

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18714  
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.

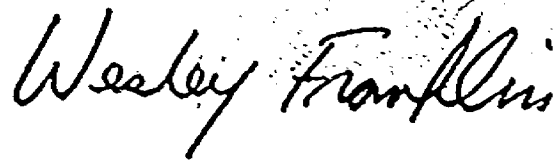
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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:



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WESLEY M. FRANKLIN  
Acting Executive Director

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

Transportation Division  
 Safety & Enforcement Branch  
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES  
 UNDER RESOLUTION TL-18714

Resolution TL-18714  
 10/18/95

Page 1 of 5 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   |
|---------------|-------------------|-------------|---|-----------------------|
| P000817       | (A )              | 27          | Central Coast Convention Services Inc<br>dba Steinbeck County Tours | Additional            |
| P004668       | (A )              | 37          | San Diego Mini Tours Inc  | New                   |
| P004881       | (A )              | 49          | T C Coach Services Inc<br>dba Tourcal Charter Service               | Renew                 |
| P007972       | (B )              | 19          | Jacqueline Eakins<br>dba Jackie's Tours                             | Renew                 |
| P009999       | (B )              | 33          | Geraldin Lott<br>dba Payton Tours                                   | Transfer from P000721 |
| T117437       | (HCP)             | 59          | T P Prauss<br>dba Tim Prauss Trucking                               | Transfer from T163328 |
| T118970       | (HCP)             | 56          | D R Smith<br>dba Don R Smith Trucking                               | Additional            |
| T138243       | (HCP)             | 27          | F F Camarillo<br>dba Camarillo Trucking                             | Transfer from T143215 |
| T151474       | (HCP)             | 36          | T A White & G S Thite<br>dba White Bros Trucking                    | Transfer from T136026 |
| T154849       | (HCP)             | 30          | Doran C Adams<br>dba Doran Adams Trucking                           | Additional            |
| T162794       | (HCP)             | 10          | F A Gonzalez<br>dba Francisco Gonzalez Trucking                     | New                   |
| T166901       | (HCP)             | 19          | Louis R Fraijo  | Transfer from T166839 |
| T173449       | (HCP)             | 15          | A G Gonzalez<br>dba A G Gonzalez Trucking                           | Additional            |
| T177893       | (HCP)             | 50          | A A Lopez<br>dba Armando Lopez Trucking                             | Additional            |
| T179197       | (HCP)             | 49          | Shaun McCorkle  | Additional            |

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|---------------|-------------------|-------------|--|-----------------------|
| T180525       | (HCP)             | 56          | Rafael Iturbide  | Additional            |
| T182715       | (HCP)             | 05          | Dale E Thomas  | New                   |
| T182983       | (HCP)             | 15          | Joaquin Sanchez<br>dba Sanchez Trucking                                  | Additional            |
| T182993       | (HCP)             | 39          | Francisco Arias<br>dba Arias Trucking                                    | New                   |
| T183016       | (HCP)             | 57          | Eugenio E Alcala<br>dba Alve Trucking                                    | Additional            |
| T183476       | (HCP)             | 39          | P M Miklysiak<br>dba PAC Trucking  | New                   |
| T183788       | (HCP)             | 49          | Efrain L Holguin   | Transfer from T100082 |
| T183825       | (HCP)             | 10          | R Singh & B Kaur Greval<br>dba R & R Trucking                            | Transfer from T175916 |
| T183826       | (HCP)             | 48          | Tomays Transportation Inc  | Transfer from T157135 |
| T184032       | (HCP)             | 36          | S S Hardin<br>dba Hardin Trucking  | Transfer from T116195 |
| T184222       | (HCP)             | 36          | T W McGraw<br>dba Elite Towing   | Transfer from T171006 |
| T184328       | (HCP)             | 17          | T James Kelley<br>dba Kelley & Sons Trucking                             | Transfer from T141568 |
| T184417       | (HCP)             | 34          | Genpro Inc Gen Partners of Gen<br>Produce Co A Ca Limited<br>Partnership | Transfer from T112995 |
| T184424       | (HCP)             | 59          | George B Helms   | Transfer from T122983 |
| T184496       | (HCP)             | 36          | V M Macias<br>dba Famaa Trucking   | Transfer from T090234 |
| T184510       | (HCP)             | 19          | S M Hawkins<br>dba S M Hawkins Trucking                                  | New                   |
| T184547       | (HCP)             | 54          | Mark E Tenhet<br>dba Tenhet Transportation Co                            | New                   |
| T184703       | (HCP)             | 30          | James Azzara<br>dba J Azzara Delivery Service                            | New                   |
| T184711       | (HCP)             | 42          | N S Mendoza  | New                   |

