

**Wilfong, Kent <FMCSA>**

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**From:** Zimmerman, Lee <FMCSA>  
**Sent:** Friday, May 11, 2007 1:46 PM  
**To:** Wilfong, Kent <FMCSA>  
**Subject:** Inspection info from MD on 2 VA carriers  
**Attachments:** inspection info - va 2.tif; inspection info - va.tif

Attached are 2 packets of information I received from the MSP regarding VA carriers.

IR. 07. 24 - 00018 - Sawyer - 1-23-07 PM

MARYLAND STATE POLICE

TO: Mack Roche DATE: 01/19/07  
FROM: Tfc. J. C. Simpler #2900

For your information  
 As requested  
 Approve and return  
 Note and return  
 See me  
 take charge of  
 For additional information  
 For comment/recommendation  
 Give me facts so I can answer  
 Prepare reply for my signature

RE: ESTES EXPRESS LINES

On 01/19/07 CVSI II L. McDaniel who is currently stationed at the Delmar Scale House located in Delmar, MD advised me that an Estes Express Line truck tractor with unit# 64465 was approaching the South Bound Scale and the driver of that vehicle was possibly in violation of the 14 hour rule.

CVSI II L. McDaniel advised an anonymous driver of Estes Express Line located in Salisbury, MD made contact with him in person at the North Bound Scale House. CVSII. McDaniel advised the anonymous driver told him that he and another driver identified as (b) (6) left Salisbury, MD on 01/18/07 and went to South Boston, Va. McDaniel advised the anonymous driver told him they left South Boston, VA at approximately 1930 hours on 01/18/07 and returned to Salisbury, MD. McDaniel advised the anonymous driver then stated that (b) (6) went to Elkton, MD and returned to Salisbury, MD and was now on his way to Laurel, DE and would be returning shortly.

McDaniel advised the anonymous driver told him Estes wanted him to take the other to loads mentioned above however he refused because he knew he would be over his hours. McDaniel advised when the anonymous driver refused Estes gave both jobs to (b) (6) McDaniel advised the anonymous driver told him if inspected (b) (6) would probably tell me he was a local driver and that he did not need to keep a log book.

On 01/19/07 at approximately 1010 hours I observed an Estes truck tractor pull onto the scales located at the South Bound Scale House in Delmar, MD. I observed the unit number to the truck tractor matched the information that was relayed to McDaniel. I directed the driver to pull onto the inspection lot and I immediately began a level III inspection.

I made contact with and identified the driver as (b) (6) via his Maryland driver's license. (b) (6) provided me with his medical certificate and his registration card for the truck tractor. I asked (b) (6) if he was keeping a log book and he advised "no, I'm a city driver I don't need a log book." I asked (b) (6) if he ever drove over 100 air miles and he advised "I don't drive more than that." I asked (b) (6) what time he started work and he advised "0900 hours." (b) (6) advised he was coming from Laurel, DE where he just dropped two empty trailers. (b) (6) advised

that Estes keeps time records on him. (b) (6) advised the terminal has approximately sixteen drivers and that they all get paid by the hour.

I made contact with Kevin of Estes Express Lines via telephone who is (b) (6) supervisor. Kevin advised (b) (6) started work on 01/19/07 at approximately 0400 hours. Kevin advised that (b) (6) is typically a local driver and stays within 100 air miles of the terminal. I asked Kevin if (b) (6) went to South Boston, VA on 01/18/07 and he advised "yes". When I asked for him to fax me specific company records pertaining to (b) (6) and his previous seven days I was advised "I can't get them for you right now, I'll have to fax them to you later."

I interviewed (b) (6) a second time and eventually he confessed that he knew he needed a log book and that he was probably over the 14 hour rule.

Sir I would appreciate it if you could look at the company records for this terminal and make sure everything is being run according to law. On one hand it sounds like the company knows that their driver's are operating over their hours and they're okay with it. Thank you for your time if you have any questions call me anytime, I have attached a copy of the inspection report. Thank you in advance.

Tfc. J. C. Simpler #2900

*J. C. Simpler*  
Maryland State Police  
C.V.E.D. Delmar Scales  
410-548-5186

INCIDENT REPORT

COMPLAINT CONTROL NO.

IR-072400018

2. VICTIM'S NAME (FIRM NAME IF BUSINESS)

STATE OF MARYLAND

3. VICTIM'S SEX RACE - DOB

8. RELATED REPORT NO'S

4. VICTIM'S RESIDENCE ADDRESS

901 ELKRIDGE LANDING RD CITY 21090

5. RES. PHONE

6. VICTIM'S EMPLOYER OR SCHOOL ATTENDS

7. BUS. PHONE

410-694-6100

13. INCIDENT POSSIBLE COMPLIANCE

14. WEATHER

15. DATE & TIME OCCURRED

16. DATE & TIME REPORTED

17. LOCATION OF INCIDENT (ADDRESS)

DELMAR WEIGHT INSPECTION

18. DESCRIBE LOCATION OF OFFENSE OF TYPE OF PREMISE

SCALE HOUSE

19. ACCUSED/SUSPECTS

IDENTIFICATION (NAME-ADDRESS-SEX-RACE-D.O.B.-HT-WT-EYES-HAIR-CLOTHING IDENTIFYING CHAR. IF ARRESTED, INCLUDE B.I. NO.-SOC.SEC.NO.)

ESTES EXPRESS LINE

P.O. Box 25612 RICHMOND, VA. 23260

20. MODE OF OPERATION

21. VEHICLE USED

REGISTRATION NO. STATE YEAR

22. VEHICLE YEAR - MAKE - BODY - MODEL - COLOR(S)

23. IDENTIFYING CHARACTERISTICS OF VEHICLE

OTHER VICTIM WITNESS PARENT

VICTIM (OTHER THAN IN BLOCK 2) WITNESS PARENT/GUARDIAN

Table with columns: NAME (LAST, FIRST, MIDDLE), SEX-RACE-DOB, CODE, RESIDENCE ADDRESS, CITY, RES. PHONE, BUS. PHONE. Rows 58, 59, 60.

61. COMPLAINANT (LAST, FIRST, MIDDLE) SEX-RACE-DOB

SIMPLEX, TFC J. C.

62. COMPLAINANT'S ADDRESS

SAME #17

CITY

63. RES. PHONE

64. BUS. PHONE

410 598-5786

65. NARRATIVE (IN CONTINUATION OF ABOVE ITEMS INDICATE ITEM NO. CONTINUED AT LEFT INCLUDE ADDITIONAL VICTIMS WITNESSES AND SUSPECTS AS OUTLINED ABOVE)

ONE TO THE FACT THAT ESTES EXPRESS LINE IS A STRICTLY INTER-STATE CARRIER, THIS COMPLAINT SHOULD BE FORWARDED TO FMCSA FOR FURTHER ACTION. THE UNDERSIGNED WAS ADVISED BY LYNN MOORE, FLEET MANAGER, THAT ALL OF THE VEHICLES OPERATING FROM THE TERMINAL IN SALISBURY, MD ARE REGISTERED IN NORTH CAROLINA. NO FURTHER ACTION CAN BE TAKEN ON THIS COMPLAINT.

TELETYPE NO. FILE, ORIGINATING STATION AND DATE

73. STATUS (CHECK ONE)

74. CLASSIFICATION (Office Use)

REPORTING TROOPER

ID NO 9536

68 DATE SUBMITTED

2/9/07

OPEN SUSPENDED

CLOSED Forwarded to FEOS-2-12-07

SUPERVISOR APPROVING

ID NO

70 DATE APPROVED

2/12/07

NCIC ENTERED NCIC CLEARED MILES ENTERED MILES CLEARED

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Maryland Motor Carrier Safety Program  
Maryland State Police  
901 Elkridge Landing Rd., #300  
Linthicum Heights, MD 21090  
Phone: (410)694-6100 Fax: (410)694-6127

DRIVER/VEHICLE EXAMINATION REPORT  
Report Number: MD00FZ005259  
Inspection Date: 01/19/2007  
Start Time: 10:10 AM End Time: 11:05 AM  
Insp. Level: 3-Driver/Credential, No HM Insp.

ESTES EXPRESS LINES  
PO BOX 25612  
RICHMOND, VA 23260  
USDOT#: 00121018 Phone#: (804)353-1900  
MC/MX#: 097275 Fax#: \_\_\_\_\_  
State#: \_\_\_\_\_

Driver: (b) (6)  
License#: (b) (6) State: (b) (6)  
Date of Birth: (b) (6)  
CoDriver: \_\_\_\_\_  
License#: \_\_\_\_\_ State: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_

Location: RT 13 S/B SALISBURY SCALEHOUSE MilePost: \_\_\_\_\_ Shipper: \_\_\_\_\_  
Highway: \_\_\_\_\_ Origin: LAUREL, DE  
County: WICOMICO, MD Destination: SALISBURY, MD Bill of Lading: \_\_\_\_\_  
Cargo: EMPTY

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	TT	INTL	2003	NC	LW3882	64465	557587	80,000		

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 3

Section Code	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
395.8(a)	F	D	Y	EM42897	N	N	No drivers record of duty status
395.3(a)(2)	F	D	Y	EM42898	N	N	14 hour rule violation (Property)

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

State Information:

VEHICLE SELECTED: R; CITATIONS: 2; FINE AMOUNT: 560.00; INDEPENDENT OR FLEET (I OR F): F;

Pursuant to the authority contained in Title 49, Code of Federal Regulations, Section 395.13, and in accordance with TA25-111, Annotated Code of Maryland, I hereby notify and declare (b) (6) to be "Out of Service". (b) (6) may not and no Motor Carrier may permit or require (b) (6) to drive or operate any Commercial Motor Vehicle until minimum 10 hours rest obtained on @DATE.

NOTE TO DRIVER/MOTOR CARRIER: This report must be furnished to the motor carrier whose name appears at the top of this report. Please sign the below certification and return to Maryland State Police, 901 Elkridge Landing Road, Suite 300, Linthicum Heights, MD 21090 within fifteen days.

Do not send fine payment with the return of this report. Fine payment for traffic citations associated with this report must be mailed (as per instruction on the back of the defendant's copy of the citation) to: Maryland District Court, P.O. Box 6676, Annapolis, MD 21401-0676. Failure to pay fines associated with this report will result in Maryland's Department of Motor Vehicles suspending the driving privileges in Maryland of the driver of this vehicle.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal/State Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers.

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
J.C. SIMPLER

Badge #:  
1929

Copy Received By:  
(b) (6)

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MD00FZ005259

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