



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Citizen Tours LLC dba Gray Line Tours

File: Unlicensed

Attn: [REDACTED] CEO

Date: August 9, 2024

[REDACTED]

Citation #: T.24-08-004

Tucson, AZ 85714

Case #: CSE-144

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 April 26, 2024, through April 28, 2024.

- (1) Operated as a charter-party carrier without valid authority in violation of Pub. Util. Code Section 5371 and CVC 14602.9 [3 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 September 3, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$6,000.00 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 September 3, 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.: Unlicensed
Citation #: T.24.08-004
Date: August 9, 2024
Case #: CSE-144

CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated August 9, 2024, and herewith pay the fine of \$6,000.00.

██████████, CEO
Citizen Tours LLC
dba Gray Line Tours
Tucson, AZ

(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: Citizen Tours LLC
dba Gray Line Tours

OFFICER: [REDACTED] CEO

AUTHORITY: Unlicensed

ADDRESS: [REDACTED]
Tucson, AZ 85714

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

VEHICLES: Unknown

DRIVERS: Unknown

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

WORKERS' COMPENSATION INSURANCE: Unknown

DRUG CONSORTIUM: Unknown

REVENUE: 2022: Unknown
2023: Unknown
2024: Unknown

INTRODUCTION

On May 3, 2024, I was assigned to investigate the operations and practices of Citizen Tours LLC dba Gray Line Tours (hereinafter referred to as Gray Line Tours). This assignment was due to a Gray Line Tours bus being observed at the Stagecoach Joint Operation with the California Highway Patrol (CHP) on Thursday, April 25, 2024 (Transportation Management Services Inc. Bus Check-In) [**Attachment 1**].

VIOLATIONS

The investigation for April 25, 2024, through August 5, 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 5371 and CVC 14602.9 [3 counts].**

On Thursday, April 25, 2024, a Gray Line Tours bus was observed at the Stagecoach Joint Operation with the CHP at Transportation Management Services Inc.'s (TMS) bus check-in. This white tour bus displayed Arizona license plate [REDACTED] and stated, "Operated By Citizen Tours, LLC. USDOT [REDACTED] Tucson, Arizona". CHP's inspection found that driver [REDACTED]'s Arizona driver's license ([REDACTED]) did [REDACTED] and [REDACTED] was taken [REDACTED] ([REDACTED]). Since Gray Line Tours did not have a TCP permit to operate intrastate trips in California, Enforcement Analyst Mary Sekyi-Appiah issued [REDACTED] a Notice to Cease and Desist and an Inspection Observation Report advising of the lack of authority to operate in California until they have an active TCP permit. [REDACTED] signed both documents and was given a copy to give to Gray Line Tours [**Attachment 1**].

On July 10, 2024, I called Gray Line Tours at [REDACTED] and [REDACTED], Sales Manager, confirmed that while Gray Line Tours did not operate on the first two weekends of the Coachella Music Festival weekends, they did operate all three days of the Stagecoach Music Festival weekend (April 26- April 28, 2024). I also called [REDACTED], Operations Manager at ([REDACTED]) I requested waybill records showing the

buses, the drivers and, the dates they operated, etc. and requested a copy of the TMS agreement. [REDACTED] asked me to email him the request, and he would provide me with the records the same week.

On July 30, 2024, I received some of the requested records from [REDACTED], CEO, including an \$ [REDACTED] Purchase Order showing 3 buses operated from Friday, April 26, to Sunday, April 28, 2024. The drivers were [REDACTED], and [REDACTED]. I also requested the TMS agreement [Attachment 2].

On August 3, 2024, I received a TMS Subcontractor Agreement dated June 28, 2022, and a TMS Addendum for Stagecoach 2024 dated March 18, 2024, for \$ [REDACTED] (both documents are for [REDACTED]) [Attachment 3].

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 August 9, 2024, in Los Angeles, California.

Steve Esquerria
Steve Esquerria, TEB Enforcement Analyst

List of Attachments

- Attachment 1** -- CHP Inspection Report, Cease and Desist, Inspection Observation Report, Gray Line bus photo (4/25/2024)
- Attachment 2** -- TMS Purchase Order for Stagecoach 2024 to Citizen Tours (11/6/2023) and a TMS email to [REDACTED] (3/18/2024)
- Attachment 3** -- TMS Subcontractor Agreement (6/28/2022) and TMS Addendum (3/18/2024); both documents are for [REDACTED]

ATTACHMENT 1



California Highway Patrol
9330 Farnham Street
San Diego, CA 92123
Phone: (858) 944-6349
Internationally Accredited Agency CHP407F/343A

Report Number:
Inspection Date: 04/25/2024
Start: 7:15 PM PT End: 7:45 PM PT
Inspection Level:
HM Inspection Type: None

Carrier: CITIZEN TOURS LLC
DBA: GRAY LINE TOURS

TUCSON, AZ, 85714
USDOT:
MC/MX#:
State#:
Phone#:
Fax#:

Driver:
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State: AZ
State:

Location: EMPIRE POLO CLUB, INDIO
Highway: 51ST AVE
County: RIVERSIDE
Email:

Milepost: Shipper: N/A
Origin: COACHELLA, CA
Destination: COACHELLA, CA
Bill of Lading: N/A
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA Existing, CVSA #

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS

HazMat: No HM transported
Placard:
Cargo Tank:

Special Checks: No data for special checks

State Information:

Beat/Sub Area: 859; Special Project Code: 467; Regulated Vehicle: Y; Pre-Cleared Vehicle: N; Veh #1 Type: 10

I hereby notify and declare to be OUT-OF-SERVICE. No motor carrier shall permit or require to drive or operate any motor vehicle until: RELEASED TO DRIVER W/CDL

Pursuant to Section 24004 CVC, violations recorded on this SafetyNet Inspection Report must be corrected prior to redispach. Violations marked out of service must be corrected before the vehicle is operated on the highway. For your convenience, KEEP THIS REPORT OR A COPY IN THE VEHICLE UNTIL ALL VIOLATIONS ARE CLEARED. This document should NOT be forwarded to the court for clearance procedures. DO NOT RETURN THIS FORM TO THE CALIFORNIA HIGHWAY PATROL.

TRUCKERS AGAINST TRAFFICKING

If you suspect human trafficking please contact 911 and call the National Human Trafficking Hotline at 1-888-373-7888. Make the call, save lives! Go to~ https://truckersagainstrafficking.org/~ to learn more.

Report Prepared By: Unit #: ID/Badge #: Copy Received By:

X X



NOTICE TO CEASE AND DESIST

Date: 4/25/24

Carrier: GRAYLINE ARIZONA

TCP number, if any None Operating Status: None

The California Public Utilities Commission (CPUC) has determined that you are operating without valid authority.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL OPERATIONS, INCLUDING ADVERTISING, UNTIL YOU MEET ALL LICENSING REQUIREMENTS AND RECEIVE VALID OPERATING AUTHORITY FROM THE CPUC.

ANY OPERATIONS, INCLUDING ADVERTISING, WHILE OPERATING IN A SUSPENDED, CANCELLED, REVOKED, OR DENIED STATE IS UNLAWFUL.

This letter places your company on notice that any activity without the required permit or certificate is a violation and may result in civil or criminal prosecutions, possible fines, and possible termination of telephone service. To acknowledge receipt of this notice, please call 800-894-9444 within 5 business days of receipt.

OPERATION WITHOUT AUTHORITY

Public Utilities Code Sections 5371 and 5387_(TCP)/Section 1031 (PSC) - **Circle One**

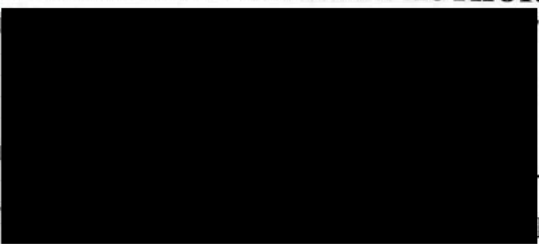
OPERATION AFTER: SUSPENSION/REVOCAION/EXPIRATION/DENIAL OF AUTHORITY

Public Utilities Code Section 5379_(TCP)/Section 1045_(PSC) - **Circle One**

ADVERTISEMENT WITHOUT AUTHORITY

Public Utilities Code Section 1037 (PSC) - **Circle One**

Signature



TITLE

*****IF YOU ARE NOT THE RESPONSIBLE OWNER, YOU MUST GIVE NOTICE TO RESPONSIBLE OWNER*****

COMMENTS: No operating authority in CA

See attached Inspection Observation Report Form for more detail.

Mary Dekyi - Appeal
Enforcement Analyst Signature

**CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT**

Location: Airport/Other: Stay coach PSC/TCP/TNC: None Investigator: _____ Date: 4/25/24
(Circle one)

Prime Carrier: GRAYLINE ARIZONA Phone#: _____
Address: _____ City: _____ Zip: _____

Driver: _____ CDL#: _____ State: _____ Class: _____

Address: _____

Phone: _____ Years w/company: 8 Prime Carrier: _____

Relationship with Carrier: Owner/ Employee/ Sub-carrier/ Other: _____
(Circle one)

Comments: _____

License Plate #: _____ VIN #: _____ Registration Exp.: _____ Seats: _____

Registered Owner: _____ Leased/Owned _____
(Circle one)

Address: _____
City: _____ Zip: _____ Phone: _____

Violation(s):

- Vehicle:**
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - PSC/TCP # not on side of vehicle* *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
 - No Trade Dress
 - Front
 - Rear
 - Carrier's name not on side of vehicle*
- 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
 - Carrier Name /TCP#
 - Vehicle License Plate #
 - Time/Date Charter arranged
 - Origin/Destination
 - Name/address of persons arranging charter
- TNC OPS:**
- No Trade Dress
 - Front
 - Rear
 - Profile Non-Match
 - Lack Proof of Prearranged Ride
 - Non-State CDL
 - No Airport Permit

Violation(s): Yes, as noted above and in comments below No Violation

Law Enforcement Citation No.: _____

Comments: No operating authority in CA



Note: Failure to take corrective action including imposition of fines



www. [REDACTED] .com

MCI

WARNING
SEE OWNER'S MANUAL
STAY BACK 7 FT.

Now Hiring Call [REDACTED]

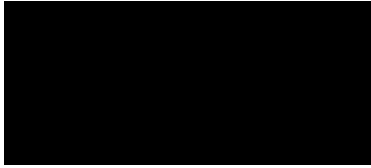
ATTACHMENT 2



**PURCHASE ORDER # STAGECOACH
2024 CITIZEN**

BILL TO

TMS



None

PO Date: Nov. 6, 2023
Payment Terms: --
Shipping Terms: --
Ship Via: --
Promise Date: Nov. 13, 2023

VENDOR

Citizen Tours



Tucson, AZ, 85714,

SHIP TO



*

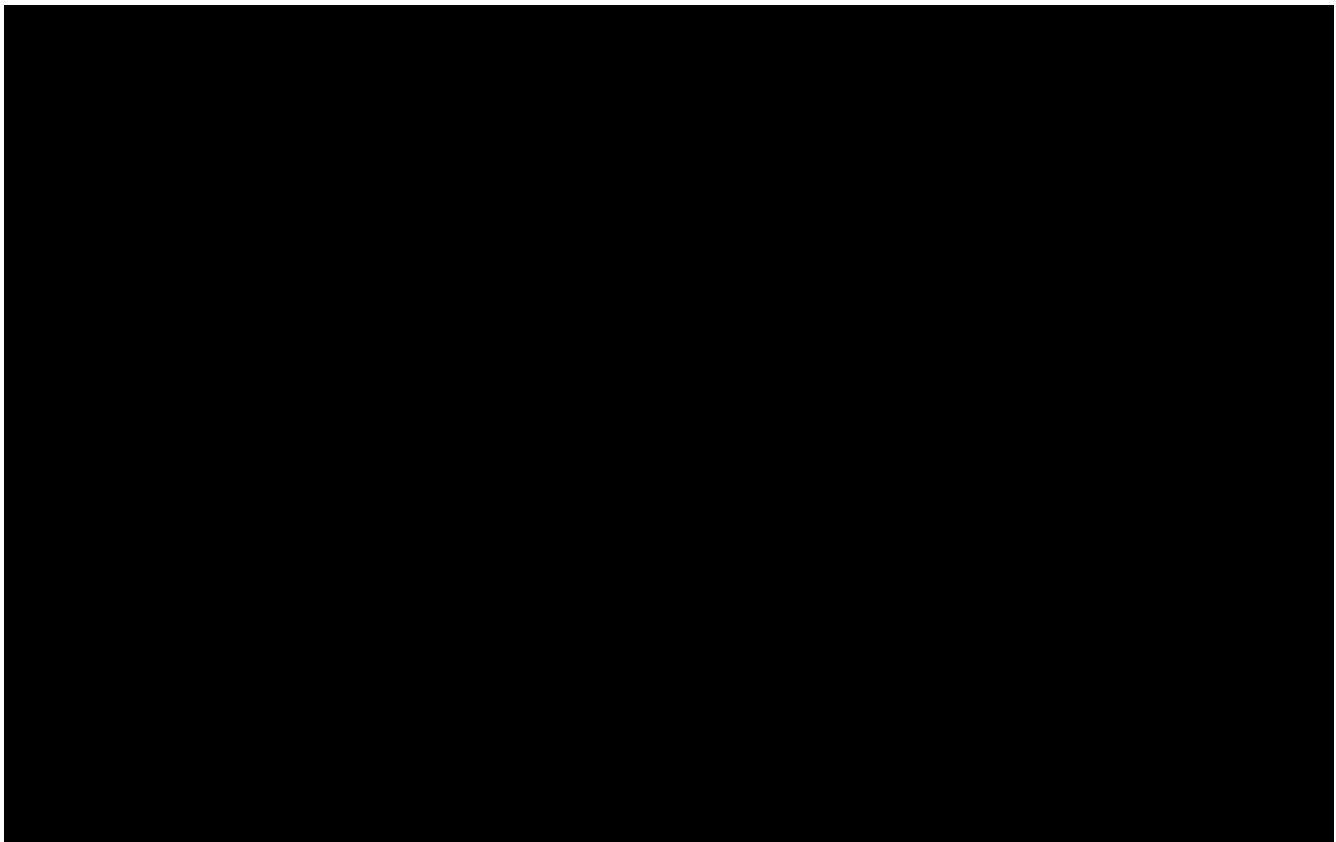
*, *, *, *

ITEM DESCRIPTION	QUANTITY	UNIT	PRICE (USD)	TOTAL PRICE (USD)
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1.

2.

3.



PURCHASE ORDER # STAGECOACH 2024 CITIZEN

NOTES

Drivers were [REDACTED]

Subtotal	[REDACTED]
Discount (0%)	0.00
Shipping	0.00
Other	[REDACTED]
Tax (0%)	0.00

Total Cost	[REDACTED] USD
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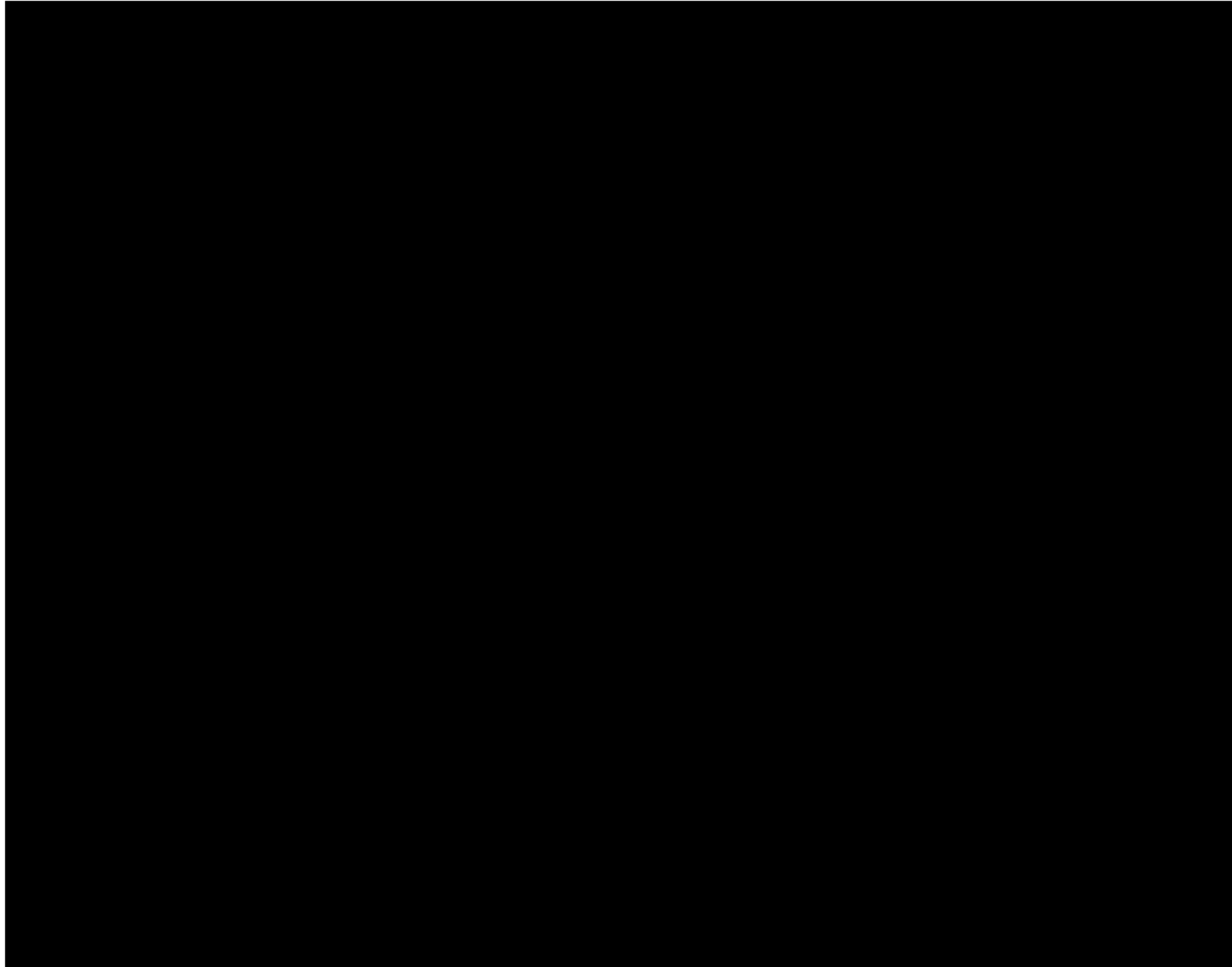
[REDACTED]



Coachella 2024 Agreement and Deposit

1 message

[REDACTED] Mon, Mar 18, 2024 at 7:00 AM

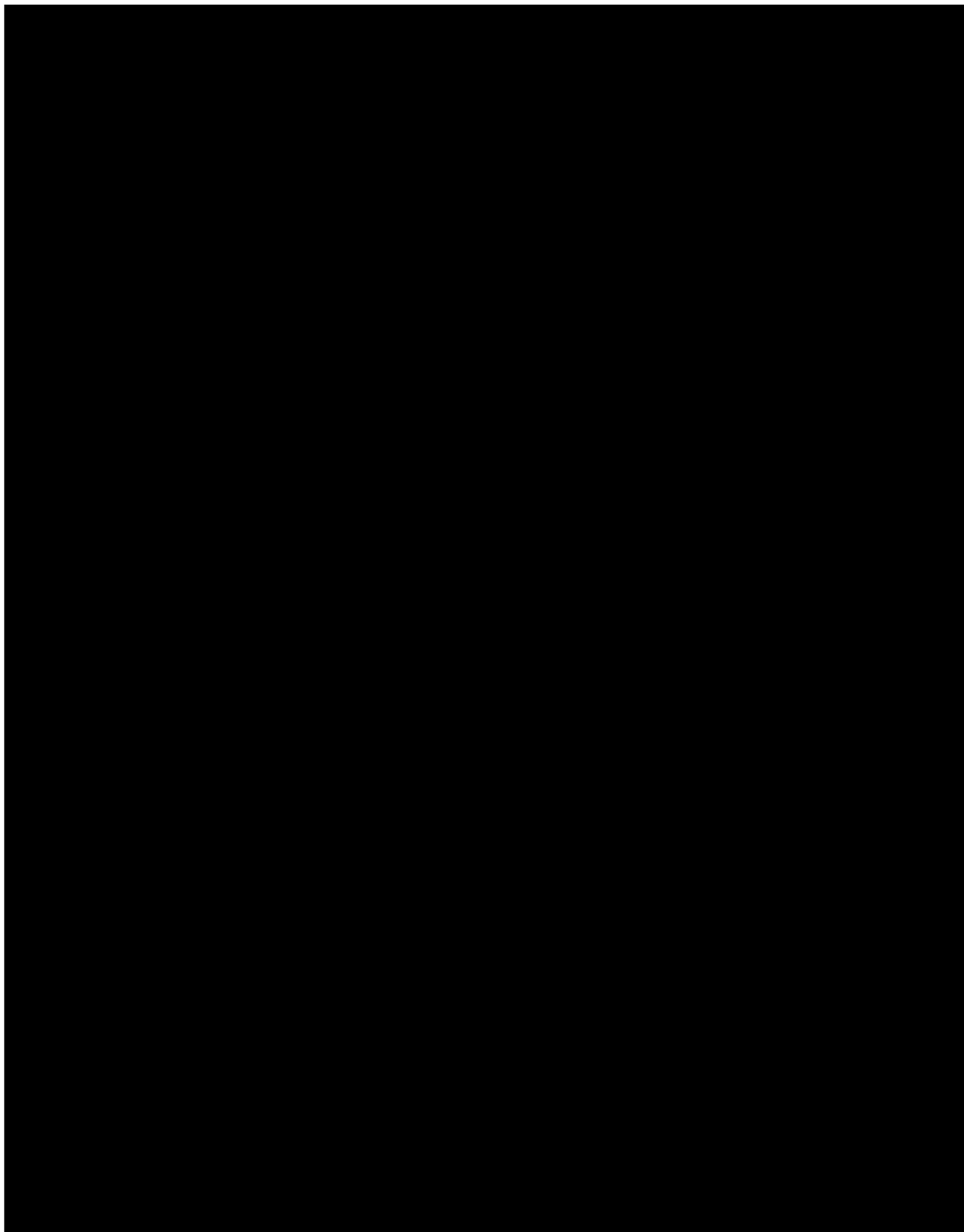


ATTACHMENT 3



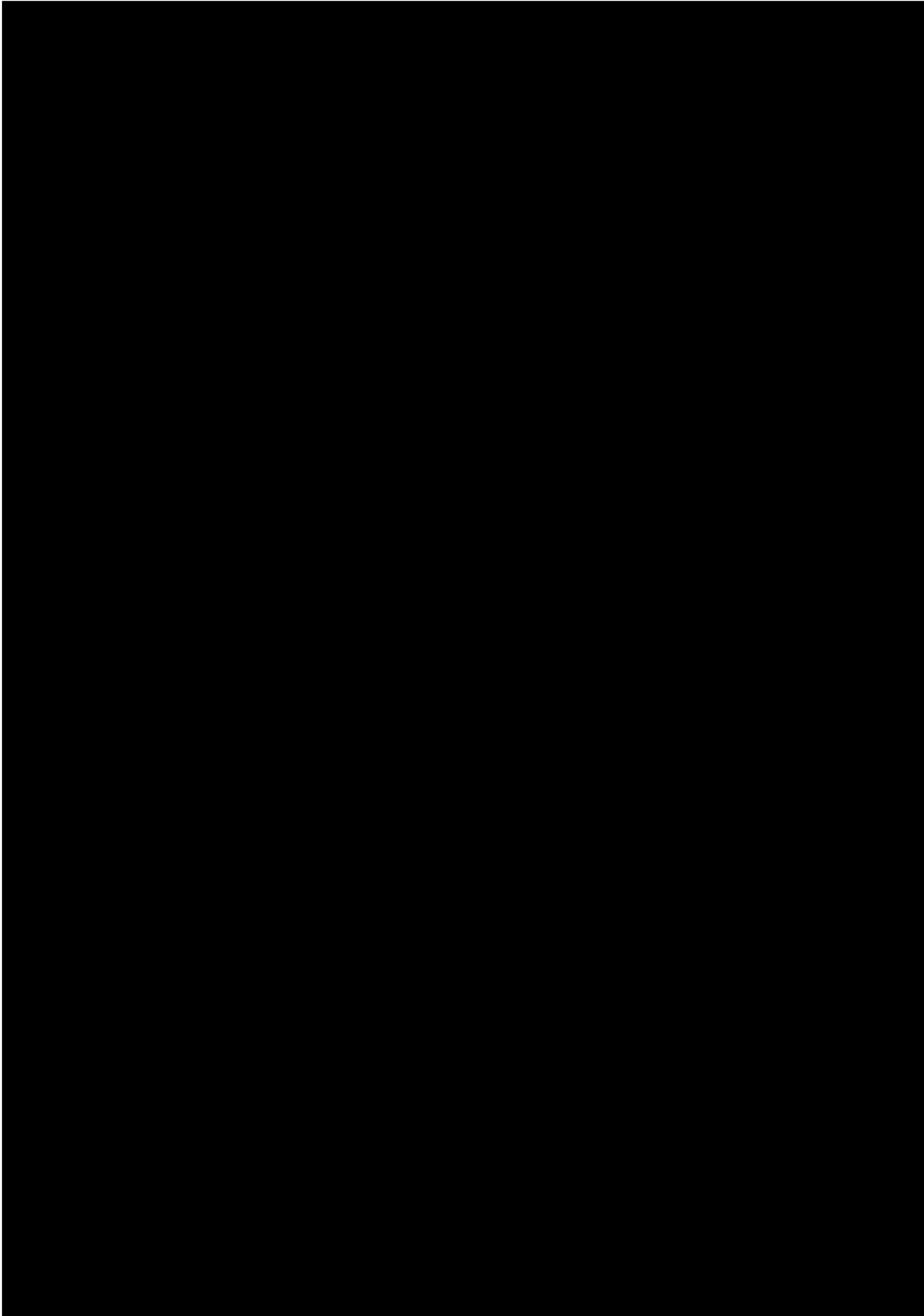
Transportation Management Services Inc.

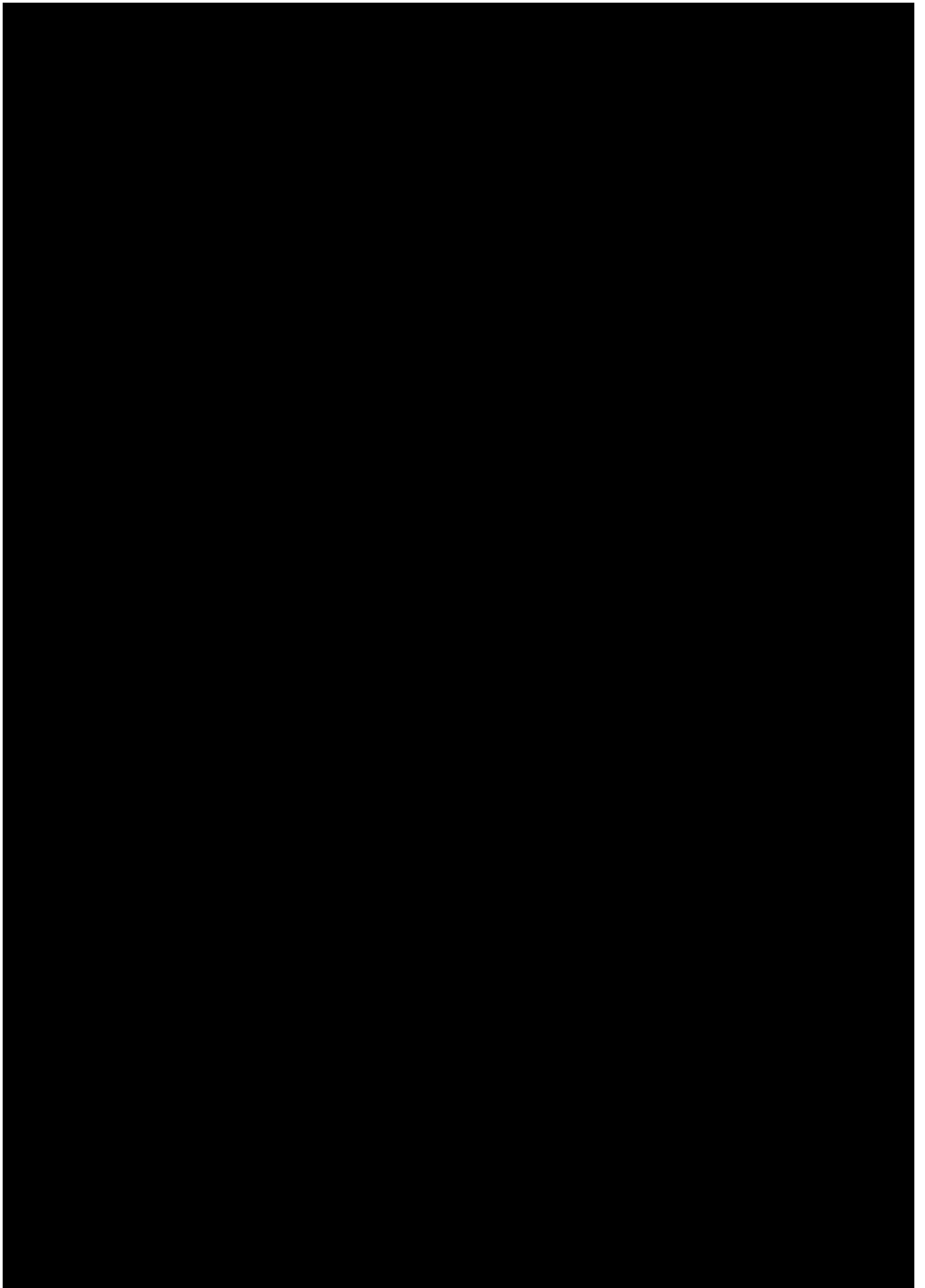
Subcontractor Agreement 2.1

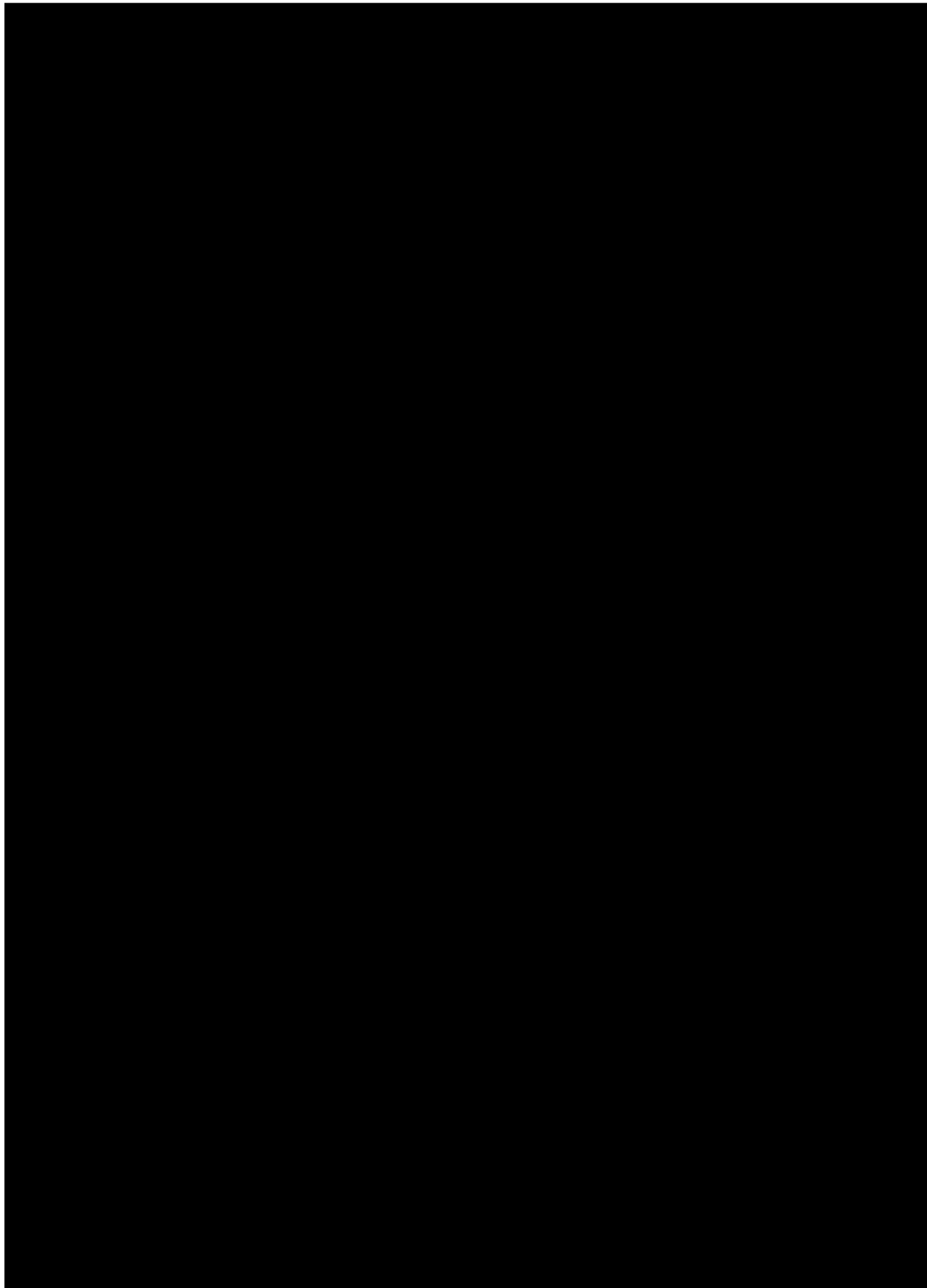


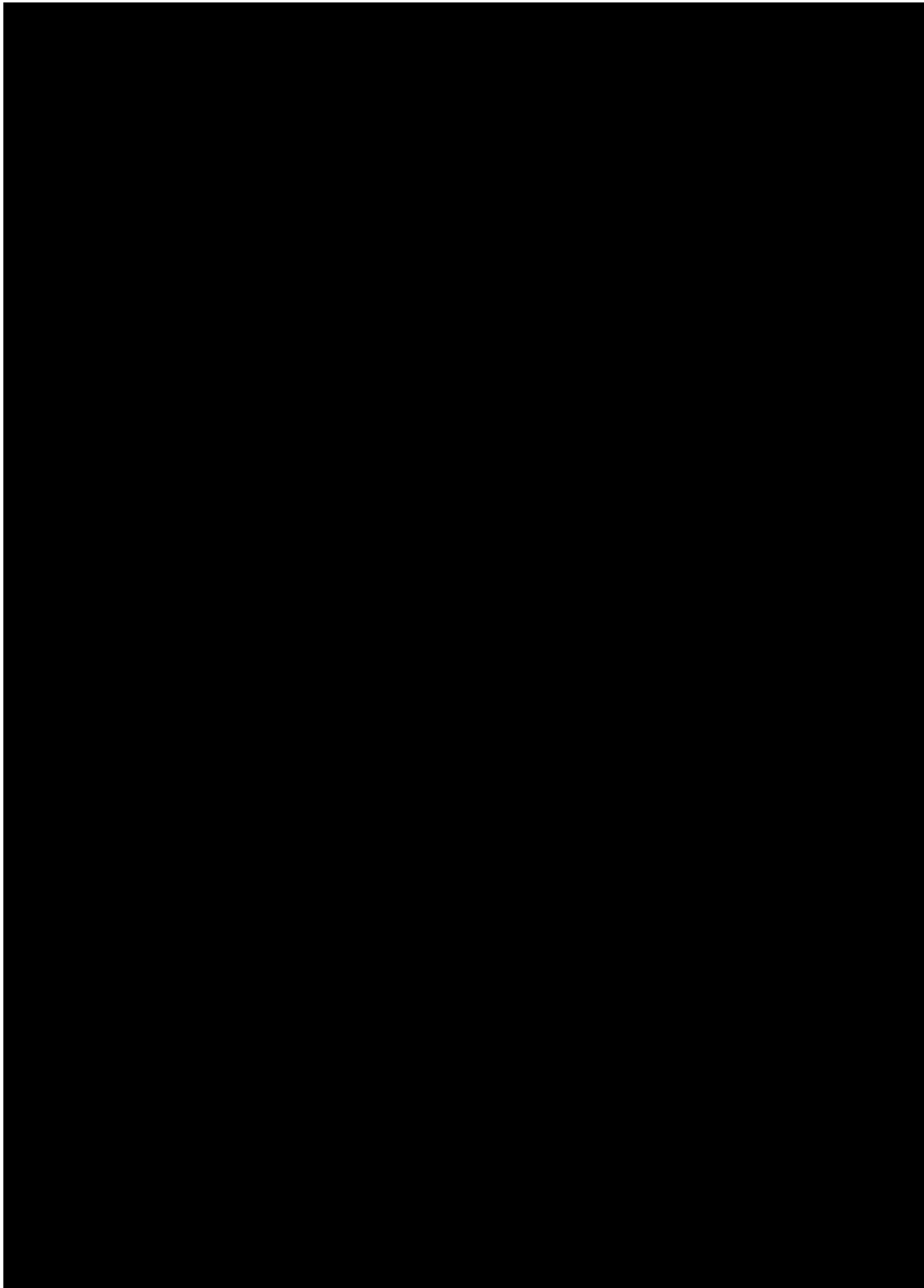
[Redacted]

[Redacted]









SUBCONTRACTOR: [REDACTED]

By: [REDACTED] [Sign]

Print Name: [REDACTED] Title: [REDACTED]

Address: [REDACTED]

GPS System Used [REDACTED]

DOT Number [REDACTED]

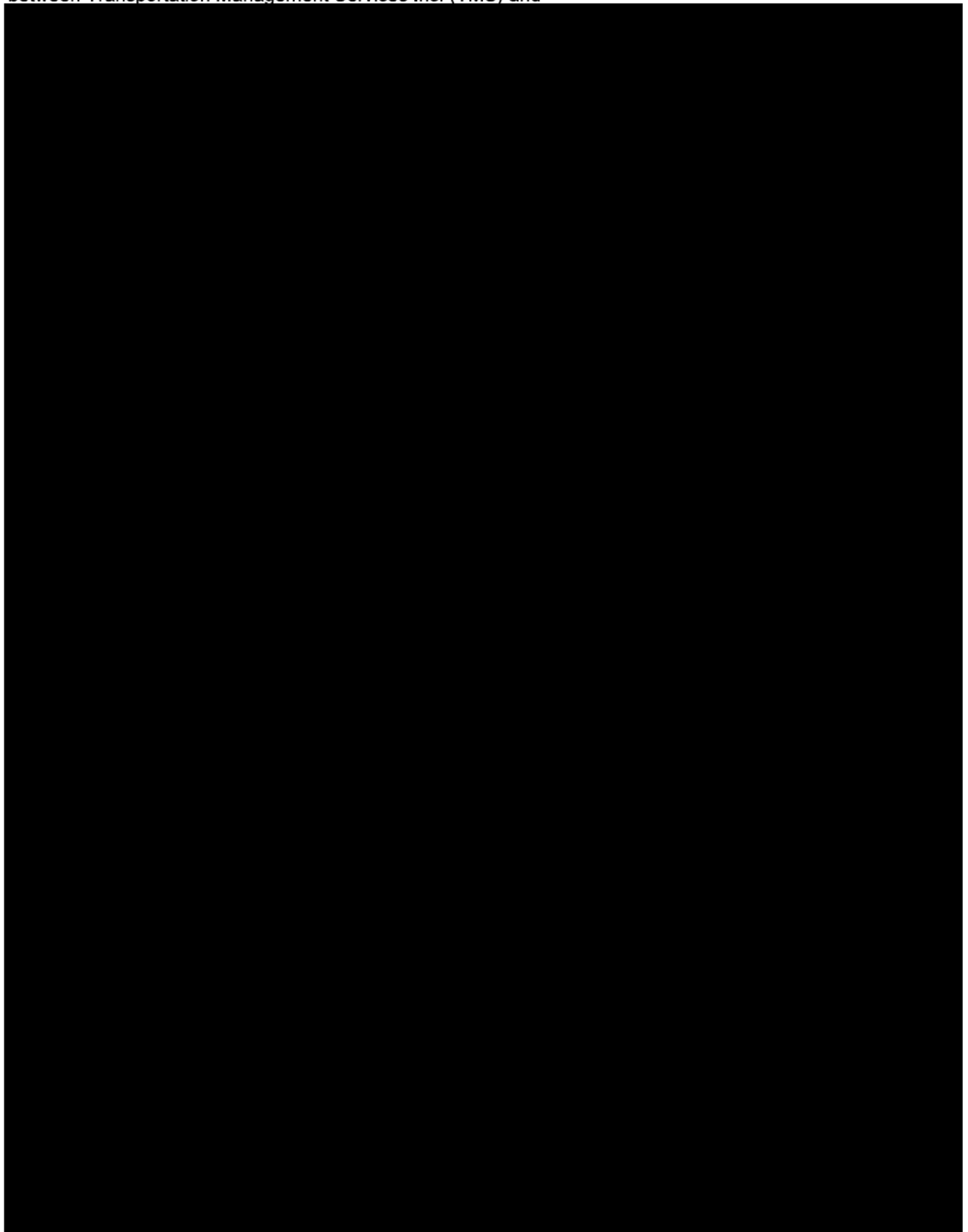
TRANSPORTATION MANAGEMENT SERVICES, INC.

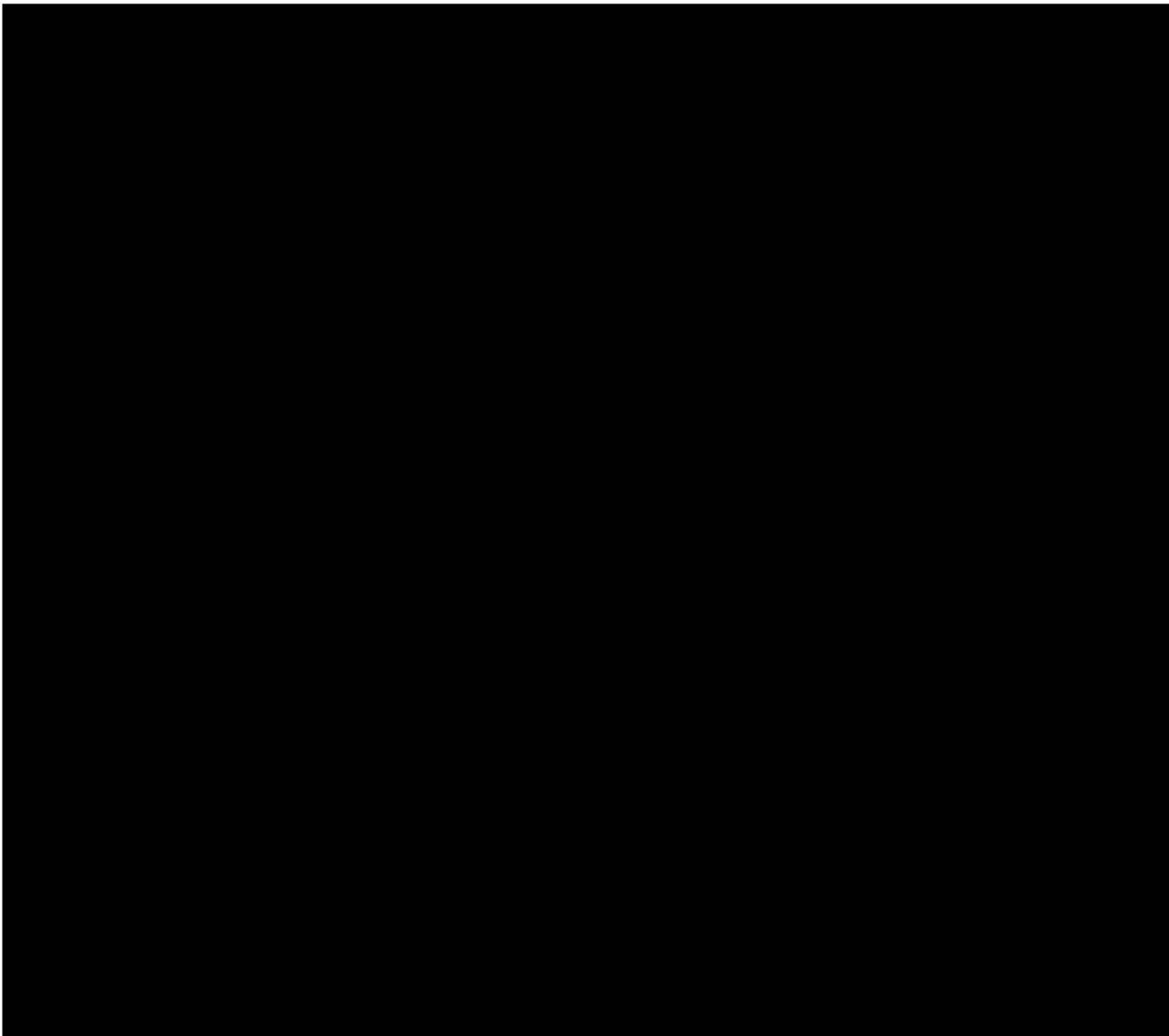
By: _____

Print Name/Title: _____

Coachella and Stagecoach Addendum 2024

Pursuant to Transportation Management Services Inc. Sub Contractor Agreement 2.1 entered into by and between Transportation Management Services Inc. (TMS) and





ACKNOWLEDGED AND AGREED TO AS OF [REDACTED]

BY: Subcontractor

Company Name: [REDACTED]

Address: [REDACTED]

By: [REDACTED] (Signature)
Print Name: [REDACTED] Title: [REDACTED]

Transportation Management Services Inc.

By: _____ (Signature)
Print Name: _____ Title: _____

DocuSign Envelope ID:

