

**Staff Investigation  
of  
Apex Limousine LLC  
TE-161261**

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## **PURPOSE, SCOPE, AND AUTHORITY**

### **Purpose**

The purpose of this investigation is to determine if Apex Limousine LLC (Apex Limousine) operated as a charter party or excursion carrier, transporting passengers for compensation on the public highways of the state of Washington without the necessary certificate required for such operations by RCW 81.70.220.

### **Scope**

The investigation focuses on information obtained by Washington Utilities and Transportation Commission (Commission) staff relating to Apex Limousine.

### **Authority**

Commission staff (staff) undertakes this investigation under the authority of the Revised Code of Washington (RCW) 81.01.010, which adopts RCW 80.01, which directs the Commission to regulate passenger transportation providers in the public interest, and to adopt such rules and regulations as may be necessary to do so. In addition, RCW 81.04.510 directs the Commission to conduct such an investigation. Appendix A includes relevant laws and rules.<sup>1</sup>

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<sup>1</sup> Applicable laws and rules at Appendix A.

## INVESTIGATION

### Overview

In August 2016, Commission staff identified a non-certificated company, Apex Limousine LLC, which appeared to be advertising party bus services on its company website. Staff investigated Apex Limousine and now believes the company is operating as a charter party carrier without a certificate from the Commission, in violation of RCW 81.70.220.

Staff found that the company advertised or offered party bus services as follows:

1. Apex Limousine advertised party bus services on its company website.
2. Apex Limousine advertised party bus services on Yelp.
3. Apex Limousine provided staff with a written quote to transport a group of 20 passengers in its 24-passenger party bus.

### Company Information

Apex Limousine is registered with the State of Washington Business Licensing Service under UBI 603031547.<sup>2</sup> Apex Limousine is also registered as a limousine company with the Department of Licensing, and as of June 6, 2017 had ten limousine vehicles registered. Governing person for the business is Ahmad H. Aleasawi. The company's physical and mailing address is 4752 South 172<sup>nd</sup> Street, SeaTac, WA 98188. This address also appears on Mr. Aleasawi's Washington driver's record.<sup>3</sup>

### Vehicles on Premises

A satellite image of Mr. Aleasawi's residence and the place of business for Apex Limousine shows a number of vehicles parked behind the residence including a vehicle that bears resemblance to the 2003 International bus further discussed below. The image was captured from Google Maps on April 28, 2017.<sup>4</sup>

### Commission History

**Docket TE-130679:** On May 3, 2013 Mr. Aleasawi applied to the Commission for charter and excursion authority on behalf of Apex Limo Service LLC. On his application, Mr. Aleasawi provided the mailing and physical address of 4752 South 172<sup>nd</sup> Street, SeaTac, WA 98188, and a telephone number of (206) 393-2332.<sup>5</sup>

On the application for authority, Mr. Aleasawi listed one vehicle, a 2003 vehicle with seating capacity of 24 and a VIN of 1HVBTA5M53H589840. Mr. Aleasawi did not fill

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<sup>2</sup> Business Licensing Service registration at Appendix B.

<sup>3</sup> Department of Licensing driver record at Appendix C. Mr. Aleasawi's driving record also lists 13 vehicles that are associated with him but not of interest to this investigation.

<sup>4</sup> Google Maps satellite image at Appendix D.

<sup>5</sup> Application for Charter and Excursion Authority, Docket TE-130679, at Appendix E.

in the license number or the make of the vehicle on the application. According to the Department of Licensing<sup>6</sup>, this vehicle is a 2003 International van, registered to Apex Limousine Service LLC at 4752 South 172<sup>nd</sup> Street, SeaTac, WA 98188. The DOL vehicle record as of June 6, 2017 indicates that the license plate APEX1 was renewed on April 28, 2017 and expires on April 9, 2018.<sup>7</sup> The VIN database describes this vehicle as a 2003 International bus.<sup>8</sup> Staff learned from DOL Limousine Program Manager Jody Sisk that this vehicle is not one of the ten vehicles Apex Limousine has registered under its limousine license with the Department of Licensing.

On June 3, 2013 Commission staff provided new entrant technical assistance to Apex Limousine and performed a Level I CVSA inspection on the 2003 International bus, APEX1.<sup>9</sup> According to the inspection report, the vehicle has a seating capacity of 24. The Commission granted Charter and Excursion Certificate CH-64953 to Apex Limousine on June 10, 2013.<sup>10</sup>

**Docket TE-140710:** On April 25, 2014 the Commission suspended Apex Limousine's charter authority for lack of insurance. The suspension was lifted April 30.

**Docket TE-141110:** On May 19, 2014 the Commission suspended Apex Limousine's charter authority for lack of insurance. The suspension was lifted May 22.

**Docket TE-141051:** On May 23, 2014 the Commission penalized Apex Limousine \$1000 for failing to furnish an annual report. The penalty was reduced to \$200 on August 1. Commission staff notified Apex Limousine by letter dated January 13, 2015, of its intent to send the account to collections. Apex Limousine paid the penalty in full on January 22, 2015.

**Docket TE-143112:** On August 14, 2014 the Commission suspended Apex Limousine's charter authority for lack of insurance. The suspension was lifted September 15.

**Docket TE-151003:** On June 8, 2015 the Commission penalized Apex Limousine \$1000 for failing to furnish an annual report. On September 18, 2015 Commission staff sent the company a letter notifying it of the Commission's intentions to send the account to collections. In November, 2016, Apex Limousine began making monthly payments on its account, and has been making monthly payments ever since. After the May 9, 2017 payment, the remaining balance was \$441.17.

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<sup>6</sup> Staff used the VIN noted on the application to search DOL vehicle records.

<sup>7</sup> Department of Licensing vehicle record at Appendix F.

<sup>8</sup> National Institute for Safety Research, VIN database, at Appendix G.

<sup>9</sup> MCS assignment report at Appendix H.

<sup>10</sup> CH-064953 at Appendix I.

**Docket TE-151091:** On May 21, 2015 the Commission cancelled Apex Limousine’s charter certificate after the company failed to provide proof of insurance. In its Order 01, under this docket, the Commission directed Apex Limousine to cease all operations associated with its charter certificate.<sup>11</sup>

### **Technical Assistance**

Commission staff became aware that Apex Limousine was advertising party bus services on its website, and wrote to the company on August 10, 2016.<sup>12</sup> In the letter staff stated that it believed Apex Limousine was providing regulated transportation which required a certificate from the Commission. Staff requested Apex Limousine respond by either submitting a completed application for charter authority, or explaining why it believed its business did not require authority. Staff received no response from Apex Limousine.

Staff wrote to Apex Limousine again on November 1, 2016, via certified mail, and again received no response.<sup>13</sup>

### **Advertising – Website**

Staff revisited the company website, [www.apexLimousineseattle.com](http://www.apexLimousineseattle.com) on April 27, 2017. The website appeared as it did in August, 2016, and continued to advertise party bus services.<sup>14</sup>

*Apex Limousine is the Seattle area’s full-service transportation company that will satisfy all of your ground transportation requests from limo and party bus rental, to airport or corporate car service.*

Further down the webpage is a section advertising “Seattle Party Bus Rental” with a link button to request a quote. The image is of a large, black International bus.

At the top of the page is a drop-down menu for “Limo Services”. The third option on the drop-down menu is “Seattle Party Bus Rental” which leads to the Seattle Party Bus Rental page.<sup>15</sup> On this page is a description of Apex Limousine’s party bus.

#### *24 Passenger Luxury Limousine Party Bus*

*Our party and limo bus vehicles hold 24 passengers. With so much seating, and party lighting on the interior, this vehicle is truly a party on the wheels-the perfect choice for*

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<sup>11</sup> TE-151091 Order 01 at Appendix J.

<sup>12</sup> Technical Assistance Letter #1, August 10, 2016, at Appendix K.

<sup>13</sup> Technical Assistance Letter #2, November 1, 2016, at Appendix L.

<sup>14</sup> Apex Limousine website homepage at Appendix M.

<sup>15</sup> Apex Limousine – Seattle Party Bus Rental webpage at Appendix N.

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*your fun occasion or night out. Hour minimums are 3 hours for weekdays, and 5 hours for weekends.*

### **Advertising – Yelp**

Apex Limousine has a Yelp profile.<sup>16</sup> On the Yelp profile is the same text verbatim as on the company website.<sup>17</sup>

*Apex Limousine is the Seattle area's full-service transportation company that will satisfy all of your ground transportation requests from limo and party bus rental, to airport or corporate car service.*

The Yelp profile invites viewers to “Meet the Business Owner, AJ A.” Staff believes that “AJ A.” is Mr. Aleasawi because his first and last initials are “A” and “A.”

### **Offer to Provide Transportation**

On April 12, 2017 staff obtained Apex Limousine’s email address<sup>18</sup> from its website, and posing as a customer, inquired about availability and a quote for the 24-passenger party bus to transport a group of 20 persons. Apex Limousine responded later the same day offering transportation of 20 persons for \$1200.<sup>19</sup>

The email reply came from “AJ”, who staff believes is Mr. Aleasawi.

## **STAFF FINDINGS AND RECOMMENDATIONS**

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<sup>16</sup> <https://www.yelp.com/biz/apex-limousine-service-seattle>.

<sup>17</sup> Apex Limousine Yelp profile at Appendix O.

<sup>18</sup> [info@apexlimo.com](mailto:info@apexlimo.com).

<sup>19</sup> Company email of April 12 to staff at Appendix P.

**Staff Findings**

Commission staff finds that Apex Limousine knowingly violated RCW 81.70.220 at least three times by engaging in the business of a charter party carrier without first having obtained a certificate from the Commission to do so. Specifically, Apex Limousine operated as a charter party carrier of passengers when it:

1. Advertised party bus services on its company website,
2. Advertised party bus services on Yelp, and
3. Provided staff with a written quote to transport a group of 20 passengers in its 24-passenger party bus.

**Staff Recommendations**

Staff recommends that the Commission institute a classification proceeding under RCW 81.04.510 to determine whether Apex Limousine is operating as a charter party or excursion service carrier of passengers in Washington without the certificate required for such operations by RCW 81.70.220(1).

Staff also recommends that the Commission file a complaint for penalties of up to \$5,000 per violation, as authorized by RCW 81.70.220(2), against Apex Limousine for engaging in the business of a charter party carrier or excursion carrier without obtaining the required certificate from the Commission.