

	<b>US DOT #</b> 2523529	<b>Legal:</b> I HEART MOVERS LLC <b>Operating (DBA):</b> I HEART MOVERS				
<b>MC/MX #:</b>		<b>State #:</b> THG68176		<b>Federal Tax ID:</b>		
<b>Review Type:</b> Compliance Review (CR)						
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.			<b>Territory:</b>	
<b>Operation Types</b>	<b>Interstate</b>	<b>Intrastate</b>				
<b>Carrier:</b>	N/A	Non-HM	<b>Business:</b> Corporation			
<b>Shipper:</b>	N/A	N/A	<b>Gross Revenue:</b> \$76,000.00		<b>for year ending:</b> 12/31/2020	
<b>Cargo Tank:</b>	N/A					
<b>Company Physical Address:</b>						
1424 N NORTHGATE WAY SEATTLE, WA 98133						
<b>Contact Name:</b> Deavondia Taylor						
<b>Phone numbers:</b> (1) 206-913-9723		(2) 206-913-9723		<b>Fax</b>		
<b>E-Mail Address:</b> bookingmvr@gmail.com						
<b>Company Mailing Address:</b>						
2727 NE 125TH ST #10 SEATTLE, WA 98125						
<b>Carrier Classification</b>						
Authorized for Hire						
<b>Cargo Classification</b>						
Household Goods						
<b>Equipment</b>						
	<b>Owned</b>			<b>Term Leased</b>		
Truck	2	0	0			
Power units used in the U.S.: 2						
Percentage of time used in the U.S.: 100						
<b>Does carrier transport placardable quantities of HM?</b> No						
<b>Is an HM Permit required?</b> N/A						
<b>Driver Information</b>						
	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0			
<b>&lt; 100 Miles:</b>	0	4	<b>Total Drivers:</b> 4			
<b>&gt;= 100 Miles:</b>			<b>CDL Drivers:</b> 0			



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**Part A**

QUESTIONS regarding this report may be addressed to the Office of Motor Carriers at:

Sandra Yeomans  
P.O. Box 47250, Olympia, WA 98504-7250  
[cell \(360\)701-1602](tel:3607011602) or [sandra.yeomans@utc.wa.gov](mailto:sandra.yeomans@utc.wa.gov)

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

<b>Name:</b> Deavondia Taylor	<b>Title:</b> Owner
<b>Name:</b>	<b>Title:</b>



	<b>I HEART MOVERS (I HEART MOVERS LLC dba)</b> U.S. DOT #: 2523529	State #: THG68176	Review Date: 04/28/2021
	<b>Part B Violations</b>		

1 STATE <b>CRITICAL</b>	Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)	<b>Discovered</b> 3	<b>Checked</b> 3	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 3                      3
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**Description**  
Using a driver not medically examined and certified.

**Example**  
Driver name: Anthony Abraham  
Trip date: 3/25/2021  
Description of violation: Failing to obtain a DOT medical certificate before driving.

Driver name: Deavondia Taylor  
Trip date: 3/28/2021  
Description of violation: Failing to obtain a DOT medical certificate before driving.

Driver name: Fancis Nunes  
Trip date: 3/30/2021  
Description of violation: Failing to obtain a DOT medical certificate before driving.

2 STATE <b>CRITICAL</b>	Primary: WAC 480-15-555 Secondary: RCW 81.80.132 CFR Equivalent: 392.2	<b>Discovered</b> 10	<b>Checked</b> 20	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 10                    20
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**Description**  
Failure to complete a criminal background check for every person the carrier intends to hire.

**Example**  
Carrier failed to complete background checks for: Bryan, Chris, Jason, Sonam, Brey, Lamar, Rico, Deayon Taylor, Ron Camdru, and Devante Shelton.

3 STATE <b>CRITICAL</b>	Primary: 395.8(a)(1) CFR Equivalent: 395.8(a)(1)	<b>Discovered</b> 90	<b>Checked</b> 90	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 3                      3
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**Description**  
Failing to require driver to make a record of duty status.

**Example**  
Driver name: Anthony Abraham  
Trip date: 3/25/2021  
Description of violation: Failing to make record of duty status for each day worked.

Driver name: Deavondia Taylor  
Trip date: 3/28/2021  
Description of violation: Failing to make record of duty status for each day worked.

Driver name: Francis Nunes  
Trip date: 3/30/2021  
Description of violation: Failing to make record of duty status for each day worked.



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	<b>Part B Violations</b>		

4 STATE	Primary: 391.11(b)(5) CFR Equivalent: 391.11(b)(5)	<b>Discovered</b> 1	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 1                      5
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**Description**  
Description of violation: Failing to have valid commercial motor vehicle operator's license issued only by one State of jurisdiction.  
Driver name: Demarcus Taylor  
Trip Date: 3/29/2021  
Description of Violation: Demarcus Taylor's license was suspended on April 5, 2020 with the knowledge of the carrier.

5 STATE	Primary: 391.11(b)(8) Secondary: 391.11(a) CFR Equivalent: 391.11(b)(8)	<b>Discovered</b> 3	<b>Checked</b> 3	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 3                      3
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**Description**  
Using a driver who has not taken a road test or who has not been issued a certificate of driver's road test or presented an operators license, or certificate of road test which the motor carrier accepted as equivalent.

**Example**  
Driver name: Anthony Abraham  
Trip date: 3/25/2021  
Description of violation: Failing to conduct a road test and issue a certificate.

Driver name: Deavondia Taylor  
Trip date: 3/28/2021  
Description of violation: Failing to conduct a road test and issue a certificate.

Driver name: Francis Nunes  
Trip date: 3/30/2021  
Description of violation: Failing to conduct a road test and issue a certificate.

6 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	<b>Discovered</b> 3	<b>Checked</b> 3	<b>Drivers/Vehicles</b> <b>In Violation</b> <b>Checked</b> 3                      3
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**Description**  
Using a driver who has not completed and furnished an employment application.

**Example**  
Driver name: Anthony Abraham  
Trip date: 3/25/2021  
Description of violation: No application in driver qualification file.

Driver name: Deavondia Taylor  
Trip date: 3/28/2021  
Description of violation: No application in driver qualification file.

Driver name: Francis Nunes  
Trip date: 3/30/2021  
Description of violation: No application in driver qualification file.



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**Part B Violations**

7 STATE	Primary: 391.23(a)(1)  CFR Equivalent: 391.23(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<b>Description</b> Failing to acquire a motor vehicle report within 30 days of hire. Driver name: Anthony Abraham Trip date: 3/25/2021 Description of violation: Failing to acquire a motor vehicle report within 30 days of hire.  Driver name: Deavondia Taylor Trip date: 3/28/2021 Description of violation: Failing to acquire a motor vehicle report within 30 days of hire.					
8 STATE	Primary: 391.25(a)  CFR Equivalent: 391.25(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months. <b>Example</b> Driver name: Deavondia Taylor Trip date: 3/28/2021 Description of violation: Failing to obtain driver's driving record each 12 months.					
9 STATE	Primary: 391.51(b)(6)  CFR Equivalent: 391.51(b)(6)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. <b>Example</b> Driver name: Deavondia Taylor Trip date: 3/28/2021 Description of violation: Failing to acquire a list or certificate of violations for each driver annually.					
10 STATE	Primary: WAC 480-15-590(4)  CFR Equivalent: 392.1	Discovered 30	Checked 30	Drivers/Vehicles In Violation 30	Checked 30
<b>Description</b> Failure to maintain a rental agreement with the required information about the commercial motor vehicle leased. <b>Example</b> Driver name: Deavondia Taylor Trip date: 3/28/2021 Description of violation: Failing to maintain lease agreements.					
11 STATE	Primary: 396.17(a)  CFR Equivalent: 396.17(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Using a commercial motor vehicle not periodically inspected. <b>Example</b> Vehicle: 1FDWE3FS8CDA64253 Date of trip: 3/28/2021					





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<b>Part B Requirements and/or Recommendations</b>		

**1. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking**

DESCRIPTION OF PROCESS BREAKDOWN: Mr. Taylor failed to monitor and track employees to verify hours of service were being recorded. This resulted in the carrier not having hours of service for each of the drivers.

**BASIC SPECIFIC RECOMMENDED REMEDIES**

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.

Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.

Document all findings of fatigue-related noncompliance with regulations and/or company policies.

Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.

Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.

Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.

Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.

Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.

Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.

When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or represents a systemic breakdown in the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

**2. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Monitoring and Tracking**

DESCRIPTION OF PROCESS BREAKDOWN: Deavondia Taylor failed to keep track of drivers who need to have medical certification. This allowed for uncertified drivers to drive on numerous occasions without the required medical certificates.

**BASIC SPECIFIC RECOMMENDED REMEDIES**

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

Implement an effective process for monitoring and documenting all drivers' job functions, training, qualifications, renewal dates, disclosed medical conditions, and operational restrictions, including those of drivers on a waiver program or with impairments that may be satisfied by a Skill Performance Evaluation certificate, to ensure that



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assignments are covered by qualified drivers.

Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.

Maintain each driver's investigation history file in a secure location with limited and controlled access for as long as the driver is employed and for three years thereafter.

Maintain roadside inspection reports, moving violation records, training records, the Commercial Driver's License (CDL), the dispatch schedule, bills of lading, and the medical report to help evaluate the performance of all staff involved in qualifying drivers (dispatchers and managers) and the effectiveness of the policies and procedures.

Implement a system for keeping accurate records of employee driver fitness training needs, such as entry-level and HAZMAT training, and completed training, via software, a checklist in the driver's file, and/or another appropriate method.

Evaluate personnel who are monitoring driver fitness performance by making sure they are reviewing driver-assignment and qualification files; applying the performance standards fairly, consistently, and equitably; and documenting the evaluations.

When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

3. Obtain a copy of each driver's driving record and review it annually.
4. Ensure that all drivers are fully and properly qualified before operating in intrastate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
5. Required information for employment application as noted in violation 391.25(b):
  1. Company name and address.
  2. Applicant name, address, date of birth, and social security number.
  3. Three years of residence.
  4. Application date.
  5. License number, state, and expiration.
  6. Driving experience, equipment driven.
  7. Three year crash and traffic history.
  8. License restraint history with explanation.
  9. Three years employment with reason for leaving, commercial vehicle use, and controlled substance and alcohol program.
  10. Add seven years employment for commercial drivers license.
  11. Signature of driver with statement.
6. Each carrier must complete and maintain a criminal background check for every person the carrier intends to hire for the full time of employment and three years thereafter. No carrier may hire a person who has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statement, or the manufacture, sale, or distribution of a controlled substance within the past five years.
7. Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.



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NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:  
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the UTC during this review may be used to calculate any civil penalty proposed as a result of this review.

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

Sandi Yeomans  
Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250  
Email: [sandra.yeomans@utc.wa.gov](mailto:sandra.yeomans@utc.wa.gov)

8. Use of radar detectors or similar devices on commercial vehicles is illegal. Do not require or permit drivers to use them. Take appropriate disciplinary action against drivers if they are using such devices.
9. Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number and UTC permit number.
10. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
11. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.



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**Part C**

**Reason for Review:** Enforcement Follow-up  
**Planned Action:** Compliance Monitoring

**Parts Reviewed Certification:**

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
			ü	ü	ü	ü	ü	ü	ü									

<b><u>Prior Reviews</u></b>	<b><u>Prior Prosecutions</u></b>
7/8/2020	7/8/2020

**Unsat/Unfit Information**

**Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?**

**Does carrier transport placardable quantities of hazardous materials?**

**Unsat/Unfit rule:** Not Applicable

**Corporate Contact:** Deavondia Taylor  
**Corporate Contact Title:** Owner

**Special Study Information:**

**Remarks:**

INVESTIGATIVE REPORT RECEIVED BY:

Name: Deavondia Taylor  
Title: Owner  
Carrier/Shipper Name: I Heart Movers, LLC  
DBA: I Heart Movers  
Date: April 28, 2021

**REASON FOR THE INVESTIGATION:**

Per Order 01 (TV-200628 and TV-200627 consolidated) staff was required to perform a follow-up investigation of I Heart Movers, LLC. As part of the 2021 Motor Carrier Safety routine safety investigations this investigation was assigned to Sandi Yeomans, Special Investigator from the Washington Utilities and Transportation Commission (commission). I Heart Movers, LLC initial investigation was completed on July 8, 2020. The investigation resulted in penalties of \$4,750, A \$2,250 portion of the penalty was suspended for two years, and then waived, subject to I Heart Movers LLC not incurring any repeat violations of critical regulations. I Heart Movers LLC was ordered to pay \$2,500 portion of the penalty I Heart Movers LLC made payment arrangements and is current on those arrangements.

**SCOPE OF THE INVESTIGATION:**

The investigation was assigned to Special Investigator Sandi Yeomans on March 1, 2021. The carrier was contacted on March 24, 2021 and a full investigation was set to begin March 30, 2021 as an onsite investigation. Special Investigator Sandi Yeomans met with Deavondia Taylor (owner) at the principal place of business located at 1424 N Northgate Way, Seattle, WA 98133. The vehicle is housed at the same location.

SMS was checked on March 24, 2021 and it was noted no BASICs were in alert.

**CARRIER OPERATION DESCRIPTION:**

The carrier began operations in January 2015. The carrier is a provisional household goods carrier in the Seattle area. The carrier operates two vehicles and employs three full time drivers. The carrier's gross revenue as stated by Deavondia Taylor for fiscal year ending on December 31, 2020 was \$76,000. The carrier is not and has not been involved in any



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emergency relief efforts in the last 365 days. Deavondia Taylor stated the vehicles traveled 6,917 miles in 2020. Mileage is based on the vehicle owned and does not include mileage for leased equipment. The property at 1424 N Northgate Way, Seattle, WA 98133. is the principal place of business. The carrier uses the address 2727 NE 125th St Apt 10, Seattle, WA. as a mailing address. The property is the residence of Deavondia Taylor. The vehicle is housed at the principal place of business that is leased by the carrier.

**PRE-INVESTIGATION:**

On March 24, 2021, a carrier information packet was emailed to the carrier requesting investigation information, the records that would need to be reviewed, and the information the carrier would need to make available. The carrier was requested to fill-out and return the carrier information packet with a list of all commercial motor vehicle drivers utilized in the past 12 months and a list of all commercial motor vehicles utilized in the last 12 months prior to the start of this investigation. The incomplete carrier questionnaire was returned on March 30, 2021. On Tuesday, March 30, 2021, the carrier had some of the information requested for the investigator. This is a follow up review with the carrier.

**CDLIS (DRIVER LICENSE) CHECK:**

In accordance with the eFOTM, all drivers were to be checked. I Heart Movers, LLC had seven drivers (Deavondia Taylor, Francis Nunes, Kyler Witt, Demarcus Taylor, Ricky Toms, Anthony Abraham, and Dakari Crockett) in the last 365 days. On April 12, 2021, all drivers' license status/histories were checked through CDLIS. Demarcus Taylor's license was suspended on April 5, 2020 indefinitely, Kyler Witt's license was suspended on February 7, 2021 indefinitely, Dakari Crockett's license was suspended from October 20, 2020 to March 23, 2021. Deavondia Taylor and Fancis Nunes have a current license and no violations. Kyler Witt and Dakari Crockett did not operate a commercial motor vehicle for I Heart Movers LLC while the license was suspended. Demarcus Taylor operated a commercial motor vehicle for I Heart Movers LLC on 12 occasions. See part 391.

**AUTHORITY:**

The carrier is a provisional household goods carrier operating in intrastate commerce and required to have operating authority. Commission files were checked, and the carrier has a valid permit (THG68176) at the time this investigation began. I Heart Movers, LLC operates under the USDOT number 2523529.

**INSURANCE:**

I Heart Movers, LLC is required to maintain a minimum level of public liability of \$750,000 Auto Liability and \$20,000 Cargo insurance. A check with the carrier's insurance shows a \$1,000,000 liability insurance with Progressive Commercial and \$100,000 cargo insurance with One Beacon insurance. See Part 387.

**RED FLAG DRIVERS:**

A & I (SMS) was checked through Portal on March 24, 2021 and the carrier had no drivers with red flag violations in the last 365 days at the start of the investigation.

**DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:**

This is a full comprehensive investigation therefore a Drug and Alcohol Supplemental Review was not required.

**HAZARDOUS MATERIALS SUPPLEMENTAL REVIEW:**

I Heart Movers, LLC does not transport any hazardous materials. A Hazardous Materials Supplemental Review is not required.

**INVESTIGATION:**

This is a comprehensive investigation that checked Parts 376, 380, 382, 387, 390, 391, 392, 393, 395 and 396.

Parts 171, 172, 173, 177, 178, 180, & 397 Hazardous Materials:

I Heart Movers, LLC does not transport any hazardous materials. These Parts were not required to be checked.



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<b>Part C</b>		

Part 40 and Part 382:

I Heart Movers, LLC operates a vehicle under 26,001 lbs. and is not required to have a controlled substance and alcohol testing program.

