

ORIGINALDecision No. 47670

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 high-)
 way common carriers, petroleum)
 irregular route carriers and)
 petroleum contract carriers.)

Case No. 5097

FIRST SUPPLEMENTAL ORDER

Under date of August 11, 1952, by Decision No. 47566 in Case No. 5097, this Commission issued an order providing for the adoption of the proposed report of Examiner Grant E. Syphers, filed June 13, 1952, and, in addition thereto, providing for hours of service of drivers and drivers' logs. Section 8.55, EFFECT OF COMPLIANCE WITH INTERSTATE COMMERCE COMMISSION REGULATIONS, provides "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 and 8.15."

It has now come to the attention of the Commission that the Interstate Commerce Commission has adopted new safety regulations and, in so doing, has abolished its present Rule 5 (a) and substituted therefor Section 195.8 of Part 195.

This new section provides for an exemption from the requirement of drivers' logs for drivers operating vehicles within a radius of 50 miles from the garage or terminal at which the driver reports for work, whereas the old rule provided for an exemption within a radius of 35 miles.

It is the intention of this Commission to provide uniformity in respect to the keeping of drivers' logs between the requirements of this Commission and the Interstate Commerce Commission, and also to accept as fulfilling the requirements of this Commission's regulations compliance with the Interstate Commerce Commission regulations respecting the keeping of drivers' logs. Therefore, the present order of this Commission will be changed so as to recognize the new regulation of the Interstate Commerce Commission. We find this change to be in the public interest..

ORDER

The Commission being fully advised in the premises and hereby finding it to be in the public interest, and good cause appearing,

IT IS ORDERED that Section 8.55, EFFECT OF COMPLIANCE WITH INTERSTATE COMMERCE COMMISSION REGULATIONS, as provided in Decision No. 47566, dated August 11, 1952, in Case No. 5097, be and it hereby is amended to read as follows:

"Compliance with Section 195.8 of Part 195 of the Interstate Commerce Commission's Motor Carrier Safety Regulations, 1952 Revision, 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 and 8.15."

The effective date of this order shall be October 1, 1952.

Dated at San Francisco, California, this 2nd day of September, 1952.

A. J. [Signature]
President
James J. [Signature]
Herbert [Signature]
John E. [Signature]
Commissioners