



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

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June 10, 2022

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

RE: *Washington Utilities and Transportation Commission v. Vicky Sandhu d/b/a Seattle Top Class Limo; Alisha Limousine Service; Seattle Party Bus*  
 Commission Staff's Response to Application for Mitigation of Penalties  
 Docket TE-220239

Dear Ms. Maxwell:

On April 26, 2022, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Vicky Sandhu d/b/a Seattle Top Class Limo; Alisha Limousine Service; Seattle Party Bus (Seattle Top Class Limo or Company) in the amount of \$5,400 for violations of Washington Administrative Code (WAC) 480-30-221, Vehicle and Driver Safety Requirements, which adopts Title 49 Code of Federal Regulations (49 C.F.R.) Part 382 – Controlled Substance and Alcohol Use and Testing; 49 C.F.R. Part 383 – Commercial Driver's License Standards; Requirements and Penalties; 49 C.F.R. Part 391 – Qualification of Drivers; and 49 C.F.R. Part 396 – Inspection, Repair, and Maintenance, as follows:

- **One violation of 49 C.F.R. § 382.305 – Failing to implement a random controlled substance and/or an alcohol testing program.** The Company failed to enroll its drivers into a controlled substance and alcohol testing program.
- **Six violations of 49 C.F.R. §383.37(a) – Allowing, requiring, permitting or authorizing a driver to operate a commercial motor vehicle (CMV) during any period in which the driver does not have a current commercial learner's permit (CLP) or commercial driver's license (CDL) or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restrictions on the driver's CLP or CDL.** The Company allowed driver Manpreet Singh to operate passenger commercial vehicles without having a required passenger endorsement on their CDL on six occasions between August 20 and December 11, 2021.

- **Thirty-two violations of 49 C.F.R. § 391.45(a) – Using a driver not medically examined and certified.** The Company allowed driver Caleb Kidd to operate a CMV without having a valid medical certificate on 32 occasions between August 20, 2021, and February 5, 2022.
- **One violation of 49 C.F.R. § 396.3(a)(1) – Tire in contact with another part of the vehicle.** Commission staff (Staff) discovered a CMV with the driver side front tire in contact with the wheel well.<sup>1</sup> The vehicle was placed out of service.

On May 2, 2022, Seattle Top Class Limo filed with the Commission a request for mitigation of penalties. In the request for mitigation, Vicky Sandhu, owner of Seattle Top Class Limo, admits the violations, describes the actions taken to correct some violations, but has not provided evidence that corrective actions have been taken.

Commission staff (Staff) addresses the penalties below:

- The Commission assessed a penalty of \$1,500 for one violation of 49 C.F.R. § 382.305. The Company notified Staff that it has hired a new CDL driver that is enrolled in a controlled substances testing program through another company. The Company has failed to provide evidence that corrective action has occurred or that it has established management controls to prevent future violations. Staff recommends no mitigation of this penalty.
- The Commission assessed a penalty of \$100 for six occurrences of violation of 49 C.F.R. § 383.37(a). The Company has not provided evidence that corrective action has occurred or that it has established management controls to prevent future violations. Staff recommends no mitigation of this penalty.
- The Commission assessed a penalty of \$3,200 for 32 violations of 49 C.F.R. § 391.45(a). The Company has not provided evidence that corrective action has occurred or that it has established management controls to prevent future violations. Staff recommends no mitigation of this penalty.
- The Commission assessed a penalty of \$100 for one violation of 49 C.F.R. § 396.3(a)(1). The Company has not provided evidence that corrective action has occurred. Staff recommends no mitigation of this penalty.

Staff recommends the Company's request for mitigation of the assessed penalty of \$5,400 be denied.

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.

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<sup>1</sup> VIN: 1GYEC63807R372388

Amanda Maxwell

June 10, 2022

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Sincerely,

A handwritten signature in black ink, appearing to read 'J Sharp', with a red checkmark below it.

Digitally signed by Sharp,  
Jason (UTC)  
Date: 2022.06.10 07:08:29  
-07'00'

Jason Sharp

Motor Carrier Safety Supervisor, Transportation Safety