

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18721
Safety and Enforcement Division
December 6, 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.

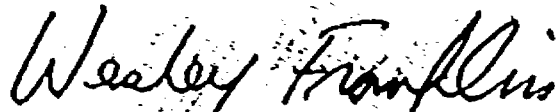
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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 6th day of December 1995, the following Commissioners voting favorably thereon:



WESLEY M. FRANKLIN
Executive Director

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

Transportation Division
 Safety & Enforcement Branch
 License Section

T-1

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES
 UNDER RESOLUTION TL-18721

Resolution TL-18721
 12/06/95

Page 1 of 6 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
P000520	(A)	38	CA Parlor Car Tours	Renew
P000902	(B)	01	Fairway Bus Tours Inc	Renew
P007664	(C)	28	Napa Valley Balloons Inc	Renew
P007971	(B)	33	A Part Time Tours Inc	Renew
P009068	(B)	19	Go West Adventures Inc	Additional
P009924	(B)	30	Jhanette Bradford dba Cosmopolitan Limousine	New
P010041	(B)	33	Patricia Gail Aragon dba Patal Express	New
P010064	(B)	01	Nevada Golden Tours Inc	New
T117997	(HCP)	36	Ezel Keith Bonty	Transfer from T173360
T118243	(HCP)	33	William Romero dba Wills Trucking	Additional
T135836	(HCP)	15	Leonel Perez dba L Perez Trucking	Transfer from T166453
T153662	(HCP)	25	Kenneth L Summers dba K L Summers Trucking	Additional
T157481	(HCP)	39	Rafael Guzman	Additional
T165616	(HCP)	28	Vincent F Schneider	Additional
T166843	(HCP)	37	M L Tway dba San Diego Piano Movers	Additional
T172412	(HCP)	01	Brett N Lucas dba Relocation Resources	Additional
T179215	(HCP)	19	T P Berry dba RPS Roadway Pkg Systems	Transfer from T179610

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Docket Number	Type of Authority	County Code	Name	Type of Application
T181097	(HCP)	36	Ron Holguin Inc dba Transcontinental Vandomar	Additional
T181835	(HCP)	56	Rosalio Martinez dba R & D Trucking	Additional
T182836	(HCP)	19	Jose Alejandro Molina dba J A Trucking	Additional
T183082	(HCP)	24	Billy Weaver Jr dba Billy Weaver Jr Trucking	Additional
T183090	(HCP)	52	C R Hernandez dba Hernandez Enterprises	Transfer from T157403
T183280	(HCP)	10	Jose Carrillo dba J Carrillo Trucking	Additional
T183742	(HCP)	19	J D McDonald Jr dba Old McDonald Trucking	Transfer from T084163
T183839	(HCP)	59	Sharon Marie Evanson dba S M E Trucking Equipment	Refile
T184229	(HCP)	19	Antonio Gomez dba Alcon Trucking Service	Transfer from T014296
T184298	(HCP)	39	Nimal Singh Gill dba Gill Trucking	Additional
T184483	(HCP)	04	D H Smith dba Smith & Sons Logging	Transfer from T130079
T184494	(HCP)	56	Victory Tankers Inc	Transfer from T139323
T184513	(HCP)	30	D G Burkhart & S H Burkhart dba Sally Burkharts Truckin'	New
T184534	(HCP)	19	T M Del Campo dba Thunderbird Express	Transfer from T175364
T184686	(HCP)	40	Kim Lehnhoff & Jeff Murphy dba Kims Trucking	Transfer from T120757
T184717	(HCP)	01	Michael Jeffrey Gavin dba Gavin Trucking	Transfer from T127433
T184918	(HCP)	01	H Chau & Xia Banh dba Pacific Trucking Co	New
T184957	(HCP)	34	D K Benson & D R Winchester dba Wholesale Motors	Transfer from T163438

