

September 13, 2005

TO: Mark Sidran, Chairman
Patrick Oshie, Commissioner
Philip Jones, Commissioner

FROM: Vicki Elliott, Assistant Director, Transportation Safety *VE*
Sally Turnbull, Compliance Specialist *ST*

SUBJECT: Recommended Penalty Assessment No. TE-051339
Monroe Transportation, LTD

Attached is a Notice of Penalties, accompanied by a compliance review, regarding Monroe Transportation, LTD (Monroe). In the Notice, Staff is recommending that you issue a penalty assessment against Monroe for two violations of WAC-40-075, which adopts the rules and regulations governing motor carrier safety prescribed by Title 49, Federal Code of Regulations, Part 396.11(c). In addition, RCW 81.70.010 requires companies to provide safety of operations.

In April 2003, Motor Carrier Safety Staff performed a compliance review on this company. The review indicated that the company's defective equipment ratio was 73%, with 9% of all vehicles at a defect level that required the vehicles to be put out of service.

During May and June, 2005, Motor Carrier Safety Investigator, Alan Dickson, performed a second compliance review on this company. The review showed that the defective equipment ratio had risen to 75%, despite correspondence received from the company promising to improve its safety record and describing the ways in which it would do so. The out-of-service ratio had also risen from 9% in 2003 to 16.67% for 2005.

In addition to those violations, Staff found one coach had defective windshield wipers on two occasions during May and June of 2005. The company has no record of repair for these defects. Provisions of Title 49, CFR 396.11(c), require motor carriers to correct safety-related defects listed on vehicle inspection

*RMS
TA*

Monroe Transportation, LTD
September 13, 2005
Page 2

reports.

As was noted during the 2003 compliance review, Monroe has only one mechanic for its fleet of 11 motor coaches and uses one driver for additional needed maintenance. The company did not follow through on its commitment, made in 2003, to have the second mechanic work on a more consistent basis to address the company's safety problems. Investigator Dickson will recheck this company in October, 2005.

We recommend the Commission penalize Monroe \$200 for two violations of WAC 480-40-075, Title 49, CFR, Part 396.11(c) and RCW 81.70.010: one for the May 30, 2005 failure to correct defect noted on the driver vehicle inspection report, and one for the same violation on June 8, 2005.

Please let either of us know if you have any questions or would like to discuss this penalty.

Attachments