



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

June 17, 2019

Mark L. Johnson Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Safe-To-Go-Movers, LLC d/b/a James & John Movers*
Commission Staff Recommendation for Imposing Suspended Penalties of Order 02
Docket TV-170233

Dear Mr. Johnson:

On April 7, 2017, the commission assessed a \$10,200 penalty against Safe-To-Go-Movers, LLC d/b/a James & John movers (Safe-To-Go-Movers or company) for 103 critical violations of commission rules.

On April 27, 2017, Safe-To-Go-Movers admitted the violations and requested mitigation of the penalty based on written information of corrective actions provided by the company. As a result of the company's response, commission staff (staff) recommended a mitigation of the \$10,200 penalty to \$5,200. Order 01 in Docket TV-170233 was entered by the commission on May 8, 2017, granting mitigation to \$5,200.

On May 16, 2017, Safe-To-Go-Movers filed a request for a review of Order 01. The company sought further reduction of the mitigated penalty, claiming that the penalty would create a significant financial burden. On May 23, 2017, staff responded to the company's request, recommending that the commission uphold the penalty assessed in Order 01.

On June 5, 2017, the commission entered Order 02, Final Order. Safe-To-Go-Movers mitigated penalty of \$5,200 remained. The commission suspended \$2,600 of the penalty for a period of two years, and then waives it, subject to the following conditions:

1. Safe-To-Go-Movers must either pay the \$2,600 portion of the penalty that is not suspended within 90 days of the date of Order 02 or file jointly with staff a proposed payment plan within 20 days of the order;

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2. Safe-To-Go-Movers may not incur any critical violations of WAC 480-15 or Title 49 C.F.R. upon re-inspection.

On July 3, 2017, Order 03 granted the company's requested payment arrangement of five monthly installments of \$520 to pay the unsuspended \$2,600 portion of the penalty.

On October 30, 2017, the commission's financial services department filed a statement of account in this docket noting that the \$2,600 unsuspended portion of the penalty was paid in full.

On June 13, 2019, staff completed the follow-up investigation as outlined in Order 02. Staff discovered 129 violations of acute and critical regulations of WAC 480-15 and Title 49 C.F.R., causing the carrier to receive a proposed unsatisfactory safety rating as a result of this investigation.

Because Safe-To-Go-Movers did not satisfy the conditions of Order 02, Staff recommends the commission impose the \$2,600 penalty that was suspended.

If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety at Jason.Sharp@utc.wa.gov or at (360) 664-1238.

Sincerely,



Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety