

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18763  
Rail Safety/Carriers Division

## 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.

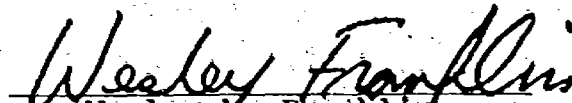
The Commission finds that each of the applicants on the attached schedule has shown that it meets the requirements listed in Sections 1063.5, 3553 or 5374.

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 9th day of October, 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. NEPPER  
Commissioners

Transportation Division  
 Safety & Enforcement Branch  
 License Section

SCHEDULE OF ACTIONS REGARDING PERMITS AND CERTIFICATES  
 UNDER RESOLUTION TL-18763

Resolution TL-18763  
 10/09/96

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
P005641	(C )	09	Chil Bar Outdoor Center Inc	Renew
P008498	(B )	19	Althonia Stokes dba Stokes Charter Service	Renew
P010420	(A )	19	A London & H Buchanan dba Lets Get A Way Travel	New
P010464	(C )	47	Otter Bar Lodge Inc	New
P010603	(A )	27	J A Alexander & W L Thompson dba Alexander Travel Service	New
T098883	(HCP)	34	Finis Oliphint	Additional
T129566	(HCP)	07	Michael D Swartz dba MDS Transportation	Transfer from T181571
T166180	(HCP)	52	John Peter Dagorret dba Dagorret Trkg & Harvesting	Additional
T173735	(HCP)	57	Francisco Herrera Mata dba FH Mata Transport	Additional
T174571	(HCP)	50	Adrian Boyso dba Boyso and Sons	Additional
T176115	(HCP)	48	Phillip E Smith dba S & G Trucking	New
T179157	(HCP)	39	Orland F Pacheco dba Orland Pacheco Trucking	Transfer from T141726
T180556	(HCP)	24	Jeff A Botelho dba Botelho Bros Trucking	Transfer from T184056
T181160	(HCP)	15	Jaime Alonso Sanchez	Additional
T183628	(HCP)	56	Mark Leo Martinez dba Mark Martinez Trucking	Additional
T183943	(HCP)	59	Bar Transport Inc	Transfer from T094668

Docket Number  
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Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T183995	(HCP)	10	David Ronald Garcia dba Ronnies Trucking	Additional
T184063	(HCP)	34	Robert David Smith dba R & D Trucking	Transfer from T122692
T184115	(HCP)	10	Roy L Bubenik dba Bobbing B Trucking	Additional
T184206	(HCP)	10	G S Mann & G S Mann dba Mann Bros Trucking Co	Additional
T184463	(HCP)	19	Isidro Campos dba Isidro Campos Trucking	Additional
T184635	(HCP)	39	Don B Castleman dba Don B Castleman Trucking	Additional
T184682	(HCP)	15	R Ray Cummings dba Randy Cummings Trucking	Transfer from T071452
T184855	(HCP)	39	Becky A Drury dba Drury Trucking	Additional
T185153	(HCP)	49	Larry Thomas Roudebush	Transfer from T109774
T185261	(HCP)	48	Ajai K Saxena & Tim A Torix dba Tony Trucking	Transfer from T115587
T185555	(HCP)	36	Martin Rivas dba Jicama Transport	Transfer from T180257
T185722	(HCP)	15	Delmar Montanez Saldana dba Saldana Trucking	Additional
T185772	(HCP)	24	Dianna Ruth Santora dba D S Trucking	Additional
T185790	(HCP)	10	Nicanor Moreno dba Moreno Trucking	Additional
T185862	(HCP)	42	Carlos Garcia Contreras dba Carlos Garcia Trucking	Additional
T185903	(HCP)	43	R R Perez dba R & K Trucking	Additional
T185961	(HCP)	36	Luis Sandoval dba Luis Sandoval Trucking	Additional
T186134	(HCP)	33	Antonio Hermosillo dba JAS Transport	Transfer from T173667

Docket Number  
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T186417	(HCP)	03	G J Fuller dba Amados Transit Mix Co	Transfer from T003436
T186530	(HCP)	40	Don Lane	Transfer from T079485
T187583	(HCP)	19	Tim Moran Hansen dba Hansen Freight Lines	New
T187596	(HCP)	31	G F Ding dba Ding Bldg & Transportation	Transfer from T157428
T187704	(HCP)	43	F N Zarate dba FZN Trucking	Transfer from T075548
T187775	(HCP)	36	Gerardo Gomez dba Gomez Trucking	Transfer from T177544
T187865	(HCP)	19	Jeff Siefken dba Jeff Siefken Trucking	Transfer from T154700
T187913	(HCP)	16	Francisco Javier Medina dba Rio Grande Valley Trkg Util	Transfer from T086786
T187917	(HCP)	19	Davioli Inc	Transfer from T137072
T188018	(HCP)	59	Suburban Propane LP dba Suburban Propane	New
T188065	(HCP)	19	Herman De Leon dba De Leon Trucking	Transfer from T153172
T188066	(HCP)	01	V Attiya and J L Lewis dba Lewis Trucking	Transfer from T168895
T188133	(HCP)	39	John M Hammer III	Transfer from T062792
T188136	(HCP)	19	Pedro Raymundo, Oscar Melendez, and Cesar A Donis	Transfer from T182038
T188146	(HCP)	19	Ignacio Diaz dba Ignacio Diaz Trucking	New
T188148	(HCP)	21	Dick James Construction Inc	Transfer from T181212
T188159	(HCP)	39	Terrill Transportation Inc	New
T188173	(HCP)	19	V A Avalos	New
T188185	(HCP)	56	Roberto Joaquin Morales	Transfer from T186692
T188189	(HCP)	19	L L Cordero & A L Cordero	New

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Docket Number	Type of Authority	County Code	Name	Type of Application
T188212	(HCP)	01	John Henry Moreno dba H & A M Deliveries	New
T188219	(HCP)	19	Ricardo N Salazar dba R & S Trucking	New
T188224	(HCP)	37	Ace Relocation System Inc Which will do Business in Ca as Ace Relocation Systems Inc of Washington	Transfer from T098365
T188226	(HCP)	30	A S Nassman dba Nassman Trucking	Transfer from T059957
T188252	(HCP)	20	Timothy C Cosentino dba Tim Cosentino Transport	Transfer from T117205
T188266	(HCP)	10	R W Griffith dba Griffs Trucking & Family	New
T188287	(HCP)	50	Kuldeep Singh dba Bros Transportation	New
T188304	(HCP)	33	D B & J Associates Inc dba D B Trucking Co	Transfer from T155081
T188307	(HCP)	01	Kamal Trkg Corporation	New
T188313	(HCP)	54	Darrell Lee Green Jr dba Darrell L Green Jr Trucking	Transfer from T136620
T188333	(HCP)	19	R S Gonzalez dba R G Trucking	Transfer from T173991
T188370	(HCP)	13	Heber Hernandez dba Hernandez Trucking	New
T188412	(HCP)	19	A J Harrison dba R & T Trucking	Transfer from T173037
T188416	(HCP)	19	Austen Kwamena Addison dba Double A Trucking	Transfer from T116172
T188446	(HCP)	36	C R Anderson & F D Anderson dba R & R Anderson Trucking	Transfer from T124697
T188471	(HCP)	27	J Estrada & F Estrada dba Estrada Bros Trucking	Transfer from T148710
T188478	(HCP)	48	Jaswinder Singh	New



Docket Number  
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Docket Number	Type of Authority	County Code	Name	Type of Application
T188488	(HCP)	14	K W Lloyd dba Dry Lake Trucking	Transfer from T180941
T188497	(HCP)	37	Antonio Garcia Cantero dba Cantero Trucking	Transfer from T167450
T188501	(HCP)	01	Pedro M Garcia dba Garcia Trucking	New
T188512	(HCP)	19	Amazon Trucking Inc	Transfer from T181804
T188513	(HCP)	19	Brian Lyn Price dba Price Trucking	Transfer from T178644
T188514	(HCP)	10	Noe Sanchez Rodriguez dba Reed Port	Transfer from T086786
T188543	(HCP)	43	F Lopez, E Lopez & J Tapia dba Lopez Bros	Transfer from T109692
T188611	(HCP)	07	A G Gorshen & S A Gorshen dba Golden State Equipment Transport	New
T188612	(HCP)	19	R Wallace & L Wallace dba Triad Trucking	New
T188614	(HCP)	19	Ludvin A Sandoval dba Sandoval Trucking	New
T188636	(HCP)	30	P & H Enterprises Inc dba Anaheim Fullerton Towing Western Towing	New
T188672	(HCP)	10	Robert D Babb dba Robert Babb Trucking	Transfer from T157121
T188673	(HCP)	10	Miguel Angel Lopez Ruiz dba Ruiz Bros Trucking	New
T188674	(HCP)	37	Wade Joseph Reeser dba Wade J Reeser	New
T188709	(HCP)	39	A Singh & H Singh dba A & H Transport	Additional
T188723	(HCP)	38	Renwick Wayne Williams dba Wicks Trucking	Transfer from T174423
T188726	(HCP)	20	Doug Pini	New

Docket Number  
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Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T188755	(HCP)	10	James Henry Smith III dba Jim Smith Trucking	Transfer from T174083
T188767	(HCP)	38	Topdog Transport Systems Inc	New
T188769	(HCP)	01	Bob Hazeltine dba Bob Hazeltine Trucking	Transfer from T154348
T188826	(HCP)	44	Ermando Beltran	New
T188830	(HCP)	43	Arturo Perez dba Perez Transport	Transfer from T160769

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

**NOTE REGARDING RESOLUTION TL 18763  
OF THE RAIL SAFETY/CARRIERS DIVISION  
(T-1; Agenda of October 9, 1996)**

The Public Utilities Code Sections cited in this Resolution relating to motor carriers of property were repealed effective September 30, 1996 when the Governor signed AB 1683. This bill transfers responsibility for the licensing of motor carriers of property (except household goods carriers) to the Department of Motor Vehicles. However, as permitted by AB 1683, the Commission is temporarily continuing to administer motor carrier licensing statutes as they existed on January 1, 1996, pursuant to an agreement executed with the DMV on October 1, 1996.