


**PUBLIC UTILITIES COMMISSION OF OHIO/ENFORCEMENT DIVISION**

	<b>US DOT #</b> 1649958	<b>Legal:</b> JOHNSON TRUCKING LLC <b>Operating (DBA):</b>
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<b>MC/MX #:</b> 638550	<b>Federal Tax ID:</b> 20-3764046 (EIN)
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**Review Type:** Safety Audit - New Entrant

**Scope:** Entire Operation      **Location of Review/Audit:** Company facility in the U. S.      **Territory:** E

<b>Operation Types</b>	<b>Interstate</b>	<b>Intrastate</b>	
<b>Carrier:</b>	Non-HM	Non-HM	<b>Business:</b> Corporation
<b>Shipper:</b>	N/A	N/A	<b>Gross Revenue:</b> \$2,559,887.00 <b>for year ending:</b> 12/31/2007
<b>Cargo Tank:</b>	N/A		

**Company Physical Address:**

2701 Eber Road  
Monclova, OH 43542

**Contact Name:** Christina M. Pichette

**Phone numbers:** (1) 419- 392-8416      (2)      **Fax** 419-868-4672

**E-Mail Address:**

**Company Mailing Address:**

13205 DEER RUN  
WAUSEON, OH 43567

**Carrier Classification**

Authorized for Hire

**Cargo Classification**

Commodities Dry Bulk      Construction

**Does carrier transport placardable quantities of HM?** No

**Is an HM Permit required?** N/A

**Driver Information**

	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0
< 100 Miles:	5	21	<b>Total Drivers:</b> 26
>= 100 Miles:			<b>CDL Drivers:</b> 26

**Equipment**

	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>		<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>
Truck	29	0	0				

Power units used in the U.S.: 29

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





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

Review Date:  
10/01/2008

**Part A**

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

P.U.C.O. Transportation Enforcement Division  
180 East Broad Street, 14th Floor, Columbus, OH 43215  
ATTN: Paul Bargar (614) 728-9128 or fax (614) 728-2133

**This SAFETY AUDIT will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Christina M. Pichette

**Title:** Safety Cordinator - Secretary

**Name:** Brandon R. Johnson

**Title:** Owner





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

Review Date:  
10/01/2008

### Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

**Question** General # 1 - Section # 387.7(a) Acute  
Does the carrier have the required minimum level of financial responsibility in effect?

**Answer**  
Yes

**Comments**

**Question** General # 2 - Section # 387.7(d) Critical  
Does the carrier have required proof of financial responsibility?

**Answer**  
Yes

**Comments**

**Question** General # 3 - Section # 390.15(b)(1)  
Can the carrier provide a complete accident register of recordable accidents?

**Answer**  
No \*

**Comments**

Driver (b)(6); (b)(7)(C) was involved in a recordable accident on 08/21/2008 in Ohio. Carrier did not have accident register on file. The carrier was advised of the FMCSA web site and printed a copy from the ETA packet.

**Question** General # 4 - Section # 390.15(b)(2) Critical  
Does the carrier have copies of all accident reports required by States or other government entities or insurers?

**Answer**  
N/A

**Comments**

**Question** General # 5 - Section # 390.3(e)  
Is the carrier knowledgeable of the FMCSRs/HMRs?

**Answer**  
Yes

**Comments**

**Question** General # 6 - Section # 390.21  
Does the carrier know the commercial motor vehicles marking requirements?

**Answer**  
Yes

**Comments**

**Question** Driver # 1 - Section # 391.51(a) Critical  
Does the carrier maintain complete driver qualification files?

**Answer**  
Yes

**Comments**

**Question** Driver # 2 - Section # 391.11(b)(4) Acute  
Is the carrier using physically qualified drivers?

**Answer**  
Yes

**Comments**

**Question** Driver # 3 - Section # 391.45(a), 391.45(b) Critical  
Does available evidence indicate the motor carrier has used a driver without a medical certificate or with an expired medical certificate?

**Answer**  
No

**Comments**

**Question** Driver # 4 - Section # 391.15(a) Acute  
Is the carrier using any disqualified drivers?

**Answer**  
No

**Comments**





### Part B - Questions and Answers

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<b>Question</b> Driver # 5 - Section # 391.51(b)(2) Critical Does the carrier maintain driving and employment history inquiry data in driver qualification files? <b>Comments</b>	<b>Answer</b> Yes
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<b>Question</b> Driver # 6 - Section # 382.115(a) Acute Has the carrier implemented an alcohol and/or controlled substances testing program? <b>Comments</b>	<b>Answer</b> Yes
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<b>Question</b> Driver # 7 - Section # 382.213(b) Acute Has the carrier used drivers who have used controlled substances? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 8 - Section # 382.215 Acute Has the carrier used a driver who has tested positive for a controlled substance? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 9 - Section # 382.201 Acute Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 10 - Section # 382.505(a) Acute Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 11 - Section # 382.301(a) Critical Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function? <b>Comments</b>	<b>Answer</b> Yes
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<b>Question</b> Driver # 12 - Section # 382.303(a) Critical Has the carrier conducted post accident testing on drivers for alcohol and/or controlled substances? <b>Comments</b>	<b>Answer</b> Yes
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<b>Question</b> Driver # 13 - Section # 382.305 Acute Has the carrier implemented random testing program? <b>Comments</b>	<b>Answer</b> Yes
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<b>Question</b> Driver # 14 - Section # 382.305(b)(1) Critical Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions? <b>Comments</b> Did not operate under own authority in calendar year 2007.	<b>Answer</b> N/A
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<b>Question</b> Driver # 15 - Section # 382.305(b)(2) Critical Has the carrier conducted controlled substance testing at an annual rate of not less than the applicable annual rate of the average number of driver positions? <b>Comments</b>	<b>Answer</b> N/A
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<b>Question</b> Driver # 16 - Section # 40.305(a) Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions? <b>Comments</b>	<b>Answer</b> N/A
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<b>Question</b> Driver # 17 - Section # 40.309(a) Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional? <b>Comments</b>	<b>Answer</b> N/A
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<b>Question</b> Driver # 18 - Section # 382.211 Acute Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 19 - Section # 382.503 Critical Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O? <b>Comments</b>	<b>Answer</b> N/A
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<b>Question</b> Driver # 20 - Section # 383.23(a) Critical Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 21 - Section # 383.37(a) Acute Has the motor carrier allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Driver # 22 - Section # 383.51(a) Acute Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle? <b>Comments</b>	<b>Answer</b> No
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<b>Question</b> Operation #1 - Section # 395.8(a) Critical Does the carrier require drivers to make a record of duty status? <b>Comments</b>	<b>Answer</b> N/A
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**Part B - Questions and Answers**

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<b>Question</b> Operation #2 - Section # 395.8(i) Critical Does the carrier require drivers to submit records of duty status within 13 days? <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #3 - Section # 395.8(k)(1) Critical Can the carrier produce records of duty status and supporting documents for selected drivers? <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #4 - Section # 395.3(a)(1) Critical Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #5 - Section # 395.3(a)(2) Critical Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #6 - Section # 395.3(b)(1) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property) <b>Comments</b>	<b>Answer</b> No
<b>Question</b> Operation #7 - Section # 395.3(b)(2) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #8 - Section # 395.5(a)(1) Critical Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #9 - Section # 395.5(a)(2) Critical Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #10 - Section # 395.5(b)(1) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger) <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Operation #11 - Section # 395.5(b)(2) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger) <b>Comments</b>	<b>Answer</b> N/A





