

Bill's Transfer, Inc.
2912 69th Ave. W., #D-11
Tacoma, WA 98466
253-564-7000

Washington Utilities & Transportation Commission
1300 S. Evergreen Park DR. SW.
P.O Box 47250
Olympia, WA 98504-7250

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JUN 15 2005

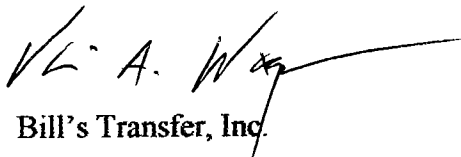
WASH. UT. & TP. COMM

Monday, June 13, 2005

Re: Reasons for mitigation of penalties

1. I was unaware of RCW81.04.530 that requires motor carriers to implement an alcohol and controlled substance testing program.
2. The WUTC has never informed me of RCW81.04.530.
3. The Bates Vocational Institute CDL testing instructor never informed me of RCW81.04.530.
4. The Washington State Department of Licensing never informed me of RCW81.04.530 when issuing my CDL license.
5. My insurance carrier (Unigard) has never informed me of RCW81.04.530.
6. No law enforcement officer has ever informed me of RCW81.04.530 when my truck has been inspected at any of the weight scales in Washington.
7. Prior year WUTC auditors and inspection officers have never informed Bill's Transfer, Inc. that it was required to belong to a drug-alcohol testing consortium and that each driver had to have a negative drug and alcohol screen.
8. The Washington Trucking Association and the Washington Movers Conference have never informed me of RCW81.04.530.
9. During this audit, we have received mixed messages from several healthcare providers relating to RCW81.04.530. For example, we have been told that if your company has only one designated driver as does Bill's Transfer, Inc., that the driver is not required to belong to a consortium pool and can opt to get tested just once a year.
10. At the very least, I should have been given a warning about RCW81.04.530 (which I now possess a negative screen test and belong to a consortium pool), instead of fining us the inordinately excessive amount of \$1,500.00.

Vince A. Wagner



Bill's Transfer, Inc.