



Motor Carrier Attachment – LBFNY Post-Crash Compliance Review

Louisville, NY

HWY23FH005

(25 pages)

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 3773075
MC/MX#: 0

Legal: LBFNY LLC
Operating (DBA):

Investigation Date:
02/23/2023

Investigation Type: Onsite Comprehensive Investigation

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

Extent of Operations: Entire Operation

Physical Address

16 DRUMLIN DR
WEEDSPORT, NY 13166-3200
United States

Mailing Address

PO Box 123
Cato, NY 13033-0123
United States

Contact Information

Contact Name: JAMES BEGLEY

Email: [REDACTED]

Phone: [REDACTED] **Cell:** ()- **Fax:** (315)546-3768

Business and Financial

Business Type: Limited Liability Corporation

Name of Gross Revenue Provider: James Begley

Title of Gross Revenue Provider: Owner

Gross Revenue: \$11,091,280.00 **For Year Ending:** 12/31/2022

Federal Tax ID: [REDACTED] (EIN)

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier

Operation Classification

Private Motor Carrier

Passengers – Business

Cargo

Passengers

Equipment

	Owned	Term Leased	Trip Leased
Mini-Bus 16+	2		
School Bus 9-15	1		

Driver Information

Drivers	Intrastate	Interstate
	< 100 Miles	5
>= 100 Miles	10	2

Power units used in the U.S.: 3

Percentage of time used in the U.S.: 100%

Average trip leased driver/month: 0

Drivers with CDL: 3

Total Drivers: 17

Person(s) Interviewed

Name: JAMES BEGLEY

Title: OWNER/PRESIDENT

Name: Yenny Pinto

Title: Operations Manager

Person(s) Interviewed**Name:** Alejandro Flores**Title:** Maintenance 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:	11A CLINTON AVE STE 815 ALBANY, NY 12207-2355 Phone: (518) 431-4145 Fax: (518) 431-4140
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This report will be used to assess your safety compliance.

Violations

1. Primary: 382.115(a)

Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations.



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 Christopher Gesus Valero Torres, Crash Date: 1/28/2023.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

2. Primary: 383.37(a)

Allowing, requiring, permitting, or authorizing a driver to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.



Acute

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
2		2

BASIC Impacted

Driver Fitness

Rating Factor 2:
Driver = Part 383

Example/Notes:

Driver Christopher Gesus Valero Torres, Hire Date: 5/26/2022, Trip Date: 1/28/2023, drove Bus #13-011, a 2013 Chevrolet Micro Bird, MT Plate #593787B, VIN #1GB6G5BG2D1156753, with a passenger capacity of 16 plus the Driver.

Driver Elizabeth Gomez, Hire Date: 12/03/2021, Trip Date: 11/07/2022, drove Bus #13-0010, a 2013 Chevrolet Micro Bird, MT Plate #593865B, VIN #1GB6G5BGXD1155771, with a passenger capacity of 16 plus the Driver.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
2		2

3. Primary: 391.45(a)

Secondary: 391.11(a)

Using a driver not medically examined and certified.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

BASIC Impacted

Driver Fitness

Rating Factor 2:
Driver = Part 391

Example/Notes:

Driver Elizabeth Gomez, Trip Date: 11/07/2022, Bus #13-0010, GVWR 14,200 lbs.
Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #13-011, GVWR 12,300 lbs.
Driver Christopher Jesus Valero Torres, Trip Date: 1/28/2023, Bus #13-011, GVWR 14,200 lbs. (State Charge)

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

4. Primary: 395.8(a)(1)

Failing to require a driver to prepare a record of duty status using the appropriate method.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
46	18	64

Checked

Fed	State	Total
60	30	90

BASIC Impacted
Hours-of-Service
Compliance

Rating Factor 3:
Operational = Part
395

Example/Notes:

Driver Jesus Rene Garza Cepeda, Hire Date: 3/14/2022, Trip Date: 9/21/2022, Bus #12-009, GVWR 12,300 lbs.
Driver Elizabeth Gomez, Hire Date: 12/03/2021, Trip Date: 11/07/2022, Bus #13-0010, GVWR 14,200 lbs.
Driver Christopher Jesus Valero Torres, Hire Date: 5/26/2022, Trip Date: 1/28/2023, Bus #13-011, GVWR 14,200 lbs. (State Charge)

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

5. Primary: 396.17(a)

Using a commercial motor vehicle not periodically inspected.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

BASIC Impacted
Vehicle Maintenance

Rating Factor 4:
Vehicle = Part 396

Example/Notes:

Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009.
Driver Elizabeth Gomez, Trip Date: 11/07/2022, Bus #13-0010.
Driver Christopher Jesus Valero Torres, Trip Date: 1/28/2023, Bus #13-011. (State Charge)

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

6. Primary: 382.303(a)

Violations Discovered

Failing to conduct post accident alcohol testing on driver following a recordable crash.

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Example/Notes:

Driver Christopher Jesus Valero Torres, Crash Date: 1/28/2023, Crash resulted in multiple fatalities, test not completed.

Drivers/Vehicles in Violation

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

7. Primary: 382.303(b)

Failing to conduct post accident testing on driver for controlled substances.

Violations Discovered

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Example/Notes:

Driver Christopher Jesus Valero Torres, Crash Date: 1/28/2023, Crash resulted in multiple fatalities, test not completed.

Drivers/Vehicles in Violation

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

8. Primary: 382.701 (b)(1)

Failing to conduct an annual query.

Violations Discovered

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Example/Notes:

Driver Elizabeth Gomez, Hire Date: 12/03/2021, Trip Date: 12/04/2022.

Drivers/Vehicles in Violation

Fed	State	Total
1		1
Checked		

Fed	State	Total
1		1

9. Primary: 382.701(a)

Failing to conduct a pre-employment query.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver Christopher Jesus Valero Torres, Hire Date: 5/26/2022, Trip Date: 1/28/2023.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

10. Primary: 382.711(b)

Failing to register in the Clearinghouse.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver Christopher Jesus Valero Torres, Hire Date: 5/26/2022, Trip Date: 1/28/2023.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

11. Primary: 385.331

Secondary: 385.331

Operating after an Order to Revoke "New Entrant" Registration and Cease All Interstate Transportation was issued (New Entrant).

Violations Discovered

Fed	State	Total
46		46

Checked

Fed	State	Total
46		46

Example/Notes:

Driver Elizabeth Gomez, Trip Date: 11/01/2022, PA to NY to PA. (21)
Driver Jesus Rene Garza Cepeda, Trip Date: 9/19/2022, CT to RI to CT. (25)

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
2		2

12. Primary: 390.21(b)(2)

Failing to mark a commercial motor vehicle with the USDOT identification number.

Violations Discovered

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

Example/Notes:

Driver Elizabeth Gomez
Trip Date: 11/01/2022
Bus #13-0010, a 2013 Chevrolet (Girardin-Blue Bird) Model G5 Mini-Bus, VIN #1GB6G5BGXD1155771, MT Plate #593865B, with a GVWR of 14,200 lbs., and a designed seating capacity of 16 or more passengers.

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

13. Primary: 396.3(a)

Failing to systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to your control

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

2/23/2023 - The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 24 months that are reflected in the Vehicle Maintenance BASIC of the Carrier Safety Measurement System, including: (3) inspections completed on 1/31/2023 resulting in the discovery of safety defects, violations cited, and an overall Carrier Out-Of-Service Rate of 67%, on 2 of 3 inspections.
Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009, Level 5 inspection completed on 1/31/2023, violations discovered included: flat tires and improper exhaust, bus placed out of service for maintenance related citation.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

14. Primary: 396.3(a)(2)

Violations Discovered

Failing to inspect pushout windows, emergency doors, and emergency marking lights in buses at least every 90 days.