**Part B - Questions and Answers**

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<b>Question</b> Operation #12 - Section # 395.8(e) Critical	<b>Answer</b>
Does available evidence indicate a selected driver has prepared a false record of duty status?	N/A
<b>Comments</b>	
<b>Question</b> Operation #13 - Section #	<b>Answer</b>
Does the carrier adhere to a disciplinary policy for noncompliance with Part 395?	Yes
<b>Comments</b>	
<b>Question</b> Operation #14 - Section # 395.1(e)	<b>Answer</b>
Does the carrier have a system for recording hours of duty status on 100- mile radius drivers, and are they properly utilizing the 100 air-mile radius exemption?	Yes
<b>Comments</b>	
<b>Question</b> Operation #15 - Section # 392.2 Critical	<b>Answer</b>
Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	Yes
<b>Comments</b>	
<b>Question</b> Operation #16 - Section # 392.9(a)(1) Critical	<b>Answer</b>
Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	Yes
<b>Comments</b>	
<b>Question</b> Operation #17 - Section # 392.4(b) Acute	<b>Answer</b>
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?	No
<b>Comments</b>	
<b>Question</b> Operation #18 - Section # 392.5(b)(1) Acute	<b>Answer</b>
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?	No
<b>Comments</b>	
<b>Question</b> Operation #19 - Section # 392.5(b)(2) Acute	<b>Answer</b>
Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?	No
<b>Comments</b>	
<b>Question</b> Maintenance # 1 - Section # 396.3(b) Critical	<b>Answer</b>
Can the carrier produce maintenance files for requested vehicle(s)?	No *
<b>Comments</b>	
Unit #310 - 1984 KW, GVWR 64,500 - Trip date 08/04/2008 OH-MI, driver (b)(6); (b)(7)(C).	





**Part B - Questions and Answers**

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

<b>Question</b> Maintenance # 2 - Section # 396.17(a) Critical Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Maintenance # 3 - Section # 396.11(a) Critical Does the motor carrier require drivers to complete vehicle inspection reports daily? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Maintenance # 4 - Section # 396.11(c) Acute Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Maintenance # 5 - Section # 396.9(c)(2) Acute Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Maintenance # 6 - Section # 396.19 Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Maintenance # 7 - Section # 396.3 Can the carrier explain its systematic, periodic maintenance program? <b>Comments</b>	<b>Answer</b> Yes
<b>Question</b> Other # 1 - Section # 375.211 Does the carrier participate in an Arbitration Program? <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Other # 2 - Section # 13702 Does the carrier assess shipper freight charges based upon published tariffs? <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Other # 3 - Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges? <b>Comments</b>	<b>Answer</b> N/A
<b>Question</b> Other # 4 - Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices? <b>Comments</b>	<b>Answer</b> N/A







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

Review Date:  
10/01/2008

### Part B - Questions and Answers

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**Question** Other # 5 - Section # 387.301(a), 387.301(b)

Does the HHG carrier have sufficient levels of public liability and cargo insurance?

**Answer**

N/A

**Comments**

**Question** Other # 6 - Section # 13901

Is the motor carrier authorized to conduct interstate operations in the United States?

**Answer**

Yes

**Comments**

Carrier was verified on L&I web site.

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.





**Part B**

Your Proposed Safety Audit Result is: **PASS**

**Explanation of Scoring Methodology**

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	0	0	-	0	PASS
2. Driver	0	0	-	0	PASS
3. Operations	0	0	-	0	PASS
4. Maintenance	1	0	FAIL - 75.0%	2	PASS
5. Hazardous Materials	-	-	-	-	-
6. Accidents	-	-	PASS	-	PASS
<b>SUM</b>	<b>1</b>	<b>0</b>		<b>2</b>	<b>PASS</b>

**Result: Carrier has adequate basic safety management controls in place.**

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

**HOW THE SAFETY AUDIT IS SCORED**

**FACTORS** - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

**CRITICAL/ACUTE** - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

**OUT OF SERVICE (OOS) RATE** - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

**CRASH FACTOR** - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

**OVERALL STATUS DETERMINATION** - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





### Part B Requirements and/or Recommendations

1. This compliance review/safety audit is closed pending the completion and findings of required CDLIS checks.
2. Failure to abate the cited violations could cause penalties to be increased in future enforcement actions. Recurring violations of the same or related acute or critical violations (violations of the same Part in Title 49 of the code of Federal Regulation) that result in three enforcement actions within a six year period will cause the maximum penalties allowed by law to be assessed for the third enforcement action. See 49 U.S.C. 521(b), U.S.C. 5123, 49 U.S.C. Chapter 149, 49 CFR Part 386, Appendix A, and Section 222 of the Motor Carrier Safety Improvement Act of 1999.
3. A complete Educational and Technical Assistance package entitled " A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: [www.fmcsa.dot.gov/factsfigs/eta/index.html](http://www.fmcsa.dot.gov/factsfigs/eta/index.html).
4. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001  
For questions about licensing, authority or MC numbers: 202-366-9805  
For questions about insurance: 202-385-2423  
For household goods complaints: 888-DOT-SAFT (888-368-7238)
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. Accident Countermeasures is a set of defensive strategies designed to reduce preventable accidents. The strategies and forms for implementing accident countermeasures can be found on the FMCSA website at: <http://www.fmcsa.dot.gov/forms/print/accident.htm>





**Part C**

**Corporate Contact:** Christina M. Pichette  
**Corporate Contact Title:** Safety Cordinator - Secretary

**Special Study Information:**

**Remarks:**

The carrier was contacted by the PUCO central office. An on site appointment was scheduled for 10/01/08 @ 09:00 by the PUCO central office. This Safety Audit took place at the carrier's principal place of business.

The carrier profile had one recordable accident during the last 365 days, with the following information obtained. Driver (b)(6); (b)(7)(C), accident date 08/21/2008. Location was on St. Rt. 20 heading west bound in Perrysburg Twp. Ohio. Driver ran a red light, was cited and was given a controlled substance test and alcohol test by the carrier. Driver hit a passenger vehicle that was turning east bound on to St. Rt. 20 from the intersection of Thompson Road in Perrysburg TWP. Carrier did not perform the alcohol test within the 8 hours, but did have one done on the following day. Driver was cited for unsafe vehicle and red light. The carrier did not have an accident register, but did have copies of the police reports on file. The carrier downloaded the ETA packet during this Safety Audit and printed out a copy of the accident register that was provided.

The carrier legal name was checked on the Ohio Secretary of State's web for verification. An interstate trip was performed by (b)(6); (b)(7)(C) on 08/04/2008 Ohio to Michigan. The carrier employs twenty one intra-state and five inter-state CDL drivers, with a CDLIS check being performed on twenty of the twenty six.

The carrier operates as for hire, transporting sand, stone, gravel, and asphalt to job locations within a 100 air mile radius of Monclova Ohio. There is a lot of road work performed within the state of Ohio, making the carrier exempt from the PUCO regulations during that time. The carrier will travel to Michigan and Indiana on occasions, with the majority of work being within the state of Ohio.

The carrier has established a controlled substance/alcohol testing program and has enrolled with David Humphrey (DDH) random controlled substance and alcohol testing pool. The carrier ensures newly hired driver are given a pre-employment drug screen with a negative result back prior to letting a driver perform any safety sensitive functions.

The carrier did have driver qualification files established. After sampling three driver files, no violations were found.

The carrier's drivers will operate within a 100 air mile radius on trips made to and from the state of Ohio. The carrier will have the driver complete a daily time record on all trips made within 100 air miles. After sampling three drivers for time records, no violations were found

The carrier did not have maintenance records the units. Maintenance appears to be a big area of concern. The carrier has several roadside inspections with violations listed with no documentation of repairs made. The drivers are completing DVIR's as required. The carrier was advised of the proper requirements for establishing a complete maintenance file for each of the units. The carrier has their own mechanics that will perform maintenance and repairs to the units at the carrier's facility.

Ms. Christina M. Pichette, safety coordinator, and Bobby M. Johnson, treasurer, were present, was present during this Safety Audit and was very cooperative and receptive. Carrier officials are as follow: Brandon R. Johnson, owner/member, Bobby Jo M. Johnson, treasurer/member.

<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>

