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THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO

RULES AND REGULATIONS
GOVERNING
MOTOR VEHICLE CARRIERS

Effective September 1, 1933

BY ORDER OF
THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO

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1933

EDWARD E. WHEELER,
DAN S. JONES,
WORTH ALLEN,
Commissioners



THE BRADFORD-ROBINSON PTC. CO., DENVER

INDEX TO RULES AND REGULATIONS

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

REVISED GENERAL ORDER NO. 39 AS AMENDED

**In the Matter of the Rules and Regulations Governing Motor
Vehicle Carriers**

On July 14, 1928, this Commission entered an order adopting rules and regulations governing motor vehicle carriers designated as "Revised General Order No. 39 as Amended," effective August 1, 1928. Since that date several matters have been called to the attention of the Commission requiring changes and additions to said rules. The Commission therefore has gone over the rules and regulations very carefully and has made several changes. For convenience, the Commission will designate this issue of the rules and regulations governing motor vehicle carriers as "Revised General Order No. 39 as Amended."

ORDER

It Is Therefore Ordered, That the rules and regulations hereto attached and made a part hereof be, and the same are hereby, approved and adopted, to be hereafter designated as "Revised General Order No. 39 as Amended."

It Is Further Ordered, That said Revised General Order No. 39 as Amended shall become effective September 1, 1933.

**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

EDWARD E. WHEELER,
DAN S. JONES,
WORTH ALLEN,
Commissioners.

(SEAL)

Dated at Denver, Colorado,
this 7th day of July, 1933.

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RULES AND REGULATIONS GOVERNING MOTOR VEHICLE CARRIERS

DEFINITIONS

Rule 1. (a) The term "motor vehicle carrier" when used in these rules and regulations means and includes every corporation, person, firm, association of persons, lessee, trustee, receiver or trustee appointed by any court, owning, controlling, operating or managing any motor vehicle used in serving the public in the business of transporting persons or property for compensation over any public highway between fixed points or over established routes, or otherwise, who indiscriminately accept, discharge and lay down either passengers, freight or express, or who hold themselves out for such purpose by advertising or otherwise.

(b) The term "corporation" when used in these rules and regulations means a corporation, company, association or joint stock association.

(c) The term "person" when used in these rules and regulations means an individual, a firm or a co-partnership.

(d) The term "motor vehicle" when used in these rules and regulations means any automobile, truck, motor bus or any other self-propelled vehicle or any trailer drawn thereby, excluding vehicles operated upon fixed rails.

(e) The term "public highway" when used in these rules and regulations means every road or highway over which the public generally has a right to travel.

(f) The words "fixed points" and "established route" when used in these rules and regulations mean points or route between or over which any motor vehicle carrier usually or ordinarily operates or holds out to operate any motor vehicle, even though there may be departures from such points or route, whether such departure be periodic or irregular.

(g) The term "Commission" when used in these rules and regulations means The Public Utilities Commission of the State of Colorado or such other official board or body as may succeed to the powers and duties of said Public Utilities Commission.

CONTENTS OF APPLICATION FOR CERTIFICATE

Rule 2. An application by a motor vehicle carrier for a certificate of public convenience and necessity shall set up the following data in a written application or in exhibits thereto attached:

(a) The name of the applicant and the name under which the operation shall be conducted. If the applicant is a corporation, a statement of that fact, together with a statement of the character of public service which by its Articles of Incorporation it is authorized to engage in, and the name of the state in which it is incorporated and the date of its authorization to do a business or incorporation in the State of Colorado shall be set forth. Such corporation shall file with the Commission a certified copy of its Articles of Incorporation or charter, and if a foreign corporation, a certificate from the Secretary of State of Colorado that it has complied with the laws and is entitled to do business in the State of Colorado. If applicant is a corporation, there shall be set up the chief office of the applicant in this state, the names of its directors and officers, and the names of its chief (up to five) stockholders.

If the applicant is a partnership, the names and addresses of all partners shall be set forth, and there shall be filed with the Commission a complete copy of the partnership agreement to which the applicants are parties, or if there be no such written partnership agreement, a statement signed by the partners setting forth the principal agreements between them in connection with said partnership.

(b) A statement of the kind of transportation in which applicant intends to engage, whether passenger, freight or express.

(c) A passenger tariff and/or freight tariff naming rates and fares to be charged for the transportation of persons or property between points on the proposed route, which may be set out in the application or set forth in an exhibit attached thereto.

(d) A statement of the proposed time schedule and route between the points to be served, which may be set out in the application or set forth in an exhibit attached thereto, accompanied by a map, blue print or sketch of the proposed route, showing the location of each railroad or motor vehicle carrier serving any two or more of the towns or municipalities proposed to be served by the applicant.

(e) A description of the equipment to be operated in the proposed service and the reasonable value of the same as of the date of filing of the application, which shall be set out in the application or set forth in an exhibit attached thereto.

(f) The names of all motor vehicle carriers, steam railroads and electric railways with whom applicant will be likely to compete, and all common carriers known to the applicant to be operating over or parallel to such route, or serving the majority of the cities and towns listed, whether any such carrier has received a certificate of public convenience and necessity or not.

(g) A statement of all the facts and circumstances relied upon by the applicant to support the public convenience and necessity, and showing in detail the conditions requiring a new system or additional service by applicant, including all data necessary to give a complete understanding of the situation.

(h) A financial statement showing applicant's ability and resources and all details which may serve to indicate the permanency of the industry to be established by the applicant.

(i) A complete statement of the franchises, licenses, permits or other authority required or obtained by the applicant, as provided in C. L. 1921, Section 2946, which shall be set forth in the application or described in an exhibit attached thereto.

(j) Every application shall be signed by the applicant or applicants and by any attorney appearing for applicant or applicants, with the address of such attorney. The application shall be verified, as verification is now required by complaints under the civil code. Two copies besides the original, with copies of all exhibits, shall be filed with the Commission, together with further copies of the application and exhibits of sufficient number to enable the Commission to serve one copy upon each common carrier named in the application as a competitor, unless there shall be filed with the Commission proof of service or waiver of service by such competitors. All applications shall be filed in the office of the Commission at Denver, Colorado, upon the payment by the applicant of a filing fee of \$15.00.

GRANTING CERTIFICATES—NO MONOPOLY

Rule 3. (a) The granting of any certificate of public convenience and necessity to operate a motor vehicle for compensation, either for the transportation of persons or property, shall

not be deemed to be an exclusive grant or monopoly. Certificates will only be granted after a hearing and upon full consideration; then upon such terms and conditions as may seem to the Commission necessary for the protection of the public. The Commission reserves the right and authority to grant additional certificates of convenience and necessity to other petitioners to operate motor vehicles over and along the same route or a part thereof if the public convenience and necessity may require, after a proper showing as required by law. Any certificate of convenience and necessity may be, at any time, for good cause suspended by the Commission; and upon at least ten days' notice to the certificate holder and an opportunity to be heard, any certificate may be, by the Commission, revoked, altered or amended.

(b) No motor vehicle carrier shall begin operation or business as such without first obtaining from the Commission a certificate of public convenience and necessity therefor. A motor vehicle carrier, operating exclusively in interstate commerce, shall receive a certificate without a showing as to public convenience and necessity, provided such proof as may lawfully be required shall be made.

(c) Where, in the opinion of the Commission, the public convenience and necessity so requires, the Commission may, after hearing, issue a temporary certificate for a limited time. Such temporary certificate shall expire on the expiration date therein set and shall thereafter be null and void without any further hearing, unless otherwise ordered by the Commission.

(d) A charge of 50c on each \$1,000 of capital to be invested up to \$500,000; plus 25c on each \$1,000 of such capital exceeding \$500,000 up to \$750,000; and 10c on each \$1,000 thereafter, as fee for issuing certificate shall be made by the Commission; provided that no certificate shall be issued for less than a minimum charge of \$5.00.

(e) A certificate of convenience and necessity authorizing the transporting of property only does not authorize the transportation of persons. No motor vehicle carrier holding a certificate authorizing the transportation of property only shall transport passengers, either with or without compensation. Violation of this rule will subject such certificate to cancellation.

ASSIGNMENT OF CERTIFICATE

Rule 4. No certificate or rights thereunder shall be sold, assigned, leased or transferred by voluntary act or deed, or by operation of law, unless first authorized by the Commission. Any application for any sale, assignment, lease or transfer of the future right to use or operate under any certificate by any party to whom the same was not originally granted must be made to the Commission and shall be joined in by all parties interested including the original certificate holder, with a complete statement of the circumstances and the reasons for such transfer of rights or operation under such certificate by new parties. Such application shall show as to the new parties interested all of the details required in applications for certificates under Rule 2 (a) and (h), and any other facts which the applicant deems pertinent. All applications for transfer of certificate of public convenience and necessity shall be filed in the office of the Commission at Denver, Colorado, upon the payment by the applicant of a filing fee of \$5.00.

In every case in which authorization by the Commission of the transfer of a certificate of public convenience and necessity is sought, the transferor shall under oath in the application itself, or in an exhibit attached thereto and made a part thereof, state the names and addresses of his creditors to which he is indebted on account of expenses of his operation, and the amount of the indebtedness to each. The application shall also contain a verified statement by him and the transferee of the total consideration to be paid for the transfer. No order authorizing the transfer will be made unless such creditors are paid or reasonable provision therefor, to be approved by the Commission, is made.

TARIFFS, CLASSIFICATION AND TIME SCHEDULES

Rule 5. Tariffs and Time Schedules to be filed.

(a) All motor vehicle common carriers shall file with the Commission two copies of a tariff showing all the rates, fares, charges, rules and regulations for transportation, and two copies of a time schedule showing the territory, stations, distances, times of arrival and departure of vehicles, and location of depots.

(b) All tariffs, supplements and time schedules shall be printed or typed on regular letter size paper of good quality, 8½x11 inches, not less than 8x11 inches, for filing with The Pub-

lic Utilities Commission at Denver, Colorado, except that individual carriers may, in addition to above requirements, be permitted to issue pocket size copies for the convenient use of drivers.

POSTING OF TARIFFS AND TIME SCHEDULES

Rule 6. A copy of each tariff and time schedule issued shall be open to the inspection of the public at the office of operator or carrier at all reasonable times, and must also be posted for the information of the public in each waiting room at stations where tickets are sold, and at established freight depots. In the absence of waiting rooms, ticket offices or established freight depots, the driver of each vehicle will be required to carry copies of tariffs and time schedules, same to be submitted to passenger or shipper upon request.

CHANGES IN TARIFFS

Rule 7. (a) Unless the Commission otherwise orders, no change shall be made by any motor vehicle carrier or operator in any rate, fare, charge, classification, schedule or service, or in any rule or regulation relating to or affecting any rate, fare, charge, classification, schedule or service, or in any privilege or facility, except after thirty (30) days' notice to the Commission and the public as herein provided. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules stating plainly the change or changes to be made in the schedule or schedules then in force, and the time when the change or changes will go into effect.

(b) The Commission, for good cause shown, may allow changes without requiring the thirty (30) days' notice herein provided for, by an order stating such changes. Applications for permission to change schedules on less than thirty (30) days' notice shall be addressed to The Public Utilities Commission of the State of Colorado, and be over the signature of the officer duly authorized to file schedules. (See form of application elsewhere.) All rates, schedules and rules published and effective on less than thirty (30) days' notice under special permission of the Commission cannot be cancelled or changed except on full thirty (30) days' notice and must, therefore, remain in effect at least thirty (30) days after the effective date thereof, unless permission is requested in the application to have the rates expire within thirty days after the effective date, and the authority of the Commission so specifically states.

TARIFFS AND RATES TO BE ADHERED TO

Rule 8. (a) No motor vehicle carrier shall charge, demand, collect or receive a greater or less or different compensation for any product or commodity furnished, or to be furnished, or for any service rendered, or to be rendered, than the rates and charges applicable to such product or commodity or service as specified in its schedules on file and in effect at the time, nor shall any such motor vehicle carrier refund or remit, directly or indirectly, in any manner or by any device, any portion of the rates and charges so specified, nor extend to any corporation or person any form of contract or agreement or rule or regulation, or any facility or privilege, except such as are regularly and uniformly extended to all corporations and persons; provided the Commission may, by rule or order, establish such exceptions from the operation of this prohibition as it may consider just and reasonable as to each motor vehicle carrier.

(b) No motor vehicle carrier shall, directly or indirectly, issue, give, tender or honor any free ticket or free pass for passengers between points within the State of Colorado, except as provided in C. L. 1921, Sec. 2928.

No motor vehicle carrier in sightseeing operations shall give free transportation service from a railroad depot to a hotel or rooming house, and vice versa, when offered in connection with a sightseeing trip or trips.

COMMISSIONS

Rule 9. No motor vehicle carrier shall pay any commission, fee or compensation in the nature of a commission, to any individual, firm, association, or corporation, their lessees, trustees, or receivers, for the sale of any ticket or fare, or for the soliciting, receiving, billing, handling or delivery of property, or for any service in connection with the transportation of property, unless the motor vehicle carrier shall have filed with the Commission, at least five days before the first service is rendered or act is done, for which such commission, fee or compensation is to be paid, a signed statement giving the name of the payee, his, their or its address, the amount of such commission, fee or compensation to be paid, and the period during which the payment or payments shall be made.

(a) No motor vehicle carrier conducting a sightseeing operation shall pay any commission, fee or compensation in the

nature of a commission, directly or indirectly, to any individual, firm, association or corporation, for the solicitation of business or sale of any ticket or fare, in excess of twenty (20) per cent of the rate charged for such ticket or fare.

OBSERVANCE OF TIME SCHEDULES

Rule 10. (a) All motor vehicle carriers doing business in the State of Colorado shall file in the office of The Public Utilities Commission of the State of Colorado, at Denver, Colorado, a copy of all employees' time cards or schedules of the movement of vehicles on their respective routes, and that thereafter when a change is made in the time card the same be promptly filed with the Commission. This rule, however, will not apply where there is a curtailment of service or where the time schedule is specified as an express condition contained in the certificate of public convenience and necessity.

(b) Time schedules as filed with the Commission and posted for the information of the public must be adhered to. All interruptions of regular service, where such interruptions are liable to continue for more than twenty-four hours, shall be promptly reported in writing to the Commission and to the public along the route, with a full statement of the cause of such interruption and the probable duration.

PASSENGER TICKETS AND BAGGAGE CHECKS

Rule 11. (a) All motor vehicle carriers transporting passengers are required to provide and sell tickets at tariff rates, to cover the transportation of each and all passengers carried, tickets to be taken up and cancelled by the driver or person in charge, provided that the Commission may by order make such exception from the operation of this rule as it may consider just and reasonable.

Tickets (single or round trip) shall be printed and shall show station of origin and destination. Each issue of tickets printed shall be numbered in numerical order, each ticket bearing a different number. A record shall be kept of the number of tickets printed, sold and used, spoiled or otherwise destroyed.

(b) All motor vehicle carriers, whose tariffs or rules provide for the carrying of baggage, shall be required to issue baggage checks or receipts for each piece of baggage when placed in their possession, same to be taken up upon redelivery of baggage to the passenger.

BILL OF LADING, EXPRESS RECEIPTS

Rule 12. All motor vehicle carriers transporting property are required to issue a bill of lading or express receipt covering each shipment accepted for transportation. Such bill of lading or express receipt must be itemized in such a manner that it will fully and clearly show of what the shipment is composed and signed in a clear and legible manner that will identify the carrier without question and shall be substantially as sample bill shown elsewhere.

FREIGHT CLASSIFICATION

Rule 13. Where tariff names class rates, a classification must be published or adopted. Such classification shall contain all articles or commodities arranged alphabetically, showing opposite each the class to which such article or commodity belongs. If such classification is carried in a separate publication, reference must be specifically made to this classification on the title page of tariff immediately below the date issued and the effective date.

COMPILATION OF TARIFFS, CLASSIFICATIONS AND TIME SCHEDULES

Rule 14. General.

(a) All passenger and freight tariffs, classifications and schedules must be in book, sheet or pamphlet forms (loose leaf plan may be used by major carriers so that changes can be made by reprinting and inserting a single leaf of book tariffs), see item (f) 8½x11 inches, not less than 8x11 inches, of good quality paper, printed or issued by any of the various printing processes or typewritten clear and legible.

(b) Each tariff or time schedule as issued, irrespective of the serial number of carriers, must be given the next Colo. P. U. C. number, except that carrier's serial number only is required for time schedules.

(Note—Certain carriers may have several kinds of tariffs in effect at one time covering local or joint operations, bearing different series numbers such as 1-A or 4-B for identification; hence the Colo. P. U. C. number must be continuous as the various series are issued or reissued. See note (a) Rule 15 and note (a) Rule 17.)

(c) All tariffs filed shall bear on the title page the initials Colo. P. U. C., followed by the number, said number to begin with

No. One. Each tariff shall be numbered consecutively, beginning with number one, and in any reference or supplement made in such tariff, reference must be made to the number of the original tariff.

(d) Any change or addition to a tariff must be made by reissuing the tariff or by the issuance of a supplement to the tariff, and such supplements must be numbered consecutively, as "Supp. No. 1 to Colo. P. U. C. No. 4" or "Supp. No. 2 to Colo. P. U. C. No. 4 cancelling Supp. No. 1"; date of issue and date effective.

(e) Not more than one supplement may be in effect at any time to a tariff of less than five pages, and such supplement may consist of not more than three pages. Not more than two supplements may be in effect at any time to a tariff of five or more pages, and such supplement may not contain in excess of 40 per cent of the number of pages contained in the tariff. Supplements issued wherein, through error or omission, a later issue failed to cancel the previous issue, in case of change of ownership or control of a carrier or in case of a suspension of supplement or tariff, such supplement will not be counted in the limit of supplements as provided herein. Supplements to time schedules will not be permitted; any change therein may be made only by reissue.

(f) All changes in and additions to book tariffs issued in loose leaf form must be made by reprinting both pages of the leaf upon which change is made. Such pages must be designated "First Revised Page, cancelling Original Page" or, as the case may be, must show the Colo. P. U. C. number of the tariff, serial number of tariff, date of issue, date effective and the name and title of official by whom issued.

(g) The Commission may order the reissuance of a tariff or schedule at any time.

(h) All tariff publications or supplements thereto must indicate advances or reductions thereby made in fares, rates, charges, classifications, rules or regulations by the use of the following uniform symbols:

- (A) to indicate advances.
- (R) to indicate reductions.
- (C) to indicate changes other than advances or reductions.

PASSENGER TARIFFS

Rule 15. Title Page of Every Tariff Must Show:

(a) Colo. P. U. C. number in upper right hand corner, followed by Colo. P. U. C. number cancelled thereby.

(Note—The letters Colo. P. U. C. indicate Colorado Public Utilities Commission. A separate series of Colo. P. U. C. numbers for passenger and freight tariffs must be used.)

(b) Name of issuing transportation company.

(c) Whether tariff is local or joint, or both, with carrier's serial number. (Names of participating transportation companies, if joint tariff.)

(d) The territory or points from and to which the tariff applies, briefly stated.

(e) Date of issue; date effective.

(f) Name, title and address of official by whom tariff issued.

PASSENGER TARIFFS MUST CONTAIN

Rule 16. (a) If party issuing the tariff is acting as agent for others operating under such tariff (power of attorney having been executed authorizing such agent to file tariffs with the Public Utilities Commission) a full list showing name and address of the parties so operating must be shown in the tariff.

(b) Rules and regulations which govern the tariff in clear and explicit terms setting forth all privileges, rates for children, stopovers, limits, baggage rules, excess baggage rates, rates for packages or merchandise when carried on passenger vehicles, objectionable persons, dogs, basis for fares to or from intermediate points not named in tariff, provision for refund of cash fares paid or unused portion of tickets purchased to basis of published fare for service rendered when journey is not completed.

(c) Publication covering rules, regulations and conditions governing tariffs may, if desired, be issued and filed separately and made a part of any tariff, by showing reference in such tariff to the Colo. P. U. C. number of the publication containing the rules and regulations, i. e., "Governed by rules, regulations and conditions shown in this company's issue, bearing Colo. P. U. C. No. on file with the Public Utilities Commission."

(d) The fares explicitly stated in cents, or dollars and cents, together with the names of the places from and to which

they apply arranged in a systematic manner, with the distance from terminal to each point shown thereon. See item (e).

(e) If desired, carriers may use a distance table for basis of fares by incorporating in their tariffs an official list of all points in connection with which basis is to apply and showing in geographical order the distance between such points.

(f) Full explanation of reference marks, symbols (see Rule 14 h) and technical abbreviations used in the tariff.

(g) All passenger tariffs must show location of each terminal depot.

FREIGHT TARIFFS

Rule 17. Title Page of Every Tariff Must Show:

(a) Colo. P. U. C. number in upper right hand corner followed by Colo. P. U. C. number cancelled thereby.

(Note—A separate series of Colo. P. U. C. numbers for freight and passenger tariffs must be used.)

(b) Name of issuing transportation company.

(c) Whether tariff is local or joint, or both, with carrier's serial number. (Names of participating transportation companies, if joint tariff.)

(d) The territory or points from and to which the tariff applies, briefly stated.

(e) Reference by name and number to the freight classification governing the tariff. Following form will be used: "Governed, except as otherwise provided herein, by the.....
.....Classification No. Supplements thereto and reissues thereof." (A tariff is not governed by a classification or exceptions thereto except when and to the extent stated on the tariff.)

(f) Date of issue; date effective.

(g) Name, title and address of official by whom tariff is issued.

FREIGHT TARIFFS MUST CONTAIN

Rule 18. (a) If party issuing the tariff is acting as agent for others operating under such tariff (power of attorney having been executed authorizing such agent to file tariffs with the Public Utilities Commission) a full list showing name and address of the parties so operating must be shown in the tariff.

(b) Rules and regulations which govern the tariff in clear and explicit terms setting forth all privileges and services cov-

ered by the rates, such as free storage, store door receipt and delivery, intermediate application of rates, terminal charges.

(c) Alphabetically arranged and complete index of all commodities upon which special commodity rates in the tariff are named. Index may be omitted if commodity rates to various destinations are alphabetically arranged, or not more than twenty-five commodities carried in tariff.

(d) All rates must be explicitly stated in cents or dollars and cents per pound, per hundred pounds, per ton of 2,000 pounds, or other unit of assessing charges, together with the names of the places from and to which they apply, arranged in a simple and systematic manner, with the distance from terminal to each point shown thereon. (See item e.)

(e) If desired, carriers may use a distance table for basis of rates by incorporating in their tariffs an official list of all points in connection with which basis is to apply, and showing in geographical order the distance between such points.

(f) Full explanation of reference marks, symbols (see Rule 14 h) and abbreviations used in the tariff.

(g) Freight tariffs must show location of each terminal depot.

TIME SCHEDULES FOR SCHEDULED PASSENGER LINE AND SCHEDULED FREIGHT LINE CARRIERS

Rule 19. Title Page of Every Time Schedule Must Show:

(a) Name of issuing transportation company.

(b) Time Schedule No. followed by time schedule number cancelled thereby.

(Note—Time schedules must be numbered in consecutive order from No. 1. Colo. P. U. C. numbers will not be necessary for time schedules.)

(c) The territory or points from and to which the time schedule applies, briefly stated.

(d) Date of issue; date effective.

TIME SCHEDULES MUST CONTAIN

Rule 20. (a) A list of all stations on operator's route in geographical order, with distances to each point from termini; the time of arrival and departure at and from all termini; the

time of departure from intermediate points between termini; whether service is daily or otherwise.

(b) Exact location of depot at all terminals.

(c) Such other information, for instance, as any point on route of carrier to which service cannot be rendered, and reasons therefor; rest or lunch stations.

ABANDONMENT

Rule 21. (a) No motor vehicle carrier having received from the Commission a certificate of public convenience and necessity shall abandon operation thereunder without first making application in writing to the Commission for permission so to do and submitting evidence, giving reasons for same, and receiving an order based thereon permitting such discontinuance and revoking and cancelling said certificate.

(b) Discontinuance of service for a period of five consecutive days without notice to or approval by the Commission shall be deemed a forfeiture of all rights secured under and by virtue of order or permission to operate issued by the Commission; provided, however, that the Commission may permit the resumption of operation after five such days on proper showing that the carrier was not responsible for the failure to give service.

NON-USE OF CERTIFICATES

Rule 22. Failure on the part of any motor vehicle carrier to commence operation over any route or routes specified in any certificate of convenience and necessity within thirty days after the issuance of same shall be deemed sufficient cause for the Commission to cancel such certificate, after reasonable notice and hearing thereon.

ACCIDENT REPORTS

Rule 23. Accidents arising from or in connection with the operation of motor vehicles under these rules and regulations resulting in injury to any person shall be reported immediately in detail to the Public Utilities Commission, Denver, Colorado, in writing. Whenever any accident causes the loss of life or limb to any person, the motor vehicle carrier shall immediately give notice of the fact in detail to the Commission by the speediest means of communication, whether telephone, telegraph or post. Any such accident resulting in damage to property not owned

by the motor vehicle carrier and amounting to more than \$500.00 shall be reported to the Commission.

MONTHLY REPORTS

Rule 24. Every motor vehicle carrier shall file with the Commission within ten (10) days after the first day of each month a sworn statement on forms prescribed by the Commission showing the number of revenue ton miles and passenger miles traveled by the carrier during the preceding month. The information returned in these reports, forms the basis for computation of tax payable as provided for in Sections 7, 8, 9, 10 and 12 of House Bill No. 430. The forms as prescribed carry full instructions with reference to compilation of data to be reported. The daily records to be maintained as called for in Section 10 of H. B. No. 430 shall be kept in substantially the same manner and form as outlined for monthly reports. Carriers maintaining a system of regular reports approved by the Commission may disregard daily records and daily entry of "Passengers Carried" and "Pounds Hauled" and return this data in "Total" only, in which event the compilation should be made on the basis of said reports. Motor vehicle carriers operating interstate shall report the total business performed within the limits of this state as fully and completely and in the same manner as required of intrastate carriers, and also on or before the 10th day of each month shall file with the Commission a sworn statement of the name and address of the owners of the motor vehicles involved and the number of miles of highway in this state over which said vehicles have been operated. Reports must be written with indelible pencil or typewritten in order that copy retained by the carrier may be clear and legible.

Seasonal and sightseeing carriers shall promptly advise the Commission in writing the date operations are commenced and discontinued for the season.

The Commission shall be promptly notified of any change in mail address in order that it may be able to communicate with certificate holders and applicants at all times.

ANNUAL REPORTS

Rule 25. Every motor vehicle carrier shall file with the Commission within thirty (30) days after the close of the calen-

dar year an annual report on forms furnished by the Commission showing:

- (a) Statement of assets and liabilities.
- (b) Statement of gross revenues and expenses.
- (c) Number of motor vehicles owned and operated.
- (d) Number of passengers carried, passenger miles, and passenger car miles.
- (e) Number of tons of freight hauled, ton miles, and truck miles.
- (f) Any additional information that may be called for by the Commission.

Motor vehicle carriers operating interstate shall report the total business performed within the limits of this state as fully and completely and in the same manner as required of intrastate carriers.

All motor vehicle carriers shall file promptly any other special reports that may be requested from time to time by the Commission.

HIGHWAY COMPENSATION TAX

Rule 26. Every motor vehicle carrier is required to pay monthly a tax as compensation for the use of the public highway and for the maintenance, repair and reconstruction of the same, as provided for in Sections 7, 8, 9, 10 and 12 of House Bill No. 430. Failure to pay said taxes as provided shall be sufficient cause for suspension and revocation by the Commission of a carrier's certificate as provided for in Section 12 of H. B. No. 430.

LICENSES

Rule 27. No motor vehicle shall be operated on the highways of this state by any motor vehicle carrier until the owner or person lawfully in control thereof shall have complied with the law of this state governing the operation of motor vehicles on the highways, and until the owner or person lawfully in control thereof shall have the same registered and receive such license or licenses as may be lawfully required by state law and under the ordinances of any city or town within the state in which the said motor vehicle is to be operated.

EQUIPMENT OF MOTOR VEHICLES

Rule 28. (a) All motor vehicles shall be maintained in a safe and sanitary condition, and shall be at all times subject to

inspection by the Commission or its duly authorized representatives.

(b) All motor vehicles used in the transportation of persons and having a covered top, or top up, and operated during the period from one hour after sunset to sunrise, shall maintain a light or lights of not less than two (2) candle power each within the vehicle, and so arranged as to light up the whole of the interior thereof except that portion occupied by the driver.

(c) All motor vehicles used in the transportation of persons shall, when leaving a terminus, be equipped with at least one extra serviceable tire.

(d) Passenger-carrying vehicles shall be equipped with a suitable heating system sufficient to keep the same reasonably comfortable for its patrons.

(e) Sufficient reserve equipment shall be maintained by all motor carriers to insure the reasonable maintenance of established routes and fixed time schedules. Where a carrier's equipment is limited by its certificate of convenience and necessity no increase thereof is permissible except on application and authorization by the Commission.

(f) All motor vehicle carriers in the sightseeing business shall be required to replace all equipment over ten years old with other equipment, provided, however, that upon written request to the Commission by any such motor vehicle carrier, and after investigation by the motor vehicle carrier, and after investigation by the motor vehicle inspection department and report to the Commission, it may extend the use of such equipment for a longer period.

DRIVERS

Rule 29. Every person employed by any motor vehicle carrier to operate a motor vehicle shall possess the following qualifications, to-wit:

- (a) Shall be at least twenty-one years of age.
- (b) Shall be of good moral character.
- (c) Shall be physically able and fully competent to operate the motor vehicle under his charge.
- (d) Shall have had at least two years' actual experience in operating motor vehicles.

No motor vehicle carrier shall cause or allow any driver or operator to work as such for more than a maximum of ten driving hours in any twenty-four hour period and such driver or operator shall have at least eight consecutive hours' rest in each twenty-four hour period.

