

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation of  
PNW MOVING & DELIVERY LLC  
For Compliance with WAC 480-15-530,  
WAC 480-15-550, WAC 480-15-555, WAC  
480-15-560, and RCW 81.80.075.

DOCKET TV-240169

DECLARATION OF TRACY COBILE

1 I, Tracy Cobile, under penalty of perjury under the laws of the state of Washington, declare  
as follows:

2 I am over 18 years of age, a resident of the state of Washington, and competent to be a  
witness.

3 I am employed by the Utilities and Transportation Commission (Commission) as a Special  
Investigator in the Motor Carrier Safety section, I have been in the position for over three  
years. As a Special Investigator with the Motor Carrier Safety section of the Commission, I  
conduct comprehensive compliance investigations on regulated transportation companies to  
include inspecting applicable company records and physically inspecting commercial motor  
vehicles.

4 As part of my 2024 Motor Carrier Safety work plan, on January 22, 2024, I initiated a  
follow-up safety investigation of PNW Moving & Delivery LLC. As part of my  
investigation, I utilized the UTC SharePoint site to view the current permit status and history  
details for PNW Moving & Delivery LLC. The initial provisional permit (THG067549) for  
the company was issued on February 28, 2017 (TV170119).

5 During my investigation, I discovered that PNW Moving & Delivery LLC had a  
documented pattern in the UTC SharePoint system of permit cancellation activity for  
insufficient proof of insurance. I discovered on April 20, 2023, PNW Moving & Delivery  
LLC was issued a permit cancellation letter (TV230262) by the Commission and had its  
permit cancelled for failure to provide acceptable proof of insurance. The carrier was  
notified in the letter to immediately cease all operations associated with its permit  
(THG067549).

6 During my investigation, I discovered that on June 15, 2023, the provisional permit for  
PNW Moving & Delivery LLC was reinstated by the Commission (TV230279). The carrier  
submitted its surplus lines insurance policy that went into effective May 12, 2023, for  
review and consideration of the Commission prior to its permit reinstatement. As part of the  
investigation process, it was discovered that the Form E and Form H on file with the  
Commission were current, however the carrier knowingly submitted an insurance policy  
with coverage for only one vehicle out of the four vehicles being used in commerce under  
the Commission issued provisional permit.

7 Through my review and based on documented household goods (HHG) moves and the bill of ladings/work orders provided by the carrier, I discovered that between April 20, 2023, and June 14, 2023, the carrier operated a total of 45 times conducting HHG moves without a valid permit issued by the Commission. The owner, Dmitriy Satir, knowingly admitted to operating while not permitted.

8 The sample period for purposes of the compliance investigation for this carrier while permitted was from July 22, 2023, through January 22, 2024. Based on the documented bill of ladings/work orders provided by the carrier for the six months preceding the start to this investigation, the carrier knowingly operated on 129 occasions without auto liability and property damage coverage while permitted from July 22, 2023, through January 22, 2024. For the same dates identified, the carrier operated on 129 occasions without cargo insurance. The bill of ladings/work orders provided by the carrier were used to determine when the carrier conducted HHG moves while permitted.

9 I found the following violations occurred when the carrier operated under its permit:

- One acute violation of WAC 480-15-550, with 129 occurrences identified, for operating a commercial motor vehicle without having adequate cargo insurance coverage. This was a repeat violation from the 2022 compliance investigation.
- One acute violation of WAC 480-15-530, with 129 occurrences identified, for operating a commercial motor vehicle without having in effect the required minimum levels of financial responsibility coverage.
- Eleven critical violations of WAC 480-15-555(1) for failure to complete a criminal background check for every person the carrier intends to hire. This is a repeat violation from the 2020 and 2022 compliance investigations.
- Sixty-one critical violations of 49 C.F.R. § 395.8(a)(1) for failure to require a driver to prepare record of duty status using the appropriate method. This is a repeat violation from 2020 and 2022 compliance investigations.
- One critical-type violation of 49 C.F.R. § 396.3(b) for failing to keep minimum records of inspection and vehicle maintenance. This a repeat violation from the 2022 compliance investigation.
- One violation of 49 C.F.R. § 390.15(b) for failing to maintain, for a period of three years after an accident occurs, an accident register.
- One violation of 49 C.F.R. § 390.19(b)(2) for failing to file the appropriate form under 49 C.F.R. § 390.19(a) every twenty-four months according to the schedule. This is a repeat violation from the 2022 compliance investigation.
- Three violations of 49 C.F.R. § 391.21(a) for using a driver who has not completed and furnished an employment application. This a repeat violation from the 2022 compliance investigation.
- Two violations of 49 C.F.R. § 391.23(a)(1) for failing to investigate a driver's motor vehicle record within thirty days of hire.

- Three violations of 49 C.F.R. § 391.23(a)(2) for failure to investigate a driver’s performance history with Department of Transportation related employers during the preceding three years.
- Three violations of 49 C.F.R. § 391.51(b)(3) for failing to maintain a road test certificate in the driver’s qualification file, or a copy of the license or certificate the motor carrier accepted as equivalent. This is a repeat violation from the 2022 compliance investigation.
- One violation of 49 C.F.R. § 391.51(b)(4) for failing to maintain the responses of each state agency to the annual driver record inquiry required by 49 C.F.R. § 391.25(a).
- Two violations of 49 C.F.R. § 391.51(b)(5) for failure to maintain a record of annual review in a driver’s qualification file.
- Two violations of 49 C.F.R. § 392.16(b) for operating a property-carrying commercial motor vehicle with a passenger not properly restrained by a seat belt.
- Three violations of 49 C.F.R. § 396.9(d)(3) for failing to maintain a completed inspection form for twelve months from the date of inspection at the carrier’s principal places of business or where the vehicle is housed.

10 On March 11, 2024, I informed the carrier that it received a proposed conditional safety rating as a result of the investigation.

11 In addition, per Order 01 in Docket TV-220134, the carrier was required to have all of its employees attend Commission sponsored household goods training by June 15, 2022. The Commission’s records show that while the carrier’s owner registered for the training, the carrier did not complete the training as required.

DATED at Olympia, Washington, and effective this 27 day of March 2024.

/s/ Tracy Cobile  
 TRACY COBILE