

AMI Coaches / Airline Shuttle

Table of Contents

1. Steve Valentinetti's Narrative
2. Response to FMCSA Compliance Review (year ending 10/1/13)
3. SV's 10-11-2000 Application for Certificate w/WUTC
4. Evergreen Trails vs. SSS
5. Certificate of Formation 10-15-2012 AMI Coaches UBI#603-246-201
6. Get Authority to Operate - FMCSA Web site
7. Certificate of Liability Insurance 5Million AMI Coaches
8. **Oct 1st 2012 AMI's MCS-90B Policy # CA00037950 Effective date 10-01-2012**
9. Amtrak Standards of Excellence Guide
10. Amtrak Invitation for RFP X092 Sourcing Event
11. Amtrak Route 90 Mileage Table
12. Amtrak Route 90 Fuel Adjustment
13. Amtrak Route 90 Bus Schedule
- 14.
15. AMI Coaches employee applications
16. FMCSA's **Preliminary Grant of Authority** Service date: 4/1/2013 (refer to line #8) [Amtrak]
17. FMCSA's Certificate of Evidence Service date: 4/29/2013
18. Seattle Time's Monday April 8, 2013 (Amtrak)
19. May 15, 2013 WUTC Derogatory Letter to Amtrak (1of2)
20. May 15, 2013 WUTC Derogatory Letter to Amtrak (2of2)
21. May 20, 2013 WUTC John Foster Interstate Safety Audit/Compliance Review
22. May 20, 2013 WUTC Selected for Safety Compliance Review
23. May 23, 2013 Correction to May 15, 2013 Compliance Letter
- 24.
- 25.
26. June 18, 2013 WUTC Part B Question and Answers
27. June 18, 2013 WUTC Part B Question and Answers
28. June 18, 2013 WUTC Part B Question and Answers
29. June 18, 2013 WUTC Part B Question and Answers
30. June 18, 2013 WUTC Part B Question and Answers
31. June 18, 2013 WUTC Part B Question and Answers
32. June 18, 2013 WUTC Part B Question and Answers
33. June 18th 2013 WUTC Safety Audit – New Entrant
34. June 18, 2013 WUTC Part B
35. July 10, 2013 Safety Violation- follow up inspection- action plan
36. Oct 22, 2013 Statement of Drug/Alcohol Services- Random Selection Services (RSS)
37. Mar 26, 2013 Certificate of Completion – Reasonable Suspicion SV Test Score 100pct
38. May 18, 2013 Custody Control Form #86667115 SV
39. US Health Works DOT Mandated Urine Drug Test Results SV#2018929925
40. US Health Works DOT Mandated Urine Drug Test Results KM#2018915458
41. US Health Works DOT Mandated Urine Drug Test Results RT#2018915459
42. US Health Works DOT Mandated Urine Drug Test Results JM#2018915470
43. US Health Works DOT Mandated Urine Drug Test Results MB#2018915442
44. July 3, 2013 FMCSA Compliance Review Results
45. July 5, 2013 FMCSA Safety Audit Failure Notice
46. Email to FMCSA Steve Hamilton #1
47. Oct 16, 2013 FMCSA confirms Review on Oct 22, 2013
48. Nov 7, 2013 FMCSA Compliance Review Results
49. Dec 16, 2013 FMCSA Order to Cease all Transportation Dec 29th 2013
50. Dec 24, 2013 Corrective Action Plan (CAP) Denial #2

51. Jan 31, 2014 Notice of Claim – Civil Penalty \$63,060.00
52. Reply to Notice of Claim
- 53.
54. April 4, 2014 Corrective Action Plan (CAP) Denial #3
- 55.
56. May 29, 2014 Settlement Agreement
57. Addendum 1
58. June 12, 2014 Corrective Action Plan (CAP) Denial #4
59. Oct 17, 2014 Corrective Action Plan (CAP) Denial #5
60. Jan 8, 2015 Corrective Action Plan (CAP) Denial #6
61. Mar 23, 2015 Corrective Action Plan (CAP) Denial #7
62. Corrective Action Plan (CAP #1)
63. Corrective Action Plan (CAP #2) Jul 30, 2013
64. Corrective Action Plan (CAP #3) Jan 15, 2014
65. Corrective Action Plan (CAP #4) May 9, 2014
- 66.
67. Corrective Action Plan (CAP #5) Sept 10, 2014
68. Corrective Action Plan (CAP #6) Dec 1, 2014
69. Corrective Action Plan (CAP #7)
70. Annual Vehicle Inspection Report Bus #2 Tayo
71. Annual Vehicle Inspection Report Bus #3 Barney
72. Annual Vehicle Inspection Report Bus #4 Kirk
73. Annual Vehicle Inspection Report Bus #5 Dino
74. Phelps Tire Mobile Repair Truck Photo
75. Phelps Tire Mobile Repair Employee
76. Oct 22, 2013 Violation Code 393.79C , Tires Changed
77. Oct 22, 2013 Phelps Tire Invoice#317842 \$3129.06
78. Bus #4 Kirk Exhaust Tip replacement
79. Driver Qualification File Checklist 391.51
80. FMCSA DVIR
81. AMI Coaches Safety Checklist DVIR
82. AMI Coaches Safety Checklist DVIR
83. Notice of Lease VIN# 1FDXE40S2XHB36629 Jan 1, 2005-Jan 1, 2006
84. Bus #20 Owner SV GVW 10,000 VIN# 1FDXE40S2XHB36629
85. Bus #20 5Million AMI Insurance ID Card on VIN# 1FDXE40S2XHB36629
86. Customer Contract AMI Coaches 24 Passenger Van
87. Bus #20 Certificate of Fact VIN# 1FDXE40S2XHB36629
88. April 11th 2014 Order to Cease All Transportation by **UPS #1ZA4762T0291917255**
89. **NEVER SENT by UPS**
90. Jedd Miloud's (AMI Attorney's) request for time for NON-Notification Shut-down Airline Shuttle
91. RFA's response to NON- Notification of Airline Shuttle Shut-down June 27th 2014
92. AMI Coaches Weekly Hours Log
93. AMI Coaches Work Time Sheet
94. Emergency Window Exit Decals
95. AMI Coaches Substance Abuse Policy
- 96.
97. AMI Coaches Employee Handbook Policy and Procedures
- 98.
99. April 3, 2015 Deactivation of USDOT Number 1468812 SV, Race Car Team Transporter

4-20-15
SEE E-MAIL

Steve Valentinetti / Airline Shuttle / AMI Coaches

FMCSA 2015-0110

24 years of transportation with Washington State Utilities and Transportation Commission

Before discussing the events of the FMCSA the November 7th 2013 safety audit and subsequent downgrade along with the denial of the 7 Corrective action Plans over the course of 17 months we must first understand the 15 year campaign of hostile and discriminatory enforcement against AMI Coaches and Airline Shuttle (Pilots and Flight Attendants crew only private transportation) the 2nd company owned by Mr. Valentinetti.

- 2000 - Steve Valentinetti's company (SSS - now Airline Shuttle, an 11 year old company at the time) applied for the WUTC (Washington State Utilities and Transportation Commission) permit **Docket No. TC-001566** under 81.68.040 Certificate of convenience and necessity held by Evergreen Trails Inc. dba Grayline of Seattle to shuttle passengers from SeaTac Airport to downtown Seattle hotels and back. Although Mr. Valentinetti's company was awarded the Certificate to transport by the Administrative Judge, The ruling was overturned stating that there was no need for additional transportation because Graylines 40 year old retired Grayhound buses do an adequate job. The WUTC supported this claim "Additional Service Not Needed". Less than 1 year later in 2001 Seattle Light Rail (Sound Transit) publicly announced by Washington State to facilitate transportation from SeaTac to downtown Seattle and back as the service is greatly lacking now (2001). Today the light rail continues to operate in the extreme red. After Grayline's failure due to complaints, break downs, accidents, low budget operation and its eventual demise, (with a satisfactory rating) the right to operate this route was given (by the WUTC without notice) to Shuttle Express, who both testified at the 2000 Administrative Hearing that "there was no need for additional transportation from SeaTac to downtown" in addition to testifying that Mr. Valentinetti's plans to operate new vans and mini buses that are quicker, cleaner fuel burning, more agile and less cumbersome than Graylines 40 year old buses is ridiculous and could not be done without a fleet of full size Motor Coaches. Shuttle Express today follows the plan of operation that Mr. Valentinetti laid out during the 2000 Administrative Hearings. During the hearings Mr. Valentinetti was personally attacked with national origin, citizenship, education, elementary thru high school grades, amount of foundation money, foreign funding questions, personal driving record etc.

On Nov. 2nd 2001 the Sound Transit Board officially agreed to the construction of a 14-mile light rail initial segment from downtown Seattle to nearly the Seattle-Tacoma International Airport. Construction is scheduled to begin in 2002 and be completed in 2009

- 2004 - approx With factually incorrect testimony from the WUTC, Evergreen Trails "Grayline" sues Mr. Valentinetti's company for picking up Westin hotel guests during one of their bi-weekly bus breakdowns after being called by the guests themselves. Mr. Valentinetti's company had limousine permits. (can pick up

anyone if they call) Groups of customers by referral from Westin and the Sheraton hotel staff called for pick-up after Graylines failure to meet the schedule.

- 2006 – WUTC tries to shut down Steve Valentinetti's non-commercial private race car haulers that carries 5 million insurance and follows all HOS (hours of service) rules. After a dispute the WUTC backs down as the operation is lawful and always was.
- 2012 October – Mr Valentinetti forms a new Motor Coach company. Ray Gardner (American Indian) WUTC inspector comes to AMI Coaches / Airline Shuttle office to inspect the new bus and welcome us to busing. He did a office safety check including insurance, CDL license's, medical card, driver and maintenance files, bus, brakes, steering, tires (at Foster Frame) and safety equipment etc. (for another company at our office that day also) The bus had several exits that were sticking so we immediately had hinges and locks reworked and drove to Olympia (WUTC office) to have Mr. Gardner re-inspect and everything passed the State annual and Mr. Gardner applied the 2012 CVSA annual sticker #17971576 (good till the end of 2013)
- February 2013 - Due to the affiliation of Airline Shuttle (24 years operating in Seattle business district) AMI's International Marketing Team (IMT) hit the streets with immediate great success.
- March 2013 - AMI Coaches (now with 2 Motor Coaches) having better equipment, better drivers, better trained Quad lingual office staff with a greater level of customer service, secures the 2013 InterCruises Cruise Ship Transportation Contract. The US Government owned Amtrak train system is also one of AMI's marketing team stops.
- April 2013 – AMI had applied for Federal Interstate Authority (MC #816340) in October 2012 and after repeated calls to the FMCSA AMI finally receives a letter dated April 1st 2013 from the FMCSA stating *PRELIMINARY AUTHORITY GRANTED* "all we need is your insurance filing. We sent it to them in October 2012 ----- but we sent it again. April 7th 2013 the Amtrak train southbound from Bellingham was struck and derailed by a mudslide.

----- AMI Coaches was called by Amtrak after the regular companies they had been using gave Amtrak a 4 hour response time. (AMI Coaches was on the scene with 2 Motor Coaches in 45 minutes) AMI assisted in the rescue of 87 passengers from the tipping train as well as transporting them a total of 13.5 miles to Amtrak's downtown Seattle's King St. Station. The other bus companies immediately complained stating they are the company that should be called. After dropping the passengers at the Seattle Amtrak Station AMI was put on "Stand-by w/pay Status" at AMI's offices 9 miles away while the other bus companies MTR, Starline, Bellingham Airporter moved the passengers from Seattle to Portland ----- and the stops in-between for the next 48 hours.

(AMI only billed 12 hours for the 48 hour Stand-by time) AMI receives a letter from the FMCSA dated April 29th 2013 stating "Certificate of Evidence" ----- with a special added threatening note from the FMCSA. With professional service and beautiful equipment AMI Coaches quickly became the "go to bus company" for Amtrak and Fortune 500 companies, Universities and schools in the Seattle

area as well as for greater customer service in compromising situations like Stolen Victoria Clipper ferry boat. AMI Coaches was thanked by Amtrak Corporate and asked if we would like to participate in upcoming Amtrak Feeder run Contracts #90. We gladly accepted and Mr. Valentinetti flew to SFO to meet with Amtrak's management in beginning the contracting process. MTR Western and Bellingham Airporter were present by conference call.

- May 2013 – Without incident or previous contact the State of Washington's (WUTC) David Pratt writes a WUTC Official Letter 45 days after the April 1st 2013 "Preliminary Authority grant" to Amtrak's Headquarters in Pennsylvania stating that AMI is "Not Authorized to Operate" and then suggested Amtrak uses a different Bus company. Amtrak's Seattle management astonished by the e-mail received from their management "Do Not use AMI Coaches". Immediately notifies AMI Coaches. Steve Valentinetti had his office staff call the WUTC's David Pratt (Assistant Director, Transportation Safety) who refused to take our repeated calls. Finally Betty Young from the WUTC took our call (speaker phone) and when we asked her to retract the damaging, untrue official Letter by David Pratt (on State of Washington letter head) as AMI is in play for a large Federal Contract she stated "We are the State of Washington and we will do anything we want and we don't want to write a retraction". The next day SV got ahold of David Pratt via phone where he also stated they will not retract his official letter and then hung up on Mr. Valentinetti.

May 2013 - AMI orders a New MCI J4500 speculating the Amtrak route 90

May 2013 Steve Valentinetti / AMI Coaches / Airline Shuttle contacted and retained Seattle's Premier transportation attorneys David Wiley senior partner at Williams Kastner the #1 transportation firm in the Pacific Northwest as we know that Mr. Wiley has worked with the WUTC in the past (not knowing at the time that Pratt and Wiley are friends) Mr. Wiley stated to AMI that he is not afraid of litigating against the State of Washington. In hindsight we think the only thing we did was warn WUTC's David Pratt of our plans to litigate for Business Interruption.

3 days after Mr. Valentinetti's contact with Pratt (WUTC) and 5 days after Pratt wrote the damaging letter, AMI Coaches got notice of a WUTC Compliance Review.

On or about June 18th 2013 John Foster from the WUTC came out to AMI Coaches office to perform a "Safety Compliance Review". AMI's office staff had all 14 of Foster's requests for production laid out and numbered on an empty work station. Although the 14 things that Foster requested could be checked in 15 minutes time, Foster informed us his investigation will take 1 week and that he will be in our office the next 3 to 4 work days. Foster set up his computer and was entering data (typing with 2 fingers, we now understood why it would take so long). Violations – Our DVIR (Driver Vehicle Inspection Report) had 2 signature lines instead of 3 as we removed the time card portion. This was pointed out and Ms.SS (who doesn't want to be identified) changed our DVIR's to 3 signature lines in the next minute. However 2 weeks later it resulted in 35+ violations and then snowballed again

since there wasn't ~~signature base~~ it doesn't qualify as a DVIR so AMI's next group of violations were NO RODS (Record of Duty Status) because Foster stated the time card cannot be shared with the DVIR. *(drivers don't forget to turn in DVIR's if its their time card also)* Next was No maintenance files because the bus tire size was not listed. SS immediately added the tire size however Foster's report stated No Maintenance Files. No "Driver Files" because Mr. Valentinetti was hiding his birth date only from his office staff (per Foster unqualifying all drivers files) so Foster writes AMI doesn't have or require Drivers Files 35+ violations.

After answering Foster's questions, making the minor changes realizing how slow he really is we went about our work day as normal including Mr. Valentinetti leaving the office to pick up an International Flight Crew (Airline Shuttle) from SeaTac Airport 1.5 miles away. When Mr. Valentinetti returned approx. 1.5 hours later he found office staff SS crying at her desk. When asked what was wrong she said "nothing, I'm ok" so Mr. Valentinetti believed it was possibly a personal family matter. That evening after going home SS called Mr. Valentinetti and regretfully stated that she can't work here anymore as Foster had said

- You had better start looking for a new job because we will probably shut Valentinetti down. (Note-Valentinetti not AMI Coaches)
- We are going to fine AMI \$8,100
- If you support Mr. Valentinetti or lie for him we will come after you (Note -support Mr. Valentinetti not AMI)
- We will check your background and if we find anything we will stop you and your family from working in this country and up to possible deportation.

SS quit that evening stating although she is legal in the USA she can't put her family or friends in jeopardy. The next day Foster returned and Mr. Valentinetti confronted him about his time alone with SS. Foster said "I will say whatever I want to get the information I need and if you don't back off I will shut you down just like I did Noah" (At the time we didn't know who Noah was, another bus company) Foster yelling said I (SV) should be like his Navy buddy Steve (white) owner at Journey Lines, "He doesn't have any violations" "We control Commerce in this State and I don't think you are going to make it". "Maybe a guy like you should stick to Town Cars" "if you give us trouble we will send you back". Mr. Valentinetti angrily responded and said "send me back to Tacoma?" Foster gathered up his stuff and said his report will follow. Foster wrote 121 violations.

On approx. ~~07-1-13~~ Foster called Valentinetti 2 weeks later and said "I think you can come out of this with a lot of hard work but maybe you should just stay with limos and town cars ~~(operating from Oregon)~~ like the rest of your people as they are not regulated by the WUTC or the FMCSA". Foster said "I told Pratt who wants to give you a big fine that these are all Federal Violations so we have referred AMI to the Feds and Washington State is backing out".

June 2013 – Amtrak does not award the X90 contract to anyone as they are waiting to see how this works out. (AMI Coaches provided Amtrak all the documents proving the letter from the State

of Washington was false or a mistake and that AMI has Federal Authority). AMI informs Wiley and Williams Kastner (WK) about the Civil Rights issues with Foster and the WUTC. Wiley says they are transportation lawyers that there is nothing they can do.

June, July, August, September 2013 - AMI operates w/o incident and making the minor paperwork changes believes it will never hear from the WUTC again until the X90 contract was awarded to another bus company (MTR Western). October 2013 AMI's Valentinetti pushes Wiley, Williams Kastner to litigate against the State of Washington (Business Interruption & Civil Rights). Wiley informs AMI that they do not want to litigate against the State for any reason.

November 2013 – FMCSA Chad Lagerway (white) comes out to AMI Coaches to Audit. Lagerway finds everything in place but writes violations (copies Foster) as if the June WUTC review was yesterday and accurate. Don ???.... WADOT mechanical inspector (from WUTC contracted to FMCSA) laughing states out loud as he RED TAGS 3 of our 4 buses "it would take Starline (another bus company) one month to fight and respond to these violations, this guy will take 3 months". Don measures brake rotors with his eyes, he didn't have a caliper or didn't know how to use a caliper to measure but put the bus OOS (out of Service) anyway. Don also couldn't provide any written information on the tests he was performing. Example run the bus 45 minutes to look for 1 drop of oil (never hits the ground but is apparent on the oil filled generator. Result = Red Tag the bus. Lagerway (FMCSA) re-writes the same violations that Foster (WUTC) wrote going off of Foster's report of 6 months ago and suggesting an unsatisfactory rating. AMI writes a CAP (Corrective Action Plan) stating and showing Insurance, Drug Testing pre-employment and random, Driver and Maintenance Files, brakes inspected, tires although legal changed etc. Everything is in place and has been for 6 months if not longer. FMCSA denies the CAP and sends a Cease all Transportation effective December 29th 2013. Our attorneys hired consultant Don Smith- (white). (claims to be a regulator for the State WUTC and FMCSA and is a consultant to companies) moves slowly but we together produce another CAP that is rejected in early December. Consultant Don Smith's insecure attitude and aggression towards our office intern (we perceive to gain favor with FMCSA was a waste of time) as she was more literate, more familiar with CFR's and wrote the CAP that Don Smith changed a few words and submitted to Williams Kastner's Wiley who approved it. Don Smith wanted to use the "I'm sorry we fixed it now" attitude even though we had everything in place stating "Once they see you have everything in place they will turn your company back on whether you state that they made a mistake or not". Authority, Insurance, Drug testing etc.

Of course AMI was shut down and all CAP's 3 thru 7 (December 2013 to April 2015) were DENIED as the goal for the FMCSA wasn't safety at all. We don't know what it is?

AMI's attorney Williams Kastner's attorney Dave Wiley stated they have never had a CAP denied in 35 years and they have done CAP's for companies that have killed people.

- 1) AMI Coaches - 11 month old company that hasn't killed anyone or even had an accident. (\$63,060 NOC fine)
- 2) AMI Coaches - CAP's denied = 7

In retaliation for Mr. Valentinetti challenging the false claims and making a Civil Rights claim the FMCSA comes to do a Compliance Review (January 2014) on Airline Shuttle clearly unregulated and out of the FMCSA's jurisdiction. (FMCSA's Rice pretends like he doesn't know about AMI Coaches bus company and states Airline Shuttle drove an AMI 24 passenger bus without insurance. The bus is clearly marked (in 10' reflective letters) AMI bus was driven and had proof of 5 million insurance for AMI not Airline Shuttle. Nolan Rice writes a 3rd person affidavit stating that AMI's Valentinetti told FMCSA's Chad Lagerway and Michael LaPoint that the 24 passenger bus was Airline Shuttle.

Nolan Rice (FMCSA) asked questions about Airline Shuttle. Even though AS is unregulated by the FMCSA we gave Mr. Rice full access to our office and books for both Airline Shuttle and AMI Coaches as we have nothing to hide. Rice asked Mr. Valentinetti to make a written statement. Mr. Valentinetti complied and wrote a statement with the CFR's, USC's, WAC's, RCW's that make Airline Shuttle unregulated. Rice rejected the statement saying that it creates too much work for him to write a new one statingI'll write it for you and you just sign it unless you want to do a CAP for Airline Shuttle also. Not seeing Rices list of false accusations we signed the Rice written statement so we wouldn't have to do a CAP. Rice then went to our two International customers and stated Steve Valentinetti and Airline Shuttle are under Federal Investigation, "You had better tell us what you have seen". By the way "Steve Valentinetti is sleeping with one of your Flight Attendants" (minimum 2 FA's lost their US Work Visa's in the hunt for Valentinetti's girlfriend - a black flight attendant from Africa, language speaker and his girlfriend from China (Chinese National)

In the denial of CAP #7 denial the RFA states they are confused by what AMI is going to do when allowed to operate, to start over and write a new CAP. The reason they are confused is because in their denials of CAP's 1-7 the FMCSA keeps "moving the goalposts". One Example - The FMCSA has accused AMI of doing transportation moves off the books. This is ridiculous and untrue but we said we would get Zonar tracking (not required) as we thought this would please the FMCSA and prove that 90% of our busing is within a 50 mile circle of Seattle. The FMCSA's CAP denials states that our response is inadequate because 1) we didn't contact the local Zonar representative. 2) We didn't include pricing in our CAP. 3) We didn't include instructions on how Zonar works. 4) We have not made an appointment to have Zonar installed. (after being closed for 8 months) So the next CAP we removed Zonar as the FMCSA doesn't know what it is.

Example 2- In each FMCSA CAP denial until Valentinetti's in person visit with the FMCSA at their Western Service Center to point out their mistakes..... it states if you want to operate a bus company you will have to get a compliant DOT Drug testing program in place. This tells us that the FMCSA doesn't even read our CAP's, they just deny them as we had a DOT compliant AMI Drug and Alcohol testing program in place before the FMCSA audit and before the shut down.

The FMCSA asked us to start over with new Corrective Action Plans (CAP's) as they are now confused because they didn't read the first 7 CAP's however we had adequate (superior) safety measures in place long before the FMCSA came to visit. We made adjustments to our record keeping to please the FMCSA. We changed tires that were legal for the FMCSA. We changed already new engine belts that the FMCSA's

inspector said had some wear even though we had just changed them (we added 2 new buses to our fleet not placed in service). We took the Motor Coaches to trucking and busing service professionals to inspect and repair the brakes if needed however all brakes were within manufactures spec. We not only did these things immediately when questioned (even if we knew the accusation and violation was not true) but we explained that to the FMCSA before being shut down and again in 7 CAP's over the course of 17 months being shut down.

Making false violation claims, threatening and intimidating customers, threatening employees and contractors, moving the goal posts on the CAP's, asking for extensions of time, waiting till the last minute to respond, not sending critical documents within the time frame allowed (CAP #7), sending documents different ways, UPS, Fax, Fed-Ex, US Mail, without Certificate of Service, and to attorneys only, or not sending documents at all are favorites of the FMCSA. We have proof.

- 9-11-2001 (twin towers) – Mr. Valentinetti's Airline Shuttle Retrieved all US. Citizen Flight Crew (approx. 400) free of charge from Vancouver, Canada back to Seattle Tacoma International Airport as no flights were allowed to land in the US. Airline Shuttle continued to participate in America's plight by moving US. Troops to and from Air Force and Army Bases to surrounding airports in both California and Washington. AS also moved government intelligence agency's from airports to hotels and aircraft. I want the FMCSA that considers themselves patriots to understand who is the US citizen before any continued backhanded remarks and winks to each other about Valentinetti is a foreigner anyway.

2015 April - In a meeting with Terry Roberson 4-9-2015 Terry (bus company owner) mentioned that he was at a Motor Coach conference with John Foster WUTC attending and he was telling attendees "AMI Coaches buses stunk so bad they could hardly get in them" and we happily shut them down as their operation stunk also.

2015 – April – FMCSA issues "Cease All Transportation" for Valentinettis private racecar hauler



AMI will not sign the consent agreement proposed by the FMCSA to admit violations not committed and especially the falsification accusation that the FMCSA tries to slip in as it will further damage our reputation. Also the consent agreement contains language stopping future response for any and all charges.

I will not allow the FMCSA to diminish the excellent work of the proud past loyal conscientious people that have contributed to 24 year accident free Airline Shuttle and AMI Coaches because of a few uneducated FMCSA workers. We ran a great operation for 24 years and will continue to operate safely (if reinstated with a satisfactory rating) because that's what we do, not because there is an FMCSA but because our customers expect, deserve and receive safe, clean, on-time, professional operation.

Mr. Valentinetti has been targeted as a foreigner, high risk, non-compliant carrier for the past 15 years despite his companies unmatched 24 year accident free history and serving 95% of the airlines that ever landed at SeaTac airport. (FMCSA claims they don't keep stats to verify the best company's)

Mr. Valentinetti and team has continued to take the high road despite continual contractual and financial losses created by the discriminating and false accusations by this transportation regulatory authority over the past 15 years. Unfortunately this history of taking the high road has given the FMCSA's management and legal team the false impression that we will let this go as we have many in the past. This time **they** have gone too far. Today because of 15 years Civil Rights implications that have been brought to the attention of the FMCSA management they have rallied up and stepped way outside the box to stop Mr. Valentinetti and his companies from operating or getting to a hearing with John Van Steenburgs court. These Civil Rights claims have without question been taken lightly and dismissed without investigation. Mr. Valentinetti and team has been subject to retaliation by the FMCSA in not only closing down very successful AMI Coaches but also closing down 24 year accident free Airline Shuttle and not allowing either company operate after 17 months and thru 7 Corrective Action Plans. The retaliation by the FMCSA has gone personal as in loss of Visa's, right to work and or travel. The FMCSA inspectors are spreading the word to the AMI and Airline Shuttle customer base that Steve Valentinetti is under "Federal Investigation" and "you or your business could be affected also".

