



MOTOR CARRIER FACTORS ATTACHEMENT

Mass Trans Insurance Interview

Randolph, NH

HWY19MH010

(44 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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TRUCK/MOTORCYCLE COLLISION *

RANDOLPH, NEW HAMPSHIRE * Accident No.: HWY19MH010

JUNE 21, 2019 *

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Interview of: ROMAN SHTEFAN

Owner, Mass Trans Insurance Company

Mass Trans Insurance Agency
425 Union Street
West Springfield, MA

Monday,
July 22, 2019

APPEARANCES:

MICHAEL FOX, Highway Accident Investigator
National Transportation Safety Board

I N D E X

ITEM

PAGE

Interview of Roman Shtefan:

By Mr. Fox

4

I N T E R V I E W

(1:28 p.m.)

1
2
3 MR. FOX: This is Michael Fox, investigator for the NTSB out
4 of the Washington, D.C. office. I'm here at Mass Trans Insurance
5 Agency, located at 425 Union Street in West Springfield. Today is
6 7/22/2019 and I with Roman Shtefan, who is the CEO of Mass Trans.

7 Sir, if you could just, for the record, state your name and
8 title and spell your last name.

9 MR. SHTEFAN: Sure. My name is Roman Shtefan. I'm the owner
10 of Mass Trans Insurance Agency, and --

11 MR. FOX: Spell your last name.

12 MR. SHTEFAN: My last name is spell is S-H-T-E-F-A-N.

13 MR. FOX: Thank you, sir, for your time today.

INTERVIEW OF ROMAN SHTEFAN

14
15 BY MR. FOX:

16 Q. You're listed as the CEO. Are you also the owner of the
17 company?

18 A. I'm the owner. Yeah.

19 Q. You're the owner of the company. How long have you been in
20 business?

21 A. Five years.

22 Q. Five Years. What did you do before this?

23 A. I was working as an insurance agent for Axi Insurance Agency,
24 from Springfield, Mass.

25 Q. And how many employees do you have?

1 A. Currently four.

2 Q. And what are their titles?

3 A. So we have two full-time people.

4 Q. Who are they?

5 A. So one of them is Julia Bramo (ph.); she is the producer and
6 the manager of the office. Then we have Ena (ph.); she is the
7 manager, CSR manager. And then we have Izezah (ph.). And then we
8 have a part-time accountant.

9 Q. And who's that?

10 A. Galina Dulgavitz (ph.).

11 Q. Okay.

12 A. Yeah.

13 Q. And what kind of insurance does your company have or offer
14 for the public?

15 A. We offer commercial insurance and personal insurance. On the
16 commercial side, we have a contract through Pilgrim Insurance
17 Company, which is given to us by the State of Massachusetts. It's
18 a ceded policy because nobody else wants to underwrite insurance
19 for the truckers in our state. That's why Massachusetts --
20 Massachusetts requires for the companies in Mass to give out the
21 insurance, so we cede to Pilgrim.

22 Q. So trucking, is that meaning tractor-trailer and --

23 A. Yes, tractor-trailers, pickup trucks, any commercial
24 vehicles, with a few requirements.

25 Q. How many do you think you have insured?

1 A. We have about 200, 250 companies, truck -- whoever has truck,
2 tractors, pickup trucks. Most of them, they are hauling
3 automobiles.

4 Q. Most of them are the hauling automobile industry?

5 A. Yeah.

6 Q. That's kind of a rough business to -- but you get along with
7 them okay?

8 A. Yes. Yes, we do.

9 Q. You do?

10 A. Yeah.

11 Q. Now a lot of them are -- when you say 200 or so, are they
12 based here in the state, then? Are they local?

13 A. Most of them are local. Yes, there is. We have huge parking
14 lot right next to us --

15 Q. Yes.

16 A. -- for the truckers.

17 Q. Right.

18 A. And we have another two, three of them around this area. We
19 have companies from Wooster, Boston -- yeah.

20 Q. But mostly all in state?

21 A. Most of it are in state, yes.

22 Q. And then a major portion are -- includes the folks across the
23 way?

24 A. Major portion, I would say 90 percent are from Massachusetts.

25 Q. No, I'm saying you referenced across the street at the --

1 this trucking yard.

2 A. This trucking yard, yeah. No, I would say 50 percent are
3 from that yard.

4 Q. Fifty percent?

5 A. Fifty percent, yeah.

6 Q. Okay. Now you say you are a broker for Pilgrim. How does
7 that work exactly? You're the local agent for them; is that the
8 way it works?

9 A. Yes, we are the local agent. We represent Pilgrim Insurance
10 Company. We do not have binding authorities. We do not. So in
11 other words, when the clients come to us or send us an official
12 email to add the vehicle or add the driver to the policy, so we
13 put it in the right format and send it to the Pilgrim Insurance
14 Company to process.

15 Q. And you said -- do you offer automobile insurance also?

16 A. We do.

17 Q. So regular cars?

18 A. For regular automobiles, yeah. Regular cars.

19 Q. And most -- is that a small percentage or half --

20 A. Yeah.

21 Q. -- 50/50?

22 A. I would say 95 percent we do commercial and 5 percent
23 personal.

24 Q. Okay. And now what type of -- when you say you're brokering
25 the insurance, this is -- you're doing the liability or cargo or

1 -- what type of policy is your company writing?

