

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

RIDE THE DUCKS OF SEATTLE, L.L.C.
d/b/a SEATTLE DUCK TOURS,

Respondent.

DOCKET TE-151906

JOINT STIPULATION OF
COMMISSION STAFF AND RIDE
THE DUCKS OF SEATTLE, L.L.C.

1 This Joint Stipulation is entered into by the Staff of the Washington Utilities and
Transportation Commission (“Staff”) and Ride the Ducks of Seattle, L.L.C. d/b/a Seattle
Duck Tours (RTDS or “company”), collectively, the Parties. This Joint Stipulation is
subject to the Commission’s approval and acceptance.

2 The Parties respectfully stipulate to the following:

3 RTDS’s excursion service carrier operating authority should be restored to allow
the company to resume operations of its “Truck Duck” vehicles effective December 21,
2015.

4 By January 29, 2016, RTDS will request and, pending Commission Staff review
and approval, will receive a change to its proposed unsatisfactory safety rating. The
request will include a written safety management plan that provides a detailed description

of the corrective actions taken to address each specific violation and outlines how the company will stay in compliance with each requirement in the future. The plan will include:

- a. Identification and designation of company personnel with overall responsibility for ensuring RTDS is in compliance with USDOT requirements and that safety policies, practices, and rules are being followed. RTDS will ensure that this person (or persons) is fully trained on the safety requirements and is authorized and required to hold staff accountable for following safety requirements.
- b. A description of company expectations for its staff related to safety requirements.
- c. A statement verifying the review of the company's current training programs and a description of any updates. RTDS will provide refresher training for all staff, including drivers, mechanics, office staff, and other support staff, focusing on the areas where violations were discovered and emphasizing the importance of compliance.
- d. A statement verifying the review and update of the company's policies and procedures to ensure a corrective action plan for staff that do not comply with safety requirements.

When Commission Staff confirms that RTDS' safety management plan meets these requirements, the company's safety rating will be upgraded to "conditional" and that rating will stay in place until the next rated compliance review investigation.

5 The parties stipulate to a follow-up compliance review investigation in six
months, and again in twelve months, to determine if RTDS is following its safety
management plan and to verify compliance with state and federal safety requirements.
Staff will conduct vehicle inspections during these visits as well.

6 After two years, Staff will conduct another compliance review investigation and
issue a safety rating based on the outcome of that investigation.

7 For the "Stretch Ducks" vehicles, Commission Staff recommends that the
company be required to submit the results of a specialist's evaluation of the front axle
 housings to staff for review. Commission Staff will then make a recommendation to the
commission about whether to return the "Stretch Ducks" to service.

8 RTDS will have a two-person crew (one driver and one narrator) on each Duck
Tour.

9 RTDS will implement a route change that excludes use of the Aurora Bridge in
Seattle.

10 RTDS will not operate its Stretch Duck vehicles pending approval by the
Commission.


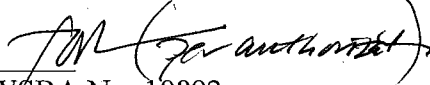
DATED this 18th day of December, 2015.

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