



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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March 11, 2022

Amanda Maxwell, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. PNW Moving and Delivery LLC*
Commission Staff Recommendation to Impose Suspended Penalties of Order 01
Docket TV-200421 and TV-200419 (Consolidated)

Dear Ms. Maxwell:

On June 24, 2020, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Consolidating Dockets; Approving Safety Management Plan; Upgrading Safety Rating to Conditional; Mitigating and Suspending Penalties in Dockets TV-200421 and TV-200419 (Consolidated). Order 01 granted PNW Moving and Delivery LLC's, (PNW Moving or Company) request for mitigation, assessed a penalty of \$3,900 and suspended a \$1,950 portion of the penalty for two years, and then waived, subject to the following conditions:

- (1) Commission staff (Staff) conduct a follow-up investigation at least six months from the date of Order 01;
- (2) PNW Moving does not incur any repeat violations of critical regulations upon re-inspection; and
- (3) The Company pays the \$1,950 portion of the penalty that is not suspended.

On July 29, 2020, PNW Moving paid the \$1,950 portion of the penalty that was not suspended in full.

On February 23, 2022, Staff completed the follow-up review as required in Order 01. During the follow-up review, Staff identified 172 repeat violations of three critical regulations. These repeat violations are documented as follows:

- Three violations of WAC 480-15-555 – Failing to conduct/retain paperwork containing criminal background checks or hiring an individual with a disqualifying conviction for a household goods carrier in the state of Washington.

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- One hundred nine violations of 49 C.F.R. § 391.45(a) – Using a driver not medically examined and certified.
- Sixty violations of 49 C.F.R. § 395.8(a)(1) – Failing to require driver to make a record of duty status.

Staff finds that PNW Moving failed to satisfy each requirement of Order 01 by incurring repeat violations of critical regulations and recommends that the Commission impose the \$1,950 suspended penalty.

If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety at jason.sharp@utc.wa.gov or at (360) 701-1603.

Sincerely,

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety