



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Star-Dust Tours, Inc
Attn: Frank Gonzale

File: TCP 28569-B

Date: December 4, 2024

Citation #: T.24-12-001

Case #: CSE-000175

VIOLATION

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 9, 2024, through November 1, 2024.

- (1) Operated without valid authority in violation of Public Utilities Code Section 5379 [1 count].
- (2) Operated without enrolling a driver in their Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) Program account in violation of Public Utilities Code Section 5374 (a)(1)(D) and General Order 157-E, Part 5.02 [1 count].

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 December 24, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$2,000.00 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 December 24, 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.: TCP 28569-B

Citation #: T.24.12-001

Date: December 4, 2024

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CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated December 4, 2024, and herewith pay the fine of \$2,000.00.

Frank J. Gonzales
Star-Dust Tours, Inc.
dba The Bus
Montebello, CA

(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: Star-Dust Tours, Inc. dba The Bus

OFFICERS: Frank J. Gonzalez, Owner

AUTHORITY: 28569-B (Active)

MAILING ADDRESS: [REDACTED]

PHONE/EMAIL: [REDACTED]

VEHICLES: 10

DRIVERS: 10

PL&PD INSURANCE: [REDACTED]
Effective Date: 11/29/2022

WORKERS' COMPENSATION INSURANCE: [REDACTED]
Effective Date: 1/1/2023

DRUG CONSORTIUM: Unknown

REVENUE:	<u>Year</u>	<u>Revenue</u>
	[REDACTED]	[REDACTED]

INTRODUCTION

On June 18, 2024, Enforcement Analyst Pamela Wu was assigned to investigate Star-Dust Tours, Inc. (hereinafter referred to as Star-Dust Tours) because Star-Dust Tours was observed operating with an expired authority at the Disneyland Toy Story parking lot on June 9, 2024 [Attachment 1].

VIOLATIONS

The investigation from June 9, 2024, through November 1, 2024, disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code and Commission General Orders (GO):

- **Operated as a charter-party carrier without valid authority in violation of the Public Utilities Code section 5379 [1 count].**

The Transportation Licensing and Analysis Branch's (TLAB) records showed that Star-Dust Tours' operating authority permit expired on May 28, 2024 [Attachment 2]. Employee driver [REDACTED] was operating a vehicle with license plate number [REDACTED] on June 9, 2024, at the Disneyland Toy Story Parking lot. Enforcement Analyst Mary Sekyi-Appiah served the Inspection Observation Report to [REDACTED], who acknowledged and signed it.

On October 11, 2024, Enforcement Analyst Pamela Wu sent a data request to Frank Gonzalez, owner of Star-Dust Tours, via email at [REDACTED], requesting a copy of the waybill for June 9, 2024 [Attachment 3]. After reviewing the requested records, Enforcement Analyst Pamela Wu confirmed that Star-Dust Tours operated with an expired operating authority permit. The waybill reflects that the employee driver, [REDACTED], picked up a Grad Night group at [REDACTED] [REDACTED] with a Yard Time of 8:30 AM, Spot Time of 9:30 AM, and End Time of 3:00 AM on June 9, 2024 [Attachment 4].

- **Operated without enrolling a driver in their Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) Program account in violation of Public Utilities Code Section 5374 (a)(1)(D) and General Order 157-E, Part 5.02 [1 count].**

Star-Dust Tour's employee driver, [REDACTED], was observed operating at the Disneyland Parking Lot on June 9, 2024. Enforcement Analyst Pamela Wu looked up the carrier's requester code, [REDACTED], in the Department of Motor Vehicle Employer Pull Notice (DMV EPN) program, and the employee driver, [REDACTED], was not enrolled in the program [Attachment 5].

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 December , 2024, in San Francisco, California

Shirley Lei
Shirley Lei, TEB Senior Enforcement Analyst

List of Attachments

Attachment 1	CHP Inspection Report (June 9, 2024) & CPUC Inspection Observation Report (June 9, 2024)
Attachment 2	Notice of Expiration of Operating Authority (May 28, 2024)
Attachment 3	Data Request (October 11, 2024)
Attachment 4	Copy of waybill (June 9, 2024)
Attachment 5	Star-Dust Tours EPN (Requester code BN140)

ATTACHMENT 1

CHP Inspection Report

S/W
CHP407F/343A-InSPECT

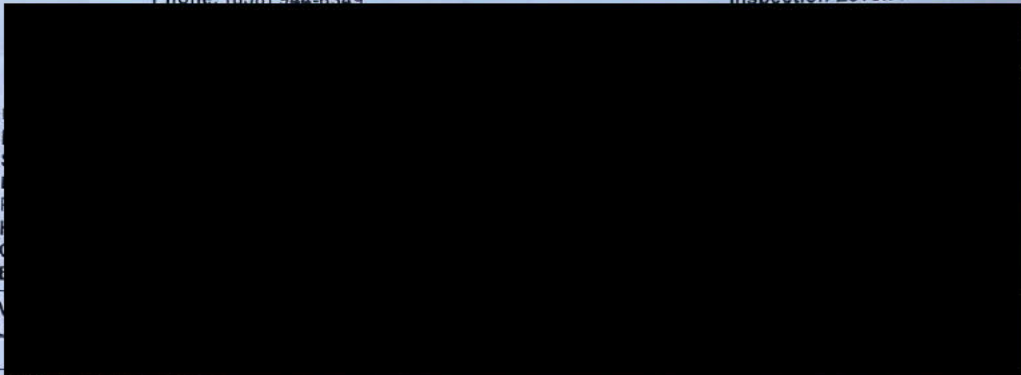
DRIVER/VEHICLE EXAMINATION REPORT

Inspect 1.127.8571



California Highway Patrol
9330 Farnham Street
San Diego, CA 92123
Phone: (858) 944-6349

Report Number: CAUDKE002863
Inspection Date: 06/09/2024
Start: 11:28 AM PT End: 12:33 PM PT
Inspection Level: I - Full



BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	2 1/2	2	1
Left	1 1/2	1 1/2	1
Chamber	C-24	C-30	C-20



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.

VIOLATIONS

Section	Type	Unit	OOS	Citation.#	Verify	Crash	Violations Discovered
1239 T-13 CCR/284	S	1	Y	MB42716	U	N	Tire flat or has a noticeable leak that can be felt or heard or has 50% or less of maximum inflation pressure marked on sidewall of tire OOS violation--393.75A3-- : X2, LEFT INNER TIRE 10 PSI OUT OF 130 PSI
27900(a) CVC	S	1	N	MB42716	N	N	Carrier name or trademark is not displayed on both sides of vehicle--390.21TA-- Specify: CARRIER NAME MISSING FROM BOTH SIDES OF VEH
34500.7(a) CVC/084 393.53B	S	1	N		N	N	Clamp or Roto type brake is out of adjustment--393.47E--Refer to chart: V1 X1 R/ brake is out of adjustment.
34500.7(a) CVC/091	F	1	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
1239 T-13 CCR/055	S	1	Y		U	N	Brake has a missing or broken shoe, pad, caliper or other component-If OOS use 1239 T-13 CCR--393.48A-BMBC--Specify: V1 X2 R/ clevis pin (push rod to slack adjuster) is missing
1239 T-13 CCR/255	S	1	Y		U	N	Brakes out of Service: The number of defective brakes is equal to or greater than 20% of the service brakes on the vehicle(s) OOS violation--396.3A1BOS-- Specify: See brake violations.
	S	1	Y		U	N	Suspension, U-bolt or other spring to axle clamp bolt is cracked, broken, loose or missing OOS violation--393.207A--Specify: V1 X2 L/ suspension bar below air bag is cracked all over bottom flange.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:

Alcohol/Controlled Substance Check
Conducted by Local Jurisdiction
X Size and Weight Enforcement
eScreen Inspection

Traffic Enforcement
PASA Conducted Inspection
Drug Interdiction Search
X Border Enforcement Inspection-
Domestic

Post Crash Inspection
PBTT Inspection



CPUC Inspection Observation Report

Date: 6/9/04

**CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT**

Investigator: _____

Location: [REDACTED]

Prime Address: [REDACTED]

Driver Address: [REDACTED]

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

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

Comments: [REDACTED]

License Plate #: [REDACTED] 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#
- Time/Date Charter arranged
- Name/address of persons arranging charter
- Vehicle License Plate #
- Origin/Destination

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.: EXPIRED

Comments: No TCP / carrier name on Bus.
EXPIRED TCP, vehicle not listed

[REDACTED]

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

ATTACHMENT 2

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: THE BUS

PSG0028569

ATTN:STAR-DUST TOURS INCORPORATED

[REDACTED]

[REDACTED]

Notice of Expiration of Operating Authority

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter expired effective **May 28, 2024**.

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)

Such unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code.

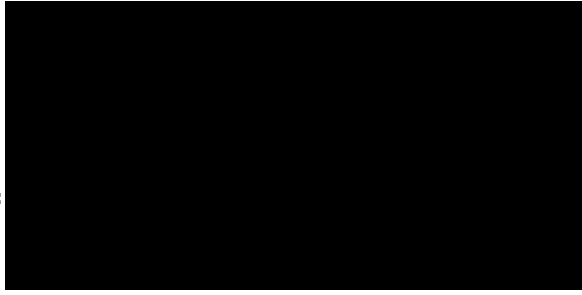
Date: May 28, 2024

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

ATTACHMENT 3

From:
To:
Subject:
Date:
Attachments:



Good afternoon, Frank Gonzalez:

I've been assigned to follow up on Star-Dust Tours, Inc.

On June 9, 2024, California Highway Patrol (CHP) personnel inspected one of your vehicles, with license plate [REDACTED] the Disneyland Toy Story parking lot. The vehicle was put out of service by CHP due to maintenance, flat tire, and other issues. California Public Utilities Commission (CPUC) enforcement analysts also observed that Star-Dust Tours, Inc's TCP permit was expired.

I am requesting a copy of the waybill for that trip. Please respond to this request ASAP, but no later than COB, Tuesday, October 15, 2024.

If you have any questions, you may respond to this email or give me a call at 415-703-2807.

Regards,

Pamela Wu
Public Utilities Regulatory Analyst
California Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
415-703-2807

pamela.wu@cpuc.ca.gov www.cpuc.ca.gov

ATTACHMENT 4

Star-Dust Tours, Inc.

INVOICE#: 6-9-24-AF

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

TRIP # 4267

Group Info:
CONTACT #:
DEPARTURE DATE: 6/9/24-SUNDAY
OF PAX: 306

BUS QTY: 3-54 & 3-55

GROUP:
GRAD NIGHT

ORDERED BY:

PICK UP:
[REDACTED]
[REDACTED]
[REDACTED]

DESTINATION:
DISNEYLAND
1313 S. HARBOR BLVD.
ANAHEIM, CA 92802
(GROUP WILL DEPART DISNEY BY 1:30AM)

[REDACTED]

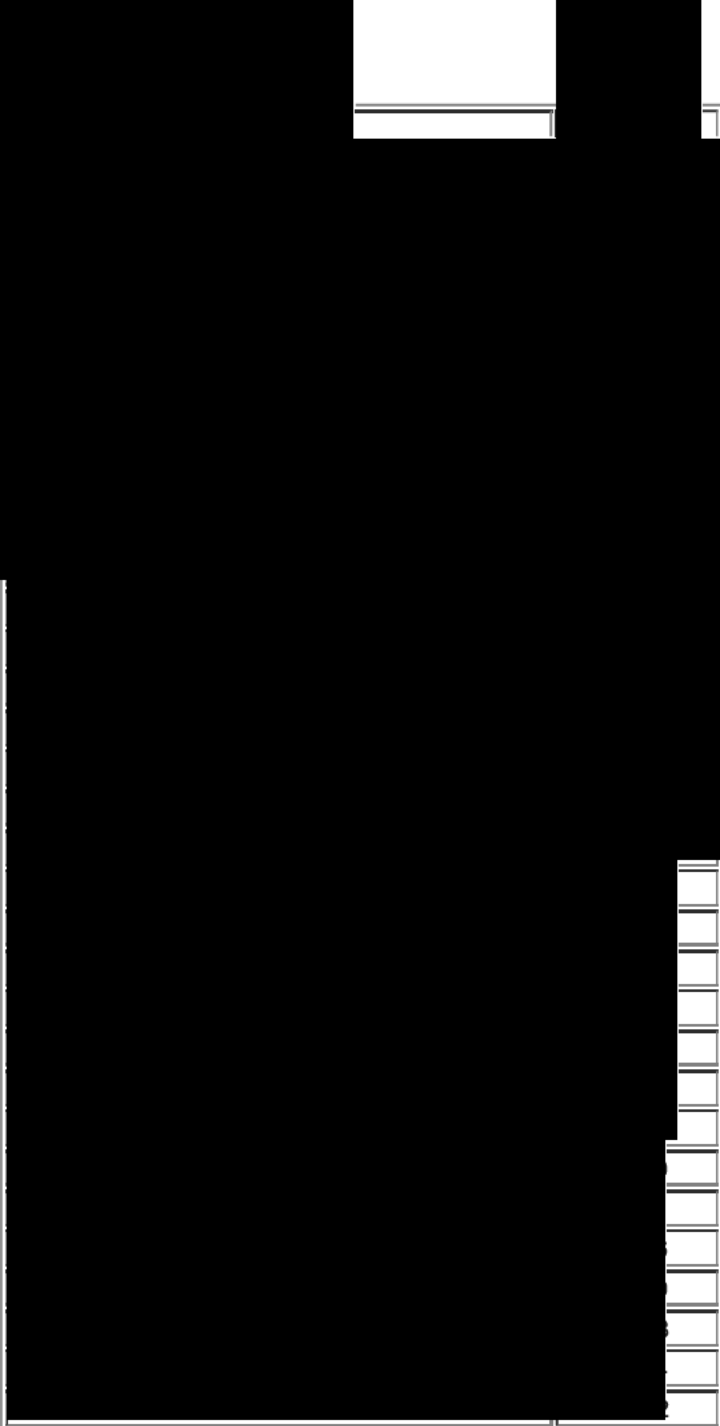
SERVICE TIMES:
YARD TIME: 8:30AM
SPOT TIME: 9:30AM
END TIME: 3:00AM (6/10)

Location	Mileage	Date	Arrival Time	Depart Time	# OF Passengers	STATE

YARD TIME	OFF DUTY	TOTAL HOURS	STARTING MILEAGE	ENDING MILEAGE	TOTAL MILEAGE

Customer Signature: _____ - Release Time: _____ -

ATTACHMENT 5



Requester Code	Add Date	Delete Date	Status
	12/18/2018	01/08/2024	Deleted
	05/10/2022	01/08/2024	Deleted
	08/19/2015		Enrolled
	04/08/2014		Enrolled
	04/06/2018	01/08/2024	Deleted
	01/15/2016	01/08/2024	Deleted
	04/17/2012		Enrolled
	08/21/2019	01/08/2024	Deleted
	03/17/2017	01/08/2024	Deleted
	08/21/2019		Enrolled
	08/26/2019		Enrolled
	11/22/2019		Enrolled
	06/11/2020		Enrolled
	04/17/2012		Enrolled
	01/10/2022		Enrolled
	08/19/2015	01/08/2024	Deleted
	10/12/2022		Enrolled
	08/19/2015		Enrolled
	08/15/2019		Enrolled
	04/06/2018	01/08/2024	Deleted
	03/07/2019	01/08/2024	Deleted
	07/10/2018	01/08/2024	Deleted
	04/17/2012	01/08/2024	Deleted
	10/12/2022		Enrolled
	01/03/2020	01/08/2024	Deleted
	06/09/2017	01/08/2024	Deleted
	08/15/2019	10/03/2022	Deleted
	11/22/2019	01/08/2024	Deleted
	06/09/2017	01/08/2024	Deleted
	08/21/2019	01/08/2024	Deleted
	05/10/2022		Enrolled
	08/29/2012		Enrolled