
	<b>US DOT #</b> 914878	<b>Legal:</b> ED'S MOVING & STORAGE INC <b>Operating (DBA):</b>					
<b>MC/MX #:</b> 138167		<b>State #:</b> THG-019094		<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>Business:</b> Corporation			
<b>Carrier:</b>	N/A		Non-HM	<b>Gross Revenue:</b> \$1,331,003.52			
<b>Shipper:</b>	N/A		N/A	<b>for year ending:</b> 12/31/2020			
<b>Cargo Tank:</b>	N/A						
<b>Company Physical Address:</b>							
4823 95TH ST SW SUITE E LAKEWOOD, WA 98499							
<b>Contact Name:</b> Jackie Johnson							
<b>Phone numbers:</b> (1) 253- 581-2446		(2)		<b>Fax</b>			
<b>E-Mail Address:</b> jjohnson@edsmoving.com							
<b>Company Mailing Address:</b>							
4823 95TH ST SW SUITE E LAKEWOOD, WA 98499							
<b>Carrier Classification</b>							
Authorized for Hire			Private Property				
<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	Truck Tractor	1	0	0
Power units used in the U.S.:5							
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>		5	<b>Total Drivers:</b> 5				
<b>&gt;= 100 Miles:</b>		0	<b>CDL Drivers:</b> 0				



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
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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:  
[edward.steiner@utc.wa.gov](mailto:edward.steiner@utc.wa.gov)

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

<b><u>Person(s) Interviewed</u></b>	
<b>Name:</b> Jackie Johnson	<b>Title:</b> General Manager
<b>Name:</b>	<b>Title:</b>



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094	Review Date: 08/26/2021
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**Part B Violations**

1 STATE <b>ACUTE</b>	Primary: 391.15(a)	<b>Discovered</b> 1	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> 1 <b>Checked</b> 5
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**Description**  
Using a disqualified driver.

**Example**  
Driver name: Talamoa Tupua  
Trip date: 08/10/2020  
Description of violation: Carrier used a disqualified driver to operate a commercial motor vehicle.

2 STATE <b>CRITICAL</b>	Primary: 391.45(a) Secondary: 391.11(a)	<b>Discovered</b> 2	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> 2 <b>Checked</b> 5
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**Description**  
Using a driver not medically examined and certified.

**Example**  
Driver name: Philip Faamama  
Trip date: 06/23/2021  
Description of violation: Carrier utilized a driver not medically examined and certified.

Also in violation:  
Driver name: Toetu Gasetoto  
Trip date: 05/13/2021

3 STATE <b>CRITICAL</b>	Primary: 391.51(a)	<b>Discovered</b> 4	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> 4 <b>Checked</b> 5
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**Description**  
Failing to maintain driver qualification file on each driver employed.

**Example**  
Driver name: Philip Faamama  
Trip date: 06/23/2021  
Description of violation: Carrier failed to maintain driver qualification files on each driver employed.

Also in violation:  
Driver name: Richard Augkhopinee  
Trip date: 06/23/2021

Driver name: Toetu Gasetotu  
Trip date: 05/13/2021


Driver name: Talamoa Tupua  
Trip date: 08/10/2020

4 STATE	Primary: 391.23(a)(1)	<b>Discovered</b> 1	<b>Checked</b> 5	<b>Drivers/Vehicles</b> <b>In Violation</b> 1 <b>Checked</b> 5
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**Description**  
Failing to investigate driver's background within 30 days of employment.

**Example**  
Driver name: Darrien Walters  
Trip date: 12/31/2020  
Description of violation: Carrier failed to investigate driver's driving record within 30 days of employment.



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094	Review Date: 08/26/2021
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**Part B Violations**

5 STATE	Primary: 391.51(b)(9)	<b>Discovered</b> 1	<b>Checked</b> 5	<table border="1"> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> <tr> <td>1</td> <td>5</td> </tr> </table>	Drivers/Vehicles		In Violation	Checked	1	5
Drivers/Vehicles										
In Violation	Checked									
1	5									

**Description**  
Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file(s).

**Example**  
Driver name: Darrien Walters  
Trip date: 12/31/2020  
Description of violation: Carrier failed to place a note verifying the medical examiner's listing on the National Registry of Certified Medical Examiners.

6 STATE	Primary: WAC-480-15-555(3) Secondary: RCW 81.80.130 CFR Equivalent: 392.2	<b>Discovered</b> 1	<b>Checked</b> 15	<table border="1"> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> <tr> <td>1</td> <td>15</td> </tr> </table>	Drivers/Vehicles		In Violation	Checked	1	15
Drivers/Vehicles										
In Violation	Checked									
1	15									

**Description**  
Carrier hired a person with a felony conviction of assault within the past five years.

**Example**  
Driver name: Philip Faamama  
Trip date: 06/23/2021  
Description of violation: Carrier hired a person with a felony conviction of assault within the past five years.

In violation:  
Nicholas Lund

7 STATE	Primary: 395.8(a)(1)	<b>Discovered</b> 1	<b>Checked</b> 120	<table border="1"> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> <tr> <td>1</td> <td>4</td> </tr> </table>	Drivers/Vehicles		In Violation	Checked	1	4
Drivers/Vehicles										
In Violation	Checked									
1	4									

**Description**  
Failing to require a driver to prepare a record of duty status.

**Example**  
Driver name: Toetu Gasetoto  
Trip date: 05/13/2021  
Description of violation: Carrier failed to require a driver to prepare a record of duty status as required.

8 STATE	Primary: WAC 480-15-555 Secondary: RCW 81.80.130 CFR Equivalent: 392.2	<b>Discovered</b> 4	<b>Checked</b> 15	<table border="1"> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> <tr> <td>4</td> <td>15</td> </tr> </table>	Drivers/Vehicles		In Violation	Checked	4	15
Drivers/Vehicles										
In Violation	Checked									
4	15									

**Description**  
Failing to conduct or retain paperwork containing criminal background check prior to hiring employees for a household goods carrier in the state of Washington as required.

**Example**  
Driver name: Philip Faamama  
Trip date: 06/23/2021  
Description of violation: Failing to conduct or retain paperwork containing criminal background check prior to hiring employees for a household goods carrier in the state of Washington as required.

In violation:  
Jackie Johnson  
Eric Branch  
Janae Baker  
Antonio Roa



	<b>ED'S MOVING &amp; STORAGE INC</b>	State #: THG-019094	Review Date:
	U.S. DOT #: 914878		08/26/2021

**Part B Violations**


9 STATE	Primary: WAC 480-15-530(3)	<b>Discovered</b> 1	<b>Checked</b> 1	<b>Drivers/Vehicles</b>	
				<b>In Violation</b> 1	<b>Checked</b> 1

**Description**  
Carrier failed to have a current Form E on file with the Commission.  
**Example**  
Driver name: Philip Faamama  
Trip date: 06/23/2021  
Description of violation: Carrier failed to have a current Form E on file with the Commission.

<b>Safety Fitness Rating Information:</b>	<b>OOS Vehicle (CR):</b> 0
<b>Total Miles Operated</b> 42,405	<b>Number of Vehicle Inspected (CR):</b> 3
<b>Recordable Accidents</b> 1	<b>OOS Vehicle (MCMIS):</b> 0
<b>Recordable Accidents/Million Miles</b> 23.58	<b>Number of Vehicles Inspected (MCMIS):</b> 0

<b>Your proposed safety rating is :</b>             <b>CONDITIONAL</b>	<b>Rating Factors</b>	<b>Acute</b>	<b>Critical</b>
	<b>Factor 1:</b> S	0	0
	<b>Factor 2:</b> U	1	2
	<b>Factor 3:</b> S	0	0
	<b>Factor 4:</b> S	0	0
	<b>Factor 5:</b> N	0	0
	<b>Factor 6:</b> S	-	-



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094 Review Date: 08/26/2021
<b>Part B Requirements and/or Recommendations</b>		

1. The Washington Utilities and Transportation Commission (UTC) adopted the Federal Motor Carrier Safety Administration (FMCSA) rules of 49 CFR and regulations pertaining to the Commercial Motor Vehicle's Safety along with the Revised Code of Washington and Washington Administrative Codes pertaining to Commercial Motor Vehicle Safety and Regulations.

How to request an upgrade to your INTRASTATE safety rating based on corrective actions:

Within sixty (60) days from receipt of your proposed safety rating, you may request in writing, a change in the rating based on corrective actions. You should do so as soon as possible so the UTC has the opportunity to review your corrective actions and make a final decision. Your Safety Management Plan should be submitted within the first 30 days after receiving this report.

Your submission should be as detailed as possible:

You must develop a safety management plan:


1. The plan must address all violations on the most recent Compliance Review. Corrective actions to address other violations noted on your review must also be included.
2. Identify why the violations were permitted to occur.
3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of new forms.
4. Outline actions taken to ensure that similar violations do not reoccur in the future. **YOU MUST DEMONSTRATE THAT YOUR OPERATIONS CURRENTLY MEET THE SAFETY STANDARD AND FACTORS SPECIFIED IN 49 CFR 385.5 and 385.7.** To do so, you must demonstrate that you now have adequate safety management controls in place which function effectively to ensure acceptable compliance with applicable safety requirements.
5. If your request includes actions that will be conducted in the near future, such as training, reorganization of departments, purchasing of computer programs, etc, include a detailed description of the activity or training and a schedule of when that activity will commence and when it will be completed.
6. Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.
7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

You must submit your request to:

Investigator Edward Steiner  
Email: Edward.Steiner@UTC.WA.GOV

2. **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.  
**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



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094 Review Date: 08/26/2021
<b>Part B Requirements and/or Recommendations</b>		

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.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:

<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

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. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN - Carrier general manager Jackie Johnson failed to ensure drivers selected for testing had an equal chance for selection.


#### BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

Seek Out Resources:



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094 Review Date: 08/26/2021
<b>Part B Requirements and/or Recommendations</b>		

- 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. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures**

DESCRIPTION OF PROCESS BREAKDOWN - Carrier general manager Jackie Johnson failed to maintain driver qualification files.


**BASIC SPECIFIC RECOMMENDED REMEDIES**

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
  - Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.
  - Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
  - Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
  - Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
  - Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.
- 5. 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.**
- 6. Criminal background checks for prospective employees.**
- (1) Each carrier must complete a criminal background check for every person the carrier intends to hire. This check must be completed prior to the prospective employee being hired and working as a household goods moving company employee.
  - (2) The carrier must keep evidence that it has completed a criminal background check for every person the carrier intends to hire for as long as that person is employed and for three years thereafter.
  - (3) No carrier may hire a person who has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance within the past five years.





	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094	Review Date: 08/26/2021
<b>Part C</b>			

**Reason for Review:** Compliance Review  
**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	ü	ü									

**Prior Reviews**      **Prior Prosecutions**  
10/12/2020

**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:** Jackie Johnson  
**Corporate Contact Title:** General Manager

**Special Study Information:**

**Remarks:**

**INVESTIGATIVE REPORT RECEIVED BY:**

Name: Mr. Jackie Johnson  
Title: General Manager  
Carrier/Shipper Name: Ed's Moving and Storage Inc  
Date: August 26, 2021

**REASON FOR THE INVESTIGATION:**

As part of the 2021 Motor Carrier Safety work plan, this investigation was assigned to Special Investigator Edward Steiner. This carrier operates in intrastate commerce.

**SCOPE OF THE INVESTIGATION:**

This investigation is a follow-up, comprehensive intrastate investigation, per TV-200875 Per Order 01, and was assigned to Special Investigator Edward Steiner on June 9, 2021. The carrier was contacted on June 9, 2021, and a full investigation was scheduled with Mr. Johnson for June 23, 2021. SMS was checked on June 22, 2021, and it was noted that no BASICS were in alert status.


**CARRIER OPERATION DESCRIPTION:**

Ed's Moving and Storage Inc is a provisional household goods carrier that operates in Lakewood, WA. The carrier began operations in the area in October 1965. Jackie Johnson attended household goods training on April 17, 2019, and October 27, 2020. The carrier currently owns five vehicles and employs three drivers. The carrier's gross revenue reported for fiscal year ending December 31, 2020, was \$1,331,003.52. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier reported 42,405 miles driven in 2020.

**PRE-INVESTIGATION:**

On June 9, 2021, a carrier information packet was emailed to the carrier listing 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 a 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 carrier packet was returned on June 11, 2021. On June 23, 2021, documents requested that were available were provided to the investigator for review. The document request included a list of all accidents for the past 365 days from the date of review, driver



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
<b>Part C</b>		

qualification files for all drivers used within the past 12 months, insurance documentation, all records of duty status (logbooks/timerecards) for the previous six months, all maintenance files and records for each unit. A copy of the carrier's profile was obtained through MCMIS on June 22, 2021.

**CDLIS (DRIVER LICENSE) CHECK:**

In accordance with the eFOTM, all CDL drivers were required to be checked. During the investigation Ed's Moving and Storage Inc employed three non-CDL drivers. Driver licenses for Darrien Walters, Philip Faamama, and Richard Aughopinee were checked through CDLIS and the Washington State Department of Licensing revealing the licenses to be current.

**AUTHORITY:**

The carrier is an authorized household goods carrier operating in intrastate commerce. The carrier operates under the USDOT Number 914878. Ed's Moving and Storage Inc has intrastate authority through the commission under provisional permit number THG-019094.

**INSURANCE:**

Ed's Moving and Storage Inc is required to maintain a minimum level of public liability of \$750,000. Investigator contacted the carrier's insurance agent who informed Investigator that Ed's Moving & Storage Inc., was recently acquired by Powell Moving & Storage Inc., and added to the insurance policies of Powell Moving & Storage Inc. The effective date was July 1, 2021, for \$1,000,000 Auto Liability TransGuard Insurance company. See Part 387 below for details.

**RED FLAG DRIVERS:**

A&I (SMS) was checked through Portal on June 22, 2021, and the carrier had one driver with red flag violations in the last 365 days. On August 10, 2020, Talamoa Tupua was involved in a DOT recordable accident and received a red flag violation for 391.15(a), Driving a CMV while disqualified suspended for safety-related or unknown reason in the state of driver's license issuance. Tupua was not a current employee of the carrier.

**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:**

Ed's Moving and Storage Inc does not transport any hazardous materials. A Hazardous Materials Supplemental Review was not required.

**INVESTIGATION:**

The following investigation is a comprehensive investigation that checked Parts 376, 380, 382, 383, 387, 390, 391, 392, 393, 395 and 396.

**Part 376 Lease and Interchange of Vehicles:**

Ed's Moving and Storage Inc does not lease vehicles.

**Part 380 Special Training:**

Ed's Moving and Storage Inc currently owns a tractor, utilized in hauling a trailer as an agent with Atlas Van Lines, although the carrier informed investigator there is no CDL qualified driver currently employed.

**Part 382 Controlled Substance and Alcohol Testing:**


The carrier informed investigator that it owns two vehicles with a GVWR above 26,001 lbs, which were not currently being utilized. One CDL driver Nicholas Lund, was employed between November 2020 and March 2021, although the carrier stated the driver did not operate a commercial motor vehicle during the period of employment.

The carrier utilizes DISA Global Solutions, Houston, Texas, as a third-party administrator. The carrier is part of a combined testing pool that conducts quarterly testing. Upon inquiry with the third-party administrator, it was discovered that the carrier had former employee Nick Lund still registered with the testing pool along with another employee named John Scheidt, who the carrier stated does not currently drive and has not driven a CDL vehicle in recent memory. Additionally, the carrier failed to register with the FMCSA Clearinghouse and have a designated person who completed reasonable suspicion training. Part 382 violations were not documented due to insufficient proof of a regulated trip using a CDL vehicle.

**Part 383 Commercial Driver's License:**

The carrier does not currently employ CDL drivers for household goods moves.



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
<b>Part C</b>		

**Part 387 Financial Responsibility:**

The carrier's vehicles are insured through TransGuard Insurance company. The insurance representative contacted was Steven Pilchard from Aegis Insurance Services, Inc., with a contact telephone number (770) 360-5565 ext. 1018. Mr. Pilchard informed Investigator the carrier was covered with \$1,000,000 in Auto Liability coverage and \$500,000 in cargo insurance (policy # TCP0002010-00;).

The carrier's last Form E on file with the commission was dated January 17, 2017.

One violation of WAC 480-15-530(3) occurred when the carrier failed to have a current Form E on file with the Commission.

**Part 390 General FMSCR:**

The carrier was involved in a DOT-recordable accident on August 10, 2020, resulting in injuries and vehicle being towed.

MCS-150 form was last updated on July 9, 2020.

**Part 391 Qualification of Drivers:**

The carrier employed a total of five drivers that operated in the state of Washington during the last 365 days. Per eFOTM guidelines, a sample size of five Driver Qualification Files were to be inspected. The drivers checked were Darrien Walters, Philip Faamama, Richard Augkhopinee, Toetu Gasetoto and Talamoa Tupua.

Investigation revealed that on August 10, 2020, Talamoa Tupua was involved in a DOT recordable accident while in violation of 391.15(a), Driving a CMV while disqualified suspended for safety-related or unknown reason in the state of driver's license issuance.

One acute violation of 391.15(a), occurred when the carrier used a disqualified driver.

On May 13, 2021, Toetu Gasetoto, was operating a commercial motor vehicle when inspected by the Washington State Patrol. Carrier general manager Jackie Johnson informed investigator that he was not aware Gasetoto had driven a commercial vehicle and should not have been driving. Additionally, the carrier failed to have full driver qualification files on Philip Faamama, Richard Augkhopinee, and Talamoa Tupua.

Four critical violations of 391.51(a) occurred when the carrier failed to maintain driver qualification files on drivers.

Non-qualified driver Toetu Gasetoto had no medical certificate and driver Philip Faamama's medical certification expired May 1, 2021. Faamama did not receive a new medical certification until June 29, 2021. There were 32 occurrences of drivers driving a CMV without being medically certified as follows:

Toetu Gasetoto (1 time): May 13.

Philip Faamama (31 times): May 3, 4, 5, 6, 10, 11, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28. June 2, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18, 19, 21, 23.

Two critical violations of 391.45(a) occurred when the carrier utilized drivers not medically examined and certified.


One violation of 391.23(a)(1) occurred when carrier failed to investigate driver's driving record within 30 days of employment. Driver Darrien Walters hired September 15, 2020, driving record check conducted November 17, 2020.

One violation of 391.51(b)(9) occurred when the carrier failed to place a note verifying the medical examiner's listing on the National Registry of Certified Medical Examiners.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates for 25 percent of the driver qualification file sample size. Two were selected for verification.

Driver Name: Richard Augkhopinee  
Date of Birth: February 9, 1971  
ME's License/Certificate Number: AP60862229  
Date of Issuance of the MEC: October 19, 2020  
National Registry Identification Number: 1671953663



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
<b>Part C</b>		

Phone Number: (253) 272-6677  
Date and Time Contacted: July 28, 2021 @ 4:13 pm  
Person Contacted: Katherine  
Results: MEC Check Confirmed

Driver Name: Philip Faamama  
Date of Birth: October 20, 1978  
ME's License/Certificate Number: PA61103092  
Date of Issuance of the MEC: June 29, 2021  
National Registry Identification Number: 3656644724  
Phone Number: (253) 475-5908  
Date and Time Contacted: July 28, 2021 @ 3:51 pm  
Person Contacted: Samantha  
Results: MEC Check Confirmed

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

Ed's Moving and Storage Inc is operating in intrastate commerce. Carrier advised on no handheld cellphones and texting.

Four critical violations of WAC 480-15-555, failing to acquire a criminal background check for prospective employees.

Jackie Johnson hired November 15, 2018, criminal background check conducted June 24, 2021, Eric Branch hired June 8, 2021, criminal background check conducted June 23, 2021, Janae Baker hired April 19, 2021, criminal background check conducted June 23, 2021, Antonio Roa hired March 10, 2021, criminal background check conducted June 23, 2021.

One violation of WAC-480-15-555(3) occurred when the carrier hired a person with a felony conviction of assault within the past five years. Employee Nicholas Lund had a felony conviction of Assault from 2018. Carrier informed investigator that employee Nicholas Lund was a previous employee who was re-hired on November 30, 2020, however, no criminal background check was completed.

**Part 395 - Hours of Service:**

The carrier employed five drivers during the last 365 days. In accordance with eFOTM procedures, a sample size of four Record of Duty Status (RODS) based on the number of current drivers is required to be checked for a 30-day period. Ed's Moving and Storage Inc operated most service under the short-haul exemption of Part 395.1(e) within the last 365 days.

For this investigation, a 30-day period was chosen from May 1 - May 30, 2021, for drivers Philip Faamama, Richard Augkhopinee and Toetu Gasetoto. For driver Darrien Walters December 24, 2020 - January 23, 2021. This required a total of 120 RODS be checked for four drivers.

Out of the 120 RODS checked; one day contained no RODS:

Toetu Gasetoto (1 time): May13.

