

Application for Motor Common Carrier of Persons in Paratransit Service

THIS APPLICATION IS TO BE USED FOR COMMON CARRIER PASSENGER SERVICE WHEN PROVIDING TRANSPORTATION ON A NONEXCLUSIVE, ADVANCE RESERVATION BASIS.

1. **Legal Name of Applicant** (Individual, Partnership or Corporation)

LLS Towing + Recovery LLC

- If you are an individual who has not formed any type of corporate entity, you should enter your name **as it will appear on your insurance documents**.
- If you are filing for a partnership, but **not a limited liability partnership**, the names of all partners must be entered on this line. Those names should be entered **as they will appear on your insurance documents**. This includes husbands and wives filing jointly.
- If you are filing for a corporate entity (corporation, limited liability company, or limited liability partnership), **even if you are the sole shareholder member**, you must enter the name **exactly as it appears on the registration papers from the Corporation Bureau of the Pennsylvania Department of State**.

2. **Trade Name** (Attach a copy of fictitious name registration if applicable)

LLS Towing + Recovery LLC

This is any name which you will be operating under which differs from the **LEGAL NAME OF APPLICANT**. A **TRADE NAME** is considered a **FICTITIOUS NAME** if the identity of the applicant cannot be readily determined. *EXAMPLE: John Doe is the applicant and wants to use the name "Johnboy Vans" as his trade name. People cannot readily determine that John Doe is the actual operator; therefore, the name is fictitious and must be registered as such. Trade names such as "John Doe Vans" or "J. Doe Vans" are not considered fictitious and would not have to be registered.*

3. **Do you currently hold PUC Authority?** NO **Previous Authority?** NO

If YES, at PUC No. A- _____

4. **Are you a business entity registered with the PA Dept. of State?** NO

If NO, you must register (see checklist on how to register)

If YES, provide your PA Corporation Bureau Entity ID Number 0013906077
(See checklist and indicate type of business entity registered)

5. If either a corporation or limited liability company, please list members (LLC) or shareholders and officers (corporation).

Lorelli Swanger _____

6. **Mailing Address**

12319 Big Valley Pike
Street Address
Mill Creek PA 15060-9643 Huntingdon
City, State and Zip Code County
717-437-5304 LorelliSwanger@gmail.com
Telephone Number E-mail Address

This is the e-mail address to which the Commission will send all official documents issued by the Commission until further notice.

7. **Physical Address** (If different than mailing address. Do not use a post office box.)

Street Address

City, State and Zip Code County

Telephone Number E-mail Address

The address entered here should reflect the actual location of the business. This is the address the Commission needs in order to dispatch Enforcement Officers to inspect equipment. If left blank, it will be assumed that the **PHYSICAL ADDRESS** is the same as the **MAILING ADDRESS**

8. **Attorney** (if applicable)

Attorney's Name & Telephone Number for this Filing

Attorney's Address E-mail Address

An attorney's name should only be entered if an attorney is filing the application for a client and the application is being sent under the attorney's cover letter.

9. **Does applicant have a USDOT Number?**

No Yes, at No. 4273996

10. **Describe the service area proposed by this application.**
(Use the space below or attach additional sheet if space provided is not sufficient).

To transport people whose personal convictions prevent them from owning or operating motor vehicles from points in Huntingdon Co., Mifflin Co., and Juniata Co. to points in PA and return.

Examples:

- To transport people whose personal convictions prevent them from owning or operating motor vehicles from points in Lancaster County to points in PA, and return.
- To transport people from the city and county of Philadelphia to correctional facilities in PA, and return.
- To transport people in wheelchair and stretcher vans from points in the city of Pittsburgh to points in Allegheny County, and return.
- To transport people between points in Northumberland County.

11. **Certification:**

Applicant certifies that it is not now engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Persons in Paratransit Service; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the certificate.

Verification of Application

I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Lorelli Swanger

(Print Name)

Lorelli Swanger

(Signature)

31-9-2020

(Date)

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Secretary (if a corporation).

VERIFIED STATEMENT OF APPLICANT

THE FOLLOWING INFORMATION IS REQUIRED BY THE COMMISSION TO DETERMINE THE APPLICANT'S FITNESS TO OPERATE. STATEMENTS SHOULD BE TYPED OR PRINTED. ILLEGIBLE STATEMENTS WILL DELAY YOUR APPLICATION.

LLS Towing & Recovery LLC

Legal Name of Applicant

LLS Towing & Recovery LLC

Trade Name, if any

12319 Big Valley Pike

Street Address (principal place of business)

Mill Creek

City or Municipality

PA

State

17060-9643

Zip Code

The Verified Statement of the Applicant factual details about your proposed transportation service. Your Verified Statement must answer all of the items listed below and on the following pages. Provide as much information as possible to prevent delay in processing your application. If you need more space to provide your answer, please attach additional pages identifying the appropriate item number.

1. Identify the person making the Verified Statement on behalf of the applicant. If an employee/officer of applicant is making the statement, give name, title, business address and telephone number.

Lonelli Swanger owner

2. List the applicant's affiliation (owner, manager, controls) with any other carrier, with the description of affiliation.

owner

3. Describe the applicant's business experience, particularly any experience relating to the operation of a transportation service. If practical experience is lacking, please provide an explanation and description of any education or training that you believe may be relevant.

Drove school students for BYNS

4. Describe your facilities, record maintenance plan and your communication network. Please include a description of your physical location, to including office machines that will be utilized, and the facility to house vehicles. As a carrier of household goods in use, applicant should include a description of storage facilities, if applicable. Please include an explanation of your plan to maintain records required by the PUC, as well as normal business records. In regard to your communication network, please explain how you will receive customer requests for transportation, how you will dispatch the vehicles to fulfill the request, and how you will maintain continuous communication with your drivers.

Office in Home / Laptop - Printer - cell phone voice mail
 Hauling Arrish students and Teachers Monday thru Friday
 pre-school year.

Storage of Vehicle Garage AT Home.

vehicle/Drivers Records per FMCSA Folder / JJ Keller

5. Please state the number of drivers you intend to use or hire in your business and explain why that number of drivers is appropriate for the size of the territory you will be serving. In addition, please explain:

- Your hiring standards for drivers; 21 YRS OF AGE / Clean PA Drivers License
- Your system for conducting criminal background checks; PSP Pre-employment screening Program
- Your driver training program; 2 wks riding with owner
- Your system for conducting driver license checks; DL-503 - yearly
- Your policies regarding alcohol and drug use by your drivers. zero

(B) Title 52 PA Code 29.501-509 Driver Regulations

Drivers File will Be in locked File in office

6. Please state the number of vehicles you plan to use in your business and why that number is appropriate to provide reasonable and efficient service to the territory you will be serving. If you have already obtained vehicles for your business, please list them in the chart below.

YEAR	MAKE	MODEL	SEATING CAPACITY*	VEHICLE ID #	MILEAGE
2013	Chevrolet	Express G3500	15	1GAZG1FA8D112729	210,000

*Vehicles with seating capacity of more than 15 passengers, including driver, can't be used in paratransit service.

7. Describe your vehicle safety program. Please include the following in your explanation:
- Your periodic vehicle maintenance plan
 - Your system for ensuring your vehicles will continuously comply with applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175).

Yearly PA State Insp., oil CHANGED 3-5,000 miles
 Pre-Trip Insp. EVERY DAY = lights, Tires, windshield - All Glass
 wipers Door handles, Bumpers All Body Parts, seats,
 seat Belts, Rims - Lugs.

8. Please explain what steps you have taken to determine if you can obtain insurance and pay the required insurance premiums.

Policy # 868135769 7-13-2026 EXP

9. State whether the applicant has been convicted of a misdemeanor or felony. If applicant is partnership, limited liability partnership, corporation, or limited liability company this question applies to all members, officers, and/or shareholders. If "YES", explain.

YES NO

10. Financial Data. Complete the "Statement of Financial Position", which follows this page. Please feel free to also provide additional information explaining why you believe you have sufficient funds to ensure your transportation business can provide reliable service to the public in a safe manner.

Verification of Statement

The undersigned deposes and says that he/she is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his/her knowledge, information, and belief. The undersigned understands that false statements herein are made subject to penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.

Lorelli H Swanger
 (Signature)
Lorelli Swanger owner
 (Name and Title, printed or typed)

3-9-2020
 (Date)

Statement of Financial Position (Balance Sheet)

As of (date) March 2020

(Must be less than 6 months old)

ASSETS

Current Assets	<u>\$1,000.00</u>	
Cash		
Other Current Assets (specify)		
Total Current Assets		<u>\$1,000</u>
Tangible Assets		
Motor Vehicle Equipment	<u>\$45,000</u>	
Property (buildings, land, etc.)	<u>\$300,000</u>	
Office Equipment		<u>\$5,000</u>
		<u>\$350,000</u>
TOTAL ASSETS		

LIABILITIES

Current Liabilities (Due within one year of date)		
Loans <u>Auto</u>	<u>\$20,000</u>	
Credit cards/revolving credit	<u>0</u>	
Other Liabilities (Attach schedule)	<u>0</u>	
Total Current Liabilities		<u>\$20,000</u>
Long Term Liabilities (Due after one year of date)		
Mortgage	<u>0</u>	
Long term commercial loan	<u>0</u>	
Other Liabilities (Attach Schedule)	<u>0</u>	
Total Long-Term Liabilities		<u>0</u>
TOTAL LIABILITIES		<u>\$20,000</u>

The provisions of this § 29.503 amended February 1, 2019, effective February 2, 2019, 49 Pa.B. 455. Immediately preceding text appears at serial page (386080).

§ 29.504. Driver history.

(a) *Common or contract carriers, except for call or demand and limousine drivers.*

→ (1) A common or contract carrier may not permit a person to operate a vehicle in its authorized service until it has obtained and reviewed a driver history from the appropriate agency of every state in which that person held a motor vehicle operator's license or permit during the preceding 3 years.

→ (2) Following receipt of the initial driver history report, a common or contract carrier shall, at least once every 12 months from the date of the last report, obtain a driver history for each driver operating under its authority from the appropriate agency of the state in which the driver held an operator's license during the time period. Compliance with this subsection does not relieve a common or contract carrier of the responsibility to ensure its drivers hold a current, valid driver's license.

→ (3) A copy of the driver history shall be maintained by the common or contract carrier for at least 2 years.

(b) *Call or demand and limousine drivers.*

(1) Prior to permitting a person to act as a call or demand or a limousine driver, a carrier shall obtain and review a driving history research report for the person from the Department of Transportation and other relevant sources. A person with more than three moving violations in the 3-year period prior to the check or a major violation in the 3-year period prior to the check may not be a call or demand or limousine driver.

(2) One year after engaging a driver and every second year thereafter, a carrier shall conduct the driving history check required under this subsection and verify that a driver continues to be eligible to be a driver.

(3) A copy of the driver history shall be maintained by the call or demand or limousine driver for at least 2 years.

Authority

The provisions of this § 29.504 amended under the act of July 13, 2016 (P.L. 664, No. 85).

Source

The provisions of this § 29.504 amended January 27, 2017, effective January 28, 2017, expire upon promulgation of final form regulations or on November 4, 2018, whichever is later, as set forth in the act of November 4, 2016 (P.L. 1222, No. 164), 47 Pa.B. 429. Immediately preceding text appears at serial page (321705).

§ 29.505. Criminal history.

(a) *Common or contract carriers, except for call or demand and limousine drivers.*

(1) *Criminal history record required.* A common or contract carrier may not permit a person to operate a vehicle in its authorized service until it has obtained and reviewed a criminal history record from the Pennsylvania State Police and every other state in which the person resided for the last 12 months. For current drivers, carriers shall obtain a criminal history record by November 9, 2006.

(2) *Frequency of record check.* Following receipt of the initial criminal history record, a common or contract carrier shall obtain and review a criminal history record for each driver operating under its authority from the Pennsylvania State Police every 2 years from the date of the last criminal history check.

(3) *Disqualification.* A common or contract carrier may not permit a person to operate a vehicle in its authorized service when the person was convicted of a felony or a misdemeanor under the laws of the Commonwealth or under the laws of another jurisdiction, to the extent the conviction relates adversely to that person's suitability to provide service safely and legally.

(4) *Record retention.* A copy of the criminal history shall be maintained by the common or contract carrier for at least 3 years.

(b) *Call or demand and limousine drivers.*

(1) *Criminal background check.* Prior to permitting a person to act as a call or demand or limousine driver, a carrier shall conduct or have a third party conduct a local and National criminal background check for each driver applicant. The background check must include a multistate or multijurisdictional criminal records locator or other similar commercial Nationwide database with primary source search validation and a review of the United States Department of Justice National sex offender public web site. The carrier shall disqualify an applicant convicted of certain crimes in accordance with the following:

#2(A)

(i) An applicant convicted of any of the following within the preceding 7 years:

(A) Driving under the influence of drugs or alcohol.

(B) A felony conviction involving theft.

(C) A felony conviction for fraud.

(D) A felony conviction for a violation of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. § 780-101—780-144).

(ii) An applicant convicted of any of the following within the preceding 10 years:

(A) Use of a motor vehicle to commit a felony.

(B) Burglary or robbery.

(iii) An applicant convicted of any of the following at any time:

(A) A sexual offense under 42 Pa.C.S. § 9799.14(c) or (d) (relating to sexual offenses and tier system) or similar offense under the laws of another jurisdiction or under a former law of the Commonwealth.

(B) A crime of violence as defined in 18 Pa.C.S. § 5702 (relating to definitions).

(C) An act of terror.

(2) *Frequency.* One year after engaging a driver and every second year thereafter, the criminal background and driving history checks required under this subsection shall be conducted and that a driver continues to be eligible to be a driver shall be verified.

(3) *Record retention.* A copy of the criminal history shall be maintained by the call or demand or limousine driver for at least 3 years.

Authority

The provisions of this § 29.505 amended under the act of July 13, 2016 (P.L. 664, No. 85).

Source

The provisions of this § 29.505 amended January 27, 2017, effective January 28, 2017, expire upon promulgation of final form regulations or on November 4, 2018, whichever is later, as set forth in the act of November 4, 2016 (P.L. 1222, No. 164), 47 Pa.B. 429. Immediately preceding text appears at serial page (321705).

§ 29.506. Alcohol prohibition.

A driver may not use alcohol, be under the influence of alcohol, or have any measured alcohol concentration or detected presence of alcohol, while operating a vehicle in passenger service.

§ 29.507. Controlled substance prohibition.

A driver may not use a controlled substance, be under the influence of a controlled substance, or have any measured concentration or detected presence of a controlled substance, while operating a vehicle in passenger service.

§ 29.508. Common or contract carriers operating vehicles with seating capacities of 9 to 15 passengers, including the driver.

(a) A common or contract carrier may not permit a person to drive a vehicle with a seating capacity of 9 to 15 passengers, including the driver, unless the driver complies with the following:

(1) The driver is physically qualified in accordance with 49 CFR 391.41—391.49 (relating to physical qualifications and examinations).