

	US DOT # 2856862	Legal: URBAN DELIVERY SERVICE LLC Operating (DBA):			
MC/MX #:		State #: THG-67060		Federal Tax ID: 45-5279789 (EIN)	
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory:
Operation Types		Interstate	Intrastate		
Carrier:	N/A		Non-HM	Business: Corporation	
Shipper:	N/A		N/A	Gross Revenue: \$650,000.00	
Cargo Tank:	N/A			for year ending: 12/31/2016	
Company Physical Address:					
301 S WEBSTER ST SEATTLE, WA 98108-4136					
Contact Name: Derek Duryea					
Phone numbers: (1) 206- 762-0162		(2) 206-510-1943		Fax	
E-Mail Address: derek@urbandeliveryservice.com					
Company Mailing Address:					
301 S WEBSTER ST SEATTLE, WA 98108-4136					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Household Goods					
Equipment					
	Owned	Term Leased	Trip Leased	Owned	Term Leased Trip Leased
Truck	0	2	0		
Power units used in the U.S.: 2					
Percentage of time used in the U.S.: 100					
Does carrier transport placardable quantities of HM? No					
Is an HM Permit required? N/A					
Driver Information					
	Inter	Intra	Average trip leased drivers/month: 0		
< 100 Miles:		3	Total Drivers: 4		
>= 100 Miles:		1	CDL Drivers:		





URBAN DELIVERY SERVICE LLC

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12/27/2017

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety rules may be addressed to the Office of Motor Carriers at:

Wayne Gilbert
1300 S. Evergreen Park Dr S.W.
P.O. Box 47250, Olympia, WA 98504-7250 Office: 360-664-1232 Cell: 360-481-2017

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Derek Duryea

Title: Owner

Name:

Title:





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Part B Violations

1 STATE CRITICAL	Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4 Checked 4
<p>Description Using a driver not medically examined and certified.</p> <p>Example Driver name: Daniel Johnson Trip date: 11/3/2017 Description of violation: Carrier failed to maintain a drivers qualification file for each employed driver.</p> <p>Also in violation:</p> <p>Driver name: Derek Duryea Trip date: 7/18/2017</p> <p>Driver name: Courtney Taylor Trip date: 7/4/2017</p> <p>Driver name: Jakob Krober Trip date: 9/13/2017</p>				

2 STATE CRITICAL	Primary: 391.51(a) CFR Equivalent: 391.51(a)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4 Checked 4
<p>Description Failing to maintain driver qualification file on each driver employed.</p> <p>Example Driver name: Daniel Johnson Trip date: 11/3/2017 Description of violation: Carrier failed to maintain a drivers qualification file for each employed driver.</p> <p>Also in violation:</p> <p>Driver name: Derek Duryea Trip date: 7/18/2017</p> <p>Driver name: Courtney Taylor Trip date: 7/4/2017</p> <p>Driver name: Jakob Krober Trip date: 9/13/2017</p>				





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Part B Violations

<p>3 STATE CRITICAL</p>	<p>Primary: WAC 480-15-555 Secondary: RCW 81.80.130 CFR Equivalent: 392.2</p>	<p>Discovered 3</p>	<p>Checked 3</p>	<p>Drivers/Vehicles In Violation 3 Checked 3</p>
<p>Description Failing to conduct or retain paperwork containing criminal background check for a household goods carrier in the state of Washington as required. Driver name: Daniel Johnson Trip date: 11/3/2017 Description of violation: Carrier failed to perform criminal background checks for all employees.</p> <p>Also in violation: Driver name: Jakob Krober Trip date: 9/13/2017</p> <p>Driver name: Courtney Taylor Trip date: 7/4/2017</p>				
<p>4 STATE CRITICAL</p>	<p>Primary: 395.8(a)(1) CFR Equivalent: 395.8(a)</p>	<p>Discovered 120</p>	<p>Checked 120</p>	<p>Drivers/Vehicles In Violation 4 Checked 4</p>
<p>Description Failing to require driver to prepare a record of duty status using appropriate method.</p> <p>Example Driver name: Daniel Johnson Trip date: 11/3/2017 Description of violation: Carrier failed to maintain a record of duty status for each employed driver.</p> <p>Also in violation:</p> <p>Driver name: Derek Duryea Trip date: 7/18/2017</p> <p>Driver name: Courtney Taylor Trip date: 7/4/2017</p> <p>Driver name: Jakob Krober Trip date: 9/13/2017</p>				
<p>5 STATE CRITICAL</p>	<p>Primary: 396.3(b) CFR Equivalent: 396.3(b)</p>	<p>Discovered 2</p>	<p>Checked 2</p>	<p>Drivers/Vehicles In Violation 2 Checked 2</p>
<p>Description Failing to keep minimum records of inspection and vehicle maintenance.</p> <p>Example Vehicle number: JHHSMD2H3FK002682 Driver name: Daniel Johnson Trip date: 11/03/2017 Description of violation: Carrier failed to keep maintenance records.</p> <p>Also in violation:</p> <p>Vehicle number: JALC4W169G700027 Driver name: Derek Duryea Trip date: 07/18/2017</p>				





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Part B Violations

6 STATE	Primary: 392.2 CFR Equivalent: 392.2	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Operating a commercial motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated - Unsafe Driving.

Example

Driver name: Derek Duryea

Trip date: 7/18/2017

Description of violation: Carrier was cited by Washington State Patrol at milepost 142 on Interstate 5 in Washington for speeding, lane restriction violation, and following too close.

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

Using a commercial motor vehicle not periodically inspected.

Example

Driver name: Daniel Johnson

Vehicle number: JHHSMD2H3FK002682

Trip date: 11/03/2017

Description of violation: Carrier failed to ensure a commercial motor vehicle was periodically inspected.

Safety Fitness Rating Information:		OOS Vehicle (CR): 0
Total Miles Operated 45,000		Number of Vehicle Inspected (CR): 2
Recordable Accidents 0		OOS Vehicle (MCMIS): 0
Recordable Accidents/Million Miles 0.00		Number of Vehicles Inspected (MCMIS): 0

Your proposed safety rating is : UNSATISFACTORY	Rating Factors	Acute	Critical
	Factor 1: S	0	0
	Factor 2: U	0	2
	Factor 3: U	0	3
	Factor 4: C	0	1
	Factor 5: N	0	0
	Factor 6: S	-	-





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Part B Requirements and/or Recommendations

1. The Washington Utilities and Transportation Commission (UTC) adopted the Federal Motor Carrier Safety Administration (FMCSA) rules of 49 CFR and regulations pertaining to Commercial Motor Vehicle's safety, along with the Revised Code of Washington, and Washington Administrative Codes pertaining to Commercial Motor Vehicle safety and regulations.

How to request an upgrade to your INTRASTATE safety rating based on corrective actions:

Within sixty (60) days from receipt of your proposed rating, you may request in writing, a change in the rating based on corrective actions. You should do so as soon as possible so the UTC has the opportunity to review your corrections and make a final decision.

Your submission should be as detailed as possible and must:

1. Address each violation on the most recent Compliance Review. Any corrective actions you include to address other violations noted on your review may also be considered.
2. Identify why the violations cited were permitted to occur.
3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action with your petition. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of missing drug/alcohol tests.
4. Outline actions taken to ensure that similar violations do not reoccur in the future. **YOU MUST DEMONSTRATE THAT YOUR OPERATIONS CURRENTLY MEET THE SAFETY STANDARD AND FACTORS SPECIFIED IN 49 CFR 385.5 and 385.7.** To do so, you must demonstrate that you now have adequate safety management controls in place which function effectively to ensure acceptable compliance with applicable safety requirements.
5. If your request includes actions that will be conducted in the near future, such as training, reorganization of departments, purchasing of computer programs, etc, include a detailed description of the activity or training and a schedule of when that activity will commence and when it will be completed.
6. Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.
7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

Address your response to:

You must submit your request to:

Attn: Wayne Gilbert
Motor Carrier Safety
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250
Work: (360) 664-1232
Fax: (360) 586-1150

2. For all Investigations:
 - Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
 - Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the





Part B Requirements and/or Recommendations

actions you are taking are creating improvement in safety management and compliance.

• **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.

• **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

• All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

- 3. The Washington Utilities and Transportation Commission (UTC) adopted the Federal Motor Carrier Safety Administration (FMCSA) rules of 49 CFR and regulations pertaining to Commercial Motor Vehicle's safety, along with the Revised Code of Washington, and Washington Administrative Codes pertaining to Commercial Motor Vehicle safety and regulations.

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3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action with your petition. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of missing drug/alcohol tests.
4. Outline actions taken to ensure that similar violations do not reoccur in the future. **YOU MUST DEMONSTRATE THAT YOUR OPERATIONS CURRENTLY MEET THE SAFETY STANDARD AND FACTORS SPECIFIED IN 49 CFR 385.5 and 385.7.** To do so, you must demonstrate that you now have adequate safety management controls in place which function effectively to ensure acceptable compliance with applicable safety requirements.
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Part B Requirements and/or Recommendations

schedule of when that activity will commence and when it will be completed.

6. Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.

7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

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Fax: (360) 586-1150

4. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN: Urban Delivery Service LLC does not complete any records of duty status as outlined in 395.8(a)(1).

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that prospective drivers have a history of driving within Hours-of-Service (HOS) regulations by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding HOS Violations going back three years. Create a detailed written record of each inquiry.
- Ensure that whoever is responsible for monitoring and tracking Hours of Service (HOS) knows the relevant regulations, how the carrier/dispatcher operates, the company's disciplinary policy and procedures, and how to use supporting documents such as toll and fuel receipts to see if data are accurate.
- Ensure that dispatchers have good planning, communication, and simple mathematical skills.
- Ensure that drivers have sufficient planning skills to know when they should be driving and stopping, basic mathematical skills to calculate their hours and miles, and good organizational skills to keep each Record of Duty Status (RODS) up to date continuously by adding information at every stop.
- Ensure that there are enough people to review Hours-of-Service (HOS) data for all drivers, or invest in Electronic On-board Recording (EOBR) for continuous real-time review.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, driver, and dispatcher, using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

5. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN: Urban Delivery Service LLC does not maintain any records pertaining





Part B Requirements and/or Recommendations

to the vehicle maintenance or preventative maintenance of their vehicles.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that prospective employees are qualified to inspect, repair and maintain the carrier's vehicles by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding inspection, repair, and maintenance responsibilities and (for mechanics and technicians) the quality of previous work, including whether maintenance services were systematic and well documented. Create a detailed written record of each inquiry.
- Query the Federal Motor Carrier Safety Administration's (FMCSA) information systems to check the vehicle inspection, repair, and maintenance performance (violations, Out-of-Service [OOS] rates, etc.) of other carriers for whom the mechanic has worked. Then, ask follow-up questions to better determine the mechanic's performance in those previous jobs.
- Verify prospective brake inspectors' understanding of job requirements and their applicable training and apprenticeship credentials.
- Screen prospective dispatchers for flexibility and the ability to deal with crisis by posing "what if" scenarios, such as how they would expedite an emergency repair or a replacement vehicle if given an Out-of-Service (OOS) call on a critical haul.
- Assess prospective drivers' understanding of their responsibility for, and experience with, inspecting and maintaining the vehicle, reporting defects, and verifying repairs.
- Ensure that the employment application captures all information required by Federal Motor Carrier Safety Regulations (FMCSRs) - for example, for drivers, with regard to types of vehicles operated, and for mechanics and technicians, with regard to certification of the ability to perform repairs.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, mechanic, and other roles with responsibility for inspection, repair, and maintenance, using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

6. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Urban Delivery Service LLC does not maintain any driver qualification records on any driver nor does the carrier ensure that all drivers are qualified to operate a commercial motor vehicle.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.
- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession





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of the driver as proof of credentials.

- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry





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Part C

Reason for Review: Compliance Review
Planned Action: Out of Service Order

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
			✓	✓	✓	✓	✓	✓	✓									

Prior Reviews **Prior Prosecutions**

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule: Not Applicable

Corporate Contact: Derek Duryea
Corporate Contact Title: Owner

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:
 Name: Mr. Derek Duryea
 Title: Owner
 Carrier/Shipper Name: Urban Delivery Service LLC
 Date: 12/27/17

INVESTIGATIVE REPORT SENT TO:
 Derek Duryea
 Urban Delivery Service LLC
 Mailing Method: USPS Certified Mail
 Date Sent: 12/27/2017
 Confirmation/Tracking number: 7015 1730 0000 6005 1907

REASON FOR THE INVESTIGATION:
 As part of the 2017 Motor Carrier Safety work plan, this investigation was assigned to Special Investigator Wayne Gilbert. This carrier operates in intrastate commerce.

