

ORIGINALDecision No. 51976

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.)

Appearances (See Appendix A)

INTERIM OPINION

By order dated August 2, 1955, in the above-entitled case, this Commission reopened Case No. 5097 for the purpose of determining whether any of the provisions of General Order 99, as promulgated by Decision No. 46089, dated August 14, 1951, and as modified by decisions subsequent thereto, should be modified, canceled or superseded.

A public hearing was held in San Francisco on August 30, 1955, before Examiner Grant E. Syphers, at which time evidence was adduced. The matter was continued to November 2, 1955, in Los Angeles, for the taking of further evidence.

At the hearing on August 30, 1955, a witness with the Operations-Safety Section of the Transportation Division of the Commission testified as to certain revisions of General Order 99 proposed by the staff, and further testified that it would be desirable in the interest of safety to have the carriers make adequate brake inspections. In the opinion of this witness, many carriers are not now adequately inspecting the brake systems of their motor vehicles. Other testimony was presented which will be considered later in these proceedings.

A motion was made by the staff counsel to the effect that the Commission issue an interim order requiring each highway common carrier, petroleum irregular route carrier and petroleum contract carrier to examine the brake system of each unit of equipment operated, to review the adequacy of brake inspections and maintenance practices, to report the results of such inspections to the Commission, and to correct any defects which may be found.

In view of the broad scope of the Order of Investigation in this matter, and the desirability of obtaining adequate information, the testimony indicating that present brake inspections may be inadequate, and the importance of safety measures both to the public and the carriers, an interim order will be issued herein in substantial accord with the motion of the staff counsel.

INTERIM ORDER

An Order of Investigation, as above entitled, having been instituted, a public hearing having been held thereon, evidence having been adduced and the Commission being of the opinion that it is in the public interest and safety,

IT IS ORDERED:

(1) That each and every highway common carrier, petroleum irregular route carrier, and petroleum contract carrier, within sixty days from the effective date of this order, make an inspection to determine the condition of the entire brake system of each unit of equipment operated, such inspection, among other things, to consider the condition of air valves, hoses, and brake chamber diaphragms, and to be supplemented by practical test procedures to detect weakened areas in the brake system. A suggested practical test is described as follows:

With an air reservoir pressure of not less than 90 pounds and with the foot application valve fully depressed, the air system leakage of any combination of vehicles should not exceed a maximum of five pounds per minute with the motor shut off. If it does, the defect causing such excessive leakage should be found and corrected at once.

(2) Upon the completion of the foregoing inspections, each highway common carrier, petroleum irregular route carrier, and petroleum contract carrier shall report to this Commission in writing the dates of the inspections made, and what, if any, repairs were necessary and were made, together with vehicle numbers involved in such inspections and repairs, as well as a summary of brake inspection and test procedures which have been followed in the past and are intended to be used in the future. Said report shall be furnished to the Commission within thirty days after the completion of the inspections.

This order is interim in nature, and the Commission may revise or supplement it if good cause appears.

The effective date of this order shall be twenty days after the date hereof.

Dated at Los Angeles, California, this 19th day of September, 1955.

John E. Keadell
 President

Justus P. Casmen

Ronald J. Antecremier

William J. Doherty

R. V. Hardy
 Commissioners

APPENDIX A

Wm. Meinhold and Frederick E. Fuhrman, for Pacific Motor Trucking Company; Roger Ramsey and Preston Davis, by Roger Ramsey, for United Parcel Service; H. M. Hays, for Intercity Transport Lines; David M. Johnston, for Miles and Sons Trucking Service; and Willard S. Johnson, for J. A. Nevis Trucking, Inc., J. Christenson Co., and Cal-Central Trucking Co., Inc.; Respondents.

J. J. Deuel, for California Farm Bureau Federation; Arlo D. Poe, for California Trucking Associations, Inc.; Russell Bevans, for Draymen's Association of San Francisco; Clarence D. Firstenberg, for Life Saver Brake; Jack E. Gallagher, in propria persona; G. W. Ballard, for Brotherhood of Railroad Trainmen; Charles G. Wearden, for The Maxi Corp.; Warner L. Keehn, for Keehn-O Mfg. Co.; Dr. William P. Coleman, for Lifesaver Brake; Paul Shipton, for Lifesaver Brake (Emergency); H. J. Roger, for California Equipment Co.; Lou Crawford, for Lee Air Line Valves; Stuart J. Lockie, for Patterson Parts, Inc.; J. C. Kaspar and R. D. Boynton, for California Trucking Associations; Edward M. Gaffney, for Assembly Transportation Committee; and Brit J. Howes, in propria persona; Interested Parties.

Harold J. McCarthy, for the Commission's staff.