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|---------------|-------------------|-------------|--|-----------------------|
| T184763       | (HCP)             | 54          | D M Padilla<br>dba Padilla Farm Labor Contract                 | New                   |
| T184833       | (HCP)             | 01          | Sanh Nguyen and Ba Tran  | New                   |
| T184860       | (HCP)             | 19          | R L Franco<br>dba Ricardos Trucking                            | Transfer from T181775 |
| T184866       | (HCP)             | 19          | United Express Messengers Inc                                  | New                   |
| T184867       | (HCP)             | 36          | D K Bevins<br>dba Doug Bevins Trucking                         | Transfer from T059368 |
| T184869       | (HCP)             | 30          | J R Duncan & E Cowan<br>dba Caneda Transport (USA)             | Transfer from T175037 |
| T184914       | (HCP)             | 19          | I Carrillo<br>dba R C Trucking                                 | New                   |
| T184956       | (HCP)             | 19          | E Villanueva, M Pepito and<br>D H Galoso<br>dba Quick Trucking | New                   |
| T185000       | (HCP)             | 10          | Macarthur Johnson<br>dba Mac Johnson Trucking                  | Transfer from T183225 |
| T185051       | (HCP)             | 07          | I D Insurriaga   | New                   |
| T185052       | (HCP)             | 43          | Duran & Dimas Trkg Inc   | Transfer from T143542 |
| T185076       | (HCP)             | 59          | T C Smith<br>dba T C Smith Trucking                            | New                   |
| T185102       | (HCP)             | 30          | Moreno Services Inc  | New                   |
| T185105       | (HCP)             | 30          | B L Brannigan & L E McHugh<br>dba Ace Trucking                 | Transfer from T175781 |
| T185106       | (HCP)             | 37          | Mark D Schmidt<br>dba Schmidt Delivery Service                 | Transfer from T175781 |
| T185126       | (HCP)             | 19          | S Topete<br>dba S Topete Transport                             | New                   |
| T185142       | (HCP)             | 49          | R Maffia & J E Maffia<br>dba R C Maffia Trucking               | Transfer from T155833 |
| T185146       | (HCP)             | 59          | Idaho Milk Transport Inc                                       | New                   |
| T185164       | (HCP)             | 36          | A J Hollis   | Transfer from T163135 |

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|---------------|-------------------|-------------|---|-----------------------|
| T185166       | (HCP)             | 45          | D C Dunken<br>dba Dunken Express                    | Transfer from T147675 |
| T185185       | (HCP)             | 19          | Abel Aguilar<br>dba Abel Aguilar Trucking           | Transfer from T157784 |
| T185217       | (HCP)             | 13          | Arturo Gonzalez                                     | Transfer from T166555 |
| T185218       | (HCP)             | 49          | L S Walker<br>dba L Walker Salvage Logging          | Transfer from T130664 |
| T185223       | (HCP)             | 30          | Marianth Corp<br>dba Excel Express                  | Transfer from T184814 |
| T185226       | (HCP)             | 23          | N N LaFazio & N LaFazio<br>dba N & N Trucking       | Transfer from T155915 |
| T185228       | (HCP)             | 19          | Fred P McDevitt                                     | Transfer from T066547 |
| T185230       | (HCP)             | 38          | S G Wayland<br>dba Interstate Towing Service        | New                   |
| T185238       | (HCP)             | 42          | D W Sheffield<br>dba David Sheffield Trucking       | New                   |
| T185241       | (HCP)             | 10          | I S Cheema<br>dba Cheema Bros Trucking              | New                   |
| T185250       | (HCP)             | 19          | Gerardo Esquivel<br>dba Esquivel Trucking           | New                   |
| T185270       | (HCP)             | 15          | Doug Dahl   | Transfer from T066547 |
| T185293       | (HCP)             | 45          | Schnetzer Engineering Inc                           | New                   |
| T185296       | (HCP)             | 55          | B W Humphry<br>dba Brian Humphry Trucking           | Transfer from T178777 |
| T185300       | (HCP)             | 37          | R J Gravison & N M Ray<br>dba R J Gravison Trucking | New                   |
| T185317       | (HCP)             | 30          | G E Costin<br>dba Gary Costin Trucking              | Transfer from T110663 |
| T185322       | (HCP)             | 30          | J S Girton<br>dba Girtons Trucking                  | Transfer from T164503 |
| T185339       | (HCP)             | 27          | J L Rocha<br>dba Rocha Trucking                     | Transfer from T168078 |
| T185344       | (HCP)             | 39          | M D Harris<br>dba Mike Harris Trucking              | Transfer from T086347 |



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|---------------|-------------------|-------------|---|-----------------------|
| T185350       | (HCP)             | 24          | V Lozano & R Lozano<br>dba Lozanos Trucking | New                   |
| T185358       | (HCP)             | 43          | Transerve Inc                               | New                   |
| T185363       | (HCP)             | 07          | David M Correa<br>dba Correa & Son Trucking | Transfer from T176692 |
| T185380       | (HCP)             | 33          | Emil G Bogart                               | Transfer from T058331 |
| T185407       | (HCP)             | 19          | Newcome Express Inc                         | New                   |
| T185409       | (HCP)             | 07          | K Singh and S Singh<br>dba MK Trucking      | Transfer from T121591 |

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