

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18765  
Rail Safety/Carriers Division  
October 25, 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

(NOTE: The Public Utilities Code sections cited in this Resolution relating to motor carriers of property were repealed effective September 30, 1996 when the Governor signed AB 1683.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.)

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.
- (I) It provides for a mandatory controlled substance and alcohol testing certification program as adopted by the commission pursuant to Section 1032.1.
- (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 25th day of October 1996, the following Commissioners voting favorably thereon:



..... 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-18765

Resolution TL-18765  
 10/25/96

Page 1 of 4 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
P000123	(A )	33	Special Operations Group Inc.	Refile
P004823	(B )	56	Flynn Charters Inc.	Refile
P006392	(C )	55	Ahvahnee Adventures Inc. dba Ahvahnee Whitewater	Renew
P006540	(B )	19	Pacific Coach Services Inc.	Renew
P006682	(B )	37	NiteLife Express Inc. dba San Diego Limo Buses	Refile
P008113	(B )	19	Samuel Rodela & C Rodela dba S & C Tours & Charter	Renew
P008784	(B )	43	Harinder S Gahunia dba Skylark Limousine	Renew
P010571	(A )	19	Airline Coach Service (LAX) Inc.	New
P010626	(A )	49	V. Martinez, J Collado, D McCloud, and Eugene McCloud dba Thunderstar Stages	New
T148074	(HCP)	19	J P Rincon dba Rincon Trucking	Additional
T173214	(HCP)	01	T Williamson & J Williamson dba Williamson Trucking Co	Transfer from T153171
T183127	(HCP)	34	J R Conley & R Conley dba J & R Systems	Transfer from T113102
T185041	(HCP)	19	Jose H Zavala dba Zavala Delivery Service	Additional
T185638	(HCP)	34	J L Walton dba Jeff Walton Trucking	Transfer from T044572
T185690	(HCP)	33	Joe P Smith dba Smith Family Transport	Additional

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T185967	(HCP)	45	Manuel Venegas dba M & L Trucking	Transfer from T089249
T186679	(HCP)	39	Surinder Singh dba Sidhu Trucking	Additional
T187324	(HCP)	30	Walker Bros Machinery Mvg Inc	Transfer from T172268
T187593	(HWY)	41	A K Garner & E D Mills dba Knight & Day Express	Transfer from T180299
T187605	(HCP)	30	G H Ward dba Hanley & Ward	New
T187671	(HCP)	07	H Singh, B Singh & M Singh	Transfer from T182338
T188111	(HCP)	36	D H Morrison dba D Morrison & Family Trkg	Transfer from T173893
T188116	(HCP)	19	Vital Transportation Svcs Inc	Transfer from T140334
T188137	(HCP)	19	Aaron Siroonian & D Prieto dba AD Transport	New
T188344	(HCP)	19	The Courier Connection	New
T188389	(HCP)	49	Dennis Wayne Tennier dba Tennier Transport	Transfer from T174058
T188447	(HCP)	10	Balraj S Dhillon dba Dhillon Express	Transfer from T166705
T188448	(HCP)	49	McCullough Construction Inc	Transfer from T110837
T188489	(HCP)	18	Jack J Medici dba Jack Medici Trucking	Transfer from T163774
T188531	(HCP)	19	Primitivo Santana & J Santana dba Santana Piano Movers	New
T188544	(HCP)	37	Geal Inc dba Designer Delivery	New
T188550	(HCP)	19	Jaime Robles dba Flying Delivery	New
T188576	(HCP)	34	Dave Bandhu dba Daves Trucking	Transfer from T134762
T188592	(HCP)	01	Guillermo A Samano dba Samano Trucking	Transfer from T166182

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T188599	(HCP)	30	David A Chadwell dba Chadwell Trucking	New
T188610	(HCP)	19	Hassan Sepasyar dba On Time Delivery	New
T188629	(HCP)	12	Raymond F Borgea dba Ray Borgea Trucking	Transfer from T089791
T188646	(HCP)	30	All Ways Distribution Systems Inc	New
T188658	(HCP)	10	Lisa Guimet Monaco dba Earthwise Trucking	New
T188680	(HCP)	39	Farvest Safety Inc	New
T188688	(HCP)	24	Balbir Singh Pooni dba Poonia Trucking	Transfer from T154488
T188701	(HCP)	19	Diego Antonio Cantillo dba N D C Trucking	New
T188708	(HCP)	01	Willie Z Jackson Jr dba J & M Trucking	Transfer from T137907
T188714	(HCP)	58	Wayne R Bearden & Tami Bearden dba Bearden Transportation	New
T188724	(HCP)	34	John Michael Charbonneau	New
T188750	(HCP)	36	Enrique Vieyra Moreno dba Moreno Trucking	New
T188754	(HCP)	37	Carl L Smith Jr dba C L S Trucking	New
T188756	(HCP)	15	Paul William Kleinau dba Paul Kleinau Trucking	Transfer from T098171
T188804	(HCP)	30	Ramiro Candelario dba Ramiro Trucking	New
T188806	(HCP)	12	James J Willis dba Jack Willis Trucking	Transfer from T186646
T188812	(HCP)	45	Mitchell Fred James	New
T188813	(HCP)	19	George Reeder Gonzalez	New
T188814	(HCP)	30	Simon Apodaca	New

Docket Number  
Type of Authority  
County Code

Name

Type of Application

Docket Number	Type of Authority	County Code	Name	Type of Application
T188815	(HCP)	36	Wesley I Bennett & S L Bennett dba Wes Bennett Trucking	Nev
T188817	(HCP)	27	Robert Brian Andrews dba Andrews Trucking	Transfer from T165592
T188842	(HCP)	56	Roland E Schwartz dba R P Trucking	Transfer from T181766
T188866	(HCP)	24	M S Bhullar & J S Nagra dba N and B Trucking	Transfer from T150464
T188867	(HCP)	15	George J Castanares dba Geocel Transportation Serv	Transfer from T098171
T188868	(HCP)	37	W R Peters dba Peters Trucking	Transfer from T132753
T188869	(HCP)	56	H Douglas Nichols dba DMT Trucking	Transfer from T088812
T188870	(HCP)	57	Jose N Horta dba Horta Bros Transport	167837

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  
LIY=Livestock Carrier Permit  
LVS=Seasonal Livestock Carrier Permit  
TTC=Tank Truck Carrier Permit  
VTC=Vacuum Truck Carrier Permit