

	US DOT # 3936984	Legal: JOHN FRANK LLC Operating (DBA):	
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MC/MX #:	State #: THG-070798	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: \$405,996.00	for year ending: 12/31/2023
Cargo Tank:	N/A			

Company Physical Address:
 12553 4TH AVE NW
 SEATTLE, WA 98177-4414

Contact Name: Anton Korovchenko
Phone numbers: (1) 206-458-4540 (2) **Fax**
E-Mail Address: johnfrankmoving@gmail.com

Company Mailing Address:
 12553 4TH AVE NW
 SEATTLE, WA 98177-4414

Carrier Classification
 Authorized for Hire

Cargo Classification
 Household Goods

Equipment

	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased
Truck	4	0	0			

Power units used in the U.S.:4
 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:
< 100 Miles:			Total Drivers: 4
>= 100 Miles:		4	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 Cobile
P.O. Box 47250 Olympia, WA 98504-7250
[Phone: \(360\) 790-0653](tel:(360)790-0653) [Email: tracy.cobile@utc.wa.gov](mailto:tracy.cobile@utc.wa.gov)

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Anton Korovchenko

Title: CEO

Name: Oleksii Guk

Title: CEO





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Part B Violations

1 STATE CRITICAL	Primary: 391.45(a) CFR Equivalent: 391.45(a)	Discovered 3	Checked 4	Drivers/Vehicles In Violation 3	Checked 4
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Description

Using a driver not medically examined and certified.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of 25 occasions between February 23, 2024 and July 29, 2024 without a valid medical examiners certificate (MEC) on the following dates:

February (2024) 23

March (2024) 3, 18 (2 occasions)

April (2024) 1, 25, 27 (3 occasions)

May (2024) 3, 6, 18 (3 occasions)

June (2024) 2, 12, 13, 15, 19, 20, 27, 28 (8 occasions)

July (2024) 1, 8, 11, 15, 17, 26, 28, 29 (8 occasions)

Driver: Oleh Bychkiv

Trip Date: August 7, 2024

Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of 84 occasions between February 14, 2024 and August 12, 2024, without a valid medical examiners certificate (MEC) on the following dates:

February (2024) 14, 17, 22, 25, 29 (5 occasions)

March (2024) 2, 6, 9, 15, 17, 21, 23, 24, 28, 30, 31 (11 occasions)

April (2024) 2, 5, 8, 12, 14, 16, 18, 20, 21, 22, 24, 26, 28, 29, 30 (15 occasions)

May (2024) 2, 4, 6, 7, 8, 11, 12, 13, 18, 19, 22, 23, 25, 27, 28, 31 (16 occasions)

June (2024) 1, 2, 4, 5, 7, 9, 12, 13, 16, 17, 21, 22, 23, 24, 26 (15 occasions)

July (2024) 1, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 21, 27, 28, 29, 30 (17 occasions)

August (2024) 2, 3, 8, 11, 12 (5 occasions)

Driver: Oleksandr Bahrii "Sasha"

Trip Date: August 5, 2024

Description of violation: The carrier allowed this driver to drive a commercial motor vehicle on a total of 14 occasions between March 7, 2024 and August 9, 2024 without a valid medical examiners certificate (MEC) on the following dates:

March (2024) 7, 10, 12 (3 occasions)

July (2024) 14, 18, 20, 26, 31 (5 occasions)

August (2024) 1, 2, 4, 6, 7, 9 (6 occasions)

2 STATE CRITICAL	Primary: 391.51(b)(2) CFR Equivalent: 391.51(b)(2)	Discovered 3	Checked 4	Drivers/Vehicles In Violation 3	Checked 4
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Description

Failing to maintain inquiries into driver's driving record in driver's qualification file.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier failed to maintain the driver time of hire MVR in the driver qualification file.

Also in violation:

Driver: Oleskii Guk

Trip Date: August 7, 20924

Driver: Oleh Bychkiv

Trip Date: August 7, 2024





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Part B Violations

3 STATE CRITICAL	Primary: WAC 480-15-555 (1) CFR Equivalent: 392.2	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Failing to complete a criminal background check for every person the carrier intends to hire.

Example

Driver/Employee: Oleksandr Bahrii

Trip Date: August 5, 2024

Date of Hire: January 1, 2024

First Day Worked: January 3, 2024

Description of violation: The carrier failed to conduct a background check for every person the carrier intends to hire, background check dated August 12, 2024.

Also in violation:

Driver/Employee: Oleh Bychkiv

Trip Date: August 7, 20224

Hire Date: October 2, 2023

First Day Worked: October 5, 2023

Employee/Helper: Oleksandr Talan

Hire Date: July 2, 2024

First Day Worked: July 3, 2024

4 STATE CRITICAL	Primary: 395.8(k)(1) CFR Equivalent: 395.8(k)(1)	Discovered 424	Checked 720	Drivers/Vehicles In Violation 4	Checked 4
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Description

Failing to preserve driver's record of duty status for 6 months.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier failed to preserve and maintain six months of record of duty status from the start of this investigation for each driver for the months of February 14-29 (16 days), March 1-30 (30 days), April 1-30 (30 days) and May 1-30 (30 days).

Also in violation:

Driver: Oleskii Guk

Trip Date: August 7, 2024

Driver: Oleh Bychkiv

Trip Date: August 7, 2024

Driver: Oleksandr Bahrii

Trip Date: August 5, 2024

5 STATE	Primary: 390.19(b)(2) CFR Equivalent: 390.19T(b)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

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

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier failed to update the MCS-150 registration form with correct mileage for 2023.





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Part B Violations

6 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4	Checked 4
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Description

Using a driver who has not completed and furnished an employment application.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier is using a driver who has not furnished an employment application as required.

Also in violation:

Driver: Oleskii Guk

Trip Date: August 7, 2024

Driver: Oleh Bychkiv

Trip Date: August 7, 2024

Driver: Oleksandr Bahrii

Trip Date: August 5, 2024

7 STATE	Primary: 391.23(a)(1) CFR Equivalent: 391.23(a)	Discovered 1	Checked 4	Drivers/Vehicles In Violation 1	Checked 4
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Description

Failing to investigate driver's background/motor vehicle record (MVR) within 30 days of hire.

Example

Driver: Oleksandr Bahrii

Trip Date: August 5, 2024

Hire Date: January 1, 2024

MVR Conducted: August 12, 2024

Description of violation: The carrier failed to conduct the required driver MVR within 30 days of hire.

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

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Description of violation: The carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2022 and 2023.

Also in violation:

Driver: Oleskii Guk

Trip Date: August 7, 2024

Driver: Oleh Bychkiv

Trip Date: August 7, 2024

Description of violation: The carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2023.





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

Description

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example

Driver: Anton Korovchenko
Trip Date: August 5, 2024

Description of violation: The carrier failed to maintain a note, including the name of the person who performed the review of the driving record as required for calendar year 2024.

Also in violation:

Driver: Oleskii Guk
Trip Date: August 7, 2024

Driver: Oleh Bychkiv
Trip Date: August 7, 2024

Driver: Oleksandr Bahrii
Trip Date: August 5, 2024

10 STATE	Primary: 391.51(b)(8)(i)	Discovered 4	Checked 4	Drivers/Vehicles	
				In Violation 4	Checked 4

Description

Failing to place a note relating to verification of medical examiner listing on the National Registry of Certified Medical Examiners required by § 391.23(m)(1) in driver qualification file.

Example

Driver: Anton Korovchenko
Trip Date: August 5, 2024

Description of violation: The carrier failed to place a note in the driver qualification file relating to the verification of the Medical Certificate on the National Registry.

Also in violation:

Driver: Oleskii Guk
Trip Date: August 7, 2024

Driver: Oleh Bychkiv
Trip Date: August 7, 2024

Driver: Oleksandr Bahrii
Trip Date: August 5, 2024





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Part B Violations

11 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description

Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Unit #1 – VIN 1FDWE3FL3BDA79637

Description of violation: The carrier failed to keep a maintenance record with the required vehicle identifiers.

Also in violation:

Unit #2 – VIN JALE5W166G7304088

Unit #3 – VIN JALE5W16XE7300607

Unit #4 – VIN JALE5W166G7303975

Unit #5 – VIN 1HTMNAAL88H579725

12 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.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Unit #1 VIN 1FDWE3FL3BDA79637

Description of violation: The carrier failed to keep a record of inspection, repair and maintenance documenting the dates and the nature of repairs and maintenance performed.

Also in violation:

Unit #2 – VIN JALE5W166G7304088

Unit #3 – VIN JALE5W16XE7300607

Unit #4 – VIN JALE5W166G7303975

Unit #5 – VIN 1HTMNAAL88H579725

13 STATE	Primary: 396.9(d)(3) CFR Equivalent: 396.9(d)(3)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business (PPOB) or where vehicle is housed.

Example

Driver: Oleksii Guk

Trip Date: January 24, 2024

Unit #2 - VIN JALE5W166G7304088

Issuing Agency/Inspection: WSP - WA0751000109

Description of violation: The carrier failed to maintain the completed roadside inspection form conducted in the previous 12 months from the date of inspection at the carrier's PPOB.





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Part B Violations

14 STATE	Primary: 396.11(a) CFR Equivalent: 396.11(a)	Discovered 1	Checked 150	Drivers/Vehicles In Violation 1	Checked 5
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Description

Failing to require driver to prepare driver vehicle inspection report.

Example

Driver: Oleksii Guk

Trip Date: August 7, 2024

Description of violation: The carrier failed to require the driver to prepare a driver vehicle inspection report for a flat tire defect found post-trip on August 7, 2024.

15 STATE	Primary: 396.21(b) CFR Equivalent: 396.21(b)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description

Failing to retain periodic inspection report for 14 months from date of inspection.

Example

Driver: Anton Korovchenko

Trip Date: August 5, 2024

Unit #1 VIN 1FDWE3FL3BDA79637

Description of violation: The carrier failed to retain previous annual periodic vehicle inspections for 14 months from the date of the inspections as required.

Also in violation:

Unit #2 – VIN JALE5W166G7304088

Unit #3 – VIN JALE5W16XE7300607

Unit #4 – VIN JALE5W166G7303975

Unit #5 – VIN 1HTMNAAL88H579725

Safety Fitness Rating Information:		OOS Vehicle (CR): 1
Total Miles Operated 45,690		Number of Vehicle Inspected (CR): 4
Recordable Accidents 0		OOS Vehicle (MCMIS): 0
Recordable Accidents/Million Miles 0.00		Number of Vehicles Inspected (MCMIS): 0

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: S	0	0
	Factor 5: N	0	0
	Factor 6: S	-	-





Part B Requirements and/or Recommendations

1. WAC 480-15-555 - BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Anton Korovchenko failed to conduct and review criminal background checks for every person they intend to hire.

BASIC SPECIFIC RECOMMENDED REMEDIES

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.

2. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Anton Korovchenko failed to require drivers to obtain a valid medical examiners certificate prior to operating a CMV.

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.

3. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Anton Korovchenko failed to have policies and procedures in place for the required retention period for HOS.

BASIC SPECIFIC RECOMMENDED REMEDIES





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Part B Requirements and/or Recommendations

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

- Develop a policy and procedure describing how management will monitor and track logs for falsification.
- Establish a policy that prohibits dispatchers from assigning a load to drivers without hours available to complete the load on time.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order under any circumstances, and immediately contact the carrier when a driver is placed OOS.
- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls.
- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.
- 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 Hours-of-Service (HOS) violations.

4. Is Your MCS-150 Registration Information Current?

FMCSA requires carriers to update their registration data via a MCS-150 form every 24 months. Please review, verify and update your contact information, Vehicle Miles Travelled (VMT) and Power Unit (PU) data to ensure that it is current and accurate, since it is used in the new Carrier Safety Measurement System. You should access the system, review all the information and press the submit button. Once you've done this, the system will record that you've reviewed the information and you will be in compliance with the biennial update requirement.
https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option

5. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
6. Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
7. 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.
8. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
9. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
10. "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/>."

11.





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Part B Requirements and/or Recommendations

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 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.

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 and 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>

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.

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.





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Part B Requirements and/or Recommendations

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





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Part C

Reason for Review: Compliance Review
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
	✓	✓		✓	✓	✓	✓	✓	✓									

Prior Reviews Prior Prosecutions

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule: Not Applicable

Corporate Contact: Anton Korovchenko
Corporate Contact Title: CEO

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:

Name: Anton Korovchenko
Title: Owner
Carrier Name: John Frank LLC
DBA: N/A
USDOT: 3936984
UTC Assignment: 124089
Date: September 3, 2024

REASON FOR THE INVESTIGATION:

As part of the 2024 Motor Carrier Safety routine safety investigation work plan, this investigation was assigned to Tracy Cobile, Special Investigator of the Washington Utilities and Transportation Commission (commission). The carrier operates in intrastate commerce. This is the carrier's initial review with the commission.

SCOPE OF THE INVESTIGATION:

This investigation is a comprehensive intrastate investigation and was assigned to Special Investigator Tracy Cobile on August 5, 2024. The carrier was contacted on August 5, via email and telephone, and a full investigation was set to begin August 14, 2024, as an on-site investigation. Investigator Cobile corresponded with Anton Korovchenko (Owner) via email (johnfrankmoving@gmail.com) and telephone (206-458-4540) during this investigation. Present at the start of the review was Special Investigator Cobile along with Korovchenko and Oleksii Guk (Owner).

SMS was checked on Aug. 6, and it was noted that no BASICS were in alert status.

CARRIER OPERATION DESCRIPTION:

John Frank LLC (carrier) is a household goods carrier operating out of Seattle, Washington. The carrier is a provisional household goods company that began operations in September 2022 and received temporary operating authority on April 5, 2023. The carrier currently operates four owned straight trucks classified as commercial motor vehicles (CMV) operating



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Part C

under the commission permit. The carrier currently employs four drivers operating within the state of Washington within the past 365 days. John Frank LLC recorded a gross revenue of \$405,996 for the calendar year ending December 31, 2023. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier currently operates in intrastate operations. The carrier last updated the Vehicle Miles Traveled (VMT) 45,690 on the MCS-150. Anton Korovchenko is responsible for the carrier's safety program.

PRE-INVESTIGATION:

On Aug. 5, a carrier information packet was emailed to the carrier requesting investigation information, the records that would need to be reviewed, and the information the carrier would need to make available. The carrier was requested to fill-out and return the carrier information packet with a list of all commercial motor vehicle drivers utilized in the past 12 months, a list of all commercial motor vehicles utilized in the last 12 months and an all-employee list prior to the start of this investigation. The carrier packet was returned complete via email on Aug. 8. The documents requested at the time of review were a list of all accidents for the past 365 days from the date of review, driver qualification files for all drivers used within the past 12 months, insurance documentation, all records of duty status (logbooks/timecards) for the previous six months with supporting documents, all maintenance files and records for each commission regulated unit. A copy of the carrier's profile and MCS-150 were initially obtained through MCMIS on Aug. 6.

Commission records show that Anton Korovchenko attended the initial Household Goods Training provided by commission staff on March 22, 2023. This is an in-depth training that covers compliance responsibilities and requirements of household goods carriers for consumer protection and safety.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM, all driver license statuses were required to be checked based on the current number of drivers. The driver's checked were Oleksii Guk, Anton Korovchenko, Okeksandr Bahrii and Oleh Bychkiv. The license statuses were checked through CDLIS and Secure Access Washington (SAW) on Aug. 8, all driver licenses were current and valid. See Part 383 below for details.

AUTHORITY:

John Frank LLC is an authorized for-hire carrier of household goods operating in intrastate commerce and is required to have operating authority. The carrier operates under the USDOT number 3936984. The carrier has intrastate authority through the commission under permit number THG-070798.

INSURANCE:

The carrier's vehicles are insured with All Capital Insurance Agency and underwriter for United Financial Casualty Company/Progressive. The carrier's insurance agent is Maksim (Max) Skvortsov, contact telephone number of 971-282-9888 or email mskvortsov@allcapitalins.com. Investigator Cobile verified with the agent that the carrier did maintain \$750,000 in Auto Liability coverage (policy #00796643-1) with no lapse in coverage in the last 365 days and no claims or losses were reported. The carrier also maintains \$100,000 in cargo insurance (policy #TBD-812301-C63796), no lapse in cargo insurance was determined. Both policies have an expiration date slated for August 30, 2024.

RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on Aug. 6, and the carrier has no drivers with red flag violations in the last 365 days.

DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:

This is a full comprehensive investigation therefore a Drug and Alcohol Supplemental Review was not required.

HAZARDOUS MATERIALS SUPPLEMENTAL REVIEW:

John Frank LLC does not transport any hazardous materials that require placarding. A Hazardous Materials Supplemental Review is not required.



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This is a full comprehensive investigation that checked Parts 376, 380, 382, 383, 390, 391, 392, 393, 395 and 396.

Part 376 Lease and Interchange of Vehicles:

The carrier has term leased two CMVs in the previous 365 days.

Part 380 Special Training:

John Frank LLC does not operate long combination vehicles (LCVs). The carrier has not employed drivers that meet the definition of entry level driver.

Part 40 and Part 382

John Frank LLC does not operate vehicles with a GVWR of 26,001 lbs. or more and is not required to have a controlled substance and alcohol testing program.

Part 383 Commercial Drivers' License:

The carrier employed four drivers that operated in the state of Washington over the past 365 days. Per eFOTM guidelines, a sample size of four drivers was required to be checked. The carrier does not use commercial vehicles with a GVWR of 26,001 lbs. or more and the drivers are not required to have a CDL.

Part 390 General FMCSR:

The carrier has not been involved in a Department of Transportation recordable accident in the last 365 days.

John Frank LLC last updated its MCS-150 on April 27, 2024, and recorded 45,960 vehicle miles travelled (VMT) for the calendar year 2024, the year 2024 is an error and should reflect 2023.

One violation of 390.19(b)(2) occurred when the carrier failed to update the MCS-150 registration form with correct mileage for calendar year 2023.

Part 391 Qualification of Drivers:

The carrier currently employs a total of four drivers that operated in intrastate commerce during the previous 365 days. Per eFOTM guidelines, a sample size of four Driver Qualification Files were to be inspected. The driver files requested to be reviewed were for drivers Oleksii Guk ("Lesh"), Anton Korovchenko, Okeksandr Bahrii ("Sasha") and Oleh Bychkiv.

Four violations of CFR 391.21(a) occurred when the carrier failed to require drivers to furnish an employment application.

One violation of CFR 391.23(a)(1) occurred when the carrier failed to investigate the driver's motor vehicle report (MVR) within 30 days of hire.

Three critical violations of CFR 391.45(a) occurred when the carrier allowed a driver to operate a commercial motor vehicle (CMV) who had not been medically certified by a medical examiner listed on the National Registry of Medical Examiners.

Based on the records provided during the six months preceding the start of this investigation from February 14, 2024, through August 14, 2024, the carrier used drivers that were not medically examined and certified on 123 occasions as follows:

Driver Anton Korovchenko operated a CMV a total of 25 times without a valid medical examiners certificate (MEC) on the following days:

February (2024) 23

March (2024) 3, 18 (2 occasions)

April (2024) 1, 25, 27 (3 occasions)



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May (2024) 3, 6, 18 (3 occasions)
 June (2024) 2, 12, 13, 15, 19, 20, 27, 28 (8 occasions)
 July (2024) 1, 8, 11, 15, 17, 26, 28, 29 (8 occasions)

Driver Oleh Bychkiv operated a CMV a total of 84 times without a valid MEC on the following days:

February (2024) 14, 17, 22, 25, 29 (5 occasions)
 March (2024) 2, 6, 9, 15, 17, 21, 23, 24, 28, 30, 31 (11 occasions)
 April (2024) 2, 5, 8, 12, 14, 16, 18, 20, 21, 22, 24, 26, 28, 29, 30 (15 occasions)
 May (2024) 2, 4, 6, 7, 8, 11, 12, 13, 18, 19, 22, 23, 25, 27, 28, 31 (16 occasions)
 June (2024) 1, 2, 4, 5, 7, 9, 12, 13, 16, 17, 21, 22, 23, 24, 26 (15 occasions)
 July (2024) 1, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 21, 27, 28, 29, 30 (17 occasions)
 August (2024) 2, 3, 8, 11, 12 (5 occasions)

Driver Oleksandr Bahrii "Sasha" operated a CMV a total of 14 times without a valid MEC on the following days:

March (2024) 7, 10, 12 (3 occasions)
 July (2024) 14, 18, 20, 26, 31 (5 occasions)
 August (2024) 1, 2, 4, 6, 7, 9 (6 occasions)

Three critical violations of CFR 391.51(b)(2) occurred when the carrier failed to maintain the time of hire MVR for each driver in the driver qualification files.

Three violations of CFR 391.51(b)(4) occurred when the carrier failed to maintain the annual driver MVR in the driver qualification file.

Four violations of CFR 391.51(b)(5) occurred when the carrier failed to maintain a note relating to the annual review of the driver's driving record in the driver qualification files.

Four violations of CFR 391.51(b)(8)(i) occurred when the carrier failed to place a note in the driver qualification file relating to verification of the driver's Medical Examiners Certificates on the National Registry as required.

In accordance with FMCSA Memorandum MC-ECS-2012-0004 medical certificates for 25 percent of the driver qualification file sample size (one) were to be selected for verification.

Driver Name: Anton Korovchenko
 Date of Birth: June 23, 1986
 ME's License/Certificate Number: MD00042748
 Date of Issuance of the MEC: August 6, 2024
 MEC Expiration: August 6, 2026
 National Registry Identification Number: 8838234013
 Phone Number: 425-353-0808
 Date and Time Contacted: August 20, 2024 @ 8:30 am
 Person Contacted: Dr. Irina Milman
 Results: MEC Check Confirmed

Part 392 - Driving of Commercial Motor Vehicles:

John Frank LLC is an intrastate carrier and at the time of this investigation the carrier is current on its annual regulatory fees.

The carrier's principal place of business (PPOB) is located at 12553 4th Avenue NW, Seattle, Washington 98177, all household goods moves start and stop from where the vehicles are parked at 15331 Hwy 99, Lynnwood, Washington 98087.

Anton Korovchenko was informed that using radar detectors and handheld devices while driving is prohibited. The carrier operates in intrastate and interstate commerce and paid the UCR fee for 2024.

Three critical violations of WAC 480-15-555 (1) occurred when the carrier failed to conduct criminal background checks for every person the carrier intends to hire.



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John Frank LLC employed four drivers during the last 365 days, four drivers have driven during the last six months. In accordance with eFOTM procedures, a sample size of four Record of Duty Status (RODS) were required to be checked for a 30-day period. John Frank LLC operated all services under the short-haul exemption in Part 395.1(e) within the last 365 days and does not require an ELD.

For this investigation, a 30-day period was requested to be reviewed for July 1-30, 2024, for drivers Oleksii Guk, Anton Korovchenko, Okeksandr Bahrii and Oleh Bychkiv. This required that 120 RODS be checked.

Four critical violations of CFR 395.8(k)(1) occurred when the carrier failed to preserve and maintain six months of record of duty status from the start of this investigation for each driver for the months of February 14-29 (16 days), March 1-30 (30 days), April 1-30 (30 days) and May 1-30 (30 days).

As part of the HOS review sample for each driver for July 1-30, 2024, the timecards for all four drivers had drive time associated with every day they worked. The following days did not have a BOL or job associated with the drivers as follows:

Guk "Lasha": July (2024) 11, 14, 15, 16, 17, 18, 19, 29

Korovchenko: July (2024) 4, 5, 7, 12, 16, 19, 20, 21, 22, 24, 25, 27

Bahrii "Sasha": July (2024) 1, 6, 9, 10, 12, 13, 17, 21, 27, 28, 29, 30

Bychkiv: July (2024) 8, 22, 26

Korovchenko states the July days for all drivers as listed above (with no BOL/job indicating foreman/driver), were days those drivers were in helper status and no drive time should have been recorded. Korovchenko states that drive time was added to those days in error. SI Cobile was unable to determine any actual drive time for the days in July for the above listed days worked.

Part 393 & 396 - Maintenance and Inspection:

The carrier owns and has operated five straight trucks that are classified as commercial motor vehicles in intrastate commerce during the last 365 days. The carrier states the major vehicle maintenance and annual inspections are conducted primarily with Pierre Isuzu of Everett, 12620 Hwy 99, Everett, WA 98204.

Vehicle Maintenance Records:

In accordance with the eFOTM, a sample size of five vehicle maintenance files were to be reviewed.

Investigator Cobile requested the maintenance files for the following vehicles:

Unit #1 - VIN 1FDWE3FL3BDA79637

Unit #2 - VIN JALE5W166G7304088

Unit #3 - VIN JALE5W16XE7300607

Unit #4 - VIN JALE5W166G7303975

Unit #5 - VIN 1HTMNAAL88H579725

Five violations of CFR 396.3(b)(1) occurred when the carrier failed to keep maintenance records with the required vehicle identifiers.

Five violations of CFR 396.3(b)(3) occurred when the carrier failed to keep a record of inspection, repair and maintenance that documents the nature of the repairs and maintenance.

One violation of CFR 396.9(d)(3) occurred when the carrier failed to maintain a completed roadside inspection form for 12 months from the date of inspection.

Five violations of CFR 396.21(b) occurred when the carrier failed to retain the previous annual vehicle inspections for 14 months from the date of the inspections.

Driver Vehicle Inspection Reports (DVIRs):



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Investigator Cobile inquired about the carrier's DVIR process as part of this investigation. Korovchenko was unable to demonstrate compliance with the required DVIR process and proper form completion. The DVIR documentation and reporting requirements as outlined in CFR 396.11 were discussed in detail with Korovchenko and form examples were provided.

One violation of CFR 396.11(a) occurred when the carrier failed to require a driver to prepare a driver vehicle inspection report for a flat tire defect discovered post trip on August 7, 2024.

Vehicle Inspections:

In accordance with eFOTM, a sample size of four vehicles were to be inspected. The vehicles were inspected where the vehicles are parked at 15331 Hwy 99, Lynnwood, Washington 98087.

Unit #2 - VIN JALE5W166G7304088 was not inspected as it was out of service (OOS) and non-operational (used as storage) at the time of inspection.

The vehicles inspected are as follows:

Unit #1 - VIN 1FDWE3FL3BDA79637 - Placed OOS for CFR 393.41 - inoperative parking brake.

Unit #3 - VIN JALE5W16XE7300607

Unit #4 - VIN JALE5W166G7303975

Unit #5 - VIN 1HTMNAAL88H579725

See attached SafeSpect reports.

CLOSING INTERVIEW:

The closing interview was conducted on September 3, 2024, via telephone. Present at the closing interview was Cobile, Korovchenko and Guk. This investigation resulted in a proposed unsatisfactory safety rating.

During the on-site interview Korovchenko responded promptly and was forthcoming with information requests throughout the entire scope of this investigation, he was cooperative and professional. Technical assistance was also provided to the carrier during the process of this review.

DOCUMENTS PROVIDED TO THE CARRIER:

The carrier was provided with one copy of the review, Parts A and B with requirements and recommendations to include the Safety Management Plan (SMP) guidance and Safety Fitness Rating. The carrier was also provided with a hard copy and an electronic copy of the guide "Achieving a Satisfactory Motor Carrier Safety Record."

FOLLOW-ON ACTION:

Recommend imposing administrative penalties consistent with the enforcement policy. Recommend the carrier complete and have approved a safety management plan (SMP) and perform compliance inspections within six months to one year after SMP is approved. Recommend no issuance of permanent permit until penalties are satisfied and the carrier achieves a satisfactory safety rating. Work with AAG to issue Notice of Intent to Cancel (NOIC).

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





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Safety Fitness Rating Explanation

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1	General (CFR Parts 387, 390)	0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
NONE	-----	>1 Point = Unsatisfactory
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
S 391.45(a)	1 (C)	>1 Point = Unsatisfactory
S 391.51(b)(2)	1 (C)	

TOTAL POINTS: 2 = UNSATISFACTORY		

FACTOR 3	Operational/Driving (CFR Parts 392, 395)	0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
S 392.2	1 (C)	>1 Point = Unsatisfactory
S 395.8(k)(1)	2 (C)	

TOTAL POINTS: 3 = UNSATISFACTORY		

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	Out-of-Service (OOS) Percentage: 25.0
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 & 25.0% OOS = SATISFACTORY (see chart)		

Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	0 Satisfactory	Conditional
	Conditional	Unsatisfactory
	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation

FACTOR 5	Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)
Not Applicable - Not a carrier of Hazardous Material	
NONE	

FACTOR 6	Accident (Recordable Accident Rate)
$((\text{Recordable Accidents}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$ $(0 \times 1,000,000) \div 45,690 = 0 = \text{SATISFACTORY}$	
ACCIDENT RATE	FACTOR RATING
0 0.000 - 1.500	= Satisfactory
>1.500	= Unsatisfactory





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Safety Fitness Rating Explanation

OVERALL SAFETY FITNESS RATING

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

2

0

= UNSATISFACTORY

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

Number of Factors		OVERALL RATING
Unsatisfactory	Conditional	
0	2 or fewer	Satisfactory
0	3 or more	Conditional
1	2 or fewer	Conditional
1	3 or more	Unsatisfactory
2	0 or more	Unsatisfactory

