

**BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
STATE OF CALIFORNIA**

In the Matter of the Citation Against:

A CLASS TRUCK DRIVING SCHOOL

38630 W. Kentucky Avenue

Woodland, CA 95695

Institution Code: Unapproved

Respondent

BPPE Case No. BPPE25-0136

Citation No. 24250245

OAH No. 2025090228

DECISION AFTER REJECTION OF PROPOSED DECISION

Christopher W. Dietrich, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter on May 14, 2026, by videoconference from Sacramento, California.

Summer D. Haro, Deputy Attorney General, represented complainant Elizabeth Elias, Deputy Chief of Enforcement for the Bureau for Private Postsecondary Education (Bureau).

Jimmy Hu, Attorney at Law, represented respondent A Class Truck Driving School (ACTDS).

Evidence was received, the record closed, and the matter submitted for decision on May 14, 2026.

The ALJ issued a proposed decision on June 1, 2026, but on June 19, 2026, the Director of the Department of Consumer Affairs rejected the proposed decision. The hearing transcript was ordered and received, and the parties submitted written argument.

Having read and considered the record, including the transcript and written argument, the Director hereby MODIFIES the citation to reduce the administrative fine to \$2,500. The remainder of the citation is AFFIRMED.

FACTUAL FINDINGS

Jurisdictional Matters

1. ACTDS is not approved by the Bureau to operate as a private postsecondary institution. ACTDS has not applied for Bureau approval to operate a private postsecondary institution or for verification that it is exempt from obtaining Bureau approval.
2. On March 3, 2025, the Bureau issued Citation number 24250245 (Citation) to ACTDS. The Citation alleged cause to cite ACTDS for operating without Bureau approval or a valid exemption in violation of Education Code section 94886. The Citation imposed a \$25,000 administrative fine and an order of abatement directing ACTDS to (1) cease operating as a private postsecondary educational institution unless it qualifies for an exemption; (2) cease unlawful advertising; (3) notify the telephone company to disconnect the telephone number associated with any unlawful advertising; (4) submit a statement of attestation that it has ceased to operate; and (5) not enforce any loans.
3. On March 28, 2025, ACTDS filed a Notice of Appeal to the Citation requesting an informal conference and hearing. On June 5, 2025, the Bureau issued an Affirmed Citation Order affirming the Citation, fine, and order of abatement following an informal conference. ACTDS thereafter requested an

administrative hearing. The matter was set for an evidentiary hearing before an ALJ of the OAH, an independent adjudicative agency of the State of California, pursuant to Government Code section 11500, *et seq.*

4. The ALJ issued a proposed decision on June 1, 2026, but on June 19, 2026, the Director of the Department of Consumer Affairs rejected the proposed decision to decide the case upon the record. The hearing transcript was ordered and received, and the parties submitted written argument.

Complaint and Bureau Investigation

5. On November 20, 2023, the Bureau received an anonymous online complaint alleging that ACTDS was operating without Bureau approval while charging students more than \$2,500. The complaining party listed ACTDS's address as 38630 West Kentucky Avenue, Woodland, California, and provided a phone number for ACTDS. The complaining party attached two screenshots of online advertisements indicating that ACTDS was offering commercial truck driving education in Woodland, California. The online advertisement listed the same address and telephone number for ACTDS as provided in the complaint. On January 8, 2024, Dezi Contreras Sr., Bureau Enforcement Analyst, was assigned to investigate the complaint. He prepared a written report regarding his investigation and testified at hearing consistent with his report.

6. Mr. Contreras searched ACTDS's business name on the California Secretary of State's website. He located the registration for a corporation named "A Class Truck Driving School." The corporate statement of information listed Rishi Sidhu as the corporation's CEO.

7. Mr. Contreras conducted a Google street view search of the address provided by the complaining party. The street view showed a yard with trucks at the given address. Mr. Contreras did not observe any signage for ACTDS during

his search.

8. Mr. Contreras conducted an internet search for ACTDS. He located a Facebook page for ACTDS. The Facebook page contained a review which referred to Mr. Sidhu as an instructor at ACTDS.

