



7227 NE 55<sup>th</sup> Ave.  
Portland, OR 97218  
(503) 528-0693

**Ame Wellman Lewis**  
Senior Legal Counsel, PNW Area  
Admitted in Oregon and Washington  
Cell (206) 919-3236  
[alewis6@wm.com](mailto:alewis6@wm.com)

**TG-210621**

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COMMISSION

September 28, 2021

**VIA Web Portal**

Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

**RE: Waste Management of Washington, Inc. (Certificate G-237)  
Response to Penalty Assessment TG-210621**

Dear Sir or Madam:

Enclosed please find Waste Management of Washington, Inc.’s (“WMW”) Response to the above-referenced Penalty Assessment. Please note that WMW is requesting mitigation of the proposed penalties assessed for all violations cited in the *Notice of Penalties Incurred and Due for Violations of Laws and Rules* dated September 13, 2021. Please note that certain information is exempt from disclosure pursuant to WAC 480-07-160(4)(a).

Please feel free to contact me with any questions.

Sincerely,

Ame Lewis

Attachments

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PENALTY ASSESSMENT TG-210621

**PLEASE NOTE:** You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed. I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

1. **Payment of penalty.** I admit that the violations occurred and enclose \$19,600 in payment of the penalty.

2. **Contest the violation(s).** I believe that the alleged violation(s) did not occur for the reasons I describe below **(if you do not include reasons supporting your contest here, your request will be denied):**

a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

OR  b) I ask for a Commission decision based solely on the information I provide above.

3. **Application for mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below **(if you do not include reasons supporting your application here, your request will be denied):**

See attached correspondence from Mr. Adam Winston.


a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

OR  b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: September 28, 2021, at Portland, Oregon.

Waste Mangement of Washington, Inc.  
Name of Respondent (company) – please print

  
\_\_\_\_\_  
Signature of Applicant  
Ame Lewis, Senior Legal Counsel



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September 28, 2021

**VIA WEB PORTAL**

Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

**RE: Waste Management of Washington, Inc. (Certificate G-237)  
Response to Penalty Assessment TG-210621**

Dear Commission:

Between April through August 2021, the Washington Utilities and Transportation Commission (the “Commission”) conducted a follow-up Safety Investigation of Waste Management of Washington, Inc.’s (“WMW” or the “Company”)<sup>1</sup> operations at eleven different sites.<sup>2</sup> The Safety Investigation resulted in an overall safety rating of the operations as “Satisfactory.” On September 13, 2021, WMW received the *Notice of Penalties Incurred and Due for Violations of Laws and Rules* (“Notice of Penalties”) and a letter indicating that formerly suspended penalties would be reinstated from the Commission. WMW respectfully submits the application for mitigation, attached hereto as **Exhibit A**, requesting that the Commission reduce the penalties assessed for the reasons set forth in this letter.

**Overview of Penalties**

The Notice of Penalties alleged the following fifteen violations (hereinafter “Counts”), listed the numbers of days or instances when each of the alleged violations occurred, and assigned a penalty to each:

- Count 1 Operating a commercial motor vehicle without a valid commercial driver’s license (“CDL”) (\$7,600)
- Count 2 Failing to investigate driver’s background within 30 days of employment (\$100)
- Count 3 Using a driver not medically examined and certified (\$10,600)
- Count 4 Failing to maintain inquiries into driver’s driving record in driver’s qualification file (\$100)
- Count 5 Failing to maintain the responses of each state agency to the annual driver record inquiry (\$100)

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<sup>1</sup> Waste Management of Washington, Inc. d/b/a Waste Management of Ellensburg; Waste Management of Greater Wenatchee; Waste Management of Spokane; Waste Management-Rainier; Waste Management Northwest; Waste Management-Sno-King; Waste Management of Kennewick; North Cascade Disposal; Recycle America; Rural Skagit Sanitation; Federal Way Disposal; Nick Raffo Garbage; R.S.T. Disposal; Tri-Star Disposal; Western Refuse; Port-O-Let; Stanwood Camano Disposal; Waste Management; Waste Management of Seattle; Waste Management of Skagit County; Waste Management of Yakima; Washington Waste Hauling & Recycling; Brem-Air Disposal; Olson’s Sanitation Service; Valley Garbage; Waste Management - South Sound; Waste Management of Addy; WM Healthcare Solutions of Washington; Waste Management - North Sound; Waste Management – Marysville.

<sup>2</sup> The original safety investigation of WMW’s operations occurred on June 11, 2019.

Count 6	Failing to maintain a note related to the annual review of the driver's driving record (\$100)
Count 7	Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances (\$100)
Count 8	Failing to place a note related to the verification of the medical examiner's listing on the National Registry Certified Medical Examiners (\$100)
Counts 9 and 10	Failing to secure vehicle equipment (\$100 ea.)
Count 11	Brake hose or tubing chafing and/or kinking (\$100)
Count 12	No or defective brake warning device or pressure gauge (\$100)
Count 13	Tire in contact with brake hose (\$100)
Count 14	Tire in contact with another part of the vehicle (\$200)
Count 15	396.11(a)(3)(ii) – Failing to certify that repairs were made or were not necessary (\$100)
Total Proposed Penalty:	\$19,600

WMW does not contest these violations, but requests mitigation of penalties based on the factors under the Commission's *Enforcement Policy*, WUTC Docket No. A-120061 (Jan. 4, 2013) (the "Enforcement Policy"), including mitigation of the formerly suspended penalties arising out of the 2019 safety inspection, Docket TG-190495 (\$6,500). In support of this request, WMW wishes to provide additional information with respect to certain factors under the Enforcement Policy and individual Counts.

#### **A. Corrective Action.**

WMW has thoroughly investigated the violations, does not contest them, and requests that the Commission mitigate the penalty downward based on the aggressive and prompt corrective action undertaken by WMW. To address certain findings of the Safety Investigation (including, but not limited to, Counts 1-8 and 15), WMW quickly developed and implemented corrective actions designed to prevent recurrence, as described in its Safety Management Plan (the "Plan"), a copy of which is attached hereto as **Exhibit B** (redacted). Although not required, the Plan describes the steps WMW has taken to correct the violations identified and implement systematic safeguards to help ensure ongoing compliance with the Federal Motor Carrier Safety Regulations ("FMCSRs") and the State of Washington's corresponding requirements. The corrective actions described in the Plan include, but are not limited to, policy reminders and retraining for WMW site managers on WUTC requirements (Counts 3, 4, 5, 6, 7 and 15), and added safeguards and enhanced record-keeping capabilities in a new file management system through a new third-party administrator, Foley Carrier Services ("Foley") (Counts 1, 2, 4, 5, 6, 7 and 8). Please note that WMW was already in the process of transitioning to its new vendor, Foley, at the time of the Safety Inspection. Foley will allow WMW to track all driver requirements more effectively, and proactively identify compliance issues.

The Commission stated in the Notice of Penalties that “[WMW] has not provided staff with evidence that it corrected the violations.” WMW takes issue with this characterization. WMW previously provided a copy of its Safety Management Plan to Investigator Tracy Coble, which was received by the Commission on September 7, 2021.<sup>3</sup> Accounting for the weekend and Labor Day holiday, this timing complied with the 30-day extended period to submit information on the actions WMW has taken to ensure compliance with the FMCSRs (*see* Part B, Section 1 of the Inspection Report, review date August 5, 2021) and was submitted prior to the Notice of Penalties.

With WMW’s enhanced processes surrounding driver qualifications, recordkeeping and counseling from its experienced corporate safety department, WMW’s robust safety culture will be further strengthened. WMW believes its aggressive, prompt, and effective corrective actions merit significant penalty mitigation.

### **B. Public Safety Concerns.**

WMW does not dispute that the cited regulatory requirements are designed to protect public safety; however, it takes issue with certain statements in the Notice of Penalties that suggest WMW does not prioritize safe operations and puts the public at risk. To the contrary, WMW’s demonstrated safety record and robust compliance program reflect its commitment to safety.

The Company takes its driver and vehicle safety responsibilities very seriously. As is evident by the Company’s Safety Measurement Systems (“SMS”) Compliance Safety Accountability scores and low accident rate, WMW’s drivers are professional and well-trained, and the Company maintains a focused and rigorous commitment to safety. The Company’s August 2021 SMS scores place WMW in the following percentiles for the trucking industry: (1) Unsafe Driving – 3%; (2) Hours-of-Service Compliance – 0%; (3) Driver Fitness – less than 5 driver inspections resulting in violations; (4) Controlled Substance and Alcohol – 0%; (5) Vehicle Maintenance – 48%; (6) Hazardous Materials – N/A; and (7) Crash Indicator – 24%.

### **C. Specific Violations.**

The following sections address each of the 15 Counts for which WMW requests mitigation.

#### **1. Count 1 – 49 CFR § 383.23(a) – Operating a commercial motor vehicle without a valid commercial driver’s license (CDL).**

A driver was stopped and inspected (WAA027000618) and issued a §383.23(a)(2) violation for operating a commercial motor vehicle without a valid CDL. The driver’s CDL had been downgraded at the time of inspection because he failed to self-certify his Medical Examiner’s Certificate with the Washington Department of Licensing. Notwithstanding this failure to self-certify, the driver possessed a valid medical card and medical certification during the time period at issue.

Without intentionally doing so, WMW permitted the driver to operate a commercial motor vehicle without a valid CDL. WMW promptly implemented corrective actions designed to prevent recurrence, as described in its Safety Management Plan (**Exhibit B**). Automated alerts have been incorporated into WMW’s programs through its partnership with Foley in order to identify all downgraded CDLs and uncertified Medical Examiner’s Certificates to ensure that no active drivers are allowed to perform safety-sensitive functions during any time in which their CDL is downgraded.

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<sup>3</sup> Please note that a redacted copy of the Safety Management Plan has been resubmitted as Confidential Information in accordance with WAC 480-07-160.

WMW believes that these measures constitute a prompt and effective action that will prevent recurrence of this violation. Furthermore, insofar as these violations were the result of a failure to update records rather than a lack of a valid medical card altogether, they should not be considered violations that were “serious or harmful to the public” for purposes of assessing penalties under the Enforcement Policy.

**2. Count 2 – 49 CFR § 391.23(c) – Failing to investigate driver’s background within 30 days of employment.**

A driver was hired on May 30, 2017 and his previous employment background check was conducted on July 5, 2017, outside of the 30-day requirement. Systematic safeguards have been put in place to guard against recurrence of this violation. WMW’s vendor for employment reference and verification services, Cisive, receives an automated prompt to begin the investigation process within three days of the hire date.

**3. Count 3 – 49 CFR § 391.45(a) – Using a driver not medically examined and certified.**

WMW acknowledges that its procedures did not identify two drivers as being out of compliance for not having a medical card. Specifically, these drivers operated commercial motor vehicles without a valid medical certificate after being promoted to driver positions. To address this, WMW, in partnership with Foley, has enhanced its file management controls to ensure that the medical card status of its drivers is tracked and managed in a timely and accurate manner to ensure complete driver qualification files. WMW also promptly conducted retraining of all Washington State site managers on the requirements of 49 CFR § 391.45(a), as described in attached **Exhibit B**.

**4. Count 4 – 49 CFR § 391.51(b)(2) – Failing to maintain inquiries into driver’s driving record in driver’s qualification file.**

WMW recognizes that two drivers<sup>4</sup> were not internally flagged as lacking an initial driving record from date of promotion to a driver position. Specifically, two drivers operated commercial motor vehicles without such driving record after they were promoted to commercial vehicle driver. Through WMW’s new file management system, drivers of commercial motor vehicles will automatically have a motor vehicle record in the system prior to their promotion date and will be part of a tracking system to ensure complete driver qualification files. WMW also retrained its District Teams on this requirement and enhanced its safety management controls to ensure its drivers’ driving records are tracked and managed in a timely and accurate manner. WMW promptly conducted corrective actions designed to prevent recurrence of this violation, as further described in attached **Exhibit B**.

**5. Count 5 – 49 CFR § 391.51(b)(4) – Failing to maintain the responses of each state agency to the annual driver record inquiry required by 49 CFR § 391.25(a).**

Two drivers did not have annual driver inquiries in their files for the calendar years 2019 and 2020, respectively. WMW, through Foley, has implemented a file management system that will automatically pull a driver’s motor vehicle record 11 months from a driver’s previous record, removing the opportunity for human error and ensuring that the record is in the file prior to the end of a one-year period. Additionally, the system will alert site managers when a new motor vehicle record is available for review. All Washington sites have been re-trained on WUTC regulations, including compliance with 49 CFR § 391.25(a). These corrective actions, as described in attached **Exhibit B**, are designed to prevent recurrence of this violation.

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<sup>4</sup> The same two drivers were the subjects of Counts 3 and 4.

**6. Count 6 – 49 CFR § 391.51(b)(5) – Failing to maintain a note relating to the annual review of the driver’s driving record as required by 49 CFR § 391.25(c)(2).**

One driver file did not contain a note relating to the annual review of their April 15, 2021 motor vehicle record. As noted under Count 5, after the annual motor vehicle record is added to the file, the new file management system will automatically alert site managers that a new motor vehicle record is available for review. As added reinforcement of the requirements, on September 29, 2021 Waste Management’s Director of DOT Compliance is scheduled to perform a training for all site managers in Washington State on driver annual review training. These corrective actions, as described in attached **Exhibit B**, are designed to prevent recurrence of this violation.

**7. Count 7 – 49 CFR § 391.51(b)(6) – Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 49 CFR § 391.27.**

WMW, in partnership with Foley, has upgraded its file management system to update driver files to include lists of violations of motor vehicle laws on an annual basis. Specifically, 30 days prior to motor vehicle records being pulled, site managers are automatically alerted by the Foley system to obtain a list of violations from drivers. This requirement will be included in the site manager training described under Count 6. WMW believes the combination of an automated reminder system and training will prevent recurrence of this violation.

**8. Count 8 – 49 CFR § 391.51(b)(9) – Failing to place a note related to verification of the medical examiner’s listing on the National Registry of Certified Examiners required by 49 CFR § 391.23(m) in driver qualification file(s).**

Files for three drivers did not include a note relating to the verification of the medical examiner. WMW’s new file management system automatically pulls the National Registry of Medical Examiners information for a new medical card as a part of the initial medical review process and posts it to the driver’s file. The medical card is not released to the file until this process is completed to ensure the file is compliant. WMW’s prompt corrective action and safeguards were implemented to prevent recurrence of this violation.

**9. Counts 9-14 Various Vehicle Maintenance-Related Issues.**

Counts 9-14 relate to vehicle maintenance issues identified during the Safety Investigation. WMW admits these violations and requests mitigation based on its prompt and effective action. The Counts include:

- Counts 9 and 10 – 49 CFR § 392.9(a)(2) – Failing to secure vehicle equipment;
- Count 11 – 49 CFR § 393.45(b)(2) – Brake hose or tubing chafing and/or kinking;
- Count 12 – 49 CFR § 393.51 – No or defective brake warning device or pressure gauge;
- Count 13 – 49 CFR § 396.3(a)(1) – Tire in contact with brake hose; and
- Count 14 – 49 CFR § 396.3(a)(1) – Tire in contact with another part of the vehicle.

WMW recognizes the breakdown in safety management controls that led to the non-compliant condition of these vehicles. WMW immediately addressed these non-compliance issues and took the vehicles out of service until appropriate maintenance was completed. In fact, most of the violations were corrected same day. Further, WMW has communicated with its maintenance personnel to remind

them to closely monitor these types of mechanical issues and, with its drivers, to remind them regarding performing proper pre- and post-trip inspections to identify these types of vehicle condition issues and to ensure any issues identified are corrected prior to using the vehicle.

**10. Count 15 – 49 CFR § 396.11(a)(3)(ii) – Failing to certify that repairs were made or were not necessary.**

WMW failed to certify whether repairs were made or not necessary on five occasions. WMW recognizes that gaps in management controls led to the failure to document the technician's determination in WMW's safety records. WMW has scheduled a retraining for all technicians on the electronic delivery vehicle inspection report process and documentation.

**B. Conclusion.**

WMW takes very seriously all safety-related violations and continuously seeks to ensure that all of its operations comply with local, Washington State, and federal transportation safety requirements. In response to the violations identified through the Commission's Safety Investigation, WMW implemented improvements in its safety program to correct the problems identified and ensure that they will not be repeated. As referenced above, in 2020, WMW transitioned to a new third-party file management administrator, Foley, that incorporates automated safeguards and generates reminders that further remove the potential for human error in regulatory compliance matters under the FMCSRs and corresponding Washington State regulations.

In summary, WMW respectfully requests that the Commission mitigate the penalties downward based on the factors to be considered under the Enforcement Policy, including mitigation of the \$6,500 for formerly suspended penalties under Docket TG-190495. WMW took prompt and effective corrective actions, none of the violations presented a serious or harmful risk to the public, the Company was very cooperative and responsive, programs have been implemented to prevent recurrence, and the Company has a strong safety record and compliance program. These factors warrant significant mitigation of the assessed penalties.

Thank you for your consideration of this letter and the attached exhibits.

Sincerely,

WASTE MANAGEMENT OF WASHINGTON, INC.

*Adam C. Winston*

Adam Winston  
Director of Operations  
Pacific Northwest Area

Exhibits A and B



**EXHIBIT A**

**WMW Application for Mitigation**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PENALTY ASSESSMENT TG-210621

**PLEASE NOTE:** You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed. I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

1. **Payment of penalty.** I admit that the violations occurred and enclose \$19,600 in payment of the penalty.

2. **Contest the violation(s).** I believe that the alleged violation(s) did not occur for the reasons I describe below **(if you do not include reasons supporting your contest here, your request will be denied):**

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OR  b) I ask for a Commission decision based solely on the information I provide above.

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See attached correspondence from Mr. Adam Winston.


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OR  b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: September 28, 2021, at Portland, Oregon.

Waste Mangement of Washington, Inc.  
Name of Respondent (company) – please print

  
\_\_\_\_\_  
Signature of Applicant  
Ame Lewis, Senior Legal Counsel

**EXHIBIT B**

**WMW Safety Management Plan**

# Waste Management of Washington, Inc.

## Safety Management Plan

### WUTC Audit



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## Waste Management of Washington, Inc. Safety Management Plan

### Company Overview

Waste Management of Washington, Inc. (WM WA) is an interstate, private motor carrier that hauls garbage, refuse and trash. Its USDOT # is 1967746, and its principle place of business is 720 4<sup>th</sup> Ave, Suite 400, Kirkland WA 98034. The company's primary contact is Mr. Tom Jacques, Director, DOT Compliance, who can be reached at (281)386-5238 or [tjacques@wm.com](mailto:tjacques@wm.com).

### Summary of Violations

During the WUTC audit of Waste Management of Washington, Inc., which was conducted during April – August of 2021, 11 sites were inspected. The inspection resulted in 18 violations; both description and proposed corrective actions are detailed below. It is worth noting, that many of the DQ file findings were issues that arose during the transition from eScreen to Foley, our new 3<sup>rd</sup> Party file administrator- March/April of 2020. Also, notable, several of the violation occurred during a world-wide pandemic, where license and med card extensions were in place.

Overall, Waste Management of WA, Inc. received Satisfactory Fitness Ratings on all factors audited (5 factors), and an overall Satisfactory rating. Waste Management of Washington's Recordable Accident rate of .38 is substantially lower than the industry average of 1.7.

### Corrective Actions

#### 1) 382.401(a) - Failing to maintain records in a secure location with controlled access.

Violation Description: According to the report, The Company failed to keep records in a secure location with controlled access at the Marysville, WA and Kennewick, WA site locations.

Corrective Action: Waste Management of Washington Inc. will ensure that all records and documents covered by 382.401(a) will always be stored and located in a secure office or cabinet, with controlled access to records. This policy was distributed to all WM of WA managers on 8/18/21 and was followed up with a conversation by the Area Safety Director on the same day. Exhibit 1 is a copy of the policy reminder that was distributed.



**2) 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-12.**

Violation Description: The carrier failed to provide employees with a complete alcohol and controlled substances policy. The policy is missing the effects of drugs and alcohol and does not include the required Clearinghouse information as required by 382.601(b)(12).

Corrective Action(s): Waste Management of Washington's Drug and Alcohol Policy has been updated to include the following: 1) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management, 2) The requirement that personal information collected and maintained under this part shall be reported to the Clearinghouse. Exhibit 2 shows the 2 portions that have been added to our existing policy.

**3) 383.23(a) - Operating a commercial motor vehicle without a valid commercial driver's license.**

Violation Description: On March 8, 2021, [REDACTED] was stopped and inspected (WAA027000618) and issued a 383.23(a)(2) violation for operating a commercial motor vehicle without a commercial driver's license. The driver had a current medical card at the time of the stop expiring on May 19, 2021, however the driver failed to self-certify his medical certificate with the department of licensing and his CDL was downgraded/invalid at the time of the inspection.

Corrective Action: Waste Management of Washington has partnered with our new vendor, Foley to identify all invalid or downgraded Commercial Driver's Licenses. Automated alerts are now in place to identify Medical Examiner's Certificates (MEC) that have not been certified with Department of Licensing (DOL) (inconsistent expiration dates with Med Card).



#### 4) 391.21(a) Using a driver who has not completed and furnished an employment application.

Violation Description: The report found eight (8) drivers who were missing information on their employment application

- [REDACTED] and [REDACTED] - Description of violation: No employment application was provided in the driver qualification file for review.
- [REDACTED] and [REDACTED] - Description of violation: Driver application for employment missing 10 years of employment history as required by 391.21(b)(11).
- [REDACTED] - Description of violation: Re-hire date for this driver was May 9, 2014, no employment application was provided in the driver qualification file for review.
- [REDACTED] - Description of violation: Employment application missing social security number (391.21(b)(2) and driver's license (391.21(b)(5) information, no addendum found.
- [REDACTED] - Description of violation: Employment application missing previous employer contact information and reason for leaving as required by 391.21(b)(11).

Corrective Action: Waste Management's New Hire Process was updated, and applications cannot progress until a 10-year background has been uploaded (Cisive Background Check). 3<sup>rd</sup> Party Vendor, Foley, will now audit all applications and reject any application if it is missing any of the required information outlined in 391.21(a), as an additional safeguard.

#### 5) 391.23(a)(1)- Failing to investigate driver's background.

Violation Description: The report found four (4) drivers who were missing an MVR within 30 days of hire date

- [REDACTED]

Corrective Action(s): The current practice, working with our new vendor, Foley new employees hired automatically have a Motor Vehicle Record (MVR) produced prior to hire date. The system will not allow the applicant to proceed (anyone driving a commercial motor vehicle). This will ensure that in all drivers hired have an MVR on file.





**6) 391.23(c)- Failing to investigate driver's background.**

Violation Description: - Driver was hired on May 30, 2017 and the driver's previous employment background investigation was conducted on July 5, 2017, which is beyond 30 days of when employment began.

Corrective Action(s): WM's new hire process requires a past employer check to be completed within 30 days post hire date. WM's Vendor, Cisive has a trigger in place to complete the process prior to 30-day requirement. On the hire date, our vendor is alerted to start the process. WM has a process in place to track outstanding requests.

**7) 391.45(a)- Using a driver not medically examined and certified.**

Violation Description: - Carrier allowed this driver to drive a commercial motor vehicle on a total of seven (7) occasions without a valid medical examiners certificate (MEC) on November 4, 5, 13, 18 and 19, 2020 and on March 11, 2021. Driver did not have a MEC and only obtained their initial one on April 23, 2021.

Corrective Action(s): All Washington site managers have been re-trained on WUTC regulations and are operating in full compliance of 391.45(a). Exhibit 3a and 3b contain response from both site managers that they have been trained and understand the requirements of the rule.



**8) 391.51(b)(2)- Failing to maintain inquiries into driver's driving record in driver's qualification file.**

Violation Description:

- - Carrier failed maintain an initial driving record from time of hire. No driving records are on file for this driver hired on July 29, 2019. The first MVR obtained by the carrier was dated May 8, 2021 after this investigation began.
- - Carrier failed maintain an initial driving record from time of hire. No driving records are on file for this driver promoted to a driving position on October 14, 2020. The first MVR obtained by the carrier was dated April 29, 2021 after this investigation began.

Corrective Action(s): The current practice, working with our new vendor, Foley, new employees hired automatically have an MVR produced prior to hire date. The system will not allow the applicant to proceed (anyone driving a commercial motor vehicle). This will ensure that in all drivers hired have an MVR on file. In addition, District Teams have been re-trained on process of the promotion; current employees elevated to CMV position shall have an MVR run within 30 days operating CMV. A tracking system is now in place that will monitor all drivers for complete Driver Qualification (DQ) files.

**9) 391.51(b)(3)- Failing to maintain road test certificate in driver's qualification file or copy of license or certificate the motor carrier accepted as equivalent.**

Violation Description:

- - Carrier failed to maintain a road test certificate or copy of CDL license as equivalent.
- and - Carrier failed to maintain a road test certificate for these non-CDL drivers.

Corrective Action(s): Since the eScreen / Foley conversion, Waste Management of Washington is notified via electronic alert when Driver's DQ file is incomplete, including missing a road test. In addition, we have retrained all Washington Districts on the requirement of road tests in driver's DQ File, and a copy of the approved road test was distributed. Exhibit 4 is a copy of the road test.



**10) 391.51(b)(4)- Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a)**

Violation Description:

- - Carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2019.
- - Carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2020.

Corrective Action(s): Foley now has a process in place that will automatically pull an MVR 11 months from previous MVR, removing the opportunity for human error. Additionally, the system will alert the District team that a new MVR is available for review. All Washington sites have been re-trained on WUTC regulations and are operating in full compliance of 391.45(a). Site Managers understand the process for promoting drivers into CMV driving positions, including DQ file requirements.

**11) 391.51(b)(5)- Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).**

Violation Description: - Carrier failed to maintain a note relating to the review of the driver's abstract for the abstract inquiry pulled by the carrier on April 15, 2021.

Corrective Action(s): After the MVR is produced, which is automatically pulled 11 months from the prior MVR date, managers are alerted to complete the annual review process in Foley's System. All managers in Washington will be receive Annual Review Training. The training will be conducted by the Director of DOT Compliance, within the next 60 days.



**12) 391.51(b)(6)- Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.**

Violation Description:

- Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for calendar year 2020 for the following drivers:
  - - Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for the current 2021 annual review dated March 23, 2021.
  - - Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for calendar year 2020 and the current 2021 annual review dated April 12, 2021.
  - - Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for calendar year 2019.
  - - Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for the annual review dated March 2, 2021.
  - - Carrier failed to maintain a list or certificate relating to the violations of motor vehicle laws in the driver qualification file for the current 2021 abstract inquiry obtained by the carrier on April 15, 2021.

Corrective Action(s): 30 days prior to the MVR being produced, Managers are alerted by Foley to obtain a list of violations from drivers. All managers in Washington will be receiving Annual Review Training. The training will be conducted by the Director of DOT Compliance within the next 60 days.



**13) 391.51(b)(9)- 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 disqualification file(s).**

Violation Description: - Carrier failed to maintain or place a note relating to the verification of the medical examiners listing on the National Registry of Medical Examiners.

Corrective Action(s): Our vendor has a process in place to pull the National Registry of Medical Examiners information for a new medical card as a part of the initial medical review process and post it to the DOT file. The medical card is not released to the file until this process is completed.

**14) 391.53(a)- Failing to maintain records relating to the investigation into the safety performance history of a new or prospective driver pursuant to paragraphs (d) and (e) of §391.23**

Violation Description:

- - Carrier failed to maintain safety performance history investigation records for the following DOT regulated previous employers: Mr. M LLC, Biddix (FedEx), Frontier Building Supply.
- - Carrier failed to maintain safety performance history investigation records for this driver, the form on file was blank with no information provided for review.

Corrective Action(s): The new hire process requires a past employer check to be initiated during application process and complete within 30 days post hire date. The background vender (Cisive) has a trigger in place to complete the process prior to 30 days post hire. WM has a process in place to track outstanding requests.



- 15) 391.53(b)(1)- Failing to maintain in Driver Investigation History file a copy of the driver's written authorization for the motor carrier to seek information about a driver's alcohol and controlled substances history as required under 391.23(d).**

Violation Description: - No driver written authorization for this driver was in the driver qualification file for review.

Corrective Action(s): Our background check vendor, Cisive, has a process in place to send over the Release of Information specific to each DOT regulated employer to the DQ File vendor, Foley, upon completion of the I-9 which is within 3 business days of hire. There is a process in place to ensure that the I-9s are correctly completed to allow for that automation to Foley.

- 16) 395.3(b)(2)- Requiring or permitting a property-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days.**

Violation Description: On March 7, 2021, driver [REDACTED] drove after having been on duty 70 hours in 8 consecutive days and did not have a valid 34 hour reset. Violations occurred on March 7, 2021 at 8:20 a.m., March 9, 2021 at 4:15 a.m., March 10, 2021 at 4:00 a.m., March 11, 2021 at 4:30 a.m., March 12, 2021 at 5:15 a.m., March 13, 2021 at 5:35 a.m., March 14, 2021 at 5:40 a.m., March 21, 2021 at 11:00 a.m., March 22, 2021 at 3:30 p.m., March 24, 2021 at 5:00 a.m., March 25, 2021 at 4:35 a.m., March 26, 2021 at 5:00 a.m. and March 27, 2021 at 5:00 a.m.

Corrective Action(s): Driver who violated HOS rules was disciplined and re-trained on hours of service rules. The RM responsible for approving the driver's hours was disciplined and retrained on hours of service rules. In addition, all Washington District and Route Managers were retrained on June 23<sup>rd</sup>, 2021 on current Hours of Service rules and how to use Kronos reports to identify drivers who are at risk of hours of service violations.



**17) 396.11(a)(3)(ii)- Failing to certify that repairs were made or were not necessary.**

Violation Description: Carrier failed to certify if repairs were made or not necessary. Violations also occurred on February 20, March 8, April 1, 29 and 30, 2021.

Corrective Action(s): In the next 60 days, Technicians will be re-trained on the electronic delivery vehicle inspection report (eDVIR) process and document; completing all required information including indicating / checking the box when no repairs are needed or non-safety related items.

**18) 396.17(a)- Using a commercial motor vehicle not periodically inspected.**

Violation Description:

- Vehicle: VIN 1FDWE35P36DB07625 Unit # 632443- Description of violation: Carrier used a commercial motor vehicle not periodically inspected; no proof of an annual inspection was on file for review.
- Vehicle: VIN 3FRWF65H85V109060 Unit # 633391- Description of violation: Carrier used a commercial motor vehicle not periodically inspected from August 2019 until December 2020.
- VIN 1FVHC5DX6HHJD9528 Unit # 415545- Description of violation: Carrier used a commercial motor vehicle not periodically inspected; no proof of an annual inspection was on file for review.
- VIN 1NPCLK0X3LD686618 Unit #417054- Description of violation: Carrier used a commercial motor vehicle not periodically inspected from January 1, 2021 through January 12, 2021. The previous annual inspection for this unit expired in December 2020 and the unit was not annually inspected again until January 12, 2021.

Corrective Action(s): Two of the identified vehicles in violation were support vehicles. The Fleet operations have reviewed the process of putting ALL WM vehicles into the COMPASS system (fleet tracking system), including the in-service date, to ensure that an automatic annual and PMIs are being generated.



**19) 396.21(a)(6)- The qualified inspector failed to certify the periodic annual inspection.**

Violation Description: VIN 5VCACRCE6LC232972 Unit # 106668 & VIN 5VCACSCE5KC230037 Unit # 266245- Description of violation: The periodic annual inspection was not certified by the mechanic.

Corrective Action(s): In the next 60 days, Technicians will be re-trained on the annual inspection document; completing all required information and ensuring document is signed and dated.





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We believe all the corrective actions outlined in this Safety Management Plan address the items identified in the compliance review. The corrective actions should reinforce Waste Management's commitment to safety and full regulatory compliance.

### **Certification**

Waste Management of Washington, Inc. certifies that it is committed to safety and will operate in compliance with the Federal Motor Carrier Safety Regulations.

A handwritten signature in cursive script, appearing to read 'T. Jacques', written over a horizontal line.

Tom Jacques,  
Director, DOT Compliance  
Waste Management of Washington, Inc.

## **Exhibit 1 – Record Storage Policy**

## Retention of D and A records



Ginter, Gerald

To ● Rutledge, Robert; ● McMahon, Jeff; ● Eichhorn, Robert; ● Pellicchia, Joseph; ● Alvarado, Aaron; ● Hall, Robert; ● Kazen, Curt; ● Shea, Jason; ● Slack, Michael; ● Barcnas, Jeffrey;  
○ Bradburn, Trace; ● Granado III, Jesse

Cc ● Winston, Adam; ● Paden, Matthew; ○ Apostolos, James; ● Ward, Megan; ○ Olsen, Audrey; ● Hunt, Sarah

Reply

Reply All

Forward



Wed 8/18/2021 7:20 AM

### § 382.401 Retention of records.

(a) **General requirement.** Each [employer](#) shall maintain records of its [alcohol](#) misuse and [controlled substances](#) use prevention programs as provided in this section. The records shall be maintained in a secure location with controlled access.

All,

One of the findings in our recent WUTC audit was related to the retention and storage of Drug and Alcohol program documents and records. They are to be stored and maintained in a secure location at all times. There should be limited and controlled access to these files; only those who manage the D and A program.

Please ensure that all of your D and A documents and records are either locked in a cabinet or location that cannot be accessed by unauthorized employees.

Please verify by returning a reply to this email that your site's records are secure and access is controlled.

Thanks,  
Jerry

**Exhibit 2 – Information re Effects of Alcohol and Controlled Substance Use**



## Substance Abuse Policy for Company Candidates and Employees

### Appendix B Update August 2021

#### Information Concerning the Effects of Alcohol and Drug Use on an Individual's Health, Work and Personal Life

The impact of drug use and alcohol misuse in the workplace is more than just causing harm to the health and safety of the affected individual. Drug use and alcohol misuse decrease an individual's performance and the performance of co-workers who rely on him/her. Impaired judgment, carelessness, and lack of coordination cause more accidents, which put the safety and lives of the affected individual and co-workers at risk. Co-workers may become frustrated trying to help the affected individual by covering up, taking on additional work, or lending him/her money. The result of this frustration can be decreased morale and distrust as co-workers become tired of trying to help and supervisors become suspicious of increased absenteeism, tardiness, lowered job efficiencies, etc.

#### Alcohol and its Effects

Alcohol is a legal substance that is widely used and, unfortunately, misused. While it is important for your safety, the safety of your co-workers and the general public to continue to be very concerned about the significant dangers of controlled substances, the abuse of alcohol has a major impact on the safety of those individuals as well. The most common substance found in drivers of commercial vehicles involved in fatal accidents is alcohol (the second most prevalent substance is marijuana).

The significance of alcohol misuse among the American population is borne out by statistics:

- It is estimated that 3-10% of all Americans have an alcohol related problem, depending upon how alcoholism is defined.
- 25% of all hospital admissions in the United States are related to alcohol misuse.
- 2-3% of the driving population is legally drunk at any one time. This rate doubles at night and on weekends.
- 40% of family court cases involve an alcohol problem.
- 2/3 of all homicides are committed by people who drink prior to the crime.
- More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related

Alcohol abusers are costing companies, health care organizations and the general public tens of thousands of dollars each year in poor quality products, health care costs, workers compensation costs, and unemployment costs. More importantly, these abusers are costing innocent lives.

The National Institute on Alcohol Abuse and Alcoholism has estimated that 50% of the people with job performance problems suffer from alcohol-related problems. The rationale underlying an employer's approach to alcohol abuse in the workplace is that any alcohol abuser, even one in the early stages of abuse, will tend to exhibit a pattern of deteriorating job performance that will eventually effect not only the abuser, but his or her co-workers, and the general public.

Unless detected early on, alcohol use in the workplace can lead to a series of costly and potentially dangerous situations, including:

- Absenteeism – Tardiness and excessive use of sick time.
- Lower Productivity – Studies have shown that an alcohol abuser works at only two-thirds of his/her

actual work potential.

- **Poor Work Quality** – Shoddy work, rework and material waste may be evident. For drivers it means decreased mental and physical agility and concentration.
- **Poor Morale** – Chronic alcohol misuse often creates wide mood swings, anxiety, depression, and anger. Non-drinking co-workers often see alcohol users as poor team workers and safety hazards.
- **Increased Number of Accidents and Near Misses** – Impaired individuals are 3-6 times more likely to be involved in on-the-job accidents or near miss incidents. A person who is legally intoxicated is six times more likely to have an accident than a sober person is.
- **Equipment Problems Due to Negligence** – Alcohol misuse often leads to inadequate maintenance of machinery or equipment because the driver has lost interest or is hoping their equipment will not work to avoid working themselves.

### **Controlled Substances and Their Effects**

Substance abuse is a national problem that negatively impacts every American. It not only affects individual users and their families, but it also presents new and increasing dangers in the workplace. One in six working Americans has a drug related problem. Employees who use controlled substances are 33% less productive, 500% more likely to be involved in an on-the-job accident, 500% more likely to file a worker's compensation claim, 250% more likely to have an absence exceeding eight days, significantly more likely to be involved in employee theft, and 360% more likely to injure themselves or another person in the workplace.

As with alcohol abuse, drug use can lead to a series of costly and potentially dangerous problems in the workplace, including:

- **Absenteeism** – Tardiness and excessive use of sick leave.
- **Staff Turnover** – Substance-abusing employees have disorganized lives. Many quit rather than face detection. Others transfer or are fired because of poor or unsafe performance.
- **Lower Productivity and Work Quality** – As with alcohol abusers, substance-abusing employees perform at about two-thirds of their actual work potential. Shoddy work, rework and material waste may be evident. For drivers, decreased mental and physical agility and concentration causes increased cargo damage or passenger complaints, missed schedules, incomplete or lost shipments and more traffic accidents.
- **Equipment Breakdown** – Again, substance-abusing employees often do not maintain their equipment, either because they have lost interest in their job, or look forward to having equipment declared out of service as a means of avoiding work.
- **Poor Morale** – Chronic substance abusers create the same atmosphere as alcohol abusers in the workplace. Non-drug using employees often view them as poor team workers and a hazard to the safety of others.
- **Increased Accidents and Near Misses** – Substance abusers are 3.6 times more likely to be involved in an accident. Even small quantities of controlled substances in the system can cause a deterioration of alertness, clear-mindedness, and reaction time.

**Exhibit 3a – Confirmation of Understanding**



We understand and have made corrections to avoid this in the future.

Thanks, Curt

## Curt Kazen

District Manager

Wenatchee / Kennewick  
[ckazen@wm.com](mailto:ckazen@wm.com)

T: 509-655-0337  
739 N. Wenatchee Ave  
Wenatchee, Wa. 98801

Access WM 24/7 with [MyWM](#)



**From:** Ginter, Gerald <[gginter@wm.com](mailto:gginter@wm.com)>  
**Sent:** Wednesday, August 18, 2021 1:24 PM  
**To:** McMahon, Jeff <[jmcmaho@wm.com](mailto:jmcmaho@wm.com)>; Kazen, Curt <[ckazen@wm.com](mailto:ckazen@wm.com)>  
**Cc:** Hunt, Sarah <[shunt6@wm.com](mailto:shunt6@wm.com)>  
**Subject:** WUTC Corrective Action Plan

Jeff and Curt,

This is a follow up email, related to the phone conversations we just had. During the recent WUTC Inspection, a violation of 391.45a was identified. This rule requires that anyone driving a commercial vehicle in the state of WA is required to have a DQ file, including a valid Medical Examiner’s Certificate. Part of the corrective action plan is to retrain your District’s team on this requirement. Please respond to this email that your team understands and has implemented this requirement.

Thanks,  
Jerry

7 STATE	Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)	Discovered 2	Checked 80	Drivers/Vehicles	
				In Violation 2	Checked 80
<b>Description</b>					
Using a driver not medically examined and certified. Driver: Amanda Driesen Trip Date: November 2, 2020 Description of violation: Carrier allowed this driver to drive a commercial motor vehicle on a total of seven occasions without a valid medical examiners certificate (MEC) on November 4, 5, 13, 18 and 19, 2020 and on March 11, 2021. Driver did not have a MEC and only obtained their initial one on April 23, 2021.					
Also in violation: Driver: Lester Rano Trip Date: October 14, 2020 Description of violation: Carrier allowed this driver to drive a commercial motor vehicle on a total of 99 occasions without a valid medical examiners certificate (MEC) on October 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 2020; November 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25, 27, 28, 30, 2020; December 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 2020; January 25, 26, 27, 28, 2021; February 1, 2, 10, 11, 12, 16, 17, 19, 22, 23, 24, 25, 26, 2021; March 1, 2, 3, 4, 5, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31, 2021; April 1, 2, 5, 6, 7, 8, 9, 2021. The carrier states the driver was pulled from driving on April 9, 2021. Driver did not have a MEC and only obtained their initial one on April 23, 2021.					

**Exhibit 3b – Confirmation of Understanding**

**From:** McMahon, Jeff <jmcmaho@wm.com>  
**Sent:** Wednesday, August 18, 2021 3:44 PM  
**To:** Ginter, Gerald <gginter@wm.com>  
**Cc:** Kazen, Curt <ckazen@wm.com>; Hunt, Sarah <shunt6@wm.com>  
**Subject:** Re: WUTC Corrective Action Plan

Jerry

The North Sound team has been trained and understands that all employees moving to new positions will need DM approval for all proper paperwork, training, and DQ files if needed.

Jeff

Sent from my iPhone

**From:** Ginter, Gerald <gginter@wm.com>  
**Sent:** Wednesday, August 18, 2021 1:24 PM  
**To:** McMahon, Jeff <jmcmaho@wm.com>; Kazen, Curt <ckazen@wm.com>  
**Cc:** Hunt, Sarah <shunt6@wm.com>  
**Subject:** WUTC Corrective Action Plan

Jeff and Curt,

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Thanks,

Jerry

7 STATE	Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)	Discovered 2	Checked 80	Drivers/Vehicles In Violation	Checked 80
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**Description**

Using a driver not medically examined and certified.

Driver: Amanda Driesen

Trip Date: November 2, 2020

Description of violation: Carrier allowed this driver to drive a commercial motor vehicle on a total of seven occasions without a valid medical examiners certificate (MEC) on November 4, 5, 13, 18 and 19, 2020 and on March 11, 2021. Driver did not have a MEC and only obtained their initial one on April 23, 2021.

Also in violation:

Driver: Lester Rano

Trip Date: October 14, 2020

Description of violation: Carrier allowed this driver to drive a commercial motor vehicle on a total of 99 occasions without a valid medical examiners certificate (MEC) on October 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 2020; November 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25, 27, 28, 30, 2020; December 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 2020; January 25, 26, 27, 28, 2021; February 1, 2, 10, 11, 12, 16, 17, 19, 22, 23, 24, 25, 26, 2021; March 1, 2, 3, 4, 5, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31, 2021; April 1, 2, 5, 6, 7, 8, 9, 2021. The carrier states the driver was pulled from driving on April 9, 2021. Driver did not have a MEC and only obtained their initial one on April 23, 2021.

**Exhibit 4 – Certificate of Road Test**

# CERTIFICATE OF ROAD TEST



Complete before letting an applicant drive for you.

**IN LIEU OF A ROAD TEST, THE FOLLOWING DOCUMENTS  
HAVE BEEN PRESENTED, VERIFIED, AND ACCEPTED**

1) A valid Commercial Driver's License as defined in **49CFR 383.5**, but not including double/triple trailer or tank vehicle endorsements, which was issued to operate specific categories of Commercial Motor Vehicles and which, under the laws of that State, licensed the driver after the successful completion of a road test in a Commercial Motor Vehicle of the type the Motor Carrier intends to assign the driver.

**OR**

2) A copy of a valid Certificate of Driver's Road Test that was issued to the driver within the last three years.

Driver Name (Print): \_\_\_\_\_

I certify that one of the documents defined above is being retained as part of this driver's qualification file.

Name of Authorizing Individual: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECORD OF ROAD TEST**

Motor Carrier: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Driver's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

The operations below are the skills required by **49 CFR part 391.31** to be tested while operating the type of Commercial Motor Vehicle the driver's employer intends to assign to this driver. Please assess the level of skill and competence the driver exhibits performing each of the following operations:

**1. THE PRE-TRIP EQUIPMENT INSPECTION**

Comments:	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Needs Training <input type="checkbox"/> Unsatisfactory
-----------	---

**2. COUPLING AND UNCOUPLING OF COMBINATION UNITS (IF APPLICABLE)**

Comments:	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Needs Training <input type="checkbox"/> Unsatisfactory
-----------	---

**3. PLACING THE COMMERCIAL MOTOR VEHICLE IN OPERATION**

Comments:	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Needs Training <input type="checkbox"/> Unsatisfactory
-----------	---

**4. USE OF THE COMMERCIAL MOTOR VEHICLE'S CONTROLS AND EMERGENCY EQUIPMENT**

Comments:	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Needs Training <input type="checkbox"/> Unsatisfactory
-----------	---

**DQF 3 - CERTIFICATE OF ROAD TEST**

Retain for 3 years after ceasing duties

# CERTIFICATE OF ROAD TEST

## 5. OPERATING THE COMMERCIAL MOTOR VEHICLE IN TRAFFIC AND WHILE PASSING OTHER MOTOR VEHICLES

Comments:

- Satisfactory  
 Needs Training  
 Unsatisfactory

## 6. TURNING THE COMMERCIAL MOTOR VEHICLE

Comments:

- Satisfactory  
 Needs Training  
 Unsatisfactory

## 7. BRAKING, AND SLOWING THE COMMERCIAL MOTOR VEHICLE BY MEANS OTHER THAN BRAKING

Comments:

- Satisfactory  
 Needs Training  
 Unsatisfactory

## 8. BACKING AND PARKING THE COMMERCIAL MOTOR VEHICLE

Comments:

- Satisfactory  
 Needs Training  
 Unsatisfactory

## 9. OTHER

Comments:

- Satisfactory  
 Needs Training  
 Unsatisfactory

Duration of Road Test:    Hours \_\_\_\_\_ Miles \_\_\_\_\_

Name of Examiner (please print)

Date

Signature

Driver's Name:

Social Security Number:

Operator's or Chauffeur's License No.:

State:

Type of power unit:

Type of trailer(s):

If passenger carrier, type of bus:

This is to certify that the above-named driver was given a road test under my supervision on \_\_\_/\_\_\_/\_\_\_ consisting of approximately \_\_\_\_\_ miles of driving.

It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of commercial motor vehicle listed above.

Signature of Examiner:

Title:

Organization of Examiner:

Address of Examiner:

City:

State:

Zip Code: