

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18683
Safety and Enforcement Division

R E S O L U T I O N

RESOLUTION APPROVING ISSUANCE AND TRANSFER OF HIGHWAY CARRIER AUTHORITY PURSUANT TO SECTIONS 1063.5 AND 3553 OF THE PUBLIC UTILITIES CODE AND APPROVING ISSUANCE AND TRANSFER OF CHARTER-PARTY CARRIER OF PASSENGER CERTIFICATES PURSUANT TO SECTION 5374 OF THE PUBLIC UTILITIES CODE

Applicants named in the attached schedule have applied for common carrier, highway carrier or charter-party carrier authority under various sections of the PU Code. In 1988 the Legislature added Sections 1063.5 and 3553 to the Code, and in 1994 the Legislature amended PU Code Section 5374, all of which set new requirements carriers must meet before the commission may issue authorities.

Sections 1063.5 and 3553, pertaining to highway carriers of property, state that the commission shall issue or authorize the transfer of no certificate or permit except upon a showing before the commission and a finding by the commission that the applicant or proposed transferee meets all of the following requirements.

- (1) Is financially and organizationally capable of conducting an operation that complies with the rules and regulations of the Department of the California Highway Patrol governing highway safety.
- (2) Is committed to observing the hours of service regulations of state and, where applicable, federal law, for all persons, whether employees or subhaulers operating vehicles in transportation for compensation under the certificate or permit.
- (3) Has a preventive maintenance program in effect for its vehicles used in transportation for compensation that conforms to regulations of the Department of the California Highway Patrol in Title 13 of the California Code of Regulations.
- (4) Participates in a program to regularly check the driving records of all persons, whether employees or subhaulers operating vehicles used in transportation for compensation requiring a class A driver's license under the certificate or permit.
- (5) Has a safety education and training program in effect for all persons, whether employees or subhaulers,

operating vehicles used in transportation for compensation.

- (6) Will maintain its vehicles used in transportation for compensation in a safe operating condition and in compliance with the Vehicle Code and with regulations contained in Title 13 of the California Code of Regulations relative to motor vehicle safety.
- (7) Has filed with the commission a certificate of workers' compensation insurance coverage for its employees or a statement under penalty of perjury that, in its operations as a certificated or permitted carrier, it does not employ any person in any manner so as to become subject to the workers' compensation laws of California.
- (8) Has provided the Commission an address of an office or terminal where documents supporting the factual matters specified in the showing required by these sections may be inspected by the Commission and the Department of the California Highway Patrol.

With respect to paragraphs (2) and (6) the commission may base a finding on a certification by the commission that an applicant has filed, with the commission, a sworn declaration of ability to comply and intent to comply.

In addition to complying with Sections 1063.5 and/or 3553, highway carrier applicants meet all other requirements pertaining to financial responsibility, residency, accident liability protection, type of transportation to be performed, expected results of operations and the need for service.

Section 5374 (b) (1), pertaining to charter-party carriers, states that before a certificate is issued or renewed, the commission shall require the applicant to establish reasonable fitness and financial responsibility to initiate and conduct or continue to conduct the proposed or existing transportation services. The commission shall not issue or renew a certificate pursuant to this chapter unless the applicant meets all of the following requirements:

- (A) It is financially and organizationally capable of conducting an operation that complies with the rules and regulations of the Department of the California Highway Patrol governing highway safety.
- (B) It is committed to observing the hours of service regulations of state and, where applicable, federal law, for all persons, whether employees or subcarriers,

operating vehicles in transportation for compensation under the certificate.

