



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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June 26, 2017

Steven V. King, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Safe-To-Go-Movers, LLC d/b/a James & John Movers*
Commission Staff's Response to Request for Payment Arrangement
Docket TV-170233

Dear Mr. King:

On April 19, 2017, the Washington Utilities and Transportation Commission (Commission) issued Penalty Assessment TV-170233 against Safe-To-Go-Movers, LLC d/b/a James & John Movers (Safe-To-Go-Movers or Company) in the amount of \$10,200 for 103 critical violations of Washington Administrative Code (WAC) 480-15-570 Driver Safety Requirements, which requires household goods carriers to comply with Title 49 Code of Federal Regulations (CFR) Part 391 – Qualifications of Drivers, and CFR Part 395 – Hours of Service of Drivers.

On April 27, 2017, Safe-To-Go-Movers filed with the Commission its application for mitigation of penalties. James Mwangi, general manager and owner of Safe-To-Go-Movers, admitted the violations, provided an explanation of the corrective action steps taken by the Company pertaining to the medical certification violations, and asked that the penalties be reduced for reasons set out in his response.

On May 3, 2017, Commission staff (Staff) filed a response recommending the Commission grant the Company's request for mitigation, in part, reducing the assessed penalty from \$10,200 to \$5,200.

On May 8, 2017, the Commission issued Order 01 which granted the Company's request for mitigation of the \$10,200 penalty. The order stated that Safe-To-Go-Movers must either pay the reduced penalty of \$5,200 or file jointly with Staff a proposed payment arrangement no later than May 19, 2017.

On May 16, 2017, Safe-To-Go-Movers filed with the Commission a request for review of Order 01. In the request the Company stated that while it is grateful for the reduction of the \$10,200

penalty, it is still overwhelmed by the remaining amount due. Safe-To-Go-Movers asked for the Commission to review the reduced penalty amount of \$5,200, and to provide additional relief.

On May 23, 2017, Staff filed a response recommending the Commission deny the Company's request for further reduction of the \$5,200 penalty. Staff argued that the violations committed by Safe-To-Go-Movers potentially exposed the traveling public to significant risks on 101 separate trips, therefore believed the penalty amount in Order 01 was sufficient. Staff stated that payment arrangements would be a beneficial option for Safe-To-Go-Movers to lessen the financial burden of the \$5,200 penalty.

On June 5, 2017, the Commission issued Order 02 which granted, in part, the Company's petition for administrative review. The order denied the Company's request for further mitigation of the \$5,200 penalty, however the order suspended a \$2,600 portion of the penalty for two years, and then waived, subject to conditions. The conditions were that Safe-To-Go-Movers must either pay the \$2,600 portion of the penalty that is not suspended within 90 days of the date of Order 02, or file jointly with Staff a proposed payment arrangement within 20 days of the date of Order 02; and Safe-To-Go-Movers may not incur any critical violations of WAC 480-15 or Title 49 CFR upon re-inspection.

On June 23, 2017, Safe-To-Go-Movers contacted Staff and proposed payment arrangements on the mitigated penalty amount of \$2,600. Staff supports the Company's proposed monthly payments as follows:

Payment Plan		
Installment	Due Date	Amount
1	July 3, 2017	\$520
2	August 1, 2017	\$520
3	September 1, 2017	\$520
4	October 2, 2017	\$520
5	November 1, 2017	\$520
	Total:	\$2,600

Safe-To-Go-Movers is aware that if it fails to pay any installment by the due date, or fails to pay at least the minimum monthly installment by the due date, the entire remaining balance will become immediately due and payable without further Commission order.

If you have any questions, please contact Jason Hoxit, Compliance Investigator, Transportation Safety, at 360-664-1320, or by e-mail at JHoxit@utc.wa.gov.

Sincerely,



David Pratt
Assistant Director, Transportation Safety