



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Dragon Brilliance LLC.

File: TCP-40465-A
(Expired October 7, 2024)

ATTN: Kai Wu, Owner &

Date: February 28, 2025

Chengping Gao, Owner

Citation#: T.2025-02-008

[REDACTED]

Case #: CSE-210

[REDACTED]

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. These violations occurred from January 1, 2024, through November 1, 2024.

- (1) Dragon Brilliance failed to enroll 35 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 **[35 counts]**,
- (2) Dragon Brilliance engaged 36 employee drivers without workers' compensation insurance in violation of Pub. Util. Code Section 5378.1 **[36 counts]**,
- (3) Dragon Brilliance has failed to produce records upon request, in violation of Pub. Util. Code Section 425 and 5389. **[1 counts]**,

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 March 20, 2025. By way of such answer, you may either:

- (1) Pay a fine of \$5,000 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 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 March 20, 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) 703-1725
E-mail address Rahmon.Momoh@cpuc.ca.gov

File No.: TCP-40465-A
Citation #: T.2025-02-008
Date: February 28, 2025
Case #: CSE-210

CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated March 20, 2025, and herewith pay the fine of \$5,000.

Dragon Brilliance LLC
Kai Wu & ChengPing Gao



(Signature)

(Title)

(Date)

Payment (cashier 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

Automatic credit and debit card payments are also available. To arrange for auto-pay, fill out the attached CREDIT OR DEBIT CARD AUTHORIZATION form and email to our Fiscal Office at FiscalOffice-TECitations@cpuc.ca.gov.

INVESTIGATION REPORT

CARRIER: Dragon Brilliance LLC

OWNERS: Kai Wu, Owner
ChengPing Gao, Owner

AUTHORITY: TCP 40465-A (Expired 10/7/2024)

ADDRESS:

[REDACTED]

PHONE/EMAIL:

[REDACTED]

VEHICLES: 22 vehicles

DRIVERS: 36

PL&PD INSURANCE: New York Marine and General Insurance Company
Policy #: [REDACTED]
Effective Date: [REDACTED]

WORKERS' COMPENSATION INSURANCE: None

DRUG CONSORTIUM:

[REDACTED]

REVENUE:	Year	Revenue
	2022	[REDACTED]
	2023	[REDACTED]
	2024	[REDACTED]

INTRODUCTION

On July 29, 2024, I was assigned to investigate Dragon Brilliance LLC (hereinafter referred to as Dragon Brilliance) due to a complaint we received from the Consumer Protection and Enforcement Division's Transportation Licensing and Analysis Branch (TLAB) alleging Uber paid Dragon Brilliance approximately [REDACTED]. Still, Dragon Brilliance is only reporting two vehicles [Attachment 1].

VIOLATIONS

The investigation for January 1, 2024, through February 4, 2025, disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code and a Commission General Order (GO):

- **Dragon Brilliance failed to enroll 35 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 [35 counts].**

On January 24, 2024, Uber Technology Inc. (hereinafter referred to as Uber) provided a report on Dragon Brilliance's operation. This report included detailed data on the three most recent trips each vehicle completed under the Uber Black platform, as well as a report detailing all Uber Black trips completed in January 2024 [Attachment 2].

Additionally, a search of the DMV EPN system on February 4, 2025, found that Dragon Brilliance had enrolled [REDACTED] drivers under EPN requestor code [REDACTED] including owners Mr. Kai Wu and Mr. ChengPing Gao [Attachment 3].

A cross-check between drivers listed by Uber and the drivers enrolled in the EPN revealed that [REDACTED] Dragon Brilliance drivers operated within the Uber Black platform in 2024 without being enrolled in their EPN account, and only one driver was enrolled, [REDACTED] Driver's License [REDACTED] [Attachments 2, 3 and Table 1].

Table 1: Dragon Brilliance Drivers EPN Status and Last Operating Date

[illegible]

- **Dragon Brilliance engaged [REDACTED] employee drivers without workers' compensation insurance in violation of Pub. Util. Code Section 5378.1 [36 counts].**

The records received from Uber indicated that the [REDACTED] employee drivers have operated within the Uber Black platform [Attachment 2 and Table 1]. However, the Transportation Licensing and Analysis Branch (TLAB) records show that Dragon Brilliance does not have Workers' Compensation Insurance coverage in effect and on file with the Commission [Attachment 4].

- **Dragon Brilliance has failed to produce records upon request, in violation of Pub. Util. Code Section 425 and 5389. [1 count]**

I have requested records from Dragon Brilliance multiple times through various communication methods, including email and phone calls. I sent data requests to [REDACTED] on August 21, 2024, followed by a second data request on September 5, 2024, and a third request on October 4, 2024 [Attachment 5].

Additionally, I attempted to contact them by phone at ([REDACTED]) but received no response. Despite multiple efforts, I did not receive any reply until February 4, 2025, when I was able to reach Mr. ChengPing Gao at ([REDACTED]). However, he stated that he is no longer the owner and does not have access to the requested information.

DECLARATION

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

Executed on February 28, 2025, in San Francisco, California.

Mingfeng Li

Mingfeng Li, TEB Enforcement Analyst

List of Attachments

- **Attachment 1 -** Complaint [REDACTED] – Dragon Brilliance LLC
- **Attachment 2 -** Uber’s Response to Data Request (Excel Data Sample)
- **Attachment 3 -** DMV [REDACTED] (Dragon Brilliance)
- **Attachment 4 -** Screenshot TCP Portal Insurance Tab
- **Attachment 5 -** Data Requests (August 21, 2024, September 5, 2024, and October 4, 2024)

Attachment 1

California Public Utilities Commission
Transportation Informal Complaint Tracking System
Printed as of 16-JUL-2024 14:27:29

Case #..... 20240105

Inquiry Type..... Written
Carrier Type..... Passenger Carrier

Received by Area Office Los Angeles
Area Office Assigned...
District Office.....
Transferred To.....
Representative..... Mary Sekyi-Appiah

Received Date..... 15-JUL-2024
Closed Date..... 16-JUL-2024
Update Date.....
Transfer Date.....

COMPLAINANT:

MTR/PSG/CA#..
DBA..... TLAB
Name..... TLAB
Address.....
City/St/Zip..
Phone.....
Email.....

DEFENDANT:

MTR/PSG/CA#..
DBA.....
Name..... DRAGON BRILLIANCE LLC
Address.....
City/ST/Zip..
Phone.....

COMPLAINT DESCRIPTION:

Carrier was listed on Uber's Q1 PUCTRA Report as having been paid about in revenue. However, the carrier only has two vehicles and one driver on-file with CPUC.

DISPOSITION DESCRIPTION:

Referred to Enforcement

Attachment 2

[REDACTED]

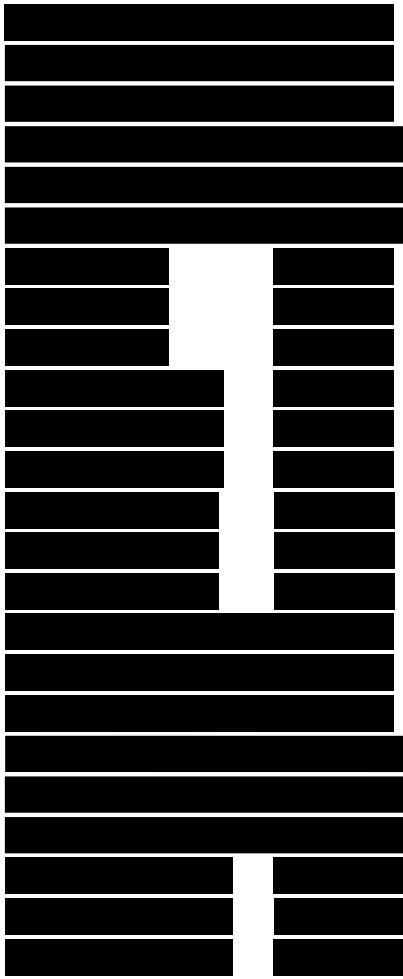
[REDACTED]

[REDACTED]

[REDACTED]

dropoff_location	driver_name	driver_license_number
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[illegible]



Attachment 3

DRAGON BRILLIANCE LLC

REQUESTER CODE:

[REDACTED]

DBA NAME:

ADDRESS:

[REDACTED]

PHONE NUMBER:

[REDACTED]

RC STATUS:

[REDACTED]

EMAIL:

[REDACTED]

CLASS/DESC:

[REDACTED]

EFFECTIVE: 09/16/2021

EXPIRES:

[REDACTED]

REASON CLOSED:

CUTOFF:

RESTORE:

TOTAL DRIVERS:

[REDACTED]

Close

Driver List

Driver Name	DL Number	Requester Code	Add Date	Delete Date	Status

Attachment 4

Accounts (/lightning/o/Account/home) > DRAGON BRILLIANCE LLC (/lightning/r/001t000000kwQ9eAAE/view)

Insurances (Carrier)

3 items • Sorted by Policy Effective Date • Updated a few seconds ago

⚙️

↺

⏏

<input type="checkbox"/>	Policy#	Policy Status	Policy Am...	Policy Type	Policy Sub Type	Policy Ef...	Policy Cancel Date
<input type="checkbox"/>							
<input type="checkbox"/>							
<input type="checkbox"/>		Active		Stand Alone Poli...	PL/PD Policy	10/5/2023	

Attachment 5

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



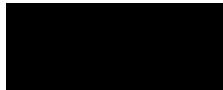
8/22/2024

TCP: 40465 (Active)

Case No.: CSE-210

Dragon Brilliance LLC.

Attn: Kai Wu



Subject: Data Request

Dear Dragon Brilliance LLC.:

The California Public Utilities Commission's (Commission) Consumer Protection and Enforcement Division (CPED) Transportation Enforcement Branch (TEB) is currently reviewing the Commission's records for intrastate transportation carriers that are regulated by the Commission.

Public Utilities Code Section 5389 authorizes the Commission and its staff to have access at any time to the land, buildings, or equipment of a charter-party carrier of passengers used in connection with the operation of its business and may inspect the accounts, books, papers, and documents of the carrier.

General Order 157-E, Part 6.01 specifically states in part that every carrier shall institute and maintain in its offices a set of records which reflect information as to the transportation services performed, including waybills, driver records, and safety and maintenance records including copies of all lease and sub-carrier agreements. Such records shall be maintained for a minimum period of three years.

Pursuant to Public Utilities Code Section 5389, the Commission is requesting a review of the Charter-Party intrastate transportation records for Dragon Brilliance LLC. Failure to provide access to records is a misdemeanor punishable by a maximum of \$5,000, or by imprisonment in a county jail not exceeding one year, or by both fine and imprisonment, where each violation is a separate and distinct offense (Public Utilities Code Section 2110).

We are requesting that you present your documents listed below in electronic form. Please scan the following documents and email a copy to Mingfeng Li at Mingfeng.li@cpuc.ca.gov by September 2, 2024.

1. Your current public liability and property damage insurance policy showing schedule of vehicles and drivers insured,
2. Your current workers' compensation insurance policy,
3. List of all current sub-carriers and agreements,
4. Current service agreement with your Drug Consortium and a list of all drivers enrolled showing dates added and/or deleted,
5. Vehicle accident records including insurance loss runs showing dates of accidents and drivers' names for the last five (5) years,
6. Other Fictitious Business Names (FBN) doing business as (dba),
7. Please provide the total number of trips completed from January 1, 2024 to March 31, 2024 as documented on waybills per GO 157-E, Part 3.0,
8. All pre-employment and random drug test results for all your drivers within the last six (6) months and
9. Waybills for all intrastate TCP transportation, including transportation performed as Dragon Brilliance LLC. from January 1, 2024 to March 31, 2024,
10. Last three (3) years of filed Federal and State Income Tax Returns.

CPED reserves the right to amend, add to or revise this Data Request in the future if necessary.

Any responsive records provided by you that have been properly labeled and submitted as confidential will be treated as such under Public Utilities Code Section 583 (see also General Order 66-D). Confidential documents will not be released to the public except as required by law following a Public Records Request and redaction of confidential material.

If you have any questions, please do not hesitate to call me at (415)696-7320 or e-mail Mingfeng.li@cpuc.ca.gov.

Sincerely,



Ming Li (He/Him/His)
Public Utilities Regulatory Analyst
California Public Utilities Commission
Consumer Protection and Enforcement Division

Transportation Enforcement Branch

Email: Mingfeng.li@cpuc.ca.gov

Telephone: (415)696-7320

cc: Rahmon Momoh, Program and Project Supervisor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



9/5/2024

TCP: 40465 (Active)

Case No.: CSE-210

Dragon Brilliance LLC.

Attn: Kai Wu



Subject: Data Request

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The California Public Utilities Commission's (Commission) Consumer Protection and Enforcement Division (CPED) Transportation Enforcement Branch (TEB) is currently reviewing the Commission's records for intrastate transportation carriers that are regulated by the Commission.

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We are requesting that you present your documents listed below in electronic form. Please scan the following documents and email a copy to Mingfeng Li at Mingfeng.li@cpuc.ca.gov by September 16, 2024.

1. Your current public liability and property damage insurance policy showing schedule of vehicles and drivers insured,
2. Your current workers' compensation insurance policy,
3. List of all current sub-carriers and agreements,
4. Current service agreement with your Drug Consortium and a list of all drivers enrolled showing dates added and/or deleted,
5. Vehicle accident records including insurance loss runs showing dates of accidents and drivers' names for the last five (5) years,
6. Other Fictitious Business Names (FBN) doing business as (dba),
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Ming Li (He/Him/His)
Public Utilities Regulatory Analyst
California Public Utilities Commission
Consumer Protection and Enforcement Division

Transportation Enforcement Branch

Email: Mingfeng.li@cpuc.ca.gov

Telephone: (415)696-7320

cc: Rahmon Momoh, Program and Project Supervisor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



10/4/2024

TCP: 40465 (Active)
Case No.: CSE-210

Dragon Brilliance LLC.

Attn: Kai Wu



Subject: Data Request

Dear Dragon Brilliance LLC.:

The California Public Utilities Commission's (Commission) Consumer Protection and Enforcement Division (CPED) Transportation Enforcement Branch (TEB) is currently reviewing the Commission's records for intrastate transportation carriers that are regulated by the Commission.

Public Utilities Code Section 5389 authorizes the Commission and its staff to have access at any time to the land, buildings, or equipment of a charter-party carrier of passengers used in connection with the operation of its business and may inspect the accounts, books, papers, and documents of the carrier.

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We are requesting that you present your documents listed below in electronic form. Please scan the following documents and email a copy to Mingfeng Li at Mingfeng.li@cpuc.ca.gov by October 18, 2024.

1. Your current public liability and property damage insurance policy showing schedule of vehicles and drivers insured,
2. Your current workers' compensation insurance policy,
3. List of all current sub-carriers and agreements,
4. Current service agreement with your Drug Consortium and a list of all drivers enrolled showing dates added and/or deleted,
5. Vehicle accident records including insurance loss runs showing dates of accidents and drivers' names for the last five (5) years,
6. Other Fictitious Business Names (FBN) doing business as (dba),
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cc: Rahmon Momoh, Program and Project Supervisor