



Motor Carrier Attachment 45:

4-Way Transport LLC Safety Audit dated 06/17/2014

Cranbury, N.J; 06/07/2014

HWY14MH012

(19 pages)

	USDOT# 2402309	Legal: 4 WAY TRANSPORT LLC
		Operating (DBA):

MC/MX #: 826327	State #:	Federal Tax ID: [REDACTED]
Review Type: Safety Audit – New Entrant	Location of Review/Audit: Company Facility in the U.S.	
Scope: Entire Operation	Territory:	

Operation Types	Interstate	Intrastate	Business: Partnership Gross Revenue: [REDACTED]
Carrier:	Non-HM	N/A	
Shipper:	N/A	N/A	
Cargo Tank:	N/A		

Company Physical Address:

[REDACTED]
PHILADELPHIA, PA 19135, UNITED STATES

Contact Name: [REDACTED]
Phone numbers: (1) 3 [REDACTED] (2) [REDACTED] **Fax**
E-Mail Address: 4 [REDACTED]

Company Mailing Address:

[REDACTED]
[REDACTED] PA 19135, UNITED STATES

Carrier Classification

Authorized for Hire; Exempt for Hire

Cargo Classification

Fresh Produce
Does carrier transport placardable quantities of HM? No
Is an HM Permit required? No

Driver Information

	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:	0	0	Total Drivers: 3
>= 100 Miles:	3	0	CDL Drivers: 3

Equipment

	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck Tractor	2	0	0	Trailer	2	0	0
Power units used in the U.S.:	2						
Percentage of time used in the U.S.:	100						





4 WAY TRANSPORT LLC
USDOT#: 2402309

Review Date:
6/13/2014

Part A

Questions regarding this Safety Audit may be directed to New Entrant Coordinator
at the address below:

PA. Public Utility Commission Transportation and Safety Attn: New Entrant Coordinator

████████████████████
Scranton, PA 18503 (██████████)

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed:

Name: ██████████

Title: Partner

Name: ██████████

Title: Partner/office





Part B - Questions and Answers

An asterisk (*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

<p>Question General # 1 Section # 387.7(a) Acute Does the carrier have the required minimum level of financial responsibility in effect (property carrier)? <i>Tiene el transportista los niveles mínimos requeridos de responsabilidad financiera en efecto?</i></p>	<p>Answer Yes</p>
<p>Question General # 2 Section # 387.7(d) Critical Does the carrier have required proof of financial responsibility (property carrier)? <i>¿Tiene el transportista prueba de responsabilidad financiera requerida?</i></p>	<p>Answer Yes</p>
<p>Question General # 3 Section # 387.31(a) Acute Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)? <i>Tiene el transportista los niveles mínimos requeridos de responsabilidad financiera en efecto?</i></p>	<p>Answer N/A</p>
<p>Question General # 4 Section # 387.31(d) Critical Does the carrier have required proof of financial responsibility (passenger carrier)? <i>¿Tiene el transportista prueba de responsabilidad financiera requerida?</i></p>	<p>Answer N/A</p>
<p>Question General # 5 Section # 13901 (392.9a(a)(1)) Is the motor carrier authorized to conduct interstate operations in the United States? <i>¿Esta autorizado el transportista a dirigir operaciones interestatales dentro de los Estados Unidos?</i></p>	<p>Answer Yes</p>
<p>Question General # 6 Section # 390.15(b)(1) Can the carrier provide a complete accident register of recordable accidents? <i>Puede el transportista proveer un registro completo de accidentes que requieran anotación?</i></p> <p>Comments [REDACTED] 6/7/2014 Accident in NJ, cause this audit to be expedited. Information not yet with carrier. Accident under investigation at time of the audit.</p>	<p>Answer No *</p>
<p>Question General # 7 Section # 390.15(b)(2) Critical Does the carrier have copies of all accident reports required by States or other government entities or insurers? <i>¿Tiene el transportista copias de todos los reportes de accidentes requeridos por el estado u otra entidad gubernamental o compañías de seguro?</i></p> <p>Additional Documents Required Copies of accident report(s) for the past one (1) year as required by 49 CFR section 390.15(b) (2).</p> <p>Comments [REDACTED] 6/7/2014 Accident in NJ, cause this audit to be expedited. Information not yet with carrier. Accident under investigation at time of the audit.</p>	<p>Answer No *</p>
<p>Question General # 8 Section # 390.3(e) Is the carrier knowledgeable of the FMCSRs/HMRs? <i>Puede el transportista conseguir una copia actualizada de la FMCSRs/HMRs?</i></p>	<p>Answer Yes</p>
<p>Question General # 9 Section # 390.21 Does the carrier know the commercial motor vehicles marking requirements? <i>Conoce el transportista los requerimientos de marcado de los vehículos comerciales motorizados?</i></p>	<p>Answer Yes</p>



<p>Question Driver # 1 Section # 391.51(a) Critical</p> <p>Does the carrier maintain driver qualification files? <i>Mantiene el transportista archivos de calificación del conductor?</i></p> <p>Additional Documents Required Driver qualification files; Up to three (3) files which include newly hired drivers if applicable.</p> <p>Comments 6/7/2014 Missing: Complete Application, previous employer inquiry, Initial MVR, Annual MVR, Annual review of driving record, annual drivers certification of violations, new driver previous 7 days on duty time, copy of medical card. CDL-exempted from road test.</p>	<p>Answer No *</p>
<p>Question Driver # 2 Section # 391.11(b)(4) Acute</p> <p>Is the carrier using physically qualified drivers? <i>Esta el transportista usando conductores calificados físicamente?</i></p>	<p>Answer Yes</p>
<p>Question Driver # 3 Section # 391.45(a), 391.45(b) Critical</p> <p>Is the carrier using a driver without a medical certificate or with an expired medical certificate? <i>Indicar si hay evidencia disponible de que el transportista ha usado un conductor sin certificado medico o con un certificado medico expirado?</i></p> <p>Additional Documents Required Valid medical examiners certificate or proof of waiver and/or exemption issued by the Agency.</p> <p>Comments 6/7/2014 Medical card was not at location of the audit. 3 checked 2 discovered. Other driver missing medical card was</p>	<p>Answer Yes *</p>
<p>Question Driver # 4 Section # 391.15(a) Acute</p> <p>Is the carrier using any disqualified drivers? <i>Esta el transportista usando algunos conductores descalificados?</i></p>	<p>Answer No</p>
<p>Question Driver # 5 Section # 391.51(b)(2) Critical</p> <p>Does the carrier maintain driving inquiry data in driver qualification files? <i>Mantiene el transportista historial de datos de manejo del conductor en los archivos de calificación de conductores?</i></p> <p>Additional Documents Required Up to three driving records for the past three years</p> <p>Comments 6/7/2014 DOH: The first week of June 2014. Trip that involved crash was his first trip.</p>	<p>Answer No *</p>
<p>Question Driver # 6 Section # 382.115(a), 382.115(b) Acute</p> <p>Has the carrier implemented an alcohol and/or controlled substances testing program? <i>Tiene el transportista pruebas implementadas de alcohol y/o sustancias controladas?</i></p> <p>Additional Documents Required Contract with consortium/third party administrator (C/TPA) and/or collection site if applicable. Up to three; pre-employment test(s) on all drivers hired during the previous 365 days. Test results, supervisor reasonable suspension training if applicable, Control custody forms, policy, active random driver list.</p> <p>Comments 9/7/2014 The carrier is missing pre-employment tests, random drug/alcohol testing, supervisory training.</p>	<p>Answer No *</p>
<p>Question Driver # 7 Section # 382.213(b) Acute</p> <p>Has the carrier used drivers who have used controlled substances? <i>Ha usado el transportista conductores que han usado sustancias controladas?</i></p>	<p>Answer N/A</p>

Question Driver # 8 Section # 382.215 Acute Has the carrier used a driver who has tested positive for a controlled substance? <i>Ha usado el transportista un conductor que ha resultado positivo para una sustancia controlada?</i>	Answer N/A
Question Driver # 9 Section # 382.201 Acute Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater? <i>Ha usado el transportista un conductor conocido que tenga una concentración de alcohol de 0.04 o mas?</i>	Answer N/A
Question Driver # 10 Section # 382.505(a) Acute Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested? <i>Ha usado un transportista un conductor que se le ha encontrado tener una concentración de alcohol de .02 o mayor pero menos que .04 dentro de las 24 horas de haber sido examinado?</i>	Answer N/A
Question Driver # 11 Section # 382.301(a) Critical Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function? <i>¿Se ha asegurado el transportista que los conductores se hayan sometido a la prueba de sustancias controladas antes de realizar una acción delicada de seguridad?</i>	Answer N/A
Question Driver # 12 Section # 382.303(a) Critical Has the carrier conducted post accident testing on drivers for alcohol? <i>Ha, el transportista, realizado pruebas de alcohol y/o sustancias controladas a conductores después de un accidente?</i>	Answer N/A
Question Driver # 13 Section # 382.303(b) Critical Has the carrier conducted post accident testing on drivers for controlled substances? <i>Ha, el transportista, realizado pruebas de alcohol y/o sustancias controladas a conductores después de un accidente ?</i>	Answer N/A
Question Driver # 14 Section # 382.305 Acute Has the carrier implemented random testing program? <i>Ha implementado el transportista programas de pruebas al azar?</i>	Answer N/A
Question Driver # 15 Section # 382.305(b)(1) Critical Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or prorated rate of the average number of driver positions? <i>Ha conducido el transportista pruebas de alcohol al azar a la tasa anual no menor que la tasa anual aplicable al número promedio de las posiciones de conductores?</i>	Answer N/A
Question Driver # 16 Section # 382.305(b)(2) Critical Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the applicable annual rate of the average number of driver positions? <i>Ha conducido el transportista pruebas de sustancias controladas a la tasa anual no menor que la tasa anual aplicable del número promedio de las posiciones de conductores?</i>	Answer N/A
Question Driver # 17 Section # 40.305(a) Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions? <i>Ha el transportista realizado las pruebas requeridas de retorno-al-trabajo en empleados retornando s sus funciones de alta seguridad?</i>	Answer N/A
Question Driver # 18 Section # 40.309(a) Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional? <i>Esta el transportista realizando seguimientos a las pruebas como lo indica el Profesional en Abuso de Sustancias?</i>	Answer N/A



<p>Question Driver # 19 Section # 382.211 Acute</p> <p>Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?</p> <p><i>Ha usado el transportista a un conductor que ha rehusado someterse a una prueba de alcohol o sustancias controladas requeridas bajo la parte 382?</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Driver # 20 Section # 382.503 Critical</p> <p>Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?</p> <p><i>Ha el transportista empleado un Profesional en Abuso de Sustancias como lo requiere el 49 CFR Parte 40 Subparte O?</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Driver # 21 Section # 383.23(a) Critical</p> <p>Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?</p> <p><i>Ha operado un conductor un vehículo comercial motorizado sin una licencia actualizada para operar, o una licencia la cual no ha sido apropiadamente clasificada y endosada?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Driver # 22 Section # 383.37(a) Acute</p> <p>Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?</p> <p><i>Ha permitido el autotransportista conducir a conductores que tienen CDL suspendida, revocada, o cancelada por un estado, o que han perdido el derecho de operar una CMV en un Estado, o han sido descalificados para operar un vehículo comercial motorizado?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Driver # 23 Section # 383.51(a) Acute</p> <p>Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?</p> <p><i>Ha dejado el autotransportista intencionalmente, requerido, permitido o autorizado a un conductor descalificado a manejar un vehículo comercial motorizado?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Operations # 1 Section # 395.1(e)(1), 395.1(e)(2)</p> <p>Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?</p> <p><i>Tiene el transportista un sistema para registrar las horas del estado de trabajo en 100/150 millas radio y están ellas utilizando adecuadamente la excepción de las 100/150 aire-millas radio de los conductores?</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Operations # 2 Section # 395.8(a) Critical</p> <p>Does the carrier require drivers to make a record of duty status?</p> <p><i>Exije el transportista a los conductores a hacer un registro del estado del trabajo?</i></p> <p>Comments</p> <p>██████████ 9/7/2014 Logs for This driver were not checked because NJ State Police still had control of them after crash, driver's first trip and only logs. No longer employed. ██████████, 17 checked 0 discovered. Those 17 days were his only trips/logs for this carrier. No longer employed. ██████████ 30 checked 0 discovered.</p>	<p>Answer</p> <p>Yes</p>
<p>Question Operations # 3 Section # 395.8(i) Critical</p> <p>Does the carrier require drivers to submit records of duty status within 13 days?</p> <p><i>Exije el transportista a los conductores a someterse al registro del estado del trabajo dentro de 13 días?</i></p>	<p>Answer</p> <p>Yes</p>



<p>Question Operations # 4 Section # 395.8(k)(1) Critical</p> <p>Can the carrier produce records of duty status and supporting documents for selected drivers?</p> <p><i>Puede el transportista producir registros del estado del trabajo y documentos probatorios para conductores escogidos?</i></p> <p>Additional Documents Required</p> <p>30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers. Evidence that supporting documents are maintained, i.e., fuel receipts, toll receipts.</p> <p>Comments</p> <p>██████████ 9/7/2014, Provided documents for ██████████, but not ██████████. ██████████ documents are still in possession of the NJ SP as part of the accident investigation.</p>	<p>Answer</p> <p>No *</p>
<p>Question Operations # 5 Section # 395.3(a)(1) Critical</p> <p>Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)</p> <p><i>¿Ha permitido el transportista a los conductores exceder la regla de 11 horas? (Propiedad)</i></p> <p>Additional Documents Required</p> <p>Evidence of corrective action consisting of description of the system that the carrier will use to control hours of service and verify the accuracy of records of duty status, the types of supporting documents that will be used, documentation showing hours of service checks and false log checks, and the results.</p> <p>Comments</p> <p>██████████ 4/16/2014 Drove 14.5 hours since last 10 hr good rest break.</p>	<p>Answer</p> <p>Yes *</p>
<p>Question Operations # 6 Section # 395.3(a)(2) Critical</p> <p>Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)</p> <p><i>¿Ha permitido el transportista a los conductores exceder la regla de 14 horas? (Propiedad)</i></p> <p>Additional Documents Required</p> <p>Evidence of corrective action consisting of description of the system that the carrier will use to control hours of service and verify the accuracy of records of duty status, the types of supporting documents that will be used, documentation showing hours of service checks and false log checks, and the results.</p> <p>Comments</p> <p>██████████ 4/11/14 Drove 30 min after 14 hours on duty.</p>	<p>Answer</p> <p>Yes *</p>
<p>Question Operations # 7 Section # 395.3(b)(1) Critical</p> <p>Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)</p> <p><i>Ha permitido el autotransportista conducir a conductores que tienen CDL suspendida, revocada, o cancelada por un estado, o que han perdido el derecho de operar una CMV en un Estado, o han sido descalificados para operar un vehículo comercial motorizado?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Operations # 8 Section # 395.3(b)(2) Critical</p> <p>Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)</p> <p><i>¿Ha permitido el transportista a los conductores manejar después de haber estado trabajando por mas de 70 horas en 8 días consecutivos? (Propiedad)</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Operations # 9 Section # 395.5(a)(1) Critical</p> <p>Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)</p> <p><i>¿Ha permitido el transportista a los conductores exceder la regla de las 10 horas? (Pasajero)</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Operations # 10 Section # 395.5(a)(2) Critical</p> <p>Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)</p> <p><i>¿Ha permitido el transportista a los conductores exceder la regla de las 15 horas? (Pasajero)</i></p>	<p>Answer</p> <p>N/A</p>



<p>Question Operations # 11 Section # 395.5(b)(1) Critical</p> <p>Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)</p> <p><i>¿Ha permitido el transportista a los conductores manejar después de haber estado trabajando por mas de 60 horas en 7 días consecutivos? (Pasajero)</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Operations # 12 Section # 395.5(b)(2) Critical</p> <p>Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)</p> <p><i>¿Ha permitido el transportista a los conductores manejar después de haber estado trabajando por mas de 70 horas en 8 días consecutivos? (Pasajero)</i></p>	<p>Answer</p> <p>N/A</p>
<p>Question Operations # 13 Section # 395.8(e) Critical</p> <p>Does available evidence indicate a selected driver has prepared a false record of duty status?</p> <p><i>Tiene evidencia disponible que indique que un determinado conductor ha preparado un falso registro del estado de trabajo?</i></p> <p>Additional Documents Required</p> <p>Evidence of corrective action consisting of description of the system that the carrier will use to control hours of service and verify the accuracy of records of duty status, the types of supporting documents that will be used, documentation showing hours of service checks and false log checks, and the results.</p> <p>Comments</p> <p>██████████ 4/10/2014 Fuel Receipt, Log shows driver off duty.</p>	<p>Answer</p> <p>Yes *</p>
<p>Question Operations # 14 Section # 392.2 Critical</p> <p>Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?</p> <p><i>¿Se asegura el transportista que los conductores operen vehículos de comercio de acuerdo con las leyes, ordenanzas y regulaciones de las jurisdicciones en las cuales ellos operan?</i></p> <p>Additional Documents Required</p> <p>Statement outlining how the discovered violation was handled.</p> <p>Comments</p> <p>██████████ 9/6/2013 395.8 Missing previous 7 days/ROD</p>	<p>Answer</p> <p>No *</p>
<p>Question Operations # 15 Section # 392.9(a)(1) Critical</p> <p>Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?</p> <p><i>Se asegura el autotransportista que los conductores no están permitidos de manejar un vehículo sin la apropiada distribución de la carga y asegurada adecuadamente?</i></p>	<p>Answer</p> <p>Yes</p>
<p>Question Operations # 16 Section # 392.4(b) Acute</p> <p>Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?</p> <p><i>¿Tiene algún conductor que haya operado un vehículo de comercio bajo la influencia de, o en posesión de, drogas narcóticas, anfetaminas, u otras sustancias capaces de provocar la incapacidad de operar vehículos con seguridad?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Operations # 17 Section # 392.5(b)(1) Acute</p> <p>Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?</p> <p><i>¿Tiene algún conductor que haya operado un vehículo de comercio bajo la influencia de, o en posesión de bebidas intoxicantes?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Operations # 18 Section # 392.5(b)(2) Acute</p> <p>Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?</p> <p><i>¿Tiene algún conductor que haya operado un vehículo de comercio dentro de las 4 horas de haber consumido bebidas intoxicantes?</i></p>	<p>Answer</p> <p>No</p>



<p>Question Maintenance # 1 Section # 396.3(b) Critical</p> <p>Can the carrier produce maintenance files for requested vehicle(s)?</p> <p><i>Puede el transportista mostrar archivos de mantenimiento para requeridos vehículos ?</i></p> <p>Additional Documents Required Complete vehicle maintenance files; up to three (3). Preventive Maintenance Plan.</p> <p>Comments 9/7/2014 2006 Freightliner 1FUJBBCK46LV, 2006 FREIGHTLINER 1FUJBBCG06LU79, 1998 TRAIL MOBILE 1PT01ANH3W901. MISSING-TIRE SIZE, SCHEDULE OF MAINTENANCE TO BE PERFORMED, SOME MAINTENANCE INVOICES(RECORDS).</p>	<p>Answer No *</p>
<p>Question Maintenance # 2 Section # 396.17(a) Critical</p> <p>Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?</p> <p><i>Puede el transportista mostrar evidencias de inspecciones periódicas (anual) para ciertos vehículos?</i></p> <p>Additional Documents Required Vehicle annual inspections or equivalent; up to three (3) vehicles.</p> <p>Comments 9/7/2014 2006 Freightliner 1FUJBBCK, 2006 FREIGHTLINER 1FU, 1998 TRAIL MOBILE CHECKED 2 DISCOVERED.</p>	<p>Answer No *</p>
<p>Question Maintenance # 3 Section # 396.11(a) Critical</p> <p>Does the motor carrier require drivers to complete vehicle inspection reports daily?</p> <p><i>El autotransportista requiere a los conductores completar los reportes de las inspecciones de vehículos diariamente?</i></p>	<p>Answer Yes</p>
<p>Question Maintenance # 4 Section # 396.11(c) Acute</p> <p>Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?</p> <p><i>Se asegura el transportista que la lista de defectos hechas por el conductor de los fuera de servicio en el reporte de inspecciones sean corregidos antes que sea nuevamente operado el vehículo?</i></p>	<p>Answer N/A</p>
<p>Question Maintenance # 5 Section # 396.9(c)(2) Acute</p> <p>Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?</p> <p><i>Se asegura el transportista que los vehículos que han sido declarados fuera de servicio no sean operados antes de que las reparaciones hayan sido hechas?</i></p>	<p>Answer N/A</p>
<p>Question Maintenance # 6 Section # 396.19</p> <p>Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?</p> <p><i>Esta el transportista usando inspectores calificados (mecánicos) y manteniendo evidencia de las calificaciones hechas por el inspector?</i></p>	<p>Answer Yes</p>
<p>Question Maintenance # 7 Section # 396.3</p> <p>Can the carrier explain its systematic, periodic maintenance program?</p> <p><i>Puede el transportista explicar sistemáticamente el programa de mantenimiento periódico ?</i></p>	<p>Answer Yes</p>
<p>Question Other # 1 Section # 375.211</p> <p>Does the carrier participate in an Arbitration Program?</p> <p><i>El transportista participa en un Programa de Arbitraje?</i></p>	<p>Answer N/A</p>
<p>Question Other # 2 Section # 13702.0</p> <p>Does the carrier assess shipper freight charges based upon published tariffs?</p> <p><i>El transportista fija los cargos por embarque basados en tarifas publicadas?</i></p>	<p>Answer N/A</p>



<p>Question Other # 3 Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges? <i>El transportista provee estimados razonables y precisos de la carga de mudanzas?</i></p>	<p>Answer N/A</p>
<p>Question Other # 4 Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices? <i>El transportista ha evitado "retener carga" ú otras practicas depredadoras?</i></p>	<p>Answer N/A</p>
<p>Question Other # 5 Section # 387.301(a), 387.301(b) Does the HHG carrier have sufficient levels of public liability and cargo insurance? <i>Tiene el transportista de Bienes Domésticos los suficientes niveles de responsabilidad pública y de seguridad de carga?</i></p>	<p>Answer N/A</p>
<p>Question Other # 6 Section # 375.215 Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215). <i>¿Tiene el transportista una tarifa publicada y está el transportista cobrando la tarifa aplicable? (375.215)</i></p>	<p>Answer N/A</p>
<p>Question Other # 7 Section # 375.213 Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior to executing an order for service? <i>Puede el portador del motor identificar a los cinco documentos requeridos que se deben dar a un prospectivo individual cargador antes de ejecutar una orden para servicio.</i></p>	<p>Answer N/A</p>
<p>Question Other # 8 Section # 49 CFR 37 subpart H Does the carrier have the means to provide accessible over-the-road bus (OTRB) service on a 48-hour advance notice basis by its owned or leased OTRBs? <i>¿Cuenta el transportista con los medios para proporcionar un servicio accesible de autobuses de transporte colectivo por carretera (OTRB, por sus siglas en inglés) con sus autobuses propios o arrendados, con un aviso anticipado de 48 horas?</i></p>	<p>Answer N/A</p>
<p>Question Other # 9 Section # 49 CFR 37 subpart H If the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs? <i>Si el transportista no cuenta con dichos medios, entonces, ¿tiene el transportista un acuerdo con otro transportista que opere un servicio accesible de autobuses de transporte colectivo por carretera?</i></p>	<p>Answer N/A</p>
<p>Question Other # 10 Section # Does the over-the-road bus company own or lease a facility for inspection, repair, and maintenance of its vehicles? <i>¿La compañía de autobuses en carretera-poseer o alquilar una instalación para su inspección, reparación y mantenimiento de sus vehículos?</i></p>	<p>Answer N/A</p>
<p>Question Other # 11 Section # Does the over-the-road bus company have an arrangement or contract for systematic inspection, repair, and maintenance of its vehicles? <i>¿La compañía de autobuses en carretera-poseer o alquilar una instalación para su inspección, reparación y mantenimiento de sus vehículos?</i></p>	<p>Answer N/A</p>
<p>Question Other # 12 Section # Does the carrier have any formal agreements with any other motor carrier operations? <i>¿Tiene el transportista acuerdos formales con las operaciones de cualquier otro autotransportista?</i></p>	<p>Answer No</p>
<p>Question Other # 13 Section # During your review of the carriers paperwork did any of the documents display a business name or DBA name that did not match the carrier being audited? <i>Durante su revisión de la documentación del transportista, ¿alguno de los documentos mostraba el nombre de una empresa o un nombre comercial que no correspondía con el transportista que se estaba auditando?</i></p>	<p>Answer No</p>



<p>Question Other # 14 Section #</p> <p>Has the carrier or corporate officers for the carrier ever been affiliated or had any relationship with any former or current carrier regulated by the FMCSA?</p> <p><i>¿El transportista o los funcionarios corporativos del transportista han sido empleados o han tenido alguna vez una relación con un transportista que anteriormente o actualmente esté regulado por la FMCSA?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Other # 15 Section #</p> <p>Is the company using the same phone number, e-mail address, vehicles, location, or any other assets of any former or current FMCSA regulated entity?</p> <p><i>¿La empresa está usando el mismo número de teléfono, dirección de correo electrónico, vehículos, instalaciones o cualquier otro activo de cualquier persona física o moral que anteriormente o actualmente esté regulada por la FMCSA?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Other # 16 Section #</p> <p>Is the company using documentation from another carrier other than one being audited to demonstrate compliance with the regulations?</p> <p><i>¿La empresa está usando documentación de un transportista diferente al que se está auditando para demostrar que cumple con las regulaciones?</i></p>	<p>Answer</p> <p>No</p>
<p>Question Other # 17 Section #</p> <p>Did any of the documents reviewed or information provided by the carrier during the audit lead the investigator to believe the carrier is the continued operations of another motor carrier?</p> <p><i>¿Alguno de los documentos revisados o la información proporcionada por el transportista durante la auditoría llevó al investigador a creer que el transportista continúa llevando las operaciones de otro autotransportista?</i></p>	<p>Answer</p> <p>No</p>

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.





Part B

Your Proposed Safety Audit Result is: **FAIL**

Explanation of Scoring Methodology

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	1	0	—	1	PASS
2. Driver	3	1	—	4.5	FAIL
3. Operations	5	0	—	5	FAIL
4. Maintenance	2	0	PASS — 0.00 %	2	PASS
5. Hazardous Materials	—	—	—	—	—
6. Accidents	—	—	PASS — 20.00	—	PASS
SUM	11	1		12.5	FAIL

Result: Carrier does NOT have adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE SA IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





Part B

Factor	Automatic Failure Questions	Factor	Automatic Failure Questions
1. General	0	4. Maintenance	1
2. Driver	1	5. HAZ MAT	0
3. Operations	0		

Corrective Action and/or Appeal Procedures

The new entrant safety audit performed was required under Part 385 of Title 49 of the Code of Federal Regulations (specifically 49 CFR section 385.307(b)) when your company applied as a new entrant to operate commercial vehicle(s) in interstate commerce within the United States. As a result of the audit, the Federal Motor Carrier Safety Administration (FMCSA) will send notice of its determination. If the result of a safety audit is FAIL, FMCSA has determined that basic safety management controls necessary to ensure safe operations within the United States have not been established.

PROHIBITION: Under 49 CFR 385.319 and 385.325, if FMCSA determines that the safety audit disclosed that a new entrant motor carrier's basic safety management controls are inadequate, the motor carrier's USDOT new entrant registration will be revoked and FMCSA will order its operations out-of-service unless the motor carrier takes required actions to remedy its safety management practices. The new entrant registration revocation and out-of-service prohibition takes effect unless the motor carrier, within 60 days of the date of the forthcoming official notice, takes the necessary steps to remedy its safety management practices. A new entrant motor carrier may not operate in interstate commerce on or after the effective date of an out-of-service order.

In accordance with 49 CFR section 385.319, you will be required to submit corrective actions for violations discovered during the safety audit.

Violations:

Question Driver # 6 Section # 382.115(a), 382.115(b) Acute	Answer
Has the carrier implemented an alcohol and/or controlled substances testing program? <i>Tiene el transportista pruebas implementadas de alcohol y/o sustancias controladas?</i>	No *
Additional Documents Required	
Contract with consortium/third party administrator (C/TPA) and/or collection site if applicable. Up to three; pre-employment test(s) on all drivers hired during the previous 365 days. Test results, supervisor reasonable suspension training if applicable, Control custody forms , policy, active random driver list.	
Question Maintenance # 2 Section # 396.17(a) Critical	Answer
Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles? <i>Puede el transportista mostrar evidencias de inspecciones periódicas (anual) para ciertos vehículos?</i>	No *
Additional Documents Required	
Vehicle annual inspections or equivalent; up to three (3) vehicles.	



Administrative Review: A motor carrier that believes FMCSA has committed an error in determining that its basic safety management controls are inadequate may request an administrative review pursuant to 49 CFR section 385.327. Such request for administrative review must be made within 90 days of the date of FMCSA's notice. If you want to assure that FMCSA will be able to issue a final written decision on the request for administrative review before the new entrant registration of your company is revoked and the operations placed out of service you must submit your request within 15 days of FMCSA's notice. The request for administrative review must be made in writing to the Field Administrator for the Eastern Service Center. The request must explain the error you believe the FMCSA committed in its determination and include a list of all factual and procedural issues in dispute. Any other information or documents that support your argument also should be included. Your request for an administrative review and any supporting documentation should be forwarded to:

Field Administrator

FMCSA



Glen Burnie, MD 21061





Part B Requirements and/or Recommendations

1. Ensure that drivers provide a 10-year employment history on their employment application.
2. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
3. Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
4. Drivers who are diabetics and who take insulin by injection to control their condition are not qualified to drive in interstate commerce.
5. Do not allow physically unqualified drivers to drive in interstate commerce.
6. Ensure that a trained collection-site person utilizing the proper collection materials and custody and control forms does drug-test collection.
7. Ensure that your drug testing collection site provides for adequate privacy and security.
8. Ensure that each drug-test is conducted using the "split-sample" method of collection.
9. Laboratory must transmit aggregate statistical summary on semi-annual basis
10. Maintain all required 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 .
11. Ensure that a trained breath alcohol technician, using the prescribed testing forms, conducts each alcohol test.
12. Ensure that breath alcohol testing is conducted with approved devices. For information on approved devices check: www.nhtsa.dot.gov/people/injury/alcohol/getdoc.pdf.
13. Use only those laboratories certified by the Substance Abuse and Mental Health Services Administration for the analysis of urine specimens. For a list of certified laboratories check www.drugfreeworkplace.gov or call (301) 443-6014.
14. 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.
15. 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.
16. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
17. Obtain from any driver used for the first time (or intermittently) a signed statement showing the total time on-duty during the preceding seven (7) days and the time at which the driver was last relieved from duty.
18. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
19. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
20. 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.



21. New & intermittently used drivers must provide a signed statement showing their total time on-duty for the seven days preceding any trip. These records must be kept on file for 6-months.
22. 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.
23. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
24. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
25. Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
26. 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.
27. 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 on a daily basis. Keep them on file for 90 days.
28. PLEASE NOTE: The violations discovered during this Safety Audit 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.
29. You must prepare a corrective action plan, addressing the measures taken to correct the violations identified within this report. Submit this letter, and ANY ADDITIONAL EVIDENCE necessary to prove the corrective actions has been taken to the:

Federal Motor Carrier Safety Administration
Eastern Service Center Director
[REDACTED]
Glen Burnie, MD 21061
Attn: New Entrant Specialist

or FAX the letter & documentation to: [REDACTED]

or Email the information to: [REDACTED]

PLEASE NOTE: Identify all correspondence sent as "NEW ENTRANT CAP".
Also include your USDOT number & Carrier name.

30. Ensure that all drivers operate within the local laws of the jurisdictions they are in.
31. Other than Owner/Operators, carriers must have someone trained in Reasonable Suspicion Testing and must have verification of such training. This training applies to carriers which have vehicles that required Random Drug and Alcohol Testing (CDL Required Vehicles).





4 WAY TRANSPORT LLC

USDOT#: [REDACTED]

Review Date:

[REDACTED]

[REDACTED]

[REDACTED]

Remarks:

[REDACTED]



Audit Outcome: Fail

[REDACTED]

[REDACTED]

Upload Authorized:	Yes	No	
Authorized by:			Date:
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