

## **ATTACHMENT # 4**

### **POST-ACCIDENT COMPLIANCE REVIEW**

**(10 Pages)**

**United States Department of Transportation**



**US DOT #**  
965318

**Legal:** GST TRANSPORT CORP  
**Operating (DBA):**

**MC/MX #:** \_\_\_\_\_ **Federal Tax ID:** \_\_\_\_\_ **(EIN)** \_\_\_\_\_  
**Review Type:** Compliance Review (CR)  
**Scope:** Principal Office **Location of Review/Audit:** Company facility in the U. S. **Territory:** \_\_\_\_\_

**Operation Types** **Interstate** **Intrastate**

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

**Business:** Corporation

**Gross Revenue:** \_\_\_\_\_ **for year ending:** 12/31/2011

**Company Physical Address:**

1897 ROUTE 38  
SOUTHAMPTON, NJ 08088

**Contact Name:** Peter Brunt

**Phone numbers:** (1) 609- 267-3380 (2) \_\_\_\_\_

**Fax** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

**Company Mailing Address:**

1897 ROUTE 38  
SOUTHAMPTON, NJ 08088

**Carrier Classification**

Exempt for Hire

**Cargo Classification**

Passengers

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

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

**Driver Information**

	Inter	Intra
< 100 Miles:	10	222
>= 100 Miles:		

**Average trip leased drivers/month:** 0

**Total Drivers:** 232

**CDL Drivers:** 232

**Equipment**

	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
School Bus, 1-8	12	0	0	School Bus, 16+	243	0	0

Power units used in the U.S.: 255

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





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**Part A**

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

1 Independence Way, Suite 120  
Princeton, NJ 08540  
Phone: (609) 275 2604 Fax: (609) 275-5108

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

**Person(s) Interviewed**

**Name:** Peter Brunt

**Title:** Owner

**Name:** Johnathan Brunt

**Title:** Secretary of Company





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## Part B Violations

1 FEDERAL	Primary: 40.25(b) Secondary: 382.105	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to request information from previous DOT regulated employers of driver applicant for the two years prior to the date of application or transfer. <b>Example</b> Driver: _____ Trip Date: 2/17/2012, DOH: 1/3/2012					
2 FEDERAL	Primary: 40.25(d) Secondary: 382.105	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to obtain, and failing to record the manner of trying to obtain background information on drug and alcohol information of a prospective driver as prescribed in 40.25 and then using that driver after 30 days from his/her first performing safety-sensitive functions. <b>Example</b> Driver: _____ Trip Date: 2/17/2012, DOH: 1/3/2012					
3 FEDERAL	Primary: 40.25(j) Secondary: 382.105	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to ask employee if any pre-employment test conducted in the preceding two years resulted in a positive test result or refusal to test. <b>Example</b> Driver: _____ Trip Date: 2/17/2012, DOH: 1/3/2012					
4 FEDERAL	Primary: 390.15(b)(1)(ii)(iv)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to keep an accident register in the form and manner prescribed. <b>Example</b> Accident Date: 4/6/2011. Driver: _____ Register missing city and number on injuries.					
5 FEDERAL	Primary: 391.23(e)(1)	Discovered 1	Checked 2	Drivers/Vehicles In Violation 1	Checked 2
<b>Description</b> Failing to investigate the driver's alcohol and controlled substances history for the previous 3 years. <b>Example</b> Driver: _____ Trip Date: 12/2/2011					
6 FEDERAL	Primary: 391.51(b)(5)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<b>Description</b> Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). <b>Example</b> Driver: _____ Trip Date: 12/19/2011					





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7 FEDERAL	Primary: 391.51(b)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<b>Description</b> Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. <b>Example</b> Driver: _____ Trip Date: 12/19/2011					
<b>Safety Fitness Rating Information:</b> Total Miles Operated 6,200,000 Recordable Accidents 4 Recordable Accidents/Million Miles 0.65		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 3 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 1			
Your proposed safety rating is :          <b>SATISFACTORY</b>		<b>Rating Factors</b>			
		<b>Acute</b> <b>Critical</b>			
		Factor 1:	S	0	0
		Factor 2:	S	0	0
		Factor 3:	S	0	0
		Factor 4:	S	0	0
		Factor 5:	N	0	0
Factor 6:	S	-	-		

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





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## Part B Requirements and/or Recommendations

1. 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)
2. The Federal Motor Carrier Safety Administration headquarters office in Washington D.C. will notify you of your rating in a forthcoming official notice. If your rating is "satisfactory" or is an improvement upon a previous "unsatisfactory" rating, it is a "final rating" and becomes effective on the date of the official notice. If your rating is the same as your previous rating (except satisfactory ratings), or is a downgrade upon a previous rating, it is a "proposed rating" and will become a final rating 61 days after the date indicated on the official notice.

Owners or operators of commercial motor vehicles (except for those that are designed to transport hazardous material for which placarding is required and/or are designed or used to transport passengers), who have been declared "unfit" may not operate in interstate commerce beginning on the 61st day after the date of such fitness determination and may not reestablish interstate operations until they become fit for such transportation. An owner or operator is unfit when the Federal Motor Carrier Safety Administration (FMCSA) issues a final "unsatisfactory" safety rating (49 USC 31144(c) and 49 CFR 385.13(a). All Federal departments, agencies, or instrumentalities are prohibited from using any owner or operator who is unfit by virtue of having a final unsatisfactory rating (49 USC 31144(e) and 385.13(b). Owners and operators are "fit" when the FMCSA issues a final "conditional" or "satisfactory" safety rating.

Corrective action must be taken for the violations (deficiencies) listed on Part B of this review.

**APPEAL RIGHTS:** (A) 49 CFR 385.17: A request for a change to a safety rating for corrective action may be made at anytime. This request must be made in writing to the FMCSA Service Center for the geographic area where the carrier maintains its principal place of business (See 49 CFR 390.27). The request must be based upon evidence that the carrier has taken corrective actions and that its operations currently meet the safety fitness standards and factors specified in 49 CFR 385.5 and 385.7. The FMCSA will make a final determination based upon the documentation submitted and any other relevant information. A written decision will be issued by the FMCSA. Any motor carrier whose request for a change is denied may, within 90 days after the denial, request administration review under 49 CFR 385.15.

(B) 49 CFR 385.15: A request may be made to the FMCSA to conduct an administrative review if you believe that an error was committed in assigning the proposed safety rating or when your request under 49 CFR 385.17 was denied. This request must be made within 90 days of the date of the proposed rating under 49 CFR 385.11(c) or a final rating issued under 49 CFR 385.11(b), or within 90 days of the date of an Order denying your request for a rating change under 49 CFR 385.17.

3. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
- **Apply Adequate Resources:** Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility.
- **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:** 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.





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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>

- **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.

- 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.

For all Investigations where the carrier has been involved in 2 or more recordable crashes:

The Division Administrator/State Director will continue to consider preventability when a motor carrier contests a proposed safety fitness rating. The motor carrier may deem that the recordable accident rate is not a fair means of evaluating its accident factor (Factor 6) on the CR report. If so, the motor carrier must submit the compelling evidence within seven calendar days if the proposed rating is Unsatisfactory and 10 calendar days if the proposed rating is Conditional to:

Division Administrator/State Director  
Federal Motor Carrier Safety Administration  
One Independence Way, Suite 120  
Princeton, NJ 08540

Compelling evidence must be limited to official police accident reports and official insurance accident investigation reports.

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/>.

For all Investigations that did not result in a Cooperative Safety Plan:

You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to

Field Administrator  
FMCSA, "Eastern" Service Center  
802 Cromwell Park Drive, Suite N  
Glen Burnie, MD 21061

Ensure that a CC copy of the letter is mailed to:  
Division Administrator/State Director  
FMCSA, "New Jersey" Division  
One Independence Way, Suite 120  
Princeton, NJ 08540





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## Part B Requirements and/or Recommendations

4. PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Materials Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty in any subsequent Notice of Claim. Your acceptance of this report acknowledges your understanding that the violations discovered by the FMCSA during this compliance review may be used to calculate any civil penalty proposed as a result of this compliance review. Your acceptance of this report is not an admission of the violations identified to you by the investigator.

5. The Division Administrator/State Director will continue to consider preventability when a motor carrier contests a proposed safety fitness rating. The motor carrier may deem that the recordable accident rate is not a fair means of evaluating its accident factor 6 on the Compliance Review. If so the motor carrier must submit the compelling evidence within five calendar days to:

Division Administrator/State Director  
Christopher Rotondo  
Federal Motor Carrier Safety Administration  
One Independence Way Suite 120  
Princeton, NJ 08540

Compelling evidence should include (but is not limited to) official police accident reports and official insurance accident investigation reports.

6. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
7. Obtain a copy of each driver's driving record and review it annually.
8. Notice:  
On March 30, 2004, FMCSA published a final rule requiring employers to review a candidate's safety performance history data within 30 days of hiring a new driver. The final rule enables prospective employers to obtain and use a more complete driver safety performance history during the hiring process. Prospective employers are required to, at a minimum, investigate a driver's employment information, accident record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years. All previous employers are required to respond to the investigating employer within 30 days of receiving the investigation request.

For more information on these regulations, please access FMCSA's Web site at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

9. You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to:

Field Administrator  
FMCSA, "Eastern" Service Center  
802 Cromwell Park Drive Suite N  
Glen Burnie, MD 21061

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







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Division Administrator/State Director  
FMCSA, NJ Division  
One Independence Way Suite 120  
Princeton, NJ 08540

This letter should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be submitted prior to the effective date of your Unsatisfactory or Conditional Rating.

10. If the company discovers a discrepancy with data disseminated by either the FMCSA or a state/local agency (roadside vehicle inspections, accident reports), the company should utilize the Data Q's system which can be accessed via the internet at <http://dataqs.fmcsa.dot.gov>
11. If you have any questions concerning this report,, please contact the Federal Motor Carrier Safety Administration, ( New Jersey Division One Independence Way Princeton, NJ 08540 Phone: 609-275-2604.)
12. Notice: On April 28, 2003, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. Under the new rule, drivers may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. Short-haul truck drivers, who routinely return to their place of dispatch after each duty tour and then are released from duty, may have an increased on-duty period of 16 hours once during any seven consecutive day period.  
  
Passenger-carrying motor carriers and drivers are not subject to the new maximum driving limits. For more information on these regulations, please access the FMCSA website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).
13. This review will result in a Safety Rating.
14. 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>
15. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

It is a recommendation to document all training hours and processes of new CDL drivers. Drivers without any experience conducting operations of transporting school children should be exposed to the distractions of children as passengers prior to being given a route.





U.S. Department  
of  
Transportation  
**Federal Motor  
Carrier Safety  
Administration**

1200 New Jersey Ave., S.E.  
Washington, DC 20590

March 15, 2012

In reply refer to:  
Your USDOT No.: 965318  
Review No.: 956424/CR

PETER BRUNT  
OFFICER  
GST TRANSPORT CORP  
1897 ROUTE 38  
SOUTHAMPTON, NJ 08088

Dear PETER BRUNT:

The motor carrier safety rating for your company is:

SATISFACTORY

This SATISFACTORY rating is the result of a review and evaluation of your safety fitness completed on February 27, 2012. A SATISFACTORY rating indicates that your company has adequate safety management controls in place to meet the safety fitness standard prescribed in 49 C.F.R. 385.5.

Please assure yourself that any specific deficiencies identified in the review report have been corrected. We appreciate your efforts toward promoting motor carrier safety throughout your company. If you have questions or require further information, please contact:

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
ONE INDEPENDENCE WAY, SUITE 120  
PRINCETON, NJ 08540  
Telephone No.: 609-275-2604

✓  
Joseph P. DeLorenzo  
Director, Office of Enforcement and  
Compliance