# National Transportation Safety Board

Office of Highway Safety Washington, DC 20594



# HWY22MH009

# **MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT**

Group Chair's Factual Report

July 5, 2022

#### A. CRASH

Location: Clarendon Hills, Illinois

Date: May 11, 2022 Time: 8:16 a.m. CDT

#### B. MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT GROUP

Group Chair Shawn D. Currie

National Transportation Safety Board/ Highway Safety

Washington, DC

Group Member Nelson Newcomb

Federal Motor Carrier Safety Administration

Springfield, IL

## C. CRASH INFORMATION AND SUMMARY

For a summary of the crash, refer to the *Crash Information and Summary Report*, which can be found in the NTSB docket for this investigation.

This investigative report addresses the motor carrier history and operations of 2004 International 2-axle commercial truck involved in this crash, operated by Del's Moving Inc. of LaGrange, Illinois. This report documents the employment and driving history of the driver. Federal and State oversight, regulatory applicability and compliance for the driver and carrier are also addressed in this report.

#### D. MOTOR CARRIER HISTORY AND OPERATIONS

The motor carrier involved in this crash was Del's Moving Inc. (Del's). According to the Federal Motor Carrier Safety Administration (FMCSA) Motor Carrier Management Information System (MCMIS), the carrier was issued USDOT number 3085466 and MC number 70025. The state of Illinois also issued Del's Illinois MC number 64735.¹ The carrier is registered as an Interstate for hire carrier of general freight and is domiciled in LaGrange, Illinois. Per the carrier's latest MCS-150, the carrier had 2 trucks and 2 drivers.² Interviews with the carrier's president and treasurer indicated that they utilized 9 straight trucks and 1 cargo van and employed 9 drivers.

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<sup>&</sup>lt;sup>1</sup> Motor Carrier Attachment - ICC Application

<sup>&</sup>lt;sup>2</sup> Form MCS-150 and Instructions - Motor Carrier Identification Report | FMCSA (dot.gov)

<sup>&</sup>lt;sup>3</sup> Motor Carrier Attachment - MCS - 150 dated April 6, 2022.

# 1.0 History of Del's Moving Inc.

Del's was formed as a "S" corporation in June of 2015.<sup>4</sup> They employed 16 people at their location, 9 drivers and additional support personnel. They were primarily in the business of moving and storage of household goods. They also delivered products from a distribution center. A tour of their facility revealed mattresses, appliances, and furniture that were to be delivered to customers in the greater Chicago area to include the surrounding states.

A review of Del's application for Transfer/Acquisition of Motor Carrier of Property License submitted to the Illinois Commerce Commission (ICC) dated November of 2015, showed that the current owners of Del's obtained the company and license from previous owners in late October of 2015. The name was changed from doing business as Del's Movers Inc., to the current doing business as name of Del's Moving Inc.

# 2.0 Hiring Practice

The president of Del's was asked to explain the process and procedures utilized to hire a driver for an open driving position. The president explained that the company had a hiring procedure but was not a written policy. The president stated the procedure was most recently used in 2020 for the last employee hired.

The carrier advertised job openings on Craigslist. Once the applicant answered the advertisement via phone call, an interview would be scheduled. During the interview, a copy of the applicant's driver's license would be obtained, and the carrier would initiate a background check. The carrier stated the background checks were conducted by a third-party vendor. The carrier did not utilize a dedicated background service. The background check service varied from new hire to new hire and was primarily focused on criminal history results. The carrier would then submit the driver's information to their insurance company to see if the applicant was insurable. If the insurance company stated they would insure the applicant, they would be offered the position and the president would take the driver on a check ride "around the neighborhood" that would last 10 to 15 minutes.

<sup>&</sup>lt;sup>4</sup> "S" Corporations are corporations that elect to pass corporate income, losses, deductions, and credits through to their shareholders for federal tax purposes.

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# 3.0 Management Safety Practices

The carrier was asked to produce any written policies or procedures they utilized with regards to safety or training for their employees. The carrier produced a small hardcovered binder. The binder contained a copy of an employee manual from another company. The president stated he liked the manual and that is what they used. It was the only copy and was kept in his office. An examination of the manual failed to show any topics relating to the safe operation of vehicles. The president stated they had no written policies on: Safe operation of vehicles, safety belt use, cellular phone use or other similar policies commonly found in transportation related businesses. Most of the topics covered in this manual were human resources related. The president stated that he had verbally explained that seatbelts were mandatory and that the non-driver employees would be responsible for any cellular communications and the drivers were forbidden from using the phone behind the wheel.

In the carrier's application to the ICC, the carrier included "Exhibit K", titled Transferee's Maintenance, Training and Safety Programs, as part of "Exhibit K" Del's stated the following.5

Del's Moving, Inc. will have a thorough and comprehensive safety and maintenance program. All drivers will be required to pass a U.S. Department of Transportation physical and background check before hired. Management and/or supervisory personnel will then ride with and observe their driving habits. Drivers will be required to inspect their equipment daily and fill out a daily inspection report form before going on duty. All defects noted on the inspections are corrected immediately (tires, lights, hoses, etc.) and all-major service problems are forwarded to the equipment manufacturer's authorized dealer, as is all regular, periodic maintenance. Del's Moving, Inc. will regularly have safety meetings with drivers and its insurance company.

Controlled Substance and Alcohol Testing.

The carrier did not have a controlled substance and alcohol policy or any other safe driving policies or procedures in place, other than an initial road test to determine the new driver's ability to operate a truck. The crash driver did not possess a commercial driver's license (CDL) and was not subject to pre-employment testing. The Illinois State Police obtained post-crash blood samples and the results are still pending.

<sup>5</sup> Motor Carrier Attachment - Exhibit K MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT

#### 4.0 Driver's Hours of Service

The carrier operated under the short-haul operational provisions.<sup>6</sup> These provisions allow the driver to operate within 150-air miles of the place of business and did not use a paper log or electronic logging device for their hours of service. The carrier utilized handwritten timecards to track the driver's hours of service. On trips that left the state of Illinois, the carrier would require the driver to keep a logbook on paper forms to document their hours on that trip. The crash trip originated at approximately 7:00 am at the carrier in LaGrange. The truck was to travel to Tuttle Lane in Clarendon Hills, load household goods and transport them to Hinsdale, Illinois consisting of approximately 15 miles and was classified as an intrastate move.

#### 5.0 Truck Driver

The driver of the truck in this crash was a 54-year-old male. He had been employed by Del's since 2017. He first was hired as a laborer but became a driver soon after his hiring. The carrier was unable to provide an exact date of hire. The driver first obtained his driver's license in the former country of Yugoslavia (Currently Montenegro) when he was 18 years old. He received approximately 2-weeks of training in vehicle/truck operation in the Yugoslavian military. Upon immigrating to the United States in February of 1992, he obtained an Illinois Class C driver's license. He later moved to California, obtained a California Class C license, and worked on and off as a driver/laborer for several moving companies. In 2017, he returned to Illinois and again obtained an Illinois Class C license.

The driver had an expired DOT medical certificate that had expired in November of 2019, he had attempted to renew his medical certification in 2020 but was denied a new medical certificate pending information from his physician. For further information regarding the driver's medical qualification and issues, refer to the *Medical Officer's Factual Report*.

For further information regarding any traffic violations and previous crashes, refer to the *Human Performance Group Chairman's Report*.

<sup>&</sup>lt;sup>6</sup> 49CFR395.1(e)

<sup>&</sup>lt;sup>7</sup> A class C license allows the operator to drive a vehicle or combination vehicle <26,001 pounds.

# E. REGULATORY OVERSIGHT - FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

#### 6.0 CSA and SMS

In 2010, the FMCSA introduced the Compliance, Safety, Accountability (CSA) system as an initiative to improve large truck and bus safety and ultimately reduce crashes, injuries, and fatalities that are related to Commercial Motor Vehicles (CMVs). It introduced an enforcement and compliance model that allows the FMCSA and its state partners to contact a larger number of carriers earlier to address safety problems before crashes occur. Along with CSA, the FMCSA also rolled out an operational model called the Safety Measurement System (SMS), which replaced its predecessor, known as the SAFESTAT model. SMS uses a motor carrier's data from roadside inspections, (including all safety-based violations), state-reported crashes, and the Federal Motor Carrier Census to quantify performance in the following Behavior Analysis and Safety Improvement Categories (BASICs).

