



## Washington Movers Conference

---

James R. Tutton, Jr.  
Executive Director

P.O. Box 98767  
Lakewood, WA 98496  
Tel: (253) 328-5641  
Cell: (206) 499-9216  
e-mail: jim@wmc-movers.com

January 28, 2020

Mr. Mark Johnson  
Executive Director/Secretary  
Utilities & Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

Dear Mr. Johnson,

The Washington Movers Conference (WMC), on behalf of its regulated professional full-service member moving and storage companies, Petitions the Commission for a formal change to WAC 480-15-570 – Driver safety requirements.

The WMC and its active members strongly support sound and effective safety practices within the Intrastate Household Goods Moving Industry along with strong and effective Consumer Protection practices as found in WAC 480-15 and UTC HHG Tariff No. 15-C.

However, the WMC has learned from several of its members that, in the course of their Company Safety Audit performed by UTC staff, they are being monetarily penalized for allowing company employees to drive company owned pick-up trucks and/or pack vans to deliver small amounts (1 or several pieces) of customer household goods and/or HHG packing material between the company's facilities and the customer's residence when needed without having a driver's Medical Card on file even though these employee drivers are properly licensed by Washington State Licensing (WA DOL) to operate such vehicles.

Now for example purposes, the following information from the internet shows what may constitute a commercial motor vehicle, Pick-Up Truck or a Pac Van, each with a gross vehicle weight of between 10,001 lbs. and 26,000 lbs.

**2016 Ford 350 XLT**



*"Committed To Excellence"*



## 2014 Ford Transit Van



Wouldn't you agree these types of vehicles are everyday vehicles driven by thousands of drivers throughout the United States for pleasure; for parts/equipment delivery by retail stores; or for deliveries of small packages by Amazon for example?

The additional requirement for the companies to have a Medical Certificate for their random employees when asked to make small deliveries with a vehicle as described above is approximately \$100.00 per employee plus lost productivity when the employee is away from the business obtaining a medical physical.

I have had several email/telephone discussions with your Safety Staff personnel on this topic.

As I have learned, there may be a potential remedy found in Washington State Patrol WAC 446-65-010 (r). This paragraph reads –

*“(r) Part 391 Qualification of drivers. Provided that 49 C.F.R. 391 subpart D (Tests), and E (Physical Qualifications and Examinations) do not apply to motor carriers operating vehicles with gross vehicle weight rating between 10,001 lbs. and 26,000 lbs. operating intrastate, and not used to transport hazardous materials in a quantity requiring placarding.”*

I thank you for your consideration of this Petition.

For questions, I may be reached at (206) 499-9216.

Sincerely,

A handwritten signature in black ink, appearing to read "J.R. Tutton, Jr.", is written over a horizontal line.

James R. Tutton, Jr.  
Executive Director

**Ps:** I will be attending the UTC Workshop to Discuss Applicability of WAC 480-70-201 and CFR 49 § 391.45 to Commission Regulated Solid Waste Collection Company Drivers and Vehicles Docket TG-191050