



UTILITIES AND TRANSPORTATION COMMISSION

TV-090326

Completed Activity Report Motor Carrier Safety

Upload? No

- 1. Investigator(s): John Foster
- 2. Assignment No.: 110090
- 3. Current Date: July 19, 2010
- 4. Date of Activity: 7/13/10
- 5. Carrier Name: America's Moving Machines Inc. ✓
- 6. Permit: THG-2009093 ⁶³⁶⁵⁵
- 7. If new entrant, date of temporary authority July 21, 2009 ¹⁰
- 8. MOTCAR No.: 1D 4398
- 9. Carrier is: Intrastate Only ²⁰⁰⁹
 Interstate Only
 Both Intra and Interstate
- 10. Industry Code: 207
- 11. DOT No.: 2009093
- 12. MC No.: _____

13. **Destination Check**
 Attached is a copy of the Destination Check Safety Plan.

- Number of buses inspected: # of 9-15 passenger _____ # of 16+ passenger _____
- Number of inspections: Level 1 _____ Level 2 _____ Level 3 _____ Level 5 _____ Level 7 _____
- Describe any special emphasis placed on the destination check and the results:

- What might we do differently to increase our success at the next destination check:

14. **Safety Complaint**
 Attach a copy of the Individual Safety Complaint Plan.

- What activity did staff complete for this safety complaint:
 - Compliance review
 - Technical assistance
 - Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 _____ Level 7 _____
 - Unannounced terminal visit
 - Other (please explain): _____

15. **New Entrant – Charter, Auto Transportation**

- Is this carrier referred by FMCSA, operating intra and interstate: Yes No
- Is this carrier based in another state, requesting intrastate authority: Yes No
- Is this carrier based in Washington, requesting intrastate authority: Yes No
- Did staff complete the following:
 - ◆ Inspect all vehicles between three and nine months? Yes No
 - Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 _____ Level 7 _____
 - ◆ Conduct a CR/SA between three and nine months? Yes No CR SA

16. **New Entrant– HHG**

- Is this carrier referred by FMCSA, operating intra and interstate: No
- Is this carrier based in another state, requesting intrastate authority: No
- Is this carrier based in Washington, requesting intrastate authority: Yes
- Did staff complete the following:
 - ◆ Inspect all vehicles between three and eighteen months? Yes
 - Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 1 Level 7 _____
 - ◆ Conduct a CR/SA between three and eighteen months? X Yes X CR
 - ◆ Conduct technical assistance within three months? Yes

17. **Individual Safety Plan Only:**

Attach a copy of the Individual Carrier Safety Plan.

- What activity did staff complete for this safety complaint:
 - Compliance review
 - Technical assistance
 - Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 _____ Level 7 _____
 - Unannounced terminal visit
 - Other (please explain): _____

18. **Compliance Review Data:**

- Safety Rating: Satisfactory
- Number of vehicles operated: 1
- Number of drivers operated: 1
- Total miles for prior year: 10,000
- Recordable accidents for prior year: 0
- Accident Ratio: 0%

19. X Part B Violations:

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

20. X Vehicle Inspection Data:

	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									0		
Location									Lyn nwo od		
Level									5		

21. X Vehicle Inspection Violations:

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

22. Driver Inspection Violations:

Medical Card	Medical Waiver	Hours of Service	Drivers License

23. Relevant carrier history, if any: This is a provisional household goods carrier. The Carrier attended The commission's HHG training class on March 17, 2010.

24. Findings: Rating is satisfactory. If all other requirements have been met this carrier should be granted permanent authority

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: _____)

Revisit to recheck a specific issue (Date: _____)

Describe: _____

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 more than one of the last four compliance reviews (or less than four if four are not completed).

Other (please explain): _____

27. Additional Comments: _____

Investigator's signature: _____

July 19, 2010

Initial review by: _____

Date: _____

7-19-10

Reviewer's recommendation: Agree with recommendations
Close: site

Final review by: D. Proett Date: 7/19/10

Reviewer's recommendation: Agree with recommendations
close & CL

* OK to issue permit authority. Thank's John.
D. Proett


Date closed: 7/19/10 By: CAC

cc: John Foster
Licensing

Company name America's Moving Machine Assignment # THG-63655

Staff Assigned John Foster

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION

	US DOT # 2009093	Legal: AMERICA'S MOVING MACHINE INC Operating (DBA):		
MC/MX #:		State #: HG63655	Federal Tax ID: 20-8773935 (EIN)	
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: \$20,000.00	
Cargo Tank:	N/A		for year ending: 12/30/2009	
Company Physical Address:				
19925 68th Ave West Lynnwood, WA 98036				
Contact Name: Ed Ponce				
Phone numbers: (1) 425-438-2526		(2)	Fax	
E-Mail Address:				
Company Mailing Address:				
19925 68th Ave West Lynnwood, WA 98036				
Carrier Classification				
Other: Intrastate				
Cargo Classification				
Household Goods				
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:		1	Total Drivers: 1	
>= 100 Miles:			CDL Drivers: 0	
Equipment				
	Owned	Term Leased	Trip Leased	
Truck	1	0	0	Owned Term Leased Trip Leased
Power units used in the U.S.: 1				
Percentage of time used in the U.S.: 100				





AMERICA'S MOVING MACHINE INC
U.S. DOT #: 2009093

State #: HG63655

Review Date:
07/13/2010

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety rules may be addressed to: WUTC

ATTN: John Foster, PO Box 47250,
Olympia, WA 98504-7250
Ph. (360) 664-1238, Fax #360) 586-1150, email: jfoster@wutc.wa.gov

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Ed Ponce

Title: President

Name:

Title:





AMERICA'S MOVING MACHINE INC
U.S. DOT #: 2009093

State #: HG63655

Review Date:
07/13/2010

Part B Violations

1 STATE	Primary: 391.25(c)(1) CFR Equivalent: 391.25(c)(1)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain a copy of the response from each State agency in the driver qualification file.

Example

Ed Ponce, Trip Date 7/1/2010

2 STATE	Primary: 391.25(c)(2) CFR Equivalent: 391.25(c)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain record of annual review in driver's qualification file.

Example

Ed Ponce, Trip Date 7/1/2010

3 STATE	Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain driver's employment application in driver's qualification file.

Example

Ed Ponce, Trip Date 7/1/2010

4 STATE	Primary: 391.51(b)(3) CFR Equivalent: 391.51(b)(3)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.

Example

Ed Ponce, Trip Date 7/1/2010

Safety Fitness Rating Information:		OOS Vehicle (CR): 0
Total Miles Operated	10,000	Number of Vehicle Inspected (CR): 1
Recordable Accidents	0	OOS Vehicle (MCMIS): 0
Recordable Accidents/Million Miles	0.00	Number of Vehicles Inspected (MCMIS): 0

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

Null
Null





AMERICA'S MOVING MACHINE INC

U.S. DOT #: 2009093

State #: HG63655

Review Date:

07/13/2010

Part B Requirements and/or Recommendations

1. To receive a copy of your intrastate safety profile, contact Carolyn Caruso at 360-664-1244
2. Maintain complete driver qualification files. File must contain the drivers employment application, inquiry into driving record obtained within 30 days of employment, employment history investigation, certification of annual review of driving record, annual copy of driving record, drivers annual list of traffic convictions, certificate of road test or equivalent and current medical certificate
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.
4. Within 15 days after signing for this compliance review, submit a letter to the commission outlining your company's response to correcting the violations noted in Part B.



WASHINGTON UTILITIES & TRANSPORTATION COMMISSION



US DOT #
2009093

Legal: AMERICA'S MOVING MACHINE INC
Operating (DBA):

MC/MX #: **State #:** HG63655 **Federal Tax ID:** 20-8773935 (EIN)

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office **Location of Review/Audit:** Company facility in the U. S. **Territory:**

Operation Types **Interstate** **Intrastate**

Carrier: N/A Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Corporation
Gross Revenue: \$20,000.00 **for year ending:** 12/30/2009

Company Physical Address:

19925 68th Ave West
Lynnwood, WA 98036

Contact Name: Ed Ponce

Phone numbers: (1) 425-438-2526 (2) **Fax**

E-Mail Address:

Company Mailing Address:

19925 68th Ave West
Lynnwood, WA 98036

Report Summary

Report	# of Pages
Part A - General	2
Part B - Violations	1
Part B - Recommendations	1
Review/Audit Receipt Page	1
Total Pages	5

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 rules may be addressed to: WUTC

ATTN: John Foster, PO Box 47250,
Olympia, WA 98504-7250
Ph. (360) 664-1238, Fax #360) 586-1150, email: jfoster@wutc.wa.gov

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Ed Ponce **Title:** President
Name: **Title:**

Reported By: **Title:** **Code:** WA0518 **Date:** 7/13/2010

Received By: *Ed Ponce* **Title:** *owner (Driver operator)*





AMERICA'S MOVING MACHINE INC
U.S. DOT #: 2009093

State #: HG63655

Review Date:
07/13/2010

Part C

Reason for Review: Other Routine
Planned Action: Compliance Monitoring
Safestat Category:

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: Ed Ponce

Corporate Contact Title: President

Special Study Information:

Remarks:

Mr. Ed Ponce, President was contacted at the carrier's office at 19925 68th Ave W. Lynnwood, WA 98036 on July 13th 2010 for the purpose of conducting this Compliance review.

This carrier operates 1 straight truck and employs 1 non CDL driver as an intrastate household goods mover.

The carrier was requested to produce the following information 48 hours before this safety audit was scheduled:

- * Financial responsibility
- * Crash information
- * Driver qualification files
- * Hours of service records
- * Inspection, repair and maintenance records including annual (periodic) inspections
- * Controlled substance and alcohol testing records
- * Commercial driver's license information

The company maintains supporting documents consisting of bills of lading, daily trip records, roadside inspection reports, and other data.

Mr. Ponce is responsible for the supporting documents. They are located at the carrier's principal place of business. Files are maintained by driver, trip or date depending upon the type of record.

Records of duty status could be compared to various supporting documents by checking time, date and location of specific vehicles or drivers.

The carrier had incomplete driver qualification files. Missing were annual reviews of driving records, annual certifications and road test certificates. The carrier also was found to have a non critical defect on it's vehicle. See attached Uniform Driver/Vehicle Inspection Report # 1293220.

The carrier is insured with Victoria Fire & Casualty Co. for \$750,000.00 CSL under policy 6320097..



AMERICA'S MOVING MACHINE INC
U.S. DOT #: 2009093

State #: HG63655

Review Date:
07/13/2010

Part C

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



UNIFORM DRIVER/VEHICLE INSPECTION REPORT

1293220

PERSONNEL NO. JS18 DIST / DET

LEVEL: 1 2 3 4 5 X

GENERAL

HAZARDOUS MATERIALS

DATE 7 13 10 TIME (MILITARY) BEGUN 09:45 FINISHED 12 00 HAZARD CLASS / DIVISION NO. LOCATION: SR/MP Terminal SCALEHOUSE NO. CNTRY CODE 31 REPORTABLE QTY? Y N HAZARDOUS WASTE? Y N PLACARD REQUIRED? Y N CARGO TANKS? Y N

CARRIER 925-438-2526

CARRIER NAME (Include DBA when applicable) America's Mowing Machine Inc ADDRESS 19925 68th Ave W

CITY h y n n w o o d STATE WA ZIP CODE 98036 INTERSTATE YES NO DOT NO. 2009093 ICC NO.

DRIVER

DRIVER NAME LICENSE NO. STATE EXP. YEAR DATE OF BIRTH MED. CERT. Y N SHIPPER NAME SHIPPING NO. WAIVER Y N

VEHICLE

Table with columns: REGISTERED OWNER NAME/ADDRESS, G.V.W. 26000, PBT RATE, UNIT, TYPE, YEAR/MAKE, CO. UNIT NO., LICENSE NO. / VIN NO., STATE. Includes entries for units 1, 2, 3, 4.

20/230 3 4 5 6 7 8 9 10 11 12

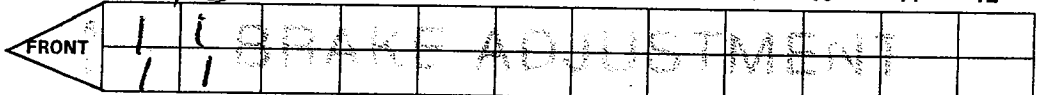


Table with columns: CFR, VIOLATIONS, D, 1, 2, 3, 4, Unit #s O/S, Complied. Includes violation entry: 396.3A1 AXLE one - left side Shock absorber loose.

CVSA DECALS UNIT 1 UNIT 2 UNIT 3 UNIT 4 NOIC NO.

DRIVER SIGNATURE OFFICER SIGNATURE John Foster

Vehicle may not be operated until O / S defects noted above are repaired. Driver may not drive until in compliance.