



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Jesus Perez Mendez dba Independent Driver

File: Unlicensed

ATTN: Jesus Perez Mendez

Date: May 24, 2024

[REDACTED]

Citation #: T.24-05-009

[REDACTED]

Case #: CSE-000014

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. This violation occurred on October 15, 2023.

- (1) Advertising illegally in violation of P.U. Code Section 5414.5 [**1 count**]

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 June 10, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$1,000 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 June 10, 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
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number: (415) 703-1725
E-mail address Rahmon.Momoh@cpuc.ca.gov

File No.: Unlicensed
Citation #: T.24-05-009
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CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated May 24, 2024, and herewith pay the fine of \$1,000.

Independent Driver
Jesus Perez Mendez



(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: Jesus Perez dba Independent Driver

OFFICERS: Jesus Perez, Owner

AUTHORITY: TCP-44955(Inactive)

MAILING ADDRESS: [REDACTED]

PHONE/EMAIL: (213) 245-9058 [REDACTED]

VEHICLES: 1 vehicle

EMPLOYEE-DRIVERS: Unknown

PL&PD Unknown

INSURANCE

WORKERS' Unknown

COMPENSATION

INSURANCE:

DRUG

CONSORTIUM: Unknown

REVENUE: Unknown

INTRODUCTION

On November 17, 2023, I was assigned to investigate the operations and practices of Jesus Perez Mendez, doing business as (dba) Independent Driver, because the carrier was observed advertising at Ports America in San Pedro on October 15, 2023.

VIOLATIONS

I investigated Jesus Perez Mendez, dba Independent Driver, and found violations of the following provisions of the Public Utilities (Pub. Util.) Code and Commission General Orders (G.O.):

- **Jesus Perez Mendez, dba Independent Driver, was advertising illegally in violation of Pub. Util. Code Section 5415.4 [1 count].**

Senior Enforcement Analyst Shirley Lei and I observed Mr. Mendez advertising illegally at Ports America during a joint operation with the Los Angeles Department of Transportation. Mr. Mendez handed us a business card advertising transportation service to all airports and Disneyland **[Attachment 1]**. Subsequently, Ms. Lei served Mr. Mendez a Cease-and-Desist (C&D) **[Attachment 2]**.

Mr. Mendez called me on October 16, 2023, asking for information about becoming a legal carrier. I emailed him at [REDACTED] and provided application information **[Attachment 3]**. I called Mr. Mendez on January 3, 2024, at (213) 245-9058 to check on the status of his application. Mr. Mendez asked me to resend the information, so I drafted an email and sent him all the requested information again **[Attachment 4]**. On January 11th, I spoke to Mr. Mendez, who stated he scheduled an appointment at the California Public Utilities Los Angeles office on January 16th to get help obtaining a permit. He also mentioned receiving a ticket from an officer because he was soliciting rides at the Ports and had a hearing in May. I sent a follow-up email recapping the phone conversation again **[Attachment 5]** on January 11, 2024. I called the carrier again on February 12, 2024, and left him a voicemail. I then sent a follow-up email and gave him a deadline to pay the \$1,000 fee to finish his application by March 15, 2024 **[Attachment 6]**.

DECLARATION

I have read the foregoing and know the contents thereof and 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 May 23, 2024, in San Francisco, California

Destiny Graham

Destiny Graham, PURA II

List of Attachments

- Attachment 1. Jesus Perez Mendez's Business Card
- Attachment 2. Served cease-and-desist in the field on October 15, 2023
- Attachment 3. First Follow-up email on October 16, 2023
- Attachment 4. Second Follow-up email on January 3, 2024
- Attachment 5. Third Follow-up email on January 11, 2024
- Attachment 6. Fourth Follow-up email on February 12, 2024

INDEPENDENT

DRIVER

SERVICE
24/7
ALL YEAR

Private Rides To All Airports

Disneyland LAX

zelle

(213) 245-9058

NOTICE TO CEASE AND DESIST

Date: 10/15/23
Carrier: Independent Contractor (CSBN478)
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/REVOCATION/EXPIRATION/DENIAL OF AUTHORITY
Public Utilities Code Section 5379 (TCP)/Section 1045 (PSC) - **Circle One**

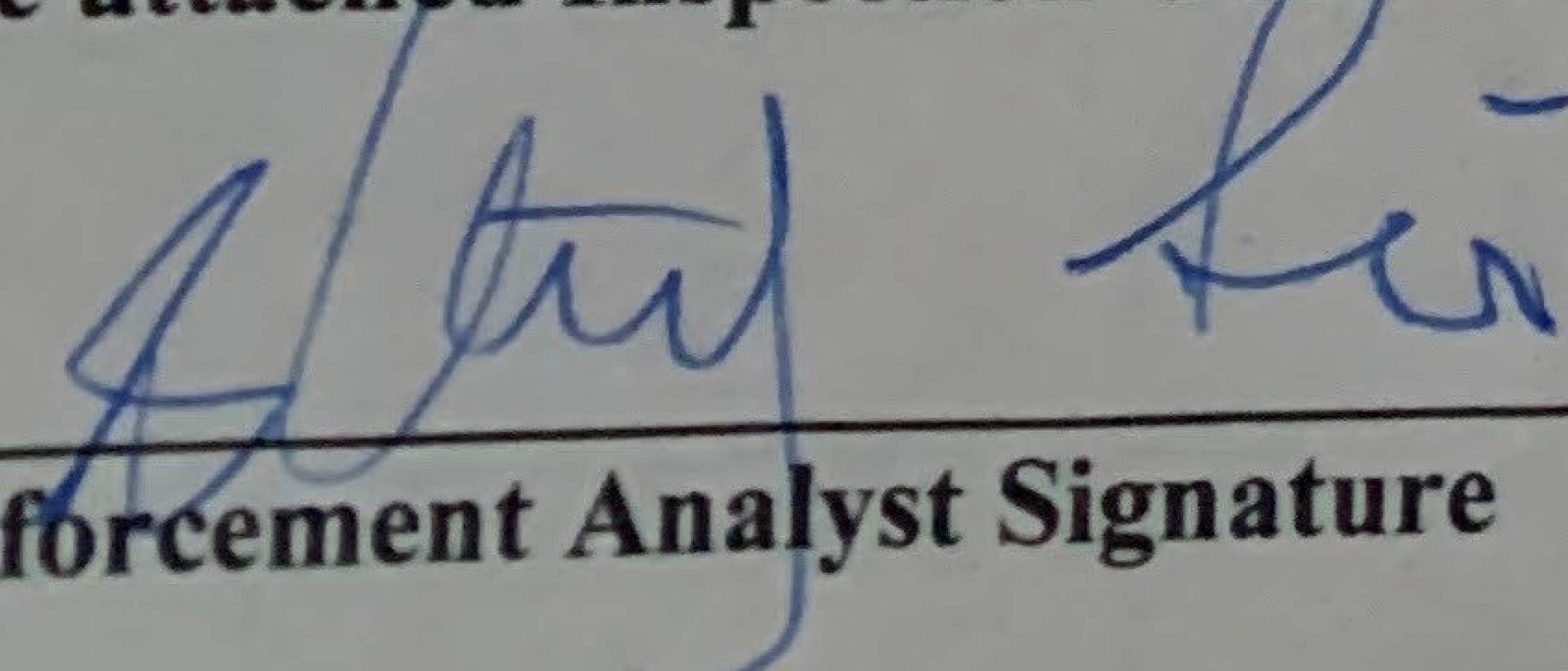
ADVERTISMENT WITHOUT AUTHORITY
Public Utilities Code Section 5414.5 (TCP)/ Section 1037 (PSC) - **Circle One**

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

Requirements for Providing Services



Graham, Destiny

To ●

You forwarded this message on 1/3/2024 1:37 PM.



Reply



Reply All



Forward



Mon 10/16/2023 2:25 PM

Hi Jesus,

Thank you for speaking with me a few moments ago. I will list all the information you need to get the process started, to allow you to provide services as your own independent company.

Here is some information to help you to apply for a permit and start the process.

[Charter Party Carriers](#)

[Licensing Requirements for Charter-Party Carriers](#)

[Welcome to TCP Portal \(ca.gov\)](#) (Click New Account to Start applying)

If you have any further questions about the application or process, please reach out to: licensing@cpuc.ca.gov.

Here is also the LA office information:

320 West 4th Street, Suite 500

Los Angeles, CA 90013

Phone: 213-576-7000

Phone (toll-free): 800-848-5580

Fax: 213-576-7007

FW: Requirements for Providing Services



Graham, Destiny

To ● |



Reply



Reply All



Forward



Wed 1/3/2024 1:38 PM

Hi Jesus,

Per our conversation a few moments ago, below you will see the information to help with the application process.

If you have specific questions about your application/permit please use this email: licensing@cpuc.ca.gov. If you have any other questions please don't hesitate to email me or call me at 628.217.1952.

I also understand you would like to speak to someone in person, I highly recommend emailing our licensing department (email above) before coming in, as a lot of us are working remotely.

The address to our LA office is below:

320 West 4th Street, Suite 500
Los Angeles, CA 90013

Phone: 213-576-7000

Phone (toll-free): 800-848-5580

Fax: 213-576-7007

Thanks!

Destiny R. Graham

Public Utilities Regulatory Analyst II

California Public Utilities Commission

Consumer Protection and Enforcement Division

1/11 Call Recap



Graham, Destiny

To ● |



Reply



Reply All



Forward



Thu 1/11/2024 3:43 PM

Hi Jesus,

Thank you for speaking with me a few moments ago. Just to recap our call, you have an appointment at our LA office on Tuesday (1/16), to discuss getting a permit. Please let me know how the appointment goes. You can reference your pending/inactive TCP number if they need it

I understand that you received a ticket from an officer at the Ports recently, but please remember while you are in the process of getting your permit you *cannot* solicit rides or advertise your business. You are able to continue to drive for Uber and Lyft for the time being, just make sure that your app is active when driving around looking for passengers.

Lastly, please feel free to email our licensing section (licensing@cpuc.ca.gov) before your appointment on Tuesday and cc me in the email.

If you have any questions please call me at 628.217.1952 or email me.

Thank you!

Destiny R. Graham

Public Utilities Regulatory Analyst II

California Public Utilities Commission

Consumer Protection and Enforcement Division

Transportation Enforcement Branch/Field Enforcement Unit

Cell (628) 217-1952

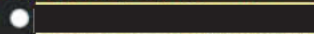
Email: Destiny.Graham@cpuc.ca.gov

TCP Permit Deadline March 15, 2024



Graham, Destiny

To



Reply



Reply All



Forward



Mon 2/12/2024 1:16 PM



You forwarded this message on 3/20/2024 1:06 PM.

This message was sent with High importance.

Hi Jesus,

I recently left you a voicemail. I wanted to discuss the appointment you had at our LA office last month and the status of your TCP permit. I know that you started the application, but please at the very least pay the \$1,000 fee by **March 15, 2024**. If you need more time, please let me know no later than **March 12, 2024**, and we can discuss a date, that's reasonable, that will work.

Thank you!

Destiny R. Graham

Public Utilities Regulatory Analyst II

California Public Utilities Commission

Consumer Protection and Enforcement Division

Transportation Enforcement Branch/Field Enforcement Unit

Cell (628) 217-1952

Email: Destiny.Graham@cpuc.ca.gov