

T-5

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution CE 10-86
Transportation Division

RESOLUTION SUSPENDING AND REVOKING THE OPERATING AUTHORITY OF
BERNARD T. CAREY, DOING BUSINESS AS CAREY & SONS TRUCKING
FOR FAILURE TO COMPLY WITH CITATION FORFEITURE NO. F-3003

WHEREAS: On May 15, 1986, Bernard T. Carey, dba Carey & Sons Trucking was served with Citation Forfeiture No. F-3003 (a copy of which is attached); and

WHEREAS: The carrier agreed in writing to not contest the citation and to pay the fine of \$750 in seven monthly installments, commencing July 2, 1986; and

WHEREAS: The carrier has failed to make any payments toward the fine;

THEREFORE: IT IS ORDERED that:

- 1) The highway contract carrier permit of the above-named carrier is suspended for a period of 30 days, or until the citation fine of \$750 is paid in full.
- 2) If by the end of the 30-day period the carrier has not paid the fine nor filed for a hearing, then the carrier's permit will be automatically revoked.
- 3) Filing of a request for hearing will stay the revocation of the permit, but the suspension will remain in force. The carrier may not operate.
- 4) During a hearing, the burden of proof will be on the carrier to show why the revocation should not take place.

The Executive Director is directed to mail a certified copy of this resolution to Bernard T. Carey, dba Carey & Sons Trucking.

This resolution is effective today.

I hereby certify that the foregoing resolution was duly introduced, passed and adopted at a regular meeting of the Public Utilities Commission of the State of California, held on OCT 16 1986. The following Commissioners approved it.

DONALD VIAL
President
VICTOR CALVO
PRISCILLA C. GREW
FREDERICK R. DUDA
STANLEY W. HULETT
Commissioners



Executive Director



Public Utilities Commission

FILE COPY

STATE OF CALIFORNIA

**CITATION FORFEITURE FOR VIOLATION
OF PUBLIC UTILITIES CODE**

T-148,435

Date: May 16, 1986
No: F-3003

To Bernard T. Carey dba
.....
CAREY & SONS TRUCKING
.....
Bakersfield
.....

You are hereby cited with having violated Section(s) 3775
.....
of the Public Utilities Code by conducting operations during a period when
your permit was suspended for failure to maintain evidence of liability
insurance coverage on file with the Commission.
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You are hereby called upon to answer this citation in person (or by a duly
authorized officer or agent if a corporation) or by attorney on or before
June 2, 1986.

By way of such answer you may either:

(1) State you will not contest this citation and will pay a fine⁷² in the sum of
\$ 750.00 pursuant to Section(s) 3774 of the Public
Utilities Code for which purpose you may use the enclosed Form 1; or

(2) Deny this citation for which purpose you may use the enclosed Form 2. In
such event, a formal hearing may be held which might involve violations in addition
to those listed above.

⁷² Payment of such fine may be by check or money order payable to Public Utilities Commission of the State of California

Such answer should be addressed to:

Public Utilities Commission
State of California
Enforcement Section
State Building
San Francisco, California 94102

and deposited in the mail on or before the date hereinabove specified.

Upon payment of the fine hereinabove specified, it will be deposited in the State Treasury to the credit of the General Fund pursuant to said Section(s) 3774, and no further proceedings before the Commission will be had with respect to the matter described in this citation.

Failure to answer this citation in either of the ways hereinabove described may itself be considered by the Commission in a formal proceeding commenced on its own motion as a distinct violation of law, and may itself be cause for canceling, revoking, or suspending your operating authority, or imposing upon you a fine pursuant to Section(s) 3774 of the Public Utilities Code.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

P. J. TRAHAN
Assistant Director
Transportation Division

Enclosures