

SUPPLEMENTAL ATTACHMENT #8A

**GREAT ESCAPES POST-ACCIDENT
COMPLIANCE REVIEW**

(15 Pages)



GREAT ESCAPES TOURS & TRAVEL LTD

U.S. DOT #: 1369209

State #: 37972

Review Date:

05/24/2011

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: Christopher Muldoon

Title: Director of Operations

Name: Marat Fayer

Title: President





Part B Violations

1 FEDERAL	Primary: 40.25(b) Secondary: 382.105	Discovered 15	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 02/04/11 driver _____ drove company vehicle # 583 from Brooklyn, NY. to Cambridge, MA 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 02/01/11 Driver _____ drove company vehicle # 584 from Brooklyn, NY. to Newton, MA. 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 02/27/11 Driver _____ drove company vehicle # 587 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)	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 02/09/11 driver _____ drove company vehicle # 585 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>					





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 02/15/11 driver _____, drove company vehicle # 213 from Brooklyn, NY. to Atlantic City, NJ. 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 CRITICAL	Primary: 395.8(a)	Discovered 46	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 02/24/11 driver _____ drove company vehicle # 255 in interstate commerce from Brooklyn, NY. and arrived in Uncasville, CT. on 02/25/11. The carrier failed to require that the driver prepare a record of duty status for 2/24/11 and 2/25/11. In addition, driver _____ did not prepare record of duty status for 3/9/11, 3/10/11, 3/11/11, and 3/12/11, for 12/26/10 thru 1/31/11, and for 2/26/11 thru 2/28/11.</p>					
8 FEDERAL	Primary: 395.8(e)	Discovered 6	Checked 364	Drivers/Vehicles In Violation 5 Checked 11	
<p>Description False reports of records of duty status.</p> <p>Example On 02/23/11 driver _____ drove company vehicle # 588 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. Driver _____ prepared two (2) different records of duty status log pages for 2/23/11. One (1) drivers record of duty status indicates the driver's arrival in Uncasville, CT. at 0015 hours on 2/23/11, and no entries after 0915 hours. One (1) drivers record of duty status indicates the driver's arrival in Uncasville, CT. at 0100 hours, and indicates driving activity from 2100 thru 2400 hours on 02/23/11.</p>					
9 FEDERAL	Primary: 395.8(e)	Discovered 21	Checked 364	Drivers/Vehicles In Violation 7 Checked 11	
<p>Description False reports of records of duty status.</p> <p>Example On 02/16/11 driver _____ drove company vehicle # 579 from Uncasville, CT. to Brooklyn, NY. in interstate commerce. Driver _____ indicated on his record of duty status log page that he had arrived at 80 Bowery Street in New York, NY at 0715 hours and departed for Brooklyn, NY at 0745 hours. The carrier's EZ-pass toll report indicates that driver _____ was paying a toll at the Robert F. Kennedy Bridge in Bronx, NY at 0744 hours on 02/16/11.</p>					





Part B Violations

10 FEDERAL	Primary: 395.8(f) Secondary: 395.8(d)(2,4,10,11)	Discovered 228	Checked 364	Drivers/Vehicles In Violation	Checked 11
Description Failing to require driver to prepare record of duty status in form and manner prescribed. On 02/04/11 driver . drove company vehicle # 257 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The carrier failed to require that the driver enter the total miles driven, the proper carrier name and address, the total hours right of the grid and the charter order information on his record of duty status.					
11 FEDERAL	Primary: 395.8(h)(5)	Discovered 145	Checked 364	Drivers/Vehicles In Violation	Checked 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 02/11/11 driver . drove company vehicle # 587 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.					
12 FEDERAL CRITICAL	Primary: 395.8(i)	Discovered 59	Checked 401	Drivers/Vehicles In Violation	Checked 11
Description Failing to require driver to forward within 13 days of completion, the original of the record of duty status. Example On 02/09/11 driver . drove company vehicle # 585 from Uncasville, CT. to Brooklyn, NY in interstate commerce. The carrier failed to require the driver to forward within 13 days of completion, the original of the record of duty status.					
13 FEDERAL	Primary: 396.3(b)(3)	Discovered 5	Checked 8	Drivers/Vehicles In Violation	Checked 8
Description Failing to keep a record of inspection, repairs and maintenance indicating their date and nature. Example On 06/10/10 driver . drove company vehicle # 582 in interstate commerce and was stopped for roadside inspection in Atlantic County, NJ. under inspection report # NJDTF1000806. The carrier failed to keep a record of the repairs made to the vehicle that were cited on the roadside inspection.					
14 FEDERAL	Primary: 396.9(d)(3)	Discovered 4	Checked 18	Drivers/Vehicles In Violation	Checked 18
Description Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business. Example On 12/10/10 driver . drove company vehicle # 576 in interstate commerce and was stopped for roadside inspection in Middlesex County, NJ. under inspection # SPMQ000441. The carrier failed to maintain a copy of the completed inspection form for 12 months from the date of inspection at the carrier's principal place of business.					



(6)



Part B Violations

15 FEDERAL	Primary: 396.11(b)	Discovered 69	Checked 210	Drivers/Vehicles In Violation 7	Checked 7
---------------	--------------------	-------------------------	-----------------------	--	---------------------

Description

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

Example

On 02/03/11 driver _____ drove company vehicle # 581 from Brooklyn, NY to Uncasville, CT. in interstate commerce. The carrier failed to ensure that the driver vehicle inspection report is complete and accurate. The driver did not indicate that a defect exists or does not exist, and did not sign the report in the post trip signature area.

16 FEDERAL	Primary: 396.11(c)(1)	Discovered 4	Checked 210	Drivers/Vehicles In Violation 2	Checked 7
---------------	-----------------------	------------------------	-----------------------	--	---------------------

Description

Failing to certify that repairs were made or were not necessary.

Example

On 03/02/11 driver _____ drove company vehicle # 582 from Brooklyn, NY. to Uncasville, CT. in interstate commerce. The driver reported a defective mirror on his DVIR. The carrier failed to certify that the repairs were made or were not necessary.

Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	2,105,158	Number of Vehicle Inspected (CR): 0	
Recordable Accidents	3	OOS Vehicle (MCMIS): 1	
Recordable Accidents/Million Miles	1.43	Number of Vehicles Inspected (MCMIS): 8	

Your proposed safety rating is : CONDITIONAL	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:	S	-	-

This rating will become the final rating 45 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters office in Washington, D.C.

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

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review of and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

Null



(7)



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>

For all Investigations that could result in a Notice of Claim:

- **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 Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record.

2. ALL CARRIERS-

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save



**Part B Requirements and/or Recommendations**

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>

3. 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 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



**Part B Requirements and/or Recommendations**

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.

4. 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. ALL CARRIERS-With accidents-Part 390

Implement Safety Improvement Practices: The following are recommended practices related to Meaningful Action.

- Design and implement incentives and/or recognition programs to reward and encourage safe-driving behavior—for example, including bonuses, gift certificates, and/or verbal recognition for clean inspections, no crashes, and/or no moving citations.
- Examine monitoring and tracking data to see if a problem is an individual issue or a systematic breakdown in the Safety Management Cycle (i.e., Policies and Procedures, Roles and Responsibilities, etc.)
- Give employees immediate feedback and require corrective action as soon as the company is aware that responsibilities related to unsafe-driving issues are not being fulfilled.
- Provide remedial training to employees with unsafe-driving performance issues that can be addressed by enhancing their knowledge and skills.
- Implement a 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 safety regulations and company policies. Align disciplinary measures to the severity of the risk posed and/or violations cited.
- Give feedback to employee as soon as the company is aware that an employee is not fulfilling his/her safety management responsibilities.

Seek Out Resources:

- You are encouraged to review your company's record at the following website:

[HTTP://AI.FMCSA.DOT.GOV/CSI](http://AI.FMCSA.DOT.GOV/CSI). You will need to use your PIN Number that has been provided by the FMCSA. This website contains helpful safety resources. Please refer to the following resource numbers in the "Guidance" Section of the CSI web page that connects you with the reference materials in this website.

- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

6. 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



(10)

**Part B Requirements and/or Recommendations**

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 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.

7. 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.

8. 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.



11

**Part B Requirements and/or Recommendations**

- 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.

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 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day-period.

9. 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.
- 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.

10. Retain copies of all completed roadside inspections for 12 months from the date of inspection and keep them at the carrier's principal place of business.

11. CSA - All Carriers

Become familiar with CSA. Details of how CSA will affect your company and carrier operations are available to be viewed online at the FMCSA website <http://www.fmcsa.dot.gov>. It is recommended that you visit the website now that CSA has been implemented. Carrier records obtained from roadside inspections, recordable accidents and carrier history will be used from the preceding 24 months. It is imperative that you review all of your company's





Part B Requirements and/or Recommendations

history to verify that all reporting is accurate. You may challenge information that is incorrect in dataq's.

12. 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.

13. A copy of your carrier profile can be obtained for \$20 from the SAFER website (<http://safer.fmcsa.dot.gov>) or by calling 800-832-5660 or 703 280-4001. You can also write: Computing Technologies Inc. P.O. Box 3248, Merrifield, VA 22116-3248. Profile cost if ordered by mail or phone is \$27.50.

14. 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.

**15. 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)**

16. 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:

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.

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



(13)



GREAT ESCAPES TOURS & TRAVEL LTD

U.S. DOT #: 1369209

State #: 37972

Review Date:

05/24/2011

Part B Requirements and/or Recommendations



14



U.S. Department
of
Transportation

**Federal Motor
Carrier Safety
Administration**

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

June 1, 2011
In reply refer to:
Your USDOT No.: 1369209
Review No.: 883217/CR

MARK FAYER
VICE PRESIDENT
GREAT ESCAPES TOURS & TRAVEL LTD
33 2ND AVENUE
BROOKLYN, NY 11215

Dear MARK FAYER:

The proposed motor carrier safety rating for your company is:

CONDITIONAL

This proposed CONDITIONAL rating is the result of an onsite compliance review and evaluation of your safety fitness completed on May 24, 2011. A CONDITIONAL rating indicates that your company does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in occurrences of violations listed in 49 C.F.R. 385.5(a-k).

This proposed CONDITIONAL rating becomes a final rating and goes into effect on July 17, 2011.

Immediate action must be taken to correct any deficiencies or violations discovered during the compliance review. Your operation was found to be deficient with respect to the applicable safety regulations in the following areas:

Part	391	QUALIFICATIONS OF DRIVERS
Part	396	INSPECTION, REPAIR AND MAINTENANCE
Part	382	CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING
Part	395	HOURS OF SERVICE OF DRIVERS

Please refer to the copy of the compliance review left at your office for more specific guidance regarding areas in need of corrective action.

You may obtain further information from the local Federal Motor Carrier Safety Administration office listed below:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
LEO W. O'BRIEN FEDERAL BUILDING
CLINTON AVENUE AND NORTH PEARL STREET, ROOM 815
ALBANY, NY 12207
Telephone No.: 518-431-4145

John Van Steenburg
Director, Office of Enforcement and
Compliance