



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY 1-800-833-6384 or 711

March 22, 2022

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

TO ALL PARTIES:

On June 24, 2020, the Commission issued Order 01, Consolidating Dockets; Approving Safety Management Plan; Upgrading Safety Rating to Conditional; Mitigating and Suspending Penalty (Order 01). The Commission granted PNW Moving and Delivery, LLC's (PNW Moving or Company) request for mitigation and reduced the penalty recommended by Commission staff (Staff) to \$3,900. The Commission also suspended a \$1,950 portion of the penalty for a period of two years, subject to the conditions that (1) Staff conducts a follow-up safety investigation at least six months from the date of this Order; (2) PNW Moving, LLC, may not incur any repeat violations of critical regulations upon reinspection; and (3) PNW Moving, LLC, 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.

On March 11, 2022, Staff filed a Recommendation to Impose Suspended Penalty (Recommendation). Staff notes that on February 23, 2022, it conducted a follow-up review as required by Order 01. Staff found 172 repeat violations of three critical regulations:

- 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.
- 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 submits that PNW Moving failed to satisfy each requirement of Order 01 and recommends that the Commission impose the suspended penalty.

Due to PNW Moving's failure to comply with the terms of Order 01 and its failure to respond to Staff's Recommendation, the outstanding \$1,950 portion of the penalty is now due and payable.

THE COMMISSION GIVES NOTICE That the outstanding \$1,950 portion of the penalty assessed against PNW Moving and Delivery, LLC is now due and payable.

AMANDA MAXWELL
Executive Director and Secretary