



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY 1-800-833-6384 or 711

State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

12/29/20 13:57

Received  
Records Management

December 16, 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. Olympic Hiking Company LLC*  
Commission Staff's Response to Application for Mitigation of Penalties  
Docket TE-200940

Dear Mr. Johnson:

On December 1, 2020, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Olympic Hiking Company LLC, (Olympic Hiking or Company) in the amount of \$100 for violations of Washington Administrative Code (WAC) 480-30-221, Vehicle and Driver Safety Requirements, which adopts Title 49 Code of Federal Regulations (49 CFR) Part 396 – Inspection, Repair, and Maintenance, as follows:

- **Forty-four violations of 49 CFR § 396.11(a) – Failing to require driver to prepare driver vehicle inspection report.** The Company failed to require drivers Jennifer Hart and Eric Coufal to prepare driver vehicle inspection reports on 44 separate occasions.

On December 2, 2020, Olympic Hiking filed with the Commission its application for mitigation of penalties. In the request for mitigation, Tommy Farris, owner of Olympic Hiking, admits the violations, states the violations have been corrected, describes steps the Company has taken to prevent future occurrences, and asks that the penalty be reduced or waived.

In response to the Company's request for mitigation, Olympic Hiking corrected the violations, implemented new procedures, and created a system that ensures drivers will fill out driver vehicle inspection reports when necessary; however, Commission staff does not recommend mitigation or waiver of the penalty.

Instead of being assessed a \$100 penalty for each occurrence of the 44 violations found during the safety investigation, a "per category" penalty of \$100 was assessed since the violations were first-time critical violations. In essence, the penalty has already been reduced.

Mark L. Johnson  
December 16, 2020  
Page 2

If you have any questions, please contact Michael Dotson, Compliance Investigator, Transportation Safety, at (360) 480-5420, or by email at [Michael.Dotson@utc.wa.gov](mailto:Michael.Dotson@utc.wa.gov).

Sincerely,

*/s/ Jason Sharp*  
Jason Sharp  
Motor Carrier Safety Supervisor, Transportation Safety