

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 134697	Legal: HEARTLAND EXPRESS INC OF IOWA Operating (DBA): HEARTLAND EXPRESS			
MC/MX #: 115554		Federal Tax ID: 42-0758403 (EIN)			
Review Type: Non-ratable Review - CSA					
Scope: Principal Office		Location of Review/Audit: CSA Off-site		Territory: C	
Operation Types					
Interstate		Intrastate		Business: Corporation	
Carrier: HM		N/A		Gross Revenue: \$528,623,000.00	
Shipper: N/A		N/A		for year ending: 12/31/2011	
Cargo Tank:		N/A			
Company Physical Address:					
901 N KANSAS AVE NORTH LIBERTY, IA 52317					
Contact Name: Gary King					
Phone numbers: (1) 319-626-3600		(2)		Fax: 319-626-3617	
E-Mail Address: gking@heartlandexpress.com					
Company Mailing Address:					
901 N KANSAS AVE NORTH LIBERTY, IA 52317					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
General Freight		Building Materials		Beverages	
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
8 Corrosive material	Carried	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:			Total Drivers: 2886		
>= 100 Miles:	2886		CDL Drivers: 2886		
Equipment					
	Owned	Term Leased	Trip Leased	Owned	Term Leased
Truck Tractor	2848	38	0	Trailer	7048
					0
					0
Power units used in the U.S.: 2886					
Percentage of time used in the U.S.: 100					





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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:

105 6th St
Ames, IA 50010-6337
Phone: (515)233-7400 Fax:(515)233-7494

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Gary King

Title: Director of Safety

Name:

Title:





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Part B Violations

Safety Fitness Rating Information:

Total Miles Operated 303,813,335
Recordable Accidents 14

OOS Vehicle (CR): 0
Number of Vehicle Inspected (CR): 0
OOS Vehicle (MCMIS): 0
Number of Vehicles Inspected (MCMIS): 0

Your proposed safety rating is :

This Review is not Rated.





Safety Management Process Breakdowns and Remedies

1. Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
2. Employers and employees who operate CMVs, requiring a CDL in commerce are subject to the Alcohol and Controlled Substances Testing requirements of 49 CFR Parts 40 and 382. Ensure your company, and subject employees, implement and maintain compliance with the requirements of Part 382.
3. Past employers of CMV drivers must be contacted about drivers past alcohol and controlled substances history as per 49 CFR Part 40.25/382.413/391.23(e). Documentation of a drivers past alcohol/controlled substances history must be obtained from all past employer(s) where driver operated a CMV in last three years and records of documentation must be maintained for three (3) years.
4. Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .
5. As an employer applicable to 49 CFR 40.287, ensure that employees (including driver applicants) who violate DOT drug and alcohol regulations are provided a listing of SAPs (to include names, addresses, and telephone numbers) readily available to the the employee.
6. The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>
7. If you have any questions concerning this report, please contact the Federal Motor Carrier Safety Administration, 105 6th Street, Ames, Iowa 50010-6337 or by telephone (515) 233-7400.





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Part C

Reason for Review: Other DA

Planned Action: Compliance Monitoring

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

Reason not Rated: CSA

06/21/2010
01/14/2010
01/30/2008

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? Yes - Interstate

Unsat/Unfit rule: Not Applicable

Corporate Contact: Michael Gerdin

Special Study Information: DA

Corporate Contact Title: President/CEO

Remarks:

A copy of the report was sent after completion of investigation and instructions on how the report should be entered into Capri for upload from Washington D.C.

Name to whom it was sent: Mr. Gary King, Director of Safety
Mailing method (ie Fedex, UPS, etc.): UPS
Date Sent: 05/14/2012
Tracking /Confirmation Number: #1ZA476X00198623346

REASON FOR INVESTIGATION:

This non-ratable compliance review was initiated as part of FMCSA National Drug and Alcohol Strike Force in an effort to identify, locate, and remove positive drivers from safety-sensitive function. Documentation provided by Washington D.C. showed a positive driver had a recent roadside inspection (verified through FMCSA's DIR database) and is currently employed with an Iowa based motor carrier.

SCOPE OF INVESTIGATION:

A non-ratable compliance review commenced on the afternoon of 04/30/2012 with Mr. Gary King, Director of Safety at the motor carrier's principal place of business in North Liberty, IA. Parts 40, 382, 382, and 391 were reviewed to determine driver's qualifications and the company's compliance with the FMCSR's. All requested information and documentation on the driver in question was provided by Mr. King.

CARRIER OPERATION DESCRIPTION:

Heartland Express Inc of Iowa is a for-hire motor carrier that transports general freight, building materials, beverages, and hazardous material classes 2.1, 2.2, 3, 5.1, 8, and 9 throughout the United States. Currently, Heartland Express, Inc. of Iowa has 11 terminals throughout the United States. The corporate office is located in North Liberty, Iowa. The rest of the terminals are located in Fort Smith, Arkansas; Atlanta, Georgia; Kingsport, Tennessee; Chester, Virginia; Phoenix, Arizona; Columbus, Ohio; Jacksonville, Florida; O'Fallon, Missouri; Carlisle, Pennsylvania; and Olive Branch, Mississippi.

PRE-INVESTIGATION:

The positive test information was obtained from (b)(6) (b)(7)c and inquired into FMCSA's DIR database to check for roadside activity. MCMIS records indicate driver was stopped roadside on 10/27/2011 while under the direction and contrc of Heartland Express Inc. of Iowa.



**Part C****INVESTIGATION:**

In reviewing the motor carrier's driver qualification file on the driver in question, it was determined the motor carrier was found to be in compliance with all requirements of parts 40, 382, 383, and 391 (relating to drug and alcohol investigations). Based on the motor carrier's compliance, it was determined no evidence was on file in the driver's qualification file to indicate Heartland Express Inc of Iowa was aware or should have been aware that a driver had tested positive on a pre-employment controlled substances test at a competing motor carrier.

Regarding the driver in question, it was determined during the initial telephone call with Heartland Express Inc of Iowa, the driver was currently employed with Heartland and could be made available at the time of the non-ratable compliance review. A telephone interview with the driver occurred on the afternoon of 04/30/2012 via Heartland Express Inc. of Iowa's conference room. Driver stated she wasn't aware of any positive test report; no Medical Review Officer contacted her in October 2008 regarding a positive test result; and she hasn't taken a drug test for (b)(6) (b)(7)c since working for them in (b)(6) (b)(7)c. Driver then proceeded to provide an account of all employers she was employed with since beginning to drive truck in (b)(6) (b)(7)c to present. Driver did confirm her date of birth, social security number, and the phone number listed on the Federal Custody and Control Form dated 10/07/2008. Driver was informed contact would be made with the Medical Review Officer that reviewed and reported the test as a verified positive result. Per Heartland Express Inc. of Iowa's company policy, carrier official Mr. Gary King placed the driver in question on a 15-day administrative leave until the outcome of this investigation was concluded as well as to permit the driver time to correct the situation.

On 05/02/2012 at 9:05 am CDT, Dr. James Kurbat, M.D., the Medical Review Officer (MRO) responsible for reviewing and verifying the positive test result, returned my call and stated contact had been made with the donor on 10/14/2008 at 11:28 am MT and no medical justification was provided; therefore, the specimen was verified as a positive result for cannabinoids (THC). At the request of FMCSA Safety Investigator, Dr. Kurbat faxed a copy of his MRO notes to the FMCSA Iowa Division Office.

Based on discussion with the Dr. Kurbat, the driver (donor) was contact at 11:11 am CDT on 05/02/2012 and informed that Dr. Kurbat has provided a copy of his MRO notes that includes contact notes which show on 10/14/2008 contact was made with the donor regarding the positive test result and no medical explanation was provided. Driver then proceeded to explain that she is working on providing a time line of all employers she has been employed with since 2005 to present, and since she attended (b)(6) (b)(7)c Driving School in Tennessee she has had the following issues:

- 1) She received formal notification that her CDL that had been issued initially by (b)(6) (b)(7)c Driving School was in jeopardy due to violations discovered from an investigation and she was required to undergo re-examination;
- 2) when prospective employer's inquire with (b)(6) (b)(7)c on her safety performance work history, (b)(6) (b)(7)c claimed she was never employed with them; and in turn, she would have to log into (b)(6) (b)(7)c system under her old user ID code and print off proof of her employment with (b)(6) (b)(7)c
- 3) and now a positive test result from a 2008 pre-employment controlled substances test in which she claims she never sought employment with (b)(6) (b)(7)c in 2008 and this could be an issue of identity theft.

Due to the information provided within the MRO's notes and the fact no medical justification was provided; Mr. Gary King, Director of Safety for Heartland Express Inc of Iowa, was contacted at 1:19 pm CDT on 05/02/2012 and informed of the most recent information provided by Dr. Kurbat and there was a strong possibility the positive test result would be upheld although the driver is making allegations of identity theft by (b)(6) (b)(7)c. Mr. King stated the driver is on a 15-day administrative leave and would probably be terminated for falsifying her employment application per company policy. Lastly, Mr. King was informed at the conclusion of this investigation, a copy of the report would be sent via UPS to the company's principal place of business as well as a copy of the Disqualification Letter.

To determine whether or not the driver's allegations of identity theft were of merit, I contacted (b)(6) (b)(7)c Chattanooga, TN where the driver supposedly submitted to a pre-employment tests on 09/28/2008, and requested copies of the test results and CCF's should the company still have them on file. The company did have the documents electronically stored and faxed copies of the CCF and test result to the FMCSA Iowa Division Office. Furthermore, contact with (b)(6) (b)(7)c was made and explained the driver's alleges of identity theft and requested additional driver did in fact seek re-employment with (b)(6) (b)(7)c (i.e. copy of application with driver's signature). (b)(6) (b)(7)c was able to search (b)(6) (b)(7)c internal databases and provided documentation of driver's request for re-hire approval; copy of driver's application for employment with driver's signature and a date of (b)(6) (b)(7)c; and a Collector's Monthly Log Sheet for the month of (b)(6) (b)(7)c with driver's signature and a date of (b)(6) (b)(7)c. A comparison of handwriting on Heartland Express Inc of Iowa paperwork; CCF from (b)(6) (b)(7)c; and paperwork provided from (b)(6) (b)(7)c concluded all signatures to be the same.





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Part C

As a result, the driver was contacted on 05/07/2012 at 6:05 pm CST and informed that the positive test result would be upheld and the driver is required to comply with the return-to-duty process with the first step being a face-to-face evaluation with a Substances Abuse Professional. Driver was explained that (b)(6) (b)(7)c was able to provide several documents with her signature dated on or around (b)(6) (b)(7)c; and the signature on the (b)(6) (b)(7)c matched the documents obtained from (b)(6) (b)(7)c and Heartland Express Inc of Iowa. Driver then admitted to filling out an application for (b)(6) (b)(7)c, but says she never submitted to a drug test. Upon notification of pending civil penalty (reference case report number IA-2012-0087-US0858) and the issuance of a Disqualification Letter, driver claimed financial hardship and explained she and her husband live on a single income (her's) due to her husband's health condition and the recent medical operation to implant a pacemaker on her husband's heart has caused substantial medical bills to accumulate.

FOLLOW-ON ACTION:

Carrier official was informed on 04/30/2012 and again via telephone on 05/02/2012, Heartland Express Inc of Iowa would receive a copy of the Disqualification Letter issued to the driver for their records. Lastly, if carrier official has any further questions or concerns regarding the status of the driver, he was instructed to contact FMCSA's Iowa Division Office.

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

