

**Maine Motor Carrier Review Board
September 25, 2014
Meeting Minutes**

The Motor Carrier Review Board met on September 25, 2014.

The following Board members were present: Mark Hutchins, Chair; Russ Swift; Brian Parke; Bruce Gray; David Littlefield; Patrick Sirois; and Alan Quinlan.

Bureau of Motor Vehicles Board Staff in attendance: Garry Hinkley; Francis Fox, April Goodwin; and Joanna Veilleux.

Maine Attorney General's Office: William Laubenstein, Asst. Attorney General.

Guests: Shawn Currie, Maine State Police Commercial Enforcement Unit – Lieutenant; Alan Vitcavage, Federal Motor Carrier Safety Administration; and Eric Adair, Federal Motor Carrier Safety Administration.

The meeting was called to order at 8:07 AM. Mark Hutchins read the opening statement.

Minutes of the June 10, 2014 Board meeting were approved. **Brian/Pat - Unanimous.**

Announcements:

- 2015 UCR Renewal Notices will be mailed out next week.

Correspondence:

In addition to the supplemental questionnaires, there were two pieces of correspondence for the Board's consideration:

- A letter dated September 16, 2014 from Jeffrey L. Smith.
- A letter dated September 22, 2014 from Suzanne Hockmeyer, Northern Outdoors Inc.

The Board took these into consideration during the review of the respective carriers.

Hearings (A Carriers)

**Trombley Construction Inc – USDOT Number 880492
RSR 207.50; NFA; Brian/Bruce - Unanimous**

Trombley Construction Inc., of Chapman, Maine is an intrastate private property carrier of machinery, large objects, and construction equipment/materials operating 12 power units and 6 CDL drivers.

During the review period (Calendar 2012) the carrier had 15 violations (five serious) for a total of 83.00 points, including 2 speeding 15 or more miles per hour over the speed limit, 2 failing to use seat belt while operating a commercial motor vehicle, 1 leaf spring assembly defective/missing, 1 inoperative head lamps, 2 inoperative turn signal, 1 stop lamp violations, 1 speeding 6-10 miles per hour over the speed limit, 1 operating a commercial motor vehicle without periodic inspection, 1 operating over dimension, 1 speedometer inoperative/inadequate, 1 failure to provide evidence of insurance, and 1 no/discharged/unsecured fire extinguisher. The carrier's reported Maine mileage is 40,000 miles (carrier's supplemental) resulting in an RSR of 207.50.

After the review period the carrier had four violations (one serious), including 1 failing to use seat belt while operating a commercial motor vehicle, 1 steering system components worn/welded/missing, 1 no or defective brake warning device, and 1 inoperative required lamps.

The carrier has a current deficient Controlled Substances and Alcohol BASIC, a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 60 (optional). This is a continuation of the carrier's first hearing which was initially held on June 10, 2014.

Notice of the continued hearing to be held September 25, 2014 and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. FedEx confirmed delivery of the notice on June 17, 2014. The carrier's supplemental questionnaire was received on July 11, 2014.

The Board took the following documents into consideration:

1. Motor Carrier Review Board Summary
2. Supplemental Questionnaire from the carrier
3. MCMIS Safety Profile
4. Safety Measurement System History
5. Query Central Snapshot
6. Maine Dept. of Public Safety Compliance Review (May 8, 2014)

Matt Chapman, Supervisor for Trombley Construction Inc attended the hearing and stated the driver that was involved in some of the serious violations, Mr. Beckwith, is no longer with the company. Mr. Chapman stated that they are involved in the Drug & Alcohol Program through MMTA. It was also stated Mr. Kennedy is still a driver with the company, and that Mr. Larry is not.

Daniel A Brown – USDOT Number 767659

RSR 1176.92; Recommended Suspension with restoration conditional upon the submission of a company safety plan acceptable to the Board and the appearance of Daniel A. Brown before the Board; Brian/Pat - Unanimous

Daniel A. Brown, dba Daniel A. Brown & Sons Trucking, of Orneville Township, Maine is an intrastate for-hire carrier of logs, poles, beams, and lumber operating 3 power units and 3 CDL drivers.

During the review period (October 1, 2012 to September 30, 2013) the carrier had 37 violations (nine serious) for a total of 153.00 points, including 7 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing, 1 coil spring cracked and/or broken, 3 excess vehicle weight, 1 operating over posted weight, 5 failing to secure brake hose/tubing against mechanical

damage, 1 brake connections with leaks/constrictions, 1 inadequate brakes for safe stopping, 2 clamp/roto-chamber type brake(s) out of adjustment, 1 inoperative/defective brakes, 1 automatic brake adjuster – air brake, 1 operating a commercial motor vehicle without periodic inspection, 4 oil and/or grease leak, 1 unsafe operations forbidden, 1 frame cracked/loose/sagging/broken, 1 no/discharged/unsecured fire extinguisher, 2 inspection/repair and maintenance parts and accessories, 1 failure to display fuel decal, 1 failure to comply with IRP, and 1 operating intrastate commercial without registration. The carrier’s reported Maine mileage is 12,904 miles (IFTA CH) resulting in an RSR of 1176.92.

After the review period the carrier had 43 violations (eight serious), including **1 tire-ply or belt material exposed, 4 tire-other tread depth less than 2/32 of inch, 1 short, insufficient/no tiedowns, 2 leaf spring assembly defective/missing**, 1 inoperative turn signal, 1 stop lamp violations, 1 power steering violations, 4 excess vehicle weight, 2 operating over posted weight, 3 failing to secure brake hose/tubing against mechanical damage, 1 brake connections with leaks/constrictions, 1 inadequate brakes for safe stopping, 1 ABS-malfunctioning indicator to cab of towing commercial motor vehicle, 1 operating a commercial motor vehicle without periodic inspection, 1 no or inadequate driver vehicle inspection report, 1 loose/unfastened tiedown, 1 oil and/or grease leak, 1 inoperative required lamps, 3 no/discharged/unsecured fire extinguisher, 1 no/insufficient warning devices, 2 inspection/repair and maintenance parts and accessories, 1 HM-restricted emergency warning light, 1 evasion of registration fees/taxes, 3 failure to comply with IRP, 3 operating intrastate commercial without registration, and 1 damaged or discolored windshield.

The carrier has a current Vehicle Maintenance BASIC of 99.4 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 70 (optional). The carrier has five failure-to-pay fine suspensions. This is the carrier’s first hearing. The Notice of Hearing and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. Delivery was confirmed on June 18, 2014. The carrier’s supplemental questionnaire was received on August 26, 2014.

The Board took the following documents into consideration:

1. Motor Carrier Review Board Summary
2. Supplemental Questionnaire from the carrier
3. MCMIS Safety Profile
4. Safety Measurement System History
5. Query Central Snapshot

There was no company representative at the meeting.

**K M Morin Logging Inc – USDOT Number 756454
RSR 157.69; NFA; Brian/Russ – 6 In Favor, 1 Opposed**

K. M. Morin Logging, Inc., of Clinton, Maine is an intrastate for-hire carrier of logs, poles, beams, lumber, garbage, refuse, trash, steel, and iron operating 3 power units and 3 CDL drivers.

During the review period (October 1, 2012 to September 30, 2013) the carrier had 45 violations (13 serious) for a total of 205.00 points, including **2 tire-other tread depth less than 2/32 of inch, 3 failing to use a seat belt while operating a commercial motor vehicle, 8 axle positioning parts defective/missing**, 5 steering system components worn/welded/missing, 1 stop lamp violations, 3

inoperative tail lamp, 2 inoperative turn signal, 1 failing to secure brake hose/tubing against mechanical damage, 1 brake connections with leaks/constrictions, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 1 brakes (general), 1 horn inoperative, 1 failure to provide evidence of insurance, 1 frame accessories improperly attached, 1 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 2 no/insufficient warning devices, 1 inspection/repair and maintenance parts and accessories, 1 failure to display valid inspection sticker, 1 failure to display fuel decal, 2 operating intrastate commercial without registration, 1 windshield wipers inoperative/defective, 1 exhaust leak under truck cab and/or sleeper, and 1 log violation (general/form and manner). The carrier's reported Maine mileage is 129,555 miles (IFTA CH) resulting in an RSR of 157.69.

There are 67 violations to report after the review period (12 serious), including 1 driver lacking valid license for type vehicle being operating, 2 flat tire or fabric exposed, 1 tire-ply or belt material exposed, 1 tire-tread and/or sidewall separation, 5 tire-other tread depth less than 2/32 of inch, 1 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing, 3 inoperative head lamps, 3 inoperative tail lamp, 2 inoperative turn signal, 4 stop lamp violations, 2 steering system components worn/welded/missing, 5 excess vehicle weight, 2 brake tubing and hose adequacy, 8 failing to secure brake hose/tubing against mechanical damage, 1 clamp/roto-chamber type brake(s) out of adjustment, 3 no or defective brake warning device, 1 automatic brake adjuster – air brake, 2 operating a commercial motor vehicle without periodic inspection, 1 oil and/or grease leak, 5 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 3 inspection/repair and maintenance parts and accessories, 1 failure to display fuel decal, 2 operating intrastate commercial without registration, 1 fuel system requirements, 1 fuel tank requirements violations, 1 improper exhaust discharge (not rear of cab), 1 damaged securement system/tiedowns, and 1 evasion of registration fees/taxes.

The carrier had one accident after the review period.

The carrier has a current Unsafe Driving BASIC of 73.8 (exceeds intervention threshold), a Vehicle Maintenance BASIC of 99.4 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 87 (inspect). This is the carrier's first hearing after three previous preliminary reviews.

The Notice of Hearing and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. The FedEx package was returned to BMV undelivered on June 26, 2014. The carrier was contacted for additional contact information and the FedEx package was resent on July 15, 2014. Delivery was confirmed on July 21, 2014. The carrier's supplemental questionnaire was received on July 28, 2014.

The Board took the following documents into consideration:

1. Motor Carrier Review Board Summary
2. Supplemental Questionnaire from the carrier
3. MCMIS Safety Profile
4. Safety Measurement System History
5. Query Central Snapshot
6. USDOT Focused Compliance Review (June 19, 2013)

Kevin Morin, President of K M Morin Logging Inc attended the hearing and stated that he regularly goes to the garage and that he stays on top of things as best as he can. His drivers are required to do pre-trip inspections; however, there is no disciplinary policy for not doing a pre-trip inspection. He stated that his drivers are all friends that live in the same town. Timothy Williams was not a company driver, but rather, a friend that was allowed to use a pickup truck that caused an accident that was not work related. Mr. Morin indicated his company does routine drug testing and will use MMTA for more help in the future.

**Michael E Secotte Jr – USDOT Number 1436495
RSR 170.89; Recommended Suspension with restoration conditional upon the submission of a company safety plan acceptable to the Board and the appearance of Michael E Secotte Jr before the Board; Brian/Russ - Unanimous**

Michael E. Secotte, Jr., dba Secotte Transport, of Cushing, Maine is currently an intrastate for-hire carrier of general freight and fresh produce operating 1 power unit and 1 CDL driver. At the time of the December 2013 preliminary review the carrier operated interstate hauling general freight, fresh produce, meat, and refrigerated food with 5 power units and 2 CDL drivers.

During the review period (October 1, 2012 to September 30, 2013) the carrier had 35 violations (seven serious) for a total of 135.00 points, including **1 tire-tread and/or sidewall separation, 2 tire-other tread depth less than 2/32 of inch, 1 failing to use seat belt while operating a commercial motor vehicle, 1 axle positioning parts defective/missing, 1 requiring or permitting driver to drive more than 11 hours, 1 requiring or permitting driver to drive after 14 hours on duty**, 1 inoperative head lamps, 2 inoperative turn signal, 1 driver failing to retain previous 7 days' logs, 1 no or defective parking brake on commercial motor vehicle, 3 clamp/roto-chamber type brake(s) out of adjustment, 1 brake performance, 1 automatic brake adjuster – air brake, 3 operating a commercial motor vehicle without periodic inspection, 1 oil and/or grease leak, 1 inoperative required lamps, 1 failure to provide evidence of insurance, 1 cab/body parts requirements violations, 1 wheel fasteners loose and/or missing, 1 no/discharged/unsecured fire extinguisher, 2 inspection/repair and maintenance parts and accessories, 1 expired inspection, 2 failure to display fuel decal, 3 operating intrastate commercial without registration, and 1 failing to secure load. The carrier's reported Maine mileage is 79,391 miles (IFTA CH) resulting in an RSR of 170.89.

There are four violations to report (none serious) after the review period, including 1 inoperative head lamps, 1 inoperative turn signal, and 2 operating intrastate commercial without registration.

The carrier has a current Hours-of-Service Compliance BASIC and Controlled Substances and Alcohol BASIC exceeding intervention thresholds due to serious violations found during a compliance review, a Vehicle Maintenance BASIC of 94.5 (exceeds intervention threshold), a MCSIP Step of 55 (OOSO – unsat/unfit), and an ISS inspection selection value of 100 (inspect). The carrier had a December 2013 compliance review which resulted in a proposed unsatisfactory safety rating. This is the carrier's first hearing after two previous preliminary reviews. At the conclusion of the first preliminary review held in March 2012, the carrier was issued a warning letter (RSR 264.72). The Board voted to hold this hearing at the conclusion of the second preliminary review (RSR 170.89).

The Notice of Hearing and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. Delivery was confirmed on June 19, 2014. A follow up letter was sent to the

carrier requesting the supplemental questionnaire on August 7, 2014. The carrier contacted a staff member and stated that he had faxed the questionnaire in June, but would fax it again and call to confirm delivery. A call was placed to the carrier on September 2, 2014 and a message was left informing the carrier that the questionnaire had not been received and was needed before the Board meeting. The carrier's supplemental questionnaire has not been received to date.

Documents for the record:

1. Motor Carrier Review Board Summary
2. MCMIS Safety Profile
3. Safety Measurement System History
4. Query Central Snapshot
5. USDOT Focused Compliance Review (December 12, 2013)

There was no company representative at the meeting.

**Ridge Road Express Inc – USDOT Number 1475241
RSR 73.85; Continue Letter A Hearing; Brian/David – Unanimous**

Ridge Road Express Inc., of Littleton, Maine is an interstate for-hire carrier of fresh produce operating 2 power units and 3 CDL drivers.

During the review period (calendar 2013) the carrier had 11 violations (six serious) for a total of 48.00 points, including **1 tire-other tread depth less than 2/32 of inch, 3 driving beyond 14 hour duty period (PCV), 2 driving beyond 11 hour driving limit in a 14 hour period (PCV)**, 1 expired medical examiner's certificate, 1 expired inspection, 1 failure to comply with IRP, and 2 log violation (general/form and manner). The carrier's reported Maine mileage is 64,814 miles (IFTA CH) resulting in an RSR of 73.85.

After the review period the carrier had 14 violations (none serious), including 1 inoperative head lamps, 1 inoperative tail lamp, 4 inoperative turn signal, 1 inoperative /defective hazard warning lamp, 1 defective/improper fifth wheel assemblies, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 1 operating a commercial motor vehicle without periodic inspection, 1 horn inoperative, 1 no/discharged/unsecured fire extinguisher, and 1 inspection/repair and maintenance parts and accessories.

The carrier has a current Hours-of-Service BASIC of 69.4 (exceeds intervention threshold), a Vehicle Maintenance BASIC of 83.4 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), an ISS inspection selection value of 89 (inspect), and a conditional safety rating. This is the carrier's second hearing. The carrier had a hearing beginning in March 2012 and ending in December 2012 which resulted in a 'No Further Action' finding (RSR 80.95).

The Notice of Hearing and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. Delivery was confirmed on June 18, 2014. A follow up letter was sent to the carrier requesting the supplemental questionnaire on August 7, 2014. A call was placed to the carrier on September 2, 2014. No message could be left as the phone number on file was a non-working number. The carrier's supplemental questionnaire has not been received to date.

Documents for the record:

1. Motor Carrier Review Board Summary

2. MCMIS Safety Profile
3. Safety Measurement System History
4. Query Central Snapshot
5. USDOT Focused Compliance Review (May 1, 2013)

There was no company representative at the meeting.

**Yankee Pride Transportation and Logistics Inc – USDOT Number 950055
RSR 54.73; NFA; Bruce/David – 6 In Favor, 1 Abstain**

Yankee Pride Transportation and Logistics Inc., of Damariscotta, Maine is an interstate for-hire carrier of general freight, logs, poles, beams, lumber, and building materials operating 2 power units and 3 CDL drivers.

During the review period (calendar 2013) the carrier had 19 violations (two serious) for a total of 81.00 points, including **1 tire-other tread depth less than 2/32 of inch, 1 driving beyond 8-hour limit since end of last off-duty/sleeper period**, 1 power steering violations, 1 stop lamp violations, 1 inoperative head lamps, 1 inoperative tail lamp, 1 failing to secure brake hose/tubing against mechanical damage, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 2 ABS – air brake system, 2 ABS – malfunctioning lamps towed commercial motor vehicle, 1 failure to correct defects noted on inspection report, 1 no retroreflective sheeting/reflex reflectors on mud flaps-truck tractor, 3 inspection/repair and maintenance parts and accessories, and 1 log violation (general/form and manner). The carrier's reported Maine mileage is 147,502 miles (IFTA CH) resulting in an RSR of 54.73.

The carrier was involved in one accident during the review period.

After the review period the carrier had 26 violations (five serious), including **1 flat tire or fabric exposed, 1 tire-flat and/or audible leak, 2 tire-other tread depth less than 2/32 of inch, 1 driving beyond 8-hr limit since end of last off-duty/sleeper period**, 2 inoperative head lamps, 2 inoperative turn signal, 2 stop lamp violations, 2 failing to secure brake hose/tubing against mechanical damage, 1 no/defective brake warning device, 1 operating a commercial motor vehicle without periodic inspection, 1 horn inoperative, 1 oil and/or grease leak, 1 inoperative required lamps, 1 no/discharged/unsecured fire extinguisher, 2 inspection/repair and maintenance parts and accessories, 1 operating intrastate commercial without registration, and 4 log violation (general/form and manner).

The carrier has a current Hours-of-Service Compliance BASIC of 47.9, a Vehicle Maintenance BASIC of 91.3 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 72 (optional). This is the carrier's first hearing.

The Notice of Hearing and a supplemental questionnaire were sent to the carrier via FedEx on June 13, 2014. Delivery was confirmed on June 19, 2014. A follow up letter was sent to the carrier requesting the supplemental questionnaire on August 7, 2014. The carrier's supplemental questionnaire was received on August 18, 2014.

Documents for the record:

1. Motor Carrier Review Board Summary
2. Supplemental Questionnaire from the carrier

3. MCMIS Safety Profile
4. Safety Measurement System History
5. Query Central Snapshot
6. USDOT Report of Focused Compliance Review (January 1, 2014)

Ray Sidelinger attended the hearing and stated that during the January Compliance Review the company could not find the pre-trip inspection reports; however, they were found at a later date. Mr. Sidelinger indicated that the company has a safety bonus for drivers that is based on their mileage, having no accidents, and fuel use. He stated that 95% of vehicle maintenance is done out of the business as they only do minor things like change light bulbs, and they conduct weekly truck inspections.

Continued Preliminary Reviews (From June 10, 2014 Meeting):

Roger W Huff – USDOT Number 1120412

RSR 918.75; NFA; Patrick/Bruce – 5 In Favor, 1 Opposed, 1 Absent

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and delivery was confirmed on June 18, 2014. The carrier's supplemental questionnaire was received on July 14, 2014. The carrier reported 16,250 Maine miles leaving the RSR unchanged at 918.75.

There are three new violations to report (one serious) since the last meeting, including **1 using a hand-held mobile telephone while operating a commercial motor vehicle**, 1 clamp/roto-chamber type brake(s) out of adjustment, and 1 inoperative required lamps.

The carrier has a current Controlled Substances and Alcohol BASIC in alert status, a Vehicle Maintenance BASIC of 99.2 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 91 (inspect). The Department of Public Safety/MSP conducted a compliance review on the carrier in April 2014 which resulted in three noted violations.

Charles A Henderson – USDOT 791301

RSR 123.33; NFA; Alan/Bruce – Unanimous

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and delivery was confirmed on June 18, 2014. A follow up letter was sent to the carrier requesting the supplemental questionnaire on August 7, 2014. On September 2, 2014 a staff member called the carrier and spoke with Charles Henderson about completing and submitting the questionnaire prior to the Board meeting. The supplemental questionnaire was received on September 22, 2014. The carrier reported 120,120 Maine miles resulting in an adjusted RSR of 123.33.

