

12/10

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. CE 12-87
Transportation Division

R E S O L U T I O N

RESOLUTION PROVIDING FOR DISCLOSURE
OF THE NAMES OF CARRIERS SUBJECT TO
THE INFORMAL CITATION PROGRAM

WHEREAS: Highway carriers that violate provisions of the Public Utilities Code may be subject to fines and penalties; and

WHEREAS: The Commission has adopted the informal citation program to dispose of violation in an inexpensive and speedy manner; and

WHEREAS: Under the citation program, the carrier may either admit to the violations in the citation and pay a fine or deny the allegation and be given an opportunity to be heard; and

WHEREAS: The success of the program depends largely upon information provided by carriers concerning purported violations; and

WHEREAS: Under current policy, the staff is prohibited from disclosing the results of the investigation to the complainant and to the public; and

WHEREAS: To encourage carriers to continue to provide valuable tips to the staff concerning suspected violations and to assure complainants that their allegations have been acted upon by the staff and, where violations were disclosed, that appropriate enforcement action had been taken; and

WHEREAS: Disclosure of the offending carrier's name may act as a deterrent to future violations by other carriers;

THEREFORE, IT IS ORDERED that:

The staff of the Compliance and Enforcement Branch, as provided in Section 3709, et seq. of the Public Utilities Code, is hereby authorized to disclose and publicize the names of carriers, the nature of the violations, and the amounts of fines imposed, only when the carrier involved admits to the allegations contained in the staff citation. This policy shall remain in effect for a period of not more than three months, at which time the staff shall report to the Commission as to the effectiveness of the experimental program. This policy shall apply statewide to all citations issued after the effective date of this resolution.

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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 JAN 28 1988.

The following Commissioners voted favorably.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

A handwritten signature in cursive script, appearing to read "Victor Weisner", is written over a circular embossed seal. The seal contains the text "PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA" around its perimeter.

Executive Director