



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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August 31, 2020

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Shuttle Express, Inc.*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TC-200658

Dear Mr. Johnson:

On August 17, 2020, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Shuttle Express, Inc., (Shuttle Express or Company) in the amount of \$1,800 for violations of Washington Administrative Code (WAC) 480-30-222, Vehicles with Capacity for Seven or Fewer Passengers (Including the Driver), as follows:

- **Eight violations of WAC 480-30-222(1) – Failing to ensure all vehicles have been properly inspected by a mechanic who has been certified by the National Institute for Automotive Service Excellence.** Shuttle Express failed to have an annual inspection performed on eight of its vehicles.
- **Eight violations of WAC 480-30-222(2) – Failing to ensure that drivers completed both pre-trip and post-trip inspections each day the vehicles were operated.** The Company failed to require its drivers to prepare a driver vehicle inspection report (DVIR) on eight occasions.
- **Eight violations of WAC 480-30-222(4)(b) – Failing to obtain a complete driving record from the Washington Department of Licensing.** Shuttle Express failed to ensure that a driver's abstract was maintained for drivers Kamal Singh, Pardeep Singh, Katie Isobe, Tiffiney Reason, Haris Sijamic, Kapil Sharma, Alexander Stoyanov, and Terry Wood.
- **Fifteen violations of WAC 480-30-222(4)(e) – Failing to ensure drivers were medically examined and certified prior to operating a passenger carrying vehicle.**

The Company allowed drivers Pardeep Singh and Alexander Stoyanov to operate a passenger carrying vehicle without a valid medical certificate on 15 occasions between January 20 and 31, 2020.

On August 27, 2020, Shuttle Express filed with the Commission its application for mitigation of penalties. In the request for mitigation, Jimmy Sherrell, president and CEO of Shuttle Express, admits the violations, describes steps taken to prevent future occurrences, and asks that the penalties be reduced. Staff addresses the Company's request for mitigation, as follows:

- **Mitigation Request: WAC 480-30-222(1) – Failing to ensure all vehicles have been properly inspected by a mechanic who has been certified by the National Institute for Automotive Service Excellence (ASE).** Shuttle Express states that every contractor vehicle is now inspected by an ASE-certified mechanic. The Company adds that it will monitor and maintain records of inspection for all its contractors.
- **Staff response:** The Company corrected these first-time violations by ensuring its contractors' vehicles are inspected by qualified mechanics. The assessed penalty is \$100 for eight occurrences of this violation. For this reason, staff recommends no mitigation of this penalty.
- **Mitigation Request: WAC 480-30-222(2) – Failing to ensure that drivers completed both pre-trip and post-trip inspections each day the vehicles were operated.** Shuttle Express states it notified its contractors of the requirement to complete both pre-trip and post-trip inspections and created a new DVIR form that will be maintained for every contractor.
- **Staff response:** The Company informed its contractors of the requirement to prepare pre-trip and post-trip inspections, created a new DVIR form, and maintains those inspection reports for every contractor. The assessed penalty is \$100 for eight occurrences of this violation. For this reason, staff recommends no mitigation of this penalty.
- **Mitigation Request: WAC 480-30-222(4)(b) – Failing to obtain a complete driving record from the Washington Department of Licensing.** Shuttle Express states it will obtain a driver's abstract for every contractor and will maintain those driving records for all contractors.
- **Staff response:** Shuttle Express has implemented new procedures to prevent reoccurrence of this violation. The assessed penalty is \$100 for eight occurrences of this violation. For this reason, staff recommends no mitigation of this penalty.
- **Mitigation Request: WAC 480-30-222(4)(e) – Failing to ensure drivers were medically examined and certified prior to operating a passenger carrying vehicle.** The Company states it now requires its contractors to furnish valid medical certificates, will verify medical certificates through the national registry for every contractor, and will

maintain medical certificates in every contractor file.

- **Staff response:** Shuttle Express put processes and procedures in place to come into compliance with this regulation and to prevent reoccurrence of this violation. The assessed penalty is \$1,500 for 15 occurrences of this violation. Staff recommends this penalty be reduced to \$700.

Staff recommends the penalty of \$1,800 be reduced to \$1,000. If you have any questions, please contact Jason Hoxit, Compliance Investigator, Transportation Safety, at (360) 867-8305, or by email at Jason.Hoxit@utc.wa.gov.

Sincerely,



Digitally signed by Sharp,
Jason (UTC)
Date: 2020.08.31
13:32:41 -07'00'

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety