

ATTACHMENT #9

SUMMARY AUDIT REPORT

MARCH 26, 2013

(25 Pages)

**Assessment of Regulatory Compliance
SUMMARY AUDIT REPORT**



Carrier: Mullen Trucking (205) Ltd.

Operating Name: Mullen Trucking
(205) Ltd.

Principle Address:

PO Box 87
Aldersyde, Alberta
T0L 0A0

Mailing Address:

1 Maple Leaf Rd.
Aldersyde, Alberta
T0L 0A0

Principle Phone: 403-652-8879 **Ext:**

Mailing Phone: 403-652-8879 **Ext:**

Principle Fax:

Mailing Fax:

Alberta NSC #: AB087-7936

Safety Rating: Satisfactory, Unaudited

Operating Status: Federal

Email:

Audit End Date: 26 Mar 2013

CVIP Station #:

Primary Industry: Transportation

Secondary Industry:

Primary Commodity: Equipment

Secondary Commodity:

of NSC Registered Vehicles:

Trucks:	Tractors:	Trailers:	Buses 11 or More:
0	100	50	0

of NSC Drivers: 150

Driver Sample Size: 19

Vehicle Sample Size: 19

Drivers Sampled: 20

Vehicles Sampled: 19

Auditor:

AVC Services
Calgary, Alberta

Phone:

Fax:

Contract Number: 0013831

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Safety Permits

Permit Number	Type	Effective Date	Expiry Date	Comment
12-180-4132	Other	01 Jan 2013	04 Jan 2014	Annual Dimension Permit
12-180-4868	Other	05 Jan 2012	04 Jan 2014	TAC permit

Summary Comments:

SFC Details

NSC / US DOT Number	Jurisdiction	Effective Date	Safety Rating	Comment
AB087-7936	Alberta	01 Jan 2006	Satisfactory, Unaudited	55945

Summary Comments:

Operating Status History

Operating Status	Operating Status Valid	Effective Date	Comments
Federal	<input checked="" type="checkbox"/>	01 Jan 2006	

Carrier Contact

MVID	Contact Name / Title	Audit Role	Phone Number (Ext.)	Fax Number
9999-99999	/ Director of Safety and Loss Prevention	Carrier Safety Officer		

Comments:

Email:

Summary Comments:

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Summary by Subject Area		
Safety		
	Worksheet Weight	Weighted Score
Carrier Safety	8%	0.00%
Safety Program	90%	2.61%
Financial Responsibility	0%	0.00%
Dangerous Goods	1%	0.00%
Collisions	1%	0.00%
Subject Area Weight(%): 10%		Subject Area % in Violation (Weighted): 0.26%
Driver		
	Worksheet Weight	Weighted Score
Driver Compliance	40%	0.00%
Driver File	60%	6.70%
Subject Area Weight(%): 30%		Subject Area % in Violation (Weighted): 2.01%
Hours of Service		
	Worksheet Weight	Weighted Score
Hours of Service	33%	2.54%
HOS - Daily Questions	67%	1.83%
Subject Area Weight(%): 30%		Subject Area % in Violation (Weighted): 1.31%
Vehicle		
	Worksheet Weight	Weighted Score
Inspection, Repair, Maintenance	10%	0.00%
Maintenance Program: All Vehicles	20%	3.14%
Maintenance Program: Specific Vehicle	10%	0.00%
Vehicle File	60%	0.00%
Subject Area Weight(%): 30%		Subject Area % in Violation (Weighted): 0.94%
Audit Score:		4.52%
Audit Level:		Pass



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Action Plan

Comment	Follow-up Required	Follow-up Date
Carrier Safety: Update written safety program as per AR 314/2002.	<input type="checkbox"/>	
Insurance:	<input type="checkbox"/>	
Driver Records: Ensure all required records are in file as per AR 314/2002.	<input type="checkbox"/>	
Commercial Vehicle Inspection Program:	<input type="checkbox"/>	
Preventative Maintenance Program: Update written maintenance program as per AR 121/2009.	<input type="checkbox"/>	
Vehicle Records: Ensure all required records are in vehicle file (trip records, CVIP, CVSA reports) as per AR 121/2009.	<input type="checkbox"/>	
Hours of Service: Ensure compliance with Federal Hours of Service (SOR/2005-313) and monitor driver hours for compliance. Ensure drivers take 24 hours off duty preceding 14 days of work. Individuals who monitor the log books for compliance must know the required regulation.	<input type="checkbox"/>	
Dangerous Goods:	<input type="checkbox"/>	

Comments:

Maintain complete drivers files containing at least the information in the "Drivers File" worksheet(s).

Maintain complete vehicle files containing at least the information in the "Vehicle File" worksheet(s).

Obtain a copy of your Carrier Profile (twice a year free) by mailing or faxing a written request to:
 Manager, National Safety Code, Alberta Transportation, Vehicle Safety & Carrier Services, 4920 - 51 Street, Red Deer, AB T4N 6K8 Phone: (403) 340-5444, Fax: (403) 340-4806

Retain records for the current and prior four years unless otherwise specified in legislation

Update and implement written maintenance and inspection plan that addresses all regulatory requirements and any identified deficiencies contained within the audit report.

Update and implement written safety program that addresses all regulatory requirements and any identified deficiencies contained within the audit report.

Your company is expected to correct all regulatory deficiencies identified in this audit report and to comply with the timeframes outlined in this Action Plan. Alberta Transportation may take any enforcement action considered appropriate to ensure that your company corrects these deficiencies in a timely manner. These actions may include charges, administrative penalties, permit cancellations, safety fitness rating changes, etc.

Carrier Comments

Comments:

5

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Violation Summary

Safety Area Area Weight %: 10 % In Violation (weighted): 0.26 %

Carrier Safety Weight %: 8 % In Violation (not weighted): 0.00 %

Regulated Question(s) in violation	Points
No Questions in Violation	0
Worksheet Total Points: 0 of 11	

Summary Comments:

Safety Program Weight %: 90 % In Violation (not weighted): 2.90 %

Regulated Question(s) in violation	Points
Is retention of complete records for drivers written into the Safety Program? (AR314/2002 Section 40(1)(f))	2
Worksheet Total Points: 2 of 69	

Summary Comments:

Update Safety Program to include the minimum required regulated items.

The Safety Program is to be implemented to ensure all required regulatory items are being complied with.

Financial Responsibility Weight %: 0 % In Violation (not weighted): 0.00 %

Regulated Question(s) in violation	Points
No Questions in Violation	0
Worksheet Total Points: 0 of 0	

Summary Comments:

Dangerous Goods Weight %: 1 % In Violation (not weighted): 0.00 %

Regulated Question(s) in violation	Points
No Questions in Violation	0

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Worksheet Total Points: 0 of 4

Summary Comments:

Collisions	Weight %: 1	% In Violation (not weighted):	0.00 %
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Regulated Question(s) in violation	Points
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No Questions in Violation	0
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Worksheet Total Points: 0 of 5

Summary Comments:

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Violation Summary

Driver Area	Area Weight %: 30	% In Violation (weighted):	2.01 %
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Driver Compliance	Weight %: 40	% In Violation (not weighted):	0.00 %
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Question(s) in violation	Points
No Questions in Violation	0
Worksheet Total Points: 0 of 40	

Summary Comments:

Driver File	Weight %: 60	% In Violation (not weighted):	11.17 %
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Question(s) in violation	Points
Does the driver file contain a copy of the driver's abstract dated within 30 days of the date of employment or hire, if hired after May 20, 2003? (AR314/2002 Section 41(1)(b))	
20 driver's files checked	1
Does the driver file contain an annually updated driver's abstract? (AR314/2002 Section 41(1)(c))	
20 driver's files checked	20
Does the driver file contain a record of all training completed with respect to the operation of a commercial vehicle and compliance with safety laws? (AR314/2002 Section 41(1)(h))	
20 driver's files checked	2
Worksheet Total Points: 23 of 206	

Violation Summary

Hours of Service Area **Area Weight %: 30** **% In Violation (weighted):** **1.31 %**

Hours of Service **Weight %: 33** **% In Violation (not weighted):** **7.69 %**

Question(s) in violation	Points
Is the carrier ensuring that drivers have adequate on-duty hours available prior to and during trips? (Provincial - AR317/2002 Section 6(1); Federal - SOR2005-313 Section 12.)	3
Worksheet Total Points: 3 of 39	

Summary Comments:

Recommend having a policy that requires drivers to submit daily logs and supporting documents to the home terminal within 20 days of completion.

Monitor drivers' hours worked each day, to ensure drivers have hours available prior to dispatch.

Establish an Hours of Service internal auditing system.

Federal - 160km Exemption: The daily log is required unless ALL the following conditions are complied with:
 - Driver does not operate beyond a 160km radius from the home terminal;
 - Driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off-duty time;
 - Carrier maintains records showing the driver's duty status and elected cycle, the hour at which each duty status begins and ends and the total number of hours spent in each duty status for each day, for a period of 6 months.

Federal - Do not allow drivers to drive without having 24 consecutive hours off-duty in the preceding 14 days.

HOS - Daily Questions **Weight %: 67** **% In Violation (not weighted):** **2.73 %**

Question(s) in violation	Points
Is there driving without first taking 24 consecutive hours off duty in the preceding 14 days?	
20 driver's files checked	8 violations found N/A
Are the Form and Manner requirements complete (Daily log only)?	
20 driver's files checked	25 violations found N/A
Worksheet Total Points: N/A	

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Fatigue/ Form And Manner Violations

Fatigue Violations

Total Days: 620

Total Days With Violations: 8

Violation Rate: 1.29 %

Form and Manner Violations

Total Days: 620

Total Days With Violations: 25

Violation Rate: 4.03 %

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Maintenance Program: All Vehicles **Weight %: 20** **% In Violation (not weighted): 15.69 %**

Question(s) in violation	Points
All Vehicles: Does the written Maintenance and Inspection Program ensure that each commercial vehicle contain a copy of the applicable Trip Inspection Schedule of NSC Standard 13, Part 2 including any modifications made to the Schedule? (AR121/2009 Section 10(9))	2
All Vehicles: Does the written Maintenance and Inspection Program identify what items need to be recorded on a Trip Inspection Report? (AR121/2009 Section 12(4)(a) - (i))	2
All Vehicles: Does the written Maintenance and Inspection Program address distribution and retention of Trip Inspection Reports? (AR121/2009 Section 13(1) and 13(2)(a) - (c))	2
All Vehicles: Does the carrier's written Maintenance and Inspection Program cover requirements to repair or correct defects? (AR121/2009 Section 16)	2

Worksheet Total Points: 8 of 51

Summary Comments:

Trucks, Tractors & Trailers Minimum contents: All of the items listed in the Schedule of Commercial Vehicle Safety Regulation AR121/2009 and applicable NSC Standard 13, Part 2 must be inspected and, in general must be securely mounted, fully operative, free from damage or excessive wear and maintained. A copy of the standards outlined in AR121/2009 Regulation Schedule should be used to conduct the inspection.

Update Maintenance Program to include the minimum required missing items identified in the audit.

The Maintenance Program is to be implemented to ensure all required regulatory items are being complied with.

Ensure that written Maintenance and Inspection Program addresses the issue that a copy of the Maintenance and Inspection Program must be located at carriers principal place of business and in each location where the maintenance of the carrier's commercial vehicles are carried out, if other than the principle place of business.

Ensure that employees have access to carrier's written Maintenance and Inspection Program.

Ensure that written Maintenance and Inspection Program identifies what items need to be recorded on a Trip Inspection Report.

Ensure that written Maintenance and Inspection Program identify what required items need to be inspected from applicable Schedule in NSC Standard 13, Part 2 during a Trip Inspection.

Maintenance Program: Specific Veh **Weight %: 10** **% In Violation (not weighted): 0.00 %**

Question(s) in violation	Points
No Questions in Violation	0

Worksheet Total Points: 0 of 26

Summary Comments:

Vehicle File **Weight %: 60** **% In Violation (not weighted): 0.00 %**

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Question(s) in violation	Points
No Questions in Violation	
Error Vehicle files checked	0 violations found
Worksheet Total Points:	
	0 of #Err

IF

4. Conditional

- Assigned when a carrier has an unacceptable safety record and the Registrar sets out conditions that the carrier must meet as a means to create positive changes in the carrier's performance.

5. Unsatisfactory

- Assigned when a carrier's performance has demonstrated an unacceptable level of risk to the public.
- A carrier rated as "unsatisfactory" in Alberta is no longer able to register or operate NSC motor vehicles.



Notes

Carrier Profile Report

The Carrier Profile Report is made up of ten parts. The Conviction, CVSA Inspection, Collision, and Violation parts are expanded for the reader by including an analysis, summary and detailed results of the on-road data identified in the profile.

Part 1 – General Carrier Information

This section provides information on the carrier's name, address, safety fitness certificate number, safety rating, operating status, a summary of how conviction, CVSA inspection and collision data contributes to the carrier's R-Factor score, if the carrier is on Carrier Services' Monitoring Report, and the monitoring stage the carrier is at if applicable. This part always reflects the carrier's current standing, regardless of the time period for which the profile was requested.

(15)

Part 2 – Carrier Convictions

This part records convictions along with their assigned point values. Convictions are shown in order of the offence date, with the most recent conviction identified first. There are three components, analysis, summary, and detail of the convictions. Carrier management should review this part to ensure they are aware of and have taken action with the identified violations so as to prevent recurrences.

Part 3 – CVSA Inspection Information

Information recorded in this part reflects all levels of inspections conducted by law enforcement agencies under the CVSA program. Inspection results from Levels 1 to 5 are used to determine the carrier's existing CVSA out-of-service rate. A CVSA Failure Rate is also included. The CVSA Failure Rate assigns a point to each out of service CVSA, and a quarter of a point for required attention CVSA Inspections. These numbers are then added up and divided against the total number of inspections performed on the carrier. The result is multiplied by a weighted factor which gives the final CVSA Failure Rate. Analyses, summaries and detailed information are available. Reviewing CVSA inspection results (requires attention and out-of-service) will assist management in identifying which areas of their safety and maintenance programs are effective, and which areas need further review so as to prevent recurrences.

Part 4 – Carrier Collision Information

This part contains information on reportable collisions involving commercial vehicles registered to the carrier along with their assigned points. Information documented does not imply fault or liability. Carriers wishing to have collisions evaluated for preventability may contact Alberta Transportation. Collisions evaluated and found to be "not preventable" will not be used in determining a Safety Fitness Rating.

Part 5 – Violation Information

Information in Part 5 includes violations (not convictions) identified and documented by enforcement staff. Analysis, summary and detail information is available to assist the carrier with preventing further violations.

Part 6 – Monitoring Summary

This part displays carrier R-Factor monitoring information and compliance data regarding the carrier's operation. By viewing this Part a person can get an overview of the carrier's compliance over a period of time. Carriers can also use this section to compare themselves to carriers with a similar operation.

Part 7 – Station Licence Detail

This information relates to each vehicle inspection Station Licence that is associated with the holder of the National Safety Code Rating.

Part 8 - Safety Rating Summary

Information contained in Part 8 of the carrier profile relates to any Safety Fitness Rating issued to the carrier.

Part 9 – This part is used for internal purposes and is not available to the public.

Part 10 – Historical Summary

Displays profile events in chronological order.

Public Profile Report

A Public Profile Report on any carrier with an Alberta Safety Fitness Certificate is available to anyone through Alberta Transportation. There is a \$15 fee for this report. Information in this report includes conviction, CVSA inspection, and collision data. Carrier demographics are also included in public profiles. A sample Public Profile is shown on the following page.



Notes



CARRIER PROFILE

PART 1 - CARRIER INFORMATION

12-month Report as of: 2009 MAY 04

Example Transport (Alberta) Limited

**4221 - 53 St.
RED DEER AB T4N 2E1**

NSC Number: AB018-3178

MVID Number: 0003-84859

SAFETY FITNESS CERTIFICATE

Safety Fitness Rating: Satisfactory Unaudited

Operating Status: Federal

RISK FACTOR (R-Factor - Carrier must strive for the lowest score)

R-Factor Score: 2.028 **Fleet Range:** 3 **Fleet Type:** Truck

Contribution to R-Factor

Convictions: 0.0%

OOS CVSA Inspections: 0.0%

Reportable Collisions: 100.0%

NSC MONITORING PROGRAM ON:

Carrier's Monitoring Stage (1 to 4, 4 being the highest risk): Not on Monitoring

Total number of carriers at the same stage or greater: Not Applicable

NSC carriers in Alberta with Safety Fitness Certificates: 81

NSC FLEET SIZE ON: 2009 APR 30 **Average:** 3 **Current:** 3

using MVIDS: 0003-84859

Confidentiality of the Carrier Profile

Presently, Carrier Profiles are released only to the following:

- identified carrier;
- carrier's agent (once a signed letter of release is submitted to the Alberta Transportation);
- police agency;
- enforcement agency;
- courts; or
- Alberta Transportation Safety Board.

Carrier profiles are not released, nor the contents discussed, with anyone else. However, Public Profile Reports are available to anyone upon request from Alberta Transportation.

Procedure to Obtain Your Carrier Profile

To obtain a copy of your Carrier Profile, mail or fax a signed Profile Request form (or a signed request on company letterhead). Carrier Profiles are also available online at: www.transportation.alberta.ca/667.htm

Two Carrier Profiles in one year are free of charge. Further requests will have a nominal fee.

Alberta Transportation
Room 401, 4920 51 Street
Red Deer, AB T4N 6K8

Phone: 403-340-5444

Fax: 403-340-4806

To call toll-free anywhere in Alberta first dial 310-0000

✓ Quick Test

Check your understanding by answering the following questions.

1. What is the purpose of the Carrier Profile System?

2. List the four main areas of information collected and retained in the Carrier Profile System.

a.

b.

c.

d.

3. Describe how carrier owners and management can use their company's profile as a way to monitor their drivers.

4. What are the five Safety Fitness Ratings used in Alberta?

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

5. What are the two types of Operating Status? Explain the differences between them.

- a. _____

- b. _____

For questions 6 and 7, circle T if the statement is true or F if the statement is false.

T	F	6. Safety Fitness Ratings are based on a combination of the carrier's record for preventable collisions, convictions, CVSA inspections and audits.
T	F	7. A carrier's performance is measured by comparing the on-road activities of carriers of similar fleet size.

Check your answers with the answer key on the following page. Review the materials in this module if you answered any of these questions incorrectly.

✓ Quick Test Answers

1. The purpose of the Carrier Profile System is to monitor commercial carriers for compliance to transport safety legislation.

2. The four main areas of information are:
 - a. collisions
 - b. convictions
 - c. CVSA inspections
 - d. facility audit results

3. A Carrier Profile summarizes most on-road law enforcement documentation and provides details on all contact between drivers and enforcement officers. This data can be used to monitor the accuracy of a driver's daily logs. The information helps to ensure that company rules and regulations as well as transport legislation are being followed and to implement corrective actions accordingly.

4. The five Safety Fitness Ratings used in Alberta are:
 - a. Excellent
 - b. Satisfactory
 - c. Satisfactory - Unaudited
 - d. Conditional
 - e. Unsatisfactory

5. The two types of Operating Status are:
 - a. Provincial: Authorizes the operation of commercial vehicles only within Alberta and applies to commercial trucks registered for 11,794 kilograms or more, or a commercial vehicle originally manufactured with a seating capacity of 11 or more persons including the driver.

March 27, 2013

Mullen Trucking (2005) Ltd.
Box 87
Aldersyde, AB T0L 0A0
AB087-7936

Attention: Randy Mercer

Subject: Change of Safety Fitness Rating

Alberta Transportation monitors the on-road performance of National Safety Code (NSC) carriers through convictions, CVSA inspections, collisions and National Safety Code audits.

On March 26, 2013 an NSC Audit was conducted and your score was 4% in non-compliance. You have committed to correcting the few deficiencies that were identified. Your carrier profile is acceptable and you have not been on our Monitoring Report in the past 12 months. Overall it appears that you have taken the necessary steps to be in compliance and it is anticipated that you will continue to do so.

Your hard work and commitment to transportation safety allows me to recognize your efforts by upgrading your Safety Fitness Rating to "Satisfactory". Your new Safety Fitness Certificate is attached and a copy must be placed in each of your NSC vehicle(s).

If you have any questions, please contact

Sincerely,

Director, Carrier Services
Alberta Transportation

/cv

Att: