BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties Against:

AJ'S WINE TOUR & TRANSPORT LLC, D/B/A AJ'S WINE TOURS & MORE LLC DOCKET TE-210665

DECLARATION OF JASON HOXIT

I, Jason Hoxit, under penalty of perjury under the laws of the state of Washington, declare as follows:

- 1. I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
- 2. I am employed by the Washington Utilities and Transportation Commission (Commission) as a compliance investigator in the Transportation Safety Division. As a compliance investigator, my responsibilities include conducting investigations into the operations of regulated and unregulated transportation companies. As part of those duties, I investigate charter party and excursion service carriers that may be operating without the required Commission-issued certificate.
- 3. On June 29, 2021, I mailed a compliance letter to AJ's Wine Tour & Transport LLC, d/b/a AJ's Wine Tours & More LLC, (AJ's Wine Tour or Company) explaining that Commission staff (Staff) believed AJ's Wine Tour was operating as a charter party or excursion service carrier in the state of Washington without the required certificate.¹ The compliance letter explained that to avoid enforcement action by the Commission, AJ's Wine Tour must: (1) remove any advertisement offering charter party or excursion carrier service, (2) stop providing charter party or excursion carrier service; and (3) file a completed application or explain in writing why its operations did not require operating authority by July 14, 2021.
- 4. On July 7, 2021, the Company received the compliance letter at 1157 SE Date Ave., College Place, Washington, 99324.² AJ's Wine Tour failed to respond to the compliance letter.
- 5. On August 13, 2021, I contacted AJ's Wine Tour under an assumed name through Facebook Messenger and inquired about the Company's availability for wine tours. On August 14, AJ's Wine Tour responded that it had "some open spots in August" and that "September is pretty open."³

¹ See Attachment A for a copy of the compliance letter, dated June 29, 2021.

² See Attachment B for a copy of the certified mail receipt, signed on July 7, 2021.

³ See Attachment C for a copy of the Facebook Messenger conversation, captured on September 2, 2021.

- 6. On August 23, 2021, I contacted AJ's Wine Tour through Facebook Messenger and requested a quote for a 10-passenger wine tour on September 25, 2021. The Company responded and offered a quote of \$750 for a 10-passenger wine tour and asked for a deposit of \$100 to reserve the date. When I inquired about mailing a check to AJ's Wine Tour for the deposit, the Company responded, "You can make it out to Jose Sanchez I'm the owner. My address is 1157 SE Date Ave. College Place, Washington, 99324."⁴
- 7. On August 27, 2021, I searched Commission records, which showed that AJ's Wine Tour did not have the required authority to provide charter party or excursion carrier service in the state of Washington.⁵
- 8. On August 27, 2021, I searched Washington Department of Revenue's (DOR) Business Licensing Service for AJ's Wine Tour, which produced records showing an active account under UBI: 604-398-771; listed 1157 SE Date Ave., College Place, Washington, 99324, as both the location and mailing address; and listed Jose Sanchez Michel as the governing person.⁶
- 9. On August 27, 2021, I searched Washington Secretary of State's (SOS) database, which produced records showing an active account for AJ's Wine Tour under UBI: 604-398-771; listed 1157 SE Date Ave., College Place, Washington, 99324, as both the street and mailing address; and listed Jose Sanchez Michel as the governor.⁷
- 10. On August 27, 2021, I visited the Company's Facebook page, <u>www.facebook.com/AJs-Wine-Tour-LLC-2035049523481723</u>. Under the "About" tab on the Company's Facebook page, AJ's Wine Tour provided the phone number of (509) 200-0918 and an address of 1157 SE Date Ave., College Place, Washington, 99324.⁸ Under the "Community" tab on the Company's Facebook page, I observed numerous public posts from AJ's Wine Tour advertising charter party or excursion carrier service.⁹ Under the "Photos" tab, I observed a picture of a black Ford Transit van with license plate BOT6133 that was posted to the Company's Facebook page on September 7, 2019.¹⁰
- 11. On August 27, 2021, I searched Washington Department of Licensing's (DOL) DRIVES application for vehicle information on the black Ford Transit van with license plate

⁴ *Id*.

