



Motor Carrier Attachment – Prairieland Transport Post-Crash CR

Teutopolis, IL

HWY23MH017

(14 Pages)

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 2103186
MC/MX#: 282840

Legal: PRAIRIELAND TRANSPORT LTD
Operating (DBA):

Investigation Date:
10/27/2023

Investigation Type: Onsite Comprehensive Investigation

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

Extent of Operations: Entire Operation

Physical Address

1532 IL HIGHWAY 185
BROWNSTOWN, IL 62418
United States

Mailing Address

1532 IL HIGHWAY 185
BROWNSTOWN, IL 62418
United States

Contact Information

Contact Name: DONALD E. BLOEMKER

Email: prairielandtransport@gmail.com

Phone: [REDACTED] **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Other

Name of Gross Revenue Provider: Donald Bloemkr

Title of Gross Revenue Provider: President

Gross Revenue: [REDACTED] **For Year Ending:** 12/31/2022

Federal Tax ID: [REDACTED] (EIN)

Operation Classification and Type

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

Operation Classification

For-Hire Motor Carrier
Property
Other Non-Hazardous Freight
Hazardous Materials

Cargo

General Freight, Liquids/Gases, Grain, Feed, Hay, Farm Supplies

Hazardous Materials

Which of the following hazardous materials requiring a Safety Permit does the company transport?

None

Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E?

Is an HM Permit required by any State?

No

Hazardous Materials

Div 2.2 Non-Flammable Compressed Gas = C, B
Div 2.1 LPG (Liquefied Petroleum Gas) = C, B

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Truck Tractors	5	6			Intrastate	Interstate
Hazmat Cargo Tank Trailers	18			< 100 Miles		
Trailers	4			>= 100 Miles		11
Power units used in the U.S.: 11				Average trip leased driver/month: 0		
Percentage of time used in the U.S.: 100%				Drivers with CDL: 11		
Person(s) Interviewed				Total Drivers: 11		
Name: DONALD E. BLOEMKER				Title: PRESIDENT		
Questions						
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:				3250 Executive Park Drive Springfield, IL 62703-4514 Phone: (217) 492-4608 Fax: (217) 492-4986		
This report will be used to assess your safety compliance.						

Violations

1. Primary: 180.417(a)(2)

Failure of a motor carrier to retain a cargo tank manufacturer's data report, certificate and related papers, as required.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
7		7

Checked

Fed	State	Total
7		7

BASIC Impacted
Hazardous Materials Compliance

Rating Factor 5: Haz. Mat. = Part 180

Example/Notes:

Cargo Tank Unit Number: Unit 16

Specification: MC331

Violation: Missing Manufacturer's Certificate and Wet Fluorescent Magnetic Particle Report

Drivers/Vehicles in Violation

Fed	State	Total
7		7

Checked

Fed	State	Total
7		7

2. Primary: 395.28

Driver operating a commercial motor vehicle under an exception failed to annotate the driver's ELD record to explain the applicable exemption.

Violations Discovered

Fed	State	Total
6		6

Checked

Fed	State	Total
6		6

Example/Notes:

Driver: Jacob Bloemker

Trip Date: 9/29/2023

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

3. Primary: 382.601(b)

Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-12.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Drivers/Vehicles in Violation

Controlled Substances and Alcohol Policy does not include information regarding report to the Drug & Alcohol Clearinghouse.

Fed	State	Total
Checked		
Fed	State	Total

4. Primary: 382.701(a)

Failing to conduct a pre-employment query.

Violations Discovered		
Fed	State	Total
2		2
Checked		
Fed	State	Total
2		2

Example/Notes:

Driver: Jacob Bloemkr
Date of Hire: 3/24/2023
Trip Date: 9/29/2023

Drivers/Vehicles in Violation		
Fed	State	Total
2		2
Checked		
Fed	State	Total
2		2

5. Primary: 391.23(a)

Failing to investigate driver's background.

Violations Discovered		
Fed	State	Total
1		1
Checked		
Fed	State	Total
5		5

Example/Notes:

Driver name: Gregory Hall
Date of Hire: 10/9/2020

Description of violation:: Initial MVR not conducted within 30 days of hire (conducted on 5/28/2020)

Drivers/Vehicles in Violation		
Fed	State	Total
1		1
Checked		
Fed	State	Total
5		5

6. Primary: 392.2

Operating a vehicle in violation of local/state laws - Unsafe Driving.

Violations Discovered		
Fed	State	Total
2		2
Checked		

Fed	State	Total
18		18

Example/Notes:

10/5/2023 - The FMCSA and State partners have identified violations across multiple inspections at the roadside over the previous 365 days, including:

Driver: Kevin Kessler

Trip Date: 8/10/2023

Violation: Following too close, speed 6-10 mph

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

7. Primary: 395.3(a)(2)

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty.

Violations Discovered

Fed	State	Total
6		6

Checked

Fed	State	Total
158		158

Example/Notes:

Driver: Lance Smith

Trip Date: 8/28/2023

Driver drove 1 hour and 9 minutes in violation of 14 hour rule.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
6		6

8. Primary: 395.3(a)(3)(i)

Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 11 hours.

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
158		158

Example/Notes:

Driver: Lance Smith

Trip Date: 8/23/2023

Driver drove from 7:43 a.m. - 8:33 a.m. on 8/23 beyond 11 hours without an adequate rest period.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
6		6

9. Primary: 395.8(e)(1)

Making, or permitting a driver to make, a false report regarding duty status

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
158		158

Example/Notes:

Driver name: Jerome Miller

Trip Date: 8/28/2023

Off duty in Grayville, IL 19-39 to Dix, IL to Effingham, IL 124 miles. Unassigned miles report shows same (Line 7 120.50 miles)

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
6		6

10. Primary: 395.8(e)(1)

False reports of records of duty status (inaccurate).

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
158		158

Example/Notes:

Driver: Jerome Miller

Trip Date: 8/17/2023

Driver went off duty in Kinmundy, IL at 11:48 p.m. and drove to Effingham, IL in off duty status, 32 miles.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
6		6

11. Primary: 395.32(c)(1)

The motor carrier failed to ensure that records of unidentified driving are reviewed by annotating why the time is unassigned or assigning the time to the appropriate driver.

Violations Discovered

Fed	State	Total
4		4

Checked

Fed	State	Total
4		4

Example/Notes:

The carrier did not re-assign unidentified driving time to the drivers or annotate why they remained unassigned.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

	Fed	State	Total

Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 1 Number of Vehicles Inspected (MCMIS): 5 OOS Rate: 20%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	Conditional	0	1
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 317,258 Recordable Accidents: 1 Recordable Accidents/Million Miles: 3.15	Satisfactory	N/A	N/A

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Hours-of-Service Compliance

Process Breakdown: Training and Communication

PrairieLand Transport's drivers were not making an annotation on their ELD explaining the portion of the movement that was exempt due to the agricultural exemption. The company should train the drivers in the proper method to annotate exemptions on their ELDs.

Specific Recommended Remedies

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

1. Reinforce training about Hours-of-Service (HOS) policies, procedures, and responsibilities to drivers, dispatchers, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among them so that they can help each other to improve.

Recommendations

1. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six-year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six-year period.

2. **Additional Information**

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

3. **DACH QUERIES**

Pre-employment (Full) queries in the Drug and Alcohol Clearinghouse should be conducted on each driver prior to using them in a safety-sensitive position. The driver must be enrolled in the DACH in order for the carrier to obtain consent through the Clearinghouse.

Annual queries in the Drug and Alcohol Clearinghouse are required to be conducted yearly for all drivers employed by the carrier. Consent for limited annual queries may be obtained by the carrier from the driver outside the Clearinghouse. Consent forms obtained outside the Clearinghouse must be maintained by the carrier in the drivers file.

4. **Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

5. **Conduct periodic internal reviews. (HM)**

Conduct periodic internal reviews of your maintenance, hazardous materials handling, driver qualification, hours of service control, accident reporting, training, and other safety systems to ensure continued compliance.

6. **Annotation of ELD Agricultural Exemptions**

Recording the Agriculture Commodity Exemption on the ELD

When operating within the 150 air-mile radius the driver can either identify the movement of the commercial motor vehicle as authorized personal use on the ELD or refrain from logging into the ELD.

If the driver logs into the ELD and identifies the movement as authorized personal use, then the driver must also make an annotation on the ELD explaining that the movement is exempt per the agriculture exemption. Upon exiting the 150-air mile radius the driver must allow the ELD to record the movement of the vehicle as on duty driving.

If the driver does not log into the ELD while operating within the 150 air-mile radius then upon exiting the 150 air-mile radius, the driver must then log into the ELD, identify the movement as on duty driving, and make an annotation on the ELD explaining that the unassigned miles accumulated prior to that point were exempt miles

7. **Cargo tank certificates & data reports required.**

Obtain and keep on file a proper certificate or manufacturer's data report certifying that each specification cargo tank you operate has been manufactured and tested in accordance with the applicable specification requirements.

8. **HM Training**

Ensure all employees involved in handling hazardous materials shipments are properly trained and familiar with the regulations applicable to their jobs in the hazardous materials transportation system. Also ensure all employees undergo recurrent HM training every three years as required. If within 30 days HM training can not take place for all employees identified as having training deficiencies cease using these employees until such time as their HM training can take place

9. **Immediate Notification of Certain HM Incidents**

Ensure that all reportable HM Incidents defined in 49 CFR 171.15(b) are reported within 12 hours of occurrence to the National Response Center at 800-424-8802 and the report includes the information required in 49 CFR 171.15(a)(1) through (a)(7).

10. **Detailed Report of HM Incident Reporting**

Ensure that a written HM Incident report is prepared and submitted for all HM Incidents meeting the circumstances set forth in 49

CFR 171.15(b); An unintentional release of a hazardous material or the discharge of any quantity of hazardous waste; A specification cargo tank with a capacity of 1,000 gallons or greater containing any hazardous material suffers structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system, even if there is no release of hazardous material; or An undeclared hazardous material is discovered.

11. Supplemental Report for MC 330 and 331 Cargo Tanks

Ensure that a written report is prepared after the completion of a pressure test specified in 180.407(g)(3) for every Specification MC 330 and MC 331 cargo tank in anhydrous ammonia, liquefied petroleum gas, or any other service that may cause stress corrosion cracking and ensure that the written report contain the information required in 180.417(c)(1)(i) through (c)(ix).

12. Smart Hoses

Smart Hose Advisory

FMCSA has issued a safety notice regarding the loading/unloading of anhydrous ammonia and liquefied petroleum gas from cargo tanks. The advisory discussed procedures, hose inspection and testing, and hose maintenance. It is recommended that you include this advisory in your HM training sessions for cargo tank drivers.

Drivers must receive cargo tank specific HM training every three years as required by Section 177.816(b).

The advisory is available at www.fmcsa.dot.gov/documents/safety-security/NH3-AND-LPG-HOSES_PHMSA-Recommendation.pdf.

Also, USDOT/PHMSA (www.phmsa.dot.gov/hazmat) has issued interpretation #12-0121 that states any hose assembly on a cargo tank for anhydrous ammonia or LPG is "in service" and must be subjected to the required tests and inspections per Section 180.416(d).

13. Cargo Tank Rollover Video

The Federal Motor Carrier Safety Administration (FMCSA), in association with the Pipeline and Hazardous Materials Safety Administration (PHMSA) and industry partners, created this video as a training aid for commercial drivers of cargo tank motor vehicles transporting hazardous materials. This training video covers the four approaches to reducing cargo tank truck rollovers: vehicle design and performance, load effects, highway factors and driver factors. The main focus however, is on the driver, since statistically; drivers are ten times more likely to be the cause of the rollover than any of the other factors. It is available at <http://www.fmcsa.dot.gov/about/outreach/cargo-tank-video.aspx>

14. All HM shipments must have properly prepared shipping papers.

Establish a system to ensure that each shipment of hazardous materials is accompanied by a properly prepared shipping paper, including quantity, proper D.O.T. shipping name, hazard class, identification number, packing group number, and emergency telephone number.

15. Manufacturer's Certificate of Compliance

180.417 Reporting and record retention requirements.

(a) Vehicle certification. (1) Each owner of a specification cargo tank must retain the manufacturer's certificate, the manufacturer's ASME U1A data report, where applicable, and related papers certifying that the specification cargo tank identified in the documents was manufactured and tested in accordance with the applicable specification. This would include any certification of emergency discharge control systems required by 173.315(n) of this subchapter or 180.405(m). The owner must retain the documents throughout his ownership of the specification cargo tank and for one year thereafter. In the event of a change in ownership, the prior owner must retain non-fading photo copies of these documents for one year.

Code of Federal Regulations 1147

(2) Each motor carrier who uses a specification cargo tank motor vehicle must obtain a copy of the manufacturer's certificate and related papers or the alternative report authorized by paragraph (a)(3)(i) or (ii) of this section and retain the documents as specified in this paragraph (a)(2). A motor carrier who is not the owner of a cargo tank motor vehicle must also retain a copy of the vehicle certification report for as long as the cargo tank motor vehicle is used by that carrier and for one year thereafter. The information required by this section must be maintained at the company's principal place of business or at the location where the vehicle is housed or maintained. The provisions of this section do not apply to a motor carrier who leases a cargo tank for less than 30 days.

16. **HM Training - Registered Inspectors**

Ensure Registered Inspectors employed by the CT Facility complete initial and recurring HM training as required. HM training should include General Awareness, Safety Awareness and Function Specific training.

17. **Part 379 Appendix A**

49 CFR Part 379 Appendix A requires motor carriers to maintain all documentation on motor and engine changes at the principal place of business until three (3) years after disposition of the property.

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
180.417(a)(2) - Failing to maintain copies of required certificate and papers CARRIER			
1	10/05/2023	Unit 16	
2	10/05/2023	Unit 17	
3	10/05/2023	Unit 18	
4	10/05/2023	Unit 23	
5	10/05/2023	Unit 25	
6	10/05/2023	Unit 28	
7	10/05/2023	Unit 34	