

ORIGINAL

Decision No. 38187

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
GEORGE LESLIE SHIELDS for a license) Application No. 26828
as Motor Carrier Transportation)
Agent.)

R. J. WELCH, JR., for applicant.

RUSSELL A. SMITH, for Santa Fe Transportation
Company, protestant.

F. B. GIERHART, for Overland Greyhound Lines,
protestant.

BY THE COMMISSION:

O P I N I O N

George Leslie Shields has applied 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). A public hearing was held by Examiner Gannon at Riverside on August 14, 1945:

Applicant is 47 years of age, resides at Riverside, and is an employee of Camp Anza Fire Department with civil service rating as a government employee. Prior to such employment he was in the armed forces of World War II and had also had several years' experience as an automobile salesman and manager of a gas station.

Applicant testified that he proposed making his head-
quarters at 3591 - 13th Street, Riverside. The service which he

(1) This is also the address from which the applicant in Application No. 26827 will operate. There is no partnership arrangement but office facilities will be jointly shared by both applicants and their efforts will be coordinated to some extent so that information will always be available to the public.

offers consists in bringing prospective passengers desiring transportation between two points in California in contact with the owners or drivers of privately owned automobiles who are able and willing to provide such transportation. His method of securing business will be to advertise in newspapers and in other media. No estimate has been made by him as to the probable number of passengers, revenue or profits which might accrue from the enterprise.

The granting of this application was protested by Santa Fe Transportation Company and Overland Greyhound Lines on the ground that the service proposed was competitive with that of protestants. The record, however, does not show that such competition, if it develops, would materially affect the protestants.

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

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.

ORDER

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

IT IS ORDERED that George Leslie Shields 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: 3591 - 13th Street, Riverside, 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 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 George Leslie Shields 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 George Leslie Shields 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 George Leslie Shields 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 twenty (20) days from the date hereof.

Dated at San Francisco, California, this 12th day of September, 1945.

Harold Anderson
Justin F. Currier
Franklin
Irving Salovee
COMMISSIONERS