

ORIGINALDecision No. 45089

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation to determine whether)
 the provisions of proposed General)
 Order No. 99 should be adopted and)
 supersede the provisions of General) Case No. 5097
 Order No. 93-A pertaining to highway)
 common carriers, petroleum irregular)
 route carriers and petroleum contract)
 carriers.)

(For appearances, see list following
 the order.)

O P I N I O N

On June 21, 1949, this Commission on its own motion issued its order in the above-entitled proceeding instituting investigation for the purpose of determining the reasonableness and propriety of adopting the provisions of a new proposed general order containing safety rules and other regulations applicable to highway common carriers, and for the further purpose of determining whether the provisions of General Order No. 93-A, in so far as applicable to highway common carriers, should be canceled and superseded. A copy of the proposed rules and regulations was attached to the order instituting this investigation.

Hearings were held before Examiner R. K. Hunter on September 1, 1949 at San Francisco, on September 22, 1949 at Los Angeles, and on November 17, 1949 at San Francisco, at which time the investigation was closed and the matter was submitted.

Subsequently, on November 21, 1950, the Commission on its own motion issued an order setting aside the submission and reopening this case for further proceedings to determine whether petroleum irregular route carriers should be made subject to the proposed

rules and regulations. On December 19, 1950, the Commission issued its first supplemental order reopening the case for further hearing for the purpose of determining whether petroleum contract carriers likewise should be made subject to the proposed rules and regulations. A hearing on the reopened proceeding was held before Examiner R. K. Hunter on March 1, 1951 at San Francisco, at the conclusion of which the investigation was again closed and the matter was submitted.

Copies of the order instituting investigation, together with the proposed new general order, were mailed to all highway common carriers operating under this Commission's jurisdiction and, in addition, to other parties likely to be interested in this matter. Likewise, the orders reopening the proceeding were mailed, together with copies of the proposed rules and regulations, to all petroleum irregular route carriers and petroleum contract carriers. Wide publicity also was given through the press.

Testimony and exhibits on behalf of the trucking industry were presented by representatives of the various truck owners and trucking associations in California. On their behalf, five witnesses were called who testified and offered comments on the proposed rules and regulations. Two witnesses appeared on behalf of the Commission's staff to explain the reasons in support of the said rules and regulations. It does not appear necessary to analyze and discuss in detail the testimony and evidence introduced by each of the witnesses.

After the final submission of the case and following a full consideration of the testimony and evidence, it was deemed desirable to re-edit and recodify the rules and regulations proposed. As a result, the greater bulk of the changes that have been made in the existing rules and regulations contained in General Order No. 93-A involve renumbering, rewording and regrouping of the

various rules for the purpose of clarity. A detailed discussion of each of these changes is deemed unnecessary. This opinion, therefore, will touch but briefly on the more controversial issues involved.

During the course of the hearings, a motion was made to incorporate in this record by reference the evidence introduced in Case No. 5136, the Commission's investigation into matters affecting safety in the use of passenger stages and auto trucks upon the highways in California, which motion was granted over the objection of counsel for the Tank Truck Operators Association. Leave was given to file a memorandum brief on this matter. After a full consideration of the record in this proceeding, in order to arrive at our conclusions as to what should be included in the new rules and regulations, it has been unnecessary to refer to any testimony or evidence introduced in Case No. 5136 or any collateral proceeding. It should be noted, however, that this Commission has issued its order in Case No. 5136, being Decision No. 44673 dated at San Francisco August 15, 1950.

GENERAL QUESTION OF REGULATION

Several of the witnesses from the trucking industry testified that in their opinion this Commission should lessen rather than increase the extent of its regulation over highway common carriers concerning safety and other matters, contending that any increase in regulation would place such carriers at a disadvantage in competing for traffic with permitted and proprietary carriers.

The witness called on behalf of the Motor Truck Association of Southern California stated that it was the recommendation of his association that the Commission take such steps as it may deem advisable to make its safety regulations applicable to all classes of carriers, and if the Commission failed to do so it would be the association's further recommendation that General Order No. 93-A

containing the safety rules and other regulations applicable to highway common carriers be rescinded or revoked. With these conclusions, we cannot agree.

Under Section 42 of the Public Utilities Act, the Commission is given the power to issue rules and regulations requiring every public utility to maintain and operate its system in such manner as to promote and safeguard the health and safety of its employees, customers and the public. In several instances, the provisions concerning safety of operations, as set forth in the Vehicle Code, are inapplicable to carriers coming within this Commission's safety jurisdiction. We have been mindful of the great number of traffic accidents on our highways resulting in death and injury to persons and damage to property.

It is our conclusion that any trucking company, upon becoming a public utility under the Public Utilities Act, should be expected to exhibit a high degree of performance in the field of safety and should expect to be required to observe rigid safety rules and regulations.

We next will discuss briefly certain aspects of individual parts and sections of these rules and regulations.

COUPLING DEVICES AND METHODS OF TOWING (SECTION 3.20)

It is the conclusion of the Commission as a result of the investigation of the Commission's staff that much improvement, and therefore promotion of safety, can be achieved by requiring the observance of good practices in the installation, inspection and maintenance of coupling and towing devices. For this reason, Sections 3.21 to 3.30 concerning these matters have been added to the proposed rules. It is the Commission's opinion that full

compliance with these rules will tend to lessen the hazard of accidents from this source, and we hereby find, that the rules as set forth in the order herein are reasonable and necessary in the promotion of safety of operation.

INSPECTION, MAINTENANCE AND EQUIPMENT REPORTS (PART 6)

It is the Commission's conclusion that great emphasis should be placed upon the necessity for following adequate preventive maintenance programs. It will be noted that the rules adopted in the order eliminate the requirement that the carrier file a statement with this Commission as to the details of its maintenance program, but do require each carrier to establish such a program reasonably calculated to lessen the occurrence of accidents resulting from failure of equipment. It is our conclusion, and we so find, that the rules and regulations on this subject as set forth in the order herein are reasonable and necessary in order to promote safety of operation.

DRIVER QUALIFICATIONS (PART 7)

After considering the evidence of record, it is our conclusion that there is much room for improvement on the part of many carriers concerning their programs dealing with the physical qualification and health of their drivers in so far as safety of operation is concerned. It is our further conclusion, and we so find, that the regulations as set forth in the order concerning the physical and mental requirements of drivers and the requirement of a physical examination and an accompanying certificate should be considered as the minimum reasonable requirements calculated to eliminate, in so far as possible, those accidents resulting from the physical failure or incapacity of the drivers.

HOURS OF SERVICE OF DRIVERS AND DRIVERS' LOGS (PART 8)

In the Commission's Decision No. 44673 dated August 15, 1950 in Case No. 5136, this Commission transmitted to the Legislature of the State of California the recommendation, among others, that the Vehicle Code be amended so as to establish uniform hours of service for drivers of all commercial vehicles in over-the-road operations. It appears that no action was taken on this recommendation at the recent session of the legislature.

Section 602 of the Vehicle Code dealing with the limitation on the driving hours for certain persons provides in section (c) thereof that said section does not apply to any person driving any vehicle used in the transportation of persons or property as a common carrier for compensation. As a result of this provision, the limitation of 12 consecutive hours of driving for drivers of vehicles transporting merchandise applies to highway contract carriers and to proprietary carriers but does not apply to radial highway common carriers as defined in the Highway Carriers Act or to highway common carriers as defined in the Public Utilities Act. This Commission has authority under the latter act, in the regulation of safety of operations, to control the hours of service of drivers of highway common carriers but has not been given the authority under the Highway Carrier Act to regulate the hours of service of radial highway common carriers. It is evident, therefore, that the radial highway common carrier is wholly free from any regulation as to the number of consecutive hours its drivers may drive without adequate rest. Notwithstanding this anomalous situation, it is our conclusion that the Commission would be derelict in its duty if, for this reason, it failed to prescribe the hours of driving of the drivers of vehicles operating as highway common carriers. It is our conclusion, and we so find, that in the interest of uniformity,

the hours of service of drivers of this type of vehicle should be substantially the same as those provided under the safety rules and regulations of the Interstate Commerce Commission, which limit the hours of service of carriers operating under its jurisdiction in interstate and foreign commerce to 10 hours of driving. The making of this Commission's rules and regulations substantially the same is considered desirable for the further reason that many carriers operating in this state handle both interstate and California intrastate traffic. Therefore, the order herein will provide substantially the same rules and regulations as to hours of service of drivers and the keeping of a driver's log as those promulgated by the Interstate Commerce Commission.

ACCIDENT REPORTS (PART 11)

Several of the representatives of the trucking industry who testified at the hearing objected to any rule or regulation which would require the reporting of accidents to this Commission. As indicated by its decision in Case No. 5136 and as a result of the work of its staff, this Commission is well informed on the need for using every reasonable means to promote safety and reduce the number of accidents occurring on our highways. After a full consideration of this matter and based upon the evidence of record, the Commission concludes, and so finds, that the rules and regulations set forth in the order concerning the reporting of accidents are necessary in order to enable the Commission adequately to discharge its responsibilities concerning the promotion of safety of operations of the carriers subject to its safety jurisdiction. It does not appear that this requirement will place too great an additional burden on the carriers involved but that it will redound to their benefit by the lessening of accidents and, in addition, will enable this Commission to take whatever steps are necessary to still further improve the safety of operations of such carriers.

TIMETABLES (PART 14)

In the proposed new rules and regulations which were attached to the order of investigation, the requirements concerning the filing of timetables were omitted. The evidence introduced on the question of filing timetables has been carefully reviewed. It is our conclusion, and we so find, that it would be in the public interest and of definite value to the Commission and its staff in aiding them to understand quickly the scope of a carrier's operation to have highway common carriers and petroleum irregular route carriers file a brief timetable or schedule setting forth the extent and character of their operations. The evidence indicated that such information was not always readily or easily obtainable from the application or the record made from it. Part 14, therefore, of General Order No. 99 will set forth what in our conclusion are reasonable requirements in this regard.

CONCLUSIONS

The remaining provisions of General Order No. 99 adopted by the order herein do not appear to contain any rule or regulation about which there was serious controversy. It appears that after a full investigation and hearing of the matters involved in this proceeding, all parties interested have had full opportunity to present to the Commission suggested changes in the rules. It is our conclusion, therefore, based upon the testimony and evidence introduced during the proceeding, and we so find, that the safety rules and other regulations covering the operations of highway common carriers, petroleum irregular route carriers, and petroleum contract carriers set forth in the attached General Order No. 99 are reasonable and necessary and will promote safety in the transportation of property by such carriers on the highways in California.

O R D E R

An investigation having been instituted on the Commission's own motion in the above-entitled matter, public hearings having been held, and based upon the evidence adduced at said hearings and the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED:

(1) That on and after January 1, 1952, the safety rules and other regulations governing the operations of highway common carriers, petroleum irregular route carriers, and petroleum contract carriers, which are attached hereto and made a part hereof, shall be in full force and effect.

(2) That said safety rules and other regulations shall be known as General Order No. 99.

(3) That Parts I to IV, inclusive, of General Order No. 93-A of this Commission are hereby canceled as of the effective date of said General Order No. 99 in so far as it applies to highway common carriers.

(4) That the Secretary shall serve a copy of this order on each highway common carrier, petroleum irregular route carrier, and petroleum contract carrier subject to the Commission's jurisdiction as of the date of this order.

The effective date of this order shall be thirty (30) days after the date hereof.

Dated at San Francisco, California, this 14th day of August, 1951.

R. E. [Signature]
Justus F. [Signature]
Harold [Signature]
[Signature]

COMMISSIONERS

APPEARANCES

As Interested Parties:

Frank M. Chandler and Larry M. Fites for Truck Owners Association of California.
Willard S. Johnson for Hills Transportation Company and J. Christenson Co.
William Meinhold for Pacific Motor Trucking Company.
Bertram S. Silver and Edward M. Berol for Tank Truck Operators Association.
Donald Murchison, and Gordon and Knapp by Wyman C. Knapp, for Pacific Freight Lines and Pacific Freight Lines Express.
Arlo D. Poe for Motor Truck Association of Southern California.
Douglas Brookman for California Motor Express, Ltd., and Merchants Express Corporation.

As Protestants:

Preston W. Davis for United Parcel Service of Los Angeles, Inc.

For the Commission's Staff:

J. G. Hunter, Assistant Director of Transportation and Chief Engineer.
Ward Hall, Supervising Transportation Engineer.
Ted E. Rogers, Transportation Operations Supervisor, Operations-Safety Division.
F. G. Ballenger, Assistant Transportation Engineer.
Charles W. Overhouse, Assistant Transportation Engineer.
George H. Warfel, Senior Transportation Operations Supervisor.

WITNESSES

Ward Hall and Ted E. Rogers, for the Commission's Staff.
Wade Sherrard, General Manager, Motor Truck Association of Southern California.
George Grant, Executive Secretary, Motor Truck Association of Southern California.
W. J. Rollaford, Director of the Safety and Personnel Division, Asbury Systems.
Frank M. Chandler, Traffic Director, Truck Owners Association of California.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

GENERAL ORDER NO. 99

(Canceling and superseding Parts I to IV,
inclusive, of General Order No. 93-A in so
far as applicable to highway common carriers.)

SAFETY RULES AND OTHER REGULATIONS GOVERNING
THE OPERATIONS OF HIGHWAY COMMON CARRIERS. PETROLEUM
IRREGULAR ROUTE CARRIERS, AND PETROLEUM CONTRACT CARRIERS

Approved August 14, 1951 Effective January 1, 1952

Authorized by Decision No. 46089 in Case No. 5097

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GENERAL ORDER NO. 99

Canceling and superseding Parts I to IV, inclusive, of General Order No. 93-A in so far as applicable to highway common carriers.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAFETY RULES AND OTHER REGULATIONS GOVERNING
THE OPERATIONS OF HIGHWAY COMMON CARRIERS, PETROLEUM
IRREGULAR ROUTE CARRIERS, AND PETROLEUM CONTRACT CARRIERS

Approved _____, 1951 Effective January 1, 1952

Authorized by Decision No. _____ in Case No. 5097

PART 1 - GENERAL PROVISIONS

1.00 GENERAL PROVISIONS GOVERNING APPLICATION OF RULES AND REGULATIONS

1.01. SHORT TITLE. These rules and regulations shall be known as "General Order No. 99".

1.02. CONTINUATION OF EXISTING RULES. The provisions of these rules and regulations, in so far as they are substantially the same as existing provisions in General Order No. 93-A relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

1.03. PENDING PROCEEDINGS AND ACCRUED RIGHTS. No action or proceeding commenced before these rules and regulations take effect, and no right theretofore accrued, is affected by the provisions of these rules and regulations, but all procedures thereafter taken therein shall conform to the provisions of these rules and regulations in so far as the same are applicable.

1.04. CONSTITUTIONALITY. If any part, section, subsection, subdivision, sentence, phrase, or portion of these rules and regulations is held unconstitutional or invalid for any reason, such determination shall not affect the validity of

any other part, section, subsection, subdivision, sentence, phrase, or portion of these rules and regulations.

1.05. CONSTRUCTION. Unless the context otherwise requires, the general provisions hereinafter set forth shall govern the construction of these rules and regulations.

1.06. EFFECT OF HEADINGS. Part and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning, or intent of the provisions of any part or section hereof.

1.07. REFERENCES TO STATUTES AND RULES AND REGULATIONS.

Whenever any reference is made to any provision of any law, such reference shall apply to all amendments and additions heretofore or hereafter made. Whenever any reference is made to any provision of these rules and regulations, such reference shall apply to all amendments and additions hereafter made.

1.08. "PART" AND "SECTION" DEFINED. "Part" means a part of these rules and regulations unless some other statute or rule or regulation is specifically mentioned, and "section" means a section of the part in which that term occurs unless some other part is expressly mentioned.

1.09. CONSTRUCTION OF TENSES. The present tense includes the past and future tenses, and the future includes the present tense.

1.10. CONSTRUCTION OF GENDERS. The masculine gender includes the feminine and the neuter.

1.11. CONSTRUCTION OF SINGULAR AND PLURAL. The singular number includes the plural, and the plural the singular.

1.12. "SHALL" AND "MAY". "Shall" is mandatory and "may" is permissive.

1.13. NOT RETROACTIVE. Unless hereinafter particularly specified, these rules and regulations shall not require major reconstruction of or additions to vehicles in service on the effective date hereof which comply with General Order No. 93-4 on the last day of its effectiveness; however, this section shall not be construed as limiting the power of this Commission to order any change or addition it may find necessary to place any vehicle in a safe operating condition.

1.14. APPLICABILITY OF CALIFORNIA VEHICLE CODE. Where not in conflict and not inconsistent with provisions of this general order, every highway common carrier, petroleum irregular route carrier, and petroleum contract carrier and their drivers shall comply strictly with the provisions of the California Vehicle Code. Where matters are adequately covered by the California Vehicle Code, the particular section thereof involved is not repeated in these rules and regulations except when it is deemed necessary for clarity or emphasis.

1.15. ADDITIONAL RULES AND REGULATIONS. Highway common carriers, petroleum irregular route carriers, and petroleum contract carriers may put into effect and enforce additional rules and regulations relating to safety of operation not inconsistent with these rules and regulations.

1.16. COMMISSION MAY ORDER DEVIATIONS. The Commission by special order may authorize deviations from these rules and regulations or prescribe or require the observance of additional or different rules.

1.17. STANDARDS. When these rules and regulations provide for the construction, installation, or operation of any facility in a proper, appropriate, satisfactory, reasonable, adequate, efficient, or acceptable manner, such construction,

installation, or operation shall be to the satisfaction of the Commission.

1.18. APPLICABILITY OF RULES AND REGULATIONS. Every highway common carrier, petroleum irregular route carrier, and petroleum contract carrier shall comply with these rules and regulations, and said rules and regulations shall apply to every vehicle operated by them.

PART 2 - DEFINITIONS

2.00 WORDS AND PHRASES DEFINED

2.01. "HIGHWAY COMMON CARRIERS", "PETROLEUM IRREGULAR ROUTE CARRIERS", AND "PETROLEUM CONTRACT CARRIERS". The definitions of "Highway Common Carriers", "Petroleum Irregular Route Carriers", and "Petroleum Contract Carriers" shall be those set forth in the Public Utilities Act and the Highway Carriers Act.

2.02. "DRIVER". "Driver" is a person, including an owner-driver, who drives or is in actual physical control of a vehicle as defined in Section 2.03.

2.03. "VEHICLE". Unless the context indicates otherwise, "Vehicle" means a motor truck, tractor, or other self-propelled vehicle, or any trailer, semitrailer, dolly, or other vehicle drawn thereby, used for the transportation of property by a highway common carrier, petroleum irregular route carrier, or petroleum contract carrier, or any combination of or all of them.

2.04. "MOTOR VEHICLE". "Motor Vehicle" means a vehicle which is self-propelled and used for the transportation of property by a highway common carrier, petroleum irregular route carrier, or petroleum contract carrier.

2.05. "COMMISSION". "Commission" means the Public Utilities Commission of the State of California.

2.06. "CARRIER". Unless the context indicates otherwise, "Carrier" means highway common carrier, petroleum irregular route carrier, and petroleum contract carrier.

2.07. "EMPLOYER". "Employer" means highway common carrier, petroleum irregular route carrier, and petroleum contract carrier.

PART 3 - EQUIPMENT

3.00 EQUIPMENT ON HIGHWAY COMMON CARRIERS, PETROLEUM IRREGULAR ROUTE CARRIERS, AND PETROLEUM CONTRACT CARRIERS

3.01. SPEEDOMETERS. Every motor vehicle shall be equipped with an accurate standard speedometer, installed in such a position as to be seen easily by the driver. The speedometer shall be maintained in such position in good operating condition at all times.

3.02. DEFROSTING DEVICES. Every motor vehicle, when operating under conditions likely to cause snow, ice, frost, fog, rain or moisture to collect on the windshield, shall be equipped with a mechanically operated device, or an adequate air-circulatory system, designed to prevent or remove such collection of snow, ice, frost, fog, rain or moisture.

3.03. SKID CHAINS. Every motor vehicle likely to encounter conditions necessitating the use of skid chains shall carry at least one set thereof which shall be properly attached and used on the driving wheels of such vehicle when necessary to ensure the safe operation thereof.

3.04. FIRE EXTINGUISHERS. Every motor vehicle used in line-haul service shall be equipped with at least one properly filled fire extinguisher of the pump or automatic pressure

type, inspected and labeled by Underwriters' Laboratories, Inc., under Classification B, the extinguishing agent of which shall be one not requiring protection against freezing. The minimum size thereof shall be two quarts for the carbon tetrachloride type or four pounds for the carbon dioxide type, or the equivalent thereof. If desired, two extinguishers may be carried to obtain the required capacity. Fire extinguishers shall be securely mounted in brackets at visible and readily accessible locations, and shall be maintained continuously in an efficient operating condition.

3.05. MIRRORS. Every motor vehicle shall be equipped with a firmly attached mirror or mirrors, located and adjusted so as to reflect to the driver a view of the highway to the rear.

3.06. TIRES. Every vehicle shall be equipped with tires adequate to support the maximum gross weight of such vehicle. Any such tire shall be taken out of service when it shows wear through the breaker strip or to the cords. A tire shall not be retreaded if worn to the cords, if the cords show wear, if the cords have been separated in the outer wall of the tire, or if the tire is otherwise damaged to an extent rendering it unsafe to use if retreaded.

3.07. FAILURE OF EQUIPMENT ON THE ROAD. In the event of a failure of, defect in, or breakage of a speedometer, windshield, windshield wiper, horn, or any other equipment essential to safe operation, while the vehicle is on the road, repairs shall be made as soon thereafter as practicable. If road repairs are impracticable, the vehicle shall be taken out of service at the earliest possible moment.

3.08. TACHOGRAPHS OR SIMILAR RECORDING DEVICES. It is strongly recommended that carriers install tachographs or similar recording devices on all motor vehicles. The installation of such a device incorporating an indicator readily visible to the driver showing the speed the vehicle is traveling in miles per hour shall be deemed compliance with Section 3.01.

3.20 COUPLING DEVICES AND METHODS OF TOWING

3.21. MOUNTING OF FIFTH WHEEL. The lower half of every fifth wheel mounted on any truck-tractor or dolly shall be fixed securely to the frame thereof by U-bolts of adequate size, tightened securely, or by other means providing at least equivalent security. Such U-bolts shall not be of welded construction. The installation shall be such as not to cause cracking, warping, or deformation of the frame. Adequate means shall be provided positively to prevent the shifting of the lower half of a fifth wheel on the frame to which it is attached.

3.22. SECURING OF FIFTH WHEEL PARTS. The upper half of every fifth wheel shall be fastened to the vehicle with at least the security required for the securing of the lower half to a truck-tractor or dolly.

3.23. LOCKING OF FIFTH WHEEL. Locking means shall be provided in every fifth wheel mechanism, including adapters when used, so that the upper and lower halves may not be separated without the operation of a positive manual release. A release mechanism operated by the driver from the cab shall be deemed to meet this requirement. On a fifth wheel designed and constructed as to be readily separable, the fifth wheel locking device shall apply automatically on a coupling for any vehicle manufactured after January 1, 1952.

3.24. TOW-BAR. Every full trailer shall be equipped with a tow-bar and means of attaching the tow-bar to the towing and towed units which shall be structurally adequate for any weight drawn, properly and securely mounted, without excessive slack but with sufficient play to allow for universal action of the connection, and provided with a suitable locking means to prevent accidental separation of the towed and towing vehicles. The mounting of the trailer hitch (pintle-eye or equivalent mechanism) on the towing motor vehicle shall include sufficient reinforcement or bracing of the frame to provide sufficient strength and rigidity and to prevent undue distortion of the frame.

3.25. TRACKING. Coupling devices shall be so designed, constructed, and installed, and the vehicles in the combination shall be so designed and constructed as to ensure that any vehicle being towed will follow in the path of the towing vehicle without shifting or swerving from side to side over 3 inches to either side of the path of the towing vehicle when it is moving in a straight line.

3.26. SAFETY CHAIN. Every full trailer shall be coupled with a safety chain or chains (stay chains or cables) to the vehicle by which it is to be towed. No more slack shall be left in safety chains or cables than shall be necessary to permit proper turning. Chains or cables shall be so connected to the towed and towing vehicles and to the tow-bar as to prevent the tow-bar from dropping to the ground in the event the tow-bar fails. The means of attachment to both the towing and towed vehicles shall be capable of developing the full capacity of the safety chains or cables. Each chain or cable shall have an ultimate strength at least

equal to the gross weight of the full trailer being towed. Every full trailer and every dolly used to convert a semi-trailer to a full trailer manufactured after January 1, 1952, shall be equipped with a chain or cable which is approximately in line with the center line of the tow-bar.

3.27. LOCATION OF LOWER HALF OF FIFTH WHEEL. The lower half of every fifth wheel shall be so located that, for any condition of loading, the relationship of position of king pin to the rear axle or axles of the towing vehicle results in a proper distribution of the total gross weight of the vehicles to the axles and does not unduly interfere with the steering, braking, or maneuvering of the towing vehicle, or otherwise contribute to unsafe operation of the vehicles comprising the combination.

3.28. LOCATION OF UPPER HALF OF FIFTH WHEEL. The upper half of every fifth wheel shall be so located as to accomplish proper distribution of weight to the axles and safe movement of the combination of vehicles in all turning maneuvers.

3.29. LOCKING DEVICE REQUIRED FOR NUTS. A positive locking device shall be used on bolts securing retainer rings in fifth wheel assemblies to keep the nuts from slacking off and becoming loosened.

3.30. EXCESSIVELY WORN BOLTS AND RETAINER RINGS NOT PERMITTED. Bolts securing retainer rings in fifth wheel assemblies, when bent or excessively worn, and such retainer rings having elongated or excessively worn bolt holes shall be replaced.

PART 4 - FUEL CONTAINERS AND FUELING

4.00 FUEL CONTAINERS ON MOTOR VEHICLES

4.01. FUEL CONTAINERS - PROJECTION. No part of any fuel container, tank or intake pipe shall project beyond the side of any vehicle.

4.02. FUEL CONTAINERS - CONSTRUCTION AND INSTALLATION. The fuel tank or container supplying fuel for the propulsion of any motor vehicle shall be

- (a) substantially and properly constructed,
- (b) free from leaks,
- (c) adequately and securely fastened to the vehicle,
- (d) equipped with adequate baffles, and
- (e) maintained in good condition.

4.10 FUELING OF MOTOR VEHICLES

4.11. FUELING RESTRICTIONS. A motor vehicle shall not be fueled:

- (a) while the engine is running,
- (b) in areas where smoking is permitted, or
- (c) in the presence of or proximity to any open flame or other source of ignition which possibly could ignite the fuel or vapors therefrom.

4.12. GROUNDING OF FUEL HOSE. The nozzle of the fuel hose shall be in contact with the intake of the fuel tank throughout the entire time the vehicle is being fueled.

4.20 RESERVE FUEL ON MOTOR VEHICLES

4.21. RESERVE SUPPLY - HOW CARRIED. Any reserve supply of fuel shall be carried only in a properly constructed and mounted fuel tank, which shall be constructed and equipped in accordance with the requirements set forth in Section 4.02.

This section shall not be construed as prohibiting the use while in transit of a properly constructed cargo tank for liquofied petroleum gases as a proper source of fuel supply, provided such cargo tank so used is mounted on a motor truck but not on a trailer or semitrailer, and when so used a satisfactory device shall be provided to control the rate of flow.

PART 5 - BRAKES

5.00 BRAKES GENERALLY

5.01. SERVICE BRAKES. Every vehicle, except an auxiliary dolly as defined in Section 37.1 of the Vehicle Code, shall be equipped with efficient service brakes adequate to control the movement of and to stop and to hold stationary such vehicle under any load or road condition. Such brakes must be adequate to ensure full compliance with the requirements of the Vehicle Code.

5.02. AUXILIARY (PARKING) BRAKES. Every motor vehicle shall be equipped with a mechanical hand operated auxiliary brake which shall employ a ratchet and pawl or other effective locking and releasing mechanism. Such brake shall be capable of holding such vehicle stationary under any situation.

5.03. WHEN SERVICE AND AUXILIARY BRAKES CONNECTED. If the two separate means of applying the service and auxiliary brakes are connected in any way they shall be so designed and constructed that the failure of any one part of the operating mechanism shall not leave the vehicle entirely without brakes.

5.04. AUXILIARY BRAKES ON DRIVE SHAFT. If mechanically practicable, when an auxiliary brake is located on the drive

shaft, it shall be on that portion of said shaft directly connected to the differential.

5.05. BRAKES TO BE OPERATIVE. All brakes shall be in a satisfactory and effective operating condition at all times the vehicle is in service.

5.06. REDUCING BRAKING EFFORT ON FRONT WHEELS. A suitable and satisfactory means may be used to reduce the braking effort on the front wheels of the vehicle, provided that the front wheel brakes shall not be made inoperative.

5.07. AUTOMATIC APPLICATION OF BRAKES UPON BREAKAWAY OF TRAILER. Every full trailer, semitrailer, and pole trailer required to be equipped with brakes, shall be equipped with brakes of such a character as to be automatically applied upon breakaway from the towing vehicle, and means shall be provided to maintain application of the brakes on the trailer in such case for at least 15 minutes. Every truck or truck-tractor manufactured after January 1, 1952, before being used by a carrier shall be equipped with the means for providing that in case of breakaway of the semitrailer or trailer, the service brakes on the towing vehicle will be sufficiently operative to stop said towing vehicle.

5.20 AIR BRAKE SYSTEM

5.21. SAFETY VALVES AND PRESSURE GAUGES REQUIRED. Every service brake installation actuated by compressed air shall be equipped with a safety valve and pressure gauge in accordance with Sections 5.22 to 5.31, inclusive.

5.22. SAFETY VALVE - TYPE REQUIRED. The safety valve shall be of reliable and satisfactory construction and maintained in an efficient working condition at all times.

5.23. SAFETY VALVE - UNINTERRUPTED CONNECTION REQUIRED. The safety valve shall be installed so as to have an uninterrupted connection with the air reservoir or tank first in line with the air compressor.

5.24. SAFETY VALVE - DISCHARGE CAPACITY. The safety valve shall have a discharge capacity of not less than the maximum pressure output of the air compressor.

5.25. SAFETY VALVE - REGULATING LIMITS. The safety valve shall be so designed and adjusted that it will open and discharge the air at a pressure of not to exceed five (5) pounds per square inch above the working pressure of the tank or reservoir and close and reseal itself at a pressure of not to exceed five (5) pounds per square inch below said working pressure of the tank or reservoir.

5.26. PRESSURE GAUGE - TYPE REQUIRED. The pressure gauge shall be of reliable and satisfactory construction and maintained in an efficient working condition at all times.

5.27. PRESSURE GAUGE - UNINTERRUPTED CONNECTION REQUIRED. The pressure gauge shall be installed so as to have an uninterrupted connection with the air reservoir or tank.

5.28. PRESSURE GAUGE - LOCATION. The pressure gauge shall be installed and maintained in such a location as to be visible clearly and readily to the driver from the driving position at all times.

5.29. LOW AIR PRESSURE WARNING SIGNAL. Every motor vehicle equipped with an air brake system shall be equipped with a sound alarm or a distinctive red light signal readily visible to the driver, which will give a satisfactory warning when the air pressure drops to not less than 55 pounds per square inch.

5.30. PNEUMATIC SYSTEM - CHECK VALVE REQUIRED. A check valve shall be installed and properly maintained in the air supply piping either between the air compressor and the first reservoir or tank immediately adjacent to the air intake of said reservoir, or between No. 1 reservoir (wet tank) and No. 2 reservoir (dry tank) immediately adjacent to the air intake of the No. 2 reservoir, provided that the air supply for the brakes is not drawn from the No. 1 reservoir and that the No. 1 and No. 2 reservoirs are connected by only one pipe line.

5.31. RESTRICTIVE DEVICES IN AIR LINES. Any valve or other device which in any manner could restrict the free flow of compressed air through the air supply pipe line, particularly between the main air reservoir and the brake application valve (quick release valve), and between the brake application valve (quick release valve) and the brake chamber, shall not be permitted without the prior permission of this Commission.

5.40 VACUUM BRAKE SYSTEMS ON VEHICLES

5.41. VACUUM GAUGES REQUIRED. Service brakes actuated by vacuum power shall be equipped with a vacuum gauge in accordance with Sections 5.42 to 5.47, inclusive.

5.42. VACUUM GAUGE - TYPE REQUIRED. The vacuum gauge shall be of a reliable and satisfactory construction and shall be maintained in an efficient working condition at all times.

5.43. VACUUM GAUGE - UNINTERRUPTED CONNECTION REQUIRED. The vacuum gauge shall be installed so as to have an uninterrupted connection with the vacuum supply.

5.44. VACUUM GAUGE - LOCATION. The vacuum gauge shall be installed and maintained in such a location as to be visible clearly and readily to the driver from the driving position at all times.

5.45. VACUUM SUPPLY TANK - CAPACITY. The vacuum supply tank or cylinder shall be of sufficient capacity to provide enough vacuum power to enable the driver to make at least one complete braking operation, bringing the vehicle to a complete stop after the motor has stopped running.

5.46. VACUUM SYSTEM - CHECK VALVE REQUIRED. A check valve shall be installed in the vacuum supply piping first in line from the source of the vacuum supply.

5.47. VACUUM - WHEN A BOOSTER ONLY. The provisions of Sections 5.41 to 5.46, inclusive, will not apply when the vacuum supply is used in connection with the braking system for booster purposes only.

5.60 HYDRAULIC BRAKES

5.61. HYDRAULIC BRAKES - PRESSURE. When hydraulic brakes are used the hydraulic pressure shall be not higher than the manufacturer's rated capacity of the hose connections.

5.70 BRAKE TUBING, BRAKE HOSE AND CONNECTIONS

5.71. TUBING AND HOSE - ADEQUACY. Brake tubing and brake hose shall be constructed of adequate material to ensure efficient continued functioning in a satisfactory manner.

5.72. TUBING AND HOSE - LENGTH AND FLEXIBILITY. Brake tubing and brake hose installed on vehicles shall be of sufficient length and flexibility to allow or accommodate all normal motions of the vehicle or the part thereof to which they are attached without their being damaged in any way.

5.73. TUBING AND HOSE - CHAFING. Brake tubing and brake hose shall be suitably and satisfactorily protected against chafing or other injury.

5.74. CONNECTIONS - CONSTRUCTION. Connections for compressed air, vacuum, and hydraulic braking systems shall be constructed of adequate material and so designed as to ensure efficient continued functioning.

5.75. CONNECTIONS - LEAKS AND DEFECTS. Connections shall be satisfactorily designed, constructed, installed, and maintained so as to ensure freedom from leaks, constrictions, and other defects.

5.76. DETACHABLE CONNECTIONS. Detachable connections shall be satisfactorily designed, constructed, installed, and maintained so as to ensure against inadvertent or accidental disconnection.

5.80 UNATTENDED VEHICLES

5.81. BRAKES MUST BE SET WHEN VEHICLE IS UNATTENDED. The driver shall not leave the driver's compartment unless and until the auxiliary brake has been securely set, and, if the vehicle is to be left unattended, unless and until the motor has been stopped and the power turned off and all other reasonably prudent precautions have been taken to prevent the movement of the vehicle. ✓

PART 6 - INSPECTION, MAINTENANCE, AND EQUIPMENT REPORTS

6.00 INSPECTION AND MAINTENANCE OF VEHICLES

6.01. INSPECTION AND MAINTENANCE REQUIRED. Every carrier shall inspect and maintain all vehicles and vehicle equipment subject to its control to ensure that such vehicles and equipment are in a safe and proper operating condition.

6.02. INSPECTION AND MAINTENANCE PRACTICES AND RECORDS.

Every carrier shall institute systematic inspection and maintenance practices. A systematic inspection and maintenance

record shall be maintained for each vehicle controlled by a carrier for the period during which such vehicle is subject to said carrier's control. Such records shall include, at least: (a) an identification of the vehicle, including make, model serial number, and number of tires, their size, and number of plies, (b) a record of inspection and repairs indicating their date and nature, (c) a lubrication record, (d) a systematic means for indicating for each vehicle the nature and due date of various inspection and maintenance operations to be performed, and (e) if leased, or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the vehicle.

6.03. REQUIRED LUBRICATION PRACTICES. Every carrier shall institute such procedures as may be necessary to ensure that vehicles are properly lubricated, that proper action is taken to correct excessive oil and grease leaks, and that excessive accumulations of grease and oil are investigated, removed, and the cause of such accumulations corrected.

6.04. UNSAFE OPERATIONS PROHIBITED. No carrier shall permit or require a driver to drive, nor shall any driver drive any vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle prior to reaching its destination.

6.05. DAMAGE TO VEHICLES TO BE INSPECTED. No carrier shall permit or require a driver to drive nor shall any driver drive a motor vehicle which has been damaged in an accident or by other cause until inspection has been made by a properly qualified person to ascertain the nature and extent of the damage and the relationship of such damage to the safe

operation of the vehicle, nor shall such vehicle be operated until such person has determined it to be in safe operating condition.

6.06. INSPECTION BY PUBLIC UTILITIES COMMISSION. A duly authorized representative of this Commission shall have the right at all times and shall be allowed to enter into or upon any vehicle for the purpose of ascertaining whether these rules are being complied with and observed.

6.07. DUTY OF OWNERS AND DRIVER TO PERMIT INSPECTION. Every owner, operator, or driver of any vehicle shall afford the duly authorized representative of this Commission every reasonable opportunity and facility to inspect any vehicle.

6.08. MAINTENANCE AND INSPECTION RECORDS. The maintenance and inspection records of every carrier shall be kept on file by said carrier for at least one year and made available on request to this Commission or its duly authorized representative.

6.20 EQUIPMENT REPORTS

6.21. EQUIPMENT REPORTS REQUIRED. Every carrier shall file with this Commission a separate written report on each vehicle used by such carrier showing full information as to its type and all other characteristics.

6.22. EQUIPMENT REPORT ON NEWLY ACQUIRED VEHICLES. Every carrier shall file a written report with this Commission on each newly acquired vehicle within ten (10) days after such vehicle is first placed in service.

6.23. FORM OF REPORT. The form of the report required by Sections 6.21 and 6.22 is set forth in Appendix "A" hereof.

6.24. REPORT ON VEHICLES WITHDRAWN FROM SERVICE. If a vehicle is permanently withdrawn from service this Commission

shall be notified within ten (10) days after such withdrawal takes place.

6.25. REPORTS ON LEASED VEHICLES. Equipment reports shall be filed with this Commission on leased vehicles unless the period of the lease is for less than ten (10) days.

PART 7 - DRIVERS

7.00 QUALIFICATIONS REQUIRED OF DRIVERS

7.01. GENERAL PHYSICAL AND MENTAL REQUIREMENTS. Drivers shall not have suffered or have:

- (a) any loss of hand, arm, foot, or leg,
- (b) any loss of fingers, or defect in or impairment of use of fingers, hand, arm, foot, leg or any other member or part of the body, likely to interfere with safe driving, or
- (c) any mental, nervous, organic, or functional disease or disorder likely to interfere with safe driving.

7.02. EYESIGHT. Drivers shall have:

- (a) visual acuity (either without glasses or by correction with glasses) of at least 20/40 (Snellen) in one eye, and 20/100 (Snellen) in the other eye,
- (b) form field of not less than 45 degrees in all meridians from point of fixation, and
- (c) ability readily to distinguish red, green, and yellow colors.

7.03. GLASSES. If glasses are required to meet the requirements of Section 7.02, they shall be worn while driving.

7.04. HEARING. Drivers shall have adequate hearing, which shall be not less than 10/20 in each ear, for conversational tones, without hearing aid.

7.05. MINIMUM REQUIREMENTS BEFORE DRIVING. A carrier shall not require or permit any person to drive, and a person shall not drive, any motor vehicle, unless such person so driving possesses the minimum qualifications set forth in Sections 7.01 to 7.04, inclusive.

7.06. PHYSICAL EXAMINATION - CERTIFICATE REQUIRED. Every carrier shall have in its files a certificate of physical examination signed by a qualified doctor of medicine, for every new driver entering its employ, certifying that said doctor has examined such driver and found him to meet satisfactorily the qualifications set forth in Sections 7.01 to 7.04, inclusive.

7.07. PHYSICAL EXAMINATION CERTIFICATE - WHEN TO BE FILED. The physical examination certificate shall be filed with the carrier within ten (10) days after the new driver's entering said carrier's employ.

7.08. NEW DRIVER DEFINED. For the purposes of Section 7.06, a new driver shall be deemed to be any driver applying for employment as a driver who is unable to furnish a certificate of physical examination showing that he has been examined and qualified as required by Section 7.06 within one year prior to the date of his employment.

7.09. PERIODICAL RE-EXAMINATION REQUIRED. Every driver shall be re-examined in the same manner as provided in Section 7.06 at not less than two-year intervals to ascertain whether he meets the qualification requirements of Sections 7.01 to 7.04, inclusive.

7.10. CERTIFICATE OF PHYSICAL EXAMINATION. On and after January 1, 1953, every carrier shall have in its files for every driver employed or used by it a certificate of a

qualified doctor of medicine as shown on the physical examination form reproduced in Appendix "B" hereof, or a photostatic copy thereof.

7.11. RECOMMENDED PHYSICAL EXAMINATION FORM. A recommended physical examination form is set forth in Appendix "B" hereof, together with general instructions for making the physical examination and recording findings.

7.12. USE OF LIQUORS, NARCOTICS, OR DRUGS. Any person addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors, shall not be hired nor remain employed as a driver.

7.20 OTHER DRIVER QUALIFICATION REQUIREMENTS

7.21. DRIVING SKILL. Every driver shall have competency by reason of experience or training, or both, to safely drive the type of vehicle he is employed to and does drive.

7.22. KNOWLEDGE OF RULES AND REGULATIONS. Every driver shall have a thorough working knowledge of the Vehicle Code of the State of California and of the rules and regulations issued by this Commission pertaining to the operation and driving of vehicles.

7.23. AGE OF DRIVERS. A driver of a motor vehicle shall be not less than 21 years of age.

7.24. KNOWLEDGE OF ENGLISH. Every driver shall be able to speak, read, and write the English language.

7.25. CARRIERS SHALL INSTRUCT DRIVERS. Every carrier shall so instruct and educate its drivers that they shall have a full and complete understanding of the rules and regulations of this Commission and of the Vehicle Code.

7.26. DRIVER TRAINING PROGRAMS RECOMMENDED. It is strongly recommended that all carriers, either singly or collectively,

establish comprehensive driver training programs, the objectives of which shall be to train drivers thoroughly in the operation of the vehicles to be driven, acquaint drivers with their responsibilities and duties, improve the drivers' compliance with all applicable rules, regulations and laws, and thereby show said drivers the importance of, and inculcate in them a desire to observe, the fundamental precepts and practices of safe driving.

7.30 DUTIES OF DRIVERS

7.31. DRIVERS' DUTY TO DRIVE SAFELY. Drivers at all times shall drive or operate vehicles in a safe, prudent, and careful manner, with due regard to traffic conditions on the highway or road and the use thereof by others, as well as to the surface and width thereof, and in no event in such a manner as to endanger the safety of persons or property.

7.32. ALCOHOLIC BEVERAGES - USE BY DRIVERS FORBIDDEN.

Drivers shall not go on duty, and carriers shall not knowingly permit drivers to go on duty, if such drivers have been drinking or are under the influence of an alcoholic beverage or liquor of any kind. Drivers shall not drink any such beverage or liquor while on duty.

7.33. DRIVERS' DUTY TO OBSERVE RULES AND REGULATIONS.

Drivers at all times shall observe all applicable provisions of the Vehicle Code and these rules and regulations.

7.34. DUTY OF DRIVERS TO DETERMINE IF EQUIPMENT IS IN GOOD

WORKING ORDER. A driver shall not drive or operate any vehicle under his control unless he has first satisfied himself that the following required parts and accessories are in good working order:

- (a) lighting devices and reflectors,
- (b) brakes, both service and auxiliary, including trailer brake connections (by making tests of each),
- (c) brake gauge,
- (d) horn,
- (e) windshield wipers,
- (f) rear vision mirrors,
- (g) tires,
- (h) steering mechanism, and
- (i) coupling devices.

7.35. WHEN DRIVER FINDS EQUIPMENT IN BAD ORDER. In the event a driver cannot satisfy himself that the equipment and accessories of a vehicle are in good working order, then a properly qualified responsible company representative shall make certain that said equipment and accessories are in good working order before the vehicle is allowed to be driven in service.

7.36. DRIVING WHILE ILL OR FATIGUED FORBIDDEN. A vehicle shall not be driven by any driver while his ability or alertness is so impaired through fatigue, illness, or any other cause, to make it unsafe for him to drive or continue to drive a vehicle, and he shall not be required, or knowingly be permitted to drive, while in such a condition, except in case of grave emergency where the hazard would be increased by observance of the foregoing provisions.

PART 8 - HOURS OF SERVICE OF DRIVERS AND DRIVERS' LOGS

8.00 DEFINITIONS OF WORDS AND PHRASES AS USED IN THIS PART

8.01. "ON DUTY". A driver is on duty from the time he begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for

performing work. The time spent by a driver resting or sleeping in a berth as defined in Section 8.06 shall not be included in computing time on duty.

8.02. "DRIVE OR OPERATE". The term "drive or operate" includes all time spent on a moving vehicle and any interval not in excess of 10 minutes in which a driver is on duty but not on a moving vehicle. The term "drive or operate" does not include time spent resting or sleeping in a berth as defined in Section 8.06.

8.03. "COMPUTING AN INTERVAL IN EXCESS OF 10 MINUTES". For the purpose of computing an interval in excess of 10 minutes, all stops made in any one village, town or city may be computed as one if the driver has not driven or operated the vehicle more than 10 miles in such village, town or city.

8.04. "WEEK". The term "week" means any period of 168 consecutive hours beginning at the time the driver reports for duty as defined in Section 8.01.

8.05. "24 CONSECUTIVE HOURS". The term "24 consecutive hours" means any such period starting at the time the driver reports for duty, as defined in Section 8.01.

8.06. "BERTH". The term "berth" means a berth or bunk on the motor vehicle which is properly equipped for the purpose of sleeping, including springs and a mattress, or an inner-spring mattress, pillow, adequate bed clothing, adequate ventilation, and ready means of entering and leaving the berth.

8.10 HOURS OF SERVICE OF DRIVERS

8.11. HOURS OF SERVICE PER WEEK. Subject to the provisions of Section 8.13 and except as provided in Section 8.12, carriers shall not permit or require any driver in their employ to remain on duty, as defined in Section 8.01, for a total of more than 60 hours in any week, as defined in Section 8.04.

8.12. WHEN 70 HOURS PER WEEK PERMITTED. Subject to the provisions of Section 8.13, carriers operating vehicles on every day of the week may permit drivers in their employ to remain on duty for a total of not more than 70 hours in any period of 192 consecutive hours.

8.13. HOURS OF SERVICE PER 24 CONSECUTIVE HOURS. Except as provided in Sections 8.16, 8.18, and 8.19, carriers shall not permit or require any driver in their employ to drive or operate for more than 10 hours in the aggregate in any period of 24 consecutive hours, unless such driver be off duty for eight consecutive hours during or immediately following the 10 hours aggregate driving and within said period of 24 consecutive hours, nor, in any event, to be on duty as defined in Section 8.01 (to drive or operate in conjunction with any other work) for more than 16 hours in any 24 consecutive hours as defined in Section 8.05.

8.14. EIGHT CONSECUTIVE HOURS OFF DUTY ESSENTIAL. Notwithstanding anything in this part contained, a driver shall have at least eight (8) undisturbed consecutive hours of off-duty rest between any two 10-hours of driving whether either 10-hours of driving is consecutive or in the aggregate.

8.15. MONTHLY REPORT OF EXCESS HOURS REQUIRED. Every carrier shall make a monthly report to this Commission, prior to the 15th day of each succeeding month, of every instance where a driver has been required or permitted to be on duty or to drive or operate for hours in excess of those prescribed in this part, and shall explain fully the reasons for and circumstances surrounding such violations. Such reports shall be in writing and verified, and shall be substantially as shown in Appendix "C".

8.16. HOURS OF SERVICE UNDER ADVERSE CONDITIONS. In case of snow, sleet, fog, or other adverse weather conditions, in case the highways are covered with snow or ice, or in case of the presence of unusual road and traffic conditions, a driver may drive or operate a vehicle for not more than 12 hours in the aggregate in any period of 24 consecutive hours in order to complete his run, without being off duty for a period of eight consecutive hours as provided in Section 8.13. This longer period of driving is permitted even though the conditions named herein are known to the employer before the trip is begun.

8.17. IMMEDIATE REPORT REQUIRED WHEN DRIVING EXCEEDS 10 HOURS.

If a driver is permitted or required under the provisions of Section 8.16 to drive in excess of 10 hours in the aggregate in any 24-hour period without being off duty for a period of eight consecutive hours during or immediately following the period of 10 hours driving and within said period of 24 consecutive hours, a report on Form 4 as shown in Appendix "C" hereof, must be made immediately to this Commission, and such report shall contain a full and correct statement of the condition which necessitated the longer period of driving.

8.18. HOURS OF SERVICE UNDER EMERGENCY CONDITIONS. In the case of any emergency a driver may complete his run without being in violation of the provisions of these hours of service regulations if such run normally could have been completed without such violation.

8.19. EXEMPTION WHEN PROVIDING RELIEF. These hours of service regulations shall not apply to any carrier when transporting property for the purpose of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence or other calamitous visitation or disaster.

8.20. DRIVERS' DUTY TO COMPLY. Drivers shall comply with the hours of service rules and regulations set forth in this part and shall not drive or operate any motor vehicle in violation thereof.

8.21. HOURS DRIVING OUTSIDE STATE. In computing the number of hours under this part, any time spent by a person in driving a vehicle outside this state, upon such vehicle entering this state, shall be included.

8.50 DRIVER'S LOG

8.51. DRIVER'S LOG REQUIRED. Every carrier subject to these regulations shall require that a driver's log, in duplicate, shall be kept by every driver in its employ who operates a vehicle engaged in the transportation of property, and if himself an owner-driver, he shall keep such a log.

8.52. CONTENTS OF DRIVER'S LOG. Entries in a driver's log shall be made by the driver, shall show the place of origin and destination of the trip, the times of reporting for duty and of going off duty, the periods of driving or operating and other work, and any other information found desirable.

8.53. EXEMPTION. The provisions of Sections 8.51 and 8.52 shall not apply to any driver engaged in the transportation of property wholly within a municipality, between contiguous municipalities, or within a zone adjacent to and commercially a part of any such municipality or municipalities.

8.54. FORM OF DRIVER'S LOG. The form of the driver's log shall be the same as that prescribed by the Interstate Commerce Commission, a reproduction of which is set forth in Appendix "C" together with instructions for the use thereof.

8.55. EFFECT OF COMPLIANCE WITH INTERSTATE COMMERCE COMMISSION REGULATIONS. Compliance with Rule 5 (a) of Part 5 of the Interstate Commerce Commission's Motor Carrier Safety Regulations requiring the keeping of a driver's log shall be deemed compliance with Sections 8.51 to 8.54, inclusive, but shall not relieve carriers or drivers from the requirements of Sections 8.11 to 8.21, inclusive.

PART 9 - TRANSPORTATION OF PROPERTY

9.00 TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

9.01. RULES APPLICABLE. "The Regulations of the Interstate Commerce Commission for the Transportation of Explosives and Other Dangerous Articles on Public Highways by Motor Truck or Other Vehicle" promulgated in ex parte M.C.13, decided April 1, 1940, effective June 15, 1940, together with all modifications, amendments, and reissues thereof are hereby adopted as the rules and regulations governing this type of transportation.

9.02. CARRIERS TO OBSERVE. All carriers and their drivers shall comply strictly with rules and regulations concerning the transportation of explosives and other dangerous articles referred to in Section 9.01.

PART 10 - GRADE CROSSINGS AND DRAWBRIDGES

10.00 RULES AND REGULATIONS APPLICABLE AT GRADE CROSSINGS AND DRAWBRIDGES

10.01. RESPONSIBILITY OF DRIVERS. Every driver of a motor vehicle is charged with the responsibility of exercising great care and every due precaution to make certain that every grade crossing or drawbridge can be safely negotiated before driving a vehicle over such crossing or drawbridge.

10.02. SPEED LIMIT ON APPROACHING GRADE CROSSINGS AND DRAWBRIDGES. When driving a motor vehicle, the driver shall approach every railroad and street railway grade crossing and every drawbridge, during the last one hundred (100) feet of approach, at a speed of not to exceed twenty-five (25) miles per hour.

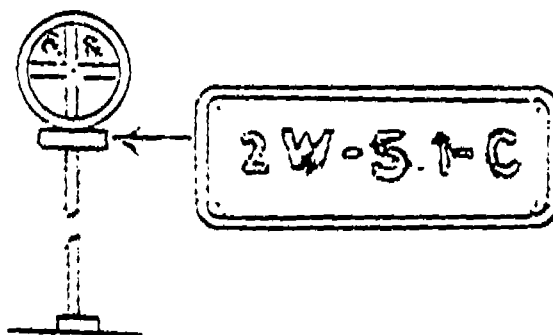
10.03. STOP REQUIRED AT GRADE CROSSING. Except as otherwise hereinafter provided, every driver when driving a motor vehicle used in the transportation of explosives, inflammables or other dangerous articles, whether loaded or empty, upon approaching any highway railroad grade crossing, shall bring any such vehicle being driven by him to a full stop at a point from which said driver can see the railroad track clearly in both directions, but in any event such stop shall be made within fifty (50) feet and not less than ten (10) feet from the nearest rail of such crossing. After making the required stop the driver shall not start to drive over such a crossing until he has listened for the sound of, and looked in both directions along the track for the approach of, any train, locomotive or other vehicle, and further, until every due precaution has been taken by

the driver to ascertain that the course is clear and that the crossing can be negotiated safely.

