


**UNITED STATES DEPARTMENT OF TRANSPORTATION**

	<b>US DOT #</b> 1649958	<b>Legal:</b> JOHNSON TRUCKING LLC <b>Operating (DBA):</b>											
<b>MC/MX #:</b> 638550		<b>Federal Tax ID:</b> 20-3764046 (EIN)											
<b>Review Type:</b> Non-ratable Review - CSA													
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.		<b>Territory:</b>									
<b>Operation Types</b>													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"><b>Carrier:</b></td> <td style="width:15%;">Non-HM</td> <td style="width:15%;">N/A</td> </tr> <tr> <td><b>Shipper:</b></td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td><b>Cargo Tank:</b></td> <td colspan="2">N/A</td> </tr> </table>		<b>Carrier:</b>	Non-HM	N/A	<b>Shipper:</b>	N/A	N/A	<b>Cargo Tank:</b>	N/A		<b>Business:</b> Corporation <b>Gross Revenue:</b> \$6,800,000.00 <b>for year ending:</b> 12/31/2015		
<b>Carrier:</b>	Non-HM	N/A											
<b>Shipper:</b>	N/A	N/A											
<b>Cargo Tank:</b>	N/A												
<b>Company Physical Address:</b>													
4840 US20A Delta, OH 43515													
<b>Contact Name:</b> Bobby Jo Raftery													
<b>Phone numbers:</b> (1) 419-822-0269      (2)			<b>Fax</b> 419-822-0299										
<b>E-Mail Address:</b> johnsontrucking@att.net													
<b>Company Mailing Address:</b>													
4840 US20A Delta, OH 43515													
<b>Carrier Classification</b>													
Authorized for Hire													
<b>Cargo Classification</b>													
Commodities Dry Bulk		Other: Aggregates											
<b>Equipment</b>													
	<b>Owned</b>			<b>Term Leased</b>			<b>Trip Leased</b>						
Truck	37	0	0										
Power units used in the U.S.: 37													
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:	6	31	<b>Total Drivers:</b> 37										
>= 100 Miles:	0	0	<b>CDL Drivers:</b> 37										





**JOHNSON TRUCKING LLC**  
U.S. DOT #: 1649958

Review Date:  
07/26/2016

**Part A**

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

200 North High St, Room 609  
Columbus, OH 43215-2482  
Phone: (614)280-5657 Fax:(614)280-6875

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Brandon Johnson

**Title:** President

**Name:** Bobby Jo Raftery

**Title:** Office Manager





**Part B Violations**

1 FEDERAL	Primary: 382.105 Secondary: 40.13(f)	Discovered 4	Checked 6	Drivers/Vehicles In Violation	Checked 6
<p><b>Description</b> Using a Federal Drug Testing Custody and Control Form or Federal Alcohol Testing Form for tests not authorized by 49 CFR Part 40 and Part 382.</p> <p><b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 10/11/15 Violation: Driver was not authorized to be post-accident tested per DOT requirements. Non-DOT post-accident testing was conducted on Federal CCF form and AT form.</p>					
2 FEDERAL	Primary: 382.303(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 1
<p><b>Description</b> Failing to conduct post accident alcohol testing on driver following a recordable crash.</p> <p><b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 9/11/15 Violation: Driver was involved in a DOT crash and cited for marked lanes. No testing completed.</p>					
3 FEDERAL	Primary: 382.303(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 1
<p><b>Description</b> Failing to conduct post accident testing on driver for controlled substances.</p> <p><b>Example</b> Driver: Clarence Labiche Date: 9/11/15 Violation: Driver was involved in a DOT crash and cited for marked lanes. No testing completed.</p>					
4 FEDERAL	Primary: 382.303(d)(1)	Discovered 2	Checked 2	Drivers/Vehicles In Violation	Checked 2
<p><b>Description</b> Failing to prepare and maintain on file a record stating the reasons the alcohol post-accident test was not properly administered.</p> <p><b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 4/10/10 Violation: Driver was required to be post-accident alcohol tested. Test not conducted until 3 hrs and 42 min after accident. Reason for delay not documented.</p>					





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**Part B Violations**

5 FEDERAL	Primary: 382.303(d)(2)	Discovered 1	Checked 2	Drivers/Vehicles In Violation	Checked 2
<p><b>Description</b> Failing to prepare and maintain on file a record stating the reasons the controlled substances post-accident test was not properly administered. Driver: (b) (6), (b) (7)(C) Date: 9/11/15 Violation: Carrier failed to prepare and maintain a reason why driver was not post-accident tested.</p>					
6 FEDERAL	Primary: 383.71	Discovered 4	Checked 20	Drivers/Vehicles In Violation	Checked 20
<p><b>Description</b> Using a driver who failed to accurately self-certify operation type in a CDL application. <b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 6/1/10 Violation: Driver improperly self-certified as excepted interstate.</p>					
7 FEDERAL	Primary: 390.35 Secondary: 396.3(b)	Discovered 0	Checked 2	Drivers/Vehicles In Violation	Checked 2
<p><b>Description</b> Making fraudulent or intentionally false entry on inspection and vehicle maintenance record. <b>Example</b> No violations.</p>					
8 STATE	Primary: 390.35 Secondary: 4901:2-5-03 CFR Equivalent: 390.35	Discovered 1	Checked 6	Drivers/Vehicles In Violation	Checked 6
<p><b>Description</b> Making fraudulent or intentionally false entry on inspection and vehicle maintenance record. <b>Example</b> Employee: Mechanic Dan Fitch Date: 4/15/16 Violation: Dan Fitch indicated on work order #10071, dated 4/15/16, unit #338, brakes were inspected during a preventative maintenance inspection with no problems. On 4/18/16, 3 days later, the vehicle was involved in a crash where multiple violations and inoperable brakes were identified. Violations were such that it would have taken months for the brakes to wear out of adjustment.</p>					
9 FEDERAL	Primary: 391.51(b)(2)	Discovered 1	Checked 5	Drivers/Vehicles In Violation	Checked 5
<p><b>Description</b> Failing to maintain inquiries into driver's driving record in driver's qualification file. <b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 4/0/10 Violation: Driver was hired on (b) (6), (b) (7)(C). Email from Erie Insurance does not meet requirement for official MVR retention requirements.</p>					





**Part B Violations**

10 FEDERAL	Primary: 391.51(b)(9)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
<p><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 qualification file(s).</p> <p><b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 7/15/10 Violation: Carrier failed to verify Dr. Williams is certified on the national registry.</p>					
11 STATE	Primary: 395.8(a) Secondary: 4901:2-5-03 CFR Equivalent: 395.8(a)	Discovered 1	Checked 16	Drivers/Vehicles In Violation 1	Checked 5
<p><b>Description</b> Failing to require driver to make a record of duty status.</p> <p><b>Example</b> Driver: (b) (6), (b) (7)(C) Date: 4/18/10 Violation: Driver exceeded 12 hrs on-duty/driving and did not meet short haul exemption. Carrier did not require driver to create RODS for that day.</p>					
12 STATE	Primary: 396.3(a)(1) Secondary: 4901:2-5-03 CFR Equivalent: 396.3(a)(1)	Discovered 1	Checked 6	Drivers/Vehicles In Violation 1	Checked 6
<p><b>Description</b> Operating a commercial motor vehicle with brakes not in proper adjustment.</p> <p><b>Example</b> Unit: 326 Date: 9/11/15 Violation: Unit was written up by mechanic on 9/4/15 indicating brakes need to be adjusted/repaired/replaced. Unit continued to be operated. Brake shoes, drums, s-cams, bushings, and slack adjustors were not adjusted/repaired/replaced until 10/14/15.</p>					
13 FEDERAL	Primary: 396.3(a)(1)	Discovered 0	Checked 2	Drivers/Vehicles In Violation 0	Checked 2
<p><b>Description</b> Operating a commercial motor vehicle with brakes not in proper adjustment.</p> <p><b>Example</b> No violations.</p>					
14 STATE	Primary: 396.7(a) Secondary: 4901:2-5-03 CFR Equivalent: 396.7(a)	Discovered 3	Checked 6	Drivers/Vehicles In Violation 3	Checked 6
<p><b>Description</b> Operating a motor vehicle in such a condition as to likely cause an accident or breakdown.</p> <p><b>Example</b> Unit: 338 Date: 4/18/16 Violation: Unit 338 was involved in a crash where it skidded 631 feet prior to impact. Post-crash inspection revealed 20% of brakes were OOS.</p>					





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**Part B Violations**

15 FEDERAL	Primary: 396.7(a)	Discovered 0	Checked 2	Drivers/Vehicles In Violation 0	Checked 2
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**Description**

Operating a motor vehicle in such a condition as to likely cause an accident or breakdown.

**Example**

No violations.

16 FEDERAL	Primary: 396.17(a)	Discovered 1	Checked 2	Drivers/Vehicles In Violation 1	Checked 2
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**Description**

Using a commercial motor vehicle not periodically inspected.

**Example**

Unit: 323

Date: 5/9/16

Violation: Unit 323 was last annually inspected on 11/24/14.

<b>Safety Fitness Rating Information:</b>		<b>OOS Vehicle (CR): 0</b>			
Total Miles Operated	1,843,500	<b>Number of Vehicle Inspected (CR): 0</b>			
Recordable Accidents	3	<b>OOS Vehicle (MCMIS): 1</b>			
		<b>Number of Vehicles Inspected (MCMIS): 8</b>			

Your proposed safety rating is :

**This Review is not Rated.**







## Safety Management Process Breakdowns and Remedies

### 1. CRASH INDICATOR BASIC PROCESS BREAKDOWN: Training and Communication

#### DESCRIPTION OF PROCESS BREAKDOWN

Johnson Trucking has been involved in five DOT recordable crashes in the past 365 days. Three of the five crashes were the result of driver error. Additional crashes may have been prevented or damage mitigated by pro-active drivers who actively monitor other driver's behaviors. FMCSA recommends ongoing driver training on topics of accident prevention, accident countermeasures, defensive driving, distracted driving, and related behaviors that impact both the number and severity of crashes experienced by your drivers. This recommendation is being provided due to the high Crash SMS 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 Brandon and Bobby regularly communicate with the 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 the industry.

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

#### DESCRIPTION OF PROCESS BREAKDOWN

Johnson Trucking is being cited on the roadside for vehicle maintenance violations such as inoperable lighting, brakes out of adjustment, or tires out of specification. The fleet manager and/or office manager does not appear to have an effective method to ensure repairs, inspections, and PMs are being completed as indicated by drivers and mechanics. The lack of monitoring drivers and mechanics may be a factor in the high vehicle maintenance SMS score and contributing to roadside violations.

#### 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.





## Safety Management Process Breakdowns and Remedies

- 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.

3. At least every 24 months file a properly executed MCS-150 Motor Carrier Identification Report with the Federal Motor Carrier Safety Administration. If you move, change addresses, telephone numbers, email, etc file a new MCS-150 with current information within 30 days.

If your USDOT number ends in: You must file by the last day of:

- 1 January
- 2 February
- 3 March
- 4 April
- 5 May
- 6 June
- 7 July
- 8 August
- 9 September
- 0 October

If the next-to-last digit of your USDOT Number is odd, you must update in every odd-numbered calendar year. If even, you must update in every even-numbered calendar year. For example, my USDOT is 12345. I would update my MCS-150 by May 2016, May 2018, May 2020, etc.

Carrier's that fail to update their MCS-150 as required may be subject to fines, civil penalties, and have their USDOT number inactivated. Carrier's that provide false or misleading information on their MCS-150 may be subject to a civil fine of up to \$10,000 and/or imprisoned not more than 5 years.

4. Ensure CDL drivers are immediately post-accident tested for controlled substances and alcohol after a crash. Post accident testing is required when (1) a CDL driver is involved in a fatality or (2) a CDL driver receives a citation and (2a) someone receives off-site medical care or (2b) a vehicle receives disabling damage.

Test post-accident CDL drivers for alcohol within two hours. If a driver is not able to be tested for alcohol within two hours document the reason why. If a driver cannot be tested within eight hours cease the alcohol testing process and document why.

