

Decision No. 38368

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
STERLING F. BRADLEY for a license as) Application No. 26931
Motor Carrier Transportation Agent.)

ORIGINAL

F. W. TURCOTTE, for applicant.

WM. F. BROOKS, for The Atchison, Topeka & Santa Fe
Railway Company, Santa Fe Transportation
Company, and Pacific Greyhound Lines, pro-
testants.

J. R. BRITTON, for All American Bus Lines, protestant.

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

JAMES GUNN, Board of Public Utilities & Transpor-
tation of the city of Los Angeles, interested
party.

BY THE COMMISSION:

O P I N I O N

Sterling F. Bradley herein makes application 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 Cannon in Los Angeles on October 8, 1945.

Applicant proposes to make his headquarters at 656 South Los Angeles Street, Los Angeles, from which point he will conduct his business under the name of Bradley Travel Bureau. His method of operating, as stated in the application, is by advertising to inform the public that passengers desiring to travel from Los Angeles to any point in the state may do so by registering with his bureau, after which they are brought in contact with the owners or

operators of passenger-carrying motor vehicles in which the trip would be made.

His application shows that he has been in the overseas armed service for some 2½ years, prior to which he was engaged variously as a salesman and in construction work and shipbuilding. He was discharged from the army on September 15.

He testified that he is qualified to judge of the reliability of car operators and their equipment, and that he would exact a fee for his service of approximately 20 per cent of the amount collected by the driver. He has had no experience in the type of work which he proposes to undertake, but he had made a rather thorough study of the type of operation which he would conduct.

From this record we are of the opinion, and so find, that the applicant is a fit and proper person to operate as a motor carrier transportation agent between points within the state of California, and it will be ordered that such license be issued him.

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 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.

(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; 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.

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 Sterling F. Bradley be and he is

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

hereby 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: 656 South Los Angeles 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 (\$1000) 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 his 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 Sterling F. Bradley 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 Sterling F. Bradley 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 Sterling F. Bradley 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 6th day of November, 1945.

David Anderson

Justin F. Calver
Frank A. Perry

Wm. H. Powell

COMMISSIONERS