



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

March 4, 2011

David W. Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Landmark Travel Service, Inc.*
d/b/a Puget Sound Coachlines
Commission Staff's Response to Application for Mitigation of Penalties
Docket TE-110216

Dear Mr. Danner:

On February 11, 2011, the Washington Utilities and Transportation Commission (commission) assessed a \$2,400 penalty against Landmark Travel Service, Inc. d/b/a Puget Sound Coachlines (Landmark) for violations of WAC 480-30-221, Operation of motor vehicles, which requires charter carriers to comply with Title 49, Code of Federal Regulations (CFR), including Part 391, which governs qualification of drivers. The company was penalized for 24 violations of WAC 480-30-221, which adopts by reference CFR Part 391.45(a), Using a driver not medically examined and certified. Commission staff found that driver Raymond Borge drove with an expired medical card on 24 occasions.

On March 4, 2011, Landmark filed an Application for Mitigation of Penalties (mitigation request), waiving a hearing and asking for an administrative decision on the information it presented. For the reasons below, staff opposes mitigation of the penalty.

Commission records indicate that Landmark received the Notice of Penalties (penalty assessment) on February 14, 2011, by certified mail.¹ Page three of the penalty assessment directs the respondent to complete and sign the document and send it to the commission within 15 days of receipt. The deadline for filing the mitigation request was March 1.

Because Landmark failed to timely file its mitigation request, staff recommends the request be denied.

¹ A true and accurate copy of the signed certified mail card is enclosed.



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If you have any questions, please contact Betty Young, Compliance Investigator, Transportation Safety, at 360-664-1202, or by e-mail at byoung@utc.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "David Pratt". The signature is written in dark ink and is positioned above the printed name and title.

David Pratt
Assistant Director, Transportation Safety

Enclosure

TE-1102110

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Landmark Travel Service Inc
 dba Puget Sound Coachlines
 809 West Main Street
 Auburn, WA 98001**

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

YOSHIO YASUDA

C. Date of Delivery

2/14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

*RMS
J*

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7010 0780 0002 3526 0526

PS Form 3811, February 2004 *2/11* Domestic Return Receipt *Penalty* *ELWA* 102595-02-M-1540