

Maine Motor Carrier Review Board
March 10, 2015
Draft Meeting Minutes

The Motor Carrier Review Board met on March 10, 2015.

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

Bureau of Motor Vehicles Board Staff in attendance: Garry Hinkley; Stephen Ashcroft; April Goodwin; and Tricia Grona.

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

Guests: James Wright, Maine State Police Commercial Enforcement Unit – Motor Carrier Inspector; Patrick Moody, AAA; and Dale Hanington, Fantastic Enterprises LLC.

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

Minutes of the September 25, 2014 Board meeting were approved. **Brian/Bruce - Unanimous.**

Announcements:

- Francis Fox retired and Stephen Ashcroft has taken his position.
- The CVISN grant for 2015 will be used for the York Weigh Station and an Overlimit Permit routing project.
- Tricia Grona is attending the meeting to assist with recording the motions and notes.
- Russ Swift retired and moved out of state and Patrick Moody from AAA will be replacing him on the Board.

Correspondence:

In addition to the supplemental questionnaires that were included in the Boards packets, there were three pieces of correspondence for the Board's consideration:

- Supplemental Questionnaire from New England Fish Company LLC (A Carrier).
- Supplemental Questionnaire from Emery Lee And Sons Inc (Continued Review).
- Supplemental Questionnaire/Hours of Service Policy/Maintenance Program from Michael E Secotte Jr (Suspended Carrier).

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

Suspended Carriers

Michael E Secotte Jr – USDOT Number 1436595
RSR 170.89; Restore; Brian/David – Unanimous

Michael E Secotte Jr, dba Secotte Transport., of Cushing, Maine is an intrastate authorized for hire carrier of general freight and fresh produce operating 1 power unit and 1 CDL driver.

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 taken from the Fuel Use application (FUID) resulting in an RSR of 170.89.

The carrier's first hearing was held on September 25, 2014. The Board recommended suspension at the conclusion of that 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 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 BMV's Notice of Suspension was sent to the carrier via FedEx on September 23, 2014 and it was confirmed to be delivered on October 3, 2014. The SOS's Notice of Suspension was sent via First Class Mail on October 1, 2014. On October 24, 2014 Mr. Secotte Jr called to indicate that he would like to get back into business with 1 truck and thought someone from his office had sent in the completed Supplemental. On November 25, 2014 Mr. Secotte Jr delivered his completed supplemental to BMV.

The Board took the following documents into consideration:

1. Motor Carrier Review Board Summary
2. Safety Measurement System History
3. Query Central Snapshot
4. USDOT Focused Compliance Review (December 12, 2013)
5. Supplemental Questionnaire, Hours of Service, and Maintenance Program from the carrier

Michael E Secotte Jr attended the meeting and stated that he does not know the solution for a driver not wearing a seatbelt and two days later, that driver was no longer employed by him. Mr. Secotte Jr stated he shut down his business on 2/19/2014 and was currently trying to get his authority back. He plans to keep his newest two trucks (registering one) and newest trailer and drive himself. He will have truck and trailer full maintenance done upfront then keep bringing them back to keep up. He has completed some Hours of Service training and learned some things. He will be using a service to check logs at the end of each month so he is aware of any violations so he will be aware of what not to continue doing.

Hearings (A Carriers)

Ridge Road Express Inc - USDOT Number 1475241

RSR 73.85; NFA; Brian/Pat - Unanimous

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

During the review period (2013) the carrier had 11 violations (6 serious) for a total for 48 points, including 1 tire outer tread depth less than 2/32 of an inch, 3 driving beyond the 14 hour duty period, 2 driving beyond the 11 hour driving limit in a 14 hour period, 1 expired medical examiners certificate, 1 expired inspection, 1 failure to comply with IRP, and 2 log violations (general form and manner).

The carrier reported Maine mileage of 64,814 miles which was taken from their IFTA reports resulting in a relative severity rating of 73.85. After the review period the carrier had 14 violations, none serious.

The carrier has a vehicle maintenance basic of 89.0 which exceeds the intervention threshold, a MCSIP Step of 0 (NOT TARGETED), an ISS selection value of 66, and a conditional safety rating. This is the carrier's second full hearing. This is a continuation of the carrier's September 25, 2014 hearing. The carrier previously had a hearing beginning in March 2012 ending in December 2012 resulting in no further action finding.

The notice of hearing and supplemental questionnaire was sent to the carrier by FedEx on June 13, 2014 and delivery was confirmed on June 18, 2014. A follow up letter was sent to the carrier requesting a 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 not a working number. The carrier's supplemental questionnaire has not been received to date. A new hearing notice was sent on September 30, 2014 notifying the carrier of the continued hearing. On October 6, 2014 the FedEx package was confirmed delivered. On November 17, 2014 we sent a letter via FedEx notifying the carrier of the rescheduled MCRB meeting from January 15, 2015 to March 10, 2015. On November 18, 2014 the FedEx package was confirmed delivered.

The Board took the following documents into consideration:

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.

New England Fish Company LLC - USDOT Number 1200058

RSR 249.23; NFA; Bruce/Brian - Unanimous

New England Fish Company LLC, of Portland, Maine is an interstate carrier private property including bulk bait fish operating 13 power units with 8 drivers.

During the review period (2013) the carrier had 38 violations (9 serious) for a total of 162 points, including 1 driving a commercial vehicle while disqualified, 1 tire tread under a sidewall separation, 1 tire tread depth less than 4/32 of an inch, 3 tire tread depth less than 2/32 of an inch, 1 axle positioning parts defective/missing, 1 air suspension pressure loss, 1 requiring/permitting driver to drive after 14 hours on duty, 1 stop lamp violation, 1 inoperative head lamps, 3 inoperative turn signals, 1 improper traction protection valve, 3 failing to secure a brake hose tubing against mechanical damage, 1 insufficient brake linings, 1 no or defective brake warning device, 4 operating a commercial motor vehicle without periodic inspection, 1 horn inoperative, 1 unsafe operations forbidden, 2 inoperative required lamps, 3

inspection/maintenance parts and accessories, 1 failure to display fuel decal, 2 failure to comply with IRP, 1 operating intrastate commercial without registration, 2 mud flaps missing or defective, and 1 damaged or discolored windshield. The carrier's reported Maine mileage is 64,684 miles (IFTA CH) resulting in an RSR of 249.2.

After the review period there were an additional 38 violations, 6 of which were serious. The carrier had 1 accident during the review period. The carrier has a current vehicle maintenance BASIC of 97 deficient, an hours of service compliance BASIC of 96 deficient. The carrier has a MCSIP level 22 not targeted, an ISS inspection selection value of 96 and a conditional safety rating. This is a continued review.

The Board took the following documents into consideration:

1. Supplemental Questionnaire from the carrier
2. QC carrier snapshot
3. Safety Measurement System History
4. Compliance review
5. Accident report
6. BMV history
7. Motor Carrier Review Board Summary

On June 13, 2014 a continuation notice with supplemental was sent via FedEx. The FedEx package delivery was confirmed on June 18, 2014. August 7, 2014 we sent a follow up letter requesting enclosed supplemental to be completed upon receipt of notice and returned to the BMV.

On September 12, 2014 staff called the office and spoke with office staff and explained that we were waiting for the supplemental questionnaire to be completed and returned in time for the September 25, 2014 board meeting. On September 20, 2014, hearing notice was sent via FedEx. On October 3, 2014, the FedEx package was confirmed as delivered. We received the supplemental questionnaire on October 31, 2014. On November 17, 2014 a letter was sent via FedEx notifying the carrier of the rescheduled MCRB meeting from January 15, 2015 to March 10, 2015. The package was confirmed as delivered on November 20, 2014.

John Paul Bilodeau and Holly Plourde attended the meeting and provided material for the Board to consider. Mr. Bilodeau stated that his business runs in the summer months and that the company has been trying to bring the numbers down since the review period. He stated that their trucks and trailers are on a 90 day maintenance schedule and that the company now has tire inventory and can do small fixes between the 90 day schedule services if a driver sees something needing to be fixed/replaced, and added that he drivers have authority to do so. Mr. Bilodeau stated that he checks log books to monitor drivers, an electronic app is used to monitor in real time, and that drivers started using phones in December/January.

Continued Preliminary Reviews (From September 25, 2014 Meeting):

Emery Lee and Sons Incorporated - USDOT Number 671994

RSR 820.00; Letter A; Brian/Bruce - Unanimous

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, 3 of which were serious, including: **1 using a handheld 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 tie down requirements, and 1 damaged or discolored windshield. The carrier's reported Maine mileage was 9,839 miles, taken from an annual fuel use identification decal report. Total points were 82 resulting in an RSR of 820.

The carrier had 1 accident on September 18, 2014.

The carrier has a current Vehicle Maintenance BASIC of 91 deficient which exceeds the intervention threshold, a MCSIP Step of 22 (not targeted with a compliance review complete), and an ISS inspection selection value of 66 (optional). This continuation will be the carrier's sixth preliminary review. The carrier was issued a warning letter in December 2010 (RSR 27.2) and October 2011 (RSR 48.60)

Documents for the record:

- 1) Supplemental Questionnaire from the carrier
- 2) QC carrier snapshot
- 3) Safety Measurement System History
- 4) Compliance reviews
- 5) BMV history

There was no company representative at the meeting.

Murray LaPlant Inc – USDOT number 307431
RSR 135.48; NFA; Brian/Bruce - Unanimous

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 (4 serious) 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) 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 was 124,385 miles, taken from an annual fuel use identification decal report. Total points were 168 resulting in an RSR of 135.48.

The carrier had 1 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 and it was discovered that the carrier failed to preform background checks on drivers who 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 (data unavailable) and an ISS inspection selection value of 91. This is the carrier's first preliminary review continued from September 2014. Continuation notice with supplemental was sent via FedEx on September 30, 2014. FedEx was confirmed received on October 3, 2014. On November 17, 2014, we sent a letter with supplemental via FedEx notifying the carrier of the rescheduled MCRB meeting from January 15, 2015 to March 10, 2015. The

package was confirmed as delivered on November 20, 2014. To date, we have not received the supplemental questionnaire.

Documents for the record:

- 1) QC carrier snapshot
- 2) Compliance review
- 3) Accident reports
- 4) BMV history

There was no company representative at the meeting.

Top Twenty Carriers (for the review period 10/01/2013 to 09/30/2014)

A S Madden Logging Inc – US DOT Number 1739411

RSR 31.09; NFA; Brian/Pat - Unanimous

A S Madden Logging Inc., of Greenbush, Maine is an intrastate for-hire carrier. The carrier operates 8 power units with 8 drivers. During the review period the carrier had 44 violations (3 serious) including **1 tire tread depth less than 4/32 of an inch, 2 axle positioning parts were defective/missing**, 1 stop lamp violation, 2 inoperative turn signal, 1 excess vehicle weight, 8 failing to secure brake hose/tubing against mechanical damage, 2 clamp/roto-chamber type brake(s) out of adjustment, 1 insufficient drum/rotor thickness, 2 inoperative/defective brakes, 2 automatic brake adjuster - air brake, 1 tractor ABS brake system, 1 ABS malfunctioning circuit/signal truck tractor, 3 operating a commercial motor vehicle without periodic inspection, 1 brakes (general), 1 failure to correct defects listed on inspection report, 1 operating over dimension, 1 loose/unfastened tie-down, 2 non-defective lighting devices/reflector devices/projected, 1 no retro reflective sheeting/reflective reflectors on the truck tractor, 1 failure to ensure that the vehicle is properly lubricated, 1 gas or oil leak, 1 frame accessories improperly attached, 1 no/insufficient warning devices, 3 inspection/repair and maintenance parts and accessories, 1 failing to secure vehicle equipment, 1 glazing permits less than 70% of light, and 1 exhaust leak under truck cab or sleeper. The carrier's reported Maine mileage was 534,000 taken from an annual fuel use identification decal report. Total points were 166 resulting in an RSR of 31.09.

This is the carrier's first preliminary review. The carrier has a Vehicle Maintenance BASIC of 93 deficient, an inspection value of 67.

After the review period, the carrier had 1 accident. There were 5 violations after the reporting period (none serious).

Documents for the record:

- 1) QC carrier summary
- 2) Accident report
- 3) BMV history
- 4) QC carrier snapshot

B & T Pallet Recycling Inc - US DOT Number 529939

RSR 31.09; NFA; Brian/Pat - Unanimous

B&T Pallet Recycling Inc., of Lewiston Maine is an intrastate carrier of general freight and building materials. The carrier operates 3 power units with 3 drivers. During the review period the carrier had 30 violations (5 serious) including **4 tire-other tread depth less than 2/32 of inch, 1 leaf spring assembly defective/missing**, 1 stop lamps violation, 1 inoperative turn signal, 1 failing to secure brake hose/tubing against mechanical damage, 2 inadequate brakes for safe stopping, 8 clamp/roto-chamber type brake(s) out

of adjustment, 2 automatic brake adjuster – airbrake, 1 operating commercial motor vehicle without periodic inspection, 1 failure to correct defects listed on inspection report, 2 oil and or gas leaks, 1 wheel fastener loose or missing, 3 inspection/repair and maintenance parts and accessories, and 2 mud flaps missing or defective. The carrier’s reported Maine mileage was 86,400 taken from the FUID reports. Total points were 127 resulting in an RSR of 147.67.

This is the carrier’s third preliminary review. The carrier had preliminary reviews in June 2010 with and RSR 37.2 and a review on September 29, 2010 with a finding of no further action. The carrier has a vehicle maintenance BASIC of 99 during the review period, 49 currently, and inspection value of 70.

There were no violations after the review period. The carrier had 1 accident on May 29, 2014.

Documents for the record:

- 1) Accident report
- 2) BMV history
- 3) QC carrier snapshot

Brad A Aitken - US DOT Number 2011508

RSR 73.33; Continue Preliminary Review; Brian/Alan - Unanimous

Brad Aitken of Monroe, Maine is an intrastate authorized for-hire in private property. The carrier operates 2 power units with 2 CDL drivers. During the review period the carrier had 19 violations (4 serious) including **1 tire-other tread depth less than 2/32 of inch, 2 failure to use seatbelt while operating a commercial motor vehicle, 1 axle positioning parts defective or missing**, 1 inoperative head lamp, 3 failing to secure brake hose/tubing against mechanical damage, 2 inadequate brakes for safe stopping, 1 automatic brake adjuster – airbrake, 3 oil and or gas leaks, 2 no/discharge/unsecured fire extinguisher, 1 no/insufficient warning devices, 1 inspection/repair and maintenance parts and accessories, and 1 speeding. The carrier’s reported Maine mileage was 105, 000, taken from their FUID application. Total points were 77 resulting in an RSR of 73.33.

