

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18747  
Safety and Enforcement Division  
June 6, 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 6th day of June, 1996, the following Commissioners voting favorably thereon:

*Wesley Franklin*

WESLEY M. FRANKLIN  
Executive Director

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

Commissioner Daniel Wm Fessler,  
being necessarily absent,  
did not participate.

Transportation Division  
 Safety & Enforcement Branch  
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES  
 UNDER RESOLUTION TL-18747

Resolution TL-18747  
 6/06/96

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
P000038	(C )	09	Bob Lavern Hunden dba River Transportation	Additional
P008208	(B )	19	Bruce Edward Bravley dba Bravley Charter	Renew
P008318	(B )	39	Lee You Dunn dba Ami Buss Service	Renew
P008495	(B )	01	John J Warter Jr dba Stetson Express Limo	Renew
T125560	(HCP)	42	Richard L Foster dba Fosters Trucking	New
T151538	(HCP)	30	Adrian Express Inc	Transfer from T182416
T164838	(HCP)	19	Melkon Hounanian dba Melkong Trucking	Additional
T168574	(HCP)	20	Ivan J Scorsur dba Ivan Scorsur	Transfer from T147845
T175296	(HCP)	33	Steven L Tanner dba Tanners Delivery Service	Additional
T178306	(HCP)	24	Howard Dysaat	Additional
T181458	(HCP)	42	Susan Trucking Inc	Additional
T181879	(HCP)	19	Marco T Gutierrez	Transfer from T066547
T185556	(HCP)	43	Imad S Mansour	New
T185580	(HCP)	19	Out/In America Inc	New
T185798	(HCP)	19	M A Barcelo, M A Barcelo Jr & Rafael Verbel dba M A B Trucking	Transfer from T182659
T186015	(HCP)	19	D W Transportation Inc dba D W Transportation	New

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T186094	(HCP)	59	Fred P Acklin dba Fred Acklin Trucking	Transfer from T170328
T186115	(HCP)	56	Paul Walker Trucking Inc	Transfer from T124219
T186128	(HCP)	36	Karin L Young dba Young Transport	Transfer from T176201
T186131	(HCP)	47	April M M Rose dba RRR Enterprises	Transfer from T122274
T186275	(HCP)	19	Raymond Joseph Aragon dba A & W Trucking	New
T186327	(HCP)	38	Hilton Macedo	Transfer from T169216
T186349	(HCP)	07	Paul Benjamin Zilink	Transfer from T181380
T186357	(HCP)	19	Mouses Abashyan & Akop Petikyan dba M & A Trucking	Transfer from T137179
T186406	(HCP)	39	F Prado Jr & F Prado Valencia dba Prado Trucking	Transfer from T109651
T186487	(HCP)	52	Fred R Walker	Transfer from T175609
T186521	(HCP)	19	So Cal Tank & Railerpur LLC	New
T186547	(HCP)	19	Edgar B Stephenson dba Eds Trucking	Transfer from T179946
T186570	(HCP)	34	J F Worrell and S J Worrell dba Worrell Trucking	New
T186572	(HCP)	50	Manuel S Sousa dba Kool Sousa Transport	New
T186662	(HCP)	34	Gill Transport Inc	New
T186700	(HCP)	37	Russell Wilson Trucking Inc	Transfer from T160789
T186782	(HCP)	34	Kyles Rock & Redi Mix Inc	Transfer from T142794
T186787	(HCP)	15	H R Saldivar dba H R S	Transfer from T181894
T186799	(HCP)	34	Rick Manica Trucking Inc	Transfer from T125027
T186857	(HCP)	01	A B Rodriguez dba George Trucking	Transfer from T178837

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T186996	(HCP)	10	R L Selsor dba Selsor Construction	Transfer from T091466
T187034	(HCP)	04	Weller Brothers Inc	New
T187052	(HCP)	37	L E Morrison	Transfer from T169303
T187098	(HCP)	57	Jerrold Russo dba Construction Products	New
T187103	(HCP)	34	Franz Trucking Inc	Transfer from T155666
T187124	(HCP)	33	J Martinez, J Gomez & M Gomez dba Y M M Transport	Transfer from T178540
T187155	(HCP)	36	Robin Del Staggs dba Robin Staggs Trucking	Transfer from T144234
T187156	(HCP)	36	Jesus Vega Aguilera dba J V Furniture Transport	New
T187195	(HCP)	19	P M Lane & Kevin Russell dba R & L Transportation	Transfer from T120671
T187196	(HCP)	36	Peggy Lee Russell dba Peggy Russell Trucking	Transfer from T071742
T187210	(HCP)	10	Kenton Norman Sandberg dba Sandberg Trucking	Transfer from T030577
T187223	(HCP)	25	Gary Jacobson	New
T187242	(HCP)	07	Ernest Victor Frank Solis dba E & E Trucking	New
T187256	(HCP)	33	S R Hosteter & A Y S Hostetler dba Unicon	New
T187265	(HCP)	01	Onofre Villalobos Gonzalez dba Martin Transport	New
T187283	(HCP)	56	Donald William Long dba D W Long Trucking	Transfer from T181016
T187307	(HCP)	20	Matthew Dwayne McDaniel and James Terrence Herrin	New
T187308	(HCP)	35	Charles E Jones dba D & E Jones Trucking	New
T187329	(HCP)	50	Donna Louise Lamb dba Cowboy Transport	Transfer from T101458

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T187344	(HCP)	34	Jose A Dominguez dba JAD Trucking	New
T187357	(HCP)	41	Thomas Casey Thiboutot dba Thomas Trucking	New
T187388	(HCP)	01	E J Perry dba Ed Perry Trucking	Transfer from T127131
T187419	(HCP)	49	K D Robison dba Robison Construction	Transfer from T154804
T187421	(HCP)	10	M D Lassen dba Let Er Buck Truckin	Transfer from T091398
T187463	(HCP)	34	David B Burgess dba Photo Waste Transfer	New
T187472	(HCP)	01	Clarence McMaster Trucking Enterprises Inc dba Case Transport	Transfer from T158446
T187473	(HCP)	39	Ruben Cervantes dba RML Cervantes Trucking	Transfer from T124356
T187474	(HCP)	45	Christopher G Hinkle dba C K Trucking	Transfer from T147934
T187490	(HCP)	54	Odie H Brassfield dba Last Chance Trucking	Transfer from T173541
T187513	(HCP)	51	A T Gildemeister dba A T Gildemeister Trucking	Transfer from T115079
T187514	(HCP)	04	D J Gildemeister	Transfer from T115079
T187518	(HCP)	23	J L Giuntini & T A Giuntini dba T A Giuntini Trucking	Transfer from T167873
T187541	(HCP)	43	Easy Fuel Inc	New



Docket Number  
Type of Authority  
County Code

Name

Type of Application

-----  
T187565 (HCP) 19 Tout De Suite A Courier Co 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  
CNT=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