


UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 1102326	Legal: MESHOPPEN TRANSPORT INC Operating (DBA):		
MC/MX #: 453133		Federal Tax ID: 52-2390829 (EIN)		
Review Type: Compliance Review (CR)				
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory:
Operation Types				
Interstate		Intrastate		
Carrier:	Non-HM	Non-HM	Business: Corporation	
Shipper:	N/A	N/A	Gross Revenue: for year ending:	
Cargo Tank:	N/A			
Company Physical Address:				
FRANTZ RD MESHOPPEN, PA 18630				
Contact Name:				
Phone numbers: (1) 570-833-2767		(2)	Fax 570-833-2180	
E-Mail Address:				
Company Mailing Address:				
P O BOX 127 MESHOPPEN, PA 18630				
Carrier Classification				
Authorized for Hire				
Cargo Classification				
Metal: Sheets, Coils, Rolls		Logs, Poles, Beams, Lumber	Building Materials	
Other: Stone				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
Driver Information				
	Inter	Intra	Average trip leased drivers/month: 0	
< 100 Miles:		2	Total Drivers: 43	
>= 100 Miles:	41		CDL Drivers: 43	
Equipment				
	Owned	Term Leased	Trip Leased	
Truck	10	0	0	Truck Tractor
Trailer	57	3	0	37
				1
				0
Power units used in the U.S.:48				
Percentage of time used in the U.S.:100				





MESHOPPEN TRANSPORT INC

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Review Date:

10/15/2009

Part A

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:

235 N. Washington Ave, Room 101 PO Box 430 (mailing address)
Scranton, PA 18501
Phone: (570)346-4949 Fax:(570)821-4080

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Cheryl O'Rourke

Title: Safety Administrator

Name: Toni Ruark

Title: Office Manager





Part B Violations

1 FEDERAL	Primary: 395.3(a)(1)	Discovered 1	Checked 210	Drivers/Vehicles In Violation 1	Checked 7
<p>Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 11 hours</p> <p>Example 9/09/09; (b)(6); (b)(7)(C) drove 20.50 hours since his last 10 consecutive hours off duty. The driver's last 10 consecutive hours off duty was on 9/06. The driver subsequently took 9.75 hours off duty.</p>					
2 FEDERAL	Primary: 395.3(a)(2)	Discovered 1	Checked 210	Drivers/Vehicles In Violation 1	Checked 7
<p>Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty.</p> <p>Example 9/09/09; (b)(6); (b)(7)(C) drove 10.25 hours after having been on duty 14 hours since his last 10 consecutive hours off duty. The driver's last 10 consecutive hours off duty was on 9/08. The driver subsequently took 9.75 hours off duty.</p>					
3 FEDERAL	Primary: 395.8(e)	Discovered 11	Checked 210	Drivers/Vehicles In Violation 2	Checked 7
<p>Description False reports of records of duty status.</p> <p>Example Example: (b)(6); (b)(7)(C); 9/15 and 9/16/09. The driver's logs show him departing Meshoppen, PA at 2:30pm (9/15) and driving to Franklin, NH where he arrives at 8:30pm and enters the sleeper berth until 8:15am the next morning (9/16). A toll receipt submitted by the driver shows him crossing the Newburgh-Beacon bridge enroute to NH at 1:08am on the morning of the 16th. The driver did not depart Meshoppen at the time logged and he did not spend the sleeper berth time in NH as logged. False log could be an attempt at hiding an 11 or 14 hour violation.</p> <p>Example: (b)(6); (b)(7)(C); 9/22/09. The driver logs a trip eastbound from Indiana, through Ohio and into Pennsylvania, arriving and going into the sleeper berth in York, PA at 2:30pm (9/22). An Ohio toll receipt submitted by the driver documents his 8:07am entry at interchange #2 and his 7:38pm exit at interchange 218. This exit near the OH/PA line is 5 hours after the driver shows himself arriving in York, PA.</p>					
4 FEDERAL	Primary: 395.8(e)	Discovered 4	Checked 210	Drivers/Vehicles In Violation 4	Checked 7
<p>Description False reports of records of duty status.</p> <p>Example *Four (4) logs were found to contain inaccurate entries that are within 1 hour and/or 50 miles.</p> <p>Example: (b)(6); (b)(7)(C); 9/15/09; The driver crosses from NJ into PA at the Delaware Water Gap at 1:06pm and logged traveling to Meshoppen, PA (79 miles approx), arriving there at 1:45pm.</p>					
<p>Safety Fitness Rating Information:</p> <p>Total Miles Operated 3,722,679</p> <p>Recordable Accidents 0</p> <p>Recordable Accidents/Million Miles 0.00</p>			<p>OOS Vehicle (CR): 0</p> <p>Number of Vehicle Inspected (CR): 0</p> <p>OOS Vehicle (MCMIS): 0</p> <p>Number of Vehicles Inspected (MCMIS): 8</p>		





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Part B Violations

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:	N	0	0
Factor 6:	S	-	-

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





Part B Requirements and/or Recommendations

1. Continue to ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process. The file must contain:

- Employment application
- Responses from prior employers
- Responses from State regarding the driver license check
- Road test/certificate, OR equiv (copy of CDL)
- Medical examiner's certificate
- Annual list of violations
- Annual review of drivers driving record

*On an annual basis you must make an inquiry to the State licensing agency as to the driving record of each driver. On an annual basis, you must ask each driver to provide a list of violations. Maintain the State response as well as a certification of your annual review in the driver qualification file.

2. Verify all employment application information submitted by driver-applicants. You may use various information sources, including but not limited to responses from prior employers and responses from State licensing agencies to driver license inquiries.
3. False records of duty status were discovered during this compliance review. Some instances of falsification appear to have been committed in order to conceal potential hours of service violations.

Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs. Maintain written documentation on any action(s) taken against drivers for false logs discovered.

4. Establish a system to control property-carrying drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 11, 14, and 60/70-hour limits.
5. NOTICE: On March 30, 2004, FMCSA published a final rule requiring employers to review a candidate's safety performance history data within 30 days of hiring a new driver. The final rule enables prospective employers to obtain and use more complete driver safety performance history during the hiring process. Prospective employers are required to, at a minimum; investigate a driver's employment information, accident record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

All previous employers are required to respond to the investigating employer within 30 days of receiving the investigation request.

For more information on these regulations, please access FMCSA's Web site at www.fmcsa.dot.gov.

6. Notice: A pattern of and/or repeated violations of the same or related acute or critical 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.
7. CORRECTIVE ACTION: You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the





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Part B Requirements and/or Recommendations

corrective action has been taken to:

Federal Motor Carrier Safety Administration
Timothy A. Cotter/Division Administrator
228 Walnut Street, Room 560
Harrisburg, PA 17101

This letter should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be submitted prior to the effective date of your Unsatisfactory or Conditional Rating.





Part C

Reason for Review: Other Oper Safe Driver
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 Prior Prosecutions

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

60-Day - no Interstate Passengers or Placardable HM

Corporate Contact: Toni Ruark
Corporate Contact Title: Office Manager

Special Study Information:

Remarks:

This carrier is currently unrated. The proposed rating following this review is satisfactory.

Meshoppen Transport, Inc. (MESHOPPEN) is an authorized carrier of flatbed freight operating out of its PP of B located in Meshoppen, PA. Approximately 43 drivers are used by MESHOPPEN to transport stone from a sister company (Meshoppen Stone, Inc), located at the same location to points throughout the Northeastern United States. Other flatbed freight is back hauled by MESHOPPEN on its return trips to Pennsylvania. All commercial motor vehicles are in excess of 26,000lbs.

This review was initiated after the carrier was identified as the employer of a drivers targeted in the Special Project: Operation Safe Driver.

A compliance review was initiated on 10/15/09. It concluded on 10/16/09.

MESHOPPEN was the subject of a January, 2004 safety audit. Prior to 2003, all transportation performed by MESHOPPEN was actually performed by Meshoppen Stone, Inc. All drivers and vehicles were transferred to MESHOPPEN when it was created and incorporated in Pennsylvania in 2003, with its own US DOT and MC number(s).

Cheryl O'Rourke, Safety Administrator, was present for the entire review and was in attendance at the closeout along with her boss, Toni Ruark. MESHOPPEN President William Ruark was on the premises during the CR and indicated to this investigator that Ms. O'Rourke would handle. Ms. Toni Ruark signed for a copy of the CR.

All documents reviewed were provided to me by Cheryl O'Rourke, including those associated with insurance, drug testing, driver qualification, hours of service and maintenance.

My investigation resulted in the discovery of no violations of acute regulations. Violations of 395.8(e), a critical regulation were discovered, but did not reach the 10% 'pattern' threshold. Two (2) drivers were found to have submitted false reports of records of duty status. Seven (7) were checked. One driver, who was identified in 'Operation Safe Driver' was responsible for 6 false logs (critical) of 30 logs checked. A second driver submitted 5 logs found to be false (30 checked). No other drivers were found to have submitted false logs.

During the closeout of the CR, emphasis was placed on revising the carrier's 'random' check of drivers' records of duty





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Part C

status to more effectively identify drivers in violation of Part 395. Both Ms. O'Rourke and Ms. Ruark specifically stated that they had already met with company President William Ruark to begin assessing the results of the CR and methods of correcting violations discovered,

Mileage was provided by Cheryl O'Rourke.

Driver's CDLs were checked through CDLIS. One driver was found to have had his (b)(6); (b)(7)(C) CDL suspended in that State for 78 days prior to having been hired at MESHOPPEN. An investigation was conducted into whether that driver had driven while employed at a prior employer. No trips were discovered. It was also discovered that this same driver falsely reported on his application for employment at MESHOPPEN that he had never had his drivers license suspended or his privilege to drive revoked. This driver is now employed at MESHOPPEN as an intrastate driver. Consequently, the driver is not in violation of Part 390, specifically 390.35 (false statements).

Upload Authorized:	Yes	No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date:



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MC/MX #: 453133	Federal Tax ID: 52-2390829 (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:	Non-HM	Non-HM	Gross Revenue:	for year ending:
Shipper:	N/A	N/A		
Cargo Tank:	N/A			

Company Physical Address:
FRANTZ RD
MESHOPPEN, PA 18630

Contact Name:
Phone numbers: (1) 570-833-2767 (2) Fax 570-833-2180
E-Mail Address:

Company Mailing Address:
P O BOX 127
MESHOPPEN, PA 18630

Report	# of Pages
Part A - General	2
Part B - Violations	2
Part B - Recommendations	2
Review/Audit Receipt Page	1
Total Pages	7

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, however they have been discussed in detail with me.

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 235 N. Washington Ave, Room 101 PO Box 430 (mailing address)
 Scranton, PA 18501
 Phone: (570)346-4949 Fax:(570)821-4080

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Cheryl O'Rourke	Title: Safety Administrator
Name: Toni Ruark	Title: Office Manager

Reported By: <i>Mark [Signature]</i>	Title: <i>Safety Admin</i>	Code: US0063	Date: 10/15/2009
Received By: <i>Toni Ruark</i>	Title: <i>Office Mgr</i>		