

Ride the Ducks of Seattle Safety Management Plan: Section 1

Part B Violations 9—16

Details of Corrective Actions

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 9 - State Primary 390.19(b)(2)**

Part B Violation 9 - State Primary 390.19(b)(2)

Failing to file the appropriate form under 390.19(a) (MCS-150, 150B, or 150C) each 24 months according to the schedule.

Discovered: 1, Checked: 1

The RTDS MCS-150 had not been updated on schedule. While RTDS was aware of update requirements, we were not aware of the mandatory filing per the published schedule in 390.19(b)(2). RTDS now understands that the data must be updated at a minimum per the published schedule, and can update voluntarily at other points in time. According to the schedule, RTDS, with a USDOT number ending in 07 (USDOT 1905507), must file an updated MCS-150 form biennially every July of every even year (July, 2016 would be the next required/mandatory update). An updated MCS-150 was filed with the USDOT as of October 1, 2015.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Margaret Singbeil, Finance Manager & Assistant Compliance Officer

1. Automatic calendar reminders have been set for the Director of Operations, Director of Safety and Finance Manager to ensure consistent completion through notification of multiple members of management who are aware of the requirement. Additionally, RTDS has determined that standard procedure will be to update the MCS-150 every July, regardless of an odd- or even-numbered year, thereby removing any confusion whether the filing must be done in any given year.

The following materials in support of these corrective actions can be found in Appendix I:

1. Updated MCS-150 Submission from USDOT system
2. Example of calendar reminders set for July 1, 2016 with reoccurrence every year

**Ride The Ducks of Seattle
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Appendix I:

**Supporting Documents of Corrective Actions
In Response to Violation 9**

- Updated MCS-150 Submission
- Example of Reminder Systems



Carrier Registration (as of 11/27/2015, updated monthly)

CARRIER REGISTRATION INFORMATION (MCS-150 DATE: 10/01/2015)

Legal Name: RIDE THE DUCKS OF SEATTLE	Vehicle Miles Traveled: 241,000
DBA Name:	VMT Year: 2014
U.S. DOT#: 1905507	Power Units: 20
MC# or MX#:	DUNS Number:
Address: 516 BROAD STREET	Drivers: 51
SEATTLE, WA 98109	Carrier Operation: Intrastate Non-Hazmat
Telephone: (206) 441-4687	Passenger: Yes
Fax: (206) 441-4697	HM: No
Email: BRIAN@RIDETHEDUCKSOFSEATTLE.COM	HHG: No
	New Entrant: No

OPERATION CLASSIFICATION

<input checked="" type="checkbox"/> AUTHORIZED FOR HIRE	<input type="checkbox"/> EXEMPT FOR HIRE	<input type="checkbox"/> PRIVATE PROPERTY
<input type="checkbox"/> PRIVATE PASSENGER, BUSINESS	<input type="checkbox"/> PRIVATE PASSENGER, NON-BUSINESS	<input type="checkbox"/> MIGRANT
<input type="checkbox"/> FEDERAL GOVERNMENT	<input type="checkbox"/> STATE GOVERNMENT	<input type="checkbox"/> U. S. MAIL
<input type="checkbox"/> INDIAN TRIBE	<input type="checkbox"/> OTHER	<input type="checkbox"/> LOCAL GOVERNMENT

CARGO CARRIED

<input type="checkbox"/> GENERAL FREIGHT	<input type="checkbox"/> HOUSEHOLD GOODS	<input type="checkbox"/> METAL; SHEETS, COILS, ROLLS
<input type="checkbox"/> MOTOR VEHICLES	<input type="checkbox"/> DRIVE AWAY/TOWAWAY	<input type="checkbox"/> LOGS, POLES, BEAMS, LUMBER
<input type="checkbox"/> BUILDING MATERIALS	<input type="checkbox"/> MOBILE HOMES	<input type="checkbox"/> MACHINERY, LARGE OBJECTS
<input type="checkbox"/> FRESH PRODUCE	<input type="checkbox"/> LIQUIDS/GASES	<input type="checkbox"/> INTERMODAL CONTAINERS
<input checked="" type="checkbox"/> PASSENGERS	<input type="checkbox"/> OIL FIELD EQUIPMENT	<input type="checkbox"/> LIVESTOCK
<input type="checkbox"/> GRAIN, FEED, HAY	<input type="checkbox"/> COAL, COKE	<input type="checkbox"/> MEAT
<input type="checkbox"/> GARBAGE, REFUSE, TRASH	<input type="checkbox"/> U.S. MAIL	<input type="checkbox"/> CHEMICALS
<input type="checkbox"/> COMMODITIES DRY BULK	<input type="checkbox"/> REFRIGERATED FOOD	<input type="checkbox"/> BEVERAGES
<input type="checkbox"/> PAPER PRODUCTS	<input type="checkbox"/> UTILITY	<input type="checkbox"/> FARM SUPPLIES
<input type="checkbox"/> CONSTRUCTION	<input type="checkbox"/> WATER WELL	<input type="checkbox"/> OTHER

VEHICLE TYPE BREAKDOWN

VEHICLE TYPE	OWNED	TERM LEASED	TRIP LEASED
Straight Trucks	0	0	0
Truck Tractors	0	0	0
Trailers*	0	0	0
Hazmat Cargo Tank Trailers*	0	0	0
Hazmat Cargo Tank Trucks	0	0	0
Motor Coach	0	0	0
School Bus 1-8*	0	0	0
School Bus 9-15	0	0	0
School Bus 16+	0	0	0
Mini-Bus 16+	20	0	0
Van 1-8*	0	0	0
Van 9-15	0	0	0
Limousine 1-8*	0	0	0
Limousine 9-15	0	0	0
Limousine 16+	0	0	0

* Indicates power units not used by the Carrier Safety Measurement System when calculating total power units.

1. Google Calendar for RTDS Driver Qualification Files in “Agenda Mode”

The first agenda item in this view shows the event scheduled for Friday July 1, 2016 as a reminder for RTDS to file MCS-150 documents.

The screenshot displays the Google Calendar interface in Agenda Mode. At the top, there is a search bar and navigation options including 'RTD', a grid icon, a clock icon, and a user profile icon. Below the search bar, a notification states 'Your event was updated.' The main header shows 'Today' and 'Friday, Jul 1, 2016', with view options for 'Day', 'Week', 'Month', '4 Days', 'Agenda', and 'More'. A 'CREATE' button is visible on the left. The left sidebar shows a calendar grid for July 2016 and a list of calendars: 'RTD Safety', 'Captain USCG Qualif...', 'RTDS Driver Qualific...' (highlighted in red), 'RTDS Drug and Alco...', and 'Tasks'. The main agenda view lists several events:

- Fri Jul 1, 2016** (All day): File appropriate MCS - 150 to FMCSA - Ride the Ducks of Seattle, 516 Broad St, Seattle, WA 98109, United States.
- Sun Jul 10, 2016** (All day): JC Hatten Driver's License Expires.
- Fri Sep 2, 2016** (All day): Brandon Wooden New MVR (Abstract), Violation and Review Due; Joe Hatten New MVR (Abstract), Violation and Review Due; Isaac Hoffman New MVR (Abstract), Violation and Review Due; Ryan Johnson Driver's License Expires; JC Hatten New MVR (Abstract), Violation and Review Due; Mitchell Barker new MVR (Abstract), Violation and Review Due.
- Sat Sep 3, 2016** (All day): Reginald Brandon New MVR (Abstract), Violation and Review Due.
- Sat Oct 1, 2016** (All day): 2nd Biannual Driver Qualification File Audit - October.
- Sun Oct 2, 2016** (All day): 2nd Biannual Driver Qualification File Audit - October.
- Mon Oct 3, 2016** (All day): 2nd Biannual Driver Qualification File Audit - October.

At the bottom left, there are links for 'Terms' and 'Privacy'.

2. Google Calendar for RTDS Driver Qualification Files in “Agenda, Detailed Mode”

Detailed agenda view shows the details of the July 1, 2016 reminder event (top event). This is set as a recurring yearly event and an email is sent to all compliance officers.

The screenshot shows the Google Calendar interface in 'Agenda' mode. The main event displayed is 'File appropriate MCS - 150 to FMCSA' on Friday, July 1, 2016. The event details include the location 'Ride the Ducks of Seattle, 516 Broad St, Seattle, WA 98109, United States', the calendar name 'RTDS Driver Qualification Files', and the creator 'rtdsafety@gmail.com'. The 'Who' field lists several email addresses: moti@ridetheducksofseattle.com, margaret@ridetheducksofseattle.com, and ryan@ridetheducksofseattle.com. Below the main event, a list of other events is visible, including 'JC Hatten Driver's License Expires' on Sunday, July 10, 2016, and several 'New MVR (Abstract), Violation and Review Due' events for various individuals on Friday, September 2, 2016.

3. Sample email notification (date has been modified for demonstration purposes)

From: Google Calendar [<mailto:calendar-notification@google.com>]
Sent: Wednesday, January 06, 2016 9:20 PM
To: RTD Safety <rtdsafety@gmail.com>
Subject: Notification: File appropriate MCS - 150, 150B, 150C @ Wed Jan 6, 2016 9:21pm - 10:21pm (RTDS Driver Qualification Files)

[more details »](#)
File appropriate MCS - 150, 150B, 150C
File appropriate MCS - 150 to FMCSA
When Wed Jan 6, 2016 9:21pm – 10:21pm Pacific Time
Where Ride the Ducks of Seattle, 516 Broad St, Seattle, WA 98109, United States ([map](#))
Calendar RTDS Driver Qualification Files
Who (Guest list has been hidden at organizer's request)

Invitation from [Google Calendar](#)

4. Google Calendar for RTDS Driver Qualification Files in “Create/Edit Notification Mode” (July 1, 2016).

In this mode the list of people who will receive this reminder are listed on the right (circled in blue) that list includes the Designated Employee Representative (DER), Director of Operations, and Director of Safety. Also shown by a red circle shows that the notification will repeat annually in perpetuity.

The screenshot shows the Google Calendar event creation interface. At the top, there is a search bar and navigation icons. Below that, a toolbar contains buttons for 'SAVE', 'Discard changes', 'Delete', and 'More Actions'. The event title 'File appropriate MCS - 150, 150B, 150C' is highlighted with a red circle. The date is set to 7/1/2016, and the repeat frequency is 'Annually on July 1'. The location is 'Ride the Ducks of Seattle, 516 Broad St, Seattle, WA 98109, United States'. The calendar is set to 'RTDS Driver Qualification Files'. The description is 'File appropriate MCS - 150 to FMCSA'. The notification is set to 'Email' 1 week before at 9:00am. The 'Guests' list on the right is circled in blue and includes three email addresses: 'margaret@ridetheducksofseattl...', 'moti@ridetheducksofseattle.com', and 'ryan@ridetheducksofseattle.com'. The 'Guests can' section shows options for 'modify event', 'invite others', and 'see guest list'.

5. Google Calendar for RTDS Driver Qualification Files (July 2016)

This view shows the entry for July 1, 2016.

The screenshot displays the Google Calendar interface for July 2016. The main calendar grid shows a red event on Friday, July 1, labeled "File appropriate MC". The left sidebar includes a "CREATE" button, a monthly calendar view for July 2016, and a list of "My calendars" with checkboxes for "RTD Safety", "Captain USCG Quali...", "RTDS Driver Qualific..." (checked), "RTDS Drug and Alco...", and "Tasks". Below this is an "Other calendars" section with an "Add a friend's calendar" button.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	Jul 1 File appropriate MC	2
3	4	5	6	7	8	9
10	11 JC Hatten Driver's	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	Aug 1	2	3	4	5	6

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 10 - State Primary 391.21(a)**

Part B Violation 10 - State Primary 391.21(a)

Using a driver who has an incomplete employment application.

Discovered: 51, Checked: 51

The existing employment application for Ride the Ducks of Seattle did not contain a query for the employee to provide their date of birth as required by CFR 49 Part 391.21(a). While Ride the Ducks of Seattle obtained dates of birth in other pre-employment documentation, it was not contained on the application itself.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Margaret Singbeil, Finance Manager & Assistant Compliance Officer.

1. Ride the Ducks of Seattle has updated the Application for Employment to contain a section to provide date of birth.
2. RTDS has reviewed all other requirements for the application for employment detailed in 391.21(b)(1-12) to ensure the revised employment application contains all required queries and information.
3. Driver qualification paperwork, including the employment application, will be uploaded to the Aurico system and subject to additional auditing for compliance with FMCSA regulations per their contract with RTDS.

The following materials in support of these corrective actions can be found in Appendix J:

1. **List of required elements for employment application from 391.21(b)**
2. **Updated Employment application annotated to indicate compliance with 391.21(b)**

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Appendix J:

**Supporting Documents of Corrective Actions
In Response to Violation 10**

- Requirements of Application for Employment from 391.21(b)
- Annotated Application for Employment

Requirements of Application for Employment

Reference: 49 CFR Part 391.21(b)

(b) The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed by the applicant, must be signed by him/her, and must contain the following information:

- (1) The name and address of the employing motor carrier;
- (2) The applicant's name, address, date of birth, and social security number;
- (3) The addresses at which the applicant has resided during the 3 years preceding the date on which the application is submitted;
- (4) The date on which the application is submitted;
- (5) The issuing State, number, and expiration date of each unexpired commercial motor vehicle operator's license or permit that has been issued to the applicant;
- (6) The nature and extent of the applicant's experience in the operation of motor vehicles, including the type of equipment (such as buses, trucks, truck tractors, semitrailers, full trailers, and pole trailers) which he/she has operated;
- (7) A list of all motor vehicle accidents in which the applicant was involved during the 3 years preceding the date the application is submitted, specifying the date and nature of each accident and any fatalities or personal injuries it caused;
- (8) A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the 3 years preceding the date the application is submitted;
- (9) A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation, or suspension has occurred;
- (10)(i) A list of the names and addresses of the applicant's employers during the 3 years preceding the date the application is submitted,
 - (ii) The dates he or she was employed by that employer,

(iii) The reason for leaving the employ of that employer,

(iv) After October 29, 2004, whether the (A) Applicant was subject to the FMCSRs while employed by that previous employer,

(B) Job was designated as a safety sensitive function in any DOT regulated mode subject to alcohol and controlled substances testing requirements as required by 49 CFR part 40;

(11) For those drivers applying to operate a commercial motor vehicle as defined by part 383 of this subchapter, a list of the names and addresses of the applicant's employers during the 7-year period preceding the 3 years contained in paragraph (b)(10) of this section for which the applicant was an operator of a commercial motor vehicle, together with the dates of employment and the reasons for leaving such employment; and

(12) The following certification and signature line, which must appear at the end of the application form and be signed by the applicant:

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

(Date)

(Applicant's signature)

(c) A motor carrier may require an applicant to provide information in addition to the information required by paragraph (b) of this section on the application form.

(d) Before an application is submitted, the motor carrier must inform the applicant that the information he/she provides in accordance with paragraph (b)(10) of this section may be used, and the applicant's previous employers will be contacted, for the purpose of investigating the applicant's safety performance history information as required by paragraphs (d) and (e) of § 391.23. The prospective employer must also notify the driver in writing of his/her due process rights as specified in § 391.23(i) regarding information received as a result of these investigations.

Ride the Ducks of Seattle

516 Broad Street
Seattle, WA 98109

49 CFR 391.21(b)(1)

Application for Employment (Please Print)

Ride the Ducks of Seattle considers applicants for all positions without regard to age, sex, marital status, sexual orientation, including gender identity, race, creed, color, religion, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or any other classification protected by applicable federal, state or local laws.

Attention: If a question does not apply to you, mark that question, Not Applicable (N/A). Failure to answer every question may cause your application to be rejected.

Name: 49 CFR 391.21(b)(2)

Date: 49 CFR 391.21(b)(4)

Last First Middle Initial

Address: 49 CFR 391.21(b)(2)

Street City State Zip Code

Phone No: _____ Social Security #: 49 CFR 391.21(b)(2) Expected wage range? \$ _____

Birth Date: 49 CFR 391.21(b)(2) E-mail _____

Position(s) applied for: _____

Hours and days Available for work: _____

Have you ever filed an application at Ride the Ducks of Seattle before? () Yes () No Date: _____

Do you have any relatives/friends, who have ever been employed by Ride the Ducks of Seattle? () Yes () No
If yes, please name: _____

Are you above the minimum legal working age? () Yes () No

Are you legally permitted to work in this country? () Yes () No

If yes, will you be prepared to produce proof at the time of hire, in accordance with the Immigration Reform and Control Act of 1986? () Yes () No

Do you have a sense of humor? () Yes () No

Are you able to perform all functions of the job for which you are applying with or without reasonable accommodation? () Yes () No

Certain jobs require applicants to take and pass written or mechanical abilities tests. Are you able to take written or mechanical abilities tests with or without reasonable accommodation? () Yes () No

Special Qualifications:

Please list any additional achievements, extracurricular activities, member-ships and positions held, or special characteristics that may indicate your abilities to do the job for which you are applying. It is Important to describe fully.

Knowledge, Skills, Abilities:

Please identify completely any proven abilities, skills, or training that directly relates to the job for which you are applying. It is important to describe as fully as possible; use back of sheet if necessary.

Employment Experience:

Please list all periods of employment, military service, part-time employment and/or volunteer service you have performed during the last 3 years (use a separate sheet of paper if needed). Be very complete with no omissions. If you are a licensed CDL driver, please provide 10 years of work history, as required by DOT.

49 CFR 391.21(b)(10)(i) &
49 CFR 391.21(b)(11)

Employer: _____ Phone Number: _____

Address: _____ Position (s): _____
Street City, State Zip

49 CFR 391.21(b)(10)(ii)

Beginning Wage \$ _____ Ending Wage \$ _____ Immediate Supervisor: _____

Dates Employed: _____ To _____ Reason for Leaving: _____

49 CFR 391.21(b)(10)(iii)

Description of Primary Responsibilities: _____

- Subject to Federal Motor Carrier Safety Regulations? () YES () NO
- Performed safety sensitive functions subject to DOT Controlled Substance/Alcohol Testing?() YES () NO

49 CFR 391.21(b)(10)(iv)

49 CFR 391.21(b)(10)(B)

Employer: _____ Phone Number: _____

Address: _____ Position (s): _____
Street City, State Zip

Beginning Wage \$ _____ Ending Wage \$ _____ Immediate Supervisor: _____

Dates Employed: _____ To _____ Reason for Leaving: _____

Description of Primary Responsibilities: _____

- Subject to Federal Motor Carrier Safety Regulations? () YES () NO
- Performed safety sensitive functions subject to DOT Controlled Substance/Alcohol Testing?() YES () NO

Employer: _____ Phone Number: _____

Address: _____ Position (s): _____
Street City, State Zip

Beginning Wage \$ _____ Ending Wage \$ _____ Immediate Supervisor: _____

Dates Employed: _____ To _____ Reason for Leaving: _____

Description of Primary Responsibilities: _____

- Subject to Federal Motor Carrier Safety Regulations? () YES () NO
- Performed safety sensitive functions subject to DOT Controlled Substance/Alcohol Testing?() YES () NO

Employer: _____ Phone Number: _____

Address: _____ Position (s): _____
Street City, State Zip

Beginning Wage \$ _____ Ending Wage \$ _____ Immediate Supervisor: _____

Dates Employed: _____ To _____ Reason for Leaving: _____

Description of Primary Responsibilities: _____

- Subject to Federal Motor Carrier Safety Regulations? () YES () NO
- Performed safety sensitive functions subject to DOT Controlled Substance/Alcohol Testing?() YES () NO

Military Service Record:

Have you ever served in the U.S. Armed Forces or Reserves? () Yes () No

If yes, what branch? _____ from: _____ to: _____

Beginning rank? _____ Rank at discharge? _____

Re-enlistment code? _____

Describe all job related Military Titles, Duties, and Training? _____

Educational Opportunities and Training:

School	Name & Location	# Years	Diploma / Degree	Honors Rec'd	Course of Study
Trade					
Technical					
Business					
College					
Graduate					

Other				
Other				

SAFETY SENSITIVE EMPLOYEES ONLY:

Past addresses (previous ten years):

	Street	City, State ZIP	How long?
1			
2			
3	49 CFR 391.21(b)(3)		
4			
5			
6			

Driver's License	State	License Number	Type/Endorsements	Expiration Date
	49 CFR 391.21(b)(5)			

1. Have you ever been denied a license, permit or privilege to operate a motor vehicle?

() YES () NO

2. Has any license, permit or privilege ever been suspended or revoked?

49 CFR 391.21(b)(9)

() YES () NO

If the answer to either of the above questions, attach a statement giving full details.

Driving Experience (past ten years):

Class of Equipment	Type of Equipment (Van/Tank/Etc.)	Dates		Approx. # Miles
		From	To	
Straight Truck				
Tractor/Semi-trailer	49 CFR 391.21(b)(6)			
Tractor/2-Trailer				
Other:				

Accident Record for the past three years or more (attach additional sheet, if necessary):

Date	Nature of Accident (head-on, rear-end, upset, etc.)	Fatalities	Injuries
	49 CFR 391.21(b)(7)		

- A positive response will not necessarily affect your eligibility to be hired.

Traffic citations and forfeitures for the past three years (other than parking violations):

Date	Location	Charge	Penalty
	49 CFR 391.21(b)(8)		

- A positive response will not necessarily affect your eligibility to be hired.

49 CFR 391.21(b)(12)

All applications, please read the following agreement completely before signing:

- **I certify** that the information and statements I have made in this application are correct and complete to the best of my knowledge.
- **I understand** that false or misleading information **may result in termination** of employment.
- **I understand** that Ride the Ducks of Seattle **reserves the right to verify** all information contained in this application through the use of background checks and/or consumer reports, following a conditional offer of employment with authorizations from me as required by law.
- **I authorize** Ride the Ducks of Seattle to contact my current employer and all former employers in order to **conduct a reference check** so that a hiring decision may be made. I also agree and authorize all employers, former employers, their representatives or any other person, the right and privilege to discuss and furnish Ride the Ducks of Seattle or its subsidiaries with all information regarding their record of my employment, service, character, performance, and reason for leaving. I hereby release any employer, former employers, their representatives or any other persons from any and all liability on account of any such information provided.
- **I authorize** Ride the Ducks of Seattle to pull a complete driver's abstract on my behalf for pre-employment verification as well as on an as-needed basis to comply with DOT regulations.
- **I agree to abide by all company policies and will obey the orders and instructions** of my supervisors. I will also use and wear all safety appliances furnished to me by the company and will be careful in my work not to expose myself or my fellow workers to unnecessary dangers.
- **I understand** that my employment may be contingent upon passing a **pre-employment examination**.
- **I understand** that my employment may be contingent upon **passing a Drug Test** both before and after an offer of employment.
- **I acknowledge** that **no promise** regarding employment has been made to me. I understand that an offer of employment does not constitute a contract, and that I have the right to terminate my employment at any time, and that the company has this same right.

My signature indicates agreement to the terms above and is given freely and without duress.

Signature _____ **Date** _____

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 11 - State Primary 391.23(b)**

Part B Violation 11 - State Primary 391.23(b)

Failing to maintain a copy of the motor vehicle record(s) obtained in response to the inquiry to each state within 30 days of the date of the driver's employment begins.

Discovered: 3, Checked: 51

An internal review of the three violations of this rule revealed some unusual circumstances surrounding each, but ones that RTDS must address through more consistent and robust procedures to ensure that the regulatory requirement is met.

- Driver Krauthamer was hired as Director of Safety in January 2015 as a non-driving position. When he did end up performing some cursory driving duties, his motor vehicle record (MVR) was obtained and a normal driver qualification set up. RTDS understands we must have these qualifications and processes to coincide with driving functions.
- Driver Rodriguez-Rubio was interviewed and filled out employment paperwork prior to starting his training with Ride the Ducks of Seattle. There was a delay between this paperwork and the start of his training class (his official hire date), which created this shortfall.
- Driver Najou had lived abroad due to his prior employment, and did not have an abstract with the State of Washington as he had to first receive a license from the state of Washington. Existing process and policy was not in place that would have required obtaining a motor vehicle record once he obtained the license in this unusual circumstance.

The following corrective actions have been taken to prevent this violation from occurring again:

Person(s) responsible for ongoing compliance: Margaret Singbeil, Finance Manager & Assistant Compliance Officer and Moti Krauthamer, Director of Safety & Assistant Compliance Officer.

1. As it traditionally has been, the 1st day of employment – the hire date - will be the first day any driver employee reports to RTDS and enters orientation training. Consistent recognition of this day as the hire date will allow RTDS to then verify driver MVR timeliness. Because every driver must go through orientation training prior to being authorized to operate a RTDS vehicle, this first day of training is a gatekeeper for any potential Duck driver.
2. Driver safety trainers will use a checklist for the first day of training class that verifies the MVR for each trainee/class attendee has been obtained within the previous 30 days. In the event the MVR was obtained longer than 30 days prior, or not at all, management will obtain an MVR for the qualification file immediately.
3. Driver qualification paperwork, including initial driver MVRs, will be uploaded to the Aurico system and subject to additional auditing for compliance with FMCSA regulations per Aurico's contract with RTDS.

The following materials in support of these corrective actions can be found in Appendix K:

1. **Task Completion Checklist for employees in training to verify that previously received MVR is within 30 days of hire date (Training day #1)**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix K:

**Supporting Documents of Corrective Actions
In Response to Violation 11**

- Task Completion Checklist for Day 1 of Driver Training

Day 1: Task Completion Checklist		Trainer Initials	Trainee Initials
Trainee Name: _____ Date _____ Trainers Name: _____			
Classroom: Trainee attended and participated in RTDS Welcome Presentation.			
Classroom: Trainee attended and participated in all classroom Drug and Alcohol Testing Information sessions.			
Classroom: Trainee attended and participated in Maintenance Facility Tour and Walk-Around.			
Classroom: Trainee attended and participated in CDL Testing Information session.			
Classroom: Entry-Level Driver Training Module			
Homework: Trainee turned in 1 st Day required paperwork. USCG application, Physical Examination documentation, and other required paperwork.			
Verification: Before any trainee can drive a commercial motor vehicle. Ride the Ducks of Seattle must receive and verify, in addition to other Driver Qualifications and other pre-employment RTDS Requirements: <ol style="list-style-type: none"> 1. MVR for the previous 3 years received within 30 days of hire date. <ol style="list-style-type: none"> a. Insert date of MVR Review. b. *If date of MVR is not within last 30 days, alert Compliance Officer immediately. 2. Received any required Entry-Level Driver training and certificate placed in Driver Qualification File. 3. Ride the Ducks of Seattle has received confirmation of a negative result pre-employment drug screen. 4. Verify trainees previous 7 days for current On-Duty availability. Use document provided on next page. 		Trainer Signature	
		1. 1(a).Date of MVR	
		2.	
		3.	
		4.	
Comments			

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 12 - State Primary 391.25(a)**

Part B Violation 12 - State Primary 391.25(a)

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

Discovered: 21, Checked: 51

These violations occurred due to gaps in existing policy which required drivers to provide their own copy of their abstract/motor vehicle record (MVR) to Ride the Ducks of Seattle, typically upon return for seasonal employment. As some drivers worked year-round, they may not have submitted their abstract within 12 months and there was not a sufficient audit system in place to prevent this.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Ryan Johnson, Director of Operations & Compliance Officer.

1. RTDS will no longer rely upon current or future drivers to provide their own MVRs at any time in the initial or re-qualification process.
2. All active CDL driver MVRs will be obtained annually by Ride the Ducks of Seattle.
3. MVRs will be pulled for all current drivers at the same time each year, regardless of the anniversary date of their initial/at-hire MVR. Management has determined the best time to consistently do this is during annual refresher training, conducted each year in March for existing and returning drivers.
4. In addition to internal processes and reminders, driver qualification paperwork will be uploaded to the Aurico system and be reviewed for compliance by Aurico as part of their contracted services. The expiration dates of the "annual" MVR will also be monitored through the Aurico system which will provide regular reports regarding 90, 60, and 30 day expiration notices to the Finance Manager and Directors of Operations and Safety in the event an updated MVRs are not uploaded prior to the end of the 12 month timeline. These notices will provide a reminder to pull MVRs for all drivers in addition to automatic calendar reminder that will be set by RTDS management.

The following materials in support of these corrective actions can be found in Appendix L:

1. **Table showing current driver document expiration dates**
2. **Example of calendar reminders regarding acquisition, but also acquisition of annual Certification of Violations from drivers, and annual review by management**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix L:

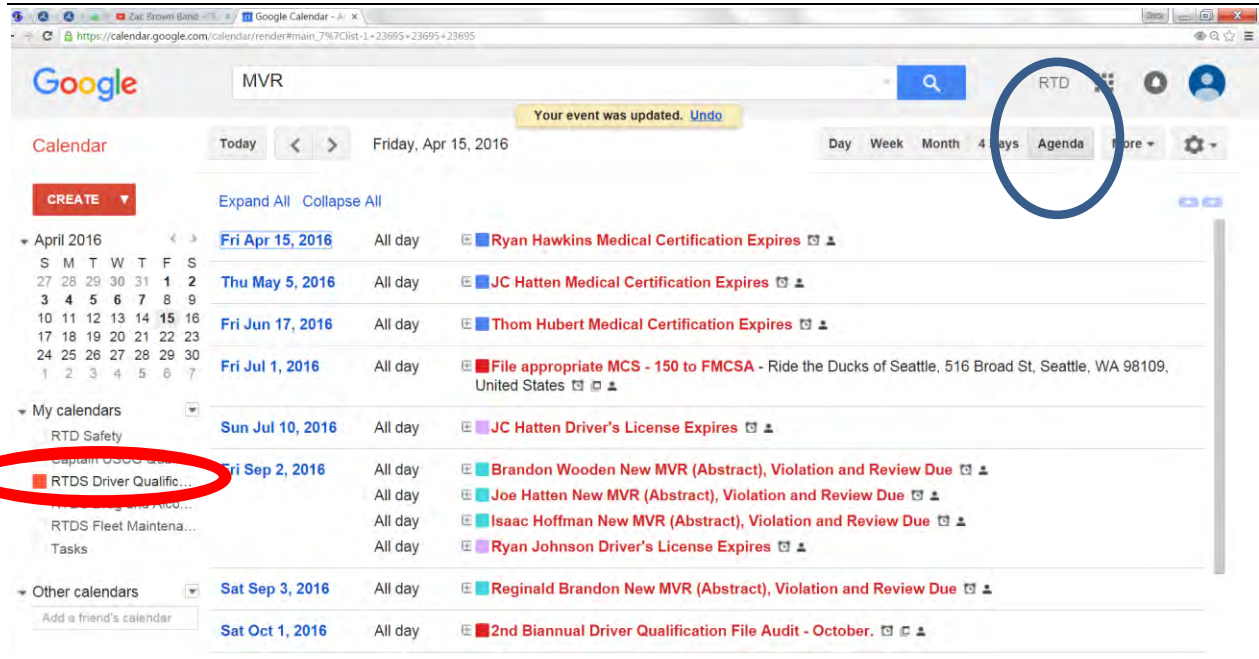
**Supporting Documents of Corrective Actions
In Response to Violation 12**

- Table of Expiration Dates
- Example of Reminder Systems

Document	MVR	Certification of Violations	Review of Driving Record
Name	Expiration	Expiration	Expiration
<i>*Expiration dates have been set 12 months from dated receipt of documentation.</i>			
Barker, Mitchell	9/2/16	9/6/16	9/7/16
Brandon, Reginald	9/3/16	9/6/16	9/7/16
Graham, Randy	1/6/17	1/6/17	1/6/17
Hatten, JC	1/17/2017	1/17/2017	1/17/2017
Hatten, Joe	9/2/16	9/6/16	9/7/16
Hubert, Thom	1/6/17	1/6/17	1/6/17
Johnson, Ryan	1/6/17	1/6/17	1/6/17
Krauthamer, Robert "Moti"	1/6/17	1/6/17	1/6/17
Najou, Patrick	1/11/17	1/11/17	1/11/17
Nakon, Curt	1/6/17	1/6/17	1/6/17
Nelson, Randal	1/6/17	1/6/17	1/6/17
Tanner, Richard	1/11/17	1/11/17	1/13/17
Temple, Jeremy	1/9/17	1/11/17	1/11/17
Van Gorder, Thomas	1/6/17	1/6/17	1/6/17
Wooden, Brandon	9/2/16	9/6/16	9/7/16

1. Google Calendar for RTDS Driver Qualification Files “Agenda Mode”.

Agenda view of RTDS Driver Qualification Files Calendar shows several MVR, Violation and Review due dates for Friday September 2, 2016.



2. Google Calendar for RTDS Driver Qualification Files in “Create/Edit Notification Mode” (Brandon Wooden due on Friday, September 2, 2016).

This view shows the recipients of the notification (blue circle), and the notification schedule (red circle). This notification also includes a description of the required documents to fulfill all requirements.

← **SAVE** Discard changes Delete More Actions ▾

Brandon Wooden New MVR (Abstract), Violation and Review

9/2/2016 to 9/2/2016

All day Repeat...

Event details [Find a time](#)

Where

Video call [Add video call](#)

Calendar **RTDS Driver Qualification Files** ▾

Create by [rsafety@gmail.com](#)

Description
Obtain new Motor Vehicle Record for Brandon Wooden due 09/02/2016.
Obtain new Listing of all Motor Vehicle Violations from Mr. Wooden.
Review [MVR](#) and Violations provided and complete Violation and Review document.

Attachment [Add attachment](#)

Event color ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

Notifications
Email ▾ 1 days ▾ before at 9:00am ✕
Email ▾ 1 weeks ▾ before at 9:00am ✕
Email ▾ 4 weeks ▾ before at 9:00am ✕
[Add a notification](#)

Show me as Available Busy

Visibility Calendar default Public Private

By default this event will follow the [sharing settings](#) of this calendar: event details will be visible to anyone who can see details of other events in this calendar. [Learn more](#)

Add guests
Click icons below to mark as optional.

Guests [✉ Email guests](#)
Res: 0, Maybe: 0, No: 0, Awaiting: 4

- [brandon@ridetheducksofseattle.c...](#) ✕
- [margaret@ridetheducksofseattle...](#) ✕
- [moti@ridetheducksofseattle.com *](#) ✕
- [ryan@ridetheducksofseattle.com *](#) ✕

* Calendar cannot be shown. [Why?](#)

Guests can
 modify event
 invite guests
 see guest list

Guests may be able to view the guest list if changes to this event are made via a 3rd-party client. [Learn more](#)

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 13 - State Primary 391.25(b)**

Part B Violation 13 - State Primary 391.25(b)

Failing to review the driving record of each driver to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive.

Discovered: 21, Checked: 51

In connection with the previous violation (Violation #12), it is not possible for a carrier to review a driver's record to determine that he/she meets minimum standards and is not disqualified per this regulation if the carrier has not obtained a timely MVR for a given driver. Obtaining the annual driver MVR, and collecting a driver's annual certification of violations (as prescribed in 391.27(a) and cited in violation #14) are fundamental documents necessary to conduct this carrier review. Without having a sufficient system in place to ensure these fundamental documents are obtained as required, RTDS could not comply with the annual review requirement cited in this violation.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Ryan Johnson, Director of Operations and Compliance Officer

1. The annual review will take place at the same time each year, following acquisition of all current and returning driver's MVRs and their certifications of violations for the prior 12 months.
2. Every March, during pre-season refresher training, drivers will be required to furnish RTDS with their Certification of Violations for the previous 12 months – at the same time that annual MVRs are pulled for the drivers.
3. Following obtaining each driver's MVR and Certification of Violations, RTDS will review both, along with any other available driver data, to insure that drivers meet the minimum standards required to operate a commercial vehicles and are not disqualified from operating a commercial vehicle due to any disqualifying offenses.
4. In addition to internal processes and reminders, driver qualification paperwork will be uploaded to the Aurico/eDQ system and be reviewed for compliance by Aurico/eDQ as part of their contracted services. The expiration dates of the "annual" MVR, annual certification of violations, and annual carrier review will also be monitored through the Aurico/eDQ system which will provide regular reports regarding 90, 60, and 30 day expiration notices to the Finance Manager and Directors of Operations and Safety in the event an updated MVRs are not uploaded prior to the end of the 12 month timeline. These notices will provide a reminder to review MVRs and Certifications of Violations for all drivers in addition to automatic calendar reminders that will be set by RTDS management.

The following materials in support of these corrective actions can be found in Appendix M:

1. **Table showing current driver document expiration dates**
2. **Example of calendar reminders regarding acquisition, but also acquisition of annual Certification of Violations from drivers, and annual review by management**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix M:

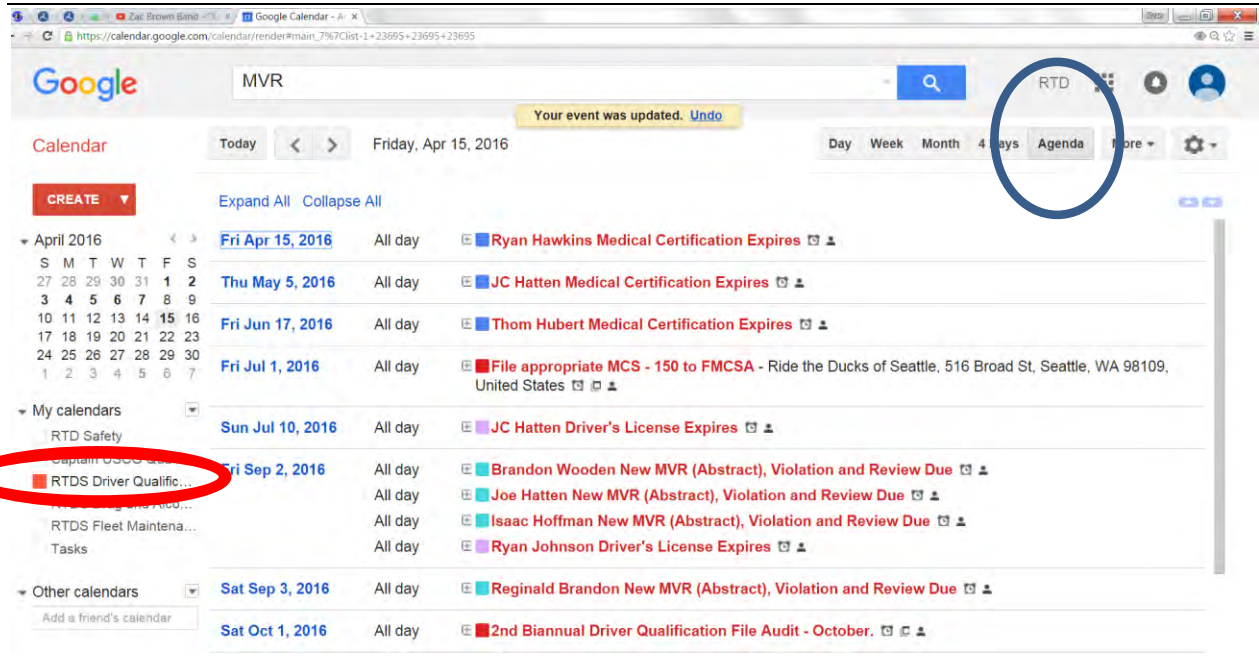
**Supporting Documents of Corrective Actions
In Response to Violation 13**

- Table of Expiration Dates
- Example of Reminder Systems

Document	MVR	Certification of Violations	Review of Driving Record
Name	Expiration	Expiration	Expiration
<i>*Expiration dates have been set 12 months from dated receipt of documentation.</i>			
Barker, Mitchell	9/2/16	9/6/16	9/7/16
Brandon, Reginald	9/3/16	9/6/16	9/7/16
Graham, Randy	1/6/17	1/6/17	1/6/17
Hatten, JC	1/17/2017	1/17/2017	1/17/2017
Hatten, Joe	9/2/16	9/6/16	9/7/16
Hubert, Thom	1/6/17	1/6/17	1/6/17
Johnson, Ryan	1/6/17	1/6/17	1/6/17
Krauthamer, Robert "Moti"	1/6/17	1/6/17	1/6/17
Najou, Patrick	1/11/17	1/11/17	1/11/17
Nakon, Curt	1/6/17	1/6/17	1/6/17
Nelson, Randal	1/6/17	1/6/17	1/6/17
Tanner, Richard	1/11/17	1/11/17	1/13/17
Temple, Jeremy	1/9/17	1/11/17	1/11/17
Van Gorder, Thomas	1/6/17	1/6/17	1/6/17
Wooden, Brandon	9/2/16	9/6/16	9/7/16

1. Google Calendar for RTDS Driver Qualification Files “Agenda Mode”.

Agenda view of RTDS Driver Qualification Files Calendar shows several MVR, Violation and Review due dates for Friday September 2, 2016.



2. Google Calendar for RTDS Driver Qualification Files in “Create/Edit Notification Mode” (Brandon Wooden due on Friday, September 2, 2016).

This view shows the recipients of the notification (blue circle), and the notification schedule (red circle). This notification also includes a description of the required documents to fulfill all requirements.

← **SAVE** Discard changes Delete More Actions ▾

Brandon Wooden New MVR (Abstract), Violation and Review

9/2/2016 to 9/2/2016

All day Repeat..

Event details [Find a time](#)

Where

Video call [Add video call](#)

Calendar **RTDS Driver Qualification Files** ▾

Create by [rsafety@gmail.com](#)

Description
Obtain new Motor Vehicle Record for Brandon Wooden due 09/02/2016.
Obtain new Listing of all Motor Vehicle Violations from Mr. Wooden.
Review [MVR](#) and Violations provided and complete Violation and Review document.

Attachment [Add attachment](#)

Event color ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

Notifications
Email ▾ 1 days ▾ before at 9:00am ✕
Email ▾ 1 weeks ▾ before at 9:00am ✕
Email ▾ 4 weeks ▾ before at 9:00am ✕
[Add a notification](#)

Show me as Available Busy

Visibility Calendar default Public Private

By default this event will follow the [sharing settings](#) of this calendar: event details will be visible to anyone who can see details of other events in this calendar. [Learn more](#)

Add guests
Click icons below to mark as optional.

Guests [✉ Email guests](#)
Res: 0, Maybe: 0, No: 0, Awaiting: 4

- [brandon@ridetheducksofseattle.c...](#) ✕
- [margaret@ridetheducksofseattle...](#) ✕
- [moti@ridetheducksofseattle.com *](#) ✕
- [ryan@ridetheducksofseattle.com *](#) ✕

* Calendar cannot be shown. [Why?](#)

Guests can
 modify event
 invite guests
 see guest list

Guests may be able to view the guest list if changes to this event are made via a 3rd-party client. [Learn more](#)

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 14 - State Primary 391.27(a)**

Part B Violation 14 - State Primary 391.27(a)

Failing to require drivers the carrier employs to prepare and furnish with a listing of all violations of motor vehicle traffic laws and ordinances at least once every twelve months.

Discovered: 21, Checked: 51

These violations occurred due to gaps in existing policy which required drivers to provide their list of violations in conjunction to their abstract to Ride the Ducks of Seattle, typically upon return for seasonal employment. As some drivers worked year-round, they may not have submitted their violation listings within 12 months and there was not a sufficient audit system in place to prevent this.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Ryan Johnson, Director of Operations and Compliance Officer.

1. Each driver's annual Certification of Violations will now be collected at the same time each year, during pre-season mandatory refresher training for all current and returning Duck drivers (March each year).
2. Drivers' Certifications of Violations will be reviewed, along with each driver MVRs (obtained at same time) and any other available driver data, to insure that drivers meet the minimum standards required to operate a commercial vehicles and are not disqualified due to any disqualifying offenses (Annual Review).
3. In addition to internal processes and reminders, driver qualification paperwork will be uploaded to the Aurico system and be reviewed for compliance by Aurico as part of their contracted services. The expiration dates of the "annual" MVR, annual certification of violations, and annual carrier review will also be monitored through the Aurico system which will provide regular reports regarding 90, 60, and 30 day expiration notices to the Finance Manager and Directors of Operations and Safety in the event an updated MVRs are not uploaded prior to the end of the 12 month timeline. These notices will provide a reminder to obtain Certifications of Violations for all drivers in addition to automatic calendar reminders that will be set by RTDS management.

The following materials in support of these corrective actions can be found in Appendix N:

1. **Table showing current driver document expiration dates**
2. **Example of calendar reminders regarding acquisition, but also acquisition of annual Certification of Violations from drivers, and annual review by management**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix N:

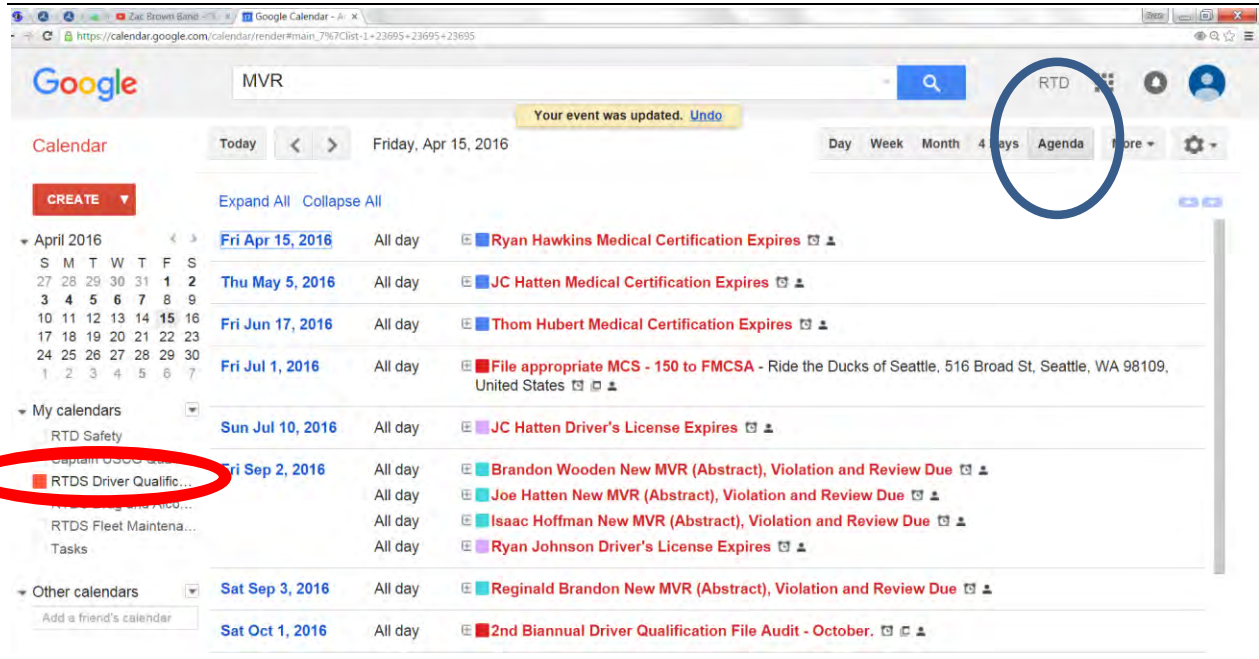
**Supporting Documents of Corrective Actions
In Response to Violation 14**

- Table of Expiration Dates
- Example of Reminder Systems

Document	MVR	Certification of Violations	Review of Driving Record
Name	Expiration	Expiration	Expiration
<i>*Expiration dates have been set 12 months from dated receipt of documentation.</i>			
Barker, Mitchell	9/2/16	9/6/16	9/7/16
Brandon, Reginald	9/3/16	9/6/16	9/7/16
Graham, Randy	1/6/17	1/6/17	1/6/17
Hatten, JC	1/17/2017	1/17/2017	1/17/2017
Hatten, Joe	9/2/16	9/6/16	9/7/16
Hubert, Thom	1/6/17	1/6/17	1/6/17
Johnson, Ryan	1/6/17	1/6/17	1/6/17
Krauthamer, Robert "Moti"	1/6/17	1/6/17	1/6/17
Najou, Patrick	1/11/17	1/11/17	1/11/17
Nakon, Curt	1/6/17	1/6/17	1/6/17
Nelson, Randal	1/6/17	1/6/17	1/6/17
Tanner, Richard	1/11/17	1/11/17	1/13/17
Temple, Jeremy	1/9/17	1/11/17	1/11/17
Van Gorder, Thomas	1/6/17	1/6/17	1/6/17
Wooden, Brandon	9/2/16	9/6/16	9/7/16

1. Google Calendar for RTDS Driver Qualification Files “Agenda Mode”.

Agenda view of RTDS Driver Qualification Files Calendar shows several MVR, Violation and Review due dates for Friday September 2, 2016.



2. Google Calendar for RTDS Driver Qualification Files in “Create/Edit Notification Mode” (Brandon Wooden due on Friday, September 2, 2016).

This view shows the recipients of the notification (blue circle), and the notification schedule (red circle). This notification also includes a description of the required documents to fulfill all requirements.

← **SAVE** Discard changes Delete More Actions ▾

Brandon Wooden New MVR (Abstract), Violation and Review

9/2/2016 to 9/2/2016

All day Repeat..

Event details [Find a time](#)

Where

Video call [Add video call](#)

Calendar **RTDS Driver Qualification Files** ▾

Create by [rsafety@gmail.com](#)

Description
Obtain new Motor Vehicle Record for Brandon Wooden due 09/02/2016.
Obtain new Listing of all Motor Vehicle Violations from Mr. Wooden.
Review [MVR](#) and Violations provided and complete Violation and Review document.

Attachment [Add attachment](#)

Event color

Notifications
Email ▾ 1 days ▾ before at 9:00am ✕
Email ▾ 1 weeks ▾ before at 9:00am ✕
Email ▾ 4 weeks ▾ before at 9:00am ✕
[Add a notification](#)

Show me as Available Busy

Visibility Calendar default Public Private

By default this event will follow the [sharing settings](#) of this calendar: event details will be visible to anyone who can see details of other events in this calendar. [Learn more](#)

Add guests
Click icons below to mark as optional.

Guests [Email guests](#)
Res: 0, Maybe: 0, No: 0, Awaiting: 4

- [brandon@ridetheducksofseattle.c...](#) ✕
- [margaret@ridetheducksofseattle...](#) ✕
- [moti@ridetheducksofseattle.com *](#) ✕
- [ryan@ridetheducksofseattle.com *](#) ✕

* Calendar cannot be shown. [Why?](#)

Guests can
 modify event
 invite guests
 see guest list
Guests may be able to view the guest list if changes to this event are made via a 3rd-party client. [Learn more](#)

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 15 - State Primary 391.45(b)(1);
Secondary 391.11(a)**

Part B Violation 15 - State Primary 391.45(b)(1); Secondary 391.11(a)

Using a driver not medically examined and certified during the preceding 24 months.

Discovered: 1, Checked: 51

This violation was the result of a data entry error and insufficient monitoring processes that ultimately resulted in a medical certification lapse and subsequent CDL license downgrade for Mr. Myer. There was a data entry error made in the record tracking spreadsheet that listed Mr. Myer's DOT Medical Certification expiration date as April 4, **2016**. Mr. Meyer's medical certificate expired, and since he did not provide an updated, current medical card to the Washington DMV, the DMV downgraded his CDL license to a non-CDL license.

There was also a lag time between the annual paperwork audit of Driver Qualification files in March before Mr. Myer's certificate had expired on 4/4/2015, and the end of season audit when MVR updates were requested and the outdated expiration was discovered.

The following corrective actions have been taken to prevent this violation from occurring again:

Position responsible for compliance: Ryan Johnson, Director of Operations and Compliance Officer.

1. The Director of Operations, Director of Safety, and Finance Manager will keep an updated and ongoing system of internal automatic calendar reminders for all critical expiration dates with at least 30 day notice prior.
2. Ride the Ducks of Seattle will perform bi-annual, documented audits of all Driver qualification files. The bi-annual audits shall not begin more than 6 months apart.
3. Drivers will be required to produce all certifications to the Director of Safety at their quarterly required Emergency Drill Training (USCG regulatory requirement). Expiration dates for all certificates will be compared to the Qualification files and master report lists generated by Aurico to insure that correct expiration dates are being tracked.
4. On a quarterly basis following the required Emergency Drill Training, the current status of each driver's license will be verified utilizing the State Department of Licensing driver status database at <https://fortress.wa.gov/dol/dolprod/dsdDriverStatusDisplay/?checkstatus>.
5. Moving forward, all Driver Qualification file documents will be uploaded into the Aurico electronic Driver Qualification Management system. As an additional safeguard to internal, manual qualification file audits, compliance files will also be audited by Aurico/eDQ as part of their 3rd party contracted services. The Aurico/eDQ system will provide regular reports regarding 90, 60, and 30 day expiration notices to the Finance Manager and Directors of Operations and Safety. These reports will be used to ensure that all drivers are aware of their upcoming expirations and that they meet the required renewals. Should a driver fail to renew their paperwork or status or the document expiration be updated in Aurico/eDQ, RTDS operations will be notified and the driver will immediately be placed on restricted duty and not allowed to operate a CMV until their status is cleared. Hard/paper copies of the Driver Qualification files

will also be stored at RTDS operations – available for inspection/review and internal, manual auditing processes.

The following materials in support of these corrective actions can be found in Appendix O:

- 1. List of current active drivers for RTDS with date of medical certificate expiration**
- 2. Calendar of event reminders set up for driver medical card expirations**
- 3. Calendar of event reminders set up for bi-annual driver qualification file audits**
- 4. A copy of the RTDS driver qualification file audit checklist**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix O:

**Supporting Documents of Corrective Actions
In Response to Violation 15**

- Current Active Driver List
- Example of Reminder Systems
- Driver Qualification File Audit Checklist

Ride the Ducks of Seattle

Current and Active Driver List and Medical Certificate Expiration Date

Name	Position	Status	Medical Certification Expiration
Barker, Mitchell	Mechanic / Driver	Active	2/9/2017
Brandon, Reginald	Mechanic / Driver	Active	3/7/2016
Graham, Randy	Driver	Active	4/16/2017
Hatten, JC	Mechanic / Driver	Active	5/5/2016
Hatten, Joe	Mechanic / Driver	Active	3/11/2016
Hubert, Thom	Director of Tour Dev / Driver*	Active	6/17/2016
Johnson, Ryan	Director of Ops / Driver*	Active	12/29/2017
Krauthamer, Robert "Moti"	Director of Safety / Driver*	Active	11/5/2017
Lee, Megan	Tour Guide / Driver*	Active	2/14/2016
Najou, Patrick	Driver	Active	2/5/2017
Nakon, Curt	Driver	Active	3/30/2016
Nelson, Randal	Driver	Active	9/14/2017
Tanner, Richard	Driver	Active	3/13/2016
Temple, Jeremy	Driver	Active	12/31/2017
Van Gorder, Thomas	Driver	Active	1/11/2018
Wooden, Brandon	Mechanic / Driver	Active	3/11/2016

*This employee operates primarily in a non-driving position, but is an available driver and therefore subject to DOT regulations.

1. Google Calendar for RTDS Driver Qualifications in "Agenda Mode" (Curt Nakon, March 30, 2016).

The circled entry for Wednesday March 30th shows when Captain Nakon's Medical Certification expires.

The screenshot shows the Google Calendar interface in Agenda Mode for Tuesday, March 1, 2016. The calendar view on the left shows the month of March with the 30th highlighted. The main agenda view lists several events. The event for Wednesday, March 30, 'Curt Nakon Medical Certification Expires', is circled in blue. Other events include 'Brandon Wooden Medical Certification Expires' (Fri Mar 11), 'Reginald Brandon Medical Certificate Expires' (Thu Mar 17), 'Curt Nakon New Violation Review Record Due' (Fri Apr 15), 'JC Hatten Medical Certification Expires' (Thu May 5), 'Thom Hubert Medical Certification Expires' (Fri Jun 17), and 'File appropriate MCS - 150, 150B, 150C - Ride the Ducks of Seattle' (Fri Jul 1). The interface includes a search bar, navigation buttons, and a list of calendars on the left.

Date	Event
Fri Mar 11	Brandon Wooden Medical Certification Expires
Thu Mar 17	Reginald Brandon Medical Certificate Expires
Wed Mar 30	Curt Nakon Medical Certification Expires
Fri Apr 15	Curt Nakon New Violation Review Record Due
Thu May 5	JC Hatten Medical Certification Expires
Fri Jun 17	Thom Hubert Medical Certification Expires
Fri Jul 1	File appropriate MCS - 150, 150B, 150C - Ride the Ducks of Seattle, 516 Broad St, Seattle, WA 98109, United States

2. Google Calendar for RTDS Driver Qualifications in “Agenda, Detailed Mode” (Curt Nakon, March 30, 2016).

Same Google Calendar event in “detailed view” shows the Wednesday March 30 event and who will be notified by email about the Medical Certification expiration. In this specific case it is the Director of Operations, Finance Manager, Director of Safety, and the “+1” is the Driver who’s Medical Certificate expires. Note how the event can also be copied to a personal calendar if desired.

The screenshot shows the Google Calendar interface in Agenda mode. The date is Tuesday, Mar 1, 2016. The event list shows several events, with the one for Wednesday, Mar 30, highlighted in detail. This event is titled "Curt Nakon Medical Certification Expires" and is part of the "RTDS Driver Qualification Files" calendar. It was created by rtdsafety@gmail.com and is shared with moti@ridetheducks ofseattle.com, ryan@ridetheducks ofseattle.com, and margaret@ridetheducks ofseattle.com + 1. The event is marked as "All day" and has a color of red. The detailed view shows options to "copy to my calendar" and "Delete", and an "Edit event" link. Other events in the list include "Reginald Brandon Medical Certificate Expires" (Fri Mar 11), "Curt Nakon New Violation Review Record Due" (Fri Apr 15), "JC Hatten Medical Certification Expires" (Thu May 5), "Thom Hubert Medical Certification Expires" (Fri Jun 17), and "File appropriate MCS - 150, 150B, 150C - Ride the Ducks of Seattle" (Fri Jul 1).

3. Google Calendar for RTDS Driver Qualifications in “Create/Edit Notification Mode” (Curt Nakon, March 30, 2016).

In this mode RTDS can assign who will get notifications (blue circle on right). Multiple scheduled notifications will be emailed out in order to create multiple safety nets to ensure that no deadline is missed. In this case an email is sent to all four recipients at 4 weeks, 1 week, and 1 day before the Medical Certification Expiration date (red circle lower left). By default an additional notice is also sent first thing in the morning on the day of the expiration.

The screenshot shows the Google Calendar interface for creating an event. The event title is "Curt Nakon Medical Certification Expires" and the date is 3/30/2016. The event is marked as "All day". The description is "Curt Nakon's Medical Certification Expires 3/30/2016". The calendar is set to "RTDS Driver Qualification Files". The event is created by "rtdsafety@gmail.com".

Two red circles highlight the notification settings. The first red circle highlights the "Event notifications" section, which shows three notification rules: "Email" 1 day before at 9:00am, "Email" 1 week before at 9:00am, and "Email" 4 weeks before at 9:00am. The second red circle highlights the "Guests" list, which includes four email addresses: "cnpics@earthlink.net", "margaret@ridetheducksofseattle.com", "moti@ridetheducksofseattle.com", and "ryan@ridetheducksofseattle.com".

Other visible options include "Where", "Video call", "Attachment", "Show me as" (set to "Available"), and "Visibility" (set to "Calendar default").

4. Sample email (date within sample modified for demonstration purposes):

From: Google Calendar [<mailto:calendar-notification@google.com>]
Sent: Wednesday, January 06, 2016 5:45 PM
To: RTD Safety <rtdsafety@gmail.com>
Subject: Notification: Curt Nakon Medical Certificate Expires 1/6/2016 @ Wed Jan 6, 2016 5:45pm - 6:45pm (RTDS Driver Qualification Files)

[more details »](#)
Curt Nakon Medical Certificate Expires 1/6/2016
Curt Nakon Medical Certificate Expires 1/6/2016
When Wed Jan 6, 2016 5:45pm – 6:45pm Pacific Time
Calendar RTDS Driver Qualification Files
Who (Guest list has been hidden at organizer's request)

Invitation from [Google Calendar](#)

You are receiving this email at the account rtdsafety@gmail.com because you set a notification for this event on the calendar RTDS Driver Qualification Files.

You can change your notifications for specific events in the event details page in <https://www.google.com/calendar/>

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#)

5. Monthly Calendar view (March 2016)

Note that 3 CDL drivers are listed on this view, including Curt Nakon on March 30th (events in blue). All will have Medical Certificates expiring.

Google Search Calendar RTD

Calendar Today < > March 2016 Day Week Month 4 Days Agenda More

CREATE

March 2016 < >

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	Mar 1	2	3	4	5
6	7	8	9	10	11 Brandon Wooden I	12
13	14	15	16	17 Reginald Brandon	18	19
20	21	22	23	24	25	26
27	28	29	30 Curt Nakon Medica	31	Apr 1 Insurance Filing w/...	2

My calendars

- RTD Safety
- Captain USCG Quali...
- RTDS Driver Qualific...
- RTDS Drug and Alco...
- Tasks

Other calendars

Add a friend's calendar

Terms - Privacy

1. Google Calendar for RTDS Driver Qualification Files “Agenda Mode”

The two screen captures below show events scheduled for biannual driver qualification file audits beginning April 1, 2016 and October 1, 2016.

Google Calendar interface showing events for Friday, Apr 1, 2016. The view is set to Agenda. The main list of events includes:

- Fri Apr 1** All day: 1st Bi-annual Driver Qualification File Audit
- Sat Apr 2** All day: 1st Bi-annual Driver Qualification File Audit
- Sun Apr 3** All day: 1st Bi-annual Driver Qualification File Audit
- Mon Apr 4** All day: 1st Bi-annual Driver Qualification File Audit
- Tue Apr 5** All day: 1st Bi-annual Driver Qualification File Audit
- Wed Apr 6** All day: 1st Bi-annual Driver Qualification File Audit
- Thu Apr 7** All day: 1st Bi-annual Driver Qualification File Audit
- Fri Apr 8** All day: 1st Bi-annual Driver Qualification File Audit
- Fri Apr 15** All day: Curt Nakon New MVR (Abstract) Due
- All day**: Curt Nakon New Violation Review Record Due
- Thu May 5** All day: JC Hatten Medical Certification Expires

Showing events until 5/5/2016. [Look for more](#)

Google Calendar interface showing events for Saturday, Oct 1, 2016. The view is set to Agenda. The main list of events includes:

- Sat Oct 1** All day: 2nd Bi-Annual Driver Qualification File Audit
- Sun Oct 2** All day: 2nd Bi-Annual Driver Qualification File Audit
- Mon Oct 3** All day: 2nd Bi-Annual Driver Qualification File Audit
- Tue Oct 4** All day: 2nd Bi-Annual Driver Qualification File Audit
- Wed Oct 5** All day: 2nd Bi-Annual Driver Qualification File Audit
- Thu Oct 6** All day: 2nd Bi-Annual Driver Qualification File Audit
- Fri Oct 7** All day: 2nd Bi-Annual Driver Qualification File Audit
- Sat Oct 8** All day: 2nd Bi-Annual Driver Qualification File Audit
- Fri Nov 18** All day: Thom Hubert Driver's License Expires
- Sun Dec 25** All day: Reginald Brandon Driver's License Expires

Showing events until 12/25/2016. [Look for more](#)

2. Google Calendar for RTDS Driver Qualification Files “Agenda, Detailed Mode”, (Biannual Driver Qualification File Audit)

This detailed view of first day event listing shows the three Compliance Officers that will receive the reminder email, Director of Operations, Director of Safety, and Finance Manager.

The screenshot displays the Google Calendar interface in 'Agenda' mode for Friday, April 1, 2016. The main event list shows a series of '1st Bi-annual Driver Qualification File Audit' events occurring every day from Saturday, April 2nd, to Friday, April 15th, and then on Thursday, May 5th. The top event is expanded to show its details:

- Calendar:** RTDS Driver Qualification Files
- Created by:** rtdsafety@gmail.com
- Who:** moti@ridetheducksofseattle.com, ryan@ridetheducksofseattle.com, margaret@ridetheducksofseattle.com
- Color:** Red

The left sidebar shows the calendar grid for April 2016 and a list of calendars under 'My calendars':

- RTD Safety
- Captain USCG Quali...
- RTDS Driver Qualific...
- RTDS Drug and Alco...
- Tasks

Under 'Other calendars', there is an option to 'Add a friend's calendar'.

3. Google Calendar for RTDS Driver Qualification Files "Create/Edit Notification Mode", (Biannual Driver Qualification File Audit)

The red circle show the audit scheduled for April 1-8, 2016 and the notification will repeat annually in perpetuity. The blue circle shows the list of recipients as the Director of Operations, Director of Safety, and Finance Manager. * Note the 2nd Biannual Driver Qualification File Audit in October is constructed equally.

The screenshot shows the Google Calendar interface for creating an event. The event title is "1st Bi-annual Driver Qualification File Audit". The dates are set from 4/1/2016 to 4/8/2016. A red circle highlights the "Repeat: Annually on April 1" option. The "Guests" list on the right includes three email addresses: margaret@ridetheducksofseattle.com, moti@ridetheducksofseattle.com, and ryan@ridetheducksofseattle.com, all marked with an asterisk. A blue circle highlights this list. The "Description" field contains the text: "Begin 1st of 2 annual Driver Qualification File Audits. Completion date set for 1 week." Other fields include "Where", "Video call", "Calendar" (set to "RTDS Driver Qualification Files"), "Created by" (rtdsafety@gmail.com), "Attachment", "Event color" (red), "Notifications" (Pop-up, 1 week before at 9:00am), and "Show me as" (Available).

4. Google Calendar for RTDS Driver Qualification Files (April 2016)

This calendar view shows how RTDS has blocked off eight calendar days from April 1-8 for completing Driver Qualification File Audits.

The screenshot shows the Google Calendar interface for April 2016. The calendar is set to the month view. The days from April 1st to 8th are blocked off with a red background and labeled "1st Bi-annual Driver Qualification File Audit". Other events include "Curt Nakon Medical" on April 30th, "Curt Nakon New M" and "Curt Nakon New Vi" on April 15th. The left sidebar shows the calendar navigation and a list of calendars, including "RTD Safety", "Captain USCG Quali...", "RTDS Driver Qualific...", "RTDS Drug and Alco...", and "Tasks".

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30 Curt Nakon Medical	31	Apr 1 1st Bi-annual Driver Qualification File A	2
3	4	5	6	7	8	9
1st Bi-annual Driver Qualification File Audit						
10	11	12	13	14	15 Curt Nakon New M Curt Nakon New Vi	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Ride the Ducks of Seattle Driver Qualification File Checklist

Driver Name:		Auditor Name:		Date of Audit:	
1. _____ Drivers Application for Employment (49 CFR, 391.21): A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment. NOTE: The application form must, as a minimum, contain the information in 391.21 (b). DATE SUBMITTED: _____ HIRE DATE: _____					
2. _____ Driver Investigative History File(49 CFR, 391.53): (Subject to past DOT and FMCSA regulations only) a. ____ Signed written request for drug and alcohol test information from DOT - regulated employers for previous two years. b. ____ Inquiry to previous employers (three years - CDL). c. ____ <i>Ten-year work history & previous 3 year accident information in employment application.</i>					
3. _____ Inquiry to State Agencies (49 CFR, 391.21 (a)(1) &(2)): Pre-employment only An investigation into the employee's driving record for the preceding three years. This investigation must be made within 30 days of the date his/her employment begins. DATE SUBMITTED: _____ HIRE DATE: _____					
4. _____ Annual Review of Driving Record (49 CFR, 391.25): At least once every 12 months, a motor carrier must review the driving record of each driver. A not stating the results of this review shall be included in the driver's qualification file. At least once every 12 months, a motor carrier must make an inquiry into the driving record of each driver. DATE OF MVR CURRENT ON FILE: _____ DATE NEW MVR REQUIRED: _____					
5. _____ Annual Driver's Certification of Violations (49 CFR, 391.27): At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months. DATE OF CURRENT CERT. OF VIOLATIONS: _____ DATE NEW CERT. OF VIOLATIONS REQUIRED: _____					
6. _____ Driver's Road Test and Certificate (of equivalent) (49 CFR, 391.31 & 33): A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate that hte motor carrier accepted as equivalent to the driver's road test, pursuant to section 391.33. (Copy of WA State Commercial Drivers License, Class C, P2) CERTIFICATE OR LICENSE EXPIRATION: _____ WAIVERS OR RESTRICTIONS _____					
7. _____ Medical Examiner's Certificate (49 CFR, 391.45): The driver must pass a medical examination conducted by a licensed health care professional. A driver must be issued a Medical Examiner's certificate, which must be carried at all times, and renewed every two years. NATIONAL REG. VERIFICATION _____ MEDICAL CERT. EXPIRATION: _____					
8. _____ Entry-Level Driver-Training Certificate (CFR 49): A person must not be allowed to drive a CMV requiring a CDL without first obtaining the required Entry-Level Driver-Training Certificate. DATE OF TRAINING: _____ TRAINER: _____					

Ride the Ducks of Seattle Driver Qualification File Checklist

9. _____ (RTDS) Signed Copy of RTDS Drug and Alcohol Policy (RTDS & 49 CFR, 382.601 (b)):

Each employer shall provide educational materials that explain the requirements of this part and the employer's policies and procedures with respect to meeting these requirements.

DATE RECEIVED

10. _____ (RTDS) Background check with Fair Credit Reporting Acknowledgement.

12. _____ (RTDS) Pre-employment and annual random Drug Test Results

13. _____ (RTDS) Signed Receipt and Acknowledgment of RTDS Code of Compliance.

Ride the Ducks of Seattle Must:

1. Inform the applicant that the information provided on the application concerning previous employers may be used, and the applicant's previous employers will be contacted, for the purpose of investigating the applicant's safety performance history.
2. Notify the driver in writing of his/her due process rights.

RECORDS OF THE DRIVERS INVESTIGATIVE HISTORY FILE MUST BE MAINTAINED IN A SECURED LOCATION WITH CONTROLLED ACCESS.

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

**Response to Part B
Violation 16 - State Primary 391.51(b)(4)**

Part B Violation 16 - State Primary 391.51(b)(4)

Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

Discovered: 2, Checked: 51

These violations occurred due to gaps in existing policy which required drivers to provide their own copy of their abstract/motor vehicle record (MVR) to Ride the Ducks of Seattle, typically upon return for seasonal employment. As some drivers worked year-round, they may not have submitted their abstract within 12 months and there was not a sufficient audit system in place to prevent this.

The following corrective actions have been taken to prevent this violation from occurring again:

Person responsible for ongoing compliance: Ryan Johnson, Director of Operations and Compliance Officer

1. RTDS will no longer rely upon current or future drivers to provide their own MVRs at any time in the initial or re-qualification process.
2. All active CDL driver MVRs will be obtained annually, reviewed, and placed in each Drivers qualification file by Ride the Ducks of Seattle.
3. MVRs will be pulled for all current drivers at the same time each year, regardless of the anniversary date of their initial/at-hire MVR. Management has determined the best time to consistently do this is during annual refresher training, conducted each year in March for existing and returning drivers.
4. In addition to internal processes and reminders, driver qualification paperwork will be uploaded to the Aurico system and be reviewed for compliance by Aurico as part of their contracted services. The expiration dates of the "annual" MVR will also be monitored through the Aurico system which will provide regular reports regarding 90, 60, and 30 day expiration notices to the Finance Manager and Directors of Operations and Safety in the event an updated MVRs are not uploaded prior to the end of the 12 month timeline. These notices will provide a reminder to pull MVRs for all drivers in addition to automatic calendar reminder that will be set by RTDS management.

The following materials in support of these corrective actions can be found in Appendix P:

1. **Table showing current driver document expiration dates**
2. **Example of calendar reminders regarding acquisition, but also acquisition of annual Certification of Violations from drivers, and annual review by management**

**Ride The Ducks of Seattle
WUTC Compliance Review
Audit Date: 9/28/15**

Appendix P:

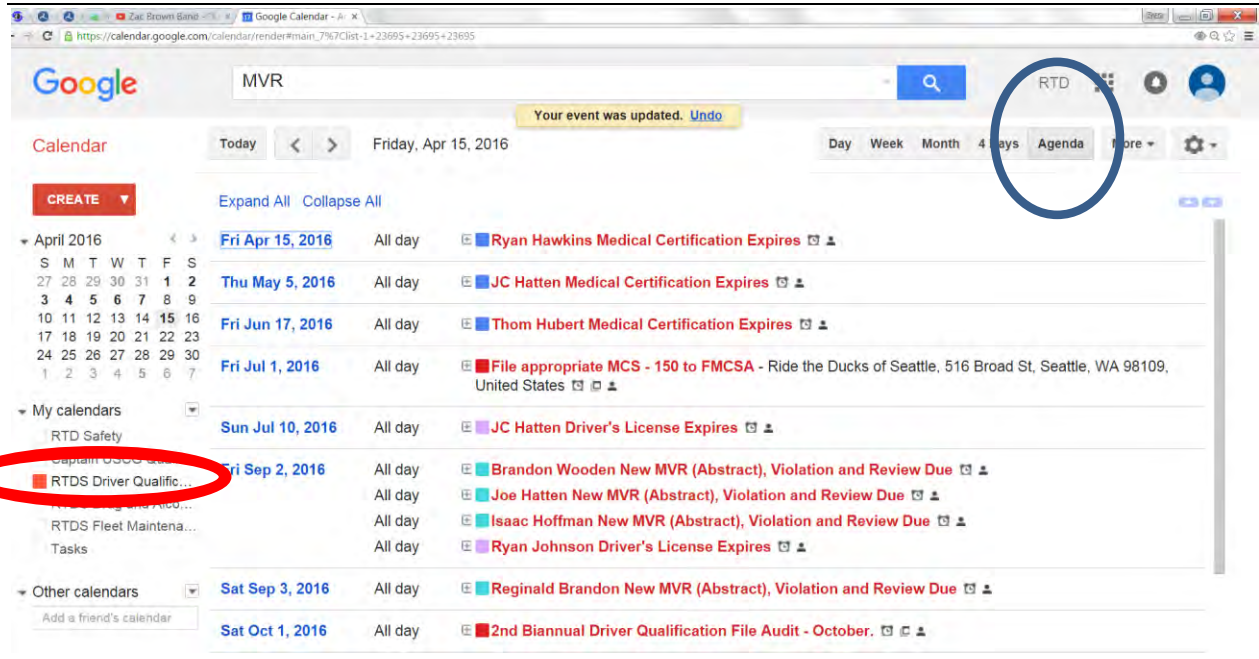
**Supporting Documents of Corrective Actions
In Response to Violation 16**

- Table of Expiration Dates
- Example of Reminder Systems

Document	MVR	Certification of Violations	Review of Driving Record
Name	Expiration	Expiration	Expiration
<i>*Expiration dates have been set 12 months from dated receipt of documentation.</i>			
Barker, Mitchell	9/2/16	9/6/16	9/7/16
Brandon, Reginald	9/3/16	9/6/16	9/7/16
Graham, Randy	1/6/17	1/6/17	1/6/17
Hatten, JC	1/17/2017	1/17/2017	1/17/2017
Hatten, Joe	9/2/16	9/6/16	9/7/16
Hubert, Thom	1/6/17	1/6/17	1/6/17
Johnson, Ryan	1/6/17	1/6/17	1/6/17
Krauthamer, Robert "Moti"	1/6/17	1/6/17	1/6/17
Najou, Patrick	1/11/17	1/11/17	1/11/17
Nakon, Curt	1/6/17	1/6/17	1/6/17
Nelson, Randal	1/6/17	1/6/17	1/6/17
Tanner, Richard	1/11/17	1/11/17	1/13/17
Temple, Jeremy	1/9/17	1/11/17	1/11/17
Van Gorder, Thomas	1/6/17	1/6/17	1/6/17
Wooden, Brandon	9/2/16	9/6/16	9/7/16

1. Google Calendar for RTDS Driver Qualification Files “Agenda Mode”.

Agenda view of RTDS Driver Qualification Files Calendar shows several MVR, Violation and Review due dates for Friday September 2, 2016.



2. Google Calendar for RTDS Driver Qualification Files in “Create/Edit Notification Mode” (Brandon Wooden due on Friday, September 2, 2016).

This view shows the recipients of the notification (blue circle), and the notification schedule (red circle). This notification also includes a description of the required documents to fulfill all requirements.

← **SAVE** Discard changes Delete More Actions ▾

Brandon Wooden New MVR (Abstract), Violation and Review

9/2/2016 to 9/2/2016

All day Repeat..

Event details [Find a time](#)

Where

Video call [Add video call](#)

Calendar **RTDS Driver Qualification Files** ▾

Create by [rsafety@gmail.com](#)

Description
Obtain new Motor Vehicle Record for Brandon Wooden due 09/02/2016.
Obtain new Listing of all Motor Vehicle Violations from Mr. Wooden.
Review [MVR](#) and Violations provided and complete Violation and Review document.

Attachment [Add attachment](#)

Event color ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

Notifications
Email ▾ 1 days ▾ before at 9:00am ✕
Email ▾ 1 weeks ▾ before at 9:00am ✕
Email ▾ 4 weeks ▾ before at 9:00am ✕
[Add a notification](#)

Show me as Available Busy

Visibility Calendar default Public Private

By default this event will follow the [sharing settings](#) of this calendar: event details will be visible to anyone who can see details of other events in this calendar. [Learn more](#)

Add guests
Click icons below to mark as optional.

Guests [✉ Email guests](#)
Res: 0, Maybe: 0, No: 0, Awaiting: 4

- [brandon@ridetheducksofseattle.c...](#) ✕
- [margaret@ridetheducksofseattle...](#) ✕
- [moti@ridetheducksofseattle.com *](#) ✕
- [ryan@ridetheducksofseattle.com *](#) ✕

* Calendar cannot be shown. [Why?](#)

Guests can
 modify event
 invite guests
 see guest list

Guests may be able to view the guest list if changes to this event are made via a 3rd-party client. [Learn more](#)
