

**ORIGINAL**

Decision No. 75919

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the safety rules and other regulations governing the operations of Passenger Stage Corporations and Street Railroad Corporations and prescribing General Order No. 98.

Case No. 5098

Investigation on the Commission's own motion into the construction, application and procedure in administering Passenger Charter-Party Carriers' Act and prescribing General Orders Nos. 115 and 116.

Case No. 7192

Alex J. Gaeta, for Peerless Stages, Inc.; Oliver W. Hacker, for Wilshire Limousine Service; C. J. Kearney, for Continental Pacific, Continental Western Line, and American Buslines, Inc.; John Heska, for Executive Limousine Service, Inc.; K. R. Burns, for United Transportation Union, AFL-CIO, California State Legislative Board; interested parties.  
Elmer Sjostrom, for the Commission staff.

OPINION AND ORDER

By its order dated April 15, 1969, the Commission reopened the above matters for the purpose of determining whether the public interest requires the adding of provisions to General Order No. 98-A relating to the identification of motor vehicles operated by charter-party carriers of passengers. Notice of hearing and a copy of the proposed amendment to General Order No. 98-A as recommended by the Commission staff were sent to all charter-party carriers and interested parties.

Public hearing was held before Examiner Daly on June 3, 1969, at San Francisco and the matter was submitted.

A copy of the proposed amendment as recommended by the Commission staff along with a copy of the transmittal letters were received in evidence as Exhibit 1-A. The letter indicated that the proposed amendment of General Order No. 98-A relating to the identification of motor vehicles operated by charter party carriers of passengers was being made pursuant to Section 5385 of the Public Utilities Code <sup>1/</sup> and request was made for any comments or suggestions.

The proposed amendment to General Order No. 98-A provides that all motor vehicles shall have stencilled or painted on both sides of the vehicle an identifying symbol readily legible during day light hours at a distance of 50 feet. It is recommended that the symbol shall contain the letters CAL-TCP followed by the number assigned by the Commission to the carrier's authority and this to be followed by the letter "A", "B" or "P" to designate the type of authority, i.e., Class A certificate, or Class B certificate or Permit, respectively.

It is further recommended that the identifying symbols displayed by a carrier subject to the jurisdiction of the Interstate Commerce Commission shall serve in lieu of the proposed identification provided such Interstate Commerce Commission identification is recorded with this Commission.

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<sup>1/</sup> "5385. No charter party carrier of passengers shall operate any motor vehicle on any public highway unless there is displayed on the vehicle a distinctive identifying symbol in the form prescribed by the commission, showing the classification to which the carrier belongs. No such identifying symbol shall be displayed on any vehicle until a permit or certificate of public convenience and necessity under this chapter has been issued to the carrier. The identifying symbol displayed by charter party carriers subject to the Interstate Commerce Commission shall serve in lieu of the display requirements of this section."

There was no protest to the proposed amendment to General Order No. 98-A except for a concern expressed by representatives of two limousine companies that a requirement to display identification symbols on the sides of their vehicles would have a detrimental effect in those instances where their customers desired to preserve an illusion of a non-commercial transportation service either because of the occasion for which the service was required or because of the status and importance of the passengers.

After consideration the Commission finds that the public interest requires General Order No. 98-A be amended as set forth in Exhibit 1A except that limousines with a capacity of more than five persons excluding driver, but not more than 15 persons excluding driver may comply with the identification requirements by setting forth the necessary information on decals attached to front and rear bumpers.

Therefore, IT IS ORDERED that General Order No. 98-A is hereby amended by including therein Section 10.05 as set forth in Appendix A attached hereto and by reference made a part hereof.

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

Dated at San Francisco, California, this 15th day of JULY, 1969.

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President

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Commissioners

APPENDIX A

PROVISIONS TO BE ADDED TO GENERAL ORDER NO. 98-A  
FOR IDENTIFICATION OF MOTOR VEHICLES OPERATED BY  
CHARTER-PARTY CARRIERS OF PASSENGERS

10.05 PASSENGER CHARTER-PARTY CARRIER IDENTIFICATION TO BE DISPLAYED ON VEHICLE.

(a) All carriers shall display:

1. The following symbols on each motor vehicle operated:

CAL-TCP - ..... -A or -B or -P

The number assigned by the Commission to the carrier's authority shall be shown in the blank following TCP- followed by the letter "A", "B", or "P" to designate the type of authority, i.e., Class A certificate, Class B certificate or Permit respectively.

2. The identifying symbols displayed by a carrier subject to the jurisdiction of the Interstate Commerce Commission shall serve in lieu of the requirements prescribed in 10.05(a)(1), provided such Interstate Commerce Commission identification is recorded with this Commission.

(b) SYMBOL SIZE. The identification symbol prescribed shall be in letters with sharp color contrast to the background and be of such size, shape and color, and so located as to be readily legible during the daylight hours at a distance of 50 feet. Display shall be made by either stenciling or painting on the outside body of the vehicle, except for limousines with a capacity of more than 5 persons excluding driver, but not more than 15 persons excluding driver, which may set forth the prescribed identification symbol on decals.

(c) DISPLAY POSITION. The symbols shall be displayed on each side of the equipment, except for limousines with a capacity of more than 5 persons excluding driver, but not more than 15 persons excluding driver, which may display symbols on front and rear bumpers.

(d) DAMAGE TO IDENTIFICATION SYMBOLS. It will be the carrier's responsibility to make early restoration or replacement of any damage caused to the identification on motor vehicles.

(e) ILLEGAL DISPLAY OF P.U.C. IDENTIFICATION. Immediately upon revocation, suspension or termination of any permits or certificates of public convenience and necessity issued by the Public Utilities Commission, P.U.C. identification must be removed from the sides of each motor vehicle. If new operating authority is later granted, it will be the responsibility of the carrier to make appropriate identification on both sides of each motor vehicle.