



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Lush Limo Coach, LLC
Attn: Amber Dawn Gibson



File: TCP 38806-B, Revoked

Date: October 29, 2024

Citation: T.24-10-008

Case: CSE-283

VIOLATIONS

You are hereby cited with having violated sections of the Public Utilities Code (P.U. Code) and California Public Utilities Commission (CPUC) General Order (G.O.) as described below. These violations occurred during the period from June 26, 2024, through June 28, 2024.

- (1) Operated as a charter-party carrier after revocation of its authority in violation of Pub. Util. Code Section 5379 and CVC 14602.9 [1 count];
- (2) Advertised as a charter-party carrier without valid authority in violation of Pub. Util. Code Section 5414.5 [1 count];
- (3) Failed to include pertinent information on a waybill in violation of Pub. Util. Code Section 5381 and General Order 157-E, Part 3.01 [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 19, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$3,000.00 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 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 November 19, 2024, 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, Program and Project Supervisor
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number (415) 816-5754
E-mail address Rahmon.Momoh@cpuc.ca.gov

Attachments

File No.: TCP 38806-B

Citation: T.24-10-008

Date: October 29, 2024

Case: CSE-283

CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated October 29, 2024, and herewith pay the fine of \$3,000.00.

Amber Dawn Gibson, Owner
Lush Limo Coach, LLC
[REDACTED], CA

(Signature)

(Title)

(Date)

Payment (cashier's check or money order) should be made payable to *California Public Utilities Commission* and sent to:

California Public Utilities Commission
Attn: Fiscal Office
505 Van Ness Avenue
San Francisco, CA 94102-3298

INVESTIGATION REPORT

CARRIER: Lush Limo Coach, LLC

OFFICER: Amber Dawn Gibson, Owner

AUTHORITY: TCP 38806-B, Revoked 7/15/2024 (Suspended 4/16/2024)

ADDRESS: [REDACTED]
[REDACTED]

PHONE/EMAIL: ([REDACTED])
[REDACTED]

VEHICLES: 2

DRIVERS: 2

PL&PD INSURANCE: [REDACTED]
Policy# 0 [REDACTED]
Effective Dates: [REDACTED]

WORKERS' COMPENSATION INSURANCE: None

DRUG CONSORTIUM: [REDACTED]

REVENUE: [REDACTED]
[REDACTED]

INTRODUCTION

On October 28, 2024, I was assigned to investigate the operations and practices of Lush Limo Coach, LLC (hereinafter referred to as Lush Limo) after the Transportation Enforcement Branch (TEB) impounded Lush Limo's Mercedes Sprinter for operating after revocation at a joint compliance inspection with the San Diego Police Department (SDPD) in San Diego on October 26, 2024.

VIOLATIONS

The investigation for October 26, 2024-October 28, 2024, disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code and a Commission General Order (GO):

- **Operated as a charter-party carrier without valid authority in violation of Pub. Util. Code Section 5379 and CVC 14602.9 [1 count].**

Transportation Licensing and Analysis Branch records show that Lush Limo's TCP permit (TCP 38806-B) was suspended on April 16, 2024, and subsequently revoked on July 15, 2024 [Attachment 1]. On October 26, 2024, the TEB's Field Enforcement Unit was conducting a joint compliance inspection with the SDPD in San Diego when we observed a Lush Limo Mercedes Sprinter (license plate [REDACTED]) operating with passengers. I spoke to driver [REDACTED] (CDL: [REDACTED]), and he confirmed he was conducting for-hire passenger transportation, and he gave me a copy of the waybill showing they were charging \$ [REDACTED] and \$ [REDACTED] for gratuity (\$ [REDACTED] total) [Attachment 2]. SDPD impounded the vehicle for operating after revocation, and the vehicle is being held for 30 days at [REDACTED] Towing per CVC 14602.9 [Attachment 3].

- **Advertised as a charter-party carrier without a valid authority in violation of Pub. Util. Code Section 5414.5 [1 count].**

On October 28, 2024, I found Lush Limo advertising illegally on their website, [REDACTED].com [Attachment 4]. Lush Limo's TCP permit (TCP 38806) was revoked on July 15, 2024 [Attachment 1].

- **Failed to include pertinent information on a waybill in violation of Pub. Util. Code Section 5381 and General Order 157-E, Part 3.01 [1 count].**

My review of Lush Limo's waybill (Lush Limo Contract For Service) disclosed that it lacked the following information as required by G.O. 157-E, Part 3.01:

[Attachment 2]:

1. TCP number.
2. Vehicle license plate number.
3. Driver's name.
4. Time and date when charter was arranged.
5. Whether the transportation was arranged by telephone, written contract, or electronic communication.
6. Number of persons in the charter group.

DECLARATION

I have read the foregoing and know the contents thereof. 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 29, 2024, in Los Angeles, California.

