



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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June 28, 2024

Jeff Killip, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. 7Lenora, LLC*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TV-240378

Dear Mr. Killip:

On June 3, 2024, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against 7Lenora, LLC (7Lenora or Company) in the amount of \$800 for violations of Washington Administrative Code (WAC) 480-15-555, Criminal Background Checks for Prospective Employees and WAC 480-15-560, Vehicle and Driver Safety Requirements, which adopts Title 49 Code of Federal Regulations (49 C.F.R.) Part 391 – Qualification of Drivers, as follows:

- **Six violations of WAC 480-15-555(1) – Failure to complete a criminal background check for every person the carrier intends to hire.** The Company failed to acquire criminal background checks prior to hiring employees Damion Alexander, Matthew Bauer, Chris Dreibratt, Nicole Martin, Kary McLean, and John Peek.
- **Two violations of 49 C.F.R. § 391.45(a) – Using a driver not medically examined and certified.** 7Lenora allowed driver John Peek to operate a motor vehicle without a valid medical certificate on two occasions on November 20, 2023, and April 15, 2024.

On June 24, 2024, the Company filed with the Commission its application for mitigation of penalties. In the request for mitigation, Jacob Chymiy, owner of 7Lenora, admits the violations, states the Company has changed its background check services and identified a local medical examiner listed on the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners website to ensure medical certifications are valid, and asks that the penalties be waived. The Company supplied Commission staff (Staff) with background checks

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for each person named in the violation, except for Dreiblatt, who is no longer employed. Driver John Peek has obtained valid medical certification

In response to the Company's application for mitigation of penalties, Staff notes that these first time violations have been corrected and the Company has procedures to prevent future repeat violations from occurring. As a result, Staff recommends mitigating the \$800 penalty to \$400.

If you have any questions, please contact Jason Sharp, Transportation Safety, at (360) 701-1603, or by email at Jason.Sharp@utc.wa.gov.

Sincerely,

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety