

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment
Against

INTERNATIONAL DISTRICT
PARKING ASSOCIATION d/b/a
MERCHANTS PARKING
ASSOCIATION, MERCHANTS
PARKING/TRANSIA

in the amount of \$36,900

DOCKET TE-160829

ORDER 02

ORDER GRANTING PAYMENT
ARRANGEMENT

BACKGROUND

- 1 On July 6, 2016, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$36,900 against International District Parking Association d/b/a Merchants Parking Association, Merchants Parking/Transia (Transia or Company) for 365 acute and critical violations of Washington Administrative Code (WAC) 480-30-221, which adopts by reference 49 C.F.R. Part 382 related to controlled substances and alcohol use and testing; Part 383 related to commercial driver's license standards; Part 391 related to driver qualifications; Part 395 related to driver hours of service; and Part 396 related to vehicle inspection, repair, and maintenance.
- 2 On July 21, 2016, Transia responded to the Penalty Assessment admitting the violations and requesting mitigation of the penalty based on the written information provided.
- 3 On August 23, 2016, the Commission issued Order 01 Granting Mitigation to \$19,450. Order 01 directed the Company to either pay the penalty or file jointly with Staff a proposed payment arrangement no later than September 7, 2016.
- 4 On September 6, 2016, Commission staff (Staff) contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

September 20, 2016	\$820
October 20, 2016	\$810

November 20, 2016	\$810
December 20, 2016	\$810
January 20, 2017	\$810
February 20, 2017	\$810
March 20, 2017	\$810
April 20, 2017	\$810
May 20, 2017	\$810
June 20, 2017	\$810
July 20, 2017	\$810
August 20, 2017	\$810
September 20, 2017	\$810
October 20, 2017	\$810
November 20, 2017	\$810
December 20, 2017	\$810
January 20, 2018	\$810
February 20, 2018	\$810
March 20, 2018	\$810
April 20, 2018	\$810
May 20, 2018	\$810
June 20, 2018	\$810
July 20, 2018	\$810
August 20, 2018	\$810

- 5 Staff also proposed that if Transia misses one 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 two modifications. Five of the proposed due dates – November 20, 2016; May 20, 2017; August 20, 2017; January 20, 2018; and May 20, 2018 – fall on a Saturday or Sunday. Each of those due dates is adjusted to the first business day thereafter. In addition, if Transia fails to pay the penalty by the date it becomes due in full – either immediately upon a missed installment, or August 20, 2018, whichever applies – the Commission may cancel the Company’s auto transportation certificate.

ORDER

THE COMMISSION ORDERS THAT:

- 7 (1) The \$19,450 penalty is due and payable to the Commission in installments as follows:

September 20, 2016	\$820
October 20, 2016	\$810
November 21, 2016	\$810
December 20, 2016	\$810
January 20, 2017	\$810
February 20, 2017	\$810
March 20, 2017	\$810
April 20, 2017	\$810
May 22, 2017	\$810
June 20, 2017	\$810
July 20, 2017	\$810
August 21, 2017	\$810
September 20, 2017	\$810
October 20, 2017	\$810
November 20, 2017	\$810
December 20, 2017	\$810
January 22, 2018	\$810
February 20, 2018	\$810
March 20, 2018	\$810
April 20, 2018	\$810
May 21, 2018	\$810
June 20, 2018	\$810
July 20, 2018	\$810
August 20, 2018	\$810

- 8 (2) If International District Parking Association d/b/a Merchants Parking Association, Merchants Parking/Transia fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance will immediately become due and payable without further order by the Commission.

- 9 (3) If International District Parking Association d/b/a Merchants Parking Association, Merchants Parking/Transia fails to pay any portion of the assessed penalty by the due date, the Commission may cancel the Company's auto transportation by order in this docket.
- 10 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective September 7, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
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.