



**Motor Carrier Attachment –Arizona Department of Public Safety**

**Compliance Review dated 8/09/21**

**Phoenix, AZ**

**HWY21MH008**

**(30 pages)**

# Arizona Department of Public Safety



**U.S. DOT#:** 1435950  
**MC/MX#:** 0

**Legal:** ARIZONA MILK TRANSPORT INC  
**Operating (DBA):**

**Investigation Date:**  
08/09/21

**Investigation Type:** Onsite Comprehensive Investigation

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

**Extent of Operations:** Entire Operation

## Physical Address

2111 S INDUSTRIAL PARK  
TEMPE, AZ 85282  
United States

## Mailing Address

██████████  
LITCHFIELD PARK, AZ 85340  
United States

## Contact Information

**Contact Name:** SUSAN J SOLOMAN  
**Email:** admin@arizonamilktransport.com  
**Phone:** (623)328-5420    **Cell:** ( )-    **Fax:** (623)937-0797

## Business and Financial

**Business Type:** Corporation  
**Gross Revenue:** \$    **For Year Ending:**  
**Federal Tax ID:** ██████████ (EIN)

## Operation Classification and Type

**Type of Operation:** Non-HM Intrastate Carrier

### Operation Classification

For-Hire Motor Carrier  
Property  
Exempt Commodities

## Cargo

Other (MILK)

## Equipment

	Owned	Term Leased	Trip Leased
Truck Tractors	14	10	
Trailers			46

**Power units used in the U.S.:** 24  
**Percentage of time used in the U.S.:** 100%

## Driver Information

### Drivers

	Intrastate	Interstate
< 100 Miles	37	
>= 100 Miles		

**Average trip leased driver/month:** 0  
**Drivers with CDL:** 37  
**Total Drivers:** 37

## Person(s) Interviewed

**Name:** SUSAN J SOLOMAN

**Title:** PRESIDENT

**Name:** MYRON "MIKE" THEISSEN

**Title:** GENERAL MANAGER

## 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:

2102 West Encanto, PO Box 6638  
Phoenix, AZ 85009  
Phone: (602) 223-2522

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

# Violations

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None

# Safety Fitness Rating

## This Investigation is Not Rated

**Crash Rate:**  
Total Miles Operated: 1,971,881  
Recordable Accidents: 1  
Recordable Accidents/Million Miles: 0.51

# Process Breakdown and Remedies

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None

# Recommendations

## 1. **Additional Information**

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

## 2. **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>

## 3. **R17-5-202**

R17-5-202. Motor Carrier Safety: Incorporation of Federal Regulations; Applicability

A. The Department incorporates by reference 49 CFR 40, 379, 382, 383, 385, 390, 391, 392, 393, 395, 396, 397, and 399, revised as of October 1, 2012, and no later amendments or editions, as amended under this Article. The incorporated material is on file with the Department and is available from the U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000. The incorporated material can be ordered online by visiting the U.S. Government Online Bookstore at <http://bookstore.gpo.gov>.

B. The sections of 49 CFR incorporated under subsection (A) apply as amended under this Article to all intrastate and interstate motor carriers operating in Arizona and persons operating a commercial motor vehicle, except as provided under subsection (C).

C. The intrastate operator of a tow truck with a gross vehicle weight rating of 26,000 pounds or less is exempt from the requirements of 49 CFR 390 through 399, except that the driver is subject to the physical qualifications and examination requirements of 49 CFR 391, subpart E.

## 4. **Motor Carrier Safety**

MOTOR CARRIER SAFETY

Article 1: General Provisions

28-5201 Definitions

28-5202 Applicability

28-5203 Motor Carrier Safety revolving fund

28-5204 Administration and enforcement; rules

Article 2: Regulation

28-5231 Records requirements; inspection

28-5232 Danger to public safety; suspension of registration or license; civil penalty; hearing; reinstatement

28-5234 Exemption from rules on drivers qualification and hours of service; definitions

28-5235 Notification; denial of vehicle registration and operating privileges; audits

28-5236 Violations; inspection; material containment

28-5237 Noncompliance; hearing; suspension of registration or license; civil penalty

28-5238 Civil penalty schedule; suspension of registration or license; reinstatement; enforcement

28-5239 Judicial review

28-5240 Violation; classification; attorney general enforcement

28-5241 Out-of-service orders; violation; civil penalty; definition

28-5242 Registration requirements; interstate or foreign commerce; enforcement; violations; classification

