

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TV-170233

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed. 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, the following statements.

- 1. **Payment of penalty.** I admit that the violation occurred and enclose \$ _____ in payment of the penalty.
- 2. **Contest the violation.** I believe that the alleged violation did not occur for the reasons I describe below:

- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision
- OR b) I ask for a Commission decision based solely on the information I provide above.

3. **Application for mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reasons set out below:

Please see attached letter.

- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision
- OR b) I ask for a Commission decision based solely on the information I provide above.

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: 04-22-17 [month/day/year], at Puyallup, WA [city, state]

JAMES MWANGI (SAFE-TO-GO MOVERS)
Name of Respondent (company) – please print

[Signature]
Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if 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.”

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STATE OF WASHINGTON
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COMMISSION

Application For Mitigation

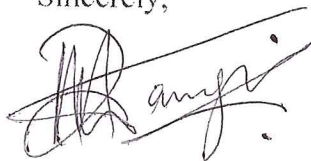
Violation : Using a driver not medically examined and certified.

We regretfully ran into this predicament when William Baker, whose card was missing, temporarily resigned from his driving duties in December last year to attend to a domestic urgency in his home state of California. Supposedly, he was to return at the beginning of this year as we readied for the busy season. However, to our dismay, this did not happen as he had implied. Our efforts to reach him and get him to furnish us with a copy of his medical card for our records were only successful for a little while after which, we have constantly tried to contact him about the same in vain, even to now. We have resolved to keep two copies of drivers' license and exam card securely kept in our electronic data in the eventuality that a driver misplaces his card and requests we supply him with the office copy at time of need.

With a full understanding that our actions or inactions, negligence and unsafe operating procedures are a direct safety threat and danger to the society we seek to serve, I have tried and indeed will strive to cooperate fully with any and all safety regulations to achieve and maintain safe operations in the community that we are privileged to serve. I kindly implore upon you, that these being first-time violations, not by design but by unexpected and undesired change of circumstances the penalties be reconsidered. As I elaborated to the safety inspector, if I was to go back and redo things, I would do them differently and I am currently doing so by keeping the medical cards in our electronic files. This way, if a driver loses or misplaces their card, they can readily be issued with a copy electronically instead of taking the office hard copy and losing it or going out of reach.

Again, with a resolve that this will not happen again, and knowing it has been collected, I humbly request a reconsideration of this penalty.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Mwangi', with a stylized flourish extending from the end.

James Mwangi
Safe-To-Go Movers