



Corrective Action Plan

Clarendon Hills, Illinois

HWY22MH009

(4 pages)

DEL'S MOVING INC.
30 Beach Avenue
LaGrange, IL 60526
(708) 632-1376

DOT # 3085466

FMCSA
Received
JUL 29 2022

Springfield, Illinois

SAFETY MANAGEMENT PLAN
REQUEST FOR SAFETY RATING CHANGE

Pursuant to *49 CFR § Part 385.17* of the *Federal Motor Carrier Safety Regulations*, Del's Moving Inc., requests that the Safety Fitness Rating issued to the company be upgraded based on corrective action taken and submitted in this Safety Management Plan (SMP). The request must address each acute or critical violation on the most recent Compliance Review.

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Daniel D. Meyer, Division Administrator
3250 Executive Park Drive
Springfield, IL 62703-4514

We would like to thank you for allowing us to show the changes our company has made since our compliance review. We are asking for a change of our current safety rating of Unsatisfactory to a Satisfactory rating.

We will address each Critical and Acute violations discovered in the compliance review.

They consist of the following:

ACUTE - 382.115(a) – Failing to implement an alcohol and/or controlled substances testing program.

ACUTE – 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 endorsement.

CRITICAL – 391.45(a), Secondary 391.11(a) – Using a driver not medically examined and certified.

CRITICAL – 391.51(a) – Failing to maintain driver qualification file on each driver employed.

CRITICAL – 396.3(b) – Failing to keep minimum records of inspection and vehicle maintenance.

CRITICAL – 396.17(a) – Using a commercial motor vehicle not properly inspected.

Just before the review, our company had contacted Thomas Yarber, the President of Fleet Transportation Safety Consultants Inc, to help and advise our company in safety and compliance. Mr. Yarber has been in transportation safety since 1994 and he opened his safety consulting company in 2012.

Mr. Yarber has 28 years of experience in transportation safety and has knowledge in the federal regulations and we feel he is going to be an assess to our company in helping us in our compliance issues.

Mr. Yarber will assist us on future hiring of driver's to be sure we follow all of the regulations required.

We are asking that any requests or issues be sent via email to the following please:

delsmover@gmail.com

ftsci@comcast.net

Before the crash that caused the review, our SMS scores were very good and under the threshold on all BASIC's. We only had 1 reportable crash prior to the review that will be off of our record this year. We had no violations on Unsafe Driving. No HOS violations. Maintenance had only 2 inspections that had violations. We had no violations on Drug/Alcohol as well. Driver fitness had 2 inspections with 1 a clean inspection. All of our alerts now on the BASIC's was due to the crash and review.

ACUTE - §382.115(a)

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

Our company, does not have any CDL drivers nor do we have any equipment anymore that would put us over the 26,000 lbs. Our company has 7 drivers on Class C and 1 driver on a Class B license (see attached copies of the driver's licenses.

Our drivers do not fall under 382.103(a) (1,2, and 3) so the drivers are not required to test nor be in a random pool. No CDL drivers.

We have implemented a drug and alcohol policy, along with a quiz, that is attached for you to review.

We did sign up with Concentra in the case a drug/alcohol needs to be completed.

Mr. Yarber will assist on the regulations and training. Better to train the drivers even if not required by the federal regulations.

ACUTE - §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.

Our company no longer has trucks that would require a driver to have a CDL license (truck 33,000 weight limit). We are staying under 26,000 lbs. per load. The company will monitor all moves and the estimated weight for each pickup to be sure to not go over the weight limit. Our investigator, Nelson Newcomb inspected the entire fleet and also stated that we no longer have equipment that would require the driver to have a CDL.

CRITICAL - §391.45(a)

Using a driver not medically examined and certified.

There was a misunderstanding in management on who was required to have a medical card, so the drivers were not sent for an examination. We had all of our current drivers get medically certified according to the federal regulations, registered, and medical examiner information from the National Registry. We are attaching copies of the driver's medical cards and the examiners information from the National Registry.

CRITICAL - §391.51(a)

Failing to maintain driver qualification file on each driver employed.

The company is now aware of what is need for a driver qualification file. We have compiled a complete driver file that we had our current drivers complete and we have retained copies to use for future drivers. Our files will have the driver's Application, License, MVR (front and back), Medical Card (with examiners information from the National Registry), Road Test (Equivalent To).

Our consultant will assist the company on future hirings including the employment verifications. We will provide you with the files for the current drivers at Del's.

CRITICAL – §396.3(b)

Failing to keep minimum records of inspection and vehicle maintenance.

The company has prepared a file for each of our trucks. We had kept copies of our receipts but did not have a file for each of our trucks explaining the repairs. This has been all taken care of.

CRITICAL - §396.17(a)

Using a commercial motor vehicle not periodically inspected.

We were unaware that this was needed to be done annually. We had all of our vehicles inspected and will supply you with a copy of the reports.

The company will monitor the inspections and be sure that we do not exceed 365 days without a new inspection.

We hope that we have provided enough evidence to prove that our company has made the changes to the violations discovered on our compliance review.

Should you need any other documents from Del's, please contact me via email or phone.

Respectfully,

Alex Smith

A black rectangular redaction box covering the signature of Alex Smith.

President
DEL'S MOVING INC.