

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18751  
Safety and Enforcement Division  
July 3, 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.

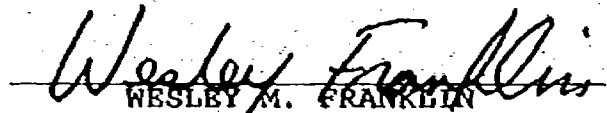
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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 M. FRANKLIN  
Executive Director

P. GREGORY CONLON  
President  
DANIEL Wm. FESSLER  
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-18751

Resolution TL-18751  
 7/03/96

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
P005591	(C )	09	Adventure Connection Inc	Renew
P005652	(C )	34	American River Raft Rentals Inc	Refile
P006372	(C )	09	American River Recreation Inc	Renew
P008141	(B )	37	Maria C Atalig dba Atalig Tours	Refile
P008337	(B )	43	Expresso Limousine Service Inc	Renew
P010343	(B )	30	Kennedy Phil Hamm dba Adventure Tour Line	New
P010401	(B )	19	Lea Dumontier & R W Bennett dba Turtle Tours	New
P010419	(B )	19	J F Romero Jr & M L Romero dba Arrow Express	Renew
P010437	(A )	31	William Alan Kunz dba Sierra Shuttle Service	New
P010456	(B )	10	Henry T Corrales	New
T113342	(HCP)	36	Danny Herman Trucking Inc	Additional
T136518	(HCP)	19	Air Eagle Inc	Additional
T159580	(HCP)	31	Dalbert Walter Schweyer dba Schweyer Trucking	Additional
T164750	(HCP)	33	Bi Rite Redi Mix Concrete Corp dba Truck Equipment	New
T173519	(HCP)	19	Marion Adkisson dba A Store House Moving Van & Storage	Transfer from T098518
T179975	(HCP)	19	William S Herron dba C & D Cartage	Transfer from T184039

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T181933	(HCP)	28	J L Blazer dba J & L Trucking	New
T184751	(HCP)	19	Aroutioun Berberyan dba HBGB Trucking	Transfer from T180554
T185460	(HCP)	37	Michael Perry Gipson dba MPG Transportation	Transfer from T101458
T185484	(HCP)	57	Gary P Childs dba Childs Trucking	Transfer from T174202
T185737	(HCP)	12	M F Marshall Jr dba M Marshall Jr Trucking	Transfer from T049485
T186034	(HCP)	36	Mark Edward Finnigan	Transfer from T179008
T186475	(HCP)	43	Eduardo Q Miranda	Transfer from T160147
T186525	(HCP)	10	Potigian Transfer Inc	Transfer from T103241
T186577	(HCP)	19	A A Robles and M Freedman dba Legal Preference Courier Service	New
T186927	(HCP)	19	Aseesh Narayan dba As Delivery Service	New
T186935	(HCP)	54	Leonard Marlon Gaylord dba Leonard Gaylord Trucking	Transfer from T095105
T186959	(HCP)	19	McCormick & Wiley Trucking Inc	Transfer from T105133
T186992	(HCP)	19	BC Shower Doors Inc dba Image Transfer	New
T187002	(HCP)	19	E Flores & M R Orango dba Yessi Trucking	Transfer from T179548
T187005	(HCP)	30	R I A Trucking	Transfer from T121058
T187114	(HCP)	41	Quality Cartage Inc	New
T187115	(HCP)	59	JTI Inc	New
T187117	(HCP)	49	Paul W Azevedo dba Atrack Construction	New
T187176	(HCP)	19	Thomas Harvey Carroll dba T H C Auto Transport	New
T187178	(HCP)	56	Catalina Ramos	Transfer from T104662

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T187181	(HCP)	09	Sierra Tahoe Transport Inc	New
T187358	(HCP)	23	John Swanson	New
T187386	(HCP)	19	J L Galaviz & J G Galaviz dba Galaviz Bros Grading Co	Transfer from T146873
T187389	(HCP)	19	Lin Curtis Peterson dba Lin Peterson Excavating	Transfer from T184740
T187398	(HCP)	50	Ken G Nelson dba Nelson Trucking	Transfer from T140615
T187420	(HCP)	36	F Johnson Jr & OBS Industries Inc dba Silver Express Trucking	Transfer from T181608
T187425	(HCP)	53	R & R Timber Co Inc	New
T187499	(HCP)	30	Robert Mark Kopta dba Robert Kopta	New
T187515	(HCP)	04	N D Woolery dba Biggs Lumber Transport	Transfer from T171587
T187552	(HCP)	19	Hilario M Gonzalez	New
T187577	(HCP)	19	Steven Ware	New
T187579	(HCP)	37	R A Stockalper & R G Stockalper dba R Stockalper Fertilizer Service	New
T187595	(HCP)	49	Andy John Poncia	Transfer from T148258
T187620	(HCP)	19	Carol Elizabeth Byrd	Transfer from T149021
T187647	(HCP)	22	Bob Gowdy	Transfer from T161775
T187654	(HCP)	45	Lisa M Cagle dba Grey Arrow Enterprises	Transfer from T128136
T187657	(HCP)	50	Arthur Silva dba A J S Trucking	New
T187666	(HCP)	01	Cesar Valdez dba Valdez Trucking	New
T187673	(HCP)	43	M L Mack dba LEJ Transportation	Transfer from T104893

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T187677	(HCP)	39	Larry Daniel Garcia dba Dan Gold Material Transport	Transfer from T041303
T187689	(HCP)	19	Armando M Guerrero dba A & B Trucking	New
T187702	(HCP)	38	Omar Jose Centeno	Transfer from T159228
T187703	(HCP)	49	Richard L McFarland dba McFarland Trucking	Transfer from T108572
T187706	(HCP)	19	Bruce Alan Thomas	Transfer from T169259
T187707	(HCP)	43	Joseph Louis Sanchez dba Joe Sanchez Trucking	Transfer from T143689
T187710	(HCP)	39	R M Harnden dba Marty Harnden Trucking	New
T187712	(HCP)	15	Charles L Day dba Dayco Trucking	New
T187755	(HCP)	39	Bryon Michael Anselmi dba Bryan Anselmi Trucking	New
T187773	(HCP)	36	Ruby L Jones Trucking Inc	Transfer from T150757
T187812	(HCP)	24	Shindo and Jasvir Singh dba Ruby Trucking	Transfer from T186533
T187834	(HCP)	33	Thomas D Emery	Transfer from T156295
T187836	(HCP)	50	Charlie E Marchbanks dba Marchbanks Trucking	Transfer from T136304
T187841	(HCP)	35	Berton H Tompkins dba B T Foam Transport	Transfer from T184244
T187859	(HCP)	21	ABT Express Inc	New
T187877	(HCP)	59	Merle Harper Logging Inc	New
T187889	(HCP)	10	Manuel C Moreno dba Moreno Trucking	Transfer from T175481



Docket Number  
Type of Authority  
County Code

Name

Type of Application

-----  
T187648 (HCP) 19 Steven P Hernandez Transfer from T101458

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