

**Docket No. TV-220511 - Vol. I**

**In the Matter of the Investigation of: Miracle Man  
Movers, LLC**

**October 5, 2022**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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In the Matter of the ) DOCKET TV-220511  
Investigation of )  
) )  
) )  
MIRACLE MAN MOVERS, LLC )  
) )  
) )  
For Compliance with )  
WAC 480-15-555 and )  
WAC 480-15-570 )

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VIRTUAL BRIEF ADJUDICATIVE PROCEEDING  
Pages 1-55  
ADMINISTRATIVE LAW JUDGE SAMANTHA DOYLE

VOLUME I

October 5, 2022

2:30 p.m.

Washington Utilities and Transportation Commission  
621 Woodland Square Loop Southeast  
Lacey, Washington 98503

(All participants appeared via videoconference.)

DATE TAKEN: OCTOBER 5, 2022

REPORTED BY: ROSE DETLOFF, RMR, CRR, CCR #21036100

1 A P P E A R A N C E S

2 ADMINISTRATIVE LAW JUDGE:

3 SAMANTHA DOYLE

4

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ALSO PRESENT: RYAN SMITH  
17 JASON SHARP  
TRACY COBILE  
18 KEITH QUINATA  
KATHY HUNTER  
19 MATTHEW PERKINSON  
JAQUANDRIA EWANIKA

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1 LACEY, WASHINGTON; OCTOBER 5, 2022

2 2:30 p.m.

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4 P R O C E E D I N G S

5

6 JUDGE DOYLE: Let's be on the record.

7 Good afternoon. This is Docket TV-220511,  
8 which is captioned, "In the Matter of the Investigation  
9 of Miracle Man Movers, LLC for compliance with  
10 Washington Administrative Code 480-15-555 and Washington  
11 Administrative Code 480-15-570."

12 My name is Samantha Doyle, and I'm the  
13 Administrative Law Judge presiding over today's brief  
14 adjudicative proceeding.

15 Today is Wednesday, October 5th, 2022.

16 And, Mr. Bullock, you are not muted. If you  
17 could mute yourself when you're not talking. Thank you.

18 And the time is approximately 2:30 p.m.

19 On September 13th, 2022, the Commission issued  
20 a revised notice of intent to cancel permit as a  
21 household goods carrier, notice of brief adjudicative  
22 proceeding, and setting a time for oral statements.

23 The Commission issued the notice of intent to  
24 cancel due to a follow-up compliance review conducted by  
25 Commission Staff that was completed in June, which

1 resulted in a proposed unsatisfactory safety rating for  
2 Miracle Man Movers.

3 After following subsequent information from the  
4 company, Commission Staff revised the proposed safety  
5 rating and is now proposing a conditional rating and has  
6 reassessed the penalty as well. The reassessed penalty  
7 amount in this docket is \$8,000, and at this point, I  
8 think -- let's actually wait a moment to address what  
9 that request for mitigation actually entails.

10 So the company has until October 10th to have  
11 filed and approved a plan from Staff to avoid  
12 cancellation of the company's household goods carrier  
13 permit effective October 11th, 2022.

14 We will hear from the parties on both the  
15 proposed safety rating and the penalty assessment. When  
16 I call on each party to testify, I will swear you in  
17 with the oath of witness so that anything you tell the  
18 court will be under oath and can be considered sworn  
19 testimony.

20 For the court reporter's benefit, please speak  
21 slowly and clearly. Once you are sworn in, you can  
22 present your testimony.

23 And we'll first have Staff address the proposed  
24 safety rating. Following Staff's presentation, the  
25 company will have the opportunity to ask Staff's

1 witnesses any questions, and then you may present your  
2 testimony. At that time, you can address the violations  
3 and the penalty assessment. Once you are done  
4 testifying, Staff's attorney may have some questions for  
5 you, and then Staff will make a recommendation on the  
6 penalty.

7 Do we have any other questions before we  
8 continue and swear in?

9 Okay. Hearing none, let's take appearances  
10 from Commission Staff, Mr. Roberson.

11 You are on mute.

12 MR. ROBERSON: It wouldn't be a hearing if I  
13 didn't do that at least once.

14 Good afternoon, Judge Doyle. This is Jeff  
15 Roberson, R-O-B-E-R-S-O-N, appearing on behalf of  
16 Commission Staff. I'm an AAG, and with me at Counsel  
17 table is the motor carrier safety supervisor, Jason  
18 Sharp.

19 JUDGE DOYLE: Thank you.

20 And for the company, please state your name and  
21 address for the record, spelling your last name for the  
22 court reporter, please.

23 MR. BULLOCK: Can you see me okay?

24 JUDGE DOYLE: Can you speak up just a little  
25 bit? For some reason, you're a little muffled.

1 MR. BULLOCK: Yes. Can you hear me?

2 JUDGE DOYLE: I'm hearing you a little bit  
3 better.

4 Can the court reporter hear you? We might need  
5 a little bit more.

6 THE COURT REPORTER: Just barely.

7 JUDGE DOYLE: Okay. If there's any way to  
8 maybe get closer to your mic; otherwise, we will do our  
9 best.

10 Now I don't hear you at all. Maybe before was  
11 better.

12 MR. BULLOCK: Now?

13 JUDGE DOYLE: That's better. Thank you.  
14 Also, I put in a cough drop. Apologies.

15 Okay. Go right ahead. Thank you.

16 MR. BULLOCK: Sorry about that. Can you  
17 hear me okay?

18 Okay. My name is Chris Bullock with Miracle  
19 Man Movers, LLC. I also have Anna here. She's our  
20 compliance manager and handles a lot of this, but for  
21 some reason, she just got kicked out of the room.

22 JUDGE DOYLE: One, maybe try again.  
23 Sometimes it's Zoom itself. I don't believe that was  
24 intentional. Also, make sure that she has it muted  
25 because there is a little bit of interference and that



1 her audio and your audio aren't simultaneously playing.  
2 Does that make sense?

3 Okay. Go ahead and state your name, your  
4 address, and please spell your last name for the court  
5 reporter.

6 MR. BULLOCK: Address -- home address or  
7 business address?

8 JUDGE DOYLE: Your business address. And  
9 unfortunately, we didn't hear your name.

10 MR. BULLOCK: Okay. Christopher Bullock.  
11 Did you hear that? Okay. And my address is 14602  
12 Northeast Fourth Plain Boulevard, Suite J, Vancouver,  
13 Washington 98682.

14 Was there one other thing you needed?

15 JUDGE DOYLE: Just spell your last name and  
16 then give a business phone number and e-mail address.

17 MR. BULLOCK: Okay. Last name,  
18 B-U-L-L-O-C-K. Business phone number, 360-313-6566.  
19 E-mail, miraclemanmovers@gmail.com.  
20 M-I-R-A-C-L-E-M-A-N-M-O-V-E-R-S, @gmail.com.

21 MR. ROBERSON: And, Judge Doyle, if I may,  
22 Mr. Smith has dropped some advice in the chat about --  
23 I'm sorry. I don't know her last name, but Anna's last  
24 name. In case she needs to dial in, he's provided the  
25 information for her to do that.

1 MS. BULLOCK: My name is Anna Bullock,  
2 B-U-L-L-O-C-K. The phone number is 360-313-6566.  
3 E-mail address, anna, A-N-N-A, @miraclemanmovers.com.

4 JUDGE DOYLE: Perfect. That's great. Thank  
5 you both.

6 And with that, has the company filed a proposed  
7 safety management plan with the Commission?

8 MS. BULLOCK: Yes.

9 JUDGE DOYLE: Okay.

10 Has Staff -- go right ahead, Mr. Roberson.

11 MS. BULLOCK: And it's being reviewed at  
12 this time.

13 JUDGE DOYLE: Yeah. Thank you.

14 MR. ROBERSON: Judge Doyle, Mr. Sharp  
15 informed me about ten minutes before the hearing that he  
16 had just received the most recent version. He has not,  
17 in the ten minutes, had a chance to review it, but it is  
18 in progress.

19 JUDGE DOYLE: Okay. Great.

20 So just to clarify, Staff still needs to  
21 review. If there are any revisions that need to take  
22 place, they need to be done so with enough time for  
23 Staff to approve it before the 10th.

24 So just for your information, there might be --  
25 if there's any deficiencies, Staff will let you know,

1 and you will still have until the 10th to make that  
2 happen. However, you need to keep in mind that Staff  
3 needs time to review, so filing on the morning or the  
4 end of the day of the 10th would not be enough time.

5 So I believe the 10th is a Monday. Just stay  
6 in touch with Staff about -- if there's any revisions  
7 that need to be done.

8 The next order would be -- so yesterday,  
9 October 4th, we received -- Staff received an e-mail  
10 requesting mitigation of the penalties.

11 The form itself -- as Mr. Roberson notified us  
12 ahead of the hearing, in order to request -- you can  
13 request mitigation; however, with requesting mitigation,  
14 are you also admitting to the penalties and requesting  
15 mitigation? We'd like to clarify.

16 MS. BULLOCK: Judge Doyle, my understanding  
17 is -- I think what I'm trying to do is -- I wanted  
18 mitigation. However, there are some issues still in the  
19 report that -- let's say we admit to most of them.  
20 There's a few that we still question, and I've talked to  
21 Jason a little bit about that. That's where I'm at.

22 JUDGE DOYLE: Okay. Well, I think with  
23 that, we're going to go forward and have Staff present  
24 their case. I'm going to swear Staff in. If you have  
25 any questions for Staff, you could do so at that time

1 when they're done.

2 And then we'll also walk through all the  
3 penalties, and you'll have an opportunity to speak to  
4 them one at a time. And that will be after I swear you  
5 in.

6 Mr. Roberson, would you like to make comment?

7 MR. ROBERSON: Yeah. Given what Staff has  
8 just heard, it seems to make more sense to go through  
9 the penalties and the factual basis for the  
10 recommendation about the safety rating first. Do you  
11 mind if that's the order that Staff proceeds in?

12 JUDGE DOYLE: That sounds great. I agree.  
13 So go ahead and begin with what you'd like,  
14 Mr. Roberson.

15 MR. ROBERSON: Staff would call Jason Sharp.  
16 (Jason Sharp sworn.)

17 JUDGE DOYLE: Thank you. You may begin.

18 E X A M I N A T I O N

19 BY MR. ROBERSON:

20 Q. Would you please state your name and spell your  
21 last name for the record.

22 A. My name is Jason Sharp, S-H-A-R-P.

23 Q. Who employs you?

24 A. The Washington Utilities and Transportation  
25 Commission.

1 Q. What position do you hold at the Commission?

2 A. My position is the motor carrier safety  
3 supervisor.

4 Q. What are your duties as the motor carrier  
5 safety supervisor?

6 A. I assign safety investigations and  
7 interventions to our motor carrier staff. I review  
8 their safety reports and provide recommendations for  
9 follow-on action that are consistent with the  
10 Commission's enforcement policy.

11 Q. Have you received any training or education to  
12 allow you to carry out those duties?

13 A. Yes. So I've been in my position for nearly  
14 five years now, and prior to becoming the supervisor of  
15 our team, I was a safety investigator getting  
16 certification training through the Federal Motor Carrier  
17 Safety Administration as well as the Commercial Vehicle  
18 Safety Alliance to perform safety interventions and  
19 commercial vehicle inspections.

20 Q. And are you, therefore, generally familiar with  
21 the state and federal regulations governing the safe  
22 operations of household goods carriers?

23 A. Yes.

24 Q. Are you familiar with a company called Miracle  
25 Man Movers, LLC?

1 A. Yes.

2 Q. And how did you become familiar with that  
3 company?

4 A. I've actually reviewed two separate safety  
5 investigations as part of the company's provisional  
6 authority at the Commission.

7 Q. And when Staff performs a review of a company's  
8 operations, what does it do?

9 A. It sets up an appointment with the company. It  
10 notifies the company of what records they will need to  
11 review for compliance purposes. They go through the  
12 documentation and document any deficiencies in their  
13 compliance plan in an investigative report.

14 Q. And what records does Staff generally look at  
15 when it performs this type of review?

16 A. So in a comprehensive review, they will, in  
17 general, review insurance information, driver  
18 qualifications, paperwork. In the household goods  
19 industry, they'll review criminal background check  
20 information, vehicle maintenance files. They'll check  
21 for documentation on drivers, hours of service, or  
22 what's referred to as a record of duty status.

23 And then just verifying any other Commission  
24 regulations, you know, such as, have they filed an  
25 annual report or paid their regulatory fees? They'll

1 document any noncompliance with that as well.

2 Q. Does Staff examine the carriers' vehicles when  
3 it performs a review like this?

4 A. Yes. It's part of the vehicle maintenance  
5 aspect.

6 Q. Okay. When Staff finishes conducting its  
7 review, does it write a report?

8 A. Yes. It writes a report that's reviewed by me,  
9 and then once it's approved to close with the carrier,  
10 that investigator assigned to the case will meet with  
11 the company and go over the findings of the  
12 investigation.

13 Q. So that report is drafted contemporaneously  
14 with the end of Staff's review as a part of  
15 communicating with the carrier?

16 A. Yes. It's a way for the company to become  
17 aware of the findings and areas where the company can  
18 focus on its improvements, along with just -- you know,  
19 a notation of the violations is also recommendations for  
20 corrective action.

21 Q. And that report is produced in the ordinary  
22 course of business? It's produced for every review?

23 A. Yes.

24 Q. And is it important that that report be correct  
25 and accurate?

1           A. It is. In this case, we actually issued an  
2 amended report after additional information was received  
3 as we were leading up to the initial date of the BAP  
4 that was scheduled previously. So we did actually issue  
5 an amended report to reflect the true and accurate  
6 finding of Staff.

7           Q. And speaking of that report, do you have the  
8 exhibit marked SY-1 in front of you?

9           A. I do.

10          Q. Are you familiar with that exhibit?

11          A. Yes, I am. This is the amended report that  
12 Staff issued to the company on August 11th of this year.

13          Q. Is that a true and accurate copy of the report  
14 that Staff -- the amended report?

15          A. It is. The only thing that I noticed was not  
16 complete was the final pages of our report that we  
17 submit, which is an explanation of the safety fitness  
18 breakdown, but that's also captured at the end of the  
19 section considered Part B where the violations are  
20 listed at. So it was given to the company.

21          Q. But what's there is a true and accurate copy of  
22 the report?

23          A. Yes.

24                   MR. ROBERSON: Judge Doyle, at this point,  
25 Staff would move to admit Exhibit SY-1.



1 JUDGE DOYLE: Okay.

2 Does the company have any objections to  
3 admitting the exhibit?

4 MS. BULLOCK: No.

5 JUDGE DOYLE: Okay. Thank you.

6 Exhibit SY-1 is now admitted to the record.

7 (Exhibit SY-1 admitted.)

8 BY MR. ROBERSON:

9 Q. So, Mr. Sharp, you just said that Staff reviews  
10 a company's vehicles when it performs kind of a  
11 compliance review.

12 Did it do that when it reviewed Miracle Man  
13 Movers' operations?

14 A. Yes.

15 Q. And did it find anything of note when it looked  
16 at those vehicles?

17 A. Yes. There were vehicle violations identified  
18 in this case. For the actual inspections themselves,  
19 there were some repairs that had been documented on  
20 maintenance records that hadn't been performed on the  
21 vehicles that were notated. But as far as the vehicle  
22 inspections themselves, we only found general  
23 maintenance violations. Nothing that would be  
24 considered out of service.

25 Q. So does federal law require carriers to

1 promptly repair parts or accessories that are broken or  
2 deficient?

3 A. Yes. Yes. They are supposed to be repaired  
4 prior to being redispached if it affects the safety  
5 operation of the vehicle.

6 Q. Does the Federal Motor Carrier Safety  
7 Administration treat the failure to properly repair  
8 parts or accessories as a critical or acute violation?

9 A. Yes. They consider it an acute violation.

10 Q. And what does it mean for a violation to be  
11 considered an acute violation?

12 A. An acute violation is one that's considered  
13 serious because it is linked -- or the noncompliance  
14 with acute regulations are linked to higher than average  
15 accident rates. So acute are considered the most  
16 serious, meaning there can be an imminent threat if the  
17 vehicle or driver or the condition present leading to  
18 that violation were to continue on. It's considered the  
19 most high risk.

20 And that differs from, say, critical  
21 violations, which are also considered serious. But  
22 critical violations are more so based on a carrier's  
23 management controls and their overall safety posture and  
24 based on a pattern of noncompliance, where an acute  
25 violation can be one thing, and that's why it's

1 considered more serious.

2 Q. And did the nonrepairs that Staff noted fall  
3 within what the FMCSA would consider an acute violation?

4 A. Yes.

5 Q. Okay. When Staff reviews a carrier's  
6 operations, does it look to see if it has performed  
7 criminal background checks on all of its employees if  
8 it's a household goods carrier?

9 A. Yes.

10 Q. And how does Staff do that?

11 A. Staff will request information such as a hire  
12 date for all employees, not just drivers in this case,  
13 and they will request a criminal background check be  
14 provided for those employees and compare the hire date  
15 with the date that a background check is received.

16 Q. Sorry. Go ahead.

17 A. I was going to say -- so what we're looking for  
18 in that case is compliance with the company receiving a  
19 criminal background check and qualifying that individual  
20 as laid out in WAC 480-15-555 and for them to have  
21 obtained and reviewed that prior to hiring an  
22 individual.

23 Q. And did Staff examine Miracle Man's records for  
24 these background checks?

25 A. Yes.

1 Q. And did it find all of the background checks  
2 that it needed to find?

3 A. No. Well, there were some that were not found.  
4 There were others that were provided, but after the  
5 stated hire date that the company provided the  
6 investigator. And there were also a couple of them that  
7 were requested but received a pending response, meaning  
8 the results were not shared on the background checks we  
9 received.

10 Q. Now, earlier you mentioned that Staff looks for  
11 records of duty status when it performs a compliance  
12 review. I can't remember if you explained what a record  
13 of duty status was, but if you didn't, could you just  
14 give a quick explanation here.

15 A. Yes. So commercial drivers are limited on the  
16 amount of hours that they can be on duty and then  
17 perform driving operation of a commercial motor vehicle.  
18 It is a regulation designed to reduce driver fatigue, as  
19 fatigued driving is one of the leading causes of  
20 accidents in a commercial motor vehicle.

21 So in a way to do this, the Federal Motor  
22 Carrier Safety Administration has created the  
23 requirement for motor carriers to require their drivers  
24 to prepare a time record, which documents all of their  
25 time on duty as well as driving. In general, that would

1 be registered on what's called a driver log or record of  
2 duty status, or in more over-the-road-type operations,  
3 an electronic logging device.

4 In this case, in the majority of the  
5 operations, the company does qualify for what's called a  
6 short-haul exception, which is a time sheet requirement,  
7 meaning that they need to be able to document the time  
8 that a commercial driver reports to work, the time they  
9 quit working, and the total hours that they were on duty  
10 on any given day.

11 Q. So given what you said about the applicability  
12 of that exception, is it fair to assume that Staff  
13 looked at records of duty status when it reviewed  
14 Miracle Man's records?

15 A. Yes.

16 Q. And did it find compliant records of duty  
17 status for all of the company's drivers?

18 A. No. There were two of the five drivers that  
19 were sampled that did not have record of duty status  
20 provided.

21 Q. Does the Federal Motor Carrier Safety  
22 Administration consider the failure to have proper  
23 records of duty status a critical or an acute violation?

24 A. They consider it a critical violation based on  
25 the pattern.

1 Q. You said above that that goes more to  
2 management breakdowns as opposed to just -- safety  
3 threats, I guess, is the best way to put it?

4 A. Correct.

5 Q. Okay. When Staff reviews a carrier's driver  
6 records, does it look to see if the carrier has  
7 performed a road test or obtained a certificate about  
8 the driver's road test?

9 A. Yes. As it checks for the driver qualification  
10 file, that is one of the required documents in that  
11 file.

12 Q. And can you briefly explain what the road test  
13 is or what this certificate attests to.

14 A. Yes. So a commercial driver, as they're being  
15 onboarded, is subject to a road test by a carrier  
16 official where they will go out on the roadway with that  
17 individual and make sure that they have the skill to  
18 operate, you know, a commercial vehicle.

19 Commercial vehicles are larger than your  
20 passenger vehicle that you'll drive. They weigh more.  
21 They're longer. They take longer to stop. And so the  
22 idea is that the carrier qualifies their drivers to  
23 operate their vehicles prior to cutting them loose and  
24 allowing them to operate on the roadways.

25 Q. Did Staff look for those records when it

1 reviewed Miracle Man's records?

2 A. Yes.

3 Q. And did it perform the necessary road tests or  
4 obtain the necessary certificate for all of its drivers?

5 A. No.

6 Q. Okay. When you review a driver's files, do you  
7 make sure that the carrier's file includes a completed  
8 employment application?

9 A. Yes.

10 Q. And did Staff look for those completed  
11 applications when it reviewed Miracle Man's records?

12 A. Yes.

13 Q. And did Staff find all of Miracle Man's drivers  
14 had completed employment applications?

15 A. No. Two of the drivers sampled had incomplete  
16 applications. They did have applications on file, but  
17 they didn't have all of the required information.

18 Q. And now kind of keeping with the drivers'  
19 files, did Staff look to see if the carrier has  
20 investigated the drivers' background within 30 days of  
21 the date of employment?

22 A. Yes. The requirement is that any commercial  
23 vehicle driver has a motor vehicle report or what's  
24 referred to as a driver abstract obtained within 30 days  
25 of the hire date. In this case, there was one driver

1 that we sampled that the carrier did not have that  
2 abstract pulled within the 30 days of hire.

3 Q. Okay. And speaking to the FMCSA's regulations,  
4 is the requirement that the carrier perform a background  
5 check within 30 days separate from the requirement that  
6 it obtain the abstract, or are those the same?

7 A. Oh, my mistake. I think you're referring to  
8 the 39-123-82, which is actually the investigation into  
9 a previous employer where that individual may have  
10 operated under DOT regulation. So my mistake.

11 Yes. Staff did not locate any paperwork  
12 related to that investigation occurring.

13 Q. So there's two separate things going on here,  
14 is what I understand.

15 A. Correct.

16 Q. The carrier is required to inquire of the  
17 driver's previous employers and then obtain an abstract?

18 A. Correct. Correct. So the abstract is going to  
19 be a copy of their performance via motor vehicle record,  
20 while the other requirement is -- if they operated for  
21 another DOT-regulated company, then they must do a  
22 safety investigation by reaching out to the previous  
23 employer and getting a response from them on their  
24 safety performance. So two separate things.

25 Q. And now, separate and apart from both of those,



1 are carriers required to inquire about a driver's record  
2 with licensing agencies?

3 A. Yes. So at the time of hire, as I just pointed  
4 out, as well as once every 12 months, the company needs  
5 to obtain a motor vehicle report on the driver.

6 Q. And did you look for those records -- did Staff  
7 look for those records when it reviewed Miracle Man's  
8 records?

9 A. Yes.

10 Q. And did it find records of those inquiries for  
11 all of Miracle Man's drivers?

12 A. The violation was a result of the company  
13 failing to run a -- or obtain a motor vehicle report on  
14 the owner, Christopher Bullock. The company provided a  
15 motor vehicle report dated in January of 2021 and didn't  
16 run another abstract until July of 2022, exceeding that  
17 12-month requirement.

18 Q. So Staff would have expected to see an inquiry  
19 in January 2022, and it was not performed?

20 A. Yes. Or provided to Staff.

21 Q. Okay. When you review a driver's records, I  
22 believe you talked about driver qualifications files at  
23 the top of your testimony. Could you explain what those  
24 are.

25 A. Yes. So for every commercial driver, a motor

1 carrier needs to obtain a completed application. They  
2 need to -- if applicable, meaning if the driver had  
3 worked for a previously regulated DOT company -- do a  
4 safety investigation. They must obtain a motor vehicle  
5 report within 30 days of hire or switching position  
6 from -- to become a driver. They need to obtain that  
7 within 30 days of that date.

8 They need to perform the road test that I  
9 discussed earlier. They need to obtain a medical  
10 certificate. They need to verify that the medical  
11 examiner listed on the national registry is on that  
12 national registry, and they all need to be contained  
13 within a driver qualification file.

14 Q. Did Staff -- sorry. Go ahead.

15 A. And then that qualification file would also  
16 contain the annual -- meaning the 12-month -- abstracts  
17 for a three-year period of time.

18 Q. Did Staff look for Miracle Man's driver  
19 qualification files?

20 A. Yes.

21 Q. And did it find them for all of Miracle Man's  
22 drivers?

23 A. No. There was one employee that a driver  
24 qualification file was not provided for.

25 Q. When you review a carrier's operations, do you

1 look to see if it has filed an annual report with the  
2 Commission?

3 A. Yes. Our team looks to the Commission's  
4 database to determine if they filed the annual report  
5 and paid regulatory fees.

6 Q. And did Staff look to see if Miracle Man had  
7 made that filing?

8 A. Yes.

9 Q. And had it?

10 A. No.

11 Q. Turning back to kind of driver-related issues,  
12 when you review a carrier's operations, do you look to  
13 see if it has required or permitted drivers to drive  
14 after having been on duty for more than 70 hours in  
15 eight days?

16 A. Yes.

17 Q. And how does Staff do that?

18 A. Staff will request a sample of 30 days within  
19 the last six months leading up to the investigation, the  
20 start of the investigation, and they will sample however  
21 many drivers. It's based off of a sample size of how  
22 many drivers the company has.

23 And so they'll review a 30-day period for each  
24 driver's sample, and they will calculate the hours and  
25 the driving time that is on the previously mentioned

1 record of duty status.

2 And so within any eight-day period or any  
3 eight-day period within that 30-day sample, if an  
4 investigator identifies that the driver has driven after  
5 being on duty for 70 hours without obtaining what's  
6 called a reset to their time, then that becomes a  
7 violation.

8 Q. And did Staff perform that calculation when it  
9 reviewed Miracle Man's records?

10 A. Yes. So of the total 150 records that were  
11 reviewed for the sample period, there were ten instances  
12 where the company allowed a driver to operate a  
13 commercial vehicle after being on duty for 70 hours in  
14 an eight-day period.

15 Q. Now, when Staff reviews a carrier's operations,  
16 does it look to see if it has obtained from -- the  
17 carrier has obtained from its drivers signed statements  
18 giving the total time on duty during the preceding seven  
19 days and the time at which the driver was last removed  
20 from duty?

21 A. Yes. So the time when investigators will look  
22 for this is when a driver works for multiple employers,  
23 for one, or they may have a second or third job, or if  
24 it's their first time driving for the company.

25 And so what they'll look for is a record, which

1 is a certification from the driver notifying the company  
2 of their eligibility to drive that vehicle based off of  
3 their hours that they've worked in the seven days  
4 leading up to that opportunity.

5 Q. Did Staff have cause to ask Miracle Man for  
6 that type of signed statement?

7 A. Yes.

8 Q. And was Miracle Man able to produce that  
9 statement for all of its drivers -- all of the affected  
10 drivers -- the relevant drivers?

11 A. No.

12 Q. When you review carrier files, you mentioned  
13 that you look at vehicle maintenance records.

14 What does Staff look for when it's looking at  
15 those records?

16 A. So a vehicle maintenance file requires several  
17 things. For property carriers such as household goods,  
18 they require a vehicle identification on each vehicle  
19 that they own or operate, and that would entail the  
20 vehicle year, the make, the VIN number, as well as the  
21 tire size. Within that, there must also be a record of  
22 vehicle inspection, repair, and maintenance that has  
23 occurred on the vehicle, as well as a preventative  
24 maintenance plan.

25 Q. Is a carrier allowed to kind of create a

1 combined collective vehicle maintenance file, or is it  
2 required to have a maintenance file for every vehicle?

3 A. Each vehicle needs to have its own maintenance  
4 file.

5 Q. Did Staff look for vehicle maintenance files  
6 for each of Miracle Man's vehicles?

7 A. Yes.

8 Q. And did the company have a maintenance file for  
9 each of its vehicles?

10 A. The company had a maintenance file for one of  
11 the two vehicles we sampled. So, no, they didn't have  
12 it for each vehicle.

13 Q. When Staff looks at the vehicle maintenance  
14 file, does it look to see if the carrier has certified  
15 that repairs were made or unnecessary?

16 A. Yeah. That would be part of the driver vehicle  
17 inspection report requirements. So for any motor  
18 carrier with more than one vehicle, at the end of the  
19 day, their drivers must do a post-trip inspection and  
20 document any defects on that vehicle on what's referred  
21 to as a driver vehicle inspection report.

22 If a defect is notated, then they will turn it  
23 in to the motor carrier or dispatch or whoever is  
24 responsible for the vehicle maintenance, and the carrier  
25 would then need to review that and determine whether it

1 was -- if it's a safety item that needs to be repaired,  
2 and if not, then sign off on the report, or if it is  
3 something that is in need of repair, they need to have  
4 it fixed prior to being redispached. And then  
5 following -- or the next driver must review that same  
6 form and certify that either the repair was done or not  
7 necessary.

8           So this violation was related to that process,  
9 and that the carrier failed to certify that repairs were  
10 made or not necessary on the driver vehicle inspection  
11 report form.

12           Q. So just for clarity, then, Staff looked for  
13 these certifications when it reviewed Miracle Man's  
14 files?

15           A. Correct.

16           Q. And it did not find all of the necessary  
17 certifications?

18           A. Correct.

19           Q. When you review a carrier's operations -- I  
20 believe you've kind of just answered this -- Staff looks  
21 to see whether the driver has signed the DVIR when he or  
22 she notes defects or deficiencies. That's what you just  
23 testified to, correct?

24           A. Correct.

25           Q. And did you also look to see if Miracle Man was

1 doing this in addition to the certification we were just  
2 talking about?

3 A. Our Staff did, yes.

4 Q. Sorry. Staff did.

5 And did all of Miracle Man's drivers do this?

6 A. No.

7 Q. Okay. When you review a carrier's vehicle  
8 files and when you're looking at vehicle maintenance  
9 records, do you look to see if the vehicle has been  
10 periodically inspected? And "you" here being Staff.  
11 Sorry.

12 A. Yes.

13 Q. And did Staff look to see if Miracle Man's  
14 vehicles were periodically inspected?

15 A. Staff did look for that, yes.

16 Q. And were all of those vehicles periodically  
17 inspected?

18 A. No. One of two of the sampled vehicles were  
19 not periodically inspected.

20 Q. Okay. Changing gears somewhat, did Staff ever  
21 ask Miracle Man to produce records that they did not  
22 timely produce?

23 A. Yes.

24 Q. Can you explain -- sorry. Go ahead.

25 A. Yeah. So Staff had some initial difficulty



1 establishing the start of the investigation. The  
2 company had some -- the company had some personal items  
3 that they've addressed in their previous contest to the  
4 initial penalty assessment.

5 They also had a job that ran late as we had an  
6 investigator waiting for a commercial vehicle, and so  
7 the investigator found that there had been a pattern of  
8 not having records produced in an appropriate timeframe  
9 to their liking. Generally, that means within 48 hours.

10 Q. And last set of questions on Staff's review  
11 before we turn to the safety rating.

12 When Staff reviews a carrier's operations, does  
13 it look for copies of leases?

14 A. Yes.

15 Q. And what specifically is it looking for?

16 A. The WAC requirements for leasing a vehicle is  
17 that a copy of the lease be stored in the leased vehicle  
18 throughout the timeframe of the rental of that vehicle,  
19 and it also needs to maintain a copy of that lease for a  
20 year at the -- wherever the vehicle is housed.

21 Q. And did Staff look for those lease copies in  
22 those two places when it reviewed Miracle Man's  
23 operations?

24 A. Yes.

25 Q. And did it find a copy in every place it

1 expected to?

2 A. No.

3 Q. Okay. I would like to turn to the topic of the  
4 safety rating.

5 So you reviewed the compliance report produced  
6 by Staff's investigator here, correct?

7 A. Yes.

8 Q. That's the exhibit marked SY-1?

9 A. Yes.

10 Q. It's the -- amended report, I guess, is a  
11 better way to put it, correct?

12 A. Yes.

13 Q. And what does Staff do with the results of the  
14 compliance review?

15 A. So Staff will review the overall safety posture  
16 of the company, which is determined by Part 385 of Title  
17 49 CFR. The Commission adopts that safety rating  
18 methodology from the Federal Motor Carrier Safety  
19 Administration.

20 And when looking at the totality of the  
21 violations, which negatively impact the overall posture,  
22 the company received downgrades in two factors. So  
23 there's six factors that encompass the overall safety  
24 compliance for a motor carrier, and so their performance  
25 in each factor determines the overall proposed safety

1 rating.

2           So in this case, factor three, which is related  
3 to operational and driving regulations, resulted in an  
4 unsatisfactory with three negative points. Those would  
5 be for the record of duty status -- driver RODS that  
6 were missing, as well as the operational aspect of the  
7 criminal background checks. And then factor four was  
8 conditional for the one acute violation for failing to  
9 repair the defects on the commercial motor vehicles.

10           And so with those two factors being rated -- or  
11 downgraded, I should say -- the overall rating  
12 methodology for one unsatisfactory factor and one  
13 conditional factor is an overall proposed safety rating  
14 of conditional, and that's what was presented to the  
15 company on August 11th.

16           Q. Can a company upgrade its safety rating after  
17 receiving an unsatisfactory or conditional rating -- a  
18 proposed unsatisfactory or conditional rating?

19           A. Yes. A company has -- a property company such  
20 as this has 60 days to request an upgrade to its safety  
21 rating based on acceptance of a safety management plan,  
22 and that is what the company has been working towards.

23           Q. And what is a safety management plan?

24           A. The plan identifies each violation that was  
25 discovered during the -- and presented to it at the

1 closing interview. And the plan must address why each  
2 violation occurred, what the company has done to correct  
3 that violation, and any safety measures that they  
4 presented to prevent each recurrence of those  
5 violations.

6 The plan must include documentation -- actual  
7 documentation of corrective action such as new driver  
8 time sheets in the instance of failing to maintain a  
9 record of duty status or a driver qualification file  
10 where one was absent previously, and the plan must also  
11 be signed by a carrier official with the statement that  
12 the company operations are and will continue to operate  
13 within the safety fitness requirements identified in  
14 Part 385.

15 Q. And you just said that Miracle Man has  
16 submitted a safety management plan; is that correct?

17 A. Yes. I've been working with the company over  
18 the last couple weeks, and they're making progress on  
19 their plan. And I see that they just submitted one  
20 about ten minutes prior to the BAP here today, so I'll  
21 need to continue to evaluate that.

22 Q. So the fact that they've continued to submit  
23 plans implies that they have not yet submitted a  
24 satisfactory plan. Is that how you would describe it?

25 A. Correct. Yeah. Staff has not accepted their

1 plan yet.

2 Q. So Staff at this point cannot recommend to the  
3 Commission that it upgrade Miracle Man's safety rating  
4 to satisfactory?

5 A. Correct.

6 Q. But is Staff willing to continue working with  
7 Miracle Man until their 60 days has lapsed?

8 A. Yes, absolutely. I think that the company is  
9 making great progress towards an acceptable plan. And I  
10 believe we -- the company's cancellation date is next  
11 Tuesday, October 11th.

12 I would recommend that I'd be allowed to  
13 continue to work with the company up until their  
14 cancellation point and provide a written evaluation of  
15 any finalized plans to the docket, I guess, no later  
16 than probably close of business on Friday the 7th to  
17 allow ALD time to issue an order.

18 But, yes, I have confidence that the company  
19 can continue to work towards obtaining an acceptable  
20 plan.

21 Q. So given all that we've talked about in terms  
22 of Staff's findings and the company's good faith in  
23 attempting to address the violations, do you have a  
24 recommendation for the Commission about the appropriate  
25 penalty that it should impose for the violations that

1 Staff has found?

2 A. I would recommend that I address the penalties  
3 as well in the evaluation of that safety plan, if that's  
4 okay, just so that the company can demonstrate with the  
5 actual documentation of corrective action to warrant  
6 that.

7 One factor that I would consider in my  
8 recommendation is that the company is already operating  
9 on a safety management plan. They did have repeat  
10 violations, so it would likely not warrant a reduction  
11 of the penalty, but would likely favor a suspension of a  
12 portion to encourage the company to stick with their  
13 current safety plan once accepted and, you know, is an  
14 incentive to continue to operate safely.

15 Q. So then, in conclusion, Staff's two  
16 recommendations are basically the same, which is allow  
17 Staff to let the process play out and evaluate the  
18 safety management plan and their appropriate penalty  
19 later this week depending on what the company does?

20 A. Yes.

21 MR. ROBERSON: I have no further questions.

22 JUDGE DOYLE: Thank you, Mr. Roberson.

23 At this time, if the company has any questions  
24 about the testimony given by Mr. Sharp, you may do so  
25 now. However, if not, I'll swear you in in a moment and

1 you'll have the opportunity to testify about each of  
2 those individual penalties. But at this point, it's  
3 just if you have questions for Mr. Sharp about any of  
4 the testimony given.

5 MR. BULLOCK: I don't have any questions.

6 MS. BULLOCK: Judge Doyle, I have no  
7 questions. I have a comment.

8 JUDGE DOYLE: Okay. Hold the comments. I'm  
9 going to swear you in first, and then you'll have the  
10 opportunity to give testimony.

11 (Christopher Bullock sworn.)

12 (Anna Bullock sworn.)

13 JUDGE DOYLE: Great. Thank you so much.  
14 I'm just going to say a short brief segment here, and  
15 then I'll give you an opportunity.

16 So at this point, I'm just going to clarify  
17 that we didn't receive any exhibits ahead of the  
18 hearing. And so we'll proceed with your testimony by  
19 walking through each of the violations and the penalty  
20 assessment, and then you can briefly explain why the  
21 violation occurred and then describe the steps you have  
22 taken to correct the violation and prevent the violation  
23 from occurring again.

24 Was your statement more general, or as we talk  
25 through each violation --

1 MS. BULLOCK: Well, my statement was a good  
2 statement. I just wanted to say that I think Staff has  
3 diligently worked with us, and it has been a long road  
4 for a small business, but they have worked with us. And  
5 our goal is always to be compliant. We know we have  
6 some falls. We're working on those.

7 And that's all I want to do, is give them a  
8 shout-out for being kind enough to work with us.

9 JUDGE DOYLE: Thank you. That's  
10 appreciated.

11 Okay. Well, moving forward, we'll just go one  
12 by one and then give you an opportunity to address each  
13 violation.

14 So to begin, there's the Washington  
15 Administrative Code 480-15-555. So that's the failure  
16 to conduct a criminal background check prior to hiring  
17 each employee. They had noted 14 violations. Would you  
18 like to speak to that?

19 MS. BULLOCK: Well, I'm looking at the  
20 corrective action plan in front of me, and I don't  
21 believe that's number one.

22 JUDGE DOYLE: Oh, sure. I might be in a  
23 different order. So I'll give you a moment to find  
24 where you're at.

25 MS. BULLOCK: I think that's violation two,



1 failing to acquire background check preceding  
2 employment. And that's WAC 480-15-555?

3 JUDGE DOYLE: Correct.

4 MS. BULLOCK: Is that the one?

5 JUDGE DOYLE: Yes.

6 MS. BULLOCK: On this one, we did do a  
7 background check on this particular employee. And what  
8 I use is a professional company, so they keep all the  
9 information in a file for us. And so what had happened  
10 is I had failed to put that background check in a file.

11 But I'd like to say going into this, the things  
12 that I provided -- we had a huge family emergency at the  
13 last minute. Matter of fact, when I was told regarding  
14 this audit that the inspector was coming or the  
15 investigator, I just happened to be in Seattle in a  
16 hotel. And, of course, the company is in Vancouver,  
17 Washington.

18 And right after I got the call, I notified  
19 Chris, who is the owner of the company, that we were  
20 going to have it. We were already headed up to  
21 California because we had just lost my father-in-law and  
22 Chris' grandfather, and we could not change that because  
23 of the process and Chris being his favorite grandson.

24 And so we didn't -- we tried to send as much  
25 electronically that we had on our laptops, but when we

1 would send it, it was so large in cases that it went  
2 Google. And so the investigator said she didn't get it  
3 because she didn't have access to Google.

4 So that's the reason we're still working. We  
5 ended up sending all that to Jason after it was over  
6 there. There's still some missing. I'm not saying we  
7 had them all. I'm only addressing the driver that they  
8 listed in number two violation.

9 Okay. So our corrective action is we've  
10 implemented a standard operating procedure using a  
11 checklist which we submitted with our safety plan, and  
12 this outlines the order and requirements we want to take  
13 to be able to hire appropriately and get people in place  
14 as quick as possible. The process in this is the  
15 employer will not be hiring anyone until the background  
16 is done and in hand.

17 JUDGE DOYLE: Great. Thank you. Okay.

18 The next one I have listed -- again, apologies.  
19 We're probably going to be a little out of order  
20 together, so we'll figure it out.

21 It's WAC 480-15-590, and it was the failure to  
22 keep copies of all the leases and permit files for at  
23 least a year after the lease expires.

24 MS. BULLOCK: I can answer that without  
25 finding that one.

1           We did not have them, and the reason we didn't  
2 is because there's compliance when you have a company.  
3 We lease with Penske, so they keep everything in a file  
4 that we have access to. So I know it's there.

5           What my investigator explained to me -- which I  
6 wasn't aware because we're small -- is I should have  
7 that attached to every bill of lading, and, correct, it  
8 isn't. It is with the vehicle every day it goes out  
9 when we lease.

10           That particular truck, when it goes -- it's a  
11 leased vehicle. It's not a rented vehicle. We don't  
12 have anything other than that agreement, which we can  
13 put in the glove compartment.

14           And so the way I rectified that is by saying  
15 we'll have it in the glove compartment. When it comes  
16 back, a lease agreement, the truck rental agreement is  
17 attached to the bill of lading. So the next time, if  
18 they pull our bill files, they'll have all that right  
19 there.

20           JUDGE DOYLE: Okay. That makes sense.  
21 Thank you. Okay.

22           So then for 49 CFR Part 391.21A, using a driver  
23 who has not completed and furnished an employment  
24 application. So this was the unfinished applications.

25           MS. BULLOCK: I can address that quickly

1 without looking it up.

2 We were accepting applications. What I had was  
3 an employment application, and on that, we would run --  
4 if they applied for a driving position, we were having  
5 people get their own background checks -- I mean, their  
6 own driving record. They would have to bring that in.  
7 And to me, because we were small, we were doing that.  
8 If they really wanted to work here, they could get their  
9 driving abstract.

10 Well, the investigator suggested that we should  
11 pull it. Not that we had to, but that we should. So  
12 what we started to do in order to fix that is when  
13 they're a driver or they apply for a driver position, we  
14 immediately put the background check -- have our  
15 background investigation company run that background  
16 with that employee's authorization. That added a burden  
17 to us of \$30 a person, whereas before, it was \$7.50 for  
18 them.

19 Okay. So that's what we were doing. If they  
20 were working -- and I think some of the misunderstanding  
21 is because they don't look at our personnel files. When  
22 we hire a person, they're hired as a mover. They only  
23 have a basic background check. During the time, they  
24 may get promoted to a driver because that's an  
25 opportunity for them to grow with the company. And a

1 lot of times, these people don't come from places, past  
2 employment, where they were drivers. So when the  
3 application is done, it's left blank.

4 So what we found is -- what we were being  
5 written up for according to our investigator is every  
6 spot needs to have a line or N/A. I was not requiring  
7 that because I'm a retired HR director from City  
8 government. We never required that. And so if you just  
9 didn't put it there, we didn't do anything with that  
10 area, right?

11 But she has recommended that it's incomplete  
12 because those areas are not completed on the  
13 application. We did have the application, but they were  
14 not completely filled out according to her. And we're  
15 remedying that. Every box is checked. Everything has  
16 got a mark.

17 JUDGE DOYLE: Perfect. Great. Okay. I  
18 think we've got four or five more. Okay.

19 So 49 CFR Part 391.25A. So the failure to make  
20 an inquiry into the driving record of each driver to the  
21 appropriate State agencies; the driver held a CMV  
22 operator's license at least every 12 months. So there  
23 was just one violation.

24 MS. BULLOCK: I got to find that one because  
25 I'm lost on that one. What was the number again?

1 JUDGE DOYLE: It's 49 CFR 391.25A. This  
2 was -- the company failed to acquire the driving record  
3 for Christopher Bullock.

4 MS. BULLOCK: Okay. I will explain that.

5 When Christopher started the company, we hired  
6 an outside company to do his background. I produced  
7 that to her later, right? It wasn't in the file, but  
8 they had it because they were maintaining the driver  
9 file. I got that. I presented it.

10 For his driving record, when she was here the  
11 first time, we agreed that I didn't have to do it  
12 January 1st, but we would do it July every year. So  
13 when Chris came due, I didn't do it until July instead  
14 of doing it in January, and that was what we discussed.

15 And I said, Well, I got guys who are starting  
16 in June, you know, and October being hired. Do I have  
17 to do it again in January?

18 And she said, Well, you don't want to do it  
19 every month because you'll forget it. So let's just say  
20 you do everybody at a certain time.

21 So what I was doing was attempting to do Chris  
22 as well as everyone else in the month of July. And in  
23 order to rectify that, what we started is I have a  
24 calendar where I do -- in the whole month of July,  
25 everybody's driving records get ran and their background

1 checks get reviewed to keep up with what's going on.

2 And I presented that in our plan to Jason.

3 JUDGE DOYLE: Okay. Great. Okay.

4 Next we have 49 CFR 391.51A. That was failing  
5 to maintain driver qualification files on each driver  
6 employed. And just one violation.

7 MS. BULLOCK: I don't remember who that was  
8 on. I have to find it here.

9 JUDGE DOYLE: Yeah. It looks like T. Walker  
10 Anderson.

11 MS. BULLOCK: We did have a file on T.  
12 Walker Anderson. It's not a completed file. Let me  
13 just answer it that way, okay? We did not have a  
14 seven-day drive. He didn't work for a company before he  
15 came here. There was no one to send it to. He worked  
16 for a hotel, and he was doing maintenance. So sending  
17 them a driving request is irrelevant, so I didn't send  
18 it.

19 I do have a file on him, and as Sandy was  
20 asking -- as the regs state, I would determine it's not  
21 complete because I didn't have the seven-day drive on  
22 it.

23 What we've done to rectify that -- we put  
24 together a drivers' checklist, and I submitted that in  
25 our safety plan. Each person that drives -- we will go

1 strictly by that. They will sign it. We will sign it.  
2 It will be placed in their driver file.

3 JUDGE DOYLE: Great. Okay. Just three  
4 more.

5 49 CFR Part 395.3B2, requiring or permitting a  
6 property-carrying CMV driver to drive after having been  
7 on duty 70 hours in eight consecutive days.

8 MS. BULLOCK: I can give you a bunch of  
9 excuses for that because we're a small business.  
10 Sometimes people get sick, and, you know, you got a job,  
11 and you're trying to get to the job, and if they called  
12 in, like, just before the job, it's sort of hard to say,  
13 well, we're not going to go move you.

14 So we did violate that. We've worked on that.  
15 We've set up a pro plan where we monitor their hours.  
16 And, also, they monitor their hours, and we train with  
17 them. So we have three people now checking all those  
18 hours. And so I presented that format and process into  
19 the plan also.

20 JUDGE DOYLE: Okay. Thank you. I  
21 appreciate your frankness on that as well. Okay. Two  
22 more.

23 49 CFR 395.8A1, failure to require driver to  
24 make a record of duty status. And this had 60  
25 violations.



1 MS. BULLOCK: How many? Oh. Well,  
2 sometimes it's just hard because we're using the UTC's  
3 log that tracks the hours. So we've implemented some  
4 different processes now to try to not have that happen  
5 again.

6 We're now using a form that's designed by FMCSA  
7 to track hours, so the employee will track them. I look  
8 at them on a weekly basis. I look at them on a two-week  
9 basis because we pay every two weeks. So I'm looking.  
10 They'll bring it to our attention if they're getting  
11 close.

12 We don't allow fatigued drivers on the road no  
13 more than you guys want them. But we submitted a copy  
14 of that book that we're getting ready to use as well as  
15 using the UTC time drivers' record. We're using those  
16 in conjunction with each other, and we met with our  
17 Staff and we've gone over it with our drivers.

18 We only have three drivers. We've gone over  
19 with our drivers this process, how to count -- calculate  
20 property-carrying drivers and their conditions of  
21 working 70 hours in an eight-day period. So we've tried  
22 to eliminate that by that. We've been monitoring that  
23 now for the last three or four weeks really close. And  
24 I submitted, with the plan, those documents that we're  
25 attempting to use to rectify that problem.

1 JUDGE DOYLE: Okay. Thank you. Okay.

2 And then the final violation I have listed is  
3 49 CFR 396.17G, failure to promptly repair parts and  
4 accessories in accordance with Appendix G of 49 CFR Part  
5 396.

6 MS. BULLOCK: I will address that, and I  
7 want to make a correction. It was stated, I believe,  
8 that we did not have those DVRs that track whether  
9 they're doing walkarounds or checks. We have DVRs and  
10 walkarounds and checks, and actually, I have them back  
11 for almost two and a half years. I haven't gotten rid  
12 of them.

13 Yes, we failed on some of them by not trying to  
14 get things taken care of. And sometimes when they're  
15 doing that, it's determining whether it's causing us to  
16 take a truck out of service or not.

17 So what we've done is now we've implemented a  
18 system where we have a daily log. On the back of the  
19 daily log is the walkaround. That walkaround is handed  
20 to the dispatch immediately in the morning. So when he  
21 comes in in the morning, the driver from the evening  
22 before has placed that in his box. He reads and reviews  
23 it and determines whether that vehicle needs to go out  
24 of service or whether or not it's something that can be  
25 repaired.

1           We do check our vehicles. We don't  
2 necessarily -- when our driver goes out in the morning,  
3 they do a walkaround checking the tires, checking the  
4 windshield wiper fluid, checking the blades. They do  
5 those kinds of things. But the little repairs that --  
6 some of them could be minor, but we haven't had super  
7 minor repairs. Those have been, like, light covers that  
8 were missing. And sometimes we can't find it because of  
9 the age of our vehicle, so we're trying to order it in.

10           And so the way we've done that is we'll take it  
11 out of service if there's something that meets the  
12 requirement of the vehicle going out of service, and  
13 that will be done daily each morning by the dispatcher  
14 who is here before any jobs are sent out.

15           JUDGE DOYLE: Okay. So that was the end of  
16 the listed violations that I have. I didn't hear that  
17 you were contesting any of them.

18           MS. BULLOCK: My contesting was not  
19 necessarily contesting because, I mean, one, I feel bad  
20 because they are working with us. They've been very  
21 good to work with us. And we are appreciative because  
22 we want to grow and stay in business.

23           The only issue that I have is there are still  
24 things that we submitted that couldn't get opened  
25 because of this Google issue.

1 JUDGE DOYLE: I see. Okay.

2 MS. BULLOCK: And because it was so large.  
3 So there are some backgrounds that they -- it was  
4 mixed -- I don't like saying "they" -- that was mixed up  
5 with naming.

6 Like, I don't know if I can put this on the  
7 record, but we have one person. He has an African name,  
8 but on everything else, his name is spelled totally  
9 different, right? So when they sent the report, he's in  
10 there with the American title as well as with the  
11 African name.

12 And so those are the only little things that I  
13 have as far as violations, and the fact that --

14 JUDGE DOYLE: You were being duplicatively,  
15 like, penalized twice when it was actually the same  
16 individual?

17 MS. BULLOCK: Yes. Yes. So that's what I  
18 felt. Jason did work with us to correct some of that.  
19 We have since sent him a few of those trying to get them  
20 corrected. I still have some I need to send him, which  
21 I have laying here on the floor. I'm sending them  
22 tonight.

23 But other than that, I don't want to say we're  
24 really contesting because some of the stuff we did.  
25 We're willing to admit that that happened. However,

1 we're trying to fix it, and we're submitting a plan that  
2 we hope will fix those issues.

3 And I guess Chris wants to end this with you,  
4 if you don't mind.

5 JUDGE DOYLE: Sure.

6 MS. BULLOCK: Thank you so much.

7 JUDGE DOYLE: Thank you. Thank you,  
8 Ms. Bullock.

9 MR. BULLOCK: Can you hear me okay?

10 JUDGE DOYLE: You're a little bit soft  
11 again.

12 MR. BULLOCK: Let's see if this works. Can  
13 you hear me okay?

14 JUDGE DOYLE: That was better. Thank you.

15 MR. BULLOCK: Okay. Awesome.

16 So I just wanted to acknowledge that, you know,  
17 we're not taking this lightly, and that I am going to be  
18 even more involved and we're going to do everything we  
19 need to do to make things right.

20 And I know Anna talks because she has the HR  
21 background in compliance and things like that, but I  
22 just wanted you to know that I'm all in, and I really do  
23 care about having a good business practice when you  
24 guys -- when the investigators come out and, you know,  
25 also a good business to customers.

1           You know, I really care. I truly do. So I  
2 just wanted to acknowledge that and let you know.

3           JUDGE DOYLE: Thank you. I appreciate that.  
4 Thank you both.

5           Mr. Roberson, do you have any questions for the  
6 company?

7           MR. ROBERSON: I do not, Judge Doyle.

8           JUDGE DOYLE: Okay. Okay.

9           Well, it sounds like we will be waiting -- I  
10 will be waiting to hear from Staff regarding its  
11 evaluation on the safety management plan and also the  
12 penalty recommendation once these final issues are  
13 sorted out. And so I will then -- when I hear back, I  
14 will issue an order reflecting my decision.

15           Also, I just want to clarify, I heard that  
16 Staff said that if there's any further work on the  
17 safety management plan, that that should be finalized by  
18 the end of the day on the 7th to allow time to issue an  
19 order and for them to make their recommendation and for  
20 me to issue an order.

21           Thank you everyone for your participation. And  
22 is there anything else before we go off the record?

23           MR. ROBERSON: Not from Staff.

24           MR. BULLOCK: No, ma'am.

25           JUDGE DOYLE: Okay. Thank you all. Have a

1 great afternoon. We are adjourned.

2 (Proceedings adjourned at 3:41 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON  
COUNTY OF KING

I, Rose Detloff, a Certified Court Reporter in  
and for the State of Washington, do hereby certify that  
the foregoing transcript is true and accurate to the  
best of my knowledge, skill and ability.



ROSE DETLOFF, RMR, CRR, CCR #21036100

My commission expires:  
DECEMBER 6, 2022