

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution CE 1-86
Transportation Division

RESOLUTION AUTHORIZING TRANSPORTATION DIVISION STAFF
TO DISPOSE OF VIOLATIONS COMMITTED BY PASSENGER STAGE
CARRIERS AND MOTOR TRANSPORTATION BROKERS THROUGH THE
CITATION FORFEITURE PROCEDURE

WHEREAS: The Commission, in providing for quick and inexpensive procedure to dispose of violations committed by highway carriers, adopted on February 10, 1970, the citation forfeiture procedure authorizing the staff to impose a fine of \$2,000, later increased to \$5,000 on November 13, 1983, upon such carriers; and

WHEREAS: The Commission, on November 21, 1984, expanded the use of the citation forfeiture procedure to include violations committed by charter-party carriers of passengers by imposing fines up to \$5,000; and

WHEREAS: The citation forfeiture procedure provides regulated carriers the option of not contesting the charges set forth in the citation and paying the fine or of denying the charges and requesting a formal hearing; and

WHEREAS: The citation forfeiture procedure has been used successfully to dispose of violations committed by carriers; and

WHEREAS: Assembly Bill 2484, Chapter 1369, Statutes of 1985, added Section 1033.5 to the Public Utilities Code by authorizing the Commission to impose a fine not to exceed \$5,000 upon passenger stage corporations as an alternative to the suspension or revocation of such carriers' certificate of public convenience and necessity; and

WHEREAS: Assembly Bill 420, Chapter 599, Statutes of 1985, which repealed and enacted a new Motor Transportation Brokers' Act, commencing with Section 4801 of the Public Utilities Code, authorized the Commission to impose a civil penalty of not more than \$5,000 for the first offense and not more than \$10,000 for the second and succeeding offense as an alternative to the suspension or revocation of such broker's license;

NOW, THEREFORE, IT IS ORDERED that:

The staff of the Transportation Division is authorized to expand the citation forfeiture procedure to include violations committed by passenger stage corporations and motor transportation brokers and may impose a fine up to \$5,000 upon such carriers and brokers.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the Public Utilities

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Commission of the State of California, held on
The following Commissioners approved it.

JAN 8 - 1986

DONALD VIAL
President
VICTOR CALVO
PRISCILLA C. GREW
WILLIAM T. BAGLEY
FREDERICK R. DUDA
Commissioners

Joseph E. Bobritz
Executive Director