



April 13, 2021

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
621 Woodland Square Loop SE,
Lacey, WA 98503

Received
Records Management
04/13/21 09:45
State Of WASH.
UTIL. AND TRANSP.
COMMISSION

RE: PENALTY ASSESSMENT TE-210189

We had a wonderful time Sandra during our audit. She has a wealth of Knowledge and is an asset to the UTC. We learned many new things from her that we were not aware of.

We would like to contest the following allegations.

***One violation of 49 CFR § 382.105 – Using a Department of Transportation (DOT) custody and control form to perform a non-DOT test.** The Company used a DOT custody form for a pre-employment test for driver Wendi Dworak, who is a non-DOT driver. Since she is a non CDL driver, we did want everyone to be drug tested. We have since removed the 4 non CDI drivers on the pool and moved them into a pool. Although it is not necessary for a non cdl driver to go through drug testing, but we want to treat each employee that drives the same across the board.

***One violation of 49 CFR § 382.301(a) – Using a driver before the motor carrier has received a negative pre-employment controlled substance test result :** So the allowed driver went to Concentra in Northgate on 02/19/2020, On 02/24/2020 Morning, I called the company and was told he was negative. Why the official report tool so long to be filed is beyond me. We brought him the same afternoon for training with another driver. As you can see from the results he did went on 02/19 and there is no reason for it to take so long to get the final results.

***Six violations of 49 CFR § 382.601(b) – Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-11** That was a simple oversight, most of these drivers have been here for 6-20 years. We emailed them our updated policy and got signatures back that it was received.

**Main: 206-365-1008 * Toll-Free: 1-800-571-1008 * Fax: 206-365-1008
Web: A-ALIMO.com * Email: Info@a-alimo.com
6705 NE 175 Street. Kenmore WA 98028**

***Three violations of 49 CFR § 391.45(a) – Using a driver not medically examined and certified.** Randall is a non CDL driver and all the 3 times he drove the sprinter he had less than 6 passengers. We have since rectified this.

***Two violations of 49 CFR § 391.51(b)(2) – Failing to maintain inquiries into driver's driving record in driver's qualification file.** So both me and Stewart Thompsom have been with the company for more than 20 years and when we both started driving for the company we did not have a UTC or even a CDL License. We both got the CDL license in 2006 and 2007 respectively and this was the first time this was brought up. So this should not count against us as this was done way before we even got a UTC license. We have since updated both of our application forms.

***Eight violations of 49 CFR § 391.51(b)(9) – Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file.** That is something new and we are still trying to get access to our account. We are working with a new company to help us with this.

Regards



Jess Sandhu

VP OF OPERATIONS

206-365-1008 x 101