

Public Utilities Commission of the State of California

Resolution CE 8-95  
Safety and Enforcement Division  
October 5, 1995

R E S O L U T I O N

( SUSPENDING AND REVOKING THE OPERATING AUTHORITY OF )  
( CONNIE J. MOORE AND WILLIAM L. MOORE, DOING BUSINESS )  
( AS MOORE TRUCKING, FOR FAILURE TO COMPLY WITH THE )  
( TERMS OF A CITATION. )  
( )

WHEREAS, on October 3, 1984, the Commission approved Resolution No. L-228, adopting a policy for carriers who have operating authorities issued by the Commission and who fail to comply with a citation forfeiture issued by the Safety and Enforcement Division, a policy that allows the Executive Director to recommend suspension and revocation of the authorities for such failure to comply;

WHEREAS, Connie J. Moore and William Moore, doing business as Moore Trucking (Moore), hold a Dump Truck Carrier permit issued by the Commission on June 26, 1994;

WHEREAS, on September 9, 1992, the Transportation Division, predecessor to the Safety and Enforcement Division, served Moore with Citation Forfeiture No. F-4567 for \$3,000 which Moore agreed to pay;

WHEREAS, Moore requested and received the opportunity to pay the \$3,000 obligation in twelve monthly installments of \$250 commencing on August 1, 1994;

WHEREAS, on September 23, 1994, the staff received a payment of \$250;

WHEREAS, the staff on November 14, 1994 directed Moore to send payment of \$750 by November 30, 1994 to protect its operating authority;

WHEREAS, on December 13, 1994, the staff warned Moore the consequence of failing to comply with the terms of the citation;

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WHEREAS, Moore made another payment on January 3, 1995; but has not made any more payments even after another staff reminder on May 24, 1995;

WHEREAS, to date, Moore has an unpaid balance of \$2,500;

WHEREAS, the Safety and Enforcement Division has properly advised Moore of the consequences of his failure to comply with the citation, pursuant to the provisions of Resolution No. L-228; and;

WHEREAS, Moore's failure to comply with the citation continues;

**IT IS RESOLVED THAT:**

1. The operating authority of Connie J. Moore and William L. Moore, doing business as Moore Trucking, is suspended for a period of 45 days, or until the full amount of the citation is paid, during which time Moore may not operate.

2. If by the end of the 45-day period, Moore has neither complied with the terms of the citation nor requested a hearing, the operating authority will be automatically revoked.

3. Although a request for a hearing will stay the revocation of the operating authority, absent full payment of the amount of the citation the suspension will remain in force and Moore may not operate.

4. During the hearing, Moore will have the burden of showing cause why the operating authority should not be revoked.

The Assistant Executive Director is directed to mail a certified copy of this resolution to:

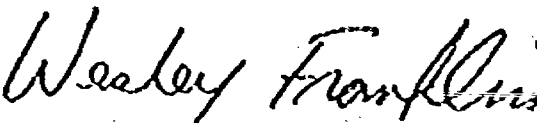
Connie J. Moore and William L. Moore  
DBA: MOORE TRUCKING  
991 Wallace Avenue  
Aptos, CA 95003

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This resolution is effective five days from the date it is signed.

I certify that this resolution was adopted by the Public Utilities Commission at its conference on OCT 05 1995.

The following Commissioners approved it:

  
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Wesley M. Franklin  
Acting Executive Director

DANIEL Wm. FESSLER  
President  
P. GREGORY CONLON  
JESSIE J. KNIGHT, Jr.  
HENRY M. DUQUE  
Commissioners

I abstain.

/s/ JOSIAH L. NEEPER  
Commissioner