

	<b>US DOT #</b> 1934023	<b>Legal:</b> CAN'T STOP MOVING LLC <b>Operating (DBA):</b>			
<b>MC/MX #:</b> 892741		<b>State #:</b> THG-063768		<b>Federal Tax ID:</b> 45-2809412 (EIN)	
<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>	Non-HM	Non-HM	<b>Business:</b> Corporation		
<b>Shipper:</b>	N/A	N/A	<b>Gross Revenue:</b> \$1,100,000.00		<b>for year ending:</b> 12/31/2018
<b>Cargo Tank:</b>	N/A				
<b>Company Physical Address:</b>					
4044 23rd Ave W SEATTLE, WA 98199					
<b>Contact Name:</b> Eric Michelson					
<b>Phone numbers:</b> (1) 425- 577-1524		(2)		<b>Fax</b>	
<b>E-Mail Address:</b> ericjmichelson@yahoo.com					
<b>Company Mailing Address:</b>					
19114 49th Pl W Lynnwood, WA 98036					
<b>Carrier Classification</b>					
Authorized for Hire					
<b>Cargo Classification</b>					
Household Goods					
<b>Equipment</b>					
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>		<b>Owned</b> <b>Term Leased</b> <b>Trip Leased</b>
Truck	4	0	0		
Power units used in the U.S.: 4					
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>			<b>Total Drivers:</b> 8		
<b>&gt;= 100 Miles:</b>	8		<b>CDL Drivers:</b>		





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**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Wayne Gilbert  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250, Olympia, WA 98504-7250 Phone: 360-481-2017

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

**Person(s) Interviewed**

**Name:** Eric Michelson

**Title:** Owner

**Name:**

**Title:**



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**Part B Violations**

1	Primary: 480-15-530 Secondary: 387.7(a) CFR Equivalent: 387.7(a)	Discovered	Checked	Drivers/Vehicles In Violation	Checked
STATE <b>ACUTE</b>		1	1	1	1
<b>Description</b> Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage. <b>Example</b> Driver name: Jonathan Hodge Trip date: January 14, 2019 Description of violation: Carrier failed to maintain insurance on vehicles operating in commerce when the carrier allowed automobile liability insurance to expire on January 13, 2019 and did not renew until January 15, 2019.					
2	Primary: 395.8(a)(1) CFR Equivalent: 395.8(a)(1)	Discovered	Checked	Drivers/Vehicles In Violation	Checked
STATE <b>CRITICAL</b>		21	150	1	5
<b>Description</b> Failing to require driver to prepare a record of duty status using appropriate method. <b>Example</b> Driver name: Linard Feaster Trip date: September 12, 2018 Description of violation: Carrier allowed a driver to operate a commercial motor vehicle without completing the appropriate hours of service. Driver only completed total hours worked and did not complete a start and stop time. This violation occurred on August 15, 16, 17, 18, 19, 22, 24, 25, 26, 27, 29, 31, September 1, 2, 3, 5, 7, 8, 9, 10, 12, 2018.					
3	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered	Checked	Drivers/Vehicles In Violation	Checked
STATE <b>CRITICAL</b>		3	3	3	3
<b>Description</b> Using a commercial motor vehicle not periodically inspected. <b>Example</b> Vehicle number: JALE5W168G7300317 (#5) Trip date: February 7, 2019 Description of violation: Carrier failed to obtain an annual DOT inspection.  Also in violation: Vehicle number: JALE5W162G7304217 (#7) Trip date: February 7, 2019  Vehicle number: JALE5W162G7304198 (#8) Trip date: February 7, 2019					



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**Part B Violations**

4 STATE	Primary: 391.23(b) CFR Equivalent: 391.23(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation	Checked 5
<p><b>Description</b> Failing to investigate driver's background within 30 days of employment. Driver name: Yuri Hlukhyi Trip date: December 8, 2018 Description of violation: Carrier failed to obtain a driver's abstract within 30 days of employment. Driver began driving on December 2, 2018 and first abstract on file is dated January 11, 2019.</p> <p>Also in violation: Driver name: Jonathan Hogde Trip date: December 31, 2018 Description of violation: Driver began driving on September 21, 2018 and first abstract on file is dated January 11, 2019.</p> <p>Driver name: Brandon Mulhorn Trip date: December 1, 2018 Description of violation: Driver was hired September 2017 and first abstract on file is dated January 11, 2019.</p>					
5 STATE	Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)	Discovered 2	Checked 5	Drivers/Vehicles In Violation	Checked 5
<p><b>Description</b> Failing to maintain driver's employment application in driver's qualification file.</p> <p><b>Example</b> Driver name: Linard Feaster Trip date: September 16, 2018 Description of violation: Carrier failed to maintain an employment application on file.</p> <p>Also in violation: Driver name: Yuri Hlukhyi Trip date: December 8, 2018</p>					
6 STATE	Primary: 391.51(b)(2) CFR Equivalent: 391.51(b)(2)	Discovered 1	Checked 5	Drivers/Vehicles In Violation	Checked 5
<p><b>Description</b> Failing to maintain inquiries into driver's driving record in driver's qualification file.</p> <p><b>Example</b> Driver name: Linard Feaster Trip date: September 16, 2018 Description of violation: Carrier failed to maintain an initial driver's abstract. Driver was hired on January 2, 2018 and no abstract was placed on file until February 4, 2019, after the driver had been terminated.</p>					





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**Part B Violations**

7 STATE	Primary: 391.51(d) CFR Equivalent: 391.51(d)	<b>Discovered</b> 2	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> 2 <b>Checked</b> 5
<p><b>Description</b> Failing to keep required records in driver's qualification file for 3 years after date of execution. Driver name: Yurii Hlukhyi Trip date: December 8, 2018 Description of violation: Carrier failed to retain previous medical certificate in the driver's qualification file.</p> <p>Also in violation: Driver name: Jonathan Hogde Trip date: December 31, 2018</p>				
8 STATE	Primary: 392.4(a) CFR Equivalent: 392.4(a)	<b>Discovered</b> 1	<b>Checked</b> 1	<b>Drivers/Vehicles</b> <b>In Violation</b> 1 <b>Checked</b> 1
<p><b>Description</b> Driver on-duty and possessing, being under the influence of, or using a narcotic drug, amphetamine, or any other substance which renders the driver incapable of safely operating a motor vehicle.</p> <p><b>Example</b> Driver name: Linard Feaster Trip date: September 16, 2018 Description of violation: A driver of the carrier operated a CMV while in possession of a controlled substance.</p>				
9 STATE	Primary: 396.3(b)(2) CFR Equivalent: 396.3(b)(2)	<b>Discovered</b> 3	<b>Checked</b> 3	<b>Drivers/Vehicles</b> <b>In Violation</b> 3 <b>Checked</b> 3
<p><b>Description</b> Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.</p> <p><b>Example</b> Vehicle number: JALE5W168G7300317 (#5) Trip date: February 7, 2019 Description of violation: Carrier failed to have a means of indictaing the nature and due date of a preventative maintenance program.</p> <p>Also in violation: Vehicle number: JALE5W162G7304217 (#7) Trip date: February 7, 2019</p> <p>Vehicle number: JALE5W162G7304198 (#8) Trip date: February 7, 2019</p>				
<p><b>Safety Fitness Rating Information:</b></p> <p><b>Total Miles Operated</b> 23,480 <b>Recordable Accidents</b> 0 <b>Recordable Accidents/Million Miles</b> 0.00</p>		<p><b>OOS Vehicle (CR):</b> 0 <b>Number of Vehicle Inspected (CR):</b> 3 <b>OOS Vehicle (MCMIS):</b> 0 <b>Number of Vehicles Inspected (MCMIS):</b> 0</p>		





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**Part B Violations**

Your proposed safety rating is :

**CONDITIONAL**

Rating Factors		Acute	Critical
Factor 1:	C	1	0
Factor 2:	S	0	0
Factor 3:	U	0	2
Factor 4:	C	0	1
Factor 5:	N	0	0
Factor 6:	S	-	-

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.



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## Part B Requirements and/or Recommendations

1. Within 15 days, send a letter to the UTC describing what actions you have taken in response to this review to ensure that you are complying with the Motor Carrier Safety Regulations.

Identify each violation and why the violations were permitted to occur.

Address the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action (new policies, procedures, training programs etc.).

Outline actions taken to ensure that similar violations do not reoccur in the future.

Address your response to:  
Washington Utilities and Transportation Commission  
Attention Wayne Gilbert  
PO Box 47250  
Olympia, WA 98504-7250.

2.
  - Understand Why Compliance Saves Time and Money: Compliance with WACs 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.
  - NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Washington Administrative Code) will cause the maximum penalties allowed by law to be assessed. Repeated violations means violation(s) of an acute regulation of the same Part of Washington Administrative Code 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 WAC discovered in an investigation after two or more closed enforcement actions within a six year period.
  - 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>

3. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Can't Stop Moving has the necessary tools in place to accurately track hours of service. However, they fail to monitor those tools to ensure drivers are using them.

