

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. CE 5-89
Transportation Division

R E S O L U T I O N

RESOLUTION SUSPENDING THE PASSENGER STAGE CORPORATION
CERTIFICATE ISSUED TO GROUND SYSTEMS, INC. (PSC 5219)

Decision Nos. 88-11-060, 88-11-061 and 89-04-018 authorized the transfer of passenger stage corporation certificates from Pine Tree Service Corporation and Fun Bus Systems, Inc. to Ground Systems, Inc. The decisions required that Ground Systems, Inc. comply with California Highway Patrol (CHP) safety regulations.

The CHP has informed the Commission that it has performed a carrier fitness evaluation inspection of Ground Systems, Inc. The inspection included 19 vehicles and disclosed 78 safety violations, and 8 vehicles were placed out of service for imminently hazardous conditions. The CHP concluded that the carrier's preventive maintenance program is ineffective to ensure that its vehicles are in safe and proper operating condition. The CHP assigned an unsatisfactory terminal rating.

The CHP has informed the Commission that terminal inspection reports and a PE 750 form were furnished to and signed by the carrier's president, Mr. Chuck Allée. These documents notified the carrier of the unsatisfactory terminal rating, that an unsatisfactory determination may result in suspension or revocation of the carrier's operating authority, and that a review of the rating may be requested by the carrier within five days.

The CHP has informed this Commission that this carrier does not meet the CHP safety requirements and that its continued operation presents an immediate danger to the safety of the public.

Based on the CHP's recommendation and our authority to suspend the operating authority of a passenger stage corporation, we will immediately suspend the operating authority of Ground Systems, Inc.

In Case No. 89-05-028 the Commission may consider allegations that Ground Systems, Inc.'s operating authority, granted by the above decisions, never became effective. By suspending its operating authority in this resolution we do not prejudge any

such issue, but rather, regardless of the legality of Ground System's operations to date, we are requiring Ground Systems, Inc. to cease operations due to its safety problems.

Notice of this matter did not appear on the Commission's public agenda; however, an emergency exists in that the CHP has informed us of danger to the safety of the public, which justifies our action today under Public Utilities Code Section 306(b).

IT IS ORDERED that:

1. The passenger stage corporation certificate held by Ground Systems, Inc. (PSC 5219) is suspended.

2. Ground Systems, Inc. shall conduct no operations as a passenger stage corporation during the period of suspension.

3. If Ground Systems, Inc. wishes to challenge the suspension it should file a petition for modification of this resolution, asking that their suspension be lifted and requesting a prompt hearing, and/or request that the Commission consider the lifting of the suspension at the hearing presently scheduled for June 5, 1989 in Case No. 89-05-028. Upon receipt of such a petition, the Commission will set a hearing as soon as possible. They may also obtain reinspection by the CHP.

4. The Executive Director may lift this safety suspension upon receipt of a written recommendation from the CHP indicating approval of operations by Ground Systems, Inc.

The Executive Director is directed to cause personal service of a copy of this resolution on:

Ground Systems, Inc.
851 East Cerritos Avenue
Anaheim, CA 92815

and in addition telephone Ground Systems, Inc. forthwith to order them to cease and desist, after informing Ground Systems, Inc. of the provisions of this order to cease and desist.

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission on May 26, 1989.

The following Commissioners approved it.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
Commissioners


Executive Director