Test post-accident CDL drivers for controlled substances within thirty-two hours. If a driver cannot be tested within thirty-two hours cease the controlled substances testing process and document why.

Delivering a load, returning to the terminal, or unloading a product is not an acceptable reason as to why post accident testing was not completed in time.







## Safety Management Process Breakdowns and Remedies

Police post-accident testing may be used to satisfy the requirements if the tests conform to testing requirements and results of tests are obtained.

5. Every driver must utilize a certified medical examiner for his medical exam. A CDL driver, upon being medically qualified, has 15 days to submit his medical examiners certificate to the BMV. The BMV will upload the medical exam information to the driver's CDL.

As the motor carrier you must obtain a copy of the CDL driver's BMV (CDLIS) driving record within 15 days of the medical exam and place it in the driver's qualification file. Ensure the driving record contains the driver's CDL information, medical qualification information, and the driver is valid. You must verify the medical examiner is qualified by checking the National Registry, [nationalregistry.fmcsa.dot.gov](http://nationalregistry.fmcsa.dot.gov), and maintain a note in the driver's qualification file verifying the check was completed.

Non-CDL drivers are still required to retain paper copies of their medical qualification and motor carriers are still required to retain copies in the driver's qualification file. The motor carrier must also verify the medical examiner is qualified by checking the National Registry, [nationalregistry.fmcsa.dot.gov](http://nationalregistry.fmcsa.dot.gov), and maintain a note in the driver's qualification file verifying the check was completed.

6. • **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. . If you see an incident in Ohio the Ohio State Highway Patrol can be directly reached at #677 (non-emergency number) or 911 for the nearest police department. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which are available online. Carriers should visit the following website for more information:  
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>
  - **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





## Safety Management Process Breakdowns and Remedies

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>.

- 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, GPS tracking information, vehicle position reports, 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 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.





**JOHNSON TRUCKING LLC**  
U.S. DOT #: 1649958

Review Date:  
07/26/2016

**Part C**

**Reason for Review:** Compliance Review  
**Planned Action:** Compliance Monitoring

**Parts Reviewed Certification:**

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

**Prior Reviews**

3/17/2015  
3/28/2013  
1/5/2012

**Prior Prosecutions**

**Reason not Rated: CSA**

**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:** Bobby Jo Raftery

**Special Study Information:**

**Corporate Contact Title:** Office Manager

**Remarks:**

INVESTIGATIVE REPORT RECEIVED BY:

Name: Bobby Jo Raftery  
Title: Vice-President / Office Manager  
Carrier Name: Johnson Trucking  
Date: 7/26/16

Driver list, vehicle list, and compliance review questionnaire uploaded to EDMS.

Corrected CR sent to carrier on 8/2/16 via UPS #1ZA476T6P296435172.

During the compliance review it was found the carrier moved locations and did not update their MCS-150. Carrier updated their MCS-150 on 8/2/16. Corrected address entered in Part A.

Previous investigations: Focused review in March 2015 by PUCO for Crash and Vehicle Maintenance. Carrier cited for high OOS rate, post-accident testing, and missing maintenance paperwork. Carrier is currently rated conditional.

**REASON FOR INVESTIGATION:**

The Moderate Risk-2 investigation was assigned due to two BASICs at or above their intervention threshold at the time of assignment- 4/5/16: Vehicle Maintenance 99% and Crash 91%. At the time the investigation was initiated- 7/18/16, the carrier had two BASICs at or above their intervention threshold: Vehicle Maintenance 97% and Crash 87%.

**SCOPE OF INVESTIGATION:**

The original assignment was an onsite focused investigation without a D&A Supplemental Review based on the two BASICs at or above their intervention threshold.

**DATE(S) OF INVESTIGATION:**

The investigation was completed July 18, 22, 25, and 26, 2016.

**CARRIER OPERATION DESCRIPTION:**

The carrier is an authorized for-hire interstate carrier. The carrier is a dump truck operation that transports stone, soil, asphalt, and spoil around the Toledo area. 95% of operations are intrastate. Many operations are for road work repairs, I75 project, asphalt pavings, etc. The carrier currently only has one interstate project; hauling stone from MI quarry to I75







## Part C

Cygnnet project.

