

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18732
Safety and Enforcement Division
February 23, 1996

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 23rd day of February 1996, the following Commissioners voting favorably thereon:

Wesley Franklin

WESLEY M. FRANKLIN
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-18732

Resolution TL-18732
 2/23/96

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
P000836	(A)	34	Yellow Cab Co of Sacramento dba Skyline Airporter	Renew
P005901	(B)	43	Saeid Mostafavi dba Saeids Limo	Renew
P006179	(A)	19	Protray Services Inc dba Protray Charter Coach Serv	Additional
P008118	(B) (S)	40	AmericanStar Tours	Renew
P008207	(B)	19	James Leonard Brockman dba Top Host Tour	Renew
P009708	(B)	57	D Mittow & J Scafer-Mittow dba Davis Airporter	New
P010090	(B)	01	Mike Lee Tours Inc	New
P010121	(A)	19	Ca Sun Line Inc	New
T127737	(HCP)	53	Terry John Ehlerding dba T & G Trucking	Transfer from T173729
T139980	(HCP)	33	Marc Richard Estrin dba Estrin Trucking	Transfer from T124080
T147347	(HCP)	34	Joe Cecil Evans dba Evans Transport Co	Transfer from T148783
T154443	(HCP)	34	D and N Associates Inc	Additional
T161416	(HCP)	19	Samuel Chavando Pimentel dba Sam C Pimentel Trucking	Transfer from T144199
T172402	(HCP)	47	George B Gosting	New
T180527	(HCP)	57	Romelia Maduena dba R Maduena Trucking	Transfer from T176481
T181467	(HCP)	10	Carlos Danny Garcia dba Carlos D Garcia Trucking	Transfer from T180902

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Docket Number	Type of Authority	County Code	Name	Type of Application
T182586	(HCP)	54	E Lucio, T Ballard & M Lucio dba Central Ca Transport	Transfer from T106475
T183586	(HCP)	35	Evaristo C Jimenez dba E Jimenez Trucking	Transfer from T154700
T184422	(HCP)	19	Garcha Inc	Additional
T184954	(HCP)	27	Lowell Supply Inc	New
T185206	(HCP)	30	Mario A Juarez	Transfer from T172619
T185285	(HCP)	50	Glynda Mae Campbell dba G M Campbell Trucking	Transfer from T171270
T185299	(HCP)	33	Lewis Cocke dba Louies Trucking	Transfer from T116172
T185360	(HCP)	19	R Amador & R Amador dba R Amador Transportation	Transfer from T176603
T185413	(HCP)	43	Riches Group of Companies Inc	Transfer from T153036
T185418	(HCP)	38	Peter S Keil	New
T185419	(HCP)	38	J Jongbo Lee dba Convoy Trans Co	New
T185420	(HCP)	43	David Thompson	New
T185430	(HCP)	39	Howard Gandall dba Gandall Trucking	Transfer from T101633
T185471	(HCP)	10	Donato Cantu Jr dba Cantu Express	Transfer from T090454
T185527	(HCP)	39	R Parvel & B J Parvel dba Action ASAP Delivery Serv	Transfer from T170673
T185561	(HCP)	43	Yvette Green Transportation Inc	Transfer from T185561
T185597	(HCP)	24	B J Etcheverry dba Little Panoche Livestock	Transfer from T173732
T185630	(HCP)	19	South Coast Transportation Distribution Inc	Transfer from T128873
T185684	(HCP)	23	S C Bean & R E Bean dba Ralph Bean Logging	Transfer from T136437
T185712	(HCP)	36	Alejandro Reyes dba Alexs Trucking	New

