

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. TL 18301
Transportation Division
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R E S O L U T I O N

RESOLUTION SUSPENDING THE ROUNDRIP SIGHTSEEING CARRIER PERMIT OF SHIMON MOTLAGH DBA AMERICAN EAGLE SIGHTSEEING (TCP 81-S) FOR FAILURE TO PASS HIGHWAY PATROL TERMINAL INSPECTION

Shimon Motlagh dba American Eagle Sightseeing (TCP 81-S) holds authority as a Roundtrip Sightseeing Carrier.

PU Code Sections 5378 (a) authorizes the suspension or revocation of Charter-Party Carriers for safety-related reasons as shown by the records of the California Highway Patrol.

The California Highway Patrol (CHP) has informed the Commission that it performed a carrier fitness evaluation inspection of American Eagle Sightseeing. The inspection included two vehicles and disclosed seven mechanical safety violations. The carrier's records indicated that the required 45-day inspections were not being performed, and that it was not participating in the Pull-Notice Program. An unsatisfactory terminal rating was assigned. The carrier was advised of the requirement to comply with safety regulations, and of the consequences of noncompliance. Accordingly, the CHP has recommended suspension of the carrier's operating authority.

IT IS ORDERED that:

1. The Roundtrip Sightseeing Permit of Shimon Motlagh dba American Eagle Sightseeing (TCP 81-S) is suspended.
2. American Eagle Sightseeing may request reinspection by the California Highway Patrol by contacting the License Section of the Commission's Transportation Division (415) 557-0377.
3. The Executive Director shall reinstate American Eagle Sightseeing's authority upon a written recommendation from the California Highway Patrol that its safety compliance warrants reinstatement, provided that its operating authority is not then suspended, or subject to suspension, for other reasons, or has not expired.

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4. If American Eagle Sightseeing wishes to challenge the suspension it may file a petition for modification of this resolution, asking that its suspension be lifted and requesting a prompt hearing. (Information about how to participate in Commission proceedings is available from the Public Advisor's Office (telephone (415) 557-0890). Upon receipt of such a petition, the Commission will set a hearing as soon as possible.

5. American Eagle Sightseeing shall conduct no operations during the period of suspension.

6. American Eagle Sightseeing shall not lease its vehicles to other carriers during the period of suspension.

7. American Eagle Sightseeing's authority shall be revoked 90 days from this date if they have not been reinstated by then, and if no hearing has been requested.

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

Shimon Motlagh
AMERICAN EAGLE SIGHTSEEING
2654 West Hill
Fullerton, CA 92632

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission on MAY 10 1989.

The following Commissioners approved it.

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



Executive Director

