

Safety Management Plan (SMP)

Legal Name: John Frank LLC

USDOT: 3936984

UTC: THG070798

Date: 9.30.24

Point of Contact:

Anton Korovchenko

206-458-4540

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Violation #1: Primary: 391.45(a) – Using a driver not medically examined and certified.

1. **Explanation of Violation:**

As the owner/manager of John Frank LLC, I acknowledge that I failed to ensure all drivers had completed the necessary medical examinations and certifications before operating company vehicles.

2. **Corrective Action Taken:**

Effective immediately, I will ensure all drivers possess valid medical examiner certificates before they are allowed to drive/work. I have established an electronic tracking system to send reminders one month prior to medical certificate expiration.

3. **Future Prevention Measures:**

I will familiarize myself with the federal regulations and use a checklist to verify compliance. To prevent future violations, I will maintain updated medical certificates for all drivers and include documentation of the electronic reminders in our safety files.

Violation #2: Primary: 391.51(b)(2) – Failing to maintain inquiries into the driver's driving record in the driver's qualification file.

1. **Explanation of Violation:**

I recognize that I did not maintain proper inquiries into the driving records of our drivers as required.

2. **Corrective Action Taken:**

I have implemented a policy to ensure that we conduct and document inquiries into each driver's driving record within 30 days of hire, as well as annually thereafter.

3. **Future Prevention Measures:**

I will utilize the Driver Qualification checklist provided in the "Achieving a Satisfactory Motor Carrier Safety Record" guide to ensure compliance. Additionally, I will keep all driving record inquiries documented in the driver qualification files.

Violation #3: Primary: WAC 480-15-555 (1) – Failing to complete a criminal background check for every person the carrier intends to hire.

1. **Explanation of Violation:**

I acknowledge that I did not conduct criminal background checks for all potential hires.

2. **Corrective Action Taken:**

I have instituted a new hiring policy that mandates criminal background checks for all prospective employees prior to hiring.

3. **Future Prevention Measures:**

I will maintain records of all completed background checks in each driver's qualification file and train staff to ensure compliance with this requirement.

Violation #4: Primary: 395.8(k)(1) – Failing to preserve driver's record of duty status for 6 months.

1. **Explanation of Violation:**

I failed to properly preserve drivers' records of duty status, which is essential for compliance.

2. **Corrective Action Taken:**

I have developed a system for preserving all drivers' records of duty status for a minimum of six months, ensuring they are easily accessible for audits.

3. **Future Prevention Measures:**

I will train staff on the importance of maintaining these records and regularly review our record-keeping processes to ensure compliance.

Violation #5: Primary: 391.21(a) – Using a driver who has not completed and furnished an employment application.

1. **Explanation of Violation:**

I admit that we allowed a driver to work without a completed employment application on file.

2. **Corrective Action Taken:**

I have established a policy that requires all drivers to complete and submit a DOT employment application before they begin work.

3. **Future Prevention Measures:**

I will maintain a checklist for new hires to ensure all necessary documents are received and reviewed prior to employment.

Violation #6: Primary: 391.23(a)(1) – Failing to investigate driver's background/motor vehicle record (MVR) within 30 days of hire.

1. **Explanation of Violation:**

I did not perform a timely investigation of the driver's background and motor vehicle record.

2. **Corrective Action Taken:**

I have implemented a new procedure to ensure that all driver background checks and MVR inquiries are completed within 30 days of hire.

3. **Future Prevention Measures:**

I will regularly review our hiring processes and set reminders to complete these inquiries promptly.

Violation #7: Primary: 391.51(b)(4) – Failing to maintain responses of each State agency to the annual driver record inquiry.

1. **Explanation of Violation:**

I did not retain documentation of the responses from state agencies regarding our annual inquiries into driver records.

2. **Corrective Action Taken:**

I have instituted a policy to keep all responses documented in the driver qualification files moving forward.

3. **Future Prevention Measures:**

I will ensure annual inquiries are conducted and responses filed systematically, maintaining an organized record-keeping system.

Violation #8: Primary: 391.51(b)(5) – Failing to maintain a note relating to the annual review of the driver's driving record.

1. **Explanation of Violation:**

I failed to document the annual review of drivers' records as required.

2. **Corrective Action Taken:**

I have added a specific note to each driver's file documenting the annual review of their driving record.

3. **Future Prevention Measures:**

I will incorporate an annual review reminder in our tracking system to ensure compliance with this requirement.

Violation #9: Primary: 391.51(b)(8)(i) – Failing to place a note relating to verification of medical examiner listing.

1. **Explanation of Violation:**

I did not maintain documentation confirming the verification of medical examiners.

2. **Corrective Action Taken:**

I have established a policy to ensure that verification notes from medical examiners are placed in each driver's qualification file.

3. **Future Prevention Measures:**

I will implement a checklist for verifying medical examiner qualifications during the hiring process and retain all related documentation.

Violation #10: Primary: 396.3(b)(1) – Failing to keep a maintenance record identifying the vehicle.

1. **Explanation of Violation:**

I acknowledge that I failed to keep accurate maintenance records identifying our vehicles.

2. **Corrective Action Taken:**

I have created a standardized format for vehicle maintenance records that includes all required identifiers for each vehicle in our fleet.

3. **Future Prevention Measures:**

I will train staff to maintain these records accurately and conduct periodic reviews to ensure compliance.

Violation #11: Primary: 396.3(b)(3) – Failing to keep a record of inspection, repairs, and maintenance.

1. **Explanation of Violation:**

I failed to maintain proper records of inspections and repairs for our vehicles.

2. **Corrective Action Taken:**

I have implemented a log system for tracking all vehicle inspections, repairs, and maintenance work done.

3. **Future Prevention Measures:**

I will ensure that these records are updated regularly and stored in a secure location for easy access during audits.

Violation #12: Primary: 396.9(d)(3) – Failing to maintain completed inspection form for 12 months.

1. **Explanation of Violation:**

I did not retain completed inspection forms for the required period.

2. **Corrective Action Taken:**

I have established a retention policy to keep completed inspection forms for a minimum of 12 months.

3. **Future Prevention Measures:**

I will conduct regular audits of our records to ensure all required documents are retained properly.

Violation #13: Primary: 396.11(a) – Failing to require driver to prepare a driver vehicle inspection report.

1. **Explanation of Violation:**

I did not ensure that drivers completed vehicle inspection reports as mandated.

2. **Corrective Action Taken:**

I have implemented a policy requiring all drivers to complete vehicle inspection reports before each trip.

3. **Future Prevention Measures:**

I will train drivers on the importance of these reports and conduct periodic checks to ensure compliance.

Violation #14: Primary: 396.21(b) – Failing to retain periodic inspection report for 14 months.

1. **Explanation of Violation:**

I did not retain periodic inspection reports for the required duration.

2. **Corrective Action Taken:**

I have established a protocol for retaining periodic inspection reports for at least 14 months.

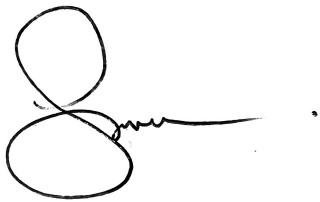
3. **Future Prevention Measures:**

I will implement regular audits of our inspection records to ensure all reports are retained properly.

Signature Statement

I, Anton Korovchenko, Owner/Manager, certify that John Frank LLC will operate in compliance with federal and state regulations, and our operations currently meet the safety standards found in Title 49 CFR Sections 385.5 and 385.7.

Signature

A handwritten signature in black ink, consisting of two large loops on the left and a horizontal line extending to the right.

Anton Korovchenko
Owner
John Frank LLC
9.30.24