

Decision No. 36877

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JIM ANDERSON for a license as a) Application No. 25963
Motor Carrier Transportation Agent.)

F. W. TURCOTTE, for applicant.

JAMES GUNN and E. W. HIVELY, for Board of Public
Utilities and Transportation of the City of
Los Angeles, interested party.

DOUGLAS BROOKMAN, for Pacific Greyhound Lines,
protestant.

WM. F. BROOKS, by DOUGLAS BROOKMAN, for Santa Fe
Trailways and The Atchison, Topeka and Santa
Fe Railway Company, protestants.

EDWARD C. RENWICK, for Union Pacific Railroad
Company, and Interstate Transit Lines,
protestants.

BY THE COMMISSION:

O P I N I O N

By this application Jim Anderson requests a license permitting him to engage in the business of a motor carrier transportation agent as defined in the Motor Carriers Transportation Agent Act (Chapter 390 Statutes 1933, as amended). Public hearing was had before Examiner Gannon at Los Angeles on February 2, 1944, and the matter was submitted.

Applicant is 48 years of age and has been intermittently engaged during the past five years in various occupations, including farming, fruit picking, operating a service station and reclaiming repossessed cars from out-of-state points. His time has been divided between Los Angeles and Oklahoma. He is not presently employed.

It is proposed by applicant to establish headquarters at 264 East 6th Street, Los Angeles, where passengers and carriers may contact each other. His business would be developed principally through advertising in the newspapers and such advertisements would solicit passengers and cars to report at his office where arrangements for the trips would be completed. For this service he will charge a fee and he also proposes to fix the fare to be paid to the driver of the car. The service to be rendered is confined to points within California. ⁽¹⁾

In substance, such is the method of operating proposed by applicant. The plan fails to impress us as being practicable. Applicant testified that he would assume no responsibility other than to put the prospective passenger in touch with the driver of the car. Such matters as insurance on the car and the driver, guarantee of delivery of passengers at destination, breakdown of equipment or serious accident, failure of the driver to insure proper care and protection of passengers, all these appeared to be of no concern to applicant. He would arbitrarily fix the fare, take his fee as soon as he had brought the parties together, and "thought" he would refund such fee if the trip did not materialize.

He admitted he was going into the venture on a "gamble." On cross examination it developed that he had made no estimate either of probable revenue or expense. How he would arrive at a reasonable fare appeared to puzzle him. He showed a woeful lack of information regarding transportation in any of its aspects, and

(1) Applicant plans to coordinate this service with interstate service if and when authorization is received from the Interstate Commerce Commission. The Railroad Commission of California no longer has jurisdiction over the regulation of this type of interstate service.

See our Decision No. 36697, rendered November 9, 1943.

his knowledge of California geography was deplorably inadequate for the business which he proposed to inaugurate and operate. Applicant's mind was hopelessly confused regarding a plan of operation. His testimony was evasive and uncertain, and he was uninformed as to the elementary requirements for the conduct of the service. He testified that he had heretofore unlawfully engaged in business as a Motor Carrier Transportation Agent without having a license. Early in 1941 he operated a travel bureau for a short time and closed the business at the order of Captain Gunn of the Los Angeles police department who had told him he was operating illegally.

After a full consideration of all 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 receive a license to operate as a Motor Carrier Transportation Agent and the application will 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 ORDERED that the application of Jim Anderson for a license to operate as a Motor Carrier Transportation Agent at Los

Angeles be, and the same is hereby denied.

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

Dated at Los Angeles, California, this 15th day of February, 1944.

Richard Lachse
Justin F. Coenen
Francis R. Haveman

COMMISSIONERS