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

Example/Notes:

Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009.
 Driver Elizabeth Gomez, Trip Date: 11/07/2022, Bus #13-0010.
 Driver Christopher Jesus Valero Torres, Trip Date: 1/28/2023, Bus #13-011. (State Charge)

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

15. Primary: 396.3(b)

Failing to keep minimum records of inspection and vehicle maintenance.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
2	1	3

Example/Notes:

Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009. No maintenance file or records kept.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
2	1	3

16. Primary: 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.

Violations Discovered

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

Example/Notes:

Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009.
 Driver Elizabeth Gomez, Trip Date: 11/07/2022, Bus #13-0010.
 Driver Christopher Jesus Valero Torres, Trip Date: 1/28/2023, Bus #13-011. (State Charge)

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
2	1	3

Safety Fitness Rating

Your proposed safety rating is: **UNSATISFACTORY** 2 or more UNSATISFACTORY 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	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Unsatisfactory	2	1
Factor 3: Operational = Parts 392 and 395	Unsatisfactory	0	1
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 2 Number of Vehicles Inspected (CR): 3 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 66.7%	Unsatisfactory		1
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 198,007 Recordable Accidents: 1 Recordable Accidents/Million Miles: 5.05	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 Unsatisfactory rating will take effect 45 days after the date of the official notice.

PROHIBITION: Under 49 USC 31144(c) and 49 CFR 385.13, a motor carrier that receives a final Unsatisfactory safety rating is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce. If applicable, the motor carrier shall have its operating authority registration revoked under 49 USC 13905(f)(1)(B).

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).

You should submit your appeal within 15 days of the date of the official safety rating notice to allow FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. 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

BASIC: Controlled Substances/Alcohol

Process Breakdown: Qualification and Hiring

At LBFNY LLC, your drivers operated commercial motor vehicles with a passenger capacity of 16 passengers plus the driver or more, and/or a gross vehicle weight rating over 26,000 lbs.

You failed to ensure that your company was registered in FMCSA's Drug & Alcohol Testing Clearinghouse. You also failed to ensure that the required queries were completed at hire and on an annual basis.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Qualification and Hiring:

1. Ensure that the controlled-substance and alcohol-testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.
2. Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.
3. Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.
4. Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.
5. Verify that the qualifications of all prospective service agents are in accordance with regulations.
6. Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.
7. Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.
8. When hiring part-time or intermittent drivers with concurrent employment, refer to the pre-employment exception under 382.301(d) or check with the concurrent employer to ensure that drivers are participating in the company's program and no testing violations have occurred.

BASIC: Controlled Substances/Alcohol

Process Breakdown: Training and Communication

At LBFNY LLC, you failed to ensure that drivers operating commercial motor vehicles with a passenger capacity of 16 passengers plus the driver or more, and/or a gross vehicle weight rating over 26,000 lbs., were included in a controlled substance and alcohol testing program.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training

and Communication:

1. Convey expectations to all applicable staff for adhering to controlled substance and alcohol regulations and to company policies and procedures, and for executing responsibilities by providing new-hire and refresher training. Establish communication channels such as newsletters and/or meetings focused on resolving conflicts: for example, for drivers, between testing requirements and lifestyle decisions with regard to controlled substance and alcohol abuse or misuse.
2. Encourage disclosure of personal problems with controlled substances and alcohol within a safe environment by having an open-door policy with management or using an Employee Assistance Program (EAP). An EAP enables drivers to alert management of concerns about other personnel and to seek help for their own substance abuse and/or alcohol problems.
3. After selection of drivers for random testing, the program coordinator should send confidential correspondence to whoever is informing the selected drivers, noting the selection date, selected names, proper notification procedure, testing location, and when test results need to be completed. Drivers should be reminded that refusal to take the test will be equivalent to a positive result.
4. Ensure that managers and supervisors regularly communicate and demonstrate their ongoing commitment to abiding by regulations and company policies regarding controlled-substance and alcohol use.
5. Communicate the carrier's Controlled Substances and Alcohol BASIC percentile to all staff, and explain to them individually what they can do to help improve compliance.
6. Provide new-hire and refresher training, to all drivers, managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a Substance Abuse Professional (SAP); and confidentiality requirements in relation to recordkeeping.
7. Ensure that personnel in safety-sensitive positions receive required training on the importance of responsible lifestyle behaviors and personal choices regarding controlled-substance and alcohol use.
8. Train all staff who are required to monitor and track controlled-substance and alcohol compliance on the appropriate company policies, including those related to discipline and incentives.
9. Reinforce training about controlled-substance and alcohol policies, procedures, and responsibilities to drivers, controlled-substance and alcohol-testing personnel, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among all involved with the testing so that they can help each other to improve.
10. Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to controlled-substance and alcohol-use regulations and related company policies and procedures.

