

UNITED STATES DEPARTMENT OF TRANSPORTATION

	U.S. DOT#: 2822783 MC/MX#: 41978	Legal: BLESSED LIMOUSINE INC Operating (DBA):	Investigation Date: 10/31/19
Investigation Type: Onsite Comprehensive Investigation		Location of Investigation: Company principal place of business (PPOB) Extent of Operations: Entire Operation	
Physical Address		Mailing Address	
15 S GRADY WAY RENTON, WA 98057 United States		3932 62ND AVE CRT E FIFE, WA 98424 United States	
Contact Information			
Contact Name: CLUSSIE BAGBY Email: info@blessedlimo.net Phone: (206)579-5911 Cell: ()- Fax: (206)274-6252			
Business and Financial			
Business Type: Corporation Gross Revenue: \$400,000.00 For Year Ending: 12/31/18 Federal Tax ID: ██████████ (EIN)			
Operation Classification and Type		Cargo	
Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier Operation Classification For-Hire Motor Carrier Passengers Charter & Special Transportation (in interstate or foreign commerce, between points in the U.S.) Mini-bus (16 or more passengers, including driver.) Motor coach (A vehicle designed for long distance transportation of passengers.) Limousine Van (15 or fewer passengers, including the driver.)		Passengers	

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Mini-Bus 16+	1				Intrastate	Interstate
Motor Coach	5			< 100 Miles		4
Van 9-15	1			>= 100 Miles		
Power units used in the U.S.: 7 Percentage of time used in the U.S.: 100.0%				Average trip leased driver/month: 0 Drivers with CDL: 4 Total Drivers: 4		
Person(s) Interviewed						
Name: CLUSSIE BAGBY				Title: PRESIDENT		
Questions						
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:				724 Columbia Street NW Suite 200 Olympia, WA 98501		
This report will be used to assess your safety compliance.						

Violations

<p>1. Primary: 383.37(a)</p> <p>Allowing, requiring, permitting, or authorizing a driver to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.</p> <p>A Acute</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>3</td> <td></td> <td>3</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>	Fed	State	Total	3		3	Fed	State	Total	4		4	<p>BASIC Impacted Driver Fitness</p>	<p>Rating Factor 2: Driver = Part 383</p>
Fed	State	Total													
3		3													
Fed	State	Total													
4		4													
<p>Example/Notes:</p> <p>Driver name, Gary Miller Trip date, September 22, 2019 Vehicle description, Motor Coach 183 Violation description, the motor carrier's driver operated a CDL required CMV without a passenger endorsement while transporting passengers.</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> </tr> </tbody> </table>			In Violation	Checked	3	4								
In Violation	Checked														
3	4														
<p>2. Primary: 396.9(c)(2)</p> <p>Requiring or permitting the operation of a motor vehicle declared "out-of-service" before repairs were made.</p> <p>A Acute</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>1</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>1</td> </tr> </tbody> </table>	Fed	State	Total		1	1	Fed	State	Total		1	1	<p>BASIC Impacted Vehicle Maintenance</p>	<p>Rating Factor 4: Vehicle = Part 396</p>
Fed	State	Total													
	1	1													
Fed	State	Total													
	1	1													
<p>Example/Notes:</p> <p>Driver Name, Clussie Bagby Vehicle license number, C47483S (WA) Trip Date, August 16, 2019 Violation description, the motor carrier allowed a CMV to be operated on a public roadway prior to the out-of-service violations being repaired.</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> </tr> </tbody> </table>			In Violation	Checked	1	1								
In Violation	Checked														
1	1														

<p>3. Primary: 391.51(b)(2) Failing to maintain inquiries into driver's driving record in driver's qualification file.</p> <p>C Critical At least 10% of the number checked had violations</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>	Fed	State	Total	4		4	Fed	State	Total	4		4	<p>BASIC Impacted Driver Fitness</p>	<p>Rating Factor 2: Driver = Part 391</p>
Fed	State	Total													
4		4													
Fed	State	Total													
4		4													
<p>Example/Notes:</p> <p>Driver name, Clussie Bagby Trip date. September 07, 2019 Violation description, the motor carrier did not retain and maintain the driver's original motor vehicle report (MVR).</p>		<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> </tr> </tbody> </table>		In Violation	Checked	4	4								
In Violation	Checked														
4	4														

<p>4. Primary: 395.8(a)(1) Failing to require a driver to prepare a record of duty status using the appropriate method</p> <p>C Critical At least 10% of the number checked had violations</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>47</td> <td>2</td> <td>49</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>91</td> <td>29</td> <td>120</td> </tr> </tbody> </table>	Fed	State	Total	47	2	49	Fed	State	Total	91	29	120	<p>BASIC Impacted Hours-of-Service Compliance</p>	<p>Rating Factor 3: Operational = Part 395</p>
Fed	State	Total													
47	2	49													
Fed	State	Total													
91	29	120													
<p>Example/Notes:</p> <p>Driver's name, Clussie Bagby Trip date, September 07, 2019 Violation description, the motor carrier did not require the driver to complete a RODS as required since the motor carrier did not maintain and retain accurate and true time records to meet the short-haul operations exemption provide by 49 CFR 395.1(e)(1).</p>		<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> </tr> </tbody> </table>		In Violation	Checked	4	4								
In Violation	Checked														
4	4														

<p>5. Primary: 396.17(a) Using a commercial motor vehicle not periodically inspected.</p> <p>C Critical At least 10% of the number checked had violations</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2</td> <td></td> <td>2</td> </tr> </tbody> </table> <p>Violations Checked</p>	Fed	State	Total	2		2	<p>BASIC Impacted Vehicle Maintenance</p>	<p>Rating Factor 4: Vehicle = Part 396</p>
Fed	State	Total							
2		2							

	<table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>5</td> <td></td> <td>5</td> </tr> </tbody> </table>	Fed	State	Total	5		5		
Fed	State	Total							
5		5							
Example/Notes: Vehicle license number, BPM6944 (WA) Trip date, September 24, 2019		Drivers/Vehicles <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>5</td> </tr> </tbody> </table>		In Violation	Checked	2	5		
In Violation	Checked								
2	5								

6. Primary: 391.23(m)(2)(i)(A) Did not verify and document, using a CDLIS motor vehicle record from the current licensing State, the type of operation the driver self-certified that he or she will perform in accordance with § 383.71(b)(1) of this chapter.		Violations Discovered <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>			Fed	State	Total	4		4
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Fed	State	Total								
4		4								
Example/Notes: Driver name, Clussie Bagby Trip date, September 07, 2019 Violation description, the motor carrier did not verify that the motor carrier's drivers self-certified as "non excepted interstate."		Drivers/Vehicles <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>			In Violation	Checked				
In Violation	Checked									

7. Primary: 382.105 Secondary: 40.47(a) Using a DOT custody and control form to perform non-DOT test		Violations Discovered <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2</td> <td></td> <td>2</td> </tr> </tbody> </table>			Fed	State	Total	2		2
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2		2								
		Violations Checked <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>22</td> <td></td> <td>22</td> </tr> </tbody> </table>			Fed	State	Total	22		22
Fed	State	Total								
22		22								
Example/Notes: Employee name, Mattie Raiford Test date, August 26, 2019 Trip date, August 26, 2019 Violation description, the motor carrier required the driver to submit to a post-accident controlled substances and alcohol testing when the driver was not involved in an accident		Drivers/Vehicles <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>			In Violation	Checked				
In Violation	Checked									

that met the requirements of 49 CFR 382.303.

<p>8. Primary: 382.105 Secondary: 40.305(a)</p> <p>Using a driver who has not undergone a return-to-duty test with a negative controlled substances test result and/or an alcohol test result of less than 0.02 BAC prior to performing safety sensitive functions.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> </tr> </tbody> </table>	Fed	State	Total	1		1	Fed	State	Total	1		1
Fed	State	Total											
1		1											
Fed	State	Total											
1		1											
<p>Example/Notes:</p> <p>Driver's name, Mattie Raiford Trip date, September 19, 2019 Date of original refusal, July 27, 2018 Type of test, Random DOT test</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> </tr> </tbody> </table>	In Violation	Checked	1	1								
In Violation	Checked												
1	1												

<p>9. Primary: 382.305(i)(2)</p> <p>Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>7</td> <td></td> <td>7</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>7</td> <td></td> <td>7</td> </tr> </tbody> </table>	Fed	State	Total	7		7	Fed	State	Total	7		7
Fed	State	Total											
7		7											
Fed	State	Total											
7		7											
<p>Example/Notes:</p> <p>Driver name, Clussie Bagby Selection date, 2018 4th quarter Trip date, December 27, 2018</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	In Violation	Checked										
In Violation	Checked												

<p>10. Primary: 382.305(k)(2)</p> <p>Failing to ensure that random testing dates are reasonably spread throughout the calendar year.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Fed	State	Total	1		1	Fed	State	Total			
Fed	State	Total											
1		1											
Fed	State	Total											

	1		1
Example/Notes: Driver name, Clussie Bagby Trip date, December 28, 2018 Description of how random tests are distributed, the motor carrier DOT random controlled substances and alcohol testing was all completed in Q4 of the 2018 calendar year.	Drivers/Vehicles		
	In Violation	Checked	

11. Primary: 382.601(b) Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-11.	Violations Discovered		
	Fed	State	Total
	1		1
Example/Notes: Driver name, Clussie Bagby Trip date, October 04, 2019	Violations Checked		
	Fed	State	Total
	1		1
Example/Notes: Driver name, Clussie Bagby Trip date, October 04, 2019	Drivers/Vehicles		
	In Violation	Checked	

12. Primary: 387.31(d) Failing to maintain at principal place of business required proof of financial responsibility for passenger vehicles.	Violations Discovered		
	Fed	State	Total
	1		1
Example/Notes: Company Number, 181 Trip date, September 08, 2019 Violation description, motor carrier did not maintain a copy of their MCS-90 on file at their PPOB.	Violations Checked		
	Fed	State	Total
	1		1
Example/Notes: Company Number, 181 Trip date, September 08, 2019 Violation description, motor carrier did not maintain a copy of their MCS-90 on file at their PPOB.	Drivers/Vehicles		
	In Violation	Checked	

<p>13. Primary: 390.21(b)(1) Failing to mark a commercial motor vehicle with the legal name or a single trade name.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> </tr> </tbody> </table>	Fed	State	Total	1		1	Fed	State	Total	1		1
Fed	State	Total											
1		1											
Fed	State	Total											
1		1											
<p>Example/Notes:</p> <p>Driver name, Mattie Raiford Trip date, September 24, 2019 Vehicle description, Motor coach 181</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	In Violation	Checked										
In Violation	Checked												

<p>14. Primary: 391.21(a) Using a driver who has not completed and furnished an employment application.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>	Fed	State	Total	4		4	Fed	State	Total	4		4
Fed	State	Total											
4		4											
Fed	State	Total											
4		4											
<p>Example/Notes:</p> <p>Driver name, Clussie Bagby Trip date. September 07, 2019 Violation description, the motor carrier's drivers have not completed employment applications that meet the requirements of 49 CFR 391 21(b)(1)-(12).</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	In Violation	Checked										
In Violation	Checked												

<p>15. Primary: 391.25(c)(2) Failing to maintain record of annual review in driver's qualification file.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2</td> <td></td> <td>2</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2</td> <td></td> <td>2</td> </tr> </tbody> </table>	Fed	State	Total	2		2	Fed	State	Total	2		2
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Fed	State	Total											
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<p>Example/Notes:</p>	<p>Drivers/Vehicles</p>												

Driver name, Clussie Bagby Trip date, September 07, 2019	In Violation	Checked
	2	2

16. Primary: 391.51(b)(9) Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file(s).	Violations Discovered		
	Fed	State	Total
	2		2
	Violations Checked		
Fed	State	Total	
4		4	

Example/Notes: Driver name, Clussie Bagby Trip date, September 07, 2019	Drivers/Vehicles	
	In Violation	Checked

17. Primary: 391.53(a) Failing to maintain records relating to the investigation into the safety performance history of a new or prospective driver pursuant to paragraphs (d) and (e) of §391.23	Violations Discovered		
	Fed	State	Total
	3		3
	Violations Checked		
Fed	State	Total	
3		3	

Example/Notes: Driver name, Melissa Thomas Trip date, August 17, 2019 Violation description, the motor carrier did not document a good faith effort into the investigation of the motor carrier's driver's safety history performance and controlled substances and alcohol history performance.	Drivers/Vehicles	
	In Violation	Checked
	3	3

18. Primary: 391.27 Failing to require each driver it employs to prepare and furnish a list, at least once every 12 months, of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of	Violations Discovered		
	Fed	State	Total
	1		1
Violations Checked			

which he/she has forfeited bond or collateral during the preceding 12 months.	Fed	State	Total
	2		2
Example/Notes: Driver name, Melissa Thomas Trip date, August 17, 2019	Drivers/Vehicles		
	In Violation	Checked	

19. Primary: 391.51(b)(7)(ii) Failing to maintain the CDLIS motor vehicle record that contains medical certification status information in driver's qualification file.	Violations Discovered		
	Fed	State	Total
	2		2
Example/Notes: Driver name, Clussie Bagby Trip date, September 07, 2019	Violations Checked		
	Fed	State	Total
	4		4
Example/Notes: Driver name, Clussie Bagby Trip date, September 07, 2019	Drivers/Vehicles		
	In Violation	Checked	

20. Primary: 396.3(b) Failing to keep minimum records of inspection and vehicle maintenance.	Violations Discovered		
	Fed	State	Total
	1		1
Example/Notes: Vehicle license number, BFB4698 (WA) Trip date, September 23, 2019	Violations Checked		
	Fed	State	Total
	5		5
Example/Notes: Vehicle license number, BFB4698 (WA) Trip date, September 23, 2019	Drivers/Vehicles		
	In Violation	Checked	
	1	5	

<p>21. Primary: 396.3(b)(2) Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>	Fed	State	Total	4		4	Fed	State	Total	4		4
Fed	State	Total											
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Fed	State	Total											
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<p>Example/Notes: Vehicle license number, BPM6944 (WA) Trip date, September 24, 2019</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> </tr> </tbody> </table>	In Violation	Checked	4	4								
In Violation	Checked												
4	4												

<p>22. Primary: 396.3(b)(3) Failing to keep a record of inspection, repairs and maintenance indicating their date and nature.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td></td> <td>4</td> </tr> </tbody> </table>	Fed	State	Total	4		4	Fed	State	Total	4		4
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4		4											
Fed	State	Total											
4		4											
<p>Example/Notes: Vehicle license number, BPM6944 (WA) Trip date, September 24, 2019 Violation description, the motor carrier does not maintain a record of all inspections, maintenance, and repairs as required.</p>	<p>Drivers/Vehicles</p> <table border="1"> <thead> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> </tr> </tbody> </table>	In Violation	Checked	4	4								
In Violation	Checked												
4	4												

<p>23. Primary: 396.9(d)(3) Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.</p>	<p>Violations Discovered</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>7</td> <td></td> <td>7</td> </tr> </tbody> </table> <p>Violations Checked</p> <table border="1"> <thead> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>7</td> <td></td> <td>7</td> </tr> </tbody> </table>	Fed	State	Total	7		7	Fed	State	Total	7		7
Fed	State	Total											
7		7											
Fed	State	Total											
7		7											
<p>Example/Notes:</p>	<p>Drivers/Vehicles</p>												

Date of inspection, August 03, 2019 Issuing agency, Washington State Patrol Driver's name, Gary Miller Vehicle license number, C93606M (WA)	In Violation	Checked
	5	7

24. Primary: 396.11(a) Failing to require driver to prepare driver vehicle inspection report.	Violations Discovered		
	Fed	State	Total
	5		5
	Violations Checked		
Fed	State	Total	
51	2	53	

Example/Notes: Vehicle license number, BFB4698 (WA) Trip date, September 23, 2019	Drivers/Vehicles	
	In Violation	Checked
	1	5

Safety Fitness Rating

Your proposed safety rating is: **UNSATISFACTORY 2** or more UNSATISFACTORY rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory		
Factor 2: Driver = Parts 382, 383 and, 391	Unsatisfactory	1	1
Factor 3: Operational = Parts 392 and 395	Unsatisfactory		1
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 1 OOS Vehicles (MCMIS): 3 Number of Vehicles Inspected (MCMIS): 4 OOS Rate: 60%	Unsatisfactory	1	1
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	Not Rated		
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 9,000 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

Effective date: You will receive an official notice of proposed safety rating from the Federal Motor Carrier Safety Administration in Washington, D.C. The Unsatisfactory rating will take effect 45 days after the date of the official notice.

PROHIBITION: Under 49 USC 31144(c) and 49 CFR 385.13, a motor carrier that receives a final Unsatisfactory safety rating is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce. If applicable, the motor carrier shall have its operating authority registration revoked under 49 USC 13905(f)(1)(B).

You may request a safety rating upgrade based on corrective action under 49 CFR 385.17 and/or an administrative review under 49 CFR 385.15.

Change to safety rating based on corrective action: You may request a change to a safety rating under 49 CFR 385.17 at any time by providing evidence that you have taken actions to correct the deficiencies that resulted in the safety rating. You must make this request in writing to the Field Administrator for the FMCSA Service Center in which you maintain your principal place of business. A pending request for a change in safety rating under 49 CFR 385.17 will not delay the effective date of the rating.

Administrative Review: You may appeal your proposed safety rating in a petition filed under 49 CFR 385.15 if you believe FMCSA made an error in assigning your safety rating. You must submit your appeal within 90 days of the date of the proposed safety rating or within 90 days after denial of a request for a change in rating under section 385.17(i).

You should submit your appeal within 15 days of the date of the official safety rating notice to allow FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. A petition under section 385.15 will not delay the effective date of the rating unless the Chief Safety Officer grants a stay.

You must submit your appeal in writing to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590-0001.

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in

the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Hours-of-Service Compliance

Process Breakdown: Training and Communication

The motor carrier does not require their drivers to complete a record of duty status using the appropriate method. Clussie Bagby is the responsible for the motor carrier's drivers and their completion of their hours-of-service records. The safety management process (SMP) that is breaking down is training and communication. The motor carrier's drivers are attempting to utilize the short-haul operations provided under 49 CFR 395.1(e)(1) which would exempt the motor carrier's drivers from having to complete a record of duty status(RODS) if the motor carrier and the motor carrier's driver meet all the requirements detailed within. The motor carrier and the motor carrier's drivers are not meeting the all the requirements detailed within 49 CFR 395.1(e)(1). The motor carrier and the motor carrier's drivers need to be provided training that will ensure their thorough knowledge of Part 395 to ensure that the motor carrier and its drivers understand what is required to be exempt for completing a RODS and when they are required to complete a RODS.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:

1. Convey expectations to all applicable staff for adhering to Hours-of-Service (HOS) regulations and company policies and procedures, and for executing responsibilities by providing new-hire and refresher training, and establish communication channels such as newsletters and/or meetings focused on conflicts between scheduling and HOS rules.
2. Inform drivers that management will be monitoring and tracking Records of Duty Status (RODS).
3. Ensure that managers and dispatchers encourage fatigued drivers to pull over and take a nap.
4. Communicate the carrier's HOS Compliance percentile to all staff, and explain to them individually what they can do to help the carrier improve the percentile.
5. Ensure that managers and supervisors communicate their ongoing commitment to abiding by Hours-of-Service (HOS) regulations and to not driving when fatigued for any reason, including illness.
6. Ensure that all staff (drivers, dispatchers, sales) involved in the Hours-of-Service (HOS) process receives training as required by regulations and/or company policies.
7. Train managers, supervisors, and dispatchers on how to track and communicate drivers' Hours of Service (HOS), including checking the prior seven-day duty statement for intermittent drivers.
8. Train dispatchers and drivers to understand that drivers cannot be assigned a run if illness impairs their ability and/or alertness.
9. Train all staff who are required to monitor and track Hours of Service (HOS) on appropriate company policies, including those related to discipline and incentives.
10. Provide training/testing program to current drivers on proper log completion, how to achieve proper rest on trips by instructing them on the difference between on-duty not driving, for example a driver waits while trailer is loaded, and off-duty, and the importance of proper rest between shifts.
11. Ensure that drivers are trained in driver Out-of-Service (OOS) rules, their responsibilities in adhering to those rules, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.

12. Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to Hours-of-Service (HOS) regulations and company policies and procedures.
13. Reinforce training about Hours-of-Service (HOS) policies, procedures, and responsibilities to drivers, dispatchers, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among them so that they can help each other to improve.

BASIC: Vehicle Maintenance

Process Breakdown: Monitoring and Tracking

The motor carrier's out-of-service (OOS) rate is above 33%, the motor carrier is operating CMVs without periodic annual inspections, the motor carrier is not requiring drivers to complete a driver vehicle inspection report (DVIR) after each days use of each CMV, and the motor carrier allowed a driver to operate a CMV on a public roadway while the CMV was declared OOS and the OOS violations had not been repaired. Clussie Bagby is the responsible for the motor carrier's commercial motor vehicle (CMV) maintenance program. The SMP that is breaking down is monitoring and tracking. The motor carrier needs to ensure that they are monitoring and tracking annual periodic inspections and DVIRs to ensure they are being completed when required.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
2. Ensure that Driver Vehicle Inspection Records (DVIRs) are effectively coordinated with maintenance and operations, result in timely corrective measures, and are verified during pre-trip inspections as applicable.
3. Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
4. Monitor manufacturer recalls through <http://www.nhtsa.dot.gov> and consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance.
5. Implement a system for keeping accurate records of employee inspection, repair, and maintenance training needs, including updates on a carrier's fleet or equipment and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
6. Regularly evaluate the company's vehicle-maintenance-related inspection results via the Federal Motor Carrier Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
7. Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.
8. Evaluate personnel who are monitoring vehicle maintenance performance by making sure they are using Driver Vehicle Inspection Records (DVIRs), roadside inspections, and other data; applying performance standards fairly, consistently, and equitably; and documenting evaluations.
9. When monitoring and tracking vehicle maintenance issues, always assess whether an issue is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).
10. Monitor and track vehicle-maintenance-related passenger complaints and assess safety implications.

11. Monitor and track passenger complaints regarding baggage/freight restriction of driver operations, obstruction of exits, and lack of protection from baggage falling on passengers, and assess safety implications.

BASIC: Driver Fitness

Process Breakdown: Training and Communication

The motor carrier has allowed their drivers to operate a CMV, requiring a CDL, while one had a suspended license, two in violation of a restriction, and one without a proper endorsement. The motor carrier is not retaining all the driver's original motor vehicle reports (MVRs) as required. Clussie Bagby is responsible for the motor carrier's drivers and for maintaining the driver qualification (DQ) files for the motor carrier's drivers. The SMP that is breaking down is training and communication. The motor carrier needs to ensure that the motor carrier's personnel is properly trained on what to look at when they evaluating driver motor vehicle reports and driver's DQ files. This training will help the motor carrier identify issues such as suspensions, restriction issues, and endorsement issues.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:

1. Convey expectations to all applicable staff for adhering to driver-fitness regulations and company policies and procedures, and for executing responsibilities by providing new-hire and refresher training, and establish communication channels such as newsletters and/or meetings focused on conflicts between driver requirements and current qualifications.
2. Ensure that all driver-qualification data, including Motor Vehicle Record (MVR) results, inspections, changes in credentials, and driver-reported violations, are properly communicated to managers, supervisors, and dispatchers to enable them to make appropriate assessments about each driver's fitness.
3. Ensure that managers and supervisors regularly communicate and demonstrate their commitment to using only fit and qualified drivers.
4. Communicate the carrier's Driver Fitness percentile to all staff, and explain to them individually what they can do to help improve the percentile.
5. Ensure that hiring officials and employees who are responsible for safety have current knowledge, training, and experience regarding driver fitness regulations (both interstate and intrastate where applicable) and interpretations. Train these individuals on successful compliance practices of other companies.
6. Train dispatchers and drivers to understand that drivers cannot be assigned a run if illness impairs their ability and/or alertness.
7. Ensure that drivers are trained in driver Out-of-Service (OOS) rules, their responsibility in adhering to them, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.
8. Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to driver fitness regulations and company policies and procedures.
9. Train all staff who are required to monitor and track driver fitness compliance on the appropriate company policies, including those related to discipline and incentives.
10. Reinforce training about driver-fitness policies, procedures, and responsibilities to drivers, dispatchers, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among them so that they can help each other to improve.

Recommendations

1. **Notice of Claim Violations**

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations, or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

2. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six-year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six-year period.

3. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

4. **Disqualified Driver**

Ensure no to allow, require, permit, or authorize a driver to operate a CMV in the United States if the company knows or should reasonably know that any of the following circumstances exist:

(a) During any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.

(b) During any period in which the driver has a CLP or CDL disqualified by a State, has lost the right to operate a CMV in a State, or has been disqualified from operating a CMV.

5. **OOS CMV**

Ensure not to require or permit the operation of a commercial motor vehicle that has been declared out-of-service before the repairs have been made. 49 CFR 396.9(c)(2)

6. **Maintain original MVR**

Ensure to maintain the original MVR obtained at each driver's hire. 49 CFR 391.51(b)(2)

7. **Appropriate Method**

Ensure that all drivers complete a record of duty status (RODS) in the appropriate method. CFR 395.8(a)(1)

8. **Periodic Annual Inspection**

Ensure that each CMV is subject too and passes a periodic annual inspection once every 12 months. 49 CFR 396.17(a)

9. **CDLIS Self-Certification**

Ensure to verify and document, using a CDLIS motor vehicle record for the current licensing State, the type of operation the driver self-certified that he or she will perform in accordance with 49 CFR 383.71(b)(1). 49 CFR 391.23(m)(2)(i)(A)

10. **Custody and Control Form**

Ensure to only required DOT testing when drivers are subject to DOT testing requirements. CFR 382.105

11. **Return to Duty Process**

Do not allow a driver who has engaged in conduct prohibited by 49 CFR Part 382 to perform safety-sensitive functions until he/she has met with a SAP, been evaluated by a SAP, has completed the training/treatment recommended by the SAP AND has been

subject to a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or a return to duty controlled substances test with a negative result.

A driver that returns to duty after completing the return to duty process must have a follow up testing plan indicating a minimum of SIX unannounced follow up tests within the first twelve months.

12. **Equal Chance**
Ensure each driver has an equal chance of being selected each time a random controlled substances and/or alcohol selection is made. CFR 382.305(i)(2)
13. **Tested in Selection Period**
Ensure that drivers are tested within the selection period. 49 CFR 382.305(i)(3)
14. **Reasonably Spread out**
Ensure that the random controlled substances and alcohol tests are reasonably spread throughout the calendar year. CFR 382.305(k)(2)
15. **Drug and Alcohol Testing Company Policy (Educational Materials)**
Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.
16. **Retain MCS-90 financial responsibility endorsement on file.**
Retain on file a properly completed & current copy of your form MCS-90 financial responsibility endorsement.
17. **Vehicle Markings**
Ensure to mark all commercial motor vehicles with the legal trade name or a single trade name. 49 CFR 390.21(b)(1)
18. **Applications**
Ensure all drivers are required to complete and furnish an employment application that meets the requirements of 49 CFR 391.21(b)(1)-(12). 49 CFR 391.21(a)
19. **Annual Review of Driver**
Ensure to review each of your drivers, at least once every 12 months, to ensure they are qualified to operate the CMVs required by the motor carrier. 49 CFR 391.25(c)(2)
20. **MVR with MEC information.**
Ensure for CDL drivers to maintain the CDLIS motor vehicle record that contains medical certification status information in driver's qualification file.
21. **Safety History Performance**
Ensure to maintain records relating to the investigation into the safety performance history of a new or prospective driver pursuant to paragraphs (d) and (e) of §391.23
22. **Annual list of violations**
Ensure to require each driver employed to prepare and furnish a list, at least once every 12 months, of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he/she has forfeited bond or collateral during the preceding 12 months.
23. **MEC verification note**
Ensure to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file(s). 49 CFR 391.51(b)(9)
24. **Inspections, Repairs, and Maintenance**
Ensure to keep a record of inspection, repairs and maintenance indicating their date and nature. 49 CFR 396.3(b)(3)
25. **Preventive Maintenance Program**
The motor carrier needs to ensure they implement a preventive maintenance program as required by 49 CFR 396.3(b)(2).
26. **Roadside Inspections**
Ensure to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed. 49 CFR 396.9(d)(3)
27. **Driver Vehicle Inspection Reports (DVIRs)**

Ensure to require all drivers to prepare a driver vehicle inspection report (DVIR) at the complete of each days use of each CMV. 49 CFR 396.11(a)

28. **Drug and Alcohol Clearinghouse**

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov> . Implementation begins January 6, 2020.

29. **CDLIS Self-Certification**

Ensure to verify and document, using a CDLIS motor vehicle record for the current licensing State, the type of operation the driver self-certified that he or she will perform in accordance with 49 CFR 383.71(b)(1). 49 CFR 391.23(m)(2)(i)(A)

30. **OOS CMV**

Ensure not to require or permit the operation of a commercial motor vehicle that has been declared out-of-service before the repairs have been made. 49 CFR 396.9(c)(2)

31. **New Hires**

Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.

Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.

32. **Obtain copies of the regulations, forms, interpretations, manuals.**

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

33. **A copy of your profile can be obtained by accessing the Portal.**

A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).

34. **Ensure that all vehicles are properly marked.**

Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number. If your vehicles are also periodically operating for other carriers, they must be marked with that carrier's name and U.S. DOT#.

35. **Conduct periodic internal reviews. (non-HM)**

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.

36. **Employers are responsible for the compliance of 49 CFR Part 40.**

Employers are responsible for their officers', employees', agents', consortia, and/or contractors' compliance with the requirements of 49 CFR Parts 40 and 382.

37. **Educational and Technical Assistance package available at website**

A complete Educational and Technical Assistance package entitled "THE MOTOR CARRIER SAFETY PLANNER" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents for improving the safety of your operations. Check: <https://csa.fmcsa.dot.gov/safetyplanner/>

38. **Who do I call?**

For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001

For questions about licensing, authority or MC numbers: 202-366-9805

For questions about insurance: 202-385-2423

For household goods complaints: 888-DOT-SAFT (888-368-7238)

39. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

40. **PSP (Pre-employment screening program)**

Access your crash and inspection history via FMCSA's Pre-Employment Screening Program, <http://www.psp.fmcsa.dot.gov/>

41. **North American Standard Inspection Level I Process**

For an overview of the complete North American Standard Inspection Level I process, you can obtain a brochure or view a video at <https://www.fmcsa.dot.gov/international-programs>.

42. **100-mile exemption terms must be met.**

If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.

43. **Intermittent driver's past on-duty time required.**

New & intermittently used drivers must provide a signed statement showing their total time on-duty for the seven days preceding any trip. These records must be kept on file for 6-months.

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
383.37(a) - CDL must be current with proper endorsements. Must not violate restrictions			
1	09/22/19	Driver: GARY MILLER	
2	09/24/19	Driver: MATTIE RAIFORD	
3	09/24/19	Driver: CLUSSIE BAGBY	
391.51(b)(2) - Inquiries into driving record not kept in qualification file			
1	09/07/19	Driver: CLUSSIE BAGBY	
2	09/22/19	Driver: MATTIE RAIFORD	
3	08/17/19	Driver: MELISSA THOMAS	
4	09/08/19	Driver: GARY MILLER	
395.8(a)(1) - Failing to require a driver to prepare a record of duty status.			
1	09/01/19	CLUSSIE BAGBY	
2	09/03/19	CLUSSIE BAGBY	
3	09/04/19	CLUSSIE BAGBY	
4	09/05/19	CLUSSIE BAGBY	
5	09/06/19	CLUSSIE BAGBY	
6	09/07/19	CLUSSIE BAGBY	
7	09/09/19	CLUSSIE BAGBY	
8	09/10/19	CLUSSIE BAGBY	
9	09/11/19	CLUSSIE BAGBY	
10	09/12/19	CLUSSIE BAGBY	
11	09/13/19	CLUSSIE BAGBY	
12	09/14/19	CLUSSIE BAGBY	
13	09/15/19	CLUSSIE BAGBY	
14	09/16/19	CLUSSIE BAGBY	

15	09/17/19	CLUSSIE BAGBY	
16	09/18/19	CLUSSIE BAGBY	
17	09/19/19	CLUSSIE BAGBY	
18	09/20/19	CLUSSIE BAGBY	
19	09/21/19	CLUSSIE BAGBY	
20	09/22/19	CLUSSIE BAGBY	
21	09/24/19	CLUSSIE BAGBY	
22	09/25/19	CLUSSIE BAGBY	
23	09/26/19	CLUSSIE BAGBY	
24	09/27/19	CLUSSIE BAGBY	
25	09/28/19	CLUSSIE BAGBY	
26	09/06/19	GARY MILLER	
27	09/07/19	GARY MILLER	
28	09/08/19	GARY MILLER	
29	09/09/19	GARY MILLER	
30	09/10/19	GARY MILLER	
31	09/11/19	GARY MILLER	
32	09/15/19	GARY MILLER	
33	09/18/19	GARY MILLER	
34	09/19/19	GARY MILLER	
35	09/21/19	GARY MILLER	
36	09/22/19	GARY MILLER	
37	09/24/19	GARY MILLER	
38	09/25/19	GARY MILLER	
39	09/14/19	MATTIE RAIFORD	
40	09/15/19	MATTIE RAIFORD	
41	09/21/19	MATTIE RAIFORD	
42	09/22/19	MATTIE RAIFORD	

43	09/24/19	MATTIE RAIFORD	
44	09/07/19	MELLISA THOMAS	
45	09/08/19	MELLISA THOMAS	
46	09/14/19	MELLISA THOMAS	
47	09/15/19	MELLISA THOMAS	
48	09/21/19	MELLISA THOMAS	
49	09/22/19	MELLISA THOMAS	
396.17(a) - Using a CMV not periodically inspected			
1	09/24/19	Equipment: YE2CC16B252046594	
2	09/23/19	Equipment: 1FBSS31L46HA97229	
396.9(c)(2) - Operating out-of-service vehicle before making repairs			
1	08/16/19	Equipment: YE2CC16B752046591	

Safety Investigator Narrative

Investigators who contributed to the review:

Name	Title	Inspector ID (e.g., SI Code)
DAVID ARMSTRONG		US1616

Investigation Scope

Start Date: 10/8/19

Investigation Type: Onsite Investigation, Comprehensive

The investigation type changed from the assigned investigation because:

There were no changes to this investigation.

Reason(s) for Investigation: Monitor, MAP 21 Motorcoach Carrier Requires Safety Rating

Comments

General comments:

The motor carrier transports passengers and a comprehensive investigation of the motor carrier is required at least every three years per MAP-21. The motor carrier is on the monitor 2 prioritization list and their Vehicle maintenance BASIC (89%) is above the threshold.

The investigation was assigned as a comprehensive investigation.

Company Information

Company Owners and Partners/Officers/Members of the Company

Name	Title	In Charge of Safety Management?	Received Report?	Present for Close-Out?
CLUSSIE BAGBY	PRESIDENT	Yes	Yes	Yes
GENISE BAGBY	VICE PRESIDENT	No	No	No

Comments

General comments:

The motor carrier registered with The Washington State Secretary of State on October 20, 2004. The motor carrier's registered agent is Clussie Bagby and their governing members are listed as Clussie Bagby and Genise Bagby.

The motor carrier's principal place of business (PPOB) is located 15 s Grady Way, Renton, WA 98057. Their PPOB is located within a commercial building. The motor carrier maintains some of their CMVs at this location and maintains their other CMVs at 2801 S. Jackson Street, Seattle, WA.

The motor carrier registered with FMCSA on November 03, 2015.

Business Information And Finance

The financial condition of the subject, focusing on any information that impacts the carrier's safety, is as follows: (The objective is to gather information to support making safety assessments determining if the carrier is reincarnated)

Clussie Bagby, Owner, was not upfront and forthright with company information while this investigation was being conducted.

The carrier's major assets such as buildings, land, airplanes, other companies, etc. are:

Clussie Bagby, Owner, states that the motor carrier has no assets. This investigations shows that the motor carrier has seven CMVs and rents their PPOB.

Description of the carrier's business process model:

Clussie Bagby, Owner, states the motor carrier provides affordable transportation for churches, community centers and other organizations in the greater Seattle area. This investigation shows that the motor carrier main business revolves around the cruise ship season within the State of Washington that goes from late April to early October.

Major impacts to the business that affected the financial condition were:

Clussie Bagby, Owner, states that the major impacts to the business are the steep learning curve entering the charter/excursion business and that clients don't always pay on time.

The following details describe the nature of the business and how it is structured. This includes a description of the business profit model, such as how the carrier makes money, what is acceptable profit, how the carrier makes up for losses, etc.:

When Clussie Bagby was asked this question his only response was that Blessed Limousine Inc's nature of business is transportation service. The structure is safe and efficient transportation for a profit.

General comments:

The motor carrier's 2018 fiscal year ended on December 31, 2018. Clussie Bagby reported the motor carrier's gross revenue as \$400,000.00 for their 2018 fiscal year.

Operations & Cargo Classification

General comments:

The motor carrier operates as both an interstate and intrastate passenger carrier. The motor carrier's primary business revolves around cruise ship season that runs from late April till early October. Clussie Bagby has a

contact, Jason Deleo, with SMS International Shore Operations US Inc. Jason Deleo provides the motor carrier with pre-arranged passenger pickups from the cruise ships at the Port of Seattle to be transported to the Seattle Tacoma International Airport.

The motor carrier has operated as far north as Marysville, WA, south as Portland, OR, and east as Spokane, WA.

Driver/Vehicle Information

General comments:

The motor carrier owner, Clussie Bagby, stated that the motor carrier only operates three motor coaches and one shuttle bus. The investigation into this motor carrier shows that the motor carrier currently has five motor coaches, a shuttle bus, and a passenger van currently registered in their name. This information matches the information obtained from the Port of Seattle who provide information showing that the motor carrier has operated seven separate CMVs within the Port of Seattle. The Port of Seattle show that the motor carrier has used CMVs 4229, 181, 9785, 182, 77, 183, 184, and 185. Mr. Bagby stated that the motor carrier currently employs four drivers Clussie Bagby, Gary Miller, Melissa Thomas, and Mattie Raiford. The investigation into the motor carrier shows that the motor carrier had two additional drivers operate within the Port of Seattle during September 2019. The two additional drivers were Randy Baldwin and "Rico". Clussie Bagby denied that he had any driver by the name of "Rico".

Clussie Bagby did not report any vehicle miles traveled (VMT) for the previous 12 months. The last MCS-150 completed by the motor carrier on February 22, 2019 showed the motor carrier had 9,000 VMT in a twelve-month period.

Compliance History

Prior Investigations

No Prior Investigations

Safety Audits

Date	Type	New Entrant Date	Overall Results
05/24/19	Offsite	02/25/19	Pass

Closed Enforcement Cases

No Closed Enforcement Cases

Comments

All recurring violations discovered during prior investigations were:

The motor carrier had a safety audit that was completed on May 24, 2019. The safety audit discovered that the motor carrier had incomplete employment applications. The safety audit discovered that the motor carrier was not conducting annual reviews, an annual list of violations, does not have a controlled substances and alcohol policy,

does not require their drivers to complete a record of duty status in the preferred method, does not have a preventive maintenance program, and does not maintain a record of all inspections, repairs, and maintenance. The same violations were discovered during this compliance investigation.

Techniques used in discovering violations for use in subsequent investigations were:

Clussie Bagby, Owner, was not upfront and forthright with any information regarding his motor carrier. When Mr. Bagby was asked how many CMVs his company operated he would respond "Let's say four". When Mr. Bagby was provided with information that showed he had more drivers and/or CMVs than he was claiming he would say "I don't know who that driver is" or "I don't know what vehicle you're talking about". When Mr. Bagby was asked where he obtained his passenger business from he stated "Albert".

Contacts with the Port of Seattle and the Washington State Department of Licensing were key in obtaining information into the motor carrier. Contacts at the Port of Seattle provide contacts and trip documentation for when the motor carrier's various CMVs would operate within the Port of Seattle to drop and/or pick up passengers from the Seattle Tacoma International Airport. The Port of Seattle also provided contact information for Jason Deleo with the SMS International Group. Jason Deleo was interviewed and stated that he would hire Blessed Limousine Inc during the cruise ship season to pick-up passenger from the Port of Seattle cruise ship terminal and have Blessed Limousine drop those passengers off at the Seattle Tacoma International Airport. Jason Deleo contacted Clussie Bagby after speaking with the FMCSA Safety Investigator. This prompted Clussie Bagby to contact the FMCSA Safety Investigator to ask if the FMCSA Safety Investigator had a right to contact the people who hire him. Clussie Bagby also stated, during this phone conversation, that Jason Deleo was "Albert".

General comments on Compliance History:

The motor carrier passed their safety audit on May 24, 2019. This is the motor carrier's first compliance investigation.

Authority & Insurance

Does the motor carrier have the appropriate type of authority? Yes

Does the motor carrier have the appropriate level of insurance? Yes

General comments:

The motor carrier operates as a for-hire carrier of passengers and is required to have operating authority when operating outside of a commercial zone. The motor carrier currently has Common Carrier Operating Authority that has been in effect since it was granted on September 19, 2017.

The motor carrier operates passenger carrying commercial motor vehicles that are designed to transport sixteen or more passengers including the driver. This requires the motor carrier to maintain no less than \$5,000,000.00 in liability insurance. The motor carrier is insured by American Service Insurance company. The motor carrier's insurance policy number is CA53067P2019 and their current policy went into effect on March 24, 2019. The motor carrier did not have a copy of their MCS-90 on file at their PPOB. The motor carrier had to contact their insurance agent to obtain a copy of their MCS-90 by email.

CDLIS (Driver's License Check)

Was a CDLIS check conducted? Yes

List of drivers for which a CDLIS check was performed:

Name	Date of Birth	License Information	Phone	Employment Dates	License Status
CLUSSIE BAGBY	8/27/1960	State: WA Number: [REDACTED] Has CDL: Yes		-Present	
GARY MILLER	1/27/1968	State: WA Number: [REDACTED] Has CDL: Yes		-Present	
MATTIE RAIFORD	9/29/1956	State: WA Number: [REDACTED] Has CDL: Yes		-Present	
MELISSA THOMAS	2/20/1971	State: WA Number: [REDACTED] Has CDL: Yes		-Present	

General comments:

Clussie Bagby stated during the opening interview that the motor carrier currently employed four drivers. The four drivers that had their driving records checked using CDLIS were Clussie Bagby, Gary Miller, Mattie Raiford, and Melissa Thomas.

The CDLIS record for Clussie Bagby showed that Mr. Bagby's "commercial status" and "noncommercial status" were "not eligible". The CDLIS record showed that Mr. Bagby had a withdrawal go into effect on September 18, 2019 for "FTA for trail/court appearance" that stemmed from a conviction in the State of Nevada on July 03, 2019 from a citation that was issued on March 08, 2017. The CDLIS record also showed that Mr. Bagby had an "intrastate only restriction". Mr. Bagby's DQ file was checked and his DQ file maintained a copy of his license and an MVR that showed an "intrastate only restriction".

The CDLIS record for Gary Miller showed that Mr. Miller has a Class B license with no passenger endorsements. The CDLIS record showed that Mr. Miller was self-certified as non-expected interstate. Mr. Miller's DQ file was checked and his DQ file maintained a copy of his license and an MVR that both showed Mr. Miller did not have a passenger endorsement. Clussie Bagby stated that Gary Miller told him he had a passenger endorsement and that it must be a DOL issue.

The CDLIS record for Mattie Raiford showed that she had a Class B license with a passenger endorsement. The CDLIS record showed that she had a withdrawal from September 22, 2018 to January 07, 2019 that stemmed for a refusal to submit to an employer directed drug test. The suspension was not in effect during a time in which Mattie Raiford was employed by the motor carrier. Additional information is available in the "general comments" in the Controlled Substances & Alcohol section of this report. The CDLIS record also showed that Mattie Raiford had an "intrastate only restriction". Mattie Raiford's DQ file was checked and her DQ file maintained a copy of her license and an MVR that showed an "intrastate only restriction".

The CDLIS record for Melissa Thomas showed that she has a Class B license with a passenger endorsement. The CDLIS record shows that she is "self-certified" as "Excepted Interstate". Melissa Thomas' self-certification is not

sufficient to qualify her to operate a CDL required CMV for the motor carrier in interstate commerce.

Pre-Investigation Narrative

Carrier Operations Description

General overview of the carrier's safety operation, including the personnel responsible for safety management:

Clussie Bagby is the owner of the motor carrier and is responsible for all aspects of the motor carrier's safety management.

The approximate length of time the carrier/shipper has been in business is:

The motor carrier has been in business since October 2004.

Description of the company location and the principal place of business, maintenance facilities, etc. (including the extent and nature of any divisions or business locations of the company):

The motor carrier's PPOB is located within a business complex. The motor carrier does not have any other divisions and/or locations.

The following is atypical about the carrier's operation:

The motor carrier's owner has attempted to hide contacts, driver, and CMVs during this investigation.

Explanation of interstate versus intrastate operations:

Clussie Bagby, Owner, states that his motor carrier operates solely in intrastate commerce. The investigation into this motor carrier determined that the motor carrier operates in both intrastate and interstate commerce as the motor carrier is hired on pre-arranged trips to transport passengers from cruise ships docking in the Port of Seattle and transporting those passengers to the Seattle International Airport.

Significant findings regarding accuracy of registration data (MCS-150 data), including an explanation of the source(s) of information used to evaluate the accuracy of the information, are:

The motor carrier is required to update their MCS-150 no later than the final day of March of every even year. The motor carrier last updated their MCS-150 on February 22, 2019. The most recent MCS-150 showed the motor carrier had two motor coaches, two sixteen plus passenger mini-buses, two 9-15 passenger vans, and one sixteen plus passenger limousine. The investigation into the motor carrier shows that the motor carrier has no less than five motor coaches, one sixteen plus passenger mini-bus, and one 9-15 passenger van.

Was the motor carrier involved in emergency relief efforts? No

The motor carrier's exemptions (e.g. 395, MAP 21, utility service vehicle) were:

The motor carrier has not been involved in any emergency exemptions and did not operate under any waivers in the twelve months this investigation covered.

Affiliation or Reincarnation

Date New Applicant Screening (NAS) was run: 10/29/2019

Description of potential affiliated and reincarnated carrier(s), and the method by which they were determined not to be affiliated/reincarnated carrier(s):

N/A

Requested Documents

List of documents requested including the date requested

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample	BASICs	Carrier Name	U.S. DOT#
Driver List	Reviewed	Crash: Driver: Equipment:	8/28/2019	10/17/2019	David Armstrong (Enforcement)	No		BLESSED LIMOUSINE INC	2822783
Equipment List	Reviewed	Crash: Driver: Equipment:	8/28/2019	10/17/2019	David Armstrong (Enforcement)	No		BLESSED LIMOUSINE INC	2822783
Accident Register	Awaiting Documents	Crash: Driver: Equipment:	8/28/2019		()	No		BLESSED LIMOUSINE INC	2822783
Questionnaire	Awaiting Documents	Crash: Driver: Equipment:	8/28/2019		()	No		BLESSED LIMOUSINE INC	2822783
CDLIS Record		Crash: Driver: GARY MILLER (WA- Equipment:			()	No	Driver Fitness	BLESSED LIMOUSINE INC	2822783
CDLIS Record		Crash: Driver: CLUSSIE BAGBY (WA- Equipment:			()	No	Driver Fitness	BLESSED LIMOUSINE INC	2822783
CDLIS		Crash:			()	No	Driver	BLESSED	282278

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample	BASICs	Carrier Name	U.S. DOT#
Record		Driver: MATTIE RAIFORD (WA- [REDACTED]) Equipment:					Fitness	LIMOUSINE INC	3
CDLIS Record		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) Equipment:			()	No	Driver Fitness	BLESSED LIMOUSINE INC	2822783
Timecards		Crash: Driver: GARY MILLER (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Trip Sheets		Crash: Driver: GARY MILLER (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Worksheet		Crash: Driver: GARY MILLER (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Worksheet		Crash: Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Trip Sheets		Crash: Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Timecards		Crash: Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Worksheets		Crash:			()	No	HOS	BLESSED	282278

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample	BASICs	Carrier Name	U.S. DOT#
		Driver: MATTIE RAIFORD (WA- [REDACTED]) Equipment:					Compliance	LIMOUSINE INC	3
Worksheets		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) 0) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Trip Sheets		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) 0) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783
Timecards		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) 0) Equipment:			()	No	HOS Compliance	BLESSED LIMOUSINE INC	2822783

Reasons for delays or extensions

None

Pre-Investigation Comments

Was Carrier Profile obtained: Yes

Date Carrier Profile was obtained: 10/9/2019

Explanation of where the carrier maintains its documents, including where documents are maintained someplace other than at the principal place of business (includes whether or not the motor carrier was given 48 hours to produce records not located at the principal place of business):

The motor carrier's records and documents are maintained at the motor carrier's PPOB. The motor carrier was provided more than forty-eight hours to provide all documents requested.

Were there any issues that posed barriers to the pre-investigation process? (e.g., locating or reaching the motor carrier, availability and accuracy of information, etc.) Yes

Issues that posed barriers to the pre-investigation process were:

The motor carrier was difficult to schedule a compliance investigation with. The motor carrier required eleven separate contacts by the FMCSA Safety Investigator and additional contacts by the Washington DA to schedule a

compliance investigation with the motor carrier. A compliance investigation was scheduled for Tuesday October 08, 2019 to begin at 0900.

The motor carrier was sent a driver list, vehicle list, and two questionnaires to be completed. The motor carrier did not complete any of the requested information.

The information provide by the motor carrier throughout the pre-investigation and investigation process had to be verified as the motor carrier's owner was actively and purposely providing the FMCSA Safety Investigator with incorrect contact names, trip information, driver names, and CMVs.

Specific details in conversations or observations that influenced the investigation process:

The motor carrier's owner, Clussie Bagby, stated that he spent long hours putting his company information together.

General comments on the Pre-Investigation Narrative:

The opening interview was conducted as scheduled on Tuesday October 08, 2019 at the motor carrier's PPOB. Present at the opening interview were Clussie Bagby (President), Jeffrey James (WA Division Administrator), and David Armstrong (FMCSA Safety Investigator).

The investigation into the motor carrier took multiple weeks as the motor carrier personnel were not organized and additional investigation was required to confirm the motor carrier drivers and CMVs.

Drivers with Red Flag Violations

No drivers with red flag violations

Comments

General comments:

The motor carrier does not employ any drivers who have received a red flag violation in the previous twelve months.

Violations with Planned Enforcement Action

Violations with planned enforcement action:

383.37(a) - CDL must be current with proper endorsements. Must not violate restrictions

Unsafe Driving

Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
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Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
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Comments

The records reviewed to meet the sample were:

The motor carrier Unsafe Driving BASIC was checked during the investigation. The motor carrier's driver have not received any unsafe driving violations while driving a CMV for the motor carrier during the previous twelve months.

Crash

Number of recordable crashes missing from profile: 0

Did you use the CAT?

Crash List

List of all recordable crashes used in calculating crash rate

#	Date/Time	Street	City	State	# Deaths	# Injuries	# Vehicles Towed	HM	Driver/ Equipment
#	Copy of state or insurance report	Citation Issued	Preventability Checked	Preventability Outcome	Recordable	Used in Company Profile	Used in crash rate calculation		

Comments

The method of discovery of missing crashes was:

The motor carrier has not been involved in any accidents, that meet the definition under 49 CFR 390.5, within the previous twelve months.

Mileage was determined using the following method:

Clussie Bagby would not provide the motor carrier VMT for the previous twelve months. The VMT provided on this report was a was taken from the motor carrier's most recent MCS-150.

General comments:

The investigation into the motor carrier did not result in any information that shows the motor carrier has been involved in any DOT recordable accidents in the previous twelve months.

HOS Compliance

Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
CLUSSIE BAGBY	8/27/1960	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
GARY MILLER	1/27/1968	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
MATTIE RAIFORD	9/29/1956	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
MELISSA THOMAS	2/20/1971	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-

Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Timecards		Crash: Driver: GARY MILLER (WA-[REDACTED]) Equipment:			0	No
Trip Sheets		Crash: Driver: GARY MILLER (WA-[REDACTED]) Equipment:			0	No
Worksheet		Crash: Driver: GARY MILLER (WA-[REDACTED]) Equipment:			0	No
Worksheet		Crash: Driver: CLUSSIE BAGBY (WA-[REDACTED]) Equipment:			0	No
Trip Sheets		Crash:			0	No

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
		Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:				
Timecards		Crash: Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:			()	No
Worksheets		Crash: Driver: MATTIE RAIFORD (WA- [REDACTED]) Equipment:			()	No
Worksheets		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) Equipment:			()	No
Trip Sheets		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) Equipment:			()	No
Timecards		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) Equipment:			()	No

Comments

The records reviewed to meet the sample were:

Clussie Bagby was requested to provide the HOS records for Clussie Bagby, Gary Miller, Mattie Raiford, and Melissa Thomas for September 01-30, 2019. Clussie Bagby provided HOS records for Gary Miller, Melissa Thomas, and himself, but did not provided any HOS records for Mattie Raiford. Clussie stated that Mattie Raiford did not work during the month of September. The investigation into the motor carrier determined that Mattie Raiford did work during the month of September.

The following supporting documents were used to review HOS:

The supporting documents provided by the motor carrier were limited. Clussie Bagby was asked to provide any dispatch records, fueling receipts or reports, payroll records, bills of lading or trip sheets, and any contracts. Clussie bagby only provided "Detailed Driver Payroll Reports" for Blessed Transportation Inc drivers.

The FMCSA Safety Investigator utilized other documentation to prove CMV used by the motor carrier that Clussie Bagby stated the motor carrier did not use. The documents also provide trips for drivers that Clussie Bagby stated the drivers did not make. The other supporting documents included Port of Seattle Charter Bus Trip Slips that are required to be completed by each driver upon pick-up and/or drop-off. This document requires the driver to provide the date, operating bus company name, bus number, driver's name, and tour group. These documents were obtained directly from the Port of Seattle. The Port of Seattle also provided "readings" that provide the date, time, company, location, and if the service was pre-arranged.

General comments:

Clussie Bagby stated during the opening interview that the motor carrier currently employed four drivers. The four drivers that had their hours-of-service (HOS) records checked were Clussie Bagby, Gary Miller, Mattie Raiford, and Melissa Thomas.

The motor carrier does not utilize any ELDs. The motor carrier attempts to have their drivers utilize the short-haul operations exemption when their drivers are operating within 100 air-miles of their work reporting location.

Clussie Bagby provided the HOS record the motor carrier possessed for himself between September 01-30, 2019. Clussie Bagby completed timecards between September 01-30, 2019. The timecards completed by Clussie Bagby did not meet all the requirements of 49 CFR 395.1(e)(1) to meet the short-haul operations exemption. The motor carrier did not maintain and retain the total number of hours Clussie Bagby was on duty each day, which is required by 49 CFR 395.1(e)(1)(v)(B). This resulted in the motor carrier being required to have Clussie Bagby complete a RODS for each day that he did not meet the short-haul operations exemption. Clussie Bagby was asked to provide the RODS he completed from September 01-30, 2019. Clussie Bagby stated that he did not complete any RODS between September 01-30, 2019. Clussie Bagby operated in true interstate commerce eight times and in intrastate commerce twenty-two times. Twenty-one of the twenty-two days operated in intrastate commerce were consider interstate commerce since those days fell seven days prior to a true interstate commerce trip.

Clussie Bagby provided the HOS record the motor carrier possessed for Gary Miller between September 01-30, 2019. Gary Miller completed timecards between September 01-30, 2019. The timecards completed by Gary Miller did not meet all the requirements of 49 CFR 395.1(e)(1) to meet the short-haul operations exemption. The motor carrier did not maintain and retain the total number of hours Gary Miller was on duty each day, which is required by 49 CFR 395.1(e)(1)(v)(B). This resulted in Gary Miller being required to complete a RODS for each day that he did not meet the short-haul operations exemption. Clussie Bagby was asked to provide the RODS Gary Miller completed from September 01-30, 2019. Clussie Bagby stated that Gary Miller did not complete any RODS between September 01-30, 2019. Gary Miller operated in true interstate commerce five times and in intrastate commerce twenty-five timClussie Bagby did not provided any HOS record for Mattie Raiford between September 01-30, 2019. Clussie Bagby stated that Mattie Raiford did not work during between September 01-30, 2019. The investigation into the motor carrier determined that Mattie Raiford operated a CMV for the motor carrier on at least five different days between September 01-30, 2019.