⁵ See Attachment D for a copy of Commission records documenting the Company's unregulated status, captured on August 27, 2021.

⁶ See Attachment E for a copy of DOR's Business Licensing Service records for AJ's Wine Tour, captured on August 27, 2021.

⁷ See Attachment F for a copy of SOS records, captured on August 27, 2021.

⁸ See Attachment G for a copy of the Company's "About" page on Facebook, captured on August 27, 2021.

⁹ See Attachment H for a copy of the Company's "Community" page on Facebook, captured on August 27, 2021.

¹⁰ See Attachment I for a copy of the Company's September 2019 Facebook post showing a black Ford Transit van with license plate BOT6133, captured on August 27, 2021.

BOT6133, which produced records showing the motor vehicle is registered to Jose G. Sanchez Michel and Jessica Oliva Flores at 1157 SE Date Ave., College Place, Washington, 99324, and provided VIN: 1FBAX2CM2JKA67753.¹¹

- 12. On August 27, 2021, I contacted DOL to find out whether AJ's Wine Tour was authorized as a limousine carrier and if the 2018 Ford Transit van with VIN: 1FBAX2CM2JKA67753 was registered as a limousine vehicle.¹² On August 31, DOL notified me that AJ's Wine Tour did not have a limousine license.¹³
- 13. On October 14, 2021, I searched Commission records, which showed that AJ's Wine Tour did not have the required authority to provide charter party or excursion carrier service in the state of Washington.¹⁴
- 14. Based on paragraphs 3 through 13 above, Commission staff finds that AJ's Wine Tour operated as a charter party or excursion service carrier in the state of Washington without first obtaining the required certificate from the Commission.

DATED this 27th day of October 2021, at Lacey, Washington.

/s/ Jason Hoxit JASON HOXIT

¹¹ See Attachment J for vehicle information on the black 2018 Ford Transit van registered to Jose G. Sanchez Michel and Jessica Oliva Flores, captured on August 27, 2021.

¹² See Attachment K for a copy of emails with DOL.

¹³ *Id*.

¹⁴ See Attachment L for a copy of Commission records documenting the Company's unregulated status, captured on October 14, 2021.

Attachment A



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503 P.O. Box 47250 • Olympia, Washington 98504-7250 (360) 664-1160 • TTY 1-800-833-6384 or 711

June 29, 2021

Jose G. Sanchez Michel AJ's Wine Tour & Transport LLC, d/b/a AJ's Wine Tours & More LLC 1157 SE Date Ave. College Place, WA 99324

RE: Charter and Excursion Service Carrier

Dear Jose G. Sanchez Michel:

The Washington Utilities and Transportation Commission (Commission) believes that you are providing passenger transportation services that require charter and excursion authority from the Commission. To advertise, solicit, offer, or enter into an agreement to provide charter and excursion services without a certificate is illegal and subject to a penalty of up to \$5,000 per violation.

The purpose of this letter is to learn more about your passenger transportation services, help you understand charter and excursion regulations, and direct your company to respond to avoid any potential penalties.

What you need to do

To avoid enforcement action by the Commission, your company must:

- Immediately remove any advertisement offering charter and excursion services;
- Stop providing charter and excursion services; and
- Either submit a completed application (enclosed), file proof of insurance, and include the application fee; or respond in writing by July 14, 2021, explaining your company's operations and why they do not require operating authority from the Commission.

Charter and excursion regulations

The Commission regulates charter and excursion carriers in the state of Washington in the public interest.¹

¹ See RCW 80.01.040.

AJ's Wine Tour & Transport LLC, d/b/a AJ's Wine Tours & More LLC June 29, 2021 Page 2

A charter carrier means every person engaged in the transportation of persons for compensation over any public highway in this state who, pursuant to a common purpose and under a single contract, acquires the use of a motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after leaving the place of origin.²

An excursion carrier means every person engaged in the transportation of persons for compensation over any public highway in this state from points of origin within any city, town, or area, to any other location within the state of Washington and returning to that origin. The service must not pick up or drop off passengers after leaving and before returning to the area of origin. The excursions may be regularly scheduled and compensation for the transportation offered or afforded must be computed, charged, or assessed on an individual fare basis.³

In relation to both charter and excursion carriers, a motor vehicle means every self-propelled vehicle with a manufacturer's seating capacity for eight or more passengers, including the driver, used on the public highways for the transportation of persons for compensation.⁴

Application for charter and excursion authority

To provide charter and excursion service, your company must first apply for charter and excursion authority. Your company cannot operate as a charter and excursion carrier in the state of Washington until the Commission grants you a certificate.

Direct your written response to compliance investigator Jason Hoxit by email to Jason.Hoxit@utc.wa.gov or by mail to P.O. Box 47250, Olympia, WA 98504. If you have any questions, Jason Hoxit can be reached by phone at (360) 867-8305.

Sincerely,

Digitally signed by Jason Sharp Date: 2021.06.29 08:05:02-07:00

JASON SHARP Motor Carrier Safety Supervisor, Transportation Safety

Enclosure

² See RCW 81.70.020 and WAC 480-30-036.

³ Id.

⁴ Id.

Attachment **B**

SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. A. Signature Print your name and address on the reverse ib so that we can return the card to you. Х C Agent Attach this card to the back of the mailpiece, Addressee B. Received by (Printed Name) or on the front if space permits. C. Date of Delivery 19 1. Article Addressed to: 7.7.21 D. Is delivery address different from item 1? Yes Jose G. Sanchez Michel If YES, enter delivery address below: D No AJ's Wine Tour & Transport ile 1157 SE Date Ave College Place, WA 49324 Service Type Priority Mail Express® Adult Signature
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail® Priority Mail Express®
 Registered Mail™
 Registered Mail™
 Registered Mail Restricted
 Delivery
 Return Receipt for
 Merchandise
 Signature Confirmation™
 Signature Confirmation
 Restricted Delivery 9590 9402 3786 8032 3163 13 Certified Mail Restricted Delivery 2. Article Number (Transfer from service label) Collect on Delivery Collect on Delivery Restricted Delivery 7015 1430 0000 6005 5570 Insured Mail
 Insured Mail Restricted Delivery (over \$500) PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt **USPS TRACKING**# 990 First-Class Mail Postage & Fees Paid USPS Permit No. G-10 WASH. UT. & TP. COMM 9590 9402 3786 8032 3163 13 Sender: Please print your name, address, and ZIP+4[®] in this box* **United States Postal Service** Attn: Jason Hoxit WA Utilities and Transportation Commission P.O. Box 47250 P.O. Box 47250 Olympin, WA 98504-7250

Attachment C

<u> </u>	AJ's Wine Tour LLC		0
		Wine Tours	
		AJ's Wine Tour LLC ypically replies within a day	
		Transportation Service	
		Aug 13, 2021, 4:20 PM	Hey there! A group of us are planning a trip to do some wine tasting and hop around the different
			wineries. We haven't landed on a specific date yet because we wanted to make sure we had things all
			booked in advance. What does your availability look like for August/September?
	Helia Mark, we still have some open spats in August. Centember is pretty open With the increase of	Aug 14, 2021, 3:17 PM	
Ð	Helio Mark, we still have some open spots in August. September is pretty open. With the increase of Covid 19 cases things might change but for now things are still pretty open. The wineries will need to be called and make reservations and I can help with that.		
		Aug 23, 2021, 2:17 PM	
			Sorry, life has been crazy busy these last couple of weeks. I think our group would prefer to do wine tasting on September 25th. Are you available for that day and how many people can you fit in your vehicle at a time?
		Aug 23, 2021, 2:39 PM	
Ť	No worries, I was going to f/u with you to ask if you were still interested. We're available 9/25/21. 10 people can fit all at once		
		Aug 23, 2021, 3:24 PM	
			That works perfectly since we have a group of ten with another couple just joining us. We would probably want to spend about 5-6 hours visiting wineries in the area and would hope to find something in the middle of the day that offers lunch if possible. How much would it cost for roughly 7-8 hours total, which would include being picked up at the hotel, dropped off at the various wineries, and then getting dropped back off at the hotel?
		Aug 23, 2021, 3:45 PM	
Ť	Most wineries open at 11am some open at 10, and they close around 4-5pm. 10 people for an 8 hour wine tour I could do it for \$750.		
			Is there a deposit required to book 9/25?
Ť	We do ask for \$100 deposit to secure date. 🙂 🐟		
			How do I get that to you?
		Aug 23, 2021, 4:29 PM	
			Can I mail a check? I could have it in the mail in the next day or so.
		Aug 23, 2021, 4:51 PM	
Ť	Do you have Venmo? You could mail a check as well		
		Aug 24, 2021, 7:59 AM	
			I do not have Venmo. I'm very behind on the whole digital payment thing. I can mail out a check today. Who do I make the check out to and where do I mail it?
		Aug 24, 2021, 11:51 AM	
and them	You can make it out to Jose Sanchez I'm the owner. My address is 1157 SE Date Ave.		
Ť	College Place, WA, 99324		
		Aug 24, 2021, 1:38 PM	
			I'll get that sent out either this afternoon or tomorrow morning. So just to confirm, our group is looking
		Aug 24, 2021, 2:37 PM	at \$750 for 10 people for an 8 hour wine tour on 9/25?
	Yes, wineries will need to be called to make reservations, they might have 2 tables of 5 since it's a big	Aug 24, 2021, 2:37 PM	
and the second s	group. I can help with that. Just let me know or if you need suggestions		\$

Attachment D

SharePoint		Newsfeed	OneDrive	e Sites	Hoxit, Jason (UTC) -	ø	?
s	Companies	Cases		Search Com	pany Name	•	Q
History Contacts Cancel Permits & View Version History	Industries Cases						
Title*	AJ's Wine Tour & Transport	LLC					
DBA Names	AJ's Wine Tours & More LLC	C					
Company Legacy ID							
Unified Business Identifier	604398771						
Regulatory Status	Unregulated						
Contact Name	Jose G Sanchez Michel						
Contact Title							
Contact Phone	509-200-0918						
Contact E-Mail Address							
Contact Fax							
Address Change Date							
Physical Address Street	1157 SE Date Ave						
Physical Address City	College Place						
Physical Address State	WA						
Physical Address Zip	99324						
Mailing Address Street	1157 SE Date Ave						
Mailing Address City	College Place						
Mailing Address State	WA						
Mailing Address Zip	99324						
Website							
Comments							
Company ID	21,690						
	AM by 🗌 Huey, Lorilyn (UTC) 10:28 AM by 🗌 Huey, Lorilyn (L	JTC)	cel				

Attachment E

Washington State Department of Revenue

8/27/2021

Washington State Department of Revenue



< Business Lookup

License In	formation:		New search	Back to results	
Entity name:	AJ'S WINE TOUR & TR	ANSPORT LLC			
Business name:	AJ'S WINE TOUR & TR	ANSPORT LLC			
Entity type:	Limited Liability Comp	any			
UBI #:	604-398-771				
Business ID:	001				
Location ID:	0001				
Location:	Active				
Location addre		ave E wa 99324-16	668		
Mailing addres		ave E wa 99324-16	668		
Excise tax and	reseller permit status:	Click here			
Secretary of Sta	ate status:	Click here			
Endorsements					
Endorsements h	eld a License # Count	Details	Status Ex	piratior First issua	
		\sim			

https://secure.dor.wa.gov/gteunauth/_/#3

8/27	/2021

Washington State Department of Revenue

Endorsements held & Lice	nse # Count	Details	Status	Expiration First issue
College Place General Business			Active	Feb-28-2(Feb-27-2
Walla Walla			Active	Feb-28-2(Feb-25-2
General Business -				
Non-Resident				
Coverning Reen	0			
Governing Peopl	e May include gov	erning people not re <u>e</u>	gistered with Secretary	y of State
Governing people		Title		
SANCHEZ MICHEL, JOSE				
SANCHEZ MICHEL, JOSE Registered Trade Registered trade names	Names			First issued
Registered Trade				First issued
Registered Trade				First issued Feb-22-2019
Registered Trade Registered trade names AJ'S WINE TOUR &	Status			





Washington State Department of Revenue



< Business Lookup

Tax Information	n	New search	Back to results			
Entity name: AJ'S V	VINE TOUR & TRANSPORT LLC					
Entity type: Limite	d Liability Company					
Excise tax account ID #:	604-398-771	604-398-771				
UBI #:	604-398-771					
Opened:	February 14, 2019					
Closed:						
Mailing address:	1157 SE DATE AVE COLLEGE PLACE WA 99324-1668					
NAICS:	487110 - Scenic and Sightseeing Transportation, Land					
Reseller permit:	None					
Business License	e Locations		Ŧ			
Business name	License account ID #	Location address				
AJ'S WINE TOUR & TRA	604398771-001-0001	1157 SE DATE AV	e college plac			
The Business Lookup information is update nightly. Search date and time: 8/27/2021 1						

https://secure.dor.wa.gov/gteunauth/_/#4

8/27/2021

Washington State Department of Revenue

AM

Contact us

How are we doing? Take our survey!

Don't see what you expected? Check if your browser is supported

https://secure.dor.wa.gov/gteunauth/_/#4

Attachment F

8/27/2021

Corporations and Charities System

BUSINESS INFORMATION

Business Name: AJ'S WINE TOUR & TRANSPORT LLC

UBI Number: 604 398 771

Business Type: WA LIMITED LIABILITY COMPANY

Business Status: ACTIVE

Principal Office Street Address: 1157 SE DATE AVE, COLLEGE PLACE, WA, 99324-1668, UNITED STATES

Principal Office Mailing Address: 1157 SE DATE AVE, COLLEGE PLACE, WA, 99324-1668, UNITED STATES

Expiration Date: 02/28/2022

Jurisdiction: UNITED STATES, WASHINGTON

Formation/ Registration Date: 02/14/2019

Period of Duration: PERPETUAL

Inactive Date:

Nature of Business: TRANSPORTATION & WAREHOUSING

REGISTERED AGENT INFORMATION

Registered Agent Name: JOSE SANCHEZ MICHEL

Street Address: 1157 SE DATE AVE, COLLEGE PLACE, WA, 99324-1668, UNITED STATES Mailing Address: 1157 SE DATE AVE, COLLEGE PLACE, WA, 99324-1668, UNITED STATES

GOVERNORS

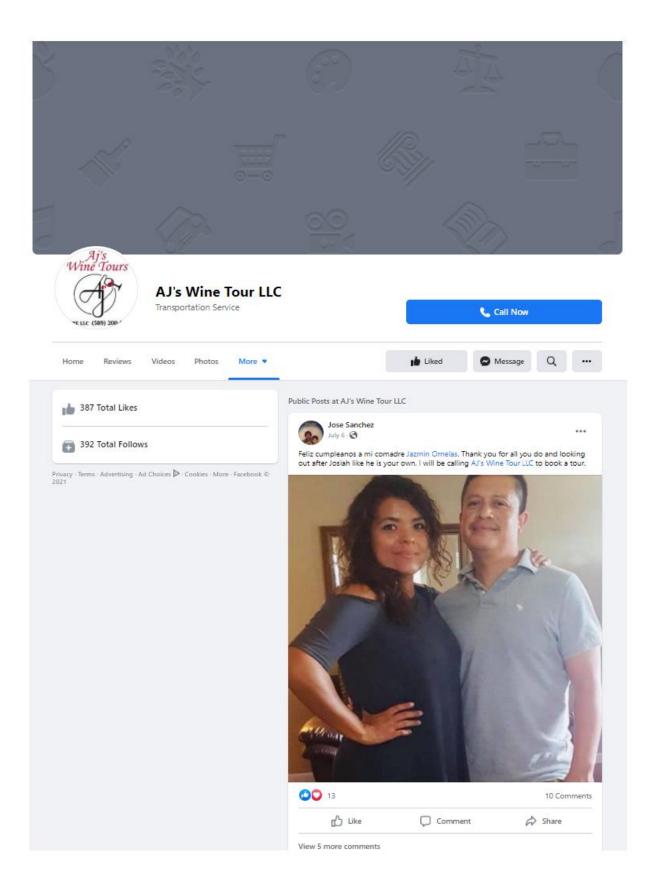
Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		JOSE	SANCHEZ MICHEL

https://ccfs.sos.wa.gov/#/BusinessSearch/BusinessInformation

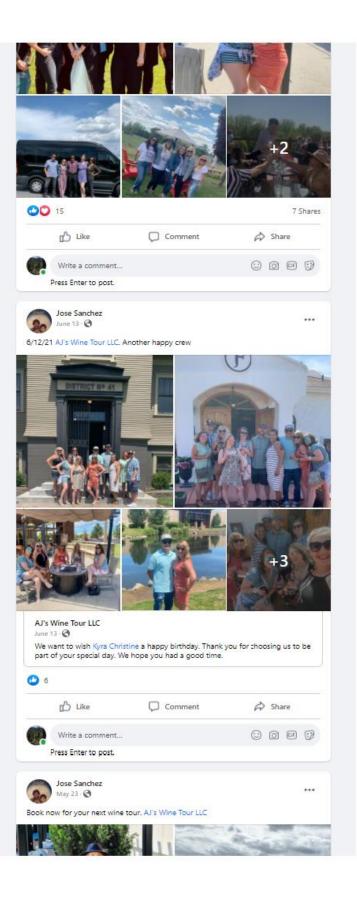
Attachment G

8			
ai's			J.
Ajs Wine Tours	AJ's Wine Tour LLC Transportation Service		Call Now
Home Reviews	Videos Photos More 💌	Liked	d 🖉 Message 🛛 Q \cdots
	 1157 SE Date Ave College Place, WA 99324 Lawson Ln 	SE 8th St approximation of the second	SE Larch Ave
	GENERAL		
	 384 people like this 389 people follow this 		
	12 people checked in here Transportation Service		
	HOURS Always Open		
	BUSINESS DETAILS		
	Price Range - \$\$		
	ADDITIONAL CONTACT INFO		
	 Typically replies within a day 		

Attachment H



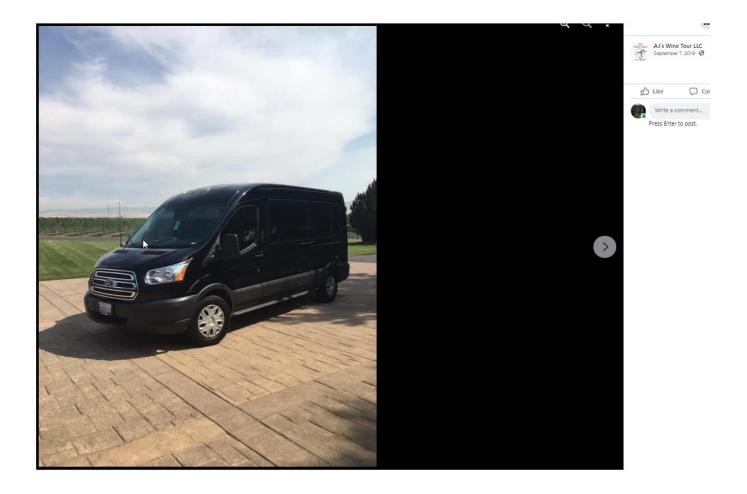








Attachment I



Attachment J

A



f 🎽 🛗 🎐

<	Search for a driver or vehicle

Vehicle Informatio	on	
VIN	Scale Weight	GVWR
1FBAX2CM2JKA67753	8384	Class 2 - 6,001 - 10,000
Model Year	Color 1	Gross Weight
2018		12000
Make	Color 2	Equipment #
FORD		
Model	Use Type	Fleet #
TRANSIT	For Hire	
Body Style	Value Year	Value Code
Passenger Van	2018	40255.0000
Current Odometer	Previous Odometer	
19,873	0	

Title Information		
Last Transaction Vehicle Renewal	Last Tran Date 22-Mar-2021	County 06
Previous Transaction Vehicle Renewal Notice	Previous Tran Date 13-Jan-2021	Status Issued
Total Fees Paid 105.50	Months of Reg 12	
Title # 1759925468	Title Issued 05-Apr-2019	

Registered Owner

Registered	:	JOSE G SANCHEZ MICHEL
Additional Registered	:	JESSICA OLIVA FLORES
Mailing Address		Residential Address
1157 SE DATE AVE COLLEGE PLAC	E WA 99324-1668 Location Code: 3601	1157 SE DATE AVE COLLEGE PLACE WA 99324-1668 Location Code: 3601

Legal Owner													
Lienholder :					GESA CREDIT UNION								
Legal Addres	s												
PO BOX 500 RICHLAND WA 99352-0500													
Registration													
Туре	Transaction	From	Expiration	Cancelled	Registration	Plate/Decal Type	Plate/Decal Number	Tab Type	Tab Number				
On-Road	Renewal	22-Mar-2021	19-Mar-2022	20-Mar-2022	RG69938342	Standard Passeng	BOT6133	R22	S448549				
	Deneural	19-Mar-2021	19-Mar-2022	20-Mar-2022	RG69971110								
Gross Weig	j kenewai		15 110 2022										
Gross Weig	, kenewai												

Home | Privacy | Contact Us | Survey | Copyright © 2021 DOL

Washington State Department of Licensing

Attachment K

 From:
 Hessler, Tanya (DOL)

 To:
 Hoxit, Jason (UTC)

 Subject:
 RE: AJ"s Wine Tour & Transport LLC - UBI: 604-398-771

 Date:
 Tuesday, August 31, 2021 8:16:13 AM

 Attachments:
 image001.png

This company does not have a limousine license.

Tanya Hessler Auditor 3 Supervisor Transportation Services Washington State Department of Licensing Office: 360-664-6466 | Desk: 360-664-6602 thessler@dol.wa.gov | dol.wa.gov

Helping every Washington resident live, work, drive, and thrive.

Follow us on Facebook, Twitter, Instagram, YouTube, LinkedIn, and the DOL Blog!

From: Hoxit, Jason (UTC) <jason.hoxit@utc.wa.gov>
Sent: Friday, August 27, 2021 2:20 PM
To: Hessler, Tanya (DOL) <THessler@DOL.WA.GOV>
Subject: AJ's Wine Tour & Transport LLC - UBI: 604-398-771

Good afternoon Tanya,

Does AJ's Wine Tour & Transport LLC, d/b/a AJ's Wine Tours & More LLC have an active limousine license through DOL? If so, which vehicles are endorsed as limousine vehicles under that license?

If AJ's Wine Tour & Transport LLC does not have an active limousine endorsement through DOL, is a 2018 Ford Transit with VIN: 1FBAX2CM2JKA67753 registered to another limousine carrier?

Thank you and have a great weekend!

Jason Hoxit Compliance Investigator (360) 867-8305

Jason Hoxit Compliance Investigator (360) 867-8305

Utilities and Transportation Commission Respect. Professionalism. Integrity. Accountability. www.utc.wa.gov

Attachment L

SharePoint		Newsfeed	OneDrive	e Sites	Hoxit, Jason (UTC) 🕶	ø	?
s	Companies	Cases		Search Com	pany Name	•	Q
View Version History	Industries Cases						
Title*	AJ's Wine Tour & Transport						
DBA Names	AJ's Wine Tours & More LL	C					
Company Legacy ID	604000774						
Unified Business Identifier							
Regulatory Status	Unregulated						
Contact Name	Jose G Sanchez Michel						
Contact Title	500 200 0010						
Contact Phone	509-200-0918						
Contact E-Mail Address							
Contact Fax							
Address Change Date							
Physical Address Street	1157 SE Date Ave						
Physical Address City	College Place						
Physical Address State	WA						
Physical Address Zip	99324						
Mailing Address Street	1157 SE Date Ave						
Mailing Address City	College Place						
Mailing Address State	WA						
Mailing Address Zip	99324						
Website							
Comments							
Company ID	21,690						
	AM by 🗌 Huey, Lorilyn (UTC) 10:28 AM by 🗌 Huey, Lorilyn (l	JTC)	cel				