_____ *Steve Esquerra* _____
Steve Esquerra, TEB Enforcement Analyst

List of Attachments

- Attachment 1** -- Notice of Impending Suspension (3/19/24), Order of Suspension (4/16/24) and Order of Revocation (7/15/24)
- Attachment 2** -- Waybill “Lush Limo Contract For Service” and text messages (for 10/26/24 trip)
- Attachment 3** -- SDPD Tow Signature Form (10/26/24)
- Attachment 4** -- One website advertisement: [REDACTED].com (10/28/24)

ATTACHMENT 1

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA:

PSG0038806

ATTN:LUSH LIMO COACH LLC



TCP CLASS B CERTIFICATE

Notice of Impending Suspension for Delinquent PUCTRA Report

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter will be suspended on April 15, 2024

Reason: Failure to pay annual fees (PUCTRA)

Pursuant to California Public Utilities Code § 421, the Commission shall annually determine a fee to be paid by every passenger stage corporation, charter-party carrier of passengers, pipeline corporation, for-hire vessel operator, common carrier vessel operator, railroad corporation, and commercial air operator, and every other common carrier and related business subject to the jurisdiction of the Commission. This fee is deposited into the **Public Utilities Commission Transportation Reimbursement Account (PUCTRA)**.

Pursuant to California Public Utilities Code § 423, every carrier and related business subject to California Public Utilities Code § 421 shall make the payments of the required fee in accordance with the following schedule:

(a) Every carrier and related business with annual gross intrastate revenues of **one hundred thousand dollars (\$100,000) or less** shall make payment of the fee to the commission on an annual basis on or before January 15.

(b) Every other carrier and related business not subject to subdivision (a) shall make payment of the fee on a **quarterly basis between the first and 15th days of July, October, January, and April**.

In addition, each carrier and related business must prepare and transmit a report, called a "PUCTRA Report," showing the gross intrastate operating revenue of the carrier or related business together with the fee established pursuant to California Public Utilities Code § 421.

Pursuant to California Public Utilities Code § 405, if any person or corporation is in default of the preparation and submission of any required report or the payment for a period of 30 days or more, the Commission may add to the amount of that estimated fee a penalty not to exceed 25 percent of the amount owed.

"Gross intrastate revenue" includes all compensation for the transportation or storage of property or the transportation of persons when both the origin and destination of the transportation or the performance of the service is within this state, and shall not include compensation for the transportation of persons or property in interstate or foreign commerce or the transportation of vehicles by ferries."

SUBMITTING YOUR PUCTRA REPORT OF GROSS INTRASTATE REVENUE IS REQUIRED EVEN IF NO REVENUE HAS BEEN EARNED DURING THE REPORTING PERIOD. SUBMITTING YOUR PUCTRA REPORT IS STILL REQUIRED EVEN IF NO FEES ARE DUE. IT IS STILL REQUIRED TO BE SUBMITTED DURING A PERIOD OF VOLUNTARY SUSPENSION.

You must submit your required PUCTRA Report, and any accompanying fees if due, using your CPUC Transportation Carrier Portal Account. To access your account, visit: <https://tcportal.cpuc.ca.gov/s/login/>. For assistance, visit the Help/FAQ page: <https://tcportal.cpuc.ca.gov/TCP/s/help-faqs>

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority

Date: Mar 19, 2024

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
 San Francisco, CA 94102-3298



DBA:

PSG0038806

ATTN:LUSH LIMO COACH LLC



CPUC Order of Suspension

This is notice from the California Public Utilities Commission (CPUC) that the **TCP CLASS B CERTIFICATE** listed on this letter is suspended.

The table below lists the reason(s) for suspension; the effective date of the suspension(s); and the date the permit/certificate will be revoked if the reason(s) for suspension are not resolved.

<u>Suspension Reasons</u>		
Reason	Suspension Date	Revocation Date
Failure to pay or report annual user fees (PUCTRA) - 2023	April 16, 2024	July 15, 2024

While voluntary suspensions may stay in effect until the permit or certificate expires, it may be revoked sooner for other reasons including failing to pay transportation user fees (PUCTRA) or failing to submit your annual CHP terminal safety inspection request(s).

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

A carrier whose certificate or permit is suspended due to failing to pass a vehicle inspection by the California Highway Patrol (CHP) (California Public Utilities Code § 5378.5, Commission Resolution TL-18336) may obtain a reinspection of its terminal and vehicles by the CHP by submitting a written request for reinstatement to CPUC and paying a reinstatement fee of one thousand dollars (\$1,000). (California Public Utilities Code § 5378.5(b)). Upon receipt of a written recommendation from CHP to suspend a carrier's operating authority, a carrier may request a hearing of the suspension by making a written request to CPUC and the CHP showing cause why the suspension should not be continued.

If your suspension is due to failing to maintain insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Apr 16, 2024

PUBLIC UTILITIES COMMISSION
 STATE OF CALIFORNIA

licensing@cpuc.ca.gov

PUBLIC UTILITIES COMMISSION

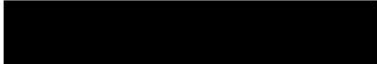
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA:

PSG0038806

ATTN:LUSH LIMO COACH LLC



TCP CLASS B CERTIFICATE

Order of Revocation

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter is revoked effective **July 15, 2024**.

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

There is a ninety (90) day period in which a revoked carrier may apply to reinstate the revoked operating authority unless it was permanently revoked.

