

3/2/88

T-1

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18687  
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.

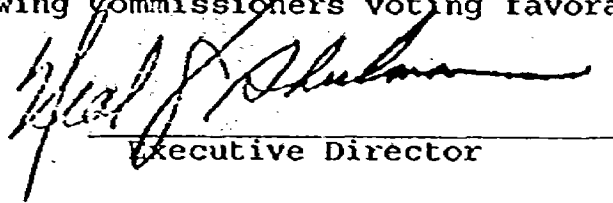
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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 March 1995, the following Commissioners voting favorably thereon:

  
Executive Director

DANIEL Wm. FESSLEP  
President  
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-18687

Resolution TL-18687  
 March 22, 1995

Page 1 of 3 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
P000911	( B )	01	James Franklin Walker dba Walkers Charter Service	Renew
P009528	( B )	30	Investors Consulting & Marketing Services Corp dba Executive Escapes	New
P009574	( B )	19	Eagle Lines Inc	New
T176265	(HCP)	19	J C Ascencio dba J C Transport	New
T177349	(HCP)	57	H Canez dba Canez Trucking	Transfer from T132889
T180880	(HCP)	57	Manuel Topete dba Juan Manuel Trucking Co	Additional
T181469	(HCP)	33	Lauro Salceda	Transfer from T171278
T182256	(AGR)	42	Javier Hernandez dba J Hernandez Farm Labor Contractor	New
T182351	(HWY)	59	Castlerock Carriers Inc	New
T182486	(DMP)	19	Chex Inc	Transfer from T164893
T182494	(HCC)	37	L E Enterprises Inc dba Lightning Express	Transfer from T170409
T182518	(HWY)	19	Sergio Gonzalez dba Gonzalez Trucking	New
T182646	(AGR)	50	Abraham Arana dba A M Trucking	Transfer from T159551
T182680	(AGR)	16	K Hildebrand and G Hildebrand dba Hildebrand Brothers Farming	New
T182713	(HWY)	36	A & J Cheese Company	New

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T182720	(DMP)	19	Timothy Dell Alford dba Alford Trucking	New
T182811	(HCP) (HCC)	19	Prime America Freight Sys Inc	Transfer from T172480
T182813	(HWY)	36	Roque Campo & Silvina Campo dba Campo Trucking	Transfer from T175081
T182844	(HCP)	19	Juan Chavolla dba J C Trucking	New
T182928	(HCP)	37	R Lohf Grading & Excavating Inc	Transfer from T162698
T182936	(HCP)	43	William Paul Pacheco dba I H S	New
T182954	(HCP)	10	Chanh Say Vong dba C S Vong Trucking	New
T182960	(DMP)	44	Mike H Jennings dba Pajaro Valley Recycling	Transfer from T147534
T182967	(HWY)	10	H K Toor, G S Toor & Ram Toor dba R T Trucking	Transfer from T176999
T183004	(HCP)	36	Ricardo T Vides	New
T183061	(HCP)	01	R Magbutay Aranzamendez	New
T183072	(HCP)	39	David Taylor Barton dba Daves Towing Service	New
T183156	(HWY)	50	H V Rios & L F Rios dba H & L Transportation	Transfer from T173169
T183158	(HCP)	59	Lone Star Freightlines Inc	New
T183175	(HCP)	44	Johnallen O Norris dba O L Norris Trucking	New
T183182	(HCP)	37	C A Araiza dba Vista Trucking	Transfer from T119563
T183199	(HCP)	19	W Butts & S L Butts dba Cannonball Express Transp	New
T183204	(HCP)	42	John Henry Cook	New
T183210	(HCP)	19	R E Sanders Sr dba Pronto Express	New

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T183211	(HCP)	39	H Singh dba Tanvir Transport	New
T183221	(HCP)	19	J C Cisneros dba M C Trucking	Transfer from T178263
T183222	(HCC)	19	L JR Morgan dba L Morgan & Son	Transfer from T114794
T183227	(HCP)	41	W E Bassett Jr dba Frenchy Trucking	Transfer from T171134
T183252	(HCP)	10	B L Davis dba Davis Transportation	Transfer from T137631
T183261	(DMP)	51	Ronald St John dba St John Trucking	Transfer from T175202
T183273	(HCP)	37	Louie S Vogt	Transfer from T156293
T183312	(HCP)	44	D Rodoni & L Rodoni dba Sideorks	New
T183348	(HCP)	19	M Flores-Lamas & G Flores dba M & G Flores Trucking	New
T183388	(HCP)	43	Jaspal Singh dba M Trucking	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  
LYS=Seasonal Livestock Carrier Permit  
TTC=Tank Truck Carrier Permit  
VTC=Vacuum Truck Carrier Permit