


ATTACHMENT #8

POST-ACCIDENT COMPLIANCE REVIEW

(24 Pages)

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 782392	Legal: WORLD WIDE TRAVEL OF GREATER NEW YORK		
		Operating (DBA):		
MC/MX #: 349766	State #: 36650	Federal Tax ID:		
Review Type: Compliance Review (CR)				
Scope: Principal Office	Location of Review/Audit: Company facility in the U. S.		Territory: AA	
Carrier: Non-HM	Non-HM	Business: Corporation		
Shipper: N/A	N/A	Gross Revenue: \$2,676,435.00		for year ending: 11/30/2010
Cargo Tank: N/A				
33 2ND AVENUE BROOKLYN, NY 11215				
Contact Name: Christopher Muldoon				
Phone numbers: (1) 718 381 1775		(2) 917 270 1257	Fax: 718 381 1804	
E-Mail Address: mail@longislandtransitny.com				
33 2ND AVENUE BROOKLYN, NY 11215				
Authorized for Hire				
Passengers				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
		Average trip leased drivers/month: 0		
< 100 Miles:		Total Drivers: 95		
>= 100 Miles: 95		CDL Drivers: 95		
	Owned	Term Leased	Trip Leased	Owned
Motor Coach	0	0	0	
Power units used in the U.S.: 6				
Percentage of time used in the U.S.: 99				





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04/07/2011

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:

One Bowling Green, Room 420
New York, NY 10004
Phone: (212)668-2130 Fax:(212)668-2133

This report will be used to assess your safety compliance.

Person(s) interviewed

Name: Michael Shub

Title: President

Name: Christopher Muldoon

Title: Director of Operations





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Part B Violations

1 FEDERAL	Primary: 40.25(b) Secondary: 382.105	Discovered 14	Checked 20	Drivers/Vehicles In Violation	Checked 20
<p>Description Failing to request information from previous DOT regulated employers of driver applicant for the two years prior to the date of application or transfer.</p> <p>Example On 02/08/11 driver _____ drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The carrier did not request information from previous DOT regulated employers of driver applicant for the two years prior to the date of application or transfer.</p>					
2 FEDERAL	Primary: 40.25(j) Secondary: 382.105	Discovered 11	Checked 20	Drivers/Vehicles In Violation	Checked 20
<p>Description 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.</p> <p>Example On 01/03/11 driver _____ drove company vehicle # 259 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The carrier failed to ask driver _____ if any pre-employment test conducted in the preceding two years resulted in a positive test result or refusal to test.</p>					
3 FEDERAL	Primary: 382.305(i)(2)	Discovered 39	Checked 95	Drivers/Vehicles In Violation	Checked 95
<p>Description Failing to ensure that each driver selected for random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.</p> <p>Example On 02/12/11 driver _____ drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. Driver _____ was hired on 03/20/2009 and is not listed on the carrier's current random selection pool roster.</p>					
4 FEDERAL	Primary: 382.605 Secondary: 40.287	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked 0
<p>Description Failing to perform the required referral, evaluation, and treatment in accordance with 49 CFR part 40, Subpart O.</p> <p>Example On 12/16/10 the carrier was notified that driver _____ had tested positive for Controlled Substances as the result of a random test. The driver did not return to work after the test and was terminated by the carrier on 12/31/10. The carrier failed to refer the employee to a Substance Abuse Professional (SAP) for education and/or treatment.</p>					
5 FEDERAL	Primary: 391.21(a) Secondary: 391.21(b)(5,10iv,12)	Discovered 14	Checked 20	Drivers/Vehicles In Violation	Checked 20
<p>Description Using a driver who has not completed and furnished an employment application.</p> <p>Example On 02/03/11 driver _____ drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The driver's employment application does not include the driver's license #, and contains incorrect information regarding the designation of his previous employment as a safety sensitive function in any DOT regulated mode subject to alcohol and controlled substances testing requirements as required by 49 CFR part 40; his past employment being subject to the FMCSRs. The application is not signed by the applicant.</p>					





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Part B Violations

6 FEDERAL	Primary: 391.23(a) Secondary: 391.23(a)(2), (c)(1)	Discovered 15	Checked 20	Drivers/Vehicles In Violation 15	Checked 20
<p>Description Failing to investigate driver's background.</p> <p>Example On 02/13/11 driver drove company vehicle # 258 from Brooklyn, NY. to Washington, DC. in interstate commerce. When driver was hired in December 2005, the carrier failed to document the response from the driver's previous employers regarding the investigations of the driver's safety performance history, or documentation of good faith efforts to obtain the investigation data.</p>					
7 FEDERAL	Primary: 395.5(a)(1)	Discovered 1	Checked 384	Drivers/Vehicles In Violation 1	Checked 11
<p>Description Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive more than 10 hours.</p> <p>Example On 2/18/11 driver drove company vehicle # 238 from Brooklyn, NY to Rochester, NY. in interstate commerce. Driver drove for 1 hour 30 minutes from 1645 thru 1915 hours after having driven for 10 hours.</p>					
8 FEDERAL	Primary: 395.5(a)(2)	Discovered 2	Checked 384	Drivers/Vehicles In Violation 1	Checked 11
<p>Description Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 15 hours.</p> <p>Example On 12/16/10 driver drove company vehicle # 258 from Bensalem, PA. to Brooklyn, NY in interstate commerce. Driver drove for an additional 1 hour and 45 minutes after having been on duty for 15 hours.</p>					
9 FEDERAL CRITICAL	Primary: 395.8(a)	Discovered 48	Checked 410	Drivers/Vehicles In Violation 1	Checked 11
<p>Description Failing to require driver to make a record of duty status.</p> <p>Example On 03/12/11 driver drove company vehicle # 259 from Uncasville, CT. to New York, NY. in interstate commerce. The carrier failed to require that the driver prepare a record of duty status for that days trip. In addition, driver did not prepare record of duty status for 12/26/10 thru 1/31/11. 2/24 thru 2/28/11, for and 3/9/11, 3/10/11, and 3/11/11.</p>					
10 FEDERAL	Primary: 395.8(e)	Discovered 9	Checked 384	Drivers/Vehicles In Violation 2	Checked 11
<p>Description False reports of records of duty status.</p> <p>Example On 02/11/11 driver drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. In Interstate commerce. The driver reported on his record of duty status that he was off duty in Brooklyn, NY. from 0815 hours on 02/11/11 thru 2100 hours on 02/15/11. The carrier's dispatch report documents indicated that the driver drove company vehicle # 258 from 2215 hours thru 2400 hours on 02/11/11.</p>					





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11 FEDERAL	Primary: 395.8(e)	Discovered 6	Checked 364	Drivers/Vehicles In Violation	Checked 2 11
Description False reports of records of duty status. Example On 02/11/11 driver drove company vehicle # 258 from Washington, DC. to Brooklyn, NY. in interstate commerce. The driver recorded on his record of duty status that he had arrived in Brooklyn, NY. and was off duty from 2000 thru 2400 hours, yet the carrier's EZ-pass report that the driver was paying a toll after crossing the Outerbridge Crossing in Staten Island, NY. at 1951 hours on 02/11/11.					
12 FEDERAL	Primary: 395.8(f) Secondary: 395.8(d)(4,7)	Discovered 66	Checked 364	Drivers/Vehicles In Violation	Checked 8 11
Description Failing to require driver to prepare record of duty status in form and manner prescribed. Example On 02/20/11 driver drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The driver failed to enter the correct carrier name and address on his record of duty status log.					
13 FEDERAL	Primary: 395.8(h)(5)	Discovered 21	Checked 364	Drivers/Vehicles In Violation	Checked 4 11
Description Failing to record the name of the city, town, or village, with State abbreviation where each change of duty status occurs Example On 02/15/11 driver drove company vehicle # 235 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The carrier failed to ensure that the driver entered the city, town, or village, with State abbreviation where each change of duty status occurs.					
14 FEDERAL CRITICAL	Primary: 395.8(i)	Discovered 59	Checked 401	Drivers/Vehicles In Violation	Checked 1 11
Description Failing to require driver to forward within 13 days of completion, the original of the record of duty status. Example On 02/11/11 driver drove company vehicle # 258 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The carrier failed to require that the driver forward his record of duty status within 13 days of completion.					
15 FEDERAL	Primary: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation	Checked 5 5
Description Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. Example On 10/28/2010 driver drove company vehicle # 258 and was stopped for roadside inspection in Philadelphia, PA. while in interstate commerce. The carrier's maintenance file for all 5 vehicles reviewed does not include make of vehicle and tire size.					





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16 FEDERAL	Primary: 396.11(b)	Discovered 62	Checked 150	Drivers/Vehicles In Violation 5	Checked 5
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Description

Failing to ensure driver vehicle inspection report is complete and accurate.

Example

On 02/18/10 driver [redacted] drove company vehicle # 256 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The driver failed to indicate that the vehicle had or did not have defects and did not sign the DVIR at the completion of the work day.

Safety Fitness Rating Information:

Total Miles Operated 626,269
Recordable Accidents 3
Recordable Accidents/Million Miles 5.70

OOS Vehicle (CR): 0
Number of Vehicle Inspected (CR): 0
OOS Vehicle (MCMIS): 0
Number of Vehicles Inspected (MCMIS): 3

Your proposed safety rating is :

UNSATISFACTORY

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	U	0	4
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	U	-	-

Effective date: The unsatisfactory rating will take effect 45 days after the date of a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters office in Washington, D.C.

PROHIBITION: Under 49 USC sections 13905(f)(1)(B) and 31144, and 49 CFR section 385.13, a motor carrier that receives a final safety rating of unsatisfactory is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce and, if applicable, shall have its registration revoked unless and until such time the FMCSA determines the motor carrier is fit and the motor carrier has reinstated its registration.

49 U.S.C. 31144 provides that the prohibition takes effect unless the motor carrier, within 45 days of the date of the forthcoming official notice, takes the necessary steps to improve the rating to conditional or satisfactory.

Unless the motor carrier receives an improved rating within 45 days from the date of the forthcoming official notice from Washington, D.C, the motor carrier will be subject to the prohibition in 49 CFR 385.13.

Administrative Review: A motor carrier of hazardous materials or passengers may appeal its proposed safety rating in a petition filed pursuant to 49 CFR section 385.15 if it believes that the rating is in error and there are factual and procedural issues in dispute. Such appeals must be made within 90 days of the date of the proposed safety rating, but should be made within 15 days of the date of the safety rating notice to allow the FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. Appeals filed pursuant to section 385.15 should be addressed to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590. The motor carrier will receive a written decision on the petition within 30 days from receipt of the petition by the Chief Safety Officer. (See 49 CFR 385.15 for additional details.)

Request for change in the rating: 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.)

(Note: Neither a petition to contest the rating nor a request for a change in the rating will delay the effective date of the rating, if unchanged.)





