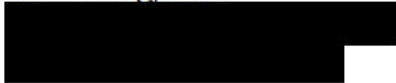




Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Everyday Holidays Inc.
Attn: Hongjie Hu



File: TCP 30805 (Active)

Date: July 28, 2023

Citation#: T.23-07-003

Case #: PSG-5912

VIOLATION

You are hereby cited with having violated Section(s) of the Public Utilities Code (PU Code) as described below. This violation occurred during the period from February 18, 2023, through July 17, 2023.

- (1) Operated as a charter-party carrier during suspension of authority, in violation of Pub. Util. Code Section 5379. [2 count].**

STATEMENT OF FACTS

The above violation is documented in the attached Investigation Report, which consists of substantiating documents.

RESPONSE

Transportation Enforcement Branch (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 August 17, 2023. 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 August 17, 2023, you will be in default and will have forfeited your right to appeal the citation. 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
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
(415) 816-5754
Rahmon.Momoh@cpuc.ca.gov

Attachments

INVESTIGATION REPORT

CARRIER: Everyday Holidays Inc.
Secretary of State Entity Number:3201761 (Active)

OWNERS: Hongjie Hu

AUTHORITY: TCP – 30805 Active

ADDRESS:



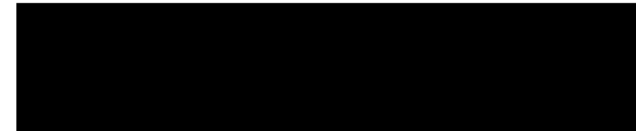
PHONE:



VEHICLE: One Bus

DRIVER: Hongjie Hu

**PL&PD
INSURANCE:**



**WORKERS'
COMPENSATION
INSURANCE:**

NA

DRUG CONSORTIUM: Clearinghouse

INTRODUCTION

On June 6, 2023, I was assigned to investigate the operations and practices of Everyday Holidays Inc. (hereinafter referred to as Everyday Holidays) because Everyday Holiday was observed operating with a suspended authority at the Coachella Joint Operation on April 20, 2023, and April 27, 2023 [**Attachment 1**].

VIOLATIONS

The investigation for the dates of April 20, 2023, and April 27, 2023, disclosed the following violations of the Public Utilities (Pub. Util.) Code and Commission's General Order (G. O.):

- **Operated as a charter-party carrier during suspension of authority, in violation of Pub. Util. Code Section 5379. [2 Counts]**

Transportation Licensing and Analysis Branch (TLAB) record shows Everyday Holidays TCP 30805 was suspended on April 15, 2023, for failure to pay their Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fee [**Attachment 2**]. During the Transportation Enforcement Branch (TEB) joint operation with California Highway Patrol (CHP) in Coachella on April 20, 2023, TEB enforcement analysts observed Everyday Holidays operating with bus [REDACTED]. Enforcement Analyst Steve Esguerra served a Cease and Desist Notice to owner Hongjie Hu for operating with a suspended authority [**Attachment 3**].

On April 27, 2023, TEB participated in the joint operation with CHP in Coachella and observed Everyday Holidays operating with bus [REDACTED] again. I served the second Cease and Desist Notice to Owner Hongjie Hu for operating with a suspended authority. [**Attachment 4**] and directed Mr. Hu to contact our license section to work on reinstating his TCP 30805.

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 July 27, 2023, in San Francisco, California.

Shirley Lei, TEB Enforcement Analyst

TABLE OF CONTENTS

List of Attachments

Attachment 1. Observation Report and CHP Examination Report

Attachment 2. TLAB record of suspension for TCP 30805

Attachment 3. Cease and Desist Notice served to Everyday Holidays on April 20, 2023

Attachment 4. Cease and Desist Notice served to Everyday Holidays on April 27, 2023

ATTACHMENT 1



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

Report Number: CAUEBH002387
Inspection Date: 04/20/2023
Start: 5:10 PM PT End: 5:40 PM PT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: EVERYDAY HOLIDAYS INC
DBA:

Driver: HU, HONGJIE

License#: [REDACTED]

State: CA

Date of Birth: [REDACTED]

CoDriver:

License#:

State:

Date of Birth:

USDOT: 2417930

Phone#: [REDACTED]

MC/MX#: 832600

Fax#: [REDACTED]

State#:

Location: 81455 AVE 50, INDIO, CA

Milepost:

Shipper: N/A

Highway: AVE 50

Origin: EL MONTE, CA

Bill of Lading: N/A

County: RIVERSIDE

Destination: INDIO, CA

Cargo: EMPTY

Email: [REDACTED]

VEHICLE IDENTIFICATION

Unit Type Make Year State Plate Equipment ID VIN GVWR CVSA Existing CVSA #

1 [REDACTED]

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

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
1269(b)(3) T-13	S	1	N		N	N	Emergency exit window operating instructions required--392.2: R/S WINDOW MISSING INSTRUCTIONS.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

State Information:

Odometer: 578948; PUC: 0030805-A; Fuel Type: D; Passenger Capacity: 57; Beat/Sub Area: 859; Special Project Code: 467; Regulated Vehicle: Y; Pre-Cleared Vehicle: N; Veh #1 Type: 10

Co-Inspector(s):

Diaz (A12597)

Notes: TCP- SUSPENDED (0030805-A)

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.

Report Prepared By: J. Barron
ID/Badge #: 18557

Copy Received By: HONGJIE HU

X

X



02417930 CA CAUEBH002387

**CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT**

Date: 9/20/23

Location: Airport/Other: Coachella (PSC/TCP/TNC): 30805 Investigator: Ronald Truss
(Circle one)

Prime Carrier: Every Day Holidays Inc. Phone#: _____
Address: _____ City: _____ Zip: _____

Driver: Hongjie H CDL#: _____ State: CA Class: A
Address: _____ City: _____ Zip: _____

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

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

Comments: _____

License Plate #: _____ VIN #: _____^S Registration Exp.: 5/27/25 Seats: 57

Registered Owner: _____ Leased/Owned
(Circle one)

Address: _____

City: _____ Zip: _____ Phone: _____

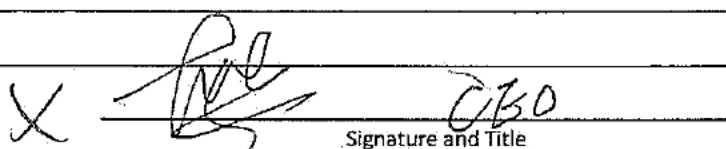
Violation(s):

- Vehicle:**
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - No Trade Dress
 - Front
 - Rear
 - PSC/TCP # not on side of vehicle*
 - Carrier's name not on side of vehicle*
- *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
- Waybill:**
- No waybill
 - Carrier Name /TCP#
 - Vehicle License Plate #
 - Driver's Name
 - Time/Date Charter arranged
 - Origin/Destination
 - No. of person in group
 - Name/address of persons arranging charter
 - 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 side of bus
 - 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: _____


Signature and Title

Note: Failure to take corrective action may result in enforcement action including imposition of fines



California Highway Patrol
3524 W. Interstate 8
Winterhaven, CA 92283
Phone: (760) 572-0781
Internationally Accredited Agency CHP407F/343A

Report Number: CAUG3J000365
Inspection Date: 04/27/2023
Start: 6:50 PM PT End: 7:10 PM PT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: EVERYDAY HOLIDAYS INC
DBA:

Driver: HU, HONGJIE

State: CA

License#: [REDACTED]

Date of Birth: [REDACTED]

CoDriver:

License#:

State:

Date of Birth:

USDOT: 2417930

Phone#:

MC/MX#: 832600

Fax#:

State#:

Location: EMPIRE POLO CLUB

Milepost:

Shipper: N/A

Highway: 81455 AVE 50, INDIO, CA

Origin: EL MONTE, CA

Bill of Lading: N/A

County: RIVERSIDE

Destination: INDIO, CA

Cargo: EMPTY

Email: [REDACTED]

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA Existing	CVSA #
1										

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

VIOLATIONS: No violations were discovered

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

State Information:

Odometer: 580245; Fuel Type: D; Passenger Capacity: 57; Bus Type: 1; Beat/Sub Area: 859; Special Project Code: 467;
Regulated Vehicle: Y; Pre-Cleared Vehicle: N; Veh #1 Type: 10

Notes: TCP - ACTIVE CEASE AND DESIST, RE-ISSUED
1 BUS AT THE EVENT

Report Prepared By:
K. Harrison

Unit #:
601

ID/Badge #:
20863

Copy Received By:
HONGJIE HU

X

X



02417930 CA CAUG3J000365

CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT

Date: 4/27/33

Location: Airport/Other Cocachella PSC/TCP# 30805 Investigator: SLG
(circle one)

Carrier: Everyday Holidays Inc Phone: _____

Address: _____ City: _____ Zip: _____

Driver: Hongjie Hu CDL#: _____ CDL Class: A

Address: _____ City: _____ Zip: _____

Phone: _____ Relationship with Carrier: Owner Employee Sub-carrier

Years w/company: _____ Other _____

Prime carrier: _____

Comments: _____

License Plate #: _____ VIN #: _____ Seats: 57 Limo Van Bus

Registered Owner: Hongjie Hu Leased Owned

Address: _____

City: _____ Zip: _____ Phone: _____

Violation(s):

- Vehicle Markings TCP # not shown on rear bumper TCP # not shown on front bumper
 No Decal or Temp. Decal Letter No Livery Plate or Temp. Livery Plate Letter
 PSC/TCP # not on side of vehicle * Carrier's name not on side of vehicle *

*exempt for vehicles < 15 passengers incl. driver or leased < 30 days

- Waybill: No waybill Carrier Name /TCP # Vehicle License Plate #
 Driver's name Time/Date Charter arranged Origin/Destination
 No. of person in the group Name/address of person arranging charter
 Transportation arranged by phone or written contract
 Name of at least 1 passenger in traveling party or identification of traveling party's affiliation

- Other: Vehicle not listed with PUC License plate on decal does not match vehicle

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

CHP/Airport Citation No.: _____

Comments: Operated with a suspended permit. TCP 30805

Signature and Title

Note: Failure to take corrective action may result in enforcement action including imposition of fines

*** IF DRIVER IS NOT RESPONSIBLE, GIVE NOTICE TO RESPONSIBLE OWNER ***

ATTACHMENT 2

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: EVERYDAY HOLIDAYS INC

PSG0030805

ATTN: EVERYDAY HOLIDAYS INC
[REDACTED]

TCP CLASS A CERTIFICATE

CPUC Order of Suspension

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter is suspended effective **April 15, 2023**.

Failure to pay quarterly fees (PUCTRA) Q4 2022

Unless the suspension was requested voluntarily, if the reason(s) for the suspension are not resolved within 90 days, on **July 14, 2023**, the operating authority will be revoked. Voluntary suspensions may stay in effect without becoming revoked until the operating authority expires.

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 adequate insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Apr 15, 2023

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

ATTACHMENT 3



NOTICE TO CEASE AND DESIST

Date: 4-20-23
Carrier: Every day Holidays Inc
TCP number, if any 30805 Operating Status: Suspended

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/REVOCATION/EXPIRATION/DENIAL OF AUTHORITY

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

ADVERTISEMENT WITHOUT AUTHORITY

Public Utilities Code Section 5414.5 (TCP)/ Section 1037 (PSC) - Circle One

X Signature [Signature] TITLE CFO

*****IF DRIVER IS NOT RESPONSIBLE, DRIVER IS TO GIVE NOTICE TO RESPONSIBLE OWNER*****

COMMENTS: _____

See attached Inspection Observation Report Form for more detail.

[Signature] (SEI)
Enforcement Analyst Signature

ATTACHMENT 4



NOTICE TO CEASE AND DESIST

Date: 4-27-23
Carrier: Everyday Holidays Inc.
TCP number, if any 30805 Operating Status: Suspended

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.

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OPERATION WITHOUT AUTHORITY

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

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

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

ADVERTISEMENT WITHOUT AUTHORITY

Public Utilities Code Section 5414.5 (TCP)/ Section 1037 (PSC).- Circle One

Signature _____ TITLE _____

*****IF DRIVER IS NOT RESPONSIBLE, DRIVER IS TO GIVE NOTICE TO RESPONSIBLE OWNER*****

COMMENTS: _____

See attached Inspection Observation Report Form for more detail.

Enforcement Analyst Signature