	US DOT # 3073774	Legal: TWO MEN AND A MOVING VAN LLC Operating (DBA): MOVE FOR LESS			
MC/MX #:		State #: THG-067981		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		
Carrier:	N/A		Non-HM	Business: Corporation	
Shipper:	N/A		N/A	Gross Revenue: \$1,439,964.00	
Cargo Tank:	N/A			for year ending: 12/31/2019	
Company Physical Address:					
8637 S 212TH ST KENT, WA 98031					
Contact Name: Yuriry Deyneka					
Phone numbers: (1) 253-391-5853		(2)		Fax	
E-Mail Address: tmaamv@gmail.com					
Company Mailing Address:					
8637 S 212TH ST KENT, WA 98031					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Household Goods					
Equipment					
	Owned	Term Leased	Trip Leased		Owned Term Leased Trip Leased
Truck	10	0	0	:	
Power units used in the U.S.: 10					
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: 9		
>= 100 Miles:		9	CDL Drivers:		



	MOVE FOR LESS (TWO MEN AND A MOVING VAN LLC dba) U.S. DOT #: 3073774	Review Date: 11/19/2020
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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:

Wayne Gilbert
621 Woodland Square Loop S.E., Lacey, WA 98503
P.O. Box 47250, Olympia, WA 98504-7250 Phone: 360-481-2017

This report will be used to assess your safety compliance.

<u>Person(s) Interviewed</u>	
Name: Yuriy Deyneka	Title: Governor
Name: Almaz Nurmanbetov	Title: Governor



	MOVE FOR LESS (TWO MEN AND A MOVING VAN LLC dba) U.S. DOT #: 3073774	State #: THG-067981	Review Date: 11/19/2020
	Part B Violations		

1 STATE ACUTE	Primary: 382.115(a) CFR Equivalent: 382.115(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 1
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Description
Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations.

Example
Driver name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier allowed a driver to drive a commercial motor vehicle without the company implementing a drug and alcohol testing program.

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

Example
Driver name: Makhambet Makulov
Trip date: June 28, 2020
Description of violation: Carrier failed to provide proof of insurance after a lapse occurred between June 20, 2020 through July 15, 2020.

3 STATE CRITICAL	Primary: 383.23(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation	Checked 2
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Description
Operating a commercial motor vehicle without a valid commercial driver's license.

Example
Driver name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier allowed a driver to drive a commercial motor vehicle without possessing a CDL.

Also in violation:
Driver name: Viktor Shvydkyi
Trip date: February 28, 2020



	MOVE FOR LESS (TWO MEN AND A MOVING VAN LLC dba) U.S. DOT #: 3073774	State #: THG-067981	Review Date: 11/19/2020
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Part B Violations

4 STATE CRITICAL	Primary: 391.51(b)(2) CFR Equivalent: 391.51(b)(2)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5 Checked 5
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Description
Failing to maintain inquiries into driver's driving record in driver's qualification file.
Driver name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier failed to maintain a copy of a driver's driving record within 30-days of employment. First copy on-file is dated November 3, 2020, after the carrier was notified of the investigation.

Also in violation:
Driver name: Makhambet Makulov
Trip date: October 27, 2020

Driver name: Erzhan Umarov
Trip date: October 27, 2020

Driver name: Ilgiz Babanov
Trip date: June 1, 2020

Driver name: Viktor Shvydki
Trip date: February 28, 2020

5 STATE CRITICAL	Primary: WAC 480-15-555 Secondary: RCW 81.80.130 CFR Equivalent: 392.2	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5 Checked 5
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Description
Failing to conduct or retain paperwork containing criminal background check for a household goods carrier in the state of Washington as required.

Example
Driver name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier failed to maintain a record of criminal background check on each employee.

Also in violation:
Driver name: Makhambet Makulov
Trip date: October 27, 2020

Driver name: Erzhan Umarov
Trip date: October 27, 2020

Driver name: Ilgiz Babanov
Trip date: June 1, 2020

Driver name: Viktor Shvydki
Trip date: February 28, 2020



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Part B Violations

6 STATE	Primary: 391.21(a)	Discovered 3	Checked 5	Drivers/Vehicles	
	CFR Equivalent: 391.21(a)			In Violation 3	Checked 5

Description
Using a driver who has not completed and furnished an employment application.
Driver name: Erzhan Nabiev
Trip date: October 27, 2020
Description of violation: Carrier failed to ensure a completed employment application was on file for each driver. Driver's application was missing SSN.

Also in violation:
Driver name: Erzhan Umarov
Trip date: October 27, 2020

Driver name: Viktor Shvydki
Trip date: February 28, 2020

7 STATE	Primary: 391.51(b)(1)	Discovered 1	Checked 5	Drivers/Vehicles	
	CFR Equivalent: 391.51(b)(1)			In Violation 1	Checked 5

Description
Failing to maintain driver's employment application in driver's qualification file.

Example
Driver name: Ilgiz Babanov
Trip date: June 1, 2020
Description of violation: Carrier failed to maintain a driver's application in the driver's qualification file.

8 STATE	Primary: 391.51(b)(3)	Discovered 5	Checked 5	Drivers/Vehicles	
	CFR Equivalent: 391.51(b)(3)			In Violation 5	Checked 5

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 name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier failed to maintain a road test certificate in the driver's qualification file.

Also in violation:
Driver name: Makhambet Makulov
Trip date: October 27, 2020

Driver name: Erzhan Umarov
Trip date: October 27, 2020

Driver name: Ilgiz Babanov
Trip date: June 1, 2020

Driver name: Viktor Shvydki
Trip date: February 28, 2020



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	Part B Violations		

9 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 2	Checked 5	Drivers/Vehicles In Violation Checked 2 5
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Description
Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver disqualification file(s).

Example
Driver name: Erzhan Umarov
Trip date: October 27, 2020
Description of violation: Carrier failed to verify the medical certificate with the National Registry.

Also in violation:
Driver name: Ilgiz Babanov
Trip date: June 1, 2020

10 STATE	Primary: 391.51(d) CFR Equivalent: 391.51(d)	Discovered 5	Checked 5	Drivers/Vehicles In Violation Checked 5 5
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Description
Failing to keep required records in driver's qualification file for 3 years after date of execution.

Example
Driver name: Erzhan Nabiev
Trip date: August 31, 2020
Description of violation: Carrier failed to maintain copies of previous medical certificate.

Also in violation:
Driver name: Makhambet Makulov
Trip date: October 27, 2020

Driver name: Erzhan Umarov
Trip date: October 27, 2020

Driver name: Ilgiz Babanov
Trip date: June 1, 2020

Driver name: Viktor Shvydki
Trip date: February 28, 2020



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Part B Violations

11 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation	Checked 5
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Description
Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.
Vehicle number: 54DC4W1B3GS804548 #6
Trip date: November 4, 2020
Description of violation: Carrier failed to properly identify a vehicle file with the tire size.

Also in violation:
Vehicle number: 54DEC4W1B2KS812570 #3
Trip date: October 27, 2020

Vehicle number: 1FVACWDC46HW75285 #4
Trip date: October 27, 2020

Vehicle number: 54DC4W1B7KS810944 #2
Trip date: October 27, 2020

Vehicle number: 1GD37TCGXG1298298 #12
Trip date: November 2, 2020

12 STATE	Primary: 396.3(b)(2) CFR Equivalent: 396.3(b)(2)	Discovered 5	Checked 5	Drivers/Vehicles In Violation	Checked 5
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Description
Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.

Example
Vehicle number: 54DC4W1B3GS804548 #6
Trip date: November 4, 2020
Description of violation: Carrier failed to have a means of indicating a preventative maintenance plan.

Also in violation:
Vehicle number: 54DEC4W1B2KS812570 #3
Trip date: October 27, 2020

Vehicle number: 1FVACWDC46HW75285 #4
Trip date: October 27, 2020

Vehicle number: 54DC4W1B7KS810944 #2
Trip date: October 27, 2020

Vehicle number: 1GD37TCGXG1298298 #12
Trip date: November 2, 2020

Safety Fitness Rating Information:		OOS Vehicle (CR): 0
Total Miles Operated 50,000		Number of Vehicle Inspected (CR): 5
Recordable Accidents 0		OOS Vehicle (MCMIS): 0
Recordable Accidents/Million Miles 0.00		Number of Vehicles Inspected (MCMIS): 0



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Part C

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
	ü	ü	ü	ü	ü	ü	ü	ü	ü									

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: Almaz Nurmanbetov
Corporate Contact Title: Governor

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:
Name: Mr. Yuriy Deyneka
Title: Owning Member
Carrier/Shipper Name: Two Men and a Moving Van, LLC
Date: November 19, 2020

REASON FOR THE INVESTIGATION:

As part of the 2020 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 on October 21, 2020. The carrier was contacted on October 21, 2020 and a full investigation was set for November 4, 2020, with Yuriy Deyneka (Co-Governor), at 8637 S. 212th St., Kent, WA 98031, the carrier's principal place of business. Present at the start of the review was Special Investigator Wayne Gilbert along with Two Men and a Moving Van, LLC representatives Yuriy Deyneka, Almaz Murmanbetov (Co-Governor), and Alex Bennett (Safety Manager). SMS was checked on October 23, 2020 and it was noted that Unsafe Driving BASIC was in alert status.

CARRIER OPERATION DESCRIPTION:

Two Men and a Moving Van, LLC is a carrier of household goods operating out of Kent, Washington. The carrier began operations in the area in September 2017 and received temporary operating authority with the commission on December 22, 2017. Pavel Filon owned the company prior to September 2017 when Yuriy Deyneka and Almaz Murmanbetov purchased the company. The following individuals with the company have attended the commission sponsored HHG training: Pavel Filon attended on February 13, 2012, Alla Deroun and Maksim Petrov on August 15, 2018, and Yerzhan Ospanov on April 17, 2019. Alla Deroun and Alex Bennett are responsible for the company's safety program. Alex Bennett is with LogistiServ, a consultant operating out of Renton, Washington. The carrier has operated ten straight trucks classified as commercial motor vehicles under the UTC permit. The carrier also employed nine drivers that have operated within the state of Washington within the past 365 days. Two Men and a Moving Van, LLC recorded a gross revenue of \$1,439,964 for calendar year ending December 31, 2019. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier last updated the Vehicle Miles Traveled (VMT) for 2019.

PRE-INVESTIGATION:



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Part C

On October 21, 2020, 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 October 28, 2020. On Wednesday, November 4, 2020, 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 originally obtained through MCMIS on October 22, 2020 along with a copy of the MCS-150.

CDLIS (DRIVER LICENSE) CHECK:

In accordance with the eFOTM, nine driver's licenses status/history were required to be checked based on the current number of drivers. CDLIS website was checked to determine the status of all drivers. See part 383 for details.

AUTHORITY:

Two Men and a Moving Van, LLC is an authorized for-hire carrier of household goods operating in intrastate commerce. The carrier operates under the USDOT number 3073774. Two Men and a Moving Van, LLC has intrastate authority through the commission under permit number THG-067981.

INSURANCE:

Two Men and a Moving Van, LLC is required to maintain a minimum level of public liability of \$750,000. A check with the carrier's insurance shows a \$750,000 Auto Liability and \$20,000 Cargo Insurance effective July 20, 2020 with Columbia Insurance Company and Century Surety Co. See Part 387 below for details.

RED FLAG DRIVERS:

A&I (SMS) was checked through Portal on October 22, 2020 and the carrier has two drivers with red flag violations in the last 365 days. Drivers Viktor Shvydkyi and Erzhan Nabiev are both in red flag status.

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:

Two Men and a Moving Van, LLC 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:

Two Men and a Moving Van, LLC does not currently lease any vehicles.

Part 380 Special Training:

Two Men and a Moving Van, LLC does not operate long combination vehicles (LCVs). The carrier currently does not employ any drivers that meet the definition of entry level driver.

Part 382 Controlled Substance and Alcohol Testing:

Two Men and a Moving Van, LLC does not employ any CDL drivers however, the carrier did operate a vehicle over the course of the past 365-days that was defined as a commercial motor vehicle which would have required a driver to be licensed to drive with a CDL. This would have required implementation of a drug and alcohol testing program. Although the vehicle was sold on September 18, 2020, the carrier was still required to maintain a drug and alcohol testing program.

One acute violation of 382.115(a) occurred when the carrier failed to implement a drug and alcohol testing program.

Part 383 Commercial Driver's License:

The carrier employs nine drivers currently that have operated in the state of Washington over the past six months. Per eFOTM guidelines, a sample size of nine drivers were required to be checked. Eight drivers are currently valid with regular



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Part C

driver's licenses. Drivers checked were Makhambet Makulov, Viktor Shvydkiy, Erzhan Nabiev, Erzhan Umarov, Aibek Kanybekov, Samagan Abdislam Uulu, Ilgiz Babanov, Bekzat Minbaev. Driver Olovuddin Akramov has a Texas driver's license, and it was unable to be verified.

Two critical violations of 383.23(a) occurred when the carrier allowed two drivers to operate a commercial motor vehicle that required a valid commercial driver's license. Driver Viktor Shvydkiy was cited and placed out-of-service on February 28, 2020 and driver Erzhan Nabiev was placed out-of-service on August 31, 2020. The citation given to Viktor Shvydkiy was dismissed by the state of Washington on July 15, 2020.

Part 387 Financial Responsibility:

The carrier's vehicles are insured with Safe Shield Insurance, LLC, Mukilteo, Washington an underwriter for Columbia Insurance (National Indemnity) Company, policy number 70TRS110023 and Century Surety Company, policy number CCP871339 for cargo insurance. The insurance agent is Vladimir Ulyanchuk, contact telephone number of (425) 654-3525. The investigator contacted the carrier's insurance agent via email at vlad@safeshieldins.com and verified that there has been one claim against the insurance in the past 365 days. The Form E on file with the commission dated July 15, 2020 is correct.

The carrier did have a lapse in insurance from June 20 through July 15, 2020.

One acute violation of WAC 480-15-530 (secondary 387.7(a)) occurred when the carrier allowed the auto liability insurance to lapse. The carrier operated a total of 50 occasions from June 20 - July 15, 2020. Driver Makhambet Makulov operated on June 22, 28, July 5, 6, 8, 10, 12, and 14, 2020. Driver Erzhan Umarov operated on June 23, 24, 25, 26, 27, July 2, 3, 5, 7, 11, 12, and 14, 2020. Driver Erzhan Nabiev operated on June 21, 22, 26, 27, 28, 31, July 2, 3, 5, 6, 7, 10, 11, and 12, 2020. Driver Aibek Kanybekov operated on June 24, 25, July 1, 2, 3, 4, 8, 9, and 10, 2020. Driver Samagan Abdislam Uulu operated on June 23, 26, 28, and July 1, 3, 8, and 10, 2020.

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. There was one accident on March 23, 2020, however, the carrier was not at fault and the accident did not rise to the level of being recordable.

MCS-150 form (updated on August 6, 2020) shows 50,000 VMT for calendar year 2019. Yuriy Deyneka did indicate that approximately 33,187 miles were driven for calendar year 2019 within the state of Washington on the carrier's annual report.

Part 391 Qualification of Drivers:

The carrier employed a total of nine drivers that have operated in the state of Washington over the past 365-days. Per eFOTM guidelines, a sample size of five Driver's Qualification Files were inspected based on the number of current drivers. Driver files reviewed were Viktor Shvydkiy, Erzhan Nabiev, Ilgiz Babanov, Erzhan Umarov, and Makhambet Makulov. The two red flag drivers, Viktor Shvydkiy and Erzhan Nabiev were included in this sample size.

Three violations of 391.21(a) occurred when the carrier failed to ensure a completed employment application was on file for each driver employed.

One violation of 391.51(b)(1) occurred when the carrier failed to ensure an employment application was maintained.

Five critical violations of 391.51(b)(2) occurred when the carrier failed to maintain a driver's driving record in the driver's qualification file.

Five violations of 391.51(b)(3) occurred when the carrier failed to maintain a certificate of road test.

Two violations of 391.51(b)(9) occurred when the carrier failed to verify the National Registry of the medical certificates.

Five violations of 391.51(d) occurred when the carrier failed to maintain medical certificates for a period of at least 3 years.

In accordance with FMCSA Memorandum MC-ECS-2012-004 medical certificates for 25 percent of the driver qualification file sample size (two) was selected for verification.

Driver Name: Makhambet Makulov



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Part C

Date of Birth: February 8, 1993
ME's License/Certificate Number: PA60507198
Date of Issuance of the MEC: March 16, 2020
National Registry Identification Number: 5040252679
Phone Number: (253) 852-1824
Date and Time Contacted: November 5, 2020 @ 3:20 pm
Person Contacted: Jen
Results: MEC Check Confirmed

Driver Name: Erzhan Nabiev
Date of Birth: April 8, 2001
ME's License/Certificate Number: PA60507198
Date of Issuance of the MEC: March 30, 2020
National Registry Identification Number: 5040252679
Phone Number: (253) 852-1824
Date and Time Contacted: November 5, 2020 @ 3:20 pm
Person Contacted: Jen
Results: MEC Check Confirmed

Part 392 - Driving of Commercial Motor Vehicles:

Two Men and a Moving Van, LLC is operating in intrastate commerce and at the time of this investigation the carrier is current on annual regulatory fees.

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

Part 395 - Hours of Service:

The carrier employs nine drivers currently. In accordance with eFOTM procedures, a sample size of five Records of Duty Status (RODS) are required to be checked for a 30-day period. Two Men and a Moving Van, LLC operated most 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 September 1-30, 2020. This required that 150 RODS be checked. Driver checked were Makhambet Makulov, Erzhan Umarov, Erzhan Nabiev, Aibek Kanybekov, and Samagan Abdissalam Uulu.

No violations were discovered.

Part 393 & 396 - Maintenance and Inspection:

The carrier owned and operated ten power units that are classified as commercial motor vehicles in intrastate commerce the last 365-days. Repairs are conducted at Seven Systems Truck Repairs in Tukwila, Washington, Pacific Truck and Trailer Repair, and Scarff Ford Auburn, located in Auburn, Washington.

Vehicle Maintenance Records:

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

Five violations 396.3(b)(1) occurred when the carrier failed to identify a vehicle maintenance record with all the necessary information.

Five violations of 396.3(b)(2) occurred when the carrier failed to have a means of indicating preventative maintenance.

Driver Vehicle Inspection Reports (DVIRs):

In accordance with eFOTM procedures, 30-days of DVIRs out of the last 90-days were reviewed for five vehicles. This required 150 DVIRs being reviewed. There was no indication that any DVIRs were required to be kept.

Vehicle Inspections:

In accordance with eFOTM, a sample size of five vehicles were inspected. All vehicles were inspected at the carrier's facility. Five CVSA decals were issued. ASPEN reports are attached.

CLOSING INTERVIEW:



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Part C

The closing interview was conducted on November 19, 2020 at the carrier's principal place of business. Present at the closing interview was Investigator Gilbert, along with company representative Yuriy Deyneka. This investigation resulted in proposed "Conditional" rating. Yuriy Deyneka was cooperative throughout the entire scope of this investigation and did express a 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 "Achieving a Satisfactory Safety Record, Revised April 2015," "Safety Rating Upgrade Request," and "Fitness Rating Explanation."

FOLLOW-ON ACTION:

Recommend imposing administrative penalties and requiring the carrier to submit a safety management plan.

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



	MOVE FOR LESS (TWO MEN AND A MOVING VAN LLC dba) U.S. DOT #: 3073774	Review Date: 11/19/2020
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 submit a safety management plan 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.



	MOVE FOR LESS (TWO MEN AND A MOVING VAN LLC dba) U.S. DOT #: 3073774	Review Date: 11/19/2020
Part B Requirements and/or Recommendations		

- 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 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. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Qualification and Hiring


DESCRIPTION OF PROCESS BREAKDOWN: Two Men and a Moving Van, LLC failed to ensure that a controlled substance testing program was in-place.

BASIC SPECIFIC RECOMMENDED REMEDIES: Two Men and a Moving Van, LLC sold the only vehicle required to have a drug and alcohol program. However, if the carrier were to purchase any commercial vehicles in the future they should implement a random program.

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

- Ensure that the controlled-substance and alcohol-testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.
- Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.
- Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.
- Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.
- Verify that the qualifications of all prospective service agents are in accordance with regulations.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety



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Regulations for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.

- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by 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.

4. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Two Men and a Moving Van, LLC failed to ensure that drivers were properly licensed to operate commercial motor vehicles.

BASIC SPECIFIC RECOMMENDED REMEDIES: Two Men and a Moving Van, LLC must ensure that all drivers are properly licensed for any vehicles that are in operation with the company.

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 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

5. Cease all for-hire intrastate transportation of household goods when insurance has lapsed.



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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
VIOLATIONS AFFECTING RATING	POINTS	û 1 Point = Conditional
S 387.7(a)	1 (A)	>1 Point = Unsatisfactory

TOTAL POINTS: 1 = CONDITIONAL		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	û 1 Point = Conditional
S 382.115(a)	1 (A)	>1 Point = Unsatisfactory
S	1 (C)	
S 391.51(b)(2)	1 (C)	

TOTAL POINTS: 3 = UNSATISFACTORY		

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

TOTAL POINTS: 1 = CONDITIONAL		

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	û 1 Point = Conditional
NONE		>1 Point = Unsatisfactory

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)
$((\text{Recordable Accidents}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$ $(0 \times 1,000,000) \div 50,000 = 0 = \text{SATISFACTORY}$	
ACCIDENT RATE	FACTOR RATING
û 0.000 - 1.500	= Satisfactory
>1.500	= Unsatisfactory



You have been assessed a proposed safety rating of **CONDITIONAL**

The Washington Utilities and Transportation Commission (UTC) allows motor carriers to submit a safety management plan (SMP) for its safety rating based on corrective action as defined in 49 CFR, section 385.17. The SMP 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.

You may request, in writing, a change to your safety rating based on corrective actions.

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
WA Utilities and Transportation Commission
621 Woodland Square Loop S.E., Lacey, WA 98503
PO Box 47250
Olympia, WA 98504-7250

At a minimum, the following must be addressed:

- All violations listed on the investigation
- How your corrective actions will improve your safety performance, including data captured by FMCSA's Safety Management System.

49 CFR Part 382

Drug and Alcohol Program -

49 CFR § 382.115(a) – Failing to implement an alcohol and/or controlled substances testing program (Acute)

- Explain what safety management processes are broken or missing that allowed this violation 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 but is not limited to:
 - Proof of implementation of a drug and alcohol testing program
 - Evidence of pre-employment drug test results for all driver(s) - (§ 382.301)
 - Evidence that a driver no longer is employed by you
 - Evidence of a random testing program (e.g., a contract with a consortium or details of in-house program and a current list of the driver(s) subject to random testing and the list from the consortium) - (§ 382.305)
 - Evidence of the company's complete drug and alcohol testing policy - (§ 382.601(b))
 - Evidence of receipt of drug and alcohol testing policy for each driver - (§ 382.601(d))
 - Evidence that all designated supervisor(s) have received reasonable suspicion training (not applicable for a single driver who is an owner/operator)
 - Evidence of compliance with § 382.303 and § 382.605, if applicable

49 CFR Part 383

49 CFR §383.23(a) – Operating a commercial motor vehicle without a valid Commercial Driver's License (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:
 - Evidence that driver(s) in violation has obtained a current /proper CDL or resolved the disqualification offense, suspension, revocation, cancellation, and/or no longer is employed by you
 - If a driver has a CDL issued by foreign country, run CDLIS check and include in query in the request documentation

- Describe procedures of investigation process to verify driver's licenses are valid (Example; driver notification of speeding tickets, etc.)

49 CFR Part 387

Insurance and Proof of Financial Responsibility

WAC 480-15-530

49 CFR §387.7(a) – Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage (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:
 - Provide a copy of the MCS-90 and/or MCS-82 Endorsement form(s).

Driver Qualification File and Documents –

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

- 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.

49 CFR Part 392

Violations of laws, ordinances, and regulations –

WAC 480-15-555-Failing to conduct criminal background checks on all employees.

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

(***SAMPLE***)
Safety Management Plan

Carrier's Legal name: Mover LLC, (DBA- Mover)

DOT#: 1234567

Point of Contact: Joe Sample, Owner

Violation Corrective Action: (You must address all violations)

Violation #1: Primary: 382.115(a)

(1) You must identify why this violation was permitted to occur:

(2) Discuss the action taken to correct the deficiency that allowed the violation 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:

(3) Outline actions taken to ensure that this violation does 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:

***** If your request includes actions that you are now implementing, such as training, reorganization of departments, electronic calendar reminders for upcoming expiration dates, etc, include a detailed description of the activity or training and when that activity commenced.**

***** Include any additional documentation such as missing documentation you are now using relating to motor carrier safety and the prevention of crashes that you believe supports your request.**

(The following must be at the end of your Safety Management Plan)

I, Joe Sample, Owner, certify that Mover LLC will operate in compliance with the federal and state regulations and our operations currently meet the safety standard found in Title 49 CFR Sections 385.5 and 385.7.

Signature

Date

Joe Sample, Owner
Mover LLC