Date: Jul 15, 2024

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

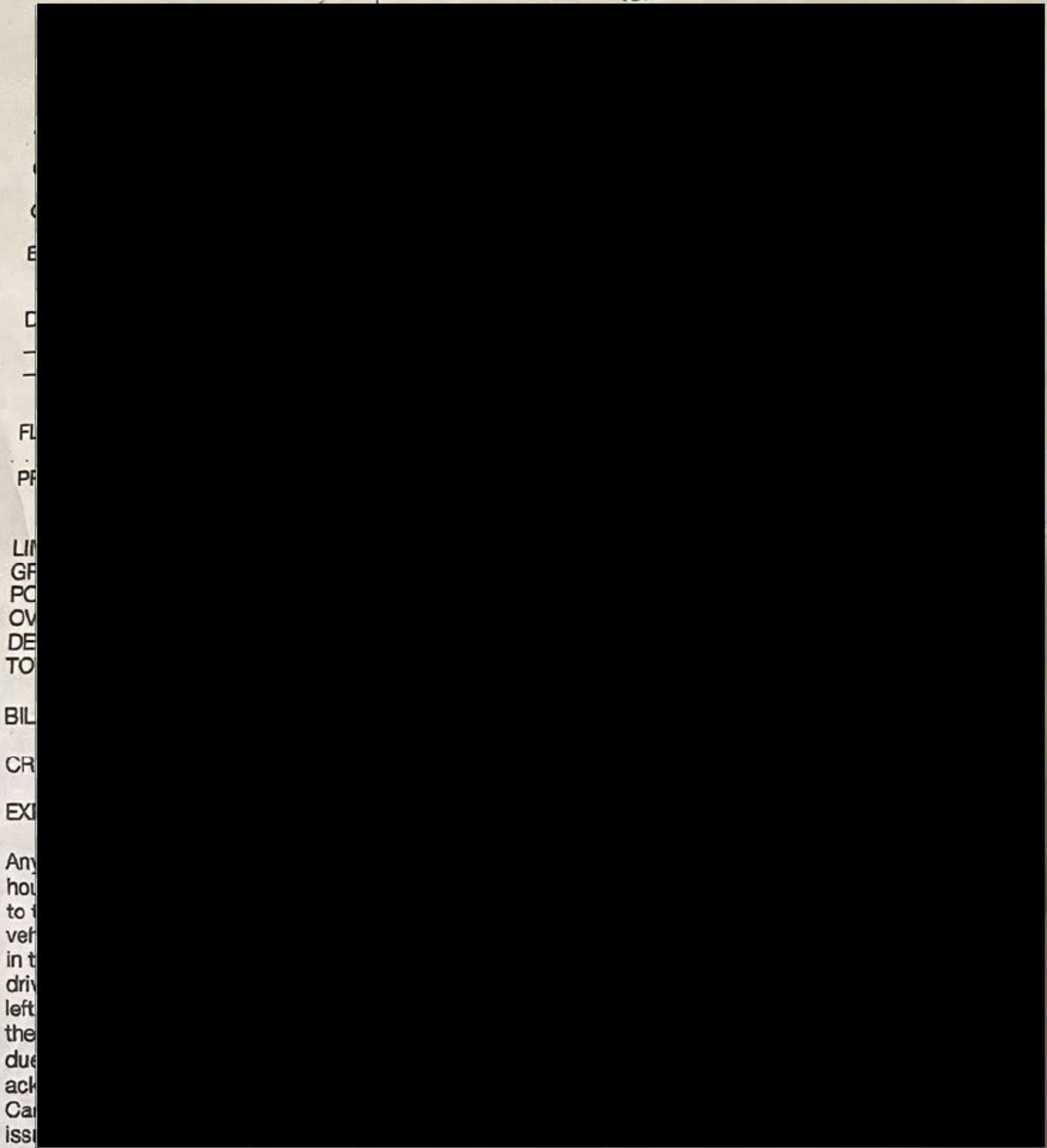
Revocation Reasons

Reason	Revocation Date
Failure to pay or report annual user fees (PUCTRA)	July 15, 2024

ATTACHMENT 2

LUSH LIMO CONTRACT FOR SERVICE

1st P/U TIME: 9:30 - 12:30



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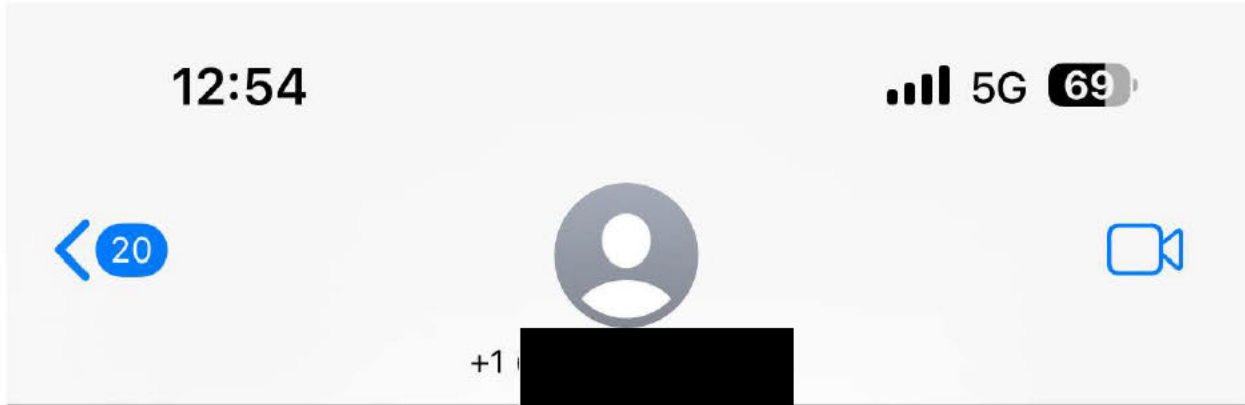
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From:

From: amber gibson <[REDACTED]>
Sent: Monday, October 28, 2024 1:31 PM
To: Esguerra, Steve <steve.esguerra@cpuc.ca.gov>
Subject: [EXTERNAL] Re: SDPD Impound: 10/26/2024, License Plate [REDACTED] /IN [REDACTED] R/O: Lush Limo Coach LLC, TCP 38806-Revoked 7/15/24, Case: CSE-283

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Tuesday 11:16 AM

Hi there can you send me a quote for this Saturday please

For 4 hours the total is \$ [REDACTED]

Can we rent it from 8:30 pm to 12:30 am Saturday?? The event finish at 8 so we want to take a little bit extra for the party event it's a 15 for my son

If you have availability let me know what is next actually pick up it's [REDACTED]

Sure not a problem

Can I sign a contract or something to make the reservation???

Sure I will call you this afternoon and get your information

Perfect

Thanks so much

Wednesday 9:46 AM

Hi there

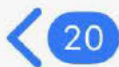


iMessage



12:55

5G 69



+1

get your information

Perfect

Thanks so much

I THANKS SO MUCH

Wednesday 9:46 AM

Hi there

Good morning

Wednesday 1:07 PM

Are you still available for Saturday???

Yes I am

I saved that time slot for you

Perfect

I need to fill out a contract??

Thursday 11:22 AM

When is a good time to call and get your information?

Now it's fine

Ok you will be getting a call from [REDACTED]

Okis



iMessage



12:55

5G 69

< 20



+1 [Redacted]

I saved that time slot for you

Perfect

I need to fill out a contract??

Thursday 11:22 AM

When is a good time to call and get your information?

Now it's fine


Ok you will be getting a call from [Redacted]





Okis




Today 12:53 PM


[Redacted]



+ iMessage 

1:29  1:37   63 

 22  

+1 

iMessage
Tue, Mar 12 at 6:39 PM

Hola cuánto cobran por hora o evento de la limo?

Tuesday 11:16 AM

Hi there can you send me a quote for this Saturday please

For 4 hours the total is \$ [REDACTED]

Can we rent it from 8:30 pm to 12:30 am Saturday?? The event finish at 8 so we want to take a little bit extra for the

[REDACTED]

[REDACTED]

Sure not a problem

Can I sign a contract or something to make the reservation???

Sure I will call you this afternoon and get your information

Perfect



iMessage



1:29

1:46



63



< 22



+1 [REDACTED]

Perfect

Thanks so much

Wednesday 9:46 AM

Hi there

Good morning

Wednesday 1:07 PM

Are you still available for Saturday???

Yes I am

I saved that time slot for you

Perfect

I need to fill out a contract??

Thursday 11:22 AM

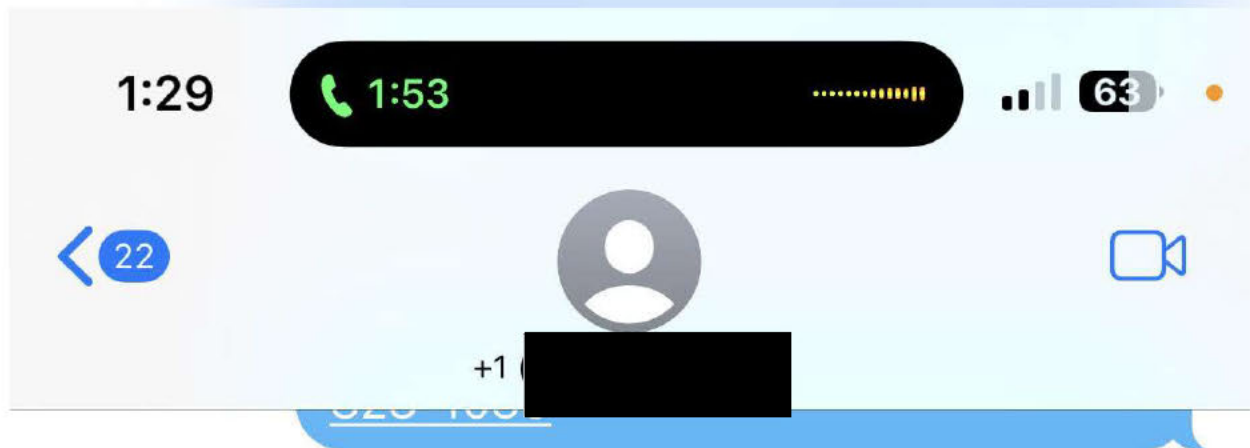
When is a good time to call and get your information?

