

SERVICE DATE

JUN 22 2006

**WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

**NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS
OF LAWS RULES AND REGULATIONS**

PENALTY ASSESSMENT NO: TE-061057
PENALTY AMOUNT: \$400.00

CHARTER PASSENGER CARRIER:

Journey Lines, Inc.
3320 121st Street Southwest
Lynnwood, Washington 98087

The commission believes that you have committed one violation of Washington Administrative Code (WAC) 480-40-075, which adopts by reference Code of Federal Regulations (CFR) Part 393.84, and three violations of WAC 480-40-065.

As a result, the commission hereby notifies you that it has assessed penalties against you in the amount of \$400, as follows:

Special Investigator Alan Dickson conducted a vehicle inspection at your terminal on June 12, 2006. He inspected a 46-passenger 1985 Eagle bus, the vehicle used for a June 2, 2006, elementary school charter.

Mr. Dickson found one violation of WAC 480-40-075, which adopts by reference CFR Part 393.84, because you failed to maintain the bus floors to minimize exhaust fumes. An unsecured engine cover allowed fumes to leak into the passenger compartment of the bus. Mr. Dickson also found two violations of WAC 480-40-065 because you failed to maintain the motor coach in a safe and sanitary condition. Specifically, Mr. Dickson found a loose heating and ventilation access panel and exposed electrical wiring.

Mark Halliday, Transportation Specialist, reviewed Mr. Dickson's report on the June 12 vehicle inspection and recommended an additional administrative penalty of \$100 for one violation of WAC 480-40-065 because you failed to maintain the vehicle in a safe and sanitary condition. Passengers on the June 2 charter trip documented, through pictures, mold growing on the interior of the bus.

RCW 81.04.405 allows penalties of one hundred dollars for every such violation.

This information, if proved at a hearing and not rebutted or explained, is sufficient to support the penalty assessment.

Your penalty is due and payable now. If you believe the violations did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violation that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. RCW 81.04.405

To ask for a hearing or request mitigation, complete the enclosed form and return it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

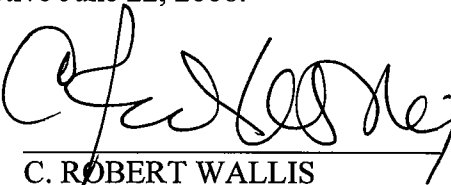
You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the commission will review the evidence supporting your request in a brief (informal) adjudication before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

If you do not act within 15 days, the commission may refer this matter to the Office of the Attorney General for collection. The commission may then sue you to collect the penalty.

DATED at Olympia, Washington and effective June 22, 2006.



C. ROBERT WALLIS
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT, Docket No. TE-061057

(NOTE: You must complete and sign this document, and see that the Commission receives it, within 15 days after you receive this penalty assessment.)

I have read and understand RCW 9A.72.020, (printed below) which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, application for mitigation of the penalties (as described in the attached Notice of Penalties). Use additional paper if needed.

[] 1. Request for a hearing. I believe that the alleged violation did not occur, based on the following information, and request a hearing for a decision by an administrative law judge:

[] 2. Application for mitigation. I admit the violation, but I believe that the penalty should be reduced for the reason(s) set out below.

[] a) I ask for a hearing for a decision by an administrative law judge

OR [] b) I waive a hearing and ask for an administrative decision on the information I present here.

[] 3. Payment of penalty. I admit that the violation occurred and enclose \$400 in payment of the penalty.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: _____ [month/day/year], at _____ [city, state]

Name of Respondent (company) – please print

Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”