	US DOT # 2919585	Legal: PNW MOVING & DELIVERY LLC Operating (DBA):			
MC/MX #:		Federal Tax ID:			
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory:
Operation Types	Interstate	Intrastate	Business: Corporation		
Carrier: N/A	N/A	Non-HM	Gross Revenue: \$1,150,000.00		
Shipper: N/A	N/A	N/A	for year ending: 12/31/2023		
Cargo Tank: N/A					
Company Physical Address:					
2112 109TH ST S SUITE 203 TACOMA, WA 98444-2733					
Contact Name: Dmitriy Satir					
Phone numbers: (1) 253-579-7122		(2)		Fax	
E-Mail Address: dmitriysatir@gmail.com					
Company Mailing Address:					
708 133RD STREET S TACOMA, WA 98444-2733					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Household Goods					
Equipment					
	Owned	Term Leased	Trip Leased		Owned Term Leased Trip Leased
Truck	0	4	0		
Power units used in the U.S.: 4					
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:			Total Drivers: 5		
>= 100 Miles:		5	CDL Drivers: 0		





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Review Date:
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Part A

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

Tracy Cobile
P.O. Box 47250 Olympia, WA 98504-7250
[Phone: \(360\) 790-0653](tel:(360)790-0653) [Email: tracy.cobile@utc.wa.gov](mailto:tracy.cobile@utc.wa.gov)

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Dmitry Satir

Title: Owner

Name:

Title:



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Part B Violations

1 STATE ACUTE	Primary: WAC 480-15-550 CFR Equivalent: 387.7(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description
Operating a commerical motor vehicle without having adequate cargo insurance coverage.

Example
Driver name: Roman Satir
Trip date: July 22, 2023
Vehicle: 2022 FRHT Unit: 5 VIN: 3ALACWFC2NDNF1335
Vehicle: 2020 Isuzu Unit 6 VIN: JALE5W164L7301927
Vehicle: 2016 FRHT Unit 7 VIN: 3ALACWDTSGDHB5346
Description of violation: The company operated truck Unit #5, VIN 3ALACWFC2NDNF1335, Unit #6 VIN JALE5W164L7301927 and Unit #7 VIN 3ALACWDT5GDHB5346 to conduct HHG moves on a total of 129 occasions without cargo coverage as follows:
July (2023) 22, 24, 25, 26, 27, 28, 29, 31 (8 occasions)
August (2023) 1, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31 (24 occasions)
September (2023) 1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29 (22 occasions)
October (2023) 2, 3, 4, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 30, 31 (23 occasions)
November (2023) 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29, (20 occasions)
December (2023) 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 21, 22, 26, 27, 28, 29, 30 (22 occasions)
January (2024) 2, 3, 9, 12, 15, 17, 18, 19, 20, 22 (10 occasions)

2 STATE ACUTE	Primary: 387.7(a) Secondary: WAC 480-15-530 CFR Equivalent: 387.7(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description
Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage.

Example
*WAC 480-15-530 is the primary violation - 387.7(a) is listed for software reporting requirements in calculation of insurance requirements.

Driver name: Roman Satir
Trip date: July 22, 2023
Vehicle: 2022 FRHT Unit: 5 VIN: 3ALACWFC2NDNF1335
Vehicle: 2020 Isuzu Unit 6 VIN: JALE5W164L7301927
Vehicle: 2016 FRHT Unit 7 VIN: 3ALACWDTSGDHB5346
Description of violation: The company operated truck Unit #5, VIN 3ALACWFC2NDNF1335, Unit #6 VIN JALE5W164L7301927 and Unit #7 VIN 3ALACWDT5GDHB5346 to conduct HHG moves on a total of 129 occasions without liability coverage as follows:
July (2023) 22, 24, 25, 26, 27, 28, 29, 31 (8 occasions)
August (2023) 1, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31 (24 occasions)
September (2023) 1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29 (22 occasions)
October (2023) 2, 3, 4, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 30, 31 (23 occasions)
November (2023) 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29, (20 occasions)
December (2023) 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 21, 22, 26, 27, 28, 29, 30 (22 occasions)
January (2024) 2, 3, 9, 12, 15, 17, 18, 19, 20, 22 (10 occasions)

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Part B Violations

3 STATE CRITICAL	Primary: 480-15-555 (1) CFR Equivalent: 392.2	Discovered 11	Checked 28	Drivers/Vehicles In Violation 11	Checked 28
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Description
Failure to complete a criminal background check for every person the carrier intends to hire.

Example
Employee: Nazar Feseuko
Hire Date: February 22, 2023
First Day Worked: February 22, 2023
Description of violation: The carrier failed to conduct a background check for every person the carrier intends to hire, no background check was completed.

Also in violation:
Employee: Dennis Zhuk
Hire Date: March 25, 2023
First Day Worked: March 25, 2023

Employee: Nevaen Snell
Hire Date: August 14, 2023
First Day Worked: August 14, 2023

Employee/Driver: Brian Johnson
Re-Hire Date: August 7, 2023

Employee/Driver: Ryan Wisenbaugh
Re-Hire Date: August 28, 2023

Employee: Matthew Savolyuk
Hire Date: November 16, 2023
First Day Worked: November 30, 2023
Description of violation: The criminal background check for Matthew Savolyuk was not conducted by the carrier prior to the November 16, 2023, hire date or the first day of work on November 30, 2023. The criminal background check was initially acquired on February 7, 2024.

Employee: Tacory "Cory" Eldridge
Hire Date: July 1, 2021
First Day Worked: July 1, 2021
Description of violation: The criminal background check for Tacory "Cory" Eldridge was not conducted by the carrier prior to July 1, 2021, hire date or the first day of work on July 1, 2021. The criminal background check was initially acquired on June 13, 2022.

Employee: Victor Motrunchyk
Hire date: 2021 (the carrier did not provide the actual day or month of hire in 2021)
Description of violation: The criminal background check for Victor Motrunchyk was not conducted by the carrier prior to the 2021 hire date. The criminal background check was initially acquired on January 28, 2022.

Employee: Timothy Mukomol
Hire Date: August 11, 2021
First Day Worked: 2021 (the carrier did not provide the actual date in 2021)
Description of violation: The criminal background check for Timothy Mukomol was not conducted by the carrier prior to July 1, 2021, hire date or the first day of work on July 1, 2021. The criminal background check was initially acquired on January 28, 2022.

Employee: Ymani Holland
Hire Date: September 9, 2022

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Part B Violations

First Day Worked: September 9, 2022
Description of violation: The criminal background check for Ymani Holland was not conducted by the carrier prior to the September 9, 2022, hire date or the first day of work on September 9, 2022. The criminal background check was initially acquired on September 16, 2022.

Employee: Jonathan Dunn
Hire Date: August 14, 2023
First Day Worked: August 14, 2023
Description of violation: The criminal background check for Timothy Mukomol was not conducted by the carrier prior to August 14, 2023, hire date or the first day of work on August 14, 2023. The criminal background check was initially acquired on August 28, 2023.

4 STATE CRITICAL	Primary: 395.8(a)(1) CFR Equivalent: 395.8(a)(1)	Discovered 61	Checked 150	Drivers/Vehicles In Violation	Checked 5
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Description
Failing to require a driver to prepare a record of duty status using the appropriate method.

Example
Driver: Dmitriy Satir
Trip Date: December 4, 2023
Description of violation: The carrier failed to require the driver to make a record of duty status.

Also in violation:
Driver: Roman Satir
Trip Date: December 1, 2023

Driver: Brian Johnson
Trip Date: December 7, 2023
Customer: Nick Bergeron
Truck: Unit 5
Description of violation: The carrier failed to require this driver to prepare a record of duty status using the appropriate method for a HHG move that went beyond a 150 air-mile radius. The HHG move started in Tacoma, WA and was delivered to Moses Lake, WA (200 miles or 3 hours and 21 minutes).

5 STATE	Primary: 390.15(b) CFR Equivalent: 390.15(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 1
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Description
Failing to maintain, for a period of three years after an accident occurs, an accident register.

Example
Driver: Marcus McClain
Trip Date: July 23, 2023
Description of violation: The carrier failed to maintain an accident register as required



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Part B Violations

6 STATE	Primary: 390.19(b)(2) CFR Equivalent: 390.19(b)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description
Failing to file the appropriate form under 390.19(a) (MCS-150, 150B, or 150C) each 24 months according to the schedule.
Driver: Roman Satir
Trip Date: January 22, 2024
Description of violation: The motor carrier failed to update the MCS-150 registration form with the correct mailing address, vehicle miles traveled and proper designation of drivers to intrastate only.

7 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description
Using a driver who has not completed and furnished an employment application.

Example
Driver: Brian Johnson
Trip Date: January 22, 2024
Description of violation: The employment application for this driver is incomplete and missing the driver license information, driving experience, list of all violations three years prior, statement of any revocation/suspension of driver license.

Driver: Ryan Wisenbaugh
Trip Date: January 19, 2024
Description of violation: The employment application for this driver is incomplete and missing the address of employing carrier, previous three-year residences proceeding the application, three-year crash, and traffic history.

Driver: Marcus McClain
Trip Date: January 19, 2024
Description of violation: The employment application for this driver is incomplete and missing the previous three-year residences proceeding the application, driving experience and equipment type, three-year crash, and traffic history.

8 STATE	Primary: 391.23(a)(1) CFR Equivalent: 391.21(a)(1)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
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Description
Failing to investigate driver's background/motor vehicle record within 30 days of hire.

Example
Driver: Ryan Wisenbaugh
Trip Date: January 24, 2024
Description of violation: The carrier failed to obtain the driver Motor Vehicle Record (MVR) within 30 days of hire.

Also in violation:
Driver: Marcus McClain
Trip Date: January 12, 2024



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Part B Violations

9 STATE	Primary: 391.23(a)(2) CFR Equivalent: 391.23(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description
Failing to investigate driver's performance history with Department of Transportation regulated employers during the preceding three years.
Driver: Brian Johnson
Trip Date: January 22, 2024
Description of violation: The carrier failed to investigate the driver's performance history with previous Department of Transportation regulated employers.

Also in violation:
Driver: Ryan Wisenbaugh
Trip Date: January 19, 2024

Driver: Marcus McClain
Trip Date: January 19, 2024

10 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.25(c)(2)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
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Description
Failing to maintain record of annual review in driver's qualification file.

Example
Driver: Dmitriy Satir
Trip date: December 4, 2023
Description of violation: The carrier failed to maintain a note, including the name of the person who performed the review of the driving record as required for calendar year 2022 and 2024.

Driver: Roman Satir
Trip date: January 22, 2024
Description of violation: The carrier failed to maintain a note, including the name of the person who performed the review of the driving record as required for calendar year 2022, 2023 and 2024.

11 STATE	Primary: 391.51(b)(3) CFR Equivalent: 391.51(b)(3)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description
Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.

Example
Driver: Brian Johnson
Trip date: January 22, 2024
Description of violation: Using a driver who has not taken a road test or who has been issued a certificate of driver's road test.

Also in violation:
Driver: Ryan Wisenbaugh
Trip Date: January 19, 2024

Driver: Marcus McClain
Trip Date: January 19, 2024



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Part B Violations

12 STATE	Primary: 391.51(b)(4) CFR Equivalent: 391.51(b)(4)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description
Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

Example
Driver: Dmitriy Satir
Trip date: December 4, 2023
Description of violation: The carrier failed to maintain the annual driver abstract in the driver qualification file for calendar year 2023.

13 STATE	Primary: 392.16(b) CFR Equivalent: 392.2	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
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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: Ryan S. Wisenbaugh
Trip Date: October 17, 2023
Description of violation: The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 365 days. Violation of 392.16(b) occurred on inspection WAW823000223 when the passenger was not wearing seat belt properly. The carrier is responsible to ensure compliance with the safety regulations while operating a commercial motor vehicle.

Driver: Marcus McClain
Trip Date: June 15, 2023
Description of violation: The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 365 days. Violation of 392.16(b) occurred on inspection WAW121001759 when the passenger was not wearing seat belt while truck was in motion. The carrier is responsible to ensure compliance with the safety regulations while operating a commercial motor vehicle.

14 STATE	Primary: 396.3(b) CFR Equivalent: 396.3(b)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description
Failing to keep minimum records of inspection and vehicle maintenance.

Example
Driver: Roman Satir
Trip Date: January 15, 2024
Description of violation: The carrier failed to maintain a vehicle maintenance file for each motor vehicle the carrier controls for 30 consecutive days.



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Part B Violations

15 STATE	Primary: 396.9(d)(3) CFR Equivalent: 396.9(d)(3)	Discovered 3	Checked 4	Drivers/Vehicles In Violation 3	Checked 4
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Description
Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business (PPOB) or where vehicle is housed.
Driver: Pavel Arkhipchuk
Report/Trip Date: February 10, 2023
Vehicle: Unit #7 - 2016 Freightliner 3ALACWDT5GDHB5346
Issuing Agency: Washington State Patrol
Report #: WAW107003890
Description of violation: The carrier failed to maintain completed inspection forms for 12 months from the date of the inspection at the carrier's PPOB.

Also in violation:
Driver: Marcus McClain
Report/Trip Date: June 15, 2023
Vehicle: Unit #5 - 2022 Freightliner VIN 3ALACWFC2NDF1335
Issuing Agency: Washington State Patrol
Report #: WAW121001759

Driver: Ryan Wisenbaugh
Report/Trip Date: October 17, 2023
Vehicle: Unit #5 - 2022 Freightliner VIN 3ALACWFC2NDF1335
Issuing Agency: Washington State Patrol
Report #: WAW823000223

16 STATE	Primary: RCW 81.80.075(1) CFR Equivalent: 392.9a(a)(1)	Discovered 45	Checked 45	Drivers/Vehicles In Violation 1	Checked 1
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Description
Household goods carrier operating in and engaging in business as a household goods carrier in commerce without a valid permit issued by the Washington Utilities and Transportation Commission (UTC).

Example
Driver name: Roman Satir
Trip date: April 20, 2023
Description of violation: The carrier operated and engaged in HHG moves from April 20, 2023 through June 14, 2023 without a valid permit issued by the commission. Provisional permit number THG-067549 was canceled on April 20, 2023, and reinstated on June 15, 2023. The carrier operated commercial motor vehicles and conducted HHG moves on 45 occasions without a valid permit on the following days:
April (2023) 20, 21, 22, 24, 25, 26, 27, 28, 29 (9 occasions)
May (2023) 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 31 (25 occasions)
June (2023) 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14 (11 occasions)

Safety Fitness Rating Information: Total Miles Operated 82,000 Recordable Accidents 1 Recordable Accidents/Million Miles 12.20	OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 3 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0
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Part B Violations

Your proposed safety rating is :

CONDITIONAL

Rating Factors		Acute	Critical
Factor 1:	C	1	0
Factor 2:	S	0	0
Factor 3:	U	0	3
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-





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Part B Requirements and/or Recommendations

1. DESCRIPTION OF PROCESS BREAKDOWN: Owner Dmitry Satir failed to maintain cargo insurance coverage on all leased HHG commercial motor vehicles and knowingly operated in intrastate commerce without the required minimum financial responsibility.

(1) Carriers must have cargo insurance coverage (WAC 480-15-550) at the levels prescribed in subsection (2) of this section to protect all household goods transported under the permit. The commission will not issue a permit for authority to operate without acceptable proof of required cargo insurance coverage.

(2) The minimum limits of required cargo insurance are:

(a) Ten thousand dollars for household goods transported in motor vehicles with a gross vehicle weight rating of less than ten thousand pounds.

(b) Twenty thousand dollars for household goods transported in motor vehicles with a gross vehicle weight rating of ten thousand pounds or more.

(3) Carriers must provide proof of required cargo insurance (Certificate of Liability Insurance or Form H Uniform Motor Carrier Cargo Certification of Insurance) when they apply for a permit. In addition, carriers must have proof of cargo insurance at their main office available for inspection by commission representatives.

(4) The commission may suspend or cancel the permit of any carrier operating without required cargo insurance coverage.

2. DESCRIPTION OF PROCESS BREAKDOWN: Owner Dmitry Satir failed to maintain public liability insurance coverage on all leased HHG commercial motor vehicles and knowingly operated in intrastate commerce without the required minimum financial responsibility.

Public liability and property damage insurance - (WAC 480-15-530)

(1) Before operating under a household goods permit, carriers must have public liability and property damage insurance covering every motor vehicle used in its operations. The commission will not issue a permit for authority to operate without acceptable proof of required insurance coverage. Carriers must maintain the required public liability and property damage insurance at all times for every motor vehicle used in Washington intrastate operations.

(a) The policy must be written by an insurance company authorized to write insurance in Washington state.

(b) The policy must include the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) or Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond (Form G).

(c) The commission may suspend or cancel the permit of any carrier operating without proof of required insurance coverage.

(2) The minimum limits of required public liability and property damage insurance for motor vehicles operated by household goods carriers are as follows:

(a) At least three hundred thousand dollars in combined single limit coverage for motor vehicles with a gross vehicle weight rating of less than ten thousand pounds.