BASIC: Driver Fitness

Process Breakdown: Monitoring and Tracking

At LBFNY LLC, you used drivers with improper qualifications, who were unlicensed for the type of equipment they were operating to engage in the transportation of passengers in commerce.

You continually used drivers to operate buses requiring the drivers to have a medical examiners certification without the drivers being medically qualified.

Specific Recommended Remedies

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

1. Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
2. Maintain each driver's investigation history file in a secure location with limited and controlled access for as long as the driver is

- employed and for three years thereafter.
3. 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.
 4. Monitor all drivers who are used on an intermittent basis to ensure that they are medically qualified and have the proper license class and endorsement ("P" or "S").
 5. Monitor and track driver-fitness-related passenger complaints and assess safety implications.
 6. Regularly evaluate the company's driver fitness-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 driver-fitness regulations and company policies.
 7. 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.

BASIC: Hours-of-Service Compliance

Process Breakdown: Monitoring and Tracking

At LBFNY LLC, you must have an accurate method of recording all hours worked by your drivers, including driving hours. Your current method of recording drivers hours does not include driving time. Drivers were also found to have driven after exceeding the maximum on-duty time allowed.

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. Document all findings of fatigue-related noncompliance with regulations and/or company policies.
4. Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
5. Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
6. Regularly evaluate the company's fatigue-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.
7. Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
8. 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.
9. Monitor and track driver-fatigue-related passenger complaints and assess safety implications.
10. Ensure that management ascertains that available hours account for rest periods, separate operations within-company, intermittent and relief drivers, and changes to itinerary that require "extended day." Check in with drivers at pre-designated intervals.

BASIC: Vehicle Maintenance

Process Breakdown: Policies and Procedures

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:

1. Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and record-keeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
2. Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
3. Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
4. Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
5. Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
6. Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
7. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.
8. Develop systematic procedures for inspecting maintenance items critical to fire-safety and emergency evacuation - for example, checking wheel-hub lubrication levels according to the manufacturer's recommended inspection intervals, checking wheels for signs of excess heat every time the bus is parked, regularly inspecting wiring and electrical systems for short circuits, and inspecting emergency-exit operation and markings.

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. **Additional Information**

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

4. **Cerasa Office Contact**

If you have any questions concerning this report, please contact me, Michael J. Cerasa, Special Investigator, for the United States Department of Transportation, Federal Motor Carrier Safety Administration, Niagara Center, 130 S. Elmwood Avenue, Suite 524, Buffalo, NY 14202 (716) 551-5267 or on my cell phone at (716) 225-2972.

If you cannot reach me or someone in my office, call or write our Albany office at the Leo O'Brien Federal Building, Room 815, Clinton Ave and Pearl Street, Albany, NY 12207 (518) 431-4145.

5. **How Carriers can reduce crashes!**

FMCSA's CSA Safety Planner Program offers various resources for outlining and implementing an effective and compliant safety management program at your company.

4.4.4 Covers "How Carriers Can Reduce Crashes"

Motor carriers are expected to monitor their crashes for patterns and identify countermeasures to reduce the chances for future crashes. Examples of countermeasures include, but are not limited to:

Crashes in a construction zone Reroute until construction is complete

Crashes due to driver inattention Hold safety meetings and provide other reminders for focused driving

Crashes due to sun in driver's eyes Change time drivers were dispatched

High number of struck in rear crashes Add brake lights and turn signals at the top of trailers

Loss of control crashes Pay for drivers to attend driver training class

Unusual number of backing incidents Review experience of drivers and make needed changes

Weather-related crashes Create driver recognition program for avoiding driving in adverse weather

Crashes at same time or location Change routes or dispatch times

Too many crashes Add stickers on mirrors to remind drivers to be careful.