#### 7.0 CSA BASICs8

- **Unsafe Driving** Operation of CMVs by drivers in a dangerous or careless manner. *Example violations:* Speeding, reckless driving, improper lane change, and inattention. (FMCSR Parts 392 and 397)
- **Hours-of-Service (HOS) Compliance** Operation of CMVs by drivers who are ill, fatigued, or in non-compliance with the HOS regulations. This BASIC includes violations of regulations pertaining to records of duty status (RODS) as they relate to HOS requirements and the management of CMV driver fatigue *Example violations*: false HOS RODS and operating a CMV while ill or fatigued. (FMCSR Parts 392 and 395)
- **Driver Fitness** Operation of CMVs by drivers who are unfit to operate a CMV due to lack of training, experience, or medical qualifications. *Example violations:* Failure to have a valid and appropriate commercial driver's license (CDL) and being medically unqualified to operate a CMV. (FMCSR Parts 383 and 391)
- **Controlled Substances and Alcohol** Operation of CMVs by drivers who are impaired due to alcohol, illegal drugs, and misuse of prescription or over-the-counter medications. *Example violations*: Use or possession of controlled substances/alcohol. (FMCSR Parts 382 and 392)
- Vehicle Maintenance Failure to properly maintain a CMV and/or properly prevent shifting loads. Example violations: Brakes, lights, and

<sup>&</sup>lt;sup>8</sup> CSA Methodology retrieved from <u>www.fmcsa.dot.gov</u> MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT

other mechanical defects, failure to make required repairs, and improper load securement. (FMCSR Parts 392, 393, and 396)

- Hazardous Materials (HM) Compliance Unsafe handling of HM on a CMV. Example violations: Release of HM from package, no shipping papers (carrier), and no placards/markings when required. (FMCSR Part 397 and Hazardous Materials Regulations Parts 171, 172, 173, 177, 178, 179, and 180)
- **Crash Indicator** Histories or patterns of high crash involvement, including frequency and severity based on information from state-reported crashes

A carrier's measurement for each BASIC depends on the following:

- The number of adverse safety events (violations related to that BASIC or crashes).
- The severity of violations or crashes.
- When adverse safety events occur (more recent events are weighted more heavily).

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

The FMCSA has established threshold levels that would require agency action. Unsafe Driving, HOS, and Crash BASICs were set at lower thresholds because of their inherent risk. Additionally, passenger carriers and hazardous materials carriers have lower thresholds than all other carriers because of their inherent risk. **Table 1** represents the thresholds set by the FMCSA that help prioritize agency intervention and resource management.<sup>9</sup>

Table 1. BASIC thresholds. 10

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

<sup>&</sup>lt;sup>9</sup>Retrieved from <u>www.fmcsa.dot.gov</u>

<sup>&</sup>lt;sup>10</sup>Retrieved from <a href="http://csa.fmcsa.dot.gov/FAQs.aspx">http://csa.fmcsa.dot.gov/FAQs.aspx</a>.

On a carrier's SMS profile, which is publicly available on the SAFER website for only passenger carriers, an alert symbol is displayed in any designated BASIC where the carrier has exceeded the corresponding threshold. This is also referred to as having an "alert" in a BASIC. At the time of the crash, Del's SMS profile displayed no alerts in any of the BASICs. The SMS profile also showed that at the time of the crash, the driver out of service rate was 0 percent and the vehicle out of service rate was 50 percent. These rates were in comparison to the national averages of 5.8 percent and 21.2 percent, respectively. This information was based upon roadside inspection data discussed below.

Since becoming a carrier, Del's had been subject to an on-site comprehensive compliance review that was completed on March 25, 2020 and FMCSA records show they exited the New Entrant Program on November 21, 2019. A focused CR is used when two or fewer BASICs have exceeded their thresholds or when only certain portions of the Code of Federal Regulations (CFR) are reviewed related to the carrier's operations. A focused CR normally does not result in a safety rating and usually is classified as "non-rated" when completed, however it may result in an adverse safety rating (conditional or unsatisfactory). A comprehensive CR is used when three or more BASICs have exceeded their thresholds. A comprehensive CR may also be used if the carrier was involved in a crash or there has been a complaint made. A comprehensive CR addresses all aspects of the carrier's operation and normally results in a safety rating. The safety rating is determined by the FMCSA using safety rating methodology outlined in 49 CFR 385.5 which evaluates patterns of critical and acute violations. Table 2 summarizes the carrier's CR history to include the post-crash CR.

<sup>&</sup>lt;sup>11</sup>FMCSA BASIC information publicly available for Passenger and Hazardous Material carriers only. See additional information at the FMCSA Safer website: http://safer.fmcsa.dot.gov/CompanySnapshot.aspx.

<sup>12</sup> Safety rating or rating means a rating of "satisfactory", "conditional", or "unsatisfactory" using the factors prescribed in 49CFR385.7 as computed under the Safety Fitness Methodology. **Safety Ratings:** (1) **Satisfactory** means a motor carrier has in place, functioning safety management controls to meet the safety fitness standards prescribed in 49CFR385.5. (2) **Conditional** means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standards that could result in occurrences listed in §385.5 (a) through (k). (3) **Unsatisfactory** means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in §385.5 (a) through (k). (4) **Unrated** means that a safety rating has not been assigned to the motor carrier by FMCSA.

<sup>&</sup>lt;sup>13</sup> Acute violations are those identified where non-compliance is so severe as to require immediate corrective action by the motor carrier regardless of the overall safety posture of the carrier. Critical violations relate to management and/or operational controls that show a pattern of non-compliance. A list of acute and critical violations is listed in Appendix B of 49CFR385. MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT

 Table 2. Compliance Reviews.

Type of CR	Review Date	Safety Rating
Comprehensive review - Significant crash	05/12/2022	Satisfactory <sup>14</sup>
Comprehensive review - High Risk	03/25/2020	Satisfactory

The comprehensive CR from 2020 resulted in the following violations being discovered of 49 Code of Federal Regulations (49 CFR):

- Failing to maintain medical certificate in driver's qualification files (391.51(b)(7))
- Unsafe Driving (392.2)
- Failing to systematically inspect, repair and maintain vehicle (396.3(a))
- Failing to have a measure of indicating nature and due dates of various inspection and maintenance operations (396.3(b)(2))
- Failure to maintain periodic inspection reports 14 months from date of inspection (396.21(b))

The violations above did not result in a civil penalty being assessed by the FMCSA and the carrier received a conditional safety rating. As a result of the CR, Del's was provided with several specific recommended remedies to ensure that the cited violations were addressed and prevented from happening again.<sup>15</sup>

The comprehensive post-crash compliance review was initiated on May 12. 2022 and was completed on June 3, 2022. The following violations were cited by FMCSA:

- Failing to implement an alcohol and/or controlled substance testing program (392.115(a)) (Not the crash driver)
- Allowing a driver to operate a CMV without a CDL (383.37(a)) (The crash driver)

<sup>15</sup> Motor Carrier Attachment - March 25, 2020, Compliance Review MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT

 $<sup>^{14}</sup>$  Del's submitted a Corrective Action Plan to FMCSA resulting in this rating. See Motor Carrier Attachment - CAP

- Using a driver not medically certified (391.45(a)) (The crash driver and others)
- Failing to maintain driver qualifications file on each driver (391.15(a)) (The crash driver and others)
- Failing to keep minimum records of inspection and vehicle maintenance (396.3(b)) (Not the crash vehicle)
- Using a commercial vehicle not periodically inspected (396.17(a)) (Not the crash vehicle)
- Operating a motor vehicle not in accordance with the law (392.2) (Not the crash driver)
- Permitting a short-haul property-carrying commercial motor vehicle driver to drive after having been on duty 16 consecutive hours (395.1(O)) (The crash driver, not on the crash trip)

Additionally, as part of the CR process FMCSA reviewed the carrier to ensure that it was not operating under an Out-of- Service Order or a subsidiary of a carrier that was currently under an out of service order. FMCSA determined the carrier was not a reincarnated carrier.<sup>16</sup>

Del's operating authority did have a prior revocation for insurance issues from September 8, 2020, to November 18, 2020. Investigation revealed that this was through no fault of Del's but was due to an issue with an insurance company employee.

As a result of the CR completed by FMCSA, Del's obtained the services of a safety consultant. With the assistance of that consultant, Del's submitted a Corrective Action Plan (CAP) requesting a review of the proposed UNSAT rating.<sup>17</sup> In the CAP, Del's outlined changes made to their management safety practices as well as the new policies and procedures that were adopted.

