



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: North Pacific Travel

Attn: Fernando Manuel Medina

2569 E. Trimble RD.

San Jose, CA 95132

File: TCP 37931

Date: November 17, 2023

Citation #: T.23-11-004

Case #: PSG-5891

VIOLATIONS

You are hereby cited with having violated section(s) of the Public Utilities Code (P.U. Code) and California Public Utilities Commission (CPUC) General Order (G.O.) as described below. This violation occurred on April 11, 2023.

- (1) Failed to maintain a current equipment statement, in violation of G.O. 157-E Part 4.01
[1 count]

STATEMENT OF FACTS

The above violations are documented in the attached Investigation Report, which consists of the 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 December 8, 2023. By way of such an answer, you may either:

- (1) Pay a fine of \$1,000 pursuant to P.U. Code Section 5378. (Submit your check or money order payable to California Public Utilities Commission using the attached *Citation 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 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 by December 8, 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.

Rahmon Momoh

Rahmon Momoh
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number: (415) 703-1725
E-mail address: Rahmon.Momoh@cpuc.ca.gov

INVESTIGATIVE REPORT

ENTITY NAME: Fernando Manuel Medina
Doing Business As North Pacific Travel

OWNER: Fernando Manuel Medina

ADDRESS: 2569 E. Trimble RD
San Jose, CA 95132

PHONE NUMBERS: [REDACTED]

AUTHORITY: Charter-Party Carrier Certificate, TCP 37931-A

EMPLOYEES: 9

VEHICLES: 14 Buses

PL&PD INSURANCE: National Fire & Marine Insurance Company
[REDACTED]

WORKERS' COMPENSATION INSURANCE: State Compensation Insurance Fund
[REDACTED]

DRUG CONSORTIUM: New Era Drug Testing

REVENUE:	<u>Year</u>	<u>Declared Revenue</u>
	2023	[REDACTED]
	2022	[REDACTED]
	2021	[REDACTED]

NARRATIVE

On April 14, 2023, I was assigned to investigate Fernando Manuel Medina, doing business as North Pacific Travel (hereinafter referred to as Fernando), following an inspection of their bus by the California Highway Patrol during a compliance inspection at Cache Creek Casino in Brooks, CA on April 11, 2023. The inspection revealed that the bus displaying temporary license plate [REDACTED], vehicle identification number (VIN) [REDACTED], was not listed on Fernando's equipment list.

VIOLATION

The April 14, 2023 investigation disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code.

- **Failed to maintain a current equipment statement, in violation of Pub. Util. Code sections 5381, G.O. 157-E Part 4.01 [1 count]**

G.O. 157-E Part 4.01 requires every carrier to maintain, on file with the Commission, an equipment list of all vehicles (owned or leased) in use under each certificate and permit. On April 11, 2023, Fernando operated a bus with license plate # [REDACTED] at Cache Creek Casino, located at 14455 CA-16, Brooks, CA 95606. [Attachment 1]. This bus, identified by license plate # [REDACTED] and [REDACTED] was not included in Fernando's equipment statement. On April 17, 2023, Fernando received instructions to add this bus to their equipment list [Attachment 2].

On April 22, 2023, at 9:53 AM, Fernando attempted to update the equipment list via the licensing portal. However, on April 26, 2023, at 9:55 AM, the Transportation Licensing Analyst Branch (TLAB) rejected this attempt. The reason for rejection was that the Department of Motor Vehicles (DMV) reported this vehicle as registered under North Pacific Travel, whereas it should be registered under the primary business name Fernando Manuel Medina. TLAB instructed Fernando to correct the vehicle registration and resubmit the request. [Attachment 3].

Despite ample time, Fernando must correct the issue and add the bus to their equipment list.

DECLARATION

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

Executed on November 17, 2023
at Sacramento, California



Alexander Nera Enforcement Analyst

INDEX OF ATTACHMENTS

Attachment 1	Picture of bus
Attachment 2	Equipment Letter
Attachment 3	TLAB's Response to adding bus

Attachment 1

CACHE CREEK
CASINO RESORT
CACHECREEKCASINODIRECT.COM

CALL FOR RESERVATION
408-590-2899

COMPACT

Attachment 2

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 17, 2023

North Pacific Travel
Attn: Fernando Manuel Medina
2569 E. Trimble RD
San Jose, CA 95132

TCP: 37931
Case: PSG-5891

RE: Failure to Update Equipment on File

Recently your bus was observed operating at Cache Creek Casino in Brooks CA, it was noted that the equipment listed below has not been updated with the information on file with the Commission:

- License: [REDACTED]
- Vehicle Identification Number: [REDACTED]

Commission General Order (G.O.) 157-E, states,

“4.01--EQUIPMENT STATEMENT TO BE CURRENT. Every carrier shall maintain, on file with the Commission, an equipment list of all vehicles (owned or leased) in use under each certificate and permit. The information for each vehicle shall include the manufacturer, model year, vehicle identification number (V.I.N.), seating capacity (including driver), description of body type or model designation, whether the vehicle is leased or owned, handicap accessible status, and its license plate number. Additions and deletions to the equipment list shall be filed within ten days of the date the vehicle is put into or pulled out of service.”

A list of your vehicles on file with our License Section is enclosed for your review. Note that you are required to file with the Commission within ten (10) days all vehicles placed into or removed from service.

For updating permit or certificate, go to <http://www.cpuc.ca.gov/transportationlicensing/>.

Sincerely,

Handwritten signature of Alexander Nera in blue ink.

Alexander Nera #35

Transportation Enforcement Section
Consumer Protection & Enforcement Division

Attachment 3

April • 2023 This Month

[icon] [redacted] sent an email to [FERNANDO MANUEL MEDINA](#) and 1 other 9:55 AM | Today [dropdown]

From Address: licensing@cpuc.ca.gov To Address: [FERNANDO MANUEL MEDINA](#)

Related To: [redacted]

Text Body: DMV reported this vehicle registered under NORTH PACIFIC TRAVEL. Vehicles should be registered under the primary business name. Resubmit when you have met this requirement. Thank you.

----- Original Message -----
From: Transportation Carrier Portal [redacted]
Sent: 4/26/2023 9:53 AM
Subject: CPUC Notice of Update in Status of a Request

Hello:

[icon] [redacted] sent an email to [redacted] and 1 other 9:53 AM | Today [dropdown]

From Address: [redacted] To Address: [redacted]

Related To: [redacted]

[redacted]

