

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. TL 18251  
Transportation Division

## R E S O L U T I O N

RESOLUTION SUSPENDING HIGHWAY COMMON CARRIER CERTIFICATE, AND  
HIGHWAY CONTRACT CARRIER AND AGRICULTURAL CARRIER PERMITS OF  
JAMES B. DEGEN (CAL T-113,443) FOR FAILURE TO PASS CALIFORNIA  
HIGHWAY PATROL VEHICLE SAFETY INSPECTION AND TERMINAL INSPECTION

James B. Degen (T-113,443) holds authority as a highway common carrier, subject to certain exclusions, and highway contract carrier and agricultural carrier permits.

The California Highway Patrol (CHP) has statutory authority in the area of safety of Highway Common Carriers (PU Code Sections 768 and 1070 (c)) and Highway Permit Carriers (PU Code Section 3774(g)).

The California Highway Patrol (CHP) has informed the Commission that it has performed three evaluation inspections of James B. Degen (Jim Degen Trucking). All three inspections resulted in unsatisfactory ratings with two of them resulting in vehicles being placed out-of-service for imminently hazardous mechanical defects. Accordingly, the CHP has recommended suspension of these operating authorities.

This order is being issued without advance publication on the Commission's agenda, pursuant to the emergency conditions exemption under Public Utilities Code Section 306 (b). The emergency situation presented by continued operation of Degen severely impairs public safety.

IT IS ORDERED that:

1. The certificate of public convenience and necessity as a highway common carrier and all highway permits of James B. Degen (Degen) (T-113,443) are suspended.
2. If Degen wishes to challenge the suspension he should file an application with the Commission's Docket Office, asking that his suspension be lifted and requesting a prompt hearing. (The Public Advisor's Office (telephone (415) 557-0890) is available to provide information about how to file an application.) Upon receipt of such an application the Commission will set a hearing as soon as possible. Degen may also request reinspection by the California Highway Patrol.

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3. Degen shall conduct no operations as a highway common carrier or highway permit carrier during the period of suspension.

4. The Executive Director may reinstate Degen's operating authorities upon receipt of a written recommendation from the California Highway Patrol that Degen's safety compliance warrants reinstatement, provided that Degen's operating authorities are not then suspended, or subject to suspension, for other reasons.

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

JAMES B. DEGEN (113,443)  
P. O. Box 1799  
Redding, CA 96099

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission on MAR 23 1988.  
The following Commissioners approved it.

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



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Executive Director