

CALIFORNIA PUBLIC UTILITIES COMMISSION

CITATION FOR VIOLATIONS OF CALIFORNIA PUBLIC UTILITIES CODE

To: Luke P. Wuellner

Taco Tour LLC

San Diego, CA 92106

File: TCP-Revoked Date: October 18, 2023 Citation #: T.23-10-004

Case #: PSG-5970

VIOLATIONS

You are hereby cited for having violated section(s) of the Public Utilities (Pub. Util.) Code Commission General Order (G.O.) 157-E as described below. These violations occurred during August 1, 2022 through October 12, 2023.

- (1) Advertised as a charter party carrier without the proper permit or certificate, in violation of Pub. Util. Code Section 5414.5. [12 counts]
- (2) Illegal display of a TCP number on a vehicle, in violation of Pub. Util. Code Section 5381 and 5411.3 and General Order (G.O.) 157-E, Part 4.08. [1 count]

STATEMENT OF FACTS

The above violations are documented in the attached Investigation Report, which consists of carrier's records and substantiating documents obtained from other sources.

RESPONSE

TEB used the Penalty Assessment Methodology adopted in Resolution M-4846 and considered mitigating and exacerbating factors in setting the fine.

You are hereby called upon to answer this citation on or before November 10, 2023. By way of such answer, you may either:

- (1) Pay a fine of \$6,000 pursuant to Pub. Util. Code section 5378. (Submit a cashier's check or money order payable to California Public Utilities Commission using the provided *Citation Compliance Agreement*. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and the Commission staff will deem the matter closed.) or
- (2) Contact the Supervisor below to make payment arrangements, or
- (3) Contest this citation by filing an appeal. See the provided documents entitled
 - How to File an Appeal and
 - Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal.

If you fail to respond by November 10, 2023, you will be in default and will have forfeited your right to appeal the Citation. In addition, your operating authority will be immediately suspended and may be subsequently revoked, pursuant to Resolution ALJ-187. The Commission may also act through a civil or criminal proceeding to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

Maria C. Solis

Maria C. Solis, P.E.

Program and Project Supervisor

Consumer Protection and Enforcement Division

Transportation Enforcement Branch Telephone number: (916) 928-2534

E-mail address: maria.solis@cpuc.ca.gov

TEB Enforcement Analyst: Greg Collentine Case: PSG-5970

INVESTIGATIVE REPORT

CARRIER: Taco Tour LLC

A Limited Liability Company #201718410208

OFFICERS: Luke P. Wuellner, Chief Executive Officer/Managing Member

(100%)

AUTHORITY: TCP 38185 A (Revoked 12/2/2020)

MAILING

ADDRESS:
San Diego, CA 92106

PHONE/EMAIL:

VEHICLES: One -passenger bus

EMPLOYEES/DRIVERS: Luke P. Wuellner, owner-driver

PL&PD

INSURANCE:

WORKERS'

COMPENSATION

INSURANCE: Unknown

DRUG

CONSORTIUM: Unknown

INTRODUCTION

On August 3, 2022, I was assigned to investigate Taco Tour LLC (hereafter TT LLC) following a settlement agreement where the owner, Luke Wuellner, had agreed to pay a fine and obtain operating authority after being cited under Citation T-21-12-003. The owner continued to advertise passenger transportation for hire service without paying the Citation fine and obtaining the authority to operate.

PRIOR ENFORCEMENT HISTORY

The Transportation Enforcement Branch's (TEB) records show that TT LLC has been cited previously On December 24, 2021, the company was issued Citation No. T-21-12-003 for operating with a revoked authority; operating without a Public Liability and Property Damage (PL&PD) insurance coverage in force and on file with the California Public Utilities Commission (Commission); failing to obtain the minimum PL&PD insurance level for a 16 passenger vehicle; and advertising as a charter party carrier of passengers without a valid authority [Attachment 1]. Though a settlement agreement, the Citation's \$12,000 fine was reduced to \$11,000 [Attachment 2]. In the settlement agreement, TT LLC agreed to pay the fine and obtain an authority to operate by April 6, 2022 [Attachment 2]. The company failed to comply with the settlement agreement. [Attachment 3].

VIOLATIONS

The investigation for the period of August 1, 2022, through October 12, 2023, disclosed violations of the following provisions of the Public Utilities Code (Pub. Util. Code) and Commission's General Order (G.O.):

 Advertised as a charter party carrier without the proper permit or certificate in violation of Pub. Util. Code Section 5414.5. [12 Counts]

Pub. Util. Code Section 5414.5 states: "Every corporation or person who knowingly and willfully issues, publishes, or affixes, or causes or permits the issuance, publishing, or affixing,

of any oral or written advertisement, broadcast, or other holding out to the public, or any portion thereof, that the corporation or person is in operation as a charter-party carrier of passengers without having a valid certificate or permit issued under this chapter is guilty of a misdemeanor punishable if an individual, by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both, or if a corporation, by a fine of not more than five thousand dollars (\$5,000)."

Business and Professions (B&P) Code Sections 17200 and 17500 states in part that unfair competition shall mean and include an unfair or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising and any act prohibited by Chapter 1 of the B&P Code. **Attachment 4** contains copies of Transportation Licensing and Analysis Branch's (TLAB) order of suspension, June 5, 2020, and order of revocation, June 5, 2020.

Cease and desist notices were sent to TT LLC on August 4, 2022, and July 3, 2023 [Attachment 5]. However, the carrier continued to advertise passenger tour services on their website, www.tacotoursd.com. [Attachment 6].

Table 1 - 12 days of Online Advertising with Authority to Operate [**Attachment 5**]

Year	Date	Number
		Of Days
2023	3/14, 4/6, 4/20, 5/9, 6/28, 9/27, 9/28,9/29, 10/3, 10/4, 10/5, 10/6	12

 Illegal display of a Charter Party Transportation Carrier Permit (TCP) number on a vehicle in violation of the Pub. Util. Code Sections 5381 and 5411.3 and G.O. 157-E Part 4.08. [1 Count]

Pub. Util. Code Section 5411.3 states in part that every charter-party carrier of passengers, who displays on any vehicle any identifying symbol other than the one prescribed by the Commission or who fails to remove an identifying symbol when required by the Commission, is guilty of a misdemeanor and is punishable by a fine of not more than two thousand five hundred dollars (\$2,500), by imprisonment in the county jail for not more than one year, or by both.

I observed TT LLC displaying a revoked TCP number on their bus, license plate number, during a field observation conducted on August 28, 2023 [Attachment 7].

DECLARATION

I have read the foregoing and know the contents thereof and I declare under penalty of perjury that the foregoing is true and correct, except as to those matters stated on information and belief, and to those matters I believe to be true.

Executed on October 17, 2023, at Sacramento, California.

Greg Collentine
Greg Collentine,

Enforcement Analyst

INDEX OF ATTACHMENTS

- Attachment 1: Citation No. T-21-12-003
- Attachment 2: Settlement Agreement
- Attachment 3: Transportation Charter Portal status
- Attachment 4: Order of Suspension; Order of Revocation
- Attachment 5: Cease and Desist Notices
- Attachment 6: Screen Shots of TT LLC's Website.
- Attachment 7: Affidavit Declaration of TT LLC's Vehicle Observation

ATTACHMENT 1



Public Utilities Commission

STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To:

Taco Tours LLC

San Diego, CA 92106

File: TCP 38185 A

Date: December 24, 2021

Citation #: T.21-12-003

Case #: PSG - 5576

VIOLATIONS

You are hereby cited with having violated sections of the Public Utilities Code (Pub. Util. Code) and California Public Utilities Commission (Commission) General Order (G.O.) as described below. These violations occurred during the period of December 2, 2020 through August 19, 2021:

- (1) Operated as a charter-party carrier after revocation of its operating authority in violation of Pub. Util. Code Section 5379 [129 counts];
- (2) Conducted operations as a charter-party carrier of passengers without evidence of Public Liability and Property Damage (PL&PD) insurance coverage in effect and on file with the Commission in violation of Pub. Util. Code Sections 5387(a)(c)(1)(A), 5391 and G.O. 115-G [95 counts];
- (3) Failed to obtain the required minimum level of public liability insurance coverage for one vehicle in violation of Pub. Util. Code Section 5391 and G.O. 115-G for 16 passengers or more [1 count]; and
- (4) Advertised as a charter-party carrier without having a valid authority in violation of Pub. Util. Code Section 5414.5 [4 counts].

STATEMENT OF FACTS

The above violations are documented in the attached investigator's summary report, which consists of carrier's records and substantiating documents obtained from other sources.

CIT-LIC

RESPONSE

You are hereby called upon to answer this citation on or before January 13, 2022. By way of such answer you may either:

- (1) Pay a fine of \$12,000 pursuant to PUC section 5378. (Submit your check or money order payable to California Public Utilities Commission using the attached *Citation Compliance Agreement*. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and the Commission staff will deem the matter closed.) or
- (2) Contest this citation by filing an appeal. See attached document "How to File an Appeal and Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal."

If you fail to respond within the due date mentioned above, you will be in default of the citation and will have forfeited your right to appeal the citation. In addition, your operating authority will be immediately suspended and subsequently revoked, pursuant to Resolution ALJ-187. The Commission may also take action through a civil or criminal proceeding to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

Haydee Clarke

Haydee Clarke
Supervising Transportation Representative, Badge #8
Transportation Enforcement Section
Consumer Protection and Enforcement Division
(213) 576-7047

e-mail: hvc@cpuc.ca.gov

Attachments



Public Utilities Commission

STATE OF CALIFORNIA

File: TCP 38185 A

Date: December 24, 2021

Citation #: T.21-12-003

Case #: PSG - 5576

CITATION COMPLIANCE AGREEMENT

I (We) hereby agree to comply with this citation dated				
herewith pay the fine of \$12,000.				
	Luke P Wuellner, C Taco Tours LLC San Diego, CA 9210			
	(Signature)	(Title)		
	(Date)			

Payment should be made payable to California Public Utilities Commission and sent to:

California Public Utilities Commission Attention: Fiscal Office 505 Van Ness Avenue San Francisco, CA 94102-3298 Investigator: Jeffrey Lidicker

Case: PSG-5576

INVESTIGATIVE REPORT

CARRIER:

Taco Tours LLC

A Limited Liability Company #201718410208 (active)

OFFICERS:

Luke P Wuellner, CEO/Managing Member (100%)

AUTHORITY:

TCP 38185 A (Revoked 12/2/2020)

MAILING

ADDRESS:

San Diego, CA 92106

PHONE/EMAIL:



VEHICLES:

1 22-passenger bus

EMPLOYEE-DRIVERS: 1

PL&PD **INSURANCE:**





WORKERS'

COMPENSATION

INSURANCE:

Unknown

DRUG

CONSORTIUM: Unknown

NARRATIVE

On June 24, 2021, Transportation Enforcement Branch (TEB) staff was assigned to investigate the operations and practices of Taco Tours LLC (Taco Tours) as the result of a permitted carrier complaint alleging that Taco Tours was operating and advertising without a valid permit.

VIOLATIONS

The investigation for the period of December 2, 2020 through August 19, 2021 disclosed violations of the following provisions of the Public Utilities Code (Pub. Util. Code) and Commission General Order (G.O.):

1. Operated as a charter-party carrier after revocation of its operating authority in violation of Pub. Util. Code Section 5379 [129 counts].

Transportation Licensing and Analysis Branch (TLAB) records show that Taco Tours charter-party certificate was suspended on June 5, 2020 for failure to maintain adequate public liability and property damage insurance (PL&PD) and was subsequently revoked on December 2, 2020. Attachment 1 contains copies of TLAB notices.

A review of Taco Tour's daily log that was provided by Mr. Luke Wuellner on September 21, 2021, disclosed that Taco Tour conducted at least 129 days (169 charter trips) of operations from December 2, 2021 through August 19, 2021 as a charter-party carrier after its authority was revoked as shown in **Table 1** and **Attachment 2**.

Table 1 – 129 days of operations after revocation of its authority

Date	Number
	Of Days
4, 5, 19, 20, 26(2), 27	6
2, 4, 9, 16, 17, 18, 23, 30, 31	9
5, 6(2), 14(2), 15, 17, 19, 20, 24, 25, 27, 28	11
5, 6(2), 9, 13(2), 14, 16, 18, 20(2), 21(2), 23, 26,	14
27(2), 30(2), 31	
2(2), 3, 4, 5(2), 6, 8, 9, 10(2), 11, 13, 14, 16(2),	23
17(2), 18(2), 19, 20(2), 22, 23, 24, 25, 26, 29, 30(2)	
1(2), 2, 4, 6, 7, 8(2), 15(2), 17, 18, 20, 21, 22(2),	19
	20
2, 3(2), 5(2), 6, 9, 10(2), 20(2), 22, 23, 24(2), 25,	16
26, 27, 29(2), 30(2), 31(2)	
1, 2, 3, 5, 6, 9, 10(2), 14(2), 15, 17, 19	11
	129
	4, 5, 19, 20, 26(2), 27 2, 4, 9, 16, 17, 18, 23, 30, 31 5, 6(2), 14(2), 15, 17, 19, 20, 24, 25, 27, 28 5, 6(2), 9, 13(2), 14, 16, 18, 20(2), 21(2), 23, 26, 27(2), 30(2), 31 2(2), 3, 4, 5(2), 6, 8, 9, 10(2), 11, 13, 14, 16(2), 17(2), 18(2), 19, 20(2), 22, 23, 24, 25, 26, 29, 30(2) 1(2), 2, 4, 6, 7, 8(2), 15(2), 17, 18, 20, 21, 22(2), 23, 24, 25, 28, 29(2), 30(2), 31 1, 4, 5(2), 6(2), 8, 10, 11(2), 13(2), 14, 15, 17, 18, 19(2), 20(2), 22, 25, 26(2), 27, 28, 29 2, 3(2), 5(2), 6, 9, 10(2), 20(2), 22, 23, 24(2), 25, 26, 27, 29(2), 30(2), 31(2)

2. Conducted operations as a charter-party carrier of passengers without evidence of Public Liability and Property Damage (PL&PD) insurance coverage in effect and on file with the Commission in violation of Pub. Util. Code Sections 5387(a)(c)(1)(A), 5391, and G.O. 115-G [95 counts].

Pub. Util. Code Section 5387 states in part that it is unlawful for the owner of a charter-party carrier of passengers to permit the operation of a vehicle upon a public highway for compensation without having complied with the accident liability protection requirements of Section 5391.

Pub. Util. Code Section 5391 states in part that the Commission shall require the charter-party carrier of passengers to procure, and to continue in effect during the life of the permit or certificate, adequate protection against liability imposed by law upon the charter-party carrier of passengers for the payment of damages for personal bodily injuries, including death and protection against damage or destruction of property.

On September 21, 2021, the Taco Tour daily log provided by Mr. Luke Wuellner disclosed that Taco Tours operated a passenger carrier vehicle without obtaining evidence of the required public liability coverage from 12/04/2020 to at least 06/19/2021 as shown in **Table 1** and **Attachment 2**.

- 3. Failed to obtain the required minimum level of public liability insurance coverage for one vehicle in violation of Pub. Util. Code Section 5391 and G.O. 115-G for 16 passengers or more [1 count].
- G.O. 115-G requires charter party carriers to provide and continue in effect liability protection in the amount of not less than \$5 million for vehicles with a seating capacity of 16 passengers or more including the driver.

On September 21, 2021, Mr. Wuellner submitted to TEB staff an Acord Certificate of Liability Insurance document showing Taco Tours insurance coverage for \$1 Million, effective 06/20/2021 through 06/20/2022, under policy number (Attachment 3].

Taco Tours operated a 22-seat capacity vehicle without obtaining evidence of the required public liability coverage of \$5 million as shown in **Table 2** and **Attachment 2**.

Table 2 – Dates of Operations of a 22-Passenger Bus Without the required minimum of \$5 Million PL&PD

Date	Number of			
	Passengers			
April 17, 2021	20			
June 26, 2021	20			
June 27, 2021	20			

July 29, 2021	21
July 31	20
August 10	20

4. Advertised as a charter-party carrier without having a valid authority in violation of Pub. Util. Code Section 5414.5 [4 counts].

Pub. Util. Code Section 5414.5 states: "Every corporation or person who knowingly and willfully issues, publishes, or affixes, or causes or permits the issuance, publishing, or affixing, of any oral or written advertisement, broadcast, or other holding out to the public, or any portion thereof, that the corporation or person is in operation as a charter-party carrier of passengers without having a valid certificate or permit issued under this chapter is guilty of a misdemeanor punishable if an individual, by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both, or if a corporation, by a fine of not more than five thousand dollars (\$5,000)."

Business and Professions (B&P) Code Sections 17200 and 17500 states in part unfair competition shall mean and include an unfair or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising and any act prohibited by Chapter 1 of the B&P code.

On June 5, 2020, Taco Tour's operating authority was suspended by TLAB for failure to maintain adequate public liability and property damage insurance coverage and was subsequently revoked on December 2, 2020 for the same reason. Attachment 1 contains copies of the TLAB notices.

On August 12, 2021, TEB staff sent a Cease and Desist letter to Luke Wuellner of Taco Tours LLC via email [Attachment 4]. The Cease and Desist letter directed Taco Tours to stop illegal advertising until it has obtained a valid permit.

On August 5 and December 10, 2021, the carrier was observed advertising illegally without a valid authority on the Taco Tour website (www.tacotoursd.com) [Attachment 5a]. On December 10, 2021, the carrier was observed also advertising illegally without a valid authority on Facebook.com, Yelp.com, Groupon.com [Attachments 5b, 5c, and 5d respectively]. These advertisements all list the phone number (858) 220-3573.

TacoTourSD.com: This website, on December 10, opened with a pop-up discount offer showing Santa Clause with a sleigh being pulled by tacos instead of reindeer offering a "Buy one, get one 50% off!". Once the pop-up was cleared, the regular company website showed. The regular Taco Tour San Diego company webpage lists the correct phone number and the correct email address for Luke. The webpage lists a description of the tours and shows pictures of tacos, the bus, customers in group photo, and other coastal scenery. Under "Message From Luke (owner/operator)": there is a personal message from Luke to potential customers with his photo eating a taco. There are two packages offered for sale: Taco Tour Lunch Tour for \$30, and Taco Tour Sunset Tour also for \$30. Each product has a link to, "Purchase Lunch Tour" or "Purchase Sunset Tour" which both lead to the link: https://www.tacotoursd.com/book-online, where you can purchase tickets after selecting a desired date and time. Not shown on the website, as required by P.U. Code, is the company TCP number [Attachment 5a].

<u>Facebook</u>: Webpage shows on Taco Tour San Diego Facebook homepage, shows pictures of tacos, tours, and scenery along with Services listed as "Taco Tour San Diego, lunch like a local on a guided historical tour thro… \$26.50" It also lists the

correct website for the company, phone number, and way to contact the manager [Attachment 5b].

Yelp: Webpage shows on Yelp.com that Taco Tour San Diego is open from 9am to 6pm on the date of the observation and that the listing is "claimed" by the company. The correct website for the Taco Tour website is listed along with the correct phone number, address of the company, and recent reviews. Under "COVID-19 updates" the site says, "Taco Tour San Diego is OPEN for business", which according to the website posted on July 22, 2020. Under "About the Business" the site lists Luke. W. as Business Owner and also says, "Tour San Diego Like a Local! Enjoy the best tacos and local attractions that San Diego has to offer. Tours run twice daily during Lunch and Sunset. Same day availability. 10% off for first time patrons." [Attachment 5c].

Groupon: Webpage shows that Taco Tour – Up to 10% Off – San Diego, CA provides Food Tours. Since this is a coupon site, it has discounted rates available for purchase for one, two, or four persons. The webpage boasts that the page has gotten 20 views already the day of the observation. The correct phone number, and link to correct company website are listed along with recent customer reviews. The address listed is that of where the tours start (500 Pacific Highway, San Diego, CA 92101) and not that of the company office like other websites. Under, "About This Deal" are details about the tour being historical and about 3.5 to 4 hours long, a link to tour schedules, departure location, a statement that food and drink are not included, and that there are three of four stops on each tour [Attachment 5d].

DECLARATION

I have read the foregoing and know the contents thereof and I declare under penalty of perjury that the foregoing is true and correct, except as to those matters stated on information and belief, and to those matters I believe to be true.

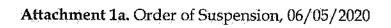
Executed on December 23, 2021, at Sacramento, California.

Jeffrey Lidicker

Jeffrey Lidicker, Senior Analyst

List of Attachments

- Attachment 1. Order of Suspension, 06/05/2020 and Order of Revocation, 12/02/2020
- Attachment 2. Printout of Disclosed Taco Tours Daily Log December 2020 to August 2021, 09/21/2021
- Attachment 3. Copy of Disclosed Taco Tours Insurance June 20, 2021, to June 20, 2022, 09/21/2021
- Attachment 4a, and 4b. Cease & Desist letter and email, 08/12/2021
- Attachments 5a, 5b, 5c, and 5d. Advertisement screen shots for: company website, 08/05/2021 and 12/10/2021, and for Facebook.com, yelp.com, and Groupon.com (samples), 12/10/2021



PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



PSG0038185

TACO TOUR LLC
ATTN: LUKE P. WUELLNER
SAN DIEGO, CA 92106

Charter Party

TCP038185A

ORDER OF SUSPENSION

The operating authority(s) listed above is suspended if not otherwise expired effective June 5, 2020 for the following reason(s):

Failure to Maintain Adequate Insurance

PL and PD Policy# i

If the cause of the suspension is lack of insurance, contact your insurance provider to reinstate your policy. Unless the deficiency cited in this notice is corrected by September 3, 2020 the suspended operating authority(s) will be revoked unless otherwise in voluntary suspension for which insurance need not be maintained. The revocation will be deferred for certificate of public convenience and necessity or if the Commision is advised before the revocation date a hearing is desired.

YOU ARE HEREBY DIRECTED NOT TO OPERATE UNLESS AND UNTIL YOUR COMMISSION OPERATING AUTHORITY IS REINSTATED. Any carrier which operates during the period of suspension of its operating authority(s) is guilty of a misdemeanor which is punishable by a fine of not less than \$1,000.00 or imprisonment of up to three months, or both. Operations during a period of liability insurance suspension may result in the permanent revocation of your operating authority under provisions of Public Utilities Code Section 5387(c)(1).

Dated June 5, 2020 at San Francisco California.

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

NOTE: Other unresolved suspension reasons are listed below. Failure to correct these deficiencies will result in revocation or your operating authorities.

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



PSG0038185

TACO TOUR LLC ATTN: LUKE P. WUELLNER SAN DIEGO, CA 92106

IMPORTANT NOTICE REGARDING OPERATIONS WITHOUT AN ACTIVE PERMIT OR CERTIFICATE

The Public Utilities Code was amended effective January 1, 2010, to provide serious sanctions for, among other things, conducting operations during a period of liability insurance suspension or conducting operations without a permit or certificate from the Commission. Section 5387(c)(1) was added to the Code as follows:

- (c)(1) A charter-party carrier shall have its authority to operate as a charter-party carrier permanently revoked by the Commission or be permanently barred from receiving a permit or certificate from the Commission if it commits any of the following acts:
- (A) Operates one or more buses or vehicles without having been issued a permit or certificate from the Commission.
- (B) Operates one or more buses with a permit that was suspended by the Commission pursuant to Section 5378.5.
- (C) Commits three or more liability insurance violations within a two-year period for which it has been cited.
- (D) Operates one ore more buses or vehicles with a permit that was suspended by the Commission during a period that the charter-party carrier's liability insurance lapsed for which it has been cited.
- (E) Knowingly employs a driver who does not have a current and valid driver's license of the proper class, a passenger vehicle endorsement, or the required certificate to drive bus(es) or vehicle(s).
- (F) Has one or more buses or vehicles improperly registered with the Department of Motor Vehicles.

Attachment 1b. Order of Revocation, 12/02/2020

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



PSG0038185

TACO TOUR LLC ATTN: LUKE P. WUELLNER

SAN DIEGO, CA 92106

Charter Party

TCP038185A

ORDER OF REVOCATION

The OPERATING AUTHORITY(S) LISTED ABOVE IS REVOKED IF NOT OTHERWISE EXPIRED effective December 2, 2020 for the following reason:

Failure to Maintain Adequate Insurance

PL and PD Policy#

Any carrier which operates with revoked operating authority(s) is guilty of a misdemeanor which is punishable by a fine of not less than \$1,000 or imprisonment of up to three months, or both. Additionally, Public Utilities Code Section 5387(c)(1) provides that a carrier which operates a bus without holding operating authority from the Commission shall be permanently barred from receiving a permit or certificate from the Commission.

NOTE: FOR CHARTER-PARTY CARRIERS, ALL LIVERY LICENSE PLATES MUST BE RETURNED TO THE COMMISSION IMMEDIATELY UPON REVOCATION OF YOUR OPERATING AUTHORITY.

YOU MAY REQUEST REINSTATEMENT OF YOUR AUTHORITY WITHIN 90 DAYS OF REVOCATION BY FILING A WRITTEN REQUEST FOR REINSTATEMENT ACCOMPANIED BY A \$125 FILING FEE. IF YOU FAIL TO HAVE YOUR AUTHORITY REINSTATED BEFORE March 2, 2021 YOU MUST REAPPLY AND PAY \$1,000 APPLICATION FEE (\$1,500 FOR AN "A" CERTIFICATE).

Dated December 2, 2020 at San Francisco California.

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



PSG0038185

TACO TOUR LLC ATTN: LUKE P. WUELLNER 1 SAN DIEGO, CA 92106

IMPORTANT NOTICE REGARDING OPERATIONS WITHOUT AN ACTIVE PERMIT OR CERTIFICATE

The Public Utilities Code was amended effective January 1, 2010, to provide serious sanctions for, among other things, conducting operations during a period of liability insurance suspension or conducting operations without a permit or certificate from the Commission. Section 5387(c)(1) was added to the Code as follows:

- (c)(1) A charter-party carrier shall have its authority to operate as a charter-party carrier permanently revoked by the Commission or be permanently barred from receiving a permit or certificate from the Commission if it commits any of the following acts:
- (A) Operates one or more buses or vehicles without having been issued a permit or certificate from the Commission.
- (8) Operates one or more buses with a permit that was suspended by the Commission pursuant to Section 5378.5.
- (C) Commits three or more liability insurance violations within a two-year period for which it has been cited.
- (D) Operates one ore more buses or vehicles with a permit that was suspended by the Commission during a period that the charter-party carrier's flability insurance lapsed for which it has been cited.
- (E) Knowingly employs a driver who does not have a current and valid driver's license of the proper class, a passenger vehicle endorsement, or the required certificate to drive bus(es) or vehicle(s).
- (F) Has one or more buses or vehicles improperly registered with the Department of Motor Vehicles.

Attachment 2. Printout of Disclosed Taco Tours Daily Log December 2020 to August 2021, 09/21/2021

Dec 2 - Aug 19 Drive Log

Dec 2 - Aug	_	_					
Date	Time	People	Mileage	Date	Time	People	Mileage
4-Dec	11am	4	40	1-May	11a	8	40
5-Dec	3pm	2	40		430p	12	40
19-Dec	3pm	12	40	2-May	430p	11	40
20-Dec	3pm	2	40	4-May	430p	7	.40
26-Dec	11am	12	40	6-May	430p	4	40
	3pm	2	40	7-May	11a	2	40
27-Dec	11am	2	40	8-May	11a	2	40
2-Jan	11am	4	40		430p	6	40
4-Jan	3pm	8	40	15-May	11a	10	40
9-Jan	11am	8	40		430p	13	40
16-Jan	1 1 am	10	40	17-May	11a	7	40
17-Jan	11am	2	40	18-May	430p	14	40
18-Jan	3pm	3	40	20-May	430p	.7	40
23-Jan	3pm	.3	40	21-May	430p	2	40
30-Jan	3pm	6	40	22-May	11a	14	40
31-Jan	3pm	2	40		430p	7	.40
5-Feb	3pm	4	40	23-May	430p	.2	40
6-Feb	11am	11	40	24-May	430p	6	40
	3pm	14	40	25-May	430p	4	40
14-Feb	11am	12	40	28-May	430p	4	40
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25-Feb	330p	4	40	4-Jun	430p	10	40
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19-Apr	430p	6	40	27-Jul	430p	21	40
20-Apr	11am	12	40	29-Jul	11a	7	40
	430p	12	40		430p	21	40
22-Apr	430p	4	40	30-Jul	11a	5	40
23-Apr	430p	7	40		430p	4	40
24-Apr	11am	.9	40	31-Jul	11a	15	40
25-Apr	1.1am	9	40		4p	20	40
26-Apr	430p	-2	40	1-Aug	430p	9	40
29-Apr	430p	6	40	2-Aug	11a	13	40
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				17-Aug		14	40
				19-Aug	-	3	40

Attachment 3. Copy of Disclosed Taco Tours Insurance June 20, 2021, to June 20, 2022, 09/21/2021



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 07/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER			NAME:				
AssuredPartners of Nevada LLC			PHONE (A/C, No, Ext)				
375 E Warm Springs Rd Ste 201			E-MAIL ADDRESS:				
			INS	URER(S) AFFOR	DING COVERAGE	NAIC #	
Las Vegas		NV 89119	INSURER A:				
INSURED			INSURER B :				
Taco Tour LLC			INSURER C :				
DBA: Taco Tour			INSURER D :				
-			INSURER E :				
San Diego		CA 92106	INSURER F :				
COVERAGES CER	TIFICAT	E NUMBER: 2021-2022 Ma	STREET, SQUARE, SQUARE		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF I INDICATED. NOTWITHSTANDING ANY REQUI CERTIFICATE MAY BE ISSUED OR MAY PERTA EXCLUSIONS AND CONDITIONS OF SUCH PO	REMENT, NN, THE I LICIES. L	, TERM OR CONDITION OF ANY (INSURANCE AFFORDED BY THE LIMITS SHOWN MAY HAVE BEEN	CONTRACT OR OTHER POLICIES DESCRIBED REDUCED BY PAID CL	DOCUMENT V HEREIN IS SI AIMS.	MITH RESPECT TO WHICH T	HIS	
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					MED EXP (Any one person)	s 5,000	
A			06/20/2021	06/20/2022	PERSONAL & ADV INJURY	s 1,000,000	
GEN'LAGGREGATE LIMIT APPLIES PER					GENERAL AGGREGATE	s 2,000,000	
D 000						PRODUCTS - COMP/OP AGG	s 2,000,000
					Errors & Omissions	s 1,000,000	
OTHER: AUTOMOBILE UABILITY					COMBINED SINGLE LIMIT	s	
					(Ea accident) BODILY INJURY (Per person)	s	
ANY AUTO OWNED SCHEDULED					BODILY INJURY (Per accident)	s	
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ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A				E.L. EACH ACCIDENT	S	
OFFICER/MEMBER EXCLUDED? (Mandatory in NH)					E.L. DISEASE - EA EMPLOYEE	S	
If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT	\$	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLE For Informational Purposes Only	es (acor	RD 101, Additional Remarks Schedule,	may be attached if more s	pace is required)			
CERTIFICATE HOLDER			CANCELLATION				
California Department of Motor PO Box 932370	i	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE					
Sacramento		CA 94232	J Will				
				© 1988-2015	ACORD CORPORATION	All rights reserved	

Attachment 4a. Cease & Desist letter, 08/12/2021

PUBLIC UTILITIES COMMISSION

Consumer Protection and Enforcement Division 320 West 4th Street, Suite 500 Los Angeles, CA 90013



sent via email to luke@tacotoursd.com

August 12, 2021

TCP 38185-A (Revoked)

Luke P Wuellner, CEO and Managing Member Taco Tour LLC

San Diego, CA 92106

NOTICE TO CEASE AND DESIST

Subject: Operations and advertising after revocation of a charter-party "A" permit

On December 02, 2020 your charter-party operating authority was revoked for failure to maintain adequate public liability and property damage insurance coverage.

Public Utilities Code (PUC) Section 5379 states that it is unlawful for a charter party carrier of passengers to conduct any operations after the cancelation or revocation, or during the period of its suspension, or after the expiration of its permit or certificate. PUC Section 5414.5 states that it is unlawful to publish or advertise without holding a valid permit. Advertisements include but not limited to advertising in local directories or yellow pages, business cards, websites, Facebook, Instagram, Yelp, Groupon, etc.

Public Utilities Code (PUC) Section 5387 states in part that a charter-party carrier shall have its authority to operate as a charter-party carrier permanently revoked by the Commission if it operates a bus without having been issued a permit or certificate from the Commission.

YOU MUST IMMEDIATELY CEASE AND DESIST ANY AND ALL UNLAWFUL OPERATIONS. ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR WHICH IS PUNISHABLE BY A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$5,000 FOR EACH VIOLATION OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO THREE MONTHS, OR BOTH (PUC SECTION 5411).

This letter places your firm on notice that continued violations of law without the required certificate may result in criminal prosecutions and possible termination of telephone service. There will be no further warnings.

If you have questions regarding this letter, please do not hesitate to call me at (213) 220-1208 or email me at john.deng@cpuc.ca.gov.

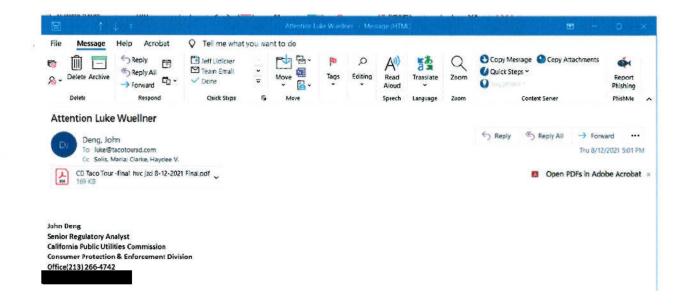
Sincerely.

John Deng Senior Analyst

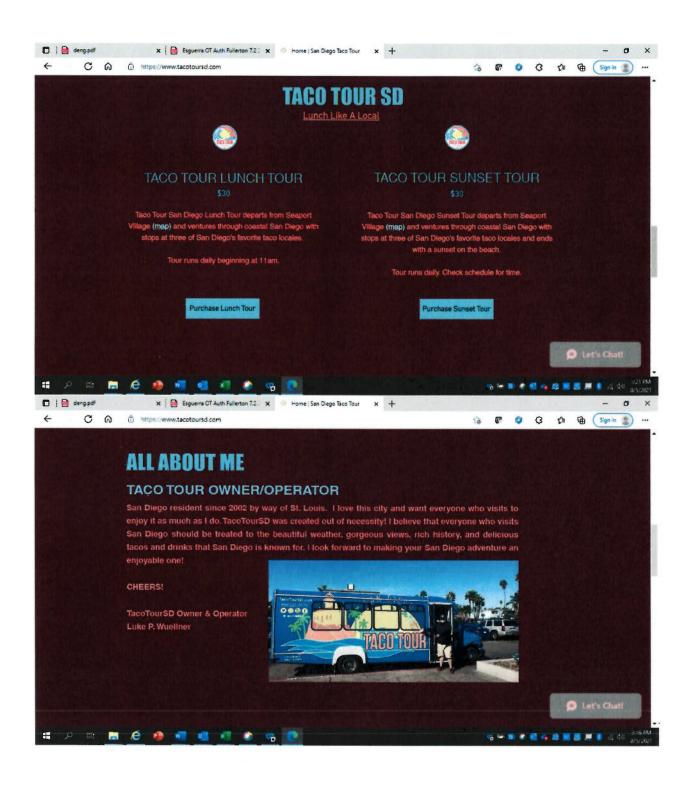
CPUC - Transportation Enforcement Branch

Attachment 4b. Cease & Desist email, 08/12/2021

Screenshot of email to Taco Tour SD on August 8, 2021, sending Cease and Desist



Attachments 5a. Advertisement screen shots for: Company website (samples), 08/05/2021 and 12/10/2021







Home

Book Online

Private Parties

Gift Card

Contact

More

858-220-3573





TACO TOUR SAN DIEGO

Tour coastal San Diego like a local with stops at three of San Diego's most delicious taco locations. Let us take you on a guided historical Lunch or Sunset Tour through scenic, coastal San Diego. Enjoy the beautiful scenery in Barrio Logan, Point Loma, Ocean Beach, and/or Little Italy while indulging in the best tacos, craft beers, and libations that America's Finest City has to offer!

