10.04. WHEN STOP NOT REQUIRED AT GRADE CROSSINGS. The full stop required by Section 10.03 shall not be required:

- (a) at a street railway crossing within a business or residential district,
- (b) at a railroad grade crossing protected by a watchman or traffic officer on duty directing traffic to proceed, or by a traffic-control "Stop and Go" signal (not railroad flashing signal) giving positive indication to approaching vehicles when to proceed.

10.05. EXEMPT GRADE CROSSINGS. Drivers of motor vehicles shall not be required to make the full stop specified in Section 10.03 at grade crossings at which the exempt sign (reproduced below) has been installed with the approval of this Commission. Stops shall be made, however, when a train, locomotive, or other vehicle is approaching the crossing upon the tracks or occupying the crossing, or when, for any reason, the driver cannot see or read such sign from the driver's position.



10.06. SPEED AND CAUTION AT EXEMPT CROSSINGS. The provisions of Section 10.05 shall not relieve a driver while negotiating exempt grade crossings from full compliance with Sections 10.01 and 10.02

10.07. GEAR CHANGING ON CROSSINGS PROHIBITED. After making a stop at any railroad grade crossing, in all instances where a gear change can be made at the option of the driver, the crossing shall be made only in such a gear as will make unnecessary any, and there shall be no, changing of gears while traversing such crossing.

11.00 REPORTING OF ACCIDENTS BY CARRIERS

11.01. REPORTABLE ACCIDENTS. Every carrier shall report to this Commission in the manner hereinafter prescribed in this part every accident in which a vehicle operated by it is involved from which there results an injury to or the death of any person, or property damage to any and all vehicles or other property involved to an apparent extent in excess of \$100.00. For the purposes of this section, an injury is one which prevents a person from following his customary employment, occupation or mode of living for a period of 24 hours or more.

11.02. MANNER OF REPORTING ACCIDENTS. A detailed report of each reportable accident shall be made in duplicate by every carrier on Form 19, "Report of Truck Accident", a reproduction of which is set forth in Appendix "D" hereof. The original of such report shall be mailed to this Commission as soon as possible after the occurrence of an accident, and after sufficient information has been secured to complete the report, but in any event within 30 days from the last day of the month in which the accident occurred. The duplicate accident report shall be retained in the files of the reporting carrier.

11.03. ACCIDENT REPORTS-CONFIDENTIAL. Accident reports and reports supplemental thereto filed with this Commission by carriers in compliance with this part shall be without prejudice to such carriers or any individual so reporting and shall be for the confidential use of the Commission in analyzing accidents and making further investigations and reports. Such accident reports shall not be open to public inspection and shall not be used as evidence in any trial, civil or criminal, arising out of an accident.

11.10 FATAL ACCIDENTS - HOW REPORTED

11.11 FATAL ACCIDENTS - IMMEDIATE NOTICE REQUIRED.

Whenever the reportable accident results in the death of any person at the time of the accident or within 24 hours thereafter, the carrier immediately shall transmit notice of such death by telegraph or telephone to the Commission's office in San Francisco or Los Angeles. Such notice shall contain information as to the date and the time of the accident, the exact location, the type of vehicle involved, the number of persons killed and injured, and the name and address of the carrier.

11.12. DEATHS OCCURRING BEFORE FILING FORM 19 REPORT.

In addition to the requirements of Section 11.11 all deaths shall be reported on Form 19 whether they occur at the time of the accident or subsequently if such deaths occur prior to the filing of said accident report form.

11.13. DEATHS OCCURRING AFTER FILING FORM 19 REPORTS.

Whenever the death of any person results from an accident after the carrier has submitted the Form 19 report of such accident to the Commission, notice of such death in writing shall be given to the Commission as soon as possible after such death is known to the carrier, with sufficient

information to identify the accident from which the death resulted.

11.20 OTHER REQUIREMENTS IN REPORTING ACCIDENTS

11.21. COMMISSION TO BE PROMPTLY NOTIFIED OF INVESTIGATION OR HEARINGS. If any investigation or hearing is to be held at which testimony or statements of employees or witnesses will be taken, notice of the time and place thereof shall be given this Commission sufficiently in advance thereof to enable the Commission or its authorized representatives to attend.

11.22. DUTY OF CARRIER TO ASSIST IN THE INVESTIGATION.

Every carrier shall make available to the duly authorized representative of the Commission, all records and information which in any way pertain to any reportable accident, and shall afford all reasonable assistance in the investigation thereof.

11.23. OBTAINING OF ACCIDENT REPORT FORM 19. For the purpose of compliance with this part, every carrier shall keep on hand an adequate supply of Form 19, "Report of Truck Accident" to enable prompt reporting of accidents. A supply of this form may be obtained from this Commission at either its San Francisco or Los Angeles office.

11.24. WHERE REPORTS ARE TO BE FILED. Except as provided in Section 11.11 accident reports shall be made to or filed with this Commission's San Francisco office.

PART 12 - LOAD REQUIREMENTS

12.00 LOADING RULES AND REGULATIONS

12.01. DISTRIBUTION AND SECUREMENT OF LOADS. The load on every vehicle shall be as evenly distributed as possible and shall be firmly secured to or retained on the vehicle. Load securing or retaining devices shall be maintained in good

condition at all times.

12.02. INSPECTION OF LOADS. Inspection shall be made en route by the driver to ensure that load securing or retaining devices are functioning properly and that no portion of the load projects beyond the width limits of the vehicle. When side projections exist in the load, or, if due to shifting, the load becomes unstable, the vehicle shall be driven from the main traveled portion of the highway and shall not again be moved upon said main traveled portion until the defective load conditions have been corrected.

PART 13 - SERVICE REGULATIONS

13.00 REQUIREMENTS AS TO DISPLAY OF COMPANY NAME AND NUMBERS

13.01. VEHICLE NUMBERS REQUIRED. Every carrier shall assign an identifying number to each vehicle. Such number shall be painted on or otherwise permanently attached to each side and to the rear, when possible of the exterior of each vehicle in figures at least four (4) inches in height made with a 3/4 inch stroke. The Commission shall be notified promptly in the event any such number is changed.

13.02. NAME OF CARRIER TO BE DISPLAYED ON VEHICLE. A vehicle shall not be operated in service unless there is painted or displayed on each side, and on the rear, when possible, of each vehicle the name or trade name of the carrier in whose service the vehicle is operating. The letters of the name shall be sufficiently large to be easily readable at a distance of not less than 100 feet. However, the provisions of this section shall not apply to vehicles temporarily leased by carriers for a period of less than 30 days.

PART 14 - TIMETABLES

14.00 GENERAL RULES AND REGULATIONS CONCERNING TIMETABLE FILINGS

14.01.TIMETABLE FILING REQUIRED. Except as provided in Section 14.03, every highway common carrier and petroleum irregular route carrier shall publish and file with this Commission three (3) copies of each timetable as provided in this part.

14.02.TIMETABLE FILINGS - LETTER OF TRANSMITTAL. Every timetable transmitted to this Commission for filing shall be accompanied by a letter of transmittal. If an acknowledgment of receipt of a timetable is desired the letter of transmittal shall be sent in duplicate, and one copy showing date of receipt by the Commission will be returned to the sender.

14.03.EXEMPTIONS. Highway common carriers and petroleum irregular route carriers shall be exempt from the requirements to publish and file timetables for those schedules operating in the transportation of property wholly within a municipality, between contiguous municipalities, or within a zone adjacent to and commercially a part of any such municipality or municipalities, provided such carrier files with this Commission a statement in triplicate listing those operations, routes or schedules considered as coming within this exemption. Highway common carriers and petroleum irregular route carriers rendering an "on call" service shall file with the Commission a timetable substantially as shown in Appendix "E" and shall be exempt from the requirements of Section 14.31 (a) to (d), inclusive.

14.04 SCHEDULES REQUIRING EXCESSIVE SPEEDS PROHIBITED. The schedule of operation as contained in any timetable shall provide ample time to permit all operations to be carried on at a lawful speed at all times.

14.05. TIMETABLES TO BE OBSERVED. Except as otherwise permitted by this part, timetables shall be substantially adhered to.

14.20 TIMETABLES - FORM, SIZE AND CONTENTS

14.21. SIZE. Timetables shall be 8½ x 11 inches in size.

14.22. QUALITY OF PAPER. The paper used for timetables shall be opaque and of good quality.

14.23. PRINTED OR TYPED. Timetables shall be printed, type-written, or mimeographed and shall be legible throughout.

14.24. NUMBER OF PAGES. Timetables may consist of a title page and any number of additional pages.

14.25. NAME OF CARRIER TO BE SHOWN. The name under which a carrier is operating shall be shown on the title page and on each page of each timetable and shall be the same as that appearing on its tariffs filed with this Commission.

14.26. ONLY ONE EFFECTIVE TIMETABLE. Only one timetable shall be in effect at any one time.

14.27. NUMBERING. The timetables of each carrier shall be numbered consecutively, beginning with No. 1. Each re-issued timetable shall show directly below its number the number of the timetable which it cancels and supersedes; for example

"Timetable No. 2
cancels
Timetable No. 1"

14.28. DATE ISSUED AND DATE EFFECTIVE. The date issued shall be shown on the left-hand side and the date effective on the right-hand side of the title page and each succeeding page.

14.29. POINTS BETWEEN WHICH APPLICABLE. The major termini or points between which the timetable applies shall be shown on the title page.

14.30. ISSUING OFFICER. The name, title and address of the

person issuing the timetable on behalf of the carrier shall be shown on the title page.

14.31. CONTENTS OF TIMETABLE. The timetable shall show:

- (a) the scheduled time of ARRIVAL and DEPARTURE from principal termini, except in "on call" service,
- (b) the scheduled time of DEPARTURE from points served intermediate to principal termini, except in "on call" service,
- (c) the frequency of service, i.e. Daily, Daily Except Sunday, Monday through Friday, and other similar provisions,
- (d) the distance in miles between points shown, and
- (e) restrictions in service or operative rights, if any exist.

14.32. AUTHORITY FOR ISSUANCE. The title page of any timetable filed shall contain a reference to the decision number pursuant to which the filing is being made.

14.40 TIMETABLE CHANGES AND REVISIONS

14.41. CHANGES REQUIRE NEW FILING. Except as provided in Section 14.42, a new timetable bearing the next consecutive number shall be filed with this Commission covering any change in the existing filed timetable. If a timetable consists of sections the change may be made by filing a revised section, only, bearing an appropriate wording indicating the extent of the change, for example:

"First Revised Section J of Timetable No. 1
Cancels
Original Section J of Timetable No. 1"

14.42. SUPPLEMENTS - WHEN PERMITTED. A supplement to a timetable shall not be issued except for the purpose of withdrawing or cancelling said timetable or temporarily

suspending service, in either of which events one supplement to a timetable may be issued and filed with this Commission.

APPENDIX A
Page 1 of 2

Form No. _____

PUBLIC UTILITIES COMMISSION
State of California
State Building, San Francisco 2

TRUCK OR TRACTOR EQUIPMENT RECORD

Code No. _____ Company Equipment No. _____ Date in Service _____
Corporate Name _____
Address _____
Make _____ Manufactured by _____
Manufacturer Chassis Serial No. _____ Type _____
Year Built _____
New _____ Second Hand _____ Leased _____ Leased From _____
Length _____ Width _____ Height _____ No. of Axles _____
Wheel Base _____ Type Drive _____ Tire Size _____
No. of Tires _____ Sleeping Berth () No () Yes
Engine Horsepower _____ No. of Cylinders _____
Type of Fuel _____ No. of Fuel Tanks _____
Capacity of Fuel Tanks _____ Location _____
Type of Service Brake _____ Type of Auxiliary Brake _____
Unladen Weight _____ Gross Weight Capacity _____
Square inches of Brake Lining Surface (total) _____

APPENDIX A
Page 2 of 2

Form No. _____

PUBLIC UTILITIES COMMISSION
State of California
State Building, San Francisco 2

TRAILER OR SEMI-TRAILER EQUIPMENT RECORD

Code No. _____ Company Equipment No. _____ Date in Service _____

Corporate Name _____

Address _____

Make _____ Manufactured by _____

Factory No. _____ Body Type _____

Year Built _____

New _____ Second Hand _____ Leased _____ Leased From _____

Length _____ Width _____ Height _____ No. of Axles _____

Wheel Base _____

Tire Size _____ No. of Tires _____

Type of Brakes _____

Unladen Weight _____ Gross Weight Capacity _____

Square Inches of Brake Lining Surface (total) _____

APPENDIX B
Page 1 of 5

STANDARD PHYSICAL EXAMINATION FORM FOR DRIVERS

(Be sure to record an answer to each question.
When negative or positive so state.)

PERSONAL AND MEDICAL HISTORY

Name in full _____ Age last birthday _____
Color _____ Marital Status _____ S M W D
Address: Street _____ City _____ State _____
Usual occupation _____
Years experience as operator of commercial motor vehicles _____

RECORD OF PHYSICAL FINDINGS

General Appearance and Development:

Good _____ Fair _____ Poor _____ Height _____ Weight _____

Head:

(without glasses _____) Right 20/ _____
Eyes: For distance (with glasses if worn) Left 20/ _____

Evidence of disease or injury: Right _____ Left _____

Color Vision (Lantern) _____

Ears: Hearing, 20 ft.: Right ear _____/20, Left ear _____/20.

Disease or injury _____

Mouth _____ Throat _____

Thorax:

Heart _____ If organic disease is present, is it fully
compensated? _____

Blood pressure (sitting): Systolic _____ Diastolic _____

Pulse: Before exercise _____ After 2 minutes rest _____

Lungs _____

Abdomen:

Scars _____ Abnormal masses _____ Tenderness _____

Hernia: Yes _____ No _____ If so, where? _____

Is truss worn? _____

STANDARD PHYSICAL EXAMINATION FORM FOR DRIVERS

(Continued)

Genito-Urinary:

Scars _____ Urethral Discharge _____

Reflexes:

Rhombberg _____

Pupillary _____ Light R _____ L _____

Accommodation: R _____ L _____

Knee Jerks: Right: Normal _____ Increased _____ Absent _____

Left: Normal _____ Increased _____ Absent _____

Extremities:

Upper _____ Lower _____

Spine _____

Laboratory findings if tests are indicated:

Urine: Sp. Gr. _____ Alb. _____ Sug. _____

Other _____

HISTORY OF PAST ILLNESSES

(When positive insert date)

Tuberculosis _____ Dysentery _____ Paralysis _____

Pleurisy _____ Hemorrhoids _____ Diabetes _____

Hemoptysis _____ Syncope _____ Syphilis _____

Peptic Ulcer _____ High Blood Pressure _____ Gonorrhea _____

Pneumonia _____ Epilepsy or Fits _____ Hematuria _____

History of hospitalization _____

Have you other illnesses, injuries, or operations? _____

PHYSICIAN'S CERTIFICATE

This is to certify that I have this day examined _____
_____ and find him

(physically fit, physically fit only when wearing glasses, physically unfit and disqualifying condition has been discussed with appl.) to perform the usual duties incident to employment as a driver of commercial motor vehicles. This certificate is based upon information obtained in the making of a physical examination in accordance with the regulations of the California Public Utilities Commission for the qualification of drivers and the standard form recommended for such examination. Record of his examination is as stated above. ✓

Date _____ Place _____ Signed _____

(Examining physician)

Driver's
Signature _____

Address _____

GENERAL INSTRUCTIONS FOR MAKING PHYSICAL
EXAMINATION AND RECORDING FINDINGS

(Be Sure to Record an Answer to Each Question
When Negative or Positive so State)

MEDICAL HISTORY

The purpose of this physical examination is to detect the presence of physical and mental defects of such a character and extent as to affect the applicant's ability to operate safely a motor vehicle. The examination should be made carefully and at least as completely as is indicated by the attached form. Defects may be recorded which, because of their character or degree, do not indicate that a certificate of physical fitness should be denied. The presence, however, of these defects should be discussed with the applicant and he should be encouraged to take the necessary steps to insure correction particularly of those which if neglected might lead to a condition likely to affect his ability to drive safely. Careful inquiry regarding past illness, the character and date of such illness, may reveal cause for defects found upon physical examination. Lack of knowledge concerning the etiology of certain defects may result in the rejection for employment. Such data also may indicate the need for making certain laboratory tests. Certain serological and laboratory tests will frequently be made by State Department of Health laboratories without charge.

General Appearance and Development - Note marked underweight or overweight, any posture defects, perceptible limp, anemia, tremor or other form of nervousness such as might be caused by chronic alcoholism, thyroid intoxication, or other illnesses. The rules of the Public Utilities Commission provide that no driver shall be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors.

Height and weight - Stripped to the waist with shoes and socks removed.

Head - Eyes - The telebinocular, Snellen chart, and other approved tests may be used to measure visual acuity. It is desired, however, when other than the Snellen chart is used, that the results of such test be expressed in values comparable to the standard Snellen chart. If applicant wears glasses, these should be worn while applicant's visual acuity is being tested. Indicate on record by encircling appropriate phrase on form "without glasses" or "with glasses if worn." In recording distant vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, corneal scar, exophthalmos or strabismus uncorrected by glasses.

APPENDIX B
Page 4 of 5

Ears - Note evidence of mastoid or middle ear disease or of discharge. In recording hearing record 10 feet as normal distance for conversational voice and record deviation from normal as fraction with 20 feet as denominator and actual distance as numerator.

Mouth - Note evidence of infection or pyorrhea.

Throat - Note evidence of disease or enlarged or infected tonsils.

Thorax - Heart - Stethoscopic examination is required. Note murmurs and arrhythmia. Electro-cardiogram is required for all drivers 45 years of age or older, as well as for others when indicated.

Blood pressure - May be recorded with either spring or mercury column type of sphygmomanometer.

Pulse - Normal pulse taken after being seated at least 2 minutes. Then have applicant stand and placing one foot on the seat of an ordinary chair raise his body to an erect position 20 times in 30 seconds. Pulse rate should return to his normal after 2 minutes rest. Because of abnormal conditions, some applicants will be unable to do this. This test has been found helpful in ascertaining physical ability for work.

Lungs - It is necessary that the auscultatory cough be used. Tuberculosis: if suspected, state whether active or arrested, and, if arrested, your opinion as to how long it has been quiescent. Sputum to be examined for tubercle bacilli in all suspected cases. Sample may be sent to the State Health Department.

Abdomen - Scars - If present, state whether recent and if abnormally tender or if there is any evidence of hernia at the site of scar.

Abnormal masses - If present, note tenderness and whether or not individual knows how long they have been present.

Tenderness - When noted, state where most pronounced and cause suspected.

Hernia - Note whether no hernia, but impulse on coughing or no hernia or impulse, but abnormally large rings. Any hernia should be noted, and if present state whether it is retained by well-fitted truss.

Genito - Urinary - When scars or urethral discharge are present indicate patient's reason for same and when indicated submit smear of discharge to laboratory for examination.

Reflexes - If positive Rhomberg is reported, indicate degree. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and increased when foot is actually lifted from the floor following light blow upon the patella; otherwise as normal.

Extremities - Upper - Note deformities and limitation of motion.

Lower - Note deformities, limitation of motion; varicose veins. In case of hand deformities note particularly whether or not sufficient grip is present to enable driver to secure a grip on the wheel. Show chronic ulcers. Record any atrophy or paralysis.

Spine - Note deformities and limitation of motion. Be sure to record loss of foot, leg, fingers, hand or arm, or impairment of use thereof, or other structural defect or limitation, likely to interfere with safe driving.

APPENDIX B
Page 5 of 5

Laboratory Findings - Urinalysis is indicated whenever systolic blood pressure is over 150 and diastolic over 100 and such other times as medical history or findings upon physical examination may indicate that they are necessary. A serological test should always be taken in case of those giving positive history of leutic infection or present physical findings upon examination presenting possibility of latent syphilis.

Upon completion of the examination, physician should always date and sign his record of the same.

● APPENDIX "C"

~~THEOREM 1.4.1. Let \mathcal{A} be a σ -algebra on Ω . Then \mathcal{A} is a σ -algebra on Ω .~~

ENTER WORK CO. 10011 100 10011 - K 44-8

APPENDIX "C" (Contd.)

CALIFORNIA PUBLIC UTILITIES COMMISSION

INSTRUCTIONS FOR USE OF DRIVER'S LOG

NOTE CAREFULLY - Drivers and carriers will be held responsible for the proper maintenance of the daily logs. Failure to maintain these logs throughout the daily operation, failure to fill out any applicable entries of the prescribed form or failure to file copies of such logs at driver's home terminal will constitute a violation of the Commission's rules and regulations.

1.(a) Every carrier subject to these regulations shall require that a driver's daily log in duplicate be maintained by each driver on the form prescribed by the Commission and in accordance with these instructions.

(b) The driver shall forward each day the original of the log to his home terminal address. Where a driver is employed by more than one carrier during the calendar day, he shall furnish each carrier with a copy of the log. The driver of a leased vehicle shall file the original copy of the log with each of the carriers for which service is performed.

(c) The original copies of the logs shall be retained by the carrier for a period of one year. The duplicate copies of the logs are the driver's personal records and not vehicle records, and are to be kept in his possession while on duty and driving for a period of one month.

2. The time standard at the driver's home terminal shall be used in preparing the driver's daily log. The log shall be prepared, maintained and submitted for a 24-hour calendar day beginning at midnight and ending at midnight of the same day.

3. Carrier's name and main office address may be filled in by an authorized official of the carrier. All other entries shall be made by the driver submitting the log.

4. The entries shall indicate:

- (a) the month, day and year for which the log is submitted,
- (b) total mileage travelled for the day covered by the log,
- (c) the carrier's truck or tractor number or state license number on the same vehicle. Entry of one license number will be sufficient.
- (d) the name of the carrier and its main office address for which driving is performed. In case of a driver of a leased vehicle, the name shown shall be the carrier to which the vehicle is leased.

APPENDIX "C" (Contd.)

CALIFORNIA PUBLIC UTILITIES COMMISSION

INSTRUCTIONS FOR USE OF DRIVER'S LOG (Contd)

- (e) the driver whose activities are covered by the daily log shall certify to the correctness of the log by signing his name in full together with his home terminal address.
- (f) Indicate in the proper line of the graphic chart of the log, by drawing a pencil line between the time markers nearest the actual time, the elapsed period or periods during the 24 hours of the calendar day, as follows:

Line 1, Off Duty - The time the driver is relieved from work and all responsibility for performing work, except the time spent resting in a sleeper berth.

Line 2, Sleeper Berth - The time spent resting in a sleeper berth.

Line 3, Driving - All time spent on a moving vehicle driving, riding or deadheading, including all regular and incidental stops not in excess of 10 minutes. Under "Remarks" give specific reasons that required driving over 10 hours, within 8 consecutive hours off duty during or immediately following 10 hours of driving.

Line 4, On Duty - The time which a driver is loading or unloading vehicles, making out reports and any other work that is not driving a vehicle, riding or deadheading, including any regular or incidental stops made for meals, servicing of vehicle, pickup and delivery service, breakdown, blow-outs, and similar occurrences, in excess of 10 minutes.

Remarks (Last Line) -

- (1) Explain any emergency that caused delay such as "Bridge impassable at Sacramento on U. S. 50 necessitating detour (or turn-around)." The time or period of delay shall be entered in the proper line (Line 3 or 4, or both) depending on the duty status during the period of the emergency.
- (2) Give specific reasons that required driving over 10 hours without 8 consecutive hours off duty during or immediately following 10 hours of driving. The time should not be checked or entered in this line (Remarks), but should be included in "Line 3 - Driving."

APPENDIX "C" (Contd)

INSTRUCTIONS FOR USE OF DRIVER'S LOG (Concluded)

- (3) Check the time and write the name of the place where each change of duty occurred, such as the time and place of reporting for work, starting to drive, stopped driving for over 10 minutes, started to drive again, other similar changes, and finally when and where released from work.
- (g) To the right of each line entry of the graphic chart (Lines 1, 2, 3 and 4) and under column "Total Hours" enter the hours and minutes for each line. The sum of all the entries in this column should total 24 hours.
- (h) Enter the point or place where a trip began and stopped or the point of origin and final destination or farthest turn-around point. ✓
In case final destination cannot be reached during the calendar day for which log is submitted and it is intended that the driver continue to final destination, the destination shown shall be the final destination. On the following day's log the original previous day's starting point and final destination shall be shown. In case a driver begins and stops his trip at the same point or place, the destination shown shall be the farthest point reached before the vehicle starts on its return trip to the terminal.

APPENDIX "C" (Contd)

(Forms 2, 3 and 4 may be typed, mimeographed, or printed.
Paper of letterhead size should be used.)

Form 2

CALIFORNIA PUBLIC UTILITIES COMMISSION

Report for Month of _____, 19__

HOURS OF SERVICE REPORT

(For use in reporting excess hours only)

(Name of Carrier)_____
(Address)

TO THE

CALIFORNIA PUBLIC UTILITIES COMMISSION

(Name, title and address of person sending this report)

OATH

State of _____)
County of _____) ss:
Town of _____)

_____, being duly sworn, deposes and says that this recapitulation and the _____ sheets annexed hereto constitute a full and true report, according to his best knowledge, information, and belief, of all hours of the drivers of said carrier, or of the carrier himself if an owner-driver, in excess of those permitted in Sections 8.11, 8.12 and 8.13, except as permitted in Section 8.16, for the month of _____, 19__, together with the reasons for and circumstances surrounding such excess hours, and further that all drivers in the employ of the said carrier, or the carrier himself, if an owner-driver, have filed properly executed driver's daily logs, and that these statements are made in compliance with the Hours of Service Regulations, Part 8 of General Order No. 99

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ day of _____,
19__.

Total number of drivers on payroll during month Total

Regular _____
Relief _____
Extra _____
Total _____

APPENDIX "C" (Contd)

Form 3

CALIFORNIA PUBLIC UTILITIES COMMISSION
CARRIER'S MONTHLY REPORT OF EXCESS HOURS

Month of _____
 Year _____

Name of Carrier _____ Address _____

Driver _____ Driver's home terminal _____

EXCESS DAILY HOURS

Enter check against proper date in each instance in which a driver drove or operated a motor vehicle for more than 10 hours in the aggregate in any period of 24 consecutive hours without 8 consecutive hours off duty during or immediately following the 10 hours aggregate driving and within such period of 24 consecutive hours, except that instances in which hours of driving in excess of 10, but not in excess of 12, occur by reason of permission given under Section 8.16, shall be reported on Form 4.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25

26	27	28	29	30	31

EXCESS WEEKLY HOURS

This driver was on duty in excess of 60 hours in one or more periods of 168 consecutive hours as follows:

	<u>Begin</u>	<u>End</u>	<u>Begin</u>	<u>End</u>	<u>Begin</u>	<u>End</u>	<u>Begin</u>	<u>End</u>
Date	_____	_____	_____	_____	_____	_____	_____	_____
Hour	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.
Hour	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
Excess in period	-----		-----		-----		-----	

Statement of circumstances surrounding excess hours. (Note - Identify by dates as given in tabulation above):

Note - Carriers subject to the 70-hour provision of Section 8.12 shall report on the basis of the excess occurring in one or more periods of 192 consecutive hours.

APPENDIX "C" (Contd.)

Form 4

CALIFORNIA PUBLIC UTILITIES COMMISSIONREPORT ON DRIVING HOURS

(Section 8.17)

INSTRUCTIONS:

This form is to be used only in instances in which use is made of Section 8.16, that is, when driving in excess of 10 hours but not in excess of 12 hours occurs without the driver being off duty for 8 consecutive hours during or immediately following the 10-hour period. It is to be mailed to the office of the California Public Utilities Commission within 48 hours after the close of any day on which such a run is completed. The facts shall be clearly and accurately stated. ✓

If hours of driving exceed the daily limitation prescribed by Section 8.13 or those permitted by Section 8.16, or if hours on duty exceed those prescribed by Sections 8.11 and 8.12, the report of such excess hours shall be made on Forms 2 and 3 instead of Form 4.

Name of Carrier _____

Address of Carrier (city only) _____

Date of Report _____

Name of Driver	Description of run		Total	Conditions
	Run began at	Run ended at	driving	which neces-
			time	sitated use of
			(hours	Section 8.16
	: Date	: Date	and	(Describe
	: Place: and	: Place: and	minutes)	specifically)
	: Hour	: Hour		
	:	:	:	:
	:	:	:	:
	:	:	:	:

APPENDIX "D"

FORM NO. 19

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

STATE BUILDING, SAN FRANCISCO

Report No. _____
Consecutive each month

REPORT OF TRUCK ACCIDENT

A. 1. Name of carrier _____

2. Code No. _____

3. Principal business address _____
Street and number City or town State

B. 1. Date accident occurred _____ 2. Day of week _____ 3. Hour _____
Month Day Year ☐ A.M. ☐ Noon
☐ P.M. ☐ Midnight

4. Accident location _____ 5. County _____
Nearest town or city

6. On _____ 7. At or near _____
Street or highway route or name Intersecting street or highway, house number, bridge, railroad crossing or other landmark

C. **Your Vehicle**

a. Type of vehicle ☐ 1. Truck ☐ 2. Tractor ☐ 3. Trailer ☐ 4. Semi-trailer ☐ 5. Full trailer ☐ 6. Pole trailer ☐ 7. Other

b. Equipment number _____ c. Driver _____ d. Address _____

e. Age _____ f. Sex _____ g. Driving experience _____ years h. Hours driving since last 8 hrs. rest period _____

D. 1. Driver of other vehicle _____ 2. Address _____

E. 1. Number killed _____ 2. Number injured _____
Employee Other persons Employee Other persons Total days disability " " "

Indicate affirmative answers with X in each space following each applicable line below. Indicate your vehicle as vehicle #1.

F. COLLISION		K. ATTRIBUTED TO Vehicle				N. ROADWAY Vehicle				P. LIGHT			
		1	2	3		1	2	3		1	2	3	
Train.....	1	Driver incapacitated.....	1			Level.....	1			Daylight.....	1		
Street car.....	2	Shifted load.....	2			Upgrade.....	2			Dark.....	2		
Bus.....	3	Tire fire.....	3			Downgrade.....	3			Dusk.....	3		
Truck.....	4	Cargo fire.....	4			Hill crest.....	4			Dawn.....	4		
Auto.....	5	Discarded traffic signal or sign.....	5			Tunnel.....	5			Good artificial.....	5		
Motorcycle.....	6	Carbon Monoxide.....	6			Bridge.....	6			Poor artificial.....	6		
Bicycle.....	7	Explosion.....	7							Q. PEDESTRIAN MOVEMENTS			
Pedestrian.....	8	Avoiding other vehicle.....	8			Straight.....	7			Crossing legally.....	1		
Fixed object.....	9	Avoiding pedestrian.....	9			Curve.....	8			Crossing illegally.....	2		
Other (specify).....	10	Jack-knifing.....	10							Moving along road.....	3		
		Passing.....	11			Dry.....	9			In safety zone.....	4		
		Weaving.....	12			Wet.....	10			Working or standing in road.....	5		
		Skidding.....	13			Muddy.....	11			Other (specify).....	6		
		On wrong side of road.....	14			Icy.....	12			R. HAD BEEN DRINKING			
		Other (specify).....	15			Sloppy.....	13			Driver Vehicle No. 1.....	1		
						Other (specify).....	14			Driver Vehicle No. 2.....	2		
										Driver Vehicle No. 3.....	3		
										Pedestrian.....	4		
										S. POLICE CITATION			
										Driver Vehicle No. 1.....	1		
										Driver Vehicle No. 2.....	2		
										Driver Vehicle No. 3.....	3		
										Pedestrian.....	4		
										T. TRAFFIC CONTROL			
										Railroad crossing gates.....	1		
										Railroad automatic signals.....	2		
										Officer or watchman.....	3		
										Automatic traffic signal.....	4		
										Boulevard stop sign.....	5		
										No control present.....	6		

APPENDIX "E"

John Doe
doing business as
(Trade Name)

Time Table No. _____

Issued _____ (Date) _____

Effective _____ (Date) _____

Issued on _____ days' notice under authority of
and in compliance with order of the California Public Utilities
Commission in Decision No. _____, dated _____.

SERVICE "ON CALL"

POINTS SERVED

(If the service is between all points and places in the State of
California, so state; if service is not statewide, list routes
or areas to be served.)

LOCATION OF TERMINALS

Issued by:

(Title)

(Address)