



MODIFIED CITATION ORDER

Citation Issued To: Academy of Truck Driving 2585 Buna Street, Building R099 Oakland, CA 94607 Institution Code: 0106731	Citation Number: 2223120
	Total Fine Amount: \$0.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this modified citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about November 15, 2018, the Bureau issued an Approval to Operate a Private Postsecondary Institution to Academy of Truck Driving (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about November 18, 2023, unless renewed.

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Citation No. 1920016, issued July 22, 2019](#)
 - Evidence of compliance; citation satisfied August 23, 2019
 - [Citation No. 1920253, issued March 16, 2020](#)
 - Evidence of compliance; citation satisfied May 13, 2020
 - [Citation No. 2021193, issued February 25, 2021](#)
 - Evidence of compliance; citation satisfied April 6, 2021

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

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Institution: Academy of Truck Driving
Institution Code: 0106731

CITATION HISTORY

4. On or about April 7, 2023, the Bureau issued Citation No. 2223120. On or about May 5, 2023, the Bureau received an appeal with a request for an informal conference. The informal conference was held on May 31, 2023. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

CAUSE FOR CITATION & MODIFIED ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

5. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 76130 – Collection and Submission of Assessments

Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting forms and pay any applicable fees as required for the 2nd quarter reporting periods of 2022.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$1,000.00.

Administrative Fine: Dismissed

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit the STRF Assessment Reporting forms and pay any applicable fees as required for the 2nd quarter reporting periods of 2022.

Order of Abatement: Affirmed. The Order of Abatement has been satisfied.

Violation #1:

5 CCR section 74006(b) – Annual Fee, in conjunction with CEC section 94931(a) – Late Payment

Cause for Citation: The Institution failed to pay the 30-day late payment penalty fee for the 2022 Annual fee.
Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class D" violation. The Institution is issued a fine of \$500.00. Administrative Fine: Dismissed
Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement: The Bureau orders the Institution to pay its 30-day late payment penalty fee for the 2022 Annual Fee. Order of Abatement: Affirmed. The Order of Abatement has been satisfied.

COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this modified citation. Evidence of compliance with the order of abatement may sent by mail or email to:
 - Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
 - Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$0.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified citation. To assist the Bureau in processing the

payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the modified decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of the fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

Citation Number: 2223120
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“Original Signature on File”

6/13/2023

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail