

Public Utilities Commission of the State of California

Resolution CE 9-95
Safety and Enforcement Division
November 21, 1995

R E S O L U T I O N

(SUSPENDING AND REVOKING THE OPERATING AUTHORITY OF)
(RAFAEL RODAS, DOING BUSINESS AS CALIFORNIA SOIL)
(SERVICES, 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, Rafael Rodas, doing business as California Soil Services, holds a Dump Truck Carrier permit issued by the Commission on January 7, 1994;

WHEREAS, on March 22, 1995, the Transportation Division, predecessor to the Safety and Enforcement Division, served Rafael Rodas (Rodas) with Citation Forfeiture No. F-4909 for \$1,500 which Rodas agreed to pay;

WHEREAS, on April 6, 1995, Rodas proposed to pay the \$1,500 obligation by promising to make \$200 monthly payment commencing May 20, 1995, until the total amount is paid in full, to which proposal the staff agreed;

WHEREAS, on May 10, 1995, the staff sent Rodas a Fine Payment Agreement to sign and return;

WHEREAS, on June 13, 1995, the staff reminded Rodas that the signed Fine Payment Agreement had not been received and warned him of the consequence of failing to comply with the terms of the citation;

WHEREAS, on July 3, 1995, the staff notified Rodas by letter to call immediately regarding the above citation, but no response was received;

WHEREAS, on August 6, 1995, the staff notified Rodas that he was three payments delinquent for a total of \$600, and warned him that it would take steps to suspend and revoke his operating authority;

WHEREAS, on September 15, 1995, Rodas was notified that staff had begun the process of suspending and revoking his operating authority;

WHEREAS, to date, staff has not received any response from Rodas, nor has he made any payments, thereby ignoring all staff's attempts to communicate with him and breaking his promise of April 6;

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

WHEREAS, Rodas' failure to comply with the citation continues;

IT IS RESOLVED THAT:

1. The operating authority of Rafael Rodas, doing business as California Soil Services, is suspended for a period of 30 days, or until the delinquent amount of the citation is paid, during which time Rodas may not operate.

2. If by the end of the 30-day period, Rodas 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 delinquent amount of the citation and compliance with all other Commission rules and regulations, the suspension will remain in force and Rodas may not operate.

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

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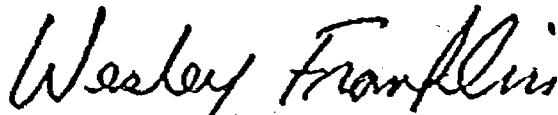
The Assistant Executive Director is directed to mail a certified copy of this resolution to:

Rafael Rodas
DBA: CALIFORNIA SOIL SERVICES
17524 Colima Road #127
Rowland Heights, CA 91748

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 November 21, 1995.

The following Commissioners approved it:



Wesley M. Franklin
Executive Director

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

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RESOLUTION CE 9-95
Date December 18, 1995

R E S O L U T I O N

RESOLUTION AMENDING RESOLUTION CE 2-86 BY AUTHORIZING
DESIGNATED EMPLOYEES IN THE SAFETY AND ENFORCEMENT
DIVISION TO EXERCISE POWERS OF ARREST TO ENFORCE
SPECIFIC PROVISIONS OF THE PUBLIC UTILITIES CODE

WHEREAS: Resolutions CE 2-86, CE 8-86 and CE 12-86 authorize designated employees in the Transportation Division (now the Safety and Enforcement Division) who have completed the prescribed training course, pursuant to Penal Code Sections 832 and 830.7, relating to exercising the powers of arrest and to enforce specified categories of criminal offenses relating to the Public Utilities Code; and

WHEREAS: The following named investigators, assigned to the Compliance and Enforcement Branch, Safety and Enforcement Division, have successfully completed the mandatory training, pursuant to Penal Code Section 832 at various Criminal Justice Training Centers in California;

Moira Simmerson	Badge #238
Stormy Maddex	Badge #500
Fred Patterson	Badge #517

THEREFORE, IT IS ORDERED that:

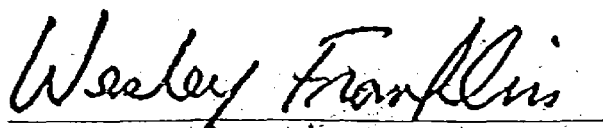
These investigators are hereby authorized to exercise the powers of arrest and search and seizure, pursuant to Penal Code Section 830.7 to enforce the provisions of the Public Utilities Code.

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 December 18, 1995

The following Commissioners voted favorably.

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


Executive Director
WESLEY M. FRANKLIN