



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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December 13, 2019

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. Boost Collaborative*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TN-190928

Dear Mr. Johnson:

On November 22, 2019, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Boost Collaborative (Boost Collaborative or Company) in the amount of \$500 for a violation of Washington Administrative Code (WAC) 480-31-130, Operation of Motor Vehicles, which adopts Title 49 Code of Federal Regulations (49 CFR) Part 391 – Qualification of Drivers, as follows:

- **Five violations of 49 CFR § 391.45(a) – Using a driver not medically examined and certified.** Boost Collaborative allowed drivers Daphne Starrett, Haydon Truitt, Kayoko Nadamoto, MaryKay Turner, and Teresa Driver to operate a motor vehicle without having been medically examined and certified on five occasions.

On December 9, 2019, Boost Collaborative filed with the Commission its application for mitigation of penalties. In the request for mitigation, Eric Hoyle, Executive Director of Boost Collaborative, admits the violations, and believes the penalties should be reduced. Boost Collaborative states that despite its gross revenue of \$1,332,106, only roughly \$7,200 of that revenue is received annually for its transportation services. With the cost of getting its drivers medically certified, the Company claims that the penalties would cause financial hardship.

Staff response: Boost Collaborative has corrected the violations by obtaining medical certification for the drivers in violation and maintains current medical certificates in its driver qualification files. The assessed penalty is \$500 for five occurrences of this violation. Staff recommends the penalty be reduced to \$250.

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If you have any questions, please contact Michael Dotson, Compliance Investigator, Transportation Safety, at (360) 664-1217, or by email at Michael.Dotson@utc.wa.gov.

Sincerely,

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