

UTILITIES AND TRANSPORTATION  
COMMISSION

**TO:** Suzanne Stillwell, Manager – Licensing Services  
**FROM:** Tina Leipski, Transportation Specialist 3  
**DATE:** October 18, 2013  
**SUBJECT:** Docket TV-120357; Application for Permanent Authority

---

On March 12, 2012, Steven Nava, Jr., d/b/a Mover's for the Baby Boomers, filed Docket TV-120357 requesting permanent household goods authority.

The commission granted the company temporary authority subject to conditions pending a decision on its application for permanent authority. The company has operated under Household Goods Carrier Permit THG-64611, since May 3, 2012.

Under WAC 480-15-330, the commission will grant or deny an application for permanent authority after conducting a complete review of the application filings, supporting statements, reports, or other information necessary to determine fitness, public interest, and current or future public convenience and necessity.

Compliance staff worked with the company providing technical assistance during its temporary operations. Investigator Bruce Grimm completed a Safety Compliance Review, a Household Goods Technical Assistance and Records Review Checklist. Investigator Grimm found the company in general compliance and on September 23, 2013, he recommended the applicant be considered for permanent authority.

The current provisional permit THG-64611 is in order as follows:

- Records Center has the annual report on file;
- Financial Services reports the company has paid appropriate regulatory fees;
- The commission does not have any outstanding penalty or other fines;
- Consumer Protection does not have a pending consumer complaint;
- Transportation Safety does not have a pending compliance action; and
- Company representative attended HHG training on 7/11/12.

I recommend the commission grant TV-120357 without hearing and reissue permit THG-64611 to HG-64611, Steven Nava, Jr. d/b/a Mover's for the Baby Boomers, as unrestricted permanent authority to operate as a household goods carrier in the state of Washington.

---

Approved by

Date



UTILITIES AND TRANSPORTATION COMMISSION

Assignment Report Motor Carrier Safety

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

1. Investigator(s): Grimm 2. Assignment No.: 113155

3. Current Date: 092313 4. Date of Activity: 0920/092113

5. Carrier Name: STEVEN NAVA JR

6. Permit: THG64611 7. New Entrant date of authority: 050312 HHG

8. MOTCAR No.: 6853 9. Carrier is: [X] Intrastate Only [ ] Interstate Only [ ] Intra and Interstate

10. Industry Code: 207

11. USDOT No.: 2277912 WA Intrastate 12. MC No.:

13. [ ] Destination Check

Destination Check section containing checkboxes for safety plan attachment, inspection counts for buses/coaches and vehicle inspections, special emphasis options, and a field for additional comments.

14. [ ] Safety Complaint

Safety Complaint section containing checkboxes for attaching a safety complaint plan, activity completion options, and inspection counts.

15. [ ] New Entrant - Charter, Auto Transportation

New Entrant section containing checkboxes for carrier referral, base location, and inspection completion details.

Handwritten signature and number 1

16.  New Entrant- *HHG*

<input type="checkbox"/>	Is this carrier referred by FMCSA, operating intra and interstate:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input type="checkbox"/>	Is this carrier based in another state, requesting intrastate authority:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input type="checkbox"/>	Is this carrier based in Washington, requesting intrastate authority:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input type="checkbox"/>	Did staff complete the following:				
<input type="checkbox"/>	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 _____				
<input type="checkbox"/>	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
<input type="checkbox"/>	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:

<input type="checkbox"/>	SI Rating: <input checked="" type="checkbox"/> Satisfactory	<input type="checkbox"/> Unsatisfactory	<input type="checkbox"/> Conditional
<input type="checkbox"/>	SA Rating: <input type="checkbox"/> Pass	<input type="checkbox"/> Fail	
<input type="checkbox"/>	Number of vehicles operated: <u>1</u>		
<input type="checkbox"/>	Number of drivers operated on: <u>1</u>		
<input type="checkbox"/>	Total miles for prior year: <u>17283</u>		
<input type="checkbox"/>	Recordable accidents for prior year: <u>0</u>		
<input type="checkbox"/>	Accident Ratio: <u>0.0000</u>		

20.  **Part B Violations:**

Part	Violations	Part	Violations	Part	Violations
382/40		383		387	
390		391	3	392	
395		396		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											
Defective Vehicles											
OOS Vehicles											
Level											

Vehicle inspection taken from MCMIS safety profile per policy.

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:**

Provisional household goods authority granted 05-03-2012 by UTC application/docket TV120357.

Educational and technical assistance has been offered and accepted by the carrier.

25. **Findings:**

Carrier should be considered for approval of permanent household goods authority based, in part, on the anticipated satisfactory safety rating as a result of this review which used current and/or former FMCSA rating criteria.

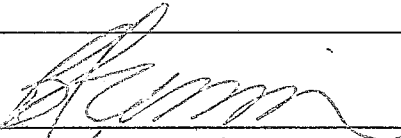
26. **Recommended Action:**

- 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:** NEEDS TO BE REVIEWED FOR CONVERSION OF PROVISIONAL AUTHORITY TO PERMANENT. A SATISFACTORY SAFETY RATING IS ANTICIPATED.

Investigator's Signature: 

Initial Review By:  Date: 10-1-2013

Reviewer's Recommendation: \_\_\_\_\_

Final Review By:

*[Signature]*  
DAVE OR A/n

Date:

10-1-2013

Reviewer's Recommendation:

I concur with recommendations -  
Please forward to Agency for Permanent Authority -

OFFICE USE ONLY

Date Closed:

10/2/13

By:

Mike Notsen

Company Name:

Wang Steven Jr.

Assignment #:

113155

Staff Assigned:

Grimm



US DOT #  
2277912

Legal: STEVEN NAVA JR  
Operating (DBA): MOVER'S FOR THE BABY BOOMERS

MC/MX #: State #: THG64611 Federal Tax ID: 603-01-6588 (SSN)

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:	Individual
Shipper:	N/A	N/A	Gross Revenue:	\$38,500.00 for year ending: 12/31/2012
Cargo Tank:	N/A			

Company Physical Address:

506 125th Street NE  
Tulalip, WA 98271

Contact Name: Steven Nava Jr.

Phone numbers: (1) 425-350-0442 (2) Fax

E-Mail Address:

Company Mailing Address:

506 125th Street NE  
Tulalip, WA 98271

Carrier Classification

Other: Intrastate

Cargo Classification

Household Goods

Equipment

	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased
Truck	1	0	0			

Power units used in the U.S.: 1

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:	0	1	0
>= 100 Miles:	0		Total Drivers: 1
			CDL Drivers: 0





MOVER'S FOR THE BABY BOOMERS (STEVEN NAVA JR dba)

U.S. DOT #: 2277912

State #: THG64611

Review Date:

09/21/2013

**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety Regulations should be addressed to:

Washington Utilities & Transportation Commission - Motor Carrier Safety  
PO Box 47250  
Olympia WA 98504-7250

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

Person(s) Interviewed

Name: Steven Nava Jr

Title: Sole-Proprietor

Name:

Title:







MOVER'S FOR THE BABY BOOMERS (STEVEN NAVA JR dba)  
U.S. DOT #: 2277912

State #: THG64611

Review Date:  
09/21/2013

**Part B Violations**

1 STATE	Primary: 391.11(b)(6) Secondary: 391.11(a) CFR Equivalent: 391.11(b)(6)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
------------	---	-----------------	--------------	---------------------------------------	--------------

**Description**  
Failing to require driver to furnish list of motor vehicle traffic violations each 12 months.  
**Example**  
Steven Nava Jr, trip date 09-20-2013.

2 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
------------	---	-----------------	--------------	---------------------------------------	--------------

**Description**  
Using a driver who has not completed and furnished an employment application.  
**Example**  
Steven Nava Jr, trip date 09-20-2013.

3 STATE	Primary: 391.25(c)(2) CFR Equivalent: 391.25(c)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
------------	---	-----------------	--------------	---------------------------------------	--------------

**Description**  
Failing to maintain record of annual review in driver's qualification file.  
**Example**  
Steven Nava Jr., trip date 09-20-2013.

<b>Safety Fitness Rating Information:</b>		<b>OOS Vehicle (CR): 0</b> <b>Number of Vehicle Inspected (CR): 0</b> <b>OOS Vehicle (MCMIS): 0</b> <b>Number of Vehicles Inspected (MCMIS): 1</b>			
<b>Total Miles Operated</b>	17,283				
<b>Recordable Accidents</b>	0				
<b>Recordable Accidents/Million Miles</b>	0.00				

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



**Part B Requirements and/or Recommendations**

1. This review will result in a Safety Rating.

2. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Driver qualification file is not complete.

**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.
- 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.

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

3. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

4. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: [www.fmcsa.dot.gov/factsfigs/eta/index.html](http://www.fmcsa.dot.gov/factsfigs/eta/index.html).





**MOVER'S FOR THE BABY BOOMERS (STEVEN NAVA JR dba)**  
 U.S. DOT #: 2277912

State #: THG64611

Review Date:  
 09/21/2013

**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
				✓	✓	✓	✓	✓	✓									

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:** Steven Nava Jr  
**Corporate Contact Title:** Sole-Proprietor

**Special Study Information:**

**Remarks:**

INVESTIGATIVE REPORT RECEIVED BY:  
 Name: Steven Nava Jr.  
 Title: Sole-proprietor  
 Carrier DBA: Mover's For The Baby Boomers  
 Date: Mailed to carrier by administrative staff via certified mailing

**REASON FOR INVESTIGATION:**

This review was conducted as a comprehensive safety compliance review for a provisional intrastate household goods carrier. The company has an intrastate US DOT number and has operated under the provisional household goods permit since May 3, 2012. See THG64611/Application TV-120357. This carrier is required by WAC 480-15 rules to achieve a satisfactory safety rating after UTC investigation prior to conversion of the provisional authority to a permanent household goods moving permit.

**SCOPE OF INVESTIGATION:**

The carrier was requested to produce the following information with at least 48 hours notice provided before this focused compliance investigation was conducted:

- Financial responsibility
- Crash reporting
- Driver qualification files
- Hours of service records
- Inspection, repair and maintenance records

A comprehensive compliance review was conducted because of the above requirements and UTC policy covering this type of motor carrier operation. A recognized FMCSA sampling method was used for selection of pertinent records for inspection.

**CARRIER OPERATION DESCRIPTION:**

This UTC new entrant provisional household goods carrier specializes in moving residential household goods for mostly senior citizens from their homes to and between assisted living housing, skilled care nursing facilities and other senior living accommodations. The majority of hauls are in the Puget Sound region of Snohomish, King and Pierce Counties. The carrier has not operated in interstate or foreign commerce since start up.





Part C

PRE-INVESTIGATION:

This is a sole-proprietor operation. Mr. Nava operates a single commercial motor vehicle under 26,000 GVWR from his residence in Snohomish County. He was given educational and technical assistance regarding the Federal Motor Carrier Safety Regulations as adopted by the Commission in WAC 480-15 in May 2013. The carrier is subject to the federal Safety Measurement System (SMS) program. The SMS provides an assessment of the motor carrier's on-road performance and investigation results within the Behavior Analysis and Safety Improvement Categories (BASICs). The carrier did not have enough roadside inspection activity to receive a percentile BASIC performance score. Thus, no categories are in ALERT status.

CDLIS:

The single driver is not required to possess a commercial driver's license because the vehicle operated is under 26,001 GVWR. The driver's license was queried through the Washington State Department of Licensing database and found to be valid.

DRIVERS WITH RED FLAG VIOLATIONS:

There were no drivers with red flag violations identified as needing an investigation. No further action was required.

INVESTIGATION:

In conducting this comprehensive safety compliance review, records pertaining to UTC adopted Federal Motor Carrier Safety Regulations found in 49 CFR Parts 390, 391, 392, 393, 395 and 396 were reviewed with the following results:

Part 391 Driver Qualification: The driver qualification file was inspected for this owner-operator. The carrier did not have a complete employment application on himself and failed to perform an annual review of driving record. The violations noted are found in Part B of this report.

Authentication of Medical Examiners Certificate: In accordance with FMCSA Memorandum MC-ECS-2012-004 the medical examiner's certificate for the single driver was selected for validation check:

NAME: Steven Nava Jr. DOB [REDACTED]
ME certificate & issuing state: 18233 WA
ISSUED: August 30, 2013
DATE/TIME CONTACTED: September 20, 2013 4:20 PM
CONTACT: US Healthworks
RESULTS: Policy, could not confirm.

Part 392 Driving of Motor Vehicles: There were no known violations in this category. The carrier is aware of the rules of road requirements, use of seat belt, prohibition of radar detectors, prohibition of texting while driving and other safety rules in this part.

Part 393, Parts and Accessories: The carrier is always subject to roadside inspection. One vehicle inspection was used from the carrier safety profile. There have been no out-of-service conditions in the past 12 months.

Part 395, Hours of Service: As a property carrier in intrastate commerce, the carrier is subject to the 11, 14 and 70 hour rules and may take advantage of the 34 hour restart. The carrier has operated exclusively within a 150 air mile radius of the normal work reporting location and is not required to record the 30 minute break. Time records are maintained showing starting time, ending time and total on duty time. The carrier meets the short haul provision exemption. The driver worked or was on duty 20 days in a 30 day period between August 20 and September 20, 2013.

Part 396, Inspection, Repair & Maintenance: The carrier owns and operates a single commercial motor vehicle under 26,001 GVWR. There is a current periodic (annual) inspection on the vehicle. Management tracks due dates for service to be performed. Written maintenance records identify the vehicle and show date/type of repair or service performed. Repair orders and service invoices can be reconciled against the maintenance file. This is a single vehicle operator and no driver vehicle inspection reports are required.

Note: The carrier is not subject to commercial driver's license (CDL) regulations because of vehicle size and there is no transportation of hazardous materials. The carrier is not subject to USDOT type controlled substance and alcohol testing because there are no drivers with CDLs and no vehicles used which require a CDL to operate.

Financial Responsibility/Insurance: The carrier meets the UTC requirement for public liability and property damage





MOVER'S FOR THE BABY BOOMERS (STEVEN NAVA JR dba)

U.S. DOT #: 2277912

State #: THG64611

Review Date:

09/21/2013

Part C

insurance through a policy underwritten by Charter Indemnity Co (6365120). There is a current Form E filing. Cargo insurance is underwritten by Charter Indemnity Co policy LCC1CR6365120-01 and it meets the minimum state requirements.

Household Goods: The carrier prepares a required format bill of lading for each shipment, valuation is typically the default rate and estimates are prepared when required. The firm uses UTC Tariff 15-C as the basis for rates. Loss and damage claims are documented and there is a contingency for using an arbitrator, if needed. The company transported about 85 loads in 2012 and is on target for a higher level this year. The carrier markets it services through word of mouth and Internet services.

FOLLOW-ON ACTION:

Mr. Nava was cooperative and indicated a desire to achieve and maintain further compliance with the FMCSRs as they apply to his current operation. The carrier plans to update the driver qualification file.

DOCUMENTS PROVIDED TO CARRIER:

The carrier was previously provided with a UTC safety manual. Mr. Nava was given a overview of the FMCSRs and further instruction on how to comply with them.

It is anticipated that the carrier will achieve a satisfactory safety rating based on current or former criteria provided by the USDOT Federal Motor Carrier Safety Administration for this intrastate operation.

Upload Authorized:	Yes	<input checked="" type="radio"/> No
Authorized by:		Date: 10-1-13
Uploaded:	Yes	No
Verified by:		Failure Code:
		Date:

