

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. TL 18292
Transportation Division

R E S O L U T I O N

RESOLUTION SUSPENDING THE HEAVY-SPECIALIZED CARRIER AND HIGHWAY
CONTRACT CARRIER PERMITS OF MIKE MENDOZA DBA FONTANA FREIGHT
LINES (CAL T-2,797) FOR FAILURE TO PASS CALIFORNIA HIGHWAY
PATROL VEHICLE SAFETY INSPECTION AND TERMINAL INSPECTION

Mike Mendoza dba Fontana Freight Lines (T-2,797) holds a Heavy-Specialized Carrier permit and a Highway Contract Carrier Permit.

The California Highway Patrol (CHP) has statutory authority in the area of safety of Highway Permit Carriers under PU Code Section 3774(g).

Mike Mendoza dba Fontana Freight Lines was suspended on July 22, 1988 by resolution TL-18259 for failure to pass CHP safety inspection. His permits were reinstated August 17, 1988.

The California Highway Patrol (CHP) has informed the Commission that it has performed a "Quality Control" inspection as a follow-up to Mendoza's suspension and reinstatement. The inspection included five vehicles, three of which were placed out-of-service for imminently hazardous mechanical defects. The Patrol stated that Mendoza did not have a systematic inspection and maintenance program, did not maintain all required maintenance records, and the records that were on file were not current. In addition, drivers were not required to properly complete daily documented vehicle condition reports. The terminal was rated unsatisfactory.

Mendoza was notified of the unsatisfactory terminal rating, that the new determination could result in suspension or revocation of his operating authority, and that a review of the determination could be requested by him within five days. The Patrol states that, "This carrier's previous suspension for failure to comply, together with the current conditions, is convincing evidence of 'consistent failure', therefore, as a minimum, suspension of T-2,797 is recommended."

IT IS ORDERED that:

1. The Heavy-Specialized Carrier and Highway Contract Carrier permits of Mike Mendoza dba Fontana Freight Lines (T-2,797) are suspended.
2. If Mendoza 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. Mendoza may also request reinspection by the California Highway Patrol.

3. Mendoza shall conduct no operations as a Heavy-Specialized Carrier or Highway Contract Carrier during the period of suspension.

4. Mendoza shall not lease his vehicles to other carriers during the period of suspension.

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

6. Mendoza's authorities shall be revoked 90 days from this date if they have not been reinstated by then and if a hearing has not been requested.

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

MIKE MENDOZA
FONTANA FREIGHT LINES (T-2,797)
17483 San Bernardino Ave.
Bloomington, CA. 92316

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission on APR 12 1989.
The following Commissioners approved it.

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



Executive Director

Commissioner Frederick R. Duda
being necessarily absent, did
not participate.

Commissioner Patricia M. Eckert
present but not participating.