<https://csa.fmcsa.dot.gov/safetyplanner/>

6. **Accident Countermeasures website has strategies and forms.**

Accident Countermeasures is a set of defensive strategies designed to reduce preventable accidents. These measures are outlined in the Crash Analysis Tool Report or CAT Report provided and reviewed with you at the close of this review.

Resources that will help you understand the regulations and meet your safety goals can be found on the FMCSA website

<https://www.fmcsa.dot.gov/>

Some additional resources can also be found at: <https://www.fmcsa.dot.gov/safety/good-business/safety-resources-business>

7. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

8. **Drivers may not have CDLs from more than one state.**

Drivers may not have Commercial Driver Licenses (CDLs) from more than one state. Ensure that all drivers have only one current CDL that is not under suspension or revocation. Driver CDLs must also match the correct class of vehicle driven and have applicable endorsements for double/triple trailer, passenger, tank vehicle and/or hazardous material operation.

9. **CDL and drug testing rules apply.**

Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.

10. **NYS LENS**

NYS Department of Motor Vehicles has a License Event Notification Service (LENS). LENS charges a fee but it is the only system New York State uses to transmit required license status to meet annual inquiry requirements to carriers. Therefore, enrollment in LENS is required for carriers using drivers with New York licenses. Once you've enrolled, LENS automatically notifies you of driver license events that occur on your drivers. You must enable all event notifications and make sure all drivers are enrolled in the system in order to meet all requirements. Information you can receive from LENS is: expiration, suspension or revocation of a driver license; restoration of a driver license; traffic law convictions; reportable accidents; medical certification status, and completion of a training course to reduce points and insurance premiums.

To request a LENS account, contact the LENS Help Line (518) 486-4480 or e-mail the LENS Help Desk at LENS@dmv.state.ny.us.

Also, the LENS website where you can find additional information and help is located at

<https://dmv.ny.gov/dmv-records/license-event-notification-service-lens-accounts>.

11. **General qualifications of drivers**

A person shall not drive a commercial motor vehicle unless he/she is qualified to drive a commercial motor vehicle. A motor carrier shall not require or permit a person to drive a commercial motor vehicle unless that person is qualified to drive a commercial motor vehicle.

A person is qualified to drive a motor vehicle if he/she

(1) Is at least 21 years old;

(2) Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;

(3) Can, by reason of experience, training, or both, safely operate the type of commercial motor vehicle he/she drives;

(4) Is physically qualified to drive a commercial motor vehicle in accordance with subpart E Physical Qualifications and Examinations of this part;

(5) Has a currently valid commercial motor vehicle operator's license issued only by one State or jurisdiction;

(6) Is not disqualified to drive a commercial motor vehicle under the rules in 391.15; and

(7) Has successfully completed a driver's road test and has been issued a certificate of driver's road test in accordance with 391.31, or has presented an operator's license or a certificate of road test which the motor carrier that employs him/her has accepted as equivalent to a road test in accordance with 391.33.

12. **Physically unqualified drivers cannot drive in interstate commerce**
Do not allow physically unqualified drivers to drive in interstate commerce.
13. **Drivers may not drive interstate unless they have had a physical.**
Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
14. **Drug and Alcohol Clearinghouse**
Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>.
15. **Clearinghouse Registration - Employer**
Ensure you are registered in the Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>.
16. **Clearinghouse Pre-employment Query**
Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.
17. **Clearinghouse Annual Query**
Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.
18. **Clearinghouse Driver Consent**
Ensure driver consent has been obtained and is on file before conducting a limited query.
19. **Reporting violations into the Clearinghouse**
Ensure violations are entered into the Clearinghouse within the required time frame. The type of violation and time frame may be found in 49 CFR 382.705(b) of the Federal Motor Carrier Safety Regulations.
20. **Driver's prohibited status in Clearinghouse**
 1. Do not allow a driver who is prohibited in the Clearinghouse to perform safety sensitive functions.
21. **Reporting Return to Duty information into the Clearinghouse**
Ensure that the negative return to duty test result is reported in the Clearinghouse by the end of the third business day after receiving the information.
22. **Reporting Follow Up information into the Clearinghouse**
Ensure that completion of the follow up testing plan is reported in the Clearinghouse by the end of the third business day after receiving the information.
23. **Lab must provides a quarterly statistical summary of urinalysis.**
Laboratory must transmit aggregate statistical summary on semi-annual basis
24. **Maintain all required controlled substance testing records.**
Maintain all required alcohol and controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .
25. **Driver drug tests required.**
Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
26. **Drug and Alcohol Testing Company Policy (Educational Materials)**
Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.
27. **Alcohol Testing**
Ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed

immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.

28. **Positive Drivers**

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.

29. **Random Test Selections**

After selection of drivers for random testing, the program coordinator should send confidential correspondence to whoever is informing the selected drivers, noting the selection date, selected names, proper notification procedure, testing location, and when test results need to be completed. Drivers should be reminded that refusal to take the test will be equivalent to a positive result.

30. **Reasonable Suspicion Training**

Provide new-hire and refresher training, to all managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a substance-abuse professional (SAP); and confidentiality requirements in relation to recordkeeping.

31. **New Hires**

Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.

Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.

32. **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.

33. **Cease All Interstate Operations while under the Federal Out-Of-Service Order.**

Cease All Interstate Operations while under the Federal Out-Of-Service Order.

34. **Ensure that all vehicles are properly marked.**

Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number. If your vehicles are also periodically operating for other carriers, they must be marked with that carrier's name and U.S. DOT#.

35. **Do not schedule trips requiring drivers to speed.**

Do not schedule or require drivers to make trips requiring them to exceed posted speed limits in order to complete the run within the hours of service limits.

36. **Do not require or permit drivers to use hand-held telephones or any similar devices while operating your equipment.**

Use of hand-held telephones or similar devices on commercial vehicles is prohibited while the equipment is being operated. Do not require or permit drivers to use them while driving. Take appropriate disciplinary action against drivers if they are using such devices.

37. **FMCSA Safety Planner**

Use the following link to outline an effective safety plan -
<https://csa.fmcsa.dot.gov/safetyplanner/>

You can tailor this plan to address specific issues highlighted by the violations cited and issues discussed during this investigation. If you have questions while designing your plan, you may contact me for assistance. I am available via email at [REDACTED]@dot.gov and by phone at [REDACTED].

38. **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

39. **North American Standard Inspection Level I Process**

For an overview of the complete North American Standard Inspection Level I process, visit CVSA's website. [CVSA.org](https://www.cvsa.org)

40. **North American Standard Inspection Level I Process (Spanish)**

Para obtener una descripción general del proceso completo de la Inspección Estándar de América del Norte – Nivel I, puede obtener un folleto o ver un video en español en: <https://www.fmcsa.dot.gov/international-programs>.

41. **PSP (Pre-employment screening program)**

Access your crash and inspection history via FMCSA's Pre-Employment Screening Program, <http://www.psp.fmcsa.dot.gov/>

42. **Data Q's**

DataQ's System is a web-based system where federal, state, and carrier officials can file concerns about federal data that is available to the public. By using this system, users can forward data concerns directly to the appropriate office for resolution and also be able to track what is happening with their concern. The DataQ's website is <http://dataqs.fmcsa.dot.gov>. This website can also be used to obtain an inspection report.

43. **Every Investigation: Understand Why Compliance Saves Time and Money**

Compliance with FMCSR will not only save lives, but will also save your business time and money. Tracking how much your business spends on noncompliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

44. **Every Investigation: Follow through on action plans**

Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

45. **150-mile exemption terms must be met.**

If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.

46. **Require drivers to prepare complete and accurate records.**

Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.

47. **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.

48. **Establish a system to control passenger-carrying drivers' HOS.**

Establish a system to control passenger-carrying drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15, and 60/70-hour limits.

49. **Establish a maintenance records program for all vehicles.**

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

50. **Require all drivers to prepare a written inspection report.**

Require all drivers to prepare a written inspection report for each day a vehicle is operated and a defect is discovered. Ensure that each report is signed by the driver, repaired and certified by a maintenance staff member, and finally reviewed and certified by the driver after the defects reported are corrected.

51. **Ensure that inspections are done at proper intervals.**

Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective

action, if schedules are not being adhered to.

52. Review with drivers procedure for pre and post trip inspections.

Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports when a defect is discovered.

53. Review with drivers procedure for pre and post trip inspections.

Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports when a defect is discovered.

54. Brake Inspector Qualification

You must obtain and keep on file, proof of the qualifications of the inspector/repairer you are using to service your trucks, specifically your brakes.

55. Corrective Action: DVIR

Visit our website at

<https://csa.fmcsa.dot.gov/SafetyPlanner/>

Outline a safety planner for yourself based on the example provided with this report.

Roadside Inspection Reports (396.9)

Any driver who receives a roadside inspection report is required to deliver it to the motor carrier within 24 hours. If a vehicle is declared out-of-service, violations or defects must be corrected before a vehicle may operate again. Carriers must sign and return the completed roadside inspection report within 15 days of the inspection, verifying all violations have been corrected. A copy of this report must be retained by the carrier for 12 months following the date of inspection.

Driver Vehicle Inspection Reports (DVIR) (Post-Trip) (396.11)

Per 49 CFR 396.11, drivers of passenger-carrying and non-passenger CMVs must inspect vehicles and prepare and sign a written report at the completion of each day's work on each vehicle operated, except for intermodal equipment tendered by an intermodal equipment provider. See FMCSA's additional guidance on completing and retaining DVIRs. See 49 CFR 396.11(b) for intermodal equipment inspection requirements.

The report shall cover at least the following parts and accessories, and must list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown.

Service brakes, including trailer brake connections

Parking (hand) brake

Steering mechanism

Lighting devices and reflectors

Tires

Horn

Windshield wipers

Rear-vision mirrors

Coupling devices

Wheels and rims

Emergency equipment

If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated.

Corrective Action

Carriers must repair any defect or deficiency before the vehicle is dispatched again, and certify on the original driver vehicle inspection report that the defect or deficiency has been repaired or that repair is unnecessary.

Retention

The motor carrier must maintain the original driver vehicle inspection report (DVIR), the certification of repairs, and the certification

of the driver's review in the vehicle's maintenance file when a defect is discovered.

Pre-trip Inspection (396.13)

Before operating the vehicle, the driver must inspect the vehicle and be satisfied that it is in safe operating condition. If the last vehicle inspection report notes any deficiencies, the driver must review and sign to acknowledge and certify that the required repairs were made.

56. **Preventative Maintenance Schedule**

You must have in place a schedule of maintenance and inspections to be performed on your equipment at set intervals. Your preventative maintenance schedule must cover all equipment operated under your USDOT # and authority. Your program should include the services to be performed at each interval outlined in your program.

57. **Bus seating modifications must conform to the requirements of FMVSS**

393.93(b)(3) Buses manufactured on or after January 1, 1972. Every bus manufactured on or after January 1, 1972, must conform to the requirements of Federal Motor Vehicle Safety Standard No. 207.1 (571.207) (relating to seating systems).

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
396.17(a) - Using a CMV not periodically inspected			
1	09/21/2022	Equipment: Driver Jesus Rene Garza Cepeda, Bus #12-009	
2	11/07/2022	Equipment: Driver Elizabeth Gomez, Bus #13-0010	
3	01/28/2023	Equipment: Driver Christopher Jesus Valero Torres, Bus #13-011	State Charge
391.45(a) - Using a driver not medically examined and certified			
1	11/07/2022	Driver: Driver Elizabeth Gomez, Bus #13-0010, GVWR 14,200 lbs.	
2	01/28/2023	Driver: Driver Christopher Jesus Valero Torres, Bus #13-011, GVWR 14,200 lbs.	State Charge
3	09/21/2022	Driver: Driver Jesus Rene Garza Cepeda, Bus #12-009	
382.115(a) - Failing to implement an alcohol and/or drug testing program			
1	01/28/2023	Driver: Christopher Jesus Valero Torres, Bus #13-011	
383.37(a) - CDL must be current with proper endorsements. Must not violate restrictions			
1	01/28/2023	Driver: Driver Christopher Jesus Valero Torres, Bus #13-011	
2	11/07/2022	Driver: Driver Elizabeth Gomez, Bus #13-0010	
395.8(a)(1) - Failing to require a driver to prepare a record of duty status.			
1	11/01/2022	Elizabeth Gomez, Bus #13-0010	
2	11/02/2022	Elizabeth Gomez, Bus #13-0010	
3	11/03/2022	Elizabeth Gomez, Bus #13-0010	
4	11/04/2022	Elizabeth Gomez, Bus #13-0010	
5	11/05/2022	Elizabeth Gomez, Bus #13-0010	
6	11/07/2022	Elizabeth Gomez, Bus #13-0010	
7	11/08/2022	Elizabeth Gomez, Bus #13-0010	
8	11/09/2022	Elizabeth Gomez, Bus #13-0010	
9	11/10/2022	Elizabeth Gomez, Bus #13-0010	
10	11/11/2022	Elizabeth Gomez, Bus #13-0010	
11	11/12/2022	Elizabeth Gomez, Bus #13-0010	
12	11/13/2022	Elizabeth Gomez, Bus #13-0010	

13	11/15/2022	Elizabeth Gomez, Bus #13-0010	
14	11/16/2022	Elizabeth Gomez, Bus #13-0010	
15	11/17/2022	Elizabeth Gomez, Bus #13-0010	
16	11/18/2022	Elizabeth Gomez, Bus #13-0010	
17	11/19/2022	Elizabeth Gomez, Bus #13-0010	
18	11/20/2022	Elizabeth Gomez, Bus #13-0010	
19	11/28/2022	Elizabeth Gomez, Bus #13-0010	
20	11/29/2022	Elizabeth Gomez, Bus #13-0010	
21	11/30/2022	Elizabeth Gomez, Bus #13-0010	
22	09/01/2022	Jesus Rene Garza Cepeda, Bus #12-009	
23	09/02/2022	Jesus Rene Garza Cepeda	
24	09/06/2022	Jesus Rene Garza Cepeda	
25	09/07/2022	Jesus Rene Garza Cepeda	
26	09/08/2022	Jesus Rene Garza Cepeda	
27	09/09/2022	Jesus Rene Garza Cepeda	
28	09/10/2022	Jesus Rene Garza Cepeda	
29	09/12/2022	Jesus Rene Garza Cepeda	
30	09/13/2022	Jesus Rene Garza Cepeda	
31	09/14/2022	Jesus Rene Garza Cepeda	
32	09/15/2022	Jesus Rene Garza Cepeda	
33	09/16/2022	Jesus Rene Garza Cepeda	
34	09/17/2022	Jesus Rene Garza Cepeda	
35	09/19/2022	Jesus Rene Garza Cepeda	
36	09/20/2022	Jesus Rene Garza Cepeda	
37	09/21/2022	Jesus Rene Garza Cepeda	
38	09/22/2022	Jesus Rene Garza Cepeda	
39	09/23/2022	Jesus Rene Garza Cepeda	
40	09/24/2022	Jesus Rene Garza Cepeda	
41	09/25/2022	Jesus Rene Garza Cepeda	
42	09/26/2022	Jesus Rene Garza Cepeda	
43	09/27/2022	Jesus Rene Garza Cepeda	
44	09/28/2022	Jesus Rene Garza Cepeda	
45	09/29/2022	Jesus Rene Garza Cepeda	
46	09/30/2022	Jesus Rene Garza Cepeda	
47	12/30/2022	Christopher Gesus Valero Torres, Bus	State Charge

		#13-011	
48	12/31/2022	Christopher Jesus Valero Torres, Bus #13-011	State Charge
49	01/02/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
50	01/03/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
51	01/04/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
52	01/05/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
53	01/06/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
54	01/16/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
55	01/17/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
56	01/18/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
57	01/19/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
58	01/20/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
59	01/21/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
60	01/23/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
61	01/24/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
62	01/25/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
63	01/27/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge
64	01/28/2023	Christopher Jesus Valero Torres, Bus #13-011	State Charge

396.3(a) - Failing to maintain fleet

1	09/21/2022	Equipment: Driver Jesus Rene Garza Cepeda, Trip Date: 9/21/2022, Bus #12-009	
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