

ORIGINAL

Decision No. 65951

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the operations
and practices of Associated Freight
Lines, a California corporation.

Case No. 7520
(Filed February 2, 1963)

Marvin Handler and Raymond A. Greene, for respondent.

Elinore Charles and Arthur I. Winston, for the
Commission staff.

O P I N I O N

The Commission instituted this investigation to determine whether Associated Freight Lines, a California corporation and a certificated highway common carrier, has operated in violation of the Commission's rules as promulgated by General Order No. 99 with reference particularly to Part 3, "Equipment"; Part 5, "Brakes"; Part 6, "Inspection and Maintenance of Vehicles"; Subsection 7.10, "Certificate of Physical Examination" and Subsection 11.01, "Reportable Accident".

Public hearings were held in San Francisco on March 28, May 28 and 31, and on August 20, 1963.

Inspections were made of respondent's operative equipment in its Los Angeles terminal on September 28 and October 1, 1962, in the Modesto terminal on October 26, 1962, at the Fresno terminal on September 17, 1962, at the Oakland terminal on October 1, 1962, at the Mountain View terminal on October 3, 1962, and at the San Francisco terminal on October 13, 1962.

Out of respondent's total equipment, consisting of approximately 300 pieces, 97 vehicles were inspected and the inspectors determined that thirty three should have some repairs made before they should be again used in the transportation service. These repairs were all made, some requiring several hours but many only an hour or an hour and one half. There was insufficient evidence for the Commission to make a finding that any of the equipment was operated in an unsafe condition over the public highways.

The Commission, however, is of the opinion and finds from a careful study of the evidence that at the time of the staff's inspection the carrier had not adequately instituted systematic inspection and maintenance practices, that seventy-one drivers did not have physical examination certificates on file and that eleven reportable accidents had not been reported to this Commission. Based upon the above findings the Commission concludes that a fine of \$1,000 should be imposed on respondent.

O R D E R

IT IS ORDERED that Associated Freight Lines, a California corporation shall pay a fine of \$1,000 to this Commission on or before twenty days after the effective date of this order.

The Secretary of the Commission is directed to cause personal service of this order to be made upon respondent. The effective date of this order shall be fifteen days after the completion of such service.

Dated at San Francisco, California, this 3rd day of September, 1963.

William C. Bennett
President
George E. Hoover

Commissioner Frederick B. Holoboff
present but not voting.