No driver or operator of any motor vehicle used in the transportation of persons shall refuse to carry any person offering himself or herself at any regular stopping place for carriage, and who tenders the regular fare, to any regular stopping place on the route of said motor vehicle, or between the termini thereof, if allowed to carry such passengers to such point under the certificate for such route, unless at the time of such offer the seats of said motor vehicle are fully occupied; provided, however, that transportation shall be refused to any person who is in an intoxicated condition or conducting himself in a boisterous or disorderly manner, or is using profane language, or is suffering from a contagious disease.

The enforcement of this rule, in every detail, rests upon the motor vehicle carrier, and such carrier shall enforce such rules as may be necessary to test the physical ability, experience and competency required of every driver.

CROSSINGS

Rule 30. All motor vehicle carriers are required to stop each and every motor vehicle engaged in common carrier transportation before crossing the tracks of any steam, interurban or other railroad, such stop to be made not less than twenty feet nor more than seventy-five feet from the nearest rail of the railroad over which the highway crosses. After making the stop it is required that the driver or operator of the motor vehicle shall carefully look in each direction for approaching trains, engines or cars, and shall not start his motor vehicle until it has been ascertained that there are no cars, engines or trains approaching the crossing from either direction.

Where there are two or more adjoining main line tracks at any public highway grade crossing, located 120 feet or more apart, measured center to center of tracks, or where such tracks are closer together and conditions make it necessary to require a stop as indicated by the Commission's "STOP" sign, all vehicles must come to a full stop at each track as heretofore provided.

The foregoing rule shall not apply in connection with the operation of passenger motor vehicles within municipalities with regard to operation over the tracks of electric or other street railroads.

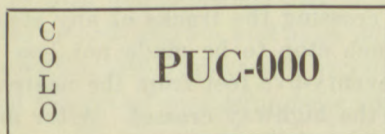
MARKING OF VEHICLES

Rule 31. Within ten days after the effective date of these rules and regulations, or within ten days after a certificate of public convenience and necessity has been issued to a motor vehicle carrier, the motor vehicle carrier shall cause to be painted on each side of the motor vehicle used in his common carrier operation, in letters not less than two and one-half inches in height and not less than three-eighths of an inch in width, the following:

(a) Name of motor vehicle carrier as set out in the certificate.

(b) Colo. P. U. C. No.

Provided, however, that motor vehicles used in the transportation of passengers only, except passenger busses having a seating capacity of ten or more may, in lieu of the above requirements, be identified by marking as per (b) **only** or by securely attaching both in front and rear of motor vehicle in such a manner as to be conspicuously displayed at all times, a metal plate, size 4x12 inches, carrying certificate number as per specifications shown below and reading as follows:



Specifications: White background with black letters and numbers.

“Colo.” reading down left-hand side, in letters $\frac{3}{4}$ of an inch in height and $\frac{3}{16}$ of an inch in width.

“PUC-000” in letters $2\frac{1}{2}$ inches in height and $\frac{3}{8}$ of an inch in width.

All markings shall be completely removed from all vehicles when permanently withdrawn from service under the Public Utilities Act.

Nothing in the foregoing rules shall be construed as prohibiting a motor vehicle carrier from using other motor vehicles in

cases of emergency or unusual temporary demands for transportations without so marking the same, provided that all such cases are promptly reported to the Commission in writing twenty-four hours thereafter.

PUBLIC LIABILITY

Rule 32. Every motor vehicle carrier shall file with the Commission a public liability and property damage insurance policy issued by some insurance company authorized to do business in the State of Colorado, which shall have attached thereto indorsement as set out in Rule 33 (a), or a surety bond, the form of which is set out in Rule 33 (b), covering each vehicle operated by, for or under control of the carrier in no less amounts than the following, to-wit:

Passenger Capacity	For Death or Injury to		Property Damage
	Any One Person	Total Liability	
12 or less.....	\$5,000	\$10,000	\$1,000
13 to 18, inclusive.....	5,000	15,000	1,000
19 to 24, inclusive.....	5,000	20,000	1,000
More than 24.....	5,000	25,000	1,000

Vehicles used for the transportation of property, \$5,000 any one person, and \$10,000 total liability. Property damage, \$1,000. Cargo liability as follows:

One ton or less rated capacity, light weight.....	\$ 500.00
Over one ton and not to exceed 3½ tons rated capacity, medium weight	750.00
All over 3½ tons rated capacity, heavy weight..	1,000.00

Provided, however, that motor vehicle carriers operating less than three motor vehicles in a regular scheduled service, either passenger or freight, or both, and doing an estimated annual gross revenue business of \$5,000 or less may, in lieu of the above requirements, file with the Commission a surety bond in the amount of \$1,000 protecting against public liability, property damage and cargo liability, as aforesaid; and providing further that a motor vehicle carrier operating or controlling more than five motor vehicles may, in lieu of the above requirements, as to property damage, file with the Commission a blanket surety bond in the sum of \$5,000 protecting against loss or damage to property of any person or persons other than the assured, as aforesaid, occasioned by any and all vehicles operated or controlled by said carrier; and providing further that a motor vehicle carrier operating or controlling more than five vehicles may,

in lieu of the above requirements, as to cargo liability, file with the Commission a blanket surety bond in the amount of \$5,000 protecting against loss or damage to property (usually designated as cargo) received for shipment or in transit, as aforesaid, carried in or upon any and all vehicles operated or controlled by said carrier.

Policies and bonds covering year round operations should be written to expire on October 1st of each year.

Policies and bonds covering seasonal and sightseeing operations written for only the operating period authorized in certificate or the sight-seeing operating period will be acceptable to the Commission and should be filed as of the date of commencement of operation.

All policies and bonds are to be so written that the same will continue in full force and effect and unless and until cancelled by ten days' written notice served on the Public Utilities Commission of Colorado, said ten days' notice to commence to run from the date notice is actually received by the Commission.

Motor vehicle carriers operating in municipalities which require filing of insurance policies or surety bonds should arrange for duplicate copies of all policies and bonds for such filing in order that original policies and bonds may be filed with the Commission.

Motor vehicle carriers operating exclusively in interstate commerce may limit their public liability insurance policies to damages suffered within the state by persons other than the passenger.

INDORSEMENTS

Rule 33 (a) Form of indorsements to be attached to insurance policies.

No. 1

Public Liability and Property Damage

The policy to which this indorsement is attached is written in pursuance of and is to be construed in accordance with the following laws of the State of Colorado: Chapter 127, Laws of 1913; Chapter 133, Laws of 1915; House Bill No. 430, approved April 30, 1927; and acts amendatory thereof and supplemental thereto, and the rules and regulations of the Public Utilities Commission of Colorado adopted thereunder. In consideration of the premium stated in the policy to which this indorsement is attached, the Insurer hereby waives a description of the motor vehicle or motor vehicles to be insured thereunder, and agrees to pay any final judg-

ment, within the limits set forth in the policy or indorsements attached thereto, for injury to, and/or death of persons (with the exception of any employee of the Assured while engaged in the maintenance or operation of any of the Assured's automobiles) and damage to property (excluding property of the Assured or property which is rented or leased by the Assured or property other than the baggage of passengers in the custody of the Assured or carried in or upon any automobile of the Assured) resulting from the ownership, maintenance or use of any and all motor vehicles and/or trailers, pursuant to a certificate of public convenience and necessity issued by the Public Utilities Commission of Colorado, and further agrees that upon the failure of the Insurer to pay any such final judgment, such judgment creditor may maintain an action in any court of competent jurisdiction to compel such payment. It is understood and agreed by and between the Insurer and the Assured that the right of any person to recover hereunder shall not be affected by any act or omission of the Assured or of any employee of the Assured with regard to any condition or requirement of said Policy, but all the terms and conditions of the Policy shall remain in full force and be binding as between the Insurer and the Assured; and the Insurer shall be reimbursed by the Assured for any and all loss, costs or expenses paid or incurred by the Insurer which the Insurer would not be obliged to pay under the provisions of the Policy independently of this indorsement.

SCHEDULE

(Unless the Policy is written for greater amounts)

On each motor vehicle used for the transportation of persons and/or property.

Passenger Capacity	Not to Exceed for Death or Injury to		Property Damage
	Any One Person	All Persons	
12 or less.....	\$5,000	\$10,000	\$1,000
13 to 18, inclusive.....	5,000	15,000	1,000
19 to 24, inclusive.....	5,000	20,000	1,000
More than 24.....	5,000	25,000	1,000

Vehicles used for the transportation of property, not to exceed \$5,000 any one person, and \$10,000 total liability. Property damage, \$1,000.

All conditions and provisions of this policy, and any statements or agreements contained therein or indorsed thereon in conflict with this indorsement are, by agreement of all parties hereto, held null and void insofar as they are in conflict herewith.

The policy to which this indorsement is attached shall not be cancelled until after ten days' notice in writing, by the company, shall have first been given to the Public Utilities Commission of Colorado, at its office at Denver, Colorado, said ten days' notice to commence to run from the date notice is actually received at the office of the Commission.

Attached to and forming a part of Policy No.....issued by
the.....Insurance Company to.....
.....

No. 2
Cargo Liability

(No policies will be accepted with a co-insurance clause.)

The policy to which this indorsement is attached is written in pursuance of and is to be construed in accordance with the following laws of the State of Colorado: Chapter 127, Laws of 1913; Chapter 133, Laws of 1915; House Bill No. 430, approved April 30, 1927; and acts amendatory thereof and supplemental thereto, and the rules and regulations of the Public Utilities Commission of Colorado adopted thereunder. In consideration of the premium stated in the policy to which this indorsement is attached, the Insurer hereby waives a description of the motor vehicle or motor vehicles to be insured thereunder, and agrees to pay the full amount of any final judgment in excess of \$50.00, within the limits set forth in the policy or indorsements attached thereto, for loss of or damage to property of any person or persons other than the Assured carried in, upon or attached to the motor vehicles and/or trailers operated by or for or under the control of the Assured pursuant to a Certificate of Public Convenience and Necessity issued by the Public Utilities Commission of Colorado, or while in the care or custody of the Assured; and further agrees that, upon their failure to pay any such final judgment, such judgment creditor may maintain an action in any court of competent jurisdiction to compel such payment.

It is understood and agreed by and between the Insurer and the Assured that the right of any person to recover hereunder shall not be affected by any act or omission of the Assured or of any employee of the Assured with regard to any condition or requirement of said Policy, but all the terms and conditions of the Policy shall remain in full force and be binding as between the Insurer and the Assured; and the Insurer shall be reimbursed by the Assured for any and all loss, costs or expenses paid or incurred by the Insurer which the Insurer would not be obliged to pay under the provisions of the Policy independently of this indorsement.

SCHEDULE

(Unless the Policy is written for greater amounts)

On each motor vehicle used for the transportation of property.

For the purpose of this indorsement, motor vehicles used in the transportation of property will be classified as follows:

1 ton or less rated capacity—light weight.

Over 1 ton and not to exceed 3½ tons rated capacity—medium weight.

All over 3½ tons rated capacity—heavy weight.

Cargo Liability

Light weight vehicles—not to exceed.....\$ 500.00

Medium weight vehicles—not to exceed..... 750.00

Heavy weight vehicles—not to exceed..... 1,000.00

All conditions and provisions of this policy and any statements or agreements contained therein or indorsed thereon in conflict with this indorsement insofar only as they limit or restrict the requirements herein,

are, by agreement of all parties hereto, held null and void insofar as they are in conflict herewith.

The policy to which this indorsement is attached shall not be cancelled until after ten days' notice in writing by the company shall have first been given to the Public Utilities Commission of Colorado, at its office in Denver, Colorado, said ten days' notice to commence to run from the date notice is actually received at the office of the Commission.

Attached to and forming a part of Policy No.....issued by the.....Insurance Company to.....

(b) Form of Surety Bond.

Know All Men By These Presents:

That we.....of the City of
....., State of Colorado, as principal, and
....., a corporation, organized and
existing under and by virtue of the laws of....., and
authorized to transact business in the State of Colorado under the laws
thereof, as surety, are held and firmly bound unto the State of Colorado,
in the just and full sum of lawful money of the United States of America,
upon each and every vehicle operated by the principal herein in the
amounts as set out in the schedule below for the payment of which well
and truly to be made, do hereby bind ourselves, our heirs, executors, ad-
ministrators, successors and assigns, severally by these presents.

SCHEDULE

Incorporate here schedule as shown in Indorsement No. 1 and/or No. 2 (see Rule 33-a) unless bond is written for greater amounts, except for blanket property damage bond, blanket cargo liability bond, and blanket public liability—property damage—cargo liability bond, appropriate schedule as shown below should be used.

This bond is written in pursuance of and is to be construed in accordance with the following laws of the State of Colorado: Chapter 127, Laws of 1913; Chapter 133, Laws of 1915; House Bill No. 430, approved April 30, 1927; and acts amendatory thereof and supplemental thereto, and the rules and regulations of the Public Utilities Commission of Colorado adopted thereunder; is to be filed with the State for the benefit of persons who sustain damage or injury from the negligent operation of any and all motor vehicles operated by the Motor Vehicle Carrier (principal herein), under and by virtue of its Certificate of Public Convenience and Necessity granted by the Public Utilities Commission of Colorado, and Tariffs and Time Schedules filed thereunder.

Now, therefore, the condition of this obligation is such that if the said principal, in accordance with the provisions of the following laws of the State of Colorado: Chapter 127, Laws of 1913; Chapter 133, Laws of 1915; House Bill No. 430, approved April 30, 1927; and acts amendatory thereof and supplemental thereto, shall pay all damages for personal in-

juries which may be sustained by any person or any damage to property of any person, by reason of any act of negligence on the part of the said principal, its agents or employees in the operation of motor-propelled vehicles in transporting persons and/or property, under its Certificate of Public Convenience and Necessity issued by the Public Utilities Commission of Colorado, and Tariffs and Time Schedules filed thereunder, then this obligation to be void, otherwise to remain in full force and effect.

This bond may be cancelled by the surety at any time by filing written notice with the Public Utilities Commission of Colorado stating when the cancellation shall be effective, but in no case shall such cancellation notice be effective within ten (10) days after the receipt of such notice by the Public Utilities Commission.

Signed, sealed and dated this.....day of....., 19....

.....
Principal

.....
Surety

SCHEDULE FOR BLANKET PROPERTY DAMAGE BOND

Not to exceed \$5,000 for loss of or damage to property of any person or persons, other than the Assured, or property (usually designated as cargo) occasioned by any and all vehicles used for the transportation of persons and/or property, provided, however, the total loss or damage arising from any one occurrence shall be considered in the aggregate as constituting one claim, and shall not exceed \$1,000.

SCHEDULE FOR BLANKET CARGO LIABILITY BOND

Not to exceed \$5,000 for loss of or damage to property of any person or persons other than the Assured carried in, upon or attached to any and all vehicles used for the transportation of property or while in the care or custody of the Assured, provided, however, the total loss or damage arising from any one occurrence shall be considered in the aggregate as constituting one claim, and shall not exceed \$1,000.

SCHEDULE FOR BLANKET PUBLIC LIABILITY—PROPERTY DAMAGE—CARGO LIABILITY BOND

Not to exceed \$1,000 for injury to, and/or death of persons (with the exception of any employee of the Assured while engaged in the maintenance or operation of any of the Assured's automobiles) and loss of or damage to property of any person or persons (other than the Assured) resulting from the ownership or operation of any and all vehicles used for the transportation of persons and/or property.

FAILURE TO COMPLY WITH RULES

Rule 34. Every motor vehicle carrier shall comply with each and every state, county or municipal law, ordinance, franchise, rule or regulation governing in any way the operations of motor vehicles or the conduct of the business of the carrier.

Rule 35. Failure of any motor vehicle carrier to comply with the provisions of these rules and regulations, of the laws of the State of Colorado, and all of the terms and conditions in his certificate of public convenience and necessity, shall be full and sufficient cause for the Commission to suspend any certificate of public convenience and necessity issued to such motor vehicle carrier and to proceed, according to law, to cancel and revoke the same.

OPERATORS SHALL READ RULES AND REGULATIONS

Rule 36. Each and every operator of a motor vehicle shall be furnished with a copy of the foregoing rules and regulations, and of House Bill No. 430, approved April 30, 1927, General Laws of Colorado, by each motor vehicle carrier and shall be required to carefully read and familiarize themselves with same.

The above rules and regulations are for general application only, and are subject to such changes and modifications as the Commission from time to time may deem necessary and advisable.

C. O. D. SHIPMENTS

Rule 37. All moneys collected on C. O. D. shipments by motor vehicle carriers, as defined in House Bill No. 430, Colorado Session Laws 1927, shall be kept in a separate fund and shall under no conditions be mingled with other funds or deposited in any bank to the credit of a general account.

All such carriers immediately upon collection of any and all C. O. D. moneys, and in no event later than five days after delivery of the C. O. D. shipment or shipments, unless otherwise authorized by the consignor, shall remit in cash or currency, by money order, cashier's check, certified check, or a check drawn on a bank account in which only C. O. D. moneys are deposited.

Form of Application to Amend Tariffs and Time Schedules on Less Than Thirty (30) Days' Notice

.....
(Name of Utility)

.....19.....
(Place and Date)

To the Public Utilities Commission
of the State of Colorado,
Denver, Colorado.

The..... by.....
(Name of Utility) (Name of Officer)
its.....does hereby respectfully petition The
(Title of Officer)

Public Utilities Commission of the State of Colorado that it be permitted, under Rule 7-B of Motor Vehicle Rules and Regulations, to put in force the following rates, rules or changes, to become effective.....days after the filing thereof with the Commission:

(State fully the rates, rules or changes which it is desired to put into effect.)

Your petitioner further represents that the said rates, rules or changes above mentioned will be published in Colo. P. U. C. No.or Time Schedule No.....and will supersede and take the place of rates, rules or time schedules which are set forth in Colo. P. U. C. No.....or Time Schedule.....on file with the Commission, and which rates, rules or time schedules are as follows, to-wit:

(Here state fully the present rates, rules or time schedules, or if too numerous, name those which are indicative, or generally describe the rate basis, rules or time schedules.)

And your petitioner further bases such request upon the following facts, which present certain special circumstances and conditions justifying the request herein made:

(State fully all the circumstances and conditions which are relied upon as justifying the application.)

.....
By
(Name and Title of Officer)

(SAMPLE FORM)

Bill of Lading and Express Receipt for Use by Scheduled Passenger Lines and Freight Lines

JOHN DOE FREIGHT LINE

Bill of Lading

Express Receipt

....., Colorado,, 19.....

Received from.....

To be Forwarded by.....

Name of Carrier

The property described below, in apparent good order, except as noted (contents and condition of contents of package unknown) marked, consigned and destined as indicated below which we undertake to deliver to the nearest place to destination reached by our motor vehicles. It is further agreed that where we have no agents and consignee is not on hand to receive goods, same will be left at destination at owner's risk.

Consignee

Destination

No. of Packages	Articles fully described	Weight	Rate	If charges are to be prepaid write here "To be prepaid."
.....	Received \$.....in prepay-
.....	ment of the charges on the
.....	property described herein.
.....
.....	Operator

.....ShipperAgent

Per..... Per.....

Note—Conditional terms and conditions subject to uniform practice are to be printed on the back of form.

To be made in triplicate; original and copy for shipper and copy retained for filing.

(SAMPLE FORM)

PASSENGER TARIFF

(Title Page) (Page One)

Size 8½x11 Inches

Colo. P. U. C. No. 6

Cancels Colo. P. U. C. No. 3

WM. SMITH AND JOHN BROWN

Doing Business As

THE PARADISE VALLEY TRANSPORTATION COMPANY

Local and Through Passenger Tariff No. 5

Cancelling Passenger Tariff No. 3

Naming

ONE WAY AND ROUND TRIP PASSENGER FARES

Between

DENVER AND FORT COLLINS, COLORADO, AND INTERMEDIATE POINTS

Together With

RULES AND REGULATIONS GOVERNING SAME

Issued September 28, 1926

Effective October 31, 1926

Issued by JOHN BROWN, Manager,
The Paradise Valley Transportation Co.

PASSENGER TARIFF (Page 2) (Sample Form)

Size 8½x11 Inches

Rule	Rules and Regulations Governing This Tariff
1 (c) Fares:	Fares shown on pages.....are for adults. Minimum fare.....cents.
2 Children's Fares:	Children under....years in lap will be carried free. Children....to....years will be charged one-half of fares shown herein. Children...years or over will be charged full fare. Minimum fare for children under...years,...cents.
3 Intermediate Points:	If auto busses are stopped at points not named herein passengers destined to or starting from such points will be charged

- 4 Limits: One way tickets will be limited to continuous passage or..... Round-trip tickets will be limited to....days from date of sale.
- 5 Stopovers: Stopovers will not be allowed (or will be allowed at.....).
- 6 Reservations: If any, give details such as one hour at least before scheduled leaving time, or reserving right to send passenger on next car, etc.
- 7 Objectionable Persons: State briefly the right to refuse transportation to persons under influence of intoxicating liquor or drugs, with refunds of fare.
- 8 Baggage: State baggage allowance and kind allowed with rates for excess baggage.
- 9 Dogs: State if allowed or under what conditions allowed.
- 10 Redemption of Tickets: Give details of refunds.

Add any other rules, such as claims, lost tickets, rates for packages or express.

(c) Change; results in neither advances or reduction.

Note—Above samples are shown briefly as an aid to carriers with limited transportation experience. Rules may be extended and in more detail to suit carriers' operations.

(SAMPLE FORM)

PASSENGER TARIFF

(Page 3)

Size 8½x11 Inches

ONE-WAY FARES

Miles	Between and	Denver	Lafayette	Longmont	Loveland	Ft. Collins
00.0	Denver	\$0.00	\$0.75	\$1.45	\$2.20	\$2.50
22.5	Lafayette	0.75	0.00	0.70	1.50	2.00
35.0	Longmont	1.45	0.70	0.00	0.75	1.20
53.0	Loveland	2.20	1.50	0.75	0.00	0.50
67.0	Fort Collins....	2.50	2.00	1.20	0.50	0.00

ROUND-TRIP FARES

State the Round-Trip Fares, or the basis to be used in arriving at the Round-Trip Fare.

WEEK-END EXCURSIONS

State the conditions governing, where arrangements for week-end excursions are provided.

COMMUTATION TICKETS

State the conditions governing the sale of commutation tickets if any such arrangements are in effect.

Add any other type of fares in use on line with full details thereof.

Note—This form is merely an illustration. Carriers desiring to follow this form must show all stations on their route, except where intermediate provisions are made.

(SAMPLE FORM)

PASSENGER TIME SCHEDULE

(Title Page) (Page 1)

Size 8½x11 Inches

WM. SMITH AND JOHN BROWN

Doing Business As

THE PARADISE VALLEY TRANSPORTATION COMPANY

TIME SCHEDULE NO. 4

Cancels Schedule No. 3

Showing

Times of Arrival and Departure

From

DENVER, FORT COLLINS

and

INTERMEDIATE POINTS

Issued September 28, 1926

Effective October 31, 1926

Address, 1850 California St.,
Denver, Colorado

Issued by
The Paradise Valley Transportation Co.,
By John Brown,
Manager.

(Sample Form)

PASSENGER TIME SCHEDULE

(Page 2)

Size 8½x11 Inches

Time Schedule

Southbound Daily
Read Down

Northbound Daily
Read Up

No. 2	No. 4	No. 6	* No. 8	Mls	Lve.		Arr.	Mls	No. 1	No. 3	No. 5	* No. 7
A.M.	A.M.	P.M.	P.M.						A.M.	A.M.	P.M.	P.M.
7:00	11:15	2:30	4:45	00.0		. Fort Collins .		67.0	10:45	1:15	3:45	5:45
7:35	11:50	3:05	5:20	14.0		.. Loveland ..		53.0	10:10	12:40	3:10	5:10
8:10	12:25	3:40	5:55	32.0	Arr.	.. Longmont ..	Lve.	35.0	9:25	11:55	2:20	4:25
8:20	12:35	3:50	6:05	....	Lve.	.. Longmont ..	Arr.	....	9:15	11:45	2:10	4:15
8:50	1:05	4:20	6:35	44.5		.. Lafayette ..		22.5	8:55	11:25	1:50	3:55
9:45	2:00	5:15	7:30	67.0	Arr.	... Denver ...	Lve.	00.0	8:00	10:30	12:50	3:00

* No. 7 and No. 8 Express and Passenger Daily except Sunday.

Note 1—Light figures A. M. Dark figures P. M.

Rest Room and Lunch Counter at Longmont.

Depots—

Denver—1850 California St.

Longmont—St. Vrain Hotel, 240 Main St.

Fort Collins—Antlers Hotel, 224 Linden St.

Note 2—This form is merely an illustration. Carriers desiring to follow it must show all stations on their route.

(SAMPLE FORM)

FREIGHT LINE TARIFF

(Title Page) (Page 1)

Colo. P. U. C. No. 4

Size 8½x11 Inches

Cancels

Colo. P. U. C. No. 2

DENVER-BOULDER FREIGHT LINE

Local Freight Tariff No. 2

Cancels Freight Tariff No. 1

Naming

CLASS AND COMMODITY RATES

for

THE TRANSPORTATION OF FREIGHT

Between

DENVER AND BOULDER, COLORADO

and

INTERMEDIATE POINTS

Governed except as otherwise provided herein by.....

Classification No....., supplements thereto and reissues thereof.

*Issued October 20, 1926

*Effective November 22, 1926

*When tariffs are issued upon less than 30 days' notice upon permission of the Commission, such permission must be shown on title page of tariff, as follows: "Issued under Special Permission of The Public Utilities Commission of the State of Colorado No..... Dated....."

Issued by Denver-Boulder Freight Line,

By Geo. Bishop, Manager.

(Sample Form)

FREIGHT LINE TARIFF

(Page 2)

Size 8½x11 Inches

Rules and Regulations

Insert here in order a full set of rules and regulations incident to your individual operations, such as articles shipped loose, liability to delays on connecting line, C. O. D. arrangements, storage, special deliveries, etc., for example—

Rule 1

Storage Freight uncalled for at depots after due advice, will be placed in public storage after a period of.....

Exceptions to Classification

List here exceptions to classification where class rates are provided.

Commodity Rates

List any special commodity rates, for example—

Household Goods: Full truck loads, Denver to.....\$.
per load.

Partial truck loads. Fractional parts will be assessed at \$.....

Fruits, Vegetables, Fresh: In open boxes, orchard carriers or sacks
to.....\$.per ton or.....

If less than 25 commodities, arrange in alphabetical order. If more than 25, complete alphabetical index must be shown.

(SAMPLE FORM)

(Page 3)

FREIGHT LINE TARIFF

Size 8½x11 Inches

		Class Rates in Cents Per 100 Pounds					
Between	And	Miles	1	2	3	4	
Denver, Colo.....	Broomfield, Colo...	15	23	19½	16	14 ^R	
	Superior, Colo.	24	32	27	22½	19	
	Marshall, Colo.....	27	38	32	27	23	
	Boulder, Colo.	32	47½	40½	33	28½	
Broomfield, Colo.	Boulder, Colo.	17	25½	22	18	15½	

R Represent Reduction.

Rates to or from unnamed intermediate points will take rates to or from the next more distant point to or from which rates are named.

Minimum Class Rates between any two points will be:

Class 1, 23c; Class 2, 19½c; Class 3, 16c; Class 4, 14c.

Minimum charge on any single shipment.....

Note—As a helpful suggestion to carriers, the second, third and fourth class rates shown in above sample are approximately 85%, 70%, and 60%, respectively, of the first class rates.

(Sample Form)

(Title Page) (Page One)

FREIGHT LINE TIME SCHEDULE

Size 8½x11 Inches

DENVER-BOULDER FREIGHT LINE

Time Schedule No. 2

Cancels No. 1

Times of Arrival and Departure of

Freight Trucks

From

DENVER-BOULDER

and

Intermediate Points

Issued September 28, 1926

Effective October 31, 1926

Address: 1325 Blake St.,
Denver, Colo.

Issued by Denver-Boulder Freight Line
By..... Title.....

(Sample Form)

FREIGHT LINE TIME SCHEDULE

(Page 2)

Size 8½x11 Inches

Time Schedule

South Bound					North Bound
Read Down	Miles		Miles		Read Up
8:00 A.M. Lve.	00.0	..... Boulder	.....	29.6	Arr. 10:45 A.M.
8:30 A.M.	5.4	..... Marshall	.....	24.2	10:15 A.M.
8:50 A.M.	9.6	..... Superior	.....	20.0	9:55 A.M.
9:30 A.M.	15.6	..... Broomfield	.....	14.0	9:15 A.M.
10:45 A.M. Arr.	29.6	..... Denver	.....	00.0	Lve. 8:00 A.M.

Depots:

Denver—1325 Blake St.
Broomfield—Jack's Garage.
Boulder—280 Main St.

Sample

Application for Certificate to Operate Motor Vehicle
Bus or Truck Line

Before the Public Utilities Commission of the State of Colorado

In the Matter of the Application of.....
.....
To Operate.....Service } Application
For Certificate of Public Convenience and Necessity } No.....
Between
And

Application

The petition of.....
.....respectively shows:
That applicant requests permission to establish service for
the transportation of.....
.....
between..... and.....
and intermediate points.

That the proposed fares or rates to be assessed for this service are as set forth in Exhibit "A" attached hereto.

That the proposed time schedule and route between the points to be served is as per Exhibit "B" attached hereto.

That description of equipment to be operated in the proposed service and a reasonable value of the same are as shown in Exhibit "C" attached hereto.

