



California Public Utilities Commission

505 Van Ness Avenue, San Francisco, CA 94102

PUC OPENS INVESTIGATION INTO OPERATIONS OF ANDY'S ULTIMATE LIMOUSINES AND ANDY'S LIMOUSINE SERVICE

The California Public Utilities Commission (PUC) opened an investigation (I. 04-07-004) on July 8, 2004, to determine the fitness of Andy's Ultimate Limousine and Andy's Limousine Service to operate as a charter-party carrier, and whether fines and sanctions should be imposed. Both carriers are based in Riverside, CA, and its officers are Andrew Wagner and Dannette Wagner.

The PUC's Consumer Protection and Safety Division staff opened an investigation in response to complaints alleging that Andy's Ultimate Limousines, Inc. engaged employee-drivers without evidence of workers' compensation insurance coverage. The investigation disclosed that Andy's Ultimate Limousines, Inc. violated the Commission General Orders and provisions of the Public Utilities Code, including:

- Operated during period of suspension without evidence of public liability and property damage insurance coverage on file with the Commission;
- Failed to enroll employee-drivers in a mandatory alcohol and controlled substance testing certification program;
- Failed to enroll employee-drivers in the DMV Employer Pull Notice Program;
- Operated 5 to 7 vehicles with seating capacities of more than 15-passengers without the proper charter-party authority;
- Failed to report and/or under-reported vehicles with seating capacities of more than 15-passengers to the Commission;
- Failed to include all required information on waybills/trip sheets;
- Employed employee-drivers that did not possess the proper California driver license to drive carrier's buses; and
- Failed to display TCP number on their for-hire vehicles.

On July 18, 2003, CPSD staff served Andrew Wagner an administrative citation with penalty in the amount of \$10,000.00 for violations of the Public Utilities Code and General Order 157-C.

Andrew Wagner denied the citation stating that he has corrected all those violations, and therefore should not be penalized for violations that occurred in the past.

On October 28, 2003, staff conducted a follow-up investigation and found that Andy's Ultimate Limousines, Inc. has not corrected some of the violations cited in the administrative citation. Furthermore, staff investigation disclosed similar violations of Commission G.O. 115-F and 157-C, and provisions of the Pub. Util. Code by the newly formed corporation, Andy's Limousine.

A Prehearing Conference will be held on September 16, 2004, in the Commission's Courtroom, in Los Angeles.