9. On March 5, 2024, Mr. Contreras conducted a site visit at the address provided by the complaining party. He observed a sign for ACTDS at the business address. The sign contained an image of a commercial truck and provided as follows:

Get Your CDL Within 3 Weeks

PASS YOUR DMV TEST IN 1ST ATTEMPT

[ACTDS]

Rishi: [Telephone Number]

Address: 38630 West Kentucky Avenue

Woodland, CA 95695

Serving Community For Last 7 Years At Same Location

(Grammar and capitalization in original.)

10. Mr. Contreras entered the yard at ACTDS's business address. He noticed three groups of students as he entered the yard. Two groups were inspecting truck engines and another group was practicing driving maneuvers. He asked for the owner and was directed to Mr. Sidhu. Mr. Contreras identified himself as a representative of the Bureau and interviewed Mr. Sidhu. He summarized his interview with Mr. Sidhu in his report as follows:

ACTDS has been operating for eight (8) years and only one (1) program is offered, a basic Class A license program. The average time to complete the programs is four (4) weeks but students have a maximum of eight (8) weeks to complete their program, if necessary. There has never been a

student to not complete the program within that time frame. The basic Class A license program tuition cost is \$3,500. None of that is paid via federal or state student financial aid. Some students receive funds from the county, but most students pay the tuition out of pocket. Upon completion of the program, a student is provided with a certificate of completion along with the required documents needed to take their Class A license test with the [Department of Motor Vehicles (DMV)]. Students need to have their DMV issued learners permit to enroll in ACTDS. Once they enroll, they sign an enrollment agreement/contract which has the tuition price listed. The price for the program is also listed on student's invoice. Sidhu said he would email me a copy of the enrollment agreement for my review.

(Grammar in original, underscore supplied.)

11. Mr. Sidhu did not email a copy of the enrollment agreement to Mr. Contreras as promised. On August 23, 2024, Mr. Contreras emailed ACTDS posing as a student to inquire when the next class was, the total cost for their program, whether a deposit was required, and whether any payment plans were available. Mr. Sidhu responded to the email stating, in relevant part:

We provide Commercial Driving license training for total \$3500. Open monday to saturday 8am to 5pm. four week program. Upfront \$1500.
Location woodland, CA

(Grammar and capitalization in original, underscore supplied.)

12. Mr. Contreras concluded his investigation after receiving Mr. Sidhu's response to his email. He determined that ACTDS was in violation of the Education Code by offering a Class A license educational program for greater than the \$2,500 maximum charge for exempted institutions without Bureau

approval.

Respondent's Evidence

RISHI SIDHU'S TESTIMONY

13. ACTDS provides education and training for students to obtain Class A commercial driver's licenses. Students pay \$2,000 for tuition and a \$500 registration fee. Additionally, there is an optional \$1,000 fee for students to rent a truck from ACTDS to conduct their behind-the-wheel testing with the DMV. He tells all prospective students that the rental is optional and does not offer any incentives for students to rent a truck from ACTDS.

HARINDER BASRA'S TESTIMONY

14. Mr. Basra is a former ACTDS student. He enrolled in ACTDS's program on May 8, 2024, and paid \$2,500 to ACTDS. He did not need to rent a truck from ACTDS because he owned a truck from when he previously worked as a commercial truck driver. Mr. Basra attended ACTDS so he could renew his commercial driver's license and operate his own commercial trucking business.

JESUS BRAULIO MEZA'S TESTIMONY

15. Mr. Meza is a current student at ACTDS. He enrolled in ACTDS's program on April 22, 2026, after the Bureau issued its citation, and he paid \$3,500 to ACTDS. When he enrolled, Mr. Sidhu told him that the \$1,000 truck rental fee was optional. Mr. Meza paid this fee because he needed a truck for DMV testing. Mr. Meza is seeking a Class A license to attain employment as a commercial truck driver.

ENROLLMENT AGREEMENTS

16. ACTDS provided copies of various student enrollment agreements. Each agreement lists "Itemization and Tuition Fees" specifying non-refundable charges for registration fees, student tuition, and a truck rental for DMV testing.