There are 2 new violations to report (none serious) since the last meeting, including 1 operating over dimension (length) and 1 inspection/repair and maintenance parts and accessories.

The carrier has a current Vehicle Maintenance BASIC of 97.0 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 69 (optional).

Charles A Henderson appeared before the Board and stated that he had been stopped two weeks ago and it was found that the VIN sticker on the trailer was damaged. The violation regarding the leaking shock absorber had since been replaced. Mr. Henderson indicated that he has one truck and is the only driver. Mr. Henderson will arrange for a BMV Inspector to assign a VIN for his trailer.

**Advanced Development Co LLC – USDOT Number 1448775
RSR 92.94; NFA; Brian/Bruce - Unanimous**

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and delivery was confirmed on June 19, 2014. A follow up letter was sent to the carrier requesting the supplemental questionnaire on August 7, 2014. A call was placed to the carrier on September 2, 2014 and a Board member spoke with Aaron Spence about returning the questionnaire. The carrier's supplemental questionnaire was received on September 3, 2014. The carrier reported 576,000 Maine miles resulting in an adjusted RSR of 41.15.

There are 25 new violations to report (seven serious) since the last meeting, including **1 tire-flat and/or audible leak, 1 tire-front tread depth less than 4/32 of inch, 2 tire-other tread depth less than 2/32 of inch, 1 leaking/spilling/blowing/falling cargo, 2 axle positioning parts defective/missing, 1 inoperative tail lamp, 3 failing to secure brake hose/tubing against mechanical damage, 3 brake connections with leaks/constrictions, 1 inoperative/defective brakes, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 1 operating a commercial motor vehicle without periodic inspection, 1 failure to correct defects noted on inspection report, 1 inoperative required lamps, 2 inspection/repair and maintenance parts and accessories, 1 no/discharged/unsecured fire extinguisher, 1 failure to surrender suspended license/registration, and 1 operating intrastate commercial without registration.**

The carrier has a current Controlled Substances and Alcohol BASIC in alert status, a Vehicle Maintenance BASIC of 97.7 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 91 (inspect). The Department of Public Safety/MSP conducted a compliance review on the carrier in March 2014 which noted eight violations.

Aaron Spence, President of Advanced Development Co LLC, appeared before the Board and stated that since September he has spent approximately \$6,948 and that he was not in compliance with the Drug and Alcohol Program. Mr. Spence also indicated that he has addressed all issues found during the Compliance Review.

**CM Gray Transport LLC – USDOT Number 1795602
RSR 67.18; NFA; Brian/Bruce - Unanimous**

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and the package was returned undelivered on June 26, 2014. Numerous attempts were made to contact the carrier via mail and/or phone (6/26; 7/15; 7/30; 8/7). The carrier was finally reached by phone on September 2, 2014. The staff member was instructed to call the carrier's number and was given a number to call. A call was placed to the number and a message left. The Board staff member received a call back and was given an email address where the supplemental questionnaire could be sent. The questionnaire was sent to the email address provided and has not been returned to date.

There are 43 new violations to report (six serious) since the last meeting, including **1 tires/tubes, 1 flat tire or fabric exposed, 2 tire-tread and/or sidewall separation, 2 tire-other tread depth less than 2/32 of inch**, 1 inoperative turn signal, 1 stop lamp violations, 3 excess vehicle weight, 7 failing to secure brake hose/tubing against mechanical damage, 2 inoperative/defective brakes, 4 operating a commercial motor vehicle without periodic inspection, 1 operating over dimension, 1 oil and/or grease leak, 1 unsafe operations forbidden, 1 failure to provide evidence of insurance, 2 inspection/repair and maintenance parts and accessories, 1 no/insufficient warning devices, 1 expired inspection, 4 operating intrastate commercial without registration, 3 damaged or discolored windshield, 1 exhaust system not securely fastened, and 3 cab/body parts requirements violations.

The carrier has a current Controlled Substances and Alcohol BASIC in alert status, a Vehicle Maintenance BASIC of 98.9 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 91(inspect). USDOT conducted a full compliance review in February 2014 which noted five violations.

Chris Gray, President of CM Gray Transport LLC, and Eric Gray, father of Chris Gray, appeared before the Board and stated that issues found during pre-trip inspections are fixed the same day. Chris Gray indicated they are doing the best they can and that the drivers do not do the fixes themselves. Eric Gray has a garage and does the repairs for the company. Chris Gray indicated that the pre-trip inspections are collected at the end of the week and that trucks are located at the garage each night. It was stated that drivers get paid by the hour and that if they are overweight they only get paid ½ the hours they worked. Chris Gray indicated that he is busy and has not been home to fill out the Supplemental Questionnaire.

**New England Fish Company LLC – USDOT Number 1200058
RSR 249.23; Letter A; David/Alan – 6 In Favor, 1 Absent**

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and delivery was confirmed on June 18, 2014. A follow up letter was sent to the carrier requesting the supplemental questionnaire on August 7, 2014. A staff member called the carrier on September 2, 2014 and spoke with a company representative stating that the questionnaire needed to be completed and returned prior to the Board meeting. The company representative said she would give the message to John Carpenter. The supplemental questionnaire has not been returned to date.

There are 20 new violations to report (three serious) since the last meeting, including **1 tire-other tread depth less than 2/32 of inch, 2 false report of drivers record of duty status**, 1 steering system components worn/welded/missing, 1 driver failing to retain previous 7 days' log, 1 brake tubing and hose adequacy, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 inoperative/defective brakes, 1 automatic brake adjuster – air brake, 1 brakes (general), 1 operating a commercial motor vehicle without periodic inspection, 1 oil and/or grease leak, 3 inspection/repair and maintenance parts and accessories, 1 illegal attachment of plates, 1 operating intrastate commercial without registration, 1 exhaust system not securely fastened, and 2 log violation (general/form and manner).

The carrier has a current Hours-of-Service Compliance BASIC of 85.0 (exceeds intervention threshold), a Vehicle Maintenance BASIC of 96.5 (exceeds intervention threshold), a MCSIP

Step of 0 (not targeted), an ISS inspection selection value of 94 (inspect), and a conditional safety rating from an August 2012 USDOT Compliance Review.

Michael J Pushard – USDOT Number 2333492
RSR 142.86; NFA; Bruce/Patrick – 5 In Favor, 1 Opposed, 1 Absent

The continuation letter with the supplemental information request was sent to the carrier via FedEx on June 13, 2014 and delivery was confirmed on June 18, 2014. The carrier's supplemental questionnaire was received on July 16, 2014.

There is one new violation to report (not serious) since the last meeting – 1 excess vehicle weight.

The carrier has a current Hours-of-Service Compliance BASIC of 89.9 (exceeds intervention threshold), a Vehicle Maintenance BASIC of 70.6, has a MCSIP Step of 22 (not targeted), and an ISS inspection selection value of 85 (inspect). USDOT recently conducted a compliance review on the carrier in January 2014 which resulted in several violations.

Top Twenty Carriers (for the review period 07/01/2013 to 06/30/2014)

1. **Northern Outdoors Inc– USDOT Number 2070175**
RSR 3350.00; NFA; Patrick/Bruce - Unanimous

Northern Outdoors Inc., of The Forks, Maine is an intrastate non-hazmat private passenger (business carrier) of passengers and rafts, operating 6 power units and 13 CDL drivers.

During the review period the carrier had 21 violations (three serious) for a total of 67.00 points, including **1 axle positioning parts defective/missing, 2 leaf spring assembly defective/missing**, 1 steering system components worn/welded/missing, 1 inoperative head lamps, 2 no or defective parking brake on commercial motor vehicle, 1 failing to secure brake hose/tubing against mechanical damage, 1 frame cracked/loose/sagging/broken, 1 cab/body improperly secured to frame, 7 inspection/repair and maintenance parts and accessories, 1 damaged or discolored windshield, 1 no or defective bus emergency exits, 1 exhaust leak under truck cab and/or sleeper, and 1 exhaust not securely fastened. The carrier's reported Maine mileage is 1,522 miles (FUID) resulting in an RSR of 3,350.00.

After the review period the carrier had three violations (none serious), including 1 cab/body parts requirements violations, and 2 inspection/repair and maintenance parts and accessories.

The carrier has a current Vehicle Maintenance BASIC of 95.4 (exceeds intervention threshold), a Controlled Substances and Alcohol Basic which exceeds the intervention threshold due to a serious violation, a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 91 (inspect). The Dept. of Public Safety/MSP conducted a compliance review (level 5) on the carrier in June 2014 which identified several violations. This is the carrier's first preliminary review.

Suzanne Hockmeyer, Vice President of Northern Outdoors Inc, appeared before the Board and stated that her company joined MMTA after the Compliance Review and joined the Drug and Alcohol Program. Ms. Hockmeyer indicated that her company volunteered for the inspection of four buses to occur in their own garage and that all issues that were found were fixed. She added that they are not a trucking company but now understands that they must follow the same rules.

2. **Emery Lee and Sons Incorporated – USDOT Number 671994
RSR 820.00; Continue Preliminary Review; Bruce/David – 6 In Favor, 1 Absent**
Emery Lee and Sons Incorporated, of Millinocket, Maine is an interstate for-hire carrier of construction materials/equipment, operating 15 power units and 15 CDL drivers.

During the review period the carrier had 24 violations (three serious) for a total of 82.00 points, including **1 using a hand-held mobile telephone while operating a commercial motor vehicle, 1 no equivalent means of securement, 1 axle positioning parts defective/missing, 2** excess vehicle weight, 2 failing to secure brake hose/tubing against mechanical damage, 1 brake connections with leaks/constrictions, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 1 ABS – air brake system, 1 ABS – malfunctioning circuit/signal, 1 operating a commercial motor vehicle without periodic inspection, 1 operating over dimension, 3 inoperative required lamps, 2 inspection/repair and maintenance parts and accessories, 1 expired inspection, 1 failing to secure vehicle equipment, 1 failure to prevent cargo shifting, 1 failing to meet minimum tiedown requirements, and 1 damaged or discolored windshield. The carrier’s reported Maine mileage is 9,839 miles (FUID) resulting in an RSR of 820.00.

After the review period the carrier had 59 violations (nine serious), including **1 flat tire or fabric exposed, 1 tire-other tread depth less than 2/32 of inch, 1 leaking/spilling/blowing/falling cargo, 5 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing,** 1 inoperative tail lamp, 3 inoperative turn signal, 2 stop lamp violations, 1 steering system components worn/welded/missing, 1 prohibited placarding, 6 excess vehicle weight, 5 brake tubing and hose adequacy, 10 failing to secure brake hose/tubing against mechanical damage, 1 inadequate brakes for safe stopping, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 no or defective brake warning device, 1 automatic brake adjuster – air brake, 1 brakes (general), 1 must have knowledge and comply with regulations, 9 oil and/or grease leak, 1 failure to provide evidence of insurance, 1 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 1 operating intrastate commercial without registration, and 1 windshield wipers inoperative/defective.

The carrier has a current Vehicle Maintenance BASIC of 93.4 (exceeds intervention threshold), a MCSIP Step of 22 (not targeted, compliance review complete), and an ISS inspection selection value of 67 (optional). This is the carrier’s sixth preliminary review. The carrier was issued a warning letter in December 2010 (RSR 27.19) and October 2011 (RSR 48.62).

3. **Hal M Stratton – USDOT Number 756656
RSR 760.00; NFA; Patrick/Bruce – 6 In Favor, 1 Absent**

Hal M. Stratton, dba Hal Stratton Logging, of Belgrade, Maine is an intrastate private property carrier of logs, poles, beams, lumber, and construction equipment/materials operating 2 power units and 1 CDL driver.

During the review period the carrier had 12 violations (seven serious) for a total of 76.00 points, including 1 tire-front tread depth less than 4/32 of inch, 3 tire-other tread depth less than 2/32 of inch, 1 axle positioning parts defective/missing, 2 leaf spring assembly defective/missing, 1 inoperative head lamps, 1 inoperative turn signal, 1 failing to secure brake hose/tubing against mechanical damage, 1 failure to correct defects noted on inspection report, and 1 loose/unfastened tiedown. The carrier's reported Maine mileage is 10,000 miles (FUID) resulting in an RSR of 760.00.

After the review period the carrier had four violations (none serious), including 1 steering system components worn/welded/missing, 2 inspection/repair and maintenance parts and accessories, and 1 failure to prevent cargo shifting.

The carrier has a current Vehicle Maintenance BASIC of 89.5 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 66 (optional). This is the carrier's second preliminary review. The first preliminary review held in May 2013 resulted in a 'No Further Action' finding (RSR 608.33)

4. **Donn Bowden Construction Inc – USDOT Number 743316
RSR 600.00; NFA; Patrick/David – 6 In Favor, 1 Absent**

Donn Bowden Construction Inc, dba Bowden Construction, of Waldoboro, Maine is an intrastate for-hire carrier of construction equipment/materials operating 1 power unit and 1 CDL driver.

During the review period the carrier had 10 violations (two serious) for a total of 54.00 points, including 2 tire-front tread depth less than 4/32 of inch, 2 steering system components worn/welded/missing, 2 inoperative tail lamps, 2 excess vehicle weight, and 2 oil and/or grease leak. The carrier's reported Maine mileage is 8,553 miles (FUID) resulting in an RSR of 600.00.

The carrier has no violations to report after the review period.

The carrier is not rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 1 (pass). This is the carrier's first preliminary review.

5. **Rick A Doane – USDOT Number 1361103
RSR 341.67; NFA; Patrick/David – 6 In Favor, 1 Absent**

Rick A. Doane, dba R J and Dad Trucking, of Milford, Maine is an intrastate for-hire carrier of construction materials/equipment operating 2 power units and 2 CDL drivers.

During the review period the carrier had 25 violations (six serious) for a total of 123.00 points, including 2 tire-other tread depth less than 2/32 of inch, 4 leaf spring assembly defective/missing, 1 power steering violations, 2 inoperative head lamps, 2 inoperative turn signal, 3 excess vehicle weight, 2 failing to secure brake hose/tubing against

mechanical damage, 2 inadequate brakes for safe stopping, 1 inoperative/defective brakes, 2 failure to correct defects noted on inspection report, 1 oil and/or grease leak, 1 inoperative required lamps, and 2 inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage is 36,400 miles (FUID) resulting in an RSR of 341.67.

There are no violations to report after the review period.

The carrier has a current Vehicle Maintenance BASIC of 88.5 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 66 (optional). This is the carrier's first preliminary review.

6. **Sunset Development Inc – USDOT Number 754847
RSR 221.50; NFA; Alan/Bruce – 6 In Favor, 1 Absent**

Sunset Development Inc., of Greenfield Twp, Maine is an intrastate private property carrier of construction materials/equipment operating 8 power units and 4 CDL drivers.

During the review period the carrier had 17 violations (two serious) for a total of 68.00 points, including **1 using a hand-held mobile telephone while operating a commercial motor vehicle, 1 rear of container not properly secured**, 1 stop lamp violations, 1 inoperative head lamps, 1 inoperative turn signal, 1 brake tubing and hose adequacy, 1 failing to secure brake hose/tubing against mechanical damage, 1 inoperative/defective brakes, 1 operating a commercial motor vehicle without periodic inspection, 1 brake-reserve system pressure loss, 1 improper battery installation, 1 inoperative required lamps, 3 inspection/repair and maintenance parts and accessories, 1 failure to display fuel decal, and 1 operating intrastate commercial without registration. The carrier's reported Maine mileage is 32,300 miles (FUID) resulting in an RSR of 221.50.

There are no violations to report after the review period.

The carrier is not rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 1 (pass). This is the carrier's first preliminary review.

7. **Abbott Trucking Inc – USDOT Number 1232380
RSR 300.00; NFA; Russ/Bruce – 6 In Favor, 1 Absent**

Abbott Trucking Inc., of Jefferson, Maine is an intrastate for-hire/private property carrier of logs, poles, beams, lumber, and scrap iron/metal operating 3 power units and 1 CDL driver.

During the review period the carrier had 27 violations (two serious) for a total of 90.00 points, including **1 flat tire or fabric exposed, 1 tire-other tread depth less than 2/32 of inch**, 1 inoperative tail lamp, 2 inoperative turn signal, 3 excess vehicle weight, 1 brake connections with leaks/constrictions, 2 operating a commercial motor vehicle without periodic inspection, 1 failure to correct defects noted on inspection report, 2 oil and/or grease leak, 1 frame rail flange improperly bent/cut/notched, 2 cab door missing/broken, 1 hood not securely fastened, 5 inspection/repair and maintenance parts and accessories, 1 illegal attachment of plates, 1 no/improper front end structure/headerboard, 1 damaged

or discolored windshield, and 1 exhaust leak under truck cab and/or sleeper. The carrier's reported Maine mileage is 30,158 miles (FUID) resulting in an RSR of 300.00.

There are two violations to report after the review period (none serious), including 1 clamp/roto-chamber type brake(s) out of adjustment and 1 automatic brake adjuster – air brake.

The carrier has a current Vehicle Maintenance BASIC of 66.5, a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 44 (pass). This is the carrier's second preliminary review. A June 2012 preliminary review resulted in a No Further Action finding (RSR 103.23).

Travis Abbott, owner of Abbott Trucking Inc, appeared before the Board and stated that he is the only driver for the company and trying to do the best he can. Mr. Abbott indicated that he has his own shop and hires out for major vehicle repairs to be done. He currently hauls wood, scrap, and iron and because he felt that he was spreading himself too thin, he now only has one truck.

8. **Dupuis Trucking Inc – USDOT Number 744920**
RSR 230.43; NFA; Patrick/Bruce – 6 In Favor, 1 Absent

Dupuis Trucking Inc., of Old Town, Maine is an intrastate for-hire/private property carrier of logs, poles, beams, and lumber operating 1 power unit and 1 CDL driver.

During the review period the carrier had 10 violations (five serious) for a total of 53.00 points, including 4 tire-other tread depth less than 2/32 of inch, 1 leaf spring assembly defective/missing, 1 inoperative head lamps, 1 failure to correct defects noted on inspection report, 1 frame accessories improperly attached, 1 failure to secure vehicle equipment, and 1 damaged or discolored windshield. The carrier's reported Maine mileage is 22,552 miles (FUID) resulting in an RSR of 230.43.

There are no violations to report after the review period.

The carrier is not rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 1 (pass). This is the carrier's first preliminary review.

9. **Jeffrey L Smith – USDOT Number 1284562**
RSR 205.00; NFA; Patrick/Bruce - 6 In Favor, 1 Absent

Jeffrey L. Smith, dba ARG Trucking, of Pleasant Ridge Plt, Maine is an intrastate private property carrier of logs, poles, beams, lumber, and construction equipment/materials operating 2 power units and 1 CDL driver.

During the review period the carrier had 11 violations (none serious) for a total of 41.00 points, including 1 stop lamp violations, 1 inoperative head lamps, 4 failing to secure brake hose/tubing against mechanical damage, 1 inoperative/defective brakes, 1 operating a commercial motor vehicle without periodic inspection, 2 inspection/repair and maintenance parts and accessories, and 1 exhaust leak under truck cab and/or sleeper.

The carrier's reported Maine mileage is 20,260 miles (FUID) resulting in an RSR of 205.00.

There are no violations to report after the review period.

The carrier is not currently rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 1 (pass). This is the carrier's first preliminary review.

The Board has a letter from Jeffrey L. Smith for its consideration.

10. Ames Mobile Home Sales Inc – USDOT 788116

RSR 186.84; NFA; David/Bruce - 5 In Favor, 1 Opposed, 1 Absent

Ames Mobile Home Sales Inc., dba Ames Home Center, of Canaan, Maine is an intrastate for-hire/private property carrier of mobile homes and construction equipment/materials operating 4 power units and 2 CDL drivers.

During the review period the carrier had 17 violations (five serious) for a total of 71.00 points, including **1 tire-front tread depth less than 4/32 of inch, 1 tire-other tread depth less than 2/32 of inch, 2 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing**, 1 inadequate brakes for safe stopping, 1 no or defective brake warning device, 1 operating a commercial motor vehicle without periodic inspection, 1 brakes (general), 1 no/defective lighting devices/reflective devices/projected, 1 horn inoperative, 1 speedometer inoperative/inadequate, 1 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 1 inspection/repair and maintenance parts and accessories, and 1 log violation (general/form and manner). The carrier's reported Maine mileage is 38,251 miles (FUID) resulting in an RSR of 186.84.

After the review period the carrier had two violations (none serious), including 1 failing to secure brake hose/tubing against mechanical damage and 1 operating over dimension (width).

The carrier has a current Vehicle Maintenance BASIC of 91.6 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 67 (optional). This is the carrier's second preliminary review. The first preliminary review was held in December 2010 and resulted in a warning letter (RSR 84.78).

11. A D Electric Inc – USDOT Number 453532

RSR 160.00; NFA; Brian/David - 6 In Favor, 1 Absent

A D Electric Inc., of Sabattus, Maine is an intrastate carrier of metal sheet/coils/roles, machinery, large objects, logs, poles, beams, and lumber operating 42 power units and 11 CDL drivers.

During the review period the carrier had 9 violations (one serious) for a total of 32.00 points, including **1 speeding 11-14 miles per hour over the speed limit**, 1 improper lane change, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 2 operating a commercial motor vehicle without periodic inspection, 1 inoperative required lamps, 1 failure to display fuel decal, and 1 operating intrastate

commercial without registration. The carrier's reported Maine mileage is 19,812 miles (FUID) resulting in an RSR of 160.00.

There are no violations to report after the review period.

The carrier is not currently rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 12 (pass). This is the carrier's first preliminary review.

Karan Stark, Office Manager of A D Electric, appeared before the Board and indicated that Mr. Patnaude is still driving for the company.

**12. Christopher L Buzzell – USDOT Number 920014
RSR 107.14; NFA; Patrick/Bruce – 6 In Favor, 1 Absent**

Christopher L. Buzzell, dba Buzzy's Trucking & Logging, of Norridgewock, Maine is an intrastate for-hire/ private property carrier of logs, poles, beams, lumber, and construction equipment/materials operating 3 power units and 3 CDL drivers.

During the review period the carrier had 11 violations (two serious) for a total of 45.00 points, including 1 tire-other tread depth less than 2/32 of inch, 1 leaf spring assembly defective/missing, 1 steering system components worn/welded/missing, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 inoperative/defective brakes, 1 no or defective brake warning device, 1 operating a commercial motor vehicle without periodic inspection, 2 inoperative required lamps, 2 inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage is 41,943 miles (FUID) resulting in an RSR of 107.14.

There are no violations to report after the review period.

The carrier is not currently rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 49 (pass). This is the carrier's first preliminary review.

**13. Murray LaPlant Inc – USDOT Number 307431
RSR 135.48; Continue Preliminary Review; Alan/Bruce – 6 In Favor, 1 Absent**

Murray LaPlant Inc., of Princeton, Maine is an intrastate private property carrier of machinery, large objects, logs, poles, beams, lumber, and construction equipment/materials operating 11 power units and 5 CDL drivers.

During the review period the carrier had 47 violations (four serious) for a total of 168.00 points, including 2 tire-other tread depth less than 2/32 of inch, 1 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing, 1 steering system components worn/welded/missing, 1 power steering violations, 3 failing to secure brake hose/tubing against mechanical damage, 2 brake connections with leaks/constrictions, 1 insufficient brake linings, 1 clamp/roto-chamber type brake(s) out of adjustment, 4 inoperative/defective brakes, 3 automatic brake adjuster – air brake, 2 ABS – malfunctioning circuit/signal, 2 ABS – malfunctioning indicator to cab of towing commercial motor vehicle, 1 no or defective ABS malfunction indicator for towed

vehicles, 1 ABS – malfunctioning lamps towed commercial motor vehicle, 3 brakes (general), 1 no/defective lighting devices/reflective devices/projected, 1 oil and/or grease leak, 3 frame cracked/loose/sagging/broken, 3 inoperative required lamps, 6 inspection/repair and maintenance parts and accessories, 2 damaged or discolored windshield, and 2 windshield wipers inoperative/defective. The carrier's reported Maine mileage is 124,385 miles (FUID) resulting in an RSR of 135.48

The carrier had one accident during the review period.

There are no violations to report after the review period.

The carrier had a compliance review done in April 2014 where it was discovered the carrier failed to conduct background checks on drivers and had non-compliant vehicle maintenance files.

The carrier currently has a Driving Fitness BASIC and Controlled Substances and Alcohol BASIC with serious violations (exceeds the intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 91 (inspect). This is the carrier's first preliminary review.

14. **Frank Monroe – USDOT Number 747042**
RSR 135.00; NFA; Patrick/Bruce – 6 In Favor, 1 Absent

Frank Monroe, dba Frank Monroe Construction, of Whitefield, Maine is an intrastate private property carrier of building materials, machinery, large objects, logs, poles, beams, and lumber operating 9 power units and 4 CDL drivers.

During the review period the carrier had 15 violations (one serious) for a total of 54.00 points, including 1 axle positioning parts defective/missing, 1 inoperative head lamps, 1 inoperative tail lamp, 2 inoperative turn signal, 1 failing to secure brake hose/tubing against mechanical damage, 1 operating a commercial motor vehicle without periodic inspection, 1 oil and/or grease leak, 2 failure to provide evidence of insurance, 1 inoperative required lamps, 1 no/discharged/unsecured fire extinguisher, 1 no/insufficient warning devices, 1 failure to display fuel decal, and 1 operating intrastate commercial without registration. The carrier's reported Maine mileage is 40,000 miles (FUID) resulting in an RSR of 135.00.

After the review period the carrier had four violations (none serious), including 1 inoperative /defective brakes, 1 operating a commercial motor vehicle without periodic inspection, and 2 inspection/repair and maintenance parts and accessories.

The carrier has a current Vehicle Maintenance BASIC of 83.9 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 64 (optional). This is the carrier's first preliminary review.

15. **Jeffrey A Shibles – USDOT Number 754318**
RSR 112.00; NFA; Patrick/Bruce – 6 In Favor, 1 Absent

Jeffrey A. Shibles, dba Shibles Trucking, of Plymouth, Maine is an intrastate private property carrier of logs, poles, beams, lumber, and wood pulp operating 2 power units and 1 CDL driver.

During the review period the carrier had 32 violations (one serious) for a total of 112.00 points, including 1 tire-other tread depth less than 2/32 of inch, 2 inoperative head lamps, 3 excess vehicle weight, 2 failing to secure brake hose/tubing against mechanical damage, 1 inadequate brakes for safe stopping, 4 clamp/roto-chamber type brake(s) out of adjustment, 2 inoperative/defective brakes, 1 automatic brake adjuster – air brake, 1 operating a commercial motor vehicle without periodic inspection, 1 failure to correct defects noted on inspection report, 1 operating over dimension (length), 1 improper battery installation, 4 oil and/or grease leak, 1 cab/body improperly secured to frame, 1 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 2 inspection/repair and maintenance parts and accessories, 1 operating intrastate commercial without registration, and 1 damaged securement system/tiedowns. The carrier's reported Maine mileage is 100,000 miles (FUID) resulting in an RSR of 112.00.

After the review period the carrier had three violations (none serious), including 1 stop lamp violations, 1 excess vehicle weight, and 1 oil and/or grease leak.

The carrier has a current Vehicle Maintenance BASIC of 80.6 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), an ISS inspection selection value of 63 (optional). This is the carrier's first preliminary review.

Jeff Shibles appeared before the Board and indicated he was doing better with pre-trip and weekly inspections and that the trucks are parked at his own garage. Mr. Shibles stated that he is his own driver, he has one part-time driver, and one truck will be retired next month.

16. **Lloyd J Brown – USDOT Number 794441
RSR 96.97; NFA; Patrick/Bruce – 6 In Favor, 1 Absent**

Lloyd J. Brown, of Whitefield, Maine is an intrastate private property carrier of logs, poles, beams, and lumber operating 1 power unit and 1 CDL driver.

During the review period the carrier had 12 violations (three serious) for a total of 58.00 points, including 3 tire-other tread depth less than 2/32 of inch, 1 stop lamp violations, 2 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – air brake, 2 operating a commercial motor vehicle without periodic inspection, 1 failure to correct defects noted on inspection report, 1 frame cracked/loose/sagging/broken, and 1 inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage is 59,791 miles (FUID) resulting in an RSR of 96.67.

After the review period the carrier had 16 violations (four serious), including 1 tire-other tread depth less than 2/32 of inch, 1 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing, 1 torsion bar cracked and/or broken, 1 steering system components worn/welded/missing, 3 brake tubing and hose adequacy, 1 failing to secure brake hose/tubing against mechanical damage, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster - air brake, 1 frame cracked/loose/sagging/broken,

3 inspection/repair and maintenance parts and accessories, and 1 failure to prevent cargo shifting.

The carrier is not currently rated in the Safety Measurement System and has a MCSIP Step of 0 (not targeted) and an ISS inspection selection value of 49 (pass).

This is the carrier's second preliminary review. The first preliminary review held in May 2013 resulted in a 'No Further Action' finding (RSR 150.00).

17. **Regional Rubbish Removal Inc – USDOT Number 885317
RSR 83.64; NFA; Patrick/Alan – 6 In Favor, 1 Absent**

Regional Rubbish Removal Inc., of Damariscotta, Maine is an intrastate private property carrier of garbage, refuse, and trash operating 8 power units and 4 CDL drivers.

During the review period the carrier had 10 violations (one serious) for a total of 46.00 points, including 1 axle positioning parts defective/missing, 1 power steering violations, 1 stop lamp violations, 2 inoperative turn signal, 1 no or defective brake warning device, 1 horn inoperative, 2 oil and/or grease leak, and 1 inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage is 54,824 miles (FUID) resulting in an RSR of 83.64.

After the review period the carrier had 7 violations (two serious), including 1 tire-tread and/or sidewall separation, 1 tire-front tread depth less than 4/32 of inch, 1 steering system components worn/welded/missing, 1 failing to secure brake hose/tubing against mechanical damage, 1 tire under inflated, and 2 inspection/repair and maintenance parts and accessories.

The carrier was involved in one accident after the review period.

The carrier has a current Vehicle Maintenance BASIC of 92.9 (exceeds intervention threshold), a Crash Indicator BASIC of 87.9 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), an ISS inspection selection value of 94 (inspect). This is the carrier's second preliminary review. The first preliminary review held in September 2013 resulted in a 'No Further Action' finding (RSR 112.73).

18. **Neil F Bonneville – USDOT Number 1519598
RSR 82.93; NFA; Russ/Bruce – 6 In Favor, 1 Absent**

Neil F. Bonneville, dba Maine Waste Systems, of Exeter, Maine is an intrastate for-hire carrier of garbage, refuse, and trash operating 3 power units and 3 CDL drivers.

During the review period the carrier had nine violations (one serious) for a total of 34.00 points, including 1 tire-other tread depth less than 2/32 of inch, 1 inoperative head lamps, 1 no or defective brake warning device, 1 operating a commercial motor vehicle without periodic inspection, 1 brake-reserve system pressure loss, 1 horn inoperative, 1 inoperative required lamps, 1 inspection/repair and maintenance parts and accessories, 1 windshield wipers inoperative/defective. The carrier's reported Maine mileage is 41,000 miles (FUID) resulting in an RSR of 82.93.

The carrier was involved in one accident during the review period.

There are no violations to report after the review period.

The carrier has a current Crash Indicator BASIC of 87.9 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 52 (optional). This is the carrier's first preliminary review.

19. **Almighty Recycling Inc – USDOT Number 2135620
RSR 69.29; NFA; Patrick/Bruce - Unanimous**

Almighty Recycling Inc., of Lewiston, Maine is an intrastate for-hire carrier of garbage, refuse, and trash operating 8 power units and 8 CDL drivers.

During the review period the carrier had 24 violations (four serious) for a total of 97.00 points, including 1 tire-ply or belt material exposed, 1 tire-front tread depth less than 4/32 of inch, 2 tire-other tread depth less than 2/32 of inch, 1 stop lamp violations, 2 inoperative turn signal, 1 brake tubing and hose adequacy, 1 failing to secure brake hose/tubing against mechanical damage, 2 inoperative/defective brakes, 1 operating a commercial motor vehicle without periodic inspection, 1 brakes (general), 1 brake-reserve system pressure loss, 1 failure to correct defects noted on inspection report, 1 loose/unfastened tiedown, 1 oil and/or grease leak, 1 cab door missing/broken, 1 rear impact guards, 3 no/improper securement of roll/hook container, 1 fuel system requirements, and 1 improper securement of fuel tank. The carrier's reported Maine mileage is 140,400 miles (FUID) resulting in an RSR of 69.29.

The carrier was involved in one accident during the review period.

There are no violations to report after the review period.

The carrier has a current Vehicle Maintenance BASIC of 90.6 (exceeds intervention threshold), a MCSIP Step of 0 (not targeted), and an ISS inspection selection value of 66 (optional). This is the carrier's second preliminary review. The first preliminary review held in May 2013 resulted in a warning letter (RSR 173.96).

Eric Geoffroy, who has been with the company since last December, appeared before the Board and indicated there was an additional inspection on the previous day (9/24/14). Mr. Geoffroy testified that the company mechanic had been replaced due to issues and the new mechanic keeps things running a lot smoother. He stated that the accident that occurred on a Saturday morning caused many violations and happened because the road was covered by ice. The driver involved in this accident was fired after as a result. Mr. Geoffroy is paying more attention and sees that tires seem to be the companies issue right now so there are tires in the shop. He added that the company usually follows school closures to avoid driving during bad weather; however, as the accident was on a weekend there were no school closures to report.

Old Business:

None

New Business:

Garry Hinkley will look into the possibility of providing the MCRB Packets in an electronic format and will report to the Board at the next meeting.

Future packets will no longer contain MCMIS Safety Profiles as Compliance Reviews will be included instead.

Next Meeting Date:

The next meeting is Thursday, January 15, 2014 at 8:00 AM
Bureau of Motor Vehicles – Executive Conference Room

Meeting Adjourned:

A motion was made to adjourn the meeting at 12:13 PM; **David/Bruce - Unanimous**