SCOPE OF THE INVESTIGATION:
 This investigation is a comprehensive intrastate investigation and was assigned to Special Investigator Wayne Gilbert on 10/27/17. The carrier was contacted on 10/27/17 and a full investigation was set for 11/3/17, with Mr. Derek Duryea, at 301 S. Webster St., Seattle, WA 98108, the carrier's principal place of business. Present at the start of the review was Special Investigators Wayne Gilbert and Ed Steiner along with Urban Delivery Service representative Mr. Derek Duryea (Owner). SMS was checked on 11/01/17 and it was noted that no BASICS were in alert status.

CARRIER OPERATION DESCRIPTION:
 Urban Delivery Service began operations in 2010 within the Puget Sound area, however did not apply with the commission until February 2016 and received a temporary household goods permit. The carrier currently operates two straight trucks classified as commercial motor vehicles and employs four drivers operating within the state of Washington within the past 365 days. Urban Delivery Service total gross revenue as recorded by Mr. Duryea for calendar year ending in 12/31/16 was \$650,000. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier has not updated the Vehicle Miles Traveled (VMT) since beginning operations.





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Part C

PRE-INVESTIGATION:

On 10/27/17, a carrier information packet was emailed to the carrier requesting investigation information, the records that would need to be reviewed and the information the carrier would need to make available. The carrier was requested to fill-out and return the carrier information packet with a list of all commercial motor vehicle drivers utilized in the past 12 months and a list of all commercial motor vehicles utilized in the last 12 months prior to the start of this investigation. The carrier packet was returned on 11/03/17. On Friday, 11/03/17, the documents requested were made available to the investigator for review included a list of all accidents for the past 365 days from the date of review, driver qualification files for all drivers used within the past 12 months, insurance documentation, alcohol and controlled substance testing information, all records of duty status (log books/time cards) for the previous six months, all maintenance files and records for each unit, including leased units, and copies of driver vehicle inspection reports (DVIRs) for the last three months. A copy of the carrier's profile was obtained through MCMIS on 10/26/17 along with a copy of their MCS-150.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM, four drivers licenses status/history were required to be checked. Washington State Department of Licensing website was checked to determine the status of all drivers. All drivers are currently valid and licensed. See part 383 for details.

AUTHORITY:

Urban Delivery Service is an authorized for-hire carrier of household goods operating in intrastate commerce. The carrier operates under the USDOT Number 2856862 and has temporary intrastate authority through the commission under permit number THG-67060.

INSURANCE:

Urban Delivery Service is required to maintain a minimum level of public liability of \$750,000. A check with the carrier's insurance shows a \$1,000,000 Auto Liability effective 09/22/16 with Farmers Insurance Company. See Part 387 below for details.

RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on 11/01/17 and the carrier has no drivers with red flag violations in the last 365 days.

DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:

This is a full comprehensive investigation therefore a Drug and Alcohol Supplemental Review was not required.

HAZARDOUS MATERIALS SUPPLEMENTAL REVIEW:

Urban Delivery Service does not transport any hazardous materials. A Hazardous Materials Supplemental Review was not required.

INVESTIGATION:

The following investigation is a comprehensive investigation that checked Parts 376, 380, 382, 383, 387, 390, 391, 392, 393, 395 and 396.

Part 376 Lease and Interchange of Vehicles:

Urban Delivery Service currently leases both vehicles. One with Penske and the second with an unknown agency. The carrier is being uncooperative at providing any additional documentation. No lease agreements were provided.

Part 380 Special Training:

Urban Delivery Service does not operate long combination vehicles (LCVs). The carrier has not employed drivers that meet the definition of entry level driver.

Part 382 Controlled Substance and Alcohol Testing:

Urban Delivery Service does not operate any commercial vehicles over 26,001 pounds that would require CDL drivers. Therefore they do not have any requirements for a drug and alcohol testing program.

Part 383 Commercial Driver's License:

The carrier employs four drivers that have operated in the state of Washington within the past 365-days. Per e-FOTM guidelines, a sample size of four driver's licenses were required to be checked. Licenses were checked through the Washington State Department of Licensing on-line website. All are current.



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Part C**Part 387 Financial Responsibility:**

The carrier's vehicles are insured with Farmers Insurance Company out of Kirkland, Washington an underwriter for Farmers Insurance Company, Policy number 605438501. Their insurance agent is Cathy Jeffris with a contact telephone number of (425) 821-9205. Investigators contacted the carrier's insurance agent and verified the carrier maintained \$2,000,000 in Auto Liability coverage. The carrier also maintains \$50,000 in cargo coverage per truck. The Form E on file with the commission dated 09/22/16 is current and correct.

Part 390 General FMSCR:

The carrier has not been involved in any DOT-recordable accidents within the last 365-days. The accident register is current and does contain required information.

MCS-150 form (updated on 02/19/16) shows no VMT as this was the carrier's initial application for a USDOT number. However, Mr. Duryea did annotate that they had operated 45,000 VMT during 2016 within the state of Washington.

Part 391 Qualification of Drivers:

The carrier employed a total of four drivers that operated in the state of Washington during the last 365-days. Per eFOTM guidelines, a sample size of four Driver's Qualification Files were inspected.

Four critical violations of 391.45(a) occurred when the carrier allowed drivers to operate without valid medical certificates.

This violation occurred a total of more than 59 times during the previous six months, however the carrier has only provided sporadic records.

Derek Duryea (2 times): July 18, November 2,

Daniel Johnson (6 times): October 1, 2, 3, 4, 5, November 3

Courtney Taylor (13 times): July 2, 4, August 17, 18, 19, 21, 22, 23, 24, 25, 26 September 16, 24,

Jakob Krober (38 times): August 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31, September 1, 5, 6, 7, 8, 11, 12, 13, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, October 2, 3, 4, 5, 6, 9, 10, 11,

Four critical violations of 391.51(a) occurred when the carrier failed to maintain driver's qualification files for all drivers employed.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates for 25 percent of the driver qualification file sample size (one) were selected for verification. However, no medical checks were able to be conducted based on the carrier not having any driver's medically qualified.

Part 392 - Driving of Commercial Motor Vehicles:

Urban Delivery Service is operating in intrastate commerce and at the time of this investigation the carrier is current on annual regulatory fees.

Three critical violations of WAC 480-15-555 (secondary 392.2) occurred when the carrier failed to accomplish criminal background checks on all employees.

Part 395 - Hours of Service:

The carrier employed four drivers during the last 365-days. In accordance with eFOTM procedures, a sample size of 120 Records of Duty Status (RODS) is required to be checked for a 30-day period. Urban Delivery Service operated most of its service under the short-haul exemption of Part 395.1(e) within the last 365 days.

For this investigation a 30-day period was chosen from 9/1/2017 - 9/30/2017. This required that 120 RODS be checked. Drivers checked were Derek Duryea, Daniel Johnson, Courtney Taylor, and Jakob Krober.

The carrier utilized time cards in place of RODS for all operations. However, all time cards checked did not have all the necessary items to include date, start and stop time, and total hours operated.

One hundred twenty critical violations of 395.8(a)(1) occurred when the carrier failed to prepare a record of duty status.





URBAN DELIVERY SERVICE LLC

U.S. DOT #: 2856862

State #: THG-67060

Review Date:

12/27/2017

Part C

Part 393 & 396 - Maintenance and Inspection:

The carrier has owns and operates two vehicles that are classified as commercial motor vehicles in intrastate commerce the last 365-days. The carrier stated that vehicle maintenance is conducted at either Penske for the Isuzu and Horizon Ford for the Hino truck.

Vehicle Maintenance Records:

In accordance with eFOTM, a sample size of two vehicle maintenance files were reviewed.

Two critical violations of 396.3(b) occurred when the carrier failed to maintain minimum records of inspection and vehicle maintenance.

One violation of 396.17(a) occurred when the carrier failed to maintain a periodic vehicle inspection on one vehicle.

Driver Vehicle Inspection Reports (DVIRs):

The carrier stated that DVIRs are not accomplished, however no evidence was discovered that any were required to be maintained.

Vehicle Inspections:

In accordance with eFOTM, a sample size of two vehicles were inspected. The following vehicles were inspected and the ASPEN reports are attached:

2015 HINO, VIN JHHSDM2H3FK002682 had a total of five violations. One for no USDOT number identified. The fire extinguisher was unsecured and no warning triangles were available in the vehicle. One marker light was in-operable and no proof of periodic inspection was on the vehicle. No CVSA decal was issued.

2016 Isuzu, VIN JALC4W169G7000277 had a total of two violations. One for no USDOT number identified and one for a marker light that was in-operable. No CVSA decal was issued.

CLOSING INTERVIEW:

The closing interview was conducted on 12/27/17 when the report was mailed to Mr. Duryea at the carrier's principle place of business of 301 S. Webster St., Seattle, Washington, 98108-4136. The report was also sent first class mail to the same address and also via email to: derek@urbandeliveryservice.com. After several attempts over a 30-day time frame, company representative Derek Duryea was unable to be reached via telephone and would not respond to emails. This investigation resulted in proposed "Unsatisfactory" rating. Mr. Duryea has been uncooperative throughout the entire scope of this investigation and did not express any desire to come into compliance with the Federal Motor Carrier Safety Regulations. Technical assistance was also provided to the carrier during the process of this review.

DOCUMENTS PROVIDED TO THE CARRIER:

The carrier was provided with a hard copy and an electronic copy of "Your Guide to Achieving a Satisfactory Safety Record Revised April 2015," "Fitness Rating Explanation," and "How to Request an Upgrade to your Safety Rating."

FOLLOW-ON ACTION:

Recommend continued compliance monitoring, request a hearing for carrier to cease operations, and issue administrative penalties for the critical violations.

Upload Authorized:	Yes	No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date:





URBAN DELIVERY SERVICE LLC
U.S. DOT #: 2856862

State #: THG-67060

Review Date:
12/27/2017

Safety Fitness Rating Explanation

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1	General (CFR Parts 387, 390)	û 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	0 Point = Satisfactory 1 Point = Conditional û >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
S 391.45(a)	1 (C)	
S 391.51(a)	1 (C)	

TOTAL POINTS: 2 = UNSATISFACTORY		

FACTOR 3	Operational/Driving (CFR Parts 392, 395)	0 Point = Satisfactory 1 Point = Conditional û >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
S 392.2	1 (C)	
S 395.8(a)	2 (C)	

TOTAL POINTS: 3 = UNSATISFACTORY		

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	
VIOLATIONS AFFECTING RATING	POINTS	Fewer than 3 inspections
S 396.3(b)	1 (C)	

TOTAL POINTS: 1 =		CONDITIONAL

Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 0 Point = Satisfactory û 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	Satisfactory	Conditional
	Conditional	Unsatisfactory
	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation

FACTOR 5	Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)
Not Applicable - Not a carrier of Hazardous Material	
NONE	

FACTOR 6	Accident (Recordable Accident Rate)
((Recordable Accidents) X (1 million)) ÷ (Total Miles) = Rate (0 X 1,000,000) ÷ 45,000 = 0 = SATISFACTORY	
ACCIDENT RATE	FACTOR RATING
û 0.000 - 1.500	= Satisfactory
>1.500	= Unsatisfactory





URBAN DELIVERY SERVICE LLC

U.S. DOT #: 2856862

State #: THG-67060

Review Date:

12/27/2017

Safety Fitness Rating Explanation

OVERALL SAFETY FITNESS RATING

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

2

1

= UNSATISFACTORY

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

Unsatisfactory	Conditional	OVERALL RATING
0	2 or fewer	Satisfactory
0	3 or more	Conditional
1	2 or fewer	Conditional
1	3 or more	Unsatisfactory
2	0 or more	Unsatisfactory



How to request an upgrade to your INTRASTATE safety rating

You have been assessed a proposed safety rating of **UNSATISFACTORY**. **If you fail to obtain an improved rating within 60 days, it will become final.**

The Washington Utilities and Transportation Commission (UTC) allows motor carriers to request an upgrade of its safety rating based on corrective action as defined in 49 CFR, section 385.17. The request for an upgrade must be approved by the UTC within 60 days, include a written description of correction actions taken, documentation of these corrective actions, and an explanation of how its operations meet the safety standards and factors specified in 49 CFR sections 385.5 and 385.7.

You must develop a safety management plan:

1. The plan must address each acute, critical, or serious violation on the most recent Compliance Review. Corrective actions to address other violations noted on your review must also be included.
2. Identify why the violations were permitted to occur.
3. Discuss the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action. (For example: documentation may include items such as new policies and procedures, training programs and sign-in lists, or copies of new forms.)
4. Outline actions taken to ensure that similar violations do not reoccur in the future. **YOU MUST DEMONSTRATE THAT YOUR OPERATIONS CURRENTLY MEET THE SAFETY STANDARD AND FACTORS SPECIFIED IN 49 CFR 385.5 and 385.7.** To do so, you must demonstrate that you now have adequate safety management controls in place which function effectively to ensure acceptable compliance with applicable safety requirements.
5. If your request includes actions that will be conducted in the near future, such as training, reorganization of departments, purchasing of computer programs, etc., include a detailed description of the activity or training and a schedule of when that activity will commence and when it will be completed.
6. Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.
7. Include a written statement certifying the carrier will operate within federal and state regulations and the carrier's operation currently meets the safety standard and factors specific in 49 CFR 385.5 and 385.7. A corporate officer; partner, or the owner of the company must sign the statement.

You must submit your request to:

Safety Compliance Investigator Wayne Gilbert
WA Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
PO Box 47250
Olympia, WA 98504-7250

Optional Checklist for Safety Rating Upgrade Request Based on Corrective Action Passenger Carriers

At a minimum, the following must be addressed:

- All violations listed on the investigation
- An out of service rate 34% or more as listed on the compliance review
- Or UNSATISFACTORY crash rate as listed on the compliance review
- Any new OOS violations cited at the roadside since the compliance review or roadside violations related to those critical and/or acute violations cited in the compliance review
- How your corrective actions will improve your safety performance, including data captured by FMCSA's Safety Management System.
- Provide a list of all drivers used in the past 12 months. Include hire and termination dates, license numbers and dates of birth for each driver.

49 CFR Part 391

Medical Certificates –

49 CFR §391.45(a) – Using a driver not medically examined and certified (Critical), and

49 CFR §391.45(b)(1) - Using a driver not medically examined and certified during the preceding 24 months. (Critical)

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation may include:
 - Copy of medical examiner's certificates.
 - Procedures to monitor medical certificate expiration dates and medical re-qualification/conditions

Driver Qualification File and Documents –

49 CFR §391.51(a) – Failing to maintain driver qualification file on each driver employed (Critical), and

49 CFR §391.51(b)(2) – Failing to maintain inquiries into driver's driving record in driver's qualification file (Critical), and

49 CFR §391.51(b)(7) – Failing to maintain medical examiner's certificate in driver's qualification file. (Critical)

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation may include:
 - Complete driver qualification files.
 - Inquiries into drivers' driving records.
 - Copy of medical examiner's certificates.

Optional Checklist for Safety Rating Upgrade Request Based on Corrective Action Passenger Carriers

49 CFR Part 392

Violations of laws, ordinances, and regulations –

49 CFR §392.2 – Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. (Critical)

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation may include:
 - Policies and procedures implemented to address laws, ordinances and regulations the motor carrier and/or drivers are not complying with.
 - Proof of disciplinary actions taken in accordance with policy, if any
 - Address any violations that occurred since the investigation

49 CFR Part 395

49 CFR §395.8(a)(1) – Failing to require driver to make a record of duty status (Critical),

49 CFR §395.8(i) – Failing to require driver to forward within 13 days of completion, the original record of duty status (Critical),

49 CFR §395.8(k)(1) – Failing to preserve driver’s record of duty status for 6 months (Critical),

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Describe the system implemented to:
 - **ensure logs are completed/submitted/maintained,**
 - identify hours of service violations,
 - verify the accuracy of logbooks, and
 - the supporting documents that will be used to check for falsification
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation **must include at minimum:**
 - Log audit summaries for a 30-day period. The audit summary must include:
 - the number of drivers’ logs checked for missing logs and hours of service violations
 - the number of logs checked for accuracy
 - the number of logs determined to have been falsified
 - the names of drivers found in violation by violation date and type, and
 - Include all the supporting documents used in audit
 - Evidence that drivers have made/submitted logs or timecards for a 30-day period
 - Progressive disciplinary policy and actions that resulted from the log audit for violations discovered
- Examples of documentation may also include:
 - Discipline measures for carrier officials and/or safety management staff that knowingly and willfully allow hours of service violations and falsification of logs

Optional Checklist for Safety Rating Upgrade Request Based on Corrective Action Passenger Carriers

- Evidence of training to employees with hours of service performance issues that can be addressed by enhancing their knowledge, skills, and management

49 CFR Part 396

No Maintenance Files –

49 CFR §396.3(b) – Failing to keep minimum records of inspection and vehicle maintenance (Critical).

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation may include:
 - Complete maintenance records that include:
 - The identification of the vehicle including company number, if so marked, make, serial number, year, and tire size
 - If the motor vehicle is not owned by the motor carrier, identify the name of the person furnishing the vehicle
 - Evidence of recording a means to indicate the nature and due date of the various inspection and maintenance operations to be performed
 - Evidence of inspection, repairs, and maintenance indicating their date and nature
 - If applicable, a record of tests conducted on push-out windows, emergency doors, and emergency door marking lights on buses (every 90 days)

Annual Inspections -

49 CFR §396.17(a) – Using a commercial motor vehicle not periodically inspected (Critical), and

49 CFR §396.17(g) – Failing to promptly repair parts and accessories not meeting minimum periodic inspection standards (Acute).

- Explain what safety management processes are broken or missing that allowed this violation/pattern to occur
- If your company has been cited with this or a similar violation (in the same Part) in the past, explain why any corrective action you took previously was unsuccessful in preventing additional violations
- Explain remedies (corrective action) implemented to prevent future violations
- Identify position responsible for ensuring compliance with these procedures
- Describe the documentation submitted as evidence of this corrective action
- Examples of documentation may include:
 - Evidence of periodic (annual) inspection from sampling of commercial motor vehicles to include those found in violation during investigation
 - If applicable, evidence that defects or deficiencies reported on the periodic inspection were repaired
 - Describe monitoring procedures to have all commercial motor vehicles periodically inspected, and proof of inspector qualifications as per 396.19 and 396.25

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17



Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000372
Inspection Date: 11/03/2017
Start: 11:04 AM PT End: 11:30:58 AM PT
Inspection Level: V - Terminal
HM Inspection Type: None

URBAN DELIVERY SERVICE LLC
301 S WEBSTER ST
SEATTLE, WA 98108-4136

Driver:
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State:
State:

USDOT#: 02856862 Phone#: (206)762-0162
MC/MX#: Fax#:
State#:

Location: 301 S. WEBSTER
Highway: 40TH AVE S
County: KING, WA

MilePost:
Origin: SEATTLE, WA
Destination: SEATTLE, WA
Shipper:

Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate #, Equipment ID, VIN, GVWR, CVSA #, CVSA Issued #, OOS Sticker. Row 1: 1, TR, HINO, 2015, WA, C70453F, HINO, JHHSDM2H3FK002682, 19,500

BRAKE ADJUSTMENTS

Table with columns: Axle #, 1, 2. Rows: Right (N/A, N/A), Left (N/A, N/A), Chamber (HYDR, HYDR)

VIOLATIONS

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Rows include 390.21B, 393.95A, 393.95F, 393.11, 396.17C with descriptions of violations like 'Carrier name and/or USDOT Number not displayed'.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By: WAYNE GILBERT

Badge #: WAU584

Copy Received By:

Page 1 of 1



02856862 WA WAU007000372

X [Signature]

X [Signature]

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17



Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
360-596-3815 email: safetynet@wsp.wa.gov

Report Number: WAU007000373
Inspection Date: 11/03/2017
Start: 11:31 AM PT End: 11:44:26 AM PT
Inspection Level: V - Terminal
HM Inspection Type: None

URBAN DELIVERY SERVICE LLC
301 S WEBSTER ST
SEATTLE, WA 98108-4136
USDOT#: 02856862 Phone#: (206)762-0162
MC/MX#: Fax#:
State#:
Location: 301 S. WEBSTER
Highway: 40TH AVE S
County: KING, WA

Driver: License#: State:
Date of Birth:
CoDriver: License#: State:
Date of Birth:
Shipper:
MilePost:
Origin: SEATTLE, WA
Destination: SEATTLE, WA
Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate #, Equipment ID, VIN, GVWR, CVSA #, CVSA Issued #, OOS Sticker. Row 1: 1, TR, ISU, 2016, WA, C07465F, ISUZU, JALC4W169G7000277, 14,500

BRAKE ADJUSTMENTS

Table with columns: Axle #, Right, Left, Chamber. Row 1: 1, N/A, N/A, HYDR

VIOLATIONS

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Row 1: 390.21B, 390.21(b), 1, N, N, N, Carrier name and/or USDOT Number not displayed as required: USDOT number not displayed

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to insure compliance with all applicable Federal and State regulations.
Signature Of Motor Carrier X: Title: Date:

Report Prepared By: WAYNE GILBERT
x [Signature]

Badge #: WAU584

Copy Received By: x [Signature]

