

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL- 18306
Transportation Division

RESOLUTION REGARDING THE IMPLEMENTATION OF WORKERS' COMPENSATION
INSURANCE REQUIREMENTS

AB 3490 (Moore) was passed by the legislature and signed by the governor in 1988. AB 3490 requires new and existing highway common carriers, cement carriers, and highway permit carriers employing workers to file certificates of workers' compensation coverage with the Commission. This resolution implements an ongoing requirement that highway common carriers, cement carriers, and highway permit carriers file certificates of workers compensation coverage.

IT IS ORDERED that:

1. Every highway common carrier, cement carrier, and highway permit carrier shall file with the Commission either: (A) a certificate of workers compensation insurance coverage for its employees issued by an admitted insurer; (B) a certificate of consent to self-insure issued by the California Director of Industrial Relations; or (C) a statement, under penalty of perjury, to the effect that it does not employ any person in any manner so as to become subject to the workers' compensation laws of California. Certificates of insurance under (A), above, will only be accepted from admitted insurance companies licensed to write workers' compensation insurance by the California Department of Insurance. The above requirements shall also apply to all applicants for, or proposed transferees of, highway common carrier, cement carrier, and highway permit carrier authority. Staff shall provide a form on which the statement provided for in (C), above, shall be made.

2. A carrier that has filed a "no employees" statement pursuant to (C), above, but thereafter employs workers so as to become subject to the workers' compensation laws of California shall: promptly inform the Commission that it is withdrawing its "no employees" statement; and simultaneously file the certificate described in (A) or (B), above.


3. Certificates of workers' compensation insurance under (A), above, shall be effective until cancelled. Cancellation may be effected only by the insurance company's giving thirty days written notice to the Public Utilities Commission at its office in San Francisco, the thirty days to commence to run from the date notice is actually received in the office of the Commission.

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4. Staff is authorized to suspend the operating authority of any highway common carrier, cement carrier, or highway permit carrier that does not have on file an effective: (A) certificate of workers compensation insurance coverage for its employees; (B) certificate of consent to self-insure issued by the California Director of Industrial Relations; or (C) statement, under penalty of perjury, to the effect that it does not employ any person in any manner so as to become subject to the workers' compensation laws of California. Carriers subject to Public Utilities Code sections 1063.5 or 3553 shall have until July 1, 1989 to file the certificate described in (A) or (B), above.

I certify that this resolution was adopted by the Public Utilities Commission on JUN 21 1989.

The following Commissioners approved it.



Executive Director

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