28-5243 Railroad crossing violations; civil penalty

28-5244 Motor carriers; civil penalty; definition

28-5245 Violation; civil penalty

## 5. **Trooper Nyboer Contact**

If you have any questions regarding this review please contact Trooper Steve Nyboer at:

Arizona Department of Public Safety

Attn: Trooper Steve Nyboer

2102 W Encanto Blvd

Mail Drop 1240

Phoenix, AZ 85009.

email: [REDACTED]





# Safety Investigator Narrative

## Investigators who contributed to the review:

Name	Title	Inspector ID (e.g., SI Code)
STEPHEN NYBOER	Primary SI	AZ7040

## Investigation Scope

**Start Date:** 6/24/21

**Investigation Type:** Onsite Investigation, Comprehensive

**Reason(s) for Investigation:** Significant Crash

## Comments

General comments:

This carrier review was initiated as allowed under ARS 28-5231. The motor carrier was involved in a multiple vehicle collision in which four people died as a result of the crash. The crash occurred on June 9, 2021 on State Route 202 eastbound near milepost 4. At 10:09pm, a truck tractor with a trailer loaded with raw milk failed to stop for slow moving and stopped traffic. It struck multiple vehicles, the trailer became detached, and the truck tractor and one passenger car caught fire. There were four fatal injuries, two serious injuries, and eight minor injuries sustained due to the crash.

Research showed the carrier had no BASIC Alerts but was a Controlled Substances and Alcohol Supplemental review candidate.

## Company Information

### Company Owners and Partners/Officers/Members of the Company

Name	Title	In Charge of Safety Management?	Received Report?	Present for Close-Out?
SUSAN J SOLOMAN	PRESIDENT	No	Yes	Yes
MYRON "MIKE" THEISSEN	GENERAL MANAGER	Yes	No	Yes

## Comments

General comments:

Susan Soloman is the President, Director, and Shareholder.

## Business Information And Finance

The financial condition of the subject, focusing on any information that impacts the carrier's safety, is as follows: (The objective is to gather information to support making safety assessments determining if the carrier is reincarnated)

The carrier refused to provide the gross revenue. The motor carrier said it was in sound financial condition; it currently has adequate resources to implement safety management practices.

The carrier's major assets such as buildings, land, airplanes, other companies, etc. are:

The motor carrier did not disclose any major assets.

Description of the carrier's business process model:

The carrier stated, "We pick raw bulk milk at dairies in the Phoenix area and transport to the local bottling and processing plants in the Phoenix area. We are lease haulers for United Dairymen of Arizona. They are our only customer."

Major impacts to the business that affected the financial condition were:

The motor carrier did not disclose any major impacts to the business.

The following details describe the nature of the business and how it is structured. This includes a description of the business profit model, such as how the carrier makes money, what is acceptable profit, how the carrier makes up for losses, etc.:

The motor carrier is one of five contract carriers hauling raw milk for the United Dairymen of Arizona (UDA). Raw milk is loaded at 13 dairies with 21 barns on the west side of Phoenix, AZ. That milk is delivered to various processing plants in the greater Phoenix, AZ area.

General comments:

The carrier refused to provide gross revenue at the direction of the carrier's counsel.

## Operations & Cargo Classification

General comments:

The carrier hauls raw milk from various dairies to various processing plants under contract with United Dairymen of Arizona.

## Driver/Vehicle Information

General comments:

Mileage was provided by the president, Susan Soloman.

The carrier currently employs 37 CDL drivers with tank endorsements that operate 24 truck tractors with approximately 46 trip leased trailers. United Dairymen of Arizona either own or control all tankers used by the five contract carriers hauling raw milk in the State of Arizona.

## Compliance History

### Prior Investigations

No Prior Investigations

### Safety Audits

No Safety Audits

### Closed Enforcement Cases

No Closed Enforcement Cases

### Comments

All recurring violations discovered during prior investigations were:

There were no previous interventions.

Techniques used in discovering violations for use in subsequent investigations were:

Basic interviewing and investigation techniques were used to discover violations.

General comments on Compliance History:

None.

## Authority & Insurance

**Does the motor carrier have the appropriate type of authority?** No, they don't have authority but they don't need it

Explanation of any authority lapses or revocations:

Not applicable.

Explanation if authority is not applicable:

The carrier is an Authorized For-Hire motor carrier in intrastate operations.

**Does the motor carrier have the appropriate level of insurance?** Yes

**What is the amount noted on the MCS 90 or MCS 90B if applicable?** \$5,000,000

Explanation of any insurance lapses:

The carrier did not have a lapse in insurance.

General comments:

The carrier provided a certificate of liability insurance from Great West Casualty Insurance; valid 11/22/2020 through 11/22/2021; policy number [REDACTED]; \$1,000,000 each occurrence, general aggregate \$2,000,000. North American Capacity/Golden Bear provides excess liability insurance in the amount of \$4,000,000 under policy number [REDACTED].

### CDLIS (Driver's License Check)

Was a CDLIS check conducted? Yes

#### List of drivers for which a CDLIS check was performed:

Name	Date of Birth	License Information	Phone	Employment Dates	License Status
FRANCISCO ASTORGA	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes	()-	9/26/2018-Present	Licensed
THOMAS BELL	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		4/6/2016-Present	Licensed
CRAIG CARR	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		9/30/2011-Present	Licensed
ARMANDO CERECEDES	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		4/3/2019-Present	Licensed
FRANK CRUZ	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		9/1/2019-Present	Licensed
CESAR FRANCO GAVONEL	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		11/12/2008-Present	Licensed
SAUL GONZALES	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		10/1/2015-Present	Licensed
LEANNE HALE	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		12/13/2019-Present	Licensed
JAMES HARRIS	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		10/23/2016-Present	Licensed

Name	Date of Birth	License Information	Phone	Employment Dates	License Status
DONALD HUFFMAN	██████	State: AZ Number: ██████ Has CDL: Yes		10/23/2020-Present	Licensed
MARK JOHNSON	██████	State: AZ Number: ██████ Has CDL: Yes		7/5/2019-Present	Licensed
WILLIAM LANGENDORF	██████	State: AZ Number: ██████ Has CDL: Yes		3/21/2019-Present	Licensed
JAIME MOTA HERNANDEZ	██████	State: AZ Number: ██████ Has CDL: Yes		9/12/2018-Present	Licensed
JOHN NEWTON	██████	State: AZ Number: ██████ Has CDL: Yes		5/6/2014-Present	Licensed
ROBERT NORED	██████	State: AZ Number: ██████ Has CDL: Yes		4/20/2017-Present	Licensed
WAYNE PROSKE	██████	State: AZ Number: ██████ Has CDL: Yes		10/15/2017-Present	Licensed
HARRIS RICHARDSON	██████	State: AZ Number: ██████ Has CDL: Yes		3/26/2017-Present	Licensed
JOHN SCHUSTER	██████	State: AZ Number: ██████ Has CDL: Yes		12/23/2009-Present	Licensed
DARYN SPRINGER	██████	State: AZ Number: ██████ Has CDL: Yes		11/30/2017-Present	Licensed
ANTONIO VALDEZ	██████	State: AZ Number: ██████ Has CDL: Yes		4/6/2019-Present	Licensed

General comments:

None.

# Pre-Investigation Narrative

## Carrier Operations Description

General overview of the carrier's safety operation, including the personnel responsible for safety management:

As reported by the carrier, the following employees have the following tasks:

- Overall Safety: Mike Theissen
- Accident Register/Insurance Claims: Susan Soloman
- Driver Qualification Files: Susan Soloman
- Driver Qualification Road Test: John Schuster
- Controlled Substance and Alcohol: Susan Soloman
- Hours of Service: Mike Theissen
- Dispatch: John Schuster
- Payroll, Reimbursement, and Billing: Susan Soloman
- Fuel Reporting: Mike Theissen
- Annual and Brake Inspector: Lawrence Robedeau

In addition, the carrier stated, "All applicants driving record is reviewed and sent to insurance broker for evaluation and clearance. Past employment and experience is verified. Must pass driving road test and drug testing. Must complete 4 days of training and must pass Arizona agriculture bulk milk sampler test and receive license before hired. Must pass Clearinghouse query. Annual MVRs are run twice a year. Randoms are ran quarterly and is ran by a consortium. We run MVRs after every physical and drivers license that is renewed to insure that AZ MVD has correctly updated the drivers' records. We have drivecam video cameras in trucks that are reviewed daily by managers any safety issues revealed are then discussed with drivers and coached."

The approximate length of time the carrier/shipper has been in business is:

The carrier has been in business since November 2005. Arizona Milk Transport, Inc. is registered with the Arizona Corporation Commission, File 12398797. Susan Soloman is listed as Director, Shareholder, and President.

Description of the company location and the principal place of business, maintenance facilities, etc. (including the extent and nature of any divisions or business locations of the company):

The principle place of business is located in an office complex with rear facing garages. The carrier occupies two consecutive office spaces with the related garage spaces. The carrier leases a parking area from the neighboring American Legion for its truck tractors and employee parking.

The following is atypical about the carrier's operation:

The carrier is one of five contracted raw milk haulers for United Dairymen of Arizona (UDA). UDA owns or controls all tank trailers the contracted carriers use.

Explanation of interstate versus intrastate operations:

The carrier is solely an intrastate operation.

Significant findings regarding accuracy of registration data (MCS-150 data), including an explanation of the source(s) of information used to evaluate the accuracy of the information, are:

The current MCS-150 provided correct information. Recorded driver and truck tractor numbers were within normal deviations due to fluctuation throughout the year.

**Was the motor carrier involved in emergency relief efforts? No**

The motor carrier's exemptions (e.g. 395, MAP 21, utility service vehicle) were:

N/A

## Affiliation or Reincarnation

**Date New Applicant Screening (NAS) was run: 8/5/2021**

Description of potential affiliated and reincarnated carrier(s), and the method by which they were determined not to be affiliated/reincarnated carrier(s):

Milkyway Transportation LLC USDOT 1249774 uses office space in the same complex as Arizona Milk Transport.  
Idaho Milk Transport Inc. USDOT 303084 owners are distantly related to the President, Susan Soloman.  
Each of the five contracted carriers with United Dairymen of Arizona use the same trailers to haul the raw milk. Also, there is driver movement between the five carriers.

The following are the name(s) and U.S. DOT number(s) of affiliated and/or reincarnated motor carrier(s). (Note if the investigation resulted in a voluntary or involuntary consolidation order):

N/A

The following are names and DOT#s of household goods prime/temporary/emergency agents of motor carrier (Part 375.205):

N/A

## Requested Documents

List of documents requested including the date requested

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample	BASICs	Carrier Name	U.S. DOT#
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes	Unsafe Driving, Crash Indicator, HOS Compliance, Vehicle Maintenance, Controlled Substances & Alcohol, Driver Fitness	ARIZONA MILK TRANSPORT INC	1435950
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes	Unsafe Driving, Crash Indicator, HOS Compliance, Vehicle Maintenance, Controlled Substances & Alcohol, Driver Fitness	ARIZONA MILK TRANSPORT INC	1435950
Equipment List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes	Crash Indicator, Vehicle Maintenance	ARIZONA MILK TRANSPORT INC	1435950
Driver List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes	Unsafe Driving, Crash Indicator, HOS Compliance, Controlled Substances & Alcohol, Driver Fitness	ARIZONA MILK TRANSPORT INC	1435950

**Reasons for delays or extensions**

None

**Pre-Investigation Comments**



**Was Carrier Profile obtained:** Yes

**Date Carrier Profile was obtained:** 8/2/2021

Explanation of where the carrier maintains its documents, including where documents are maintained someplace other than at the principal place of business (includes whether or not the motor carrier was given 48 hours to produce records not located at the principal place of business):

The PPOB for the company is located at 2111 South Industrial Park, Tempe, AZ 85282. The carrier maintains all documents at the PPOB. The motor carrier was given over 48 hours to prepare for investigation.

**Were there any issues that posed barriers to the pre-investigation process? (e.g., locating or reaching the motor carrier, availability and accuracy of information, etc.)** No

Specific details in conversations or observations that influenced the investigation process:

There was nothing of note.

General comments on the Pre-Investigation Narrative:

None.

## Drivers with Red Flag Violations

**No drivers with red flag violations**

## Comments

General comments:

None.

## Violations with Planned Enforcement Action

**Violations with planned enforcement action:**

**None**

General comments:

None.

