

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 74432	Legal: MARTEN TRANSPORT LTD Operating (DBA):
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MC/MX #: 103798	Federal Tax ID: 39-1140809 (EIN)
Review Type: Compliance Review (CR) - Receipt	
Scope: Principal Office	Location of Review/Audit: Company facility in the U. S. Territory:

Operation Types	Interstate	Intrastate	Business: Corporation
Carrier:	HM	N/A	Gross Revenue: \$380,048,125.00 for year ending: 12/31/2004
Shipper:	N/A	N/A	
Cargo Tank:	N/A		

Company Physical Address:

129 MARTEN ST
MONDOVI, WI 54755

Contact Name:

Phone numbers: (1) 715- 926-4216 (2) **Fax** 800-395-2026

E-Mail Address:

Company Mailing Address:

129 MARTEN ST
MONDOVI, WI 54755

Report Summary

Report	# of Pages
Part A - General	<u>2</u>
Part B - Violations	<u>2</u>
Part B - Recommendations	<u>1</u>
Total Pages	<u>5</u>

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit.

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:

567 D'Onofrio Drive, Suite 101, Highpoint Office Park
Madison, WI 53719-2844
Phone: (608)829-7530 Fax:(608)829-7540


This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Daniel Petersen	Title: Director of Safety
Name:	Title:

Reported By: <i>Ray Stacey</i>	Title: <i>Safety Inv-</i>	Code: US0384	Date: 3/3/2005
Received By: <i>Donald Huston</i>	Title: <i>v.p. Operations</i>		

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Phone numbers: (1) 715- 926-4216		(2)	Fax 800-395-2026				
E-Mail Address:							
Company Mailing Address:							
129 MARTEN ST MONDOVI, WI 54755							
Carrier Classification							
Authorized for Hire							
Cargo Classification							
General Freight	Fresh Produce	Meat					
Chemicals	Refrigerated Foods	Paper Products					
Hazardous Materials							
3 Flammable liquid	Carried	Non-Bulk	3 Combustible liquid	Carried	Non-Bulk		
4.1 Flammable solid	Carried	Non-Bulk	5.1 Oxidizer	Carried	Non-Bulk		
5.2 Organic peroxide	Carried	Non-Bulk	6.1 (Poison)	Carried	Non-Bulk		
6.1 (Solids)	Carried	Non-Bulk	8 Corrosive material	Carried	Bulk/Non-Bulk		
ORM-D	Carried	Non-Bulk					
Does carrier transport placardable quantities of HM?		Yes					
Is an HM Permit required?		N/A					
Driver Information							
	Inter	Intra	Average trip leased drivers/month: 0				
< 100 Miles:	13		Total Drivers: 2412				
>= 100 Miles:	2399		CDL Drivers: 2412				
Equipment							
	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased	
Truck Tractor	1882	585	0	Trailer	3957	0	0



MARTEN TRANSPORT LTD

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Review Date:

03/03/2005

Part A

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This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Daniel Petersen

Title: Director of Safety

Name:

Title:

Reported By:

Ray Stacey

Title:

Safety Inv

Code: US0384

Date: 3/3/2005

Received By:

Donald Peterson

Title:

U.P. Operations



MARTEN TRANSPORT LTD

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Review Date:

03/03/2005

Part B Violations

1 FEDERAL	Primary: 395.3(a)(1)	Discovered 9	Checked 906	Drivers/Vehicles In Violation 5	Checked 30
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Description

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

Example

(b)(3); (b)(7)(D) drove 3.25 hrs on 1/17/2005.

2 FEDERAL	Primary: 395.3(a)(2)	Discovered 15	Checked 906	Drivers/Vehicles In Violation 6	Checked 30
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Description

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

Example

(b)(3); (b)(7)(D) drove 6.5 hrs after 14 hours in duty. (Driver combined sleeper & off duty time)

3 FEDERAL	Primary: 395.3(b)(2)	Discovered 15	Checked 606	Drivers/Vehicles In Violation 4	Checked 30
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Description

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after having been on duty more than 70 hours in 8 consecutive days.

Example

(b)(3); (b)(7)(D) drove 5.75 hrs on 1/23/2005 after being on duty 70 hours in the last 8 consecutive days.

Dispatch inquiry is NOT finding these violations when they occur. Several violations continued for more than 3 days!!

4 FEDERAL	Primary: 395.8(e)	Discovered 74	Checked 906	Drivers/Vehicles In Violation 12	Checked 30
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Description

False reports of records of duty status.

Example

(b)(3); (b)(7)(D) failed to reasonably match his record of duty status to the time he fueled, and his OH toll receipt was false on 1/17/2005.

(b)(3); (b)(7)(D) records driving 677 miles on 11/13/2004 while the actual distance traveled was 738 miles.

(b)(3); (b)(7)(D) dropped deliveries at Independence & St. Charles, MO on 1/28/2005.

Fuel, delivery times, toll records, and driver 'short mileing' their logs contributed to the overall false rate of 8.2%

5 FEDERAL	Primary: 395.8(e)	Discovered 54	Checked 906	Drivers/Vehicles In Violation 8	Checked 30
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Description

False reports of records of duty status.

Example

Several drivers fueled at nearly 50 miles or 1 hour divergent from the Comdata fuel records. Additionally a few drivers dock records did not match their delivery times, or the total miles traveled that day were off by 50 or less miles (short) from the totals recorded on their logs.

Received by Donald H. Hinson

Title U.A. Operations

Date 3-3-05



MARTEN TRANSPORT LTD

U.S. DOT #: 74432

Review Date:

03/03/2005

Part B Violations

6 FEDERAL	Primary: 395.8(f)	Discovered 27	Checked 909	Drivers/Vehicles In Violation 1	Checked 30
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Description

Failing to require driver to prepare record of duty status in form and manner prescribed.

Example

Only 1 driver failed to show mileage, or routinely total hours on their record of duty status.

7 FEDERAL	Primary: 395.8(k)(1)	Discovered 18	Checked 906	Drivers/Vehicles In Violation 7	Checked 30
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Description

Failing to preserve driver's record of duty status for 6 months.

Example

Several drivers were missing logs when it was obvious from fuel purchases they were driving.

To calculate their hours distance from the last entry on the day before, or the first entry after the missing day were used as the basis, along with their fueling point on the missing log day, of mileage/ time to estimate time spent on the missing day. In only one instance did such calculation result in 70 hour violations during the following 7 days (non-critical).

8 FEDERAL	Primary: 396.17(c)	Discovered 54	Checked 125	Drivers/Vehicles In Violation 54	Checked 125
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Description

Using a commercial motor vehicle not periodically inspected in accordance with minimum standards.

Example

Carrier in 2004 was using a "sticker" on their trailers, without maintaining a copy of the actual annual inspection within its maintenance records. Carrier is advised that a copy of the actual inspection must be retained for the retention period, in addition to the 'sticker' on the unit.

Trailwer 11569 1/31/2005.

Safety Fitness Rating Information: Total Miles Operated 263,072,565 Recordable Accidents 126 Recordable Accidents/Million Miles 0.479	OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 6 OOS Vehicle (MCMIS): 18 Number of Vehicles Inspected (MCMIS): 119
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Your proposed safety rating is : SATISFACTORY	Rating Factors	Acute	Critical	
	Factor 1:	S	0	0
	Factor 2:	S	0	0
	Factor 3:	S	0	0
	Factor 4:	S	0	0
	Factor 5:	S	0	0
	Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.

[Signature]
Received by

U.P. Operations
Title

3-3-05
Date



MARTEN TRANSPORT LTD

U.S. DOT #: 74432

Review Date:

03/03/2005

Part B Recommendations

1. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
For questions about licensing, authority or MC numbers: 202-366-9805
For questions about insurance: 202-385-2423
For household goods complaints: 888-DOT-SAFT (888-368-7238)
2. This review will result in a Safety Rating.
3. Ensure that all employees who handle hazardous materials are properly trained as required. See Subpart H of part 172 of Title 49, Code of Federal Regulations (CFR).
4. Ensure that all non-exempted shipments of hazardous materials are properly packaged, labeled, and marked with proper D.O.T. shipping name prior to moving in Interstate Commerce.
5. 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.
6. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting documents" 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.
7. 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.
8. Accident Countermeasures is a set of defensive strategies designed to reduce preventable accidents. The strategies and forms for implementing accident countermeasures can be found on the FMCSA website at: www.fmcsa.dot.gov/factsfigs/eta/counter.html.

Donald P. Wilson
Received by

V.P. Operations
Title

3-3-05
Date



MARTEN TRANSPORT LTD

U.S. DOT #: 74432

Review Date:

03/03/2005

Part C

Reason for Review: Complaint Investigation

Planned Action: Compliance Monitoring

Safestat Category: H

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓		

Prior Reviews

9/11/2003

9/27/2002

6/27/1996

Prior Prosecutions

10/22/2002

Special Study Information:

Unsat/Unfit Information

Does passenger vehicle transport more than 15 passengers, including driver?

Does carrier transport placardable quantities of hazardous materials? Yes - Interstate

Unsat/Unfit rule:45-Day - Interstate Placardable HM

Corporate Contact: Randy Marten

Corporate Contact Title: President

Remarks:

Complaint Investigation. Hot Line Complaint.

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Marten Transport Ltd is a large irregular route carrier of temperature controlled freight. The carrier currently has terminal operations in Mondovi, WI; Indianapolis, IN; Atlanta, GA; Ontario, CA, and Portland, OR. Currently they operate a fleet of 2467 tractors (including 585 O/O's). The freight mix includes HM and non HM. The carrier also operates a dedicated fleet for selected customers in Oklahoma City, OK; Coon Rapids, MN; Osage, KS; and Louisville, KY. The carrier is very high tech oriented with GPS and instant communication via satellite with all drivers.

The complaint alleges the driver 'falsified' their log books and drove through inclement weather to meet a 'fake' delivery appt. The complainant did indeed falsify their log book on some of the dates indicated in the complaint, as well as a few more. In fact, my investigation revealed the complainant had a 14 hour violation, and 3 70 hour violations. In Sept the time and date of fueling was recorded 22 times, three of those time were false when compared to the records of duty status. In Nov time dated fuel was checked 19 times 1 was false. Comparing the drivers mileage recorded on the log to (b)(6); (b)(7)(C) distance check revealed that of 61 days checked mileage was "shorted" in 12 instances enough to be a false log. Furthermore, in checking pick-up and delivery times, matching toll times showed this driver had only 2 false of 22 times checked. Two dates (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) shows this driver recorded 'on duty not driving' hours of 8.25 and 10 hours respectively. On (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) the 70 hour violations were recorded. I could find no substantiation for the excessive 'on duty not driving' entries on those two dates. The "HOT LINE complaint" states the driver drove through inclement weather to meet a fake delivery appointment. That's not quite accurate. The load was dispatched to the driver, (b)(6); (b)(7)(C) acknowledged (b)(6); (b)(7)(C) The appt time had not yet been established, only the default time date 3 days out. This shipper has a default time / date set on their bills three days from the ship date at midnight. The default delivery date was (b)(6); (b)(7)(C) the (b)(6); (b)(7)(C) The message that the actual delivery time / date set was NOT properly conveyed to the driver. There was no "forced" dispatch. Also, if inclement weather was encountered there were no Qualcomm messages to dispatch from this driver, to reflect that, or showing delay in transport, or requesting a later delivery appointment by the driver. The dispatch dept had quite a heated exchange with the complainant over the (b)(6); (b)(7)(C) Unfortunate that tempers flare. This same complainant had another issue on an exhaust leak earlier in 2004, I have read data on that complaint, that this office did not accept because of timeliness. The maint records do show the unit was serviced after each complaint.



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Part C

Of the 30 drivers logs & supporting documents comprehensively reviewed, the complainant was in the highest tier for false logs, though not the worst driver reviewed. This driver is currently employed with this carrier. Overall the falsification rate of ALL drivers was 8.2% That rate is under the critical threshold. I am reluctant to prosecute this driver for the false logs outside of the dates alleged, which by the way were NOT all substantiated.

Maint was reviewed quite closely because of the untimely exhaust leak complaint, as well as another one. Review shows the carrier goes well beyond the FMCSR to ensure driver comfort, as well as safety. The carriers vehicle OOS rate for the past year on 2532 inspection was 13% OOS. Driver defect reports are timely investigated, and corrected.

387 Carrier is self-Insured

382/383/391 Carrier does a good job of screening, hiring, and administering CST. All DQ files reviewed were complete. Carrier uses Short Stop Green Bay WI for random drug / alcohol testing, post crash and the few drivers involved in a rehabilitation follow-up testing protocol.

395 Few overall vios found. Naturally you have a few outstanding examples! The Marten system is to route every driver with a driver OOS issue through safety for retraining / review. This face-to-face review provides teachable moments, as well as assesses the drivers abilities in math and logging abilities. The carrier is looking forward to on-board recorder mandates to eliminate the hand logging of yesteryear. No matter how 'good' you are you are not timely finding the problems, or administering corrective actions. Currently the dispatch ascertains yesterdays HOS numbers from each driver. They assign loads with delivery times (appointments). They ask IF the driver has the hours / feels up to he run. The driver has to answer 'yes' or 'no' to that inquiry. Requests for time off / Home time are timely attended. RDS are scanned for 11/14/70 vio but again, you're a month late. Carrier enjoys a somewhat lower turnover rate than the industry average.

396 Drivers daily VIR were found complete. Annual inspection for tractors were complete. Trailer annual inspections were not found (a copy was not scanned into the online maint. data base for 54 of 125 units reviewed). The 54 were trailers only. The actual work order was found, but not the actual 396 annual inspection form. This has been corrected as of 1/1/05. Carrier uses a sticker on the trailers when the inspection was performed, but places no hard copy in trailer tubes (they get wet and are hard to read).

HM The carrier hauls about 5% freight volume is HM. Placardable HM consisting of class 3 and 8 are the most volume. All drivers have HM training. All drivers have HM endorsements. Several HM OOS incidents were investigated, ranging from missing placards (2 of 4) to improperly braced, and blocked HM. All incidents were shipment specific, not a recurring shipper incident.

Overall, a good performance. The profile showing a driver OOS rate of 7% vehicle OOS rate of 13% and a crash rate below .5 would also tend to reflect the fondings encountered during this CR.

Roy H Stacey assisted by Barbara Koehler (3/1-2)
2/7 2/15-17, 2/22-25, 2/28 - 3/2

Principal Reviewer Signature <i>Roy H Stacey</i> US0384	Upload Authorized:	Yes	No
	Authorized by:		Date:
Assistant Reviewers Signature(s)	Uploaded:	Yes	No
	Verified by:		Failure Code: Date: