

EXHIBIT LIST

Can't Stop Moving, LLC

Docket TV-170293 & TV-180319 (Consolidated)

NUMBER	WITNESS	A/R	DATE	DESCRIPTION
WG-1	Wayne Gilbert	A	6/1/2018	Staff Assignment Report and Closing Interview documentation, review dated 4/24/18 (25 pages)
JS-1	Jason Sharp	A	6/1/2018	The Company's Safety Management Plan, updated 5/29/18 (23 pages)
JS-1	Jason Sharp	A	6/1/2018	Staff's Evaluation of Safety Management Plan and Recommendations, dated 5/31/18 (5 pages)

REDACTED PER RCW 42.56.230

WUTC DOCKET NO. TV-170293 + TV-180319

EXHIBIT NO. WG-1

Exh. WG-1  
Dockets TV-170293/TV-180319

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ADMIT  W/D  REJECT

WASHINGTON



UTILITIES AND TRANSPORTATION  
COMMISSION

Assignment Report  
Motor Carrier Safety

New Entrant?  Yes  No Was a CR conducted between 6-18 months after the permit was issued?  Yes  No

1. Investigator(s): Gilbert, Steiner 2. Assignment No.: 118038  
 3. Current Date: 3/27/2018 4. Date Final Information Gathered: 3/27/2018  
 5. Carrier Name: Can't Stop Moving LLC  
 6. Company ID: 16080 7. Industry Code: 207 8. USDOT #: 1934023  
 9. Carrier is: Intrastate  Yes  No  Intra and Interstate

10. Destination Check

11. Compliance Review

SI Rating:	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Unsatisfactory	<input checked="" type="checkbox"/> Conditional	<input type="checkbox"/> Not Rated
Number of Current Vehicles:	<u>4</u>		Number of Current Drivers:	<u>12</u>
Total Miles Prior Year:	<u>18,642</u>		Recordable Accidents Prior Year:	<u>0</u>
Accident Ratio:	<u>0</u>			
CSA Investigation:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Full Investigation	<input type="checkbox"/> Focused Investigation
Carrier Type:	<input type="checkbox"/> Passenger Carrier	<input checked="" type="checkbox"/> Property Carrier	<input type="checkbox"/> Other: _____	

12. Part B Violations

Part	Violations	Part	Violations	Part	Violations
382/40		383		387	
390		391	5	392	1
395	1	396	2	397	

13. Vehicle Inspection Data

	TRK	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type	Carrier Type
Inspections	3							
Defective Vehicles	3							
OOS Vehicles	0							
Level	5							

14. Vehicle Inspection Violations

	TRK	Vehicle Type	Vehicle Type	Vehicle Type	Vehicle Type	Vehicle Type
Comments:						
Lights	2					
Windshield and Wipers	1					
Other	4					

Assignment Report  
Motor Carrier Safety

15. Driver Inspection Violations

16. Relevant Carrier History:

Carrier began operations in April 2009, was granted permanent operating authority in 2012 and subsequently had operating authority cancelled due to an insurance issue in 2015. The carrier was then reinstated in June 2015 and received a compliance investigation in April 2017. The carrier received a "Conditional" safety rating. Per Docket TV-170293, the carrier was penalized \$51,900. Penalty was then reduced to \$25,400, with \$15,400 suspended for a period of two years, and then waived subject to the company not incurring any repeat critical violations and pay the remainder (\$10,000) of the penalty. The carrier has made regular monthly payments of \$500 for a total remaining balance of \$5,850 as of February 20, 2018.

17. Findings:

Four critical violations occurred in parts 391.51(b)(2), 395.8(a)(1), 396.3(b), and 396.17(a). One other critical-type violation of 391.45(a) and 392.2 also occurred but did not rise to critical level. Several other miscellaneous violations also occurred that are documented in the CAPRI report. A total of three vehicle inspections were conducted as noted in sections 13 and 14 of this assignment report. This carrier is considered a high risk carrier based on definitions identified in section 19 of this assignment report.

18. Recommended Safety Action:  Yes  No

- Require the company to submit a compliance plan in response to the 15 day letter requirement.
- Require the company to submit a compliance plan in response to the 385 letter requirement (45 days).
- Recheck – Safety Investigation (Date: 10/1/2018 )
- Revisit to recheck a specific issue (Date: Select Date )
- Send the company a compliance letter. Require a response:  Yes  No
- Issue administrative penalties.
- Issue a complaint.
- Stop company operations.

19. Is this carrier considered a high risk carrier as a result of this activity?  Yes  No

- Carrier accident ratio is higher than aggregate ratio.
- Carrier had an out-of-service ratio 25% higher at the last vehicle inspection.
- Carrier had a defect ratio 75% or higher at the last vehicle inspection.
- Carrier received more than one conditional or unsatisfactory safety investigation rating in more than one of the last four safety investigations (or less than four if four are not completed).
- Other (please explain):

20. Additional Comments:

Recommend closing this assignment. Taking enforcement action per Docket TV-170293. Issuing additional administrative penalties for the new and repeat violations. Conduct a follow-up safety investigation by October 2018.

Investigator's Signature: WJL Kelly Date: 3/27/2018

Assignment Report  
Motor Carrier Safety

OFFICE USE ONLY

Initial Review By: Jason Sharp Date: 4/6/2018

**Initial Reviewer's Recommendation:**

This carrier is a provisional household goods carrier and is considered to be high risk as they have received consecutive Conditional safety ratings. Carrier has repeat critical violations of 49 CFR Part 395.8(a)(1), 396.3(b), 396.17(a) and repeat critical type violations of 391.45(a) and 392.2 (RCW 46.20.005). Recommend imposing suspended penalty of \$15,400 from Docket TV-170293 and issuing new administrative penalties for critical violations of 391.51(b)(2) - \$100 for first time occurrence, repeat 395.8(a)(1) - \$100 per occurrence (30) for \$3,000, repeat 396.3(b) - \$100 per occurrence (four)for \$400, repeat 396.17(a) - \$100 per occurrence (3) for \$300, repeat critical type violation of 391.45(a) - \$100 per occurrence (10) for \$1000 and repeat 392.2 (RCW 46.20.005) - \$100 per occurrence (32) for \$3,200. Recommend to close with carrier and upload to Safety Investigations. Carrier has not demonstrated that it is able to comply with required safety regulations.

Final Review By: Mathew Perkinson Date: 4/11/2018

**Final Reviewer's Recommendation:**


Agree with recommendation to impose suspended penalties and issue new penalties. Will work with AAG office to prepare a Notice of Intent to Cancel permit based on the company receiving two Conditional safety ratings. Despite the commission issuing a substantial penalty in Docket TV-170293 the company remains unsafe as evident by the violations noted in this report. The company shall be required to submit a safety management plan to the staff demonstrating how it will prevent future violations, correct current violations, and remain in compliance with commission safety requirements.

**Internal Processing**


Date Closed: 4/12/2018 By: Katie Hancock

Company Name: Can't Stop Moving LLC


Assignment #: 118038 Staff Assigned: Wayne Gilbert; Edward Steiner

	<b>US DOT #</b> 1934023	<b>Legal:</b> CAN'T STOP MOVING LLC <b>Operating (DBA):</b>				
<b>MC/MX #:</b> 892741		<b>State #:</b> THG-63768		<b>Federal Tax ID:</b> 45-2809412 (EIN)		
<b>Review Type:</b> Compliance Review (CR)						
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.			<b>Territory:</b>	
<b>Operation Types</b>		<b>Interstate</b>	<b>Intrastate</b>			
<b>Carrier:</b>	N/A	Non-HM		<b>Business:</b> Corporation		
<b>Shipper:</b>	N/A	N/A		<b>Gross Revenue:</b> \$1,345,183.00		
<b>Cargo Tank:</b>	N/A		<b>for year ending:</b> 12/31/2017			
<b>Company Physical Address:</b>						
4253 22ND AVE W SEATTLE, WA 98199						
<b>Contact Name:</b> Eric Michelson						
<b>Phone numbers:</b> (1) 425- 577-1524		(2)		<b>Fax</b>		
<b>E-Mail Address:</b>						
<b>Company Mailing Address:</b>						
PO BOX 27349 SEATTLE, WA 98165						
<b>Carrier Classification</b>						
Authorized for Hire						
<b>Cargo Classification</b>						
Household Goods						
<b>Equipment</b>						
	<b>Owned</b>			<b>Term Leased</b>		
				<b>Trip Leased</b>		
Truck	4		0	0		
Power units used in the U.S.:4						
Percentage of time used in the U.S.:100						
<b>Does carrier transport placardable quantities of HM?</b> No						
<b>Is an HM Permit required?</b> N/A						
<b>Driver Information</b>						
	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0			
< 100 Miles:	12		<b>Total Drivers:</b> 12			
>= 100 Miles:			<b>CDL Drivers:</b>			




	<b>CANT STOP MOVING LLC</b> U.S. DOT #: 1934023	State #: THG-63768	Review Date: 04/24/2018
<b>Part A</b>			
QUESTIONS regarding this report or the Federal Motor Carrier Safety rules may be addressed to the Office of Motor Carriers at:  Wayne Gilbert 1300 S. Evergreen Park Dr S.W. P.O. Box 47250, Olympia, WA 98504-7250 Office: 360-664-1232 Cell: 360-481-2017			
This report will be used to assess your safety compliance.			
<b>Person(s) Interviewed</b>			
Name: Eric Michelson		Title: Owner	
Name:		Title:	




 <b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023		State #: THG-63768		Review Date: 04/24/2018	
<b>Part B Violations</b>					
1	STATE <b>CRITICAL</b>	Primary: 391.51(b)(2) CFR Equivalent: 391.51(b)(2)	Discovered 2	Checked 5	Drivers/Vehicles In Violation Checked 2 5
Description Failing to maintain inquiries into driver's driving record in driver's qualification file. Example Driver name: Andrii Glukhyi Trip date: December 24, 2018 Description of violation: Carrier failed to maintain an initial inquiry into the driver's driving record.  Also in violation: Driver name: Andrii Iepifanov Trip date: February 20, 2018					
2	STATE <b>CRITICAL</b>	Primary: 395.8(a)(1) CFR Equivalent: 395.8(a)	Discovered 30	Checked 150	Drivers/Vehicles In Violation Checked 1 5
Description Failing to require driver to prepare a record of duty status using appropriate method. Example Driver name: Prince Austin Trip date: February 28, 2018 Description of violation: Carrier failed to retain accurate records of hours of service.					
3	STATE <b>CRITICAL</b>	Primary: 396.3(b) CFR Equivalent: 396.3(b)	Discovered 4	Checked 4	Drivers/Vehicles In Violation Checked 4 4
Description Failing to keep minimum records of inspection and vehicle maintenance. Example Vehicle number: JALE5W162G7304198 #7 Trip date: March 1, 2018 Description of violation: Carrier failed to maintain adequate records of inspection, repair, and maintenance.  Also in violation: Vehicle number: JALE5W169G7300312 #6 Trip date: March 1, 2018  Vehicle number: JALE5W162G7304217 #8 Trip date: March 1, 2018  Vehicle number: JALE5W168G7300317 #5 Trip date: October 5, 2017					






		<b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023			State #: THG-63768		Review Date: 04/24/2018	
<b>Part B Violations</b>								
4 STATE <b>CRITICAL</b>		Primary: 396.17(a) CFR Equivalent: 396.17(a)			Discovered 3	Checked 4	Drivers/Vehicles In Violation    Checked 3                    4	
Description Using a commercial motor vehicle not periodically inspected. Vehicle number: JALE5W162G7304198 #7 Trip date: March 1, 2018 Description of violation: Carrier failed to provide proof that each commercial vehicle had proof of periodic inspection.  Also in violation: Vehicle number: JALE5W169G7300312 #6 Trip date: March 1, 2018  Vehicle number: JALE5W162G7304217 #8 Trip date: March 1, 2018								
5 STATE		Primary: 391.23(b) CFR Equivalent: 391.15(a)			Discovered 1	Checked 3	Drivers/Vehicles In Violation    Checked 1                    3	
Description Failing to investigate driver's background within 30 days of employment. Example Driver name: Michael Salcito Trip date: February 1, 2018 Description of violation: Carrier hired Michael Salcito in October 2017, however did not obtain an original driver's abstract until February 28, 2018.								
6 STATE		Primary: 391.45(a) Secondary: 391.11(a) CFR Equivalent: 391.45(a)			Discovered 1	Checked 5	Drivers/Vehicles In Violation    Checked 1                    5	
Description Using a driver not medically examined and certified. Example Driver name: Andrii Iepifanov Trip date: January 9, 2018 Description of violation: Carrier allowed a driver to operate a commercial motor vehicle without having a medical certificate.								
7 STATE		Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)			Discovered 3	Checked 5	Drivers/Vehicles In Violation    Checked 3                    5	
Description Failing to maintain driver's employment application in driver's qualification file. Example Driver name: Michael Salcito Trip date: February 1, 2018 Description of violation: Carrier failed to maintain a completed employment application in the driver's qualification file.  Also in violation: Driver name: Andrii Glukhyi Trip date: December 24, 2018  Driver name: Andrii Iepifanov Trip date: February 20, 2018								



