

## Public Utilities Commission STATE OF CALIFORNIA

# CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: Alnagar LLC File: TCP 41889-B

Attn: Mohammed Alnagar Elbasher Date: January 10, 2025

Citation: T.2025-01-004

Case: CSE-186

## **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 1, 2024, through June 30, 2024.

- (1) Failed to enroll two (2) drivers in the Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) Program in violation of Pub. Util. Code Section 5374(a)(1)(D), G.O. 157-E Part 5.02, and the California Vehicle Code (CVC) Section 1808.1 [2 counts];
- (2) Engaged two (2) employee drivers without workers' compensation insurance in violation of Pub. Util. Code Section 5378.1 [2 counts].

### **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 January 31, 2025. By way of such answer, you may either:

- (1) Pay a fine of \$4,000.00 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 January 31, 2025, 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 41889-B

Citation: T.2025-01-004

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## CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated January 10, 2025, and herewith pay the fine of \$4,000.00.

Mohammed Alanagar LLC, CA	lnagar M Elbasher, CEO
(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: Alnagar LLC

OFFICER: Mohammed Alnagar M Elbasher, CEO

**AUTHORITY:** TCP 41889-B

ADDRESS:

PHONE/EMAIL:

VEHICLES: 2

DRIVERS: 3

PL&PD

INSURANCE:

Policy#

Effective Date: 7/26/2024-7/26/2025

WORKERS'

COMPENSATION

INSURANCE: None

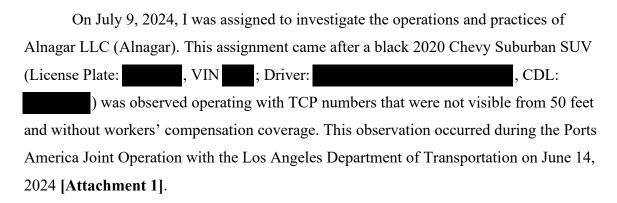
DRUG

CONSORTIUM:

**REVENUE:** 2023:

2022:

#### INTRODUCTION



#### **VIOLATIONS**

The investigation for June 14, 2023, through September 10, 2024, disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code and a Commission General Order (GO):

• Failed to enroll two (2) drivers in the Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) Program in violation of Pub. Util. Code Section 5374(a)(1)(D), G.O. 157-E Part 5.02, and the California Vehicle Code (CVC) Section 1808.1 [2 counts].

A search of the DMV EPN System on July 9, 2024, showed that the only driver enrolled under EPN requestor code was Mohammed Alnagar M Elbasher, CEO, CDL: [Attachment 2]. The driver observed on June 14, 2024 ( , , CDL: ) operated while not being enrolled under EPN requestor code [Attachments 1, 2, 3 and Table 1].

On September 10, 2024, I received records from Uber Technologies, Inc. (Uber) showing three drivers and two vehicles listed under this Uber account [Attachment 3]. These Uber records also showed \_\_\_\_\_\_\_, CDL: \_\_\_\_\_\_\_, also operated multiple times in June 2024 without being enrolled under EPN requestor code \_\_\_\_\_\_ [Attachments 2, 3 and Table 1].

• Engaged two employee drivers violation of Pub. Util. Code Sect	without workers' compensation insurance in tion 5378.1 [2 counts].
Employee driver	, CDL: , was observed
driving on June 14, 2024, at the Ports Am	nerica Joint Operation [Attachments 1, 3 and
Table 1]. The records received from Uber	r show , CDL:
and , CDL:	, both drove on multiple dates in June
2024 [Attachment 3 and Table 1]. Trans	sportation Licensing and Analysis Branch
(TLAB) records show that Alnagar LLC of	does not have workers' compensation insurance
coverage in effect and on file with the Co.	ommission [Attachment 4].

		Table 1			
Uber Trip Receipts (waybills) June 1-June 30, 2024					
Driver & CDL	EPN Enrolled	Dates trips were	Number of	Workers'	
		conducted	Trips	Compensation	
				Coverage	
Mohammed	Yes	6/1/2024, 6/2, 6/3,	7	N/A	
Elbasher, CEO,		6/4, 6/7, 6/8,			
CDL:		6/9/2024			
,	No	6/1/2024, 6/2, 6/3,	27	No	
CDL:		6/4, 6/6, 6/7, 6/8,			
		6/9, 6/10, 6/11,			
		6/12, 6/13, 6/14,			
		6/15, 6/16, 6/17,			
		6/20, 6/21, 6/22,			
		6/23, 6/24, 6/25,			
		6/26, 6/27, 6/28,			
		6/29, 6/30/2024			
,	No	6/14/2024, 6/15,	14	No	
CDL:		6/17, 6/20, 6/21,			
		6/22, 6/23, 6/24,			
		6/25, 6/26, 6/27,			
		6/28, 6/29,			
		6/30/2024			

## **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 January 10, 2025, in Los Ange	les, California.
Steve Esguerra, TEB Enforcement Analyst	-

## **List of Attachments**

Attachment 1 -- Observation at the Ports America Joint Operation on 6/14/24 (Inspection Observation Report, CDL and vehicle registration)

**Attachment 2 --** DMV EPN, Requestor Code (7/9/24)

Attachment 3 -- Uber Records (9/10/24, sample)

**Attachment 4 --** Insurance Record from the TCP Portal

# **ATTACHMENT 1**

	CALIFORNIA PUBLIC UTILITIES COMMISSION INSPECTION OBSERVATION REPORT
Location: Airpor	
Prime Carrier:	Phone#:
Address:	City: Zip:
Driver	CDL#: State:Class:
Address:	City:Zi
Phone:	Years w/company: Prime Carrier:
Relationship wit	ch Carrier: Owner/ Employee/ Sub-carrier/Other:
License Plate #:	VIN #: Registration Exp.: Seats:
Registered Own	er:Leased/Owned (circle one)
City:	Zip: Phone:
Vehicle:	Violation(s):  ☐ TCP # Not shown on rear/front bumper ☐ Vehicle not listed with PUC ☐ No Trade Dress ☐ Front ☐ Rear ☐ PSC/TCP # not on side of vehicle* ☐ Carrier's name not on side of vehicle*  **Total of the state of the sta
Waybill:	No waybill  Driver's Name  No. of person in group  Transportation arranged by phone or written contract  Name of at least 1 passenger in traveling party or identification of traveling party's affiliation
TNC OPS:	□ No Trade Dress □ Front □ Rear □ Profile Non-Match □ Lack Proof of Prearranged Ride □ Non-State CDL □ No Airport Permit
/iolation(s):	Yes, as noted above and in comments below   No Violation
aw Enforcement	10 WCKP. TCP # 1 Vot Visible from
mf.	

	Years w/compar	ny:ı	Prime Carr	ier:
h Carrier: Own	er/ Employee/ S (circle one)	Sub-carrier/(C	Other:	
2				
	VIN #:		Aleged 1	Registratio
Califo	ornia USA DRIV	ER LICENSE		Lea
				Dress 🗆 Fro
				me not on s
No. of person Transportation	in group	□ Name/	addrace of	r arranged persons arra
warne or at lea	n arranged by phost 1 passenger in	one or written traveling pa	en contract orty or iden	tification of
No Trade Dress Profile Non-Ma	itch	□ Rear		
Lack Proof of Pi Non-State CDI	rearranged Ride			
John State CDI				



# **ATTACHMENT 2**

## **Driver List**

Driver Name	DL Number	Requester Code	Add Date	Delete Date	Status
ELBASHER MOHAMMED ALNAGAR M			06/30/2022		Enrolled

# **ATTACHMENT 3**



# Here's your receipt for your ride,

We hope you enjoyed your ride this evening.