The agreements are summarized as follows:

- On January 5, 2023, a student agreed to pay a \$500 registration fee, \$1,500 for student tuition, and \$500 for a truck rental, for a total cost of \$2,500.
- On March 16, 2023, a student agreed to pay a \$500 registration fee, \$1,500 for student tuition, and \$500 for a truck rental, for a total cost of \$2,500.
- On May 8, 2024, Harinder Basra agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total cost of \$3,500. The agreement states that Mr. Basra paid \$2,500 in cash and listed his balance due as "nil."
- On May 9, 2024, a student agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500.
- On July 18, 2024, a student agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500.
- On May 6, 2025, a student agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500.
- On May 9, 2025, a student agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500.
- On October 7, 2025, a student agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500. The agreement states that the student paid \$2,500 in cash and listed his balance due as "nil."
- On April 22, 2026, Jesus Braulio Meza agreed to pay a \$500 registration fee, \$2,000 for student tuition, and \$1,000 for a truck rental, for a total of \$3,500.

Analysis

17. Complainant bears the burden of proving by a preponderance of the evidence that there is cause to cite ACTDS. The evidence established that ACTDS offered an educational program that provided education, training, skills, and experience for students to obtain a Class A commercial driver's license. ACTDS has never been approved by the Bureau to operate as a private postsecondary educational institution.

18. ACTDS alleges it is exempt from Bureau approval pursuant to Education Code section 94874, subdivision (f), because (1) it does not award degrees; (2) the total charges for its educational program, excluding optional costs for a truck rental, are less than \$2,500; and (3) no part of its charges are paid from state or federal student financial aid programs.

19. The Bureau, however, persuasively established that ACTDS offered its educational program to the public for, and charged students, more than \$2,500. Consequently, ACTDS was not exempt from Bureau approval. Multiple documents between ACTDS and students entitled "Enrollment Agreement," each specified a training program and related "non-refundable" fees owed at the time of enrollment for the program, including a registration fee, student tuition fee, and truck rental fee. None of the agreements identify the charges as optional, nor do they identify the charges as separable from other parts of the program. Mr. Sidhu's testimony at hearing that he tells all prospective students that the rental is optional is belied by the enrollment agreements, which do not describe them as optional, and statements to the Bureau, including, "We provide Commercial Driving license training for total \$3500." Additionally, ACTDS advertises its program with statements like, "Get Your CDL Within 3 Weeks," and "PASS YOUR DMV TEST IN 1ST ATTEMPT." And the enrollment agreements state

that the truck rental includes "up to 3 chances" at DMV testing. It is, therefore, reasonable to infer that students would understand the truck rental and fee to be part of the overall educational program designed, in part, to obtain a commercial driver's license, including testing up to three times.

20. Complainant established cause to cite ACTDS for operating without Bureau approval or an exemption. The Bureau may impose an administrative fine of up to \$100,000 and an order of abatement. (Ed. Code, § 94944.) As of the date of Mr. Contreras's inspection, ACTDS operated for eight years without Bureau approval. ACTDS offered no evidence that it attempted to obtain verification of its exempt status or other evidence of changed business practices.

21. The Bureau's highest priority in exercising its disciplinary functions is public protection. (See Ed. Code, § 94875.) Administrative licensing proceedings are not for the primary purpose of punishment. (See *Fahmy v. Medical Bd of Cal.* (1995) 38 Cal.App.4th 810, 817.) Considering all the evidence, the \$25,000 administrative fine imposed in the Citation is excessive and unduly punitive. Rather, a lesser fine of \$2,500 is sufficient to protect the public interest. The proposed order of abatement directing ACTDS to stop operating an unapproved institution, cease unlawful advertising, disconnect its phone number, not enforce loans, and verify its compliance with these mandates is appropriate.

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. Complainant bears the burden of proving there is cause to issue a citation by a preponderance of the evidence. (*Daniels v. Dept of Motor Vehicles* (1983) 33 Cal.3d 532, 536.) Preponderance of the evidence means, "more likely than

not." (*Sandoval v. Bank of America* (2002) 94 Cal.App.4th 1378, 1388.)

Applicable Law

BUREAU APPROVAL

2. Unless exempt, no individual or business entity may "open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter." (Ed. Code, § 94886.)

"Approval to operate" is "authorization . . . to offer to the public and to provide postsecondary educational programs, as well as the written document issued to an institution signifying its approval to operate." (Ed. Code, § 94817.) "'To offer to the public' means to advertise, publicize, solicit, or recruit." (Ed. Code, § 94868.)

3. A "private postsecondary educational institution" is "a private entity with a physical presence in this state that offers postsecondary education to the public for an institutional charge." (Ed. Code, § 94858.) "Institution" is synonymous with "private postsecondary educational institution." (Ed. Code, § 94843.) "Postsecondary education" is "a formal institutional educational program whose instruction is designed primarily for students who have completed or terminated their secondary education or are beyond the compulsory age of secondary education, including programs whose purpose is academic, vocational, or continuing professional education." (Ed. Code, § 94857.) "Institutional charges" are "charges for an educational program paid directly to an institution." (Ed. Code, § 94844.) Per Education Code section 94837, an "educational program" is:

[A] planned sequence composed of a set of related courses or modules, or a single course or module if not offered as a component of a set of related courses or modules, that provides education, training, skills, or

experience, or a combination of these, except that "educational program" does not include a single course, workshop, seminar, continuing education course, or other instruction that consists of 32 hours of instruction or less that is not designed to lead to employment.

EXEMPTIONS FROM APPROVAL

4. Education Code section 94874, subdivision (f) provides in relevant part that Bureau approval is not required for:

An institution that does not award degrees and that solely provides educational programs for total charges of two thousand five hundred dollars (\$2,500) or less when no part of the total charges is paid from state or federal student financial aid programs.

AUTHORITY TO ISSUE CITATIONS

5. Education Code section 94944 provides:

Notwithstanding any other law, the [B]ureau shall cite any person, and that person shall be subject to a fine not to exceed one hundred thousand dollars (\$100,000), for operating an institution without proper approval to operate issued by the [B]ureau pursuant to this chapter. The maximum fine for unlicensed activity is separate and not inclusive of fines for other violations or refunds ordered.

6. California Code of Regulations, title 5, section 75020, subdivision (b) provides:

The Bureau Chief, or their designee, or the Director's designee, is authorized to issue citations containing orders of abatement or administrative fines or both, pursuant to section 94944 of the Code against persons who are without proper approval to operate as required under the Act. In addition, the citation may contain an order of abatement

pursuant to section 149 of the Business and Professions Code that requires the unapproved person to cease any unlawful advertising and to notify the telephone company furnishing services to the cited person: (1) to disconnect the telephone services furnished to any telephone number contained in the unlawful advertising, and (2) that subsequent calls to that number shall not be referred by the telephone company to any new number obtained by that person. The provisions of section 75040 shall apply to this subsection.

7. Education Code section 94917 provides:

A note, instrument, or other evidence of indebtedness relating to payment for an educational program is void and not enforceable unless, at the time of execution of the note, instrument, or other evidence of indebtedness, the institution held an approval to operate or valid out-of-state registration with the [B]ureau.

8. An institution may appeal a citation by requesting an informal conference and/or an administrative hearing, and the citation must inform the institution of that right. (Ed. Code, § 94936, subd. (c)(2); Cal. Code Regs., tit. 5, § 75040, subd. (a).) An appeal must be made in writing and sent to the Bureau "within 30 days of service of the citation." (Cal. Code Regs., tit. 5, § 75040, subd. (a); see Cal. Code Regs., tit. 5, § 75020, subd. (c)(1), (2).) A timely appeal "stays the time period in which to pay the fine." (*Id.* at subd. (f).) If a fine is ordered at hearing, it "is due 30 calendar days from when the order is effective." (Cal. Code Regs., tit. 5, § 75020, subd. (c)(2).)

Cause for Citation

9. Complainant established that ACTDS operated without Bureau approval or a valid exemption. Therefore, complainant has established cause to cite

ACTDS pursuant to Education Code section 94944. Considering all the evidence, a lesser administrative fine of \$2,500 and an order of abatement are appropriate to protect the public interest. Therefore, the Citation shall be affirmed in part and modified in part.

ORDER

Citation number 24250245 issued to respondent A Class Truck Driving School is AFFIRMED in part and MODIFIED in part. The administrative fine is MODIFIED and reduced to \$2,500. The remainder of the citation is AFFIRMED. Respondent shall pay the administrative fine within 30 days of the effective date of this Order. Respondent shall provide the Bureau written evidence of compliance with the order of abatement within 30 days of the effective date of this Order.

The decision shall become effective on October 22, 2026.

DATE: September 17, 2026



RYAN MARCROFT
Deputy Director
Legal Affairs Division
Department of Consumer Affairs