2 A. The insured request us to add or delete vehicles or start the
3 policy. So by law, we -- they have to have auto liability
4 insurance for the -- especially in our state. So when they insure
5 the vehicle, they come to us first. We give them -- put a stamp
6 on automobile one or automobile three and they go to registry and
7 register the vehicle, truck, tractor. And then they send the
8 request to add that truck to the policy, and -- along with the
9 drivers. In other words, whatever the client tells us to do, we
10 process and send it. Sometimes they tell us, oh, Roman -- they
11 ask our agents to add the vehicle to the automobile liability
12 policy. Sometimes they tell us to add it to the cargo insurance.
13 So they tell us what to do and we pretty much work for them, too.
14 Yeah.

15 Q. My whole reason for being here is because of Westfield
16 Transport. You know they were involved in a crash?

17 A. Yes, I do know.

18 Q. Okay. And how long have they been a client of yours?

19 A. I can check.

20 Q. Go ahead and look on your --

21 A. Let me check. Yeah.

22 MR. FOX: He has his computer screen open, he's going to show
23 me.

24 MR. SHTEFAN: Um-hum. Westfield Transport. Oh, let me just
25 close this. So let's talk about East Transport later.

1 BY MR. FOX:

2 Q. Yeah, East, we'll talk about in a few minutes.

3 A. Okay Westfield Transport, Inc. out of West Springfield, [REDACTED]

4 [REDACTED].

5 Q. [REDACTED], right. Right. [REDACTED], yes.

6 A. [REDACTED]. Okay. So they were with us from 2014;

7 September 26, 2014.

8 Q. 2014?

9 A. Um-hum. We -- at that time, we had Travelers Insurance
10 Company.

11 Q. You were the broker for Travelers?

12 A. Yes, we were the broker for Travelers. And then Travelers
13 was no longer doing -- no, I would say, then Travelers was not
14 among ceded companies anymore, so the state gave us Pilgrim. So
15 pretty much the state gave us the insurance company to work with.

16 Q. Okay.

17 A. At the beginning it was Travelers. And then Travelers no
18 longer was there, they give us Pilgrim Insurance Company.

19 Q. Okay. I understand.

20 A. Yeah. And when we with Travelers Insurance Company, we did
21 require to leased drivers because it was kind of pointless. And
22 we have a record for all that, by the way. We have official
23 letter from Travelers. Because the price did not change when we
24 were adding vehicles -- drivers.

25 Q. Um-hum.

1 A. So that was -- that's how we do it, it's a non-listed
2 drivers' policy.

3 Q. So --

4 A. The price didn't change.

5 Q. What kind of policy did Westfield have? I mean, what was
6 their limits of liability?

7 A. At the beginning?

8 Q. Or currently. Or --

9 A. At the time of the crash?

10 Q. Yes, sir, at the time of the crash.

11 A. Okay. Let's see. Pilgrim Insurance Company. So their
12 policy started on August 25, last year, 2018. And it's still
13 current until August 25, 2019. Okay. It looks like we received a
14 cancel notice because they failed to send us a list of drivers.
15 And just a recent notice and paper.

16 Q. Can you print me a copy of that? So I see Olga on here. She
17 was the representative that we talked to. She said that she
18 worked here for the company.

19 A. Yes, she did.

20 Q. She -- is she still employed?

21 A. No, she left us. I can find out later. Because she got
22 pregnant and she left us. We have a note from her.

23 Q. So did she leave recently then?

24 A. No, she's pregnant right now with a second child. So --

25 Q. Yes.

1 A. -- she left about 2 years ago.

2 Q. Oh, that long ago?

3 A. Yeah, yeah.

4 Q. Okay. So your office sent them this notification?

5 A. This was sent to the insured, to the West Transport by
6 Pilgrim Insurance Company. And this is, like, just a copy to us.

7 Q. Oh, Pilgrim sent that to them?

8 A. Yes. So they're saying, right now, that their policy will
9 not be renewed when it expires. So Pilgrim Insurance Company will
10 not be renewing their policy.

11 Q. Okay. And that's -- they're saying that because they failed
12 to provide a full list or accurate list of their drivers. That's
13 what that was?

14 A. Yes, it says, failure to provide complete driver listings.

15 Q. Um-hum. Right. So that's why I've been dealing with
16 Pilgrim, also. So that's why there's differences between the
17 different companies.

18 A. Um-hum.

19 Q. That's why I'm here, is just to try to sort all this out to
20 make sure we're all on the same page.

21 A. Yeah.

22 Q. So you were able to print a copy of that?

23 A. Yeah, I can do that. No problem.

24 Q. Thank you, sir. When Olga was here, what was her role?

25 A. She was a CSR, customer service rep.

1 Q. Now, the owners, Dunyadar and Dartanyan Gasanov, do you know
2 them? I mean, have you -- you personally know them or --

3 A. No, not personally. Just only through the business.

4 Q. Through the business?

5 A. Yep.

6 Q. So no other relationship?

7 A. No. Never.

8 Q. Okay. And we were looking for the -- what was the limits of
9 the liability? I haven't heard that.

10 A. Just a second. They just updated or system because we using
11 DORIS Management System, it's called applied DORIS.

12 Q. Um-hum.

13 A. And sometimes we can print, sometimes not. But I can email
14 it to you.

15 Q. That's just as good.

16 A. Yeah, a little later. Okay. So you asking about the limits.

17 Q. Yes, sir.

18 A. The limit for our haulers is always been 1 million liability.

19 Q. One million?

20 A. Yep.

21 Q. Okay.

22 A. So when this policy started on August 25, 2018, the limit on
23 liability is 1 million, right here.

24 Q. Per accident?

25 A. Each accident.

1 Q. Um-hum.

2 A. Yeah. And when the policy comes out, it's on -- just let me
3 show you. First page showing the prices and then coverages --

4 Q. And can you email me that too?

5 A. I already did all that. You already have that there. I can
6 do it again. Yeah, absolutely.

7 Q. Let me double check here. Because I got two different
8 copies. Yeah, just email to me again. I'm -- that would be
9 helpful. And this is the same that it was at the time of the
10 crash?

11 A. Yeah, this is the policy when it was first insured -- issued
12 last year.

13 Q. Let me double check here in my email. Or we can sort that
14 out in a couple minutes.

15 A. Um-hum.

16 Q. You may have already sent it to me. I've seen various copies
17 of that, but I just want to make sure that I'm getting --

18 A. Um-hum.

19 Q. I'm going to mark it, that it's coming again.

20 A. Yeah, we can go through your -- the emails I sent you --

21 Q. Yep. I will.

22 A. -- and you can ask me questions like, what is this? Um-hum.

23 Q. I have to go online to get that. So has there -- is their
24 policy still in effect until the --

25 A. The expiration of the policy.

1 Q. August the 25th, or whatever that was?

2 A. Yeah.

3 Q. Okay. The next question is, East Transport, do you insure
4 them?

5 A. Yes, we are. Currently, we insure them for general liability
6 insurance only, which they bought last week.

7 Q. And can you pull up a copy of their policy?

8 A. I'll do it right now. East Transport, right?

9 Q. Yes, sir.

10 A. East Transport, LLC. Out of [REDACTED], West
11 Springfield, Mass.

12 Q. Does it show the owner?

13 A. The owner is Gasanov, Dartanyan.

14 Q. Yeah, Dartanyan. Yes.

15 A. They just purchased, again, general liability policy with us
16 on the July 10, 2019. Last week. Recent, last week.

17 Q. Last week.

18 A. And that was just general liability only and what else? They
19 had the auto liability with us through Pilgrim Insurance Company
20 last year, but it was only for 23 days. So in other words, they
21 started the policy with us last year, and then they left for
22 another agency or they started the policy with us and with another
23 agency. I don't know.

24 Q. But, regardless, they are active with you now?

25 A. Only for general liability only. Yeah.

1 Q. All right.

2 A. So there is no cargo; there is no auto liability with us.

3 No.

4 Q. And does that list the drivers and vehicles for East?

5 A. For East Transport?

6 Q. Yes, sir.

7 A. Let me see. Yes, there was only one driver, Dartanyan

8 Gasanov.

9 Q. Um-hum.

10 A. So when the policy starts in 2018, there was only one driver.

11 And he never added any other drivers. And the policy ended after

12 23 days.

13 Q. So that policy is over or current? I'm confused.

14 A. So, this policy starts to begin on November 6, 2018 and ended

15 on November 29, 2018.

16 Q. Right. But don't you have another policy, current with

17 East --

18 A. Yes, yes.

19 Q. Okay.

20 A. So this I'm talking about is Pilgrim auto liability. That's

21 -- and it's not current.

22 Q. Okay.

23 A. But the other one is a general liability.

24 Q. Okay. And that's --

25 A. Through Mount Vernon Fire Insurance Company.

1 Q. Yes, sir. And does that list the drivers and vehicles?

2 A. Let me see. I don't think this policy requires any drivers.
3 Because general liability is given for the company, for the
4 office, and for the whole company, pretty much. So the general
5 liability for East Transport LLC, just started on the 10th of July
6 2019.

7 Q. Um-hum.

8 A. And the general liability policy does not require -- they
9 never ask for the list of drivers.

10 Q. And that is -- oh, that's not being underwritten by
11 Pilgrim --

12 A. No.

13 Q. -- it's with another company?

14 A. It's another company.

15 Q. Fire Casualty or something, you said?

16 A. Yeah. Mount Vernon Fire --

17 Q. Oh, Mount Vernon Fire.

18 A. I can send you a policy, a copy of the policy --

19 Q. Yes, sir.

20 A. -- for this company too.

21 Q. So I do -- I did pull up -- this is what I got from you on
22 July the 1st.

23 A. Hold on, scroll up. You can see right here. This is the --
24 called endorsement. They amended the policy. See, they added a
25 vehicle.

1 Q. Um-hum.

2 A. And the change happened on the 27th of December.

3 Q. Um-hum.

4 A. They process it on January 7, 2019.

5 Q. Um-hum.

6 A. So this is like an amend to the policy, when they added a
7 vehicle.

8 Q. Um-hum.

9 A. So if you scroll down, this will --

10 Q. This is the one that you had and you were going to email me?

11 A. No, this is the endorsement. The one that I was going to
12 send you, the beginning of the policy.

13 Q. Oh, okay, the beginning of the policy.

14 A. So in other words, they started the policy with -- for
15 example, five trucks, and then during the year they would add,
16 delete, add, delete vehicles.

17 Q. Um-hum.

18 A. But the endorsement will show the current vehicles on the
19 policy.

20 Q. Yes. And this was the current listing at the time of the
21 crash, according to your company?

22 A. I'm not sure what date it says. Because the accident
23 happened --

24 Q. June the 21st.

25 A. June 21st. 06-21-19. I can --

1 Q. But from what I'm understanding, this is the one that was in
2 effect at the time of the crash.

3 A. I don't think so, because the one we're looking at right now
4 is -- it was processed in January. I'm sure there were other
5 changes.

6 Q. Oh, okay.

7 A. Yeah. Are we done with the -- sir, are done with the East
8 Transport LLC?

9 Q. Yes. You were going to just print me a -- or email me a
10 copy.

11 A. I will email it because my printer doesn't work right now.

12 Q. That's fine.

13 A. Email policy -- so on the East Transport.

14 Q. Um-hum.

15 A. East Transport, LLC. Email general liability policy. Okay.
16 All right. Going back to Westfield Transport, Inc., the accident
17 happened on June 21st.

18 Q. Yes, sir.

19 A. Look at my screen, this is -- I can -- this is how it works.
20 See the change request?

21 Q. Yes.

22 A. And the dates? These dates we cannot change. We can't go in
23 and delete anything right here. That's why -- this was special
24 done -- the whole system is for the insurance purposes.

25 Q. Um-hum.

1 A. As you can tell, where you see the change request, add 2018
2 Shipshe. I don't know, maybe it's a trailer. I'm not sure.
3 Maybe that's (indiscernible) --

4 Q. That looks like a trailer. All those are trailers.

5 A. So then they -- see and then it was requested on April 22nd.
6 Then it was processed, and we attached it on the May 2nd. But --

7 Q. So this one right here, this 6-17 endorsement, that's the one
8 I'm going to need, because that's the latest change.

9 A. Exactly, yes.

10 Q. So that email -- because I'm going through, and I do not have
11 that one. The only one that I have is the one that I just showed
12 you. All these others are drivers. Driver people. MVRs for
13 drivers.

14 A. Um-hum.

15 Q. So if you can send me that endorsement, that'd be great.

16 A. Absolutely.

17 Q. For 6-17. So they had --

18 A. You can see that it was effective on June 7th --

19 Q. Right.

20 A. -- 2019.

21 Q. Correct.

22 A. And this will show the current vehicles on the policy during
23 the accident.

24 Q. Yes. Yes, sir.

25 A. Yeah.

1 Q. So if you can email that to me.

2 A. Sure.

3 Q. Because that one I do not have.

4 A. We don't really need the policy at the beginning because it
5 wouldn't have all the vehicles.

6 Q. It's not current -- or it wasn't current at the time of the
7 crash.

8 A. Yeah. So email --

9 Q. Because there was changes.

10 A. So I'm going to email you endorsement --

11 Q. Right. This one.

12 A. -- effective June 7th, 06-7-19. Okay.

13 Q. All right.

14 A. On Pilgrim policy. Pilgrim policy.

15 Q. So what are the policies and procedures for adding a new
16 driver? Or you can email that to me while you --

17 A. Right now?

18 Q. Yes, sir. So we don't forget that one.

19 A. Yeah, let's do it right now.

20 Q. I'll hold that question for just a second.

21 A. Okay. I have you already --

22 Q. You should be -- I should be saved in there.

23 A. Right here.

24 Q. See that?

25 A. Yeah.

1 Q. My email looks exactly the same. Very good. That's great,
2 sir. I appreciate it. Thank you.

3 A. So I'll call -- that's the Transport, Westfield Transport.

4 Q. Um-hum. That's all you need.

5 A. How should I call it for you?

6 Q. Oh, you can say -- or you can say --

7 A. Vehicle list at time of accident?

8 Q. 6-7-2019 policy.

9 A. It was an endorsement.

10 Q. Yeah.

11 A. Endorsement.

12 Q. Yeah, or June 2017.

13 A. As of 06-21 --

14 Q. 7.

15 A. I think it was 21.

16 Q. Was it?

17 A. I don't know -- oh, yeah, 06-07.

18 Q. 06-07-2019. Thank you, sir.

19 A. I'll just -- I'll also say the attachment reflects the --

20 Q. Current.

21 A. -- current vehicle list at the time of accident.

22 Q. Yes.

23 A. At the time of accident on 06-21-19.

24 Q. Um-hum.

25 A. Yep. Okay. Done.

1 Q. Thank you, sir. All right. So going back to my previous
2 question, what is your policy and procedure for adding a driver?

3 A. The procedure is pretty simple. Whenever the company,
4 whenever the Westfield Transport, anytime they send us an email --
5 it has to be done through emails only. So when they tell us to
6 add the truck or trailer or the driver, through the email, they
7 send the change request to the Pilgrim to process it. So they
8 never told us to add any drivers. So when the policy started, it
9 was just going as it is. But we never received an email stating
10 that there's -- add the drivers to the auto liability policy with
11 Pilgrim.

12 Q. So they never -- it was not their procedure or they did?

13 A. They never asked us to add the drivers to the Pilgrim policy.

14 Q. I'm not following.

15 A. Try to rephrase it?

16 Q. Do you add drivers to your policy, to the policy?

17 A. Only with the insured's request.

18 Q. Only if they make the request?

19 A. Yes. In other words, we don't follow them and tell, hey,
20 guys, we see that you guys have seven trucks and only have two
21 drivers on the policy. We haven't been doing that because we were
22 not told to do that by Pilgrim. It wasn't required before.

23 Q. Um-hum.

24 A. Only recently they've changed that.

25 Q. Okay.

1 A. Yeah. So the procedure requirements in my agency, that they
2 tell us what to do with the policy, to add the vehicle or delete
3 the vehicle, to add the driver or delete the drivers.

4 Q. Okay. That's fine.

5 A. Yeah.

6 Q. So it's up to the motor carrier to be forthcoming and keep
7 you abreast of I'm going to add a driver, I'm going delete a
8 driver --

9 A. Correct.

10 Q. -- I'm going to add a vehicle, I'm going to delete a
11 vehicle or a trailer?

12 A. Yes.

13 Q. Okay. Very good. So as far as when a driver -- if Mike Fox,
14 I have two drivers and John Smith is going to be a driver for
15 you --

16 A. Um-hum.

17 Q. -- you just add him? Or is there a procedure? Do you vet
18 the driver, is the question? Do you look at my driver record to
19 see if I have a license? Do you --

20 A. No, we don't. We don't do that. We send the request to the
21 Pilgrim Insurance Company, particularly, and they review the
22 driving record. We definitely make sure that the license is
23 active. We look at that, yes.

24 Q. You do?

25 A. We do.

1 Q. Okay.

2 A. Otherwise, it will be pointless to send it anyway. Yeah.

3 Q. Okay. So there is a procedure. So is there -- when you --
4 besides a driver being active or having a valid license, is there
5 any other requirement that your company has as far as, you know,
6 number of points or speeding tickets or --

7 A. No. There is no requirements like that because as long as
8 the driver has a valid license, he has no difference on the price
9 on the policy. That's why there is no requirements like that.
10 And the Pilgrim Insurance will add any driver to the policy as
11 long as the license is active.

12 Q. So irregardless if they have a DUI or any of that stuff, it
13 doesn't matter?

14 A. I'm not sure. I cannot -- I don't know the answer to that
15 question because we did not receive any guidelines or procedure
16 from the Pilgrim like that.

17 Q. But do they -- so my question is, if you're not really set up
18 to evaluate the driver's driving record, does Pilgrim say, hey,
19 you can only have so many points or so many speeding tickets or --

20 A. No, we never --

21 Q. -- a DUI --

22 A. No we never had anything like that. They would add any
23 drivers.

24 Q. They're pretty lenient about adding a driver?

25 A. Yeah. I think it's required by the Mass -- whatever they

1 have the contract with. Because like I said, it doesn't make a
2 difference on the price, on the premium of the policy; they will
3 add the driver. Yeah.

4 Q. But it's basically up to you or Pilgrim --

5 A. It's up to Pilgrim. Just --

6 Q. Pilgrim makes the final word?

7 A. Absolutely.

8 Q. You receive the email from Westfield or whoever --

9 A. Yeah.

10 Q. -- add Mike Fox, the driver, or whoever?

11 A. Yeah.

12 Q. And then you will forward it to -- as long as the guy has a
13 license --

14 A. Exactly. That --

15 Q. -- or gal, you will forward it to Pilgrim and say, please add
16 that. Am I saying that correctly?

17 A. Yes. You are 100 percent correct.

18 Q. Okay.

19 A. So we are like a middle guy. They tell us -- Westfield
20 Transport tell us to add the driver.

21 Q. Right. Because you're the local --

22 A. They will send us -- they could send us like a copy, just a
23 copy of the driver license, not even driving record. And we will
24 just forward to the Pilgrim Insurance Company, and then they
25 decide to add it or not. Not us, because we do not have any

1 binding authorities.

2 Q. I see.

3 A. Yeah.

4 Q. So our driver that was involved in the crash, Volodymyr
5 Zhukovskyy, he was added, according to your email traffic, Olga
6 sent in a request by email. Let me pull it up.

7 A. Yeah.

8 Q. Here it is right here. Olga sent it to Ena Shuga (ph.) to
9 add Zhukovskyy.

10 A. Yes, exactly. So on Friday --

11 Q. June the 21st.

12 A. 21st.

13 Q. At 7:49 p.m. She emails --

14 A. So Olga emailed, Olga Karapysh --

15 Q. Emailed you guys?

16 A. -- emailed to one of my employee --

17 Q. Yes.

18 A. -- Ena, to add the driver to the policy, Mr. Zhukovskyy. It
19 was Friday evening pretty much. Again, 7:49 p.m.

20 Q. Um-hum.

21 A. So on Monday, because we are the insurance agency, we must
22 process the change request. So we send the change request to
23 Pilgrim saying, please add the following driver to the policy per
24 email below.

25 Q. And as far as -- did they send you a copy of his driving

1 record or a copy of his license? I mean, this is all I got from
2 you --

3 A. I think so. I think we have a copy of his license. I can
4 pull it up.

5 Q. Yeah. Can you pull up the original email from Olga to see if
6 she added --

7 A. Yeah, sure. Let me see. What time was it? Yeah. I can
8 look at --

9 Q. Well, and for the record, it is saying -- this email from
10 Olga came to your office at 7:49 p.m. And what are your hours of
11 business, sir?

12 A. We were closed at that time. We close at 5:00.

13 Q. So you're 8 to 5 or 9 to 5?

14 A. We are 10 till 5.

15 Q. 10 to 5. So your office was already closed?

16 A. Yes.

17 Q. So you processed this at the next available opportunity,
18 which is the following business day, on Monday morning?

19 A. Correct.

20 Q. Were you guys aware that he was in an accident? Or when were
21 you notified he was in a crash?

22 A. Yes, I was aware, because Demetri called me on Friday
23 evening. I was in the restaurant with my family in Longmeadow,
24 and he told me, Roman, this tragedy happened. And, like, he was
25 telling me -- he was asking me as an agent, what should I do? And

1 I told him, well, you should open up a claim.

2 Q. Um-hum.

3 A. He's like, okay. That's all he told me. And then they send
4 me -- they send us the ledger request.

5 Q. Oh, so we're looking for the email of -- Olga's email?

6 A. Yeah. Okay. So let's look at the -- I can look at Ena's
7 email. Inbox -- what time? 21st at 7:49.

8 Q. That was the day of the crash.

9 A. Yeah, I'm aware of that. But I think the crash happened
10 earlier.

11 Q. It was like 6 or 6:30 p.m. Like, 2 hours earlier.

12 A. Um-hum. 7/21 -- no, it's June 21. So June 21.

13 Q. Yes, sir.

14 A. Yeah, right here. Olga Karapysh. So, again, we received
15 these, as you can see, in the Ena's email, who is my CSR.

16 Q. Um-hum.

17 A. Received an email from Olga Karapysh, who is the manager of
18 Westfield Transport, to add the driver to the Pilgrim policy, a
19 Volodymyr Zhukovskyy.

20 Q. And, and what's attached is a copy of his registry and motor
21 vehicle --

22 A. Driving record.

23 Q. Driving record.

24 A. Yeah. And so they sent us the driving record of the --
25 Volodymyr Zhukovskyy.

1 Q. Um-hum.

2 A. And it's clearly stating that his CDL status is active. So
3 on Monday when he came back to work, we process it and sent it to
4 the Pilgrim.

5 Q. Um-hum. But all you would do is just add him to the policy
6 or wait -- or send an email to Pilgrim, add --

7 A. We would send the email, please add this driver to the
8 policy. But that email will go to Pilgrim's general email.

9 Q. Um-hum.

10 A. So it takes like 2 or 3 days to process it.

11 Q. So I guess my question is, they can start a driver without
12 getting approval back from Pilgrim?

13 A. Yes. When they added the vehicle to the policy, they can
14 tell me, Roman, please add the vehicle to the policy saying today;
15 today I want to add the vehicle to the policy. I tell him, no,
16 the vehicle will start -- have coverage only on the next day.
17 Same as the drivers, as long as the driver has a current, valid
18 license, he can already be covered, effective tomorrow.

19 Q. So was he -- was the driver covered, then, at the time of the
20 crash?

21 A. Well, Volodymyr Zhukovskyy was not covered because he was
22 never on the policy.

23 Q. He was never on the policy?

24 A. He was never on the policy. We only received the request to
25 add him after the accident.

1 Q. So is that the company's position, is he's not a covered
2 driver?

3 A. I cannot -- no, I'm not saying he's not going to be covered
4 or the accident will not be covered. Only -- it's only the
5 question to the --

6 Q. Pilgrim?

7 A. To the Pilgrim. Yes.

8 Q. Did you know that he was driving 3 days prior to the start of
9 that?

10 A. I have no idea. I never met Mr. Zhukovskyy in my life.

11 Q. He started on the 16th.

12 A. No, I didn't know that. No.

13 Q. He had been working for them a couple of days.

14 A. I did not know.

15 Q. He had already been underway, been up and down -- up to Main,
16 and down to New York and --

17 A. Um-hum. Um-hum.

18 Q. Before the crash, before he was ever added. Did they tell
19 you that?

20 A. No.

21 Q. Yeah, he had been running before that.

22 A. Yeah, tragedy happened, unfortunately.

23 Q. So is there no -- on your end, there's no vetting the driver.
24 As long as they have a valid license, it's going to be up to
25 Pilgrim whether officially they're added or not. So I was told by

1 the motor carrier that they had to wait for approval from you, or
2 from the insurance company before they can add the driver. Did
3 that happen?

4 A. No. I've never heard that -- such thing. The DOT never told
5 us those requirements.

6 Q. Pilgrim never told those --

7 A. Pilgrim never told us about this, no.

8 Q. Okay.

9 A. Pilgrim told us -- we received email, I would say not
10 recently, I would say 2018, that we -- if we receive the
11 requirement -- if we receive an email request to add the drivers,
12 we should add them to the policy. But we never received a request
13 to add Zhukovskyy to the policy. Yeah.

14 Q. So again, as far as you're concerned, he was uninsured at the
15 time of the crash? Or it's up to Pilgrim to make the --

16 A. It's up to Pilgrim. We don't make decision. We just an
17 agency.

18 Q. I see.

19 A. Yeah.

20 Q. Okay. Now, the list that you gave me, like this one here, it
21 does differ somewhat from the list that I got from Olga.

22 A. Um-hum.

23 Q. There is a couple that you have and a couple they have that
24 are not on the list.

25 A. I don't know what -- this is the list or their list? This is

1 the list -- the list I gave you is from the request, from their
2 request to add them to the policy.

3 Q. So if there's any differences between what the motor carrier
4 stated and what you have, that's because the --

5 A. It's not up to us. Yeah.

6 Q. -- the motor carrier just --

7 A. They played their game, I guess. They -- I'm not sure what
8 they doing.

9 Q. Okay.

10 A. Or maybe -- my personal thought, maybe they add -- they will
11 take the driver -- find the driver who they want to work with, but
12 they not sure are they good drivers or not. They put them on the
13 road as the second driver. But, again, we only add the drivers
14 with their request.

15 Q. Okay. So if there's any --

16 A. We wouldn't know who's driving over there. How can I find
17 out? Yeah.

18 Q. Correct. So if they're not forthcoming and give you accurate
19 add or delete a driver, you have no way of knowing?

20 A. Exactly.

21 Q. Okay. That's fair enough. So I'm just letting you know that
22 there was differences in the drivers. I think there was five
23 drivers difference.

24 A. Yeah. I see.

25 Q. All right. Well, we're doing good. I think I have one other

1 one. There's one driver here that is of concern. And that is
2 this Brian Reposo (ph.). This driver, you sent me his -- you sent
3 me this.

4 A. Is he on the list?

5 Q. Yes. Right here. See attached driving record, which was on
6 the attachment.

7 A. Uh-huh. In the next follow email.

8 Q. Yeah, which I got.

9 A. Okay. So what is your question? How did we get this request
10 add the driver, right?

11 Q. No. I'm just saying, he is added to the policy. He's listed
12 here on your list.

13 A. Um-hum.

14 Q. He's currently listed as a driver. And I went over there. I
15 inspected his vehicle.

16 A. Um-hum.

17 Q. He drove up to me. We inspected their whole fleet. I
18 inspected one of the vehicles with the State Police. We inspected
19 every vehicle to make sure it was legal. His driving record,
20 though, is not legal. He's been suspended. He's suspended until
21 October of '22.

22 A. Okay. Let me see. What's my record say?

23 Q. And he's a current valid driver over there. He's on their
24 list of current drivers that Olga gave me. He's on the current
25 list that you gave me. And my question is, how can we be adding a

1 driver that does not have a license?

2 A. We've never received a request to add the driver to the
3 Pilgrim Insurance Policy. We received the request to add this
4 driver to the cargo policy, which is -- cargo policy is not -- the
5 carrier can have cargo policy or not; it's up to them. It's not
6 required by law. However, let me open up the cargo policy. It
7 was right here, 8/27 -- 8/25 -- 6/25/19. So he was with Great
8 American.

9 Q. Well, he's been suspended since I think December of 2018.
10 Last December he lost his license, all privileges.

11 A. We are not the decision makers to add the drivers to the
12 policy or not. We just send it to the insurance company and they
13 look at it and they make the decision.

14 Q. And when they make the decision, do they email you back?

15 A. Yes, they do.

16 Q. So can you pull me up that correspondence on that driver?
17 Because that's the same -- this is the same document you emailed
18 me. As you can see clearly, it says, suspended basic driving
19 privileges, suspended commercial status. His commercial
20 suspension are all -- he has no license, period. And he's out
21 driving a vehicle.

22 A. Wow.

23 Q. Well, we told him to stop. But I'm telling you, he was
24 driving. He drove up to our inspection point.

25 A. With no license?

1 Q. Correct.

2 A. That's not right.

3 Q. In fact, there's October 22. This is --

4 A. Okay. So let me show you, Mr. Fox, so we received an email
5 to add this driver to the policy. So we sent it to our broker.
6 (Indiscernible) to the policy. Again, this wasn't sent to the
7 Pilgrim. It was a different insurance company.

8 Q. Uh-huh.

9 A. And we received an endorsement back, right here. Driver has
10 been accepted.

11 Q. Can you print me that? Or email me --

12 A. Maybe they should have investigated. They shouldn't do that.

13 Q. Clearly, I'm hoping you can see what I'm seeing.

14 A. Yes, I see what you're seeing.

15 Q. How can a driver be added to any policy if he has no license?

16 A. I agree.

17 Q. I mean, somebody's not paying attention.

18 A. Somebody should be responsible for this.

19 Okay. I can email it to you.

20 Q. Yeah, email. That's the easiest way to do it. Or you can
21 forward me the email. Can you forward it or print it to a PDF and
22 add it.

23 A. No. This system's not allowing me to print from here.

24 Q. Can you print a PDF?

25 A. Print?

1 Q. PDF.

2 A. I can do print screen. I think it will be easy if I can
3 email it to you.

4 Q. Yeah. Yeah. If you can email it to me, that would be
5 wonderful.

6 A. Uh-oh, it's printing something.

7 Q. And this is -- I'm sorry to cut you off, is that Pilgrim?

8 A. No.

9 Q. RPS?

10 A. This is the broker we have, we're using.

11 Q. And they are -- RPS is what? They're a broker for what?

12 A. They are our broker for cargo insurance.

13 Q. For cargo insurance.

14 A. Uh-huh. Which has nothing to do with the accident.

15 Q. Right. We're not talking about the accident. We're talking
16 about Brian Reposo.

17 A. Okay. This is the printout, sir.

18 Q. Okay.

19 A. This is the proof that we send the driver, Brian Reposo to
20 add to the cargo policy of Westfield Transport. We received an
21 email back saying that he has been added as a driver.

22 Q. Now do you get the same notification for -- or did you
23 receive the same type of response back when you added the accident
24 driver to the Pilgrim policy?

25 A. No. No, we didn't receive anything back, yet. So when we

1 changed -- we send the change request to add the driver who caused
2 the accident, we never received any --

3 Q. But you normally would?

4 A. We normally would, yeah.

5 Q. Like these ones?

6 A. Yes. We would normally receive an endorsement saying that
7 the driver's been added.

8 Q. But as of today, you have not received --

9 A. We have not received it, no. I see nothing in the
10 attachments. Yeah. I can investigate that and look at -- go into
11 the policies and endorsements, and get back to you on that.

