

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18743
Safety and Enforcement Division
May 22, 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 22nd day of May 1996, the following Commissioners voting favorably thereon:

Wesley Franklin

WESLEY M. FRANKLIN
Executive Director

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

President P. Gregory Conlon, being necessarily absent, did not participate.

Transportation Division
 Safety & Enforcement Branch
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES
 UNDER RESOLUTION TL-18743

Resolution TL-18743
 5/22/96

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
P000041	(A)	34	A B Allen dba Allen Transportation	Renew
P000143	(A)	30	Laidlaw Transit Inc	Renew
P006191	(B)	38	Shangri LA Express Inc	Renew
P006245	(B)	33	T L Ortiz dba BingoTime Express	Renew
P008351	(A)	41	CJSL Inc dba Super Sighting Tours	Additional
P008397	(B)	30	Malcolm R Weeks dba Orion Pacific	Renew
P008473	(B)	48	Lourdes T Canaya dba Express Travel	Renew
P010310	(B)	19	Said M Ahmed dba California Dream	New
P010374	(B)	19	Floyd Osborne and B H Osborne dba Ozzies Express	New
P010378	(A)	10	S Armstrong & R Armstrong dba Armstrong Express	New
T113483	(HCP)	12	Ted E Anderson	Additional
T140242	(HCP)	33	Mike Paggen dba M Paggen Trucking	New
T148978	(HCP)	54	R T Inc dba Regency Transport	New
T181500	(HCP)	19	Agustin Cruz dba A & C Trucking	Additional
T181699	(HCP)	04	G L Sabin Jr dba Sabin Trucking	Transfer from T170278

Docket Number
Type of Authority
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T182407	(HCP)	54	K D Hovard & B W Brown dba Sand Creek Trucking	Additional
T183317	(HCP)	19	Rodrigo Ramos dba R Ramos Trucking	Additional
T184680	(HCP)	34	David M Leffler dba Leffler Trucking	Transfer from T154804
T185881	(HCP)	12	R A Childs & S R Childs dba Childs Bros Logging	Transfer from T155915
T186128	(HCP)	36	Karin L Young dba Young Transport	Transfer from T176201
T186143	(HCP)	34	Robert J Oby	Additional
T186216	(HCP)	36	Mead K S K	Transfer from T141616
T186365	(HCP)	50	Tandem Masters Trust	Transfer from T141726
T186422	(HCP)	36	Gary T Nolte dba Nolte Truck Lines	Transfer from T162579
T186431	(HCP)	50	Bruce R Jackson dba Bruce Jackson Trucking	Transfer from T089973
T186480	(HCP)	50	Victor Manuel Mendoza	Transfer from T145439
T186483	(HCP)	36	Luis Marroquin dba L M Trucking	Transfer from T182984
T186497	(HCP)	19	Vahe Minanian dba Gregory and Son Trucking	Nev
T186565	(HCP)	49	Dino Jay House	Transfer from T152096
T186568	(HCP)	23	Anton Michael Engel dba Tony Engel Trucking	Transfer from T118396
T186573	(HCP)	33	Citrus and Citrus Inc	Nev
T186657	(HCP)	01	Thao Lang Inc	Nev
T186754	(HCP)	19	Ronald Ray Fiechtner dba Fiechtner Trucking	Nev
T186774	(HCP)	19	Arutyun Terarutyunyan	Transfer from T175377
T186775	(HCP)	31	Terry M Amos & J E O'Brien dba T Amos & Sons	Transfer from T180695

