



**Motor Carrier Attachment**

**Hansen & Adkins Auto Transport Inc, Compliance Review dated July 29, 2021**

**Greenville, Alabama, June 19, 2021**

**HWY21FH009**

(12 pages)

# UNITED STATES DEPARTMENT OF TRANSPORTATION



**U.S. DOT#:** 568253  
**MC/MX#:** 277621

**Legal:** HANSEN & ADKINS AUTO TRANSPORT INC  
**Operating (DBA):**

**Investigation Date:**  
07/29/21

**Investigation Type:** Onsite Comprehensive Investigation

**Location of Investigation:** Company principal place of business (PPOB)

**Extent of Operations:** Entire Operation

**Physical Address**

3552 GREEN AVENUE  
LOS ALAMITOS, CA 90720  
United States

**Mailing Address**

3552 GREEN AVENUE  
LOS ALAMITOS, CA 90720  
United States

**Contact Information**

**Contact Name:** STEVEN L. HANSEN

**Email:** [REDACTED]

**Phone:** (562)430-4100    **Cell:** [REDACTED]    **Fax:** (562)430-4144

**Business and Financial**

**Business Type:** Corporation

**Gross Revenue:** \$245,512,992.00    **For Year Ending:** 12/31/20

**Federal Tax ID:** [REDACTED] (EIN)

**Operation Classification and Type**

**Type of Operation:** HM Interstate Carrier

**Operation Classification**

For-Hire Motor Carrier  
Property  
Hazardous Materials

**Cargo**

Motor Vehicles

**Hazardous Materials**

Which of the following hazardous materials requiring a Safety Permit does the company transport?

None

Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E?

N/A

Is an HM Permit required by any State?

No

Hazardous Materials

Class 9 Miscellaneous Hazardous Materials = C, NB

Equipment				Driver Information		
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>	<b>Drivers</b>		
Truck Tractors	727	269			<b>Intrastate</b>	<b>Interstate</b>
Trailers	727	269		<b>&lt; 100 Miles</b>		
				<b>&gt;= 100 Miles</b>		996
<b>Power units used in the U.S.:</b> 996 <b>Percentage of time used in the U.S.:</b> 100%				<b>Average trip leased driver/month:</b> 0 <b>Drivers with CDL:</b> 996 <b>Total Drivers:</b> 996		

Person(s) Interviewed	
<b>Name:</b> STEVEN L. HANSEN	<b>Title:</b> EXECUTIVE VICE PRESIDENT
<b>Name:</b> WESTLEY PURCHASE	<b>Title:</b> DIRECTOR OF OPERATIONS & DRIVER TRAINING
<b>Name:</b> TOM TERRY	<b>Title:</b> MANAGING DIRECTOR HR
<b>Name:</b> TRACY SHORTER	<b>Title:</b> SR. MANAGER SYSTEMS OPERATIONS
<b>Name:</b> DONALD LESTER	<b>Title:</b> MANAGING DIRECTOR SAFETY & COMPLIANCE

Questions	
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:	3401 CENTRELAKE DR, SUITE # 550A ONTARIO, CA 91761 Phone: (909) 937-2949 Fax: (909) 390-5642

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

# Violations

## 1. Primary: 382.215

Using a driver known to have tested positive for a controlled substance.

**A** Acute

### Violations Discovered

Fed	State	Total
1		1

### Checked

Fed	State	Total
1		1

**BASIC Impacted**  
Controlled  
Substances/Alcohol

**Rating Factor 2:**  
Driver = Part 382

### Example/Notes:

Driver: [REDACTED]  
Test Performed: 02/29/2020  
Positive Test Result: 03/31/2020  
Trip: 04/06/2020

Driver was tested positive for Amphetamines. All attempts made to contact driver were not successful. Driver continued driving without undergoing the Return-To-Duty process.

HANSEN & ADKINS AUTO TRANSPORT INC. used a driver to operate a CMV in commerce who tested positive without ensuring that driver completed the Return-To-Duty process.

### Drivers/Vehicles

In Violation	Checked
1	1

## 2. Primary: 383.37(b)

Allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver has a CLP or CDL disqualified by a State, has lost the right to operate a CMV in a State, or has been disqualified from operating a CMV.

**A** Acute

### Violations Discovered

Fed	State	Total
1		1

### Checked

Fed	State	Total
1		1

**BASIC Impacted**  
Driver Fitness

**Rating Factor 2:**  
Driver = Part 383

### Example/Notes:

Driver: [REDACTED]  
Trip: 06/28/2021  
Vehicle: 1371

### Drivers/Vehicles

In Violation	Checked
1	1

Driver cited for DUI 10/08/2014, and convicted on 02/12/2015. CDL suspension went into effect on 08/10/2018 for violation of Ignition Interlock or Immobilization Device, issued by the State of WA. Eligibility for reinstatement was 04/26/2019, but driver failed to complete the program. CDL was not reinstated. CDL set for disqualification 08/02/2021 to 08/03/2022.

HANSEN & ADKINS AUTO TRANSPORT INC. failed to properly review the driver's State Motor Vehicle Driving Record. Federal Licensing Database shows this driver is Not Eligible to drive.

**3. Primary: 392.2**

Operating a commercial motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated - Unsafe Driving.

**Violations Discovered**

Fed	State	Total
1		1

**Checked**

Fed	State	Total
1		1

**Example/Notes:**

On 06/01/2021 the FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 24 months that are reflected in the Unsafe Driving BASIC of the Carrier Safety Measurement System.

Driver: [REDACTED]  
 Trip: 06/19/2021

Description of Violation: Section 32-5A-170 Reasonable and Prudent Speed - No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

HANSEN & ADKINS AUTO TRANSPORT INC. allowed the Unsafe Driving Basic to exceed 65%. Training and communication required between drivers and management to ensure drivers do not exhibit Unsafe Driving practices while on the road.

**Drivers/Vehicles**

In Violation	Checked

**4. Primary: 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.

**Violations Discovered**

Fed	State	Total
5		5

**Checked**

Fed	State	Total
810		810

**Example/Notes:**

Driver: [REDACTED]  
 Trip: 05/27/2021

Driver drove 2.5 hours over the the 14 hour on-duty rule.

HANSEN & ADKINS AUTO TRANSPORT INC. failed to ensure all logbooks are monitored to prevent violations of 14-hour rule.

**Drivers/Vehicles**

In Violation	Checked
5	27

**5. Primary: 395.8(e)(1)**

Making, or permitting a driver to make, a false report regarding duty status

**Violations Discovered**

Fed	State	Total
9		9

**Checked**

Fed	State	Total
810		810

**Example/Notes:**

Driver: [REDACTED]  
 Trip: 05/06/2021

Driver shows off-duty in Gresham Park, GA 17:59 CST to midnight. Fuel record for that day shows fueling in Ocala, FL at 18:41 CST. Distance from Ocala, FL to Gresham Park, GA is 356 miles and requires 7 hours to complete the trip.

HANSEN & ADKINS AUTO TRANSPORT INC. failed to ensure all logbooks are monitored to prevent falsification by drivers.

**Drivers/Vehicles**

In Violation	Checked
4	27

## Safety Fitness Rating

Your proposed safety rating is: **CONDITIONAL** 1 UNSATISFACTORY rating factor and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory		
Factor 2: Driver = Parts 382, 383 and, 391	Unsatisfactory	2	
Factor 3: Operational = Parts 392 and 395	Satisfactory		
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 21 Number of Vehicles Inspected (MCMIS): 80 OOS Rate: 26.3%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	Satisfactory		
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 68,894,790 Recordable Accidents: 31 Recordable Accidents/Million Miles: 0.45	Satisfactory	N/A	N/A

**Effective date:** You will receive an official notice of proposed safety rating from the Federal Motor Carrier Safety Administration in Washington, D.C. The Conditional rating will take effect 60 days after the date of the official notice.

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

You may request a safety rating upgrade based on corrective action under 49 CFR 385.17 and/or an administrative review under 49 CFR 385.15.

**Change to safety rating based on corrective action:** You may request a change to a safety rating under 49 CFR 385.17 at any time by providing evidence that you have taken actions to correct the deficiencies that resulted in the safety rating. You must make this request in writing to the Field Administrator for the FMCSA Service Center in which you maintain your principal place of business. A pending request for a change in safety rating under 49 CFR 385.17 will not delay the effective date of the rating.

**Administrative Review:** You may appeal your proposed safety rating in a petition filed under 49 CFR 385.15 if you believe FMCSA made an error in assigning your safety rating. You must submit your appeal within 90 days of the date of the proposed safety rating or within 90 days after denial of a request for a change in rating under section 385.17(i). If the safety rating improves a previous Unsatisfactory rating, it becomes effective immediately and you must submit your appeal within 90 days of the final safety rating. A petition under section 385.15 will not delay the effective date of the rating unless the Chief Safety Officer grants a stay.

You must submit your appeal in writing to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590-0001.

**DataQs:** If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and

track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.



## Process Breakdown and Remedies

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### **BASIC: Controlled Substances/Alcohol** **Process Breakdown: Monitoring and Tracking**

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HANSEN & ADKINS AUTO TRANSPORT INC. failed to properly monitor controlled substance test results to ensure that drivers who tested positive were prohibited from performing safety-sensitive/driving functions until completion of the Return-To-Duty process.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:**

1. Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled-substance and alcohol regulations and related company policies and procedures.
2. Provide adequate oversight of all personnel hiring and training processes, including qualification of service agents, to ensure adherence to controlled-substance and alcohol regulations and company policies and procedures.
3. Maintain the following documents to help evaluate the performance of all staff (drivers and managers) involved in controlled-substance and alcohol testing and the effectiveness of the policies and procedures: Motor Vehicle Record (MVR); records related to testing, the designated employer representative (DER), return to duty, and dispatch; lists of drivers removed due to a history of controlled-substance and/or alcohol misuse and those disqualified for personal driving under the influence (DUI); substance-abuse professional (SAP) letters; and for each test type, include selection criteria, the eligibility-pool list, and the statistical laboratory summary.

### **BASIC: Driver Fitness** **Process Breakdown: Monitoring and Tracking**

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HANSEN & ADKINS AUTO TRANSPORT INC. failed to properly monitor driver status regarding CDL eligibility to ensure that those drivers who were disqualified from driving did not operate a CMV.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:**

1. Maintain roadside inspection reports, moving violation records, training records, the Commercial Driver's License (CDL), the dispatch schedule, bills of lading, and the medical report to help evaluate the performance of all staff involved in qualifying drivers (dispatchers and managers) and the effectiveness of the policies and procedures.
2. Evaluate personnel who are monitoring driver fitness performance by making sure they are reviewing driver-assignment and qualification files; applying the performance standards fairly, consistently, and equitably; and documenting the evaluations.
3. When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

## **BASIC: Unsafe Driving**

### **Process Breakdown: Monitoring and Tracking**

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HANSEN & ADKINS AUTO TRANSPORT INC. failed to monitor the unsafe driving practices of drivers to ensure that rules of behavior on the road are followed most times.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:**

1. Ensure that dispatchers and/or the safety manager monitor drivers' speed for violations with use of an electronic or manual movement record that is, that they track driver movements via driver reports, global positioning systems (GPS), and travel receipts.
2. Place a "How am I driving?" sticker on every truck to get feedback from the public on drivers exhibiting unsafe behaviors on the road. Assess feedback for safety implications.
3. Regularly evaluate the company's unsafe-driving-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with unsafe-driving regulations and company policies.

## **BASIC: Hours-of-Service Compliance**

### **Process Breakdown: Monitoring and Tracking**

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HANSEN & ADKINS AUTO TRANSPORT INC. failed to properly monitor logbooks to ensure falsification and excess hours do not occur on all occasions.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:**

1. Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
2. Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
3. Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.

# Recommendations

## 1. **Notice of Claim Violations**

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. 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.

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

## 2. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

## 3. **Carrier Crashes**

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

Steven Mattioli

Federal Motor Carrier Safety Administration

3401 CENTRELAKE DR, SUITE # 550A

ONTARIO, CA 91761

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

## 4. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

## 5. **Accident Countermeasures website has strategies and forms.**

Accident Countermeasures is a set of defensive strategies designed to reduce preventable accidents. The strategies and forms for implementing accident countermeasures can be found on the FMCSA website at:

<http://www.fmcsa.dot.gov/forms/print/accident.htm>

## 6. **Ensure that all drivers' logs are accurate.**

Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy.

Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.

## 7. **Who do I call?**

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)

## 8. **Return to Duty Process**

Do not allow a driver who has engaged in conduct prohibited by 49 CFR Part 382 to perform safety-sensitive functions until he/she has met with a SAP, been evaluated by a SAP, has completed the training/treatment recommended by the SAP AND has been subject to a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or a return to duty

controlled substances test with a negative result.

A driver that returns to duty after completing the return to duty process must have a follow up testing plan indicating a minimum of SIX unannounced follow up tests within the first twelve months.

9. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

10. **Guide to understanding Federal safety regulations is available at website**

FMCSA's "MOTOR CARRIER SAFETY PLANNER" is a free online guide with forms and documents that can help you better understand and comply with safety regulations. Check: <https://csa.fmcsa.dot.gov/safetyplanner>