



STATE OF WASHINGTON  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
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**Date:** March 4, 2016

**To:** Judge Rayne Pearson

**From:** David Pratt, Assistant Director for Transportation Safety  
Mathew Perkinson, Safety Compliance Investigator

**Re:** TC-152296 – Sani Mahama Maurou, d/b/a SeaTac Airport 24  
Evaluation of Safety Management Plan and recommendation to cancel Charter,  
Excursion, and Auto Transportation operating authority (Permit C-65615)

In December 2015, staff completed a compliance review investigation of Sani Mahama Maurou, d/b/a SeaTac Airport 24. The compliance review investigation resulted in a proposed *unsatisfactory* safety rating for SeaTac Airport 24 effective January 22, 2016.

**The factors that led to the proposed unsatisfactory rating were 47 violations of critical regulations.**

This review also resulted in penalty recommendations (TC-160187) against the company due to the large number of critical violations discovered.

“Critical” regulations are those identified as such where noncompliance relates to management and/or operational controls. These are indicative of breakdowns in a carrier’s management controls. Patterns of noncompliance with a critical regulation are quantitatively linked to inadequate safety management controls and usually higher-than-average accident rates.

The 47 critical violations discovered during the compliance review investigation are as follows:

1. **2 violations (247 occurrences) of 391.45(b)(1)** – Using a driver not medically examined and certified during the preceding 24 months. Staff found that Mr. Ndow Yankuba drove a total of 114 times and Mr. Sani Maurou drove a total of 133 times. The two drivers drove a total of 247 times without valid medical certificates during the past 6 months.
2. **2 violations of 391.51(a)** – Failing to maintain driver qualification file on each driver employed. The carrier failed to maintain driver qualification files for two drivers, Ndow Yankuba and Sani Maurou.
3. **2 violations of 396.3(b)** – Failing to keep minimum records of inspection and vehicle maintenance. The company was unable to provide any records of inspections or maintenance on two vehicles.

2. Identify why the violations were permitted to occur.
  - Staff does not believe Mr. Maurou has accepted any responsibility for the violations.
  - In his plan, addressing each of the violations, Mr. Maurou repeatedly states that he has not received enough training in this matter. Staff disagrees. Mr. Maurou received extensive technical assistance on 10/9/2014 from Commission safety investigators John Foster and Aaron Salinas. Staff's report indicates they inspected two vehicles and covered hours of service, driver qualifications, vehicle maintenance (including annual inspections), insurance requirements, and vehicle inspection reports. A copy of the safety guide, "Achieving a Satisfactory Rating" also was provided and it outlines how to comply with safety regulations. And during the 1/22/2016 closing conference for the current compliance review, staff again provided technical assistance on the same topics.
  - In his initial application for authority, dated 3/7/2014 – under section 7 – Safety and Operations, Mr. Maurou signed his name 12 times indicating he was responsible for understanding and complying with the Federal Motor Carrier Safety Regulations and Washington State laws and rules. In section 8 – Declaration of Applicant, Mr. Maurou signed his name indicating he understood the responsibilities of a passenger transportation company and was in compliance with all local, state, and federal regulations governing business in Washington State.
  - As an operator of a passenger transportation company, Mr. Maurou is expected to know the rules and regulations he is required to follow.
  - It appears to staff that Mr. Maurou has not taken the time to learn the safety requirements his company is obligated to follow.
  
3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of new forms.
  - Mr. Maurou did not provide evidence or documentation that all of the violations have been corrected. Of the 6 violation types, only 2 have been corrected.
  - CFR 391.51(a) requires carriers to maintain driver qualification files that include specific documents. Mr. Maurou's plan indicates he has created files and he provided copies of the materials that will be maintained in the files. *Several documents are missing, including:*
    - A note relating to the annual review of the driver's driving record as required by 391.25(c)(2). This is only required for Mr. Maurou as the other driver was hired within the last 12 months.
    - A list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.
    - A note relating to verification of medical examiner listing on the National Registry of Certified Medical Examiners required by 391.23(m).
  - CFR 391.45(b)(1) requires drivers to be medically examined and certified. Mr. Maurou provided medical cards for both drivers. However the medical card for Mr. Maurou is not valid as it was not obtained from a qualified medical provider who is on the National Registry of Certified Medical Examiners. Mr. Maurou was

7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.
  - Mr. Maurou included a statement declaring that his company strives to follow rules and regulations and that his company will operate within federal and state regulations. He also stated that SeaTac Airport 24 currently meets the safety fitness standard and factors specified in 49 CFR 385.5 and 385.7. However, as described above, he did not provide evidence or documentation that his operations are now in compliance and that all the violations noted have been corrected.

**Summary:**

- SeaTac Airport 24 did not submit a proposed safety management plan by February 26, 2016 as required in a February 9, 2016, Notice of Intent to Cancel Certificate issued by the commission.
- However, SeaTac Airport 24 submitted a proposed safety management plan late in the day on Monday, February 29, 2016.
- Staff reviewed SeaTac Airport 24's proposed safety management plan and concludes that it is unacceptable and does not meet the requirements of 49 CFR, Part 385. The reasons for staff's position are listed above.
- Staff recommends the Commission cancel SeaTac Airport 24's Charter, Excursion, and Auto Transportation operating authority (Permit C-65615) effective Tuesday, March 8, 2016.