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Docket Number	Type of Authority	County Code	Name	Type of Application
T185726	(HCP)	15	G Lasater Construction Inc	Transfer from T176681
T185740	(HCP)	19	Orestes Pena Trucking Inc	Transfer from T108535
T185765	(HCP)	56	Cascade Well Co dba Cascade Well & Pump Co	Transfer from T114794
T185767	(HCP)	36	San Bon Constructors Inc	Transfer from T117150
T185785	(HCP)	16	Oak Harbor Freight Lines Inc	New
T185787	(HCP)	34	Scott House Movers Inc	New
T185803	(HCP)	56	Fermin Sarabia dba Sarabia Trucking	Transfer from T172962
T185817	(HCP)	10	G D Navarro dba Navarro Trucking	Transfer from T161205
T185840	(HCP)	57	Valerie L Lambirth dba Lambirth Trucking	Transfer from T106038
T185842	(HCP)	37	E Don Dykes	Transfer from T119745
T185843	(HCP)	01	Franklin D Rios dba Franklin Rios Trucking	New
T185855	(HCP)	30	Hardev & Kamaljit Sandhu dba South Sunshine Express	New
T185899	(HCP)	33	Emilio C Contreras	New
T185902	(HCP)	33	Cheryl Gutierrez dba Orb Transport	Transfer from T164734
T185904	(HCP)	45	John K & John R Bellegante dba Bellegante Trucking	Transfer from T157712
T185912	(HCP)	01	Jose L Rosas dba Rosas Trucking	New
T185925	(HCP)	19	Arshavir Khachikian dba HMA Trucking	Transfer from T142978
T185936	(HCP)	36	Wesley C Sperry dba Wescol Fuel & Food	New
T185960	(HCP)	04	Phillip J Bourgeois	New
T185975	(HCP)	01	Liliana Pixley ixley Express	Transfer from T170452

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Docket Number	Type of Authority	County Code	Name	Type of Application
T185980	(HCP)	59	Heartland Express Inc of Iowa	New
T185983	(HCP)	23	Mendocino Coast Produce Inc	New
T185998	(HCP)	30	Steven D Kruizenga dba S Kruizenga	New
T186002	(HCP)	49	Bernabe & Evaristo Chavez dba Naves Trucking	New
T186004	(HCP)	50	Greg K Applegate dba Applegate Septio & Sever	Transfer from T179799
T186008	(HCP)	36	Antonio M Palaolos	Transfer from T158444
T186030	(HCP)	37	Arthur C Jensen dba Art Jensen Express	New
T186035	(HCP)	33	Reoyo Inc dba Bremer Landscape Supply and Also Bergen Nurseries	New
T186047	(HCP)	59	R B Owens & B F Owens dba B & B Trucking	New
T186060	(HCP)	36	Jose Olmos dba Olmos Trucking	Transfer from T182175
T186085	(HCP)	30	Rogelio Carrillo Garcia dba RCG Trucking	New
T186091	(HCP)	10	David Dodd Tyler dba Tyler Trucking	New
T186117	(HCP)	34	Jose M Orellana	New
T186130	(HCP)	50	R M Brasil dba R and J Trucking	Transfer from T104482
T186147	(HCP)	19	V & J Messenger Service Inc dba Modern Messenger	New
T186156	(HCP)	33	Bud Shields dba E & S Transport	Transfer from T180223
T186157	(HCP)	37	Rodney Lee Allender dba R L A Trucking	Transfer from T146842
T186158	(HCP)	36	B Edwin Wells dba Billy Ryan Transport	Transfer from T179849

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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T186168	(HCP)	39	Harold Ross Flannery dba Ross & Son Trucking	New
T186172	(HCP)	21	Gudgel Construction Inc	New
T186219	(HCP)	39	Jose G Prado dba Prado Trucking & Son	Transfer from T152643
T186224	(HCP)	10	West Coast Transport dba Elite Transportation	Transfer from T179962
T186233	(HCP)	30	Arturo Labra dba United Trucking	New
T186250	(HCP)	23	James R Cranmer	Transfer from T056352
T186280	(HCP)	45	Erio E Helms dba Erio Helms	Transfer from T162650
T186304	(HCP)	38	Ali Kangarlou dba Kangarlou Trucking	New
T186306	(HCP)	19	Western Motor Xpress Inc	Transfer from T091094
T186308	(HCP)	57	Schreiner Farms Inc	New
T186329	(HCP)	45	B Miller, R Miller & R P Miller dba Miller Bros Agri Enterprises	Transfer from T162650
T186387	(HCP)	19	Vahan Lux dba V A Trucking	New
T186389	(HCP)	50	Max Ronald Smith dba Max Trucking	Transfer from T136819

Docket Number
Type of Authority
County Code

Name

Type of Application

T186430 (HCP) 42 David Dale Scheetz 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
LIV=Livestock Carrier Permit
LVS=Seasonal Livestock Carrier Permit
TTC=Tank Truck Carrier Permit
VTC=Vacuum Truck Carrier Permit