## Unsafe Driving

### Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
THOMAS BELL	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		4/6/2016-Present	-8/9/2021
CESAR FRANCO GAVONEL	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		11/12/2008-Present	6/24/2020-8/9/2021
LEANNE HALE	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		12/13/2019-Present	6/24/2020-8/9/2021
JAMES HARRIS	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		10/23/2016-Present	6/24/2020-8/9/2021
WILLIAM LANGENDORF	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		3/21/2019-Present	6/24/2020-8/9/2021
JAIME MOTA HERNANDEZ	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		9/12/2018-Present	6/24/2020-8/9/2021
ROBERT NORED	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		4/20/2017-Present	6/24/2020-8/9/2021
DARYN SPRINGER	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		11/30/2017-Present	6/24/2020-8/9/2021

### Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Driver List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

### Comments

The records reviewed to meet the sample were:

The motor carrier provided DQ files for the sampled drivers. The carrier profile, SMS download, CDLIS reports and DVERs were also reviewed to meet Unsafe BASIC sampling.

Sampling was expanded beyond minimum amount, or could not be reached in accordance with the eFOTM, because:

Sampling was not expanded.

Explanations or statements by motor carrier officials not otherwise documented explaining motor carrier operations or providing additional context or support for findings:

There were no explanations or statements provided by the motor carrier.

General comments:

None.

### Crash

**Number of recordable crashes missing from profile: 0**

**Did you use the CAT? No**

## ACE Crash List

**To view the ACE Lists, please go to Attachments by clicking the paper clip icon in the Navigation Pane. To access the Navigation Pane, click on View in the menu --> Show/Hide --> Navigation Pane --> Attachments.**

### Crash List

List of all recordable crashes used in calculating crash rate

### Comments

The method of discovery of missing crashes was:

Company documentation, insurance loss/run, and carier statements were reviewed to locate missing crashes. None were found.

Mileage was determined using the following method:

Mileage was provided by the president, Susan Soloman.

General comments:

Crash on 11-01-2020 occurred on I-10 at milepost 128. The carrier's driver/vehicle was rear-ended by an impaired driver.  
Crash on 06-09-2021 occurred on SR202 at milepost 4. The carrier's driver vehicle ran into stopped traffic.

## HOS Compliance

### Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
FRANCISCO ASTORGA	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes	()-	9/26/2018-Present	3/1/2021-3/30/2021
CRAIG CARR	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		9/30/2011-Present	2/1/2021-3/2/2021
CESAR FRANCO GAVONEL	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		11/12/2008-Present	5/11/2021-6/9/2021
SAUL GONZALES	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		10/1/2015-Present	4/1/2021-4/30/2021
MARK JOHNSON	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		7/5/2019-Present	5/1/2021-5/30/2021
JOHN NEWTON	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		5/6/2014-Present	2/1/2021-3/2/2021
HARRIS RICHARDSON	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		3/26/2017-Present	3/1/2021-3/30/2021

## Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Driver List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

## Comments

The records reviewed to meet the sample were:

Records of Duty in the form of time sheets, manifests, DVERs, and crash reports were reviewed to meet sampling.

Sampling was expanded beyond minimum amount, or could not be reached in accordance with the eFOTM, because:

Sampling was not expanded.

Explanations or statements by motor carrier officials not otherwise documented explaining motor carrier operations or providing additional context or support for findings:

The carrier hauls raw milk and utilizes the agricultural exemption for hours of service. In general, the carrier holds the drivers to 12-hour work days that do extend to 14-hour work days.

The following supporting documents were used to review HOS:

Manifests were reviewed.

Explanation of how the number checked was determined if the carrier did not maintain all supporting documents and a violation is cited:

Carrier was able to provide supporting documents.

General comments:

None.

## Vehicle Maintenance

### Vehicle Inspection Data

The types of vehicles inspected were:

The two vehicles inspected were truck tractors with GVWRs of 53,300lbs and 70,220lbs.

Inspections were required because:

There were not enough inspections on the carrier profile to satisfy the Out-of-Service sample size; in this case five inspections were required.

Explanation of why vehicles were not inspected and inspections were required:

N/A

Explanation of how the results did or did not tie into the carrier's breakdown in maintenance and/or the disposition of any vehicle inspections performed during the investigation (e.g. vehicle repaired or towed):

Except for inspections done at crash scenes, only minor lighting and air leak violations were discovered.

Aspects of the carrier's maintenance program and facilities:

The carrier has an on-scene mechanic to handle any minor repairs that are found during pre- and post-trips inspections, annual inspections, and brake inspections. Any major repairs are contracted out to Freightliner mechanics that typically respond to the parking area at the PPOB.

## Sampled Equipment

List of equipment identified for the sample and timeframe, if applicable.

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sample Dates
41	Truck Tractors Year: 2007 Make: FREIGHTLINER Model: CL120 GVWR:	1FUJA6CK47PY79904	AZ-XHA7B8A	Owned	Name: Model: Year:	6/24/2020-8/9/2021
45	Truck Tractors Year: 2006	1FUJA6CK56LW32154	AZ-9TA578	Owned	Name: Model:	6/24/2020-8/9/2021

Unit	Configuration	VIN	Plate	Leased/Owned	ELD/AOBRD	Sample Dates
	Make: FREIGHTLINER Model: CL120 GVWR:				Year:	
57	Truck Tractors Year: 2016 Make: FREIGHTLINER Model: DD15 GVWR:	3AKJGEDR0GSGW6726	AZ-CK27704	Owned	Name: Model: Year:	6/24/2020-8/9/2021
66	Truck Tractors Year: 2014 Make: FREIGHTLINER Model: CASC125 GVWR:	3AKJGED19ESFY1956	AZ-8TB442	Owned	Name: Model: Year:	6/24/2020-8/9/2021
71	Truck Tractors Year: 2020 Make: FREIGHTLINER Model: CASC125 GVWR:	3AKJGEDR9LDLR1546	AZ-9TB444	Leased	Name: Model: Year:	6/24/2020-8/9/2021

### Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Equipment List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

### Comments

The records reviewed to meet the sample were:

Inspections utilized to calculate OOS rate:

08/05/2021 -- DVER AZ0232004373 Level I -- no OOS  
08/03/2021 -- DVER AZ0L07000583 Level I -- no OOS  
06/24/2021 -- DVER AZ0271000652 Level I -- no OOS  
06/09/2021 -- DVER AZ0320000430 Level I -- no OOS  
08/03/2020 -- DVER AZ0L05001001 Level I -- no OOS

Vehicle files for requested vehicles, DVERs, company policies, and DVIRs were reviewed.

Sampling was expanded beyond minimum amount, or could not be reached in accordance with the eFOTM, because:

Sampling was not expanded.

Explanations or statements by motor carrier officials not otherwise documented explaining motor carrier operations or providing additional context or support for findings:

Carrier did not provide any explanations or statements about the findings.

General comments:

None.

## Drug and Alcohol Clearinghouse

**Has the carrier registered with the Drug and Alcohol Clearinghouse?:** Yes

**Did the motor carrier conduct pre-employment queries (if required)?:** Yes

**Did the motor carrier conduct annual queries (if required)?:** Yes

**Did the motor carrier have the consent on file?:** Yes

**Did the motor carrier report Drug and Alcohol violations?:** N/A

## Comments

General comments:

The carrier checks the Clearinghouse twice per year.

## Controlled Substances & Alcohol

### Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.



Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates
JOSHUA GENRICH	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		1/4/2021-Present	1/4/2021-8/9/2021
DONALD HUFFMAN	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		10/23/2020-Present	10/23/2020-8/9/2021

### Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Driver List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

### Random Testing

**Is the carrier Subject to Part 382?:** Yes

**Name of Consortium(s)/TPA(s):** CDTA

**Number of drivers required to have a CDL hired in the past 365 days:** 6

**Calendar year reviewed:** 2020

**Number of pre-employment test results checked during this review:** 5

**Were any pre-employment violations found?** No

**Were the random testing percentages for drug testing met for the prior year?** Yes

**Were the random testing percentages met for alcohol testing for the prior year?** Yes

**Did the motor carrier use any positive-tested driver?** No

**Did the motor carrier complete all post-accident tests (if required)?** Yes

### Comments

The records reviewed to meet the sample were:

The carrier provided a copy of their 2020 Annual Report, reasonable suspicion training certificates, company drug and alcohol policy. Additionally, DVERs and crash reports were reviewed.

Sampling was expanded beyond minimum amount, or could not be reached in accordance with the eFOTM, because:

Sampling was not expanded.

Any problems discovered with the consortium:

No problems were discovered.

Explanations or statements by motor carrier officials not otherwise documented explaining motor carrier operations or providing additional context or support for findings:

None.

General comments:

None.

## Driver Fitness

### Sampled Drivers

List of the driver(s) for the sample, and if applicable, the timeframe reviewed.

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates	Medical Examiner Information	Date of MEC Issuance	MEC Inquiry Results
THOMAS BELL	████████	State: AZ Number: ████████ Has CDL: Yes		4/6/2016-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License ████████	8/20/2019	Confirmed
CESAR FRANCO GAVONEL	████████	State: AZ Number: ████████ Has CDL: Yes		11/12/2008-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License ████████	8/10/2020	Confirmed
LEANNE HALE	████████	State: AZ Number: ████████ Has CDL: Yes		12/13/2019-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License ████████	6/28/2020	Confirmed
JAMES HARRIS	████████	State: AZ Number: ████████ Has CDL: Yes		10/23/2016-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License ████████	2/25/2021	Confirmed
WILLIAM	████████	State: AZ		3/21/2019-Present	6/24/2020-8/9/2021	Issuing	7/7/2020	Confirmed

Name	Date of Birth	License Information	Phone	Employment Dates	Sample Dates	Medical Exaimer Information	Date of MEC Issuance	MEC Inquiry Results
LANGENDORF		Number: [REDACTED] Has CDL: Yes				State: AZ ME License [REDACTED]		
JAIME MOTA HERNANDEZ	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		9/12/2018-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License [REDACTED]	8/11/2020	Confirmed
ROBERT NORED	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		4/20/2017-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License [REDACTED]	6/24/2020	Confirmed
DARYN SPRINGER	[REDACTED]	State: AZ Number: [REDACTED] Has CDL: Yes		11/30/2017-Present	6/24/2020-8/9/2021	Issuing State: AZ ME License [REDACTED]	9/3/2020	Confirmed

## Requested Documents

List of the documents requested and produced by the motor carrier.

Description	ACE Status	Subject	Date Requested	Date Produced	Produced By	Reviewed to meet sample
Questionnaire	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Accident Register	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes
Driver List	Reviewed	Crash: Driver: Equipment:	8/2/2021	8/2/2021	Steve Nyboer (Enforcement)	Yes

## Comments

Medical exemptions or variances discovered for drivers during the investigation:

No medical exemptions or variances discovered during this investigation.

The records reviewed to meet the sample were:

The carrier profile, roadside inspections, CDLIS reports, and ACJIS reports were reviewed in addition to the provided driver qualification files.

Sampling was expanded beyond minimum amount, or could not be reached in accordance with the eFOTM, because:

Sampling was not expanded.

Explanations or statements by motor carrier officials not otherwise documented explaining motor carrier operations or providing additional context or support for findings:

Carrier did not provide any explanations or statements about the findings.

General comments:

None.

## Conclusion

### SI Comments

Additional comments on the investigation:

None.

## Conclusion

Statements made by officials relative to correcting the violation(s) discovered during the investigation:

N/A

Additional information that explains and/or provides context for the violations cited, increases the accuracy of the evaluation process, and would aid the follow-up Investigator:

N/A

General comments:

None.

## Planned Action

**The following are selected enhanced enforcement action(s):** Compliance Monitoring

Enforcement is planned for the following violation(s) and/or part(s) (if applicable):

N/A

Note if an IH Order was issued as a result of the investigation and the effective date of the IH order:

N/A

## Comments

General comments:

None.

## Documents Provided to Carrier

**Completed Date:** 8/9/21

**List of materials provided to the motor carrier:** Investigation Report

## Comments

Indicate if an amendment was made to the compliance investigation report after the close-out and provide an explanation of the changes made to the report. The method used to provide the motor carrier with an amended copy was as follows:

No amendment was made to investigation after closeout.

General comments:

None.

## Carrier Acceptance

### Company Owners and Partners/Officers/Members of the Company

The source of the information for any additional owners or partners/officers/members of the company noted:

N/A

**Carrier refused to accept the investigation report:** No

**Closeout was performed with the highest ranking official:** Yes

General comments:

None.

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## ACE Driver List

To view the ACE Lists, please go to Attachments by clicking the paper clip icon in the Navigation Pane. To access the Navigation Pane, click on View in the menu --> Show/Hide --> Navigation Pane --> Attachments.

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## ACE Equipment List

To view the ACE Lists, please go to Attachments by clicking the paper clip icon in the Navigation Pane. To access the Navigation Pane, click on View in the menu --> Show/Hide --> Navigation Pane --> Attachments.