BASIC SPECIFIC RECOMMENDED REMEDIES: Can't Stop Moving needs to monitor and train drivers to ensure they are accurately filling out records of duty status.

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



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## Part B Requirements and/or Recommendations

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.).

Passenger Carrier Only:

- Monitor and track driver-fatigue-related passenger complaints and assess safety implications.
- Ensure that management ascertains that available hours account for rest periods, separate operations within-company, intermittent and relief drivers, and changes to itinerary that require "extended day." Check in with drivers at pre-designated intervals.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

#### 4. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Can't Stop Moving allowed annual DOT inspections to lapse and did not renew.

BASIC SPECIFIC RECOMMENDED REMEDIES: The carrier must ensure that before a vehicle is allowed to operate in commerce, it must have a periodic inspection accomplished.

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

- Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
- Ensure that Driver Vehicle Inspection Records (DVIRs) are effectively coordinated with maintenance and operations, result in timely corrective measures, and are verified during pre-trip inspections as applicable.
- Require mechanics to note whether parts came from inventory or were ordered, to ensure accuracy of maintenance records.
- Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
- Monitor manufacturer recalls through <http://www.nhtsa.dot.gov> and consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance.
- Implement a system for keeping accurate records of employee inspection, repair, and maintenance training needs, including updates on a carrier's fleet or equipment and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Regularly evaluate the company's vehicle-maintenance-related inspection results via the Federal Motor Carrier Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.





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**Part B Requirements and/or Recommendations**

- Evaluate personnel who are monitoring vehicle maintenance performance by making sure they are using Driver Vehicle Inspection Records (DVIRS), roadside inspections, and other data; applying performance standards fairly, consistently, and equitably; and documenting evaluations.
- When monitoring and tracking vehicle maintenance issues, always assess whether an issue is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

**Passenger Carrier Only:**

- Monitor manufacturer recalls through <http://www.nhtsa.dot.gov>; consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance, especially with regard to preowned buses.
- Monitor and track vehicle-maintenance-related passenger complaints and assess safety implications.

**Seek Out Resources:**

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.





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**Safety Fitness Rating Explanation**

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

<b>FACTOR 1</b>	<b>General (CFR Parts 387, 390)</b>	0 Point = Satisfactory
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>	û 1 Point = Conditional
S 387.7(a)	1 ( A )	>1 Point = Unsatisfactory
	-----	
<b>TOTAL POINTS:</b>	<b>1 = CONDITIONAL</b>	

<b>FACTOR 2</b>	<b>Driver Qualification (CFR Parts 382, 383, 391)</b>	û 0 Point = Satisfactory
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>	1 Point = Conditional
NONE	-----	>1 Point = Unsatisfactory
<b>TOTAL POINTS:</b>	<b>0 = SATISFACTORY</b>	

<b>FACTOR 3</b>	<b>Operational/Driving (CFR Parts 392, 395)</b>	0 Point = Satisfactory
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>	1 Point = Conditional
S 395.8(a)(1)	2 ( C )	û >1 Point = Unsatisfactory
	-----	
<b>TOTAL POINTS:</b>	<b>2 = UNSATISFACTORY</b>	

<b>FACTOR 4</b>	<b>Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))</b>	Out-of-Service (OOS) Percentage: 0.0
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>	
S 396.17(a)	1 ( C )	
	-----	
<b>TOTAL POINTS:</b>	<b>1 &amp; 0.0% OOS = CONDITIONAL (see chart)</b>	

<b>Fewer than 3 Inspections</b>	<b>3 or more Inspections</b>	
Rate same as other Regulatory Factors 1, 2, and 3  0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	Satisfactory	Conditional
	û Conditional	Unsatisfactory
	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation

<b>FACTOR 5</b>	<b>Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)</b>
<b>Not Applicable - Not a carrier of Hazardous Material</b>	
NONE	

<b>FACTOR 6</b>	<b>Accident (Recordable Accident Rate)</b>
(( Recordable Accidents ) X ( 1 million ) ) ÷ ( Total Miles ) = Rate	
( 0 X 1,000,000 ) ÷ 23,480 = 0 = SATISFACTORY	
<b>ACCIDENT RATE</b>	<b>FACTOR RATING</b>
û 0.000 - 1.500	= Satisfactory
>1.500	= Unsatisfactory





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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

2

= **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
0	1	2 or fewer	Conditional
	1	3 or more	Unsatisfactory
	2	0 or more	Unsatisfactory

