

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation of
SAN JUAN TRANSIT TOURS AND
CHARTERS LLC d/b/a SAN JUAN
TRANSIT

For Compliance with WAC 480-30-221

In the Matter of the Penalty Assessment
Against

SAN JUAN TRANSIT TOURS AND
CHARTERS LLC d/b/a SAN JUAN
TRANSIT

In the amount of \$3,900

DOCKET TE-161225
(Consolidated)

DOCKET TE-161224
(Consolidated)

DECLARATION OF
WAYNE GILBERT

1 I, WAYNE GILBERT, under penalty of perjury under the laws of the State of
Washington, declare as follows:

2 I am over 18 years of age, a citizen of the United States, a resident of the State of
Washington, and competent to be a witness.

3 I am employed by the Washington Utilities and Transportation Commission
(Commission) as a Motor Carrier Safety Investigator. I have held this position since March
2015, and I have worked at the Commission for that same amount of time.

4 In June of 2017, Commission Staff (Staff) commenced a follow-up compliance
investigation per Order 01 Dockets TE-161225 and TE-161224 (Consolidated). Per the
order, San Juan Transit Tours and Charters LLC d/b/a San Juan Transit (“San Juan Transit”
or “Company”) must maintain a “conditional” safety rating, must not incur any repeat acute
or critical violations upon re-inspection in six-months, must provide documentation that its
vehicles have been inspected prior to commencing operations in the summer of 2017, and

pay the \$1,400 portion of the penalty that was not suspended. Staff conducted a site visit on June 20, 2017, subsequently reviewed additional records, and also conducted a destination check in August in Friday Harbor.

5 During Staff's follow-up investigation of San Juan Transit, I determined that the Company has complied with the following conditions per Order 01:

- a. Maintained a "conditional" safety rating.
- b. Provided documentation that all vehicles were inspected prior to commencing operations in the summer of 2017.
- c. Paid the \$1,400 portion of the penalty that was not suspended.

6 During my review, however, I identified four repeat violations of WAC 480-30-221, involving violations of federal regulations adopted by reference in WAC 480-30-221. My motor carrier compliance investigation is attached as Attachment A, and the repeat violations I identified are summarized below:

- a. **Three violations of 49 CFR Part 382.301(a) (critical violations):** Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. The company allowed three drivers to operate a commercial motor vehicle prior to receiving a negative pre-employment drug test for each of them (Donald Adams – trip date 5/6/2017; Jodi Luft – trip date 7/7/2017; and Jay Savell – trip date 7/1/2017).
- b. **One violation of 49 CFR Part 396.17(a) (critical violation):** Using a commercial motor vehicle not periodically inspected. The company operated a commercial motor vehicle prior to having a periodic inspection accomplished.

7 In addition to the repeat violations, I also identified the following acute violation of federal rules adopted in WAC 480-30-221:

- a. **One violation of 49 CFR Part 387.7(a) (acute violation):** Operating a commercial motor vehicle without having in effect the required minimum levels of financial responsibility coverage. The Company is required to maintain \$5,000,000 in liability coverage and failed to obtain the required insurance amount prior to operating the commercial motor vehicle.¹

8 On August 11, 2017, Staff conducted a destination check in Friday Harbor on San Juan Island. I observed defects in two San Juan Transit vehicles, and Staff placed these two vehicles Out-of-Service. The Driver/Vehicle Examination Report for each vehicle is included in Attachment B.

9 Staff provided San Juan Transit with a copy of the compliance investigation (Attachment A), and the Company sent Staff a response. This response is attached as Attachment C. In its response, San Juan Transit admits the violations related to using a vehicle not periodically inspected (49 CFR Part 396.17(a)) and to operating a vehicle without the required insurance (49 CFR Part 387.7(a)), and admits to one violation of the rule requiring drivers to have a negative pre-employment controlled substance test result (49 CFR Part 382.301(a)).

10 San Juan Transit contests two of the violations of 49 CFR Part 382.301(a), with respect to drivers Adams and Luft. The Company explains that Adams had been given a pre-employment drug test in 2016 but was not hired until April of 2017. Unfortunately San Juan Transit's reasoning does not correspond with the current CFR. Adams had tested on

¹ See Attachment A, Part C.

November 1, 2016, however was not hired or placed in the random controlled substance pool until April 2017. According to 49 CFR 382.301(b) this can occur if (1) *The driver has participated in a controlled substance program that meets the requirements of this part within the previous 30 days; and (2)(i) While participating in that program was tested for controlled substances within the past 6 months, or (ii) Participated in the random controlled substance testing program for the previous 12 months....* San Juan Transit does not have records relating to any controlled substance program or random pool that Adams would have been enrolled in. With respect to Luft, San Juan Transit removed three sets of seats from the vehicle she drove so that, as the Company explained, the vehicle became a 14-passenger (and one driver) vehicle and the driver did not need a CDL or drug testing. According to 49 CFR 383.5 a commercial motor vehicle as pertains to San Juan Transit is defined as any vehicle that is designed to transport 16 or more passengers, including the driver, and the driver is therefore required to possess a commercial driver's license. Removing the seats does not have any bearing on how many passengers the vehicle is designed to transport. Therefore, any driver of this vehicle would be required to possess a commercial driver's license and they would also be required to enroll in a random controlled substance program and receive a pre-employment test as directed under 49 CFR 382.103(a)(1).

