



**MOTOR CARRIER FACTORS GROUP CHAIRMAN'S
FACTUAL REPORT**

Chattanooga, TN

HWY15MH009

(23 pages)

**NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF HIGHWAY SAFETY
WASHINGTON, D.C.**

**MOTOR CARRIER FACTORS GROUP CHAIRMAN'S
FACTUAL REPORT**

A. CRASH INFORMATION

Location: Northbound Interstate 75 (I-75) in the vicinity of mile marker 11.7, in Hamilton County, Chattanooga, TN

Vehicle #1: 2007 Peterbilt truck-tractor in combination with a 2006 Great Dane refrigerated semitrailer

Operator #1: Cool Runnings Express Inc. of London, KY

Vehicle #2: 2010 Prius

Vehicle #3: 2010 Scion

Vehicle #4: 2003 Mazda

Vehicle #5: 2005 GMC

Vehicle #6: 2001 Ford pick up

Vehicle #7: 2007 Chevy van

Vehicle #8: 2014 Cadillac

Vehicle #9: 2015 Toyota pick up

Date: June 25, 2015

Time: Approximately 7:10 p.m. Eastern Daylight Time (EDT)

NTSB #: **HWY15MH009**

B. MOTOR CARRIER FACTORS GROUP

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C. CRASH SUMMARY

For a summary of the crash, refer to the *Crash Summary Report* in the docket for this investigation.

D. DETAILS OF THE MOTOR CARRIER FACTORS INVESTIGATION

This investigative report addresses the motor carrier history and operations of Vehicle 1 involved in this accident, a 2007 Peterbilt truck-tractor in combination with a 2006 Great Dane refrigerated semitrailer (hereafter the 2007 Peterbilt), operated by Cool Runnings Express Inc. of London, Kentucky. This report details the employment history of the driver of vehicle 1, (referred to as the “accident driver”). This report includes the factual findings related to the hours of service, roadside inspection history, drug testing procedures and the government oversight of the motor carrier operation.

1. Carrier History

1.1 Past History

The carrier started as Star Trucking Inc. USDOT # 373982 in 1983. Because of a fatality accident in 1989 the carrier was unable to obtain insurance and started Cool Runnings Express Inc. in 2003. The carrier had an additional USDOT # 357648 listed as Star Trucking Inc. located at a different address in London, KY. This number pre-dates the other USDOT number. This USDOT number was issued but the MCS-150 was never completed and as a result the FMCSA inactivated the number.

1.2 Present History

The motor carrier of Vehicle 1 in this accident is identified as Cool Runnings Express Inc. According to the Federal Motor Carrier Safety Administration (FMCSA) Motor Carrier Management Information System (MCMIS), the carrier was issued USDOT number 1083675 on January 05, 2003. The carrier is registered as a “For-Hire” motor carrier and is domiciled in London, Kentucky. The carrier has active operating authority and was issued a MC # 449085 on April 03, 2003. The carrier's (Principle Place of Business) address is in London, Kentucky. This is the residence of the owners of the carrier. The carrier's offices and dispatch office are above the garage at the PPOB address. The carrier leases parking space for their trucks and trailers at London Auto Truck Stop which is a BP fuel station/truck stop in London, Kentucky. Cool Runnings Express Inc. transports refrigerated foods and produce as a “For-Hire” carrier under MC# 449085.¹

The carrier uses various brokers for backhauls between their dedicated runs. The carrier also transported general freight, frozen foods, paper products, and beverages. The last MCS-150, the carrier owns 6 truck tractors and has 7 drivers.² Drivers are paid by the mile. The rate of pay is 40 cents per mile operated. Drivers are paid at the end of each trip if they provide the required paperwork to the carrier. The accident driver was on his 1st trip for the carrier having started his employment on June 22, 2015.³

2. **Carrier Operations**

2.1 Terminal Operations

The carrier leases parking space for their trucks and trailers at London Auto Truck Stop which is a BP (British Petroleum) fuel station/truck stop. This facility is located in London, Kentucky. All of the trips that the carrier operates start and stop at this location. The carrier requires that the driver pick up the truck at this location and leave their personal vehicle at this location when operating for the carrier. All of the maintenance on the carrier equipment is performed at outside vendors or roadside as required. The carrier does not have any shop facilities. The carrier did not have any written policies or procedures.

2.2 Hiring Process

Driver positions are advertised through bulletin boards at the BP Truck Stop in London, KY and occasionally online. The carrier also takes referrals from current or past drivers. Applications are picked up, filled out, and dropped off at the BP truck stop. The carrier stated that all new driver information is sent to their insurance company and if they

¹ 49 Code of Regulations (CFR) 390.5 defines a “For-Hire” motor carrier means a person engaged in the transportation of goods or passengers for compensation. The MC Number is issued by FMCSA to indicate the carrier is “For-Hire”

² MCS-150 is the Motor Carrier Identification Report. The Federal Motor Carrier Safety Administration (FMCSA) registration process, that requires that companies define the type of business operation (Motor Carrier, Broker, Shipper, Freight Forwarder and/or Cargo Tank Facility) that they plan to establish. This report also records carrier information, such as principle place of business, equipment and driver numbers. This form must be up-dated every two years. Cool Runnings Express Inc. MCS -150, See Attachment 1.

3. Accident Driver’s Qualification File.

are approved the driver is hired. The insurance broker obtains a copy of the driver's motor vehicle record (MVR). If it is acceptable to the insurance broker they inform the carrier and the process proceeds. The carrier stated that he runs an MVR on every new driver however; he does not usually check the driver's MVR because the insurance company has already done that and approved the driver to be added to the policy. The owner/ President of the carrier also stated that the Vice President (his wife), completes all previous employer checks on drivers and ensures that all required documents are in the driver's qualification files. If the applicant's records are complete, then the driver is interviewed by the company owner. If the driver passes the interview, the driver candidate submits to a pre-employment drug test. When the test is returned the driver is given the keys to the truck and instructions for his load. The carrier's insurance agent retrieved the prospective driver's driving record from the State of Kentucky for the carrier and reviewed it to see if the driver was eligible to be added to the carrier insurance policy.

2.3 Driver Qualifications

The driver eligibility requirements that follow are the minimum eligibility requirements for all drivers of commercial motor vehicles employed by Cool Runnings Express, Inc. The requirements were two years of over the road experience and the approval of the insurance broker to be added to the carrier's policy.

2.4 Carrier Safety Culture

The carrier was interviewed by NTSB investigators. The carrier stated that the company had no written policies or procedures for hiring, firing, training requirements, hours of service policies, dispatch procedures, drug or alcohol testing, or maintenance requirements. The carrier stated that he notified drivers verbally of various company procedures and requirements. The carrier would on occasion put safety messages in the drivers pay envelopes. These were provided by the carrier's insurance agent. This was not done on a regular basis.

2.5 Cell phone policy

The carrier did not have a cell phone policy and did not issue drivers company cell phones. The carrier stated that the drivers utilized their own cell phones for communication with the carrier dispatch. The accident driver's cell phone data was obtained by the NTSB and being analyzed at the writing of this report. Following the crash, for further details concerning the driver's cell phone and downloaded data see the Human Performance Group Chairman's Report.

2.6 Drug and Alcohol Testing

At the time of the crash, the carrier had a random drug and alcohol testing program. The carrier uses TRACS, Inc. to manage their random controlled substance and alcohol testing program. Carrier drivers are included in TRACS, Inc.'s testing consortium. The TRACS drug testing process is as follows. In the first month of each quarter TRACS gets an update from the company's verifying the drivers list to be entered in the random selection process. When a company driver is selected the consortium sends an e-mail to the company notifying them of the drivers name and which tests the driver needs to take. The notification gives the carrier until the end of the quarter to complete the test or tests.

Cool Runnings had a driver selected in the 2nd quarter of 2014. This driver had a refused test as he did not stay at the clinic to complete the collection process this occurred on June 6th, 2014. The driver went through the return to duty process and had a return to duty test on August 8th, 2014 and completed 14 follow up tests as required by the return to duty process. All of these tests were negative. This driver left the employer in April 2015.

The carrier provided a statistical summary from TRACS, Inc. for calendar year 2014. The carrier's consortium met or exceeded the random drug and alcohol testing requirements for calendar year 2014 as prescribed under 49 Code of Federal Regulations (CFR) Part 382.⁴ The carrier was not in compliance with the educational requirements of Part 382.601.

2.7 Hours of Service

Under the requirements of §395.8 all motor carriers are required to ensure each of their drivers maintains a record of duty status for each 24 hour period. Typically drivers maintain their hours of service (HOS) using a paper log recording each change of duty status. According to the carrier all of the drivers operate with paper record of duty status reports (RODS) of the hours of service. The carrier owner was interviewed regarding the carrier's hours of service compliance program. The carrier owner stated that he did not use GPS to check drivers for falsification. The carrier further stated that his drivers used Fleet One fuel cards to pay for fuel while on trips and drivers completed daily trip reports that were turned in with their records of duty status. The carrier stated that he does not provide any type of training for carrier drivers in regards to hours of service regulations or completing the drivers' records of duty status. The carrier further stated that no one at the motor carrier is checking driver records of duty status for falsification. The GPS system as well as the Fleet One fuel cards provide time stamped documents that could be used to verify the driver's compliance with the Hours of Service requirements. The RODS were checked only to insure the hours added up to 24 and the RODS represented the trip the driver had been dispatched on. The carrier tracked driver locations with TransCore Tracking and Communication GPS systems installed on each truck-tractor. The carrier tracked the location of each tractor to enable him to dispatch the equipment and accept loads or notify when loads would not deliver or pick up on time.

2.8 Dispatch

At the time of the crash, Cool Runnings Express Inc. is a for-hire carrier that primarily transports refrigerated foods and produce. The carrier operates in the Southeast area of United States this carrier has a contract with a produce company to transport produce from Florida to the processing centers in the Northeast. The carrier uses various brokerages for backhauls between their dedicated runs. The owner does the dispatching of the drivers by cell phone. The carrier has a GPS telematics system that gives the carrier the location of the trucks in real time. The carrier will check this program to assist with the dispatch of the carriers trucks. The load the accident driver was transporting was a broker generated load.

⁴ Cool Runnings Express Inc. drug and alcohol testing for 2014. See Attachment 2.

3. FMCSA Oversight

3.1 CSA and SMS

In 2010 FMCSA introduced the Compliance, Safety, Accountability (CSA) system as an initiative to improve large truck and bus safety and ultimately reduce crashes, injuries, and fatalities that are related to commercial motor vehicles. Along with CSA, the FMCSA also rolled out a new operational model called the Safety Measurement System (SMS). SMS uses a motor carrier's data from roadside inspections, (Including all safety-based violations), state-reported crashes, and the Federal Motor Carrier Census to quantify performance in the following Behavior Analysis and Safety Improvement Categories (BASICS).

3.2 CSA BASICS⁵

- **Unsafe Driving** - Operation of commercial motor vehicles (CMVs) by drivers in a dangerous or careless manner. *Example violations:* Speeding, reckless driving, improper lane change, and inattention. (FMCSR Parts 392 and 397)
- **Hours-of-Service (HOS) Compliance** — Operation of CMVs by drivers who are ill, fatigued, or in non-compliance with the HOS regulations. This BASIC Includes violation of regulations pertaining to records of duty status (RODS) as they relate to HOS requirements and the management of CMV driver fatigue *Example violations:* false HOS RODS, and operating a CMV while ill or fatigued. (FMCSR Parts 392 and 395)
- **Driver Fitness** — Operation of CMVs by drivers who are unfit to operate a CMV due to lack of training, experience, or medical qualifications. *Example violations:* Failure to have a valid and appropriate commercial driver's license (CDL) and being medically unqualified to operate a CMV. (FMCSR Parts 383 and 391)
- **Controlled Substances and Alcohol** — Operation of CMVs by drivers who are impaired due to alcohol, illegal drugs, and misuse of prescription or over-the-counter medications. *Example violations:* Use or possession of controlled substances/alcohol. (FMCSR Parts 382 and 392)
- **Vehicle Maintenance** — Failure to properly maintain a CMV and/or properly prevent shifting loads. *Example violations:* Brakes, lights, and other mechanical defects, failure to make required repairs, and improper load securement. (FMCSR Parts 392,393 and396)
- **Hazardous Materials (HM) Compliance** — Unsafe handling of HM on a CMV. *Example violations:* Release of HM from package, no shipping papers (carrier), and no placards/markings when required. (FMCSR Part 397 and Hazardous Materials Regulations Parts 171, 172, 173, 177, 178, 179, and 180)
- **Crash Indicator** — Histories or patterns of high crash involvement, Including frequency and severity based on information from state-reported crashes.
- A carrier's measurement for each BASIC depends on the following:
 - The number of adverse safety events (related to BASIC or crashes)
 - The severity of violations or crashes
 - When the adverse safety events occurred (more recent events are weighted more heavily).


⁵ CSA Methodology retrieved from www.fmcsa.dot.gov

After a measurement is determined, the carrier is then placed in a peer group (i.e., other carriers with similar numbers of inspections). Percentiles from 0 to 100 are then determined by comparing the BASIC measurements of the carrier to the measurements of other carriers in the peer group. A percentile '100' indicates the worst performance.

FMCSA established threshold levels which would require agency action. This action starts with a warning letter to the carrier. If the carrier's thresholds remain high or increase the carrier can be contacted for a focused or full compliance review. Unsafe Driving, HOS, and Crash BASICs were set at lower thresholds because of their inherent risk. Additionally, passenger and hazmat carriers have lower thresholds than all other carriers because of their inherent risk. **Table 2** represents the thresholds set by FMCSA which help prioritize agency intervention and resource management.⁶ Cool Runnings Express is classified in the "all other motor carrier" category.

Table 2. BASIC Thresholds⁷

BASIC	Passenger Carriers	HM Carriers	All Other Motor Carriers
Unsafe Driving, HOS, Crash	50%	60%	65%
Driver Fitness, Drug/Alcohol, Maintenance	65%	75%	80%
Hazardous Material	80%	80%	80%

On a carrier's SMS profile which is publicly available on the Safer website⁸, a symbol  is displayed in any designated BASIC where the carrier has exceeded the corresponding threshold. This is also referred to as having an "alert" in a BASIC. At the time of the crash, Cool Runnings Express Inc. displayed zero (0) alerts in all of the BASICs.

3.3 Compliance Review and SMS History

The carrier's registration pre-dates the New Entrant Program. The carrier had received two previous compliance reviews (CR) with the FMCSA since obtaining its USDOT number. The first CR was on April, 2007 and the second was September, 2007.⁹ Both CRs resulted in a "Satisfactory" Safety Rating.¹⁰ In the time between the CR in 2007

⁶ Retrieved from www.fmcsa.dot.gov.

⁷ Retrieved from <http://csa.fmcsa.dot.gov/FAQs.aspx>.

⁸ Safer website : <http://safer.fmcsa.dot.gov/CompanySnapshot.aspx>

⁹ Cool Runnings Express Inc. Compliance Reviews 2007, See Attachment 3.

¹⁰ **Safety rating** means a rating of "satisfactory", "conditional" or "unsatisfactory" using the factors prescribed in 49 CFR 385.7 as computed under the Safety Fitness Methodology. **Safety ratings:** (1) **Satisfactory** safety rating means that a motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in 49 CFR 385.5. (2) **Conditional** safety rating means a motor carrier does not have

and the Post-Crash CR the carrier was issued a Warning Letter in 2011 for an alert in Hours of Service. Prior to 2016 the FMCSA would only issue a Warning Letter every 24 months. This was changed to 18 months in 2016. The carrier had alerts in only one BASIC. As a result the carrier was not considered a “High Risk” carrier.

As a result of this crash, the FMCSA initiated a post-accident CR. The CR resulted in the carrier received an “Unsatisfactory” rating.¹¹ The post-accident CR identified the following violations:

- §395.8(e) – False reports of records of duty status. 19 of 155 checked Critical Violation.
- §396.17(a) – Using a commercial vehicle not periodically inspected. 5 of 5 checked. Critical Violation.
- §391.11(b)(6) – Failing to require driver to furnish list of motor vehicle traffic violations each 12 months. 3 of 5 checked.
- §391.21(a) – Using a driver who has not completed and furnished an employment application. 4 of 5 checked.
- §391.53(b)(2)- Failure to maintain in Driver Investigation History file a copy of the response(s) received for investigations required by paragraphs (d) and (e) of §391.23 from each previous employer, or documentation of good faith efforts to contact them. 2 of 5 checked.
- §395.3(a)(2)- Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty. 4 of 155 checked.
- §395.3(a)(3)(ii)- Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 8 hours since the end of the driver’s last off duty or sleeper berth period of at least 30 minutes. 10 of 155 checked.
- §395.3(b)(2) –Requiring or permitting a property-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days. 4 of 155 checked.
- §395.8(e) – False reports of records of duty status (inaccurate) 22 of 155 checked.
- §395.8(f) – Failing to require driver to prepare record of duty status in form and manner prescribed. 19 of 150 checked.

adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in occurrences listed in §385.5 (a) through (k). (3) **Unsatisfactory** safety rating means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in §385.5 (a) through (k). (4) **Un-rated** carrier means that a safety rating has not been assigned to the motor carrier by the FMCSA.

In 49 CFR 385.7 as computed under the Safety Fitness Methodology. **Safety ratings:** (1) **Satisfactory** safety rating means that a motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in 49 CFR 385.5. (2) **Conditional** safety rating means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in occurrences listed in §385.5 (a) through (k). (3) **Unsatisfactory** safety rating means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in §385.5 (a) through (k). (4) **Un-rated** carrier means that a safety rating has not been assigned to the motor carrier by the FMCSA.

¹¹ Cool Runnings Post-Accident CR, See Attachment 4.

- §395.8(i) – Failing to require driver to forward within 13 days of completion, the original of the record of duty status report. 8 of 155 checked.
- §396.3(b)(1) – Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. 5 of 5 checked.
- §396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. 5 of 5 checked.

As a result of the CR, FMCSA issued a Notice of Claim (NOC) to Cool Runnings Express Inc. for 2 violations of the CFR's.¹² The Violations were 1st 395.8(e) False reports of records of duty status, 15 counts. 2nd §396.17(a) – Using a commercial vehicle not periodically inspected 1 count.

The NOC resulted in \$13,210.00 in civil penalties. This NOC was issued to the carrier on 08/25/2015. Additionally, as a result of the CR, the accident driver was declared an Imminent Hazard.¹³ The Imminent Hazard order was delivered on July 16, 2015. The State of Kentucky suspended the CDL on July 21, 2015.¹⁴

The carrier requested an up-grade to their safety rating as allowed in §385.17. This upgrade request was granted and the carrier's safety rating was up-graded to "Conditional" on September 11, 2015.

3.4 SMS History

According to the MCMIS profile, the carrier had no BASICs in alert status at the time of the accident.¹⁵ At the time of the crash, the carrier profile showed the Hours of Service (HOS) BASIC over threshold seven times during the past 365 days. The 7 months that the BASICs were over threshold (65%) in Hours of Service and in alert status before the accident referenced in **Table 3**.

Table 3. Alerts in Hours of Service (HOS) BASIC

MCMIS DATE	Percentile
April 2015	67
March 2015	67

¹² FMCSA NOC issued to Cool Runnings Express Inc., See Attachment 5.

¹³ Accident Driver's Imminent Hazard Order, See Attachment 6.

¹⁴ Commonwealth of Kentucky License of Accident Driver, See Attachment 7.

¹⁵ BASICs- FMCSA Behavior Analysis and Improvement Categories. Consist of Unsafe Driving, Hours-of-Service, Driver Fitness, Controlled Substances and Alcohol, Vehicle Maintenance, Hazardous Materials, and Crash Indicator. Retrieved from: www.fmcsa.dot.gov

February 2015	66
January 2015	68
December 2014	72
November 2014	73
October 2014	86

At the time of the accident the carrier BASICs reflected the following statistics:

- Unsafe Driving – 0 percent
- Hours of Service (HOS) –61 percent
- Driver Fitness – 0 percent
- Controlled Substances- 0 percent
- Vehicle Maintenance - 33 percent
- Crash Indicator – < 2 crashes

3.5 Accident Rate

During the CR process, Federal and State safety investigators¹⁶ evaluate six safety factors to determine if a motor carrier has adequate safety management controls in place to maintain compliance with the FMCSRs. These six factors Include: **Factor 1:** General Parts 387 and 390; **Factor 2:** Driver - Parts 382, 383, and 391; **Factor 3-** Operational Parts 392 and 395; **Factor 4-** Vehicle - Parts 393 and 396; **Factor 5:** Hazmat - Parts 397, 171, 177 and 180; and **Factor 6:** Accident Factor or Recordable rate. The recordable rate is determined by how many recordable accidents a carrier Incurs in the past 12 months.¹⁷ The recordable rate is determined by calculating how many accidents the carrier has per million miles. According to Part 385, carriers operating under the 100 air-radius with an accident rate greater than 1.7 will receive an “Unsatisfactory” rating in Factor 6. All other motor carriers with an accident rate greater than 1.5 will receive an “Unsatisfactory” accident factor. At the time of this crash, the MCMIS carrier profile indicated that Cool Runnings

¹⁶ Kentucky Uniform Police Traffic Collision Reports of Accident Driver, See Attachment 8.

¹⁷ **Accident** defined under §390.5 –an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce that results in: a fatality; bodily injury who as a result of the injury receives medical treatment away from the scene of the accident; or one or more motor vehicles requires the vehicle(s) to be transported away from the scene by tow truck or other vehicle.

Express Inc. had 0 recordable accidents year to date.¹⁸ The accident register maintained by the carrier indicated they had total of 1 total accident for the calendar year 2014.¹⁹

During the CR process, FMCSA evaluates each individual accident to determine if the accident was preventable or “recordable” in determining the accident rate. FMCSA defines preventability as: “if a driver, who exercises normal judgment and foresight could have foreseen the possibility of the accident that in fact occurred, and avoided it by taking steps within his/her control which would not have risked causing another kind of mishap, the accident was preventable.”²⁰ During the post-accident CR, FMCSA investigators reviewed all of Cool Runnings Express Inc.’s accidents that occurred during the past 12 months. At the completion of the CR, the FMCSA determined that the carrier had a total of 2 recordable accidents and operated 568,237 miles. As a result of the CR methodology, the FMCSA calculated the carrier had an accident rate of 3.52, which resulted as “Unsatisfactory” in Factor 6. This accident in Tennessee was not included in the accident profile. The accident in Florida on 06/24/2015 was not included in the accident profile as there was no indication the combination unit was transported from the scene of the accident. (It was repaired roadside)

3.6 Investigations and Inquiries

Under the guidelines of §391.23 motor carriers are required to conduct investigations and inquiries with respect to each driver it employs. Contained within the regulation is the requirement for motor carriers to investigate all of the previous employers that employed the perspective driver within the previous three years that was subject to subpart to §382 and Part 40. The inquiry to previous employers must include the following:

1. Whether the driver failed to undertake or complete rehabilitation prescribed by a substance abuse professional (SAP).
2. If the driver had remained employed with the previous motor carrier and had successfully completed a SAP’s rehabilitation and had not violated any of the return to duty process of Subpart O of part 40.
3. If the driver had an alcohol test result of 0.04 or higher, received a verified positive test, or had refused to be tested for drugs or alcohol.

Cool Runnings Express Inc. had not complied with §391.23. The carrier had received appropriate documentation from one of the accident driver’s previous employers. This employers reported positive drug test results. The carrier failed to read the report from the previous employer and allowed the accident driver to operate with a positive drug test result without proof that the driver had completed the return to duty process as outlined in Part 40 Subpart O (Return to Duty Process.) NTSB investigators showed this information to the owners of Cool Runnings and their attorney. The carrier stated that had they realized this information the carrier would not have hired the accident driver.

¹⁸ Cool Runnings Express MCMIS Carrier Profile, See Attachment 9.

¹⁹ Cool Runnings Express Inc. Accident register, See Attachment 10.

²⁰ Appendix B to Part 385

3.7 Federal Drug and Alcohol Testing Requirements

49 CFR 382 details the requirements of controlled substances, alcohol use and testing requirements. Under this Part, carriers who employ drivers who operate CDL required commercial motor vehicles (CMVs) are subject to six testing procedures. These tests Include: **Pre-employment** drug testing (§382.301); **Random drug and alcohol** testing (§382.305); **Post-accident** drug and alcohol testing (§382.303); and **Reasonable suspicion** testing (§382.307). Additional requirements are also outlined in Part 40 of the FMCSRs which Include Subpart B- Employer responsibilities, and Subpart O-Return to duty. These additional testing requirements Include: **Return-to- Duty** testing (§382.309) and **Follow-up** testing (§382.311). Under this Part, carriers are also required to conduct a background check on prospective drivers to determine if the driver candidate was pre-employment drug tested, in a random pool and validation of the test results. Furthermore, Part 382 **Subpart F**- Outlines alcohol misuse and controlled substances use information, training, and referral. Under §382.601 employers are required to promulgate a policy on the misuse of alcohol and use of controlled substances. Cool Runnings Express Inc. had not complied with this requirement of providing educational materials to the driver that explained the requirements of this part and the policies and procedures that met the requirements.

3.7.1 Reasonable Suspicion Drug/Alcohol Testing

Motor carriers subject to Part 382 are required to test drivers who they believe are under the influence of drugs or alcohol. The carrier however must follow specific guidelines under §382.307 which state: “the employer’s determination that reasonable suspicion exists to require a driver to undergo a drug or alcohol test must be based on specific, contemporaneous, behavior, speech or body odors of the driver.”²¹ Observations must be observed by a supervisor or company official who has been trained in reasonable suspicion training as prescribed under §382.603. Such testing must be administered by the carrier just before, during or just after the driver has ceased performing a safety sensitive function (i.e. driving). According to the carrier’s files, the accident driver did not have any reasonable suspicion drug tests on file

3.7.2 Consequences for Drivers Engaging in Substance Use

The FMCSRs identify in §382.501 that “no driver shall perform a safety sensitive function if the driver has engaged in conduct prohibited by subpart B of this part or an alcohol or controlled substance rule of another DOT agency.” Additionally, §382.507 also states that an employer or driver who violates the requirements of this part shall be subject to civil and/or criminal penalty provisions of 49 U.S.C. 521(b).

3.8 Roadside Inspections

According to the MCMIS carrier profile the carrier had 4 driver and 1 vehicle roadside inspections from June 26, 2014 to June 26, 2015.²² The driver out-of- service

²¹ 49 CFR 382.307

²² Roadside Inspection Reports Cool Runnings Express Inc. See Attachment 12

(OOS) rate was zero (0) percent and the vehicle OOS rate was zero (0) percent.²³ This is in comparison to the national OOS rate of 5.51 percent for driver and 20.27 percent for vehicle.

On the post-accident roadside inspection conducted by the Tennessee Highway Patrol (THP), the inspection found six deficiencies. Four of the deficiencies were Out of Service items. The items are 1. 395.8 (e), False reports of records of duty status. 2. 393.43A, No or improper tractor protection valve. 3. 393.45 (b)(2) Brake hose or tubing chafing and/or kinking. Worn thru cordage. 4. Rt. axle 4 supply air hose, and 393.45 (b)(2) Brake hose or tubing chafing and/or kinking. Worn thru outer ply. Rt. axle 4 emergency air hose. The two non Out of Service items were 1.396.17(c), Operating a CMV without proof of a periodic inspection, and 2. 392.71(a), Using or equipping a CMV with a radar detector, in possession not in use found in sleeper berth.

Additionally, five carrier vehicle inspections²⁴ were conducted as a result of the FMCSA post-accident Compliance Review. These inspections resulted in 8 maintenance deficiencies and 5 driver deficiencies one of which was an Out of Service violation.

3.9 Cool Runnings Express Maintenance Program

NTSB investigator's reviewed the carrier's maintenance program. According to Cool Runnings Express officials, the carrier out-sourced all of their maintenance requirements. The carrier outsources all maintenance to vendors and roadside repair. The carrier admitted that the equipment had not been inspected on an annual basis since 2012. The carrier did maintain some records electronically. The annual inspections for unit 7 and unit 5555, the truck and trailer involved in the fatal crash, revealed that neither vehicle had been inspected since 2012. The carrier stated that he had not completed the inspections in a long time and had been meaning to get the vehicles inspected. The carrier produced a running log sheet for both vehicles involved in the accident indicating maintenance performed on each vehicle with explanations and dates. This was the only vehicle maintenance documentation the carrier was able to provide other than the expired annual inspections as well as invoices for repairs from various vendors. Through interviews with carrier officials, maintenance personnel, and review of maintenance files it was discovered that the carrier had no preventative maintenance program. The carrier did not have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. §396.17(a) requires carrier to have periodic inspections on an annual basis. The carrier admitted to the NTSB investigators and provided a written statement to the FMCSA investigator that they had not had any annual inspections performed since 2012. The carrier's maintenance program did not meet the requirements under Part 396.

4. **Accident Driver**

The accident driver applied for a driving position with Cool Runnings Express Inc. on June, 16, 2015 and had a start date of June 22, 2015.

²³ **Out of Service** criteria established by the Commercial Vehicle Safety Alliance (CVSA). CVSA is an international not-for-profit organization comprised of local, state, provincial, territorial and federal motor carrier safety officials and industry representatives from the United States, Canada, and Mexico. Their mission is to promote commercial motor vehicle safety and security by providing leadership to enforcement, industry and policy makers. CVSA establishes uniform and reciprocal application of North American inspection procedures and out-of-service criteria utilized in the United States, Canada and Mexico. Retrieved from: <http://www.cvsa.org/about/strategic.php>

²⁴ Post- Accident Compliance Review Vehicle Inspections, See Attachment 13.

4.1 Accident Driver's Driver Qualification

The driver's qualification (DQ) file was in compliance with §391.51 and contained the following documents: driver application, record of violations, road test, inquiry into previous employers, and driving record. According to the DQ file the driver had a medical certificate on file which showed an issue date of November, 2014 and an expiration date of November, 2016.²⁵ The USDOT physical was performed by an Advanced Practice Nurse, and identified in the National Medical Registry # 8353697264. The accident driver's medical long form did not list any illnesses or any medications either prescription or over-the-counter medications used by the accident driver. The long form indicated that the driver was qualified only when wearing corrective lenses. This information was not listed on the Kentucky DMV or on the copy of the accident drivers CDL. Details concerning the accident driver's medical certification and medical history are documented in the *Human Performance Group Chairman's Factual Report*.

4.2 Accident Driver's Driving History

At the time of the crash the accident driver held a valid Kentucky Class A CDL. The Kentucky CDL was issued on December, 2012 and had an expiration date of December, 2016. The CDL had no restrictions and had endorsements for Tank Vehicle,²⁶ According the MVR contained in the driver's DQ file and the driver's transcript ran by the THP, the accident driver's driving record did list a violation of Speeding 16>20 above posted speed in a non CMV dated December 10, 2014. This was the only violation listed on the MVR that was acquired by the THP and that was in the accident drivers DQ file acquired by the carrier.

The CDLIS Report downloaded on June 26, 2015 shows a total of 7 accidents 4 of which were in a CMV. This count does not include an accident that happened on February 26, 2015 that was reported by a previous employer or the accident that occurred in Florida on June 24, 2015. The office State of Kentucky MVR that was in the driver DQ file maintained by the carrier and the report the THP received from the State of Kentucky do not show any of the accidents that were listed on the CDLIS Report.

Currently, a motor carrier is required to obtain an applicant's driving history for the most recent 3 years from any state in which the driver held a CDL. In this case, the carrier reviewed the past 3 years of the accident driver's DMV record, which listed one violation in Kentucky. The carrier obtained the report from the State of Kentucky Transportation Cabinet office.

The State of Kentucky Transportation Cabinet²⁷ retains the driving record history in 2 reports. A 3 year report²⁸ and a 5 year report²⁹. The differences in the 2 reports are as listed. The 3 year report allows anyone to request a three-year Driving History Record (DHR) for Kentucky drivers. Driver status, license expiration, driving restrictions, and

²⁵ Accident Driver DQ file, See Attachment 14.

²⁶ Accident Driver CDLIS Report, See Attachment 15.

²⁷ State of Kentucky Transportation Cabinet Information sheet 2 pages, See Attachment 16.

²⁸ Accident Driver Kentucky DMV 3 year record, See Attachment 17.

²⁹ Accident Driver Kentucky DMV 5 year record, See Attachment 18.

traffic violations will be contained on the record. A three-year DHR is a public record. A Kentucky three-year DHR does not contain accident information or any of the driver's personal information such as address, sex, date of birth and social security number.

The complete five-year record contains all of the driver's personal information such as address, sex, date of birth and social security number. The five-year record is not available to the general public, but it is available to the individual driver. Individual drivers who want to purchase a copy of their five-year record must contact their closest Driver Licensing Field Office. Employers can obtain a five-year record but need a signed release from the driver and then contact the closest Driver Licensing Field Office.

In reviewing the previous employer driver qualification files of the accident driver, the last 3 covered employers had used the 3 year report from the State of Kentucky Transportation Cabinet office. The employers using the 3 year report did not have the driver's accident history or any convictions, withdrawals, or restrictions.

Table 4. Accident Driver's CDLIS Report

Accident Date	Accident Location	Severity	Employer	Driving CMV
2/25/2015	Kentucky	Non-injury	Ryder Logistics	Yes
7/22/2013	Kentucky	Non-Injury	H.T. Warehouses	Yes
4/4/2013	Kentucky	Non-Injury	Personal	No
12/07/2012	Kentucky	Non-Injury	Personal	No
11/23/2011	Kentucky	Non-Injury	Personal	No
2/26/2011	Kentucky	Non-Injury	H.T. Warehouses	Yes
2/25/2011	Kentucky	Non-Injury	H.T. Warehouses	Yes

4.3 Accident Driver's Employment History

According the driver's application for employment and the background check maintained in the DQ file, as well as previous employer DQ files, the accident driver held 6 USDOT regulated safety sensitive positions in his career and 2 non-regulated positions.³⁰ The accident driver's employment history is listed in **Table 5**.

Table 5. Accident Driver's Employment History

Employer	Location	Start Date	End Date	DOT Regulated
Ryder Logistics	Rainbow City, AL	December 2014	March 2015	Yes
Greer & Greer Construction	East Bernstadt, KY	September, 2013	April, 2014	No
Serco	London, KY	October, 2013	December, 2014	No
H.T. Warehouses	London, KY	April 2002	July, 2013	Yes
Bulkmatic Transport	Hopkinsville, KY	February 2002	April 2002	Yes
London Auto Sales	London, KY	January 1997	March 2001	Yes
RPS Now Fed EX Ground	Corbin, KY	July 1995	January 1997	Yes
Dickie Brewer Trucking	London, KY	March 1993	July 1995	Yes

³⁰ Safety Sensitive Position – refers to driving positions which fall under the jurisdiction of Part 382.

4.4 Accident Driver's Drug and Alcohol Testing

According to carrier records, the accident driver had one FMCSA regulated drug test on file. The first regulated drug test was classified as a pre-employment drug test conducted on June 16, 2015 and verification date of June 17, 2015 of "negative."³¹ Immediately following the crash, the accident driver submitted to a blood test requested by THP which resulted in a positive test result.³² The carrier conducted a post-accident drug test on 06/27/2015. This test was administered approximately 38 hours after the crash and was beyond the time required under (§382.303) Post Accident testing. The results of this test were negative. The accident driver had two previous non dot drug tests that returned positive results. Detailed information is contained in the Human Performance Group Chairman's Factual Report.

4.5 Accident Driver's Hours of Service (HOS)

The accident driver filled out a 7 day prior recap of his hours of service dated June 16, 2015 showing no hours being worked. The driver also filled out a Record of Duty Status (RODS) page dated "June 15 2015 through June 25, 2015" as "Off Duty."³⁴ The accident driver also had a second log book dated "June 25, 2015" which had different time entries from the log book entries for 6/25/2015. Additionally the driver had an additional page dated "June 26, 2015."³³

The NTSB and (THP) reconstructed the accident driver's logs using supporting documents that included: fuel receipts, weigh scale receipts, shipper's bill of lading, and GPS coordinates from the carrier's system to determine the drivers on-duty hours and driving time. The THP and NTSB concluded all of the accident driver's logs provided to the THP at the time of the crash were false. The post-accident Driver/Vehicle Examination conducted by the THP was referred to section 3.9 Roadside Inspections.

The NTSB reconstructed the accident driver's 72 hours preceding the crash. Evidence collected from the motor carrier, the written statement obtained from the driver, reflects the 72 hours prior to the accident that is represented in **Table 6**.

Table 6 2007 Peterbilt Driver Activities Prior to the Crash

Monday, June 22, 2015		
<u>Time</u>	<u>Event</u>	<u>Source</u>
3:26 a.m.	Vehicle location recorded in London, KY	GPS ³⁴
12:26 p.m.	Driver departs carrier base in London, KY	GPS/Driver Interview ³⁵
2:19 p.m.	Driver arrives near Horse Cave, KY (vehicle breaks down)	GPS/Driver Interview

³¹ Accident drivers Drug Test, See Attachment 19.

³² THP Post-Accident Drug Test, See Attachment 20.

³³ Accident Drivers False RODS, See Attachment 21.

³⁴ See Human Performance Attachment 1: Accident Vehicle GPS Download

³⁵ See Human Performance Attachment 2: 2007 Peterbilt Driver Interview Transcript

3:13 p.m.	Vehicle location recorded at cargo shipper in Horse Cave, KY	GPS
5:05 p.m.	Vehicle repairs completed in Horse Cave, KY	Invoice
7:30 p.m.	Driver goes off duty (sleeper berth) in Horse Cave, KY	Driver Interview
Tuesday, June 23, 2015		
02:26 a.m.	Driver docks for loading, Horse Cave, KY	Shipper Staff Interview
04:44 a.m.	Driver departs Horse Cave, KY	Driver Interview/Bill of Lading ³⁶ /GPS
07:01 a.m.	Vehicle malfunctions at carrier storage lot in London, KY, driver goes off duty	GPS/Driver Interview
08:47 a.m.	Driver makes out going cell phone call ³⁷	Driver Interview
11:44 a.m.	Vehicle repairs are completed, vehicle breaks down again at repair shop in London, KY	Driver Interview
2:11 p.m.	Vehicle repairs are completed, driver departs repair shop, London, KY	GPS/Driver Interview
2:24 p.m.	Driver returns to carrier base, London, KY	GPS
3:12 p.m.	Driver returns to repair shop, London, KY	GPS
5:08 p.m.	Driver departs repair shop, London, KY	GPS
6:21 p.m.	Driver fuels truck, Corbin, KY	Fuel Receipt ³⁸
6:28 p.m.	Driver fuels refrigerator unit, Corbin, KY	Fuel Receipt ³⁹
6:45 p.m.	Driver weighs load, Corbin, KY	Scale Ticket ⁴⁰
7:06 p.m.	Vehicle location recorded in Corbin, KY	GPS
7:20 p.m.	Driver departs Corbin, KY	GPS
Tuesday, June 23, 2015 (continued)		
8:35 p.m.	Vehicle location recorded at truck stop in Heiskell, TN ⁴¹	GPS
8:59 p.m.	Driver resumes driving	GPS
11:17 p.m.- 11:22 p.m.	Vehicle location recorded in rest area Resaca, GA	GPS
Wednesday, June 24, 2015		
<u>Time</u>	<u>Event</u>	<u>Source</u>
12:22 a.m.	Vehicle location recorded on I-285 in Atlanta, GA ⁴²	GPS
1:21 a.m.	Vehicle location recorded at Flying J Travel Plaza in Jackson, GA	GPS
2:04 a.m.	Driver sent a text message ⁴³	Cellphone Device

³⁶ See Human Performance Attachment 3: Accident Trip Bill of Lading

³⁷ The destination of the call, Marten Transport Logistics, suggests it was placed by the accident driver.

³⁸ See Human Performance Attachment 4: Accident Trip Fuel Receipts.

³⁹ See Human Performance Attachment 4: Accident Trip Fuel Receipts.

⁴⁰ See Human Performance Attachment 5: Accident Trip Scale Tickets.

⁴¹ Vehicle recorded at truck stop 74 miles from Corbin, KY.

⁴² Vehicle recorded on highway 59.61 miles from previous location.

⁴³ The content of the text message suggests it was sent by the accident driver.

2:23 a.m.	Driver departs truck stop, Jackson, GA	GPS
4:21 a.m.- 5:03 a.m.	Vehicle location recorded in rest area Sycamore, GA ⁴⁴	GPS
6:07 a.m.	Vehicle location recorded in truck stop Valdosta, GA ⁴⁵	GPS
6:08 a.m.	Driver fuels in Valdosta, GA	Fuel Receipt
6:31 a.m.	Driver resumes driving Valdosta, GA	GPS
6:45 a.m.- 7:01 a.m.	Vehicle location recorded in rest area Jennings, FL ⁴⁶	GPS
7:56 a.m.- 8:09 a.m.	Vehicle location recorded in rest area Lake City, FL	GPS
8:22 a.m.	Vehicle location recorded on highway, Alachua, FL ⁴⁷	GPS
9:28 a.m.- 2:41 p.m.	Vehicle location recorded on highway in Wildwood, FL(location of minor crash/breakdown) ⁴⁸	GPS
10:00 a.m.	Driver issued traffic citation in Wildwood, FL	Florida Traffic Citation ⁴⁹
2:41 p.m.	Driver resumes traveling, Wildwood, FL	GPS
4:50 p.m.	Vehicle location recorded at truck stop in Haines City, FL	GPS/Driver Interview
6:22 p.m.	Driver sent a text message ⁵⁰	Cellphone Device

Thursday, June 25, 2015		
<u>Time</u>	<u>Event</u>	<u>Source</u>
12:30 a.m.	Vehicle position recorded in Haines City, FL	GPS
4:30 a.m.	Driver wakes up/begins his work day	Driver Interview
5:16 a.m.	Vehicle departs truck stop in Haines City, FL	GPS
5:32 a.m.	Vehicle location recorded at shipper in Haines City, FL	GPS
7:45 a.m.	Driver departs shipper in Haines City, FL	GPS
9:12 a.m.- 9:20 a.m.	Vehicle location recorded in rest area in Wesley Chapel, FL ⁵¹	GPS
12:02 p.m.	Vehicle location recorded at truck stop in Jasper, FL. ⁵²	GPS

⁴⁴ Vehicle recorded at a rest area 112.15 miles from previous location.

⁴⁵ Vehicle recorded at truck stop 63.54 miles from previous location.

⁴⁶ Vehicle recorded at a rest area 12.25 miles from previous location.

⁴⁷ Vehicle recorded on highway 15.36 miles from previous location.

⁴⁸ The GPS lists the location as Lady Lake, FL, the closest city.

⁴⁹ See Human Performance Attachment 6: June 23, 2015 Florida Traffic Citation.

⁵⁰ The content of the text message suggests it was sent by the accident driver.

⁵¹ Vehicle recorded in a rest area 70 miles from previous location.

⁵² Vehicle recorded in a truck stop 158.2 miles from previous location.

12:10 p.m.	Driver purchases meal in Jasper, FL	Food Receipt
12:30 p.m.	Driver continues traveling in Jasper, FL	GPS
12:47 1:10 p.m.	Vehicle location recorded in rest area in Lake Park, GA ⁵³	GPS
1:23 p.m.- 1:41 p.m.	Vehicle location recorded in a truck stop in Valdosta, GA ⁵⁴	GPS
4:33 p.m.	Vehicle location recorded on a highway in Jonesboro, GA ⁵⁵	GPS
6:21 p.m.- 6:23 p.m.	Vehicle location recorded in a rest area in Adairsville, GA ⁵⁶	GPS
7:10 p.m.	Accident Occurs Chattanooga, TN	911 cords

4.6 Florida Accident

The accident driver had an accident at 09:25 am June 24, 2015 Southbound on Florida SR-91 at MM 308. The accident driver was attempting to pass another commercial truck when he sideswiped the left rear corner of vehicle #2. The right front of the truck-tractor received disabling damage. The Florida Highway Patrol was dispatched at 09:28 and arrived on scene at 10:30. The trooper investigating the accident was not a CMV trained trooper. The trooper stated he looked at the Record of Duty (ROD) the driver presented and they looked about right. The Rod was dated June 26, 2015 and shows the driver starting to drive at 05:30 at Jasper, Florida. The GPS records show the truck in Valdosta, Georgia at 0630. This is 34 miles difference. The date on the ROD was 2 days in the future.

The trooper issued a citation to the accident driver for Operating a motor vehicle in a careless or negligent manner. The citation was under a Florida statute 31.1925(1) and had a civil penalty. At the time of this crash the accident driver had been on duty/driving for approx. 44 hours without a DOT 10 Hour rest period. Had the Florida trooper been a CMV certified inspector he may have discovered that the RODS presented by the accident driver were false, and the driver had exceeded the hours of service regulations. The protocol would be to put the driver out of service for 10 hours which would have changed the time line of the accident driver on this trip.

The truck tractor was repaired roadside by Lisa's Truck & Trailer Repair on invoice # 1635. The cost of the roadside repair was \$505.58 the invoice shows the repair took 3.5 hours. The repair was paid for with a WEX Fleet one check issued by the carrier. When the accident vehicle was repaired the driver continued his trip on to Haines City, FL. In order for a crash to have a post-accident drug test, the crash must meet certain criteria. Injuries treated away from the crash scene or disabling damage requiring the vehicle to be towed from the scene and in both cases the CMV driver being issued a citation. In this crash the vehicle had disabling damage and the CMV driver was issued a

⁵³ Vehicle recorded in a rest area 17.98 miles from previous location.

⁵⁴ Vehicle recorded in a truck stop 7.8 miles from previous location.

⁵⁵ Vehicle recorded on a highway 205.95 miles from previous location.

⁵⁶ Vehicle recorded in a rest area 64.88 miles from previous location

citation but the accident vehicle was not towed it was repaired at the crash location. The criteria is disabling damage to any motor vehicle requiring tow away and a citation issued to the CMV driver was not met.

5. Maintenance

The accident vehicle involved in the accident was a 2007 Peterbilt Truck-Tractor (unit 7) and 2006 Great Dane Semi-Trailer (unit 5555). June, 21, 2014 was the first time that the accident driver had driven either unit. The 2007 Peterbilt truck-tractor's last annual inspection was on August 29, 2012. The truck-tractor's maintenance file did not reflect any significant maintenance repairs (i.e. engine, clutch, or transmission) made to the tractor during the past 365 days.⁵⁷ Routine and preventative maintenance (i.e. oil changes, tire replacement, filter changes, etc.) were documented in the truck-tractor maintenance file. All of these services were done by outside vendors or roadside when the vehicle was broken-down. There were no driver vehicle inspection reports (DVIRs) generated by Cool Runnings Express Inc. during the June 22-25 timeframe. DVIRs are not required unless there are items that need repair. The tractor was involved in an accident on June 24, 2015 that resulted in damage to the fender and mirror. A DVIR should have been prepared for this day. For details information concerning the maintenance history and mechanical operation of the 2013 Peterbilt at the time of the crash, see the *Vehicle Factors Group Chairman's Factual Report*.

The 2006 Great Dane semitrailer involved in this accident was owned by the carrier. The maintenance file did not indicate the Great Dane semitrailer had an annual inspection. The carrier admitted that the carrier had not done any annual inspections on any of his equipment since 2012. The maintenance file only reflected routine maintenance done until 11/14/2014 (i.e. grease applications, light bulb replacements, brake and tire repairs) were documented in the semitrailer maintenance file. For detailed information concerning the maintenance history and mechanical operation of the accident semitrailer, see the *Vehicle Factors Group Chairman Factual Report*.

LIST OF ATTACHMENTS

Motor Carrier Attachment 1- Cool Runnings Express Inc. MCS-150.

Motor Carrier Attachment 2- Drug and Alcohol Random testing for 2014.

Motor Carrier Attachment 3- Cool Runnings Express Inc. Compliance Reviews 2007.

Motor Carrier Attachment 4- Cool Runnings Express Inc. Post-Accident Compliance Review.

Motor Carrier Attachment 5- FMCSA NOC Issued to Cool Runnings Express Inc.

⁵⁷ Peterbilt Truck-tractor maintenance file, See Attachment 22.

Motor Carrier Attachment 6- Accident Driver Imminent Hazard Order issued by FMCSA.

Motor Carrier Attachment 7- Commonwealth of Kentucky License of Accident Driver.

Motor Carrier Attachment 8- Kentucky Police Traffic Collision Reports of Accident Driver.

Motor Carrier Attachment 9- Cool Runnings Express Inc. MCMIS Carrier Profile.

Motor Carrier Attachment 10- Cool Runnings Express Inc. Accident Register.

Motor Carrier Attachment 11- Accident Driver DQ File Page 23.

Motor Carrier Attachment 12- Roadside Inspection Reports Cool Runnings Express Inc.

Motor Carrier Attachment 13- Post Accident Compliance Review Vehicle Inspections.

Motor Carrier Attachment 14- Accident Driver DQ File.

Motor Carrier Attachment 15- Accident Driver CDLIS Report.

Motor Carrier Attachment 16- State of Kentucky Transportation Cabinet Information Sheets.

Motor Carrier Attachment 17- Accident Driver Kentucky DMV 3 Year record.

Motor Carrier Attachment 18- Accident Driver Kentucky DMV 5 Year record.

Motor Carrier Attachment 19- Accident Driver Post Accident DOT Drug Test.

Motor Carrier Attachment 20-THP Post- Accident Drug Test.

Motor Carrier Attachment 21- Accident Drivers False RODS.

Motor Carrier Attachment 22- Peterbilt Truck-Tractor Maintenance File.

Motor Carrier Attachment 23-Great Dane Semitrailer Maintenance File.

Motor Carrier Photo Attachment 1- Photos of De-Tox solution and radar detector.

END OF REPORT

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