

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

**PANDORA TRAVEL, INC.** ) **Order No.: MA-2014-9002-OAR**  
**USDOT No. 2046748** )  
**MC No. 717362** )  
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**ORDER REVOKING OPERATING AUTHORITY REGISTRATION**

United States Code, Title 49 section 13905 authorizes the United States Department of Transportation (USDOT), Federal Motor Carrier Safety Administration (FMCSA), to suspend or revoke the operating authority registration of a motor carrier for willfully failing to comply with United States Code, Title 49, subtitle IV, part B, an applicable regulation, or an order of the Secretary of Transportation. By an Order to Show Cause issued January 29, 2014, FMCSA found that Pandora Travel, Inc., (“Pandora”) is willfully failing to comply with FMCSA statutes, regulations and FMCSA Orders, including but not limited to 49 U.S.C. §§ 524 and 14906. Through the Show Cause Order, Pandora was provided an opportunity to provide evidence, within thirty calendar days, demonstrating its compliance with the Order to Show Cause and showing that its operating authority registration should not be revoked. Pandora responded to the Order to Show Cause on or about February 14, 2014. Pandora’s response failed to present evidence demonstrating compliance with the Order to Show Cause.

Accordingly, FMCSA finds:

1. Pandora Travel, Inc., is a for-hire motor carrier engaged in interstate transportation of passengers and is subject to the jurisdiction of the Secretary of Transportation as delegated to the Federal Motor Carrier Safety Administration

pursuant to 49 U.S.C. §§ 113(f) and 13501, and 49 C.F.R. § 1.87.

2. Pandora is subject to the Federal Motor Carrier Safety Regulations (FMCSR), 40 C.F.R. Parts 350-399, and the alcohol and controlled substances regulations at 40 C.F.R. Part 40, as well as the Orders of the USDOT and FMCSA. (49 U.S.C. §§ 506, 507, 13501, 31133, 31136, and 31144). Pandora is required to comply, and to ensure its employees and drivers comply, with the FMCSR and Orders of the USDOT and FMCSA. (49 C.F.R. § 390.11)

3. Pandora's motor carrier operations reveal a willful failure to comply with applicable Federal regulations and willful failure to exercise safety management controls over its drivers ensuring compliance with Federal requirements.

4. Pandora's motor carrier operations demonstrate a willful failure to comply with 49 C.F.R. Part 392 - driving. Pandora's drivers have been involved in numerous incidents involving unsafe driving, from 2011 to the present. On January 21, 2014, Pandora's driver Xu Dong Sun was transporting 7 passengers in interstate commerce on snowy roads and was involved in a rollover accident. On December 1, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On October 19, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On October 2, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On June 21, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On June 1, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On May 22, 2013, a Pandora driver was cited for failure to obey a traffic control device and improper lane change while transporting passengers in

interstate commerce. On April 5, 2013, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On September 22, 2012, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. On June 6, 2012, a Pandora driver was cited for speeding while transporting passengers in interstate commerce. The results of these citations and roadside inspections are compiled in FMCSA's Safety Measurement System (SMS). Pandora's current SMS score in the Unsafe Driving Compliance Behavioral Analysis and Safety Improvement Category (BASIC) is 97.9%, based on the 24-month record ending February 21, 2014. Pandora willfully fails to comply with 49 C.F.R. Part 392 despite numerous interventions. Pandora does not have adequate safety management controls to ensure safe and compliant driver behavior.

5. Pandora's February 14, 2014 response to the Order to Show Cause fails to adequately demonstrate its willingness and ability to comply with applicable statutes, regulations, and/or FMCSA Orders regarding driver oversight and compliance with State and local driving laws. Despite the existence of written policies directing drivers to obey speed limits and other State and local driving laws, Pandora's drivers continue to violate such laws. Specifically, the portion of FMCSA's February 13, 2014 Compliance Review focused on 49 C.F.R. Part 392 discovered that Pandora's SMS Carrier Profile showed eight moving violations cited between April 1, 2013 and December 31, 2013. FMCSA's comparison of the drivers' records of duty status (RODS) to corresponding GPS records identified a high percentage of trips on which the driver was speeding. Four (4) of seven (7) drivers were found to be exceeding the posted speed limits by 10 mph or greater for 50 days out of 135 days in operation reviewed. Pandora placed

letters of discipline in drivers' files, but only for those violations noted during roadside inspections. Pandora ignored other evidence of speeding that was readily available to it. Pandora's President Jin Chun Pan demonstrated to the FMCSA investigator the mobile application of Fleetmatics Speed Alerts on his cellular telephone and stated that the speeding notification was set at "5 mph over," but Pandora was unable to show that it took disciplinary or other action based its President receiving an alert notifying him that a Pandora driver was speeding.

6. FMCSA investigators compared the Unsafe Driving violations found during roadside inspections to Pandora's active driver listing and disciplinary records. This comparison revealed that Pandora terminated two drivers after each had received two violations for speeding. Two other drivers, however, had each been cited roadside for speeding and were found during this review to be speeding on a routine basis. At the time of the Compliance Review, both drivers were still employed by Pandora, demonstrating inconsistencies and the ineffectiveness of Pandora's safety management controls.

**Accordingly, as a result of willful non-compliance with the February 7, 2014 Order to Show Cause, pursuant to 49 U.S.C. §§ 13905(d)(2) and (e) FMCSA hereby orders all operating authority registration of Pandora Travel, Inc. revoked effective at 12:01 a.m. on March 26, 2014.**

Pandora Travel, Inc. may reapply to FMCSA for operating authority registration in accordance with the provisions of 49 C.F.R. Part 365 and subpart B of 49 C.F.R. Part 385 by submitting Form OP-1 to FMCSA. Forms may be obtained by calling FMCSA's Technical Support at 1-800-832-5660 or via FMCSA's Website

<http://safer.fmcsa.dot.gov>). At the time of application, FMCSA will assess whether Pandora Travel, Inc. is willing and able to operate safely, and in compliance with all applicable regulatory and statutory requirements, and may require Pandora Travel, Inc. to enter into a consent agreement before accepting its application for registration. In accordance with 49 U.S.C. § 13902, FMCSA will withhold registration if it determines that Pandora Travel, Inc. does not meet, or is unable to meet, any of these requirements.

Pandora Travel, Inc. is prohibited from conducting any transportation in the United States during any period in which it is not registered with FMCSA. Pursuant to 49 U.S.C. § 14901(a), if a person provides transportation of property in interstate commerce without having valid and active registration to provide such transportation such person may be liable for penalties of not less than \$25,000 for each violation.

This Order of Revocation is in addition to, and does not modify, amend, or supersede any other Order to which Pandora Travel, Inc. is or becomes subject.

Issued this 21st day of March 2014

  
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Curtis L. Thomas  
Regional Field Administrator  
Eastern Service Center  
Department of Transportation  
Federal Motor Carrier Safety Administration