**MC/MX #:** 3373649  
**Legal:** SUPERHEROES MOVING AND STORAGE LLC  
**Operating (DBA):**

**Review Type:** Compliance Review (CR)  
**Scope:** Principal Office  
**Location of Review/Audit:** Company facility in the U. S.  
**Territory:**

<table>
<thead>
<tr>
<th>Operation Types</th>
<th>Interstate</th>
<th>Intrastate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carrier</td>
<td>N/A</td>
<td>Non-HM</td>
</tr>
<tr>
<td>Shipper</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Cargo Tank</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

**Business:** Corporation  
**Gross Revenue:** $831,910.00  
**for year ending:** 12/31/2021

**Company Physical Address:**

4630 16TH ST E STE B6  
FIFE, WA 98424

**Company Mailing Address:**

4630 16TH ST E STE B6  
FIFE, WA 98424

**Carrier Classification**

Authorized for Hire

**Cargo Classification**

General Freight  
Household Goods

**Equipment**

<table>
<thead>
<tr>
<th>Truck</th>
<th>Owned</th>
<th>Term Leased</th>
<th>Trip Leased</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>5</td>
<td>0</td>
<td>0</td>
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</table>

**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**

<table>
<thead>
<tr>
<th>Inter</th>
<th>Intra</th>
<th>Average trip leased drivers/month</th>
<th>Total Drivers</th>
<th>CDL Drivers</th>
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</thead>
<tbody>
<tr>
<td>&lt; 100 Miles:</td>
<td>9</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>&gt;= 100 Miles:</td>
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<td></td>
<td>9</td>
<td>0</td>
</tr>
</tbody>
</table>
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 Cobile
P.O. Box 47250 Olympia, WA 98504-7250
Phone: (360) 790-0653 Email: tracy.cobile@utc.wa.gov

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Ryan Doherty  Title: Owner
Name:  Title:
## Part B Violations

<table>
<thead>
<tr>
<th>STATE</th>
<th>CRITICAL</th>
<th>Description</th>
<th>Drivers/Vehicles In Violation</th>
<th>Checks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PRIMARY</td>
<td>Using a driver not medically examined and certified.</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>
### 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 examiner's 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 examiner's 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 examiner's 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 examiner's 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
### Part B Violations

<table>
<thead>
<tr>
<th>STATE CRITICAL</th>
<th>Primary: 391.51(b)(2)</th>
<th>Discovered</th>
<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
<th>Checked</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CFR Equivalent: 391.51(b)(2)</td>
<td>4</td>
<td>5</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

#### 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
## Part B Violations

<table>
<thead>
<tr>
<th>STATE</th>
<th>CRITICAL</th>
<th>Drivers/Vehicles In Violation</th>
<th>Discovered</th>
<th>Checked</th>
<th>In Violation</th>
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<tbody>
<tr>
<td>3</td>
<td>3</td>
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<td>14</td>
<td>14</td>
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<td></td>
</tr>
</tbody>
</table>

### 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**
### Part B Violations

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

**Employee name:** Jerenion 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.

<table>
<thead>
<tr>
<th>4</th>
<th>STATE</th>
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<th>Primary: 395.8(a)(1)</th>
<th>CFR Equivalent: 395.8(a)(1)</th>
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<th>Drivers/Vehicles In Violation</th>
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</tr>
</thead>
</table>

**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.

<table>
<thead>
<tr>
<th>5</th>
<th>STATE</th>
<th>CRITICAL</th>
<th>Primary: 396.11(a)</th>
<th>CFR Equivalent: 396.11(a)</th>
<th>Discovered</th>
<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
<th>Checked</th>
</tr>
</thead>
</table>

**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 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.
### Part B Violations

<table>
<thead>
<tr>
<th>6</th>
<th>STATE CRITICAL</th>
<th>Primary: 396.17(a)</th>
<th>CFR Equivalent: 396.17(a)</th>
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<th>Drivers/Vehicles In Violation</th>
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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

<table>
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<th>Drivers/Vehicles In Violation</th>
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<tr>
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<td>5</td>
<td>5</td>
<td>5</td>
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</tbody>
</table>

**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
### Part B Violations

<table>
<thead>
<tr>
<th>State</th>
<th>Primary</th>
<th>CFR Equivalent</th>
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<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
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<td>8</td>
<td>391.23(a)(2)</td>
<td>391.23(a)</td>
<td>1</td>
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<tr>
<td><strong>Description</strong></td>
<td>Failing to investigate driver's performance history with Department of Transportation regulated employers during the preceding three years.</td>
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<tr>
<td><strong>Driver:</strong> Alexander Reidinger</td>
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<tr>
<td><strong>Trip date:</strong> February 23, 2021</td>
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</tr>
<tr>
<td><strong>Description of violation:</strong> The carrier failed to investigate the driver's performance history with previous Department of Transportation regulated employers.</td>
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</table>

<table>
<thead>
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<th>State</th>
<th>Primary</th>
<th>CFR Equivalent</th>
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<tr>
<td>9</td>
<td>391.51(a)</td>
<td>391.51(a)</td>
<td>1</td>
<td>5</td>
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<td>5</td>
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<tr>
<td><strong>Description</strong></td>
<td>Failing to maintain driver qualification file on each driver employed.</td>
<td></td>
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<tr>
<td><strong>Example</strong></td>
<td>Driver: Ryan Doherty</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trip date:</strong> January 28, 2022</td>
<td></td>
<td></td>
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<tr>
<td><strong>Description of violation:</strong> The carrier failed to maintain a driver qualification for this driver.</td>
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<table>
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<td>10</td>
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<td>391.51(b)(3)</td>
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<tr>
<td><strong>Description</strong></td>
<td>Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.</td>
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<tr>
<td><strong>Example</strong></td>
<td>Driver name: Nick Higgins</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trip date:</strong> January 29, 2022</td>
<td></td>
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<tr>
<td><strong>Description of violation:</strong> Using a driver who has not taken a road test or who has been issued a certificate of driver's road test.</td>
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</tr>
<tr>
<td><strong>Also in violation:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Driver name:</strong> Alex Reidinger</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trip date:</strong> January 8, 2022</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Driver name:</strong> Bailey Anderson</td>
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</tr>
<tr>
<td><strong>Trip date:</strong> January 18, 2022</td>
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<tr>
<td><strong>Driver name:</strong> Michael Jamison</td>
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<td></td>
</tr>
<tr>
<td><strong>Trip date:</strong> January 22, 2022</td>
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### Part B Violations

<table>
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<tbody>
<tr>
<td>Description</td>
<td></td>
<td>Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).</td>
<td></td>
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<tr>
<td>Driver name</td>
<td>Alex Reidinger</td>
<td>Trip date: January 8, 2022</td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Also in violation:</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Driver name</td>
<td>Michael Jamison</td>
<td>Trip date: January 22, 2022</td>
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<th>Drivers/Vehicles In Violation</th>
<th>Checked</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td></td>
<td>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).</td>
<td></td>
<td>1</td>
<td>5</td>
<td>1</td>
<td>5</td>
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<tr>
<td>Example</td>
<td></td>
<td>Driver name: Nikolas Higgins</td>
<td>Trip date: January 22, 2022</td>
<td>Description of violation: The carrier failed to verify the driver's medical examiners certificate with the National Registry of Certified Medical Examiners as required.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Part B Violations

<table>
<thead>
<tr>
<th>Description</th>
<th>Drivers/Vehicles In Violation</th>
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<th>Discovered</th>
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</thead>
<tbody>
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<td>CFR Equivalent: 391.51(c)</td>
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<tr>
<td><strong>Description</strong></td>
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<td></td>
<td></td>
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<tr>
<td>Failing to keep driver qualification file for at least 3 years after termination of driver's employment.</td>
<td>7</td>
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</tr>
<tr>
<td>Driver: Andrew Price</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Trip Date: November 29, 2021</td>
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<tr>
<td>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).</td>
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<tr>
<td>Driver: Dorrien Ossinger</td>
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<tr>
<td>Trip Date: September 7, 2021</td>
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<td>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).</td>
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<tr>
<td>Driver: Christian Dewey</td>
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<tr>
<td>Trip Date: May 21, 2021</td>
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<tr>
<td>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).</td>
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<td>Driver: Malcolm McCann</td>
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<tr>
<td>Trip Date: November 6, 2021</td>
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<tr>
<td>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).</td>
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</tr>
<tr>
<td>Driver: Jean (Mitchell) Mosqueda</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Trip Date: November 18, 2021</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>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).</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Driver: Quentin Nolen</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trip Date: November 24, 2021</td>
<td></td>
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<td></td>
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<tr>
<td>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).</td>
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<td></td>
</tr>
<tr>
<td>Driver: Austin LaPorte</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Trip Date: January 20, 2022</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>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).</td>
<td></td>
<td></td>
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### 14 STATE

<table>
<thead>
<tr>
<th>Description</th>
<th>Drivers/Vehicles In Violation</th>
<th>Vehicles In Violation</th>
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<th>Discovered</th>
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<tr>
<td><strong>Primary: WAC 480-15-480 (4)</strong></td>
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<td>CFR Equivalent: 392.2</td>
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**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.
## Part B Violations

<table>
<thead>
<tr>
<th>STATE</th>
<th>Primary: 396.3(b)(1)</th>
<th>CFR Equivalent: 396.3(b)(1)</th>
<th>Discovered</th>
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<tr>
<td></td>
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<td></td>
<td>5</td>
<td>5</td>
<td>5</td>
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</tr>
</tbody>
</table>

**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

<table>
<thead>
<tr>
<th>STATE</th>
<th>Primary: 396.3(b)(2)</th>
<th>CFR Equivalent: 396.3(b)(2)</th>
<th>Discovered</th>
<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16</td>
<td></td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
</tbody>
</table>

**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
## Part B Violations

### 17

<table>
<thead>
<tr>
<th>STATE</th>
<th>CFR Equivalent: 396.3(b)(3)</th>
<th>Discovered</th>
<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
<th>Checked</th>
</tr>
</thead>
</table>

**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

<table>
<thead>
<tr>
<th>STATE</th>
<th>CFR Equivalent: RCW 81.80.075(1)</th>
<th>Discovered</th>
<th>Checked</th>
<th>Drivers/Vehicles In Violation</th>
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</tr>
</thead>
</table>

**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:

<table>
<thead>
<tr>
<th>Total Miles Operated</th>
<th>40,000</th>
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<tbody>
<tr>
<td>Recordable Accidents</td>
<td>0</td>
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<tr>
<td>Recordable Accidents/Million Miles</td>
<td>0.00</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>OOS Vehicle (CR):</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Vehicle Inspected (CR):</td>
<td>3</td>
</tr>
<tr>
<td>OOS Vehicle (MCMIS):</td>
<td>0</td>
</tr>
<tr>
<td>Number of Vehicles Inspected (MCMIS):</td>
<td>0</td>
</tr>
</tbody>
</table>
Your proposed safety rating is **UNSATISFACTORY**

<table>
<thead>
<tr>
<th>Rating Factors</th>
<th>Acute</th>
<th>Critical</th>
</tr>
</thead>
<tbody>
<tr>
<td>Factor 1:</td>
<td>S</td>
<td>0</td>
</tr>
<tr>
<td>Factor 2:</td>
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<tr>
<td>Factor 3:</td>
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<tr>
<td>Factor 5:</td>
<td>N</td>
<td>0</td>
</tr>
<tr>
<td>Factor 6:</td>
<td>S</td>
<td>-</td>
</tr>
</tbody>
</table>
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 Tracking...
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
### 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](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](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.
Part B Requirements and/or Recommendations

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.

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.

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.


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
Part B Requirements and/or Recommendations

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 for 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
Part B Requirements and/or Recommendations

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