

ORIGINAL

Decision No. 46498

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 Order No. 93-A pertaining to highway common carriers, petroleum irregular route carriers and petroleum contract carriers.

Case No. 5097

C O R D E R

By Decision No. 46089 in Case No. 5097, the Commission adopted General Order No. 99, effective January 1, 1952, containing safety rules and other regulations governing the operations of highway common carriers, petroleum irregular route carriers, and petroleum contract carriers.

On November 16, 1951, Pacific Motor Trucking Company, a corporation, petitioned the Commission for reasons hereinafter stated for deviations from the following rules and regulations as contained in General Order No. 99:

Rule 3.04. FIRE EXTINGUISHERS

Rule 5.29. LOW AIR PRESSURE WARNING SIGNAL

Rule 5.30. PNEUMATIC SYSTEM - CHECK VALVE REQUIRED

Rule 13.01. VEHICLE NUMBERS REQUIRED

Rule 13.02. NAME OF CARRIER TO BE DISPLAYED ON VEHICLE

In connection with Rule 3.04, the carrier desires to substitute two quart carbon tetrachloride type as required by this rule for one quart capacity containers presently on its vehicles in order to maintain its present fire extinguisher standards rather than to convert to carbon dioxide type as otherwise permitted by the said rule. Shortages in the required type have been caused by strike conditions at the manufacturer's plant and they are not available.

As to Rule 5.29, the carrier desires to install audible warning type low air pressure signals on a portion of its motor vehicles not so equipped as it wishes to keep uniformity in this respect with other of its vehicles presently

so equipped rather than make alternate installations of distinctive red light signals permitted by said rule and the desired devices are now in short supply.

In the matter of Rule 5.30, the carrier states that it has 198 motor vehicles which require installation of check valves to conform with the requirements of this rule, but this number is not available in the market.

As to Rules 13.01 and 13.02, the petitioner desires that it be permitted to make any changes or additions in the lettering or figures now shown on its vehicles at such time as they are placed in its shops for repainting as its units are based at various points throughout the state and the cost to have them otherwise painted to conform with the requirements of these rules would be excessive. Pictures of the carrier's equipment attached to its request and made a part thereof indicate that present lettering and figures conform to those rules except in minor respects. To avoid the carrier's asserted uncertainty, the Commission finds that the letters "P.M.T." presently appearing on petitioner's vehicles comply with the requirements of Rule 13.02 as to trade name.

It appearing that a public hearing is not necessary herein and that the request is reasonable and should be granted, subject to certain conditions.

IT IS ORDERED that Pacific Motor Trucking Company is authorized to deviate from Rules 3.04, 5.29 and 5.30 of General Order No. 99 for a period of one (1) year after the effective date of this order, provided that in the case of Rule 3.04 one quart capacity fire extinguisher containers of the carbon tetrachloride type shall be maintained in the interim on those vehicles not otherwise equipped in accordance with this rule, and further provided that as necessary supplies become available and can be secured, installations in compliance with Rules 3.04, 5.29 and 5.30 of General Order No. 99 shall be made progressively on its equipment during the one year period authorized herein and that the progress made in this connection shall be reported in writing to the Commission at three (3) month intervals.

IT IS FURTHER ORDERED that Pacific Motor Trucking Company is authorized to deviate from the requirements of Rules 13.01 and 13.02 of General Order No. 99 to the extent that its vehicles now contain markings other than those specified

in the said rules, except with respect to vehicles hereafter acquired or existing vehicles when placed in its shops for repainting.

The Commission reserves the right to make such further orders as it may deem right and proper in the premises and to revoke this permission if in its judgment public convenience, necessity or safety so require.

The authority herein granted shall become effective on January 1, 1952.

Dated at San Francisco, California, this 4th day of December,

1951.

R. J. [Signature]
 _____ President
Justus J. [Signature]

Harold P. [Signature]

Francis J. [Signature]

John E. [Signature]

 Commissioners