The following violations were addressed with the remedies outlined below:

**49CFR382.115(a)** Failing to Implement an alcohol and/or controlled substance testing program

- The carrier doesn't have any CDL required drivers, nor do they possess any equipment that is more than 26,000 pounds. (The vehicle was destroyed in the crash)
- They have implemented a drug and alcohol policy

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<sup>&</sup>lt;sup>16</sup> For a definition of reincarnated carrier see 49CFR386.73

<sup>&</sup>lt;sup>17</sup> 49CFR385.17

• Signed up with Concentra of any required drug and alcohol tests

**49CFR383.37(a)** Allowing, requiring, permitting a driver to operate a CMV during any period which the driver does not have a current CDL...

• The company no longer has any vehicles that exceed 26,000 pounds and will monitor all moves and loads to ensure they do not exceed that limit.

**49CFR391.45(a)** Using a driver not medically examined and certified

 The carrier stated they had not understood the rule and have since had all drivers medically certified.

**49CFR391.51(a)** Failing to maintain driver qualification file on each driver employed

- The company compiled a complete driver file for each of their drivers
- The consultant will assist the company in future hirings and files

**49CFR396.3(b)** Failing to minimum records of inspection and vehicle maintenance

• The company has a file for each truck, with receipts and explaining repairs

**49CFR396.17(a)** Using a CMV not periodically inspected

- All vehicles have been inspected
- Company will monitor and not exceed a 365-day inspection process

After receiving this CAP and evaluating the changes made by Del's, FMCSA changed the proposed safety rating from Unsatisfactory to Satisfactory.

# 8.0 Roadside Inspections

Roadside inspections are the regular and often random inspections of commercial vehicles and their drivers. The purpose of these inspections is to ensure drivers and vehicles are following the FMCSRs, hazardous materials regulations and state and local laws. The level of inspection can vary depending on the training or certification level of the inspector. Once completed, the inspection results are sent to the FMCSA and are used in determining a carrier's safety fitness as described in Section 7.

The Commercial Vehicle Safety Alliance (CVSA) is a nonprofit association comprised of local, state, provincial and federal commercial vehicle safety professionals and industry safety representatives for the United States, Mexico and Canada. CVSA provides guidance and standards to ensure that roadside inspections are performed uniformly throughout North America. CVSA has established 8 levels of

inspection and formalized procedures and steps to accomplish a complete and thorough inspection.<sup>18</sup>

According to roadside inspections uploaded to the FMCSA's systems, Del's had (4) roadside inspections since June 12, 2020, prior to the crash.

- June 12, 2020, one of the carrier's trucks was stopped and a Level 3 inspection was conducted by the Illinois State Police. This inspection resulted in violations of no inspection sticker and a defective light.
- March 31, 2021, the Michigan State Police stopped the crash driver operating another vehicle and conducted a Level 2 inspection resulting in the vehicle being placed out of service.<sup>19</sup> The violations discovered included the driver having an expired medical card, and the vehicle having an inoperative horn, inoperative windshield wipers, six inoperative lamps, and both tail lamps being out (out of service).
- February 24, 2022, the Illinois State Police stopped the vehicle involved in the crash being operated by a different driver. The subsequent Level 2 inspection resulted in the vehicle having the violations of no inspection, two lamps being inoperative, and not having warning triangles as required.
- May 10, 2022, the day prior to the crash, the crash-involved driver and crash-involved vehicle were stopped and a Level 3 inspection was conducted by the Illinois State Police. As a result, the driver was found to have an expired medical certificate. This was the 2<sup>nd</sup> time the driver had been identified with this violation, the first was detailed above on March 31, 2021. The inspection noted that the vehicle had a Gross Vehicle Weight Rating (GVWR) of 33,000 pounds. As such, the vehicle required a driver with at least a Class B Commercial Driver's License.<sup>20</sup> This violation was not noted on the inspection form.

#### F. STATE REGULATORY OVERSIGHT

# 9.0 Illinois State Police

The Illinois State Police - Commercial Vehicle Section, is responsible for enforcement of state and federal motor carrier regulations and conducting roadside inspections. The State Police - Commercial Vehicle Section derives its authority from 625 ILCS 5/18B-100, et seq., "The Illinois Motor Carrier Safety Law".<sup>21</sup>

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<sup>&</sup>lt;sup>18</sup> All Inspection Levels - CVSA - Commercial Vehicle Safety Alliance

<sup>&</sup>lt;sup>19</sup> Out-of-Service Criteria - CVSA - Commercial Vehicle Safety Alliance

 $<sup>^{\</sup>rm 20}$  Class B CDL allows a driver to operate a CMV or combination vehicle more than 26,000 pounds.

