



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 21, 2024

Jeff Killip, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Bremerton-Kitsap Airporter, Inc.*
Commission Staff's Response to Notice of Appeal for Penalty Assessment
Docket TE-240785

Dear Mr. Killip:

On November 12, 2024, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Bremerton-Kitsap Airporter, Inc., d/b/a Bremerton-Kitsap Airporter, Ft. Lewis/McChord Airporter, The Sound Connection; Pierce-SeaTac Airporter (Bremerton-Kitsap or Company) in the amount of \$100 for one violation of Washington Administrative Code (WAC) 480-30-221, Vehicle and Driver Safety Requirements, which adopts Title 49 Code of Federal Regulations (49 C.F.R.) Part 393 – Parts and Accessories Necessary for Safe Operation, as follows:

One violation of 49 C.F.R. § 393.62 - Buses - Required emergency exit not properly marked. The Company used a commercial motor vehicle with an emergency exit that was not properly marked. The vehicle was placed out-of-service.¹

On November 15, 2024, Bremerton-Kitsap submitted a Notice of Appeal for Penalty Assessment (Notice). In the Notice, the Company admits that the violation occurred and that it was corrected prior to the bus continuing operation. In the Notice, the Company requested mitigation or a suspension of the penalty.

Commission staff (Staff) Response: The Company mentions they were told the out-of-service condition was a “fix it ticket,” and that they were not told it would result in a monetary penalty. Safety investigators do not issue tickets, nor do they issue penalties because of the violations that

¹ Vehicle Identification Number 1FDUF5GY8BEB16153

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are identified during vehicle inspections. That responsibility lies with the Commission and Staff believes that the Commission acted consistent with the enforcement policy in this matter.

Bremerton-Kitsap did not offer further information that would indicate that the out-of-service violation was taken in error or that management controls to prevent future occurrences of this violation have been implemented. Staff recommend that the Commission uphold the \$100 penalty.

If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety, at (360) 701-1603, or by email at jason.sharp@utc.wa.gov.

Sincerely,

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety