

Grensing

Completed Activity Report Motor Carrier Safety

	load? ∐ Yes∃ UES	⊠ No INTRSTAT	E ONLY OREGON BASED CARRIER -JURISDI	CHONAL
1. I	nvestigator(s):	GRIMM	2. Assignment No. 11(19)	
3. 0	Current Date:	080111	_ 4 Date of Activity: 072111	
5. (Carrier Name: AN	ÆRICAN MOVER	SLLC	
6. F	Permit: THG	54124 7.1	If new entrant, date of temporary authority 1-13-	_//
8. N	MOTCAR No.: _	ID 6258	9. Carrier is: Intrastate Only Interstate Only	
10.	Industry Code:	207	☐ Both Intra and Inter	state
	DOT No.:	74	12. MC No.:129420 (Did not review in	terstate
13.	Number of buses Number of inspe Describe any spe	copy of the Destina s inspected: # of 7- ections: Level 1 — ecial emphasis place	ation Check Safety Plan. 15 passenger # of 16+ passenger Level 2 Level 3 Level 5 ed on the destination check and the results: rease our success at the next destination check:	Level 7
14	Attach a cop What activity di Complia Technic Number	by of the Individual Staff complete for ance review all assistance of vehicle inspections	Safety Complaint Plan. this safety complaint: ons: Level 1 Level 2 Level 5	Level 7

AR

 New Entrant – Charter, Auto Transportation Is this carrier referred by FMCSA, operating intra and interstate:
 New Entrant- HHG Is this carrier referred by FMCSA, operating intra and interstate:
17.
18. ☐ Compliance Review Data: ■ Safety Rating: ☐ Satisfactory ☐ Unsatisfactory ■ Number of vehicles operated: ☐ Satisfactory ☐ Conditional ■ Number of drivers operated: ☐ Satisfactory ☐ Conditional ■ Total miles for prior year: 5000 ■ Recordable accidents for prior year:0 ☐ Satisfactory ☐ Conditional

19. X Part B Violations:

Part	Violations	Part	Violations	Part	Violations
382/40		383		387	
390		391		392	
395	4	396		397	

	MC	MB 1-15	MB 16+	SB 1-8	SB 9-15	SB 16+	VAN 1-8	VAN 9-15	TRK	TT	TRA
Inspections									1		
Defective Vehicles									1		
OOS Vehicles			1						.0		
Location									T		
Level	†·	+							5	-	

	MC	MB 1-15	MB 16+	SB 1-8	SB 9-15	SB 16+	VAN 1-8	VAN 9-15	TRK	TT	TRA
Brakes										<u> </u>	
Steering											
Lights								<u> </u>	1		
Tires, wheels, rims						,					
Horn							<u> </u>			ļ	
Windshield and Wipers											
Mirrors										ļ	
Emergency Equip. Exits											
Coupling Devices											
Frame											ļ
Suspension											\
Exhaust		<u> </u>									ļ
Other						-					

22. Driver Inspection Viola	tions:			
Medical Card	Medical Waiver	Heurs of Service	Drivers License	

23. Relevant carrier history, if any:
24. Findings: Satisfactory rating on intrastate operations based on current/former FMCSA rating criteria. Carrier should be recommended for permanent household goods authority based on substantial compliance with safety requirements.
 25. Recommended Action: No further action. Notify the company in writing of the findings by providing a copy of the CR, vehicle inspection report, safety audit or other similar document. Require the company to submit a compliance plan in response to the 15-day letter requirement. Recheck - Compliance review (Date:
Send the company a compliance letter. Require a response: Yes No. Issue administrative penalties in the amount of \$ Issue a complaint. Stop company operations.
26. Is this carrier considered a high risk carrier as a result of this activity? Carrier accident ratio is higher than aggregate ratio. Carrier had an out-of-service ratio 25% or higher at the last vehicle inspection. Carrier had a defect ratio 75% or higher at the last vehicle inspection. Carrier received more than one conditional or unsatisfactory compliance review rating in mor than one of the last four compliance reviews (or less than four if four are not completed). Other (please explain):
27. Additional Comments: Consider recommending permanent household goods authority based on these findings.
Investigator's signature:
Initial review by: Date: 88-11
Reviewer's recommendation: Toner with recommendation
Sos Permanent Authority.

Final review by:	Drat	Date:	8 9-11
Reviewer's recon	mendation: Agree worth	recommen	dations
rok tois	sue permanethoris	y C1	ose à file.
 .		· 	
Date closed:	ice Grimm 8/9/11	By: <i>CAC</i>	
:c: <u>Br</u>	ice Drimm		······································
ecompany name	Insing American Movers LL	Assignm	nent #
	Bruce Drimm		

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION - MOTOR CARRIER SAFETY Legal: AMERICAN MOVERS LLC US DOT# 74520 Operating (DBA): Federal Tax ID: 93-0507242 (EIN) State #: THG64124 MC/MX #: 129420 Review Type: Compliance Review (CR) Location of Review/Audit: Company facility in the U. S. Territory: Principal Office Scope: Operation Types Interstate Intrastate **Business:** Corporation N/A Non-HM Carrier: for year ending: 7/1/2011 Gross Revenue: \$4,753.00 N/A N/A Shipper: N/A Cargo Tank: Company Physical Address: 8060 SW Pfaffle St S-200 Tigard, OR 97223 **Contact Name:** Megan Rutz Fax Phone numbers: (1) 503-726-4800 (2) E-Mail Address: Company Mailing Address: 8060 SW Pfaffle St S-200 Tigard, OR 97223 Carrier Classification Authorized for Hire Cargo Classification Household Goods General Freight Does carrier transport placardable quantities of HM? Nο N/A Is an HM Permit required? **Driver Information** Average trip leased drivers/month: 0 Intra Inter Total Drivers: 5 < 100 Miles: CDL Drivers: 5 5 >= 100 Miles: Equipment Owned Term Leased Trip Leased Term Leased Trip Leased Owned Trailer Truck Tractor Power units used in the U.S.:3

Percentage of time used in the U.S.:100



AMERICAN MOVERS LLC

U.S. DOT #: 74520

State #: THG64124

Review Date: 07/21/2011

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety Regulations should be addressed to: Washington Utilities & Transportation Commission

> P.O. Box 47250 Olympia WA 98504-7250 Phone: 360-798-8724 E-mail: bgrimm@wutc.wa.gov

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

Person(s) Interviewed

Name: Megan Rutz

Title: Human Resources Manager

Title: Name:

State #: THG64124

Review Date: 07/21/2011

Part B Violations

1	Primary: 395.1(o)			Drivers/V	ehicles
STATE	· ·	Discovered	Checked	In Violation	Checked
	CFR Equivalent: 395.1(o)	1	150	1	5

Description

Requiring or permitting a short-haul property-carrying commercial motor vehicle driver to drive after having been on duty 16 consecutive hours.

Example

Justin Nelson, trip date 06-10-11. Drove from 9:30 PM to 10:15 PM (.75 hr) after having been on duty 16 hours.

2	Primary: 395.3(a)(2)			Drivers/V	ehicles
STATE		Discovered	Checked	In Violation	Checked
	CFR Equivalent: 395.3(a)(2)	6	150	2	5

Description

Requiring or permitting a property-carrying commercial motor vehicle driver to crive after the end of the 14th hour after coming on duty.

Example

William Frey, trip date 06-22-11 to 06-23-11. On duty/driving more than 14 hours without having taken 10 consecutive hours off duty. (Off duty 10:15 PM 06-22-11 until 7:30 AM 06-23-11 or 9.25 hours - drove 40 miles during undetermined period between 7:30 AM and 10:45 PM 06-23-11.)

3	Primary: 395.8(a)			Drivers/V	ehicles
STATE		Discovered	Checked	In Violation	Checked
	CFR Equivalent: 395.8(a)	4	150	2	5

Description

Failing to require driver to make a record of duty status.

Example

William Frey, 06-20-11.

4	Primary: 395.8(f)			Drivers/V	ehicles
STATE		Discovered	Checked	In Violation	Checked
	CFR Equivalent: 395.8(f)	6	150	2	5

Description

Failing to require driver to prepare record of duty status in form and manner prescribed.

Example

William Frey, trip date 06-30-11.

Safety Fitness Rating Information:	
Total Miles Operated	5,000
Recordable Accidents	0
Recordable Accidents/Million M	liles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 1

OOS Vehicle (MCMIS): 1

Number of Vehicles Inspected (MCMIS): 2

Your proposed safety rating is :	Rating Factors		Acute	Critical
, , , , ,	Factor 1:	S	0	0
	Factor 2:	S	0	0
SATISFACTORY	Factor 3:	S	0	0
	Factor 4:	S	0	0
	Factor 5:	N	0	0
	Factor 6:	S	-	-

Null Null



State #: THG64124

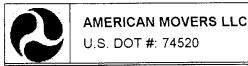
Review Date 07/21/2011

Part B Requirements and/or Recommendations

- 1. Ensure that drivers comply with the federal and state hours of service standard found in 49 CFR Part 395. Property carrying drivers are restricted to 11 hours driving and 14 hours on duty following 10 consecutive hours off duty. Instruct drivers in how to comply with these rules as well as the 34 hour reset and 60/70 hour on duty restriction. Monitor hours of service records to prevent violations. Appropriate hours of service standards are important to addressing a major facotr identified in many vehicle crashes--fat gue.
- 2. "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. For additional information on this policy, contact David Pratt, Assistant Director of Transportation Safety 360-664-1100 dpratt@utc.wa.gov.
- 3. If you have any questions concerning this report or the rating process, please contact the Washington Utilities & Transportation Commission, Motor Carrier Safety Section, PO Box 47250, Olympia WA 98504-7250.

US DOT# Legal: AMERICAN MOVERS LLC 74520 Operating (DBA): Federal Tax ID: 93-0507242 (EIN) State #: THG64124 MC/MX #: 129420 Review Type: Compliance Review (CR) - Receipt Location of Review/Audit: Company facility in the U. S. Territory: Principal Office Scope: Interstate Intrastate Operation Types **Business:** Corporation Non-HM N/A Carrier: for year ending: 7/1/2011 Gross Revenue: \$4,753.00 N/A N/A Shipper: Cargo Tank: N/A Company Physical Address: 8060 SW Pfaffle St S-200 Tigard, OR 97223 Contact Name: Megan Rutz Phone numbers: (1) 503-726-4800 (2) Fax E-Mail Address: Company Mailing Address: 8060 SW Pfaffle St S-200 Tigard, OR 97223 Report Summary # of Pages Report 2 Part A - General 1 Part B - Violations Part B - Recommendations Review/Audit Receipt Page 5 **Total Pages** Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me. QUESTIONS regarding this report or the Federal Motor Carrier Safety Regulations should be addressed to: Washington Utilities & Transportation Commission P.O. Box 47250 Olympia WA 98504-7250 Phone: 360-798-8724 E-mail: bgrimm@wutc.wa.gov This report will be used to assess your safety compliance. Person(s) Interviewed Title: Human Resources Manager Name: Megan Rutz Title: Name: Date: 7/21/2011 Title: TRANSPORTATION SPECY Code: WA0540 Reported By: Received By:

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION - MOTOR CARRIER SAFETY



State #: THG64124

Review Date: 07/21/2011

Part C

Reason for Review: Compliance Review
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

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

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: Megan Rutz

Corporate Contact Title: Human Resources Manager

Special Study Information:

Remarks:

American Movers LLC (USDOT74520) has operated since at least 2006 as an interstate household goods carrier. The firm obtained Washington intrastate residential household goods authority, THG-64124, under UTC Docket TV-110061 on January 13, 2011. There have been few intrastate moves during this period but it was the focus of this safety compliance review.

The carrier obtained Washington intrastate authority to broaden its marketing efforts and increase revenue. The company is a Department of Defense approved Defense Personal Property carrier which can supply a wide range of moving options and capabilities to meet the needs of individual customers.

Managing members of this limited liability company are Diane De'Autremont and Vanessa Rimby. These company officials are also corporate officers of the following affiliated companies: Lile International Companies; Lift Forwarders Inc; Lile Investment Company LLC; Bower Transportation Service Inc; American Household Goods Brokers Inc; A Columbia Forwarders Inc and other ventures.

American Movers LLC is a wholly owned subsidiary of Lile International Companies of Tigard OR. Both firms handle shipments as an agent for North American Van Lines.

This carrier does not have any permanent employees and does not own any motor vehicles. When the company books a haul as American Movers LLC, the firm uses Lile International Companies vehicles under an interstate master lease arrangement which generally meets the requirements of 49 CFR Part 375. Ar exemption to the UTC leasing rule will be heard at the Commission open meeting on August 11, 2011. It has been recommended that it be granted. Driver employees could be considered multiple-employer drivers as they may work for more than one motor carrier in a seven day period.

The carrier is afforded public liability and property damage insurance through a policy underwritten Vanliner Insurance Company (TRV404370302) with combined single limits of \$1,000,000. Motor truck cargo insurance is underwritten by Vanliner under policy MZG80929459 with limits of \$1,000,000 per occurrence. A Form E filing has been made to the UTC.

This is a well organized and managed company. There is direct supervision over all aspects of the operation. Megan Rutz, human resources manager, coordinated this review with her staff and was present during this visit. All managers, supervisors and employees interviewed were found to be conversant in the federal motor carrier safety regulations. The company has an active safety training program. There have been minimal Washington intrastate hauls under this household goods permit. Although the federal MCS-150 form shows a large number of vehicles and drivers, in practical terms this is not the case. The company may have this number of vehicles and drivers technically available under the master lease agreement but generally there have been on two or three drivers and trucks used during any month period. These minimums were used in selecting records to be reviewed.



AMERICAN MOVERS LLC

U.S. DOT #: 74520

State #: THG64124

Review Date: 07/21/2011

Part C

Driver qualification files were complete. All drivers were properly licensed and medically qualified. Annual reviews of driving record were documented. There is a good faith effort to perform background investigations and performance history checks.

Carrier personnel and drivers are aware of the rules of the road. Drivers are required to wear seat belts. There was no evidence of any excessive speed. The firm has knowledge of the hazards of distracted driving as well as the prohibition of texting while driving. These requirements are outlined in company safety policies.

One commercial motor vehicle was offered for service and available for inspection. There was no out of service condition found. See UTC driver/vehicle examination report WAU005000181 dated 07-27-2011.

Drivers are subject to the hours of service requirements in 49 CFR Part 395. Driver employees in this industry may work long hours waiting to be dispatched, loading, unloading, attending a vehicle, and performing any other work including warehousing in the employment or service of the motor carrier. There is good general compliance with the 11, 14 and 70 hour rules. The carrier takes advantage of the 34 hour restart and the occasional 16 hour short haul rule. Supporting documents include dispatch records, shipper documentation, bills of lading, routing instructions and other data. Several drivers did show violations of the 14 or 16 hour rule but it was because they had taken just under 10 consecutive hours off duty after having on duty or driving 14 or 16 hours. The lack of sufficient time off (i.e. 9 1/2 hours or 9 3/4 hours rather than 10) magnified the problem in certain cases. The carrier was given educational and technical assistance in the area of hours of service compliance. The potential hazard of driver fatigue was discussed. Management planned immediate corrective action including additional training for drivers on the laws, rules and regulations pertaining to this subject. Pre-trip inspections are performed and post trip inspection reports are filed. Written maintenance records show date and type of service or repair performed. Preventative maintenance is performed by an outside vendor based on time or mileage operated. Annual (periodic) inspections are required every six months. The carrier is satisfied that annual and brake inspectors used by outside vendors are qualified based on experience and training.

The firm has implemented a USDOT type controlled substance and alcohol testing program. Driver background investigations include an inquiry into previous CS/AL testing results. Drivers are subject to pre-employment testing and are in a random pool. Quarterly and other testing records are available for inspection. The firm uses separate control forms for USDOT tests and non-DOT tests. A written policy sets out the requirements for the program and drivers sign a receipt showing they have received a copy of it. Supervisors have received reasonable suspicion training. One driver was found have been recently evaluated by a SAP then allowed to return to duty with a negative return to duty test and being subject to six unannounced follow-up tests in a calendar year. This routine is actively managed by the company. The collection site sends specimens to Labcorp, a federally inspected laboratory. David Nahin, MD is the medical review officer. The lab is testing at the current cutoff concentrations which were effective August 16, 2010 for initial and confirmation tests.

Driving records were reviewed using Query Central. No recent serious traffic violations or period of suspension/revocation of license was found.

Carrier management was cooperative throughout this review. The firm was offered ongoing educational and technical assistance regarding commercial vehicle safety matters as needed.

This review should not be and is not authorized by this investigator to be uploaded to the federal database since it focused on Washington intrastate residential household goods hauls for the purposes of qualifying the firm for permanent intrastate authority. The company should be considered for permanent authority based on the results of this review. A carrier representative has attended UTC economic training.

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

Client#: 124414

LILEINTE

 $ACORD_{\scriptscriptstyle{\mathsf{IM}}}$

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/30/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Propel Insurance Seattle Commercial Insurance 925 4th Ave, Suite 3200 Seattle, WA 98104	CONTACT NAME: PHONE (A/C, No, Ext): E-Mail ADDRESS: PRODUCER CUSTOMER ID #:				
Lile International Companies 8060 SW Pfaffle Street, Suite 200 Tigard, OR 97223	INSURER(S) AFFORDING COVERAGE INSURER A: American Automobile Insurance C INSURER B: Vanliner Insurance Company INSURER C: SAIF Corporation INSURER D: INSURER E: INSURER F:				

	72.0.020 OEI	THIOAIL	. NOMBER.			REVISION NUMBER:	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
INSR LTR	TYPE OF INSURANCE	ADDL SUBR		POLICY FFF	POLICY EXP (MM/DD/YYYY)	LIMIT	s
Α	GENERAL LIABILITY		MZG80929459	03/31/2011	03/31/2012	EACH OCCURRENCE	\$1,000,000
	X COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
	CLAIMS-MADE X OCCUR		·			MED EXP (Any one person)	s20,000
	X WA Stop Gap				-	PERSONAL & ADV INJURY	s1,000,000
			1			GENERAL AGGREGATE	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG	\$2,000,000
┡	POLICY PRO- X LOC	<u> </u>		1			\$
В	X ANY AUTO		TRV404370302	12/01/2010	12/01/2011	COMBINED SINGLE LIMIT (Ea accident)	^{\$} 1,000,000
	ALL OWNED AUTOS		Physical Damage: Comp Ded-\$1,000			BODILY INJURY (Per person)	\$
1	SCHEDULED AUTOS		Coll Ded-\$1,000			BODILY INJURY (Per accident)	\$
	HIRED AUTOS	-	Hired Comp Ded-			PROPERTY DAMAGE (Per accident)	\$
ļ	NON-OWNED AUTOS		\$100		ļ	(s
	* Trir intrchng		*\$50,000 Limit				\$
В	UMBRELLA LIAB X OCCUR		UMV404370006	12/01/2010	12/01/2011	EACH OCCURRENCE	\$5,000,000
	EXCESS LIAB CLAIMS-MADE					AGGREGATE	\$5,000,000
	DEDUCTIBLE				:		s
<u> </u>	X RETENTION \$ 10,000				,		\$
С	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N	-	745431	10/01/2010	10/01/2011	X WC STATU- TORY LIMITS ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A				E.L. EACH ACCIDENT	\$1,000,000
	(Mandatory in NH) If yes, describe under					E.L. DISEASE - EA EMPLOYEE	\$1,000,000
<u> </u>	DÉSCRIPTION OF OPERATIONS below						s1,000,000
Α	Motor Truck Cargo		MZG80929459	03/31/2011	03/31/2012	\$1,000,000 per	
<u> </u>			\$2,500 Ded			Occurrence	
	CRIPTION OF OPERATIONS / LOCATIONS / VEHICL Named Insurads Listed Relow: A					rokare Ina Amarican	
	All Named Insureds Listed Below: A Columbia Forwarders, Inc. American Household Goods Brokers, Inc. American Movers (DOT Authority is under Lile International Companies DBA American Movers) Art Line Bower Moving &						
	Movers (DO) Authority is differ the international companies DBA American Movers, Art Line Bower Moving &						

(See Attached Descriptions)

CERTIFICATE HOLDER	CANCELLATION
Lile International Companies 8060 SW Pfaffle Street, Suite 200	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Portland, OR 97223	AUTHORIZED REPRESENTATIVE
	Padrick 9 Hym

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DESCRIPTIONS (Continued from Page 1)					
orage Company Bower Transportation Services, Inc. Bower Trucking & Warehouse Company Estate of Wendell B. le Evergreen Leasing Company, LLC L & S Properties, LLC Lift Forwarders, Inc. Lile International Companies c. 401k Plan Lile Investment Company, LLC Lile Logistics of California Lile Logistics Services Lile Moving Storage Company Lile North American Lile of Oregon, LLC Lilenet W & J Leasing, LLC					
	•				

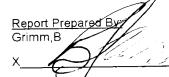
Why We Are Using the Latest ACORD 25 Certificate of Insurance

In September 2009, ACORD revised the ACORD 25 Certificate of Insurance form. One of the major changes was the removal of the cancellation notice provision. For the following reasons, we are unable to issue an older edition of this form, modify the current form, or complete a proprietary form you provide

- Notice of cancellation is a policy right, not an unregulated service. No insurer shown on this certificate is able to provide the cancellation notice you desire by endorsement. For example, the insured can cancel immediately, so it would be impossible for the insurer to give you the notice you request. State law also grants the insurer the right to cancel for reasons such as nonpayment with less notice than you require.
- For the reason just cited, if our agency was to issue a certificate that provides the cancellation
 notice you request, we would do so with the full knowledge that it would be impossible to actually
 give that amount of notice under certain circumstances. As such, the certificate could be alleged to
 constitute a misrepresentation or fraud which could subject our agency and staff to serious civil
 and criminal penalties.
- If a certificate purports to provide a policy right different from that provided by the policy itself, then
 the certificate effectively purports to be a policy form. Policy forms must be filed and approved by
 our state department of insurance. Use of nonfiled policy forms is illegal and could result in legal
 sanctions distinct from the assertion that the certificate is fraudulent.
- Under the ACORD Corporation's licensing agreement, the prior editions of superseded forms can be used for one year from the time the new forms are introduced. Beginning in September 2010, this is another reason we cannot use an older edition of the ACORD 25. Doing so would violate ACORD's licensing agreement and, as a copyrighted document, federal copyright law.
- Likewise, we are unable to modify the new certificate to add a notice of cancellation. ACORD forms
 are designed to be completed, not altered. ACORD's Forms Instruction Guide says that a
 certificate should not be used "To waive rights...To quote word ng from a contract...To quote any
 wording which amends a policy unless the policy itself has been amended." In addition, our
 insurance company contracts only allow us to issue unaltered ACORD forms.
- We are often asked to issue proprietary certificates provided by the certificate requestor. Again, our
 insurance company contracts only allow us to issue unaltered ACORD forms. Many proprietary
 certificates include broad, vague or ambiguous language that may or may not be incompliance with
 state laws, regulations, and insurance department directives. Therefore, we cannot issue any
 proprietary certificates.

We appreciate your understanding of the legal restrictions on our ability to fully comply with your request

WASHINGTON STATE PAT P.O. Box 42614 Olympia WA 98504-2614 Phone 360-596-3819 Fax 360-596-3828	ROL			Inspecti Start: 1: Inspecti	Number: WAU0 on Date: 07/27/ 03:00 PM PT I on Level: V - To ection Type: N	2011 End: 1:20 erminal	
AMERICAN MOVERS LLC 8060 SW PFAFFLE ST S-20 TIGARD, OR 97223 USDOT#: 00074520 MC/MX#: 129420 State#: THG64124	Phone#: (503) Fax#:	726-4800	Driver: License#: Date of Bi CoDriver: License#: Date of Bi				State:
Location: TERMINAL-LONG	3VIEW	MilePos		pper:			
Highway:		Origin:			l of Lading: rgo: EMPTY		
County: COWLITZ, WA		Destina	mon:		igo. Elvii 11		
VEHICLE IDENTIFICATION	i			010415	0.104 11 0.104	1	OOC Chieleer
Unit Type Make Year State 1 TR INTL 2004 OR	Plate # YARD962	Equipment ID L100	<u>VIN</u> 1HTMMAALX4H61277	<u>GVWR</u> 1 34,000		26527	OOS Sticker
BRAKE ADJUSTMENTS Axle # 1 2 Right 1 1/4 1 3/4 Left 1 1/4 1 7/8 Chamber C-20 C-30						And No. of The Control of The Contro	
VIOLATIONS: No Violations					Placard: No	Cargo	Tankı
HazMat: No HM Transported					riacaiu. No	Cargo	I WIIN.
Special Checks: No Data for					I		rrootions aro
MOTOR CARRIER: Please sign this cenoted.	rtification and return w	ithin fifteen (15) days f	from date of inspection, to addres	s indicated b	elow, only if violations/i	necessary cor	rections are
MAIL TO: Washington State Patrol Commercial Vehicle Enforcement Section P.O. Box 42614 Olympia WA 98504-2614	on						
or FAX 360-596-3828							
The undersigned verifies that all violation Hazardous Materials Regulations insofaregulations noted for each day of nonco	ar as they are applicabl impliance.	le to motor carriers and	d drivers. Turiderstand the failure	to comply w	in Subject the to dutite	TICH TIOISTIC	
Signature Of Repairer X:			Facility:		<u></u>	Date:	
DRIVER: This report must be furnished	I to the Motor Carrier w	hose name is listed or	n this report.				
THE FOLLOWING MUST BE MET ON			ECTIONS ARE NOTED ON THIS	REPORT.			
VEHICLE REPAIR: All noted defects ar	nd violations must be c	orrected or repaired.					
Signature Of Motor Carrier X:			Title:_			Date:	



Badge #: J540

Copy Received By:

