	US DOT # 3373649	Legal: SUPERHEROES MOVING AND STORAGE LLC Operating (DBA):			
MC/MX #:		Federal Tax ID:			
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: \$831,910.00	
Cargo Tank:	N/A		for year ending: 12/31/2021		
Company Physical Address:					
4630 16TH ST E STE B6 FIFE, WA 98424					
Contact Name:					
Phone numbers: (1) 253-328-1012		(2) 253-306-7943		Fax	
E-Mail Address: owner@superheroesmoving.com					
Company Mailing Address:					
4630 16TH ST E STE B6 FIFE, WA 98424					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
General Freight			Household Goods		
Equipment					
	Owned	Term Leased	Trip Leased		Owned Term Leased Trip Leased
Truck	5	0	0		
Power units used in the U.S.:5					
Percentage of time used in the U.S.:100					
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:			Total Drivers: 9		
>= 100 Miles:		9	CDL Drivers: 0		





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Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Tracy Coble
P.O. Box 47250 Olympia, WA 98504-7250
[Phone: \(360\) 790-0653](tel:(360)790-0653) [Email: tracy.coble@utc.wa.gov](mailto:tracy.coble@utc.wa.gov)

This report will be used to assess your safety compliance.

Person(s) Interviewed


Name: Ryan Doherty

Title: Owner

Name:

Title:



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Part B Violations

1 STATE CRITICAL	Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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Description
Using a driver not medically examined and certified.


Example
Driver: Ryan Doherty
Trip Date: November 20, 2021
Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of one occasion without a valid medical examiners certificate (MEC) on the following date: January (2022) 28.

Driver: Alexander Reidinger
Trip Date: September 8, 2021
Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of 10 occasions without a valid medical examiners certificate (MEC) on the following dates:
March (2022) 3, 7 (2 occurrences)
February (2022) 5, 15, 22, 25, 28 (5 occurrences)
January (2022) 8, 13, 15 (3 occurrences)

Driver: Michael Jamison
Trip Date: September 25, 2021
Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of five occasions without a valid medical examiners certificate (MEC) on the following dates:
February (2022) 18, 19, 21 (3 occurrences)
January (2022) 22, 20 (2 occurrences)

Driver: Bailey Anderson
Trip Date: January 18, 2022
Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of 15 occasions without a valid medical examiners certificate (MEC) on the following dates:
January (2022) 10, 18, 19, 21, 24, 27, 29 (7 occurrences)
February (2022) 1, 3, 12, 18, 24, 25, 26 (7 occurrences)
March (2022) 5



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Part B Violations

2 STATE CRITICAL	Primary: 391.51(b)(2) CFR Equivalent: 391.51(b)(2)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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Description
Driver Investigation History file must contain a copy of the response by each State agency concerning a driver's driving record pursuant to §391.23(a)(1);
Driver name: Nick Higgins
Trip date: January 29, 2022
Description of violation: The carrier failed to maintain the driver's driving record from the time of hire in the driver qualification file.

Also in violation:
Driver name: Alex Reidinger
Trip date: January 8, 2022

Driver name: Bailey Anderson
Trip date: January 18, 2022

Driver name: Michael Jamison
Trip date: January 22, 2022



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Part B Violations

3 STATE CRITICAL	Primary: WAC 480-15-555 Secondary: RCW 81-80-132 CFR Equivalent: 392.2	Discovered 14	Checked 14	Drivers/Vehicles In Violation 14	Checked 14
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Description
Failing to conduct/retain paperwork containing criminal background checks or hiring an individual with a disqualifying conviction for a household goods carrier in the state of Washington.
Driver: Bailey Anderson
Trip date: January 18, 2022
First day worked: December 10, 2021
Description of violation: The carrier failed to conduct the required criminal background check.

Also in violation:
Driver: Sergio Martinez
Trip date: March 5, 2022
First day worked: May 5, 2020

Driver: Alexander Reidinger
Trip date: March 7, 2022
First day worked: February 23, 2021

Driver: Sokohanara Keo
Trip date: March 7, 2022
First day worked: October 19, 2020

Driver: Nick Higgins
Trip date: March 2, 2022
First day worked: January 22, 2022

Driver: Michael Jamison
Trip date: February 21, 2022
First day worked: February 12, 2021

Driver: Duane Washington
Trip date: January 22, 2022
Hire date: October 9, 2020

Driver: Marquane Moore
Trip date: February 22, 2022
First day worked: April 30, 2021

Employee name: Dustin Gilford
Hire date: October 27, 2021
First day worked: October 27, 2021
Description of violation: The carrier failed to conduct the required criminal background check.

Also in violation:
Employee name: Edmund Lewis
Hire date: February 19, 2022
First day worked: February 19, 2022

Employee name: Caden Longmore
Hire date: January 13, 2022
First day worked: January 13, 2022

Employee: Jhon Santiago





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Hire date: October 29, 2021
First day worked: October 29, 2021

Employee name: Jeremion Thrower
Hire date: February 18, 2022
First day worked: February 18, 2022

Assistant Office Manager: Elena Howell-Martinez
Hire date: July 17, 2020
First day of work: July 17, 2020

Description of violation: The carrier failed to conduct the required criminal background check.

4	Primary: 395.8(a)(1)	Discovered	Checked	Drivers/Vehicles	
STATE	CFR Equivalent: 395.8(a)(1)	26	150	In Violation	Checked
CRITICAL				1	5

Description

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

Example

Driver: Ryan Doherty
Trip date: January 28, 2022
Description of violation: The carrier failed to require the driver to make a record of duty status when the company had operating authority.

5	Primary: 396.11(a)	Discovered	Checked	Drivers/Vehicles	
STATE	CFR Equivalent: 396.11(a)	16	150	In Violation	Checked
CRITICAL				4	5

Description

Failing to require driver to prepare driver vehicle inspection report.

Example

Driver name: Sergio Martinez
VIN: 3HAMMAAL1FL515598 Unit #1
Trip date: February 7, 2022
Description of violation: The carrier failed to require driver to prepare a driver vehicle inspection report on February 7, 2022, when defects were found and reported to the carrier.

Driver name: Sokohanara Keo
VIN: 3HAMMAALXEL771575 Unit #2
Trip date: January 15, 2022
Description of violation: The carrier failed to require driver to prepare a driver vehicle inspection report of January (2022) 15, 22, 25, 27, and a January 2022 with no (day) date, February (2022) 1 when defects were found and reported to the carrier.

Driver name: Sokohanara Keo
VIN: JL6CRK1A1EK000355 Unit #3
Trip date: January 7, 2022
Description of violation: The carrier failed to require driver to prepare a driver vehicle inspection report of January (2022) 7, 8, 10, 13, 15, 17, 18, 20, when defects were found and reported to the carrier.

Driver name: Sokohanara Keo
VIN: 3FRNF7FA8DV035964 Unit #5
Trip date: January 13, 2022
Description of violation: The carrier failed to require driver to prepare a driver vehicle inspection report on January 13, 2022, when defects were found and reported to the carrier.



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Part B Violations

6 STATE CRITICAL	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description
Using a commercial motor vehicle not periodically inspected.

Example
Vehicle: 3HAMMAAL1FL515598
Trip date: February 26, 2022
Description of violation: The carrier operated a commercial motor vehicle not periodically inspected.

Also in violation:
Vehicle: 3HAMMAALXEL771575
Trip date: January 10, 2022

Vehicle: JL6CRK1A1EK000355
Trip date: January 10, 2022

7 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description
Using a driver who has not completed and furnished an employment application.

Example
Driver name: Ryan Doherty
Trip date: January 28, 2022
Description of violation: The carrier is using a driver who has not completed and furnished an employment application.

Also in violation:
Driver name: Nick Higgins
Trip date: January 29, 2022

Driver name: Alex Reidinger
Trip date: January 8, 2022
Description of violation: The employment application for this driver is incomplete and missing the address of employing carrier, three years of previous residences, three-year crash and traffic history, three years employment with reason for leaving.

Also in violation:
Driver name: Bailey Anderson
Trip date: January 18, 2022

Driver name: Michael Jamison
Trip date: January 22, 2022



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Part B Violations

8 STATE	Primary: 391.23(a)(2) CFR Equivalent: 391.23(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description

Failing to investigate driver's performance history with Department of Transportation regulated employers during the preceding three years.

Driver: Alexander Reidinger

Trip date: February 23, 2021

Description of violation: The carrier failed to investigate the driver's performance history with previous Department of Transportation regulated employers.

9 STATE	Primary: 391.51(a) CFR Equivalent: 391.51(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description

Failing to maintain driver qualification file on each driver employed.

Example

Driver: Ryan Doherty

Trip date: January 28, 2022

Description of violation: The carrier failed to maintain a driver qualification for this driver.

10 STATE	Primary: 391.51(b)(3) CFR Equivalent: 391.51(b)(3)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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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

Driver name: Nick Higgins

Trip date: January 29, 2022

Description of violation: Using a driver who has not taken a road test or who has been issued a certificate of driver's road test.

Also in violation:

Driver name: Alex Reidinger

Trip date: January 8, 2022

Driver name: Bailey Anderson

Trip date: January 18, 2022

Driver name: Michael Jamison

Trip date: January 22, 2022



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Part B Violations

11 STATE	Primary: 391.51(b)(4) CFR Equivalent: 391.51(b)(4)	Discovered 2	Checked 5	Drivers/Vehicles In Violation Checked 2 5
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Description
Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).
Driver name: Alex Reidinger
Trip date: January 8, 2022
Description of violation: The carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2022, was due by February 2022.

Also in violation:
Driver name: Michael Jamison
Trip date: January 22, 2022

12 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 1	Checked 5	Drivers/Vehicles In Violation Checked 1 5
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Description
Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver disqualification file(s).

Example
Driver name: Nikolas Higgins
Trip date: January 22, 2022
Description of violation: The carrier failed to verify the driver's medical examiners certificate with the National Registry of Certified Medical Examier's as required.



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Part B Violations

13 STATE	Primary: 391.51(c) CFR Equivalent: 391.51(c)	Discovered 7	Checked 7	Drivers/Vehicles In Violation 7	Checked 7
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Description

Failing to keep driver qualification file for at least 3 years after termination of driver's employment.
Driver: Andrew Price
Trip Date: November 29, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date December 8, 2021).

Driver: Dorrien Ossinger
Trip Date: September 7, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date September 7, 2021).

Driver: Christian Dewey
Trip Date: May 21, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date May 21, 2021).

Driver: Malcolm McCann
Trip Date: November 6, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date November 6, 2021).

Driver: Jean (Mitchell) Mosqueda
Trip Date: November 18, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date November 18, 2021).

Driver: Quentin Nolen
Trip Date: November 24, 2021
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date December 11, 2021).

Driver: Austin LaPorte
Trip Date: January 20, 2022
Description of violation: The carrier failed to maintain the driver qualification file for the retention period required after the termination of driver's employment (term date February 11, 2022).

14 STATE	Primary: WAC 480-15-480 (4) CFR Equivalent: 392.2	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

HHG Carrier/Mover failing to provide annual report and pay regulatory fees to UTC by May 1 of each year.
Example
Driver name: Baily Anderson
Trip date: January 18, 2022
Description of violation: The carrier failed to file a completed annual report, pay regulatory fees, and submit to UTC by May 1 of each year for 2019 and 2020.



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Part B Violations

15 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation Checked 5 5
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Description
Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.

Example
Vehicle: 3HAMMAAL1FL515598
Trip date: February 26, 2022
Description of violation: The vehicle maintenance record was missing the tire size.

Also in violation:
Vehicle: 3HAMMAALXEL771575
Trip date: January 10, 2022

Vehicle: JL6CRK1A1EK000355
Trip date: January 10, 2022

Vehicle: 1FDXE45S97DA17038
Trip date: February 19, 2022

Vehicle: 3FRNF7FA8DV035964
Trip date: January 7, 2022

16 STATE	Primary: 396.3(b)(2) CFR Equivalent: 396.3(b)(2)	Discovered 5	Checked 5	Drivers/Vehicles In Violation Checked 5 5
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Description
Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.

Example
Vehicle: 3HAMMAAL1FL515598
Trip date: February 26, 2022
Description of violation: The carrier failed to maintain a scheduled maintenance record for review.

Also in violation:
Vehicle: 3HAMMAALXEL771575
Trip date: January 10, 2022

Vehicle: JL6CRK1A1EK000355
Trip date: January 10, 2022

Vehicle: 1FDXE45S97DA17038
Trip date: February 19, 2022

Vehicle: 3FRNF7FA8DV035964
Trip date: January 7, 2022



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17 STATE	Primary: 396.3(b)(3) CFR Equivalent: 396.3(b)(3)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description
Failing to keep a record of inspection, repairs and maintenance indicating their date and nature.
Vehicle: 3HAMMAAL1FL515598
Trip date: February 26, 2022
Description of violation: The carrier failed to maintain a record of inspection, repair, and maintenance.

Also in violation:
Vehicle: 3HAMMAALXEL771575
Trip date: January 10, 2022

Vehicle: JL6CRK1A1EK000355
Trip date: January 10, 2022

Vehicle: 1FDXE45S97DA17038
Trip date: February 19, 2022

Vehicle: 3FRNF7FA8DV035964
Trip date: January 7, 2022

18 STATE	Primary: RCW 81.80.075(1) CFR Equivalent: 392.9a(a)(1)	Discovered 76	Checked 76	Drivers/Vehicles In Violation 1	Checked 1
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Description
Household goods carrier operating in and engaging in business as a household goods carrier in commerce without a valid permit issued by the Washington Utilities and Transportation Commission (UTC).

Example
Driver name: Sokohanara Keo
Trip date: January 4, 2022
Description of violation: The carrier operated and engaged in HHG moves from July 22, 2021 through January 4, 2022 without a valid permit issued by the commission. The sample period for this investigation is September 7, 2021 through March 7, 2022. The company operated commercial motor vehicles and conducted HHG moves a total of 76 occasions without a valid permit within the sample period on:
January (2022) 4
December (2021) 15, 16, 17, 18, 20, 22, 28, 29, 31
November (2021) 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 29, 30
October (2021) 1, 2, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 18, 21, 22, 23, 25, 26, 27, 28, 29, 30
September (2021) 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30

Safety Fitness Rating Information: Total Miles Operated 40,000 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00	OOS Vehicle (CR): 2 Number of Vehicle Inspected (CR): 3 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0
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Your proposed safety rating is :

UNSATISFACTORY

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	U	0	2
Factor 3:	U	0	3
Factor 4:	U	0	2
Factor 5:	N	0	0
Factor 6:	S	-	-





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Part B Requirements and/or Recommendations

1. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Ryan Doherty does not have adequate systems in place to ensure drivers are physically qualified to drive a commercial motor vehicle (CMV). The carrier knowingly allowed drivers to operate a CMV on numerous occasions without a required medical examiners certificate.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.
- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.

2. Criminal background checks for prospective employees.

(1) Each carrier must complete a criminal background check for every person the carrier intends to hire.

(2) The carrier must keep evidence that it has completed a criminal background check for every person the carrier intends to hire for as long as that person is employed and for three years thereafter.

(3) No carrier may hire a person who has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance within the past five years.

3. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Ryan Doherty failed to have a system in place for tracking HOS which resulted in failing to monitor driver hours of service causing the potential for unsafe driving due to fatigue.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and





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Part B Requirements and/or Recommendations

Tracking Processes.

- Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
- Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
- Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
- Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.
- Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.
- When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or represents a systemic breakdown in the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

4. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN: Company owner, Ryan Doherty failed to require driver's to prepare a driver vehicle inspection report when defects are found during post-trip inspections.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Define and document responsibilities of managers, supervisors, drivers, dispatchers, mechanics, and technicians as related to vehicle inspection, repair, and maintenance policies, including the monitoring and documentation of defects and repairs.
- Define and document roles and responsibilities of mechanics and technicians for differentiating between safety-related defects and other defects and for taking unsafe vehicles Out-of-Service (OOS).
- Empower the person who is in charge of fixing trucks with the authority to complete tasks, such as the purchasing of new parts when needed.
- Define and document roles and responsibilities for checking daily completion of Driver Vehicle Inspection Records (DVIRs) and certifying repair before the next assignment.
- Define and document dispatcher responsibilities for planning, scheduling, monitoring, and adjusting fleet operations in accordance with repair and maintenance requirements.
- Define driver responsibilities for informing managers, supervisors, and mechanics/technicians of safety-related defects and repair requirements prior to vehicle operation, including those resulting from vehicle Out-of-Service (OOS) orders.

5. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Monitoring and Tracking





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Part B Requirements and/or Recommendations

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Ryan Doherty does not have adequate means of monitoring and tracking annual vehicle inspections to ensure that company inspections and procedures are adhered to and properly documented.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
- Ensure that Driver Vehicle Inspection Records (DVIRs) are effectively coordinated with maintenance and operations, result in timely corrective measures, and are verified during pre-trip inspections as applicable.
- Require mechanics to note whether parts came from inventory or were ordered, to ensure accuracy of maintenance records.
- Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
- Monitor manufacturer recalls through <http://www.nhtsa.dot.gov> and consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance.
- Implement a system for keeping accurate records of employee inspection, repair, and maintenance training needs, including updates on a carrier's fleet or equipment and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Regularly evaluate the company's vehicle-maintenance-related inspection results via the Federal Motor Carrier Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.
- Evaluate personnel who are monitoring vehicle maintenance performance by making sure they are using Driver Vehicle Inspection Records (DVIRs), roadside inspections, and other data; applying performance standards fairly, consistently, and equitably; and documenting evaluations.
- When monitoring and tracking vehicle maintenance issues, always assess whether an issue is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

6. Required information for employment application:

- 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.





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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.

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.

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

7. Maintain complete driver qualification files on each driver employed. File must contain the drivers employment application, employment history investigation, inquiry into drivers driving record obtained within 30 days of hire date, certificate of annual review of driving record, annual copy of driving record, drivers annual certificate of traffic convictions, certificate of road test or equivalent and current medical certificate.
8. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
9. DESCRIPTION OF PROCESS BREAKDOWN: Owner, Ryan Doherty knowingly operated without a valid permit from July 22, 2021 through January 4, 2022.

Household goods carrier operating in and engaging in business as a household goods carrier in commerce without a valid permit issued by the Washington Utilities and Transportation Commission (UTC).

Household goods carriers Permit required, penalty, cease and desist orders.

(1) No person shall engage in business as a household goods carrier without first obtaining a household goods carrier permit from the commission.

(2) Permits issued to any household goods carrier must be exercised by the carrier to the fullest extent to render reasonable service to the public. Applications for household goods carrier permits or permit extensions must be on file for a period of at least thirty days before issuance unless the commission finds that special conditions require earlier issuance.

(3) The commission must issue a permit or permit extension to any qualified applicant, authorizing the whole or any part of the operations covered by the application, if it is found that: The applicant is fit, willing, and able to perform the services proposed and conform to this chapter and the requirements, rules, and regulations of the commission; the operations are consistent with the public interest; and, in the case of common carriers, they are required by the present or future public convenience and necessity; otherwise, the application must be denied.

(4) Any person who engages in business as a household goods carrier in violation of subsection (1) of this section is subject to a penalty of up to five thousand dollars per violation.

(a) If the basis for the violation is advertising, each advertisement reproduced, broadcast, or displayed via a particular medium constitutes a separate violation.

(b) In deciding the amount of penalty to be imposed per violation, the commission shall consider the following factors:

(i) The carrier's willingness to comply with the requirements of RCW 81.80.070 and the commission's rules under this chapter; and

(ii) The carrier's history with respect to compliance with this section.

(5) Any person who engages in business as a household goods carrier in violation of a cease and desist order issued by the commission under RCW 81.04.510 is subject to a penalty of up to ten thousand dollars per violation.

10. Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can





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help you understand the many benefits of compliance to your business and why safety is good business.

Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

This free online guide provides simple explanations and templates to help companies that operate CMVs understand and comply with Federal safety regulations: <https://csa.fmcsa.dot.gov/SafetyPlanner/Default.asp>

NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations mean violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six-year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six-year period.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website or more information: <http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information: <http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the UTC during this review may be used to calculate any civil penalty proposed because of this review.

11. "Have you reviewed your data?"

The SMS results are based on your State-reported crash or inspection data. Be sure to review your data in SMS for accuracy. If you think there is an error, request a data review (RDR) by registering for DataQs through the FMCSA Portal at <https://portal.fmcsa.dot.gov> or through the DataQs system directly at <http://dataqs.fmcsa.dot.gov/>."

12. You have been assessed a proposed safety rating of UNSATISFACTORY, if you fail to obtain an improved rating within 60 days from the receipt of your proposed rating, the unsatisfactory rating will become final and you must cease operations.

The Washington Utilities and Transportation Commission (UTC) allows motor carriers to request an upgrade of its safety rating based on corrective action as defined in 49 CFR, section 385.17. The request for an upgrade must include a written description of correction actions taken, documentation of these corrective actions, and an explanation of how its operations meet the safety standards and factors specified in 49 CFR sections 385.5 and 385.7.

Within 60 days from the receipt of your proposed rating, you may request, in writing, a change to your safety rating based on corrective actions. You should do so as soon as possible so the UTC has the opportunity to review and





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evaluate your safety management plan before the effective date of the final safety rating. If you fail to obtain an improved rating within 60 days from the receipt of your proposed rating, the unsatisfactory rating will become final and you must cease operations.

You must develop a safety management plan (SMP):

1. The plan must address each acute, critical, or serious violation on the most recent Compliance Review. Corrective actions to address other violations noted on your review must also be included.
2. Identify why the violations were permitted to occur.
3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of new forms.
4. Outline actions taken to ensure that similar violations do not reoccur in the future. **YOU MUST DEMONSTRATE THAT YOUR OPERATIONS CURRENTLY MEET THE SAFETY STANDARD AND FACTORS SPECIFIED IN 49 CFR 385.5 and 385.7.** To do so, you must demonstrate that you now have adequate safety management controls in place which function effectively to ensure acceptable compliance with applicable safety requirements.
5. If your request includes actions that will be conducted in the near future, such as training, reorganization of departments, purchasing of computer programs, etc, include a detailed description of the activity or training and a schedule of when that activity will commence and when it will be completed.
6. Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.
7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

You must submit your request to:

Washington Utilities and Transportation Commission
Attention: Jason Sharp, Motor Carrier Safety Supervisor
jason.sharp@utc.wa.gov