12 Q. Okay.

13 A. Yeah.

14 Q. I'll be here for the next couple of days, so if you can put
15 that on your list and get back with me.

16 A. So see if -- what was his last name, the --

17 Q. Accident driver, Vuskovskyy. Oh no, no, it's --

18 A. Zhukovskyy.

19 Q. Zhukovskyy.

20 A. See if Zhukovskyy was added to the Pilgrim policy.

21 Q. Right. Want to see if there was email correspondence back.

22 A. Check on endorsement.

23 Q. So as far as you're company is concerned, you don't have
24 Brian Reposo listed as a driver at all? Or you did? I'm a little
25 confused.

1 A. We don't have them listed with Pilgrim.

2 Q. Only listed as cargo.

3 A. Only listed as a driver on the cargo policy. Because
4 Westfield Transport never told us to add him to the auto liability
5 policy.

6 A. Now, forgive me for asking, but do you -- like this list that
7 you gave me of your drivers, there is no differentiation between
8 people that are on cargo or -- or is he the only one?

9 A. He's the only one. Yeah.

10 Q. That's under that stipulation?

11 A. Yes.

12 Q. And how do you know that? Like here's another one that has
13 that red one. You just, you have it memorized?

14 A. Let me see it.

15 Q. You know what I'm saying? All the rest are on the Pilgrim
16 policy? You're that familiar with their drivers?

17 A. No. I cannot answer the question right now. I need to look
18 at the -- open up the policies and look. Because, Michael, you
19 asked me to email everything you know on --

20 Q. Current and past.

21 A. Yeah, current and past, all the vehicles, all the drivers.
22 So what I've done, I opened up all the policies that West
23 (indiscernible) had.

24 Q. Right.

25 A. All of them -- auto liability, cargo, then general liability

1 --

2 Q. I see, I see, I see. Okay.

3 A. -- and I pulled up every driver, every vehicle and give it to
4 you.

5 Q. okay. I understand now.

6 A. It doesn't mean that the list of the vehicles on the cargo is
7 the same as on the Pilgrim. It could be different because we
8 follow the carrier request. But not anymore because Pilgrim
9 changed the rules and we received a notice saying that we have to
10 list all the drivers every time in the (indiscernible).

11 Q. And you can understand why?

12 A. Yeah, I understand why. Absolutely.

13 Q. Right.

14 A. Looks like Westfield Transport was playing some games as far
15 as like adding vehicle -- adding drivers and vehicles, back and
16 forth, different policies.

17 Q. Okay. You've answered all of my questions.

18 A. Let me ask a question on the West -- the East Transport LLC,
19 how does he have anything to do with the accident?

20 Q. He's the owner of the company.

21 A. Yes, he is.

22 Q. He owns both companies. And he has drivers going back and
23 forth between both companies.

24 A. Okay. I didn't know that because he was not with us.

25 Q. Yeah.

1 A. Now I see why.

2 Q. They live at the -- the businesses are the same principal
3 place of business, both at [REDACTED] --

4 A. The same address.

5 Q. Same address, same people, same -- Olga runs both operations.

6 A. Um-hum.

7 Q. Both brothers work for each other.

8 A. Yeah. I see.

9 Q. So it's both the same, that's why. It's hard to pull them
10 apart because they're together.

11 A. Yeah.

12 Q. That's why. So are you going to -- did you email me then the
13 East -- while we're on the East Transport. I think you were going
14 to email me the latest -- and that was the only other thing
15 pending. I think we were trying to do that and --

16 A. East Transport, let's see. Oh, were you asking about the
17 general liability policy of East Transport?

18 Q. Yes. That was the one thing that you were going to --

19 A. I can check if it was sent or not.

20 Q. Okay. I got --

21 A. Yes. I just sent it to you. Hold on a second.

22 Q. You just sent me what? I have the -- this is for Westfield.

23 A. No, I did not. General liability policy was emailed to --
24 oh, okay. In my system I can see when the email was sent or the
25 policy. We sent a copy of the policy to the insured, which is

1 Westfield Transport, but we never send it to you. So I'll do it
2 right now. So the policy of East Transport LLC, general
3 liability.

4 Q. Um-hum.

5 A. I'm going to email it to you right now.

6 By the way, I asked him when he came to me, how come --

7 Q. Dunyadar?

8 A. Yeah, Dartanyan. How come you not buying general liability
9 from the insurance you are with right now? Because he has a
10 different agency right now. And he was telling me, oh, those
11 guys, it takes them forever to sell, to get us insurance. I'm
12 like, okay, if he wants to be buy a policy from us, we'll sell it
13 to you.

14 Q. But going back, as far as Westfield is concerned, Pilgrims
15 said that they are not going to be renewed in August.

16 A. Yes. And as you see, I have just told that. I didn't even
17 know that because my employees attached that (indiscernible).

18 Q. You've answered all my questions. So thank you very much.
19 Did you have a question for me?

20 A. No.

21 Q. No? Okay.

22 A. No, I understand why you're here. I understand that somebody
23 -- someone in the USA should be -- like you guys, National Safety,
24 should issue the laws and procedures for the insurance companies,
25 for us, how we should operate, what guidelines should we follow so

1 the people will stay safe on the roads.

2 Q. Of course.

3 A. Yes.

4 Q. Right.

5 A. So thank you for your work.

6 MR. FOX: Thank you, sir. And thank you for your time.

7 So the interview is concluded. It is now 2:33 p.m.

8 (Whereupon, at 2:33 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: TRUCK/MOTORCYCLE COLLISION
RANDOLPH, NEW HAMPSHIRE
JUNE 21, 2019
Interview of Roman SHTEFAN

ACCIDENT NO.: HWY19MH010

PLACE: West Springfield, MA

DATE: July 22, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Samuel Moll
Transcriber