

Washington Utilities and Transportation Commission

	US DOT # 2824383	Legal: PRO MOVERS LLC Operating (DBA): GROOVIN MOVIN			
MC/MX #:		State #: THG066237		Federal Tax ID:	
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory:
Operation Types		Interstate	Intrastate		
Carrier:	N/A		Non-HM	Business: Corporation	
Shipper:	N/A		N/A	Gross Revenue: \$114,546.00	
Cargo Tank:	N/A			for year ending: 12/31/2019	
Company Physical Address:					
3101 NE 138TH AVE VANCOUVER, WA 98682					
Contact Name: Andrey Goncharuk					
Phone numbers: (1) 360- 487-6564		(2)		Fax	
E-Mail Address: andreygoncharuk@hotmail.com					
Company Mailing Address:					
3101 NE 138TH AVE VANCOUVER, WA 98682					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Household Goods					
Equipment					
	Owned	Term Leased	Trip Leased	Owned	Term Leased Trip Leased
Truck	1	0	0		
Power units used in the U.S.: 1					
Percentage of time used in the U.S.: 100					
Does carrier transport placardable quantities of HM? No					
Is an HM Permit required? N/A					
Driver Information					
	Inter	Intra	Average trip leased drivers/month: 0		
< 100 Miles:		2	Total Drivers: 2		
>= 100 Miles:			CDL Drivers: 0		





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the UTC attn: Jason Sharp at

PO Box 47250
Olympia, WA 98504-7250
Phone: 360-664-1238 email: jason.sharp@utc.wa.gov

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Andrey Goncharuk

Title: Owner

Name:

Title:





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part B Violations

1 STATE CRITICAL	Primary: 391.45(a) Secondary: 391.11(a)	Discovered 3	Checked 4	Drivers/Vehicles In Violation 3	Checked 4
<p>Description Using a driver not medically examined and certified.</p> <p>Example Driver name: Christian Davison and Andrey Goncharuk Trip date: 11/22/2019 Description of violation: Carrier used a driver who had not been medically certified by a medical examiner on National Registry.</p> <p>Also in violation: Driver name: Aleksey Goncharuk and Andre Goncharuk Trip date: 4/13/2020</p>					
2 STATE CRITICAL	Primary: 391.51(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<p>Description Failing to maintain driver qualification file on each driver employed.</p> <p>Example Driver name: Aleksey Goncharuk and Andrey Goncharuk Trip date: 4/13/2020 Description of violation: Carrier failed to maintain driver qualification file on commercial drivers.</p>					
3 STATE CRITICAL	Primary: WAC 480-15-555 Secondary: RCW 81.80.130 CFR Equivalent: 392.2	Discovered 13	Checked 13	Drivers/Vehicles In Violation 0	Checked 0
<p>Description Failing to acquire criminal background check of prospective employee</p> <p>Example Driver name: Christian Davison and Andrey Goncharuk Trip date: 11/22/2019 Description of violation: Carrier failed to require drivers to prepare a record of duty status.</p> <p>Employees without background checks: Eric Belikov Christian Davison Angela Derevyanchuk Eduard Dicen Aleksey Goncharuk Eduard Goncharuk Jorge Morales Ahmed Pezer Vedad Pezer Jared Ryan Timofey Shkarovskiy Yuriy Sivvy Justin Stovall</p>					





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:
 07/07/2020

Part B Violations

4 STATE CRITICAL	Primary: 395.8(a)(1)	Discovered 107	Checked 107	Drivers/Vehicles In Violation 4	Checked 4
-------------------------------	----------------------	--------------------------	-----------------------	--	---------------------

Description

Failing to require a driver to prepare a record of duty status using appropriate method

Example

Driver name: Christian Davison and Andrey Goncharuk

Trip date: 11/22/2019

Description of violation: Carrier failed to require drivers to prepare a record of duty status.

Also in violation:

Driver name: Andrey Goncharuk and Yuriy Sirvy

Trip date: 3/12/2020

Driver name: Aleksey Goncharuk and Andre Goncharuk

Trip date: 4/13/2020

5 STATE	Primary: 391.51(c)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
------------	--------------------	------------------------	---------------------	--	---------------------

Description

Failing to keep driver qualification file for at least 3 years after termination of driver's employment.

Example

Driver name: Christian Davison and Andrey Goncharuk

Trip date: 11/22/2019

Description of violation: Carrier failed to retain driver qualification file for three years after drivers employment was terminated.

Files not retained:

Christian Davison

Timofey Shkarovskiy

Yuriy Sivvy

6 STATE	Primary: 396.3(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
------------	-------------------	------------------------	---------------------	--	---------------------

Description

Failing to keep minimum records of inspection and vehicle maintenance.

Example

Vehicle VIN: 1GDJ6C1C24F503685

Trip date: 4/13/2020

Description of violation: Carrier failed to maintain a vehicle maintenance file for its commercial vehicle.

7 STATE	Primary: 396.17(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
------------	--------------------	------------------------	---------------------	--	---------------------

Description

Using a commercial motor vehicle not periodically inspected.

Example

Vehicle VIN: 1GDJ6C1C24F503685

Trip date: 4/13/2020

Description of violation: Carrier used a commercial vehicle that had not been periodically inspected.





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:
 07/07/2020

Part B Violations

Safety Fitness Rating Information:

Total Miles Operated 10,000
 Recordable Accidents 0
 Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 1
 Number of Vehicle Inspected (CR): 1
 OOS Vehicle (MCMIS): 0
 Number of Vehicles Inspected (MCMIS): 0

Your proposed safety rating is :

UNSATISFACTORY

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





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part B Requirements and/or Recommendations

1. The Washington Utilities and Transportation Commission (UTC) adopts the Federal Motor Carrier Safety Administration (FMCSA) rules and regulations of Title 49 CFR, 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 days from receipt of your proposed 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 corrections and make a final decision.

Your submission should be as detailed as possible and must:

1. Address each violation on the most recent Compliance Review that was an acute and/or critical violation. Any corrective actions you include to address other violations noted on your review may also be considered.
2. Identify why the violations cited 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 with your petition. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of missing drug/alcohol tests.
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. and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

You must submit your request to:
Utilities and Transportation Commission
Attn: Jason Sharp
PO Box 47250
Olympia, WA 98504-7250
jason.sharp@utc.wa.gov

2. Criminal background checks for prospective employees.

- (1) Each carrier must complete a criminal background check for every person the carrier intends to hire.
- (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.





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part B Requirements and/or Recommendations

3. "Under the Administrative Procedure Act (RCW) 34.05) (Laws of 2009, Ch. 358), the commission will waive any fines, civil penalties, or administrative sanctions for first-time paperwork violations by a small business, with certain exceptions. One of those exceptions provides that any violation of a substantially similar paperwork requirement (as described in Part B on this form), may result in the imposition of a fine, civil penalty, or other administrative sanction. The company will not be entitled to a second waiver of penalties for "first-time" paperwork violations."

- **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 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>

4. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Andrey Goncharuk failed to implement policies and procedures to track on duty status of drivers as required.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a policy and procedure describing how management will monitor and track logs for falsification.
- Establish a policy that prohibits dispatchers from assigning a load to drivers without hours available to complete the load on time.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order under any circumstances, and immediately contact the carrier when a driver is placed OOS.
- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls.





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part B Requirements and/or Recommendations

- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.
- 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 Hours-of-Service (HOS) violations.

5. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Andrey Goncharuk failed to implement policies and procedures to maintain vehicle maintenance documentation as required.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- 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 vehicle maintenance violations.

6. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Andrey Goncharuk failed to implement policies and procedures to track driver qualifications and to verify that drivers were medically certified prior to operating a commercial motor vehicle.

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





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part B Requirements and/or Recommendations

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.

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





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:
07/07/2020

Part C

Reason for Review: Compliance Review
Planned Action: Cooperative Safety Plan (CSP)

Parts Reviewed Certification:

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

Prior Reviews **Prior Prosecutions**

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: Andrey Goncharuk
Corporate Contact Title: Owner

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:

Name: Andrey Goncharuk
Title: Owner
Carrier/Shipper Name: Pro Movers LLC d/b/a Groovin Movin
Date: July 07, 2020

REASON FOR THE INVESTIGATION:

As part of the 2020 Motor Carrier Safety routine investigations, this investigation was assigned to Jason Sharp, Special Investigator with the Washington Utilities and Transportation Commission.

SCOPE OF THE INVESTIGATION:

The investigation is a comprehensive intrastate investigation that was assigned to Special Investigator Jason Sharp on April 14, 2020. The carrier was contacted on April 14, 2020 and a full investigation was set for April 17, 2020 as an offsite investigation due to Governor Inslee's Stay Home, Stay Healthy Proclamation. Investigator Sharp corresponded with Andrey Goncharuk (owner) via email and phone during this investigation.

SMS was checked on April 14, 2020 and it was noted no BASICS were in alert status.

CARRIER OPERATION DESCRIPTION:

Pro Movers LLC d/b/a Groovin Movin (Pro Movers or carrier) began operations as a household goods company in October 2018. The governing officer is Andrey Goncharuk. The carrier is an authorized provisional household goods company that operates in intrastate commerce within the state of Washington. The carrier owns one vehicle that is classified as a commercial motor vehicles (CMV) and employs two drivers. The carrier's gross revenue as stated by Andrey Goncharuk for fiscal year ending in December 31, 2019 was \$114,546. Pro Movers is not and has not been involved in any emergency relief efforts in the last 365 days. Andrey Goncharuk estimated that the company traveled 10,000 miles in the 12 months preceding this investigation. Andrey Goncharuk is responsible for the carrier's safety program.

PRE-INVESTIGATION:





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part C

On April 14, 2020, 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 carrier packet was completed and returned via email on May 6. A copy of the carrier's profile was obtained through MCMIS on April 14.

Commission records show that Andrey Goncharuk attended the Household Goods Training provided by commission staff on February 20, 2019. This training covers compliance responsibilities of household good carriers for consumer protection and safety.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM, two driver license status/histories were required to be checked. The driver license status of Aleksey and Andrey Goncharuk were checked through CDLIS on May 12, showing drivers currently licensed and eligible.

AUTHORITY

Groovin Movin is a provisional household goods carrier operating in intrastate commerce and is required to have operating authority. The carrier operates under the USDOT number 2824383. The carrier has intrastate authority through the commission under permit number THG-66237.

INSURANCE

Groovin Movin is required to maintain a minimum level of public liability of \$750,000. A check with the carrier's insurance shows a \$750,000 Auto Liability effective May 17, 2019 with Continental Divide Insurance Company. See Part 387 below for details.

RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on April 14, 2020 and the carrier has no drivers with red flag violations in the last 365 days.

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

Groovin Movin 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, 383, 387, 390, 391, 392, 393, 395 and 396.

Part 376 Lease and Interchange of Vehicles

The carrier has not leased any vehicles in the previous 365 days.

Part 40 and Part 382

Groovin Movin does not operate vehicles with a GVWR of 26,001 lbs. or above and is not required to have a controlled substance and alcohol testing program.

Goncharuk states that the carrier uses Cleenfleet.org out of Clackamas, OR to administer the carrier's non-DOT controlled substances and alcohol testing program. Goncharuk was advised on using non-DOT chain of custody forms when performing these tests.

Part 380 Special Training





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:
07/07/2020

Part C

Groovin Movin 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

Groovin Movin employed five drivers over the past 365 days. The carrier does not use commercial vehicles with a GVWR of 26,001 lbs. or above and the drivers are not required to have a CDL.

Part 387 Financial Responsibility

The carrier's vehicle is insured with Continental Divide Insurance Company, policy number 05TRM02877402. The carrier's insurance agent is Aaron Geisler of Brown & Brown Insurance with a contact telephone number of (360) 254-2220. The office is located at 201 NE Park Plaza Dr. #293, Vancouver, WA. Investigator Sharp verified the carrier maintained \$1,000,000 in Auto Liability coverage without a lapse in the last 365 days. The insurance policy matches the Form E on file with the commission. The carrier also maintains \$20,000 in cargo insurance.

Part 390 General FMCSR

The carrier has not been involved in any Department of Transportation recordable accidents in the last 365 days.

Groovin Movin's MCS-150 was updated on April 11, 2020.

Part 391 Qualification of Drivers

Groovin Movin employed five drivers who operated in intrastate commerce during the previous 365 days. The carrier currently employs two drivers. A sample of two Driver Qualification Files were to be inspected. Investigator Sharp requested the driver qualification files for current drivers Aleksey and Andrey Goncharuk.

Groovin Movin was unable to produce requested driver files, stating that his former partner was previously responsible for much of the administrative duties of the company and Goncharuk could not locate the requested documentation. This resulted in the following violations:

Two critical violation of 391.51(a) occurred when the carrier failed to maintain driver qualification files on each driver employed.

Three violations of 391.51(c) occurred when the carrier failed to retain driver qualification files for at least three years after termination of a driver's employment.

Investigator Sharp questioned Goncharuk if any of the carrier's drivers had medical certificates. On May 11, Goncharuk was able to forward medical certificates for himself and former driver Timofey Shkarovskiy. Shkarovskiy's medical certificate was not reviewed as the carrier reports that his employment was terminated in September 2019, falling outside of the six-month sample leading up to the opening of this investigation. Andrey Goncharuk provided a medical certificate showing an issuance date of April 27, 2020. This medical certificate was issued to Goncharuk following the initial contact and during a period in which Goncharuk had gaps in communication with Investigator Sharp, stalling in providing information. During the closing interview, Goncharuk stated that he was able to obtain a medical certificate for driver Yuriy Sivvy and forwarded to Investigator Sharp to verify. Goncharuk was unable to provide medical certification covering any other drivers during the six months preceding the start of this investigation.

As a result of not having evidence of valid medical certificates for three driver during the six months preceding the investigation, Investigator Sharp reviewed support documents to determine the extent of violation. Groovin Movin employed drivers Christian Davison, Aleksey Goncharuk, and Andrey Goncharuk between October 17, 2019 and April 17, 2020. Andrey Goncharuk was unable to determine which driver transported household goods on which date. Following the closing interview, Investigator Sharp removed the violations during the time in which Sivvy was employed (December 2019 through March 2020) as it was not determined which days Sivvy drove in comparison to Goncharuk.

Three critical violations of 391.45(a) occurred when the carrier used drivers who had not be medically certified by a medical examiner listed on the National Registry of Medical Examiners.





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part C

Based on the records provided, Groovin Movin used drivers that were not medically examined and certified on 24 occasions from October 17, 2019 through April 13, 2020 as follows:

October (2019) 17, 20, 21, 22, 23, 26, 30, 31, November (2019) 1, 2, 4, 5, 7, 9, 11, 13, 16, 17, 19, 22, 23, 25, April (2020) 11 and 13.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates for 25 percent of the driver qualification file sample size (one) were to be selected for verification. Groovin Movin provided the medical certificate for Sivvy following the closing interview.

Driver Name: Yuriy Sivvy
Date of Birth: July 11, 1998
ME License/Certificate Number: MD07158
Date of Issuance of the MEC: August 5, 2019
National Registry Identification Number:3044871066
Phone Number: (503) 588-1234
Date and Time Contacted: July 7, 2020 at 12:17 pm, talked to Rachel
Results of MEC Check: Valid expires on August 5, 2021

Part 392 - Driving of Commercial Motor Vehicles

Groovin Movin is an intrastate carrier and at the time of this investigation the carrier is current on its annual regulatory fees.

Andrey Goncharuk was informed that using radar detectors and handheld devices while driving is prohibited. The carrier is not required to pay UCR fees.

Groovin Movin failed to conduct criminal background checks on all employees it intended to hire.

Thirteen violations of WAC 480-15-555 occurred when the carrier failed to maintain criminal background checks on all employees it intended to hire.

Part 395 - Hours of Service

Groovin Movin employed five drivers during the last 365 days, however only four drivers have driven during the last six months. A sample of four Records of Duty Status (RODS) is required to be checked for a 30-day period.

Records for drivers Christian Davison and Andrey Goncharuk were checked from November 1, 2019 to November 30, 2019. Records for driver Yuriy Sivvy were checked from January 1, 2020 to January 30, 2020. Investigator Sharp was given a hire date of April 2020 for driver Aleksey Goncharuk. Records for driver Aleksey Goncharuk were checked from April 1, 2020 to the start of the investigation on April 17. Groovin Movin failed to require its drivers to prepare a RODS, resulting in the following violation:

One hundred seven critical violations of 395.8(a)(1) occurred when the carrier failed to require a driver to prepare a record of duty status using appropriate method.

Part 393 & 396 - Maintenance and Inspection

Groovin Movin owns and operates one vehicle that is classified as a commercial motor vehicle in intrastate commerce during the last 365 days. Major vehicle maintenance is conducted primarily with DSU Peterbilt & GMC, Inc. in Portland, OR. Andrey Goncharuk performs minor vehicle repairs and maintenance on the carrier's vehicle.

Vehicle Maintenance Records:

In accordance with the eFOTM, a sample of one vehicle maintenance file was to be reviewed. Investigator Sharp requested the maintenance file for vehicle VIN: 1GDJ6C1C24F503685. The following violations were discovered:

One critical type violation of 396.3(b) occurred when the carrier failed to maintain a vehicle maintenance file for its commercial motor vehicle.





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Part C

One critical type violation of 396.17(a) occurred when the carrier used a commercial motor vehicle that had not been periodically inspected.

Vehicle Inspections:

Per sample, one vehicle was inspected. Investigator Gilbert inspected the vehicle while in the Vancouver area on June 25, following the return to the field for investigators. Getting Goncharuk to commit to an inspection date was difficult and required multiple attempts to confirm. In one email response, Goncharuk requested to postpone the inspection due to "some details in the truck I need updated." Investigator Sharp responded that staff would not be able to reschedule as the Goncharuk had indicated the vehicle was in service and that staff would need to inspect it.

2004 GMC, VIN: 1GDJ6C1C24F503685. Five violations were discovered. The vehicle was placed out-of-service.

See attached Aspen report.

CLOSING INTERVIEW:

The closing interview was conducted on July 07, 2020 over the telephone. Present at the closing interview were Investigator Sharp and company representative Andrey Goncharuk. During the closing interview, Goncharuk stated that he had obtained a medical certificate for Sivvy. Investigator Sharp received Sivvy's medical certificate following the closing interview and verified with issuing medical examiner. One violation count of 391.45(a) was removed as a result.

Investigator Sharp had difficulty in getting information from Goncharuk and often had gaps in communication when Goncharuk would not respond. At one-point Sharp sent Goncharuk and email stating that unless he got a response by the next morning, that the investigation would end, and a refusal of access would be reported. The only corrective action identified during the investigation was a new medical certificate for Andrey Goncharuk. Technical assistance was also provided to the carrier during the process of this review, utilizing "Achieving a Satisfactory Motor Carrier Safety Record," provided by the commission.

DOCUMENTS PROVIDED TO THE CARRIER:

The carrier was provided a copy of the investigative report and a copy of Achieving a Satisfactory Motor Carrier Safety Record.

FOLLOW-ON ACTION:

Recommend administrative penalties, require carrier submit a safety management plan, request an AAG to work with staff in drafting a Notice of Intent to Cancel permit and schedule Brief Adjudicative Proceeding.

Upload Authorized:	Yes	No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date:





GROOVIN MOVIN (PRO MOVERS LLC dba)
U.S. DOT #: 2824383

State #: THG066237

Review Date:
07/07/2020

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.

FACTOR 1	General (CFR Parts 387, 390)	0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
S	1 (C)	
S	1 (C)	
TOTAL POINTS: 2 = UNSATISFACTORY		

FACTOR 3	Operational/Driving (CFR Parts 392, 395)	0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
S 392.2	1 (C)	
S	1 (C)	
TOTAL POINTS: 3 = UNSATISFACTORY		

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	Fewer than 3 inspections
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3	OOS Less than 34%	OOS 34% or Higher
0 Point = Satisfactory	Satisfactory	Conditional
1 Point = Conditional	Conditional	Unsatisfactory
>1 Point = 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

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

FACTOR 6	Accident (Recordable Accident Rate)
((Recordable Accidents) X (1 million)) ÷ (Total Miles) = Rate	
(0 X 1,000,000) ÷ 10,000 = 0 = SATISFACTORY	
URBAN CARRIER - All Driver operate within <100 air miles	
ACCIDENT RATE	FACTOR RATING
0.000 - 1.700	= Satisfactory
>1.700	= Unsatisfactory





GROOVIN MOVIN (PRO MOVERS LLC dba)

U.S. DOT #: 2824383

State #: THG066237

Review Date:

07/07/2020

Safety Fitness Rating Explanation

OVERALL SAFETY FITNESS RATING

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

Unsatisfactory

2

Conditional

0

= UNSATISFACTORY

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

