

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties against:

MICHAEL BROWN d/b/a DLUX LIMOS
LLC

DOCKET TE-170879

DECLARATION OF
MICHAEL TURCOTT

Michael Turcott, under penalty of perjury under the laws of the State of Washington,
declares as follows:

1. I am employed by the Washington Utilities and Transportation Commission (Commission) as the Compliance Investigations Supervisor in the Consumer Protection Section. As the Compliance Investigations Supervisor, my responsibilities include conducting investigations companies which provide regulated transportation services without the required authority from the Commission.
2. On July 14, 2016, I received a tip that a party bus was operating in Seattle without apparent UTC authority. The vehicle license on the bus was ANT5391. According to Department of Licensing records, this vehicle is a 1997 Chevrolet bus. The registered owner is Michael F. Brown of Federal Way.¹
3. I reviewed business licensing records and learned that DLux Limos LLC (DLux Limos or Company) is registered with the Department of Revenue with UBI 603246853 and that Michael Brown is the governing person. DLux Limos LLC is also registered with the Secretary of State with Michael Brown as governor.²
4. On July 29, 2016, I wrote to Mr. Brown to explain the Commission's licensing requirements regarding charter and excursion carriers.³ I spoke with Mr. Brown on the telephone on August 16, 2016. Mr. Brown told me he intended to apply for charter authority but that his bus was out of service for repairs and he would not be insuring or operating the bus until it was repaired.
5. On August 17, 2017, Mr. Brown submitted an application for charter and excursion authority on behalf of DLux Limos.⁴ Mr. Brown listed on the application the same

¹ See Attachment A for Department of Licensing vehicle registration, ANT5391

² See Attachment B for Department of Revenue and Secretary of State business records.

³ See Attachment C for compliance letter to Michael Brown, July 29, 2016.

⁴ See Attachment D for UTC Application for Charter Certificate.

14-passenger Chevrolet bus seen in Seattle in July. Mr. Brown also provided his Company's UBI 603246853 and address 1430 SW 304th Street, Federal Way, WA 98023. According to DOL records, this address is also on Mr. Brown's driver's license.⁵

6. Between August 2016 and April 2017, Commission licensing staff wrote to Mr. Brown on five occasions regarding his incomplete application. Licensing staff finally dismissed the application on April 3, 2017, for failure to provide proof of insurance.
7. On April 4, 2017, I received a tip that that DLux Limos was providing charter services in Bellevue, WA using a white party bus with vehicle license BCM8305. According to DOL records, this vehicle is a 2006 Ford Econoline bus registered to Michael Brown.⁶
8. I wrote to Mr. Brown again on April 7, 2017, reminding him of the Commission's licensing requirements for charter and excursion carriers. I received no response.⁷
9. On July 13, 2017, I received an email from Tolley Sualoa, Regulatory Compliance and Consumer Protection for the City of Seattle. The email contained declarations, narrative reports, and photographs relating to transportation provided to two of his undercover staff by DLux Limos on July 7, 2017. DLux Limos provided party bus transportation from Capitol Hill to Ballard, in the city of Seattle, for \$40.⁸ The vehicle used for this trip was a white party bus with license BCM3805.
10. On July 26, 2017, Commission Compliance Investigator Rachel Jones, posing as a consumer, received an offer from DLux Limos for party bus transportation for 20 persons between Renton and Seattle, WA, to occur on August 19, 2017. DLux Limos quoted Ms. Jones a price of \$150 per hour with a four hour minimum, or pickup and drop off for \$500.⁹
11. An Internet search for www.dluxlimos.com produced a website for DLux Limos with a link to request a quote for transportation. To request a quote, the customer must specify the number of passengers. The drop-down menu offers the choices of 1-15, 15-20, 20-25, 25-30, and 30+ passengers. The website advertises "Seattle Finest Party Bus," displays the Company's telephone number, (206) 687-6613, and has several images depicting party buses with perimeter seating, colored lighting, and a dance pole.¹⁰

⁵ See Attachment E for Department of Licensing driver record.

⁶ See Attachment F for Department of Licensing vehicle record, BCM3805.

⁷ See Attachment G for compliance letter to Michael Brown, April 7, 2017.

⁸ See Attachment H for City of Seattle declarations and photos.

⁹ See Attachment I for Rachel Jones' investigative notes, July 26, 2017.

¹⁰ See Attachment J for DLux Limos website, March 8, 2018.

12. An Internet search on www.yelp.com produced a “claimed” Yelp profile for DLux Limos. This profile has 39 customer reviews and 25 photographs. The profile displays the Company’s telephone number, (206) 687-6613, and website address, dluxlimos.com. “Michael” is mentioned in 25 of the 39 reviews. One of the photos on the Yelp profile is labeled “20 passenger party bus with dance pole” and depicts the rear of a white party bus bearing the name “DLuxLimos.com,” the phone number (206) 687-6613, and Washington license plate AIZ3148.¹¹ According to DOL records, this vehicle is a 2005 Ford bus registered to Michael Brown.¹²
13. An Internet search on www.facebook.com produced a Facebook profile for DLux Limos advertising party bus services. The Facebook profile displays the Company’s telephone number, (206) 687-6613, and website address www.dluxlimos.com. The profile photo appears to be the same photo showing the rear of the 2005 Ford bus seen on the Yelp profile. Under “Services,” DLux Limos offers party bus rentals at \$150.00 per hour for a minimum of four hours.¹³ This is the same rate quoted to Ms. Jones on July 26, 2017.

DATED this 13th day of March, 2018, at Olympia, Washington.

MICHAEL TURCOTT

¹¹ See Attachment K for Yelp photo, 20-passenger party bus, March 8, 2018.

¹² See Attachment L for Department of Licensing vehicle registration, AIZ3148.

¹³ See Attachment M for DLux Limos LLC Facebook profile, March 8, 2018.