Now it's fine

Ok you will be getting a call from [REDACTED]

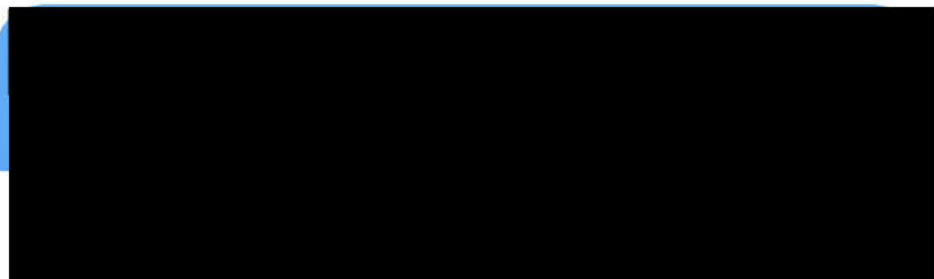
Okis

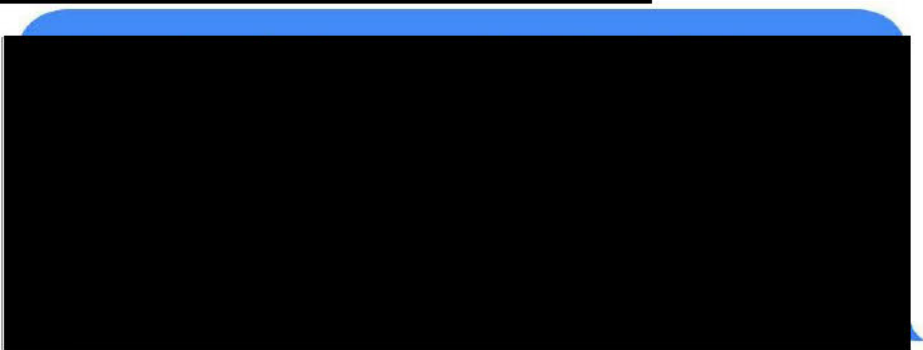
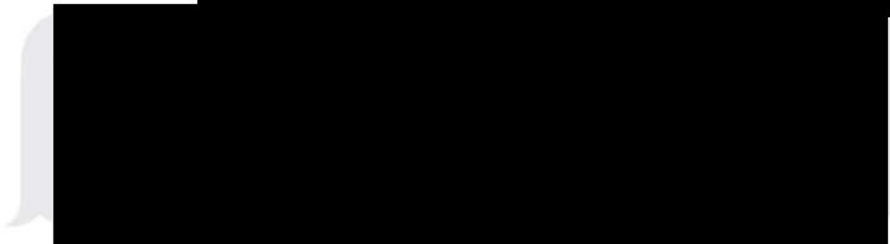
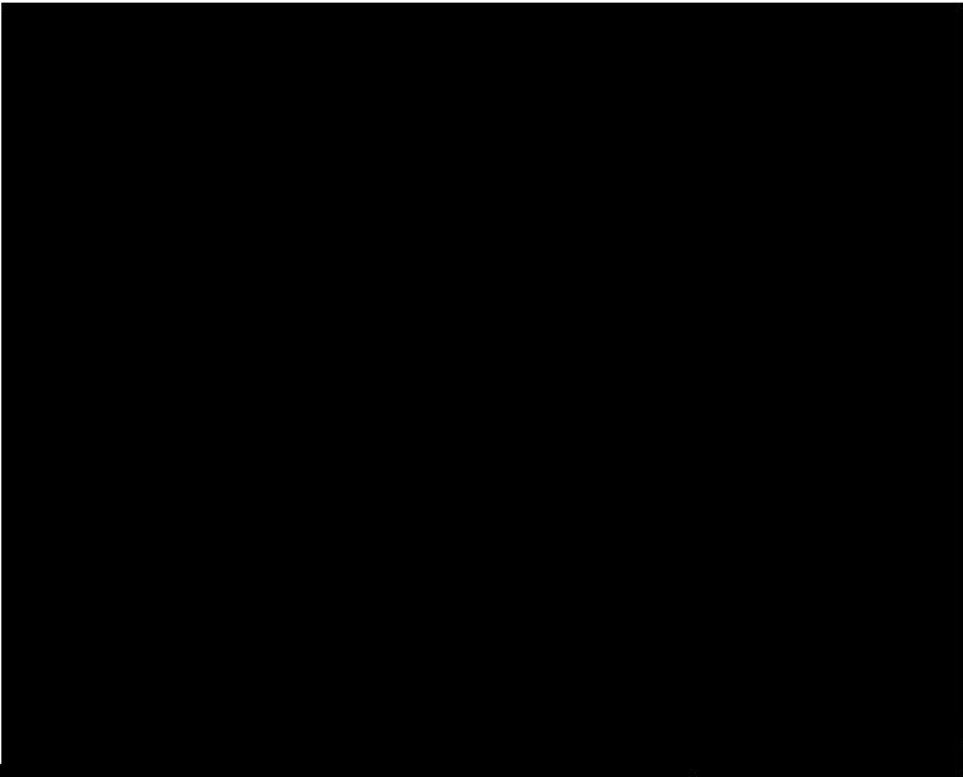
Today 12:53 PM



Okis

Today 12:53 PM





Read 1:06 PM

Perfect thanks so much for your prompt answer I will be waiting for your text.



iMessage

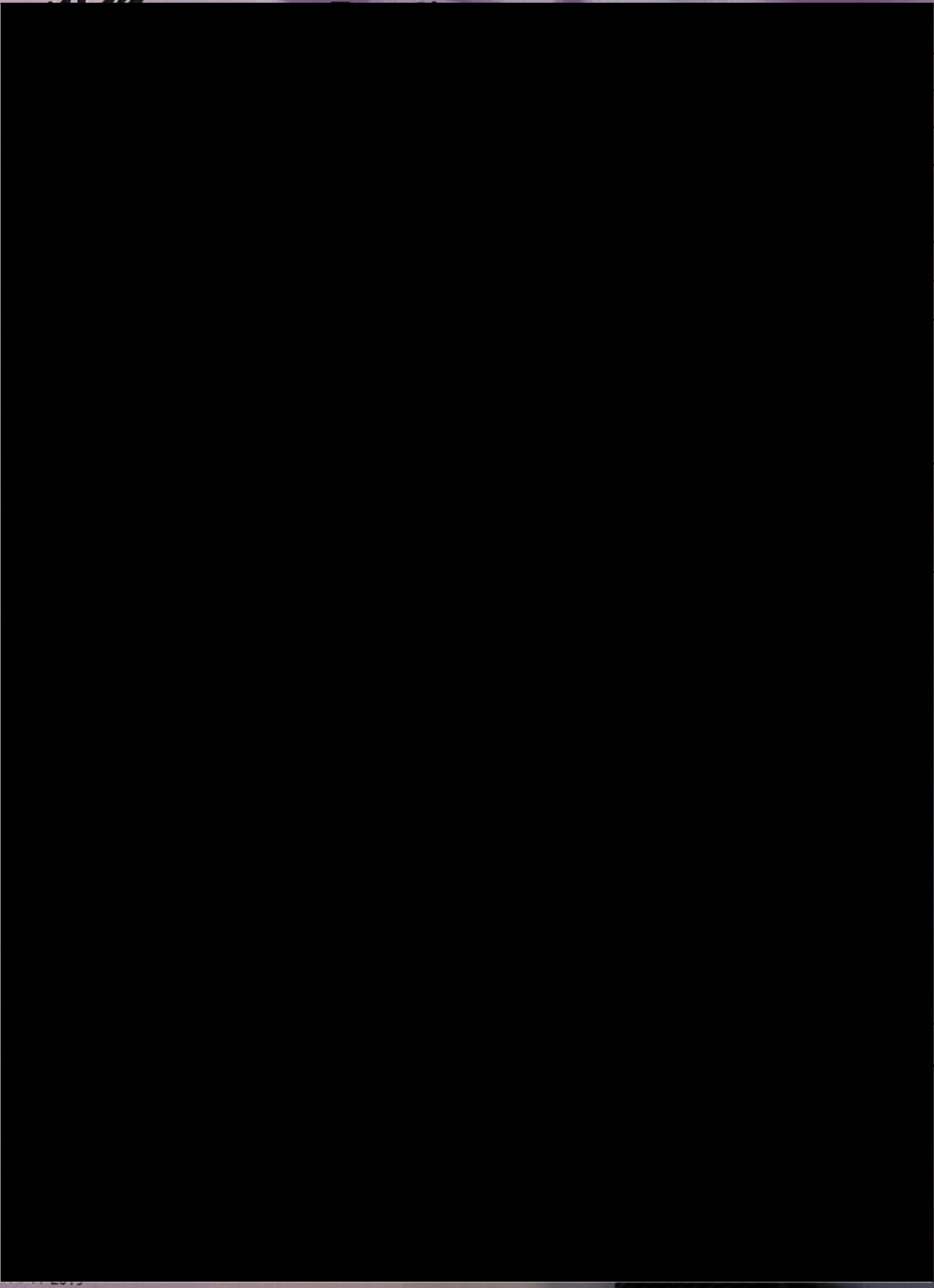


Sent from my iPhone

ATTACHMENT 3



San Diego Police Department



52

IN

TO

OF

PD-

ATTACHMENT 4



[WELCOME](#)

[ABOUT US](#)

[FLEET](#)



[EVENTS](#)

[OUR RATES](#)

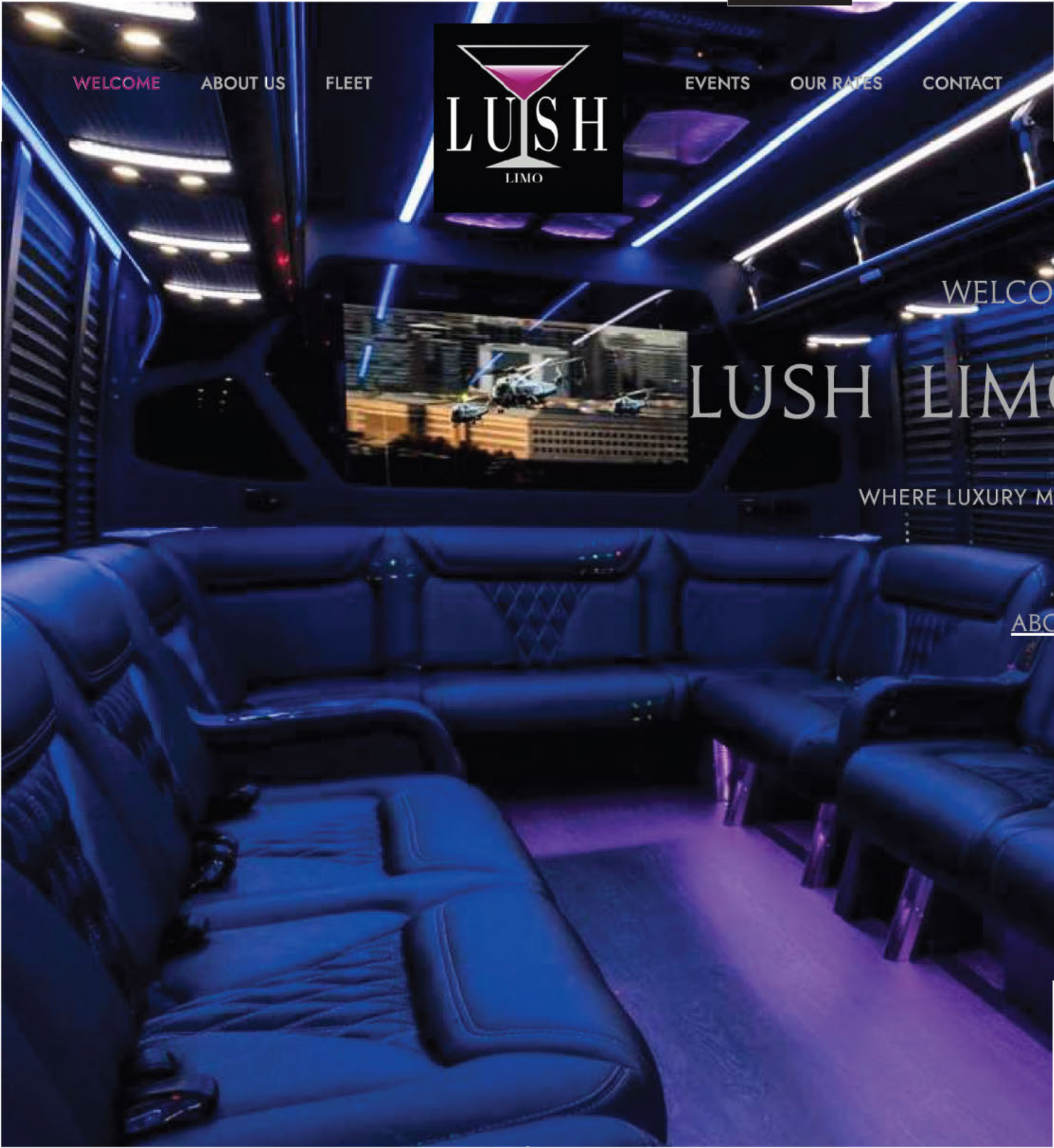
[CONTACT](#)

WELCO

LUSH LIMO

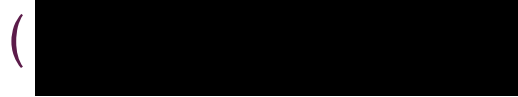
WHERE LUXURY M

[ABC](#)



NORTH COUNTY SAN DIEGO'S HOME OF THE
LUXURY 12-14 PASSENGER LIMO BUS

NEED RIDE? CALL NOW:



dedicated luxury
premium transportation experience possible. We are dedicated to exceeding our
clients' expectations. Serving San Diego, Escondido, San Marcos, and the
Inland Empire. We provide luxury transportation services in San Diego,
Oceanside, Vista, Chula Vista, Del Mar, Carlsbad, Escondido, San Marcos, and the Inland Empire.

[CONTACT US](#)



WEDDINGS

Make your special day even more magical with flawless wedding transportation. As a bride and groom step into a beautifully adorned limousine, they embark on a journey of elegance and romance. The luxury vehicle becomes a sanctuary of tranquility



WINE TOURS

Embark on a delightful journey of wine exploration with seamless wine tasting transportation. As wine enthusiasts set off in a comfortable and luxurious vehicle, they prepare to indulge their senses in a world of flavors and aromas. The dedicated chauffeur navigates the scenic routes, leading the way

amidst the hustle and bustle, ensuring a smooth and memorable ride.

ALL EVENTS



BIRTHDAYS

Elevate your birthday celebration with unforgettable transportation services. Step into a stylish and luxurious vehicle that sets the tone for a day of excitement and joy. Whether you're planning a surprise party or a night out with friends, birthday transportation adds an element of sophistication and convenience. Professional drivers ensure safe and seamless travel, whisking you and your guests to your chosen destinations with flair.

ALL EVENTS

to renowned vineyards and wineries. With each stop, the wine lovers are treated to a captivating experience, guided by knowledgeable experts who share the secrets and stories behind each bottle.

ALL EVENTS



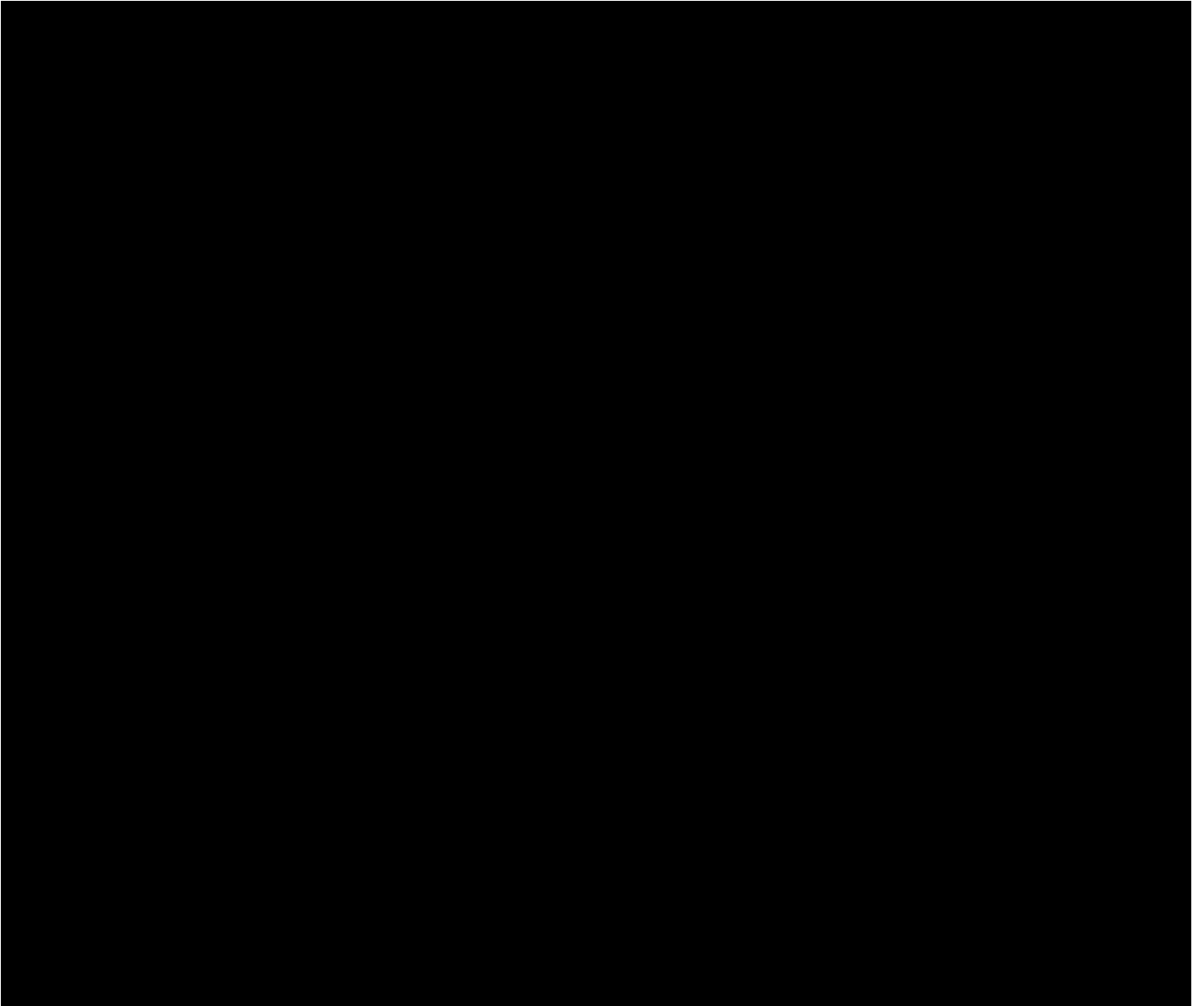
CORPORATE EVENTS

Streamline your corporate events with impeccable transportation services. As professionals step into sleek and sophisticated vehicles, they enter an atmosphere of efficiency and convenience. Whether it's transporting delegates to conferences, shuttling executives between meetings, or organizing team-building outings, corporate events transportation ensures a seamless experience.

ALL EVENTS

BROWSE ALL OUR EVENTS

LET'S GO 



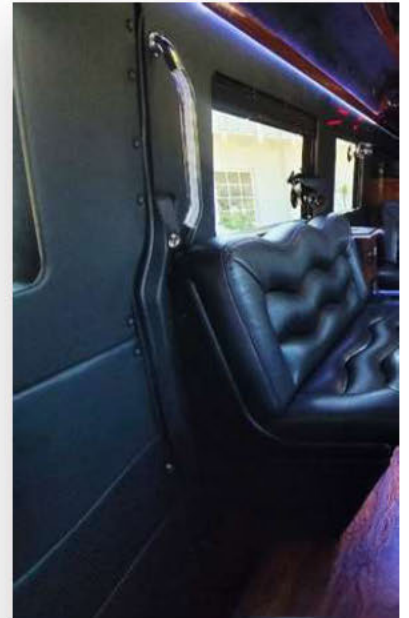
DISCOVER OUR FLEET

LEARN MORE [↗](#)



THE MERCEDES SPRINTER

WITH ITS SLEEK AND MODERN DESIGN, THE SPRINTER BUS STANDS OUT ON THE ROAD, COMMANDING ATTENTION WHEREVER IT GOES.



THE INTERIOR

HOLDS 12-14 PASSENGERS. THIS SEATING CAPACITY, MAKING IT PE

SAN DIEGO'S HOME OF THE LUXURY LIMO VANS

WE SERVE ALL OF SOUTHERN CALIFORNIA

L C v b
Southern California F - h San Diego w Oceanside
d Vista, I u n S D g , y Chula Vista d E unty, u x t v x d
dl v jor An wt m
h w D d A w w Southern California
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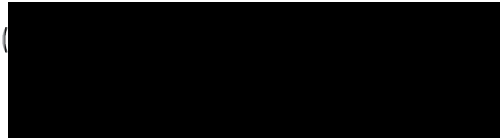


PHONE

E-MAIL

TCP #

AREAS SERVED



00048980

SOUTHERN CALIFORNIA