One critical type violation of 395.8(a)(1) occurred when the carrier failed to require driver to make a record of duty status.

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

The carrier owns five vehicles that are classified as a commercial motor vehicle in intrastate commerce within the last 365 days.

**Vehicle Maintenance Records:**

In accordance with eFOTM, a sample size of five vehicle maintenance files were requested for review. No violations discovered.


**Driver Vehicle Inspection Reports (DVIRs):**

In accordance with eFOTM, a sample size of five vehicles and 150 DVIR's were requested for review. No violations discovered.

**Vehicle Inspections:**

Three vehicle inspections were performed with no out of service violations. On August 10, 2020, the carrier received five



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
<b>Part C</b>		

out of service violations for disqualified driver, bent drag link, fluid reservoir leak, liquid fuel system tank leak and a pinched brake hose by the Washington State Patrol.

**CLOSING INTERVIEW:**

The closing interview was conducted on August 26, 2021, with Mr. Jackie Johnson. This investigation resulted in a proposed "Conditional" rating. Mr. Johnson was cooperative throughout the entire scope of this investigation. The carrier was instructed on how to submit a safety management plan and technical assistance was also provided to the carrier during the process of this review.

**DOCUMENTS PROVIDED TO THE CARRIER:**

The carrier was informed on how to access an electronic copy of "Achieving a Satisfactory Motor Carrier Safety Record" and "Fitness Rating Explanation."

**FOLLOW-ON ACTION:**

Safety Management Plan.  
Recommend continued compliance monitoring.

<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>Failure Code:</b>
<b>Verified by:</b>			<b>Date:</b>



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	State #: THG-019094	Review Date: 08/26/2021
	<b>Safety Fitness Rating Explanation</b>		

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>		û 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory												
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>														
NONE	-----														
	<b>TOTAL POINTS: 0 = SATISFACTORY</b>														
<b>FACTOR 2</b>	<b>Driver Qualification (CFR Parts 382, 383, 391)</b>		0 Point = Satisfactory 1 Point = Conditional û >1 Point = Unsatisfactory												
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>														
S	1 (A)														
S	1 (C)														
S	1 (C)														
	-----														
	<b>TOTAL POINTS: 3 = UNSATISFACTORY</b>														
<b>FACTOR 3</b>	<b>Operational/Driving (CFR Parts 392, 395)</b>		û 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory												
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>														
NONE	-----														
	<b>TOTAL POINTS: 0 = SATISFACTORY</b>														
<b>FACTOR 4</b>	<b>Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))</b>														
<b>VIOLATIONS AFFECTING RATING</b>	<b>POINTS</b>	Out-of-Service (OOS) Percentage: 0.0													
NONE	-----														
	<b>TOTAL POINTS: 0 &amp; 0.0% OOS = SATISFACTORY (see chart)</b>														
<table border="1" style="width: 100%;"> <tr> <th style="width: 50%;">Fewer than 3 Inspections</th> <th colspan="2">3 or more Inspections</th> </tr> <tr> <td rowspan="4"> Rate same as other Regulatory Factors 1, 2, and 3   0 Point = Satisfactory  1 Point = Conditional  &gt;1 Point = Unsatisfactory </td> <td>OOS Less than 34%</td> <td>OOS 34% or Higher</td> </tr> <tr> <td>û Satisfactory</td> <td>Conditional</td> </tr> <tr> <td>Conditional</td> <td>Unsatisfactory</td> </tr> <tr> <td>If a pattern of Non-Compliance with a Critical or an Acute Violation</td> <td>If a pattern of Non-Compliance with a Critical or an Acute Violation</td> </tr> </table>		Fewer than 3 Inspections	3 or more Inspections		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	û Satisfactory	Conditional	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		
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	û Satisfactory	Conditional													
	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															
<b>URBAN CARRIER - All Driver operate within &lt;100 air miles</b>															
<b>OVERALL SAFETY FITNESS RATING</b>															
Number of Factors (1-6) shown above as less than satisfactory															
Unsatisfactory	Conditional														
1	0	=	CONDITIONAL												



	<b>ED'S MOVING &amp; STORAGE INC</b> U.S. DOT #: 914878	Review Date: 08/26/2021
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**Safety Fitness Rating Explanation**

<b>FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING</b>			
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

