

Decision No. 37733

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WALLACE GREGG, JR., for a license)
as Motor Carrier Transportation) Application No. 26605
Agent.)

BY THE COMMISSION:

ORIGINAL

O P I N I O N

This is an application by Wallace Gregg, Jr., doing business as National Travel Bureaus, Inc., for a license to engage in the business of a motor carrier transportation agent, as defined in the Motor Carrier Transportation Agent Act (Chap. 390, Stat. 1933, as amended).

In Application No. 24700, filed January 14, 1942, Gregg requested a license to engage in the business hereinabove described and the application was granted. Subsequently, he entered the armed forces of the United States and requested that his license be cancelled, and the Commission's records show that this was done (Decision No. 35227, issued April 7, 1942). Inasmuch as a formal hearing was held on the original application, the Commission does not deem it necessary to hold another hearing on the instant application.

Applicant resides in Fullerton, Orange County, California, is 38 years of age, and bears a good reputation in the community in which he resides. Prior to his enlistment in the Navy, he was engaged in citrus ranching and auto financing. Since his release from the Navy he has been employed with the California Shipbuilding Corporation and Consolidated Vultee Aircraft.

He proposes to engage in the business as such agent in the city of Los Angeles at 416 South Spring Street. His application states that he will represent private car owners. His operations will be similar to those for which he had heretofore been granted a license. The service proposed is essentially that of bringing prospective passengers desiring transportation between two points in the state in contact with the owners or drivers of privately owned automobiles who desire to provide such transportation.

After full consideration of all the facts of record in this matter the Commission is of the opinion, and finds, that applicant should be licensed to operate as a motor carrier transportation agent between points within the State of California.

A motor carrier transportation agent's 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 Orders, Rules and Regulations of the Railroad Commission. (1) It will be the policy of the Commission to revoke licenses with all possible dispatch when it appears that the holder 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 personally or by advertisements, concerning the financial responsibility of either the licensee or the car operator.

(1) Section 10, Motor Carrier Transportation Agent Act.

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 another; ⁽²⁾ 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 there specified.

O R D E R

IT IS ORDERED that Wallace Gregg, Jr.; be, and he hereby is, licensed to engage in the business or act in the capacity of a motor carrier transportation agent, as defined in Chapter 390, Statutes 1933, as amended, only at the following location, to wit: 416 South Spring Street, Los Angeles, California; to sell, offer for sale, negotiate for, furnish or provide transportation to destinations within 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) in accordance with the provisions of Section 8 of said Act and in a form prescribed or approved by the Railroad Commission.

IT IS FURTHER ORDERED that this license shall expire on December 31, 1945, subject to the provisions for renewal prescribed by the Railroad Commission; provided, however, that this license

(2) Section 9, Motor Carrier Transportation Agent Act.

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 Wallace Gregg, Jr., 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 Wallace Gregg, Jr., 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 Wallace Gregg, Jr., 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 1933, Chapter 390, as amended).

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

Dated at San Francisco, California, this 20th day of March, 1945.

Harold Anderson

Richard L. Baker

Thomas W. Carr

Leah Powell
COMMISSIONERS