That the name, title and address of the various officials of the company or owners or partners, and their interests are as follows:

Name	Title	Address
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

That the names of stage or truck lines, steam railroads, and electric railways now operating between or to the point to be served are as follows:

That the following facts and circumstances exist which are relied upon by applicant as justification for the granting of a certificate of public convenience and necessity:

That the required consent, franchise, permit, ordinance, vote, or other authority required from the city or town of..... as provided in Section 2946 of the Compiled Laws of the State of Colorado 1921, are attached hereto and marked Exhibit "D."

Wherefore, applicant requests that the Public Utilities Commission of the State of Colorado make its order granting the certificate prayed for.

Dated at....., Colorado, this.....day
of....., 19.....

.....
(Signature of Applicant)
.....

.....
(Signature and Address or Attorney, if any)

STATE OF COLORADO,

.....County of.....} ss.

....., being first duly sworn, deposes
and says: That he is.....applicant.....
in the proceeding entitled as above; that he has read the foregoing application and knows the contents thereof; that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and as to those matters he believes it to be true.

.....
Subscribed and sworn to before me this.....day of
....., 19.....

.....
Notary Public in and for the County of.....
State of Colorado.

My Commission expires.....

Chapter 134, Session Laws of 1927, as Amended by
Chapter 121, Session Laws of 1931.
(House Bill No. 430.)

AN ACT

Providing for the Regulation of the Use of Public Highways and of Persons, Firms, Corporations and Associations, Owning, Controlling, Operating or Managing Motor Vehicles Used in the Business of Transporting Persons or Property for Compensation or Hire upon the Public Highways of this State and Prescribing the Compensation to be Paid for the Use of Such Highways in Carrying On Such Business, and Providing Penalties for the Violation of this Act.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. (a). The term "corporation" when used in this act means a corporation, company, association or joint stock association.

(b). The term "person" when used in this act means an individual, a firm or a co-partnership.

(c). The term "Commission" when used in this act means The Public Utilities Commission of the State of Colorado or such other official board or body as may succeed to the powers and duties of said Public Utilities Commission.

(d). The term "motor vehicle carrier," when used in this act, means and includes every corporation, person, firm, association of persons, lessee, trustee, receiver or trustee appointed by any court whatsoever, owning, controlling, operating or managing any motor vehicle used in serving the public in the business of the transportation of persons or property for compensation as a **common carrier** over any public highway between fixed points or over established routes, or otherwise, whether such business or transportation is engaged in or transacted by contract, or otherwise.

The fact that any such person carries on his said operations:

a. In whole or in part between substantially fixed points or over established routes; or

b. Under contracts with more than one person or corporation; or

c. By making repeated or periodical trips, **shall be prima facie evidence that such person is a motor vehicle carrier hereunder.** (Chapter 121, S. L. 1931.)

(e). The term "motor vehicle" when used in this act means

any automobile, truck, motor bus or any other self-propelled vehicle or any trailer drawn thereby, excluding vehicles operated upon fixed rails.

(f). The term "public highway" when used in this act means every road or highway over which the public generally has a right to travel.

(g). The words "fixed points" and "established route" when used in this act mean points or route between or over which any motor vehicle carrier usually or ordinarily operates or holds out to operate any motor vehicle, even though there may be departures from such points or route, whether such departure be periodic or irregular.

Section 2. All motor vehicle carriers as defined in this act are hereby declared to be public utilities within the meaning of the public utility laws of this state, and are hereby declared to be affected with a public interest and subject to this act and to the laws of this state, including the regulation of all rates and charges, now in force or that hereafter may be enacted, pertaining to public utilities, so far as applicable, and not in conflict therewith.

Section 3. No motor vehicle carrier shall operate any motor vehicle for the transportation of either persons or property for compensation on any public highway in this state except in accordance with the provisions of this act.

Section 4. No motor vehicle carrier as defined in this act shall hereafter operate any motor vehicle for the transportation of either persons or property, or both, without first having obtained from the Commission a certificate declaring that the present or future public convenience and necessity require, or will require, such operation, and without paying the tax as compensation for the use of the public highway and for the maintenance, repair and reconstruction of same as herein provided.

Section 5. The Commission shall have power, under such rules of procedure governing the application therefor as it may prescribe, to issue a certificate of public convenience and necessity to a motor vehicle carrier or to issue it for the partial exercise only of the privilege sought; and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require.

Section 6. Any certificate of public convenience and necessity, or rights obtained under any such certificate held, owned or obtained by any motor vehicle carrier, may be sold, assigned, leased, encumbered or transferred as other property, only upon authorization by the Commission.

Section 7. In addition to the regular license fees or taxes imposed upon motor vehicles, there shall be assessed against and collected from every motor vehicle carrier not operating exclusively within the limits of an incorporated town or city, the following tax as compensation for the use of the public highway and for the maintenance, repair and reconstruction of the same.

(a). For freight or express service of any kind, five mills per ton mile. For the purpose of determining the number of ton miles traveled, the actual weight in pounds of the revenue cargo carried by each motor vehicle unit (trailers to be included) shall be multiplied by the number of miles carried, the sum of which shall be divided by 2,000.

(b). For passenger service of any kind, one mill per passenger mile for all revenue business. To determine the passenger miles, multiply the actual number of revenue passengers carried by each motor vehicle by the number of miles carried.

Section 8. Every motor vehicle carrier operating over any public highway of Colorado for the purpose of carrying freight, express or passengers for hire, in interstate commerce, shall, on or before the tenth day of each month file with the Commission, on blanks to be prescribed by it, a sworn statement of the name and address of the owners of the motor vehicles involved, the number of miles of highway in the state of Colorado over which such motor vehicle or vehicles shall have been operated during the preceding month, and such other information as said Commission shall require, and shall pay as compensation for the use of said highways as aforesaid a mileage tax based upon the actual use of said highways and as follows:

(a). On motor vehicles hauling freight, express or goods of any kind, five mills per ton mile. For the purpose of determining the number of ton miles traveled, the actual weight in pounds of the revenue cargo carried by each motor vehicle unit (trailers to be included) shall be multiplied by the number of miles carried within the state of Colorado, the sum of which shall be divided by 2,000.

(b). On motor vehicles carrying on passenger service, one mill per passenger mile for all revenue business. To determine the passenger miles, multiply the actual number of revenue passengers carried by each motor vehicle by the number of miles carried within the state of Colorado.

Section 9. The provisions of the act shall apply to all said motor vehicle carriers whether they be domiciled in this state or not. The tax rate hereinbefore set out shall apply to vehicles using pneumatic tires. An increase of 25 per cent shall be added in all cases for such motor vehicles as have solid tires in whole or in part.

Section 10. Every motor vehicle carrier referred to or contemplated by this act shall keep daily records upon forms prescribed by the Commission of all motor vehicles and trailers used on public highways during the current month. On or before the tenth day of the month following they shall certify under oath to the Commission upon forms prescribed thereby summaries of their daily records which shall show the ton miles and passenger miles traveled by the motor vehicle carrier during the preceding month, and such other information as the Commission may require. The daily records shall be filed and preserved for a period of at least six years, and thereafter until permission for their destruction shall have been given by the Commission. Any person who shall wilfully make a false return to the Commission affecting any of the information required to be supplied by this act or the rules, regulations and orders of the Commission shall be deemed guilty of perjury.

Section 11. The Commission is hereby empowered to administer and enforce any and all provisions of this act, including the right to inspect the books and documents of the motor vehicle carriers and operators herein involved, and to expend such money of the sum collected hereunder as is necessary for such purposes upon requisition by the Commission to the Auditing Board, provided, however, the total sum to be expended as provided in this section shall not exceed during the calendar year ten per cent of the total gross sum collected under this act. It shall be the duty of the State Treasurer to hold in reserve ten per cent of all moneys collected hereunder during the calendar year for the purpose of meeting such expenditures, and the balance of such reserve in his hands at the end of each year shall be placed in the main fund for division as hereinafter provided.

Section 12. On or before the 20th day of each month, the Commission shall notify all motor vehicle carriers of the amount of the tax due from them for the preceding month, which shall be computed by multiplying the total number of passenger and ton miles hauled by the appropriate rate of taxation as herein prescribed, and shall be paid to the Commission on or before the 10th day of the following month. If payment is not made on or by said date, there shall be added as a penalty a sum equal to one and one-half per cent per month of the amount of the original tax. Said taxes and penalties not paid on said date shall thereupon constitute a lien upon all the personal property of the delinquent motor vehicle carrier, and also upon the vehicles of all persons used by it in its said business, and thereupon said property and vehicles may be distrained under warrant issued by the Commission and may be sold in accordance with the law and practice of distraint for personal property taxes as now provided by law. In addition thereto such delinquency shall be a ground for issue of writ of attachment by any Court of record against the motor vehicle carrier and/or for suspension and revocation by the Commission of the certificate of public convenience and necessity, if any, theretofore issued to said motor vehicle carrier, such suspension and revocation to be ordered after hearing by the Commission and notice of not less than five (5) days to all parties interested. Nothing in this act shall be so construed as to relieve any motor vehicle carrier in fact from the duty of filing the reports and paying the taxes in this act provided, whether such motor vehicle carrier shall have obtained a certificate of public convenience and necessity from the Commission or not.

It shall be the duty of the Commission to enforce collection of all taxes and penalties provided in this act, and to remit daily to the State Treasurer the proceeds thereof. (Chapter 121, S. L. 1931.)

Section 13. All moneys received under the provisions of this act shall be distributed as follows:

(a). For the administration and enforcement of the provisions of this act, ten per cent or so much thereof as may be necessary shall be paid to the Commission.

(b). Out of the balance the said Treasurer shall pay fifty per cent to the credit of the State Highway Fund and it shall become a part of the said Highway Fund created by section 25

of chapter 136 of the regular Session Laws of Colorado of 1921. The remaining fifty per cent shall be apportioned on the first day of January and the first day of July of each year among the various counties of the state, according to the mileage of state routes and state highway as established by the State Highway Department; and the Auditor of State shall issue warrants covering the above payments to the several counties and the State Treasurer is hereby authorized to pay the same, and such sum so paid to such counties shall be devoted exclusively to the maintenance and repair of the public highways within such counties.

Section 14. Any person, firm, association or corporation who shall use any public highway in this state for the transportation of passengers or property as a motor vehicle carrier without first obtaining a certificate of public convenience and necessity as herein provided for, or in violation of any of the terms thereof, or who fails and neglects or refuses to make any return hereunder or any report required by the Commission, or who denies to the Commission access to his or its books and records, or who makes any false return, shall be guilty of a misdemeanor and shall be punishable by a fine as hereinafter provided.

Section 15. The Commission is hereby empowered to appoint and employ, subject to its discretion, such clerks and inspectors as the proper and economical administration of the provisions of this act may require; also to expend such other moneys for postage, telegraph and telephone tolls, printing and other supplies, and premiums on bonds of employees and traveling expenses incurred or authorized by it and which may be incurred, exclusively in the enforcement of the provisions of this act; provided, however, the total sum to be expended, as provided for in this section, shall not exceed the ten per cent allowed to the Commission for the administration and enforcement of the provisions of this act as provided in sub-paragraph (a) of section 13.

Section 16. The Commission shall charge and collect from all motor vehicle carriers, in addition to the license fee herein provided, the following fees: Filing fee for application for a certificate of public convenience and necessity, \$15.00; filing fee for transfer of a certificate of public convenience and necessity, \$5.00; and the Commission shall charge a reasonable fee, not exceeding fifty cents on each \$1,000 of capital to be invested, for issuing said certificate of public convenience and necessity. All

fees charged and collected under this section shall be paid, at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as "The Public Utilities Commission Fund," created under section 42 of the Public Utilities Act, chapter 127, Laws of 1913.

Section 17. Every motor vehicle carrier as defined in this act shall file with the Commission a liability insurance policy issued by some insurance carrier or Insurer, authorized to do business in the state of Colorado, or a surety bond issued by some company authorized to do a surety business in the state of Colorado, in such sum, for such protection and in such form as the Commission, by its rules and regulations, may deem necessary to adequately safeguard the public interest.

Section 18. The Commission shall supervise and regulate all motor vehicle carriers and shall promulgate such safety rules or regulations as it may deem wise or necessary to govern and control the operation of motor vehicles by them, and shall enforce the same as herein provided.

Section 19. The Commission may at any time, by order duly entered, after hearing had upon notice to the holder of any certificate of public convenience and necessity hereunder, and when it shall be established to the satisfaction of the Commission that such holder has violated any of the provisions of this act, or violated or refused to observe any of the proper orders, rules or regulations of the Commission, suspend, revoke, alter or amend any such certificate issued under the provisions of this act, provided that the holder of such certificate shall have all the rights of hearing, review and appeal as to such order or ruling of the Commission as are now provided by the public utility laws of this state, and provided, further, that no appeal from or review of any order or ruling of the Commission shall be construed to supersede or suspend such order or ruling unless upon order of the proper court obtained therefor.

Section 20. Every motor vehicle carrier and every officer, agent or employee of any motor vehicle carrier, and every other person who violates or fails to comply with or who procures, aids or abets in the violating of any provisions of this act, or who fails to obey, observe or comply with any order, decision, rule or regulation of the Commission, or who procures or aids or abets

any corporation or person in its or his failure to obey or observe such order, decision, rule or regulation, shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not exceeding \$1,000 or by imprisonment in the county jail not to exceed six months, or both, in the discretion of the court. The inspectors of the Commission shall have all the powers conferred by law upon peace officers to carry weapons, make arrests, serve warrants and other processes in any county or city and county, of this state.

Section 21. The District Court, or within its jurisdiction the County Court of any county in or through which any motor vehicle carrier operates, shall have jurisdiction in all matters arising under this act on account of the operation of such motor vehicle carrier, regardless of the place of residence of such motor vehicle carrier or the place of service of process upon such motor vehicle carrier. (Chapter 121, S. L. 1931.)

Section 22. Whenever the Commission shall be of the opinion that any motor vehicle carrier is failing or omitting to do anything required of it by law, or by any order, decision, rule, direction or requirement of the Commission, or is doing anything, or about to do anything, or permitting anything, or about to permit anything to be done, contrary to or in violation of law or of any order, decision, rule, direction or requirement of the Commission, it shall request the attorney of the Commission or the attorney general of the state or the district attorney of any district to commence an action or proceeding in the district or county court in and for the county or city and county in which the cause or some part thereof arose, or in which the corporation or person complained of has its principal place of business, or in which the person complained of resides, in the name of the people of the state of Colorado for the purpose of having such violations or threatened violations stopped and prevented, either by mandamus or injunction. The attorney of the Commission or the attorney general of the state or the district attorney of any district so requested shall thereupon begin such action or proceeding by petition to such district or county alleging the violation or threatened violation complained of, and praying for appropriate relief by way of mandamus or injunction. It shall thereupon be the duty of the court to specify a time, not exceeding twenty days after the service of a copy of the petition, within which the mo-

tor vehicle carrier complained of must answer the petition, and in the meantime the said motor vehicle carrier may be restrained. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances of the case, and such corporations or persons as the court may deem necessary or proper to be enjoined as parties in order to make its judgment, order or writ effective may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding, or direct that the writ of mandamus or injunction issue or be made permanent as prayed for in the petition or in such modified or other form as will afford appropriate relief. A writ of error may be taken to the Supreme Court from such final judgment in the same manner and with the same effect, subject to the provisions of this act, as writs of error are taken from judgments of the district court in other actions for mandamus or injunction.

Any person or corporation injured by such non-compliance of any motor vehicle carrier with the provisions of this act or of any other provisions of the law or orders, decisions, rules, directions or requirements of the Commission, may apply to any court of competent jurisdiction for the enforcement thereof, and the court shall have jurisdiction to enforce obedience thereto by writ of injunction or other proper process, mandatory or otherwise, and to restrain any such motor vehicle carrier, its officers, agents, employees or representatives from further disobedience thereof, or to enjoin upon it or them obedience to the same, and any person or corporation so injured shall likewise have cause of action in damages, and be privileged to pursue the usual and proper remedies to redress the same as in like cases provided by law.

Section 23. Nothing in this act shall be construed as prohibiting the intermittent transportation of farm produce to market or supplies to the farm by any person chiefly engaged in farming, or to the transportation of children to and from school.

Section 24. It shall be unlawful for any motor vehicle carrier to carry or advertise that it will carry any goods or persons at rates other or different than those it shall have on file with the Commission for such carriage.

Section 25. No motor vehicle carrier shall insert any advertisement in any newspaper or other publication of general

circulation, or circulate any written or printed matter, or display any sign or signs, advertising his said motor carrier business, unless said advertisement, written or printed matter, sign or signs, shall distinctly state in a conspicuous manner whether or not passengers and/or property carried by the said motor vehicle carrier are insured by him under public liability policies of insurance; and no motor vehicle carrier shall use the words "bonded and insured" or words of similar import, in the conduct of his said advertising unless he shall carry public liability insurance. And it is further provided that in all such advertisements, written or printed matter, sign or signs, the carrier shall distinctly state the kind of equipment used by the said carrier in the transportation of passengers or property; and in the case of motor vehicle passenger carriers, whether the said carrier operates parlor car busses or touring cars or sedans. Provided, however, that no motor vehicle carrier shall advertise parlor car busses or sedan type busses or touring cars or sedans unless the said motor carrier has sufficient of the named type of equipment to provide transportation for his said passengers in the type of equipment so advertised; and no motor vehicle carrier shall advertise in any newspaper, publication, sign or otherwise, any statement that would mislead the public as to schedules, insurance, or type of equipment to be used.

Every motor vehicle carrier and every officer, agent or employee of any motor vehicle carrier who violates or fails to comply with the provisions of this section, or who falsely states in said advertisements, written or printed matter or signs that passengers and/or property are insured under policies of public liability insurance, or falsely states the kind of equipment in which passengers are to be transported, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$500.00 or more than \$1,000.00 or be imprisoned in the county jail for not more than ninety days or by both such fine and imprisonment in the discretion of the court.

Section 26. If and when the General Assembly shall, in the general appropriation bill or otherwise, make an appropriation for the payment of the expenses of the administration and enforcement of this act then, and in this event, all such expenses shall be paid out of the moneys so appropriated, and not otherwise; and no part of any moneys collected hereunder shall be

set aside or used for any of such expenses for or during any period for which any such appropriation shall have been made. In case the Public Utilities Commission Fund referred to in section 16 hereof shall be abolished then all moneys collected under section 16 hereof shall be paid into the treasury of the state to the credit of the general fund of the state.

Section 27. All provisions of the Public Utilities Act of the state of Colorado, chapter 127, Laws of 1913, and all acts amendatory thereof or supplemental thereto, shall, insofar as applicable, apply to all motor vehicle carriers subject to the provisions of this act.

Section 28. If any section, sub-section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed the act and each section, sub-section, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Section 29. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Section 30. It is hereby declared that this act is necessary for the immediate preservation of the public peace, health and safety.

Approved: April 30, 1927, 10:50 A. M.

JUDICIAL DECISIONS RELATING TO MOTOR CARRIER ACT

A common carrier is one who indiscriminately accepts, discharges and lays down freight or passengers for hire.

Greeley Transp. Co. v. People, 79 Colo. 307, 245 P. 720.

The additions of paragraphs a, b and c of Chapter 121, S. L. 1931, does not change such requirement, but merely shifts the burden upon the private carrier to prove that he is not attempting to evade the law and is not operating as a common carrier.

Bushnell v. People, 19 P. (2nd) 197.

One transporting freight for hire under contracts with various individuals is not a "public motor vehicle carrier for hire" within the terms of Sec. 1 (d) of the Public Carrier Act of 1927, as amended by Chapter 121, S. L. 1931.

McDill v. Northeastern Motor Freight, Inc., 19 P. (2nd) 204.

Burbridge v. Public Utilities Commission, 91 Colo. 134, 12 P. (2nd) 1115.

Section 23 does not permit a farmer to haul the farm produce of others to market for hire, but confines him to the transportation of his own produce.

Bushnell v. People, 19 P. (2nd) 197.

ORIGINAL DOCUMENTS RELATING TO JEWISH HISTORY
PART I

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