



US DOT #
1649958

Legal: JOHNSON TRUCKING LLC
Operating (DBA):

MC/MX #: 638550

Federal Tax ID: 20-3764046 (EIN)

Review Type: Compliance Review (CR)

Focused Investigation

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory: E

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Corporation
Gross Revenue: \$7,644,465.00 for year ending: 12/31/2014

Company Physical Address:

2701 SOUTH EBER ROAD STE B
MONCLOVA, OH 43542

Contact Name: Bobby Jo Raftery

Phone numbers: (1) (419)868-4647 (2)

Fax: (419)868-4672

E-Mail Address: johnsontrucking@att.net

Company Mailing Address:

2701 SOUTH EBER ROAD STE B
MONCLOVA, OH 43542

Carrier Classification

Authorized for Hire

Cargo Classification

General Freight

Other: Aggregate Dirt&Salt.

Equipment

Owned Term Leased Trip Leased

Owned Term Leased Trip Leased

Truck 51 0 0

Trailer 1 0 0

Power units used in the U.S.: 51

Percentage of time used in the U.S.: 100

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:	42	9
>= 100 Miles:		

Average trip leased drivers/month: 0
Total Drivers: 51
CDL Drivers: 51





JOHNSON TRUCKING LLC
U.S. DOT #: 1649958

Review Date:
03/17/2015

Part A

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

180 East Broad Street, 4th Floor
Columbus, Ohio 43215 Att: Chris May
Phone: (614) 728-9128 Fax: (614) 728-2133

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Bobby Jo Raftery

Title: Office Manager

Name: Brandon R. Johnson

Title: Owner/Member





Part B Violations

1 FEDERAL CRITICAL	Primary: 382.303(a)	Discovered 2	Checked 3	Drivers/Vehicles In Violation 2	Checked 3
Description Failing to conduct post accident alcohol testing on driver following a recordable crash. Example (b) (6), (b) (7)(C), Intrastate trip 04/08/2014, Toledo, OH to Whitehouse, OH. (b) (6), (b) (7)(C) was involved in a recordable crash in Seneca County, Ohio, Pleasant Twp., resulting in 1 disabled/towed unit and was cited for "Operating Vehicle without reasonable control". (b) (6), (b) (7)(C) did not submit to a post-accident alcohol test. (3 of the 3 reportable accidents in the past 365 days subject to post-accident alcohol testing requirements.)					
2 FEDERAL CRITICAL	Primary: 382.303(b)	Discovered 2	Checked 3	Drivers/Vehicles In Violation 2	Checked 3
Description Failing to conduct post accident testing on driver for controlled substances. Example (b) (6), (b) (7)(C), Intrastate trip 04/08/2014, Toledo, OH to Whitehouse, OH. (b) (6), (b) (7)(C) was involved in a recordable crash in Seneca County, Ohio, Pleasant Twp., resulting in 1 disabled/towed unit and was cited for "Operating Vehicle without reasonable control". (b) (6), (b) (7)(C) did not submit to a post-accident controlled substance test. (3 of the 3 reportable accidents in the past 365 days subject to post-accident controlled substance testing requirements.)					
3 FEDERAL	Primary: 396.3(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
Description Failing to systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to your control Example 03/16/2015 The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 24 months that are reflected in the Vehicle Maintenance Basic of the Carrier Safety Measurement System. Sampling of 13 vehicle inspections indicated on company safety profile reflected 7 oos vehicles for an out of service rate of 53.85%.					
4 STATE	Primary: 396.3(b) Secondary: 4901:2-5-03 CFR Equivalent: 396.3(b)	Discovered 0	Checked 6	Drivers/Vehicles In Violation 0	Checked 6
Description Failing to keep minimum records of inspection and vehicle maintenance. Example "NO INTRASTATE VIOLATIONS DISCOVERED"					
5 FEDERAL	Primary: 396.3(b)	Discovered 1	Checked 7	Drivers/Vehicles In Violation 1	Checked 7
Description Failing to keep minimum records of inspection and vehicle maintenance. Example Truck No. 325, Interstate Trip 02/24/2014, OH to MI. Truck No. 325 was operated in the past 365 days. On 02/24/2014, Truck No. 352 submitted to a road side inspection# MIAAAA001384, and an oos violation was indicated. No work order was provided, and inspection report failed to indicate facility address, and date repairs completed. (see corresponding State violation)					





Part B Violations

6 STATE	Primary: 396.9(d)(3) Secondary: 4901:2-5-03 CFR Equivalent: 396.9(d)(3)	Discovered 1	Checked 23	Drivers/Vehicles In Violation 1	Checked 23
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Description

Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.

Example

(b) (6), (b) (7)(C), intrastate trip 01-27-2015, Toledo, OH to Toledo, OH. During this trip, driver and vehicle submitted to a road side inspection# OH1438001834. The truck, 1999 Sterling, unit# 356, with a GVWR of 66,000. Carrier Failed to maintain completed inspection forms for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed. (See Interstate Violations)

7 FEDERAL	Primary: 396.9(d)(3)	Discovered 4	Checked 39	Drivers/Vehicles In Violation 4	Checked 39
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Description

Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.

Example

(b) (6), (b) (7)(C), interstate trip 01-22-2015, Toledo, OH to Monroe, MI. During this trip, driver and vehicle submitted to a road side inspection# MICAAY007883. The truck, 1999 Mack, unit# 331, with a GVWR of 64,000. Carrier Failed to maintain completed inspection forms for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed. (See Intrastate Violations)

Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	3,108,660	Number of Vehicle Inspected (CR):	0
Recordable Accidents	5	OOS Vehicle (MCMIS):	7
Recordable Accidents/Million Miles	1.61	Number of Vehicles Inspected (MCMIS):	13

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

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.





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03/17/2015

Part B Violations

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed.

A focused investigation does not include review of all regulatory parts and factors as set forth in 49 C.F.R. Part 385, Appendix B's safety rating methodology and cannot therefore result in a SATISFACTORY safety rating. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating.





Part B Requirements and/or Recommendations

1. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN

Johnson Trucking LLC failed to ensure all drivers that were involved in recordable accidents as defined in 390.5, and meet the requirements in 382.303(a), and 382.303(b) have submitted to post-accident testing. This could have been accomplished by monitoring and tracking those drivers involved, and ensuring that immediately following their release from the scene by the investigating agency submit to post accident testing.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Evaluate personnel who are monitoring drivers against performance standards related to controlled-substance and alcohol regulations and company policies to ensure that they are applying standards fairly, consistently, and equitably, and are documenting evaluations.
- Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to controlled substances and alcohol. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
- Implement a system for keeping accurate records of controlled-substance and alcohol completed training needs and completed training, via software, checklist in the driver's file, and/or another appropriate method.
- Provide adequate oversight of all personnel hiring and training processes, including qualification of service agents, to ensure adherence to controlled-substance and alcohol regulations and company policies and procedures.
- Maintain the following documents to help evaluate the performance of all staff (drivers and managers) involved in controlled-substance and alcohol testing and the effectiveness of the policies and procedures: Motor Vehicle Record (MVR); records related to testing, the designated employer representative (DER), return to duty, and dispatch; lists of drivers removed due to a history of controlled-substance and/or alcohol misuse and those disqualified for personal driving under the influence (DUI); substance-abuse professional (SAP) letters; and for each test type, include selection criteria, the eligibility-pool list, and the statistical laboratory summary.
- Regularly evaluate the company's controlled-substance and alcohol-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. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with controlled-substance and alcohol regulations and company policies.
- When monitoring and tracking issues regarding controlled substances and alcohol use, always assess whether they are individual or represent 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.

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

DESCRIPTION OF PROCESS BREAKDOWN

Johnson Trucking LLC., failed to ensure that their maintenance program is properly monitored and they are tracking all equipment by establishing a routine systematic maintenance program in order to ensure that the vehicles in their control are not operated upon the roadway unless they are systematically inspected, repaired, and maintained. 03/16/2015 The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 24 months that are reflected in the Vehicle Maintenance Basic of the Carrier Safety Measurement System. Sampling of 13 vehicle inspections indicated on company safety profile reflected 7 oos vehicles for an out





Part B Requirements and/or Recommendations

of service rate of 53.85%.

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, and annual inspections, including maintenance and repair records, to ensure that company inspections, repair, and maintenance policies and procedures are adhered to and properly documented.
- Implement a system for keeping inspections, repairs, 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.
- 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.

3. CRASH INDICATOR BASIC PROCESS BREAKDOWN: Training and Communication

DESCRIPTION OF PROCESS BREAKDOWN

The USDOT / FMCSA recommends ongoing driver training on topics inclusive of accident prevention, accident countermeasures, defensive driving, distracted driving, and related behaviors to impact both the number and severity of crashes experienced by your drivers. This recommendation is being provided due to the high Crash BASIC value noted at the time of this investigation.

BASIC SPECIFIC RECOMMENDED REMEDIES...

Implement Safety Improvement Practices: The following are recommended practices related to Communication and Training.

- Communicate expectations for adhering to safe driving regulations and company policies and procedures to all staff, and provide new hire and refresher training and company communication channels to support meeting those expectations.
- Implement a training/testing program that includes hands-on demonstrations of safe driving with a focus on defensive driving skills and techniques and crash avoidance. Create opportunities for individual instruction and coaching as appropriate.
- Reinforce training by developing job aids and/or establishing communication channels for all staff.
- Ensure that managers and supervisors regularly communicate with their drivers and demonstrate their commitment to the management of safety and safe driving, in particular.

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





Part B Requirements and/or Recommendations

the industry.

4. Ensure that all drivers subject to post accident alcohol and controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
5. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
6. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
7. Ensure that road side inspections are reviewed, all defects/violations are corrected and/or repaired and properly documented on inspection reports (i.e. mechanics signature, facility address, date repairs completed). Also ensure that work orders are prepared, and maintained.
8. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections when required. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports when defects are discovered, and keep them on file for 90 days.
9. Ensure that all completed road side inspection reports are maintained on file for 12 months from date indicated on report at PPOB.
10. Carrier should ensure that as part of their ongoing drivers safety training requirements, and managements effort to reduce the number of vehicle accidents on highways, accident countermeasures should be an integral part of their training. Accident countermeasures are examples of defensive strategies designed to reduce preventable accidents. No two accidents or carriers are exactly alike and the FMCSA recognizes that not all accidents are preventable. Some types of accidents, however, can be prevented by drivers, while others require changes in motor carrier practices and policies or equipment. The new FMCSA method for determining preventability is based on examination of the facts in accident records.
11. •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.
12. • 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.
13. • 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.
14. • NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's





Part B Requirements and/or Recommendations

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>

15. • 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>
16. COMPASS PORTAL COMPANY ACCESS ACCOUNT - The COMPASS program is an FMCSA-wide initiative that is leveraging new technology to transform the way the FMCSA does business. The ultimate goal is to implement a customer-centric information technology (IT) solution that optimizes FMCSA's business processes and improves the Agency's ability to save lives. Key objectives include (1) creating a single source for crucial safety data via single sign-on access, (2) improving data quality to ensure better, more informed decision-making and (3) providing actionable information as well as data. For companies, the FMCSA Portal provides single sign-on access to L&I, DataQs, Analysis and Information (A&I) Online, and the National Consumer Complaint Database (NCCDB) via a single password and user ID. Company users can also access public functionality in L&I, SAFER, Commercial Vehicle Information Systems and Networks (CVISN), and the National Hazardous Material Route Registry (NHMRR) as well as the "Protect Your Move" and "Share the Road Safely" Web sites. To register for a COMPASS account, go to: <https://portal.fmcsa.dot.gov>.

•Company access accounts are available to the following types of users: (1) carriers with a USDOT number and (2) carrier employees or other professionals (i.e. freight-forwarders, insurance companies) who need access to carrier information. Note: You must know the carrier's USDOT Number. In order to set up an account, you must know the user account type that you are requesting. A Company Official Account is for a person who will have full access to company information, and the ability and responsibility of approving and managing account requests from Company Employees. Note: There will be only one Company Official for each USDOT#. To request a Company Official user account, you must have the PIN associated with your USDOT#. If you do not have a PIN, or do not know your PIN, go to the USDOT PIN Request. An Access Company Information Account is for a person who needs access to limited company information, but is not responsible for managing accounts or other users. For additional information about COMPASS, go to
<http://www.fmcsa.dot.gov/about/what-we-do/keyprograms/compass-factsheet.htm>.

17. Supporting documents are the records of the motor carrier which are maintained in the ordinary course of business and may be used by the motor carrier to verify the information recorded on the driver's record of duty status. Effective 12/19/2008, the FMCSA formally adopted a policy of including GPS and other advanced technology records as supporting documents (see Federal Register Vol. 73 No. 224, 11/19/2008). Failure to maintain such records for six months as required will result in your company being cited and/or penalized for failure to maintain supporting documents.

Other examples of supporting documents you should maintain are: Bills of lading, carrier pros, freight bills, dispatch records, driver call-in records, gate record receipts, weight/scale tickets, fuel receipts, fuel billing statements, toll receipts, international registration plan receipts, international fuel tax agreement receipts, trip permits, port of entry receipts, cash advance receipts, delivery receipts, lumper receipts, interchange and inspection reports, lessor settlement sheets, over/short and damage reports, agricultural inspection reports, CVSA reports, accident reports, telephone billing statements, credit card receipts, driver fax reports, on-board computer reports, border crossing reports, custom declarations, traffic citations, overweight/oversize reports and citations, and/or other documents directly related to the motor carrier's operation, which are retained by the motor carrier in connection with the





Part B Requirements and/or Recommendations

operation of its transportation business. Supporting documents may include other documents which the motor carrier maintains and can be used to verify information on the driver's records of duty status. If these records are maintained at locations other than the principal place of business but are not used by the motor carrier for verification purposes, they must be forwarded to the principal place of business upon a request by an authorized representative of the FMCSA or State official within 2 business days.

18. 385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Linda D. Gilliam, Division Administrator
200 North High Street, Room 609
Columbus, OH 43215

Ensure that a CC copy of the letter is mailed to:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Midwestern Service Center
Darin Jones, Field Administrator
4749 Lincoln Mall Drive, STE 300A
Matteson, IL 60443

This letter should be submitted as soon as possible. If you have a proposed Conditional Rating the letter must be submitted prior to the effective date of your Conditional Rating, in order to be considered for a revised rating.

- 19.** This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an conditional level of safety compliance. A written notice of proposed conditional rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 60 days of the date that notice is sent, the conditional rating will become final. Information on your compliance status, roadside inspections, regulatory changes, accident counter measures and hazardous material counter measures is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>. See provided 6 page FMCSA Safety Management Plan letter.

I have received the 2012 FMCSA Safety Management Plan letter:

(x) _____





JOHNSON TRUCKING LLC
U.S. DOT #: 1649958

Review Date:
03/17/2015

Part C

Reason for Review: Focused CR
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

3/28/2013
1/5/2012
7/21/2010

Prior Prosecutions

Unsat/Unfit Information

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

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

60-Day - no Interstate Passengers or Placardable HM

Corporate Contact: Bobby Jo Raftery
Corporate Contact Title: Office Manager

Special Study Information:

Remarks:
REMARKS:

INVESTIGATIVE REPORT RECEIVED BY:
Name: Brandan R. Johnson
Title: Owner/Member
Carrier/Shipper: Johnson Trucking LLC
Date: March 17, 2015
Telephone Number: (419) 868-4647

Drivers List:
List of drivers stored in supporting documents.

Note: Drivers at time of hire were considered full-time and seasonal.

Equipment List - tractors:
List of tractors stored in supporting documents.

Equipment List - trailer:
Trailer information stored in supporting documents.

MCS-150 Data: General information indicated on Company Safety Profile is mostly accurate, except for the VMT is not current. Carrier was advised to update their VMT. Carrier was advised their next MCS-150 update required August - 2017.

RECURRING VIOLATIONS:

Recurring violations, both serious and/or non-serious were discovered during this investigations. Note: Last review "Non-Ratable" was conducted 03-28-2013.

Last Review "Non-Ratable" conducted 03-28-2013: Recurring Violations Discovered.

- 382.303(a) Post crash testing - alcohol.
- 382.303(b) Post crash testing - drug.
- 396.9(d)(3) Maintaining road side inspections.





Part C

Current Review conducted 03-17-2015: Recurring Violations Discovered.

382.303(a) Post crash testing - alcohol.

382.303(b) Post crash testing - drug.

396.9(d)(3) Maintaining road side inspections.

REASON FOR INVESTIGATION:

This investigation was assigned as a result of the motor carrier's appearance on the Investigate 3-high risk list for an alert in the following basics: Crash Indicator 93%, and Vehicle Maintenance (98%) on the profile run date of 02-23-2015 within assigned date Feb-2015 SMS run. A Focused CR without a D&A Supplemental Review was conducted. At the time this investigation was initiated, the carrier remained an alert in Crash Indicator 93%, and Vehicle Maintenance (98%).

SCOPE OF INVESTIGATION:

The assignment was an onsite focus review investigation without a D & A Supplemental review investigation based on (2) BASIC'S above the intervention threshold. It was discovered that the carrier's current data indicates (2) BASIC'S - Crash Indicator 93%, and Vehicle Maintenance (98%) at or above the intervention thresholds. The carrier has no BASIC with unresolved serious violations. Two Red Flag Drivers were discovered.

Note: No D & A Supplemental Review was required, because carrier submitted to a "Non-Ratable Review" on 03-28-2013, that included a D & A Supplemental Review, and no unresolved violations indicated.

DATES OF INVESTIGATION:

Off-Site Scheduling date: Feb. 12, 2015.

Off-Site Investigation preparation date: Feb. 17, 2015.

On-Site Investigation date(s): Feb. 23, 2015, Feb. 03, 2015, Feb. 04, 2015, Feb. 05, 2015.

Off-Site Investigation date(s): Feb. 10, 2015, Feb. 11, 2015, Feb. 12, 2015, Feb. 13, 2015.

On-Site (original) Close Out Date: Feb. 16, 2015.

Off-Site Close Out date: Feb. 17, 2015.

Note: During original close-out SI was informed, and carrier provided proof that truck# 352 which was involved in a crash on 01-13-2015, indicated crash and non-crash defects was still out of service because carrier is debating if worth fixing or totaling out (per insurance request). Therefore vehicle has not been in operation sense 01-13-2015. SI revised the review and re-submitted copy to carrier on 03-17-2015.

Note: SI conducted the review between other assignments and obligations at the carriers facility, and my report in location.

CARRIER OPERATION DESCRIPTION:

Johnson Trucking LLC is an interstate, and intrastate, for-hire motor carrier that transports general aggregate non-HM bulk loads such as salt, dirt, stone, and related construction items. This may at times include performing work for public road construction projects in intrastate commerce, which is exempt from PUCO jurisdiction.

During the review this SI inquired about their financial condition and fleet mileage. The Vice President Bobby Jo Raftery indicated that business is seasonally slow, and gross revenue as of Dec. 31, 2014 was \$7,644,465 and fleet mileage 3,108,660 per the "Carrier Information Fact Sheet" that was signed and dated by Bobby Jo Raftery on 02/20/2015. The main facility physical address was located at 2701 S. Eber Road Ste., B, Monclova, Ohio 43542.

Note: Source of gross revenue - Quickbooks

Note: Source of mileage - IFTA.

The Officials of the company are:

Owner/Member - Brandan R. Johnson

Vice President - Bobby Jo Raftery

Other Carrier Official Interviewed:

Safety & Profit and Loss - June M. Brown





Part C

Emergency Relief: Carrier not involved in emergency relief efforts or operating under an exemption or waiver.

Affiliated Motor Carriers: Unlimited Recovery Solutions LLC US DOT 1837368, which is owned by Brandan R. Johnson, whom also is the owner of Johnson Trucking LLC US DOT 1649958. Both reflect the same address, phone, and company officials.

Carriers Facility Address: 2701 S. Eber Road Ste., B, Monclova, Ohio 43542.

PRE-INVESTIGATION:

I scheduled this investigation for 02-23-2015, with Bobby Jo Raftery, the Vice President. The appointment was made via telephone, and provided the carrier with an appointment letter which I e-mailed to the carrier on 02-23-2015.

The written appointment letter provided to carrier requested the following documents: MCS-90 Insurance Form (if for-hire or HM carrier), Driver Qualification Files (i.e. medical certificates and/or examination reports, and mvr's only), Driver's List, Equipment List, Fleet Miles, Federal Tax ID, Corporate Officials, Gross Revenue, Crash Reports, and Post Crash Testing, HOS (logbook duty status records and/or time records), and supporting documents only for those drivers involved in recordable crashes, and Vehicle Maintenance Records.

CDLIS (DRIVER LICENSE) CHECK:

The carrier employed (51) full time and seasonal drivers, including (51) CDL drivers. CDLIS checks were conducted on 20 drivers. No problems and/or violations were discovered.

AUTHORITY:

L & I shows the carrier's authority as: Active.

INSURANCE: MCS-90 Provided During the Review.

Insurance level required: \$750,000.

Insurance level maintained: \$1,000,000.

MCS-90: Provided with proper level shown.

Note: Carrier was informed that they are only required to maintain \$750,000 of financial responsibility, but they elect to maintain \$1,000,000.

DRIVERS WITH RED FLAG VIOLATIONS:

The carrier had two red flag driver violation. "See Investigation Below"

Part 382 - DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:

Was a Drug and Alcohol Supplemental Review performed? No

If Yes did this result in a full expansion of Part 382? No

Reason: Per 2.1.7.2

Carrier was subject to a Part 382/40 review during the last five years (Full CR 09-22-2010).

INVESTIGATION:

Johnson Trucking LLC is an interstate, and intrastate, for-hire motor carrier that transports general aggregate non-HM bulk loads such as salt, dirt, stone, and related construction items. This may at times include performing work for public road construction projects in intrastate commerce, which is exempt from PUCO jurisdiction.

All records selected for review were selected using the sampling criteria outlined the FMCSA's CSA Phase I and II Implementation Package, sections 2.4.1 and 2.4.2 and the Electronic Field Operations Training Manual (e-FOTM).

Documents Requested and/or Provided:

MCS-90 Insurance Form (if for-hire or HM carrier), Driver Qualification Files (i.e. medical certificates and/or examination reports, and mvr's only), Driver's List, Equipment List, Fleet Miles, Federal Tax ID, Corporate Officials, Gross Revenue, Crash Reports, and Post Crash Testing, HOS (logbook duty status records and/or time records), and supporting documents only for those drivers involved in recordable crashes, and Vehicle Maintenance Records.





Part C

CRASHES:

03-10-2014 - Crash# 14114714, driver (b) (6), (b) (7)(C), Investigating Agency Michigan State Police, location of crash I-75 NB, 200 feet south of Nadeau Road, Monroe County, Michigan. Unit#1 - CMV, Unit# 2 Pass-Veh. "Recordable Crash". Post Crash Test Not Required.

Narrative: Unit# 1 was traveling north in the left lane. Unit# 1 stated "I feel asleep, woke up when the air bag went off. Unit# 2 stated that he was in the center lane when Unit# 1 struck him in the rear. Unit# 2 stated that Unit# 1 was initially traveling in the left lane, crossed all lanes of travel to the right lane then back to the middle lane where Unit# 1 struck Unit# 2.

04-08-2014 - Crash# 72-0403-74, driver (b) (6), (b) (7)(C), Investigating Agency OSHP, location Seneca County, Ohio, Pleasant Twp., CR 33, .1 miles north of CR 145. Unit# 1 - CMV. "Recordable Crash" / Vehicle towed/ Post Crash Test Required, but Not Conducted.

Narrative: Unit# 1 was NB on CR 33 and drove off the east side of the roadway into a ditch. Unit# 1 struck an embankment and came to rest. Mr. Meyers was cited for Operating vehicle without reasonable control, ORC 4511.202, ticket# B490857.

07-22-2014 - Crash# 8744414, driver (b) (6), (b) (7)(C), Investigating Agency Wood Co. Sheriffs Dept, Ohio. "Intra-State Public Road Project - No PUCO Jurisdiction Per ORC 4923.01(B)(9) - Operating of motor vehicles for contractors on public road work. This was determined by reviewing invoices related to loads transported for contractor on intrastate public road construction.

07-28-2014 - Crash# 87-0534-87, driver (b) (6), (b) (7)(C), Investigating Agency OSHP. "Intra-State Public Road Project - No PUCO Jurisdiction Per ORC 4923.01(B)(9) - Operating of motor vehicles for contractors on public road work. This was determined by reviewing invoices related to loads transported for contractor on intrastate public road construction.

08-15-2014 - Crash# 87-0573-87, driver (b) (6), (b) (7)(C), Investigating Agency OSHP. "Intra-State Public Road Project - No PUCO Jurisdiction Per ORC 4923.01(B)(9) - Operating of motor vehicles for contractors on public road work. This was determined by reviewing invoices related to loads transported for contractor on intrastate public road construction.

09-24-2014 - Crash# 201407272, driver (b) (6), (b) (7)(C), Investigating Agency Toledo Police Dept., location of crash I-475, 800 feet west of Talmadge Road, Toledo, Ohio. Veh# 1 - CMV. "Recordable Crash" / Vehicle towed / Possible Injuries / Post Crash Test Required, but Not Conducted.

Narrative: Veh# 1 was traveling 60 MPH in lane #2 west of I-475 west, just 800 feet west of mile marker 16 when the driver loss control of the vehicle while stopping it in an attempt to avoid rear ending the x-vehicle that was stopped in traffic. The driver stated he injured his hand and was treated by medics, but there was no report of a first responder being dispatched to the accident. (b) (6), (b) (7)(C) was cited for Failure To Control, Ord# 331.32(a), ticket# 406352.

10-15-2014 - Crash# 3553, driver (b) (6), (b) (7)(C), Investigating Agency Dundee Police Dept., location of crash Dundee, Michigan, Monroe County, M-50, 75 feet east of Cabela West Road Blvd. Veh# 1-Pass-Vehicle, Veh# 2-CMV. "Recordable Crash" / Vehicle Towed / No Injuries / Post Crash Test Not Required.

Narrative: Veh# 2 was EB on M-50 and was approaching Cabela West Road Blvd. Veh# 1 was SB on Cabela West Road Blvd., and had stopped for the stop sign then pulled out onto M-50 attempting to make a left hand turn onto M-50. Driver of Veh# 1 did not see oncoming Veh# 2 and struck the left side of the trailer. Trailer plate# TQE8350 Ohio on a 1997 East trailer minor damage to wheels. Driver of Veh# 1 was issued a citation for Failure to Yield.

10-25-2014 - Crash# 87-0735-77, driver (b) (6), (b) (7)(C), Investigating Agency OSHP. "Intra-State Public Road Project - No PUCO Jurisdiction Per ORC 4923.01(B)(9) - Operating of motor vehicles for contractors on public road work. This was determined by reviewing invoices related to loads transported for contractor on intrastate public road construction.

06-04-2014 - Crash# 48-0881-48, driver (b) (6), (b) (7)(C), Investigating Agency OSHP. Vehicle - 1992 Ford Aerostar van which is owned and operated by Unlimited Recovery Solutions LLC US DOT 1837368, which is owned by Brandan R.





Part C

Johnson. SI informed carrier to Data Q and have removed from Johnson Trucking LLC US DOT 1649958 profile.

01-13-2015 - Crash# 201500366, driver (b) (6), (b) (7)(C), Investigating Agency Toledo Police Dept., location of crash Toledo, Ohio, Lucas County, SB I-75 and I-475. Ven# 1-CMV. "Recordable Crash" / Vehicle Towed / Injuries Reported / Post Crash Test Required, and Conducted 01/13/2015.

Narrative: Unit# 1 was SB on I-75 and proceeding through the same to I-475 west when the vehicle rotated into the left side guard rail. The momentum forced the truck to flip on its side - dumping a large quantity of salt from the truck dump. Speed was in excess of what appeared to be safe as truck deposited in excess of 100 feet of skid marks prior to loss of control. Mr. Osborn was cited for Failure to Control, Ord# 331.32, ticket# 421636.

DRIVER QUALIFICATION FILES (i.e. medical certificates and/or examination reports & mvr's): The sample size for driver qualification files for this carrier is thirteen. No violations were discovered.

A Medical Examiner Certificate Authentication (MEC) was conducted on:

(b) (6), (b) (7)(C)

ME's License or Certificate Number and Issuing state: 34010232M / OH.

Date of Issuance of the MEC: 06-03-2013

The result was MEC CHECK-CONFIRMED - ME validated the certificate provided on 03-13-2013, at approx. 2:09PM, (419) 891-0525.

n (MEC) was conducted on:

(b) (6), (b) (7)(C)

ME's License or Certificate Number and Issuing state: 35.122379-G / OH.

Date of Issuance of the MEC: 05-13-2014

The result was MEC CHECK-CONFIRMED - ME validated the certificate provided on 03-13-2015, at approx. 2:22PM, (419) 891-0525.

Part 395 - Time Records Reviewed: Forty time records for February 2015 were reviewed on 5 drivers involved in recordable crashes, and were subject to State and Federal Jurisdiction. The aforesaid drivers operates within a 100 air mile radius of their normal report in location. The time records provided by June M. Brown - Safety & Profit Loss, were maintained on file by drivers name, month, and year in files located at carrier facility. No Violations Were Discovered.

Note: Only reviewed time records for those drivers that were involed in recordable crashes, and were subject to State and Federal Rules and Regulations.

Carrier maintains time-records that meets the requirements in CFR 395.1(e)(1): Driver(s) operate a property-carring cmv for which a CDL is required under Part 383. Drivers operate within a 100 of their normal report in location; Returns to the work reporting location and is released from work within 12 consecutive hours; Driver(s) return to their normal work reporting location at the end of each duty tour; Driver(s) have at least 10 consecutive hours off duty separating each on-duty period; Does not exceed 11 hours of maximum driving time following 10 consecutive hours off duty; Driver(s) do not drive after coming on duty on 5 days of any period of 7 consecutive days; and the 16th hour after coming on duty on 2 days of any period of 7 consecutive days; and after having been on duty for 60 hours in 7 consecutive days. Motor carrier that employs said driver(s) maintains and retains for a period of 6 months accurate and true time records showing: The time driver(s) reports for duty each day; Total number of hours the driver(s) are on duty each day; The time driver(s) are released from duty each day; and The total time for the preceding 7 days.

Vehicle Maintenance: SI conducted a review of vehicle maintenance records for review period 02/22/2014 to 02/22/2015, such as maintenance records, road side inspection(s) with oos violations, Repair orders, inspector qualification forms for all inspectors/mechanics (outside venders) that conducted annual inspections, DVIR'S (when required). During the interview of Brandan R. Johnson, the Owner, Bobby Jo Raftery, the Office Manager (relationship - sister), and Mechanics, John P. Smith, Samuel A. Smith, Travis Schroeder, Eric J. Gable, Brian Weaver, Todd Purdy, and James R. Beasley, SI reviewed Parts 393/396, and Appendix G with carrier officials and suggested that during next safety meeting they include a review of these parts as part of there refresher training.





Part C

Maintenance Records Reviewed: Sampling required 13 Out of 51 vehicles (subject to their control for 30 consecutive days or more). Reviewed all maintenance records as required in Part 396. The safety profile, inspection reports, repair orders and/or invoices were reviewed in order to determine if repairs were completed as required.

The investigator evaluated 13 roadside inspections to ensure the reports and being retained and defects repaired, and found that in 1 instance where carrier failed to ensure that certification of completed repairs related to inapection report# OH3238009346 was completed properly (i.e. no work order, not dated by mechanic & no facility address).

Note: Inspection# MIAAAA001384 conducted 02-24-2014 - Was towed back to carriers facility, but still out of service as a result of the severe damage, carrier determining if worth repairing. SI instructed carrier officials that if vehicle is placed back in service, they must complete work order in order to indicate that all defects and/or crash induced damage indicated on inspection report have been repaired.

DVIR'S Required and reviewed during ninety-day period 11/24/2014 thru 02/22/2015 were 13 Out Of 13 Vehicles. Note: Carrier only operates within a 100 air mile radius of their normal report in location therefore the carrier only maintains time cards, and is difficult to determine if driver actually operated a commercial motor vehicle. The 13 DVIR'S indicated above were determined by reviewing carriers safety profile for the 90 day period 11/24/2014 thru 02/22/2015. The intrastate trips indicated on profile, several of which were performing public road projects, and therefore exempt from our jurisdiction were not included in the count.

Mechanics: Carrier employs their own mechanics, and have their own garage. The mechanics that make all repairs and/or conduct annual inspections are employed by carrier: John P. Smith, Samuel A. Smith, Travis Schroeder, Eric J. Gable, Brian Weaver, Todd Purdy, and James R. Beasley, All inspectors/mechanics that have conducted the annual inspections meet the minimum requirements in 396.19 and 396.25.

During this review, carrier was cited for vehicle maintenance violations in Part 396 in accordance with CSA policy, and no further investigation appears warranted in relation to vehicle maintenance at this time. The SMC for "Monitoring and Tracking" was used because after discussing these issues in detail with carrier officials, Brandan R. Johnson, the Owner, Bobby Jo Raftery, Office Manager, and June M. Brown, Safety & Profit and Loss regarding vehicle maintenance violations, and their plan to make available refresher training for their mechanics and drivers, and provide additional incentive and/or disciplinary programs for their drivers and mechanics.

The violations discovered during this review are listed below, but not used as an example in Part B of this review.

382.303(a) and (b) - (b) (6), (b) (7)(C), intrastate trip 09-24-2014, Investigating Agency Toledo Police Dept., location of crash I-475, 800 feet west of Fairmauge Road, Toledo, Ohio. Veh# 1 - CMV. "Recordable Crash" / Vehicle towed / Possible Injuries / Post Crash Test Required, but Not Conducted.

396.9(d)(3) - Carrier Failed to maintain all completed inspection forms for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed. This included OH1438001824, OH1438001724, OH1438001665, and OH1438001834.

Red Flagged Drivers: Two Discovered.

(b) (6), (b) (7)(C) On 03/05/2014 was operating a commercial motor vehicle in interstate commerce, and submitted to a road side inspection# MIBMAH001856. During the inspection Mr. (b) (6), (b) (7)(C) in possession on drugs (i.e. marijuana), and was placed oos. June M. Brown, Safety & Profit Loss informed SI that (b) (6), (b) (7)(C) had obtained an attorney, and is attempting to fight the charge.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) On 05/09/2014 was operating a commercial motor vehicle in interstate commerce, with a GVWR range of 26,001 - 33,000, and submitted to a road side inspection# MICMAN0022385, conducted 05-09-2014. During the inspection (b) (6), (b) (7)(C) did not possess a CDL, but only a Class D License. (b) (6), (b) (7)(C) was issued a ticket# X1167214, and placed oos. (b) (6), (b) (7)(C) has not operated any other commercial





JOHNSON TRUCKING LLC
 U.S. DOT #: 1649958

Review Date:
 03/17/2015

Part C

motor vehicles that require a CDL.

(b) (6), (b) (7)(C)

FOLLOW-ON ACTION:

During the off-site closeout on 03/17/2015, Brandan R. Johnson, the Owner was provided a copy of the review. Enforcement action on State of Ohio PUC reviews is handled by the staff Compliance Division. As a result of the documented Vehicle Maintenance violations, this SI recommend continued compliance monitoring for this carrier.

DOCUMENTS PROVIDED TO CARRIER:

I provided the carrier with the following educational materials: Company Safety Profile, Company Snap-Shot, and the web-site address www.fmcsa.dot.gov <<http://www.fmcsa.dot.gov>>, related to rules and regulations (i.e. d & a, and vehicle maintenance) and educational materials. Also provided carrier with copies of the Safety Management Cycle's for Vehicle Maintenance.

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