 <b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023		State #: THG-63768		Review Date: 04/24/2018																													
<b>Part B Violations</b>																																	
8 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5																												
<b>Description</b> 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).  <b>Example</b> Driver name: Michael Salcito Trip date: February 1, 2018 Description of violation: Carrier failed to maintain a verification of the medical examiner's certificate in the driver's qualification file.  Also in violation: Driver name: Andrii Glukhyi Trip date: December 24, 2018  Driver name: Andrii Iepifanov Trip date: February 20, 2018																																	
9 STATE	Primary: 392.2 Secondary: RCW 46.20.005 CFR Equivalent: 392.2	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5																												
<b>Description</b> Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.  <b>Example</b> Driver name: Michael Salcito Trip date: February 1, 2018 Description of violation: Carrier allowed a driver to operate a commercial motor vehicle without having a valid driver's license.																																	
<b>Safety Fitness Rating Information:</b>		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 3 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0																															
Total Miles Operated 18,632 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00																																	
Your proposed safety rating is :  <b>CONDITIONAL</b>		<table border="1"> <thead> <tr> <th>Rating Factors</th> <th></th> <th>Acute</th> <th>Critical</th> </tr> </thead> <tbody> <tr> <td>Factor 1:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 2:</td> <td>C</td> <td>0</td> <td>1</td> </tr> <tr> <td>Factor 3:</td> <td>U</td> <td>0</td> <td>2</td> </tr> <tr> <td>Factor 4:</td> <td>C</td> <td>0</td> <td>2</td> </tr> <tr> <td>Factor 5:</td> <td>N</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 6:</td> <td>S</td> <td>-</td> <td>-</td> </tr> </tbody> </table>				Rating Factors		Acute	Critical	Factor 1:	S	0	0	Factor 2:	C	0	1	Factor 3:	U	0	2	Factor 4:	C	0	2	Factor 5:	N	0	0	Factor 6:	S	-	-
Rating Factors		Acute	Critical																														
Factor 1:	S	0	0																														
Factor 2:	C	0	1																														
Factor 3:	U	0	2																														
Factor 4:	C	0	2																														
Factor 5:	N	0	0																														
Factor 6:	S	-	-																														



	<b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023	Review Date: 04/24/2018
<b>Part B Requirements and/or Recommendations</b>		

1. Within 15 days, send a letter 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.

Identify each violation and why the violations were permitted to occur.

Address the actions taken to correct the deficiency or deficiencies that allowed the violations to occur. Include actual documentation of this corrective action (new policies, procedures, training programs etc.).

Outline actions taken to ensure that similar violations do not reoccur in the future.

Address your response to:  
 Washington Utilities and Transportation Commission  
 Attention Wayne Gilbert  
 PO Box 47250  
 Olympia, WA 98504-7250.

2. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the 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. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Can't Stop Moving has the required tools in place to monitor hours of



	<b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023	Review Date: 04/24/2018
<b>Part B Requirements and/or Recommendations</b>		

service, however, the carrier fails to track the data.

**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.).

**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. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Qualification and Hiring**


**DESCRIPTION OF PROCESS BREAKDOWN:** Can't Stop Moving has failed repeatedly to conduct background checks on individuals that are allowed to operate the company's vehicles.

**BASIC SPECIFIC RECOMMENDED REMEDIES**

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

- Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver's Licenses (CDLs) are reviewed for unsafe-driving violations of all prospective drivers for the last three years.
- Ensure that prospective drivers will drive safely by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding drivers' safety performance going back three years. Create a detailed written record of each inquiry.
- Ensure that enough drivers are hired so that the carrier can meet deadlines within Hours-of-Service (HOS) restrictions without speeding.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as that pertaining to moving violations, prior convictions, and denied employment based on unsafe driving.
- Enhance the recruitment process to identify and attract qualified applicants for the position of safety director and driver, using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.



	<b>CANT STOP MOVING LLC</b> U.S. DOT #: 1934023	Review Date: 04/24/2018
<b>Part B Requirements and/or Recommendations</b>		

**Seek Out Resources:**

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

**5. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Monitoring and Tracking**

DESCRIPTION OF PROCESS BREAKDOWN: Can't Stop Moving has failed to ensure adequate vehicle maintenance records are maintained.

**BASIC SPECIFIC RECOMMENDED REMEDIES**


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

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

**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.



	<b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023	State #: THG-63768	Review Date: 04/24/2018
	<b>Part C</b>		

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      Prior Prosecutions

4/20/2017  
7/14/2011

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: Eric Michelson  
Corporate Contact Title: Owner

Special Study Information:

Remarks:

INVESTIGATIVE REPORT RECEIVED BY:  
Name: Mr. Eric Michelson  
Title: Owner  
Carrier/Shipper Name: Can't Stop Moving LLC  
Date: April 24, 2018

REASON FOR THE INVESTIGATION:

As part of the 2018 Motor Carrier Safety work plan, this investigation was assigned to Special Investigator Wayne Gilbert. This carrier operates in both interstate and intrastate commerce. This is a follow-up investigation as a result of a "Conditional" safety rating the carrier received in 2017.


SCOPE OF THE INVESTIGATION:

This investigation is a comprehensive intrastate investigation and was assigned to Special Investigator Wayne Gilbert on February 21, 2018. The carrier was contacted on February 21, 2018 and a full investigation was set for March 1, 2018, with Mr. Eric Michelson, at 4253 22nd Ave W., Seattle, WA 98199, the carrier's principal place of business. Present at the start of the review was Special Investigators Wayne Gilbert and Ed Steiner along with Can't Stop Moving LLC representatives Mr. Eric Michelson (Owner). SMS was checked on February 27, 2018 and it was noted that two BASICs were in alert status for Unsafe Driving and Hours-of-Service Compliance.

CARRIER OPERATION DESCRIPTION:

Can't Stop Moving LLC is a household goods carrier operating in the state of Washington and headquartered in Seattle, Washington. The carrier began operations in the area in early 2009 and received permanent operating authority with the commission in April 2013. The HHG permit was cancelled in February 2015 due to no insurance on file with the commission. This lasted for approximately six-months before the carrier corrected the issue and re-applied for operating authority placing the carrier back into temporary status. The carrier is currently operating under a temporary household goods permit within the state. The carrier currently operates four straight trucks classified as commercial motor vehicles and employs 10 drivers that have operated within the state of Washington. The carrier also operates in Boston, Massachusetts under the same USDOT number and occasionally has drivers fly in from that location to work in the Seattle area on a temporary basis. The carrier received a new entrant safety audit from the Washington State Patrol in May 2017 and received a passing grade. Can't Stop Moving's total gross revenue as recorded by Mr. Michelson for calendar year ending December 31, 2017 was \$1,345,183. The carrier is not and has not been involved in any emergency relief efforts in the last 365 days. The carrier has updated the Vehicle Miles Traveled (VMT) for 2016.



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**PRE-INVESTIGATION:**

On February 21, 2018, 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 February 28, 2018. On Thursday, March 1, 2018, 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. Can't Stop Moving has sent two representative's for household goods training. Both Eric Michelson and Alex Overlan attending training in October 2011 at the commission. Alex Overlan now runs the company's Boston location. A copy of the carrier's profile was obtained through MCMIS on February 27, 2018 along with a copy of the MCS-150.

**CDLIS (DRIVER LICENSE) CHECK:**

In accordance with the eFOTM, 12 driver's licenses status/history were required to be checked. All but two drivers are currently valid and licensed. See part 383 for details.

**AUTHORITY:**

Can't Stop Moving is an authorized for-hire carrier of household goods in both interstate and intrastate commerce. The carrier operates under the USDOT Number 1934023. Can't Stop Moving has temporary intrastate authority through the commission under permit number THG-063768.

**INSURANCE:**

Can't Stop Moving is required to maintain a minimum level of public liability of \$750,000. A check with the carrier's insurance shows a \$1,000,000 Auto Liability effective March 26, 2017 with Progressive Commercial Insurance Company. See Part 387 below for details.

**RED FLAG DRIVERS:**

A&I (SMS) was checked through Portal on February 27, 2018 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:**

Can't Stop Moving 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:**

Can't Stop Moving currently does not lease any vehicles.

**Part 380 Special Training:**

Can't Stop Moving does not operate long combination vehicles (LCVs). The carrier has not employed drivers that meet the definition of entry level driver.


**Part 382 Controlled Substance and Alcohol Testing:**

Can't Stop Moving does not employ any CDL drivers that operate vehicles that would be required for a drug and alcohol testing program.

**Part 383 Commercial Driver's License:**

The carrier employs 12 drivers that have operated in the state of Washington over the past 365-days. Per eFOTM guidelines, a sample size of 12 drivers were required to be checked based on the current number of drivers. Washington



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State Department of Licensing (DOL) website was checked to determine the status of 11 drivers. The following drivers were checked: Eric Michelson, Prince Austin, Robert Quinn, John Grueneberg, Patrick Allen, Michael Salcito, Ian Blair, Andrii Glukhyi, Andrii Iepifanov, Mark Martinez, and Rafael Trejos. One driver, Andrew Duncan was from the company's Boston, Massachusetts branch and has a Massachusetts driver's license. Investigators are unable to confirm if this license is valid or not due to not having the access to the needed database. One driver, Prince Austin was found to not have a current license. The driver was unaware and after a check with DOL, the license was reinstated. According to DOL records, the license was not suspended until March 5, 2018 and then reinstated that same day. Another driver, Michael Salcito only possessed an identification card issued by the state of Washington and not a driver's license. Mr. Salcito has not had a valid driver's license since March 17, 2015. All others are currently licensed.

**Part 387 Financial Responsibility:**

The carrier's vehicles are insured with Propel Insurance, Tacoma, Washington an underwriter for Progressive Commercial Insurance Company. Policy number 02949175-4. The insurance agent is Michelle Newberg with a contact telephone number of (253) 310-4040. Investigators contacted the carrier's insurance agent and verified the carrier maintained \$1,000,000 in Auto Liability coverage without a lapse in the last 365-days. The Form E on file with the commission dated February 16, 2018 is current. The carrier also maintains \$25,000 in cargo insurance with Progressive Insurance Company.

**Part 390 General FMSCR:**

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

MCS-150 form (updated on May 18, 2017) shows 18,642 VMT as of calendar year 2016. At the time of this investigation, Mr. Michaelson did not have the current VMT calculated for 2017.

**Part 391 Qualification of Drivers:**

The carrier employed a total of 12 drivers that operated in the state of Washington during the last 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 for Prince Austin, Bobby Quinn, Andrii Iepifanov, Andrii Glukhyi, and Michael Salcito.

Mark Martinez was originally identified as a driver based on an ASPEN report that listed him as a co-driver on October 3, 2017, during a level-3 inspection at the Liberty Lake Port of Entry near Spokane, Washington. According to the carrier, Mark Martinez is not a driver and there are no other trip dates listed and no indications that he actually drove that day.

One violation of 391.23(b) occurred when the carrier failed to ensure that an initial driver's abstract was obtained within 30-days of employment.

One repeat critical-type violation of 391.45(a) occurred when the carrier allowed a driver to operate commercial motor vehicles with no medical certificate. Andrii Iepifanov operated a total of 10 times during the period with no medical certificate.

Andrii Iepifanov drove on 10 separate occasions: September 17; October 18; December 1, 2, 3, 29; January 9, 30; February 2, and 20.

Three violations of 391.51(b)(1) occurred when the carrier failed to maintain a completed employment application in the driver's qualification file.

Two critical violations of 391.51(b)(2) occurred when the carrier failed to maintain an initial driver's abstract in the driver's qualification file.


Three violations of 391.51(b)(9) occurred when the carrier failed to maintain a note relating to the verification of the National Registry on the medical certificates.

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

Driver Name: Andrii Glukhyi  
 Date of Birth: [REDACTED]  
 Driver License Number: [REDACTED]  
 ME's License/Certificate Number: [REDACTED]





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Date of Issuance of the MEC: May 02, 2017  
 National Registry Identification Number: 5323751202  
 Phone Number: [REDACTED]  
 Date and Time Contacted: March 14, 2018 @ 1:10 am  
 Person Contacted: Sheila  
 Results: MEC Check Confirmed

Driver Name: Prince Austin  
 Date of Birth: [REDACTED]  
 Driver License Number: [REDACTED]  
 ME's License/Certificate Number: [REDACTED]  
 Date of Issuance of the MEC: April 6, 2017  
 National Registry Identification Number: 3969375755  
 Phone Number: [REDACTED]  
 Date and Time Contacted: March 14, 2018 @ 10:50 am  
 Person Contacted: Ashley  
 Results: MEC Check Confirmed

**Part 392 - Driving of Commercial Motor Vehicles:**  
 Can't Stop Moving is operating in both interstate and intrastate commerce and at the time of this investigation the carrier is current on annual regulatory fees.

The carrier has yet to but was advised to pay the current UCR Fees for 2018.

One repeat critical-type violation of 392.2 (Secondary RCW 46.20.005) occurred when driver Michael Salcito was allowed to operate commercial motor vehicles with a suspended or invalid driver's license. This is a repeat violation.

Michael Salcito operated a commercial motor vehicle a total of 32 times: October 11, 12, 21; November 4, 15, 18; December 13, 21, 26; January 4, 12, 18, 19, 20, 23, 24, 25, 30, 31; February 1, 3, 6, 7, 8, 12, 13, 15, 17, 20, 21, 27, and 28

**Part 395 - Hours of Service:**  
 The carrier employed 12 drivers during the last 365-days. In accordance with eFOTM procedures, a sample size of five Records of Duty Status (RODS) based on the number of current drivers is required to be checked for a 30-day period. Can't Stop Moving conducts most of its service under the short-haul exemption of Part 395.1(e) within the last 365-days.

For this investigation a 30-day period was chosen from January 1 - 30, 2017. This required that 150 RODS be checked. Drivers checked were: Prince Austin, Bobby Quinn, Andrii Iepifanov, Andrii Glukhyi, and Michael Salcito.

An electronic logging device is not necessary for this operator to be in compliance with hours of service based on the number of times they exceed the short-haul exemption.

RODs are monitored, checked, and certified by Eric Michelson and Prince Austin.


Thirty critical violations of 395.8(a)(1) occurred when the carrier failed to ensure that proper records of duty status were completed. This occurred as Prince Austin is listed as a driver and no hours of service records were completed. Mr. Eric Michelson also stated that Prince Austin drives the vehicles every morning to fuel them up for the day's events. These are repeat violations.

Driver time cards were checked by comparing Bill of Ladings.

**Part 393 & 396 - Maintenance and Inspection:**  
 The carrier owns and operates four vehicles that are classified as commercial motor vehicles in both interstate and intrastate commerce during the last 365-days. The carrier stated that vehicle maintenance is mainly conducted by RWC Group, Seattle where the trucks were purchased.

**Vehicle Maintenance Records:**  
 In accordance with eFOTM, a sample size of four vehicle maintenance files were reviewed.



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Four critical violations of 396.3(b) occurred when the carrier failed to maintain a records of inspection, repairs, and maintenance indicating the date and nature. These are repeat violations.

Three critical violations of 396.17(a) occurred when the carrier failed to ensure that each commercial motor vehicle received a periodic inspection. These are repeat violations.

**Driver Vehicle Inspection Reports (DVIRs):**

The carrier has not retained any DVIRs over the course of the last 90-days and admitted that there has not been any done. There is no evidence any DVIRs were required to be maintained over the course of the last 90-days. Carrier was briefed and is currently working to ensure DVIRs are now being accomplished via hand-written documents.

**Vehicle Inspections:**

In accordance with eFOTM, a sample size of three vehicles were inspected. The vehicles were inspected at the carrier's facility in Seattle. The following vehicles were inspected and the ASPEN reports are attached:

2016 Isuzu, VIN # JALE5W162G7304198, had three violations. One for operating a vehicle without proof of periodic inspection. One for a right side clearance light inoperable and for a damaged windshield. The vehicle was not issued a CVSA decal.

2016 Isuzu, VIN # JALE5W162G7304217, had three violations. One for operating without proof of periodic inspection. One for a right side clearance light inoperable and no USDOT number marked on either side of the vehicle. The vehicle was not issued a CVSA decal.

2016 Isuzu, VIN # JALE5W168G7300312, had one violation for operating a vehicle without proof of periodic inspection. The vehicle was not issued a CVSA decal.

**CLOSING INTERVIEW:**

The closing interview was conducted on April 24, 2018 at the carrier's principle place of business. Present at the closing interview was Investigators Gilbert and Auderer, along with company representative Mr. Eric Michelson. This investigation resulted in proposed "Conditional" safety rating. Mr. Michelson 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 "Your Guide to Achieving a Satisfactory Safety Record Revised April 2015" and "Fitness Rating Explanation" along with "How to Request an Upgrade to your INTRASTATE Safety Rating" document. The last document was provided as a means to assist the carrier in writing a safety plan.

**FOLLOW-ON ACTION:**

Recommend continued compliance monitoring, issuing administrative penalties for the critical and critical type violations, imposing the remaining balance of suspended penalties from Docket TV-170293 Order 01 (\$15,400), and revisit this carrier within 12-months.

<b>Upload Authorized:</b>	<b>Yes</b>	<b>No</b>
<b>Authorized by:</b>		<b>Date:</b>
<b>Uploaded:</b>	<b>Yes</b>	<b>No</b>
<b>Verified by:</b>		<b>Failure Code:</b>
		<b>Date:</b>




	<b>CANT STOP MOVING LLC</b> U.S. DOT #: 1934023	State #: THG-63768	Review Date: 04/24/2018
	<b>Safety Fitness Rating Explanation</b>		

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.

<b>FACTOR 1</b> General    (CFR Parts 387, 390)		0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory										
<b>VIOLATIONS AFFECTING RATING</b> NONE	<b>POINTS</b> ----- TOTAL POINTS:    0    = <b>SATISFACTORY</b>											
<b>FACTOR 2</b> Driver Qualification    (CFR Parts 382, 383, 391)		0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory										
<b>VIOLATIONS AFFECTING RATING</b> S        391.51(b)(2)	<b>POINTS</b> ----- 1 ( C ) ----- TOTAL POINTS:    1    = <b>CONDITIONAL</b>											
<b>FACTOR 3</b> Operational/Driving    (CFR Parts 392, 395)		0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory										
<b>VIOLATIONS AFFECTING RATING</b> S        395.8(a)	<b>POINTS</b> ----- 2 ( C ) ----- TOTAL POINTS:    2    = <b>UNSATISFACTORY</b>											
<b>FACTOR 4</b> Vehicle/Maintenance    (CFR Parts 393, 396, Performance Data (OOS%))		Out-of-Service (OOS) Percentage: 0.0										
<b>VIOLATIONS AFFECTING RATING</b> S        396.3(b) S        396.17(a)	<b>POINTS</b> ----- 1 ( C ) ----- 1 ( C ) ----- TOTAL POINTS:    2    & 0.0% OOS = <b>CONDITIONAL</b> (see chart)											
<table border="1"> <tr> <th>Fewer than 3 Inspections</th> <th colspan="2">3 or more Inspections</th> </tr> <tr> <td rowspan="3">                     Rate same as other Regulatory Factors 1, 2, and 3                       0 Point = Satisfactory                      1 Point = Conditional                      &gt;1 Point = Unsatisfactory                 </td> <td>OOS Less than 34%</td> <td>OOS 34% or Higher</td> </tr> <tr> <td>Satisfactory</td> <td>Conditional</td> </tr> <tr> <td>0 Conditional If a pattern of Non-Compliance with a Critical or an Acute Violation</td> <td>Unsatisfactory If a pattern of Non-Compliance with a Critical or an Acute Violation</td> </tr> </table>	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	Satisfactory	Conditional	0 Conditional If a pattern of Non-Compliance with a Critical or an Acute Violation	Unsatisfactory If a pattern of Non-Compliance with a Critical or an Acute Violation		
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	Satisfactory	Conditional										
	0 Conditional If a pattern of Non-Compliance with a Critical or an Acute Violation	Unsatisfactory If a pattern of Non-Compliance with a Critical or an Acute Violation										
<b>FACTOR 5</b> Hazardous Material    (CFR Parts 397, 171, 172, 173, 177, 180)												
Not Applicable - Not a carrier of Hazardous Material NONE												
<b>FACTOR 6</b> Accident (Recordable Accident Rate)												
((Recordable Accidents) X (1 million)) ÷ (Total Miles) = Rate (0 X 1,000,000) ÷ 18,632 = 0 = <b>SATISFACTORY</b> URBAN CARRIER - All Driver operate within <100 air miles												
<b>ACCIDENT RATE</b> 0 0.000 - 1.700 >1.700	<b>FACTOR RATING</b> = Satisfactory = Unsatisfactory											



	<b>CAN'T STOP MOVING LLC</b> U.S. DOT #: 1934023	Review Date: 04/24/2018																		
<b>Safety Fitness Rating Explanation</b>																				
<b>OVERALL SAFETY FITNESS RATING</b> Number of Factors (1-6) shown above as less than satisfactory Unsatisfactory                      Conditional 1    2                      =    CONDITIONAL																				
<b>FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING</b> Number of Factors <table data-bbox="349 745 1036 919" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Unsatisfactory</th> <th style="text-align: left;">Conditional</th> <th style="text-align: left;">OVERALL RATING</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>2 or fewer</td> <td>Satisfactory</td> </tr> <tr> <td>0</td> <td>3 or more</td> <td>Conditional</td> </tr> <tr> <td>1</td> <td>2 or fewer</td> <td>Conditional</td> </tr> <tr> <td>1</td> <td>3 or more</td> <td>Unsatisfactory</td> </tr> <tr> <td>2</td> <td>0 or more</td> <td>Unsatisfactory</td> </tr> </tbody> </table>			Unsatisfactory	Conditional	OVERALL RATING	0	2 or fewer	Satisfactory	0	3 or more	Conditional	1	2 or fewer	Conditional	1	3 or more	Unsatisfactory	2	0 or more	Unsatisfactory
Unsatisfactory	Conditional	OVERALL RATING																		
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1	3 or more	Unsatisfactory																		
2	0 or more	Unsatisfactory																		



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 49CFR sections 385.5 and 385.7.

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 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  
1300 S. Evergreen Park Dr. SW  
PO Box 47250  
Olympia, WA 98504-7250

At a minimum, the following must be addressed:

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

**49 CFR Part 391**

**Medical Certificates –**

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

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

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

**Driver Qualification File and Documents –**

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

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

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

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

**49 CFR Part 392**

**Violations of laws, ordinances, and regulations –**

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

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

**49 CFR Part 395**

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

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

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

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

**49 CFR Part 396**

**No Maintenance Files –**

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

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

**Annual Inspections -**

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


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

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



DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

 <p>Washington State Patrol Commercial Vehicle Enforcement Section P.O. Box 42614 Olympia, WA 98504-2614 Phone: (360)596-3815</p>	Report Number: WAU588000063
	Inspection Date: 03/01/2018
	Start: 02:28 PM PT End: 2:59:49 PM PT
	Inspection Level: V - Terminal HM Inspection Type: None

CAN'T STOP MOVING LLC PO BOX 27349 SEATTLE, WA 98165 USDOT#: 01934023 MC/MX#: 892741 State#: Location: 4253 22ND AVE W Highway: County: KING, WA	Phone#: (425)577-1524 Fax#:	Driver: License#: Date of Birth: CoDriver: License#: Date of Birth: Shipper: MilePost: Origin: SEATTLE, WA Destination: SEATTLE, WA	State: State:	Bill of Lading: Cargo: EMPTY
--	--------------------------------	--	------------------	---------------------------------

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TR	ISU	2016	WA	C77401K	7	JALE5W162G7304198	19,500	24383840		

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	DISC	DISC

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.11	393.11	1	N		N	N	No or defective lighting devices or reflective material as required; Right clearance light inoperable.
393.60C	393.60(c)	1	N		N	N	Damaged or discolored windshield: Intersecting cracks on windshield approximately 3/4 horizontal length of the windshield.
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection

HazMat: No HM Transported. Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

THE UNDERSIGNED CERTIFIES THAT ALL VIOLATIONS NOTED ON THIS REPORT HAVE BEEN CORRECTED AND ACTION HAS BEEN TAKEN TO ASSURE COMPLIANCE WITH ALL APPLICABLE FEDERAL AND STATE REGULATIONS.  
 WITHIN FIFTEEN (15) DAYS FOLLOWING THE DATE OF INSPECTION, THE MOTOR CARRIER OR INTERMODAL EQUIPMENT PROVIDER SHALL:  
 (1) CERTIFY THAT ALL VIOLATIONS NOTED HAVE BEEN CORRECTED BY COMPLETING THE "SIGNATURE OF CARRIER/INTERMODAL EQUIPMENT PROVIDER OFFICIAL, TITLE, AND DATE SIGNED" PORTION OF THE FORM; AND  
 (2) RETAIN A COPY AT THE MOTOR CARRIER'S PRINCIPAL PLACE OF BUSINESS, OR WHERE THE VEHICLE IS HOUSED FOR 12 MONTHS FROM THE DATE OF THE INSPECTION.  
 FOR QUESTIONS OR TO DISPUTE INFORMATION REGARDING THIS INSPECTION PLEASE USE THE FOLLOWING WEBSITE: [HTTPS://DATAQS.FMCSA.DOT.GOV](https://DATAQS.FMCSA.DOT.GOV)

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
STEINER, E.

Badge #:  
WAU588

Copy Received By:




X \_\_\_\_\_

X \_\_\_\_\_

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

	Washington State Patrol	Report Number: WAU007000411
	Commercial Vehicle Enforcement Section	Inspection Date: 03/02/2018
	P.O. Box 42614	Start: 07:30 AM PT End: 7:44:05 AM PT
	Olympia, WA 98504-2614	Inspection Level: V - Terminal
	360-596-3815 email: safetynet@wsp.wa.gov	HM Inspection Type: None

CANT STOP MOVING LLC PO BOX 27349 SEATTLE, WA 98165 USDOT#: 01934023 MC/MX#: 892741 State#: Location: 22ND AVE Highway: County: KING, WA	Phone#: (425)577-1524 Fax#:	Driver: License#: Date of Birth: CoDriver: License#: Date of Birth: MilePost: Origin: SEATTLE, WA Destination: SEATTLE, WA	Shipper: Bill of Lading: Cargo: EMPTY	State: State:
--	--------------------------------	--	---	------------------

VEHICLE IDENTIFICATION											
Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TR	ISU	2016	WA	C77400K	6	JALE5W169G7300312	19,550			

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

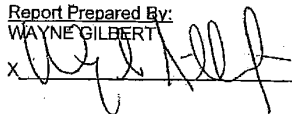
Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection: no proof of periodic inspection on the vehicle.

HazMat: No HM Transported. Placard: No Cargo Tank:

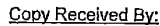
Special Checks: No Data for Special Checks.

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

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
WAYNE GILBERT  
X 

Badge #:  
WAU584

Copy Received By:  
X 



DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

Washington State Patrol  
Commercial Vehicle Enforcement Section  
P.O. Box 42614  
Olympia, WA 98504-2614  
Phone: (360)596-3815

Report Number: WAU588000064  
Inspection Date: 03/02/2018  
Start: 08:01 AM PT End: 8:16:14 AM PT  
Inspection Level: V - Terminal  
HM Inspection Type: None

CAN'T STOP MOVING LLC  
PO BOX 27349  
SEATTLE, WA 98165  
USDOT#: 01934023  
MC/MX#: 892741  
State#:

Phone#: (425)677-1524  
Fax#:

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

State:  
State:

Location: 4253 22ND AVE W  
Highway:  
County: KING, WA

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

Bill of Lading:  
Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TR	ISU	2016	WA	C15025K	8	JALE6W162G7304217	9,500	24088386		

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	DISC	DISC

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.11	393.11	1	N		N	N	No or defective lighting devices or reflective material as required; Right clearance light inoperable.
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection
390.21B	390.21(b)	1	N		N	N	Carrier name and/or USDOT Number not displayed as required

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

THE UNDERSIGNED CERTIFIES THAT ALL VIOLATIONS NOTED ON THIS REPORT HAVE BEEN CORRECTED AND ACTION HAS BEEN TAKEN TO ASSURE COMPLIANCE WITH ALL APPLICABLE FEDERAL AND STATE REGULATIONS.  
WITHIN FIFTEEN (15) DAYS FOLLOWING THE DATE OF INSPECTION, THE MOTOR CARRIER OR INTERMODAL EQUIPMENT PROVIDER SHALL:  
(1) CERTIFY THAT ALL VIOLATIONS NOTED HAVE BEEN CORRECTED BY COMPLETING THE "SIGNATURE OF CARRIER/INTERMODAL EQUIPMENT PROVIDER OFFICIAL, TITLE, AND DATE SIGNED" PORTION OF THE FORM; AND  
(2) RETAIN A COPY AT THE MOTOR CARRIER'S PRINCIPAL PLACE OF BUSINESS, OR WHERE THE VEHICLE IS HOUSED FOR 12 MONTHS FROM THE DATE OF THE INSPECTION.  
FOR QUESTIONS OR TO DISPUTE INFORMATION REGARDING THIS INSPECTION PLEASE USE THE FOLLOWING WEBSITE: [HTTPS://DATAQS.FMCSA.DOT.GOV](https://DATAQS.FMCSA.DOT.GOV)  
Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
STEINER, E.

Badge #:  
WAU588

Copy Received By:



01934023 WA WAU588000064



WUTC DOCKET NO. TV-170293 + TV-180319  
EXHIBIT NO. JS-1  
ADMIT  W/D  REJECT

## Can't Stop Moving Safety Management Plan

### 1) Medical Certificates

Along with many of the other issues being rectified, I believe that a main part of the problem is that I have been trying to take on too much personally, and have lacked focus regarding proper maintenance and adherence to the record keeping needed for operating within the federal safety regulations and standards.

Although we did improve on our previous review in this regard, there were still employees who did not receive a DOT physical prior to becoming drivers, and a driver who had a DOT card I did not make sure to immediately receive and file accordingly. Also, part of this issue was improperly vetting the medical certificates upon receiving them, which was a misunderstanding on my part regarding how to properly check them for their legitimacy.

We have implemented a new hire checklist, alongside a new driver checklist, so that we can ensure each new employee, and also those new to driving, will have completed all necessary tasks prior to coming into their roles.

Until now, I have handled all compliance related tasks, and we have just hired a new manager who will be responsible for compliance moving forward.

I have attached a sample of our new-hire/driver checklist for review at the bottom of this letter.

### 2) Driver Qualification Files and Documents

As mentioned above, our record keeping and maintenance has been an issue for us, and moving forward we are now going to prioritize efficient and proper record keeping.

Again I do believe that progress has been made in this area, however I realize that progress does not equal compliance, and we do want to ensure that we maintain everything needed moving forward.

For our current drivers, we updated all of their files with up-to-date information where applicable, and are compliant with CFR 391.51, using the approved driver checklist. I have included the DQ file for Prince Austin as evidence of this.

As part of our new-driver checklist it also includes all paperwork necessary for DQ files, and will be maintained by our new compliance manager, Danny Morgan.

Please see above for documentation.

### 3) Violations of Laws, Ordinances, and Regulations

This violation was able to occur due to an oversight on my behalf. While making a copy of an employee's ID, I did not check to see that it was in fact an ID card, and not a valid Driver's license.

In the past, we were cited for this violation, however the circumstances were different in that the employee had a suspended driver's license for a period of about 2

weeks. That employee had a license copy and drivers abstract on file, and was unaware of the suspension until I brought it up to him after receiving the news of it.

Moving forward, I have made a very stern and serious point to address all drivers, and those hoping to come into that role, that any and all licensing issues need to be brought to our attention immediately. Furthermore, I will not make the mistake of not verifying ID copies as well when making our copies for the DQ files.

Regarding the employee in question, he was reprimanded and immediately taken out of his role as a driver. Upon reinstatement of his license, we will reevaluate his situation and determine the appropriate next steps.

This will be a shared task between myself and our compliance manager.

In the future, all drivers now that knowingly operating without a license will lead to immediate termination from the company, and will not be tolerated in any manner.

**4) Failing to require driver to make a record of duty status & Failure to maintain records for 6 months**

We had been maintaining log books inside of our trucks, however they were often misplaced or lost, leading to missing records. Also, I misunderstood the law regarding one of our drivers who is mainly in our office, and did not require him to fill out a time card listing hours driven, under the impression that he was a salaried employee and was not required to do so for the short amounts of time he is driving our vehicles.

Because most often we do not require log sheets for the scope of work completed, we have switched over to loose leaf drive logs, and are maintaining them with our employee files. Our manager Prince is also filling out time cards daily listing times he may be driving the trucks.

After one of our drivers was given a lengthy explanation of the proper log procedures, he in turn explained it to me, and then I provided training to all drivers about how to properly fill in the logs.

For the time being, I am responsible for ensuring the accuracy of these reports, and I now verify the accuracy of logs upon return to our office.

I am working on a disciplinary plan to counter any fraudulent and/or missing/mismanaged logs, which will include a range of consequences based on severity and frequency, and will certainly include termination for any employee purposefully circumventing the system.

**5) No Maintenance Files**

This is an issue of mismanagement of our records I take responsibility for, as I was not careful in the storing of all records related to truck maintenance.

Our filing system is basic, and in the past we had lumped all records together. Now we do have individual folders, but they lacked the proper organization and setup. I have included our Truck 5 maintenance file layout for evidence of this step, and the only item not shown is tire size, which is listed on the outside of the folders below the registration copy.

Part of our new plan overall with our compliance manager is that he, alongside myself and our field manager are now working diligently to file all necessary paperwork in a timely and efficient manner.

We now have all folders clearly marked, with individual registrations attached to the front of each folder and tire sizes marked on the exterior. We also have a chart on our wall indicating maintenance timing to record and report future maintenance needs.

**6) Using a Commercial motor vehicle not periodically inspected**

This issue ties directly into #5. As shown with our DOT audit results, we did have all of our vehicles given a DOT inspection, however poor record keeping on my part led to misplacement of the documentation, and our repair facility could not offer assistance with that.

This issue did arise previously, and at that time we were unaware the vehicles needed to be inspected since they were under a year old. It was a misunderstanding on my part as I incorrectly assumed that as a new vehicle it would not be a necessary step. After learning that was not the case, we had them brought immediately to be DOT inspected.

We are currently in the process of renewing all DOT inspections for the next year, and have added it to our preventative maintenance and service schedule.

Our compliance manager will also be responsible for ensuring that the trucks are serviced in a timely manner, including the yearly inspection, and also for ensuring that the paperwork is filed internally and in the truck, along with the sticker.

In summary, I do take full responsibility for all the deficiencies listed on the report. We do our absolute best to be a successful company, and I think that too much emphasis has been put on delivering the final product to ensure happy customers, and not enough on maintaining everything necessary on the back end in the office, and with regard to ensuring safe operation of our vehicles.

Internal organization has always been a difficult task for me personally and in business, and in hiring our new office/compliance manager, I think that will go a long way toward our continued compliance in the future. We do take this very seriously, and are looking to maintain a strong business for many years to come. Our goal is to be the best company in our industry, and I realize that it comes from not only doing a

great job out in the field, but also from behind the scenes in our office and training operations.

I do also plan on attending the next UTC seminar when it is back in Olympia, and I will be bringing our compliance manager Danny along as well.

We request that the commission allows us to maintain our operating permit based on the information provided above, and a pledge that as of now, and moving forward we will operate within federal and state regulations. We will continue to meet the safety standard and factors specific in 49 CFR 385.5 and 386.7. Thank you for your time and consideration in this matter.

Sincerely,  
Eric Michelson, Owner  
Can't Stop Moving





**ADDENDUM**

**NEW HIRE CHECKLIST(non-driver)**

- Job application
- Criminal background check
- ID copy
- Fill out relevant tax information
- Health Insurance/401(k) paperwork
- Start employee file

**\* PRINCE**

Your Guide to Achieving a Satisfactory Safety Record

Section 3

**DRIVER QUALIFICATION FILE**

**CHECKLIST 391.51**

no known contact info or previous driving job ←

1. <input checked="" type="checkbox"/> <b>Driver's Application for Employment</b> - A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment. NOTE: The application form must, as a minimum, contain the information in 391.21(b).	49 CFR, 391.21
2. <input type="checkbox"/> <b>Driver Investigative History File **</b> - Documentation required by CFR Part 391.23 regarding the driver's Safety Performance History. Refer to Page #75.	49 CFR, 391.53
3. <input checked="" type="checkbox"/> <b>Inquiry to State Agencies</b> - An investigation into the employee's driving record for the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.	49 CFR, 391.21(a) (1) & (b)
4. <input checked="" type="checkbox"/> <b>Annual Review of Driving Record.</b> At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the driver's qualification file. At least once every 12 months, a motor carrier must make an inquiry into the driving record of each driver.	49 CFR, 391.25
5. <input checked="" type="checkbox"/> <b>Annual Driver's Certification of Violations.</b> At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months.	49 CFR, 391.27
6. <input checked="" type="checkbox"/> <b>Driver's Road Test and Certificate (or equivalent).</b> A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate that the motor carrier accepted as equivalent to the driver's road test, pursuant to section 391.33	49 CFR, 391.31 & 33
7. <input checked="" type="checkbox"/> <b>Non-CDL Drivers &amp; Self-Certified Intrastate CDL Drivers. Medical Examiner's Certificate.</b> The driver must pass a medical examination conducted by a certified medical examiner that is listed on the National Registry. A driver must be issued a medical examiner's certificate, which must be carried at all times, and renewed at least every two years. A copy of the medical certificate must be kept in the driver file.	49 CFR, 391.42 & 45 & 51
<input checked="" type="checkbox"/> <b>CDL Drivers (Interstate Only). Medical Examiner's Certificate.</b> The driver must pass a medical examination conducted by a certified medical examiner that is listed on the National Registry. A valid medical certificate can be used up to 15 days after issuance. After 15 days, the CDLIS	See Exception Page 70
8. <input checked="" type="checkbox"/> <b>LCV Certificate of Training or Certificate of Grandfathering.</b> A person must not be allowed to drive a LCV until he/she has been issued a LCV Driver-Training Certificate or a LCV Driver-Training Certificate of Grandfathering.	49 CFR, 380.505 & 380.111
9. <input checked="" type="checkbox"/> <b>Entry-Level Driver-Training Certificate (CDL Driver only).</b> A person must not be allowed to drive a CMV requiring a CDL without first obtaining the required Entry-Level Driver-Training Certificate.	49 CFR, 380.500
10. <input type="checkbox"/> <b>Medical Examiner Verification.</b> Carriers must maintain in the driver's qualification file a note relating to verification of medical examiner listing on the National Registry of Certified Medical Examiners.	49 CFR, 391.23(m)

**\*The prospective motor carrier must:**

- Inform the applicant that the information provided on the application concerning previous employers may be used, and the applicant's previous employers will be contacted, for the purpose of investigating the applicant's safety performance history.
- Notify the driver in writing of his/her due process rights (see Due Process Rights in 391.23).

\*\* Records must be maintained in secured location with controlled access.

**Washington State Department of Licensing**  
**Application for Driver License**

Applicant Name: [REDACTED]  
 Date of Birth: [REDACTED]  
 Sex: [REDACTED]  
 Height: [REDACTED]  
 Weight: [REDACTED]  
 Eyes: [REDACTED]  
 Hair: [REDACTED]  
 Skin: [REDACTED]

Address: [REDACTED]  
 City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Education: [REDACTED]  
 School: [REDACTED]

Employment: [REDACTED]  
 Employer: [REDACTED]

Medical Information:  
 No medical conditions  
 Medical conditions (Specify): [REDACTED]  
 Seizure disorder (Specify): [REDACTED]  
 Diabetes (Specify): [REDACTED]  
 Other (Specify): [REDACTED]

Signature: [REDACTED] Date: [REDACTED]

3969275755  
 1/20/18

**WA WASHINGTON DRIVER LICENSE**

1. LIC# [REDACTED]  
 2. AUSTIN  
 3. PRINCE JOHN QUINCY  
 4. [REDACTED]  
 5. [REDACTED]

6. Sex: M 7. Hgt: 5-00  
 8. Wgt: 200 9. Eyes: BRN  
 10. Class: NONE  
 11. Restrictions: NONE

12. Exp: 04-30-2019

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

28. [REDACTED]

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

32. [REDACTED]

33. [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. [REDACTED]

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

41. [REDACTED]

42. [REDACTED]

43. [REDACTED]

44. [REDACTED]

45. [REDACTED]

46. [REDACTED]

47. [REDACTED]

48. [REDACTED]

49. [REDACTED]

50. [REDACTED]

51. [REDACTED]

52. [REDACTED]

53. [REDACTED]

54. [REDACTED]

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

58. [REDACTED]

59. [REDACTED]

60. [REDACTED]

61. [REDACTED]

62. [REDACTED]

63. [REDACTED]

64. [REDACTED]

65. [REDACTED]

66. [REDACTED]

67. [REDACTED]

68. [REDACTED]

69. [REDACTED]

70. [REDACTED]

71. [REDACTED]

72. [REDACTED]

73. [REDACTED]

74. [REDACTED]

75. [REDACTED]

76. [REDACTED]

77. [REDACTED]

78. [REDACTED]

79. [REDACTED]

80. [REDACTED]

81. [REDACTED]

82. [REDACTED]

83. [REDACTED]

84. [REDACTED]

85. [REDACTED]

86. [REDACTED]

87. [REDACTED]

88. [REDACTED]

89. [REDACTED]

90. [REDACTED]

91. [REDACTED]

92. [REDACTED]

93. [REDACTED]

94. [REDACTED]

95. [REDACTED]

96. [REDACTED]

97. [REDACTED]

98. [REDACTED]

99. [REDACTED]

100. [REDACTED]



**Driving Record -** [REDACTED]

**CERTIFIED**

Abstract of Complete Driving Record  
This information is current as of 5/25/2018 7:22:40 AM

Driver Information				Driver license status	
PIC	[REDACTED]	Suffix	[REDACTED]	Status	Clear
Last	AUSTIN	DOB	[REDACTED]	Issued	4/6/2018
First	PRINCE	Gender	Male	Expires	4/30/2019
Middle	JOHN QUINCY			Original Issue date	10/5/2004
				ID status	
				Issued	2/14/2013
				Expired	4/30/2017
				Original Issue date	12/19/2002

Failure to Appear (unresolved tickets)					
Violation date	Violation #	Description	Court name	Court type	Court phone
11/15/2016	6Z1125980	Driving without liability insurance	Seattle	Municipal	206-684-5600
3/29/2016	12901399	Driving without liability insurance	Seattle	Municipal	206-684-5600
9/9/2015	5Z0989802	Registration violation - no tabs	Kirkland Muni Court	Municipal	425-587-3160
2/12/2015	5Z0265875	Driving without liability insurance	Kirkland Muni Court	Municipal	425-587-3160
1/31/2015	5Z0252474	Driving without liability insurance	Kirkland Muni Court	Municipal	425-587-3160

Tickets										
Violation date	Violation #	Description	Court finding	Court name	Court type	BAC	THC	Licensing state	Exempt veh	Veh type
9/14/2017	7Z1082148	Speeding	Conviction 10/10/2017	Thurston Co Dist Ct	District					
6/14/2017	7Z0723889	Failure to yield right of way	Conviction 7/25/2017	Kirkland Muni Court	Municipal					
6/14/2017	7Z0723889	Driving without liability insurance	Conviction 7/25/2017	Kirkland Muni Court	Municipal					
12/14/2016	6Z1150820	Registration violation - no tabs	Conviction 3/22/2017	King Co Dist Court	District					
11/15/2016	6Z1125980	Registration violation - no tabs	Conviction 12/5/2016	Seattle	Municipal					
11/15/2016	6Z1125980	Driving without liability insurance	Conviction 12/5/2016	Seattle	Municipal					
7/7/2016	6Z0615171	Too fast for conditions	Conviction 10/19/2016	King Co Dist Court	District					
7/7/2016	6Z0615171	No proof of liability insurance	Conviction 10/19/2016	King Co Dist Court	District					
3/29/2016	12901399	Failure to yield right of way	Conviction 4/24/2016	Seattle	Municipal					
3/29/2016	12901399	Driving without liability insurance	Conviction 4/24/2016	Seattle	Municipal					
10/13/2015	5Z1054981	Seat belt violation - passenger	Conviction 3/31/2016	King Co Dist Court	District					
9/9/2015	5Z0989802	No proof of liability insurance	Conviction 10/20/2015	Kirkland Muni Court	Municipal					
9/9/2015	5Z0989802	Registration violation - no tabs	Conviction 10/20/2015	Kirkland Muni Court	Municipal					
3/26/2015	5Z0373998	No proof of liability insurance	Conviction 6/25/2015	King Co Dist Court	District					
2/12/2015	5Z0265875	No proof of liability insurance	Conviction 3/12/2015	Kirkland Muni Court	Municipal					

We are committed to providing equal access to our services. If you need accommodation, please call 360-902-3900 or TTY 360-684-0116. If you have questions regarding your driving record, please call Customer Service at 360-902-3900.

CERTIFIED



**Driving Record - [REDACTED]**

Abstract of Complete Driving Record  
This information is current as of 8/26/2018 7:22:40 AM

Tickets										
Violation date	Violation #	Description	Court finding	Court name	Court type	BAC	THC	Licensing state	Exempt veh.	Veh type
1/31/2015	5Z0252474	No proof of liability insurance	Conviction 3/12/2015	Kirkland Muni Court	Municipal					

Collisions								Veh type	At fault
Accident date	Description	Accident report #	# of vehicles	# of injuries	# of fatalities	Case #	Vehicle class		
7/7/2016	Moving	E562940	2	1	0	2016 07 07 0014			
1/31/2017	Moving	E637566	2	0	0				

Drive record history										
Action date	Reason	Action taken	Eligibility date	Release date	Violation date	Violation #	DUI/BAC detail	THC	Licensing state	
3/5/2018	Failure to make required payment of fine and costs	Released	3/5/2018	1/16/2028		7Z0723889				
3/5/2018	Failure to make required payment of fine and costs	Suspended	3/5/2018	1/16/2028		7Z0723889				
11/30/2017	Failure to make required payment of fine and costs	Released	11/30/2017	10/10/2027		7Z1082148				
11/27/2017	Failure to make required payment of fine and costs	Suspended	11/27/2017	10/10/2027		7Z1082148				
9/11/2017	Failure to make required payment of fine and costs	Released	9/11/2017	7/25/2027		7Z0723889				
9/11/2017	Failure to make required payment of fine and costs	Suspended	9/11/2017	7/25/2027		7Z0723889				
5/19/2017	Failure to make required payment of fine and costs	Released	5/19/2017	3/29/2027		6Z0615171				
5/18/2017	Failure to make required payment of fine and costs	Suspended	5/18/2017	3/29/2027		6Z0615171				
3/30/2017	Agreement on file for vehicle accident	Released	3/7/2017	7/7/2019	7/7/2016					
3/7/2017	VEHICLE ACCIDENT/FR LAW	Suspended	3/7/2017	7/7/2019	7/7/2016					
3/30/2016	Failure to make required payment of fine and costs	Released	3/30/2016	2/4/2026		C00063180				
3/25/2016	Failure to make required payment of fine and costs	Suspended	3/25/2016	2/4/2026		C00063180				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	1/2/2017		IN0069994				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	2/26/2017		C00340274				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	5/23/2021		C00063180				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	2/21/2024		9Y6348025				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	10/6/2015		IN0069718				
5/1/2014	Failure to make required payment of fine and costs	Released	5/1/2014	2/21/2024		XY0123444				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	12/13/2015		C00038965				
5/1/2014	Failure to make required payment of fine and costs	Compliance	5/1/2014	2/21/2024		9Y6321950				

We are committed to providing equal access to our services. If you need accommodation, please call 360-902-3900 or TTY 360-664-0116. If you have questions regarding your driving record, please call Customer Services at 360-902-3900.



**Driving Record** [REDACTED]

CERTIFIED

Abstract of Complete Driving Record  
This information is current as of 5/25/2019 7:22:40 AM

Drive record history							
Action date	Reason	Action taken	Eligibility date	Release date	Violation date	Violation #	DUI/BAC detail THC Licensing state
4/11/2014	Failure to make required payment of fine and costs	Suspended	4/11/2014	2/21/2024		9Y6348025	
4/11/2014	Failure to make required payment of fine and costs	Suspended	4/11/2014	2/21/2024		9Y6321950	
4/11/2014	Failure to make required payment of fine and costs	Suspended	4/11/2014	2/21/2024		XY0123444	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	8/11/2020		XY0123444	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	4/12/2020		9Y6348025	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	4/12/2020		9Y6323088	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	4/28/2020		9Y6321950	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	12/23/2019		9Y6209485	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	12/8/2020		XY0330134	
8/20/2013	Failure to make required payment of fine and costs	Compliance	8/20/2013	6/26/2018		ID4924644	
7/10/2011	Failure to make required payment of fine and costs	Suspended	7/10/2011	5/23/2021		C00063180	
1/27/2011	Failure to make required payment of fine and costs	Suspended	1/27/2011	12/8/2020		XY0330134	
1/3/2011	Failure to make required payment of fine and costs	Compliance	1/3/2011	8/30/2020		C00063180	
11/4/2010	Failure to make required payment of fine and costs	Suspended	11/4/2010	8/11/2020		XY0123444	
11/4/2010	Failure to make required payment of fine and costs	Suspended	11/4/2010	8/30/2020		C00063180	
6/17/2010	Failure to make required payment of fine and costs	Suspended	6/17/2010	4/28/2020		9Y6321950	
5/30/2010	Failure to make required payment of fine and costs	Suspended	5/30/2010	4/12/2020		9Y6348025	
5/30/2010	Failure to make required payment of fine and costs	Suspended	5/30/2010	4/12/2020		9Y6323088	
2/11/2010	Failure to make required payment of fine and costs	Suspended	2/12/2010	12/23/2019		9Y6209485	
8/14/2008	Failure to make required payment of fine and costs	Suspended	8/15/2008	6/26/2018		ID4924644	
5/27/2007	Failure to make required payment of fine and costs	Suspended	5/28/2007	2/26/2017		C00340274	
2/18/2007	Failure to make required payment of fine and costs	Suspended	2/19/2007	1/2/2017		IN0069994	
9/30/2006	Failure to make required payment of fine and costs	Compliance	9/30/2006	3/15/2016		C00340274	
5/4/2006	Failure to make required payment of fine and costs	Suspended	5/4/2006	3/15/2016		C00340274	
1/29/2006	Failure to make required payment of fine and costs	Suspended	1/29/2006	12/18/2015		C00038965	
11/25/2005	Failure to make required payment of fine and costs	Suspended	11/25/2005	10/6/2015		IN0069718	

DRIVER'S LICENSE REPORT

SambaSafety PO Box 1970 Rancho Cordova, CA 95741-1970  
WASHINGTON Driver Record - S7447 Order Date: 05/18/2017 Seq #: 0

Host Used: Online Bill Code:  
Rec Type: FIVE YEAR Reference: 9374101\_4016993  
License: [REDACTED]  
Name: AUSTIN, PRINCE JOHN QUINCY  
Address:  
City, St:

Sex: Weight: DOB: [REDACTED] Age: 32  
Eyes: Height: Iss Date: 04/04/2017  
Hair: Exp Date: 04/30/2019

STATUS: SUSPENDED

Violations/Convictions		Failures To Appear			Accidents		C	SPEED	LOCATION/TICKET	ACCD	PT
TYPE	VIOL	CONV	ACD	AVD	VAC	DESCRIPTION					
VIOL	01/31/2015	03/12/2015	D36	DE06	6S	NO PROOF OF LIABILITY INSURANCE	N		KIRKLAND MUNI COURT/5Z0252474		
FTA	01/31/2015		D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		KIRKLAND MUNI COURT/5Z0252474		
VIOL	02/12/2015	03/12/2015	D36	DE06	6S	NO PROOF OF LIABILITY INSURANCE	N		KIRKLAND MUNI COURT/5Z0265875		
FTA	02/12/2015		D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		WASHINGTON/5Z0265875		
VIOL	03/26/2015	06/25/2015	D36	DE06	6S	NO PROOF OF LIABILITY INSURANCE	N		KING CO DIST COURT/5Z0373398		
FTA	03/26/2015		D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		WASHINGTON/5Z0373398		
VIOL	09/09/2015	10/20/2015	D36	DE06	6S	NO PROOF OF LIABILITY INSURANCE	N		KIRKLAND MUNI COURT/5Z0989802		
VIOL	09/09/2015	10/20/2015	-	DD03	9B	REGISTRATION VIOL/NO TAB	N		KIRKLAND MUNI COURT/5Z0989802		
FTA	09/09/2015		-	DD03	9B	REGISTRATION VIOL/NO TAB	N		WASHINGTON/5Z0989802		
FTA	10/13/2015		F04	EB02	39	SEAT BELT VIOL-PASSENGER	N		WASHINGTON/5Z1054381		
VIOL	03/29/2016	04/24/2016	D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		SEATTLE/12901399		
VIOL	03/29/2016	04/24/2016	N01	MC01	30	FAIL TO YIELD RT OF WAY	N		SEATTLE/12901399		
FTA	03/29/2016		D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		WASHINGTON/12901399		
VIOL	07/07/2016	10/19/2016	S94	SA02	02	TOO FAST FOR CONDITIONS	N		KING CO DIST COURT/6Z0615171		
VIOL	07/07/2016	10/19/2016	D36	DE06	6S	NO PROOF OF LIABILITY INSURANCE	N		KING CO DIST COURT/6Z0615171		
FTA	07/07/2016		S94	SA02	02	TOO FAST FOR CONDITIONS	N		WASHINGTON/6Z0615171		
ACCD	07/07/2016		-	AA01	-	ACCIDENT MOVING	N		WASHINGTON/E562940	*ACC*	
VIOL	11/15/2016	12/05/2016	-	DD03	9B	REGISTRATION VIOL/NO TAB	N		SEATTLE/6Z1125980		
VIOL	11/15/2016	12/03/2016	D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		SEATTLE/6Z1125980		
FTA	11/15/2016		D36	DE06	7S	DRIVING W/O LIABILITY INSURANCE	N		WASHINGTON/6Z1125980		
VIOL	12/14/2016	03/22/2017	-	DD03	9B	REGISTRATION VIOL/NO TAB	N		KING CO DIST COURT/6Z1150820		
FTA	12/14/2016		-	DD03	9B	REGISTRATION VIOL/NO TAB	N		WASHINGTON/6Z1150820		
ACCD	01/31/2017		-	AA01	-	ACCIDENT MOVING	N		WASHINGTON/E637566	*ACC*	

Suspensions/Revocations

ACTIONS	ORD/DATE	EFF/DATE	CLEAR/DATE	END/DATE	CODE	AVD	DESCRIPTION
SUSPENSION		11/25/2005	11/25/2005	10/06/2015	-	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION		01/29/2006	01/29/2006	12/13/2015	-	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION		05/04/2006	05/04/2006	03/15/2016	-	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED		09/30/2006	09/30/2006	03/15/2016	-	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION		02/18/2007	02/19/2007	01/02/2017	-	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION		05/27/2007	05/28/2007	02/26/2017	-	DE15	FAIL TO PAY UNPAID TICKET

DRIVER'S LICENSE REPORT

SUSPENSION	08/14/2008	08/15/2008	06/26/2018	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	02/11/2010	02/12/2010	12/23/2019	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	05/30/2010	05/30/2010	04/12/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	05/30/2010	05/30/2010	04/12/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	06/17/2010	06/17/2010	04/28/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	11/04/2010	11/04/2010	08/11/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	11/04/2010	11/04/2010	08/30/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	01/03/2011	01/03/2011	08/30/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	01/27/2011	01/27/2011	12/08/2020	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	07/10/2011	07/10/2011	05/23/2021	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	08/20/2013	08/20/2013	04/12/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	08/11/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	04/12/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	04/28/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	12/23/2019	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	12/08/2020	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	08/20/2013	08/20/2013	06/26/2018	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	04/11/2014	04/11/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	04/11/2014	04/11/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	04/11/2014	04/11/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	05/01/2014	05/01/2014	12/13/2015	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	10/06/2015	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	02/26/2017	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	05/23/2021	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	01/02/2017	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
COMPLIED	05/01/2014	05/01/2014	02/21/2024	DE15	FAIL TO PAY UNPAID TICKET
ACTION TERM	05/01/2014	05/01/2014	02/04/2026	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	03/25/2016	03/25/2016	02/04/2026	DE15	FAIL TO PAY UNPAID TICKET
ACTION TERM	03/30/2016	03/30/2016	02/04/2026	DE15	FAIL TO PAY UNPAID TICKET
ACTION TERM	03/07/2017	03/07/2017	07/07/2019	DE05	VEHICLE ACCIDENT/FR LAW
SUSPENSION	03/30/2017	03/07/2017	07/07/2019	DE08	AGREEMENT
ACTION TERM	03/30/2017	03/07/2017	07/07/2019	DE15	FAIL TO PAY UNPAID TICKET
SUSPENSION	05/18/2017	05/18/2017	03/29/2027	DE15	FAIL TO PAY UNPAID TICKET

License and Permit Information

License: PERSONAL      Issue: 04/04/2017      Expire: 04/30/2019      Status: SUSPENDED  
Class: DL      OPERATOR

Miscellaneous State Data

VIOL MISC. DATED: 01/31/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
VIOL MISC. DATED: 02/12/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
VIOL MISC. DATED: 03/26/2015 - JUDICIAL AGENCY CODE: WA017173J  
VIOL MISC. DATED: 09/09/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
VIOL MISC. DATED: 09/09/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
VIOL MISC. DATED: 03/29/2016 - JUDICIAL AGENCY CODE: WA017331J  
VIOL MISC. DATED: 03/29/2016 - JUDICIAL AGENCY CODE: WA017331J  
VIOL MISC. DATED: 07/07/2016 - JUDICIAL AGENCY CODE: WA017173J  
VIOL MISC. DATED: 07/07/2016 - JUDICIAL AGENCY CODE: WA017173J  
VIOL MISC. DATED: 11/15/2016 - JUDICIAL AGENCY CODE: WA017331J  
VIOL MISC. DATED: 11/15/2016 - JUDICIAL AGENCY CODE: WA017331J  
VIOL MISC. DATED: 12/14/2016 - JUDICIAL AGENCY CODE: WA017173J  
FTA MISC. DATED: 01/31/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
FTA MISC. DATED: 02/12/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
FTA MISC. DATED: 03/26/2015 - JUDICIAL AGENCY CODE: WA017173J  
FTA MISC. DATED: 09/09/2015 - JUDICIAL AGENCY CODE: WA0174KIJ  
FTA MISC. DATED: 10/13/2015 - JUDICIAL AGENCY CODE: WA017173J  
FTA MISC. DATED: 03/29/2016 - JUDICIAL AGENCY CODE: WA017331J  
FTA MISC. DATED: 07/07/2016 - JUDICIAL AGENCY CODE: WA017173J



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DRIVER'S LICENSE REPORT

FTA MISC. DATED: 11/15/2016 - JUDICIAL AGENCY CODE: WA017331J  
FTA MISC. DATED: 12/14/2016 - JUDICIAL AGENCY CODE: WA017173J  
ACC MISC. DATED: 07/07/2016 - MOVING  
ACC MISC. DATED: 01/31/2017 - MOVING  
EMANCIPATED MINOR: N

CONFIDENTIAL INFORMATION - TO BE USED AS PER STATE AND FEDERAL LAWS.  
MISUSE MAY RESULT IN A CRIMINAL PROSECUTION

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END OF REPORT FOR AUSTIN, PRINCE JOHN QUINCY

(CONTROL NUMBER: 55ATDH)

Wednesday, April 19, 2017



## Web Search Transcript

Washington State Patrol  
Identification and Criminal History Section  
P. O. Box 42633  
Olympia, Washington 98504-2633  
Telephone (360) 534-2000 Option 2

**THE FOLLOWING TRANSCRIPT OF RECORD  
IS FURNISHED FOR OFFICIAL USE ONLY**

This report was generated from a transaction run on 4/19/2017 at 9:11 AM  
Conviction Criminal History RCW 10.97.050(1)

Pursuant to the purpose of inquiry, NO EXACT MATCH was found in the  
Washington State Criminal History Repository based on descriptors provided:

AUSTIN, PRINCE DOB [REDACTED] SEX M RAC U

This may mean that the person you searched for has no criminal conviction  
record OR that your search criteria did not match the spelling of the person's  
name or date of birth.

Positive identification or non-identification in the Washington State Patrol's  
database can only be determined by fingerprint comparison.

WATCH did return the following candidate list based on the provided search  
descriptors:

SID	NAME	SEX	RACE	HT	WT	EYES	DOB	SSN
	AUSTIN, PRINCE							

---

1. WA22940585 JOHN QUINCY M B 511 150 BRO [REDACTED]

# APPLICATION FOR EMPLOYMENT

COMPANY Cant Stop Moving STREET ADDRESS 4253 22nd Ave W  
 CITY, STATE AND ZIP CODE Seattle, WA 98199  
 APPLICANT'S NAME Prince John Guincy Austin  
(First) (Middle) (Maiden Name, if any) (Last)  
 ADDRESS [REDACTED] HOW LONG? 3  
(Street) (City) (State and Zip Code)  
 DATE OF BIRTH [REDACTED] PHONE [REDACTED] SOCIAL SECURITY NO. [REDACTED]

### PAST ADDRESSES (previous three years)

	STREET	CITY	STATE & ZIP CODE	HOW LONG?
1				
2				
3				
4				

(ATTACH SHEET IF MORE SPACE IS NEEDED)

### EXPERIENCE AND QUALIFICATIONS—DRIVER

DRIVER LICENSE	STATE	LICENSE NUMBER	TYPE	EXPIRATION DATE
	Washington	[REDACTED]	Standard	4/30/2019

### DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES		APPROX. # OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK				
TRACTOR/SEMI-TRAILER				
TRACTOR/2 TRAILERS				
OTHER:	24 ft box truck	2010	2014	10,000 +

### ACCIDENT RECORD FOR PAST 3 YEARS OR MORE (ATTACH SHEET IF MORE SPACE IS NEEDED)

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES

TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS)

LOCATION	DATE	CHARGE	PENALTY
N/A			

(ATTACH SHEET IF MORE SPACE IS NEEDED)

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES \_\_\_\_\_ NO
- B. Has any license, permit, or privilege ever been suspended or revoked? YES  NO \_\_\_\_\_

IF THE ANSWER TO EITHER A OR B IS YES, ATTACH A STATEMENT GIVING FULL DETAILS

EMPLOYMENT RECORD (Attach Sheet if More Space is Needed)

Note: DOT requires that employment for at least 3 years and/or Commercial Driving experience (CDL) for the past 10 years be shown.

LAST EMPLOYER NAME Goodwill

ADDRESS \_\_\_\_\_

POSITION HELD Furniture Specialist FROM 2014 TO 2016 SALARY 13.00

REASON FOR LEAVING new Job

Subject to Federal Motor Carrier Safety Regulations: YES \_\_\_\_\_ NO   
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol testing YES \_\_\_\_\_ NO

SECOND LAST EMPLOYER NAME Damon Hampton

ADDRESS \_\_\_\_\_

POSITION HELD MOVER FROM 2007 TO 2014 SALARY 20.00

REASON FOR LEAVING New Job

Subject to Federal Motor Carrier Safety Regulations: YES \_\_\_\_\_ NO   
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol testing YES \_\_\_\_\_ NO

THIRD LAST EMPLOYER NAME N/A

ADDRESS \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASON FOR LEAVING \_\_\_\_\_

Subject to Federal Motor Carrier Safety Regulations: YES \_\_\_\_\_ NO \_\_\_\_\_  
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol testing YES \_\_\_\_\_ NO \_\_\_\_\_

TO BE READ AND SIGNED BY APPLICANT

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

5/16/12  
(Date)

[Signature]  
(Applicant's Signature)

NOTE: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.

Your Guide to Achieving a Satisfactory Safety Record

Section 3

**DRIVER'S ROAD TEST EXAMINATION**

Driver's Name Prince Austin Phone [REDACTED]  
Driver's Address [REDACTED]  
City [REDACTED] State [REDACTED] Zip Code [REDACTED]

The road test shall be given by the motor carrier or a person designated by it. However, a driver who is a motor carrier must be given the test by another person. The test shall be given by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he or she is capable of operating the vehicle and associated equipment that the motor carrier intends to assign.

**Rating of Performance**

- 8 The pretrip inspection. (As required by Sec. 392.7)
- n/a Coupling and uncoupling of combination units, if the equipment he or she may drive includes combination units.
- 10 Placing the equipment in operation.
- 10 Use of vehicle's controls and emergency equipment.
- 9 Operating the vehicle in traffic and while passing other vehicles.
- 10 Turning the vehicle.
- 10 Braking, and slowing the vehicle by means other than braking.
- 10 Backing, and parking the vehicle.
- n/a Other, Explain: \_\_\_\_\_

Type of equipment used in giving test: 24' ISUZU NRIR

Date 4/28 2018 Examiner's Signature [Signature]

If the road test is successfully completed, the person who gave it shall complete a certificate of driver's road test.

Remarks \_\_\_\_\_

Your Guide to Achieving a Satisfactory Safety Record

Section 3

**CERTIFICATION OF ROAD TEST**

Instructions to Carrier: If the road test is successfully completed, the person who gave it must complete the following certification in duplicate. The original of the signed road test form and the original of the Certification of Road Test shall be retained in the driver qualification file of the person who was examined, and duplicate copies provided to the person examined. Section 391.31 (e)(1)(g)(1)(2) of the Federal Motor Carrier Safety Regulations.

This is to certify that the above-named driver was given a road test under my supervision on 1/28 2018 consisting of approximately 10 miles of driving. It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of commercial motor vehicle listed above.

Can't Stop Moving  
(Carrier Name)  
1253 22nd Ave W Seattle WA 98199  
(Carrier Address) (City) (State) (Zipcode)  
Eric Michelson [Signature]  
(Name of Examiner) (Signature of Examiner)

WASHINGTON STATE DEPARTMENT OF LICENSING

Vehicle Registration Certificate

C11994E  
PICKUP

08/10/2016													
License plate	Plate issue date	Tab no	Reg expiration	Value code	Year	Mo reg	Mo gwt	Post	Use	Mod yr	Make	Body	
C11994E	08/2015	F098742	07/10/2017	63583	2015	12	12	D	COM	2016	ISUZU	24VAN	
Vehicle Ident (VIN)/Serial no		Reg exp	Scale wt	Seats	Model	BT	Gwt	Gwt st	Gwt exp	Fleet	Emp		
JALESW168G7300317		17	7206				22000	07/10/2016	07/10/2017				
Prev plate	Filing	TBD	RTA Tax	Service fee	Gwt/Veh wt	Freight Proj	Other	Total fees	Gwt exp				
	\$3.00			\$5.00	\$183.00	\$27.00	\$16.00	\$234.00					

CANT STOP MOVING LLC  
PO BOX 27349  
SEATTLE WA 98165

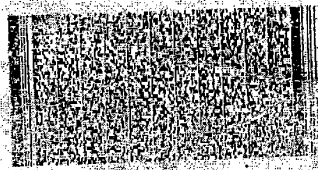
ISUZU FINANCE OF AMERICA INC  
2500 WESTCHESTER AVE  
STE 312  
PURCHASE NY 10577

X   
Signature of registered owner(s)

X  
Signature of registered owner(s)

Comments:  
DOT 1934023 MCS150 LAST UPDATED 07/31/2011 - - COMMERCIAL VEHICLE SAFETY ENFORCEMENT FEE PAID -  
DISPLAY TAB ON BACK LICENSE PLATE ONLY - FRONT PLATE IS STILL REQUIRED.

Validation code 1717190116223081016002958131



RPT ID: AREGPR-1

This certificate is not proof of ownership.

Responsible for Safety: CANT STOP MOVING LLC

Registration (R&T)E





	6804 S 180th St Tukwila, WA 98188 206-575-0507	Store: 383 Invoice: 38300371391 Salesperson: Elizabeth A R
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Work Order 38300370955

<b>Customer Information</b>	<b>Vehicle Information</b>
Customer ID: A03907955 Name: CANT STOP MOVING Address: City, State, Phone: (206) 466-2113	Vehicle: 2014 ISUZU-MEDIUM DUTY-NPR HD DIESEL Color: Mileage: 45,592 License: C11994E
Comments: JOHNNY - 206-235-8898	

**Les Schwab Invoice**

Qty	Product Code	Product Description	Price/ea	FET	Amount
2	16762	19.5 Tire Service Package	\$0.00	\$0.00	\$0.00
2	698229	225/70R-19.5/14 128/126M DOUBLE COIN RT600 HIGHWAY RIB BW	\$233.81	\$4.44	\$476.50
2	13728	TUBELESS METAL STEM	\$7.75	\$0.00	\$15.50
2	123593	WHEEL SPIN BALANCE - 19.5" & 36" AND LARGER	\$25.00	\$0.00	\$50.00
<b>Parts Subtotal:</b>					\$492.00
<b>Labor Subtotal:</b>					\$50.00
<b>Sales Tax:</b>					\$54.20
<b>Tire Tax:</b>					\$2.00

<b>Invoice</b>	<b>\$598.20</b>
<b>Payment Method:</b>	AMEX Approval# 569460 Card# XXXXXXXXXXXX1035 <b>\$598.20</b>

DOT: Tire(s) has been electronically registered.

Wheel Position: LF, RF

Notes To Review With Customer: REPLACED FRONT TWO TIRES

SAEJ2492 WARNING: THE FOLLOWING APPLIES TO VEHICLES WITH MODIFIED SUSPENSION/RIDE HEIGHT  
 The suspension/ride height of this vehicle has been modified. As a result, this vehicle may handle differently than that of factory equipped vehicles. As with any vehicle, extreme care must be used to prevent loss of control or roll-over during sharp turns or abrupt maneuvers. Always wear seat belts and drive safely, recognizing that reduced speeds and specialized driving techniques may be required. Failure to drive this vehicle safely may result in serious injury or death. Do not drive this vehicle unless you are familiar with its unique handling characteristics and are confident of your ability to maintain control under all driving conditions. Some modifications (and combinations of modifications) are not recommended and may not be permitted in your state. Consult your owner's manual, the instructions accompanying this product and state laws before undertaking these modifications. You are responsible for the legality and safety of the vehicle you modify using these components.

Les Schwab electronically registers your tire purchase with the tire manufacturer at no charge to you, in accordance with NHTSA's tire registration requirements.

Free air checks for the life of the tires.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
41695567	5
DATE 3	

MOTOR CARRIER OPERATOR <b>Can 7 Stop Moving LLC</b>	INSPECTOR'S NAME (PRINT OR TYPE) <b>AUSTIN LPEZ</b>
ADDRESS <b>8512 20TH AVE NE</b>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19 <b>YES</b>
CITY, STATE, ZIP CODE <b>SEATTLE WA 98115</b>	VEHICLE IDENTIFICATION (✓ AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER <b>JALE5W16867300317</b>
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input checked="" type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED							
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
			<b>1. BRAKE SYSTEM</b>				<b>6. SAFE LOADING</b>
			a. Service Brakes				a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.
			b. Parking Brake System				b. Protection against shifting cargo.
			c. Brake Drums or Rotors				c. Container securement devices on intermodal equipment.
			d. Brake Hose				<b>7. STEERING MECHANISM</b>
			e. Brake Tubing				a. Steering Wheel Free Play
			f. Low Pressure Warning Device				b. Steering Column
			g. Tractor Protection Valve				c. Front Axle Beam and All Steering Components Other Than Steering Column
			h. Air Compressor				d. Steering Gear Box
			i. Electric Brakes				e. Pitman Arm
			j. Hydraulic Brakes				f. Power Steering
			k. Vacuum Systems				g. Ball and Socket Joints
			l. Antilock Brake System				h. Tie Rods and Drag Links
			m. Automatic Brake Adjusters				i. Nuts
			<b>2. COUPLING DEVICES</b>				j. Steering System
			a. Fifth Wheels				<b>8. SUSPENSION</b>
			b. Pintle Hooks				a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.
			c. Drawbar/Towbar Eye				b. Spring Assembly
			d. Drawbar/Towbar Tongue				c. Torque, Radius or Tracking Components
			e. Safety Devices				<b>9. FRAME</b>
			f. Saddle-Mounts				a. Frame Members
			<b>3. EXHAUST SYSTEM</b>				b. Tire and Wheel Clearance
			a. Exhaust system leaking forward of or directly below the driver/sleeper compartment.				c. Adjustable Axle Assemblies (Sliding Subframes)
			b. Bus exhaust system leaking or discharging in violation of standard.				
			c. Exhaust system likely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of the motor vehicle.				
			<b>4. FUEL SYSTEM</b>				
			a. Visible leak.				
			b. Fuel tank filler cap missing.				
			c. Fuel tank securely attached.				
			<b>5. LIGHTING DEVICES</b>				
			All lighting devices and reflectors required by Part 393 shall be operable.				
							<b>10. TIRES</b>
							a. Tires on any steering axle of a power unit.
							b. All other tires.
							c. Installation of speed-restricted tires unless specifically designated by motor carrier.
							<b>11. WHEELS AND RIMS</b>
							a. Lock or Side Flng
							b. Wheels and Rims
							c. Fasteners
							d. Welds
							<b>12. WINDSHIELD GLAZING</b>
							Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).
							<b>13. WINDSHIELD WIPERS</b>
							Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
							<b>14. MOTOR COACH SEATS</b>
							Any passenger seat that is not securely fastened to the vehicle structure.
							<b>15. OTHER</b>
							List any other condition(s) which may prevent safe operation of this vehicle.

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ✓ OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY. REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.



Exh. JS-2  
Dockets TV-170293/TV-180319  
Page 1 of 5



STATE OF WASHINGTON  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY (360) 586-8203

WUTC DOCKET NO. TV-170293 + TV-180319  
EXHIBIT NO. JS-2  
ADMIT  W/D  REJECT

**Date:** May 31, 2018

**To:** Laura Chartoff, Administrative Law Judge

**From:** Mathew Perkinson, Motor Carrier Safety Manager  
Jason Sharp, Motor Carrier Safety Supervisor

**Re:** **TV-180319 and TV-170293 Can't Stop Moving, LLC**  
Evaluation of Safety Management Plan and recommendations regarding the company's safety rating and the cancellation of its provisional household goods carrier operating authority (THG-063768).

On April 24, 2018 commission staff completed a safety investigation of Can't Stop Moving, LLC (Can't Stop Moving or Company), in which Staff notified the company that the investigation resulted in a proposed "conditional" safety rating. The company has failed to receive a satisfactory safety rating in two safety investigations conducted by Motor Carrier Safety staff since the company was granted a provisional household goods permit in June 2015.

**The proposed conditional safety rating was based on six violations of critical regulations – 391.45(a), 391.51(b)(2), 392.2, 395.8(a)(1), 396.3(b), and 396.17(a).** "Critical" regulations are those identified as such where non-compliance relates to management and operational controls. These are indicative of breakdowns in a company's management controls. Patterns of non-compliance with a critical regulation are linked to inadequate safety management controls and higher than average accident rates.

The critical violations discovered during the investigation are as follows:

1. **Ten violations of Title 49 CFR Part 391.45(a) – Using a driver not medically examined and certified.** The company allowed its employee Andrii Ibifanov to operate a company vehicle on 10 occasions between September 2017 and February 2018 without having been medically examined and certified.
2. **Two violations of Title 49 CFR Part 391.51(b)(2) – Failing to maintain inquiries into driver's driving record in driver's qualification file.** Can't Stop Moving failed to acquire and maintain motor vehicle reports (driving records) for employees Andrii Glukhyi and Andrii Iepifanov.
3. **Thirty-two violations of Title 49 CFR Part 392.2 – Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being**

operated. The company allowed its employee Michael Salcito to operate a company vehicle on 32 occasions between October 2017 and February 2018 without having a valid driver's license.

4. **Thirty violations of Title 49 CFR Part 395.8(a)(1) – Failing to require driver to prepare a record of duty status using appropriate method.** On 30 occasions during January 2018 the company failed to retain hours of service records for its employee Prince Austin.
5. **Four violations of Title 49 CFR Part 396.3(b) – Failing to keep minimum records of inspection and vehicle maintenance.** Can't Stop Moving failed to maintain required maintenance and inspection records for any of its four vehicles.
6. **Three violations of Title 49 CFR Part 396.17(a) – Using a commercial motor vehicle not periodically inspected.** Can't Stop Moving failed to provide proof of periodic inspections for three of the four vehicles checked.

On May 1, 2018, commission staff filed a Notice of Intent to Cancel Certificate and a complaint seeking to impose suspended penalties in the amount of \$15,400 against Can't Stop Moving, LLC. In its complaint, Staff requested that the Commission, pursuant to its authority under RCW 81.04.380 and RCW 81.80.360, assess penalties of up to \$1,000 against Can't Stop Moving for each violation of WAC 480-15-560, WAC 480-15-570 and Title 49 CFR.

RCW 81.04.110 authorizes the Commission to file a complaint on its own motion, setting forth any act or omission by a company subject to its regulation that violates any law, or any order or rule of the Commission. WAC 480-15-450(1) provides that the Commission may cancel a carrier's permit for good cause. A carrier's failure to comply with applicable laws and Commission rules, including those governing safe operations, constitutes good cause for canceling the carrier's permit. WAC 480-15-450(1)(e).

On April 24, 2018, Can't Stop Moving was provided notice of its proposed conditional rating. In Order 01 (Docket TV-180319), the Commission determined that it will afford the company the same opportunity as companies that receive a proposed unsatisfactory safety rating to provide evidence, in the form of an approved safety management plan, showing that the company has taken corrective actions to address the identified violations.

Can't Stop Moving must come into compliance with applicable laws by obtaining Commission approval of a safety management plan no later than June 22, 2018. If Can't Stop Moving fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective June 22, 2018. Can't Stop Moving would thereafter be prohibited from engaging in the business of a household goods carrier.

On May 24, 2018, the company submitted a safety management plan for staff evaluation.

#### **Evaluation of Safety Management Plan**

1. **The plan must address each acute, critical, or serious violation discovered during the most recent compliance investigation. Corrective actions to address other violations noted during the investigation must also be included.**
  - The safety management plan addresses all violations noted during the most recent safety investigation. The plan includes remedies that display that the carrier understands all of the regulations of which it was found to be in violation.
2. **Identify why the violations were permitted to occur.**

- Can't Stop Moving's owner, Eric Michelson, acknowledges that he has tried to do too much personally and lacked focus regarding proper maintenance and record keeping needed for operating within the federal safety regulations and standards.
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.**
- Can't Stop Moving has taken action to correct all violations noted in the safety investigation. The company has created a new compliance manager position and hired Danny Morgan to ensure the company's compliance with Federal and State regulations.
  - Can't Stop Moving created a new driver checklist to accompany the driver qualification file for each driver employed. The qualification file contained a driver's employment application, driver's road test certificate, driver's record abstract, verification of license, criminal background check, copy of medical certification, and verification of the medical examiner on the National Registry.
  - Can't stop-moving has communicated that they have set up a daily review of driver records of duty status (RODS). Eric Michelson is responsible for ensuring the accuracy of RODS.
  - Can't Stop Moving created a vehicle maintenance files for the commercial motor vehicles that the carrier owns. The maintenance file contained vehicle identification, record of maintenance with receipts, and an annual vehicle inspection report. The carrier maintains a vehicle preventative maintenance plan at its principle place of business.
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.**
- Can't Stop Moving's plan implements new policies and procedures that incorporate forms supplied by the Commission. The company has implemented new hire check sheets, and hired a compliance manager to be responsible for the company's compliance with federal and state regulations. The safety management plan illustrates that the company comprehends the appropriate corrective actions required to ensure that similar violations do not reoccur.
5. **If the request includes actions that will be conducted in the near future, such as training, reorganization of departments, purchasing of computer programs, etc., companies must include a detailed description of the activity or training and a schedule of when that activity will commence and when it will be completed.**
- Can't Stop Moving's owner Eric Michelson and new compliance manager Danny Morgan plans to attend the next scheduled household goods training provided by the Commission as a refresher course.
6. **Include any additional documentation relating to motor carrier safety and the prevention of crashes that you believe supports your request.**

- No additional documentation was submitted with the plan to support the 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.**
- The plan states that Can't Stop Moving will operate in compliance with the Federal Motor Carrier Safety Regulations and Hazardous Material Regulations. The owner Eric Michelson certifies that the carrier operations currently meet the safety standards and factors specified in 49 CFR 385.5 and 385.7.

### Summary and Recommendations

Staff reviewed the company's proposed safety management plan and concludes it is acceptable and meets the requirements of 49 CFR, Part 385. Staff believes there is good cause for the commission to extend the company's provisional status.

The company took all the required steps to bring its safety operations into compliance with commission regulations. Can't Stop Moving submitted a safety management plan that addresses the violations, identifies how they occurred, describes the steps taken to correct them, and put controls in place to ensure the company maintains compliance. Documentation of medical certificates, medical examiner verification, criminal background checks, records of duty status, vehicle maintenance forms, annual inspection, employment applications, driver's road test and driving abstracts were provided.

Because the company provided an acceptable safety management plan, staff recommends the commission extend Can't Stop Moving's provisional household goods permit with conditions:

1. The company remain in provisional status until such time it receives a *satisfactory* safety rating. Staff will conduct a follow-up investigation within one year (May 2019).
2. The company owner must attend the August 15, 2018, household goods training course in Olympia.
3. The company must pay the suspended \$15,400 penalty from TV-170293.
4. The company must pay a \$28,600 penalty for violations discovered during the April 2018 safety investigation calculated as follows:
  - Ten violations of Title 49 CFR Part 391.45(a) – Using a driver not medically examined and certified. **\$5,000 (Repeat. 10 occurrences at \$500 per occurrence.)**
  - Two violations of Title 49 CFR Part 391.51(b)(2) – Failing to maintain inquiries into driver's driving record in driver's qualification file. **\$200 (two occurrences. \$100 per occurrence).**
  - Thirty-two violations of Title 49 CFR Part 392.2 – Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. **\$16,000. (Repeat. 32 occurrences at \$500 per occurrence.)**
  - Thirty violations of Title 49 CFR Part 395.8(a)(1) – Failing to require driver to prepare a record of duty status using appropriate method. **\$6,000. (Repeat. 30 occurrences at \$200 per occurrence.)**



- Four violations of Title 49 CFR Part 396.3(b) – Failing to keep minimum records of inspection and vehicle maintenance. **\$800. (Repeat. Four occurrences at \$200 per occurrence.)**
- Three violations of Title 49 CFR Part 396.17(a) – Using a commercial motor vehicle not periodically inspected. **\$600. (Repeat. Three occurrences at \$200 per occurrence.)**