Financial Assessment: The carrier is financially stable.

Gross Revenue: Gross revenue was derived from 2015 financial records obtained from their accountant.

Assets: The carrier just purchased a new facility on US20A. The carrier owns the buildings, land, and commercial vehicles.

Mileage: The carrier's annual miles were derived from the daily driver log sheets that tracks miles for billing trips. Miles were provided by Bobby Jo Raftery.

Carrier officers/officials:

President: Brandon Johnson

Vice President / Office Manager: Bobby Jo Raftery

Persons interviewed: Brandon and Bobby.

Safety Operations: Bobby Jo is in charge of safety management.

Exemptions / waivers: Carrier operates under the 100 air mile radius.

Affiliated motor carriers: Brandon Johnson purchased a limo and party bus. Johnson Limo, USDOT #1837368. The carrier has authority, insurance, and is scheduled for a Safety Audit with PUCO.

Company location: The carrier is run from their new facility in Delta.

### PRE-INVESTIGATION:

The first attempt to contact was a fax on July 11, 2016. The fax was followed up by an email confirming the appointment. A driver and vehicle list, background questionnaire, MCS-90, and all relevant documents were requested. A copy of the carrier's profile was obtained and documents in the carrier's file in EDMS were reviewed. Roadside inspections in Query Central and SMS information in A&I were reviewed. Authority and Insurance were reviewed in L&I.

### CDLIS (DRIVER LICENSE) CHECK:

CDLIS reported sample size was 20 drivers out of 20 drivers. A CDLIS check revealed several drivers improperly self-certified.

### AUTHORITY:

The carrier has proper for-hire operating authority, is registered with FMCSA, and has no lapse.

### INSURANCE:

The carrier provided a current copy of their MCS-90 indicating appropriate insurance coverage. No lapse in coverage.

### DRIVERS WITH RED FLAG VIOLATIONS:

(b) (6), (b) (7)(C), (b) (6), (b) (7)(C) Carrier conducted a pre-trip inspection and road test on the driver. Driver pulled out or motor carrier's lot and was pulled over for a roadside inspection. Driver was found under the influence of alcohol. Carrier stated they did not suspect he was under the influence and did not hire driver. Carrier had proper supervisor training.

Carrier NOV/NOC (notice or penalty): No

Driver NOV/NOC (notice or penalty): NOC, OH-2016-0116-US1428

### 99th PERCENTILE DSMS DRIVERS:

No 99th percentile drivers.

### INVESTIGATION:

Opening Interview: Bobby Jo and Brandon were present for the opening interview.

Documentation: Documents were provided by Bobby Jo. Documents are filed by type. New documents for 2016 are filed in the storage room. Older documents are stored in an on-site storage trailer used from the move. Drivers utilize time cards.





### Part C

#### MAINTENANCE:

After the 2015 CR the carrier invested 1.3 million in new vehicles. 8 new dump trucks were purchased and 20 dump trucks were sold (carrier downsized). Carrier also purchased Maintenance Pro to track their maintenance program, hired new maintenance shop foreman, and started conducting lane inspections. The carrier has had 50 violation inspections in the past 2 years. Since last winter with the changes implemented the carrier has had 5 inspections with violations. A marked improvement however the carrier still needs to do more to achieve compliance.

DVIR: Drivers are utilizing DVIRs. For the older dump trucks the DVIR repairs are almost daily indicating the units are high maintenance.

Maintenance Records: Records are tracked by Maintenance Pro. Work orders are printed out and stapled to roadside inspections or DVIRs.

Maintenance Plan: The carrier uses a shop board and Maintenance Pro to track. Shop employees work second shift and repair the vehicles after being operated during the day.

OOS Rate: The 8 most recent applicable inspections from the profile were utilized to calculate the OOS rate.

Summary: The carrier is making improvements with less violations being found roadside and seven recent clean inspections. However I found an instance of a falsified lane inspection PM and several instances where unsafe vehicles were being operated. The carrier needs to be more diligent in maintaining their older units which have higher maintenance responsibilities, and monitor the shop to ensure the work is being completed as indicated.

#### CRASH INDICATOR:

Calculation: The carrier was involved with 6 crashes. One crash was not ruled as a non-recordable and not included in Factor 6. Two crashes were ruled non-preventable and not included in Factor 6.

6/17/16, (b) (6), (b) (7)(C), Royalton Township, OH. Driver Stough was traveling on a non-divided, state route when a 20 year old male driver pulled out from a stop sign into his path. 2 towed. Driver post-accident tested on CCF form for non-DOT test. Negative result. No HOS violations.

4/18/16, (b) (6), (b) (7)(C), Wood County, OH. (b) (6), (b) (7)(C) was traveling on I75 approaching stopped traffic. Mr. Willoughby applied his brakes, skidded a calculated 331 feet, and struck several vehicles that were stopped. Post-crash inspection revealed bad brakes. 1 towed. No injuries. (b) (6), (b) (7)(C) cited. TOC 16:21, TOAT 20:03, TOCST 20:08. No HOS violations. DQ file did not have official MVR from time of hire. Only email from insurance agent with basic information; missing accidents, citations, and suspensions.

12/4/15, Unoccupied, CR 3, Swan Creek Township, OH. Dump truck was disabled and parked on a country road. Carrier sends service truck. Service truck parks directly in-front of dump truck. Both vehicles unoccupied. Drunk driver misses dump truck but hits service truck. Both vehicles had emergency flashers and beacons activated. 2 disabled. Drunk driver cited. No drivers listed in accident report. Tom Yager, Chief of Motor Carrier Operations, provided guidance that crash was non-DOT recordable due to fact neither unit was being operated, i.e. driver manipulating controls of vehicle, at time of collision. Crash not included in Factor 6 calculation.

10/7/15, (b) (6), (b) (7)(C), Lake Township, OH. (b) (6), (b) (7)(C) was traveling on a non-divided, state route when a 77 year old male driver pulled out from a stop sign into his path. 2 towed. 3 injured. Driver post-accident tested on CCF form for non-DOT test. Negative result. Ruled non-preventable.

9/28/15, (b) (6), (b) (7)(C), Springfield Township, OH. (b) (6), (b) (7)(C) was traveling on a non-divided state route approaching an intersection. A 61 year old woman was approaching from the opposite direction and got into the left turn lane. The traffic light turned yellow for both units. (b) (6), (b) (7)(C) entered the intersection and the 61 year old female made the left turn. (b) (6), (b) (7)(C) struck her who turned left in front of him. There is dash cam footage of a State Trooper who was at the light. Further analysis needed to determine preventability. (What speed was (b) (6), (b) (7)(C) traveling, did he recognize and take evasive action for her turning left in front of him, did either vehicle enter the intersection on the red light, was (b) (6), (b) (7)(C) trying to beat the light, was the other driver trying to beat the light, etc). 2 injured. 2 towed. Both drivers were later cited after the crash investigation. No post-accident testing required.

9/11/15, (b) (6), (b) (7)(C), Oregon, OH. Driver (b) (6), (b) (7)(C) was making a right turn into a construction zone and clipped the rear fender of another vehicle. The other vehicle suffered a flat tire and was towed from the scene. 1 towed. (b) (6), (b) (7)(C) cited. No post-accident testing completed as required. Ruled non-preventable.

#### FOLLOW-ON ACTION:

Continued monitoring for compliance. Enforcement is planned for driver Myers. No enforcement will be taken for the acute intrastate violation of 390.35 since FMCSA lacks regulatory authority (390.3) to enforce the intrastate commerce violation.







**JOHNSON TRUCKING LLC**  
U.S. DOT #: 1649958

Review Date:  
07/26/2016

**Part C**

**DOCUMENTS PROVIDED TO CARRIER:**

2015 review, current compliance review, SMP instructions, Crash and VM SMS handouts.

<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>Failure Code:</b>
<b>Verified by:</b>			<b>Date:</b>