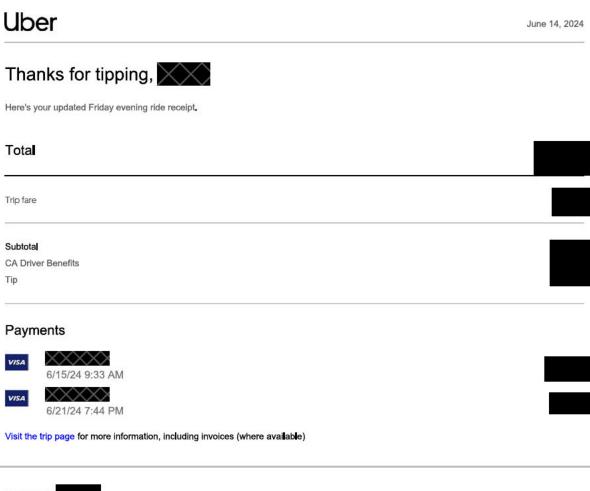


Uber June 14, 2024

# Here's your receipt for your ride,

We hope you enjoyed your ride this evening.



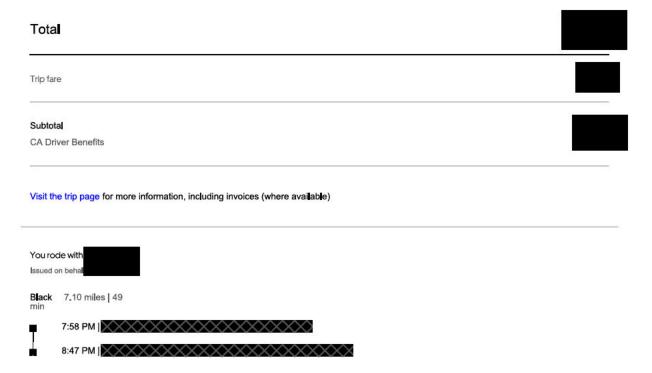


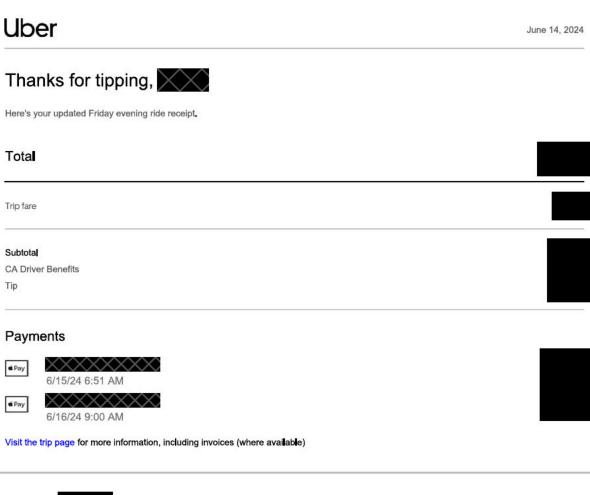
You rode with Issued on behalf Black SUV 2.33 miles | 9 min 10:35 PM | 10:45 PM |

Uber June 14, 2024

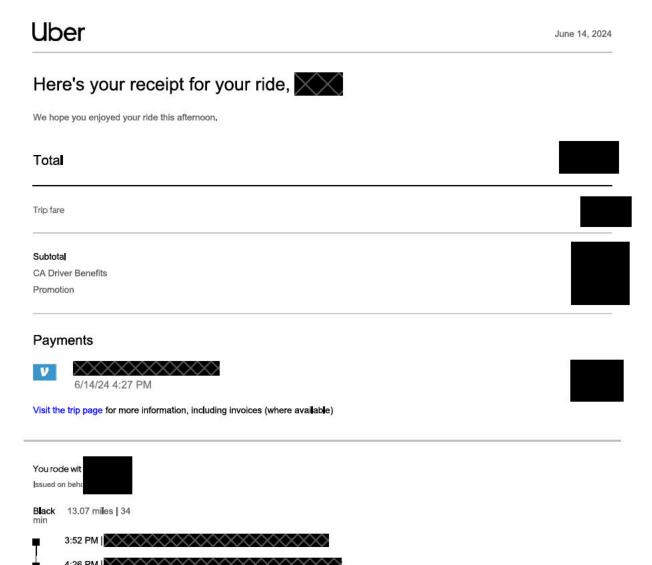
# Here's your receipt for your ride,

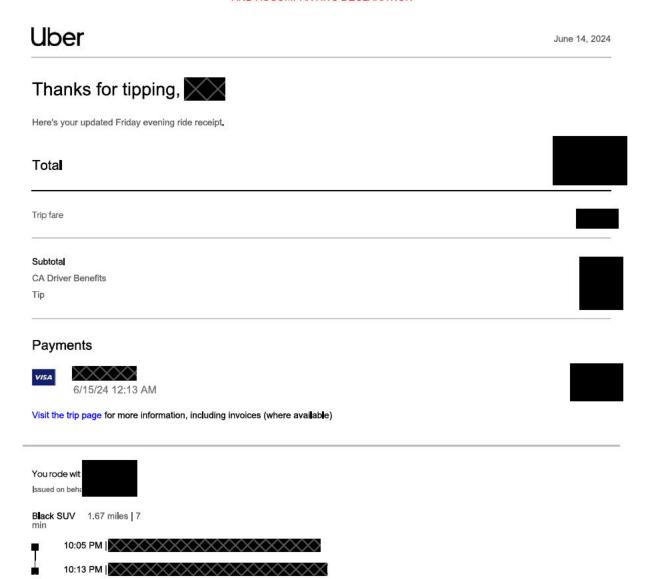
We hope you enjoyed your ride this evening.







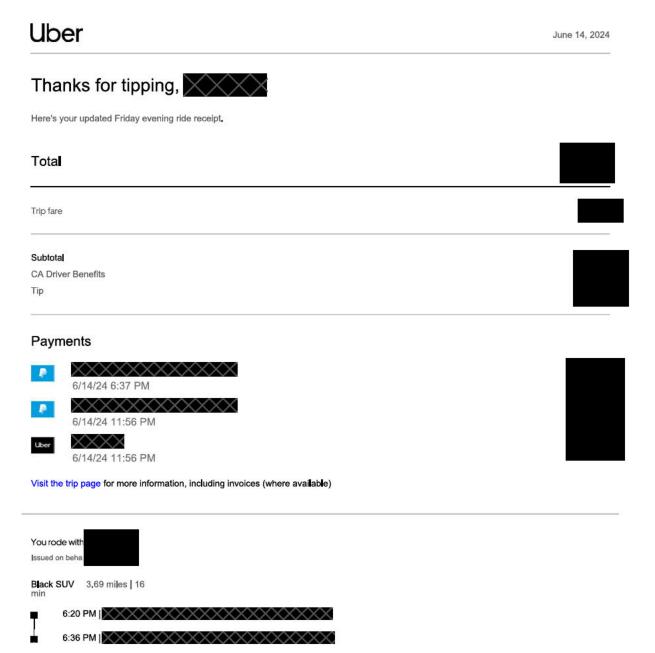




**Uber** June 14, 2024 Thanks for tipping, Here's your updated Friday evening ride receipt. Total Trip fare Subtotal CA Driver Benefits Tip **Payments ≰** Pay 6/15/24 12:19 AM **≰** Pay 6/15/24 12:20 AM Visit the trip page for more information, including invoices (where available)

You rode wit Issued on beha

Black SUV 46.82 miles 1 h 11 min 11:07 PM | 12:19 AM |



Here's your receipt for your ride,

We hope you enjoyed your ride this evening.

Total

Trip fare

Subtotal
CA Driver Benefits

Payments

Proy
6/15/24 8:53 AM

Visit the trip page for more information, including invoices (where available)



Uber June 14, 2024

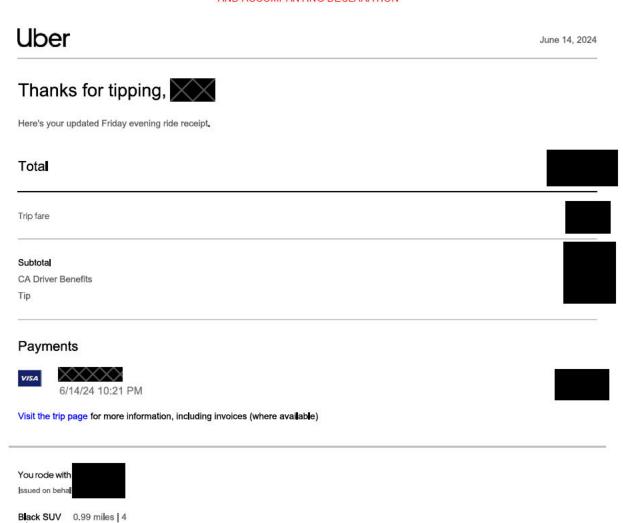
# Here's your receipt for your ride,

We hope you enjoyed your ride this evening.



Fare does not include fees that may be charged by your bank. Please contact your bank directly for inquiries.





Fare does not include fees that may be charged by your bank. Please contact your bank directly for inquiries.

Uber June 14, 2024

# Here's your receipt for your ride,

We hope you enjoyed your ride this evening.







Here's your receipt for your ride,

We hope you enjoyed your ride this evening.

Total

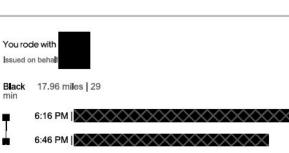
Trip fare

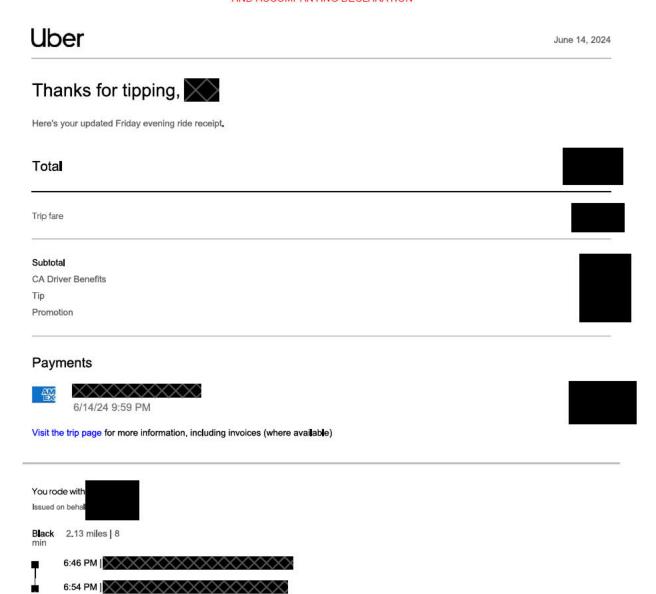
Subtotal
CA Driver Benefits

Payments

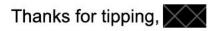
Fig. 15/24 5:11 AM

Visit the trip page for more information, including invoices (where available)





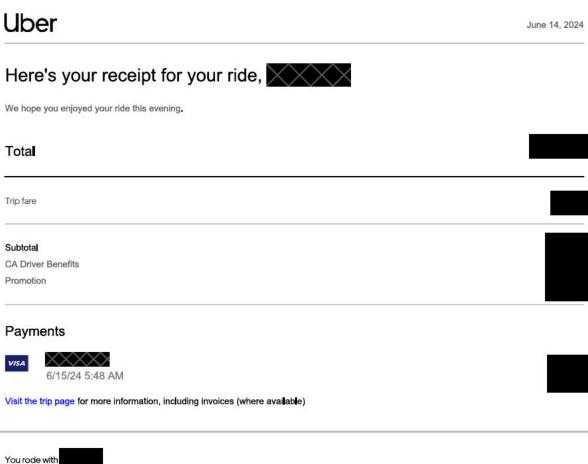




Here's your updated Friday afternoon ride receipt.

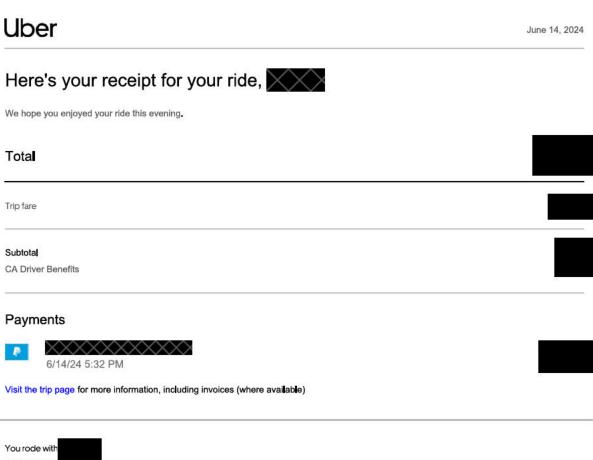


Black 11,57 miles | 46 min 4:09 PM | 4:55 PM |



You rode with [ssued on behal]

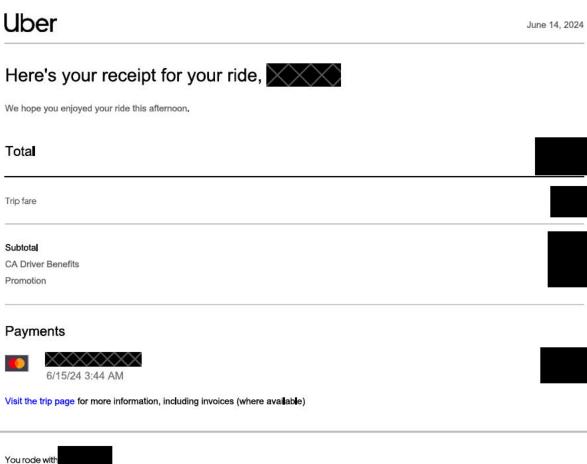
Black 2.77 miles | 14 min 6:55 PM | 7:09 PM |



You rode with Issued on beha

Black SUV 3.85 miles | 15 min 5:17 PM | 5:32 PM |

Fare does not include fees that may be charged by your bank, Please contact your bank directly for inquiries,



You rode with Issued on beha

Black 7.10 miles | 19 min 4:52 PM | 5:12 PM |

Fare does not include fees that may be charged by your bank. Please contact your bank directly for inquiries.

**Uber** 

Weekly Statement Jun 10, 2024 4 AM - Jun 17, 2024 4 AM



# Weekly Summary

Starting balance at Mon, Jun 10, 4:00 AM

Your earnings

For details, see: Breakdown of Your earnings

Refunds & Expenses

For details, see: Breakdown of Refunds & Expenses

Events from previous weeks

For details, see the 'Previous weeks' sections

Ending balance at Mon, Jun 17, 4:00 AM



# Breakdown of Your earnings

#### Fare

Fare

Cancellation

Fare Adjustment

Surge

Wait Time at Pickup

## Promotion

Driver Event Surcharge

Tip

Your earnings



# Breakdown of Refunds & Expenses

Refunds

Airport Fee

Refunds & Expenses



Breakdown of Your earnings (from previous weeks)

Tip

Your earnings



# Weekly Uber service fee summary

• This statement shows the total amount of Uber service fees left from customer payments after your earnings, third-party fees, and operational expenses for this period.

#### Total customer fare

Total amount before promotions (excluding the price of items paid to restaurants and stores)

#### Customer promotions

These are discounts applied to the initial customer fare.

#### Tip

Customer paid after any promotions, tips, etc.

## Government taxes, third-party fees, and regulatory-related charges

This amount goes toward taxes, obligations, or fees imposed by third parties, such as airport surcharges, tolls, sales tax, and minimum earnings requirements imposed on Uber. Certain charges, such as tolls, may be remitted to you if you are directly responsible for payment.

Airport Fee

CA Driver Benefits\*\*

## Estimated commercial auto insurance and operational expenses

## Your earnings

Total money you made this week with Uber including tips

#### Weekly Uber service fee

This amount is what we take to serve our users and run our business. It goes toward things such as improving our apps and expanding earning opportunities. The Uber Service Fee is collected from the customer fare but is charged to you.

<sup>\*\*</sup>Certain charges, such as "airport surcharges", relate to obligations imposed by third parties, including governmental entities. These charges may be paid to those third parties or used by Uber.

<sup>\*\*</sup>CA Driver Benefits Fee is payable by Riders directly to Uber and not part of your Driver earnings



# Transactions

Processed	Event	Your earnings	Refunds & Expenses	Balance
Sun, Jun 16	Black			
11:57 PM	Jun 16 11:24 PM			
Sun, Jun 16	Tip			
8:50 AM	Jun 14 7:51 PM			
Sun, Jun 16	Black SUV			
1:46 AM	Jun 15 11-19 PM			
Sun, Jun 16	Tip			
12:40 AM	Jun 15 11:19 PM			
Sun, Jun 16	Black SUV			
2:40 AM	Jun 15 11:19 PM			
Sat, Jun 15	Black SUV			
11:52 PM	Jun 15 11:26 PM			
Sat, Jun 15	Tip			*
LO:55 PM	Jun 15 10:28 PM			
Sat, Jun 15	Black SUV			
10:55 PM	Jun 15 10:28 PM			
Sat, Jun 15	Tip			
3:53 PM	Jun 15 6:07 PM	*		
Sat, Jun 15	Tip		9	
3:39 PM	Jun 15 7:59 PM			
Sat, Jun 15	Black			
:38 PM	Jun 15 7:59 PM			



Processed	Event	Your earnings	Refunds & Expenses	Balance
Sat, Jun 15	Tip			
8:28 PM	Jun 15 7:26 PM			
Sat, Jun 15	Black			
7:58 PM	Jun 15 7:26 PM			
Sat, Jun 15	Black SUV			
7:05 PM	Jun 15 6:28 PM			
Sat, Jun 15	Black SUV			
6:44 PM	Jun 15 6:22 PM			
Sat, Jun 15	Black			
6:25 PM	Jun 15 6:07 PM			
Sat, Jun 15	Black			
6:09 PM	Jun 15 5:39 PM			
Sat, Jun 15 6:03 PM	Black SUV Jun 15 5:49 PM			
5.03 PW	3011 IS 5.49 PW			
Sat, Jun 15	Tip			
4:16 PM	Jun 15 4:08 PM			
Sat, Jun 15	Black			
4:16 PM	Jun 15 4:08 PM			
Sat, Jun 15	Comfort			
1:31 AM	Jun 15 1:22 AM			
Sat, Jun 15	Comfort			
1:23 AM	Jun 15 1:19 AM			
Sat, Jun 15	Тір			
12:20 AM	Jun 14 10:57 PM			



Processed	Event	Your earnings	Refunds & Expenses	Balance
Sat, Jun 15 12:19 AM	Black SUV Jun 14 10:57 PM			
Sat, Jun 15 12:03 AM	<b>Tip</b> Jun 14 9:59 PM			
Fri, Jun 14 11:56 PM	<b>Tip</b> Jun 14 6:09 PM			
Fri, Jun 14 10:45 PM	Black SUV Jun 14 10:33 PM			
Fri, Jun 14 10:26 PM	Black Jun 14 9:53 PM			
Fri, Jun 14 10:13 PM	Black SUV Jun 14 9:59 PM			
Fri, Jun 14 10:11 PM	<b>Tip</b> Jun 14 5:49 PM			
Fri, Jun 14 9:55 PM	Black Jun 14 9:23 PM			
Fri, Jun 14 9:49 PM	<b>Tip</b> Jun 14 6:40 PM			
Fri, Jun 14 8:47 PM	Black Jun 14 7:51 PM			
Fri, Jun 14 8:29 PM	Black Jun 14 7:12 PM			
Fri, Jun 14 7:34 PM	Black Jun 14 6:58 PM			

# Uber

Processed	Event	Your earnings	Refunds & Expenses	Balance
Fri, Jun 14 7:10 PM	Black Jun 14 6:48 PM			
Fri, Jun 14 6:55 PM	Black Jun 14 6:40 PM			
Fri, Jun 14 6:46 PM	Black Jun 14 6:11 PM			
Fri, Jun 14 6:37 PM	Black SUV Jun 14 6:09 PM			
Fri, Jun 14 6:11 PM	<b>Tip</b> Jun 14 5:58 PM			
Fri, Jun 14 6:09 PM	Black Jun 14 5:58 PM			
Fri, Jun 14 5:58 PM	Black SUV Jun 14 5:49 PM			
Fri, Jun 14 5:32 PM	Black SUV Jun 14 5:13 PM			
Fri, Jun 14 5:12 PM	Black Jun 14 4:44 PM			
Fri, Jun 14 4:56 PM	<b>Tip</b> Jun 14 3:59 PM			
Fri, Jun 14 4:55 PM	Black Jun 14 3:59 PM			
Fri, Jun 14 4:27 PM	Black Jun 14 3:41 PM			



Processed	Event	Your earnings	Refunds & Expenses	Balance
Fri, Jun 14 9:51 AM	<b>Tip</b> Jun 14 9:34 AM			
Fri, Jun 14 9:50 AM	Black SUV Jun 14 9:34 AM			
Fri, Jun 14 9:38 AM	<b>Tip</b> Jun 14 8:58 AM			
Fri, Jun 14 9:36 AM	Black SUV Jun 14 8:58 AM			
Thu, Jun 13 10:50 PM	<b>Black</b> Jun 13 10:11 PM			
Thu, Jun 13 8:48 PM	Black Jun 13 7:50 PM			
Thu, Jun 13 8:32 PM	<b>Tip</b> Jun 8 11:00 PM			
Thu, Jun 13 7:47 PM	Comfort Jun 13 7:28 PM			
Thu, Jun 13 7:22 PM	Black Jun 13 6:46 PM			
Thu, Jun 13 7:13 PM	Black Jun 13 6:46 PM			
Thu, Jun 13 5:34 PM	Black Jun 13 5:23 PM			
Thu, Jun 13 4:12 PM	Black Jun 13 3:38 PM			



Processed	Event	Your earnings	Refunds & Expenses	Balance
Thu, Jun 13 3:26 PM	<b>Tip</b> Jun 13 10:58 AM			
Thu, Jun 13	Comfort			
11:27 AM	Jun 13 10:58 AM			
Thu, Jun 13 10:51 AM	<b>Tip</b> Jun 12 4:04 PM			
10.31 AW	30112 404 111			
Wed, Jun 12 10:45 PM	Black SUV Jun 12 10:00 PM	(4)		
Wed, Jun 12	Black			
7:40 PM	Jun 12 7:26 PM			
Wed, Jun 12	Black			
4:37 PM	Jun 12 4:04 PM			
Wed, Jun 12 3:55 PM	Black Jun 12 2:43 PM			
3.33 FM	301112 2-43 TWI			
Tue, Jun 11 6:36 PM	Black SUV Jun 11 6:18 PM			
Mon, Jun 10	Tip			
10:09 PM	Jun 10 9:59 PM			
Mon, Jun 10	Black SUV			
10:09 PM	Jun 10 9:59 PM			
Mon, Jun 10 8:00 PM	Black SUV Jun 10 7:18 PM			
J. 00 FINI	2411 TO 7-10 F 141			
Mon, Jun 10 7:18 PM	UberX Jun 10 6:57 PM			



Processed	Event	Your earnings	Refunds & Expenses	Balance
Mon, Jun 10 11:00 AM	<b>Tip</b> Jun 10 10:30 AM			
Mon, Jun 10 10:50 AM	Black SUV Jun 10 10:30 AM			

# **ATTACHMENT 4**