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Part B Violations

Null





Safety Fitness Rating Explanation

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1	General (CFR Parts 387, 390)		<input checked="" type="checkbox"/> 0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS		1 Point = Conditional
NONE		>1 Point = Unsatisfactory
TOTAL POINTS: 0 = SATISFACTORY			
FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)		<input checked="" type="checkbox"/> 0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS		1 Point = Conditional
NONE		>1 Point = Unsatisfactory
TOTAL POINTS: 0 = SATISFACTORY			
FACTOR 3	Operational/Driving (CFR Parts 392, 395)		0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS		1 Point = Conditional
F 395.8(a)	2 (C)		<input checked="" type="checkbox"/> >1 Point = Unsatisfactory
F 395.8(l)	2 (C)		
TOTAL POINTS: 4 = UNSATISFACTORY			
FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))		
VIOLATIONS AFFECTING RATING	POINTS	Out-of-Service (OOS) Percentage: 0.0	
NONE		
TOTAL POINTS: 0 & 0.0% OOS = SATISFACTORY (see chart)			
Fewer than 3 Inspections		3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%		OOS 34% or Higher
	<input checked="" type="checkbox"/> Satisfactory		Conditional
	Conditional if a pattern of Non-Compliance with a Critical or an Acute Violation		Unsatisfactory if a pattern of Non-Compliance with a Critical or an Acute Violation
FACTOR 5	Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)		
Not Applicable - Not a carrier of Hazardous Material			
NONE			
FACTOR 6	Accident (Recordable Accident Rate)		
((Recordable Accidents) X (1 million)) + (Total Miles) = Rate (3 X 1,000,000) + 526,269 = 5.7 = UNSATISFACTORY			
ACCIDENT RATE		FACTOR RATING	
0.000 - 1.500 =		Satisfactory	
<input checked="" type="checkbox"/> >1.500 =		Unsatisfactory	





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Safety Fitness Rating Explanation

OVERALL SAFETY FITNESS RATING

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

2

0

= **UNSATISFACTORY**

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

Unsatisfactory	Conditional	OVERALL RATING
0	2 or fewer	Satisfactory
0	3 or more	Conditional
1	2 or fewer	Conditional
1	3 or more	Unsatisfactory
✓ 2	0 or more	Unsatisfactory





Part B Requirements and/or Recommendations

1. ALL CARRIERS

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

- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

- **NOTICE:** A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

2. CONTROLLED SUBSTANCES AND ALCOHOL --All Carriers - Part 382

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that





Part B Requirements and/or Recommendations

employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.

- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.

- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and ultimately leading to termination, to afford opportunities for improvement through confidential assistance and to ensure that drivers are motivated to comply with regulations and company policies. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

3. Ensure that you maintain for a period of one year after an accident occurs an "accident register" containing the following: 1) date of the accident; 2) city and state in which the accident occurred; 3) driver's name; 4) number of fatalities; 5) number of injuries; and 6) whether hazardous materials, other than fuel from fuel tanks, were spilled. To meet the definition of accident in Part 390.5, you should also record if towing was required for any vehicle involved in the accident.

4. **MCS-90 All Carriers - Part 390**

Retain on file a properly completed & current copy of your form MCS-90 or MCS-90B financial responsibility endorsement, showing the proper levels of coverage.

You ALSO must ensure that the proper evidence of financial responsibility is filed with the USDOT to ensure that your operating authority is not revoked. This must be processed through your insurance company using forms BMC-91 or BMC-91X.

5. **DRIVER QUALIFICATION - All Carriers - Part 391**

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the timely review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.

- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.

- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in—for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection—or to take entry-level training provided by the carrier.

- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.

- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.

- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and ultimately leading to termination, focused on taking corrective action to ensure that drivers comply with driver-fitness regulations and company policies. This policy should also specify consequences for any carrier official who knowingly and willfully allows driver-fitness violations.

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





Part B Requirements and/or Recommendations

obtain and use 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.

6. MEDICAL CERTIFICATES - All Carriers - Part 391

Ensure that a copy of each driver's medical certificate is retained in the driver's qualification file. A copy of the US DOT Medical Certificate must be in the driver's file and the original or another copy must be in the driver's possession to drive in interstate commerce. Establish a system to be sure drivers obtain a new medical certificate in advance of the expiration of their current certificate. The carrier is responsible for drivers that they employ, and all interstate drivers require a current medical certificate.

A copy of the New York State 19A Medical Form is NOT sufficient. A copy of the US DOT Medical Certificate must be in the driver's file and the original or another copy must be in the driver's possession to drive in interstate commerce. Be sure that the medical examiner's certificate form that you use is the new version and that all blocks are filled in properly including the expiration date, name of medical examiner, examiner's license number and state, examiner's signature and his/her telephone number including area code. It is your responsibility to ensure the accuracy of this document; and if you are unsure of information, you should get a copy of the full examination report and retain a copy in your driver qualification file.

Do not discard the driver's 'old' certificate when the 'new' certificate is acquired. Keep a complete 3 year file for driver qualification.

7. Investigate each driver's employment record using personal interviews, telephone interviews, letters, e-mail, or any other way of obtaining information that you deem appropriate. Make a written record with respect to each past employer who was contacted and include the employer's name, the date contacted, and his/her comments with respect to the driver. Also record any failed attempts to contact previous employers. Retain your records and make them part of the driver's qualifications file.

8. Ensure that drivers complete an application for employment which meets all the criteria outlined in Part 391.21(b), that the application is signed and dated by the applicant, and that all sections are completely and fully filled out, particularly dates of previous employment, accident details, commercial motor vehicle experience, and any violations of motor vehicle laws or ordinances.

9. HOURS OF SERVICE - Passenger Carriers - Part 395

- Ensure that prospective drivers have a history of driving within Hours-of-Service (HOS) regulations by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding HOS violations going back three years. Create a detailed written record of each inquiry.
- Ensure that whoever is responsible for monitoring and tracking Hours of Service (HOS) knows the relevant regulations, how the carrier/dispatcher operates, the company's disciplinary policy and procedures, and how to use supporting documents such as toll and fuel receipts to see if data are accurate.
- Ensure that dispatchers have good planning, communication, and simple mathematical skills.
- Ensure that drivers have sufficient planning skills to know when they should be driving and stopping, basic mathematical skills to calculate their hours and miles, and good organizational skills to keep each Record of Duty Status (RODS) up to date continuously by adding information at every stop.
- Ensure that there are enough people to review Hours-of-Service (HOS) data for all drivers, or invest in electronic on-board recording (EOBR) for continuous real-time review.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, driver, and dispatcher, using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.





Part B Requirements and/or Recommendations

Passenger Carriers:

- When hiring part-time or intermittent drivers with concurrent employment, verify current and recent Records of Duty Status (RODS) as well as prior Hours-of-Service (HOS) violations.

Notice: On October 1, 2005, the FMCSA published a final rule revising the hours of service regulations for commercial motor vehicle drivers. Under the new rule, passenger drivers may drive 10 hours after 8 consecutive hours off-duty, but may not drive beyond the 15th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 80 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day-period.

10. Keep records of duty status (RODS) and supporting documentation for all commercial motor vehicle drivers that you employ. Be sure that RODS are submitted every 13 days following the completion of the forms. Check to see that RODS meet all requirements in Part 395.8 and that a driver records all the required information in his/her own handwriting, and signs and dates each record. In addition, all supporting documents for driver's trips including bills of lading, trip reports, or other shipping papers, toll receipts, fuel receipts, overnight lodging receipts, and any other documentation which pertains to a particular trip should be retained at the carrier's principal place of business. All RODS and supporting documents must be retained for at least six months.
11. Ensure that driver's record of duty status (RODS) are completely filled out in accordance with Part 395.8(f) including: current entries; all entries made by the driver only; date; total miles for the day; identification of the motor vehicle by company number or license plate number; name of the motor carrier; record signed by the driver; record of all days off; filled in total hours for each category and also have the hours total up to 24 hours; the bill of lading number, trip number, tour number, or other identification of the commodities transported in the Remarks section. In addition, for each change of duty status (e.g., the place of reporting for work, starting to drive, on-duty not driving, and where released from work), drivers should record the name of the city, town or village, with state abbreviation. If the change of duty status occurs at a location other than a city, town or village, show alternatives described in Part 395.8(b).
12. Ensure all drivers' records of duty status (logs) are accurate. Require all drivers to prepare records of duty status for each day in the proper form and manner, and to submit them within 13 days. Check them against "supporting documents" to verify accuracy. Toll receipts and other on-the-road expense receipts, fuel receipts, invoices, bills of lading, dispatch records, and other "supporting documents" must be kept on file for six (6) months. You may keep legible photocopies in lieu of originals. Take appropriate action against drivers who falsify logs.
13. 100 Air Mile Radius Driver. (PASSENGER CARRIER) A driver is exempt from the requirements of §395.8 if: The driver operates within a 100 air mile radius of the normal work reporting location; The driver, returns to the work reporting location and is released from work within 12 consecutive hours; A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off duty separating each 12 hours on duty; A passenger-carrying commercial motor vehicle driver does not exceed 10 hours maximum driving time following 8 consecutive hours off duty; The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing: The time the driver reports for duty each day; The total number of hours the driver is on duty each day; The time the driver is released from duty each day; and The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently
14. VEHICLE MAINTENANCE- Passenger Carriers - Part 396
Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.
 - Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
 - Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
 - Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.





Part B Requirements and/or Recommendations

- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and ultimately leading to termination, focused on taking corrective action to ensure that employees comply with vehicle inspection, repair and maintenance regulations, and company policies. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

Passenger Carriers:

- Develop systematic procedures for inspecting maintenance items critical to fire-safety and emergency evacuation—for example, checking wheel-hub lubrication levels according to the manufacturer's recommended inspection intervals, checking wheels for signs of excess heat every time the motorcoach is parked, regularly inspecting wiring and electrical systems for shorts circuits, and inspecting emergency-exit operation and markings.
- Consider installation of fire-detection-and-suppression systems on current fleets and as purchase options on new coaches.

15. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Be sure the use vehicle inspection reports that cover the minimum parts and accessories identified in Part 396.11 including all brakes, steering, lights, tires, horn, windshield wipers, rear vision mirrors, coupling devices, wheels and rims, and emergency equipment. Require drivers to prepare Vehicle Inspection Reports on a daily basis. The report shall identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If no defect or deficiency is discovered by or reported to the driver, the report shall so indicate. In all instances, the driver shall sign the report. On two-driver operations, only one driver needs to sign the driver vehicle inspection report, provided both drivers agree as to the defects or deficiencies identified. If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle operated. Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect or deficiency listed on the driver vehicle inspection report which would be likely to affect the safety of operation of the vehicle.

Every motor carrier or its agent shall certify on the original driver vehicle inspection report which lists any defect or deficiency that the defect or deficiency has been repaired or that repair is unnecessary before the vehicle is operated again.

Keep DVIR's on file for 90 days.

- One DVIR book should be kept in each vehicle.
- The driver completes and signs the DVIR report upon completion of each work day.
- The driver removes the white copy of the DVIR and turns it in to the designated reviewer each day the vehicle is operated.
- All white (original) copies of the DVIR should be sorted BY VEHICLE and Month.
- The yellow copy stays in the vehicle for the next driver to review.
- The reviewer must review each report submitted and is required to examine the report for any defects.
- The reviewer must cause each of the 11 'safety defects' to be corrected prior to the next use of the vehicle.
- The reviewer may determine that a non-safety related defect need not be corrected for the safe operation of the vehicle.
- When a safety defect is reported and corrected, the documentation should be attached to the white copy of the report with the appropriate signatures.

16. CSA - All Carriers
Comprehensive Safety Analysis (CSA) is a Federal Motor Carrier Safety Administration (FMCSA) initiative to





Part B Requirements and/or Recommendations

Improve large truck and bus safety. Commercial motor vehicle carriers may now view their individual safety assessments on the Data Preview Website. This updated Website provides motor carriers with information on where they stand in each Behavior Analysis and Safety Improvement Category (BASIC) based on roadside data and investigation findings. Go to <http://fmcsa.dot.gov> for information about CSA and the Data Preview Website.

Drivers' crash and inspection histories are available on line using FMCSA's Pre-Employment Screening Program (PSP). PSP records are available to motor carriers and commercial vehicle drivers. Go to our agency's website at www.fmcsa.dot.gov and pick the "Pre-Employment Screening Program (PSP)" link.

17. COMPREHENSIVE SAFETY ANALYSIS (CSA) - All Carriers

Comprehensive Safety Analysis (CSA) is a Federal Motor Carrier Safety Administration (FMCSA) initiative to improve large truck and bus safety. Commercial motor vehicle carriers may now view their individual safety assessments on the Data Preview Website. This updated Website provides motor carriers with information on where they stand in each Behavior Analysis and Safety Improvement Category (BASIC) based on roadside data and investigation findings. Go to <http://www.fmcsa.dot.gov> for information about CSA and the Data Preview Website.

Drivers' crash and inspection histories are available on line using FMCSA's Pre-Employment Screening Program (PSP). PSP records are available to motor carriers and commercial vehicle drivers. Go to our agency's website at www.fmcsa.dot.gov and pick the "Pre-Employment Screening Program (PSP)" link.

18. A copy of your carrier profile can be obtained for \$20 from the SAFER website (<http://safer.fmcsa.dot.gov>) or by calling 800-832-5680 or 703 280-4001. You can also write: Computing Technologies Inc. P.O. Box 3248, Merrifield, VA 22118-3248. Profile cost if ordered by mail or phone is \$27.50.

19. DATAQs

If you find any discrepancies with the information found in your carrier profile, you can request to have the information amended, updated or removed by visiting <http://dataqs.fmcsa.dot.gov>

20. USEFUL TELEPHONE NUMBERS

For questions about DOT numbers or biennial updates: 800-832-5680 or 703-280-4001

For questions about licensing, authority or MC numbers: 202-366-9805

For questions about insurance: 202-365-2423

For household goods complaints: 888-DOT-SAFT (888-368-7238)

21. Less Than Satisfactory Safety Rating

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:

Ms. Rose A. McMurray, Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, S.E.
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.



(K)



WORLD WIDE TRAVEL OF GREATER NEW YORK
U.S. DOT #: 752392

State #: 36850

Review Date:
04/07/2011

Part B Requirements and/or Recommendations

Address your written request to:

Robert Miller, Field Administrator
Federal Motor Carrier Safety Administration
Eastern Service Center
802 Cromwell Park Drive, Suite N
Glen Burnie, MD 21061





TABLE OF VIOLATIONS

395.8(a)	Ophadell Williams	12/26/2010
395.8(a)	Ophadell Williams	12/27/2010
395.8(a)	Ophadell Williams	12/28/2010
395.8(a)	Ophadell Williams	12/29/2010
395.8(a)	Ophadell Williams	12/30/2010
395.8(a)	Ophadell Williams	12/31/2010
395.8(a)	Ophadell Williams	1/1/2011
395.8(a)	Ophadell Williams	1/2/2011
395.8(a)	Ophadell Williams	1/3/2011
395.8(a)	Ophadell Williams	1/4/2011
395.8(a)	Ophadell Williams	1/5/2011
395.8(a)	Ophadell Williams	1/6/2011
395.8(a)	Ophadell Williams	1/7/2011
395.8(a)	Ophadell Williams	1/8/2011
395.8(a)	Ophadell Williams	1/9/2011
395.8(a)	Ophadell Williams	1/10/2011
395.8(a)	Ophadell Williams	1/11/2011
395.8(a)	Ophadell Williams	1/12/2011
395.8(a)	Ophadell Williams	1/13/2011
395.8(a)	Ophadell Williams	1/14/2011
395.8(a)	Ophadell Williams	1/15/2011
395.8(a)	Ophadell Williams	1/16/2011
395.8(a)	Ophadell Williams	1/17/2011
395.8(a)	Ophadell Williams	1/18/2011
395.8(a)	Ophadell Williams	1/19/2011
395.8(a)	Ophadell Williams	1/20/2011
395.8(a)	Ophadell Williams	1/21/2011
395.8(a)	Ophadell Williams	1/22/2011
395.8(a)	Ophadell Williams	1/23/2011
395.8(a)	Ophadell Williams	1/24/2011
395.8(a)	Ophadell Williams	1/25/2011
395.8(a)	Ophadell Williams	1/26/2011
395.8(a)	Ophadell Williams	1/27/2011
395.8(a)	Ophadell Williams	1/28/2011
395.8(a)	Ophadell Williams	1/29/2011
395.8(a)	Ophadell Williams	1/30/2011
395.8(a)	Ophadell Williams	1/31/2011
395.8(a)	Ophadell Williams	2/24/2011
395.8(a)	Ophadell Williams	2/25/2011
395.8(a)	Ophadell Williams	2/26/2011
395.8(a)	Ophadell Williams	2/27/2011
395.8(a)	Ophadell Williams	2/28/2011



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TABLE OF VIOLATIONS

395.8(a)	Ophadell Williams	3/9/2011
395.8(a)	Ophadell Williams	3/10/2011
395.8(a)	Ophadell Williams	3/11/2011
395.8(a)	Ophadell Williams	3/12/2011
395.8(f)	Ophadell Williams	11/23/2010
395.8(f)	Ophadell Williams	11/24/2010
395.8(f)	Ophadell Williams	11/25/2010
395.8(f)	Ophadell Williams	11/26/2010
395.8(f)	Ophadell Williams	11/27/2010
395.8(f)	Ophadell Williams	11/28/2010
395.8(f)	Ophadell Williams	11/29/2010
395.8(f)	Ophadell Williams	11/30/2010
395.8(f)	Ophadell Williams	12/1/2010
395.8(f)	Ophadell Williams	12/2/2010
395.8(f)	Ophadell Williams	12/3/2010
395.8(f)	Ophadell Williams	12/4/2010
395.8(f)	Ophadell Williams	12/5/2010
395.8(f)	Ophadell Williams	12/6/2010
395.8(f)	Ophadell Williams	12/7/2010
395.8(f)	Ophadell Williams	12/8/2010
395.8(f)	Ophadell Williams	12/9/2010
395.8(f)	Ophadell Williams	12/10/2010
395.8(f)	Ophadell Williams	12/11/2010
395.8(f)	Ophadell Williams	12/12/2010
395.8(f)	Ophadell Williams	12/13/2010
395.8(f)	Ophadell Williams	12/14/2010
395.8(f)	Ophadell Williams	12/15/2010
395.8(f)	Ophadell Williams	12/16/2010
395.8(f)	Ophadell Williams	12/17/2010
395.8(f)	Ophadell Williams	12/18/2010
395.8(f)	Ophadell Williams	12/19/2010
395.8(f)	Ophadell Williams	12/20/2010
395.8(f)	Ophadell Williams	12/21/2010
395.8(f)	Ophadell Williams	12/22/2010
395.8(f)	Ophadell Williams	12/23/2010
395.8(f)	Ophadell Williams	12/24/2010
395.8(f)	Ophadell Williams	12/26/2010
395.8(f)	Ophadell Williams	2/1/2011
395.8(f)	Ophadell Williams	2/2/2011
395.8(f)	Ophadell Williams	2/3/2011
395.8(f)	Ophadell Williams	2/4/2011
395.8(f)	Ophadell Williams	2/5/2011



(19)



TABLE OF VIOLATIONS

395.8(f)	Ophadell Williams	2/6/2011
395.8(f)	Ophadell Williams	2/7/2011
395.8(f)	Ophadell Williams	2/8/2011
395.8(f)	Ophadell Williams	2/9/2011
395.8(f)	Ophadell Williams	2/10/2011
395.8(f)	Ophadell Williams	2/11/2011
395.8(f)	Ophadell Williams	2/12/2011
395.8(f)	Ophadell Williams	2/13/2011
395.8(f)	Ophadell Williams	2/14/2011
395.8(f)	Ophadell Williams	2/15/2011
395.8(f)	Ophadell Williams	2/16/2011
395.8(f)	Ophadell Williams	2/17/2011
395.8(f)	Ophadell Williams	2/18/2011
395.8(f)	Ophadell Williams	2/19/2011
395.8(f)	Ophadell Williams	2/20/2011
395.8(f)	Ophadell Williams	2/21/2011
395.8(f)	Ophadell Williams	2/22/2011
395.8(f)	Ophadell Williams	2/23/2011
395.8(f)	Ophadell Williams	3/1/2011
395.8(f)	Ophadell Williams	3/2/2011
395.8(f)	Ophadell Williams	3/3/2011





WORLD WIDE TRAVEL OF GREATER NEW YORK
 U.S. DOT #: 782392

State #: 36650

Review Date:
 04/07/2011

Part C

Reason for Review: Complaint Investigation
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

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

Prior Reviews

9/29/2008
 2/15/2007
 10/27/1999

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?

Yes - Interstate and Intrastate

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

45-Day - Interstate Passenger

Corporate Contact: Christopher Muldoon
Corporate Contact Title: Director of Operations

Special Study Information:

Remarks:

REASON FOR INVESTIGATION:

-This safety review was conducted on World Wide Travel of Greater New York due to a fatal crash investigation. The carrier was involved in a fatal crash on 03/12/11 while one of its motor coaches was traveling southbound on the New England Thruway (I95). The vehicle veered off the roadway, flipping on its side and struck a road sign that was located on the side of the road. The crash occurred on the Westchester/ Bronx border in New York State, as the motor coach was returning from the Mohegan Sun Casino in Uncasville, CT. The crash resulted in fifteen (15) fatalities and is being investigated by the National Transportation Safety Board, the New York State Police, the Bronx District Attorney's office & potentially the US Attorney & USDOT OIG office. Further investigation will be conducted by appropriate agencies to determine if the driver of the motor coach at the time of the crash held a valid CDL, he is the subject of an investigation regarding how his current license was obtained. The driver allegedly had a NYS DMV record under an alias name which had a suspended driving privilege

This is the carrier's fourth (4th) compliance review. In their first review conducted on 10/27/99 they received a conditional rating. Subsequent reviews conducted on 02/25/07 and 09/29/08 received satisfactory ratings. The carrier's president, Michael Shub, vice president, Marat (Mark) Fayer, director of operations, Christopher Muldoon, and maintenance supervisor, John Russo were interviewed for this review. The review was conducted at the carrier's PPOB located at 33 2nd Ave., Brooklyn, NY.

Also at this location is the carrier's sister company, Great Escapes Tours & Travel LTD. USDOT # 1389209, which is operated by the same carrier officials, office staff and shares drivers with World Wide Travel of Greater New York. World Wide Travel of Greater New York and Great Escapes Tours & Travel LTD. do operate different motor coaches. Documents for both companies had to be reviewed throughout this review in order to decipher the trips & records required to be reviewed.

This investigator was also present at the NTSB staff briefings which followed the crash on 03/12/11 and provided assistance and guidance along with locality trends and practices to the NTSB launch team. The opening day of the review was 03/17/2011, after the NTSB had completed their investigation at the carrier's PPOB, to avoid any possible interference with the NTSB.

SCOPE OF INVESTIGATION:

-This review was assigned as a full comprehensive review and was initiated as the result of an accident investigation.





Part C

Other than the Hours of Service sample size, which is explained below, the investigation was not expanded beyond the initial assignment.

CARRIER OPERATION DESCRIPTION:

- Michael Shub provided the mileage and copies of the IFTA reports for the last four (4) quarters and the gross revenue of the carrier based on income tax filings for the fiscal year ending November 30, 2010.
- The carrier does not own any land or buildings, but rents a building that houses their offices and a multi-bay facility for maintenance at their PPOB located at 33 2nd Ave. Brooklyn, NY. 11215. The carrier also rents a yard across the street from their PPOB to store vehicles when not in use. MCIZ Corp. USDOT # 214327 aka City Sites aka Video Tours, a NYC sight seeing double decker tour bus operator also uses this yard for their vehicle storage. Other than property leasing there is no other ownership relationship between MCIZ Corp and World Wide Travel of Greater New York.
- The carrier's operating authority under MC# 349766 is valid and was granted 12/22/1998.
- World Wide Travel of Greater New York has been in business since 2001 and is a for-hire that transports passengers in motor coaches with a passenger capacity of fifty-six (56) passengers including the driver.
- The carrier operates mostly within the northeastern portion of the United States. The carrier conducts line runs between NYC and the Boston, MA area, NYC and the Washington, DC. area, as well as casino runs to the Mohegan Sun casino in Uncasville, CT. and the casinos in Atlantic City, NJ.
- The carrier also has a commuter line run that transports passengers from a park and ride lot in Glen Cove, NY to Manhattan, NY that it 'books' under the name Long Island Transit, although Long Island Transit is not a motor carrier.
- The trips that are actually performed by the carrier are assigned by the carrier dispatcher after determining which coach is available to conduct the trip. This dispatcher is an employee of both World Wide Travel of Greater New York and Great Escapes Tours & Travel LTD. If a trip is not able to be performed by one of the six (6) coaches operated by World Wide Travel of Greater New York, then it is assigned to their 'sister' carrier, Great Escapes Tours & Travel LTD. Great Escapes Tours & Travel LTD. has a fleet size of twenty-nine (29) motor coaches, and is commonly used for a higher percentage of trips than World Wide Travel of Greater New York.
- The carrier operates seven (7) days a week depending on business.

-The carrier's drivers were found to be operating for both carriers during any particular day of the month, and in some cases they were operating for both carriers on the same days. As stated above, the identifying carrier is determined by which carrier's vehicle that the drivers operate.

-The carrier currently employs ninety-five (95) CDL drivers. These drivers are also the same drivers employed by, and shared with Great Escapes Tours & Travel LTD. Both carriers' drivers are in a random testing pool that is identified with both carrier names.

-Drivers are subject to part 40/382, based on the passenger capacity of the vehicles that they operate. The carrier is enrolled in a controlled substance and alcohol testing program with HealthCor of Masspeth, NY. Christine Savino is their contact and she can be reached @ (718) 457-5900.

-The carrier was found to be conducting random testing at the proper rate.

-In regard to the subject driver in the accident investigation, the carrier did not conduct post accident testing because the driver was removed from the accident scene and admitted to the hospital and not discharged from the hospital within 32 hours of the accident. The carrier has documentation of these records at their PPOB. It is believed, however, that a post accident test for presence of alcohol was conducted at the scene of the accident by one of the police agencies who were present on the accident scene. The results of that test were not made available to the carrier prior to the closeout of this review.

-The carrier did not have any critical or acute violations in part 382.

-Details of the violations in Parts 382 are listed in part B of this review.

-The carrier is enrolled in the New York State Department of Motor Vehicles article 19A bus operator license program and the New York State Department of Motor Vehicles License Event Notification Service (LENS) program for all New York State licensed drivers.

-A CDLIS inquiry of all CDL drivers was conducted by SI Elaine Chan, and all drivers were found to be valid with proper endorsements.

-The carrier did a proper CDL license check of _____ (the subject driver involved in the fatal accident) at the time of hire and the driver was found to hold a valid CDL. Subsequent to the fatal accident, information about the status of driver _____ CDL came to light when it was discovered that driver _____ may have used an alias name of Eric _____ Instead of using the name on his current CDL when he was pulled over by law enforcement officers for traffic violations over 15 years ago. The driving privileges for the NYS DMV record of driver _____' alias name "Eric _____" was suspended for failure to appear to answer the charges. The license issue of driver Eric Williams is being





Part C

Investigated by the NYS Governor's Office and NYS DMV officials.

-World Wide Travel of Greater New York is insured with RLI Insurance Company in the amount of \$5,000,000. PA Post Agency is their broker. Dave Knight is their contact, and he can be reached at (201) 252-3015.

-During the past twelve months, the carrier's profile identified one (1) other recordable accident that occurred on 08/09/10. This accident was found to be recorded under the incorrect carrier, and should have been listed under Great Escapes Tours and Travel LTD's profile.

-The carrier's loss run sheet and accident records are combined with both carriers. These records were examined and did disclose (2) additional USDOT recordable accidents. One (1) USDOT recordable accident was discovered on 06/02/10, and one (1) other USDOT recordable accident which occurred on 05/27/10 was used in the carrier's calculation rate and involves a motor coach fire which resulted in the vehicle being towed due to disabling damages. A total of three (3) USDOT recordable accidents were used including the fatal accident on 03/12/11 to calculate the carrier's accident ratio for the purposes of this review.

-The carrier's accident ratio was calculated at 5.70 % and is recorded as unsatisfactory. This unsatisfactory rating in factor 6 of this CR, along with the critical violations discovered in part 395, caused the carrier's proposed overall Unsatisfactory rating. -Accident countermeasures were discussed with the carrier, and they were instructed on how to access the FMCSA website in order to attain strategies and forms for implementing them.

-The carrier has hired its drivers under both World Wide Travel of Greater New York and Great Escapes Tours and Travel LTD.

-Most driver files were complete, but the carrier was found to be deficient in conducting pre employment investigations on newly hired drivers.

-Driver [redacted] was used in the employment application violation sample. The driver did not enter his CDL # in the space provided and did not sign the application, certifying that it contains accurate information. The subject driver also incorrectly identified his past employment regarding its safety sensitive function and DOT regulated mode.

-The carrier keeps driver files in a filing cabinet in their first floor office of their director of operations.

-The carrier requires that drivers be medically certified each year, even if they are granted a 2 year certificate. Drivers all obtained their medical certificates through HealthCor - who is also the carrier's drug & alcohol consortium.

-Details of the violations in part 391 are listed in part B of this report.

-As a result of the crash investigation, it was discovered that driver [redacted] did not follow policy and procedure of the carrier in regard to submitting RODS. The carrier's procedure is for drivers to report to work and be given a trip envelope. Printed on the outside of the envelope is the planned trip itinerary. Upon completion of the trip, the driver is required to place all documents related to the trip in the envelope and submit the envelope to the carrier dispatcher. The carrier dispatcher is responsible to ensure that all documents are placed in the envelope.

-Driver [redacted] had not submitted any RODS to the carrier since he first started working and driving for the carrier on 11/23/10.

-The post crash interview with the driver conducted by the NYS Police and the NTSB confirmed that the driver had not submitted his RODS as directed by the carrier's policy and written as a directive on the bottom of the trip envelope.

-The carrier had no explanation as to why driver Williams' failure to submit RODS was not identified prior to the crash investigation.

-Driver [redacted] eventually did submit all of his completed RODS on or about 3/14/11 to the NTSB investigator when a carrier employee was sent to the driver's residence and retrieved the RODS from the driver's possession.

-The following RODS for the driver [redacted] for the following periods were examined for the purposes of this review:

- November 23 thru 30, 2010
- December 1 thru 25, 2010
- February 1 thru 23, 2011
- *March 1 thru 8, 2011

(*March 1 thru 8, 2011 were not in driver [redacted] possession and were recovered by NYS Police at the scene of the accident and were examined for this review)

-The following RODS were not prepared by the

- December 26, 2010 thru January 31, 2011
- February 24 thru February 28, 2011
- March 9 thru March 12, 2011





Part C

All documents for the purposes of conducting a CR, including the subject driver's RODS were requested by the FMCSA in a letter sent to the carrier on 03/17/2011, which was the opening day of the review.

- The sample period for driver [redacted] was all days worked for the carrier from 11/23/10 thru 03/12/11.
- The sample period for the remaining drivers of the sample size was 2/1/11 thru 03/2/11 - 30 days for each driver.

The following is a breakdown of RODS examined:

Total Rods examined= 364 - 300 for 10 of 11 driver in sample size + 64 RODS available to be examined from driver Williams.

Total Days checked for RODS = 410 - 300 days for 10 of 11 drivers in sample size + 110 days of driver Williams from 11/23/10 thru 03/12/11.

Total Days required to be submitted within 13 days of day requested (3/17/11) = 401,- 300 days for 10 of 11 drivers in sample, (Month of February and March 1 & 2 used on 10 driver sample) + 101 days required to be submitted by driver [redacted] up until and including March 3, 2011. The RODS for 3/4 thru 3/8 were examined, but fall within the 13 day period.

PRE-INVESTIGATION:

-Documents and records related to the following parts of the FMCSRs were requested in a letter that was e-mailed to the carrier on 03/17/2011.: 40/382, 387, 390, 391, 393, 395, and 396.

- This review was initiated on 3/17/2011.
- The carrier does not have any other Terminals or locations where documents are kept.
- The carrier profile used for the review has a run date of 03/17/11.
- There were no significant barriers to contacting the carrier after initial contact via their supplied telephone number in MCMIS.

CDL (DRIVER LICENSE) CHECK:

-All drivers were checked via CDLIS and violations were found. These violations are listed in part B of this review. Per the guidance provided by the ESC Enforcement Program Manager Danny Swift & Field Office Supervisor Doris Eusebio, there are no CDL violations noted on this report for driver [redacted] for allegedly having 2 driver's licenses because the driver had what was presumed to be a valid license at the time of the accident and the carrier had no knowledge of the driver having another driver's license record.

RED FLAG DRIVERS:

- The carrier's SMS data identified no red flag drivers within the past 12 months.
- Enforcement action (NOC) is planned against the carrier in part 395.

-As stated above enforcement action is planned against driver [redacted] in part 395.

DRUG AND ALCOHOL SUPPLEMENTAL REVIEW:

-A drug and alcohol supplemental review was not performed, due to a comprehensive 382/383 review being conducted.

INVESTIGATION:

-Michael Shub, the carrier's president, Marat (Mark) Fayer and Christopher Muldoon, the carrier's director of operations, provided all carrier supplied documents for this investigation and review. These documents included controlled substance and alcohol testing records, insurance documents including a loss run report, accident register and accident reports, EZ-pass reports, fuel receipts, maintenance records, DVIR, annual vehicle inspections.

-All documents were located in the carrier's PPOB in the first and second floor office areas. Maintenance documents and records were located in file cabinets located in the carrier's maintenance facility office on the first floor. These documents are maintained by vehicle.

-The carrier plans to utilize EBOR in the future, and has entered into a trial period contract with Teletrac Inc. to perform this function.

-Sampling was required to be expanded as described above.

-Vehicle inspections were not conducted due to the carrier having enough inspections on their profile. The carrier has a 0% OOS rate.



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