<sup>&</sup>lt;sup>21</sup> For further information on the Motor Carrier Safety Law - <u>625 ILCS 5/ Illinois Vehicle Code.</u> (ilga.gov)

The roadside enforcement interactions between the Illinois State Police and the carrier are outlined in Section 8 Roadside Inspections.

The Trooper who conducted the inspection on May 10, 2022, was a recent academy graduate and was being mentored by a Field Training Officer (FTO). Subsequent interviews with members of the Illinois State Police commercial vehicle unit outlined the field training process. The field training portion lasts for 14 weeks after the Troopers graduate from the State Police Academy. While at the academy, Troopers are required to attend FMCSA's North American Standard- Part A program. This program is designed to instruct the Troopers in the procedures of conducting an inspection of the CMV's driver and the application of the federal regulations.

During the 14-week FTO period, new Troopers will be assigned to work with a certified Trooper for 1 week to be mentored and taught how to apply the Part A knowledge obtained from instruction at the academy. The remaining 13 weeks of the program are to instruct the new Trooper in the many other areas he or she will be responsible for throughout their career.

The Illinois State Police has promulgated Illinois State Police Procedure - EN-036. This document provides guidance and covers procedures for inspection of commercial vehicles by members of the Illinois State Police.<sup>24</sup>

The Illinois State Police conducted an internal investigation into the issues discovered with the inspection conducted on May 10, 2022. There were corrective actions taken with both the new Trooper and the Trooper's FTO. There is an internal plan to increase awareness of the performance issues discovered during the internal investigation through an awareness memorandum.

## **10.0 Illinois Commerce Commission (ICC)**

The ICC oversees public safety and consumer protection programs regarding intrastate commercial motor carriers of general freight, household goods movers, relocation towers, safety towers, personal property warehouses, and repossession agencies. The Commission's Rail Safety Program inspects and regulates the general safety of railroad tracks, facilities, and equipment in the state.<sup>25</sup>

Del's applied for a Transfer of the Motor Carrier Property License. ICC granted them the acquisition of the license - MC 64735. As part of that authority, ICC conducted a warehouse inspection of the storage and warehouse facility operated by

<sup>&</sup>lt;sup>22</sup> Cadet Training (illinois.gov)

<sup>&</sup>lt;sup>23</sup> North American Standard - Part A | Federal Motor Carrier Safety Administration (dot.gov)

<sup>&</sup>lt;sup>24</sup> Motor Carrier Attachment - Illinois State Police Procedure EN-036

<sup>&</sup>lt;sup>25</sup> https://icc.illinois.gov/authority/household-goods-movers

Del's. The inspection was conducted on May 9, 2022, and the warehouse met the minimum standards of safety and cleanliness required by the ICC. There was no statutory requirement for the ICC to regulate the trucking operation of Del's operations beyond the initial application for licensure.

#### G. VEHICLE HISTORY AND MAINTENANCE

Del's moving Inc obtained the 2004 International from a private sale on July 12, 2021. The vehicle was bought "as is where is" for \$11,500. The person who sold Del's the truck had bought it from Medcor Supply of Love's Park, Illinois.<sup>26</sup>

NTSB investigators were unable to obtain any maintenance records from Del's for this vehicle. The president stated the vehicle was too new to their fleet to have been serviced. He did however state that they had a new front tire installed in 2022. NTSB investigators requested records from the tire shop to verify the maintenance performed and were informed by the shop that they had no records of any tires being replaced for Del's.

The person who sold the vehicle to Del's and the president of Del's both stated it had low miles (estimated at 74,000) and had no known mechanical issues. The person who sold the truck to Del's stated that he had driven it and the only issue he was aware of was an undescribed problem with one of the rear cargo doors prior to it being sold.

#### H. ATTACHMENTS

Motor Carrier Attachment - ICC Application

Motor Carrier Attachment - MCS-150 dated April 6, 2022

Motor Carrier Attachment - Exhibit K

Motor Carrier Attachment - Corrective Action Plan

Motor Carrier Attachment - Compliance Review, March 25, 2020

Motor Carrier Attachment - Illinois State Police Procedure EN-036

Motor Carrier Attachment - Bill of Sale

Submitted by:

Shawn D. Currie Senior Highway Accident Investigator

<sup>&</sup>lt;sup>26</sup> Motor Carrier Attachment - Bill of Sale MOTOR CARRIER GROUP CHAIR'S FACTUAL REPORT