

December 17, 2019

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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Seattle, Washington 98104
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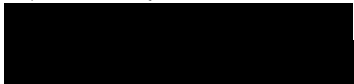
REPORT AND DECISION

SUBJECT: King County For-Hire Licensing file no. **FE19-0783**

WILLIAM LAWSON
For-Hire Driver Enforcement Appeal

Permit no.: 104447

Appellant: **William Lawson**


Lynnwood, WA 98087


King County: King County For-Hire Licensing
represented by **Tyson Taylor**
King County For-Hire Licensing
500 Fourth Avenue Room 403
Seattle, WA 98104
Telephone: (206) 263-1373
Email: kcfhinspector@kingcounty.gov

FINDINGS AND CONCLUSIONS:

Overview

1. King County For-Hire Licensing issued William Lawson a fine for not having his for-hire license on him while ferrying paying passengers. Mr. Lawson timely appealed. After hearing the witnesses' testimony and observing their demeanor, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, we deny his appeal.

Background

2. On August 19, Mr. Lawson was working for Lyft when he pulled into a SeaTac airport parking stall where Lyft drivers pick up passengers. A dispute arose between him and a Port of Seattle ground controller over the location of Mr. Lawson’s vehicle within the garage. How that dispute started or who escalated it was is not directly relevant to our case.¹ Instead, the critical point is that the argument deteriorated to the point that—unfortunately for Mr. Lawson—it drew the attention of the Licensing inspector Tyson Taylor.
3. Mr. Lawson stated that the controller personally called Mr. Taylor over, while Mr. Taylor stated that he overheard the spiraling conflict and walked over. In any event, when Mr. Taylor came over, he asked to see Mr. Lawson’s license. Mr. Lawson was unable to produce it. Mr. Taylor asserts that Mr. Lawson blamed his lack of a license on Mr. Taylor or the controller having stolen his wallet. Mr. Lawson counters that he did not accuse them of stealing anything. However, there is no dispute—and Mr. Lawson agrees—that he did not have his for-hire license on and at the time. Licensing subsequently issued a notice and order of violation to Mr. Lawson for failing to have his for-hire license in his possession. Ex. 4 at 002.

Analysis

4. For those matters or issues raised in an appeal statement, Licensing bears “the burden of proving by a preponderance of the evidence both the violation and the appropriateness of the remedy it has imposed.” KCC 20.22.080.G.; .210. Unless directed to by law, we do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3.
5. The controlling code section is KCC 6.64.660.C, which requires that:

A driver shall have in the driver’s possession and posted as required in K.C.C. 6.64.595 a valid for-hire driver’s license at any time the driver is driving, in control of or operating a vehicle and the license shall be displayed as prescribed by the director.

Violations of .660 are subject to civil penalties of up to \$1,000. Here, Licensing assessed a \$125 penalty.
6. At the time of the August 19 incident, Mr. Lawson was driving for-hire passengers without the required for-hire driver’s license in his possession. We sustain the notice and order.


¹ Licensing did issue Mr. Lawson a warning notice alleging that Mr. Lawson behaved unprofessionally in his interactions with the controller and Mr. Taylor. Ex. 4 at 005. A warning notice is not a definitive determination about anything. We have jurisdiction only over appeals of Licensing’s notices and orders. KCC 20.22.040.E. The notice and order issued to Mr. Lawson dealt solely with him not having his for-hire license permit in possession; it did not allege any unprofessional behavior. Ex. 4 at 002.

7. We clarify that our finding today is not a pronouncement on who was in the wrong to start the dispute, how it escalated, or anything about anyone’s behavior that day. Mr. Lawson expressed a heartfelt belief that the argument only started because the controller was being aggressive, that he had not done anything wrong, and that he was just standing up for his rights. That may be, but it does not change the fact that all TNC drivers must have their for-hire licenses on them when they drive for-hire passengers. And on August 19, Mr. Lawson did not have his with him.

DECISION:

1. We DENY Mr. Lawson’s appeal.

ORDERED December 17, 2019.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County’s final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *January 16, 2020*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

**MINUTES OF THE DECEMBER 3, 2019, HEARING IN THE APPEAL OF
WILLIAM LAWSON, KING COUNTY FOR-HIRE LICENSING FILE NO. FE19-
0783**

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Tyson Taylor and William Lawson. A verbatim recording of the hearing is available in the Hearing Examiner’s Office.

The following exhibits were offered and entered into the record:

- | | |
|---------------|---|
| Exhibit no. 1 | King County For-Hire Licensing staff report to the Hearing Examiner |
| Exhibit no. 2 | Driver contact documentation |
| Exhibit no. 3 | For-Hire Permit no. 104447 |
| Exhibit no. 4 | Notice and order of violation with proof of service, issued October 2, 2019 |
| Exhibit no. 5 | Appeal, received October 22, 2019 |

DS/jo

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CERTIFICATE OF SERVICE

SUBJECT: King County For-Hire Licensing file no. **FE19-0783**

WILLIAM LAWSON
For-Hire Driver Enforcement Appeal

I, Vonetta Mangaoang, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED December 17, 2019.

Vonetta Mangaoang

Vonetta Mangaoang
Senior Administrator

Cantu, Eddie

King County For-Hire Licensing

Kham, Joanna

Finance and Admin Svcs, Consumer Protection Div

Lawson, William

Hardcopy

MacLeod, Cherie

Finance and Admin Svcs, Consumer Protection Div

Megow, John

Finance and Admin Svcs, Consumer Protection Div

Shapiro, Ken

Finance and Admin Svcs, Consumer Protection Div

Taylor, Tyson

King County For-Hire Licensing