



Assignment Report Motor Carrier Safety



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

1. Investigator(s): Richard Smith 2. Assignment No.: 113005

3. Current Date: 1/16/13 4. Date of Activity: 1/11/13

5. Carrier Name: Two Small Men with Big Hearts Corp.

6. Permit: THG-064094 7. New Entrant date of authority: 12/09/2010

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

10. Industry Code: 207

11. USDOT No.: 2080773 12. MC No.:

13. [] Destination Check

Form for Destination Check containing checkboxes for safety plan attachment, inspection counts, and special emphasis.

14. [] Safety Complaint

Form for Safety Complaint containing checkboxes for complaint plan attachment, activity types, and inspection counts.

15. [] New Entrant - Charter, Auto Transportation

Form for New Entrant - Charter, Auto Transportation containing checkboxes for carrier referral, location, and inspection requirements.

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
Basic is for: <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> HHG Carrier <input type="checkbox"/> Solid Waste Carrier
Basic Threshold Percentile is;
<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: <u>2</u>		
▪ Number of drivers operated: <u>2</u>		
▪ Total miles for prior year: _____		
▪ Recordable accidents for prior year: <u>0</u>		
▪ Accident Ratio: _____		

20. **Part B Violations:**

Part	Violations	Part	Violations	Part	Violations
382/40		383		387	
390		391		392	
395		396	2	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									2		
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:

Carrier received a conditional rating during an earlier compliance review as result of numerous violations.

25. Findings:

This compliance review recheck determined the carrier has corrected all problems originally discovered and is doing a good job with safety management procedures and filing. Carrier received a satisfactory safety rating in this CR.

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 should be considered for permanent authority. Close and file.

Investigator's Signature: Richard Smith 

Initial Review By: _____ Date: _____

Reviewer's Recommendation: _____

Final Review By: Dratt Date: 1/17/13

Reviewer's Recommendation:

AGREE WITH RECOMMENDATIONS

OK to issue from authority.

OFFICE USE ONLY

Date Closed: 1/16/2013


By: Carolyn Caruso

Company Name: Two Men With Small Hearts

Assignment #: 113005

Staff Assigned: Richard Smith

WA Utilities and Transportation Commission

	US DOT # 2080773	Legal: TWO SMALL MEN WITH BIG HEARTS CORP Operating (DBA):		
MC/MX #: 000000		State #: HG064094		Federal Tax ID: 68-0681490 (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	Business: Corporation	
Shipper:	N/A	N/A	Gross Revenue: \$57,960.00 for year ending: 12/31/2012	
Cargo Tank:	N/A			
Company Physical Address:				
803 Rainier Ave S Seattle, WA 98144				
Contact Name: David Dickson				
Phone numbers: (1) 206-624-4327 (2) 206-660-0658 Fax 604-543-0445				
E-Mail Address: twosmallmen@qwestoffice.net				
Company Mailing Address:				
803 Rainier Ave S Seattle, WA 98144				
Carrier Classification				
Authorized for Hire		Private Property		
Cargo Classification				
Household Goods				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
Driver Information				
	Inter	Intra	Average trip leased drivers/month: 0	
< 100 Miles:	0	2	Total Drivers: 2	
>= 100 Miles:	0	0	CDL Drivers: 0	
Equipment				
	Owned	Term Leased	Trip Leased	Owned Term Leased Trip Leased
Truck	2	0	0	
Power units used in the U.S.: 2				
Percentage of time used in the U.S.: 100				



TWO SMALL MEN WITH BIG HEARTS CORP

U.S. DOT #: 2080773

State #: HG064094

Review Date:

01/16/2013

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: David Dickson

Title: General Manager

Name: Glen Buckler

Title: Owner-President





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Part B Violations

1 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

Unit #14 has no maintenance file established.

2 STATE	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Using a commercial motor vehicle not periodically inspected.

Example

Unit #14 not inspected annually after purchased for use in commerce.

Safety Fitness Rating Information:		OOS Vehicle (CR): 0			
Total Miles Operated	7,200	Number of Vehicle Inspected (CR): 1			
Recordable Accidents	0	OOS Vehicle (MCMIS): 0			
Recordable Accidents/Million Miles	0.00	Number of Vehicles Inspected (MCMIS): 1			

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.





TWO SMALL MEN WITH BIG HEARTS CORP

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Part C

Reason for Review: Compliance Review
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

Table with 15 columns of part numbers (325-396) and checkmarks indicating certification status.

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:

Follow-up - 60-Day Rule for conditional

Corporate Contact: David Dickson
Corporate Contact Title: General Manager

Special Study Information:

Remarks:

PART C

Two Small Men with Big Hearts Corp.

Mr. David Dickson, safety manager was contacted at the carrier's new terminal located at 803 Rainier Avenue S. Seattle, WA 98144 on January 15-16, 2013 for the purpose of conducting a compliance review (CR).

REASON FOR INVESTIGATION:

A full compliance review is required for Washington intrastate HHG carriers between three and 18 months after receiving provisional authority to operate for-hire in commerce in the state of Washington.

SCOPE OF INVESTIGATION:

A full intrastate compliance investigation was conducted while adhering to policies of the Federal Motor Carrier Safety Administration (FMCSA) international sampling recommendations.

CARRIER OPERATION DESCRIPTION:

This carrier operates two 14,000 GVWR van trucks and currently employs two drivers as an intrastate only carrier.





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Part C

for this carrier are well maintained and filed in sequential order as if following the procedural sections of the UTC manual, Your Guide to Achieving a Satisfactory Safety Record". Even though Mr. Dickson had numerous questions that resulted in a full safety training be provided to him by the end the review, his safety interest was obvious.

The carriers gross operating revenue was \$57,960.00 for the last fiscal year ending on 12/31/2012. UTC records indicate that Mr. Dickson is responsible for all safety management.

PRE-INVESTIGATION:

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

- * Financial responsibility
- * Crash information
- * Driver qualification files
- * Hours of service records
- * Inspection, repair and maintenance records including annual (periodic) inspections
- * Controlled substance and alcohol testing records, if applicable
- * Commercial driver's license information, if applicable
- * Medical certification credentials

DRIVER LICENSE CHECK:

Washington State Dept. of Licensing was used to verify driver's license as being current and valid since the two drivers for this carrier are not required a CDL.

INVESTIGATION:

The company now maintains good supporting documents consisting of daily trip records, inspection reports, and other data. Mr. Dickson is responsible for all documents and records located at the carrier's principal place of business. Files are maintained by trip or date depending upon the type of record.

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. The following violations were discovered;

- 396.17(a), Using a commercial motor vehicle not periodically inspected, one violation.
- 396.3(b)(2), Not having a maintenance due dates plan.

Mr. Dickson immediately implemented new procedures to resolve each of the violations discovered and assured that being highly interested in maintaining a safe operation, he will stay on top of regulatory require, requirements for his business. His plans are to hire more drivers and purchase additional vehicles before the end of this year. The new vehicles he has hopes to obtain will require CDL operators. This program will require numerous changes to his current procedures and safety training was provided to ready him and his company for requirements of these major changes.

The carrier is insured with Zurich American Insurance under policy BAP 9337637 For 750,000. .

The carrier's safety rating is satisfactory.

Upload Authorized:	Yes	No
Authorized by:	<i>[Signature]</i>	Date: 1-17-2013
Uploaded:	Yes	No
Verified by:		Failure Code:
		Date:



Part B Requirements and/or Recommendations

1. IF YOU WANT A COPY OF YOUR INTRASTATE CARRIER PROFILE, CONTACT MS. CAROLYN CARUSO @ 360-664-1244.
2. If you have any questions concerning this report,, please contact the Washington Utilities & Transportation Commission @
UTC
PO BOX 47250
OLYMPIA, WA 98504
ATTN: RICK 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. THIS COMPLIANCE REVIEW WILL RESULT IN AN INTRASTATE SAFETY RATING. TO OBTAIN A COPY OF THIS RATING, CONTACT CAROLYN CARUSO AT 360-664-1244.
5. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
6. 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.
7. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
8. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
9. 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.
10. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
11. This review will result in a Safety Rating.

