



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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August 12, 2021

Mark L. Johnson Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Customized Tours & Charter Service, LLC d/b/a Customized Tours & Charter Service; Customized Tours; Tours of Seattle; Customized Charters; Seattle Charters; and TourSeattle.com*
Commission Staff Recommendation to Waive Suspended Penalties of Order 01
Docket TE-190523

Dear Mr. Johnson:

On July 3, 2019, the Commission assessed a \$4,400 penalty (Penalty Assessment) against Customized Tours & Charter Services, LLC, d/b/a Customized Tours & Charter Service; Customized Tours, Tours of Seattle; Customized Charters; Seattle Charters; and TourSeattle.com (Customized Tours or Company) for safety violations of Washington Administrative Code 480-30-221. The penalty was a result of 127 violations of WAC 480-30-221 and 44 violations of 49 C.F.R. § 383.37(a). The Company allowed its driver to operate a CMV with a downgraded CDL on 44 occasions between January 30, 2019, and June 5, 2019.

On August 2, 2019, Customized Tours requested mitigation of the penalty.

On August 13, 2019, the Commission issued Order 01 in Docket TE-190523. Order 01 reduced the penalty from \$4,400 to \$2,200 and suspended \$1,800 of the penalty for a period of two years subject to the conditions: (1) Commission staff (Staff) conduct a focused safety investigation within two years, or as soon thereafter as practicable, (2) the Company must not incur any repeat violations of 49 C.F.R. § 383.37(a) during those two years, and (3) the Company pay the \$400 portion of the penalty that is not suspended within 10 days of the date of the Order.

On August 19, 2019, the Company paid the \$400 non-suspended portion of the penalty in full.

On March 4, 2021, Staff completed the required follow-up investigation as outlined in Order 01. Customized Tours did not receive any repeat violations of 49 C.F.R. § 383.37(a).

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Staff finds that Customized Tours satisfied the conditions of Order 01 and recommends that the \$1,800 suspended penalty be waived.

If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety at Jason.Sharp@utc.wa.gov or at (360) 701-1603.

Sincerely,

MATHEW PERKINSON

Assistant Director, Transportation Safety