



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 16, 2023

Kathy Hunter, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Bainbridge Disposal, Inc.*
Commission Staff Recommendation to Impose Suspended Penalties of Order 01
Docket TG-210587

Dear Ms. Hunter:

On October 13, 2021, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Granting Mitigation to \$3,600 in Docket TG-210587. Order 01 granted Bainbridge Disposal, Inc.'s (Bainbridge Disposal or Company) request for mitigation, assessed a penalty of \$3,600 and suspended a \$2,000 portion of the penalty for two years, and then waived, subject to the following conditions:

- (1) Commission staff (Staff) conducts a focused review in two years or as soon thereafter as practicable to review the Company's driver qualifications;
- (2) Bainbridge Disposal does not incur any repeat violations of critical or acute regulations, and;
- (3) The Company pays the \$1,600 portion of the penalty that is not suspended within 10 days of the effective date of the order.

On October 18, 2021, Bainbridge Disposal paid the \$1,600 non-suspended portion of the penalty in full.

On November 1, 2023, Staff completed the follow-up safety investigation as required in Order 01. During the investigation, Staff identified 122 occurrences of repeat violations of a critical regulations. The repeat violations were documented as follows:

- Five violations of 49 C.F.R. § 391.45(a) – Using a driver not medically examined and certified.
- One hundred seventeen violations of 49 C.F.R. § 383.23(a) – Operating a commercial motor vehicle without a valid commercial driver’s license.

Staff finds that Bainbridge Disposal failed to satisfy each requirement of Order 01 by incurring repeat violations of critical regulations and recommends that the Commission impose the \$2,000 suspended penalty.

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,

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety