

Decision No: 38718

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRANK P. McDONALD, for a license as) Application No: 27201
motor carrier transportation agent:)

ORIGINAL

FRANK P. McDONALD, in propria persona:

A. R. PICKETT, for Pacific Greyhound Lines, Overland
Greyhound Lines and Santa Fe Transportation
Company, protestants:

JAMES GUNN; for Board of Public Utilities and
Transportation of the City of Los Angeles,
interested party:

O P I N I O N

In this application Frank P. McDonald requests a license to engage in business as 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 at Los Angeles before Examiner Cannon on February 7, 1946:

Applicant is 51 years of age and for several years has been in the employ of the California Shipbuilding Corporation specializing in personnel work: Before coming to California he had been engaged in the trucking business in New Jersey:

His analysis of the nature and routine of the business for which he is here seeking a license is set forth in the application as follows:

The service proposed is essentially that of bringing prospective passengers desiring transportation in contact with the owners or drivers of privately owned automobiles; who are engaged in other business, and are taking a casual trip for personal reasons and desire to provide such transportation on a share expense basis for car expenses only as determined between the passengers and the private car owners or drivers:

He testified that he would advertise his service in the newspapers and would charge a fee of approximately 20 per cent of the amount collected by the car driver. He proposes to do business as such agent at 122 West First Street, Long Beach, which is also the business address of Joseph J. McNicholas who has heretofore been licensed by the Commission as a motor carrier transportation agent. However, applicant testified that there is no partnership or other agreement between the parties.

Applicant appears to understand the obligations that he will be required to assume as a motor carrier transportation agent and is prepared to discharge his duties as such agent.

After due consideration of the facts of record in this matter, the Commission is of the opinion and finds that this applicant should be licensed as a motor carrier transportation agent at the above mentioned address, and, accordingly, such license will be issued to him.

O R D E R

A public hearing having been held 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 Frank P. McDonald be and he is hereby licensed to engage in the business or act in the capacity of a motor carrier transportation agent, as defined in the Motor Carrier Transportation Agent Act (Chapter 390, Statutes 1933, as amended), only at the following location, to-wit: 122 West First Street, Long Beach, California; to sell, offer for sale, negotiate for, furnish or provide transportation to be furnished by motor carriers, as defined in Chapter 390, Statutes 1933, as amended, subject to the condition, however, that he shall, within 60 days from the date hereof, provide

and file with the Railroad Commission a good and sufficient surety bond in the sum of \$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, 1946, 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 Frank P. McDonald 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 Frank P. McDonald 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 Frank P. McDonald 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 (Chapter 390, Statutes 1933, as amended).

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California February 26, 1946.

Harold Anderson
Justice F. Green
Wm. H. D. Powell
Harold P. Hull
COMMISSIONERS