

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Penalty Assessment Against
MERIDIAN TRANSPORTATION
RESOURCES, LLC d/b/a MTR WESTERN
in the Amount of \$500

DOCKET NO. TE-070767

DECLARATION OF
LEON MACOMBER

I, LEON MACOMBER, under penalty of perjury under the laws of the state of Washington, declare as follows:

1. I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
2. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Special Investigator in the Motor Carrier Safety Section. I have been employed at the Commission for over 30 years, holding various positions. As a Special Investigator, my responsibilities include conducting investigations regarding the motor carrier safety practices of regulated transportation companies. As part of those duties, I conduct in-depth and complex audits, perform carrier reviews of terminal safety records and equipment, including driver and vehicle safety requirements, and issue safety ratings.
3. On May 23, 2007, Meridian Transportation Resources, LLC d/b/a MTR Western (MTR Western) filed with the Commission a Request for a Hearing (Hearing Request) in Docket No. TE-070767. I have read the Hearing Request.
4. This Hearing Request arises from a Notice of Penalties Incurred and Due for Violations of Laws and Rules issued by the Commission on April 24, 2007, in Docket No. TE-070767. In that Notice, the Commission issued a penalty under RCW 81.04.530 of \$500 for violating WAC 480-30-221, which adopts by reference Title 49, Code of Federal Regulations, Part 382.301(a), using a driver before receiving a negative pre-employment controlled substance test result. RCW 81.04.530 allows penalties of \$500 for every such violation.
5. Before recommending the Commission issue penalties, I, Leon Macomber, as part of my job, conducted a carrier review on March 29 and 30, 2007, of MTR Western's terminal safety records and equipment. See Appendix A for a true and correct copy of the Compliance Review report.
6. During the carrier review, I found the following driver had operated a vehicle, although the company had not received a negative controlled substance test result before allowing him to drive:

Dustin M. Larsh

He was hired on January 2, 2007. Trip dates noted on daily logs indicate that he drove on January 2, 3, and 4, 2007. The date of his negative pre-employment controlled substance test result verification is January 4, 2007.

7. MTR Western admits that Mr. Larsh drove on January 2nd, 3rd, and 4th and that the negative results of his test were not verified until January 4th. In addition, the company admits that it has not received any response to its request for verification from Mr. Larsh's previous employer to document an exception to the pre-employment testing requirement.

Specific Issues Addressed by Meridian Transportation Resources, LLC in its Hearing Request:

- A. **When the driver in question drove on January 2, 3, and 4, these trips were all conducted as part of this training and orientation with a company Safety and Training Manager present.**
8. Any type of driving, whether supervised or unsupervised, is a safety-sensitive function. Code of Federal Regulations Title 49, Part 382.301(a), requires that, prior to performing a safety-sensitive function for the first time, a driver must undergo testing for controlled substances. The presence of a safety and training manager does not invalidate or excuse the violation.
- B. **It is our belief that the company was not in violation of Part 382.301(a) due to the driver's previous employment as a commercial vehicle operator at Gray Line of Seattle.**
9. Code of Federal Regulations Title 49, Part 382.103(a), states that Part 382 applies to every person and to all employers of such persons who operate commercial motor vehicles in commerce in any state. In addition, 49 C.F.R. § 382.301(a) states that prior to the first time a driver performs safety sensitive functions for an employer, the driver shall undergo testing for controlled substances. The company allowed Mr. Larsh to drive for at least two days before receiving test result verification.
- C. **His application clearly indicates that he was subject to FMCSRs and was employed in a designated safety sensitive position up to his last day of work prior to starting at Meridian Transportation Resources, LLC. This designation should have excluded the requirement as listed above, in accordance with Part 382.301(b) (inclusive).**
10. Code of Federal Regulations Title 49, Part 382.301(c)(1), states that an employer who exercises the exception in paragraph (b) must contact the controlled substance testing program in which the driver participated and obtain and retain the following information:

- (i) Name and address of the program.
 - (ii) Verification that the driver participated in the program.
 - (iii) Verification that the program conforms to part 40 of this title.
 - (iv) Verification that the driver is qualified under the rules of this part, including that the driver has not refused to be tested for controlled substances.
 - (v) The date the driver was last tested for controlled substances.
 - (vi) The results of any tests taken with the previous six months and any other violations of subpart B of this part.
11. MTR Western failed to meet these requirements before allowing Mr. Larsh to drive. Therefore, the company is not eligible for the exception in Part 382.301(b).
- D. Meridian Transportation Resources, LLC had submitted a request for verification of previous employment and qualification to the driver's previous employer in accordance with Part 382.301(c).**
12. At the time of the carrier review, I found no evidence of the return of the requested information.
13. An employer must produce the required documents at the time of the compliance review for the exception to apply.

Staff Recommendation:

14. The evidence establishes that the violation of 49 C.F.R. § 382.301(a) occurred and that MTR Western does not meet the requirements of the exception to the rule.
15. Staff recommends that the Commission reject MTR Western's arguments and deny any mitigation of the penalty.

DATED this 6th day of June, 2007, at Olympia, Washington.


LEON MACOMBER

APPENDIX A

Washington Utilities & Transportation Commission

US DOT #
1120793Legal: MERICAN TRANSPORTATION RESOURCES LLC
Operating (DBA): MTR WESTERN

MC/MX #: 458276

Federal Tax ID: 71-0942123 (EIN)

Review Type: Compliance Review (CR)

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Corporation

Gross Revenue: \$4,400,000.00

for year ending: 12/31/2006

Company Physical Address:

20830 68th Avenue S
Kent, WA 98032

Contact Name: Brian Parker

Phone numbers: (1) 206-621-9301

(2) 206-423-2101

Fax 206-621-9750

E-Mail Address: brian@mtrwestern.com

Company Mailing Address:

605 5th Avenue S
Seattle, WA 98104

Carrier Classification

Authorized for Hire

Cargo Classification

Passengers

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:		
>= 100 Miles:	31	

Average trip leased drivers/month: 0

Total Drivers: 31

CDL Drivers: 31

Equipment

Owned Term Leased Trip Leased

	Owned	Term Leased	Trip Leased
Motor Coach	40	0	0

Owned Term Leased Trip Leased

Power units used in the U.S.: 40

Percentage of time used in the U.S.: 100





Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety Regulations should be address to:
Washington Utilities & Transportation Commission

P.O. Box 47250, Olympia, WA. 98504-7250
Attention: Leon Macomber (360) 664-1236 Office, (360) 412-8614 Pager

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Brian Parker

Title: Director of Safety & Training

Name: Barry Holloway

Title: Regional Safety Training Mgr





Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 31	Drivers/Vehicles In Violation 1	Checked 31		
Description Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Example Driver, Dustin Larsh, Trip Dates 01/2, 3, 4/07, and Hire Date 01/02/07. Verification Date of Negative Test Result 01/04/07.							
Safety Fitness Rating Information: Total Miles Operated 1,600,000 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00			OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 8 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0				
Your proposed safety rating is : SATISFACTORY			Rating Factors			Acute	Critical
			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	-	-	

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





Part B Requirements and/or Recommendations

1. Send response letter to WUTC within 15 days addressed to WUTC P.O. Box 47250, Olympia, Washington 98504-7250, Attention: Carolyn Caruso
2. Employers are responsible for their officers', employees', agents', consortia, and/or contractors' compliance with the requirements of 49 CFR Parts 40 and 382. Make sure pre-employment controlled substances tests are performed prior to driver driving for the first time and that negative test results are verified.





Part C

Reason for Review: Other Assign#107058
Planned Action: Compliance Monitoring
Safestat Category:

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

Does passenger vehicle transport more than 15 passengers, including driver? Yes - Interstate and Intrastate

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule: 45-Day - Interstate Passenger

Corporate Contact: Brian Parker

Special Study Information:

Corporate Contact Title: Director of Safety & Training

Remarks:

Meridian Transportation Resources, LLC. CH-446
d/b/a MTR Western
20830 68th Avenue S.
Kent, WA. 98032

On March 29th and 30th, 2007 I contacted Mr. Brian Parker, Director of Safety and Training, and Mr. Barry Holloway, Regional Safety Training Manager, at their terminal concerning a compliance review of terminal safety records and equipment.

On March 29, 2007 I performed Level 5 terminal safety inspections on 8 of 40 motor coaches currently owned/operated by Meridian Transportation Resources, LLC. with the following results:

8 of 40 motor coaches currently owned/operated were inspected.

0 of 8 motor coaches inspected were found with defects (0% Defect Ratio).

0 of 8 motor coaches inspected were placed out-of-service (0% Out-of-Service Ratio).

All eight motor coaches were found without defects and CVSA stickers #5598391 thru #5598398 were affixed at the time of inspection on site.

8 of 31 driver's driver qualification files were examined and I found no apparent violations and/or missing items in driver qualification files.

7 of 31 driver's hours of service records were examined from January 30, 2007 thru February 28, 2007 and I found no apparent violations of the hours of service rules and regulations.

Controlled substances and alcohol testing program did meet the 50% controlled substances testing and 10% alcohol testing requirements for 2006.

Meridian Transportation Resources, LLC. currently employs 31 motor coach drivers with either Class B and/or Class A driver's licenses with passenger endorsements.

I found one driver, Mr. Dustin Larsh, in violation of CFR 382.301(a), Using a driver before the motor carrier has received a





Part C

negative pre-employment controlled substance test result. Mr. Dustin Larsh was hired on January 2, 2007, drove on January 2, 3 and 4, 2007 and did not receive negative pre-employment controlled substance test result until January 4, 2007.

CDLIS licensing check was not performed due to unavailability of access to this data base. I did perform Driver Status Checks through Washington State Department of Licensing and all eight drivers I examined were found with current valid driver's licenses with appropriate endorsements.

DVIR'S, driver vehicle inspection reports, were examined on 8 of 40 motor coaches for a period of 90-days and found to be well maintained and properly signed-off.

Inspection, repair and maintenance records were well maintained on all 8 of 40 motor coaches I inspected during this investigation.

90-day pushout window inspections were being performed on all 8 of 40 motor coaches I inspected during this investigation.

Scheduled, preventative maintenance inspections are performed at 5,000 miles, 10,000 miles, 50,000 miles and 100,000 mile intervals.

Annual periodic inspections were being performed on all 8 of 40 motor coaches I inspected and copies of the last periodic inspection was kept in each motor coach. In addition annual periodic inspection records were available for the required 14-month period and had been performed within the 12-month interval required.

This compliance review did result with a "Satisfactory Safety Rating".

I discussed all violations and areas of non-compliance with Mr. Brian Parker, Director of Safety and Training, and Mr. Barry Holloway, Regional Safety Training Manager, and considerable technical, educational assistance was given.

I am submitting this assignment at this time.

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



Washington Utilities & Transportation Commission



US DOT #
1120793

Legal: MTR TRANSPORTATION RESOURCES LLC
Operating (DBA): MTR WESTERN

MC/MX #: 458276

Federal Tax ID: 71-0942123 (EIN)

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM

Shipper: N/A N/A

Cargo Tank: N/A

Business: Corporation

Gross Revenue: \$4,400,000.00

for year ending: 12/31/2006

Company Physical Address:

20830 68th Avenue S
Kent, WA 98032

Contact Name: Brian Parker

Phone numbers: (1) 206-621-9301

(2) 206-423-2101

Fax 206-621-9750

E-Mail Address: brian@mtrwestern.com

Company Mailing Address:

605 5th Avenue S
Seattle, WA 98104

Report Summary

Report

of Pages

Part A - General

2

Part B - Violations

1

Part B - Recommendations

1

Review/Audit Receipt Page

1

Total Pages

5

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

QUESTIONS regarding this report or the Federal Motor Carrier Safety Regulations should be address to:
Washington Utilities & Transportation Commission

P.O. Box 47250, Olympia, WA. 98504-7250

Attention: Leon Macomber (360) 664-1236 Office, (360) 412-8614 Pager

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Brian Parker

Title: Director of Safety & Training

Name: Barry Holloway

Title: Regional Safety Training Mgr

Reported By:

Title:

Code: WA0526

Date: 3/30/2007

Received By:

Title: DIRECTOR, Safety & Training



Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

OVER/VEHICLE EXAMINATION REPORT
Report Number: WAU001000027
Inspection Date: 03/29/2007
Start Time: 01:30 PM End Time: 01:55 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104

USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2005	OR	YAPZ337	5259	2PCH3349951010252		5598391	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Local Enforcement

Report Prepared By:
Macomber, L

Badge #:
J526

Copy Received By:

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WAU001000027

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

DRIVER/VEHICLE EXAMINATION REPORT

Report Number: WAU001000028

Inspection Date: 03/29/2007

Start Time: 01:55 PM End Time: 02:15 PM

Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC

605 5TH AVE S

SEATTLE, WA 98104

USDOT#: 01120793

Phone#: (206)621-9301

MC/MX#: 458276

Fax#: (206)621-9750

State#:

Location: 20830 68TH AVENUE S

Highway:

County: KING, WA

MilePost:

Origin:

Destination:

Driver:

License#:

State:

Date of Birth:

CoDriver:

License#:

State:

Date of Birth:

Shipper:

Bill of Lading:

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2006	OR	YARA740	4872	2PCH3341161010547		5598392	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No

Cargo Tank:

Special Checks: Local Enforcement

Report Prepared By:

Macomber, L

Badge #:

J526

Copy Received By:

Page 1 of 1



WAU001000028

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

OVER/VEHICLE EXAMINATION REPORT

Report Number: WAU001000029
Inspection Date: 03/29/2007
Start Time: 02:15 PM End Time: 02:30 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2006	OR	YARA741	5665	2PCH3349761010493		5598393	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Local Enforcement

Report Prepared By:
Macomber, L

Badge #:
J526

Copy Received By:

Page 1 of 1



WAU001000029

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

RIVER/VEHICLE EXAMINATION REPORT

Report Number: WAU001000030
Inspection Date: 03/29/2007
Start Time: 02:30 PM End Time: 02:45 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2005	OR	YAPY579	5650	2PCH3349751010119		5598394	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No **Cargo Tank:** .

Special Checks: Local Enforcement

Report Prepared By:

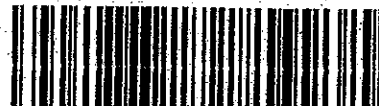
Macomber, L

Badge #:

J526

Copy Received By:

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WAU001000030

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

OVER/VEHICLE EXAMINATION REPORT
Report Number: WAU001000031
Inspection Date: 03/29/2007
Start Time: 02:50 PM End Time: 03:05 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2006	OR	YARA746	5671	2PCH3349161010537		5598395	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: Local Enforcement

Report Prepared By:

Macomber, L

Badge #:

J526

Copy Received By:

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X



WAU001000031

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

DRIVER/VEHICLE EXAMINATION REPORT
Report Number: WAU001000032
Inspection Date: 03/29/2007
Start Time: 03:10 PM End Time: 03:20 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GWWR	CVSA #	OOS#
1	MC	PREO	2006	OR	YARA745	5670	2PCH3349061010528		5598396	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: Local Enforcement

Report Prepared By:
Macomber, L

Badge #:
J526

Copy Received By:

Page 1 of 1



WAU001000032

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

OVER/VEHICLE EXAMINATION REPORT
Report Number: WAU001000033
Inspection Date: 03/29/2007
Start Time: 03:20 PM End Time: 03:30 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:
Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

MilePost:
Origin:
Destination:

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2005	OR	YAPZ336	5258	2PCH3349751010251		5598397	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Local Enforcement

Report Prepared By:

Macomber, L

Badge #:

J526

Copy Received By:

Page 1 of 1



WAU001000033

Washington State Patrol
P.O. Box 42614
Olympia, WA. 98504-2614
Phone: (360) 753-0321
Fax: (360) 753-0206

OVER/VEHICLE EXAMINATION REPORT
Report Number: WAU001000034
Inspection Date: 03/29/2007
Start Time: 03:30 PM End Time: 03:40 PM
Insp. Level: 5-Terminal, No HM Insp.

MERIDIAN TRANSPORTATION RESOURCES LLC
605 5TH AVE S
SEATTLE, WA 98104
USDOT#: 01120793 Phone#: (206)621-9301
MC/MX#: 458276 Fax#: (206)621-9750
State#:

Location: 20830 68TH AVENUE S
Highway:
County: KING, WA

MilePost:
Origin:
Destination:

Driver:
License#: State:
Date of Birth:
CoDriver:
License#: State:
Date of Birth:
Shipper:
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	MC	PREO	2005	OR	YAPZ034	4251	2PCH3349851010081		5598398	

BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	DISC	DISC	DISC

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: Local Enforcement

Report Prepared By:
Macomber, L

Badge #:
J526

Copy Received By:

Page 1 of 1



WAU001000034

EXHIBIT

A

Documentation of driver, Dustin Lash, in violation of CFR 382.301, Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

01/04/2007

**ChoicePoint Medical Review Services**

5900 Wilshire Blvd. Suite 2200

Los Angeles, CA 90036-

Tel: 800-521-8791 Fax: 615-781-2397

Controlled Substance Test Report

Attn: Brian Parker

605 5th Avenue South 8TH FLOOR

Seattle, WA 98104

Phone: 206-838-7148

Client Name: MTR Western

Account Number: 120118-00000

Donor Name: Dustin M Larsh

Donor ID: 536-92-2785

Other ID:

Emp. Category: DRIVER

Test Result : Negative

Result Description : Negative

Substances Found :

MRO Verified Comment :

Specimen ID: 6287636

Specimen Collection Date: 1/2/2007 1:30:00 PM

Lab Name: Quest Diagnostics/Van Nuys

Testing Panel: Nida Panel w/Testure

CCF Received:

Verification Date: 1/4/2007

Reported Date: 1/4/2007

Test Reason: Pre-Employment

Test Type: DOT

Lab Account #: 51015982

Test Account #: 120118-00000

Test Client Name: MTR Western

Location ID:

Cost Center:

Certified Medical Review Officer:
S. B. Hoffman, M.D. FACP

(Signature On File)

MRO Phone:

800-809-1012

Positive tests confirmed using gas chromatography/mass spectrometry.
Reviewed in accordance with 49 CFR Part 41.

DRUDET

DRIVER'S DAILY LOG

(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL
DUPLICATE

File each day at home terminal
Driver retains in his possession for eight days

01 02 2007
(MONTH) (DAY) (YEAR)
Dustin Garsh
(DRIVER'S FULL SIGNATURE)
1013
(EMPLOYEE NUMBER)

CHECKED JAN 12 2007

61618
(VEHICLE NUMBERS - SHOW EACH COACH)

MTR WESTERN

(NAME OF CARRIER OR CARRIERS)

605 FIFTH AVE. S., SUITE #850 - SEATTLE, WA 98104

(MAIN OFFICE ADDRESS)

- ☒ 20830 68TH AVE. S. - KENT, WA 98032
- ☐ 8101 N.E. 11TH AVE. - PORTLAND, OR 97213
- ☐ 3500 CRATES WAY - THE DALLES, OR 97058
- ☐ 923 FOLSOM ST. - SAN FRANCISCO, CA 94107
- ☐ 7984 WEBSTER RD. - DELTA, BC V6G 1G6

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									22
2: DRIVING																									1
3: ON DUTY (NOT DRIVING)																									1
REMARKS																									24

CHARTER ID NUMBER
OR
NAME OF CHARTER GROUP

USE TIME STANDARD AT HOME TERMINAL

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ON DUTY HRS.
DAY TOTAL
LINES 2 & 3

70 HR/8
DAY
DRIVERS

A. 2
TOTAL HRS. ON
DUTY LAST 7
DAYS, INCL.
TODAY

B. 68
TOTAL HRS.
AVAILABLE
TOMORROW
70 HRS. MINUS A

C. 2
TOTAL HRS. ON
DUTY LAST 8
DAYS, INCL.
TODAY

DRIVER'S DAILY LOG

(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal
DUPLICATE - Driver retains in his possession for eight days

01 03 2007
(MONTH) (DAY) (YEAR)
Dustin Garsh
(DRIVER'S FULL SIGNATURE)
84
(TOTAL MILES VEHICLE DRIVEN TODAY)
1013
(EMPLOYEE NUMBER)

CHECKED JAN 12 2007

61618
(VEHICLE NUMBERS - SHOW EACH COACH)

MTR WESTERN

(NAME OF CARRIER OR CARRIERS)

605 FIFTH AVE. S., SUITE #850 - SEATTLE, WA 98104

(MAIN OFFICE ADDRESS)

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- ☐ 7984 WEBSTER RD. - DELTA, BC V6G 1G6

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									20.5
2: DRIVING																									2.75
3: ON DUTY (NOT DRIVING)																									.75
REMARKS																									24

CHARTER ID NUMBER
OR
NAME OF CHARTER GROUP

USE TIME STANDARD AT HOME TERMINAL

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ON DUTY HRS.
DAY TOTAL
LINES 2 & 3

70 HR/8
DAY
DRIVERS

A. 5.5
TOTAL HRS. ON
DUTY LAST 7
DAYS, INCL.
TODAY

B. 64.5
TOTAL HRS.
AVAILABLE
TOMORROW
70 HRS. MINUS A

C. 5.5
TOTAL HRS. ON
DUTY LAST 8
DAYS, INCL.
TODAY

DRIVER'S DAILY LOG
(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL
DUPLICATE

each day at home terminal
retains in his possession for eight days

CHECKED JAN 29 07

5668

SAFETY

01 04 2007
(MONTH) (DAY) (YEAR)

(TOTAL MILES - VEHICLE DRIVEN TODAY)

Dustin Garsh
(DRIVER'S FULL SIGNATURE)

1013
(EMPLOYEE NUMBER)

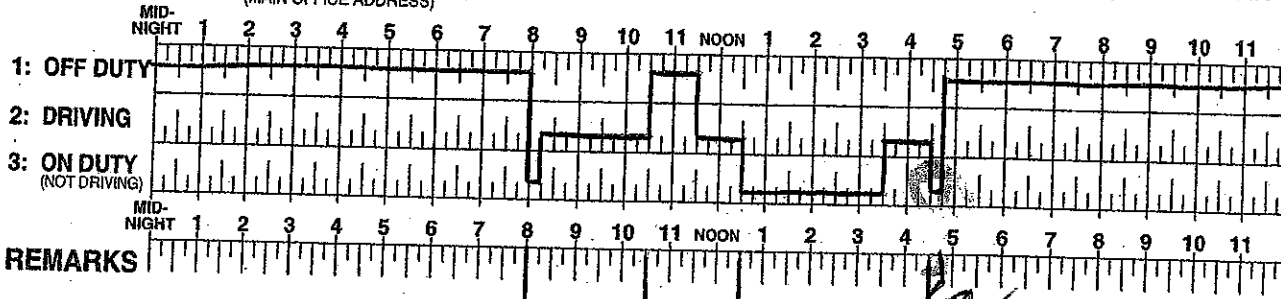
MTR WESTERN

(NAME OF CARRIER OR CARRIERS)

605 FIFTH AVE. S., SUITE #850 - SEATTLE, WA 98104

(MAIN OFFICE ADDRESS)

- ☒ 20830 68TH AVE. S. - KENT, WA 98032
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- ☐ 7984 WEBSTER RD. - DELTA, BC V6G 1G6



TOTAL HOURS
16.25
4.25
3.5
24

7.75
ON DUTY HRS. TODAY TOTAL LINES 2 & 3

10 HRS DAY DRIVERS

13.25
TOTAL HRS. ON DUTY LAST 7 DAYS, INCL. TODAY

56.25
TOTAL HRS. AVAILABLE TOMORROW 70 HRS. MINUS A

13.25
TOTAL HRS. ON DUTY LAST 8 DAYS, INCL. TODAY

CHARTER ID NUMBER
OR
NAME OF CHARTER GROUP

USE TIME STANDARD AT HOME TERMINAL