

ORIGINAL

Decision No. 38363

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
JOHN O. CANNON, for a license as ) Application No. 26957  
Motor Carrier Transportation Agent: )

J. O. CANNON, in propria persona.

WM. F. BROOKS, for The Atchison, Topeka & Santa Fe  
Railway Company, Santa Fe Transportation  
Company, Pacific Greyhound Lines, and All  
American Bus Lines, Inc., protestants.

E. C. RENWICK, for Interstate Transit Line,  
protestant.

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

BY THE COMMISSION:

O P I N I O N

John O. Cannon makes application herein for a license to engage in the business of a motor carrier transportation agent, as defined in the Motor Carrier Transportation Agent Act (Chapter 390, Statutes 1933, as amended). Public hearing in the matter was held by Examiner Gannon in Los Angeles on October 9, 1945.

For approximately 18 months last past, applicant has been the owner and operator of a travel service engaged in rendering an interstate service between Los Angeles and the larger cities of the middle west. For this service he has received from each passenger a fee ranging from two to five dollars. He has solicited passengers and drivers with cars by advertising in the newspapers. Prior thereto he had had experience in operating service stations, and

held positions with aircraft companies as a mechanic. His testimony was to the effect that he would exercise every precaution to have passengers transported safely to their destination, but he would make no commitments definitely binding himself to do so.

The proposed transportation will be conducted under the name of Belmont Travel Service, from headquarters to be established at 251 South Hill Street, Los Angeles.

The Commission finds, from this record, that applicant is fitted by experience and ability to operate the service which he proposes to render, and that a license should be issued 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. <sup>(1)</sup> It is 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.

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

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.

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

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 John O. Cannon be and he is hereby licenses to engage in the business or act in the capacity of a motor carrier transportation agent, as defined in Chapter 390,

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

Statutes 1933, as amended, only at the following location, to wit: 251 South Hill 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 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 John O. Cannon 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 John O. Cannon 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 John O. Cannon 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 La Brea, California, this 30<sup>th</sup> day of October, 1945.

David Anderson  
Justin J. Casner  
Francis Berry

Justin J. Casner  
Commissioners