- (C) It has a preventive maintenance program in effect for its vehicles used in transportation for compensation that conforms to regulations of the Department of the California Highway Patrol in Title 13 of the California Code of Regulations.
- (D) It participates in a program to regularly check the driving records of all persons, whether employees or subcarriers, operating vehicles used in transportation for compensation requiring a class B driver's license under the certificate.
- (E) It has a safety education and training program in effect for all employees or subcarriers operating vehicles used in transportation for compensation.
- (F) It will maintain its vehicles used in transportation for compensation in a safe operating condition and in compliance with the Vehicle Code and with regulations contained in Title 13 of the California Code of Regulations relative to motor vehicle safety.
- (G) It has filed with the commission the certificate of workers' compensation insurance coverage or statement required by Section 5378.1.
- (H) It has provided the commission an address of an office or terminal where documents supporting the factual matters specified in the showing required by this subdivision may be inspected by the commission and the Department of the California Highway Patrol.
- (2) With respect to subparagraphs (B) and (F) of paragraph (1), the commission may base a finding on a certification by the commission that an applicant has filed, with the commission, a sworn declaration of ability to comply and intent to comply.
- (c) In addition to the requirements in subdivision (b), class A and class B charter-party carriers shall meet all other state and, where applicable, federal regulations as prescribed.

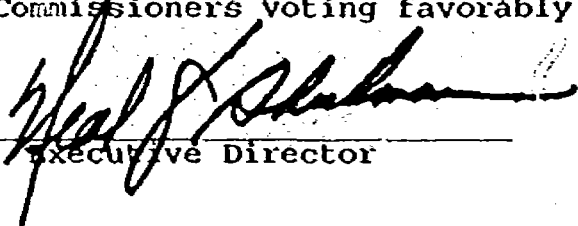
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

The Commission further finds that the applicants in all other ways qualify for the types of authority applied for and shown on the attached schedule, and concludes that each should be granted such operating rights.

IT IS ORDERED that:

1. Each applicant is granted the type of certificate and/or permit as shown on the attached schedule.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on the 22nd day of February, 1995, the following Commissioners voting favorably thereon:


Executive Director

DANIEL Wm. FESSLER
President
NORMAN D. SHUMWAY
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
Commissioners

Transportation Division
 Safety & Enforcement Branch
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES
 UNDER RESOLUTION TL-18683

Resolution TL-18683
 February 22, 1995

Page 1 of 4 Pages
 Attachment T-1

Docket Number
 Type of Authority
 County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T148380	(HCP)	07	R G Prouty dba Robert Prouty Trucking	Additional
T161139	(HCP)	19	D D Dessaint dba David Dessaint Trucking	Additional
T161908	(HCP)	15	Amado C Ortiz Jr. dba A C Ortiz Jr	Additional
T167788	(HCP)	24	Jorge Garcia dba Garcia Trucking	Additional
T171557	(HCP)	24	Eric Alan Anson dba Eric Anson Trucking	Transfer from T173832
T178386	(AGR)	15	J G Perez & J G Perez Jr dba Perez and Son	Transfer from T170337
T180679	(AGR)	19	Robert Rodriguez dba A and B Trucking	Additional
T182194	(HWY)	37	Aceves Trucking Company Inc	Transfer from T145465
T182244	(HWY)	36	Julia I Toledo dba Toledo Trucking	Transfer from T165428
T182334	(HWY)	01	L M Ricard dba Ricards Trucking	Transfer from T165413
T182374	(TTC)	19	R S Sekhon dba Eagle Petroleum Transport	New
T182454	(HWY)	34	U Jaen Gen Partner of Cal Pro Transp Co Limited Partnership	Transfer from T173269
T182460	(HWY)	19	Gilberto Garcia dba Gilberto Garcia Trucking	New
T182489	(DMP)	48	Randy Eugene Williamson dba J W Trucking	Transfer from T121691

Docket Number
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T182490	(DMP) (HSC) (HWY)	19	M Rozas, R Rocoio, J Hinton Jr, & Julio F B Rosas	Transfer from T065824
T182547	(AGR)	15	J I Lara & F I Lara dba J & F Trucking	Transfer from T175318
T182605	(DMP)	19	M T Garcia & R J P Portillo	Transfer from T180659
T182607	(HWY)	19	J Alcala & J R Alcala dba J & R Trucking	Transfer from T173346
T182642	(DMP)	30	Kovac Inc	Transfer from T162344
T182663	(AGR) (HWY)	19	A J Grinden, A Grinden JR & D Grinden dba Grinden Trucking	Transfer from T169096
T182664	(HWY)	30	Thomas W Hovey dba Hovey Trucking	Transfer from T178593
T182672	(TTC)	40	San Luis Butane Distributors dba Delta Liquid Energy	New
T182694	(AGR)	10	Satpal Singh Atval dba Atval Express	Transfer from T179495
T182711	(HWY)	39	D B Rocha dba D B R Express	New
T182733	(HWY)	30	Miguel Figueras dba M F Trucking	New
T182742	(DMP)	43	M Hernandez & M Barraza dba H B A Transportation	Transfer from T181388
T182753	(HCP)	19	J R Banta dba Banta Transport	Transfer from T149670
T182758	(AGR)	05	R J Weatherby dba R J Weatherby Trucking	Transfer from T171131
T182759	(AGR)	56	Jose Guadalupe Fernandez	Transfer from T115400
T182760	(CCC)	15	Cal Ci Co Rock Co Inc	Transfer from T061836
T182766	(DMP)	19	Hovannes Topchyan dba T H Trucking	Transfer from T155323
T182770	(HCP)	43	J D R Ocampo and F Rangel dba J F Trucking	New

Docket Number
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T182775	(HCP)	43	Omar Boavell dba Hott Messenger Delivery	New
T182792	(HCP)	30	Frank Harvan	Transfer from T135038
T182796	(DMP)	36	Charles E Inman	Transfer from T100234
T182804	(HWY)	19	James J Criner dba J W Criner Trucking	New
T182830	(DMP)	13	F L Marquez	Transfer from T167024
T182846	(HCP)	19	G Papoyan dba David Truck Line	New
T182848	(HCP)	19	Artur Kesablian	New
T182850	(HCP)	19	O Garcia dba O G V Trucking	New
T182851	(HCP)	19	H Samayoa & C Samayoa dba Samayoa Transportation	New
T182852	(HWY)	39	B Singh dba Toor Trucking	New
T182861	(HCP)	43	J C Cancino & J L Natera dba Natera Trucking	Transfer from T170169
T182876	(HWY)	45	J S Shav dba J & J Trucking	Transfer from T145509
T182883	(HCP)	36	Sam Lee Daniels	New
T182884	(HCP)	36	Roland Dean DeMars	New
T182893	(HCP)	01	Bhupinder Singh Chohan dba Chohan Trucking Co	New
T182901	(HCP)	19	O A Esquivel dba Oscar Trucking	New
T182902	(HCP)	42	Patrick Estorga dba Estorga Trucking Co	New
T182909	(HCP)	19	Rudy DeLeeuw dba Amerindo Trucking	New
T182912	(HWY)	59	Heilig-Meyers Company	New
T182916	(HCP)	45	Doug D Thurston Jr dba Doug Thurston Trucking	Transfer from T150722

Docket Number
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T182919	(HCP)	19	Peroy R Matthevs dba Hee Haul	Transfer from T139553
T182920	(HCP)	30	Thomas M May	Transfer from T136455
T182932	(HCP)	19	Santos C DeCasas	New
T182966	(DMP)	33	John R Walters dba John Walters Trucking	Transfer from T176028
T182968	(DMP)	33	Bruce Lloyd Carlin dba F B and Sons	Transfer from T166888
T182987	(HCP)	54	D L Hopper dba D & L Transportation	New
T182989	(HWY)	19	Marco Saldaña	New
T182990	(HWY)	30	Rodney Wayne Hogate	New

A =Charter-Party A Certificate
B =Charter-Party B Certificate
C =Charter-Party C Certificate
AGR=Agricultural Carrier Permit
AGS=Seasonal Agricultural Carrier Permit
CCC=Cement Contract Carrier Permit
CMT=Cement Certificate
DMP=Dump Truck Carrier Permit
HCC=Highway Common Carrier Certificate
HCP=Highway Carrier Permit
HSC=Heavy Specialized Carrier Permit
HWY=Highway Contract Carrier Permit
LIV=Livestock Carrier Permit
LVS=Seasonal Livestock Carrier Permit
TTC=Tank Truck Carrier Permit
VTC=Vacuum Truck Carrier Permit