Clussie Bagby provided the HOS record the motor carrier possessed for Melissa Thomas between September 01-30, 2019. Melissa Thomas completed timecards between September 01-30, 2019. The timecards completed by Melissa Thomas did not meet all the requirements of 49 CFR 395.1(e)(1) to meet the short-haul operations exemption. The motor carrier did not maintain and retain the total on duty time for the preceding 7 days in accordance with 49 CFR 395.8(j)(2), which is required by 49 CFR 395.1(e)(1)(v)(D) since Melissa Thomas is an intermittent driver for the motor carrier. This resulted in Melissa Thomas being required to complete a RODS for each day that she did not meet the short-haul operations exemption. Clussie Bagby was asked to provide the RODS Melissa Thomas completed from September 01-30, 2019. Clussie Bagby stated that Melissa Thomas did not complete any RODS between September 01-30, 2019. Melissa Thomas operated in true interstate commerce six times and in intrastate commerce twenty-four times. Sixteen of the twenty-four days operated in intrastate commerce were consider interstate commerce since those days fell seven days prior to a true interstate commerce

trip-es. Seventeen of the twenty-five days operated in intrastate commerce were consider interstate commerce since those days fell seven days prior to a true interstate commerce trip.

Vehicle Maintenance

Vehicle Inspection Data

The types of vehicles inspected were:

The CMV inspected were motor coaches.

Inspections were required because:

One inspection was conducted as the motor carrier did not make the other CMVs available.

Explanation of how the results did or did not tie into the carrier's breakdown in maintenance and/or the disposition of any vehicle inspections performed during the investigation (e.g. vehicle repaired or towed):

The motor carrier's out-of-service rate was calculated at 60%. This coincides with the motor carrier's lack of record keeping and the motor carrier's failure to have a preventive maintenance program.

Aspects of the carrier's maintenance program and facilities:

The motor carrier has a reactive maintenance program where they fix their motor coach as the CMVs break down. The motor carrier does not have a maintenance facility. The motor carrier has all their maintenance completed by outside third party vendors.

Sampled Equipment

List of equipment identified for the sample and timeframe, if applicable.

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sample Dates
	Mini-Bus 16+ Year: 2011 Make: FORD Model: F550 GVWR:	1FDGF5GT8BEB82235	WA-C98877G	Owned	Name: Model: Year:	-
	Motor Coach Year: 2005 Make: VANHOOL	YE2CC16B252046577	WA-C13375K	Owned	Name: Model: Year:	-

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sample Dates
	Model: C2045 GVWR:					
	Motor Coach Year: 2005 Make: VANHOOL Model: C2045 GVWR:	YE2CC16B752046591	WA-C47483S	Owned	Name: Model: Year:	-
	Motor Coach Year: 2005 Make: VANHOOL Model: C2045 GVWR:	YE2CC16B252046594	WA-BPM6944	Owned	Name: Model: Year:	-
	Van 9-15 Year: 2006 Make: FORD Model: ECONOLINE GVWR:	1FBSS31L46HA97229	WA-BFB4698	Owned	Name: Model: Year:	-

Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
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Comments

The records reviewed to meet the sample were:

Clussie Bagby was asked to provide the CMV maintenance files for the three 2005 Vanhool C2045's and the 2011 Ford F550. The investigation into the motor carrier determined that the motor carrier has operated more than the four CMVs stated by Clussie Bagby. Clussie Bagby was asked to provide a CMV maintenance file for the motor carrier's 2006 Ford Econoline. Clussie Bagby stated that the motor carrier does not have a maintenance file for the Econoline.

Clussie Bagby was asked to provide periodic annual inspections that cover the last twelve months for the three 2005 Vanhool C2045's, the 2011 Ford F550, and the 2006 Ford Econoline. The motor carrier provided periodic annual inspections for two of the 2005 Vanhool C2045's and the 2011 Ford F550 that covered the previous twelve months. Clussie Bagby provide an expired periodic annual inspection for the 2005 Vanhool C2045 (BPM6944). The periodic annual inspection provided expired on the final day of July 2019. Clussie Bagby was asked if there was a current annual inspection and he stated no. Clussie Bagby did not provide a periodic annual inspection for the 2006 Ford Econoline. Clussie Bagby stated that he did not have a current periodic annual inspection.

Clussie Bagby was asked to provide the DVIRs for the three 2005 Vanhool C2045's, the 2011 Ford F550, and the 2006 Ford Econoline for September 01-30, 2019. Clussie Bagby provided the DVIRs for the three 2005 Vanhool C2045's and the 2011 Ford F550. Clussie Bagby did not provide any DVIRs for the 2006 Ford Econoline and stated that the 2006 Ford Econoline was not used between September 01-30, 2019. The investigation into the motor carrier determined that the motor carrier operated the 2006 Ford Econoline no less than five times between

September 01-30, 2019.

General comments:

Clussie Bagby did not provide a CMV list for the motor carrier. Clussie Bagby was asked how many CMVs the motor carrier operated in the previous twelve months. Clussie Bagby stated "let's say four". Clussie Bagby stated that the motor carrier operates a 2011 Ford F550 and three 2005 Vanhool C2045's. The FMCSA Safety Investigator informed Clussie Bagby that the Port of Seattle had provided documentation that showed the motor carrier had used seven CMVs in the previous six months. The FMCSA Safety Investigator informed Clussie Bagby that the motor carrier's drivers had report to the Port of Seattle that they had operated CMVs 4229, 9785, 181, 182, 183, 184, and 185. Clussie Bagby stated that the drivers just make up numbers and that "let's just say four". The FMCSA Safety Investigator informed Clussie Bagby that the Washington State Department of Licensing has eight CMVs registered in the motor carrier's business name. These CMVs included three 2005 Vanhool C2045's, a 2001 Vanhool C2045, a 2002 Vanhool C2045, a 2010 Ford E450, 2011 Ford F550 and a 2006 Ford Econoline. Clussie Bagby stated that those additional CMVs are not the motor carriers and that he does not know why they are registered in the motor carrier's name.

The motor carrier's Vehicle Maintenance BASIC was at 72% at the time of assignment and was at 89% at the time this investigation was initiated. The motor carrier has had seven CVSA inspections that are relevant to their Vehicle Maintenance BASIC within the previous twenty-four months. The seven CVSA inspections have resulted in the motor carrier's CMVs being issued twenty-three vehicle maintenance violations and of those twenty-three violations nine of the violations have placed the motor carrier's CMV out-of-service.

The motor carrier has had four CMVs placed OOS in the previous twelve months. Three of the CMVs were placed OOS on CVSA Level V inspections that were conducted on December 06, 2018. The motor carrier also had a CMV placed OOS on August 03, 2019 on a CVSA Level I inspection.

CMV license number C93606M (WA) was stopped for a CVSA Level I inspection on August 03, 2019. The CMV was placed OOS for two tire violations and a brake light violation. Clussie Bagby stated that he had the CMV towed, but did not have a receipt for the tow. Clussie stated that he had the oil leak corrected and then drove the CMV to Tire for Less to have the tires fixed. Clussie Bagby provide a receipt that shows the motor carrier purchased two tires from Tires for Less, LLC on August 16, 2019. Tires for Less, LLC is located at 2140 A 136th Ave East Summer, WA 98390. Clussie Bagby stated that an OOS sticker was placed on the CMV and that he would not state who removed the OOS sticker prior to him operating the CMV to have the tires replaced.

The motor carrier's CMV have been subject to seven CVSA inspections in the previous twelve months. Clussie Bagby was asked to provide the seven CVSA inspections reports, but was unable to provide the requested documentation.

The motor carrier's OOS rate was calculated by taking the most recent CVSA Level I, II, and/or V's inspection completed. The FMCSA Safety Investigator conducted one CVSA Level V inspection at the motor carrier's PPOB. Four CVSA inspection were taken off the motor carrier's profile. Three of the CVSA inspections resulted in the motor carrier's CMV being placed OOS for a Part 393 and/or 396 violations. The motor carrier's OOS rating was calculated at 60%.

Controlled Substances & Alcohol

Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
CLUSSIE BAGBY	8/27/1960	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
GARY MILLER	1/27/1968	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
MATTIE RAIFORD	9/29/1956	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-
MELISSA THOMAS	2/20/1971	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-

Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
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Random Testing

Carrier not subject to Part 382: No
Name of Consortium/TPA: Alliance 2020
Average number of drivers: 6
Number of drivers required to have a CDL hired in the past 365 days: 4
Calendar year reviewed: 2018
Number of selection periods in calendar year reviewed: 4
Number of random drug tests required: 2
Number of random drug tests completed: 2
Number of random alcohol tests required: 1
Number of random alcohol tests completed: 1
Did the carrier meet the required annual drug testing rate? Yes
Did the carrier meet the required annual alcohol testing rate? Yes

Comments

The records reviewed to meet the sample were:

The motor carrier's controlled substances and alcohol records for 2018 and 2019 were checked. Sample sizes that were met in the investigation into this motor carrier were pre-employment and random test results. See the comments in this section for further details.

Any problems discovered with the consortium:

There were no problems discovered with the consortium.

General comments:

The motor carrier has implemented a controlled substances and alcohol testing program. The motor carrier's controlled substances and alcohol testing records are maintained at their PPOB.

The motor carrier has hired two new drivers in the previous twelve months. Clussie Bagby was asked to provide the first day drivers Mattie Raiford and Gary Miller operated a CMV for the motor carrier that required a CDL. Clussie Bagby was also asked to provide a copy of the negative controlled substances pre-employment test result for both driver Mattie Raiford and Gary Miller. The information provided by Clussie Bagby did not result in any violations being discovered.

The motor carrier has not been involved in any DOT recordable accidents, that would require post-accident controlled substances and alcohol testing under 49 CFR 382.303, in the previous twelve months. The motor carrier required Mattie Raiford to submit to a post-accident controlled substances and alcohol test on August 26, 2019 when she was not subject to the testing requirements.

The motor carrier enrolled in a DOT random controlled substance and alcohol testing program with Alliance 2020 on January 30, 2018. The motor carrier was originally enrolled in Alliance 2020's larger testing pool from January 30, 2018 through July 17, 2018. Alliance 2020 removed the motor carrier from the larger random testing pool to their own random testing pool on July 17, 2018 for non-compliance. Minna Faulkes (Credentialing Coordinator for Alliance 2020) was contacted and stated that the motor carrier was removed for non-compliance and that their non-compliance included not enrolling any drivers into the random testing pool during the first two quarters of the 2018 calendar year. The motor carrier had an average of six drivers of the 2018 calendar year. The motor carrier was required to complete two random controlled substances tests and one random alcohol test. The motor carrier met their 2018 calendar year testing minimums by completing two random controlled substances test and one random alcohol test. The motor carrier's DOT random testing pool has made seven selections since January 2018. The motor carrier has not had the appropriate drivers enrolled in the random testing pool for all seven selections. The motor carrier did not reasonable spread out their random testing during the 2018 calendar year. The motor carrier completed all their DOT random testing in the 4th quarter of 2018.

The motor carrier has not had any drivers test positive in the previous twelve months. The investigation into the driving records of the motor carrier's drivers resulted in the discovery that driver Mattie Raiford had her CDL disqualified in her home licensing State of Washington from September 22, 2018 till January 07, 2019 for refusing an employer directed drug test on July 27, 2018. The Washington State Department of Licensing (WADOL) was contacted and provide documentation that shows Mattie Raiford refused a random controlled substances and alcohol test at Hopelink (1968060). Thomas Campbell (Regulatory Compliance Manager for Hopelink) was contacted and he confirmed that on July 27, 2018 Mattie Raiford refused to submit to a random controlled substances and alcohol test. Clussie Bagby provided a driver qualification (DQ) file for Mattie Raiford that maintained a motor vehicle report (MVR) that showed Mattie Raiford's disqualification. Clussie Bagby was unaware that Mattie Raiford had a previous refusal from a previous employer. The FMCSA Safety Investigator discussed Mattie Raiford's MVR that was maintained in her DQ file with Clussie Bagby. Mr. Bagby was asked to provide the SAP evaluation, return-to-duty test results and the follow-up testing requirements for Mattie Raiford.

The motor carrier has one driver, Mattie Raiford, that should have been subject to a return-to-duty test and follow-up testing in the previous twelve months. Mattie Raiford refused to submit to random controlled substances and alcohol testing when directed by her employer on July 27, 2018. Mattie Raiford was terminated from the motor carrier. Mattie Raiford was hired by Blessed Limousine Inc, but the motor carrier did not due their due diligence and ensure that Mattie Raiford had completed a return-to-duty test as required. Clussie Bagby was asked to provide a copy of Mattie Raiford's SAP evaluation, negative return-to-duty test result, and the SAP's

follow-up testing scheduled. Clussie Bagby contacted his driver, Mattie Raiford, and requested the information. Clussie Bagby contacted the FMCSA Safety Investigator and informed him that Mattie Raiford and he could not provide the documents requested.

The motor carrier's controlled substance and alcohol policy does not meet the required minimum information. Clussie Bagby provided documentation to show that he has received sixty minutes of training on alcohol misuse and at least sixty minutes of training on controlled substances use. Mr. Bagby has not had any drivers who have been subject to reasonable suspicion testing in the previous twelve months.

Driver Fitness

Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates	Medical Examiner Information	Date of MEC Issuance	MEC Inquiry Results
CLUSSIE BAGBY	8/27/1960	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-	Issuing State: ME License #:		
GARY MILLER	1/27/1968	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-	Issuing State: ME License #:		
MATTIE RAIFORD	9/29/1956	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-	Issuing State: ME License #:		
MELISSA THOMAS	2/20/1971	State: WA Number: [REDACTED] Has CDL: Yes		-Present	-	Issuing State: ME License #:		

Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
CDLIS Record		Crash: Driver: GARY MILLER (WA-[REDACTED]) Equipment:			()	No
CDLIS Record		Crash:			()	No

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
		Driver: CLUSSIE BAGBY (WA- [REDACTED]) Equipment:				
CDLIS Record		Crash: Driver: MATTIE RAIFORD (WA- [REDACTED]) Equipment:			()	No
CDLIS Record		Crash: Driver: MELISSA THOMAS (WA- [REDACTED]) Equipment:			()	No

Comments

Medical exemptions or variances discovered for drivers during the investigation:

There were no medical exemptions or variances discovered for the motor carrier's drivers during this investigation.

The records reviewed to meet the sample were:

The driver qualification files for the motor carrier's drivers were reviewed to meet the sample size. See comments in this section for further details.

General comments:

Clussie Bagby stated during the opening interview that the motor carrier currently employed four drivers. The four drivers that had their driver qualification (DQ) files checked were Clussie Bagby, Gary Miller, Mattie Raiford, and Melissa Thomas.

Clussie Bagby was requested to provide the DQ files for Clussie Bagby, Gary Miller, Mattie Raiford, and Melissa Thomas.

The investigation into this Part resulted in the discovery of multiple violations, including violations that had been discovered during the motor carrier's safety audit.

A critical violation was discovered as Clussie Badby stated that the motor carrier had obtained original MVRs for Gary Miller, Mattie Raidford, Melissa Thomas, and himself upon hire, but had not maintained those MVRs for any of the drivers.

Drivers Clussie Bagby and Melissa Thomas were discovered to have lapses in their medical examiner's certificates (MECs), but no documentation was discovered that showed these drivers operated a CDL CMV and/or in interstate commerce during a period in which they did not have a current MEC.

The motor carrier did not properly verify and document their driver's self-certifications with their home licensing states. This resulted in the motor carrier utilizing multiple drivers who were not self-certified correctly and operated in violation of 49 CFR 383.

Conclusion

SI Comments

Conclusion

Planned Action

The following are selected enhanced enforcement action(s): Notice of Claim (WA-2020-0007-US1616)

Enforcement is planned for the following violation(s) and/or part(s) (if applicable):

Enforcement action will be sought for Part 383.

Comments

General comments:

A notice of claim will be made for Part 383 since the motor carrier allowed one driver to operate a passenger carrying CMV without the proper endorsement, two driver were allowed to operate in interstate commerce in violation of their intrastate restriction, and the owner operated a CMV while his license was suspended.

Documents Provided to Carrier

Completed Date: 10/31/19

List of materials provided to the motor carrier: Investigation Report, Table of Violations, Safety Fitness Rating Explanation

Comments

Indicate if an amendment was made to the compliance investigation report after the close-out and provide an explanation of the changes made to the report. The method used to provide the motor carrier with an amended copy was as follows:

There were no amendments made to this investigation.

Carrier Acceptance

Company Owners and Partners/Officers/Members of the Company

Carrier refused to accept the investigation report: No

Closeout was performed with the highest ranking official: Yes

General comments:

The closing was conducted at the motor carrier's PPOB on Thursday October 31, 2019. Present at the closing were Clussie Bagby and David Armstrong.

ACE Driver List

Name	Date of Birth	License Information	Phone	Employment Dates	Sampled For
CLUSSIE BAGBY	8/27/1960	State: WA Number: [REDACTED] Has CDL: Yes		-Present	Hours-of-Service Compliance, Controlled Substances & Alcohol, Driver Fitness and, CDLIS Check
GARY MILLER	1/27/1968	State: WA Number: [REDACTED] Has CDL: Yes		-Present	Hours-of-Service Compliance, Controlled Substances & Alcohol, Driver Fitness and, CDLIS Check
MARIANO MIRANDA	12/2/1978	State: WA Number: [REDACTED] Has CDL: No		-Present	
MATTIE RAIFORD	9/29/1956	State: WA Number: [REDACTED] Has CDL: Yes		-Present	Hours-of-Service Compliance, Controlled Substances & Alcohol, Driver Fitness and, CDLIS Check
MELISSA THOMAS	2/20/1971	State: WA Number: [REDACTED] Has CDL: Yes		-Present	Hours-of-Service Compliance, Controlled Substances & Alcohol, Driver Fitness and, CDLIS Check

ACE Equipment List

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sampled For
	Mini-Bus 16+ Year: 2011 Make: FORD Model: F550 GVWR:	1FDGF5GT8BEB82235	WA-C98877G	Owned	Name: Model: Year:	Vehicle Maintenance
	Motor Coach Year: 2005 Make: VANHOOL Model: C2045 GVWR:	YE2CC16B252046577	WA-C13375K	Owned	Name: Model: Year:	Vehicle Maintenance
	Motor Coach Year: 2005 Make: VANHOOL Model: C2045 GVWR:	YE2CC16B752046591	WA-C47483S	Owned	Name: Model: Year:	Vehicle Maintenance
	Motor Coach Year: 2005 Make: VANHOOL Model: C2045 GVWR:	YE2CC16B252046594	WA-BPM6944	Owned	Name: Model: Year:	Vehicle Maintenance
	Van 9-15 Year: 2006 Make: FORD Model: ECONOLINE GVWR:	1FBSS31L46HA97229	WA-BFB4698	Owned	Name: Model: Year:	Vehicle Maintenance
	Van 9-15 Year: 2010 Make: FORD Model: E450	1FDXE4FS9ADB02595	WA-B13426Y	Owned	Name: Model: Year:	

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sampled For
	GVWR:					
	Motor Coach Year: 2001 Make: VANHOOL Model: C2045 GVWR:	YE2CC23B712045218	WA-BQV3315	Owned	Name: Model: Year:	
	Motor Coach Year: 2001 Make: VAHOOOL Model: C2045 GVWR:	YE2CC23B922045318	WA-BQV3316	Owned	Name: Model: Year:	