

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TG-220737

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.

State Of WASH.
UTIL. AND TRANSP.
COMMISSION

11/14/22 16:40

Received
Records Management

- 1. **Payment of penalty.** I admit that the violations occurred and enclose \$12,900 in payment of the penalty.
- 2. **Contest the violation(s).** I believe that the alleged violation(s) did not occur for the reasons I describe below (if you do not include reasons supporting your contest here, your request will be denied):

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 violations, but I believe that the penalty should be reduced for the reasons set out below (if you do not include reasons supporting your application here, your request will be denied):

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: 11/2/2022 [month/day/year], at Aberdeen WA [city, state]

David Bilal
Name of Respondent (company) – please print

[Signature]
Signature of Applicant



PO Box 184
Aberdeen, WA. 98520
1-800-738-5119--fax 1-888-675-5557
www.mypetmemorialurns.com
petland@techline.com

November 2, 2022

TO: Utilities & Transportation
RE: Mitigation of penalties

Dear Sir/Madam,

In response the findings of WAUTC dated October 19, 2022 penalty assesment TG-220737, I am requesting mitigation for the following reasons.

At some point, Scott Lockey' doctor's office stated they lost nearly all the medical records of their patients and have no way to recover them, proving he had a valid medical certificate between those dates. He had a valid medical certificate prior to March 7, 2022, and currently has a valid certificate. There is no reason to believe, other than the lack of a piece of paper, he was medically unqualified to perform his job. I don't disagree with the necessity of having the certificate. I would however, ask consideration since we have no way to prove his status between the dates cited.

The parking brake was fixed the day after the inspection. The drivers don't always use the parking brake.

The annual inspections had been scheduled and postponed several times due to inspection availability.

I don't dispute any of the findings as stated, I only ask consideration of circumstances we have to deal with on a nearly daily basis.

David E. Bielski, President
Petland Cemetery Inc.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
DATE 10/29/22	

MOTOR CARRIER OPERATOR Detmond Country	INSPECTOR'S NAME (PRINT OR TYPE) Tina Lerner
ADDRESS PO Box 184	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE Alcoa, VA, 24520	VEHICLE IDENTIFICATION (<input checked="" type="checkbox"/> AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER JHHYDM1H4HKR03998
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL) Hino 2017

VEHICLE COMPONENTS INSPECTED

OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM		
1. BRAKE SYSTEM													
✓			a. Service Brakes	✓			a. Vehicle parts, load, dunnage, spare tire, etc., secured.	✓			12. WINDSHIELD GLAZING		
✓			b. Parking Brake System	✓			b. Front End Structure	✓			No cracks, discoloration, obstacles, etc. (see 393.60 for exceptions).		
✓			c. Brake Drums or Rotors	✓			c. Intermodal Container Securement Devices	✓			13. WINDSHIELD WIPERS		
✓			d. Brake Hose	✓			7. STEERING MECHANISM				✓		No missing, damaged, or inoperable wipers.
✓			e. Brake Tubing	✓			a. Steering Wheel Free Play	N/A			14. MOTORCOACH SEATS		
N/A			f. Low Pressure Warning Device	✓			b. Steering Column	N/A			Seats securely fastened to the vehicle structure.		
N/A			g. Tractor Protection Valve	✓			c. Front Axle Beam/All Other Steering Components	N/A			15. REAR IMPACT GUARD		
N/A			h. Air Compressor	✓			d. Steering Gear Box	N/A			In place, securely attached, proper size, proper placement (see 393.86).		
N/A			i. Electric Brakes	✓			e. Pitman Arm	N/A			16. OTHER		
✓			j. Hydraulic Brakes	✓			f. Power Steering	N/A			List any other condition(s) which may prevent safe operation of this vehicle.		
✓			k. Vacuum Systems	✓			g. Ball and Socket Joints	N/A					
✓			l. Antilock Brake System	✓			h. Tie Rods and Drag Links	N/A					
✓			m. Automatic Brake Adjusters	✓			i. Nuts	N/A					
2. COUPLING DEVICES													
N/A			a. Fifth Wheels	✓			j. Steering System	N/A					
N/A			b. Pintle Hooks	✓			8. SUSPENSION						
N/A			c. Drawbar/Towbar Eye	✓			a. Axle Positioning Parts	N/A					
N/A			d. Drawbar/Towbar Tongue	✓			b. Spring Assembly	N/A					
N/A			e. Safety Devices	✓			c. Torque, Radius or Tracking Components	N/A					
N/A			f. Saddle-Mounts	✓			9. FRAME						
3. EXHAUST SYSTEM													
✓			a. No leaks forward of/ directly below the driver/sleeper compartment.	✓			a. Frame Members	N/A					
N/A			b. Bus: No leaking/discharging in violation of standard.	✓			b. Tire and Wheel Clearance	N/A					
✓			c. Unlikely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of vehicle.	N/A			c. Adjustable Axle Assemblies (Sliding Subframes)	N/A					
4. FUEL SYSTEM													
✓			a. No visible leak.	✓			10. TIRES						
✓			b. Fuel Tank Filler Cap	N/A			a. Steer-Axle Tires	N/A					
✓			c. Fuel tank securely attached.	N/A			b. All Other Tires	N/A					
N/A			5. LIGHTING DEVICES					c. Speed-Restricted Tires	N/A				
N/A			5. LIGHTING DEVICES					11. WHEELS AND RIMS					
✓			5. LIGHTING DEVICES					a. Lock or Side Ring	N/A				
N/A			5. LIGHTING DEVICES					b. Wheels and Rims	N/A				
N/A			5. LIGHTING DEVICES					c. Fasteners	N/A				
N/A			5. LIGHTING DEVICES					d. Welds	N/A				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: OK, NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.