

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment
Against

LEMYN'S LEGACY, INC., D/B/A
SPOKANE PARTY BUS

in the amount of \$5,700

DOCKET TE-190790

ORDER 02

GRANTING PAYMENT
ARRANGEMENT

BACKGROUND

- 1 On October 2, 2019, the Washington Utilities and Transportation Commission (Commission) assessed a \$5,700 penalty (Penalty Assessment) against Lemyn's Legacy, Inc., d/b/a Spokane Party Bus (Spokane Party Bus or Company), for 86 critical violations of Washington Administrative Code (WAC) 480-30-221, which adopts by reference Title 49 Code of Federal Regulations (C.F.R.).
- 2 On October 3, 2019, Seattle Travel responded to the Penalty Assessment admitting the violations and requesting mitigation of the penalty, and on October 9, 2019, Commission staff (Staff) filed a response.
- 3 On October 28, 2019, the Commission entered Order 01, Granting Mitigation to \$3,000 (Order 01). Order 01 reduced the penalty to \$3,000 and suspended a \$2,500 portion of the penalty for two years, subject to the conditions that (1) Spokane Party Bus must either pay the \$500 portion of the penalty that is not suspended within 10 days of the effective date of Order 01; (2) Spokane Party Bus may not incur any repeat violations upon re-inspection; and (3) Spokane Party Bus must register with the Uniform Carrier Registration program and pay applicable fees.
- 4 On November 6, 2019, Staff contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in two monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

| Installment | Due Date | Amount |
|-------------|-------------------|--------|
| 1 | November 20, 2019 | \$250 |
| 2 | December 20, 2019 | \$250 |

5 Staff also proposes that if Seattle Travel misses the first payment, the entire balance will become due and payable immediately.

DISCUSSION

6 The installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with one modification. Spokane Party Bus may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make its timely monthly installment until the full amount of \$500 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 7 (1) The \$500 penalty is due and payable to the Commission in installments as set out in paragraph 4, above.
- 8 (2) If Lemyn's Legacy, Inc., d/b/a Spokane Party Bus, fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance, as well as the \$2,500 suspended portion of the penalty, will immediately become due and payable without further order by the Commission.

9 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Lacey, Washington, and effective November 12, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.