After the review period, the carrier had 3 violations (1 serious). This is the carrier’s first preliminary review. The carrier has a Vehicle Maintenance BASIC of 93 deficient and an inspection value of 67.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Branden R Simmons - USDOT Number 1529716

RSR 666.67; NFA; Brian/Bruce - Unanimous

Branden R Simmons dba Simmons Trucking, of Dover-Foxcroft, Maine is an intrastate carrier exempt for-hire and private property operating 6 power units with 2 drivers. During the review period the carrier had 13 violations (4 serious) including **1 tire cut exposing ply and/or belt materials, 2 tire other tread depth less than 2/32 of an inch, 1 axle positioning part defective or missing**, 1 excess vehicle weight, 1 failing to secure brake hose or tubing against mechanical damage, 1 brake connections with leaks or constrictions, 1 no or defective brake warning device, 1 insufficient means to prevent vertical movement, 2 oil and/or gas leaks, 1 cab door missing or broken, and 1 no or insufficient warning devices. The carrier’s reported Maine mileage was 9,000 taken from the FUID application. Total points were 60, resulting in an RSR of 666.67.

The carrier had a vehicle maintenance BASIC of 85 during the review period (78 current) and an inspection value of 64 during the review period (47 current).

There were no violations after the review period. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

C H Stevenson Inc – USDOT Number 754697

RSR 31.91; NFA; Brian/Alan - Unanimous

C H Stevenson Inc of Wayne, Maine is an intrastate carrier of private property operating 10 power units with 5 drivers. During the reporting period the carrier had 24 violations (2 serious) including **1 axle positioning part defective or missing, 1 leaf spring assembly defective/missing**, 1 steering system components worn/welded/missing, 2 stop lamp violations, 1 inoperative head lamp, 3 inoperative turn signal, 1 no/defective trailer brake, 4 failing to secure brake hose or tubing against mechanical damage, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 no or defective brake warning device, 1 automatic brake adjuster – airbrake, 2 brakes general, 1 failure to provide evidence of insurance, 1 failure to stop at a weigh station, 2 inspection/repair and maintenance parts and accessories, and 1 exhaust leak under the truck cab or sleeper. The carrier's reported Maine mileage was 328, 664, taken from the FUID application. Total points were 105 resulting in an RSR of 31.91.

The carrier had 2 violations after the review period (none serious). The carrier had 1 accident during the review period. The carrier has a vehicle maintenance BASIC of 84 during the review period (87 current) an inspection value of 64. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot
- 3) Accident report

Mike Needham attended the meeting and stated that he understood the maintenance issues and that he was partially retired but does as much as he can and that they just hired a mechanic which they didn't have before. He stated that most of the violations were due to poor trip inspections but that these are being watched now.

C J Trucking & Construction Inc– USDOT Number 794431

RSR 480.00; NFA; Pat/Alan - Unanimous

C J Trucking & Construction Inc. of Unity, Maine is an intrastate carrier of private property operating 2 power units and 2 drivers. During the review period the carrier had 12 violations (1 serious) including **1 tire-other tread depth less than 2/32 of inch**, 1 stop lamp violation, 2 inoperative headlamps, 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 horn inoperative, 1 no/discharge/unsecured fire extinguisher, 1 no/insufficient warning devices, 1 inspection/repair and maintenance parts and accessories, and 1 windshield wipers inoperative/defective. The carrier's reported Maine mileage was 9,600 miles taken from their FUID application. Total points were 48, resulting in a RSR of 480.00.

The carrier had no violations after the review period and no accidents. The carrier has vehicle maintenance basic of 82 during the report period (87 currently which is deficient) and an inspection value of 63 (65 current). This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Cameron Paving Inc – US DOT Number 792764

RSR 224.00; Continue Preliminary Review; Brian/David - Unanimous

Cameron Paving Inc. of Jackson, Maine is an intrastate carrier of private property, operating 3 power units with 3 drivers. During the review period the carrier had 24 violations (8 serious) including **2 state and local laws – Speeding 15 or more mph over the speed limit, 1 driving a commercial motor vehicle while disqualified, 1 flat tire/fabric exposed, 2 tire-other tread depth less than 2/32 of inch, 2 failure to use seatbelt while operating a commercial motor vehicle**, 1 inoperative head lamp, 1 excess vehicle weight, 1 defective parking brake on a commercial motor vehicle, 1 no or improper emergency breakaway or emergency braking, 1 failing to secure brake hose/tubing against mechanical damage, 1 operating a commercial motor vehicle without periodic inspection, 1 failure to correct defects noted on the inspection report, 2 failure to provide evidence of insurance, 1 inoperative required lamps, 2 no/discharge/unsecured fire extinguisher, 1 no or insufficient warning device, 1 inspection/repair and maintenance parts and accessories, 1 failure to surrender suspended license or registration, and 1 operating intrastate commercial without registration. The carrier's reported Maine mileage was 49,500 taken from their FUID application. Total points were 112 resulting in an RSR of 224.0.

The carrier had no violations after the reporting period and no accidents. The carrier has a vehicle maintenance of 96 deficient, and inspection value of 68. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Dale C Laweryson – USDOT Number 612142

RSR 476.92; NFA; Pat/Bruce - Unanimous

Dale C Laweryson dba Jackson Brook Carriers of Bingham, Maine is an intrastate carrier for-hire of logs, poles, beams, lumber and rocks. The carrier operates 1 power unit with 1 driver. During the review period the carrier had 15 violations (1 serious) including **1 flat tire or fabric exposed**, 2 steering systems components worn/welded or missing, 4 failing to secure brake hose/tubing against mechanical damage, 2 clamp/roto-chamber type brake(s) out of adjustment, 1 inoperative/defective brakes, 2 automatic brake adjuster - air brake, and 3 inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage was 13,452 taken from their FUID application. Total points were 62 resulting in an RSR of 476.92.

The carrier had no violations after the review period and did not have any accidents. The carrier had a vehicle BASIC of 98 during the review period (no score currently) and an inspection value of 69 during the review period (20 current). This is the first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Donald H Wing – USDOT Number 623068

RSR 534.48; NFA; Pat/Bruce - Unanimous

Donald H Wing dba Don Wing Excavation of Benton, Maine is an intrastate carrier of water, woodchips and is exempt for-hire. The carrier operates about 3 power units with 3 drivers. During the review period the carrier had 36 violations (5 serious) including **1 using a hand-held mobile telephone while operating a commercial motor vehicle, 2 tire-other tread depth less than 2/32 of inch, 2 axle positioning parts**

defective/missing, 2 steering system components worn/welded/missing , 1 lamp not steady burning , 2 inoperative head lamps, 2 inoperative tail lamps, 3 inoperative turn signals, 1 no/improper tractor protection valve, 1 brake connections with leaks/constrictions, 3 clamp/roto-chamber type brake(s) out of adjustment, 3 automatic brake adjuster - air brakes, 1 failure to correct defects noted on inspection report, 1 oil and/or grease leak, 1 inoperative required lamp, 1 no/discharged/unsecured fire extinguisher, 1 no/insufficient warning device, 2 inspection/repair and maintenance parts and accessories, 2 operating intrastate commercial vehicle without registration, 3 damaged or discolored windshield, and 1 exhaust leak under truck cab and/or sleeper. The carrier's reported Maine mileage was 29,016 taken from their FUID application. Total points were 155 resulting in an RSR 534.48.

After the review period the carrier had 1 serious violation. No accidents to report. The carrier currently has a vehicle BASIC of 98, and inspection value of 69. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Donald Wing and an associate attended the meeting and provided some material for the Board to consider. Mr. Wing stated that some past practices and new ones will help reduce violations and that he has 3 decades of truck related experience. He indicated that there has been a delay in closing on his own garage. In the past this was a seasonal business. Mr. Wing added that he has an almost full time licensed mechanic and he plans to go over each truck every 2 weeks and conduct a full inspection every 6 months instead of 12. He plans to replace the trailer lights with sealed beams to prevent so many broken lights. He stated that tires were another issue and spent \$4,000 last year on tires and knows that they need to be removed before they get down to the wear bars. He stated that he is embarrassed by the violations and drivers have been lectured on cell phone use and he has purchased wireless Bluetooth equipment for them to use. Mr. Wing stated that he does not have a written policy and he may do this.

**Galen Hopkins Construction Inc - USDOT Number 1913482
RSR 133.90; Continue Preliminary Review; Pat/Bruce - Unanimous**

Galen Hopkins Construction Inc. of Plymouth, Maine is an intrastate carrier of private property operating 3 power units with 3 drivers. During the review period the carrier had 19 violations (3 serious) including **1 tire-front tread depth less than 4/32 of inch, 2 tire-other tread depth less than 2/32 of inch**, 1 inoperative tail lamp, 2 inoperative turn signals, 2 excess vehicle when, 2 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 oil and/or grease leak, 1 inoperative required lamp, 3 inspection/repair and maintenance parts and accessories, 1 operating intrastate commercial without registration, and 1 no/improper heavy vehicle/machine securement. The carrier's reported Maine mileage was 59,400 taken from their FUID. Total points were 79 resulting in an RSR of 133.90. The carrier has a vehicle maintenance BASIC of 99 deficient, and inspection value of 70.

The carrier had 19 violations after the review period including 1 serious. The carrier had 1 reportable accident. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot
- 3) Accident report

Hopkins Construction LLC – USDOT Number 753898

RSR 123.68; NFA; Alan/Bruce - Unanimous

Hopkins Construction LLC of Plymouth, Maine is an intrastate carrier of private property operating 4 power units with 4 drivers. During the review period the carrier had 10 violations (1 serious) including **1 tire-other tread depth less than 2/32 of inch**, 1 stop lamp violations, 1 inoperative tail lamp, 2 inoperative turn signals, 3 operating a CMV without periodic inspection, 1 inspection/repair and maintenance parts and accessories, and 1 failing to secure cargo. The carrier's reported Maine mileage was 38,180 taken from the FUID application. Total points were 47 resulting in an RSR of 123.68.