Docket Number
Type of Authority
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T186777	(HCP)	10	Bill Nason Trucking Inc	Transfer from T144820
T186777		10	B Nason Trucking Inc dba Bill Nason Trucking dba Bill Nason Trucking	
T186823	(HCP)	40	Bim E W Peterson dba Bim Peterson Trucking	Transfer from T155479
T186875	(HCP)	04	Thomas E Robinson dba Tom Robinson Trucking	Transfer from T138133
T186899	(HCP)	43	A L Rodrigues dba Abes Trucking	New
T186916	(HCP)	07	Neavy King dba Cooper Trucking	Transfer from T183751
T186929	(HCP)	33	Jason Charles Davis dba Davis Trucking	Transfer from T172949
T186931	(HCP)	45	John E Lake dba John E Lake Trucking	Transfer from T147934
T186991	(HCP)	04	Harjit Singh Janda	New
T186999	(HCP)	19	Cummins Transportation Inc	Transfer from T114952
T187001	(HCP)	19	W M Releford dba Releford Trucking	Transfer from T118266
T187008	(HCP)	45	Todd Michael Wilhite dba Odd Wilhite Trucking	Transfer from T093152
T187010	(HCP)	24	M League dba Little League Trucking	New
T187024	(HCP)	15	Felton Inc dba Culligan Water	Transfer from T135520
T187032	(HCP)	39	R A Mize & L Salaun dba Johns Heavy Haul Tow & Recovery Services	New
T187033	(HCP)	33	Billy Tait Bell Jr dba B T B	New
T187038	(HCP)	57	C W G Trucking Inc	Transfer from T162173
T187051	(HCP)	10	Arvis Glenn Morton dba Morton Farms	Transfer from T158308

Docket Number
Type of Authority
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T187065	(HCP)	23	Gary L Nevill dba Greeotts Brake & Wheel Service	New
T187088	(HCP)	27	José G Correa & Jaime Correa dba J C R Trucking	New
T187139	(HCP)	33	Carlos Hernandez	New
T187145	(HCP)	45	Jay R Myers	Transfer from T160926
T187160	(HCP)	45	Jim Wright dba Luckys Logger	Transfer from T144055
T187161	(HCP)	43	Balch Petroleum Contractors and Builders Inc	Transfer from T137684
T187167	(HCP)	43	Melchor Gutierrez Alonso & Luis Guillermo Gutierrez dba Pacific Tow & Freight	Transfer from T123210
T187198	(HCP)	33	Jorge Alberto Castillo dba J A C Trucking	Transfer from T183908
T187213	(HCP)	01	Ramiro Amador dba Amador Trucking	Transfer from T070487
T187227	(HCP)	58	Barry Philip Taylor dba Taylor Excavating Co	Transfer from T167196
T187231	(HCP)	19	Gnoui Germanian dba Gnoui Trucking	Transfer from T162769
T187236	(HCP)	36	William R Williams dba Billy Williams Transport	New
T187241	(HCP)	19	Danilo Q Echeverry dba Quint Printing Equipment Mover	New
T187253	(HCP)	49	Edward Thomas Jevett dba T Flyer Transfer Service	Transfer from T121896
T187254	(HCP)	45	Clyde W Swim dba C W Swim Trucking	Transfer from T131187
T187304	(HCP)	49	R A Audette dba Ionka Transport	New
T187306	(HCP)	07	M W Lantry dba Ready To Go Delivery Svc	New

Docket Number	Type of Authority	County Code	Name	Type of Application
T187313	(HCP)	33	M J McCarthy dba McCarthy Trucking	Transfer from T120094
T187314	(HCP)	52	K R McConnell Jr dba K McConnell Trucking	Transfer from T098693
T187315	(HCP)	43	Cleon Dale Clingman dba C Dale Clingman Trk	Transfer from T150841
T187327	(HCP)	01	Leonard R Rocca dba Nor Cal Truck & Materials	Transfer from T116131
T187332	(HCP)	29	Shane Walker Harris dba Solo Trucking	New
T187334	(HCP)	44	Dana Pike dba Pike Brothers Trucking	New
T187335	(HCP)	33	Agapito O Gomez dba Randys Trucking	New
T187413	(HCP)	19	J L Williams dba J & P Trucking	New
T187418	(HCP)	37	M J Boyd dba Normans Mobile Home Trspt	Transfer from T107443
T187461	(HCP)	43	Gail Marlow & Thor Bedal dba T & B Furniture Transport	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
LVS=Seasonal Livestock Carrier Permit
TTC=Tank Truck Carrier Permit
VTC=Vacuum Truck Carrier Permit