



U.S. Department
of Transportation

Memorandum

**Federal Motor Carrier
Safety Administration**

Subject: 385.17 Review of Upgrade Request from Motor Carrier

Date: December 1, 2015

Carrier:	PREDATOR TRUCKING COMPANY		
USDOT:	401385	CR Date:	06/23/2014

From: Linda D. Gilliam
Division Administrator
Columbus, OH

Reply to
Attn. of: MC-EFM-OH

To: Mark G. Oesterle
Acting Field Administrator
Midwestern Service Center

Proposed Rating:	CONDITIONAL	Rating Effect Date:	08/30/2014
SMP Submit Date(s):	11/3/2015	11/30/2015	

I have reviewed the section 385.17 upgrade request referenced above, and other relevant material and we will continue to monitor the carrier's operational safety performance.

The carrier explained how these violations occurred and submitted evidence of corrective actions including:

Driver and Vehicle List – was provided

Safety Certification – was provided

Violations & Response Information

Critical Violation – 383.303(a) Failing to conduct post-accident alcohol testing on driver following a recordable crash

Corrective Action: Carrier stated it trained all drivers via PowerPoint on “post-crash procedures” during safety meetings and new-hire orientation. Carrier policy also requires Dispatchers to notify the safety department immediately following a crash to see if testing is necessary. Carrier would then have drivers document their best efforts to be tested within 2 hours of accident up to the 8 maximum.

Documentation: Carrier statement and blank log for steps drivers take when testing is necessary, filled out log of steps taken for Daniel Sheldon following an accident requiring testing, Meeting sign-in sheets, PowerPoint Presentation

Determination: **Approved**

Critical Violation – 395.8(e) False reports of records of duty status

Corrective Action: Carrier implemented ELDs in 90% of trucks and uses GPS tracking, fuel receipts, and scale tickets to ensure HOS compliance. Carrier processes documents through “Rapid Log” to check for violations and monitors GPS trackers to ensure compliance while drivers are on the road. Carrier also implemented a disciplinary program for repeat violators.


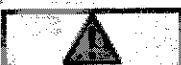
Documentation: Carrier statement, blank warning/probation letters, 90 day log audit summary for all drivers (with violations found), disciplinary policy, copies of warning letters sent to drivers, and a month of logs, GPS report, fuel receipts and BOLs for Robert McFalls for October 2015

Determination: **Approved**

We believe that these corrective actions are **sufficient** to correct the deficiencies discovered during the compliance review.

We evaluated the carrier’s degree of compliance with the safety fitness standards listed in 49 CFR section 385.5 and the factors to be considered in determining a safety rating listed in 49 CFR section 385.7.

We reviewed the carrier’s current BASIC scores and profile data, including any and all problem indicators.

BASIC	ON-ROAD	INVESTIGATION		BASIC STATUS
Unsafe Driving ¹	44 %		=	
Hours-of-Service (HOS) Compliance	60 %	06/23/2014	=	
Driver Fitness	< 5 insp. w/ violations		=	
Controlled Substances and Alcohol	No viol. within 1 yr	06/23/2014	=	
Vehicle Maintenance	54 %		=	
Hazardous Materials (HM) Compliance	< 5 insp. w/ violations		=	
Crash Indicator ²	96 %	N/A	=	
Insurance / Other	N/A		=	

Should you have any questions or concerns, please feel free to contact the Ohio Division Administrator at 614-280-5657 or via e-mail at linda.gilliam@dot.gov.

This petition was reviewed and assessed by Kevin Workman, CSA-Program Analyst-FMCSA, on December 1, 2015 for the Ohio Division.

Log for attempt to get drug or alcohol test in time allotted by law

Date 7-20-15 Time 5:05 AM Driver (b) (6), (b) (7)(C)

The following are the steps that were taken by Predator Trucking to complete the federally required drug or/and alcohol test following an accident.

1. 7 AM NOTIFIED (b) (6), (b) (7)(C) that He Received a CITATION
AND The vehicle involved WAS being Towed
2. 7:10 AM CONTACTED Foley Carrier Services FOR
A TESTING FACILITY
3. 10:45 AM CONTACTED DRIVER WITH LOCATION FOR TESTING
INFORMATION
4. TESTS COMPLETE @ 12pm FOR ALCOHOL + @ 12:12
FOR DRUG. ALCOHOL WAS .000
5. UPDATE 7-22-15 DRUG RESULTS: NEGATIVE

6. _____
7. _____
8. _____
9. _____

RECEIVED
NOV 30 2015
BY: _____

I certify that the above steps were taken trying to abide by federal regulation.

By: [Signature] Date: 7-20-15 + 7-22-15

WOODVILLE SAFETY MEETING

AGENDA: H.O.S., POST ACCIDENT + QUALCOMM USE

PRINT

(b) (6), (b) (7)(C)



Post-Crash Procedures

**Steps must followed and
adhered to following any
crash!!!**

What to do First

- Secure the scene.
- Check for injuries.
- Check for witnesses.
- Call the incident into Safety, Dispatch and Local Police.
- Fill out vehicle crash report form.
- Discussing facts of the case.

Accident Procedures

1. Stop Immediately and stay calm
2. Protect the Scene
3. Check for Injuries
4. Notify Law Enforcement
5. Report to Safety, Dispatch & Law Enforcement Officials
6. Document the Accident
7. Complete Preliminary Accident Report
8. Complete DOT Drug & Alcohol Testing** If Applicable

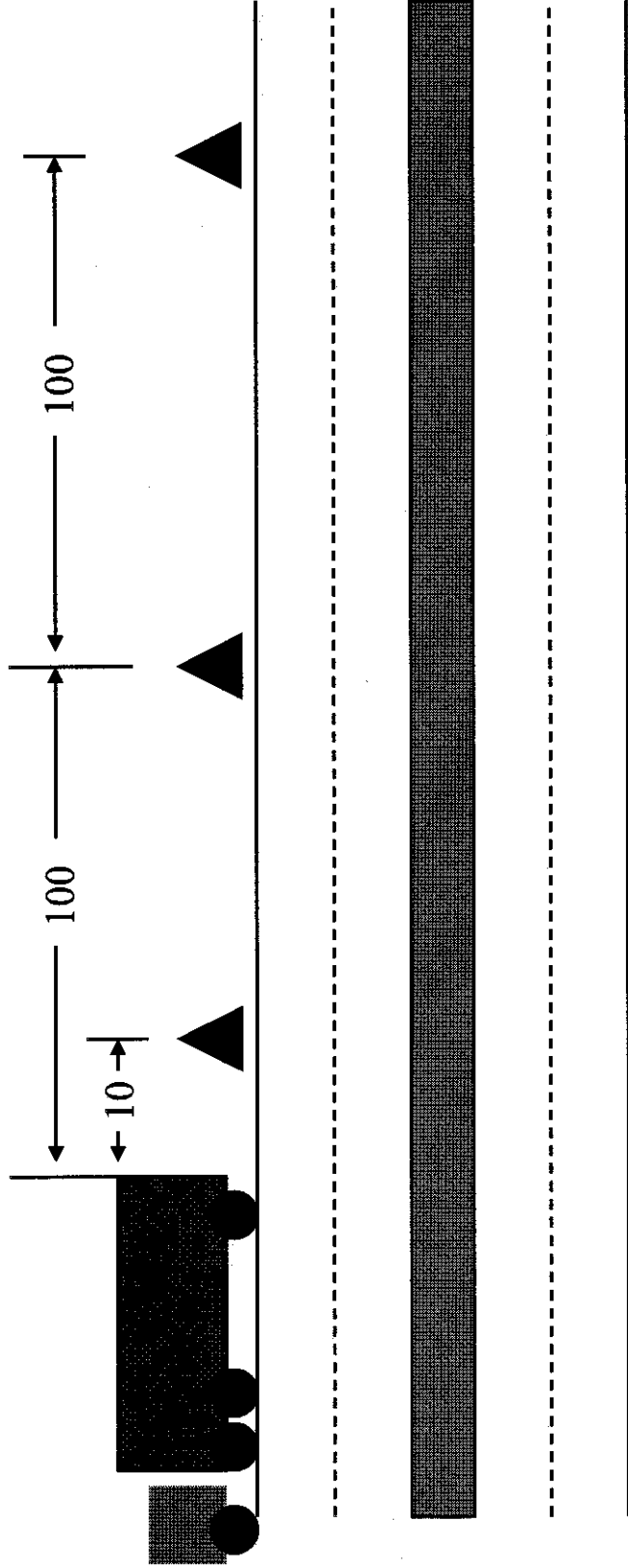
Placing Triangles

Two Lane or Undivided Highway



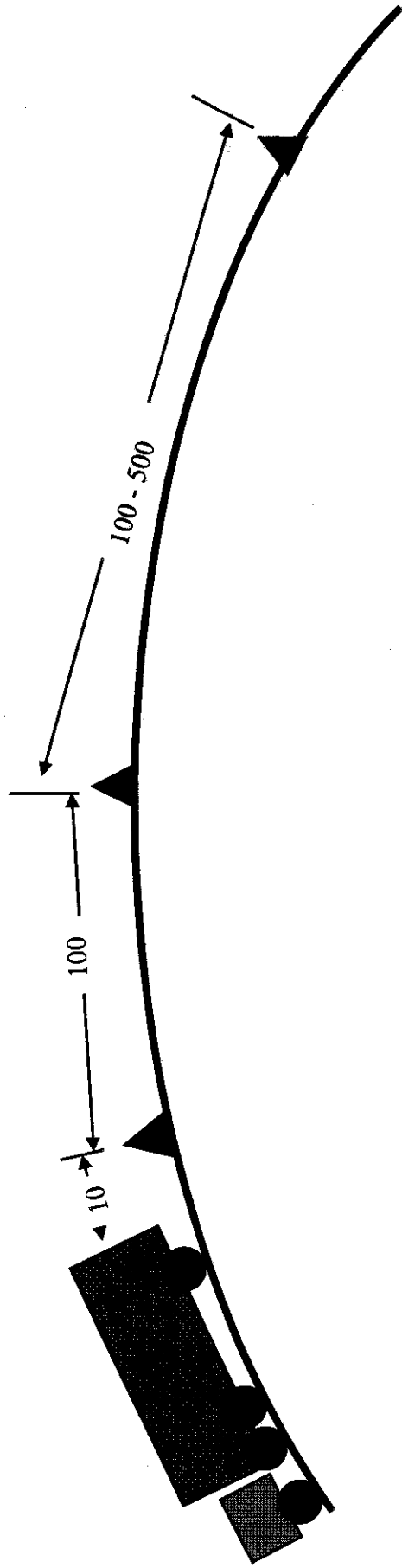
Placing Triangles

One Way or Divided Highway



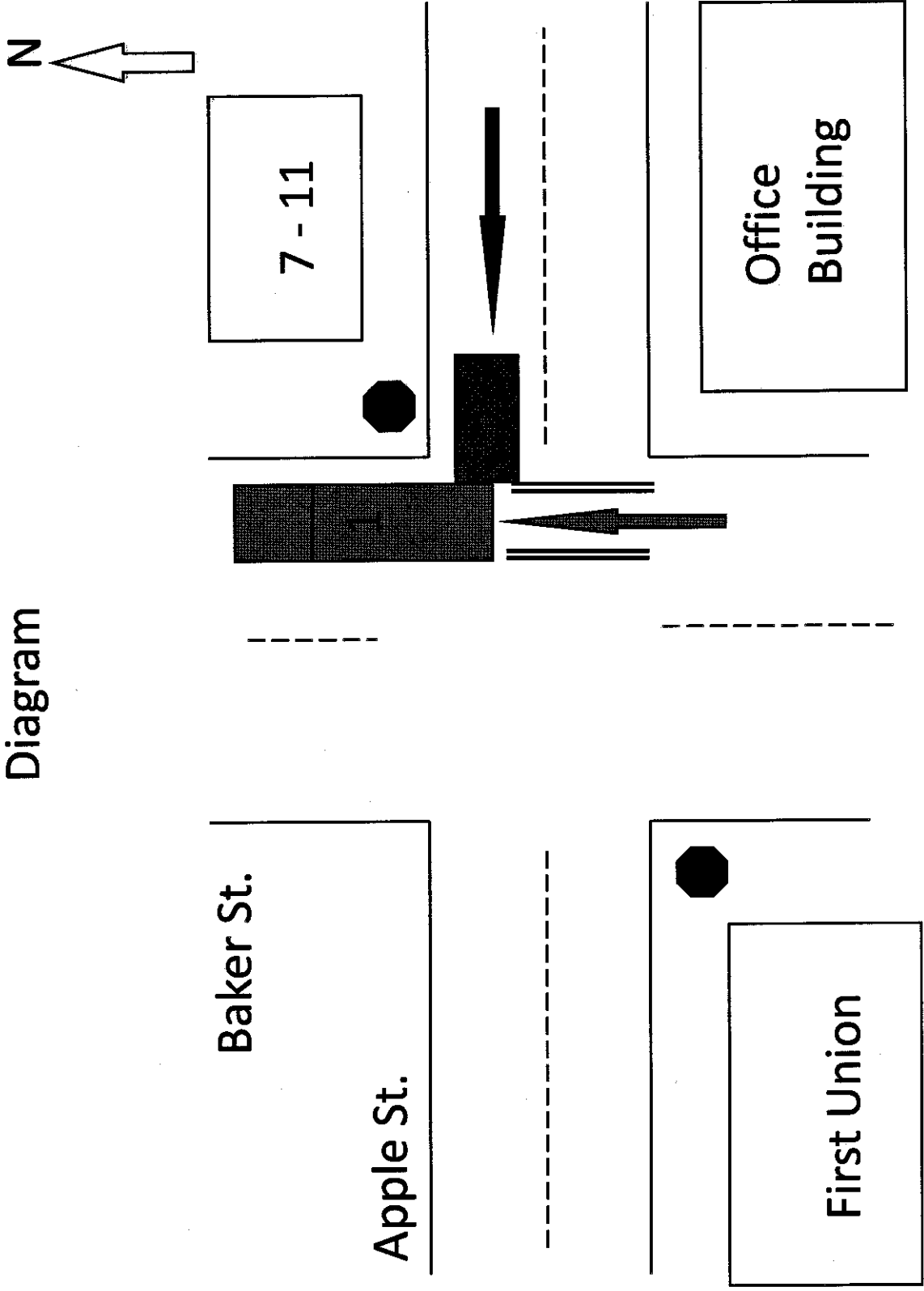
Placing Triangles

Obstructed View - Curve or Hill



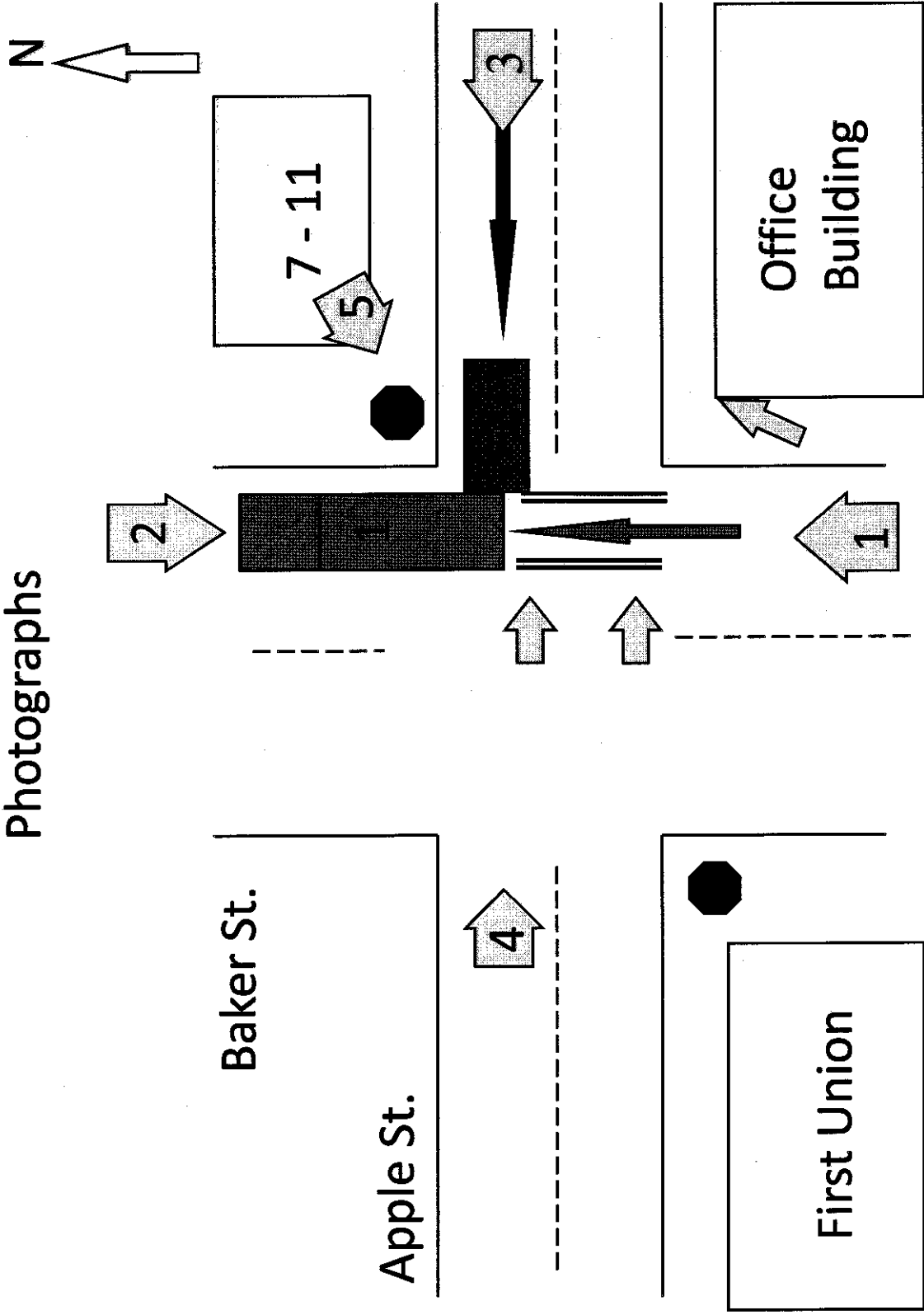
Crash Scene

Diagram

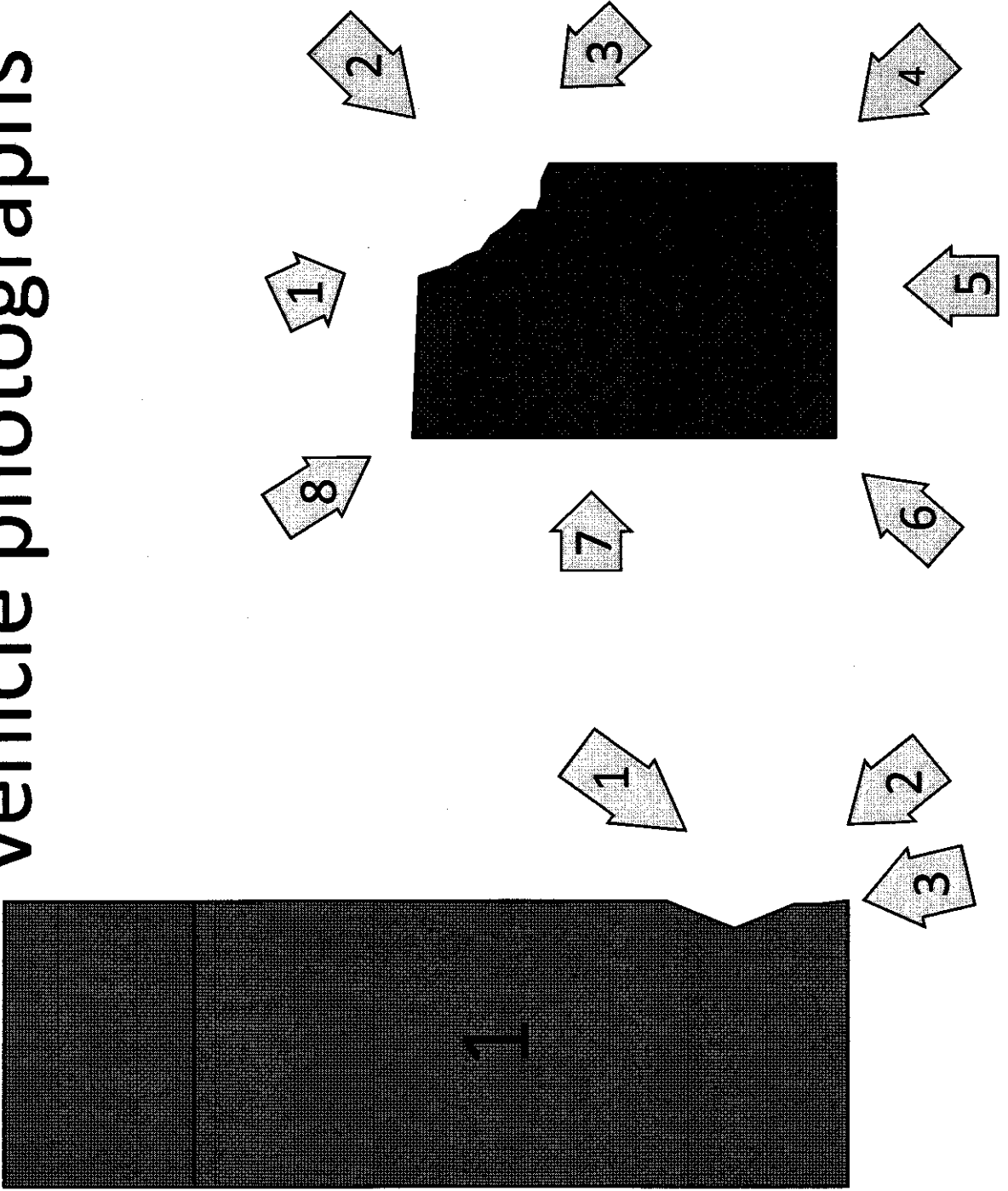


Crash Scene

Photographs



Vehicle photographs



Crash Reporting

- Call Safety or Dispatch Immediately
- Dispatch to notify Safety Department immediately
- Any Crash requires immediate notification.

Post Crash Considerations

- **D.O.T. Recordable Crash**
 - **Drug and Alcohol Testing**
- **Preventability**
- **Post Crash Training**

DOT Controlled Substance Testing

DOT Accident

- **Fatality**
- **Citation & Tow**
- **Citation & Injury**

- **Drug testing – 32 hours**
- **Alcohol testing – 2-8 hours**