



UTILITIES AND TRANSPORTATION COMMISSION

TV-121354

Assignment Report Motor Carrier Safety

Upload? [ ] Yes [X] No - Reason For Not Uploading: Intrastate

1. Investigator(s): Rick Smith 2. Assignment No.: 113035

3. Current Date: 5/18/4/29/2013 4. Date of Activity: 4/24/2013

5. Carrier Name: Delivery Giant LLC

6. Permit: THG-064697 7. New Entrant date of authority: 8/30/2012

8. MOTCAR No.: 9. Carrier is: [X] Intrastate Only

[ ] Interstate Only

10. Industry Code: 207 [ ] Intra and Interstate

11. USDOT No.: 2335446 12. MC No.: 000000

13. [ ] Destination Check

- [ ] Copy of the Destination Check Safety Plan is attached.
Number of Buses/Motor Coaches inspected: 7-15 passenger 16+ passenger
Number of vehicle inspections: Level 1 Level 2 Level 3 Level 5
Any special emphasis placed on the destination check [ ] Yes [ ] No
Describe Special Emphasis
What might we do differently to increase our success at the next destination check:

14. [ ] Safety Complaint

- [ ] Attach a copy of the Individual Safety Complaint Plan.
What activity did staff complete for this safety complaint:
[ ] Compliance review
[ ] Technical assistance
[ ] Number of vehicle inspections: Level 1 Level 2 Level 5
[ ] Unannounced terminal visit
[ ] Other (please explain):

15. [X] New Entrant - Charter, Auto Transportation

- [ ] Is this carrier referred by FMCSA, operating intra and interstate: [ ] Yes [X] No
[ ] Is this carrier based in another state, requesting intrastate authority: [ ] Yes [X] No
[ ] Is this carrier based in Washington, requesting intrastate authority: [X] Yes [ ] No

16.  **New Entrant- HHG**

▪ Is this carrier referred by FMCSA, operating intra and interstate:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
▪ Is this carrier based in another state, requesting intrastate authority:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
▪ Is this carrier based in Washington, requesting intrastate authority:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
▪ Did staff complete the following:		
♦ Inspect all vehicles between three and eighteen months?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 _____		
♦ Conduct a SI/SA between three and eighteen months?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> SI <input type="checkbox"/> SA
♦ Conduct technical assistance within three months?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

17.  **CSA Investigation**

<input type="checkbox"/> Full Investigation
<input type="checkbox"/> Focused Investigation
<b>Basic is for:</b> <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> HHG Carrier <input type="checkbox"/> Solid Waste Carrier
<b>Basic Threshold Percentile is;</b>
<input type="checkbox"/> Unsafe Driving _____ %
<input type="checkbox"/> Fatigued Driving (HOS) _____ %
<input type="checkbox"/> Crash _____ %
<input type="checkbox"/> Driver Fitness _____ %
<input type="checkbox"/> Drug/Alcohol _____ %
<input type="checkbox"/> Vehicle Maintenance _____ %

18.  **Individual Safety Plan Only:**

What activity did staff complete for this safety complaint?
<input type="checkbox"/> Attach a copy of the Individual Carrier Safety Plan.
<input type="checkbox"/> Safety Investigation
<input type="checkbox"/> Technical assistance
<input type="checkbox"/> Number of vehicle inspections: Level 1 _____ Level 2 _____ Level 5 _____
<input type="checkbox"/> Unannounced terminal visit
<input type="checkbox"/> Other (please explain): _____

19.  **Safety Investigation:**

**Safety Audit:**

▪ SI Rating: <input checked="" type="checkbox"/> Satisfactory	<input type="checkbox"/> Unsatisfactory	<input type="checkbox"/> Conditional
▪ SA Rating: <input type="checkbox"/> Pass	<input type="checkbox"/> Fail	
▪ Number of vehicles operated: _____		
▪ Number of drivers operated: _____		
▪ Total miles for prior year: _____		
▪ Recordable accidents for prior year: _____		
▪ Accident Ratio: <u>  n/a  </u>		

20.  Part B Violations:

Part	Violations	Part	Violations	Part	Violations
382/40		383		387	
390		391	1	392	
395		396	1	397	

21.  Vehicle Inspection Data:

	MC	MB 1-15	MB 16+	SB 1-8	SB 9-15	SB 16+	VAN 1-8	VAN 9-15	TRK	TT	TRA
Inspections									1		
Defective Vehicles									0		
OOS Vehicles									0		
Level									5		

22.  Vehicle Inspection Violations:

	MC	MB 1-15	MB 16+	SB 1-8	SB 9-15	SB 16+	VAN 1-8	VAN 9-15	TRK	TT	TRA
Brakes											
Steering											
Lights											
Tires, wheels, rims											
Horn											
Windshield and Wipers											
Mirrors											
Emergency Equip, Exits											
Coupling Devices											
Frame											
Suspension											
Exhaust											
Other											
Comment:											

23.  Driver Inspection Violations:

Medical Card	Medical Waiver	Hours of Service	Drivers License
Comment:			

24. **Relevant Carrier History:** This carrier is in provisional status and seeking permanent authority. No prior CR has been conducted.

25. **Findings:** The one 24 ft. straight truck for this carrier was fully inspected CVSA level-5 with no violations discovered. The owner of this company is very interested in operations safety. The two violations discovered, although could be verbally described to me, documentation and appropriate filing was missing. This issue was resolved while I remained on site.

26. **Recommended Action:**

- No further action.
- Notify the company in writing of the findings by providing a copy of the safety investigation, vehicle inspection report, safety audit or other similar document.
- Require the company to submit a compliance plan in response to the 15-day letter requirement.
- Recheck – Safety Investigation (Date: \_\_\_\_\_ )
- Revisit to recheck a specific issue (Date: \_\_\_\_\_ )
- Send the company a compliance letter. Require a response:  Yes  No
- Issue administrative penalties in the amount of \$ \_\_\_\_\_
- Issue a complaint.
- Stop company operations.

27. **Is this carrier considered a high risk carrier as a result of this activity?**

- Carrier accident ratio is higher than aggregate ratio.
- Carrier had an out-of-service ratio 25% or higher at the last vehicle inspection.
- Carrier had a defect ratio 75% or higher at the last vehicle inspection.
- Carrier received more than one conditional or unsatisfactory safety investigation rating in more than one of the last four safety investigations (or less than four if four are not completed).
- Other (please explain): \_\_\_\_\_

28. **Additional Comments:** Carrier is well managed with an excellently maintained vehicle to provide the HHG services. I recommend permanent authority be issued. Close and file.

Investigator's Signature: Richard Smith 

Initial Review By:  Date: 5/15/13

Reviewer's Recommendation: Agree with number  
OK to issue perm authority

Final Review By: \_\_\_\_\_ Date: \_\_\_\_\_


OFFICE USE ONLY

Date Closed: 5/16/13 By: Mike Debon

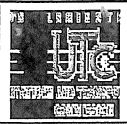
Company Name: Delivery Clients

Assignment #: 113035

Staff Assigned: Smith

	<b>US DOT #</b> 2335446	<b>Legal:</b> DELIVERY GIANT LLC <b>Operating (DBA):</b>	
<b>MC/MX #:</b> 000000	<b>State #:</b> THG064697	<b>Federal Tax ID:</b> [REDACTED]	
<b>Review Type:</b> Compliance Review (CR)			
<b>Scope:</b> Principal Office	<b>Location of Review/Audit:</b> Company facility in the U. S.		<b>Territory:</b>
<b>Operation Types</b>	<b>Interstate</b>	<b>Intrastate</b>	
<b>Carrier:</b> N/A		<b>Non-HM</b>	<b>Business:</b> Corporation
<b>Shipper:</b> N/A		<b>N/A</b>	<b>Gross Revenue:</b> [REDACTED] <b>for year ending:</b> 12/31/2012
<b>Cargo Tank:</b> N/A			
<b>Company Physical Address:</b>			
5701 McChord Dr SW # A Lakewood, WA 98499			
<b>Contact Name:</b> John Jaime			
<b>Phone numbers:</b> (1) 253-761-6101		(2)	<b>Fax</b>
<b>E-Mail Address:</b> JMJAIME774@YAHOO.COM			
<b>Company Mailing Address:</b>			
5701 McChord Dr SW # A Lakewood, WA 98499			
<b>Carrier Classification</b>			
Authorized for Hire			
<b>Cargo Classification</b>			
Household Goods			
<b>Does carrier transport placardable quantities of HM?</b>		No	
<b>Is an HM Permit required?</b>		N/A	
<b>Driver Information</b>			
	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0
<b>&lt; 100 Miles:</b>	0	1	<b>Total Drivers:</b> 1
<b>&gt;= 100 Miles:</b>	0	0	<b>CDL Drivers:</b> 0
<b>Equipment</b>			
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>
<b>Truck</b>	1	0	0
<b>Power units used in the U.S.:</b> 1			
<b>Percentage of time used in the U.S.:</b> 100			





**DELIVERY GIANT LLC**

U.S. DOT #: 2335446

State #: THG064697

Review Date:

04/24/2013

**Part A**

Questions about this report or the Motor Carrier Safety or Hazardous Materials regulations may be addressed to:

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** JOHN JAIME

**Title:** OWNER

**Name:**

**Title:**





**DELIVERY GIANT LLC**  
U.S. DOT #: 2335446

State #: THG064697

Review Date:  
04/24/2013

**Part B Violations**

1 STATE	Primary: 391.51(b) Secondary: 391.51(a) CFR Equivalent: 391.51(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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**Description**  
Failing to maintain driver qualification file in accordance with 391.51(b).  
**Example**  
John Jaime trip date 3/7/2013

2 STATE	Primary: 396.3(b)(2) CFR Equivalent: 396.3(b)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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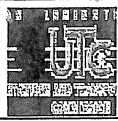
**Description**  
Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.  
**Example**  
No maintenance plan for truck #1, 1998 Chev. License B85115G

<b>Safety Fitness Rating Information:</b>	<b>OOS Vehicle (CR): 0</b>
Total Miles Operated 36,000	Number of Vehicle Inspected (CR): 1
Recordable Accidents 0	OOS Vehicle (MCMIS): 0
Recordable Accidents/Million Miles 0.00	Number of Vehicles Inspected (MCMIS): 0

<b>Your proposed safety rating is :</b>  <b>SATISFACTORY</b>	<b>Rating Factors</b>	<b>Acute</b>	<b>Critical</b>
	Factor 1:	S	0 0
	Factor 2:	S	0 0
	Factor 3:	S	0 0
	Factor 4:	S	0 0
	Factor 5:	N	0 0
	Factor 6:	S	- -







DELIVERY GIANT LLC

U.S. DOT #: 2335446

State #: THG064697

Review Date:

04/24/2013

## Part B Requirements and/or Recommendations

1. IF YOU WANT A COPY OF YOUR INTRASTATE CARRIER PROFILE, CONTACT MCS DIVISION LEAD RICHARD SMITH @ 360-664-1236.
2. If you have any questions concerning this report,, please contact the Washington Utilities & Transportation Commission @  
UTC  
PO BOX 47250  
OLYMPIA, WA 98504  
ATTN: RICHARD SMITH  
360-664-1236
3. "Under the Administrative Procedure Act (RCW 34.05) (Laws of 2009, ch. 358), the commission will waive any fines, civil penalties, or administrative sanctions for first-time paperwork violations by a small business, with certain exceptions. One of those exceptions provides that any violation of a substantially similar paperwork requirement (as described in Part B on this form) may result in the imposition of a fine, civil penalty or other administrative sanction. The company will not be entitled to a second waiver of penalties for "first-time" paperwork violations."
4.
  - 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.
  - 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>

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

Roadside inspections, regulatory changes, accident countermeasures and is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

### 5. VEHICLE MAINTENANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: This carrier had failed to write or establish a scientific maintenance plan.

#### BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.





**DELIVERY GIANT LLC**

U.S. DOT #: 2335446

State #: THG064697

Review Date:

04/24/2013

### Part B Requirements and/or Recommendations

- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and ultimately leading to termination, focused on taking corrective action to ensure that employees comply with vehicle inspection, repair and maintenance regulations, and company policies. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

#### Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
  - Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.
6. This review will result in an intrastate Safety Rating.
  7. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the UTC and FMCSA website for a current list of suppliers. [www.UTC.wa.gov](http://www.UTC.wa.gov) or [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm)
  8. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.



DELIVERY GIANT LLC

U.S. DOT #: 2335446

State #: THG064697

Review Date:

04/24/2013

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
Checkmarks under 387, 390, 391, 392, 393, 395, 396

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: JOHN JAIME
Corporate Contact Title: OWNER

Special Study Information:

Remarks:
Part C

INVESTIGATIVE REPORT RECEIVED BY:
Name; John Jamie
Title: Owner
Carrier Name; Delivery Giant LLC
Date; April 24, 2013

REASON FOR INVESTIGATION:

Mr. John Jamie was contacted at the carrier's terminal located at 5701 McChord Dr. SW Lakewood, WA on April 23-24, 2013. The purpose of conducting this review was to conduct a compliance review for permanent intrastate authority. The carrier had been operating with temporary authority as an intrastate provisional carrier.

CARRIER OPERATION DESCRIPTION:

This carrier currently operates one 22 foot 14,000 GVWR cargo van straight truck and employs one non-CDL driver as an intrastate households goods carrier and received it's provisional intrastate operating permit August 28, 2012.

SCOPE OF INVESTIGATION:

This review was generated to comply with Washington intrastate requirements for Household Goods (HHG) carriers to receive a satisfactory safety rating after operating a minimum of six months as a provisional carrier and to receive permanent intrastate authority. This was an intrastate only review. A HHG carrier is also required to attend the Utilities and Transportation Commission (UTC) HHG safety and economics training during the six month provisional period. Mr. Jamie is a single owner operator for this carrier and attended the HHG training in Olympia October 2012.

PRE-INVESTIGATION:

The carrier was requested to produce the following information at least 48 hours before this compliance review was scheduled:



**Part C**

- \* Financial responsibility
- \* Crash information
- \* Driver qualification files
- \* Hours of service records
- \* Inspection, repair and maintenance records including annual (periodic) inspections
- \* Medical Certificate
- \* Driver's license information

The company maintains supporting documents consisting of bills of lading, daily trip records, inspection reports, and other confirmed as applicable data.

Mr. Jamie is responsible for the supporting documents located at the carriers terminal. Files are maintained by trip or date depending upon the type of record.

Records of duty status could be compared to various supporting documents by checking time, date and bill of lading and other data.

The international sampling method was used in conducting the compliance review.

**CDLIS (DRIVER LICENSE) CHECK:**

The status of Mr. Jamie's Washington state drivers license was checked using the Washington Department of Licensing web site.

**DRIVERS WITH RED FLAG VIOLATIONS:**

Mr. Jamie did not have Red Flag Violations.

**CONTROLLED SUBSTANCES AND ALCOHOL SUPPLEMENTAL REVIEW:**

Was a CONTROLLED SUBSTANCES AND ALCOHOL SUPPLEMENTAL REVIEW performed? No, this was comprehensive review that included controlled substance & alcohol review.

**INVESTIGATION:**

In conducting this compliance review I examined records pertaining to CFR 49, Parts 382, 383, 387, 390, 391, 392, 393, 395, and 396 as adopted by the UTC in WAC 480-30-999 with the following results:

CFR 49, Part 382, Controlled Substance & Alcohol Testing: The carrier was found to not be required to conduct pre-employment controlled substance & alcohol test's due to the vehicle being used by this carrier does not require a commercial drivers license.

CFR 49, Part 387, Financial Responsibility: This carrier is insured for \$750,000 by A valid Form E for intrastate insurance is at the carriers terminal and on file with the UTC as required.

CFR 49, Part 391, Driver Qualifications files were selected per eFOTM sampling criteria. No violations were discovered in the 11 files inspected.

CFR 49, Part 392, Driving of Commercial Motor Vehicles: No evidence of violations discovered.

CFR 49, Part 393, Parts & Accessories: The carrier is maintaining appropriate vehicle information to comply with Part 393.

CFR 49, Part 395, Driver Hours of Service: Hours of service records were selected and reviewed per eFOTM protocol with no violations found.

CFR 49, Part 396, Inspection, Repair & Maintenance: The carrier has established and adheres to a regular inspection and maintenance schedule. All inspections & repairs are recorded in a maintenance file. Emergency exits are inspected regularly as required and a record appropriately filed and available for inspection.



**DELIVERY GIANT LLC**

U.S. DOT #: 2335446

State #: THG064697

Review Date:

04/24/2013

**Part C**

There were no critical or acute violations found.

Gross revenue figures were supplied by the carrier and taken from their annual income report

The carrier is not affiliated with any other carriers.

**FOLLOW-ON ACTION:**


None required or suggested.

The carrier is insured with Lancer Insurance under policy BA157920#8 For \$5,000,000.00

**DOCUMENTS PROVIDED TO CARRIER:**

The carrier has access to the Federal & State regulations via the internet. A copy of the current UTC safety guide was provided.

The carrier's safety rating is Satisfactory.

Upload Authorized:	Yes	<input checked="" type="radio"/> No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date:



UNIFORM DRIVER/VEHICLE INSPECTION REPORT

1311921

PERSONNEL NO. 5580 DIST / DET AB

LEVEL: 1 2 3 4 5

GENERAL HAZARDOUS MATERIALS DATE 04/23/13 TIME (MILITARY) BEGUN 1028: FINISHED: HAZARD CLASS / DIVISION NO. REPORTABLE QTY? Y N HAZARDOUS WASTE? Y N PLACARD REQUIRED? Y N CARGO TANKS? Y N

CARRIER CARRIER NAME (Include DBA when applicable) Delivery Giant LLC ADDRESS 5761 McHARD DR SW #A CITY LAKEWOOD STATE WA ZIP CODE 98499 INTERSTATE YES NO DOT NO. 2335446 ICC NO.

DRIVER DRIVER NAME JOHN JAIME LICENSE NO. STATE WA EXP. / BAR 9-13 DATE OF BIRTH MED. CERT. N SHIPPER NAME SHIPPING NO. WAIVER Y N

VEHICLE REGISTERED OWNER NAME/ADDRESS SAME AS ABOVE G.V.W. 14000 PBT RATE UNIT TYPE YEAR/MAKE CO. UNIT NO. LICENSE NO. / VIN NO. STATE 1 TK 98 CHEV 1 B851156 1-14 WA 2 HICOB 1GB563153W1661806 3 4

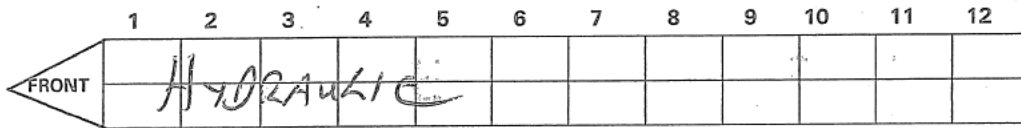


Table with columns: CFR, VIOLATIONS, D, 1, 2, 3, 4, Unit #s O/S, Complied. Content: No Violations -

CVSA DECALS UNIT 1 18361451 UNIT 2 UNIT 3 UNIT 4 NOIC NO. DRIVER SIGNATURE John Jaime OFFICER SIGNATURE

Vehicle may not be operated until O/S defects noted above are repaired. Driver may not drive until in compliance.

DRIVE /EHICLE EXAMINATION REPORT

Aspen 2.14.1.1

Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
Olympia, WA 98504-7250

Report Number: WAU001000619  
Inspection Date: 04/23/2013  
Start: 10:28:00 AM PT End: 11:19:00 AM PT  
Inspection Level: V - Terminal  
HM Inspection Type: None

DELIVERY GIANT LLC  
5701 MCCORD DR SW #A  
LAKEWOOD, WA 98499

USDOT#: 02335446 Phone#:   
MC/MX#: Fax#:   
State#: HG64697

Location: TERMINAL  
Highway:   
County: PIERCE, WA

MilePost: Shipper:   
Origin: LAKEWOOD, WA  
Destination: LAKEWOOD, WA

Bill of Lading:   
Cargo:

Driver: License#: State:   
Date of Birth:   
CoDriver: License#: State:   
Date of Birth:

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TR	CHEV	1998	WA	B85115G	1	1GBJG31J3W1001806	14,000		01836151	

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS : No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

Report Prepared By:  
SMITH, RICHARD

Badge #:  
J580

Copy Received By:

Page 1 of 1



02335446 WA WAU001000619

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