

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18712
Safety and Enforcement Division
October 5, 1995

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.

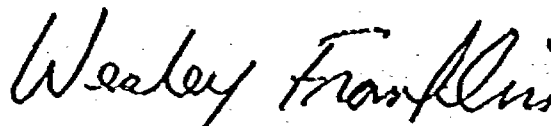
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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 5th day of October 1995, the following Commissioners voting favorably thereon:



WESLEY M. FRANKLIN
Acting Executive Director

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
Commissioners

I abstain.

/s/ JOSIAH L. NEEPER
Commissioner

Transportation Division
 Safety & Enforcement Branch
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES
 UNDER RESOLUTION TL-18712

Resolution TL-18712
 10/05/95

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
P000959	(A)	50	Daniel E Cobb dba Cobbs Bus Service	Renew
P004449	(B)	31	Cherokee Nation Corp dba Cherokee Tours	Renew
P005218	(B)	19	V Balmoja, Eli Balmoja and Lea Dumontier dba Four Fun Tours	Renew
P005499	(B)	38	Skyline Coach Inc	Renew
P005736	(B)	01	Empex Ventures Inc	Renew
P008035	(B)	40	C T Coleman & T C Leal dba Carousel Limo Service	Renew
P008122	(B)	41	Tom Baqi Fedai dba Baqi Limo Service	Renew
P009650	(B)	37	A Excel Transportation International Inc	Refile
P009786	(B)	19	M B Lewis & Robert Lewis dba Lewis Sunshine Tours	New
P009874	(B)	19	Sino Express Inc	New
P009972	(B)	19	Jung Woong Chun dba America Coach Services	New
T051657	(HCP)	10	E P Porras dba Pete Porras Trucking	Transfer from T130646
T145753	(HCP)	10	R A Nonini dba R A Nonini Enterprises	Transfer from T156824
T158673	(HCP)	30	Frank D Hayes Sr dba H Toad Trucking	Additional
T162794	(HCP)	10	F A Gonzalez dba F Gonzalez Trucking	New

Docket Number
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T176222	(HCP)	15	Fernando Leon Castro	Additional
T178843	(HCP)	19	Mike M Higashida dba Field Trucking	Transfer from T138387
T178867	(HCP)	01	Jesus Gonzalez dba Gonzalez Transport	New
T180669	(HCP)	43	J A Valadez dba Jary Trucking	New
T181036	(HCP)	10	Raul Oropeza dba Oropeza Trucking	New
T181522	(HCP)	10	C R Cervantes & M A Cervantes dba C & M Cervantes Trucking	New
T182702	(HCP)	39	T Valdez dba Valdez Trucking Co	Additional
T182993	(HCP)	39	F Arias dba Arias Trucking	New
T183143	(HCP)	21	Ghilotti Bros. Construction Inc	New
T183759	(HCP)	13	Raul Gonzalez	Transfer from T166555
T183926	(HCP)	56	R E Martin & V A Martin dba Martin Trkg	Transfer from T156386
T184028	(HCP)	30	Jeff A Snyder dba Pacific West	Transfer from T164835
T184043	(HCP)	07	M A Castro dba M & M Castro Trucking	New
T184323	(HCP)	19	L Jones, F Jones, R Jones, Michael Harris & G Jones dba Fredyas Trucking	Transfer from T175009
T184365	(HCP)	19	R A Trujillo	New
T184487	(HCP)	12	Stellar Transportation Inc	Transfer from T145435
T184528	(HCP)	18	T Ochotorena Sr & S Ochotorena dba T N S Trucking	Transfer from T181570
T184742	(HCP)	36	J M Arias dba Arias Trucking	New
T184766	(HCP)	01	D M Apple dba A and A Trucking.	New

Docket Number
Type of Authority
County Code

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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T184773	(HCP)	19	X Harrie & M A Membreno dba Harries Transport and Delivery Service	Transfer from T169694
T184821	(HCP)	43	J R Dlouhy dba Dlouhy Trucking	New
T184838	(HCP)	54	Arnoldo Altamirano dba A Altamirano Trucking	Transfer from T181911
T184986	(HCP)	56	Valley Bulk Inc	Transfer from T171006
T184996	(HCP)	43	United States Pollution Control Inc	Transfer from T147534
T185029	(HCP)	15	P H Bruce dba Bruce Trucking	Transfer from T171624
T185098	(HCP)	30	A Abdollahzadeh Reihani dba Araz Auto Transport	New
T185100	(HCP)	43	R S Sandhu dba Sandhu Truck Service	New
T185104	(HCP)	48	H P Singh Sidhu dba Inder Trucking	Transfer from T169062
T185112	(HCP)	01	W Neal dba Neals Transport Co	Transfer from T151031
T185113	(HCP)	36	Mark D Kuhn	Transfer from T161581
T185117	(HCP)	45	M R DeMello dba DeMello Trucking	Transfer from T120209
T185141	(HCP)	07	Arvin S Gill	Transfer from T148931
T185156	(HCP)	39	Cathy Pye dba Cathy Pye Transportation	Transfer from T143866
T185163	(HCP)	55	L E Bell & B J Bell dba Bell Trucking	Transfer from T171439
T185193	(HCP)	50	Gregory S Benes dba G S Benes	New
T185219	(HCP)	19	C Marroquin, H Morataya, M D J Trigueros & A Hinojosa dba Marroquin Trucking	Transfer from T184181
T185239	(HCP)	19	David Hopkins	New

Docket Number
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T185275	(HCP)	56	S L Spradlin dba B & S Trucking	Transfer from T162667
T185279	(HCP)	19	Regional Inc	Transfer from T183356
T185286	(HCP)	57	D G Reeves dba Reeves Trucking	New
T185295	(HCP)	37	Craig Chaddock dba Chaddock Transport	Transfer from T180077
T185316	(HCP)	04	Daved W Moore dba Dave Moore Trucking	Transfer from T096811
T185318	(HCP)	15	R B Wright & C J Daniels dba CRC Trucking	Transfer from T055779

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