11 Staff recommends that the Commission impose the \$2,500 portion of the suspended penalty based upon Staff's findings.

12 Staff is not recommending additional penalties based on the insurance violation (49 CFR Part 387.7(a)) at this time but does wish to register its serious concern with the safety practices of this Company. Operating a vehicle, even once, when insurance has lapsed,

indicates a tolerance for risk that Staff considers to be inconsistent with safe passenger transportation.

13 Due to its concerns about the Company's safety practices, Staff plans to re-inspect San Juan Transit and conduct a rated safety review within 12 months rather than in the routine period of two years. If the inspection reveals any acute or critical violations of WAC 480-30-221, Staff will pursue further enforcement that takes into account repeat violations of any of the violations that Staff identified in Attachment A as well as in the underlying proceeding.

DATED at Olympia, Washington, and effective this 18th day of September, 2017.



WAYNE GILBERT

ATTACHMENT A

ATTACHMENT A



Assignment Report Motor Carrier Safety

New Entrant? Yes No Was a CR conducted between 6-18 months after the permit was issued? Yes No

1. Investigator(s): Gilbert and Yeomans 2. Assignment No.: 117086
 3. Current Date: 8/2/2017 4. Date of Activity: 7/28/2017
 5. Carrier Name: San Juan Transit Tours and Charters LLC
 6. Company ID: 8305 7. Industry Code: 230 8. USDOT #: 2468099
 9. Carrier is: Intrastate Yes No Intra and Interstate

10. Destination Check

11. Compliance Review

▪ SI Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Conditional <input checked="" type="checkbox"/> Not Rated	
▪ Number of Current Vehicles: <u>7</u>	▪ Number of Current Drivers: <u>12</u>
▪ Total Miles Prior Year: <u>70,225</u>	▪ Recordable Accidents Prior Year: <u>0</u>
▪ Accident Ratio: <u>0</u>	
CSA Investigation: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Full Investigation <input type="checkbox"/> Focused Investigation	
Carrier Type: <input checked="" type="checkbox"/> Passenger Carrier <input type="checkbox"/> Property Carrier <input type="checkbox"/> Other: _____	

12. Part B Violations

Part	Violations	Part	Violations	Part	Violations
382/40	2	383		387	1
390		391	2	392	
395		396	2	397	

13. Vehicle Inspection Data

	MB 16+	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type
Inspections	3							
Defective Vehicles	2							
OOS Vehicles	0							
Level	5							

14. Vehicle Inspection Violations

	Vehicle Type	Vehicle Type	Vehicle Type	Vehicle Type	Vehicle Type	Vehicle Type
Comments:	Brake light in-op, emergency exit windows not marked, oil leak					
Emergency Equipment, Exits	2					
Lights	1					
Other	1					

ATTACHMENT A

Assignment Report
Motor Carrier Safety

15. Driver Inspection Violations

16. Relevant Carrier History:

Carrier received an "Unsatisfactory" safety rating in November 2016. This safety investigation is a follow-up to that compliance investigation to ensure carrier is meeting terms and conditions in order TE-161225 and TE-161224. Conditions were: the carrier must maintain a "Conditional" safety rating, not incur any repeat acute or critical violations of WAC 480-30-221 upon re-inspection within six months (and two years), must provide documentation that its vehicles have been inspected as required prior to commencing operations in the summer of 2017, and must pay the \$1,400 portion of the penalty that is not suspended within ten days.

17. Findings:

Significant findings were in CFR Part 382, 387, and 396 along with other violations in 391. Repeat violations include 382.301(a), 396.11(a), and 396.17(a).

18. Recommended Safety Action: Yes No

- Require the company to submit a compliance plan in response to the 15 day letter requirement.
- Require the company to submit a compliance plan in response to the 385 letter requirement (45 days).
- Recheck – Safety Investigation (Date: Select Date)
- Revisit to recheck a specific issue (Date: Select Date)
- Send the company a compliance letter. Require a response: Yes No
- Issue administrative penalties.
- Issue a complaint.
- Stop company operations.

19. Is this carrier considered a high risk carrier as a result of this activity? Yes No

20. Additional Comments:

Recommend seeking penalties for new acute and critical violations along with imposing suspended penalties for repeat critical and acute violations. Carrier safety rating should remain "Conditional."

Investigator's Signature: Wye Kellf Date: 8/2/2017

OFFICE USE ONLY

Initial Review By: Mathew Perkinson Date: 8/9/2017

Initial Reviewer's Recommendation:

Agree with staff recommendation. Staff may impose suspended penalty and pursue penalties for new acute and critical violations. suspended penalty is \$2,500 (see Docket TE-161224.) A full safety investigation shall be scheduled within the two year time frame (or sooner) as outlined in Docket TE-161224.

ATTACHMENT A

Assignment Report
Motor Carrier Safety

Final Review By: Kathy Hunter Date: 8/17/17

Final Reviewer's Recommendation:

Concur with staff recommendations.


Internal Processing

Date Closed: 8/18/2017 By: Katie Hancock

Company Name: San Juan Transit Tours & Charters, LLC

Assignment #: 117086 Staff Assigned: Gilbert and Yeomans

ATTACHMENT A

	US DOT # 2468099	Legal: SAN JUAN TRANSIT TOURS AND CHARTERS LLC Operating (DBA): SAN JUAN TRANSIT				
MC/MX #:		State #: CH-01006		Federal Tax ID: 46-3950911 (EIN)		
Review Type: Non-ratable Review - Commercial						
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory:	
Operation Types						
Interstate		Intrastate		Business: Corporation		
Carrier:	N/A	Non-HM		Gross Revenue: \$210,233.00		
Shipper:	N/A	N/A		for year ending: 12/31/2016		
Cargo Tank:	N/A					
Company Physical Address:						
10 FRONT ST CANNARY LANDING #26 FRIDAY HARBOR, WA 98250						
Contact Name: Kraig Hansen						
Phone numbers: (1) 360- 378-8887		(2)		Fax		
E-Mail Address:						
Company Mailing Address:						
PO BOX 2809 FRIDAY HARBOR, WA 98250						
Carrier Classification						
Authorized for Hire						
Cargo Classification						
Passengers						
Equipment						
	Owned		Term Leased		Trip Leased	
Minibus, 16+	7	0	0	0		
Power units used in the U.S.:7						
Percentage of time used in the U.S.:100						
Does carrier transport placardable quantities of HM? No						
Is an HM Permit required? N/A						
Driver Information						
	Inter	Intra	Average trip leased drivers/month: 0			
< 100 Miles:		12	Total Drivers: 12			
>= 100 Miles:			CDL Drivers: 10			



ATTACHMENT A



SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba)

U.S. DOT #: 2468099

State #: CH-01006

Review Date:

08/23/2017

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety rules may be addressed to the Office of Motor Carriers at:

Wayne Gilbert
1300 S. Evergreen Park Dr S.W.
P.O. Box 47250, Olympia, WA 98504-7250 Office: 360-664-1232 Cell: 360-481-2017

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Kraig Hansen


Title: Owner

Name:

Title:



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	SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba) U.S. DOT #: 2468099	State #: CH-01006	Review Date: 08/23/2017
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Part B Violations

1 STATE	Primary: 382.301(a) CFR Equivalent: 382.301(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation	Checked 3
Description Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Example Driver name: Donald Adams Trip date: 5/6/2017 Description of violation: Carrier allowed a driver to operate prior to receiving a pre-employment drug and alcohol test. Driver was re-hired and drove on 5/6/2017. A random test was conducted on 6/5/2017. Also in violation: Driver name: Jodi Luft Trip date: 7/7/2017 Description of violation: Carrier received a pre-employment verification on 7/28/2017. Driver name: Jay Savell Trip date: 7/10/2017 Description of violation: Carrier received a pre-employment verification on 8/8/2017.					
<hr/>					
2 STATE	Primary: 382.305(i)(2) CFR Equivalent: 382.305(i)(2)	Discovered 2	Checked 10	Drivers/Vehicles In Violation	Checked 10
Description Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. Example Driver name: Jodi Luft Trip date: 7/7/2017 Description of violation: Carrier failed to enroll driver into random testing pool in order to ensure an equal chance of being selected. Also in violation: Driver name: Jay Savell Trip date: 7/10/2017					
<hr/>					
3 STATE	Primary: 387.7(a) CFR Equivalent: 387.7(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 1
Description Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage. Example Driver name: Kraig Hansen Trip date: 6/26/2017 Vehicle Identification: 1FDKE30G1JHB38752 Description of violation: Carrier operated vehicle K40 (Amanda) without proper insurance.					



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	Part B Violations		

4 STATE	Primary: 391.23(c) CFR Equivalent: 391.23(c)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description
 Failing to investigate driver's background within 30 days of employment.
 Driver name: Donald Adams
 Trip date: 5/6/2017
 Description of violation: Carrier failed to obtain a driver's driving abstract within 30-days of employment. Abstract was pulled on 2/10/2017 and driver began driving on 5/6/2017.

5 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description
 Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver disqualification file(s).

Example
 Driver name: Donald Adams
 Trip date: 5/6/2017
 Description of violation: Carrier failed to annotate verification of the medical examiner's listing in the driver qualification file.

6 STATE	Primary: 396.11(a) CFR Equivalent: 396.11(a)	Discovered 1	Checked 150	Drivers/Vehicles In Violation 5	Checked 5
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Description
 Failing to require driver to prepare driver vehicle inspection report.

Example
 Vehicle Number: 1FDJE30H5SSHB97115
 Trip date: 4/13/2017
 Description of violation: Carrier failed to maintain a Driver Vehicle Inspection Report when a problem was identified.

7 STATE	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description
 Using a commercial motor vehicle not periodically inspected.

Example
 Vehicle number: 1FDKE30G1JHB38752
 Trip date: 6/26/2017
 Description of violation: Carrier operated a commercial motor vehicle without having a period inspection. Inspection was not accomplished until 6/28/2017.