There were no violations after the review period. The carrier had 1 accident during the review period. The carrier has a current vehicle maintenance BASIC of 86 deficient and an inspection value of 65. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot
- 3) Accident report

Jeffrey Henry – USDOT Number 1793780

RSR 177.05; Continue Preliminary Review; Pat/Bruce - Unanimous

Jeffrey Henry dba Henry's Trucking of Thorndike, Maine is an intrastate carrier of private property including logs, poles, beams, lumber materials, farm supplies, machinery, large objects, grain, feed and hay. During the review period, the carrier had 25 violations (4 serious) including **1 tire-ply or belt material exposed, 2 tire-other tread depth less than 2/32 of inch, 1 axle positioning parts defective/missing**, 1 inoperative tail lamp, 3 inoperative turn signal, 2 excess vehicle weight, 1 failing to secure brake hose tubing against mechanical damage, 4 inoperative defective brakes, 1 automatic brake adjuster - air brake, 1 brakes (general), 1 fifth wheel, 3 frame cracked/loose/sagging/broken, 2 no/discharged/unsecured fire extinguisher, and 2 inspection/repair and maintenance carts and accessories. The carrier's reported Maine mileage was 61,248 taken from their FUID application. Total points were 108 resulting in an RSR of 177.05.

The carrier had 4 violations after the review period (2 serious). The carrier has a current vehicle maintenance BASIC of 99 (98 current) (deficient) and inspection value of 70 (69 current). This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Jimmy G Moore - USDOT Number 1766336

RSR 168.00; Continue Preliminary Review; Brian/Bruce - Unanimous

Jimmy G Moore dba Jim Moore Son & Daughter Trucking of Springfield, Maine, dba Jim Moore Son & Daughter Trucking of Springfield, Maine is an intrastate for-hire carrier of logs, poles, beams and lumber. The carrier operates 1 power unit with 1 driver. During the review period the carrier had 39 violations (11 serious) including **1 tire-ply or belt material exposed, 1 tire-cut exposing ply and/or belt material, 4 tire-other tread depth less than 2/32 of inch, 2 axle positioning parts defective/missing, 3 leaf spring assembly defective/missing**, 2 excess vehicle weight, 1 failing to secure brake hose/tubing against mechanical damage, 2 inadequate brakes for safe stopping, 2 insufficient brake linings, 3 clamp/roto-chamber type brake(s) out of adjustment, 3 automatic brake adjuster - air brake, 1 brake adjustment indicator - external automatic

adjustment, 2 failure to correct defects noted on inspection report, 1 oil and/or grease leak, 1 wheel fasteners loose and/or missing, 2 inoperative required lamps, 4 inspection/repair and maintenance parts and accessories, 1 expired inspection, 1 no/improper securement of logs, and 2 damaged or discolored windshield. The carrier's reported Maine mileage was 100,000 taken from their FUID application. Total points were 168 resulting in an RSR of 168.

The carrier had 8 violations (4 serious) after the review period. The carrier does not have any reported accidents. During the review period, the carrier had a vehicle maintenance BASIC of 99 and an inspection value of 70. Currently the carrier is unrated with an inspection value of 1. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Justin H Long Inc - USDOT Number 1981143

RSR 85.22; Continue Preliminary Review; Brian/David - Unanimous

Justin H Long Inc of Sprucehead, ME is an intrastate carrier of private property, logs, poles, beams, lumber, machinery, large objects, garbage/refuse and construction. The carrier operates 4 power units with 4 drivers. During the review period the carrier had 26 violations (4 serious) including **1 using a hand-held mobile telephone while operating a CMV, 1 tire-other tread depth less than 2/32 of inch, 1 tires (general), 1 leaf spring assembly defective/missing**, 1 steering system components worn/welded/missing, 1 inoperative tail lamp, 1 inoperative turn signal, 1 excess vehicle weight, 1 no brakes as required, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 ABS - malfunctioning lamps towed CMV, 1 brakes (general), 1 brake-reserve system pressure loss, 1 no retro/reflective sheeting/reflex reflectors on mud flaps-truck tractor, 1 failing to ensure that vehicle is properly lubricated, 1 inoperative required lamp, 5 inspection/repair and maintenance parts and accessories, 2 wheel (Mud) Flaps missing or defective, and 3 exhaust leak under truck cab and/or sleeper. The carrier's reported Maine mileage was 115,384 taken from their FUID application. Total points were 98 resulting in an RSR of 85.22.

After the review period the carrier had 3 violations (2 serious). The carrier has a vehicle maintenance basic of 98 deficient and an inspection value of 69 optional. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Nitram Excavation & General Contractor Inc – USDOT Number 944889

RSR 72.73; NFA; Brian/Pat - Unanimous

Nitram Excavation & General Contractor Inc of Benton, Maine is an intrastate for-hire carrier of large objects, machinery, construction and aggregates. The carrier operates 27 power units with 12 drivers. During the review period the carrier had 20 violations (3 serious) including **1 using a hand-held mobile telephone while operating a CMV, 1 tire-front tread depth less than 4/32 of inch, 1 tire-other tread depth less than 2/32 of inch**, 1 steering system components worn/welded/missing, 1 power steering violations, 1 stop lamp violations, 1 inoperative head lamps, 1 inoperative tail lamp, 1 inoperative turn signal, 2 excess vehicle weight, 1 no or defective brake warning device, 2 operating a CMV without periodic inspection, 1 no retro/reflective sheeting/reflex reflectors on mud flaps-truck tractor, 3 failure to provide evidence of insurance, 1 no/discharged/unsecured fire extinguisher, and 1 exhaust leak under truck cab and/or sleeper. The carrier's reported Maine mileage was 131,612 taken from their FUID application. Total points were 96 resulting in an RSR of 72.73.

After the review period, the carrier had 2 violations (1 serious). The carrier had 2 accidents within the review period. The carrier has a vehicle maintenance BASIC of 82 deficient, and inspection value of 63. They had a review on May 21, 2013 which resulted in no further action. This is the carrier's third preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot
- 3) Accident reports

P & B Paving Inc – USDOT Number 1039329

RSR 305.00; Continue Preliminary Review; Pat/Bruce - Unanimous

P&B Paving Inc of Gray, ME is an intrastate carrier of construction and asphalt materials. The carrier operates 2 power units with 2 CDL Drivers. During the review period the carrier had 30 violations (4 serious) including **1 tire-front tread depth less than 4/32 of inch, 1 failing to use seatbelt while operating a commercial motor vehicle, 1 leaking/spilling/blowing/falling cargo, 1 axel positioning parts defective or missing**, 1 steering system component worn/welded/missing, 1 stop lamp violation, 1 inoperative head lamp, 2 inoperative tail lamps, 3 inoperative turn signals, 2 excess vehicle weight, 2 failing to secure brake hose tubing against mechanical damage, 1 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster – airbrake, 1 no/defective lighting devices/reflective devices/projected, 2 failure to provide evidence of insurance, 1 cab/body parts requirements violations, 2 inoperative required lamps, 1 no/discharged/unsecured fire extinguisher, 1 inspection/repair and maintenance parts and accessories, 2 operating intrastate commercial without registration, 1 windshield wipers inoperative/defective, and 1 exhaust leak under truck cab and/or sleeper. The carrier's reported Maine mileage was 40,000 taken from their FUID application. Total points were 122 resulting in an RSR of 305.

During the review period the carrier had a vehicle maintenance BASIC of 98 deficient and an inspection value of 69, optional. After the review period the carrier had 7 additional violations (1 serious). This is the carrier's third preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Paul Lachance – USDOT Number 2056003

RSR 1142.86; NFA; Brian/David - Unanimous

Paul Lachance dba L P Development of St. Albans, Maine is and intrastate carrier of construction materials and asphalt. The carrier operated 1 power unit with 1 driver. During the review period the carrier had 16 violations (5 serious) including **1 Flat tire or fabric exposed, 1 Tire-ply or belt material exposed, 2 Tire-other tread depth less than 2/32 of inch, 1 Leaf spring assembly defective/missing**, 1 Power steering violations, 1 Inoperative tail lamp, 1 No/improper breakaway or emergency braking, 1 Failing to secure brake hose/tubing against mechanical damage, 1 Inoperative/defective brake, 1 Operating a CMV without periodic inspection, 1 Operating over dimension (width), 1 Oil and/or grease leak, 1 No/discharged/unsecured fire extinguisher, and 1 Inspection/repair and maintenance parts and accessories. The carrier's reported Maine mileage was 6,550 taken from their FUID application. Total points were 80 resulting in an RSR of 1142.86.

During the review period the carrier had a vehicle maintenance BASIC of 96 deficient and an inspection value of 68. After the review period the carrier had 1 additional violation. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Steven Hovey – USDOT Number 2021423

RSR 26.11; Continue Preliminary Review; David/Brian – 5 For / 1 Abstain

Steven Hovey dba Bull Trucking of Orient, Maine is an intrastate carrier or private property including poles, logs, beams and lumber. The carrier operates 1 power unit with 1 CDL driver. During the review period the carrier had 26 violations (3 serious) including **1 state/local laws - speeding 15 or more miles per hour over the speed limit, 1 tire-other tread depth less than 2/32 of inch, 1 failing to use seat belt while operating CMV,** 1 inoperative head lamp, 2 inoperative turn signals, 2 excess vehicle weight, 1 operating over posted weight, 3 clamp/roto-chamber type brake(s) out of adjustment, 1 automatic brake adjuster - air brake, 1 ABS - malfunctioning indicator to cab of towing CMV, 1 ABS - malfunctioning lamps towed CMV, 1 brakes (general), 2 loose/unfastened tie down, 1 no/defective lighting devices/reflective devices/projected, 1 no lower rear retro/reflective sheeting or reflex reflective material as required, 2 no/discharged/unsecured fire extinguisher, 2 no/insufficient warning devices, 1 inspection/repair and maintenance parts and accessories, and 1 warning flag required on projecting load. The carrier's reported Maine mileage was 405,650 taken from their FUID application. Total points were 106 resulting in an RSR of 26.11.

During the review period the carrier had a vehicle maintenance BASIC of 97, currently 93 deficient and an inspection value of 69 now 67. After the review period the carrier had 3 violations, 1 serious. This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Thornton Construction Inc – USDOT Number 791398

RSR 35.87; Continue Preliminary Review; Brian/Bruce – Unanimous

Thornton Construction Inc of Milford, ME is an intrastate carrier of private property including, logs, poles, beams, lumber construction and aggregates. The carrier operates approximately 24 power units with approximately 21 drivers. During the review period the carrier had 65 violations (13 serious) including **1 release of HM from package, 1 package not secure in vehicle, 1 using a hand-held mobile telephone while operation a CMV, 3 tire-other tread depth less than 2/32 of inch, 1 cargo tank test or inspection Markings – HM, 2 failure to use seat belt while operating CMV, 3 axle positioning parts defective/missing, 1 leaf spring assembly defective/missing,** 1 power steering violations, 1 inoperative head lamps, 1 inoperative tail lamp, 2 inoperative turn signal, 1 placard damaged, deteriorated, or obscured, 5 excess vehicle weight, 6 failing to secure brake hose/tubing against mechanical damage, 3 clamp/roto-chamber type brake(s) out of adjustment, 1 ABS - malfunctioning circuit/signal-truck tractor, 1 no or defective ABS malfunction indicator for towed vehicles, 1 ABS - malfunctioning lamps towed CMV, 1 operating a CMV without periodic inspection , 1 brake-air compressor violation, 1 failure to correct defects noted on inspection report, 1 ER phone number not listed, 1 operating over dimension, 1 operating over dimension (width), 9 oil and/or grease leak, 1 failure to comply with HM regulations, 2 inoperative required lamps, 2 no/discharged/unsecured fire extinguisher, 5 inspection/repair and maintenance parts and accessories, 1 operating intrastate commercial without registration, 1 failing to secure cargo, 1 fuel system requirements, and 1 exhaust system not securely fastened . The carrier's reported Maine mileage was 774,510 taken from their FUID application. Total points were 278 resulting in an RSR of 35.87.

After the review period the carrier had 21 violations (4 serious). The carrier had 2 accidents during the review period. During the review period the carrier had an unsafe driving basic of 53 (50 current), a vehicle

maintenance BASIC of 95 (94 current) deficient, a crash indicator of 85 (75 current) deficient, and an ISS value of 96 (88 current). This is the carrier's sixth preliminary review. The carrier had a preliminary review on October 4, 2011 with an RSR of 114, and was issued a warning. The carrier had another review on December 15, 2011 which resulted in no further action.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot
- 3) Accident reports
- 4) Compliance Reviews

**Worcester Peat Company Inc – USDOT Number 592744
RSR 72.97; NFA; Brian/Pat - 5 For / 1 Abstain**

Worcester Peat Company Inc of Columbia Falls, Maine is an intrastate carrier authorized for-hire of private property, construction, concrete products and asphalt. The carrier operates approximately 24 power units with 14 drivers. During the review period, the carrier had 11 violations (4 being serious) including 2 tire-other tread depth less than 2/32 of inch, 1 failing to use seatbelt while operating a commercial motor vehicle, 1 Inner suspension pressure loss, 1 steering system components worn/welded/missing, 2 inoperative/defective brakes, 1 operating a commercial motor vehicle without periodic inspection, 1 no/defective lighting devices/reflective devices/projected , 1 failure to provide evidence of insurance, and 1 failure to display fuel decal. The carrier's reported Maine mileage was 73,891 taken from their FUID application. Total points were 54 resulting in an RSR of 72.97.

After the review period the carrier had 4 violations (2 serious). During the review period the carrier had a vehicle maintenance BASIC of 99 and an inspection value of 70 (1 current). This is the carrier's first preliminary review.

Documents for the record:

- 1) BMV history
- 2) QC carrier snapshot

Old Business:

Garry indicated that there were several options available with file sharing and that BMV will be doing a contract with InforME. At a minimum, PDF documents will be uploaded and this should be in place in a month or two. Material will be organized into folders. There will be a searchable archive. Files can be viewed on a portable device. BMV needs to know who still needs paper packets (Bruce wants paper) and who will use a device. If a device is used to download the material, it will be public record and the device may be subject to state access as records are a transaction of state business. Garry will explore the option of providing devices for MCRB use. Printing may be an issue. It was suggested to have both paper and electronic files for the next meeting.

New Business:

BMV's 2nd floor will be temporarily moving across the street while the roof is being replaced. Due to this the next MCRB meeting must be held at a different location.

Next Meeting Date:

The next meeting is Tuesday, June 23, 2015 at 8:00 AM

Meeting Adjourned:

A motion was made to adjourn the meeting at 11:05 PM; **Mark/Bruce - Unanimous**