Message From Luke (owner/operator)

Hi everyone! Thanks for checking out Taco Tour San Diego, I've been a resident here



Let's Chat!

TACO TOUR OWNER/OPERATOR to enjoy it as much as I do. TacoTourSD was created out of necessity because prior to us there was no mobile taco tour in town. Can you believe it?! San Diego is known for it's beautiful weather, gorgeous views, rich history, delicious tacos and drinks. We can't wait to show it off to you and we look forward to making your adventure an enjoyable one!

CHEERS! Luke P. Wueliner



TACO TOUR SD

Lunch Like A Local

Name *





TACO TOUR LUNCH TOUR

\$30

Taco Tour San Diego Lunch Tour departs from Seaport Village (map) and ventures through coastal San Diego with stops at three of San Diego's favorite taco hidden gems.

Tour runs daily beginning at 11am.

Purchase Lunch Tour

TACO TOUR SUNSET TOUR

\$30

Taco Tour San Diego Sunset Tour departs from Seaport
Village (map) and ventures through coastal San Diego with
stops at three of San Diego's favorite taco locales and ends
with a sunset on the beach.

Tour runs daily. Check schedule for time.

Purchase Sunset Tour

CONTACT US:

Let's Chat!

Luke@TacoTourSD.com

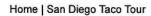
858-220-3573











Phone

Address

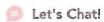
Subject

Message

Send



©2018 by Taco Tour LLC.



Attachments 5b. Advertisement screen shots for: Facebook.com (samples), 12/10/2021
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Taco Tour San

Diego @TacoTourSD

Home Services

Photos

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Posts

Events

About

Community

Fundraisers

Create a Page

Email or phone Password Log In Forgot account? Like Share Suggest Edits Send Message Services Taco Tour San Diego Tour Guide Taco Tour San Diego \$26.50 Community See All Lunch Like A Local on a guided historical tour thro... 1,036 people like this 1,076 people follow this See All About See All **Photos** 8582203573 Contact Taco Tour San Diego on Messenger www.tacotoursd.com Tour Guide · Sightseeing Tour Agency · Food Tour Agency S Price range \$\$ Page transparency See more Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content. Page created - February 7, 2017 People 1,036 likes **Related Pages**

See more of Taco Tour San Diego on Facebook

Log In

or

Create new account

What's Up San Diego



See more of Taco Tour San Diego on Facebook

Log In or Create new account

Attachments 5c. Advertisement screen shots for: Yelp.com (samples), 12/10/2021

ne Number



Taco Tour San Diego



O Claimed . Bus Yours, Food Tours, Historical Tours Edit

Open 9:00 AM - 6:00 PM

See 80 photos

Write a Review







Review Highlights



"Driving around town, Luke was like a San Diego encyclopedia, very knowledge, we really enjoyed talking to him." in 19 reviews



"My family & I were only visiting San Diego for a few days from NY & I'm so glad we decided to do this tour." in 2 reviews



"I would definitely recommend the Taco Tour Bus for your next outing." in 2 reviews

Location & Hours



directions

Shelter Island Dr & Avenida De Portugal Point Loma, Fleetridge Serving Coronado, CA Area Mon 9:00 AM - 6:00 PM

Tue 9:00 AM - 6:00 PM

Wed 9:00 AM - 6:00 PM

Thu 9:00 AM - 6:00 PM

Fri 9:00 AM - 6:00 PM

Sat 9:00 AM - 6:00 PM

Sun 9:00 AM - 6:00 PM

Edit business info

http://www.tacotoursd.com

(858) 220-3573



You Might Also Consider Sponsored ①



Big C's Charter Service

"After doing a lot of research for a shuttle service ba reviews. I found Big C..." read more



Van'N Boozy Wine Tours a Tours

147

"Went out for a girls day with my mother and sister, ever! Rich and Sarah..." read more

You Might Also Consider Sponsored ①



Sidecar Tours Inc. - San Diego

9 4.3 miles away from Taco Tour San Diego

Ruby T. said "Super cool experience. It was a fun thing to do. Definitely would recommend. Service was professional, prompt and very courteous. Each stop offered great selections and service. A very simple, fun, light, uncomplicated, comfortable..." read more in Food Tours



Brewery Tours of San Diego

227

Jennifer M. said "I want to give them 5 stars SO badly, but I cannot. Hey, 4 stars aren't bad right? We threw a private bus tour for my cousin's 30th birthday and Jon was excellent in coordination by email. I'm more of an email person when it comes..." read more in Beer Tours



European Travel

65

Christine D. said "I honestly thought using an travel agency was antiquated, so I was a bit reluctant at first ... how could someone find a better airline ticket to Europe that me doing hours of research and playing around with dates? Boy was I wrong...." read more in Travel Services

Amenities and More

Masks required

Staff wears masks

No Wi-Fi

About the Business



Tour San Diego Like a Local! Enjoy the best tacos and local attractions that San Diego has to offer. Tours run twice daily during Lunch and Sunset. Same day availability. 10% off for first time patrons.

Read more

COVID-19 updates

"Taco Tour San Diego is OPEN for business. We are adhering to CDC guidelines concerning Covid-19."

Posted on July 22, 2020

Ask the Community

Ask a question +

Yelp users haven't asked any questions yet about Taco Tour San Diego.

Recommended Reviews



Your trust is our top concern, so businesses can't pay to alter or remove their reviews. Learn more.

a



Yelp Sort 🗸

Username

Location Q 0 @ 0

Start your review of Taco Tour San Diego.

Jesse S.

San Diego, CA

@0 图5 ≥8



Such a fun event and Luke was amazing. I brought my meetup group and we had a blast and the food was fantastic. Would definitely recommend this to all, locals and those new to SD.

Thanks again Luke!



lason B. Site 2021

San Diego, CA

@ 97 @ 505 \ 682



6/27/2021

1 photo

Great taco shop stops, great tour commentary, great clean bus... oh, and yacht rock blastin!

Had a great time with friends on this trip... stopped at 3 spots in various areas of SD, so you get a good feel for the area. We did it on a Saturday early evening, and most places were quite busy, but the wait was manageable.

the only way this gets any better is to have organized discounts with quicker service to be able to add more stops, otherwise bring your booze, bring your friends, and join the taco tour!!



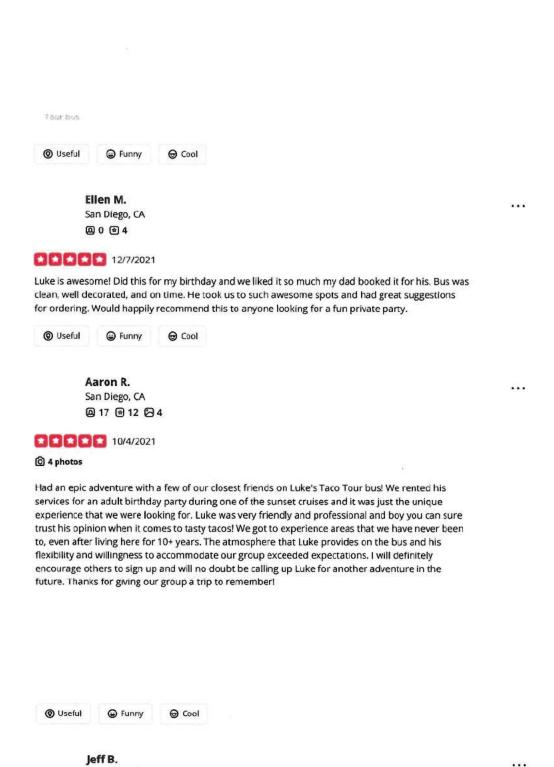
Pacific Heights, San Francisco, CA

回92 图 2 图 2



1 photo

Luke and the Taco Tour were amazing! My partner and I wanted to get local tacos and were so excited to find Luke. He picked us up promptly and gave us the local's tour through the neighborhoods. He gave us time to explore the different neighborhoods and picked us up promptly to go on to the next destination. Would totally recommend this tour!!



Funny

Great taco places - Luke was a great host - fun playing tourist in your own town..

⊖ Cool

12/5/2021

O Useful

Sandra M.

San Diego, CA

□ 49 4

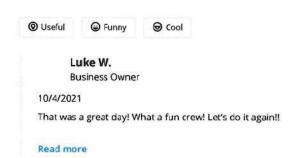


2 photos

Had an amazing time! Highly recommended. Luke had some great suggestions and love the local history he provided as we were driving. We live in San Diego but hadn't been to any of the hidden gems he had suggested especially Salud which was hands down our groups favorite!



We did a private tour for my birthday in September and it was so fun! Luke had a big cooler and we brought on our own drinks. Getting the private tour is really the way to go because we had some more flexibility. We passed the Fernando Tatis mural and Luke doubled back around so we could take a picture. Such a great day!





9/11/2020

Lovedddddthis tour!! My family & I were only visiting San Diego for a few days from NY & I'm so glad we decided to do this tour. Great food!! At each of the 3 taco places we went to, we had a while to explore the area, the beaches, & do a little shopping. The tour guide was awesome. Definitely recommend!! Mitch's had great seafood tacos...the black cod was our favorite. Mike's had the best carne asada fries ever...must have! At Sandbar, I had the grilled shrimp tko style taco...so good!! Have to get tko style. Great time, great food, great beaches, & great shopping!



Fullerton C. Riverside, CA

△ 120 **⊕** 38 **△** 45

3/7/2021

1 photo

Best thing to do in SD! Got this as a Groupon (though now I know to buy straight from the business at the same price). Luke was so knowledgeable and the tacos were amazing!!! Will definitely be back!!!!



1 2 3 > 1 of 3

4 other reviews that are not currently recommended >

You Might Also Consider Sponsored ①

Trips By Greg



Sandra M. said "There have been very few times in my life where a trip has been so expertly crafted and planned that is nothing short of genius. Last month, I took one of those trips! What a wonderful and relaxing experience it was with planning a..." read more in Travel Services

San Diego Party Tours



Treigh M. said "Tanner was quick to respond and very easy to deal with. The pricing was reasonable especially considering it was a busy night with Homecoming. The contract was emailed quickly which was efficient. Other companies in the past have..." read more in Tours, Party Bus Rentals

Collections Including Taco Tour San Diego







San Diego Activities By Nick L.



SD By Sade O.



San Diego By Ron S.

People Also Viewed









Best of San Diego

Things to do in San Diego

Other Places Nearby

Find more Bus Tours near Taco Tour San Diego

Find more Food Tours near Taco Tour San Diego

Find more Historical Tours near Taco Tour San Diego

People found Taco Tour San Diego by searching for...

Group Activities San Diego

Browse Nearby

11 Restaurants

Cafes

Food

Bars

Shopping

Hotels

Landmarks

Show all

Near Me

Bus Tours Near Me

Day Trips Near Me

Food Tours Near Me

Historical Tours Near Me

Frequently Asked Questions about Taco Tour San Diego

How is Taco Tour San Diego rated?

Taco Tour San Diego has 5 stars.

What days are Taco Tour San Diego open?

Taco Tour San Diego is open Mon, Tue, Wed, Thu, Fri, Sat, Sun.

About	Discover	Yelp for Business	Languages	
About Yelp	Yelp Project Cost Guides	Claim your Business Page	English 🐱	
Careers	Collections	Advertise on Yelp	Countries	
Press	Talk:	Yelp for Restaurant Owners	S United States •	
Investor Relations	Events	Table Management		
Trust & Safety	The Local Yelp	Business Success Stories		
Content Guidelines	Yelp Blog	Business Support		
Accessibility Statement	Support Yelp Blog for Business			
Terms of Service	Yelp Mobile			
Privacy Policy	Developers			
Ad Choices	RSS			

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Attachments 5d. Adv	ertisement screen sl	nots for: Groupon.	com (samples), 12	/10/2021
			,	

GROUPON

Categories \vee

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Sacramento

7

Sign In 🗸

Local > Things To Do > Sightseeing & Tours > Food Tours

Taco Tour 4.9 *** * 117 Ratings

- 🤄 500 Pacific Highway, San Diego
- Up to 10% Off on Culinary Tour at Taco Tour San Diego



Highlights

Participants join an exciting historical sunset or lunch tour around coastal San Diego area and explore its famous culinary locations

Customer Reviews

4.9 *****

Sort by:

Most Recent



100% Verified Reviews

All reviews are from people who have redeemed deals with this merchant.

John · Top Reviewer Helpful Reviewer

☆ 12 ratings □ 8 reviews ◎ 1 photos

* * * * * * · September 25, 2021

Luke was great!!! Highly enjoyable tour with excellent grub and lots of fun. We enjoyed the sightseeing, tacos, and even some ice creme. Luke even went above and beyond and dropped us off at hotel at end of tour. Highly recommend. Would give it 6 stars if I could.



Helpful

Taco Tour for One \$42.50 \$38 10% Off

70+ bought

Taco Tour for Two \$80 \$72 10% Off 290+ bought

Taco Tour for Four \$160 \$144 10% Off 50+ bought

Extra 25% off, up to \$50
Promo Code SAVE. Ends 12/11.

Apply

Over 20 views today, so act now!

Buy Now

Add to Cart

∰ Give as a Gift

Share This Deal

(1)





Like 57

☆ 2 ratings □ 1 reviews 🜟 🛊 🛊 🛊 🖈 • September 21, 2021 Luke is a great tour guide. He makes the trip fun and you learn a bit about the city while he takes you to some fantastic taco spots! i Helpful ☆ 3 ratings □ 2 reviews * * * * * . August 20, 2021 I had a very nice time driving around Pt. Loma, Ocean Beach, Barrio Logan, and Downtown. Luke was very knowledgeable about San Diego History. I also enjoyed the Taco restaurants on the Tour. helpful Fadyeh ☆ 12 ratings 🗘 2 reviews * * * * * . July 14, 2021 Good time and great tacos. Luke is great. Highly recommend # Helpful Irene · Top Reviewer Helpful Reviewer ☆ 13 ratings □ 7 reviews * * * * * * · July 11, 2021 Awesome tour! Tacos were great and so was the guide! # Helpful Jessica ☆ 8 ratings □ 1 reviews 🜟 🜟 🜟 🔅 🖈 July 6, 2021 Really fun!!! · Helpful ☆ 2 ratings □ 1 reviews * * * * * . June 20, 2021 Great experience! The tour is fun and the places he takes you to are great! Fun even for locals! # Helpful Joe · Top Reviewer Helpful Reviewer J ☆ 28 ratings ☐ 12 reviews © 1 photos * * * * * . June 19, 2021 Great time. Luke, the driver/host, was cool and friendly. He picks great spots to drop you off and let you explore. The scenery during the ride is also very

Helpful

See All Reviews

nice, especially Sunset Cliffs. Worthy investment of time and money.

Customer Photos

About This Deal

- What's included: a guided historical and food tour through coastal San Diego.
 Tour is 3.5 4 hours long.
- · Click here to view tour schedules.
- Departure location: In front of Eddie Vs. Seafood at the main Seaport Village entrance, 500 Pacific Highway, San Diego CA 92101
- · Food and drinks are not included
- Stops: Include 3 of the 4 Barrio Logan, Little Italy, Point Loma, Ocean Beach
- · Valid Monday-Thursday
- · Not valid on weekends or holidays

Fine Print

Promotional value expires 120 days after purchase. Amount paid never expires. Reservation required. Live narrated tour. Exclusions: food and drink, hotel pickup and drop off. Valid Monday-Thursday. Not valid on weekends or holidays. Voucher is subject to redemption if 48-hour cancellation policy is violated. Limit 4 per person. Merchant's standard cancellation policy applies (any fees not to exceed Groupon price). May be repurchased every 365 days. Subject to availability. Valid only for option purchased. Merchant is solely responsible to purchasers for the care and quality of the advertised goods and services.

About Taco Tour



Groupon Top Sellers

1 of 2 〈 〉



\$72.98 **\$20**

\$25 \$20

\$164 \$39.99 Custom Holiday Photo Cards

\$597 \$66 Testing - Allergy / Food Intol

Sam's Club Membership Pac...

eGift Card to Krispy Kreme

Customers also considered

1 of 2

>

Old Town Trolley Tours

Seaport Village, San Diego 4.6 * * * * * 317 Ratings

\$46

San Diego Trolley Tours

Go City - San Diego All-I...

Gaslamp, San Diego 4.5 * * * * * 23257 Ratings

\$89.30

Go City - SD All-Inclusive Pass

Go City - San Diego Exp...

