



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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May 18, 2018

Mark L. Johnson Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Stillaguamish Senior Center*
Commission Staff's Recommendation to Waive Suspended Penalties
Docket TN-170131

Dear Mr. Johnson:

In Order 01 of Docket TN-170131, Stillaguamish Senior Center (Stillaguamish or Company) was assessed a penalty of \$3,600. The penalty was the result of an investigation conducted in March 2017 in which staff discovered 67 violations of WAC 480-31-130, which adopts by reference Title 49 of the Code of Federal Regulations (49 CFR) Part 391 related to driver qualifications, Part 395 related to driver hours of service, and Part 396 related to vehicle inspection, repair and maintenance.¹ The Commission suspended a \$2,600 portion of the penalty for a period of one year from the effective date of the Order, which was signed May 17, 2017.

On May 17, 2017, the commission approved the Company's safety management plan that details the controls it put in place to prevent repeat violations of Commission safety rules and suspended a \$2,600 portion of the penalty for a period of one year, and then waive it, subject to the following conditions:

- (a) Stillaguamish must maintain a conditional safety rating;
- (b) Stillaguamish may not incur any repeat critical violations of WAC 480-31-130 upon re-inspection in one year;
- (c) Stillaguamish must pay the remaining \$1,000 penalty within ten days of the effective date of the Order.

¹ WAC 480-31-130 adopts by reference sections of Title 49 CFR accordingly, Commission safety regulations with parallel federal provisions are hereinafter referenced by the applicable part of 49 CFR.

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On May 30, 2017, the Commission's Financial Services department filed a statement of account in this docket noting that the \$1,000 unsuspended portion of the penalty was paid in full.

In accordance with Docket TV-170131, staff completed the required follow-up safety investigation within one year and did not discover any repeat violations. Staff finds that Stillaguamish Senior Center has not committed any further violations of WAC 480-31-130 and the conditions of Order 01 have been satisfied.

Staff recommends the \$2,600 suspended penalty issued against Stillaguamish Senior Center be waived and the docket closed.

If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety at Jason.Sharp@utc.wa.gov or at (360) 664-1238.

Sincerely,



Mathew Perkinson

Motor Carrier Safety Manager, Transportation Safety