(b) At least seven hundred fifty thousand dollars in combined single limit coverage for motor vehicles with a gross vehicle weight rating of ten thousand pounds or more.

(3) Carriers must file a Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) or Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond (Form G) as a condition of maintaining a household goods permit.

(a) The Form E or Form G filing must be issued in exactly the same name as the carrier's permit.

(b) The Form E or Form G filing must be continuous, until canceled by a Notice of Cancellation (Form K) filed with the commission no less than thirty days before the cancellation effective date.

(4)(a) The commission will accept an insurance certificate or binder for up to sixty days. A certificate or binder may be canceled by filing written notice with the commission at least ten days before the cancellation effective date. A certificate or binder must be replaced by a Form E or Form G within sixty days of filing, or before the expiration date, whichever occurs first.

(b) Certificates or binders must include all of the following:

(i) The commission as the named certificate holder.

(ii) The carrier's name, exactly as it appears on the permit or application, as the insured.

(iii) The insurance company name

(iv) The insurance policy number.





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Part B Requirements and/or Recommendations

- (v) The effective and expiration dates
- (vi) The insurance limits of coverage.

3. COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner Dmitry Satir did not maintain and did not complete the required criminal background checks for every person the carrier intends to hire.

Criminal background checks for prospective employees.

- (1) Each carrier must complete a criminal background check for every person the carrier intends to hire.
- (2) The carrier must keep evidence that it has completed a criminal background check for every person the carrier intends to hire for as long as that person is employed and for three years thereafter.
- (3) No carrier may hire a person who has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance within the past five years.

4. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Owner Dmitry Satir failed to have a system in place for tracking HOS which resulted in failing to monitor driver hours of service causing the potential for unsafe driving due to fatigue.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
- Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
- Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
- Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.
- Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.
- When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or represents a systemic breakdown in the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

5. DESCRIPTION OF PROCESS BREAKDOWN: Company Owner Dmitry Satir knowingly operated without a valid permit from April 20, 2023 to June 14, 2023.





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Part B Requirements and/or Recommendations

Household goods carrier operating in and engaging in business as a household goods carrier in commerce without a valid permit issued by the Washington Utilities and Transportation Commission (UTC).

Household goods carriers - Permit required, penalty, cease and desist orders.

- (1) No person shall engage in business as a household goods carrier without first obtaining a household goods carrier permit from the commission.
- (2) Permits issued to any household goods carrier must be exercised by the carrier to the fullest extent to render reasonable service to the public. Applications for household goods carrier permits or permit extensions must be on file for a period of at least thirty days before issuance unless the commission finds that special conditions require earlier issuance.
- (3) The commission must issue a permit or permit extension to any qualified applicant, authorizing the whole or any part of the operations covered by the application, if it is found that: The applicant is fit, willing, and able to perform the services proposed and conform to this chapter and the requirements, rules, and regulations of the commission; the operations are consistent with the public interest; and, in the case of common carriers, they are required by the present or future public convenience and necessity; otherwise, the application must be denied.
- (4) Any person who engages in business as a household goods carrier in violation of subsection (1) of this section is subject to a penalty of up to five thousand dollars per violation.
 - (a) If the basis for the violation is advertising, each advertisement reproduced, broadcast, or displayed via a particular medium constitutes a separate violation.
 - (b) In deciding the amount of penalty to be imposed per violation, the omission shall consider the following factors:
 - (i) The carrier's willingness to comply with the requirements of RCW 81.80.070 and the commission's rules under this chapter; and
 - (ii) The carrier's history with respect to compliance with this section.
- (5) Any person who engages in business as a household goods carrier in violation of a cease and desist order issued by the commission under RCW 81.04.510 is subject to a penalty of up to ten thousand dollars per violation.

6. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Owner, Dmitriy Satir failed to implement policies and procedures to ensure drivers are operating commercial motor vehicles in a safe manner by wearing seat belts.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a policy stating that drivers are responsible for adhering to all safe-driving-related Federal, State, and local laws and ordinances, including the prohibition against using radar detectors and the wearing of seatbelts.
- Develop a policy requiring drivers to submit copies of all roadside inspections and citations for moving violations to carrier management within 24 hours.
- Develop a policy penalizing drivers for speeding even if a Federal or State citation is not issued on the road.
- Establish a policy that prohibits dispatchers from assigning drivers a load that cannot be completed without speeding.
- Develop a policy that prohibits passengers from being on board non-passenger vehicles without management approval.
- 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 unsafe-driving violations.

7. Maintain complete driver qualification files on each driver employed. File must contain the drivers employment application, employment history investigation, inquiry into drivers driving record obtained within 30 days of hire date, certificate of annual review of driving record, annual copy of driving record, certificate of road test or equivalent and current medical certificate.





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8. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
9. Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
10. Motor carriers must maintain an accident register for three years after the date of each accident. Information placed in the accident register must contain at least the following:
 - (1) A list of accidents as defined at §390.5 containing for each accident:
 - (i) Date of accident.
 - (ii) City or town, or most near, where the accident occurred and the State where the accident occurred.
 - (iii) Driver Name.
 - (iv) Number of injuries.
 - (v) Number of fatalities.
 - (vi) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicle involved in the accident, were released.
 - (2) Copies of all accident reports required by State or other governmental entities or insurers.

11. Is Your MCS-150 Registration Information Current?

FMCSA requires carriers to update their registration data via a MCS-150 form every 24 months. Please review, verify and update your contact information, Vehicle Miles Travelled (VMT) and Power Unit (PU) data to ensure that it is current and accurate, since it is used in the new Carrier Safety Measurement System. You should access the system, review all the information and press the submit button. Once you've done this, the system will record that you've reviewed the information and you will be in compliance with the biennial update requirement.
https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option

12. "Have you reviewed your data?"

The SMS results are based on your State-reported crash or inspection data. Be sure to review your data in SMS for accuracy. If you think there is an error, request a data review (RDR) by registering for DataQs through the FMCSA Portal at <https://portal.fmcsa.dot.gov> or through the DataQs system directly at <http://dataqs.fmcsa.dot.gov/>."

13. 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 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 and during any eligible investigation. Repeated violations mean 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.

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





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request. Motor carriers should visit the following website or 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>

14. Safety Management Plan (SMP) Requirement

You have been assessed a proposed safety rating of **CONDITIONAL**, within 60 days, send and have approved, a safety management plan to the UTC describing what actions you have taken in response to this review to ensure that you are complying with the Motor Carrier Safety Regulations.

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 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.

Within 60 days from the receipt of your proposed rating, you may request, in writing, a change to your safety rating based on corrective actions. You should do so as soon as possible so the UTC has the opportunity to review and evaluate your safety management plan before the effective date of the final safety rating. If you fail to obtain an improved rating within 60 days from the receipt of your proposed rating, the unsatisfactory rating will become final and you must cease operations.

You must develop a safety management plan:

1. The plan must address all violations 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 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:

Washington Utilities and Transportation Commission
Attention: Jason Sharp, Motor Carrier Safety Supervisor
jason.sharp@utc.wa.gov






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Reason for Review: Compliance Review
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

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

Prior Reviews

2/3/2022
5/6/2020

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: Dmitry Satir
Corporate Contact Title: Owner

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:

Name: Dmitry Satir
Title: Owner
Carrier Name: PNW Moving & Delivery LLC
USDOT: 2919585
UTC Assignment: 124003
Date: March 11, 2024

REASON FOR THE INVESTIGATION:

Per order 01 in Docket TV-220134 (TV-220133 & TV-220134 consolidated), this follow-up safety investigation was assigned to Tracy Coble, Special Investigator of the Washington Utilities and Transportation Commission (commission). The carrier operates in intrastate commerce.


SCOPE OF THE INVESTIGATION:

The investigation was assigned to Special Investigator Tracy Coble on January 22, 2024. The carrier was contacted on January 22, 2024, and a full investigation was initially scheduled to begin Jan. 31, as an onsite comprehensive investigation. Due to commission scheduled business on Jan. 31, the onsite meeting was rescheduled to Feb. 7 with Dmitry Satir. Investigator Coble corresponded with Dmitry Satir, owner/driver via email dmitriysatir@gmail.com, pnwmovinganddelivery@gmail.com <mailto:pnwmovinganddelivery@gmail.com> and telephone 253-579-7122 during this investigation. Present at the start of the review was Special Investigator Coble along with company owner Dmitry Satir.

The Safety Measurement System (SMS) was checked on Jan. 23, and it was noted that the Unsafe Driving BASICs were in alert status for PNW Moving & Delivery LLC and above the threshold at 90 percentile value.

The BASICs violation summary for the previous 365 days as outlined in the SMS affecting the Unsafe Driving BASICs for this carrier includes two violations of CFR 392.16(b) for occupants not properly restrained/not wearing seatbelts. The SMS summary demonstrates the carrier has a pattern of lack of compliance and the strongest relationship to crash risk is found



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with high percentiles in Unsafe Driving. See Part 392 below for details.

CARRIER OPERATION DESCRIPTION:

PNW Moving & Delivery LLC (carrier) is a household goods carrier operating out of Tacoma, Washington. The carrier is a provisional household goods company that began operations in March 2016 and following a cancellation for lack of insurance was reinstated June 15, 2023. The carrier currently operates four straight trucks classified as commercial motor vehicles (CMV) operating under the UTC permit. The carrier employed 11 drivers operating within the state of Washington within the past 365 days and has five current drivers. PNW Moving & Delivery LLC recorded a gross revenue of \$1,150,000 for the calendar year ending December 31, 2023. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. Dmitry Satir is responsible for the carrier's safety program.

PRE-INVESTIGATION:

On Jan. 22, 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 and all commercial motor vehicles utilized in the past 12 months and an all-employee list prior to the start of this investigation. The carrier packet was returned via email on January 29. On Feb. 7, the carrier began emailing additional information requested to Investigator Coble. At the time of the review the documents requested were a list of all recordable 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, all records of duty status (logbooks/timecards) for the previous six months with supporting documents, all maintenance files and records for each commission regulated vehicle. A copy of the carrier's profile and MCS-150 were originally obtained through MCMIS on Jan. 23. The carrier's previous review was completed February 23, 2022. The carrier received a proposed conditional rating.

Commission records show that Satir attended the initial Household Goods Training provided by commission staff in May 2018. This is an in-depth training that covers compliance responsibilities and requirements of household goods carriers for consumer protection and safety.

Per Order 01 in Docket TV-220134 the carrier was required to have all its employees attend the June 2022 HHG training through either the online Learning Management System (Easy LMS) or the live virtual class, no later than June 15, 2022. Commission records show that Satir registered for the June 2022 Easy LMS training, however the carrier did not complete the training as required. Dmitry Satir states that he didn't follow through with the required training because he was busy.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM guidelines, all driver license status/histories were required to be checked based on the current number of drivers. The driver license statuses were checked through CDLIS on Jan. 31 for drivers Dmitry Satir, Roman Satir, Brian Johnson, Ryan Wisenbaugh and Marcus McClain. Secure Access Washington (SAW) was also checked for all five non-CDL Washington licensed drivers. All drivers are currently valid and licensed. See Part 383 below for details.


AUTHORITY:

PNW Moving & Delivery LLC is an authorized for-hire carrier of household goods operating in intrastate commerce and is required to have operating authority. The carrier operates under the USDOT number 2919585. The carrier has intrastate authority through the commission under provisional permit, THG-067549. The carrier's provisional permit was canceled on April 20, 2023 (TV-230262) due to insufficient proof of insurance and reinstated (Application TV-230279) on June 15, 2023.

INSURANCE:

PNW Moving & Delivery LLC is required to maintain a minimum level of public liability coverage of \$750,000 for all CMVs the carrier operates in commerce. A check with the carrier's insurance shows a \$1,000,000 auto liability and \$20,000 cargo insurance policy with Prime Insurance Company. Insufficient insurance coverage was identified during this investigation. See Part 387 for details.



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RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on Jan. 23, 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:

PNW Moving & Delivery LLC does not transport any hazardous materials that require placarding. A Hazardous Materials Supplemental Review is not required.

INVESTIGATION:

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

Part 376 Lease and Interchange of Vehicles:

The carrier trip leased, and term leased nine commercial motor vehicles from Enterprise Rental Truck in Fife, Washington (253-922-5266) during the previous 365 days.

Part 380 Special Training:

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

Part 40 and Part 382

PNW Moving & Delivery LLC does not operate vehicles with a GVWR of 26,001 lbs. or more and is not required to have a controlled substance and alcohol testing program.

Part 383 Commercial Drivers' License:

The carrier employs five current drivers that have operated in the state of Washington over the past 365 days and within the past six months. The carrier does not use commercial vehicles with a GVWR of 26,001 lbs. or more and the drivers are not required to have a CDL.


Part 387 Financial Responsibility:

The carrier's vehicles are insured by Anchor Insurance & Surety, Inc., an underwriter for Prime Insurance Company (503-224-2500), policy number SC23051190. The certificate of liability provided by the carrier showed the carrier maintains \$1,000,000 in auto liability coverage and \$20,000 in cargo coverage. Investigator Cobile verified the carrier did not maintain auto liability insurance coverage with a lapse in coverage from March 15, 2023, to May 11, 2023. The Form E and Form H on file with the commission is current, however the policy only covers one vehicle.

On Feb. 5, insurance agent Choruby responded to Investigator Cobile's insurance verification request email. Choruby states the auto liability and cargo coverage for PNW Moving and Delivery LLC applies to only one vehicle listed on the policy (Unit #4 - 2019 Freightliner VIN 3ALACWFC8KDKR0213) and does not extend to any other CMVs owned or leased by the carrier. Cobile confirmed with the insurance company that trip or term leased vehicles are not covered under the carrier's current policy nor did the carrier contact the insurance company to add any leased vehicles to the policy in the last 365 days before conducting HHG moves with leased vehicles.

Investigator Cobile spoke with Dmitry Satir in detail about the minimum liability and cargo requirements the company must maintain on all owned/leased CMVs operating in commerce. Satir was unable to provide the requested supporting documents to satisfy the required insurance and cargo coverage amounts through Anchor Insurance & Surety, Inc., or Enterprise Truck Rental for Unit #5 VIN 3ALACWFC2NDF1335, Unit #6 VIN JALE5W164L7301927 or Unit #7 VIN



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3ALACWDT5GDHB5346.

Satir stated an understanding that Enterprise Truck Rental does not provide the required amount of liability or cargo insurance as an option and despite having these same violations occur at the last review, Satir operated CMVs conducting HHG moves without insurance and cargo coverages as required. Satir stated he needed to do what he needed to do and had to make money and acknowledged that he understood he was operating without the required insurance coverage.

On Feb. 21, Investigator Cobile called Enterprise Truck Rental in Fife, WA (253-922-5266) and spoke with Branch Manager, Evie. Evie stated that the supplemental insurance offered through Enterprise Truck Rental is up to \$300,000 of liability and no cargo insurance is provided as part of their rental agreements.

Satir was again informed of the minimum liability insurance and cargo coverage requirements. Investigator Cobile instructed Satir to obtain proper liability and cargo coverage prior to any further operations using Unit #5, VIN 3ALACWFC2NDNF1335, Unit #6 JALE5W164L7301927 or Unit #7 VIN 3ALACWDT5GDHB5346 and cease operating any future commercial motor vehicles, owned, or leased that are regulated by the commission that are not adequately insured.

Based on the carrier's HHG work orders provided for review while unpermitted, the carrier operated CMVs in commerce conducting HHG moves without auto liability and property damage coverage (WAC 480-15-530) while unpermitted (no operating authority) in violation of RCW 81.80.075(1) on 45 occasions from April 20, 2023, through June 14, 2023, on the following days:

April (2023) 20, 21, 22, 24, 25, 26, 27, 28, 29 (9 occasions)
May (2023) 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 31 (25 occasions)
June (2023) 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14 (11 occasions)

Based on the carrier's HHG work orders provided for review, the carrier operated CMVs in commerce conducting HHG moves without cargo coverage (WAC 480-15-530) while unpermitted (no operating authority) in violation of RCW 81.80.075(1) on 45 occasions from April 20, 2023, through June 14, 2023, on the following days:

April (2023) 20, 21, 22, 24, 25, 26, 27, 28, 29 (9 occasions)
May (2023) 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 31 (25 occasions)
June (2023) 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14 (11 occasions)

Based on the records provided during the six months preceding the start to this investigation, the carrier operated CMVs in commerce conducting HHG moves without auto liability and property damage coverage that meets the minimum requirements (WAC 480-15-530) while permitted on 129 occasions from July 22, 2023, through January 22, 2024, as follows:

The company operated truck Unit #5, VIN 3ALACWFC2NDNF1335, Unit #6 VIN JALE5W164L7301927 and Unit #7 VIN 3ALACWDT5GDHB5346 on a total of 129 occasions without liability coverage as follows:


July (2023) 22, 24, 25, 26, 27, 28, 29, 31 (8 occasions)
August (2023) 1, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31 (24 occasions)
September (2023) 1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29 (22 occasions)
October (2023) 2, 3, 4, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 30, 31 (23 occasions)
November (2023) 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29, (20 occasions)
December (2023) 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 21, 22, 26, 27, 28, 29, 30 (22 occasions)
January (2024) 2, 3, 9, 12, 15, 17, 18, 19, 20, 22 (10 occasions)

Based on the records provided during the six months preceding the start to this investigation, the carrier operated CMVs in commerce conducting HHG moves without cargo insurance coverage (WAC 480-15-550) while permitted on 129 occasions from July 22, 2023, through January 22, 2024, as follows:

The company operated truck Unit #5, VIN 3ALACWFC2NDNF1335, Unit #6 VIN JALE5W164L7301927 and Unit #7 VIN 3ALACWDT5GDHB5346 on a total of 129 occasions without cargo coverage as follows:

July (2023) 22, 24, 25, 26, 27, 28, 29, 31 (8 occasions)
August (2023) 1, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31 (24 occasions)
September (2023) 1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29 (22 occasions)
October (2023) 2, 3, 4, 6, 7, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 30, 31 (23 occasions)
November (2023) 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29, (20 occasions)
December (2023) 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 18, 19, 21, 22, 26, 27, 28, 29, 30 (22 occasions)



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January (2024) 2, 3, 9, 12, 15, 17, 18, 19, 20, 22 (10 occasions)

One acute violation of WAC 480-15-530 occurred when the carrier failed to have adequate auto liability insurance on trip or term leased trucks through Enterprise Rental Truck (VIN 3ALACWFC2NDNF1335, VIN 3ALACWDT5GDHB5346, VIN JALE5W164L7301927).

One acute violation of WAC 480-15-550 occurred when the carrier failed to have adequate cargo insurance on trip or term leased trucks through Enterprise Rental Truck (VIN 3ALACWFC2NDNF1335, VIN 3ALACWDT5GDHB5346, VIN JALE5W164L7301927).
Repeat violation.

Part 390 General FMCSR:

The carrier has been involved in Department of Transportation recordable accidents in the last 365 days and was unable to provide an accident register for review.

PNW Moving & Delivery LLC last updated the MCS-150 on February 2, 2022, and recorded 28,000 vehicle miles travelled (VMT) for calendar year 2019. Satir states a total of 82,000 VMT for the calendar year 2023 ending December 31, 2023.

One violation of 390.15(b) occurred when the carrier failed to maintain an accident register as required.

One violation of 390.19(b)(2) occurred when the carrier failed to update the MCS-150 registration form with the correct mailing address, vehicle miles traveled and the proper designation of drivers to intrastate only.
Repeat violation.

Part 391 Qualification of Drivers:

The carrier employed a total of eleven drivers that operated in intrastate commerce during the previous 365 days, with five current drivers. Per eFOTM guidelines, a sample size of five Driver Qualification Files were to be inspected. The driver files requested to be reviewed were for drivers Dmitriy Satir, Roman Satir, Brian Johnson, Ryan Wisenbaugh and Marcus McClain.

Three violations of 391.21(a) occurred when the carrier failed to ensure each driver had a complete employment application on file.
Repeat violation.

Two violations of 391.23(a)(1) occurred when the carrier failed to obtain the Motor Vehicle Record (MVR) for drivers within 30 days of hire.

Three violations of 391.23(a)(2) occurred when the carrier failed to investigate the driver's previous employment history with Department of Transportation regulated employers.

Three violations of 391.51(b)(3) occurred when the carrier failed to road test and certify drivers prior to operating a commercial motor vehicle for the company.
Repeat violation.


One violation of 391.51(b)(4) occurred when the carrier failed to maintain the annual driver abstract in the driver qualification file.
Repeat violation.

Two violations of 391.51(b)(5) occurred when the carrier failed to maintain a note in the driver qualification file for the annual review of the driver's MVR.

In accordance with FMCSA Memorandum MC-ECS-2012-0004 medical certificates for 25 percent of the driver qualification file sample size (one) were to be selected for verification.

Driver Name: Marcus McClain
Date of Birth: July 7, 1996



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ME's License/Certificate Number: MD61024251
Date of Issuance of the MEC: November 2, 2023
MEC Expiration: November 2, 2025
National Registry Identification Number: 759433553
Phone Number: 253-475-5908
Date and Time Contacted: February 13, 2024
Person Contacted: Angel
Results: MEC Check Confirmed

The medical card for driver Dmitry Satir expired on January 31, 2024, and no new medical card was presented for review at the time of this investigation. When asked to provide a copy of a current medical card, Dmitry Satir stated that he hasn't been able to get one because he doesn't have the money and he is focused on scheduling moves, if not, they will go out of business. Investigator Cobile was unable to identify any documented driving conducted by driver Dmitry Satir from February 1, 2024, to current.

Part 392 - Driving of Commercial Motor Vehicles:

PNW Moving & Delivery LLC is an intrastate carrier and at the time of this investigation the carrier is current on its annual regulatory fees for 2022.

The carrier's principal place of business is located at 2112 109th Street Ste. 203, Tacoma, Washington 98444, and all household goods moves start and stop from the Tacoma, Washington location.

Dmitry Satir was informed that using radar detectors and handheld devices while driving is prohibited.

Eleven critical violations of WAC 480-15-555 (1) occurred when the carrier failed to conduct criminal background checks for every person the carrier intends to hire.
Repeat violation.

Forty-five violations of RCW 81.80.075(1) occurred when the carrier operated and engaged in business conducting household goods moves without a valid permit issued by the commission.

Two violations of CFR 392.16(b) occurred when drivers operated CMVs in violation of occupants not being properly restrained by seat belts - Unsafe Driving.

Part 395 - Hours of Service:

PNW Moving & Delivery LLC employed 11 drivers during the last 365 days, employing five drivers during the previous six months. In accordance with eFOTM procedures, a sample size of five Record of Duty Status (RODS) was required to be checked for a 30-day period. PNW Moving & Delivery LLC operated most services under the short-haul exemption in Part 395.1(e) within the last 365 days and does not require an ELD.

For this investigation, a 30-day period was requested to be reviewed for December 1 - 30, 2023 for drivers Dmitry Satir, Roman Satir, Brian Johnson, Ryan Wisenbaugh and Marcus McClain. This required that 150 RODS be checked. As part of the investigation, supporting documents were also requested for review.


During the onsite visit, Investigator Cobile discovered that both Dmitry Satir and Roman Satir were unable to provide any hours of service for review for the sample period requested. Cobile asked Dmitry Satir why this repeat violation was allowed to occur, Satir stated that they just didn't get around to doing them.

Sixty-one critical violations of 395.8(a)(1) occurred when the carrier failed to require drivers to make a record of duty status using the appropriate method.
Repeat violation.

Part 393 & 396 - Maintenance and Inspection:

The carrier operated nine trip or term leased straight trucks classified as commercial motor vehicles in intrastate commerce during the last 365-days. The carrier currently operates four leased commercial motor vehicles from Enterprise



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Truck Rental in Fife, Washington. The carrier states the major vehicle maintenance and annual inspections are conducted primarily with Enterprise Truck Rental located in Fife, Washington.

Vehicle Maintenance Records:

In accordance with the eFOTM, a sample size of four vehicle maintenance files were to be reviewed.

Investigator Cobile requested to review the maintenance files for the following four vehicles, Unit #4 VIN 3ALACWFC8KDKR0213, Unit #5 VIN 3ALACWFC2NDF1335, Unit #6 VIN JALESW164L7301927 and Unit #7 VIN 3ALACWDT5GDHB5346.

One critical-type violation of 396.3(b) occurred when the carrier failed to maintain a vehicle maintenance file for each motor vehicle the carrier controls for 30 consecutive days.
Repeat violation.

One violation of 396.9(d)(3) occurred when the carrier failed to maintain completed vehicle inspection forms for 12 months from the date of inspection in the vehicle maintenance files at the carriers PPOB.

Driver Vehicle Inspection Reports (DVIRs):

Investigator Cobile inquired about the carrier's DVIR process as part of this investigation. Satir was unable to demonstrate compliance with the DVIR reporting process and stated when defects occur, the drivers will verbally inform Satir of any defects found during their post-trip inspections. The DVIR documentation and reporting requirements outlined in CFR 396.11 were again discussed in detail with Satir. The carrier was not in compliance with the DVIR reporting and documentation requirements, however no violations were identified as no documentation revealed that a DVIR was required on any given day during the sample period.

Vehicle Inspections:

In accordance with eFOTM, a sample size of three vehicles were inspected. The vehicles were inspected at the carrier's principal place of business. No out-of-service (OOS) violations were discovered.

A review of the carrier's profile revealed that on June 15, 2023, a level two inspection (WAW121001759) was conducted on VIN: 3ALACWFC2NDF1335 and placed OOS for an inoperative right turn signal. This vehicle was inspected (level V) as part of this investigation and it was determined that the carrier corrected the OOS violation.

The vehicles inspected are as follows:

- 2002 Freightliner, VIN: 3ALACWFC2NDF1335
- 2019 Freightliner, VIN: 3ALACWFC8KDKR0213
- 2016 Freightliner, VIN: 3ALACWDT5GDHB5346

See attached Aspen reports.

CLOSING INTERVIEW:

The closing interview was conducted on March 11, 2024, via telephone. Present at the closing interview was Investigator Cobile and Dmitriy Satir. This investigation resulted in a proposed conditional safety rating.

Satir responded promptly throughout the entire scope of this investigation. When Satir was asked why repeated acute and critical violations were allowed to occur, he stated he was busy, didn't have the money and didn't get around to fixing the issues. Technical assistance was provided to the carrier during the process of this review. Investigator Cobile made multiple requests for the carrier to provide an updated insurance policy to include all vehicles in violation of no liability or cargo coverage as identified in this report, the carrier failed to provide an updated policy to include the vehicles identified in the violations.

DOCUMENTS PROVIDED TO THE CARRIER:



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Part C

The carrier was provided with one copy of the review, Parts A and B with requirements and recommendations to include the Safety Management Plan (SMP) guidance and Safety Fitness Rating. The carrier was also provided with an electronic copy of the guide "Achieving a Satisfactory Motor Carrier Safety Record."

FOLLOW-ON ACTION:

Recommend imposing administrative penalties consistent with the enforcement policy. Recommend the carrier complete and have approved a safety management plan (SMP) and perform compliance inspections within six months to one year should the SMP be approved. Work with the AAG to issue Notice of Intent to Cancel (NOIC).

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





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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)	0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
S 387.7(a)	1 (A)	
S 387.7(a)	1 (A)	
TOTAL POINTS: 1 = CONDITIONAL		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE		
TOTAL POINTS: 0 = SATISFACTORY		

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

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	Out-of-Service (OOS) Percentage: 0.0
VIOLATIONS AFFECTING RATING	POINTS	
NONE		
TOTAL POINTS: 0 & 0.0% OOS = SATISFACTORY (see chart)		
Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	û 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	
Factor Rating Cannot be Less Than Satisfactory because carrier has only one accident	

OVERALL SAFETY FITNESS RATING		
Number of Factors (1-6) shown above as less than satisfactory		
Unsatisfactory	Conditional	
1	1	= CONDITIONAL





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Safety Fitness Rating Explanation

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors			OVERALL RATING
Unsatisfactory	Conditional		
0	2 or fewer		Satisfactory
0	3 or more		Conditional
1	2 or fewer	û	Conditional
1	3 or more		Unsatisfactory
2	0 or more		Unsatisfactory