Part 376 Lease and Interchange of Vehicles:

I Heart Movers, LLC leases vehicles from Handy Andy on a move-by-move basis. The carrier leased 30 vehicles from July 2020 through April 2021. The carrier did not maintain lease agreements at the principal place of business.

Thirty violations of WAC 480-15-590(4) for failure to maintain a rental agreement with the required information about the commercial motor vehicle rented for less than 30 days. This is a repeat violation from July 8, 2020 investigation.

Part 380 Special Training:

I Heart Movers, LLC does not operate long combination vehicles (LCVs). The carrier has not employed drivers that meet the definition of entry level driver.

Part 383 Commercial Drivers' License:

I Heart Movers, LLC does not operate vehicles over 26,001 lbs. and are not required to have commercial driver licenses. (See CDLIS)

Part 387 Financial Responsibility:

The carrier's vehicle is insured with Wilson Insurance Brokers, a broker for Progressive Commercial, a subsidiary of United Financial Casualty Company, policy number CA 02172724 for liability and One Beacon a subsidiary of Atlantic Specialty Insurance Company, policy number 790030760 for cargo insurance. The insurance agent is Kirsten Wilson located at P.O. Box 181710, Coronado, CA 92178. The contact number is (619) 306-6253. Investigator verified the carrier maintained \$1,000,000 in Auto Liability coverage without a lapse in the last 365 days and \$100,000 in cargo insurance. The insurance policy matches the Form E on file with the commission.

Part 390 General FMSCR:

The carrier has not been involved in a Department of Transportation recordable accident in the last 365 days. I Heart Movers, LLC's MCS-150 is current with the schedule.

Part 391 Qualification of Drivers:

The carrier employed seven drivers during the last 365 days and currently has three drivers. Per eFOTM guidelines, a sample size of three Driver's Qualification Files were to be inspected. The driver files reviewed were Deavondia Taylor, Francis Nunes, and Anthony Abraham. The following violations were discovered.

The carrier knowingly allowed Demarcus Taylor to drive on 12 occasions with a suspended license due to administrative issues. Taylor drove on February 12, 15, and 28. March 5, 7, 9, 14, 18, 23, 26, 27, and 29.

One violation of 391.11(b)(5) for knowingly allowing an employee to operate a commercial motor vehicle with a suspended license.

Three violations of 391.11(b)(8) for failing to conduct a road test and issue a certificate for each driver.

Three violations of 391.21(a) for using a driver who has not completed and furnished an employment application.

Two violations of 391.23(a)(1) for failing to acquire a motor vehicle report within 30 days of hire.

One violation of 391.25(a) for failing to obtain driver's driving record each 12 months.

Three violations of 391.45(a) for using a driver not medically examined and certified. This is a repeat violation from July 8,



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2020 inspection.

The carrier allowed three drivers to drive without medical certification on 82 occasions. Francis Nunes drove on six occasions of March 6, 12, 15, 16, 17, and 19. Anthony Abraham drove on five occasions February 19, March 4, 13, 20, and 23. Deavondia Taylor drove on 71 occasions October 1, 4, 8, 9, 12, 15, 16, 18, 21, 24, 26, 27, and 30. November 5, 6, 8, 9, 11, 12, 14, 15, 17, 21, and 30. December 1, 3, 4, 5, 11, 12, and 13. January 5, 12, 15, 20, 23, 24, 25, 26, 28, and 30. February 1, 2, 3, 4, 5, 7, 8, 12, 16, 17, 20, 21, 24, 25, 26, and 27. March 1, 2, 3, 11, 12, 13, 15, 17, 18, 19, 22, 25, 26, and 28.

One violation of 391.51(b)(6) for failing to acquire a list or certificate of violations each 12 months.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates, 25 percent of the driver qualification file sample size (three) was to be selected for verification. The following verification was completed.

Driver Name: Francis Nunes  
Date of Birth: 4/27/2001  
ME's Certification Number: PA10004502  
Issue Date: 3/22/2021  
Registry Number: 4441932058  
Phone Number: (425) 774-8758  
Date Checked: 4/22/2021  
Time Checked: 11:04 AM  
Person Contacted: Steven  
Expiration Date: 3/22/2022

**Part 392 - Driving of Commercial Motor Vehicles:**

I Heart Movers, LLC is an intrastate carrier and at the time of this investigation the carrier is not current on its annual regulatory fees.

One violation of WAC 480-15-480 for failing to provide annual report to Utilities and Transportation Commission by May 1 of each year.

Deavondia Taylor was informed about using radar detectors and texting while driving is prohibited.

I Heart Movers, LLC failed to complete criminal background checks on ten employees hired. Bryan, Chris, Jason Sonam, Brey, Lamar, Rico, Deayon Taylor, Ron Camdru, and Devante Shelton did not have background checks. Carrier stated it was unable to give full names for helpers listed on bills of lading as no paperwork for hire was completed.

Ten critical violations of WAC 480-15-555 for failure to complete a criminal background check for every person the carrier intends to hire. This is a repeat violation from July 8, 2020 investigation.

**Part 395 - Hours of Service:**

I Heart Movers, LLC currently employs three drivers. In accordance with eFOTM procedures, a sample size of three Record of Duty Status (RODS) is required to be checked for a 30-day period, March 1, 2021 through March 30, 2021.

RODS were checked based on bills-of-lading. I Heart Movers, LLC did not require drivers to complete RODS or require drivers to document hours of service. Owner Taylor stated that after last review they attempted to require record of duty status but failed to continue the process.

90 critical violations of 395.8(a)(1) for failing to require driver to make a record of duty status. This is a repeat violation from July 8, 2020 inspection.

The carrier's operations would make them eligible for the short haul provision if they had filled out compliant timesheets. Then ELDs would not be required and the carrier would be in compliance with ELD regulations.

**Part 393 & 396 - Maintenance and Inspection:**



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**Part C**

I Heart Movers, LLC owns and operates two vehicles that are classified as commercial motor vehicle in intrastate commerce in the last 365 days. Two vehicle maintenance records were to be reviewed. The following violation was discovered.

One violation of 396.17(a) for no annual inspection. This is a repeat violation from July 8, 2020 investigation.

Per eFOTM, two vehicle inspections were to be performed. Per carrier, vehicle VIN 1G4EE63736015636 has been out of service for approximately one year. The investigator checked with Bug Aide where the vehicle is being repaired. They confirmed it has been out of operations since March 2020 due to engine and front-end repair. Carrier was informed UTC would need to inspect the vehicle prior to returning to service and an annual inspection would need to be complete before operation. One vehicle 1FDWE3FS8CDA64253 was inspected. The following violations were noted.

One violation of 393.95(f) for insufficient warning devices

One violation of 395.95(a) for no fire extinguisher

One violation of 396.17(c) for no proof of annual inspection.

One violation of 390.21(a) for no markings.

The inspections are attached to report.

**CLOSING INTERVIEW:**

The closing interview was conducted on April 28, 2021 via phone conversation. Present at the closing interview was Investigator Yeomans, along with company representative Deavondia Taylor (owner). This investigation resulted in a proposed "Conditional" safety rating.

Taylor did not continue with the corrections as stated in the safety management plan. The investigator received time records done by the owner for the previous months. No other corrections were received. Technical assistance was provided. Taylor is aware of what is needed to be in compliance but is choosing to not comply.

**DOCUMENTS PROVIDED TO THE CARRIER:**

The carrier was provided with one copy of Parts A and B with requirements and recommendations. The carrier was also provided one copy of "Achieving a Satisfactory Motor Carrier Safety Record."

**FOLLOW-ON ACTION:**

File complaint for repeat penalties for critical violation 391.45(a), WAC 480-15-555, Occasions for 391.11(b)(5) and 395.8(a)(1), Impose suspended penalty of \$2,250. Issue notice of intent to cancel.

<b>Upload Authorized:</b>	<b>Yes</b>	<b>No</b>
<b>Authorized by:</b>		<b>Date:</b>
<b>Uploaded:</b>	<b>Yes</b>	<b>No</b>
<b>Verified by:</b>		<b>Failure Code:</b>
		<b>Date:</b>





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**Safety Fitness Rating Explanation**

**OVERALL SAFETY FITNESS RATING**

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory	Conditional	
1	1	= CONDITIONAL

**FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING**

Number of Factors

	Unsatisfactory	Conditional	OVERALL RATING
	0	2 or fewer	Satisfactory
	0	3 or more	Conditional
û	1	2 or fewer	Conditional
	1	3 or more	Unsatisfactory
	2	0 or more	Unsatisfactory