Safety Fitness Rating Information: Total Miles Operated 70,225 Recordable Accidents 0	OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 3 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0
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ATTACHMENT A

	SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba) U.S. DOT #: 2468099	Review Date: 08/23/2017
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Part B Violations

Your proposed safety rating is :

This Review is not Rated.



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	SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba) U.S. DOT #: 2468099	State #: CH-01006	Review Date: 08/23/2017
Part B Requirements and/or Recommendations			

1. Within 15 days, send a letter to the UTC describing what actions you have taken in response to this review to ensure that you are complying with the Motor Carrier Safety Regulations.

Identify each violation and why the violations were permitted to occur.

Address the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action (new policies, procedures, training programs etc.).

Outline actions taken to ensure that similar violations do not reoccur in the future.

Address your response to:
Washington Utilities and Transportation Commission
Attention Wayne Gilbert
PO Box 47250
Olympia, WA 98504-7250.

2. For all Investigations:

- Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

- Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

- NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

- NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>


- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

3. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN: San Juan Transit still has issues with utilizing drivers prior to



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	SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba) U.S. DOT #: 2468099	Review Date: 08/23/2017
Part B Requirements and/or Recommendations		

pre-employment testing.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that the controlled-substance and alcohol-testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.
- Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.
- Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.
- Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.
- Verify that the qualifications of all prospective service agents are in accordance with regulations.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.

Passenger Carrier Only:

- When hiring part-time or intermittent drivers with concurrent employment, refer to the pre-employment exception under 382.301(d) or check with the concurrent employer to ensure that drivers are participating in the company's program and no testing violations have occurred.
- Verify that the State credentials produced by applicants for the position of school bus driver meet the Commercial Driver's License qualification and testing requirements.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.



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Part C

Reason for Review: Unsatisfactory Follow-up
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓									

Prior Reviews	Prior Prosecutions	Reason not Rated: Commercial
11/30/2016		

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle? Yes - Intrastate

Does carrier transport placardable quantities of hazardous materials?
Unsat/Unfit rule: Not Applicable

Corporate Contact: Kraig Hansen	Special Study Information:
Corporate Contact Title: Owner	

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:
 Name: Mr. Kraig Hansen
 Title: Owner
 Carrier/Shipper Name: San Juan Transit and Tours
 Date: 08/23/17

REASON FOR THE INVESTIGATION:

As part of the 2017 Motor Carrier Safety work plan, this investigation was assigned to Special Investigator Wayne Gilbert as a result of an "Unsatisfactory" safety rating San Juan Transit and Tours received in a November 2016 review. This carrier operates in intrastate commerce.

SCOPE OF THE INVESTIGATION:

This investigation is a comprehensive intrastate review and was assigned to Special Investigator Wayne Gilbert on 06/15/17. The carrier was contacted on 06/15/17 and a full investigation was set for 06/20/17, with Mr. Kraig Hansen, at 100 Front St, Cannery Landing, #26, Friday Harbor, WA 98250, the carrier's principal place of business. Present at the start of the review was Special Investigators Wayne Gilbert and Sandi Yeomans along with San Juan Transit representative Kraig Hansen (Owner). SMS was checked on 06/15/17 and it was noted that vehicle maintenance in BASICs is in alert status. This is due to the November 2016 review.

CARRIER OPERATION DESCRIPTION:


San Juan Transit is owned and operated by Mr. Hansen. The carrier began operations in 2013. The carrier is currently operating under an active charter passenger permit in the state of Washington. When this review began the carrier was operating five mini-buses, however the carrier is currently operates seven mini-buses and has employed 12 drivers within the past 365 days. San Juan Transit LLC's gross revenue as recorded by Mr. Hansen for calendar year ending in 12/31/16 was \$210,233.00. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier has updated the Vehicle Miles Traveled (VMT) for 2015.

PRE-INVESTIGATION:

On 06/16/17, a carrier information packet was emailed to the carrier requesting investigation information, the records that would need to be reviewed and the information the carrier would need to make available. The carrier was requested to fill-out and return the carrier information packet with a list of all commercial motor vehicle drivers utilized in the past 12 months and a list of all commercial motor vehicles utilized in the last 12 months prior to the start of this investigation. The



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Part C

carrier packet was returned at the opening interview on 6/20/17. On Tuesday, 06/20/17, the documents requested were made available to the investigator for review included a list of all accidents for the past 365 days from the date of review, driver qualification files for all drivers used within the past 12 months, insurance documentation, alcohol and controlled substance testing information, all records of duty status (log books/time cards) for the previous six months, all maintenance files and records for each unit, including leased units, and copies of driver vehicle inspection reports (DVIRs) for the last three months. A copy of the carrier's profile was obtained through MCMIS on 06/19/17 along with a copy of their MCS-150.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM, 12 driver's licenses status/history were required to be checked. The CDLIS website was utilized to determine the status of 10 drivers and Washington State Department of Licensing Website was utilized to determine the status of the remaining two. All drivers are currently valid and licensed. See part 383 for details.

AUTHORITY:

San Juan Transit is an authorized for-hire carrier of passengers operating in intrastate commerce. The carrier operates under the USDOT Number 2468099. San Juan Transit has intrastate authority through the commission under permit number CH-01006.

INSURANCE:

San Juan Transit is required to maintain a minimum level of public liability of \$5,000,000. A check with the carrier's insurance shows a \$5,000,000 Auto Liability effective 4/28/16 with Zurich American and Scottsdale Insurance Companies. See Part 387 below for details.

RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on 06/15/17 and the carrier has no drivers with red flag violations in the last 365 days.

DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:

This is a full comprehensive investigation therefore a Drug and Alcohol Supplemental Review was not required.

HAZARDOUS MATERIALS SUPPLEMENTAL REVIEW:

San Juan Transit does not transport any hazardous materials. A Hazardous Materials Supplemental Review was not required.

INVESTIGATION:

The following investigation is a comprehensive investigation that checked Parts 376, 380, 382, 383, 387, 390, 391, 392, 393, 395 and 396.

Part 376 Lease and Interchange of Vehicles:

San Juan Transit currently does not lease any vehicles.

Part 380 Special Training:

San Juan Transit does not operate long combination vehicles (LCVs). The carrier has not employed drivers that meet the definition of entry level driver.

Part 382 Controlled Substance and Alcohol Testing:

San Juan Transit has 10 CDL drivers employed over the last 365-days.

San Juan Transit has enrolled with Drug Free Business - Bothell as the drug and alcohol testing consortium.

Based on the last review closing out in November 2016, and no program cited for 2016 during the last review, this portion will only cover 2017 data. The 2016 data was not entirely available as most employees were not enrolled into a D&A Program until June 2016.

Average number of drivers for 2017:

1st Qtr 2 (total number in random pool)


2nd Qtr 8

Average: 5

Controlled Substance testing required: 2 (1.25), seven completed



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Part C			

Alcohol: 1 (.5), none completed to date

If the carrier continues to test at the current rate it will be in compliance with the random drug and alcohol testing requirements.

The carrier has not been involved in any accidents over the past 365 that would have required post-accident testing.

No drivers tested positive for any controlled substances or alcohol.

Three critical violations of 382.301(a) occurred when the carrier failed to complete a pre-employment test for controlled substance prior to allowing a driver to drive a commercial motor vehicle. Drivers were allowed to operate for a total of 20 separate occasions. Driver Don Adams operated on the following dates prior to a random test being conducted: 5/6, 5/9, 5/10, 5/11, 5/13, 5/23, and 5/26/2017. Driver Jodi Luft operated on the following dates prior to the pre-employment test being conducted: 6/25, 6/30, 7/5, 7/7, 7/8, 7/9, 7/11, 7/13, 7/14, and 7/15/2017. Driver Jay Savell operated on 7/1, 7/9, and 7/10/2017.

Two violations of 382.305(i) occurred when the carrier failed to enroll two drivers within the random pool, eliminating them from having an equal chance of being selected.

Part 383 Commercial Driver's License:

The carrier employs 10 CDL drivers. A check of the driver's licenses through CDLIS was conducted and all are current.

Part 387 Financial Responsibility:

The carrier's vehicle is insured with Guide Insurance Services, Lynden, WA an underwriter for both Zurich American Insurance Company, Policy number BAP 9016061-03 and Scottsdale Insurance Company, Policy number XLS0102249. The insurance agent is Kandi Baar with a contact telephone number of (360) 354-2200. The carrier's insurance agent was contacted and verified the carrier maintained \$1,000,000 in Auto Liability coverage through Zurich American and \$4,000,000 through Scottsdale Insurance. There was a 30-day lapse in coverage from 3/27/17 through 4/28/17 in which San Juan Transit's operating authority was subsequently cancelled. This was due to the prior insuring company changing their underwriting and declining to offer the coverage limits required at the renewal. As such, the agent needed to find replacement coverage at a reasonable premium. The lapse occurred while the agent was marketing the account to find coverage in order to meet the coverage requirements. The Form E on file with the commission dated 5/10/17 is correct and current.

One acute violation of 387.7(a) occurred when the carrier operated a vehicle without the proper insurance. The carrier stated the vehicle was inactive upon initial investigation. Further investigation revealed the carrier utilized the vehicle to conduct a trip and stated that the vehicle did not have the proper insurance when it was used for a trip.

Part 390 General FMSCR:

The carrier has not been involved in any DOT-recordable accidents within the last 365-days. The accident register is current and does contain required information.

MCS-150 form (updated on 12/15/16) shows 70,225 VMT as of calendar year 2015. The MCS-150 is not required to be updated again until September 2017.

No violations were discovered.

Part 391 Qualification of Drivers:

The carrier employed a total of 12 drivers that operated in the state of Washington during the last 365 days. Per eFOTM guidelines, a sample size of five Driver's Qualification Files were inspected.


One violation of 391.23(c) occurred when the carrier failed to ensure a drivers background check was completed within 30-days of hire.

Five violations of 391.51(b)(9) occurred when the carrier failed to ensure a verification was on file in the driver's qualification file as to the national register of certified medical examiners.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates for 25 percent of the driver qualification file sample size (five) were selected for verification.



ATTACHMENT A

	SAN JUAN TRANSIT (SAN JUAN TRANSIT TOURS AND CHART dba) U.S. DOT #: 2468099	State #: CH-01006	Review Date: 08/23/2017
Part C			

Driver Name: Donald Adams
Date of Birth: 03/19/1955
Driver License Number: ADAMSDM452DR
ME's License/Certificate Number: MD00018422
Date of Issuance of the MEC: 2/23/2017
National Registry Identification Number: 4348048507
Phone Number: 360-378-1338
Date and Time Contacted: 7/25/17 @ 10:00 am
Person Contacted: Joann
Results: Unable to verify, provider would not confirm citing privacy concerns

Driver Name: Jodi Luft
Date of Birth: 10/2/1965
Driver License Number: LUFT*JM356PB
ME's License/Certificate Number: MD00045112
Date of Issuance of the MEC: 12/18/2015
National Registry Identification Number: 5712713269
Phone Number: 360-376-2561
Date and Time Contacted: 7/25/17 @ 10:05 am
Person Contacted: Olivia
Results: MEC Check Confirmed

Part 392 - Driving of Commercial Motor Vehicles:
San Juan Transit is an intrastate carrier and at the time of this investigation the carrier is current on annual regulatory fees.

Part 395 - Hours of Service:
The carrier employed 12 drivers during the last 365 days. In accordance with eFOTM procedures, a sample size of five Records of Duty Status (RODS) is required to be checked for a 30-day period. San Juan Transit LLC operated all of its service under the short haul exemption of Part 395.1(e) within the last 365 days.

For this investigation a 30-day period of 5/1/17-5/30/17 was reviewed. This required that 150 RODS be checked. Drivers checked were: William Pike, Kraig Hansen, Holly Harbers, Jeff Seantuplos, and Donald Adams.

No violations were discovered.

Driver time cards were checked by comparing trip requests, scheduled routes and DVIRs provided by the carrier.

Part 393 & 396 - Maintenance and Inspection:
The carrier has owned and operated seven vehicles that are classified as commercial motor vehicles in intrastate commerce during the last 365 days. The carrier originally stated that only five vehicles were in operation when this review began and all sample size investigations will be based on five vehicles versus seven. The carrier stated all vehicle maintenance is mainly conducted by one of the carrier's drivers, Martin Craft, who is a certified mechanic. The carrier does maintain inspector and brake qualification forms for Mr. Craft.

Vehicle Maintenance Records:
In accordance with eFOTM, a sample size of three vehicle maintenance file were reviewed.

One critical type violation of 396.17(a) occurred when the carrier operated a commercial motor vehicle without proof of a periodic inspection. This violation occurred after the review had begun and based on our knowledge of the incident, we expanded the sample size to six vehicle maintenance records based on the addition of this vehicle in operation per eFOTM guidelines.

Driver Vehicle Inspection Reports (DVIRs):
Based on the fleet size of five vehicles, a total of five vehicles were selected to review DVIRs. Ninety days of DVIRs were reviewed resulting in 60 total DVIRs reviewed over the last 90 days.

One critical type violation of 396.11(a) occurred when the carrier failed to require a driver to complete a DVIR. On 4/13/2017, a vehicle was identified to have a coolant leak and taken to a local mechanic to be repaired.



ATTACHMENT A

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17



Washington State Patrol
Commercial Vehicle Enforcement Section
 P.O. Box 42614
 Olympia, WA 98504-2614
 360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000286
Inspection Date: 06/20/2017
Start: 01:14 PM PT **End:** 1:57:00 PM PT
Inspection Level: V - Terminal
HM Inspection Type: None

SAN JUAN TRANSIT TOURS AND CHARTERS LLC
 PO BOX 2809
 FRIDAY HARBOR, WA 98250
USDOT#: 02468099 **Phone#:** (360)378-8887
MC/MX#: **Fax#:**
State#:

Driver: **State:**
License#:
Date of Birth:
CoDriver: **State:**
License#:
Date of Birth:

Location: AIRPORT CENTER
Highway:
County: SAN JUAN, WA

MilePost: **Shipper:**
Origin: FRIDAY HARBOR, WA **Bill of Lading:**
Destination: FRIDAY HARBOR, WA **Cargo:** EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	BU	GMC	2007	WA	C98946E	NEW 1	1GDE5V19X7F423012	19,500		24383850	

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.62E	393.62(e)	1	N		N	N	No or inadequate bus emergency exit marking: Rear Emergency exit window not properly marked
396.5B	396.5(b)	1	N		N	N	Oil and/or grease leak: Active leak from Power Steering pump

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:
 WAYNE GILBERT

Badge #:
 WAU584

Copy Received By:

Page 1 of 1



02468099 WA WAU007000286

X Wayne Gilbert

X [Signature]

ATTACHMENT A

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17



Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000287
Inspection Date: 06/20/2017
Start: 01:57 PM PT End: 2:15:21 PM PT
Inspection Level: V - Terminal
HM Inspection Type: None

SAN JUAN TRANSIT TOURS AND CHARTERS LLC
PO BOX 2809
FRIDAY HARBOR, WA 98250
USDOT#: 02468099 Phone#: (360)378-8887
MC/MX#: State#:
Location: AIRPORT CENTER
Highway:
County: SAN JUAN, WA

Driver: License#: State:
Date of Birth:
CoDriver: License#: State:
Date of Birth:
Shipper:
Origin: FRIDAY HARBOR, WA Bill of Lading:
Destination: FRIDAY HARBOR, WA Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate #, Equipment ID, VIN, GVWR, CVSA #, CVSA Issued #, OOS Sticker

BRAKE ADJUSTMENTS

Table with columns: Axle #, Right, Left, Chamber and values for axles 1 and 2

VIOLATIONS

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify, Crash, Violations Discovered

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By: WAYNE GILBERT

Badge #: WAU584

Copy Received By:

Page 1 of 1



02468099 WA WAU007000287

Handwritten signature of Wayne Gilbert

Handwritten signature of copy recipient

ATTACHMENT A

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17



Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000288
Inspection Date: 06/20/2017
Start: 02:15 PM PT End: 2:31:16 PM PT
Inspection Level: V - Terminal
HM Inspection Type: None

SAN JUAN TRANSIT TOURS AND CHARTERS LLC
PO BOX 2809
FRIDAY HARBOR, WA 98250
USDOT#: 02468099 Phone#: (360)378-8887
MC/MX#: State#:
Location: AIRPORT CENTER
Highway:
County: SAN JUAN, WA

Driver: License#: State:
Date of Birth:
CoDriver: License#: State:
Date of Birth:
Shipper:
Origin: FRIDAY HARBOR, WA Bill of Lading:
Destination:FRIDAY HARBOR, WA Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate #, Equipment ID, VIN, GVWR, CVSA #, CVSA Issued #, OOS Sticker. Row 1: 1, BU, FORD, 1995, WA, C06690A, L58, 1FDJE30H5SHB97115, 9,600

BRAKE ADJUSTMENTS

Table with columns: Axle #, Right, Left, Chamber. Rows for Axle 1 and 2, Right and Left, and Chamber (HYDR).

VIOLATIONS

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Row 1: 393.11, 393.11, 1, N, N, N, No or defective lighting devices or reflective material as required: Top Right Brake Light In-op.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By: WAYNE GILBERT

Badge #: WAU584

Copy Received By:

Page 1 of 1



02468099 WA WAU007000288

X [Signature]

X [Signature]

ATTACHMENT B

ATTACHMENT B

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000302
Inspection Date: 08/11/2017
Start: 08:54 AM PT **End:** 9:16:12 AM PT
Inspection Level: I - Full
HM Inspection Type: None

SAN JUAN TRANSIT TOURS AND CHARTERS LLC
 PO BOX 2809
 FRIDAY HARBOR, WA 98250
USDOT#: 02468099 **Phone#:** (360)378-8887
MC/MX#: **Fax#:**
State#:
Location: AIRPORT CENTER
Highway:
County: SAN JUAN, WA

Driver: CRAFT, MARTIN L
License#: CRAFTML623NE **State:** WA
Date of Birth: 08/05/1938
CoDriver:
License#: **State:**
Date of Birth:
MilePost: **Shipper:**
Origin: FRIDAY HARBOR, WA **Bill of Lading:**
Destination: FRIDAY HARBOR, WA **Cargo:** EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	BU	GMC	2007	WA	C98946E	NEW 1	1GDE5V19X7F423012	19,500	24383850		09929

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
396.5B	396.5(b)	1	N		N	N	Oil and/or grease leak: Power steering box actively leaking
393.83D	393.83(d)	1	Y		U	N	Improper exhaust-bus (diesel): Exhaust leak, rusted through tail pipe in the center of the bus.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: No Data for Special Checks.

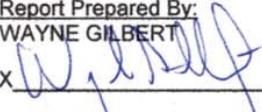
Violations marked as out of service (OOS) must be repaired before vehicle (s) can be operated. If OOS for brake adjustment, all brakes must be within proper adjustment before vehicle (s) can be operated.

I certify that repairs were made.


Signature Of Repairer X: _____ Facility: _____ Date: _____

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:
 WAYNE GILBERT
 X 

Badge #:
 WAU584

Copy Received By:
 MARTIN CRAFT
 X 

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ATTACHMENT B

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

Washington State Patrol
Commercial Vehicle Enforcement Section
 P.O. Box 42614
 Olympia, WA 98504-2614
 360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000303
Inspection Date: 08/11/2017
Start: 09:49 AM PT **End:** 10:17:15 AM PT
Inspection Level: I - Full
HM Inspection Type: None

SAN JUAN TRANSIT TOURS AND CHARTERS LLC
 PO BOX 2809
 FRIDAY HARBOR, WA 98250
USDOT#: 02468099 **Phone#:** (360)378-8887
MC/MX#: **Fax#:**
State#:

Driver: HANSEN, KRAIG D
License#: HANSEKD351PR **State:** WA
Date of Birth: 10/19/1965
CoDriver:
License#: **State:**
Date of Birth:

Location: AIRPORT CENTER
Highway:
County: SAN JUAN, WA

MilePost: **Shipper:**
Origin: FRIDAY HARBOR, WA **Bill of Lading:**
Destination: FRIDAY HARBOR, WA **Cargo:** EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	BU	FORD	1988	WA	391XOM	K40 (AMANDA)	1FDKE30G1JHB38752	11,000			09928

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	HYDR	HYDR	HYDR

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.11	393.11	1	N		N	N	No or defective lighting devices or reflective material as required: Front left upper marker light in-op. Right rear reverse light in-op. Top right rear marker light in-op.
396.5B	396.5(b)	1	N		N	N	Oil and/or grease leak: Power steering fluid actively leaking.
393.83D	393.83(d)	1	Y		U	N	Improper exhaust-bus (diesel): Exhaust tailpipe missing just over axle number 3.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: No Data for Special Checks.

Violations marked as out of service (OOS) must be repaired before vehicle (s) can be operated. If OOS for brake adjustment, all brakes must be within proper adjustment before vehicle (s) can be operated.

I certify that repairs were made.

Signature Of Repairer X: _____ Facility: _____ Date: _____

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:
 WAYNE GILBERT

Badge #:
 WAU584

Copy Received By:
 KRAIG HANSEN

Page 1 of 1

X Wayne Gilbert

X Kraig Hansen



ATTACHMENT C

ATTACHMENT C

San Juan Transit

Tours and Charters, LLC



Washington Utilities and
Transportation Commission
Attn: Wayne Gilbert
PO Box 47250
Olympia, WA 98504-7250

Sept 6, 2017

This letter is to describe the actions taken in response to the review performed on San Juan Transit on 8-23-17 and to identify why each violation was allowed to occur.

- 1) and 2) Using a driver before a negative pre-employment drug and alcohol test and not having drivers in a random testing pool.

Don Adams was given a pre-employment drug test in 2016 but was not hired (had pending status) till April of 2017. Updating Don's status to "hired" at this time placed him in the random pool of Drug Free Business. Don was selected for a random drug test on 6-5-17 and passed with a negative result.

Jodi Luft and Jay Savell are both school bus drivers for the Orcas Island School District. I ran into difficulty opening an account at the local Orcas Island clinic, their doctor was planning a retirement and they put any new accounts on hold till they were sure they would still be operating. Than the administer in charge of business accounts left on an extended vacation, when we finally where able to open an account with their lab I was informed new chain of custody forms needed to be created and mailed to them. Drug Free Business did this within a week but Jodi's weekend transit routes were scheduled to begin (mid-June). I was able to cover the first two weekends with other staff member but the logistics of having driver travel between island proved difficult, especially when the Washington State Ferries began breaking down. I thought I had a good solution for not having Jodi in my random drug pool. I removed 3 sets of seats making her bus a 14 passenger (and 1 driver) vehicle and therefore not needed a CDL driver and/or drug testing. We replaced the seats after Jodi completed her drug testing.

I did not believe I was in violation with Jodi Loft or Don Adams.

I did use Jay Savell in an emergence situation with a scheduled group transport from Rosario Resort to the Orcas Ferry terminal when the scheduled driver missed his connecting ferry from Anacortes. I felt I had no other option to meet my obligations and get the group to the ferry and on to their connecting flights.

I currently have Jodi Luft, Jay Savell and Tom Luft in the random drug testing pool. With the local Orcas account in place adding the driver who live on Orcas Island will be much easier in the future. I missed judged the time it took to get this account set up. I realize I was in violation with the letter of the law but felt that I was within the spirit of the law in that three Orcas drivers are all actively employed and in good standing as bus drivers with the Orcas Island School District.

ATTACHMENT C

3) Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage. And,

7) Using a commercial motor vehicle not periodically inspected.

I did drive the vehicle listed in the report as a test drive for a potential buyer. The buyer was debating whether to purchase my bus or a surplus school bus for his youth group. During the test drive the buyer suggested we pick up a group who stayed in the church foyer and transport them and their luggage to the ferry terminal, about 6 blocks. Against my better judgement, I complied. I was not compensated for this. I also drove the same vehicle to get an annual inspection, upon passing the inspection I added the vehicle to my insurance policy. I don't have a good reason for this irresponsible action, I do understand the severity of this situation and take my insurance coverage seriously. Insurance is my largest expense, at \$40,000 it surpassed my fuel costs this year.

4) Failing to investigate driver's background within 30 days of employment.

Don Adams was employed as a non-CDL driver, I obtained a copy of his driver abstract to insure there were no issues, I didn't realize I needed to do it again once he became active as a CDL driver.

5) Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners.

This was an oversight on my part, I didn't know I need to do this! I have added this requirement to the hiring check list and document the listing for each new hire and for each updated medical certificate.

6) Failing to require driver to prepare driver vehicle inspection report.

This violation was an oversight, I did not consider this a "trip" that would include transporting people and we had not started our scheduled or charter services at the time of the violation. I simply moved the vehicle across the connecting parking lots to the auto mechanic's shop who was repairing the radiator. I have been reminded that any of my vehicles, for any reason, do not move without a vehicle driver inspection report.

Thank you for allowing me to respond and explain the violations discovered in the latest inspection. I will continue working toward 100% compliance and to provide safe and effective transportation to San Juan County.

Kraig Hansen
San Juan Transit
Tours & Charters, LLC
360-378-8887 Office
360-421-4674 Cell

SERVING THE TRANSPORTATION NEEDS OF THE SAN JUAN ISLANDS

P.O. Box 2809  Friday Harbor, Washington 98250  360-378-8887

Email: sjtransit@rockisland.com  Web Site: sanjuantransit.com