12/06/95

Attachment 1-1

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Docket Number	Type of Authority	County Code	Name	Type of Application
T184958	(HCP)	19	Marken Transfer Inc	Transfer from T131716
T184965	(HCP)	36	A Yonan dba Yonan Trucking	Transfer from T130705
T184998	(HCP)	19	A Tejada, J E Tejada & J E Tejada dba A B & Son Trucking	Transfer from T177839
T185004	(HCP)	36	G H Root dba GLK Trucking	New
T185012	(HCP)	15	C J Turner dba Turner Translift Service	New
T185023	(HCP)	56	Callaway Trucking Co Inc	Additional
T185047	(HCP)	36	P Toscano & R Rodriguez dba P & L Toscano Express	Transfer from T163312
T185140	(HCP)	54	J A Nelms Trucking Inc	Transfer from T056210
T185167	(HCP)	19	Mkrtich Cholakian	Transfer from T175936
T185225	(HCP)	56	J B Flores dba J Flores Trucking	Transfer from T179346
T185278	(HCP)	19	Hung Truong dba H T	Transfer from T130995
T185281	(HCP)	19	R Chavez & M L Chavez dba M & R Transport	Transfer from T160673
T185283	(HCP)	45	Freddie L Smith	Transfer from T136832
T185291	(HCP)	19	I Quiroz dba Quiroz Trucking	New
T185334	(HCP)	15	F Gutierrez & W Burgos dba Blue Eagle Trucking	Transfer from T181735
T185353	(HCP)	19	So Coast Environmental Co	New
T185362	(HCP)	45	Thomas Salamun dba TNT Firewood Co	Transfer from T109292
T185366	(HCP)	59	Hot Shot Express Inc	New
T185368	(HCP)	19	Miguel Castaneda dba MCR Trucking	New

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T185384	(HCP)	19	Egal Sharbit dba Runen North	Transfer from T159056
T185432	(HCP)	33	T Davis, B Davis & R Davis dba Rafter T Ranch	Transfer from T152330
T185433	(HCP)	37	S T Deets dba S T D Trucking	Transfer from T171700
T185438	(HCP)	54	Joshua L Turner	Transfer from T100291
T185439	(HCP)	54	Larry C Jr	Transfer from T100291
T185441	(HCP)	10	C B Emmett dba Mega Dirt Trucking	New
T185443	(HCP)	23	Welker Wayne Kern dba Kern Trucking	Transfer from T147044
T185482	(HCP)	15	R R Sanchez dba Sanchez Trucking	Transfer from T181634
T185509	(HCP)	37	Luis H Murillo dba Murillo Trucking	New
T185521	(HCP)	19	Steve Aranda dba dba Southern Ca Mail Service	New
T185536	(HCP)	27	Blacky Trucking Inc	New
T185545	(HCP)	45	Edward A Nunes dba 5N Ranch Trucking	Transfer from T172002
T185547	(HCP)	18	A A Hoyt & D Hoyt dba Hoyt & Sons	Transfer from T155950
T185549	(HCP)	17	Gardner Steven, Darlene & Mark dba Gardner Trucking	Transfer from T174958
T185562	(HCP)	36	A Herrera Jr & R Rodriguez dba A & R Trucking	Transfer from T111806
T185579	(HCP)	37	Joe R Guerra dba Guerra Trucking	New
T185582	(HCP)	01	J Rezavi, M M Roshann, J A Franco, I Heskiias, A W Goytom, J Rolondo, L Vordtnyuk, & D M Mesui dba Shervin Express	New

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T185588	(HCP)	41	Reynaldo V Valdez dba Haribon Express Courier	Transfer from T101633
T185602	(HCP)	07	Professional Logistic Manage- ment Co Inc	Transfer from T057111
T185608	(HCP)	30	M Machado dba Machado Trucking	Transfer from T168881
T185619	(HCP)	36	R C Anderson & G Cedotal dba A C Trucking	New
T185641	(HCP)	01	S Fraser Woodward dba Way To Go	Transfer from T057111
T185648	(HCP)	57	Wesley Joe Roberts dba A T Trucking	Transfer from T065869
T185653	(HCP)	35	One Earth Environmental	New
T185686	(HCP)	45	Johnny E Brazo	Transfer from T139841
T185728	(HCP)	36	G Thompson & T Thompson dba T & T Trucking	Transfer from T163923
T185744	(HCP)	39	W A Dorséy dba Bill Dorsey Trucking	New
T185760	(HCP)	41	Joseph John Fazzio dba C & J Trucking	Transfer from T110584
T185797	(HCP)	33	Gary David Linneman dba Medical Equipment Transport	Transfer from T174653
T185812	(HCP)	37	Paul L Hosfield	New
T185814	(HCP)	34	Lannis T Young	New

Docket Number
Type of Authority
County Code

Name

Type of Application

T185836 (HCP) 59 Van Waters & Rogers Inc Nev

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
LIY=Livestock Carrier Permit
LVS=Seasonal Livestock Carrier Permit
TTC=Tank Truck Carrier Permit
VTC=Vacuum Truck Carrier Permit