San Diego Air and Space Mu... 4.5 * * * * 23257 Ratings

\$68.40

Go San Diego Explorer Pass

ScavengerHunt.com

Horton Plaza Park, San Diego 3.9 * * * * 1 4028 Ratings

\$40 **\$24**

Self-Guided Scavenger Hunt

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ATTACHMENT 2

SETTLEMENT AGREEMENT BETWEEN TACO TOUR, LLC AND THE CONSUMER PROTECTION AND ENFORCEMENT DIVISION OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION RESOLVING CITATION APPEAL K.22-01-004 AS TO CPED CITATION T.22-01-003 ISSUED ON DECEMBER 24, 2021

Taco Tour, LLC, ("Taco Tour"), a Charter Party Carrier of Passengers (TCP# 38185-A) based in San Diego, CA, and the Consumer Protection and Enforcement Division ("CPED") of the California Public Utilities Commission ("CPUC" or "Commission") are hereinafter collectively referred to as the "Settling Parties". On the following terms and conditions, the Settling Parties hereby agree to settle, and fully resolve Citation Appeal K.22-01-004 and its subject CPED Citation T.22-01-003.

This Settlement Agreement shall become effective upon review and approval by the Commission in a written resolution upon filing of a Joint Motion for Approval of the Settlement by the Settling Parties within 15 days after the full execution of this Settlement Agreement.

This Settlement Agreement is entered into as a compromise of disputed claims and defenses in order to minimize the time, expense, and uncertainty of continued litigation. The Settling Parties agree to the following terms and conditions as a complete and final resolution of the Citation Appeal (K.22-01-004) filed by Taco Tour on January 13, 2022. This Settlement Agreement constitutes the sole agreement between the Settling Parties concerning the subject matter of this proceeding.

I. AGREEMENT

- A. Taco Tour admits to the violations contained in Citation T.22-01-003 as follows:
 - Operated as a charter-party carrier after revocation of its operating authority in violation of Public Utilities Code ("Pub. Util. Code") Section 5379 [129 counts];
 - Conducted operations as a charter-party carrier of passengers without evidence of Public Liability and Property Damage (PL&D) insurance coverage in effect and on file with the Commission in violation of Pub. Util. Code Sections 5387(a)(c)(1)(A), 5391, and General Order ("GO") 115-G [95 counts];
 - Failed to obtain the required minimum level of public liability insurance coverage for one vehicle in violation of Pub. Util. Code Section 5391 and GO 115-G for 16 passengers or more [1 count]; and
 - Advertised as a charter-party carrier without having a valid authority in violation of Pub. Util. Code Section 5414.5 [4 counts].
- B. Taco Tour shall pay a reduced fine of \$11,000.00 (Eleven Thousand Dollars) of the original \$12,000.00 (Twelve Thousand Dollars) fine imposed by Citation T.22-01-003. Payments shall be made in 12 (twelve) monthly installments consisting of 11 (eleven) installments of \$916.66 (Nine hundred sixteen dollars and sixty-six cents) and a twelfth (12th) installment of \$916.74 (Nine hundred sixteen dollars and seventy-four cents) beginning within 30 days from the date this Settlement Agreement is approved by the Commission.

Payment shall be check or money order and shall be made payable to the California Public Utilities Commission. Taco Tour shall write on the face of the check or money order: "For deposit to the State of California General Fund for Citation Appeal K.22-01-004". Payment shall be delivered to:

California Public Utilities Commission's Fiscal Office 505 Van Ness Ave. Room 3000 San Francisco, CA 94102

- C. Taco Tour's operating permit/license, TCP# 38185-A, remains revoked. Taco Tour must submit to the Commission a new fully completed application for an applicable permit to operate as a charter party carrier.
- D. The Commission shall process Taco Tour's application within 90 days upon receipt of the fully completed application.
- E. Taco Tour shall not transport passengers until after they have received an applicable charter party carrier permit.

II. OTHER MATTERS

A. The Settling Parties agree to seek expeditious approval of this Settlement Agreement and the terms of the settlement, and to use their reasonable best efforts to secure Commission approval of it without change, including by filing a joint motion seeking approval of this Settlement Agreement and any other written filings, appearances, and other means as may be necessary to secure Commission approval. The Settling Parties agree to actively and mutually defend this Settlement Agreement if its adoption is opposed by any other party in proceedings before the Commission. In accordance with Rule 12.6 of the Commission's Rules of Practice and Procedure, if this Settlement Agreement is not adopted by the Commission, its terms are inadmissible in any evidentiary hearing unless their admission is agreed to by the Settling Parties. In the event the Commission rejects or modifies the Settlement Agreement, Settling Parties reserve all rights set forth in Rule 12.4 of the Rules of Practice and Procedure. The provisions of this paragraph shall impose obligations on the Settling Parties immediately upon the execution of this Settlement Agreement.

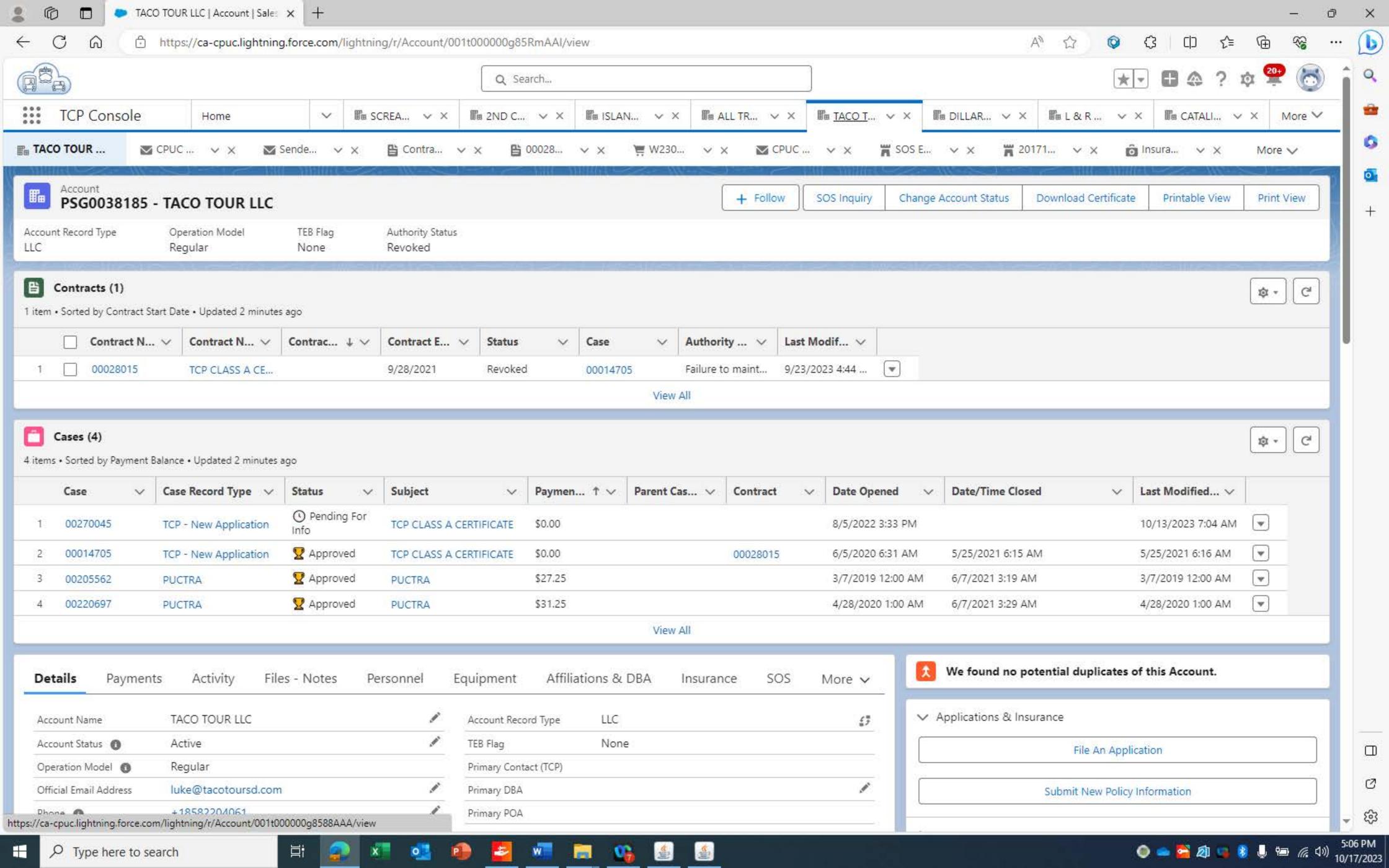
- B. The Settling Parties have bargained in good faith to reach the agreement set forth herein. The Settling Parties intend the Settlement Agreement to be interpreted as a unified, interrelated agreement. The Settling Parties agree that no provision of this Settlement Agreement shall be construed against any of them because a particular party or its counsel drafted the provision.
- C. The rights conferred and obligations imposed on any of the Settling Parties by this Settlement Agreement shall inure to the benefit of or be binding on that Settling Party's successors in interest or assignees as if such successor or assignee was itself a party to this Settlement Agreement.

- D. Should any dispute arise between the Settling Parties regarding the manner in which this Settlement Agreement or any term shall be implemented, the Settling Parties agree, prior to initiation of any other remedy, to work in good faith to resolve such differences in a manner consistent with both the express language and the intent of the Settling Parties in entering into this Settlement Agreement.
- E. This Settlement Agreement is not intended by the Settling Parties to be precedent for any other proceeding, whether pending or instituted in the future. The Settling Parties have assented to the terms of this Settlement Agreement only for the purpose of arriving at the settlement embodied in this Settlement Agreement. Each Settling Party expressly reserves its right to advocate, in other current and future proceedings, or in the event that the Settlement Agreement is rejected by the Commission, positions, principles, assumptions, arguments and methodologies which may be different than those underlying this Settlement Agreement, and the Settling Parties expressly declare that, as provided in Rule 12.5 of the Commission's Rules of Practice and Procedure, this Settlement Agreement should not be considered as a precedent for or against them.
- F. This Settlement Agreement may be executed in counterparts.
- G. The Settling Parties hereby agree that this Settlement Agreement is entered into as a compromise of disputed claims and defenses in order to minimize the time, expense, and uncertainty of continued litigation in this proceeding.
- H. Nothing in this Settlement Agreement relieves Taco Tour from any responsibilities imposed on it by law or Commission rules, orders, or decisions.
- I. In reaching this Settlement Agreement, the Settling Parties expect and intend that neither the fact of this settlement nor any of its specific contents will be admissible as evidence of fault or liability in any other proceeding before the Commission, any other administrative body, or any court. In this regard, the Settling Parties are relying on Evidence Code Section 1152(a) and Public Utilities Code Section 315. Furthermore, such use of this Settlement Agreement or any of its contents in any other proceeding before the Commission, any other administrative body, or any court would frustrate and interfere with the Commission's stated policy preference for settlements rather than litigated outcomes. See Pub. Util. Code § 1759(a).
- J. This Settlement Agreement represents the sole and entire agreement between the Settling Parties with respect to the subject matter hereto and supersedes all prior agreements, negotiations, and discussions between the Settling Parties hereto and/or their respective counsel with respect to the subject matters covered hereby.
- K. Each Settling Party whose signature is affixed hereto in a representative capacity represents and warrants that they are authorized to execute this Settlement Agreement on behalf of and to bind the entity on whose behalf his or her signature is affixed, and each of the Settling Parties represents and warrants that the person executing this Settlement Agreement on its behalf has full and complete legal authority to do so.

L. This Settlement Agreement contains the entire agreement between the Settling Parties. The terms of the Settlement Agreement are contractual and not merely recital. This Settlement Agreement is executed without reliance upon any representations not contained in this document. The undersigned Settling Parties have carefully read, understood, and had the opportunity to seek advice of counsel concerning the content of this Settlement Agreement and sign the agreement of their own free will.

Agreement.	the Settling Parties hereto have duly executed this Settlement
Date	Consumer Protection and Enforcement Division /CPUC
	By: KENNETH BRUNO – Program Manager Transportation and Enforcement Branch
4/26/22 Date	TACO TOUR, LLC (Taco Tour) By: LUKE WUELLNER – Manager Taco Tour, LLC

ATTACHMENT 3



ATTACHMENT 3

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco. CA 94102-3298



PSG0038185

TACO TOUR LLC

ATTN: LUKE P. WUELLNER

SAN DIEGO, CA 92106

Charter Party

TCP038185A

ORDER OF SUSPENSION

The operating authority(s) listed above is suspended if not otherwise expired effective June 5, 2020 for the following reason(s):

Failure to Maintain Adequate Insurance

PL and PD Policy#

If the cause of the suspension is lack of insurance, contact your Insurance provider to reinstate your policy. Unless the deficiency cited in this notice is corrected by September 3, 2020 the suspended operating authority(s) will be revoked unless otherwise in voluntary suspension for which insurance need not be maintained. The revocation will be deferred for certificate of public convenience and necessity or if the Commision is advised before the revocation date a hearing is desired.

YOU ARE HEREBY DIRECTED NOT TO OPERATE UNLESS AND UNTIL YOUR COMMISSION OPERATING AUTHORITY IS REINSTATED. Any carrier which operates during the period of suspension of its operating authority(s) is guilty of a misdemeanor which is punishable by a fine of not less than \$1,000.00 or imprisonment of up to three months, or both. Operations during a period of liability insurance suspension may result in the permanent revocation of your operating authority under provisions of Public Utilities Code Section 5387(c)(1).

Dated June 5, 2020 at San Francisco California.

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

NOTE: Other unresolved suspension reasons are listed below. Failure to correct these deficiencies will result in revocation or your operating authorities.

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



PSG0038185

TACO TOUR LLC ATTN: LUKE P. WUELLNER 1 SAN DIEGO, CA 92106

Charter Party

TCP038185A

ORDER OF REVOCATION

The OPERATING AUTHORITY(S) LISTED ABOVE IS REVOKED IF NOT OTHERWISE EXPIRED effective December 2, 2020 for the following reason:

Failure to Maintain Adequate Insurance

PL and PD Policy#

Any carrier which operates with revoked operating authority(s) is guilty of a misdemeanor which is punishable by a fine of not less than \$1,000 or imprisonment of up to three months, or both. Additionally, Public Utilities Code Section 5387(c)(1) provides that a carrier which operates a bus without holding operating authority from the Commission shall be permanently barred from receiving a permit or certificate from the Commission.

NOTE: FOR CHARTER-PARTY CARRIERS, ALL LIVERY LICENSE PLATES MUST BE RETURNED TO THE COMMISSION IMMEDIATELY UPON REVOCATION OF YOUR OPERATING AUTHORITY.

YOU MAY REQUEST REINSTATEMENT OF YOUR AUTHORITY WITHIN 90 DAYS OF REVOCATION BY FILING A WRITTEN REQUEST FOR REINSTATEMENT ACCOMPANIED BY A \$125 FILING FEE. IF YOU FAIL TO HAVE YOUR AUTHORITY REINSTATED BEFORE March 2, 2021 YOU MUST REAPPLY AND PAY \$1,000 APPLICATION FEE (\$1,500 FOR AN "A" CERTIFICATE).

Dated December 2, 2020 at San Francisco California.

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

ATTACHMENT 3

PUBLIC UTILITIES COMMISSION

180 Promenade Circle SACRAMENTO, CA 95834



August 4, 2022 Taco Tour LLC Luke Wuellner

San Diego, CA 92106

TCP 38185 Revoked Case: PSG-5776

sent via email to

NOTICE TO CEASE AND DESIST

Dear Mr. Wuellner

Public Utilities Code (P.U. Code) Section 5379 states that it is unlawful for a charter-party carrier of passengers to conduct any operations after cancelation or revocation, or during the period of its suspension, or after the expiration of its permit or certificate. P.U. Code Section 5414.5 states that it is unlawful to publish or advertise without holding a valid permit. Advertisements include, but are not limited to, advertising in local directories or yellow pages, business cards, websites, etc.

P.U. Code Section 5387 states in part that a charter-party carrier shall have its authority to operate as a charter-party carrier permanently revoked by the California Public Utilities Commission (CPUC) if it operates a bus without having been issued a permit or certificate from the CPUC. Page 2

YOU MUST IMMEDIATELY CEASE AND DESIST ANY AND ALL UNLAWFUL OPERATIONS. ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR WHICH IS PUNISHABLE BY A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$5,000 FOR EACH VIOLATION OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO THREE MONTHS, OR BOTH (P.U. CODE SECTION 5411).

This letter places you on firm notice that continued violations of law without the required certificate may result in criminal prosecutions and possible termination of telephone service. There will be no further warnings.

Please call me when you received this notice.

Sincerely,

Greg Collentine

Enforcement Analyst

Greg Collentine

Consumer Protection and Enforcement Division

(530) 433-3280

PUBLIC UTILITIES COMMISSION

180 Promenade Circle SACRAMENTO, CA 95834



July 3, 2023 Taco Tour LLC Luke Wuellner

San Diego, CA 92106

TCP 38185 Revoked Case: PSG-5576

sent via email to

NOTICE TO CEASE AND DESIST

Dear Mr. Wuellner

Public Utilities Code (P.U. Code) Section 5379 states that it is unlawful for a charter-party carrier of passengers to conduct any operations after cancelation or revocation, or during the period of its suspension, or after the expiration of its permit or certificate. P.U. Code Section 5414.5 states that it is unlawful to publish or advertise without holding a valid permit. Advertisements include, but are not limited to, advertising in local directories or yellow pages, business cards, websites, etc.

P.U. Code Section 5387 states in part that a charter-party carrier shall have its authority to operate as a charter-party carrier permanently revoked by the California Public Utilities Commission (CPUC) if it operates a bus without having been issued a permit or certificate from the CPUC. Page 2

P.U. Code Section 5387 (d)(1) states in part that a peace officer, as defined in Chapter 4.5 of the Penal Code, may impound a bus or limousine of a charter party carrier of passengers for 30 days pursuant to Section 14602.9 of the Vehicle Code if the driver was operating a vehicle with suspended permit or without a permit issued by the Commission.

YOU MUST IMMEDIATELY CEASE AND DESIST ANY AND ALL UNLAWFUL OPERATIONS. ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR WHICH IS PUNISHABLE BY A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$5,000 FOR EACH VIOLATION OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO THREE MONTHS, OR BOTH (P.U. CODE SECTION 5411).

This letter places you on firm notice that continued violations of law without the required certificate may result in criminal prosecutions and possible termination of telephone service and/or vehicle impound. There will be no further warnings.

Please call me when you receive this notice.

Sincerely,

Greg Collentine

Enforcement Analyst

Greg Collectine

Consumer Protection and Enforcement Division

(530) 433-3280

ATTACHMENT 3





Tour coastal San Diego like a local with stops at three of San Diego's most delicious taco locations. Let us take you on a guided historical Lunch or Sunset Tour through scenic, coastal San Diego. Enjoy the beautiful scenery in Barrio Logan, Point Loma, Ocean Beach, and/or Little Italy while indulging in the best tacos, craft beers, and libations that America's Finest City has to offer!











More



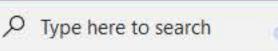
































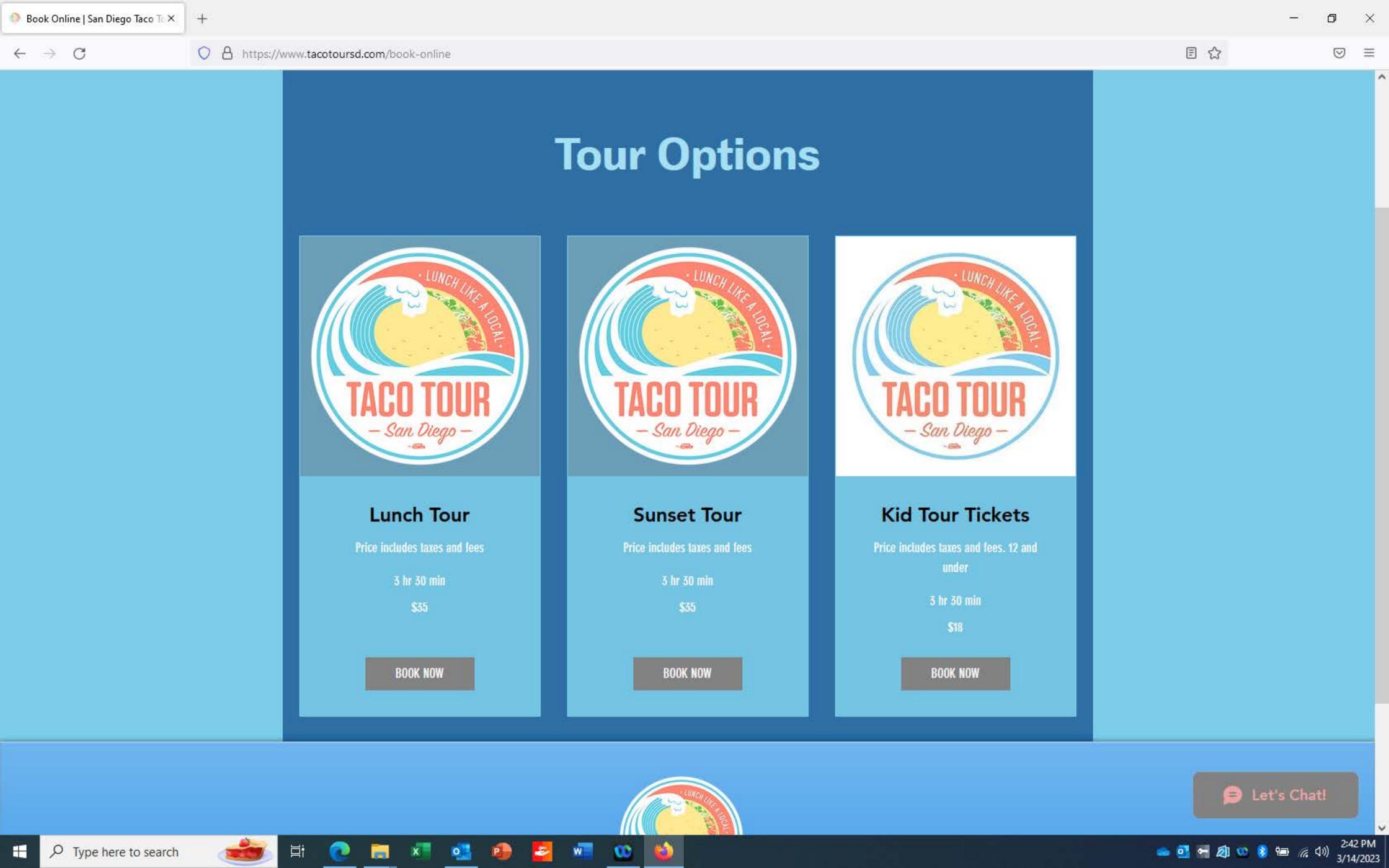


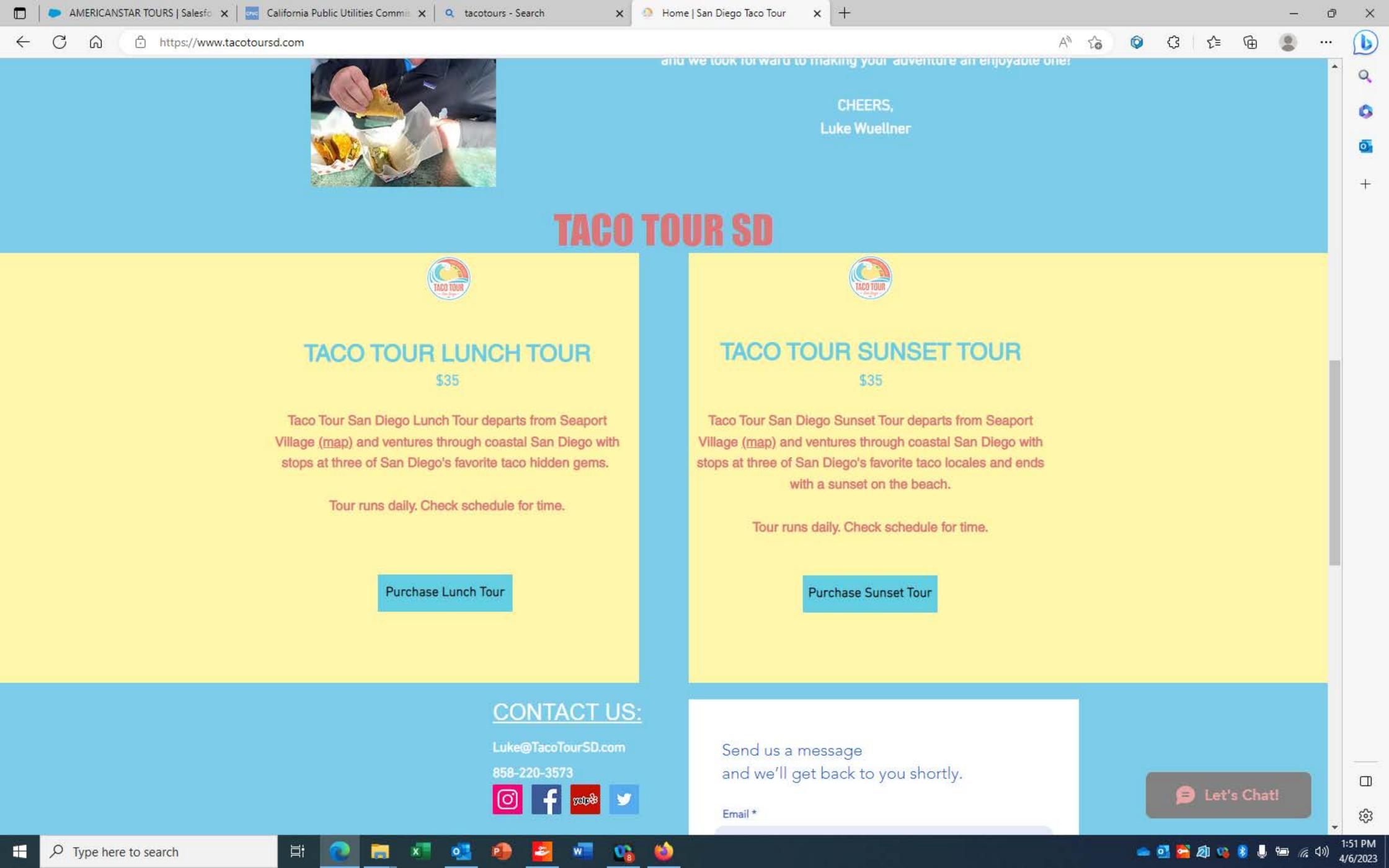


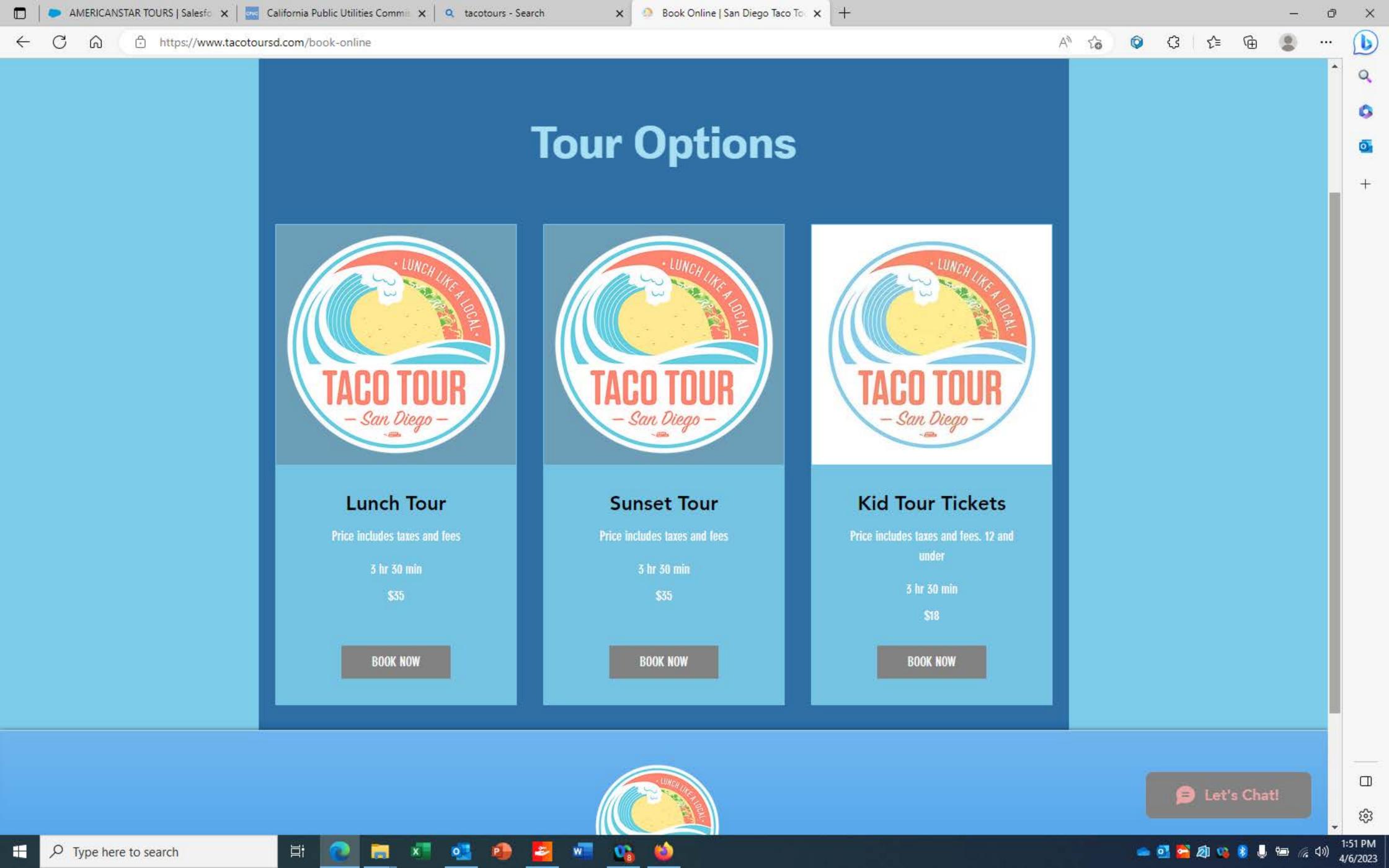


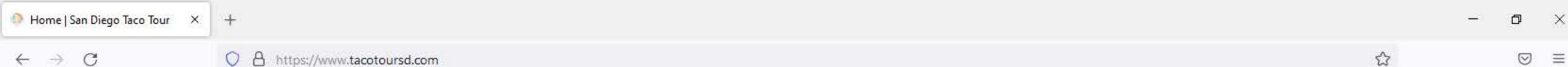














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FAQ

More

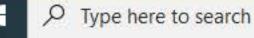






























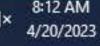


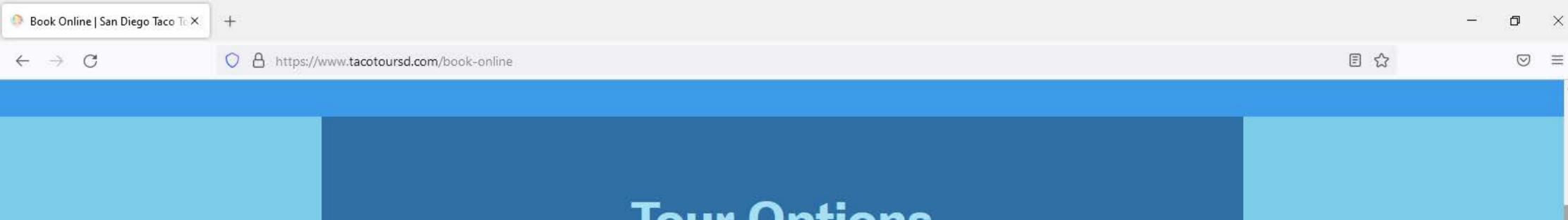












Tour Options



























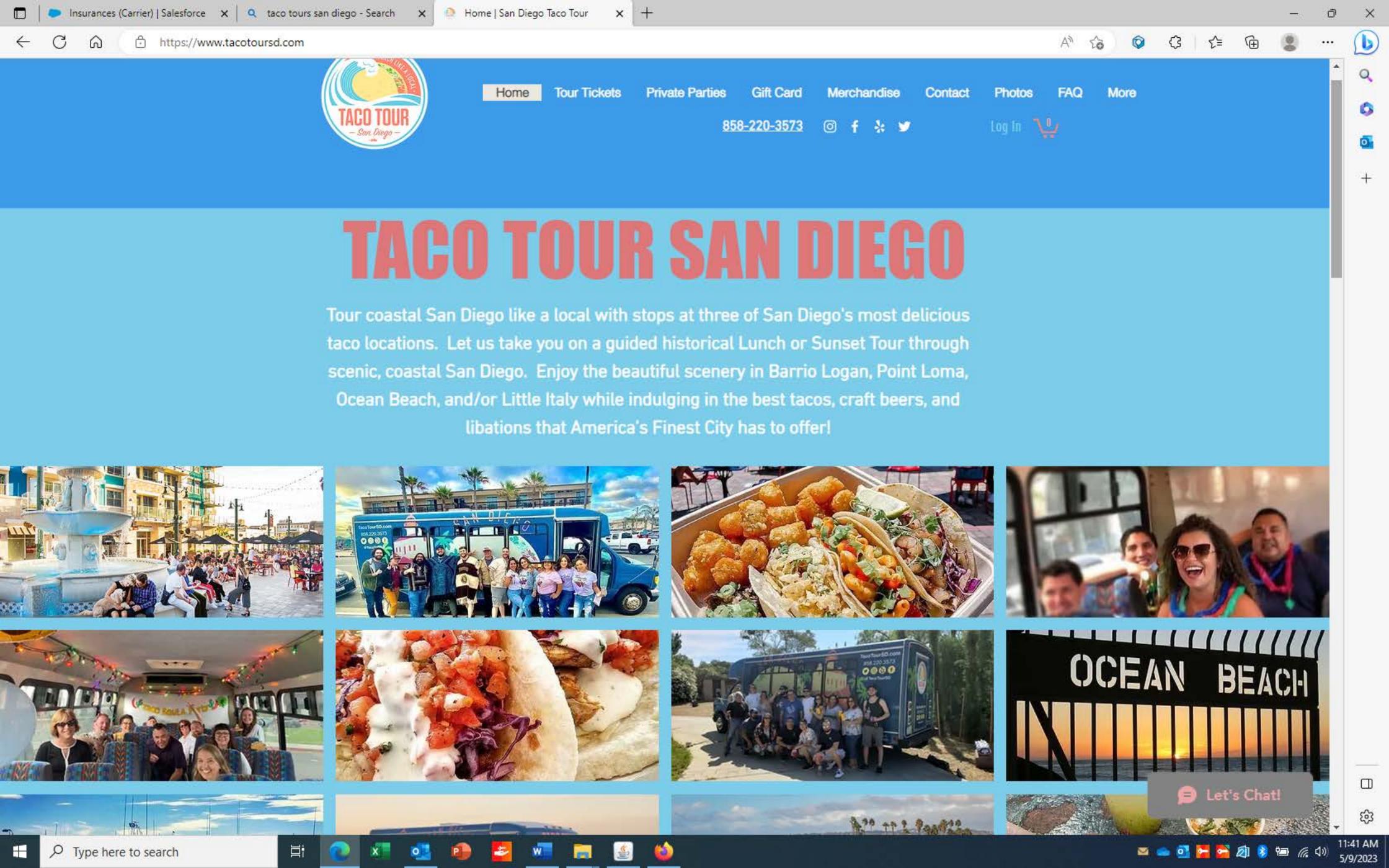


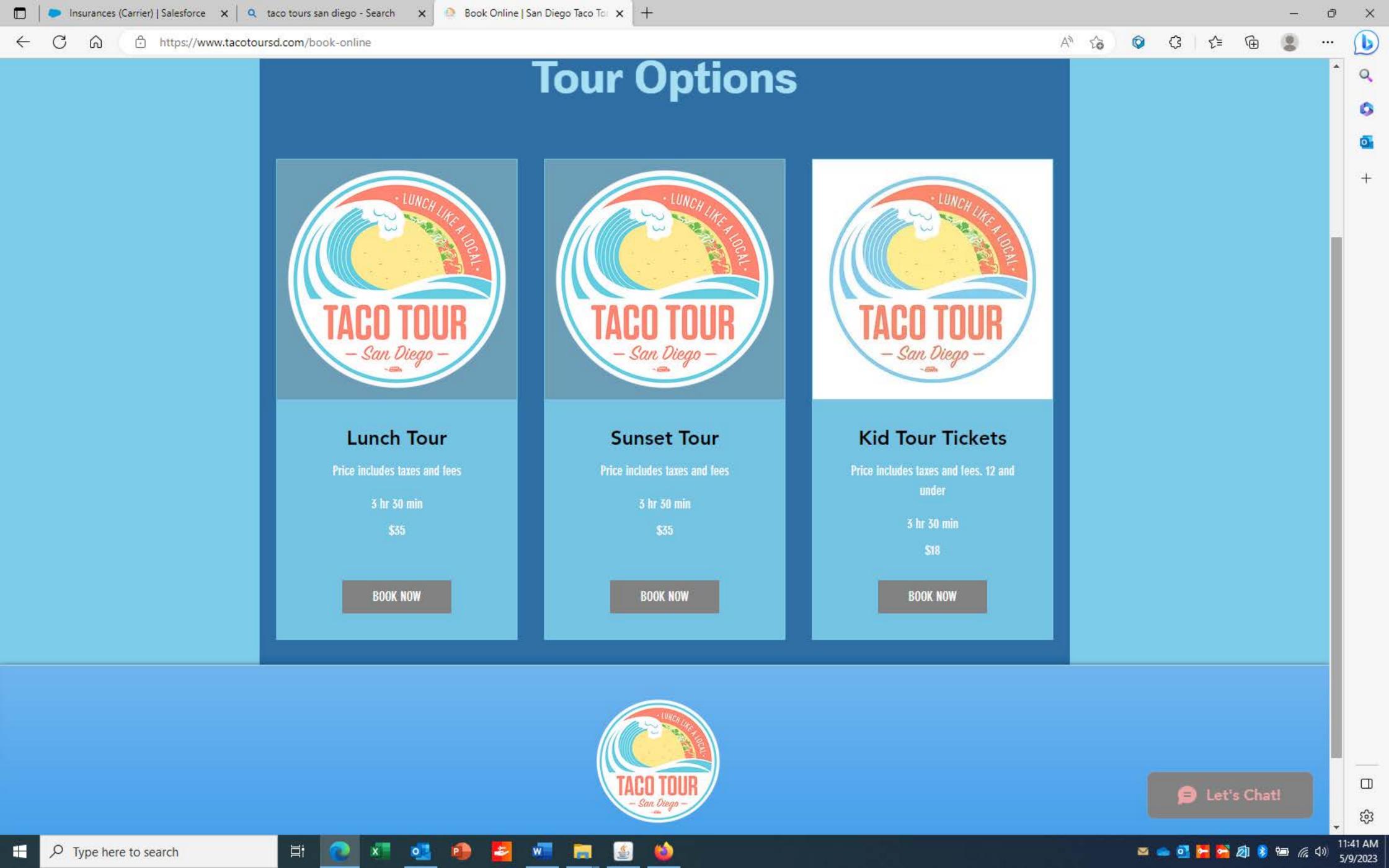


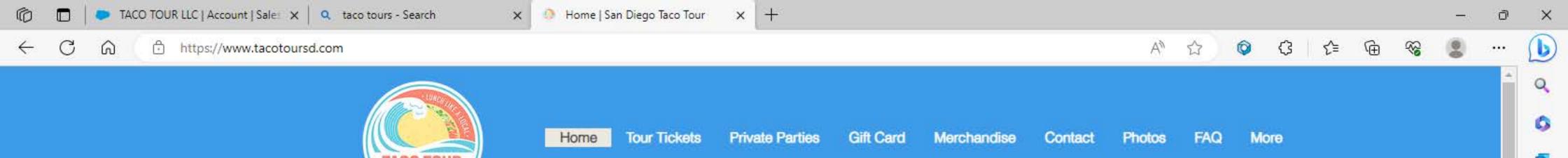












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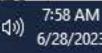


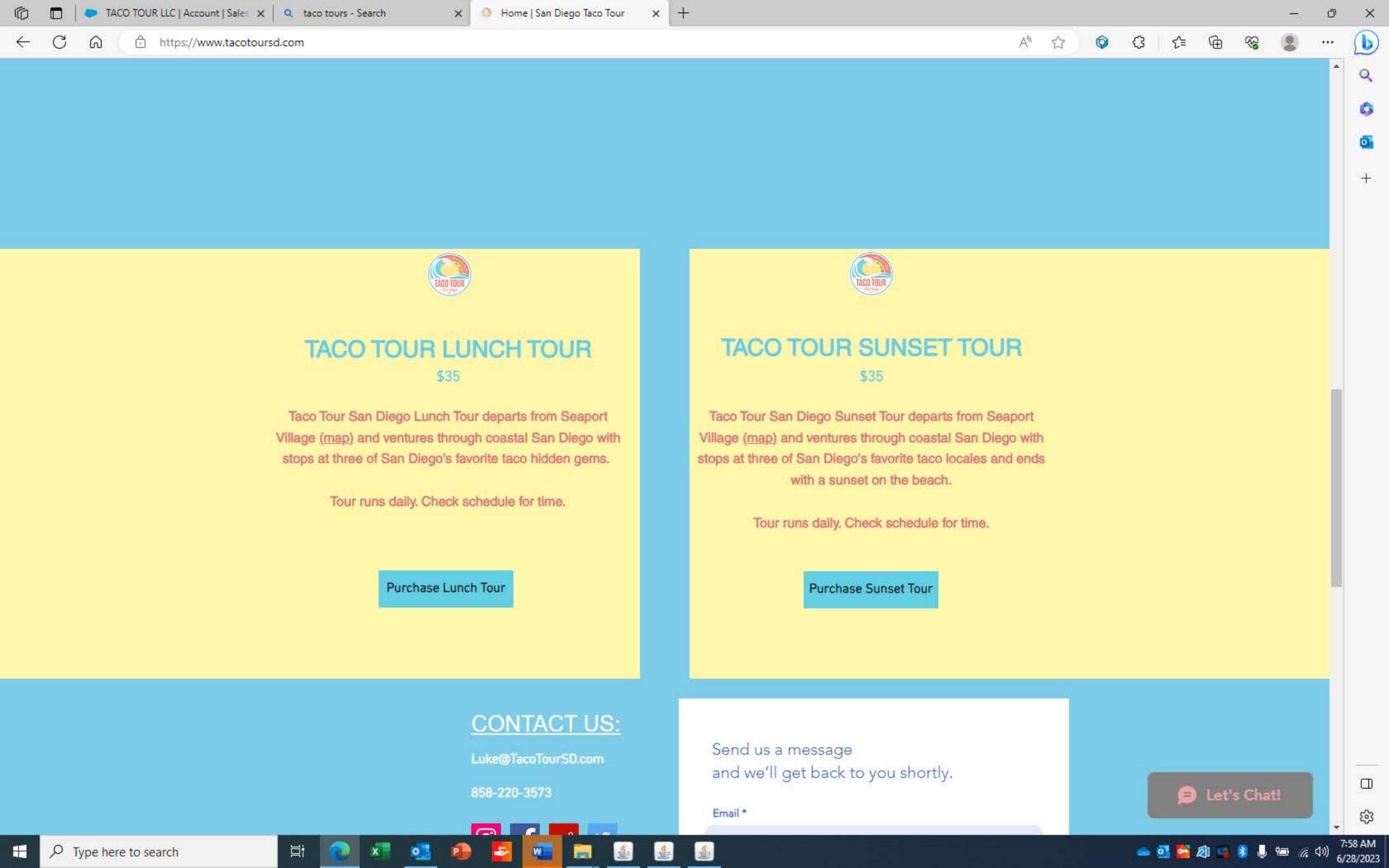


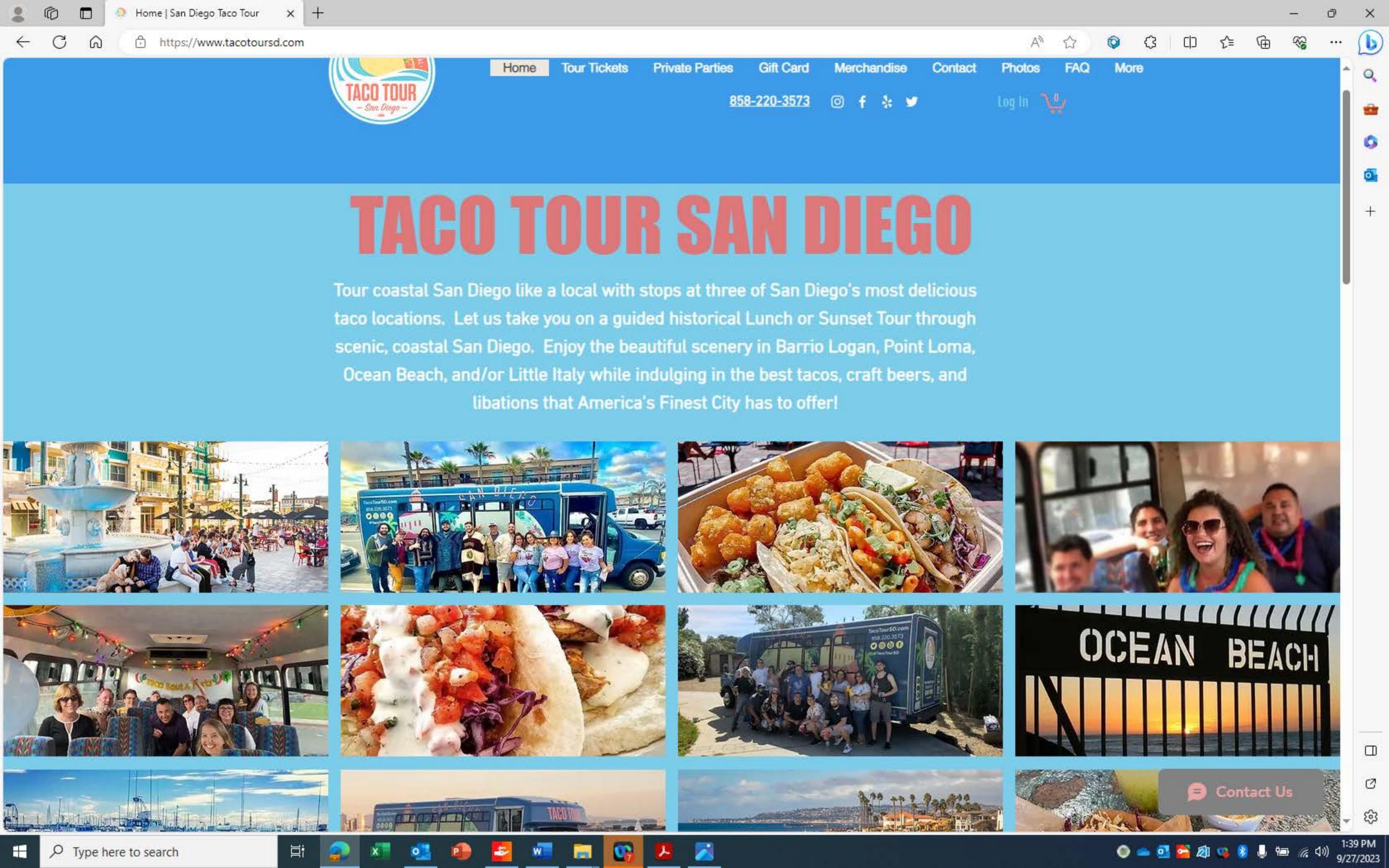


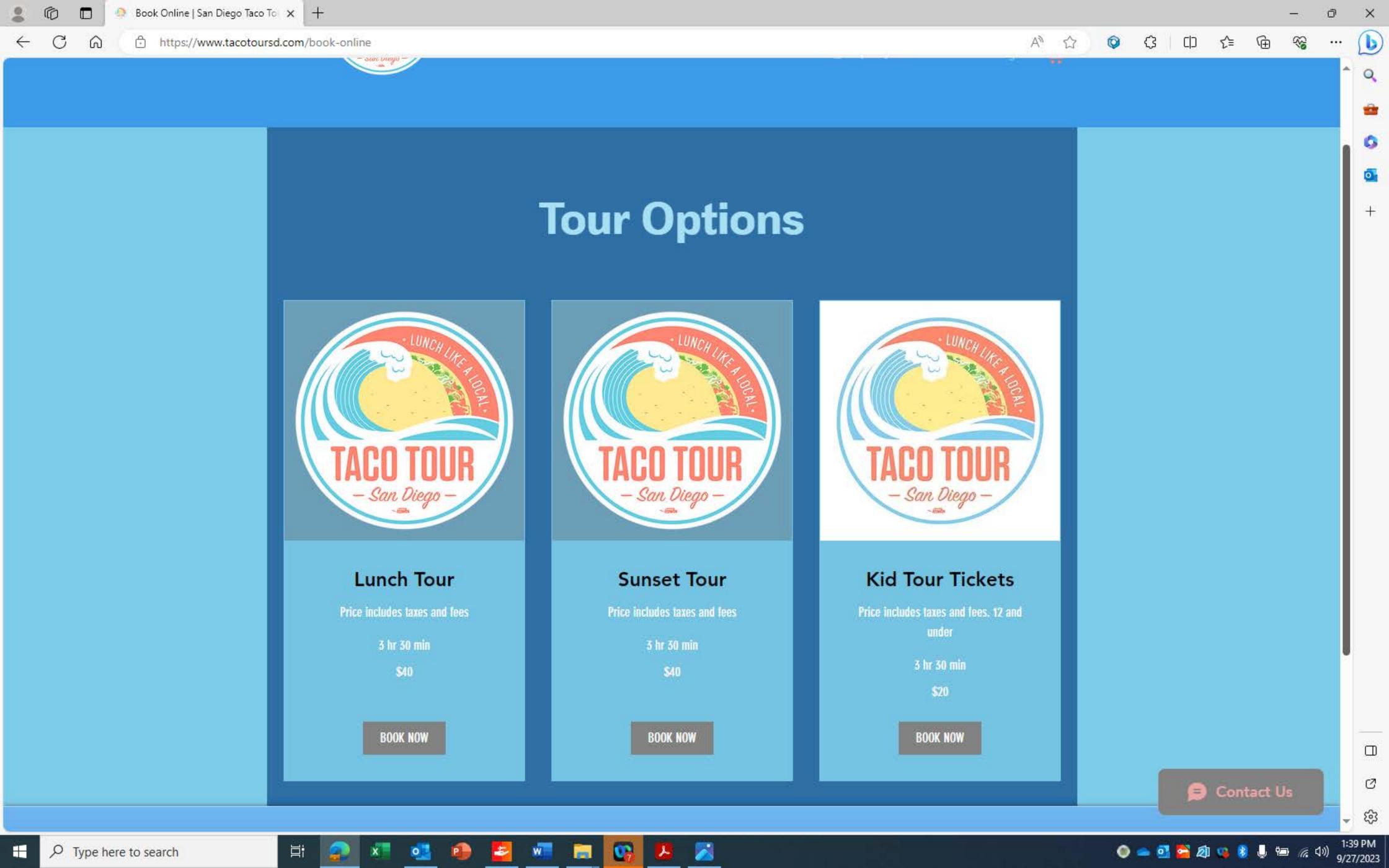


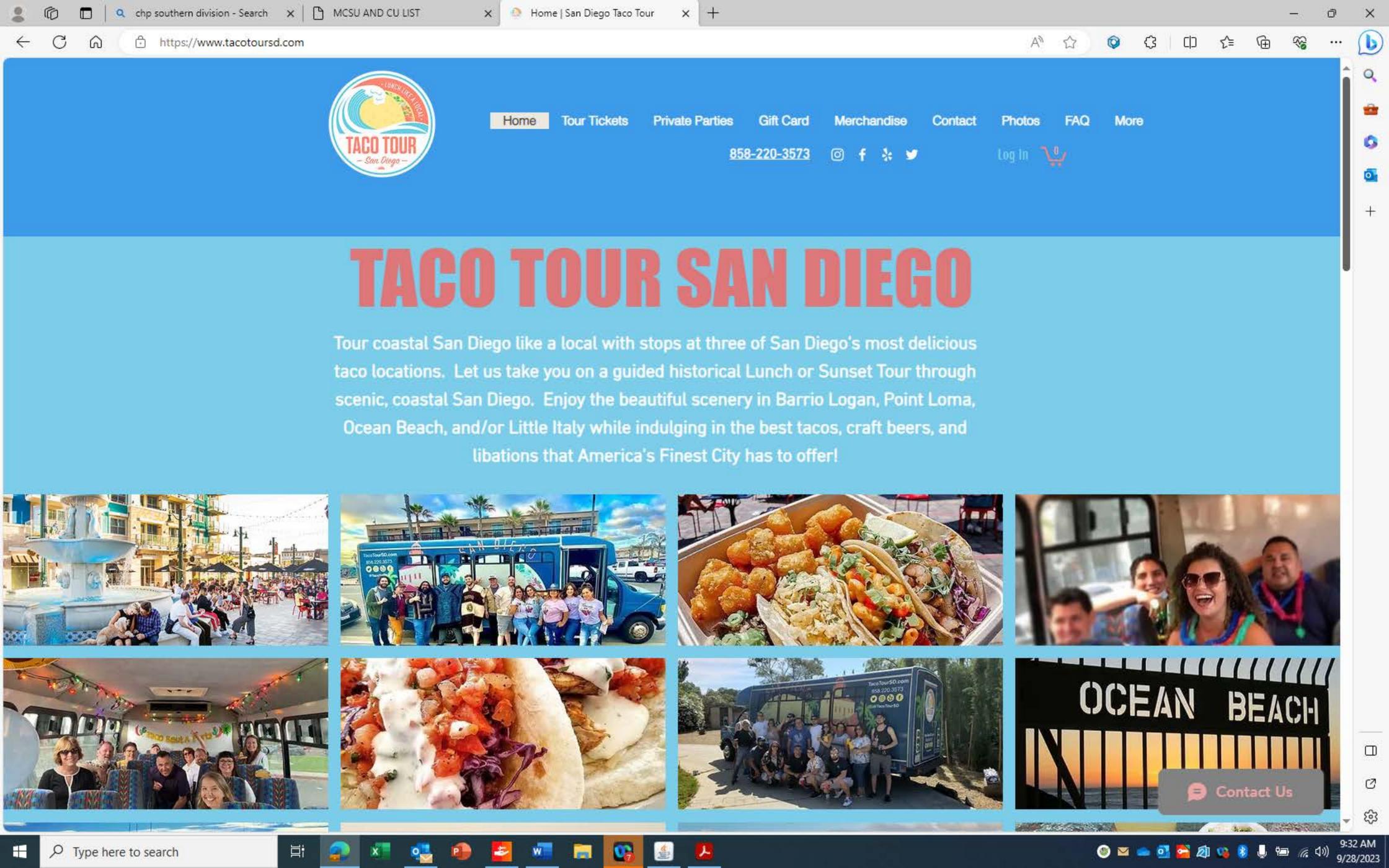


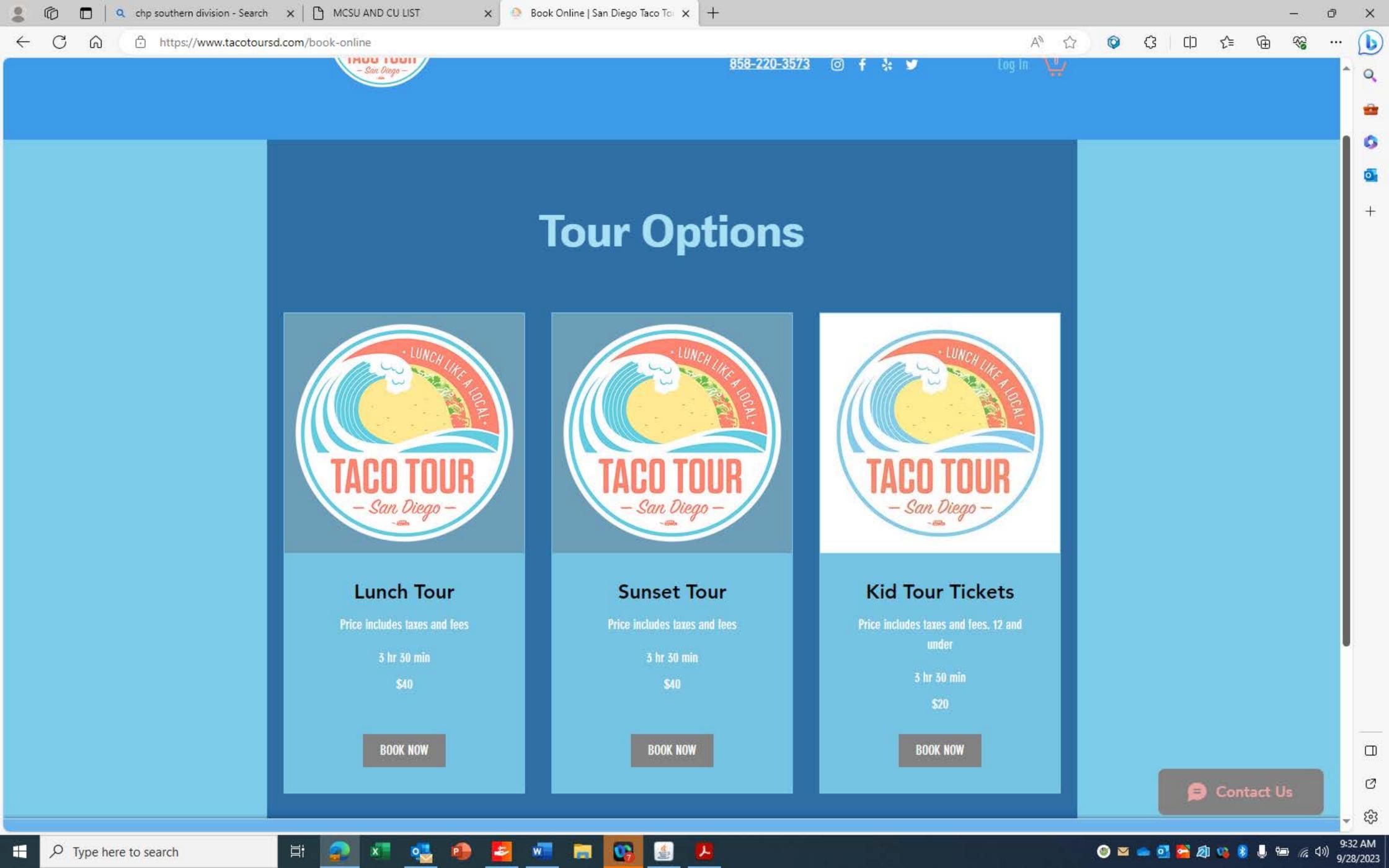


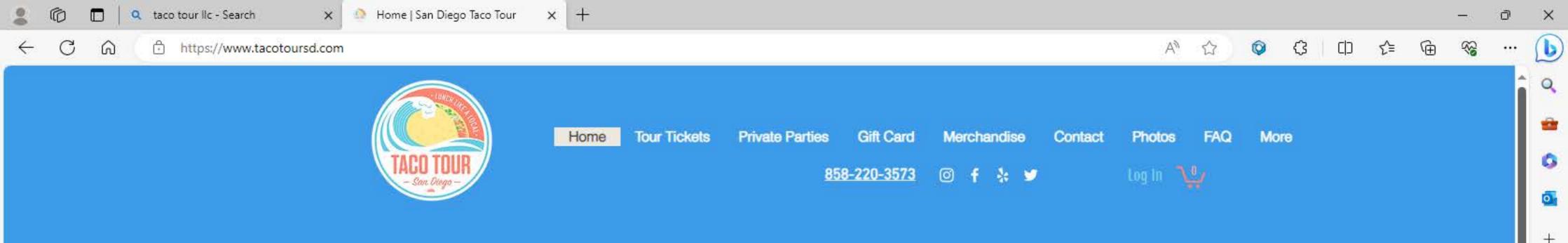












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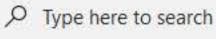






























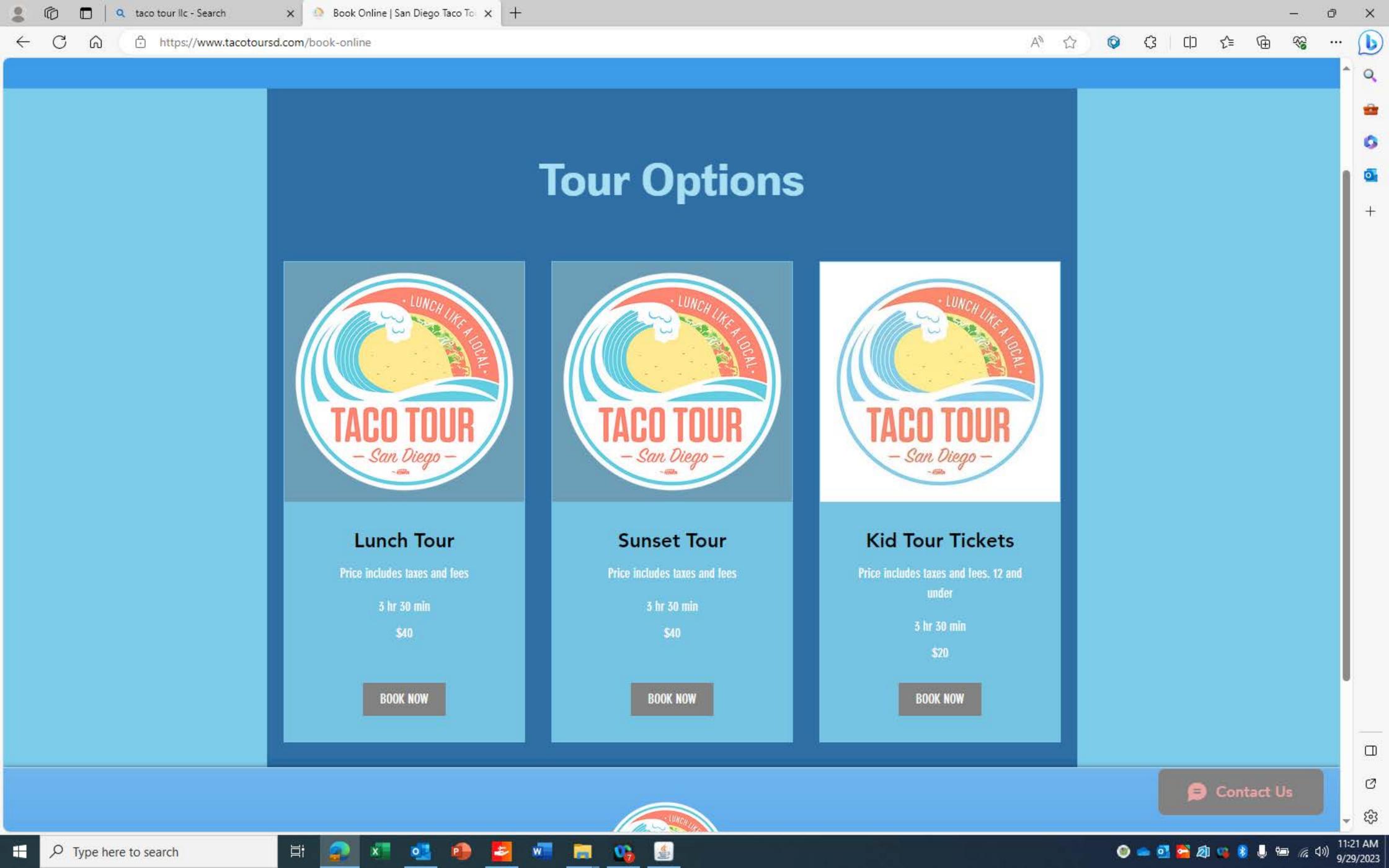












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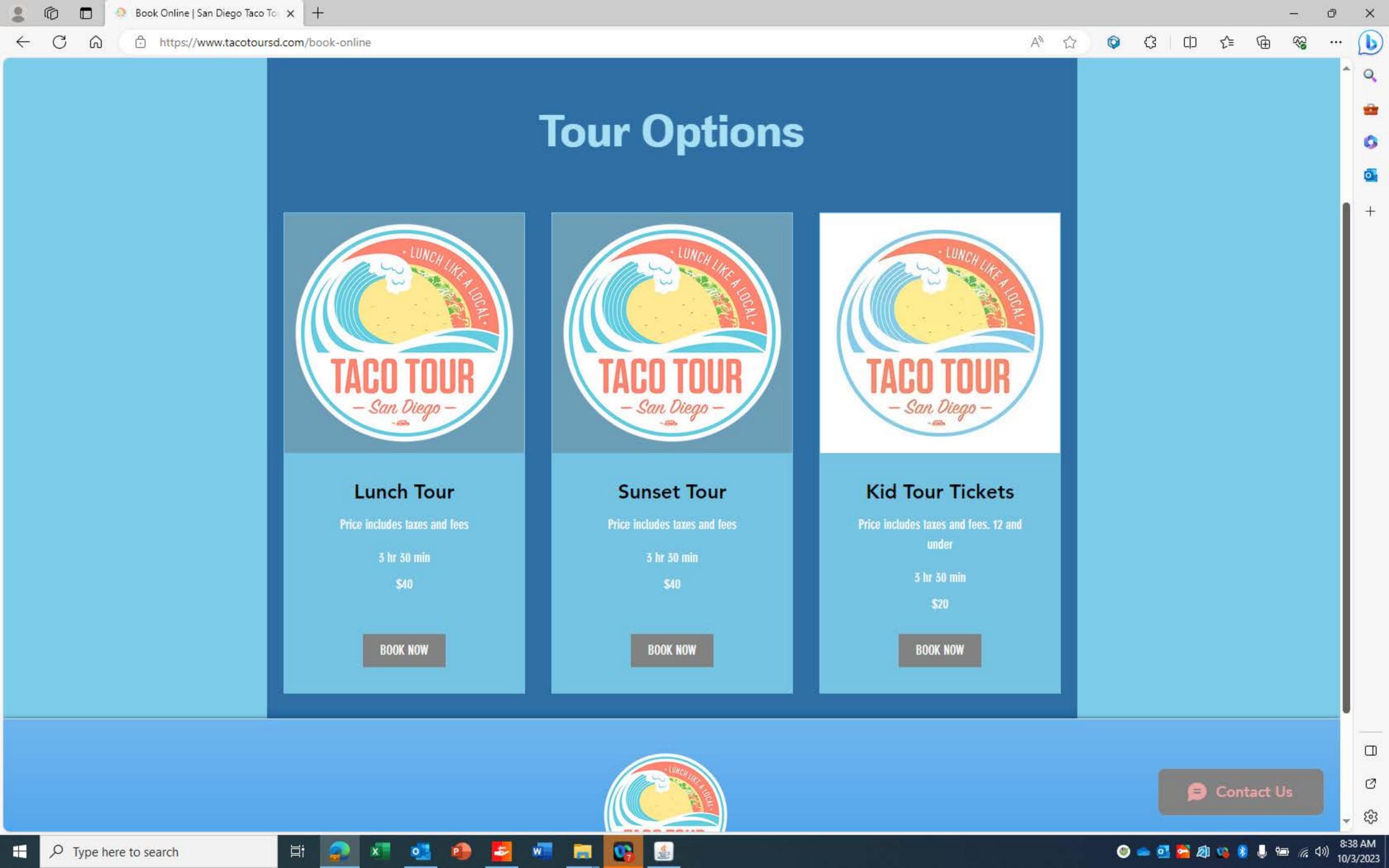


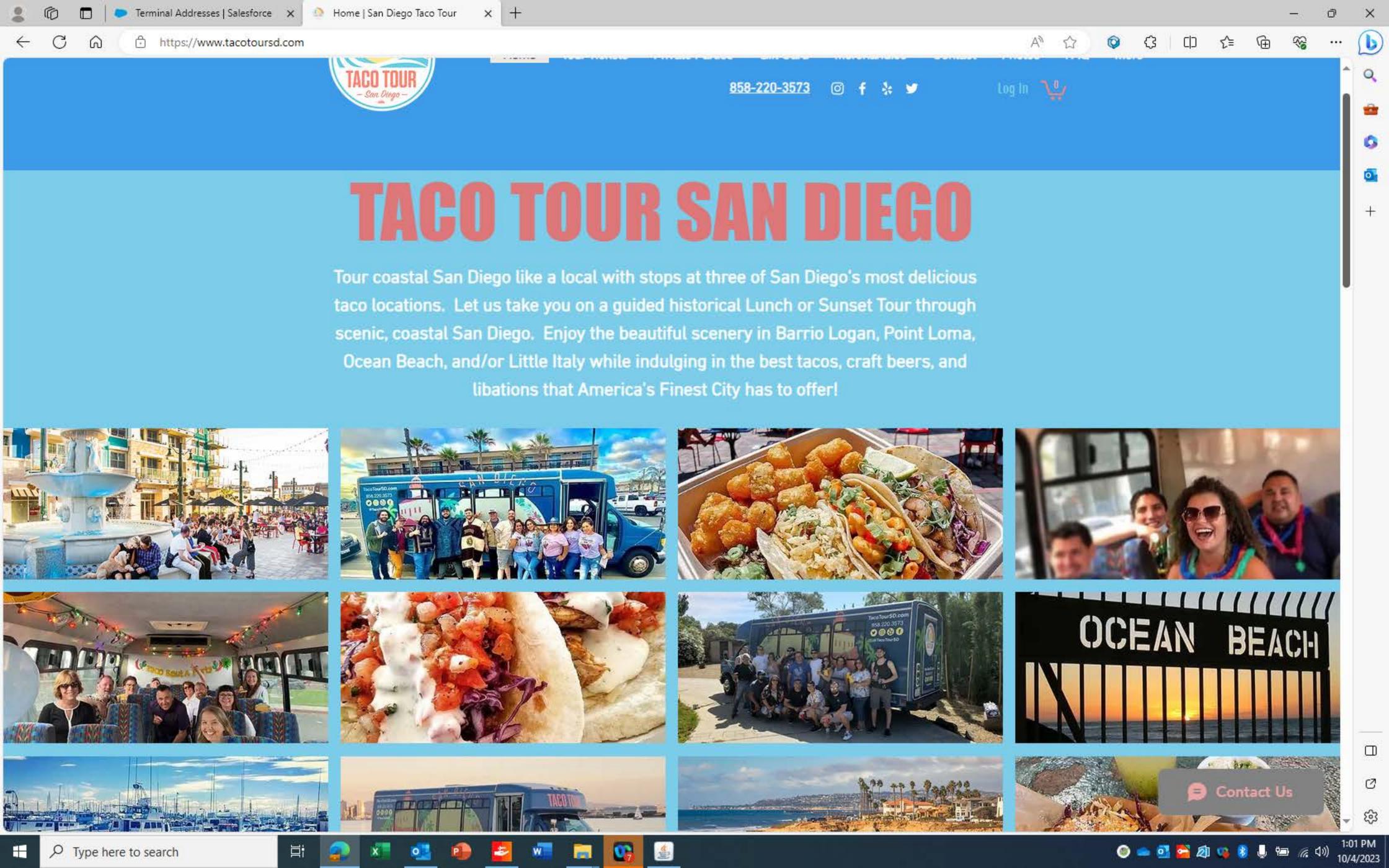


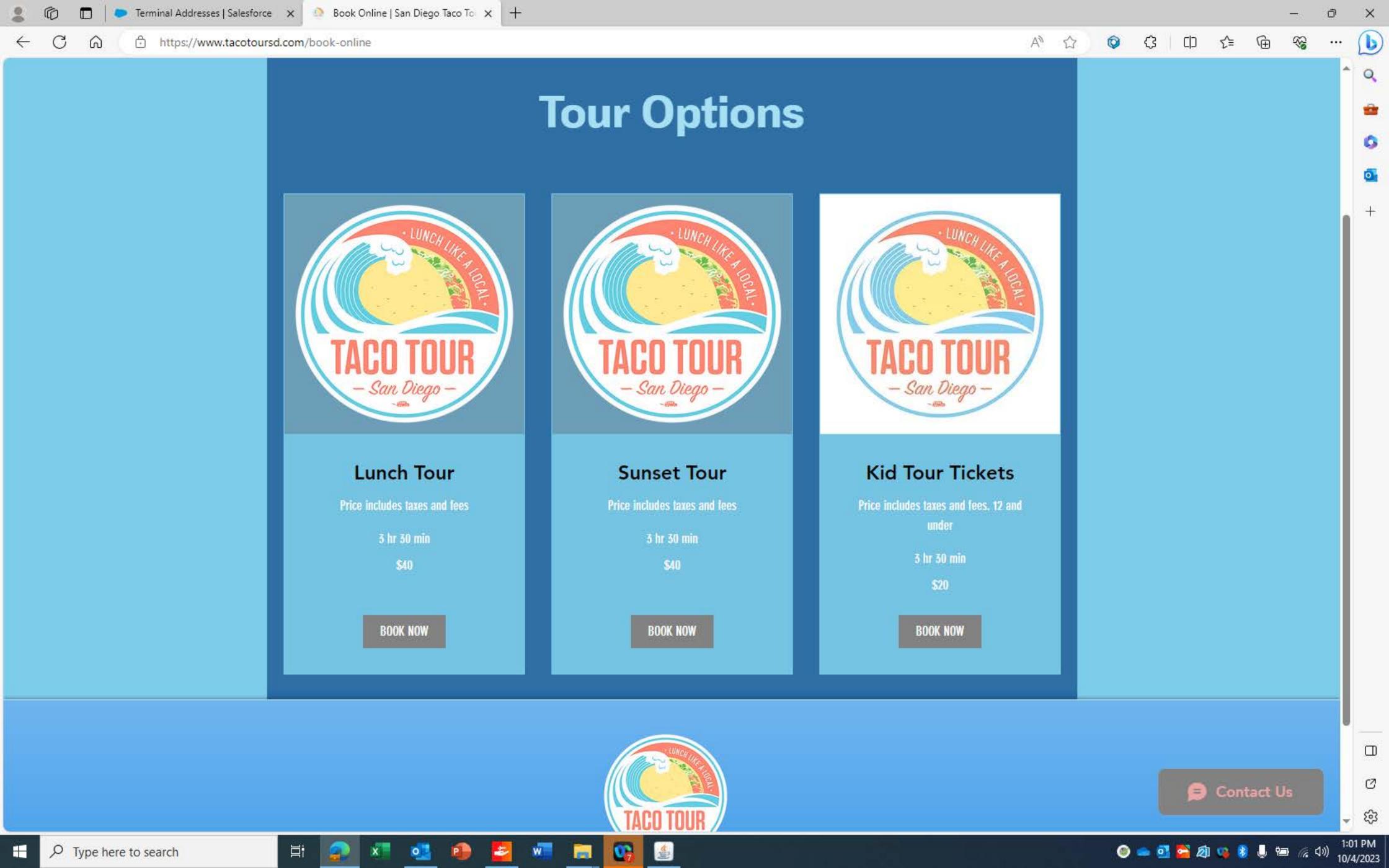


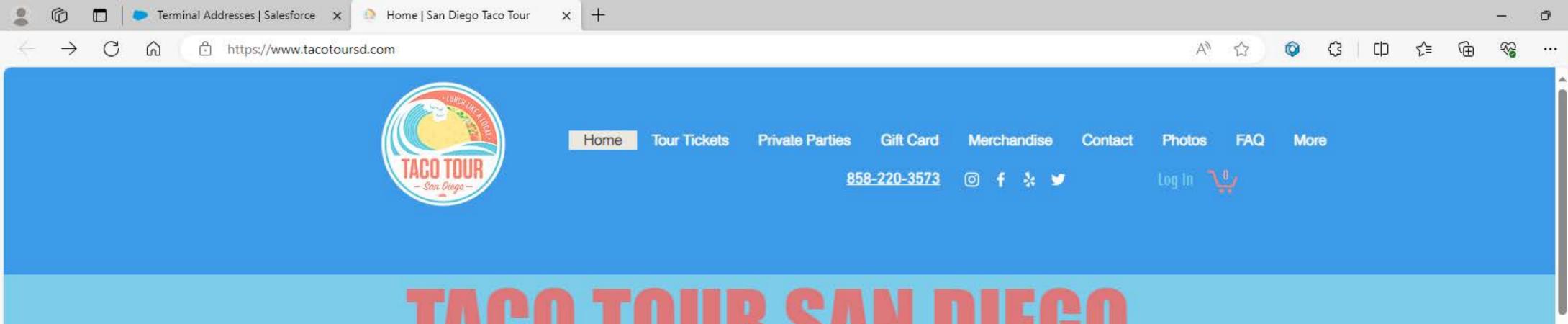












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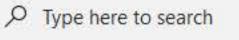






























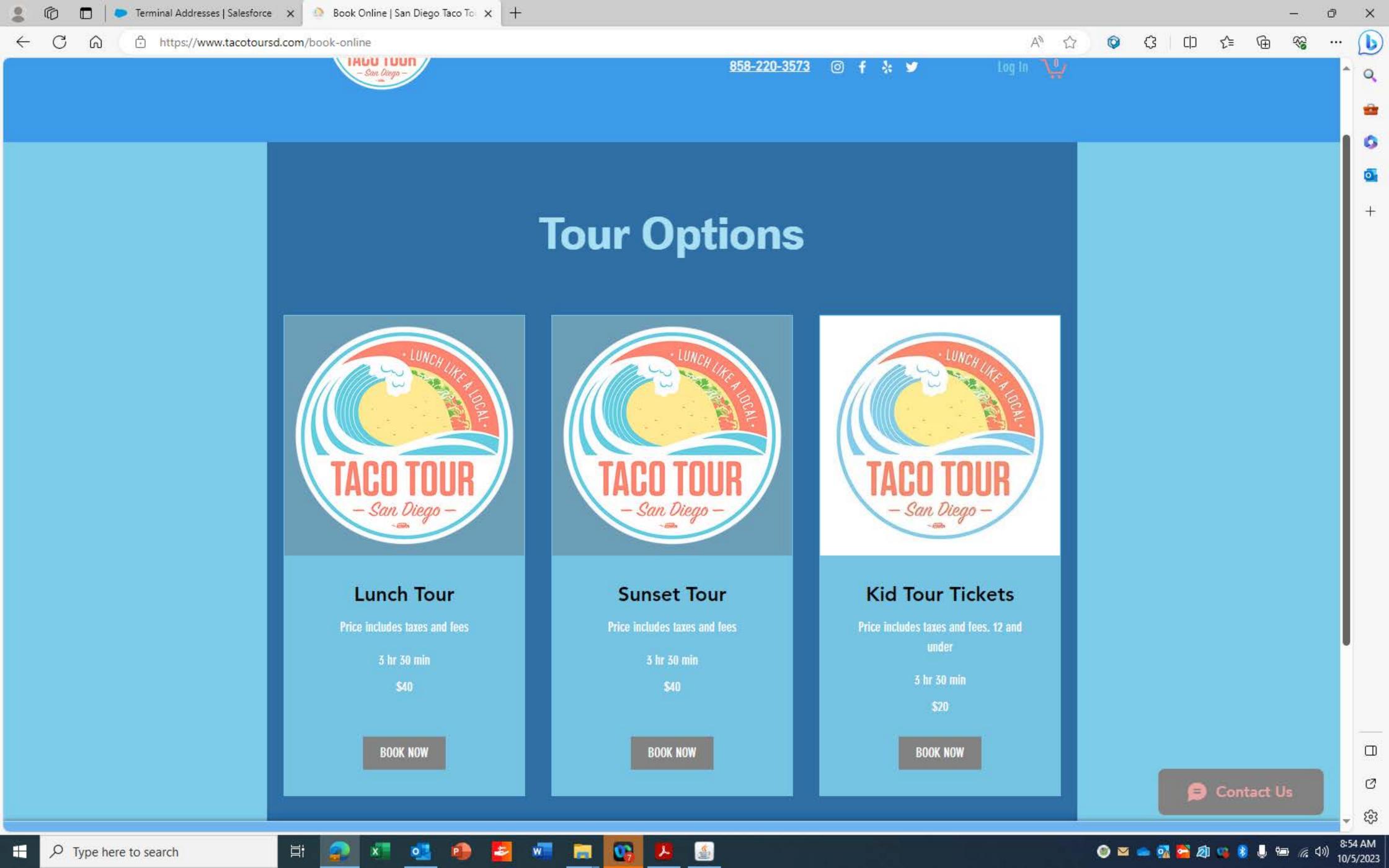


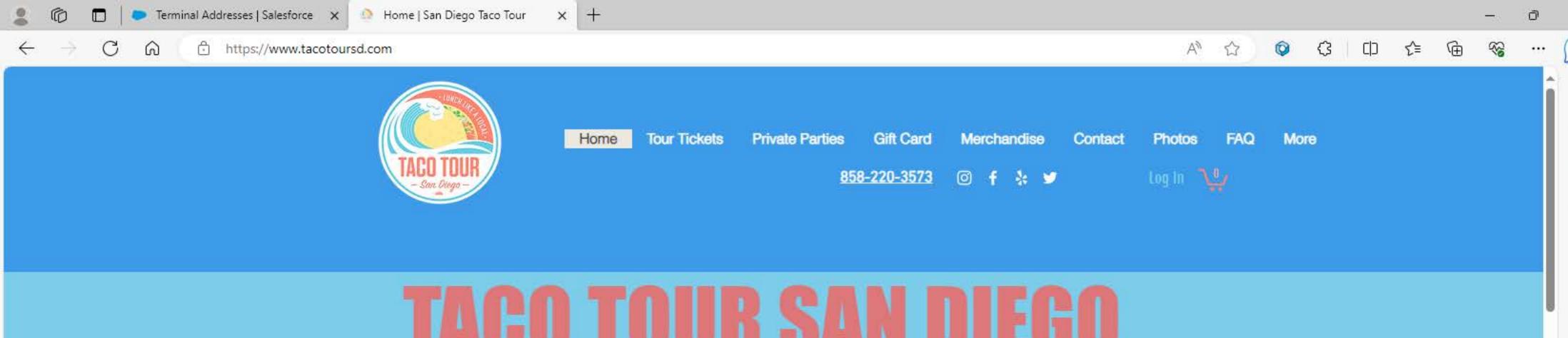












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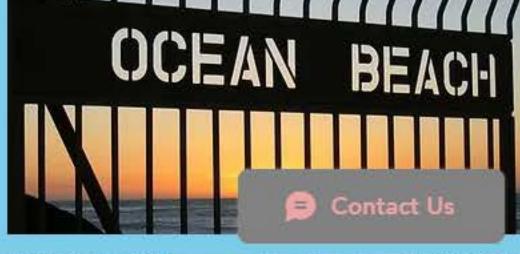






























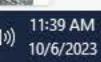


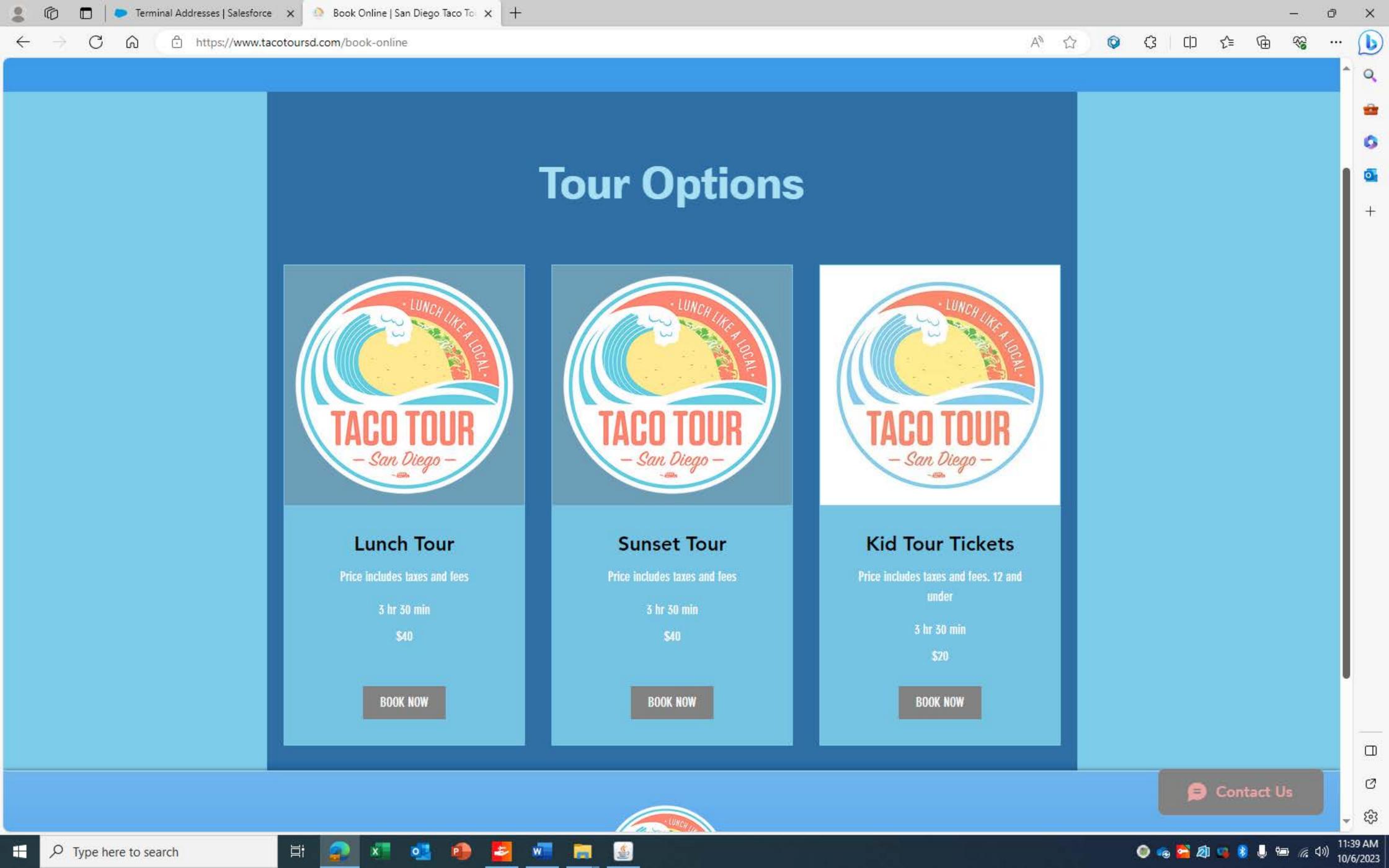












ATTACHMENT 3

STATE OF CALIFORNIA GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298



October 12, 2023

DECLARATION OF GREG COLLENTINE

I, Greg Collentine, declare that I have personal knowledge of the facts contained herin and if called as a witness, could competently testify regarding the following:

On August 28, 2023 I was on assignment in the field in San Diego, California.

I observed a vehicle, license plate parked on the street. The vehicle's registered owner per Department of Motor vehicle records is Luke Philip Wuellner. The vehicle displayed the name Taco Tour on the side as well as the TCP number 38185.

Greg Collentine
Greg Collentine

Enforcement Analyst, PURA 3

Consumer Protection and Enforcement Division

California Public Utilities Commission