

**ORIGINAL**

Decision No. 58480

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into the rates, )  
rules, regulations, charges, allowances and prac- )  
tices of all common carriers, highway carriers and )  
city carriers relating to the transportation of )  
motor vehicles and related items (commodities for )  
which rates are provided in Minimum Rate Tariff )  
No. 12).

Case No. 5604

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 12 exempts therefrom property transported for the United States Government. The use of the word "for" in the exemption has given rise to the argument that shippers other than the United States may negotiate rates in cases where shipments are consigned to the United States.

To set this question at rest, the tariff will be amended so as to exempt "property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services." A similar clarification will be made in the tariff exemption applicable to state, county or municipal governments.

Therefore, good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 12 (Appendix "A" of Decision No. 50218, as amended) is hereby further amended by incorporating therein, to become effective June 19, 1959, Second Revised Page 6, which revised page is attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 50218, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of May, 1959.

E. L. Fox President  
W. H. ...  
...  
...  
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF - CARRIERS</p> <p>(a) Rates provided in this tariff are minimum rates, established pursuant to the City Carriers' Act, and the Highway Carriers' Act. They apply for the transportation of commodities described in paragraph (a) of Item No. 50, by carriers as defined in Item No. 10.</p> <p>(b) Rates, rules and regulations provided in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p>	20
<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply to transportation by carriers between all points within the State of California, to the extent such transportation is governed by the City Carriers' Act or the Highway Carriers' Act.</p>	30
<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>	40
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>(a) Except as otherwise provided in paragraph (b), rates in this tariff apply to the secondary movement of commodities described below by truckaway service:</p> <ol style="list-style-type: none"> <li>1. Motor vehicles and motor vehicle chassis.</li> <li>2. Parts, spare parts, extra parts, or accessories for a motor vehicle when accompanying the vehicle to which they belong or for which they are intended.</li> <li>3. Personal effects or other commodities aggregating 300 pounds or less when tendered for transportation with a motor vehicle or motor vehicle chassis. Such personal effects or other commodities shall not be subject to rates provided in any other minimum rate tariff issued by the Commission.</li> </ol> <p>(b) Rates in this tariff do not apply to the following:</p> <ol style="list-style-type: none"> <li>1. Motor vehicles weighing less than 1,000 pounds, each.</li> <li>2. Motor vehicles weighing in excess of 5,000 pounds, each.</li> <li>*3. Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services.</li> <li>4. Motor vehicles driven under their own power or towed wholly upon their own wheels.</li> </ol>	*50-g Cancel 50-A

5. Trailers, semitrailers, and dollies.
6. Special mobile equipment as described in Item No. 15.
7. Motor vehicles when towed by a tow car except when the tow car movement is part of a continuous through movement involving use of other transport equipment by the same carrier.

\* Change

EFFECTIVE JUNE 19, 1959

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 20