good and sufficient surety bond in accordance with the provisions of said Section 8 of said Act and the rules and regulations of the Railroad Commission.

IT IS FURTHER ORDERED that upon said Sheldon Lee Farber filing with the Commission a surety bond as hereinabove provided, the Secretary of the Railroad Commission be and he is hereby authorized and directed to issue and deliver to said Sheldon Lee Farber a certificate of the authority granted hereby.

IT IS FURTHER ORDERED that the above described license be issued upon the condition that operations authorized thereunder shall be conducted in accordance with all applicable rules, regulations and requirements relating thereto issued by the Commission under the Motor Carrier Transportation Agent Act (Statutes of 1933, Chapter 390, as amended).

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

Dated at <sup>Los Angeles</sup> ~~San Francisco~~, California, this 3<sup>rd</sup> day of March, 1942.

Justice J. Casper  
Ray W. Rieley  
W. H. K. M.  
Francis K. Havenner  
Richard R. Rouse  
COMMISSIONERS