Steve Valentinetti, AMI / Airline Shuttle work force, contractors, friends, customers are not stepping forward with a message that America is no good or we don't believe in safety for anyone traveling while in our country. Our message is there is a small group of FMCSA employees have taken the misinterpreted FMCSA general statement of "make the roads safe at any cost" and implemented their personal racial, political views of how to achieve that goal. We believe in the FMCSA's general mission to make travel safe in this country. There is not a more criticizing passenger of safe vehicles and driving habits than a pilot. That's what AMI and Airline Shuttle are all about. What we don't believe in is the FMCSA's satellite office's profiling especially after Airline Shuttle's 24 year perfect track record. We believe before the FMCSA closes down 2 companies in the name of safety, the FMCSA should make sure and have procedures in place to be sure their investigators assessment are correct as well as listen to the companies response that they plan to crush. **A subjective assessment made in 1 investigation by 1 investigator closing a company is not enough due diligence to close a company.**

49 CFR 386.58 - Burden of proof

Yes, RFA Paden's shut down of AMI Coaches and the denial of all 7 Corrective Action Plans and the Notice of Claim amount is incorrect. We believe he has been feed false information to make his flawed 8 decisions by the Olympia Division of the FMCSA. We also believe the RFA now knows this but feels like he must support his staff in order to cover the embarrassing mistakes and falsifications and misguided actions of his team in order to keep the integrity of the FMCSA especially with the impending FMCSA budget cuts coming May 2015.

Yes, the FMCSA Safety Audit and shutdown of Airline Shuttle is in retaliation of Mr. Valentinetti challenging the downgrade and shutdown of AMI Coaches as well as the Civil Rights violations committed by the Olympia team. We think the FMCSA is keeping AMI down because of the same reasons.

As the FMCSA continues to posture to protect itself, the snowball rolls down the hill getting bigger. Let's get this fixed now at this juncture as the future will be positive instead of negative and non-productive for both parties. We both have the same goal, you just don't know it but you have to admit Steve Valentinetti and Airline Shuttle have a great 24 year safety history. We have kept the Motor Coaches and maintained our office believing at some point the FMCSA will do the right thing. We are not here to prove the FMCSA wrong we just want to be treated fairly and just like every other company. We have not gone public yet but we will if we have to in order to get heard.

AMI respectfully requests this Administrative Hearings be in person as the issues mentioned are just the tip of the iceberg. Mr. Valentinetti will fly to Washington DC. At the request of John Van Steenburg. If in person is not possible online teleconference is good also.

AMI Coaches is looking for a remedy of **Satisfactory** along with the ability to return to the marketplace with the same growth margins as our first year with marketing and reputation in place. Plan A – Just like in 2000 SV has a plan that working as a team we can solve all of this.

Please see abbreviated color coded factual answers to original FMCSA violations #2 in table of contents (or with this mail) of the FMCSA audit November 7th 2013



Thank you

Steve Valentinetti
AMI Coaches
206-242-2000

amicoaches@live.com PS. Please do not send documents Via Fax or US Mail. E-Mail is preferred

FMCSA Claimed Violations against AMI Coaches

GREEN = AMI Coaches RED = FMCSA Purple = 50% truth

Violation #1 49 CFR 382.305 – False violation - All of our drivers are multiply employed drivers for Clover Park School Dist, Graham Trucking, Capital Airporter. They were in a compliant program per **49 CFR 382.301(b)** both Pre-employment and random already and joined AMI's program in August 2013. See pages 15,36,38-43

Violation #2 49 CFR 383.37(a) – False violation, Both McAllister and Valentinetti have Class A CDL's. Mr. Valentinetti's P endorsement was not available??? He stopped driving immediately June 2013, 6 months before the FMCSA audit. Valentinetti held a CDL since 1975 (Combination License) with all endorsements except Has Mat. Ken McAllister currently drives for Clover Park School Dist. and the Capitol Airporter

Violation #3 49 CFR 390.35 – False violation. AMI Coaches, employees, contractors etc. have never made a fraudulent or intentionally false entry. The exhaust tip was being replaced with a chrome tip. This bus was recently purchased from MCI Motor Coach Chicago and was insured to bring it across the country to AMI offices in Seattle. This bus was never placed in service. Mr. Roberson's annual inspection states in the notes "muffler work in progress" See page 72, 78

Violation #4 382.301(a) - All of our drivers are multiply employed drivers for Clover Park School Dist, Graham Trucking, Capital Airporter. They were in a compliant program per **49 CFR 382.301(b)** both Pre-employment and random already and joined AMI's program in August 2013. See pages 15,36,38-43

Violation #5 49 CFR 391.45(a) – All of our drivers are multiply employed drivers for Clover Park School Dist, Graham Trucking, Capital Airporter. They were in a compliant program per 49 CFR 3 both Pre-employment and random already and joined AMI's program in August 2013. Both drivers had medical cards but not on their person. See pages 15,36,38-43

Violation #6 49 CFR 391.51(b)(2) – Corrected after WUTC audit June 18th 2013 6 months before FMCSA audit . AMI updated driving records in drivers files instead of keeping all records. FMCSA Audit November 2013

Violation #7 49 CFR 395.8(a) - False violation. Absolutely not true, Mr. Valentinetti standing by the South commercial bus lot dispatching and waiting to pick up Hainan Airlines for Airline Shuttle with non-CDL required 14 passenger van signed the Port of Seattle entry log (charges companies \$23 to enter) for his AMI Cruise Ship Contract buses as they came through the SeaTac holding lot saving time and money for our friends Intercruses and the passengers standing by waiting for the next bus. **(Intercruses pays the Port of Seattle entry fee during Cruse Ship Operation.**

Violation #8 49 CFR 395.8(k)(1) – False violation – Port of Seattle keeps records of entry while the buses are moving in Cruse Ship operation. Charter operation is different. (Intercruses pays the Port of Seattle entry fee during Cruse Ship Operation.

Violation #9 49 CFR 396.17(a) – False Violation – Bus #2 had an annual inspection performed by WUTC's Ray Gardener and proof of that was displayed on the bus with CVSA sticker #17971576.

Violation #10 49 CFR 395.8(a) – See pages 92-93 If Mr. Burdick worked for another company that day AMI coaches was unaware of the as a 7 Day work week sheet is available in drivers files.

Violation #11 49 CFR 395.8(k)(1) – False violation – Port of Seattle keeps records of entry while the buses are moving in Cruse Ship operation. Charter operation is different. (Intercruses pays the Port of Seattle entry fee during Cruse Ship Operation.

Violation #12 49 CFR 382.501(b) – True, the AMI written Policy provided to our 5 drivers didn't have Mr. Valentinetti's name printed in the policy as DER (designated employer representative) fixed immediately.

Violation # 13 49 CFR 383.37(d) – False violation, See page 15 Mr Valentinetti was put OOS upon reaching AMI offices 1.5 miles away as long as no passengers accompany him per WUTC's John Foster.

Violation # 14 49 CFR 391.23(a) – Corrected after WUTC audit June 18th 2013. AMI updated driving records in drivers files instead of keeping all records See pages 26-34

Violation #15 49 CFR 392.9a(a)1) Authority – False Violation, Absolutely not true and should be embarrassing for the FMCSA. AMI Coaches (6 months old at the time) April 7th 2013 was called to an Emergency Amtrak train wreck. Not just a mudslide. The moving passenger train was hit and derailed in the incident. AMI Coaches was called after Amtrak's past provider gave a 4 hour response time. AMI was on location in 45 minutes. 1 driver stood by the Motor Coaches while the other helped with the evacuation of passengers from the train. AMI's Mr Valentinetti complimented police, fire and Amtrak officials for quick safe planned response to the Emergency during his live interview with local stations and news crews. (page 18) AMI moved the passengers (victims) of the accident a total of 13.5 miles to the downtown Seattle Amtrak's King St. Station. Amtrak's previous provider complained to Corporate so AMI Coaches was put on "12 hour paid standby" at our Corporate office 9 miles away while other companies moved the passengers for the next 48 hours. Please See pages 16-18. As you will see AMI Coaches was **ISSUED "Preliminary Authority" April 1st 2013** with the requirement that we provide an insurance document that we sent to the FMCSA in October 2012 and again upon receipt of the new request. (page 16) The FMCSA made a big deal stating that we operated without authority, charging AMI with a \$25,000. fine and closing our business. Even if the local 13.5 mile transport was deemed Interstate (without a passenger list from Amtrak it is just an assumption) since AMI had never gone Interstate before this transport would be **"Diminimus" US Court of Appeals Docket # 68-15636 American Coach Lines of Miami.**

If this is what the FMCSA plants their flag in calling that SAFETY, calling themselves patriots and Valentinetti a foreigner then the FMCSA has done the correct thing in closing down AMI because if that's your stand.....we don't get it. If I worked at the FMCSA knowing that they attack and close companies that help in an Emergency I would be ASHAMED. Please no matter what the outcome let us know where the FMCSA stands on helping the American people in an emergency.

Violation #16 49 CFR 395.5(b)(2) – Falsely accused without cause or evidence. Again the FMCSA probably gets away with accreting this violation to over the road trucking companies all the time so they think they can get away with violating AMI (trying to make us look dangerous). The most hours an AMI driver has ever worked in 1 week is 26 hours and it wasn't J.Mondry. Mr. Mondry is a local union truck driver and begs to get 40 hours of work at his other job. He has the potential to work 6 hours per day on the weekends only.

Violation #17 49 CFR 395.8(f) – False Violation - Port of Seattle keeps records of entry while the buses are moving in Cruise Ship operation. Charter operation is different. (Intercoaches pays the Port of Seattle entry fee during Cruise Ship Operation).

Violation #18 49 CFR 396.3(a)(2) – False Violation but changed that day anyway. AMI's bus washer is charged with the responsibility of checking all emergency exits every **30 Days** instead of every 90 days as is required by law. The emergency Exit Log is kept in the office instead of the buses. We now have a log in both the bus and the office See pages 62-69



Violation #19 49 CFR 396.3(b)(1) – AMI failed to comply only by failing to have included tire size in maintenance files. Corrected after WUTC audit June 18th 2013

Violation #20 49 CFR 396.3(b)(2) – False violation, We understand the FMCSA issues this violation to owner operator trucks however AMI Coaches Corporate office has multiple computer work stations, computers, wall calendars, maintenance files, owners manuals, parts books and did have the most diligent office staff available. See photos to follow.

Violation #21 49 CFR 396.11 (b) – False violation, non- ledge able signature or initials

Violation #22 49 CFR 396.11(b) – False violation, non- ledge able signature or initials

Violation #23 49 CFR 396.11(c)(2) – False violation, AMI and Airline Shuttle both keep DVIR's for longer than 90 days. Airline Shuttle kept DVIR's from 1999..before there was an FMCSA and a DVIR was called a Safety Check Sheet.

Violation #24 49 CFR 396.11(c)(2) – After 8 days of an FMCSA investigator digging through our files 1 DVIR was missing out of 1 year of operation??? Or is it possible that since the driver doesn't get paid unless their time card, 7 day work form and DVIR is turned in on time, maybe it was out of order after all the digging? Or should we make the accusation that AMI doesn't care about safety and doesn't keep their DVIR's, "then we can close them down"

Certificate of Service

This is to certify that on this 20th day of April, 2015, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

John Van Steenburg
Sue Lawless
USDOT Dockets
1200 New Jersey Avenue, SE
Room W12-140
Washington, DC 20590

FMCSA.Adjudication@dot.gov
sue.lawless@dot.gov
Fed-Ex package to follow
1 package to follow

Jedd Miloud
Nancy Jackson
Office of Chief Counsel
Enforcement and Litigation Division
FMCSA Western Service Center
12600 West Colfax Ave Suite B-300
Lakewood, Colorado 80215

jedd.miloud@dot.gov
Fed-Ex package to follow

Steve Valentinetti
14644 9th Ave SW
Burien, Washington, 98166

amicoaches@live.com
stevevalentinetti@hotmail.com

Anthony Foxx
USDOT Secretary
1200 New Jersey Avenue, SE
Washington, DC 20590

anthony.foxx@dot.gov
E-mail only

X Steve Valentinetti

Search:

Search

Docket No.: TC-001566
Advice:
Company: SEATTLE SUPER SHUTTLE, LLC
Filing type: Certificate
Industry: Auto Transportation (Certificated Bus)
Status: Closed
Lead staff: Bonnie Allen
Filed date: 10/11/2000
Effective date:
Closed date: 3/29/2002
Summary: Application for new certificate.

TIME SCHEDULE NO. 2003-1

Of

Evergreen Trails, Inc., d/b/a Gray Line of Seattle

**4500 W. Marginal Way SW
Seattle, Washington 98106**

TERRITORY:

Service under this time schedule is limited to the transportation of airline passengers and flight crews between Seattle-Tacoma Airport and water offices and facilities in Seattle.

SCHEDULE:

Coaches will depart the cruise terminals and the airport at a minimum of thirty minute intervals (or as filled) between 7:30 a.m. and 5:00 p.m. every Saturday and Sunday from May 3rd to September 21st, and on Friday, May 9th and Friday, September 26th.

Issued: April 10, 2003

Effective

Issued by David Gudgel, General Manager
4500 W. Marginal Way SW
Seattle, Washington 98106

WUTC Tariff Action Stamp
Docket TC-030122, App. D-079130
Order No. 02
Effective Date: 04-12-03

UNITED STATES OF AMERICA

The State of Washington

Secretary of State

I, **SAM REED**, Secretary of State of the State of Washington and custodian of its seal,
hereby issue this

CERTIFICATE OF FORMATION

to

AMI COACHES LLC

a/an WA Limited Liability Company. Charter documents are effective on the date
indicated below.

Date: 10/15/2012

UBI Number: 603-246-201



Given under my hand and the Seal of the State
of Washington at Olympia, the State Capital

A handwritten signature in cursive script that reads "Sam Reed".

Sam Reed, Secretary of State

Get Authority to Operate (MC Number)

Overview

In general, companies that do the following are required to have interstate Operating Authority (MC number) in addition to a DOT number:

- Operate as for-hire carriers (for a fee or other compensation)
- Transport passengers in interstate commerce
- Transport federally-regulated commodities or arranging for their transport, in interstate commerce

FMCSA operating authority is often identified as an "MC," "FF," or "MX" number, depending on the type of authority that is granted. Unlike the USDOT Number application process, a company may need to obtain multiple operating authorities to support its planned business operations. Operating Authority dictates the type of operation a company may run and the cargo it may carry.

- [Types of Authority](#)
- [Ready to Apply?](#)
- [Filing Fees](#)
- [Where to Submit](#)
- [How Long Does the Process Take?](#)
- [How Do I Check My Application Status?](#)

Who Does Not Need Authority?

All of this also dictates the level of insurance/financial responsibilities a company must maintain. Carriers not required to have operating authority include:

- Private carriers (carriers that transport their own cargo)
- "For-hire" carriers that exclusively haul exempt commodities (cargo that is not federally regulated)
- Carriers that operate exclusively within a federally designated "commercial zone" that is exempt from interstate authority rules. A commercial zone is, for example, a geographic territory that includes multiple states bordering on a major metropolitan city, such as Virginia/Maryland/Washington, DC

Types of Authority

The type(s) of Operating Authority requested will impact the type and level of insurance that is required by FMCSA. Therefore, carefully select only the type(s) of Operating Authority relevant to the business. **FMCSA does not refund application fees.** Descriptions of the different types of interstate Operating Authority are as follows:

- [Review Types of Authority](#)

Ready to Apply?



CERTIFICATE OF LIABILITY INSURANCE

AMILL-2

OP ID: SH

DATE (MM/DD/YYYY)

07/19/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ferguson & Associates, Inc. PO Box 1835 Kingston, WA 98346-1835 Ken Shimomura	Phone: 360-297-4844	CONTACT NAME:
	Fax: 360-297-4882	PHONE (A/C, No, Ext):
		FAX (A/C, No):
		E-MAIL ADDRESS:
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Occidental Fire & Casualty Ins
		INSURER B:
		INSURER C:
		INSURER D:
		INSURER E:
		INSURER F:

INSURED
AMI Coaches, LLC
Steve Valentinetti
14644 9th Ave SW
Burien, WA 98166

NAIC #

23248

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			CL00159761	10/01/2012	10/01/2013	EACH OCCURRENCE \$ 1,000,000	
	☒ COMMERCIAL GENERAL LIABILITY		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000					
	☐ CLAIMS-MADE ☒ OCCUR		MED EXP (Any one person) \$ 5,000					
			PERSONAL & ADV INJURY \$ 1,000,000					
							GENERAL AGGREGATE \$ 2,000,000	
							PRODUCTS - COMP/OP AGG \$ Included	
A	AUTOMOBILE LIABILITY			CA00037950	10/01/2012	10/01/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000	
	☐ ANY AUTO		BODILY INJURY (Per person) \$					
	☐ ALL OWNED AUTOS	☒ SCHEDULED AUTOS	BODILY INJURY (Per accident) \$					
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS	PROPERTY DAMAGE (Per accident) \$					
	UMBRELLA LIAB						EACH OCCURRENCE \$	
	EXCESS LIAB						AGGREGATE \$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS \$	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	☐ Y/N	N/A				E.L. EACH ACCIDENT \$	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$	
							E.L. DISEASE - POLICY LIMIT \$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate holder is recognized as an additional insured as respects the interest in the operation of the named insured.

CERTIFICATE HOLDER

USABUS1

USA Bus Charter, Inc
14175 W Indian School Rd
Good Year, AZ 85338

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.



**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982**

Form Approved
OMB No: 2126-0038

AMI COACHES LLC
 Issued to DBA AMI of SEATTLE, WA 98166
 Dated at Melbourne, FL this 01 day of October, 20 2012
 Amending Policy No. CA00037950 Effective Date 10/01/2012
 Name of Insurance Company Occidental Fire & Casualty Company of NC

Countersigned by _____

Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "[X]" for the limits shown:

- ☒ This insurance is primary and the company shall not be liable for amounts in excess of \$ \$5,000,000CSL for each accident.
☐ This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: (888) 389-0598

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

Accident includes continuous or repeated exposure to conditions which result in Public Liability which the insured neither expected nor intended.

Bodily Injury means injury to the body, sickness or disease to any person, including death resulting from any of these.

Motor Carrier means a for-hire carrier of passengers by motor vehicle.

Property Damage means damage to or loss of use of tangible property.

Public Liability means liability for bodily injury or property damage.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a for-hire motor carrier of passengers with Section 18 of the Bus Regulatory Reform Act of 1982 and the rules and regulations of the Federal Motor Carrier Safety Administration.

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to financial responsibility requirements of Section 18 of the Bus Regulatory Reform Act of 1982 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured.

However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Bus Regulatory Reform Act of 1982 requires limits of financial responsibility according to vehicle seating capacity, it is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility. THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE. The limits shown in the schedule are for information purposes only.

Standards of
Excellence



An explanation of
Amtrak's goals, values
and expectations.



[Print](#)[Close](#)

You are invited to participate in the Amtrak Online Solicitation Entitled: Amtrak Thruway Bus Services -Routes 06, 10, 18a&b, 34, 39 and 90 RFP X092 3087 Sourcing Event.

From: **Angela Mathews** (None@amtrak.com)

Sent: Thu 3/28/13 4:09 PM

To: Steve V (amicoaches@live.com)

Welcome Steve V

Buyer Organization has registered you at the Ariba site and invited you to participate in Event Doc614496 Amtrak Thruway Bus Services -Routes 06, 10, 18a&b, 34, 39 and 90 RFP X092 3087 Sourcing Event.

You have been assigned the following user id: 'Steve'.

The event is set to begin on Thursday, April 25, 2013 at 5:15 PM, Eastern Daylight Time and end on Monday, May 6, 2013 at 5:00 PM, Eastern Daylight Time.

For more information about this event:

1. Complete your registration.

- Click this link: https://sourcing.amtrak.com/Sourcing/Main?realm=System&passwordadapter=SourcingSupplierUser&awssso_tkn=25UIAqWaVL5154cd94a0e718a27
- Create a password.
- Create a secret question.

Note the following:

- * The above URL is only valid for 30 days.
- * If clicking the above link does not take you to a registration screen, copy and paste the URL into your browser's address bar. If the URL spans multiple lines, copy all lines and ensure there are no spaces between the parts that you paste together.
- * The secret question and the answer are used to verify your identity in case you forget your password.

If you don't want to respond to this event, please click on the below mentioned link:

<https://sourcing.amtrak.com/Sourcing/Main/ad/declinetorespond/EventDeclinetorespondProjectCreationAction?passwordadapter=SourcingSupplierUser&passwordadapter=SourcingSupplierUser&SupplierId=Steve&EventId=Doc614496>

If you have questions about the event, please contact Angela Mathews via e-mail at Angela.Mathews@amtrak.com.

If you require your password to be reset, please contact the ACE Help Desk at acehelpdesk@amtrak.com

We look forward to working with you!

Thank You,

AMTRAK PROCUREMENT



ATTACHMENT D-6: Route 90 Mileage Table

Route 90: Seattle-Bellingham

Station/Stop	Code
BELLINGHAM	BEL
Mount Vernon	MVW
EVERETT	EVR
SEATTLE	SEA

North Bound Stops	North Bound Stops	South Bound Stops	South Bound Stops
26.5		0.0	
33.5		26.3	
29.1		33.5	
0.0		29.3	
89.1	0.0	89.1	0.0

Schedules Operating This Route

5600		5609	

Number of Bus Schedules	1
Total Route Miles	178.2

1	0	1	0
89.1	0.0	89.1	0.0

Deadhead miles to position buses are not included in the initial RFP table.
 Deadhead costs are imbedded in the original per mile rate.
 Should new service or extension of existing service change the deadhead miles the mileage chart will add deadhead miles for parity.

SOURCE: MS STREETS AND TRIPS 2002
 BASE MILES - Updated 03/28/13

ATTACHMENT E-2

Amtrak Thruway Bus System

EIA Amtrak Fuel Adjustment – 10% Threshold

Washington State Bus Route 90 (03/28/13)

A fuel adjustment will be available during the life of the contract based on the cumulative change from a base price established at the time of bid or renewal, less a 10 percent threshold (increase or decrease), as follows:

Amtrak will utilize the Federal U.S. Energy Information Administration [West Coast less California Index](#). Their website tracks the average cost for diesel and taxes charged in the state of California. The base index price is established by taking a three-month average price/gallon from the “Weekly Retail On-Highway Diesel Prices” report.

EIA Website: <http://tonto.eia.doe.gov/oog/info/wohdp/diesel.asp>

Click on the Region for diesel fuel found on the left and the response will display the most recent weekly averages. Look to the right for the historic weekly averages (2007-2013). These can be downloaded to excel.

Region in which contractor will primarily fuel buses: [West Coast less California](#)

BASE PRICE: \$4.0277 (3 months average for the weeks ending 12/10/12 through 3/4/13)

The Contractor's Amtrak bus fleet average miles per gallon of fuel are: _____.
Is this the average MPG for the company fleet?
Is this the average MPG for the Amtrak fleet?

Payment to the contractor (or credit to Amtrak) will be made on the difference between the base price established at the time of the bid and the average cost of fuel for the assigned period above (or below) a 10 percent threshold (see examples below).

- A. During the period of contract performance, Amtrak will adjust contract value should the EIA average price per gallon increase or decrease by more than 10% in a three (3)-month period from the BASE price above.
 1. Fuel adjustments are valid from the first day of the contract through the last day of the contract.

2. Fuel adjustments will be calculated for three (3) calendar months hereafter referred to as QUARTERLY periods. The first quarterly period begins with the month the contract starts.
3. In recognition of the volatility of fuel prices, Amtrak will pay either one net invoice for the QUARTERLY period, or one invoice each month using the following formula:
 - a. The first month invoice will compare the initial EIA base against the average EIA price in the month invoiced.
 - b. The second month invoice will compare the initial EIA base against the average EIA price in the second month invoiced.
 - c. The third month invoice will compare the initial EIA base against the average Quarterly EIA price, less the payments already made for month one (a.) and two (b.) if any.
 - d. It is recognized that for one or more months a fuel adjustment may not be due, but may be due when calculated over the Quarterly period.
4. The first quarterly period will be reduced, if required, to reflect actual days of operation from the start of the contract. In this event, the quarterly EIA average will be calculated from the closest weekly average concurrent with actual operation. (Example: the contract starts 10/15/14 instead of at the beginning of the month).
5. The last quarterly period of the contract may include either extra days or fewer days to adjust to the actual end date of the contract. In this event, the quarterly EIA average will be calculated from the weekly averages concurrent with actual operation.

B. Process for calculating fuel adjustments:

1. On a monthly or quarterly basis, the Contractor is responsible for tracking the EIA website to determine its eligibility for a fuel adjustment, and to invoice accordingly. Amtrak will track EIA also for audit purposes, but will not send the information to the Contractor as they have previously done for other fuel indices.
2. The EIA weekly averages will be used to determine the MONTHLY or QUARTERLY AVERAGE.
3. Amtrak will provide a Fuel Adjustment Calculator (Excel File) to calculate the amount of adjustment Amtrak owes the Contractor, and a separate calculator for adjustments that the contractor owes Amtrak, if applicable.
4. The contractor is responsible for invoicing the fuel adjustments with the completed calculation sheet and a printout of the EIA weekly indices for the period billed.

5. The Contractor shall submit a monthly or quarterly fuel adjustment invoice whether Amtrak owes the Contractor or the Contractor owes Amtrak for the period.
6. Invoices for fuel adjustment must be calculated and submitted to Amtrak for review no later than 45 days after completion of the monthly or 3-month applicable period. The Contractor shall submit invoices to Amtrak for credits as well as charges. Invoices, containing charges owed by Amtrak, which are received after this 45-day period will not be processed or paid. There is no time limitation for credits. For example, the final invoice for the 3-month period January 1, 2014 through March 31, 2014 must be submitted to Amtrak no later than May 15, 2014.
7. Fleet average miles per gallon are for the type of buses painted for Amtrak service, or may be the company fleet average. Manufacturer's estimates may be used for the bid. Because actual route conditions may not match the manufacturer's estimated MPG number, the contractor may submit actual consumption documentation for the first adjustment period to establish a lower average MPG rate. Amtrak reserves the right to request information to verify actual fuel consumption in order to adjust the fleet MPG upward should the initial rate appear to be under normal fleet MPG.
8. Miles operated for the period will be calculated from the daily miles established in the purchase order. Any mid-period mileage changes will be factored into the quarterly calculation. Should extra sections be operated, a fuel adjustment may be invoiced in a group separately from daily operations on a MONTHLY or QUARTERLY basis and using actual miles.
9. The EIA BASE PRICE will be subtracted from the EIA MONTHLY or QUARTERLY AVERAGE to determine a price differential.
10. The price differential shall be converted to a percent. If the difference is more than 10% from the base price, the amount above the 10% will be converted back to price per gallon (herein referred to the differential price).
11. The formula for calculating the cost differential is: (cumulative daily route miles operated for the period) X (differential price per gallon) / (fleet miles per gallon of fuel)

Fuel Adjustment Examples:

Base price is \$4.00 per EIA
Base mileage for fleet: 5 mpg
Base mileage: 1,000 miles a day
Quarterly Period: 91 days

In 1st quarterly period, the average fuel price goes up to \$4.20 (5 percent) from the base price. No adjustment is made since this is within 10 percent of the base price.

In the 2nd quarterly period, the average fuel price goes up from the base of \$4.00 to a total of \$4.80. The total cumulative change from base is now 20 percent. An adjustment will be made for the 10 percent difference over 10 percent from the base price established at the start of the contract.

$$(91 \text{ days} * 1,000 \text{ miles} * \$0.40 \text{ difference}) / (5 \text{ mph}) = \$7,280.00/\text{period}$$

In the 3rd quarterly period, the average fuel price goes down 16 cents from \$4.80 to an average of \$4.64 for the period. The total cumulative change from base of \$4.00 is now 16 percent. A fuel adjustment will be made for the 6 percent difference over 10 percent from the base price established at the start of the contract.

$$(91 \text{ days} * 1,000 \text{ miles} * \$0.24 \text{ difference}) / (5 \text{ mph}) = \$4,368.00/\text{period}$$

In the 4th quarterly period, the average fuel price goes down \$1.04 from \$4.64 to \$3.60. The total cumulative change from base of \$4.00 is now -10 percent. Since this is no more than a 10 percent change from the base price, no credit is issued to Amtrak; no adjustment is due the vendor.

In the 5th quarterly period the average fuel price goes down 20 cents from \$3.60 to \$3.40. The total cumulative change from the base of \$4.00 is now -15 percent. Since this is over a 10 percent change from the base price, a credit for the 5 percent will be made to Amtrak for the period.

$$(91 \text{ days} * 1,000 \text{ miles} * \$0.20 \text{ difference}) / (5 \text{ mph}) = \$3,640.00/\text{period}$$

Actual rates will be figured to two decimal places.

END

ATTACHMENT C-6: Route 90 Bus Schedules

Route 90 consists of one roundtrip bus.

The normal schedule is:

BUS 5600 Daily

Wait for train 500 at noon.

Seattle		Dp 1220P
Everett	Ar 100P	Dp 105P
Mount Vernon	Ar 145p	Dp 150p
Bellingham	Ar 220P	

BUS 5609 Daily

Bellingham		Dp 250P
Mount Vernon	Ar 320P	Dp 325P
Everett	Ar 405P	Dp 410P
Seattle	Ar 500P	

Connect to train 509 at 530p

Please note that Temporary Trackwork Schedules are in effect through August 31, 2013. As a result the schedules are:

BUS 5600 Daily (15 minutes later than normal)

Wait for train 500 at noon.

Seattle		Dp 1235P
Everett	Ar 115P	Dp 120P
Mount Vernon	Ar 200P	Dp 205P
Bellingham	Ar 235P	

BUS 5609 Daily (40 minutes later than normal 5609)

Bellingham		Dp 330P
Mount Vernon	Ar 400P	Dp 405P
Everett	Ar 445P	Dp 450P
Seattle	Ar 540P	

No train connection

March 28, 2013

AMI Coaches

DRIVER'S APPLICATION FOR EMPLOYMENT

APPLICANT'S NAME [REDACTED] Tucker

ADDRESS [REDACTED] HOW LONG? 4yr

DATE OF BIRTH [REDACTED] PHONE [REDACTED] SSN# [REDACTED]

PAST ADDRESSES (previous three years)

	Street	City	State & Zip	How Long?
1	11215 SASKATCHEWAN LN	Olympia	WA 98513	2 Yr
2				
3				
4				

(ATTACH SHEET IF MORE SPACE IS NEEDED)

EXPERIENCE AND QUALIFICATIONS - DRIVER

DRIVER LICENSE	STATE	LICENSE NUMBER	TYPE	EXPIRATION DATE
	WA	[REDACTED]	CDL B	03/30/13

DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES		APPROX. # OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK				
TRACTOR / SEMI - TRAILER				
TRACTOR / 2 TRAILERS				
OTHER:	School BUS	2003	2013	

ACCIDENT RECORD FOR THE PAST 3 YEARS OR MORE

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES

LOCATION	DATE	CHARGE	PENALTY

(ATTACH SHEET IF MORE SPACE IS NEEDED)

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES _____ NO ☒
- B. Has any license, permit, or privilege ever been suspended or revoked? YES _____ NO ☒

IF THE ANSWER TO EITHER A OR B IS A YES, ATTACH A STATEMENT FIVING FULL DETAILS

EMPLOYMENT RECORD (Attach Sheet if More Space is Needed)

Note: DOT requires that employment for at least 3 years and/or Commercial Driving experience (CDL) for the past 10 years be shown.

LAST EMPLOYER NAME Clower Park School District

ADDRESS 10903 Gravelly Lake Drive SW, Lakewood WA 98491

POSITION HELD Bus Driver FROM 10/15/2011 TO current SALARY 17.07 / hr

REASON FOR LEAVING N/A

Subject to Federal Motor Carrier Safety Regulations	YES _____	NO _____
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol Testing	YES ☒	NO _____

SECOND LAST EMPLOYER NAME North Thurston School District

ADDRESS 305 College Street NE, Lacey WA 98516

POSITION HELD Transportation Specialist FROM Sept 2006 TO April 2011 SALARY 17.58 / hr

REASON FOR LEAVING Hostile Environment

Subject to Federal Motor Carrier Safety Regulations	YES _____	NO _____
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol Testing	YES ☒	NO _____

Subject to Federal Motor Carrier Safety Regulations	YES	☒	NO
Performed safety sensitive function subject to DOT Controlled Substance/Alcohol Testing	YES	☒	NO

AMI Coaches

DRIVER'S APPLICATION FOR EMPLOYMENT

APPLICANT'S NAME [REDACTED] MANDRY
 ADDRESS [REDACTED] HOW LONG? 15 yrs
 DATE OF BIRTH [REDACTED] PHONE [REDACTED] SSN# [REDACTED]

PAST ADDRESSES (previous three years)			
	Street	City	State & Zip
1			
2			
3			
4			

(ATTACH SHEET IF MORE SPACE IS NEEDED)

EXPERIENCE AND QUALIFICATIONS - DRIVER

DRIVER LICENSE	STATE	LICENSE NUMBER	TYPE	EXPIRATION DATE
	WA.	[REDACTED]	A	12-06-17

DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC)	DATES		APPROX. # OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK	Straight			10 yrs
TRACTOR / SEMI - TRAILER	truck - trailer			30 yrs
TRACTOR / 2 TRAILERS	Doubles			20 yrs
OTHER:	Tow Trucks			5 yrs

ACCIDENT RECORD FOR THE PAST 3 YEARS OR MORE

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES
11-20-11	REAR trailer ROLLED OVER	0	0

LOCATION	DATE	CHARGE	PENALTY
I-90	11-20-11	NONE	NONE

(ATTACH SHEET IF MORE SPACE IS NEEDED)

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES _____ NO /
- B. Has any license, permit, or privilege ever been suspended or revoked? YES _____ NO /

IF THE ANSWER TO EITHER A OR B IS A YES, ATTACH A STATEMENT FIVING FULL DETAILS

EMPLOYMENT RECORD (Attach Sheet if More Space is Needed)

Note: DOT requires that employment for at least 3 years and/or Commercial Driving experience (CDL) for the past 10 years be shown.

LAST EMPLOYER NAME Graham Trucking
 ADDRESS 11581 165 SEATTLE, WA.
 POSITION HELD Driver FROM 4-12 TO now SALARY _____
 REASON FOR LEAVING quit
 Subject to Federal Motor Carrier Safety Regulations YES / NO _____
 Performed safety sensitive function subject to DOT Controlled Substance/Alcohol Testing YES / NO _____

SECOND LAST EMPLOYER NAME FRANZ
 ADDRESS 2468 20th Ave SE Seattle, WA
 POSITION HELD _____ FROM 1995 TO 2011 SALARY _____
 REASON FOR LEAVING Accident
 Subject to Federal Motor Carrier Safety Regulations YES / NO _____
 Performed safety sensitive function subject to DOT Controlled Substance/Alcohol Testing YES / NO _____



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

1200 New Jersey Ave., S.E.
Washington, DC 20590

SERVICE DATE

April 01, 2013

DECISION

MC-816340
AMI COACHES LLC
D/B/A AMI
SEATTLE, WA

The Federal Motor Carrier Safety Administration's preliminary grant of operating authority in this proceeding has become effective, but authority has not been issued because the applicant has not complied with the Federal Motor Carrier Safety Administration's regulations for:

(1) Insurance (liability: Form BMC-91 or BMC-91X) (49 CFR 387);

Unless within 60 days from the date of service of this decision, applicant complies with the conditions set forth in the letter notice of February 25, 2013, the application will be dismissed for want of prosecution.

This action will not affect the quality of the human environment or the conservation of energy resources.

It is ordered:

This application is dismissed effective 60 days from the service date of this decision, unless before the expiration of the 60 day period, applicant achieves compliance with the conditions set forth in the letter notice.

Decided: March 27, 2013

By the Federal Motor Carrier Safety Administration.

Jeffrey L. Secrest, Chief
Information Technology Operations Division

DIS



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

1200 New Jersey Ave., S.E.
Washington, DC 20590

SERVICE DATE

April 29, 2013

CERTIFICATE

MC-816340-C

U.S. DOT No. 2351390
AMI COACHES LLC
D/B/A AMI
SEATTLE, WA

This Certificate is evidence of the carrier's authority to engage in transportation as a **common carrier of passengers, in charter and special operations**, by motor vehicle in interstate or foreign commerce.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 387); the designation of agents upon whom process may be served (49 CFR 366); and schedules (49 CFR 374.305). The carrier shall also render reasonably continuous and adequate service to the public. Failure to maintain compliance will constitute sufficient grounds for revocation of this authority.

Jeffrey L. Secrist, Chief
Information Technology Operations Division

NOTE: Applicant is a nonrecipient of governmental financial assistance.

NOTE: Willful and persistent noncompliance with applicable safety fitness regulations as evidenced by a DOT safety fitness rating of "Unsatisfactory" or by other indicators, could result in a proceeding requiring the holder of this certificate or permit to show cause why this authority should not be suspended or revoked.

CPN

< Amtrak

FROM A1

MUDSLIDE DERAILS SOUNDER SERVICE

Passengers will be
bused to stations

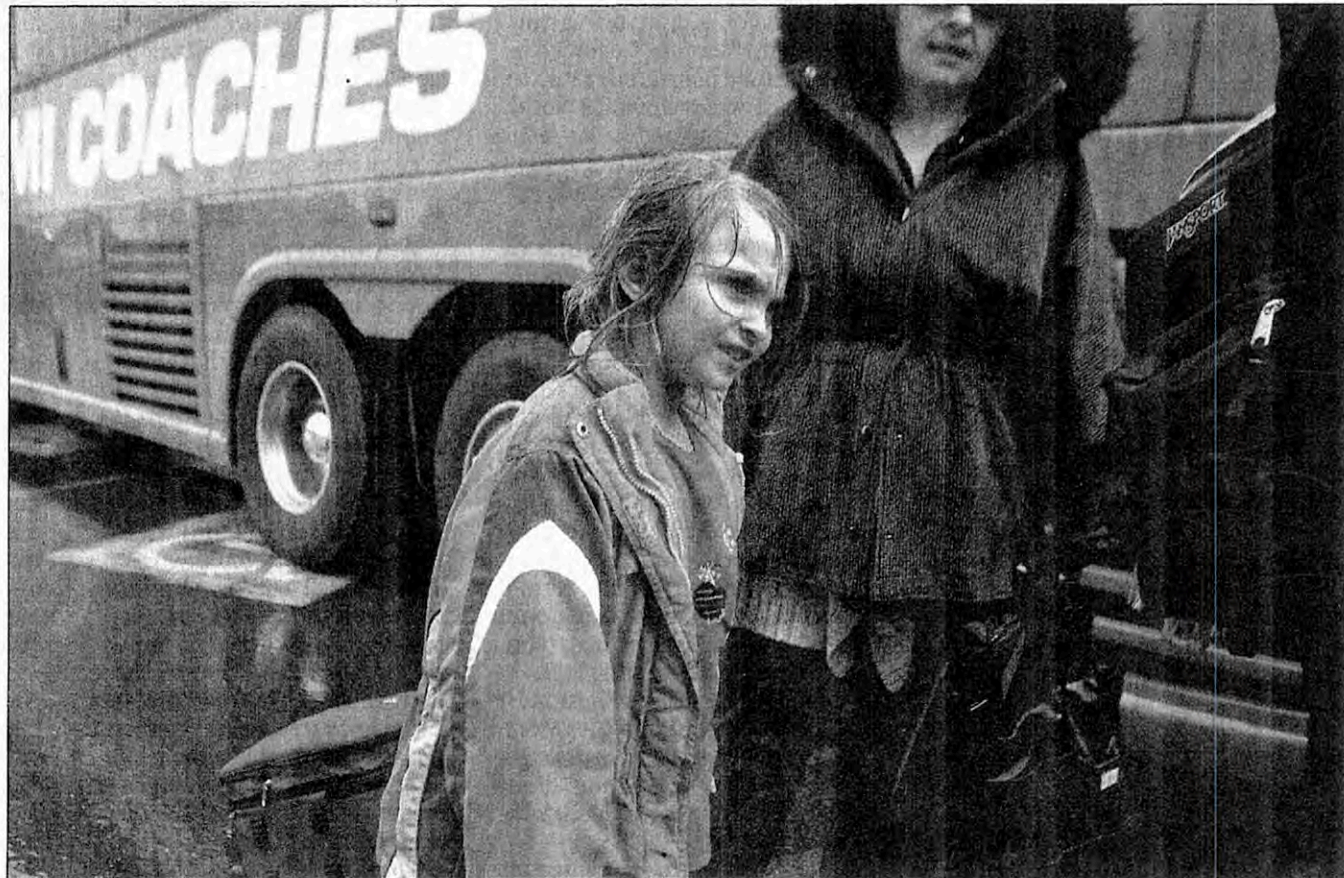
None of the train's 86 passengers and 11 crew members was hurt in Sunday's slide just north of Howarth Park in Everett, which had little impact on some railcars but badly jostled others.

"We almost went over," said Alicia Munds, of Silverdale, who had just awakened about 8:50 a.m. Sunday when the train suddenly jerked like something had hit it.

As her car, the last one on a train bound for Seattle, tipped to its side and started to pull up the tracks, Munds covered her sleeping 7-year-old daughter, Hannah, with her body. "It was like being thrown around like a rag doll," Munds said of the experience.

"They hit the brakes immediately," she recalled. "That engineer saved our lives. We would've been drug over," she said.

Other passengers saw mud and trees sliding down a cliff and striking the train.



BETTINA HANSEN / THE SEATTLE TIMES

Hannah Munds, 7, and her mother Alicia, from Silverdale, wait in Mukilteo for buses to take them to Edmonds and Seattle. They were in the last car of the Seattle-bound train that derailed.

"We saw chunks of mud coming down and hitting the train, but it was not as scary as you'd think," said Sherry Brooks, who boarded Amtrak's Empire Builder train in Chicago on Friday for a visit to her son in Seattle.

The train came to a halt with three cars derailed, two of them visibly tilted off the tracks. The train's front cars transported passengers to Mukilteo, where they boarded buses for Edmonds and Seattle.

The slide, which BNSF Railway spokesman Gus Melonas described as 15 feet high and 30 feet wide, prompted the company to issue a 48-hour moratorium on passenger trains on the railway's double main line.

About a quarter mile of track was damaged, but freight trains were able to get through on the adjacent line Sunday and will resume travel on the line where the train was derailed sometime Monday, Melonas said.

Until passenger service resumes, Amtrak will bus passengers between Seattle and Everett, according to Marc Magliari, an Amtrak spokesman in Chicago. It also plans to bus Empire Builder passengers between Seattle and Spokane, because they cannot travel the line's usual route through Everett.

Construction is expected to begin later this year on a \$16 million, federally funded project to stabilize six or seven spots along the Seattle- Everett corridor that have been prone to mudslides.

BNSF will construct retaining walls, remove loose soil and install drainage pipes in soggy areas.

A BNSF presentation to Sound Transit showed standing water near suburban homes in Mukilteo, and pointed to years of residential development as a contributor to slides. Some transit-board members wondered if global warming is causing wetter seasons.

The Washington Department of Transportation warns that much more work needs to be done to fully prevent mudslides.

Seattle Times staff reporter Mike Lindblom contributed to this report.
Melissa Allison: 206-464-3312 or mallison@seattletimes.com.
Twitter @AllisonSeattle.



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

May 15, 2013

Rob Eaton, Director of Government Affairs
Amtrak
530 Water Street
Oakland, CA 94607

RE: Alternate Passenger Transportation During Mudslides – Washington State

Dear Mr. Eaton:

Staff of the Washington Utilities and Transportation Commission (commission) received information that AMI Coaches, LLC (AMI Coaches) transported passengers for Amtrak following a train derailment caused by mudslides. As we understand it, Amtrak contracted with AMI Coaches to pick up Amtrak passengers in Mukilteo, drive them around the mudslide area to an Amtrak station in Seattle, and drop them off so they could re-board the train and continue their journey.

The passengers came from trains originating outside of Washington State: one train was from Chicago, the other was from Vancouver, B.C., Canada. Transporting passengers from one state to another, or from another country to a place in the United States, is considered interstate transportation. (49 USC Section 13501) The bus transportation around the area of the mudslides is a continuation of this interstate transportation.

According to information obtained from the Federal Motor Carrier Safety Administration (FMCSA), AMI Coaches does not have authority as an interstate carrier of passengers. The company is properly permitted by the commission to transport passengers within Washington, but only if the passengers' travel originates within the state. We contacted AMI Coaches about this and recommended that the company follow up with the FMCSA to register as an interstate carrier of passengers.

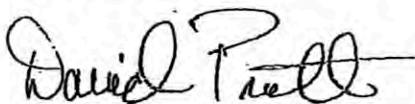
Going forward, before contracting with a passenger transportation company in Washington to transport passengers around mudslide areas, we recommend that you ensure the company has the

Rob Eaton
May 15, 2013
Page 2

proper federal and state authority required for such transportation services. For interstate transportation, you can look up companies on the FMCSA's SAFER website: <http://safer.fmcsa.dot.gov/CompanySnapshot.aspx>. To determine if a company has the proper intrastate authority for transportation wholly within Washington, please check with the commission at www.utc.wa.gov.

If you have any questions, please contact Betty Young, Compliance Investigator, Transportation Safety, at Washington Utilities and Transportation Commission, PO Box 47250, Olympia, WA, 98504-7250. Ms. Young can be reached at 360-664-1202, or by e-mail at byoung@utc.wa.gov.

Sincerely,



David Pratt

Assistant Director, Transportation Safety

20

[Print](#)

[Close](#)

Interstate Safety Audit and intrastate Compliance Review

From: **Foster, John (UTC)** (JFoster@utc.wa.gov)

Sent: Mon 5/20/13 12:10 PM

To: amicoaches@live.com (amicoaches@live.com)

3 attachments

CR Appointment letter.doc (209.4 KB) , Safety Audit Appointment letter.doc (209.4 KB) , SAFETY REVIEW QUESTIONNAIRE.doc (27.2 KB)



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

May 20, 2013

Steve Valentinetti
AMI Coaches LLC

Your company has been selected for a safety compliance review. Please have the following documents and items available for inspection:

1. Insurance policy with limits of coverage for each vehicle operated under your permit with the commission.
2. A copy of your MCS-90, endorsement for motor carrier policies of insurance, for interstate operations, if applicable.
3. Insurance claim information for the previous 12 months.
4. Driver qualification files, including copies of medical certificates on drivers operating commercial motor vehicles with GVWR of 10,001 pounds or more or more than 8 passengers.
5. Drug and alcohol testing records (if applicable). Please include a list of drivers assigned to your random testing pool, all pre-employment tests for all new hires in the last 12 months and the annual report for the last calendar year.
6. Records of duty status with supporting documentation (time cards, log books, trip records, etc.), for the previous six months.
7. Maintenance records, including Annual DOT inspections & driver vehicle inspection reports (DVIR's).
8. Accident register for any DOT recordable accidents.
9. Gross operating revenue for the prior fiscal year.
10. Total operating miles for vehicles operated under your permit, for the previous 12 months.
11. Vehicle(s) for inspection. *(If available)*.
12. Driver's list with hire dates driver license numbers.
13. Federal Employee Identification Number (FEIN).
14. Response to the attached Safety Review Questionnaire.

Your appointment is scheduled for: Tuesday June 18, 2013 @ 7:00:00am.

If you have any questions, please contact me at 360-664-1238 (office) or 360-701-1603 (cell) or email jfoster@utc.wa.gov

Respectfully,

John Foster
MCLE Special Investigator



[Print](#)

[Close](#)

Interstate Safety Audit and intrastate Compliance Review

From: **Foster, John (UTC)** (JFoster@utc.wa.gov)

Sent: Mon 5/20/13 12:10 PM

To: amicoaches@live.com (amicoaches@live.com)

3 attachments

CR Appointment letter.doc (209.4 KB) , Safety Audit Appointment letter.doc (209.4 KB) , SAFETY REVIEW QUESTIONNAIRE.doc (27.2 KB)



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

May 23, 2013

Steve Valentinetti, Manager
AMI Coaches, LLC
14644 9th Ave SW
Burien, WA 98166

RE: Correction to May 15, 2013, Compliance Letter

Dear Mr. Valentinetti:

On May 15, 2013, I sent the enclosed letters to AMI Coaches, LLC (AMI Coaches) and Amtrak. In April 2013, staff of the Washington Utilities and Transportation Commission (commission) received information that AMI Coaches had transported passengers for Amtrak following a train derailment caused by mudslides.

At the time that this transportation occurred, commission staff obtained information from the Federal Motor Carrier Safety Administration's (FMCSA) website (safer.fmcsa.dot.gov) which showed that AMI Coaches was "not authorized" as an interstate carrier of passengers. A copy of the screen print our field staff person captured on April 8, 2013, showed the following information:

See profile:

SAFER Layout			
Entity Type:	Carrier		
Operating Status:	NOT AUTHORIZED	Out of Service Date:	None
Legal Name:	AMI COACHES LLC		
DBA Name:	AMI		
Physical Address:	14644 9TH AVE SW SEATTLE, WA 98166		
Phone:	(206) 423-5000		
Mailing Address:	14644 9TH AVE SW SEATTLE, WA 98166		
USDOT Number:	2351390	State Carrier ID Number:	

MC/MX/EE Number(s):		DUNS Number:	--																																								
Power Units:	5	Drivers:	1																																								
MCS-150 Form Date:	10/18/2012	MCS-150 Mileage Year:																																									
Operation Classification:																																											
<table border="1"> <thead> <tr> <th colspan="2">Operation Classification</th> <th colspan="2">SAFER Layout</th> <th colspan="2">SAFER Layout</th> <th colspan="2">SAFER Layout</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>Auth. For Hire</td> <td></td> <td>Priv. Pass.(Non-business)</td> <td></td> <td>State Gov't</td> <td></td> <td></td> </tr> <tr> <td></td> <td>Exempt For Hire</td> <td></td> <td>Migrant</td> <td></td> <td>Local Gov't</td> <td></td> <td></td> </tr> <tr> <td></td> <td>Private(Property)</td> <td></td> <td>U.S. Mail</td> <td></td> <td>Indian Nation</td> <td></td> <td></td> </tr> <tr> <td>X</td> <td>Priv. Pass. (Business)</td> <td></td> <td>Fed. Gov't</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Operation Classification		SAFER Layout		SAFER Layout		SAFER Layout		X	Auth. For Hire		Priv. Pass.(Non-business)		State Gov't				Exempt For Hire		Migrant		Local Gov't				Private(Property)		U.S. Mail		Indian Nation			X	Priv. Pass. (Business)		Fed. Gov't				
Operation Classification		SAFER Layout		SAFER Layout		SAFER Layout																																					
X	Auth. For Hire		Priv. Pass.(Non-business)		State Gov't																																						
	Exempt For Hire		Migrant		Local Gov't																																						
	Private(Property)		U.S. Mail		Indian Nation																																						
X	Priv. Pass. (Business)		Fed. Gov't																																								
Carrier Operation:																																											
<table border="1"> <thead> <tr> <th colspan="2">Carrier Operation</th> <th colspan="2">SAFER Layout</th> <th colspan="2">SAFER Layout</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>Interstate</td> <td></td> <td>Intrastate Only (HM)</td> <td></td> <td>Intrastate Only (Non-HM)</td> </tr> </tbody> </table>				Carrier Operation		SAFER Layout		SAFER Layout		X	Interstate		Intrastate Only (HM)		Intrastate Only (Non-HM)																												
Carrier Operation		SAFER Layout		SAFER Layout																																							
X	Interstate		Intrastate Only (HM)		Intrastate Only (Non-HM)																																						

According to FMCSA staff, a company's operating status can show as "Not Authorized" when a company has applied for an MC number but the process has not been completed. It appears that AMI Coaches was granted authority on April 29, 2013:

 U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Licensing and Insurance Public

Menu Choose Menu Option 

Authority History

US DOT:	2351390	Docket Number:	MC016340
Legal Name:	AMI COACHES LLC		
Sub	Auth Type	Original Action	Disposition
	MOTOR PASSENGER COMMON CARRIER	GRANTED	04/29/2013

[Carrier Details](#) | [Active/Pending Insurance](#) | [Rejected Insurance](#) | [Insurance History](#) | [Pending Application](#) | [Revocation](#)

May 23, 2013

 [FMCSA Home](#) | [DOT Home](#) | [Feedback](#) | [Privacy Policy](#) | [USA.gov](#) | [Freedom of Information Act \(FOIA\)](#) | [Accessibility](#) | [OIG Hotline](#) | [Web Policies and Important Links](#) | [Trucks](#) | [Related Sites](#) | [Help](#)

Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE, Washington, DC 20590 • 1-800-832-5860 • TTY: 1-800-877-8337 • [FICLI Office Contacts](#)

AMI currently has interstate authority. We apologize for any inconvenience our previous letter may have caused.

Sincerely,



David Pratt, Assistant Director
Transportation Safety

Enclosures

cc: Rob Eaton, Director of Government Affairs, Amtrak

26

UTC	AMI COACHES LLC (AMI dba) USDOT#: 2351390	Review Date: 6/18/2013
Part B - Questions and Answers		
An asterisk (*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.		
Question General # 1 Section # 387.7(a) Acute		Answer
Does the carrier have the required minimum level of financial responsibility in effect (property carrier)?		N/A
Question General # 2 Section # 387.7(d) Critical		Answer
Does the carrier have required proof of financial responsibility (property carrier)?		N/A
Question General # 3 Section # 387.31(a) Acute		Answer
Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)?		Yes
Comments Carrier is covered for \$5,000,000.00 CSL by occidental Fire & Casualty Company of NC, policy # CA00037950.		
Question General # 4 Section # 387.31(d) Critical		Answer
Does the carrier have required proof of financial responsibility (passenger carrier)?		Yes
Comments MCS 90 is attached. Insurance Also verified on the FMCSA L&I website on 6/18/13		
Question General # 5 Section # 13901 (392.9a(a)(1))		Answer
Is the motor carrier authorized to conduct interstate operations in the United States?		Yes
Comments Authority verified on the FMCSA L&I website on 6/18/13		
Question General # 6 Section # 390.15(b)(1)		Answer
Can the carrier provide a complete accident register of recordable accidents?		N/A
Question General # 7 Section # 390.15(b)(2) Critical		Answer
Does the carrier have copies of all accident reports required by States or other government entities or insurers?		N/A
Question General # 8 Section # 390.3(e)		Answer
Is the carrier knowledgeable of the FMCSRs/HMRs?		Yes
Comments Carrier has internet access		
Question General # 9 Section # 390.21		Answer
Does the carrier know the commercial motor vehicles marking requirements?		Yes
Question Driver # 1 Section # 391.51(a) Critical		Answer
Does the carrier maintain driver qualification files?		No *
Additional Documents Required Driver qualification files; Up to three (3) files which include newly hired drivers if applicable.		
Comments Driver Steve Valentinelli, Trip date 5/18/13. File is missing employment application, previous employer check, drivers abstract, and road test.		



Question Driver # 2 Section # 391.11(b)(4) Acute Is the carrier using physically qualified drivers?	Answer Yes
Question Driver # 3 Section # 391.45(a), 391.45(b) Critical Is the carrier using a driver without a medical certificate or with an expired medical certificate?	Answer No
Question Driver # 4 Section # 391.15(a) Acute Is the carrier using any disqualified drivers?	Answer No
Question Driver # 5 Section # 391.51(b)(2) Critical Does the carrier maintain driving inquiry data in driver qualification files?	Answer No *
Additional Documents Required Up to three driving records for the past three years	
Comments Steve Valentinelli, 5/18/13. Carrier has made no inquiries into driving record.	
Question Driver # 6 Section # 382.115(a), 382.115(b) Acute Has the carrier implemented an alcohol and/or controlled substances testing program?	Answer Yes
Question Driver # 7 Section # 382.213(b) Acute Has the carrier used drivers who have used controlled substances?	Answer No
Question Driver # 8 Section # 382.215 Acute Has the carrier used a driver who has tested positive for a controlled substance?	Answer No
Question Driver # 9 Section # 382.201 Acute Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	Answer No
Question Driver # 10 Section # 382.505(a) Acute Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?	Answer No
Question Driver # 11 Section # 382.301(a) Critical Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?	Answer Yes
Question Driver # 12 Section # 382.303(a) Critical Has the carrier conducted post accident testing on drivers for alcohol?	Answer N/A
Question Driver # 13 Section # 382.303(b) Critical Has the carrier conducted post accident testing on drivers for controlled substances?	Answer N/A
Question Driver # 14 Section # 382.305 Acute Has the carrier implemented random testing program?	Answer Yes
Question Driver # 15 Section # 382.305(b)(1) Critical Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or prorated rate of the average number of driver positions?	Answer N/A
Comments Carrier was not in operation during the last calendar year.	



23

Question Driver # 16 Section # 382.305(b)(2) Critical	Answer
Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the applicable annual rate of the average number of driver positions?	N/A
Comments Carrier was not in operation during the last calendar year.	
Question Driver # 17 Section # 40.305(a)	Answer
Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?	N/A
Question Driver # 18 Section # 40.309(a)	Answer
Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?	N/A
Question Driver # 19 Section # 382.211 Acute	Answer
Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	N/A
Question Driver # 20 Section # 382.503 Critical	Answer
Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?	N/A
Question Driver # 21 Section # 383.23(a) Critical	Answer
Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?	Yes *
Additional Documents Required State Motor Vehicle Records showing issue has been resolved. If employee has been terminated, carrier must submit a written statement providing date of termination.	
Comments Steve Valentinetti, Trip date 5/21/13. CDL has no Passenger endorsement.	
Question Driver # 22 Section # 383.37(a) Acute	Answer
Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?	No
Question Driver # 23 Section # 383.51(a) Acute	Answer
Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?	No
Question Operations # 1 Section # 395.1(e)(1), 395.1(e)(2)	Answer
Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?	No *
Comments Steve Valentinetti, trip date 5/21/13. Carriers time record does not record total on duty time as required.	
Question Operations # 2 Section # 395.8(a) Critical	Answer
Does the carrier require drivers to make a record of duty status?	No *
Additional Documents Required 30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers.	
Comments Steve Valentinetti, trip date 5/21/13. Carriers time record used in lieu of a log book does not record total on duty time as required. James Mondry, 6/9/13 & Kenneth McAllister, 6/9/13. Mr. Valentine stated that drivers do not complete log books. Carrier's records are incomplete and do not meet the exemptions on 395.1.	

Question Operations # 3 Section # 395.8(i) Critical	Answer
Does the carrier require drivers to submit records of duty status within 13 days?	No *
Additional Documents Required	
30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers.	
Comments	
Steve Valentinetti, trip date 5/21/13. Carriers time record used in lieu of a log book does not record total on duty time as required.	
Question Operations # 4 Section # 395.8(k)(1) Critical	Answer
Can the carrier produce records of duty status and supporting documents for selected drivers?	No *
Additional Documents Required	
30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers. Evidence that supporting documents are maintained, i.e., fuel receipts, toll receipts.	
Comments	
Steve Valentinetti, trip date 5/21/13. Carriers time record used in lieu of a log book does not record total on duty time as required.	
Question Operations # 5 Section # 395.3(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)	N/A
Question Operations # 6 Section # 395.3(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)	N/A
Question Operations # 7 Section # 395.3(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)	N/A
Question Operations # 8 Section # 395.3(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)	N/A
Question Operations # 9 Section # 395.5(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)	No
Question Operations # 10 Section # 395.5(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)	No
Question Operations # 11 Section # 395.5(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)	N/A
Question Operations # 12 Section # 395.5(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)	No
Question Operations # 13 Section # 395.8(e) Critical	Answer
Does available evidence indicate a selected driver has prepared a false record of duty status?	No



Question Operations # 14 Section # 392.2 Critical	Answer
Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	No *
Additional Documents Required	
Statement outlining how the discovered violation was handled.	
Comments	
Steve Valentinetti, trip date 5/18/13. Driver was cited during roadside inspection for no medical certificate on file.	
Question Operations # 15 Section # 392.9(a)(1) Critical	Answer
Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	N/A
Question Operations # 16 Section # 392.4(b) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?	No
Question Operations # 17 Section # 392.5(b)(1) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?	No
Question Operations # 18 Section # 392.5(b)(2) Acute	Answer
Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?	No
Question Maintenance # 1 Section # 396.3(b) Critical	Answer
Can the carrier produce maintenance files for requested vehicle(s)?	Yes
Question Maintenance # 2 Section # 396.17(a) Critical	Answer
Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?	Yes
Question Maintenance # 3 Section # 396.11(a) Critical	Answer
Does the motor carrier require drivers to complete vehicle inspection reports daily?	Yes
Question Maintenance # 4 Section # 396.11(c) Acute	Answer
Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?	N/A
Question Maintenance # 5 Section # 396.9(c)(2) Acute	Answer
Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?	N/A
Question Maintenance # 6 Section # 396.19	Answer
Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?	Yes
Question Maintenance # 7 Section # 396.3	Answer
Can the carrier explain its systematic, periodic maintenance program?	Yes
Question Other # 1 Section # 375.211	Answer
Does the carrier participate in an Arbitration Program?	N/A
Question Other # 2 Section # 13702.0	Answer
Does the carrier assess shipper freight charges based upon published tariffs?	N/A



Question Other # 3 Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges?	Answer N/A
Question Other # 4 Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices?	Answer N/A
Question Other # 5 Section # 387.301(a), 387.301(b) Does the HHG carrier have sufficient levels of public liability and cargo insurance?	Answer N/A
Question Other # 6 Section # 375.215 Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215).	Answer N/A
Question Other # 7 Section # 375.213 Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior to executing an order for service?	Answer N/A
Question Other # 8 Section # 49 CFR 37 subpart H Does the carrier have the means to provide accessible over-the-road bus (OTRB) service on a 48-hour advance notice basis by its owned or leased OTRBs?	Answer N/A
Question Other # 9 Section # 49 CFR 37 subpart H If the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs?	Answer N/A

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.



27

32

UTC	AMI COACHES LLC (AMI dba) USDOT#: 2351390	Review Date: 6/18/2013
Part B Requirements and/or Recommendations		

1. Obtain a copy of each driver's driving record and review it annually.
2. Maintain complete driver qualification files. File must contain the drivers employment application, inquiry into driving record obtained within 30 days of employment, employment history investigation, certification of annual review of driving record, annual copy of driving record, drivers annual list of traffic convictions, certificate of road test or equivalent and current medical certificate. Ensure that the driver application contains all required information including date of birth, SSN, 3 year work history (7 additional years for commercial driving experience), type of equipment operated, accident and driving history.
3. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
4. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
5. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
6. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
7. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
8. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
9. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
10. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.



28

Washington Utilities & Transportation Commission

UTC UTILITY & TRANSPORTATION COMMISSION	USDOT# 2351390	Legal: AMI COACHES LLC	
		Operating (DBA): AMI	
MC/MX #: 816340		State #:	Federal Tax ID: [REDACTED]
Review Type: Safety Audit – New Entrant		Location of Review/Audit: Company Facility in the U.S.	
Scope: Entire Operation		Territory:	
Operation Types	Interstate	Intrastate	
Carrier: Non-HM	Non-HM		Business: Corporation
Shipper: N/A	N/A		Gross Revenue: \$80000
Cargo Tank: N/A			for year ending: 12/31/2013
Company Physical Address:			
14644 9TH AVE SW SEATTLE, WA 98166, UNITED STATES			
Contact Name: Steve Valentinetti			
Phone numbers: (1) 2064235000		(2)	Fax
E-Mail Address: amicoaches@live.com			
Company Mailing Address:			
14644 9TH AVE SW SEATTLE, WA 98166, UNITED STATES			
Carrier Classification			
Authorized for Hire; Private Passenger, Business			
Cargo Classification			
Passengers			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? No			
Driver Information			
	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:	0	2	Total Drivers: 3
>= 100 Miles:	1	0	CDL Drivers: 3
Equipment			
	Owned	Term Leased	Trip Leased
Motor Coach	2	0	0
Power units used in the U.S.:	2		
Percentage of time used in the U.S.:	100		



UTC AMI COACHES LLC (AMI dba) USDOT#: 2351390	Review Date: 6/18/2013
--	---

Part B

Factor	Automatic Failure Questions	Factor	Automatic Failure Questions
1. General	0	4. Maintenance	0
2. Driver	1	5. HAZ MAT	0
3. Operations	1		

Corrective Action and/or Appeal Procedures

The new entrant safety audit performed was required under Part 385 of Title 49 of the Code of Federal Regulations (specifically 49 CFR section 385.307(b)) when your company applied as a new entrant to operate commercial vehicle(s) in interstate commerce within the United States. As a result of the audit, the Federal Motor Carrier Safety Administration (FMCSA) will send notice of its determination. If the result of a safety audit is FAIL, FMCSA has determined that basic safety management controls necessary to ensure safe operations within the United States have not been established.

PROHIBITION: Under 49 CFR 385.319 and 385.325, if FMCSA determines that the safety audit disclosed that a new entrant motor carrier's basic safety management controls are inadequate, the motor carrier's USDOT new entrant registration will be revoked and FMCSA will order its operations out-of-service unless the motor carrier takes required actions to remedy its safety management practices. The new entrant registration revocation and out-of-service prohibition takes effect unless the motor carrier, within 60 days of the date of the forthcoming official notice, takes the necessary steps to remedy its safety management practices. A new entrant motor carrier may not operate in interstate commerce on or after the effective date of an out-of-service order.

In accordance with 49 CFR section 385.319, you will be required to submit corrective actions for violations discovered during the safety audit.

Violations:

Question Driver # 21 Section # 383.23(a) Critical Has a driver operated a CMV without a current/proper CDL?	Answer Yes *
Additional Documents Required State Motor Vehicle Records showing issue has been resolved. If employee has been terminated, carrier must submit a written statement providing date of termination.	
Question Operations # 2 Section # 395.8(a) Critical Does the carrier require drivers to make a record of duty status?	Answer No *
Additional Documents Required 30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers.	

Administrative Review: A motor carrier that believes FMCSA has committed an error in determining that its basic safety management controls are inadequate may request an administrative review pursuant to 49 CFR section 385.327. Such request for administrative review must be made within 90 days of the date of FMCSA's notice. If you want to assure that FMCSA will be able to issue a final written decision on the request for administrative review before the new entrant registration of your company is revoked and the operations placed out of service you must submit your request within 15 days of FMCSA's notice. The request for administrative review must be made in writing to the Field Administrator for the Western Service Center. The request must explain the error you believe the FMCSA committed in its determination and include a list of all factual and procedural issues in dispute. Any other information or documents that support your argument also should be included. Your request for an administrative review and any supporting documentation should be forwarded to:

Field Administrator
 FMCSA
 12600 W. Colfax, Suite B-300
 Lakewood, CO 80215



32

UTC AMI COACHES LLC (AMI dba) USDOT#: 2351390	Review Date: 6/18/2013
--	---

Part B

Factor	Automatic Failure Questions	Factor	Automatic Failure Questions
1. General	0	4. Maintenance	0
2. Driver	1	5. HAZ MAT	0
3. Operations	1		

Corrective Action and/or Appeal Procedures

The new entrant safety audit performed was required under Part 385 of Title 49 of the Code of Federal Regulations (specifically 49 CFR section 385.307(b)) when your company applied as a new entrant to operate commercial vehicle(s) in interstate commerce within the United States. As a result of the audit, the Federal Motor Carrier Safety Administration (FMCSA) will send notice of its determination. If the result of a safety audit is FAIL, FMCSA has determined that basic safety management controls necessary to ensure safe operations within the United States have not been established.

PROHIBITION: Under 49 CFR 385.319 and 385.325, if FMCSA determines that the safety audit disclosed that a new entrant motor carrier's basic safety management controls are inadequate, the motor carrier's USDOT new entrant registration will be revoked and FMCSA will order its operations out-of-service unless the motor carrier takes required actions to remedy its safety management practices. The new entrant registration revocation and out-of-service prohibition takes effect unless the motor carrier, within 60 days of the date of the forthcoming official notice, takes the necessary steps to remedy its safety management practices. A new entrant motor carrier may not operate in interstate commerce on or after the effective date of an out-of-service order.

In accordance with 49 CFR section 385.319, you will be required to submit corrective actions for violations discovered during the safety audit.

Violations:

Question Driver # 21 Section # 383.23(a) Critical Has a driver operated a CMV without a current/proper CDL?	Answer Yes *
Additional Documents Required State Motor Vehicle Records showing issue has been resolved. If employee has been terminated, carrier must submit a written statement providing date of termination.	
Question Operations # 2 Section # 395.8(a) Critical Does the carrier require drivers to make a record of duty status?	Answer No *
Additional Documents Required 30 consecutive days of records of duty status or time cards (if applicable) on each driver for up to 3 drivers.	

Administrative Review: A motor carrier that believes FMCSA has committed an error in determining that its basic safety management controls are inadequate may request an administrative review pursuant to 49 CFR section 385.327. Such request for administrative review must be made within 90 days of the date of FMCSA's notice. If you want to assure that FMCSA will be able to issue a final written decision on the request for administrative review before the new entrant registration of your company is revoked and the operations placed out of service you must submit your request within 15 days of FMCSA's notice. The request for administrative review must be made in writing to the Field Administrator for the Western Service Center. The request must explain the error you believe the FMCSA committed in its determination and include a list of all factual and procedural issues in dispute. Any other information or documents that support your argument also should be included. Your request for an administrative review and any supporting documentation should be forwarded to:

Field Administrator
 FMCSA
 12600 W. Colfax, Suite B-300
 Lakewood, CO 80215



32

 AMI COACHES LLC (AMI dba) USDOT#: 2351390	Review Date: 6/18/2013
Part B	

Your Proposed Safety Audit Result is: **FAIL**

Explanation of Scoring Methodology

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	0	0	—	0	PASS
2. Driver	3	0	—	3	FAIL
3. Operations	4	0	—	4	FAIL
4. Maintenance	0	0	PASS — 0.00 %	0	PASS
5. Hazardous Materials	—	—	—	—	—
6. Accidents	—	—	PASS — 0.00	—	PASS
SUM	7	0		7	FAIL

Result: Carrier does NOT have adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE SA IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

July 10, 2013

Steve Valentinetti, Manager
AMI Coaches, LLC
14644 9th Ave SW
Burien, WA 98166

RE: Safety Violations – Follow-up Inspection – Action Plan

Dear Mr. Valentinetti:

On June 18, 2013, Washington Utilities and Transportation Commission (commission) staff conducted a compliance review inspection of AMI Coaches, LLC (AMI Coaches). During that inspection, Motor Carrier Safety Inspector John Foster found numerous violations, resulting in a proposed unsatisfactory safety rating for AMI Coaches. A copy of the compliance review report is enclosed for your reference.

Safety Violations

The commission's rules require passenger transportation companies to comply with Title 49, Code of Federal Regulations (CFR)¹. During the compliance review, Mr. Foster found **117 specific violations** as follows:

- **1 violation** of CFR Part 382.601(a) – Failing to provide educational materials explaining requirements of Part 382 and employer's policies.
- **1 violation** of CFR Part 383.37(a) – Knowingly allowing, requiring, permitting or authorizing an employee with a Commercial Driver's License which is suspended, revoked, or canceled by a state or who is disqualified to operate a commercial motor vehicle. (*Acute violation.*)
- **1 violation** of CFR Part 391.45(a) – Using a driver not medically examined and certified.
- **3 violations** of CFR Part 391.51(a) – Failing to maintain driver qualification file on each driver employed. (*Critical violations*)

¹ WAC 480-30-221, Vehicle and driver safety requirements, enclosed.

- No driver has not been employed 30 days
- 37 violations of CFR Part 395.8(a) – Failing to require driver to make a record of duty status. (**Critical violations**)
 - 37 violations of CFR Part 395.8(k)(1) – Failing to preserve driver's records of duty status supporting documents for six months. (**Critical violations**) We have record
 - 37 violations of CFR Part 396.11(a) – Failing to require driver to prepare driver vehicle inspection report. (**Critical violations**) John didn't approve of form.
- Vehicle inspection report, first didn't meet John's expectation/requirement due to missing signature. Form was updated with signature added, before John had left.

Safety Action Plan

AMI Coaches received an unsatisfactory safety rating during this inspection. An unsatisfactory safety rating means a motor carrier does not have adequate safety management controls in place to ensure compliance with safety fitness standards.² Motor carriers must meet the safety fitness standard set forth in CFR Part 385. To meet the safety fitness standard, the motor carrier must demonstrate that it has adequate safety management controls in place, which function effectively to ensure acceptable compliance with applicable safety requirements. Part 385.3 defines safety management controls as the systems, policies, programs, practices, and procedures used by a motor carrier to ensure compliance with applicable safety and hazardous materials regulations which ensure the safe movement of products and passengers through the transportation system, and to reduce the risk of highway accidents and hazardous materials incidents resulting in fatalities, injuries, and property damage.

No later than July 25, 2013, you must provide a written safety action plan addressing each violation discovered during the compliance review. The safety action plan must include:

- Specific information about the actions AMI Coaches has taken to correct the violations noted, with added attention and documentation given to the acute and critical violations.
- Specific actions taken to ensure the violations do not reoccur and long term goals of continuing efforts to stay in compliance in the future.
- A written statement that AMI Coaches will operate in compliance with the commission rules.

Commission staff will review the safety plan to determine if it satisfactorily addresses each of these items. We are very concerned about AMI Coaches' operations and safety practices. Commission staff will schedule a follow-up inspection with AMI Coaches in approximately 60 days. Be advised that if our staff finds repeat acute or critical violations or if AMI Coaches receives a conditional or unsatisfactory safety rating, we will recommend the commission take enforcement action against AMI Coaches. This could include monetary penalties and suspension of AMI Coaches' charter and excursion authority.

² 49 CFR Part 385—Safety Fitness Procedures – 385.3 – Definitions and acronyms.

Steve Valentinetti
July 10, 2013
Page 3

Please send your written safety action plan to Betty Young, Compliance Investigator, Transportation Safety, Washington State Utilities and Transportation Commission, by email to byoung@utc.wa.gov or by regular mail to P.O. Box 47250, Olympia, WA 98504. If you have questions, Ms. Young can be reached at (360) 664-1202, or by e-mail at the address listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "David Pratt". The signature is stylized with large, flowing loops and a long horizontal stroke at the end.

David Pratt
Assistant Director, Transportation Safety

Enclosures

WAC 480-30-221 Vehicle and driver safety requirements

(1) Companies must comply with all state and local laws and rules governing licensing, vehicle safety, and driver safety. Companies must also comply with the parts of Title 49, Code of Federal Regulations (49 C.F.R.), adopted by reference, that are shown in the following chart. Information about 49 C.F.R., including the version adopted by the commission and where to obtain copies is set out in WAC 480-30-999.

49 C.F.R. Part:		Notes:
Part 40 -	Procedures For Transportation Workplace Drug and Alcohol Testing Programs	Entire Part 40 is adopted and applies to Washington intrastate operations.
Part 382 -	Controlled Substance and Alcohol Use and Testing	Entire Part 382, including definition of commercial motor vehicle, is adopted and applies to Washington intrastate operations.
Part 383 -	Commercial Driver's License Standards; Requirements and Penalties	Entire Part 383, including definition of commercial motor vehicle, is adopted and applies to Washington intrastate operations.
Part 379 -	Preservation of Records	Entire Part 379 is adopted and applies to Washington intrastate operations.
Part 380 -	Special Training Requirements	Entire Part 380 is adopted and applies to Washington intrastate operations.
Part 385 -	Safety Fitness Procedures	Entire Part 385 is adopted and applies to Washington intrastate operations.
Part 390 -	Safety Regulations, General	Entire Part 390 is adopted and applies to Washington intrastate operations, with the following exceptions:
		(1) The terms "motor vehicle," "commercial motor vehicle," and "private vehicle" are not adopted. Instead, where those terms are used in Title 49 C.F.R., they have the meanings assigned to them in WAC <u>480-30-036</u> (Motor vehicle and private vehicle) and WAC <u>480-30-211</u> (Commercial motor vehicle).
		(2) Whenever the term "director" is used in Title 49 C.F.R., it means the commission.
Part 391 -	Qualification of Drivers	Entire Part 391 is adopted, with the following exceptions:
		(1) Part 391.49 (alternative physical qualification standards for the loss or impairment of limbs) is not adopted for drivers who operate vehicles exclusively within Washington state. Instead refer to WAC <u>480-30-226</u> for intrastate medical waivers.
Part 392 -	Driving of Motor Vehicles	Entire Part 392 is adopted and applies to

		Washington intrastate operations.
Part 393 -	Parts and Accessories Necessary for Safe Operation	Entire Part 393 is adopted and applies to Washington intrastate operations.
Part 395 -	Hours of Service of Drivers	Entire Part 395 is adopted and applies to Washington intrastate operations.
Part 396 -	Inspection, Repair, and Maintenance	Entire Part 396 is adopted and applies to Washington intrastate operations.
Part 397 -	Transportation of Hazardous Materials, Driving and Parking Rules	Entire Part 397 is adopted and applies to Washington intrastate operations.

(2) Companies must:

(a) Maintain all motor vehicles in a safe and sanitary condition; and

(b) Ensure that vehicles are free of defects likely to result in an accident or breakdown.

(3) No company, its agents, officers, or employees, will allow any article, commodity, or substance to be loaded in or on any motor vehicle used by the company to transport passengers that is dangerous to the lives and safety of passengers.

(4) No company, its agents, officers, or employees will allow any article, commodity, or substance to be loaded in or on any motor vehicle used by the company to transport passengers that is prohibited by the hazardous materials rules in Title 49 C.F.R. from being transported on passenger-carrying vehicles.

(5) All motor vehicles operated under the provisions of this chapter are at all times subject to inspection by the commission or its duly authorized representatives.

(6) The commission will place out-of-service any motor vehicle having safety defects identified in the *North American Uniform Out-Of-Service Criteria*. Information about the *North American Uniform Out-Of-Service Criteria* including the version adopted and where to obtain copies is set out in WAC 480-30-999. A company must not operate any vehicle placed out-of-service until proper repairs have been completed.

(7) The commission will place out-of-service any driver meeting criteria identified in the *North American Uniform Out-Of-Service Criteria*. A company must not allow a driver who has been placed out-of-service to operate a motor vehicle until the conditions causing the driver to be placed out-of-service have been corrected.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. 11-04-041 (Docket A-101466, General Order R-562), § 480-30-221, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 80.01.040, 81.04.160, 81.12.050, 81.68.030, and 81.70.270. 06-13-006 (General Order No. R-533, Docket No. TC-020497), § 480-30-221, filed 6/8/06, effective 7/9/06.]

Date:

10/22/2013 - present

**Statement of Drug and Alcohol Testing Services
Provided by U.S. HealthWorks
Random Selection Services**

Retain this document for your drug and alcohol testing records.

This certifies that:

AMI Coaches/Airline Shuttle
14644 9th Ave SW
Burien, WA 98166

ATTN: Steve Valentinetti

Is a member of Random Selection Services (RSS) and is receiving drug and alcohol testing services.

Random Selection Services (RSS) provides drug and alcohol testing services for our members that must comply with Federal and Department of Transportation procedures for transportation workplace drug and alcohol testing programs, 49 CFR 40, et.al. and other state requirements and programs.

Drug testing pursuant to Department of Transportation regulations is performed by SAMSHA certified laboratories authorized to perform testing under DHHS and DOT standards.

Medical Review Officer (MRO) services are performed by US HealthWorks, 28035 Avenue Stanford West, Valencia, CA 91355 (800) 340-3810.

RSS uses Microsoft SQL based Drug and Alcohol Program Management Software to fulfill drug and alcohol testing requirements specified by the Department of Transportation (DOT). The software automatically calculates the number of random drug and alcohol tests your company must perform to meet the minimum requirements. Employers with only one or a small number of covered positions will be aggregated with other small companies in a consortium pool.

This certificate does not guarantee compliance. Please call for information.

US HealthWorks
28035 Avenue Stanford West
Valencia, CA 91355
800-340-3810
Fax 661-678-2390

CERTIFICATE OF COMPLETION

**Supervisor Compliance
Training Department
Supervisor Course**

**REASONABLE SUSPICION:
Drug & Alcohol Awareness Training**

Steve Valentinetti

has completed the Mandatory 2-Hour Training
on

60 Minutes Alcohol Awareness

60 Minutes Drug Education

Test Score: 100%

Graduation Date: 3/26/2013

Satisfies the Department of Transportation
49 CFR Part 382.603 for Mandatory Supervisor Training



Supervisor Compliance Training Department
1201 N. Orange St. Suite 7138
Wilmington, De 19801

38

0431500047

eScreen

PO Box 25902

Overland Park, KS 66225-5902

(800) 881-0722

Custody Control Form

86667115

Lab ID: ALERE

Lab Panel ID: 1200

Lab Acct #: C0328040

Panels: 5 PANEL STANDARD (1200)

Alere

Toxicology

Lab Address:

1111 Newton St.

Gretna, LA 70100

Lab Acct #: C0328040

eScreen

Company Account: 32804-20

STEP 1.

AMI COACHES

14644 9TH AVE SW

BURIEN WA 98166

206-242-2003

STEPHEN VALENTINETTI

Medical Review Officer

Dr. Stephen Kracht

Dr. Stephen Kracht

7500 W. 110th St, Ste 400A

Overland Park KS 66225

Step 2.

TO BE COMPLETED BY COLLECTOR

Specimen temperature for urine specimens must be read within 4 minutes of collection.

Specimen temperature within range: Yes

Verified Donor ID ☒

Step 3. TO BE COMPLETED BY COLLECTOR AND DONOR

Collector affixes bottle seal on specimen.

Type:

☒ Urine ☐ Oral ☐ Blood ☐ Hair ☐ Breath ☐ Split Specimen

STEP 4.

Reason For Test:

☐ Pre-employment☐ Return To Duty☐ Promotion☐ Periodic Medical☒ Random☐ Diversion☐ Post Accident☐ Follow Up☐ Transfer☐ Other☐ Reasonable suspicion/cause

Step 5.

TO BE VERIFIED BY DONOR

[Redacted] [Redacted] [Redacted]
Date of Birth Day Month Year

Evening Phone Number

VALENS457RF

Drivers License

I certify that I provided my specimen to the collector, that I have not adulterated it in any manner, that the specimen bottle used was sealed with a tamper-evident seal in my presence, and that the information provided on this form and on the label affixed to the specimen bottle is correct. I hereby authorize the collector and testing service or laboratory (specifically including, but not limited to, eScreen, Inc.) to release the results of the test to the Company/Employer or their Designee.

STEVE VALENTINETTI

Donor's Name

5/18/2013 2:48:07 PM CST

Date & Time



Signature of Donor

Step 6.

TO BE VERIFIED BY COLLECTOR

Name of Collection Site, Address, City, ST, Zip

Doctors Express - Kent

18012 68TH AVE S STE 101

KENT WA 98032

Collection Site ID

32804

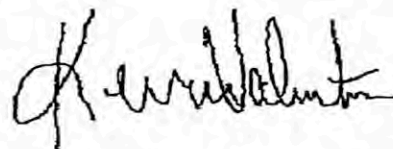
I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification in Step 5 of this custody control form, that it bears the same specimen identification number as that set forth above, and that it has been collected, labeled and sealed as in accordance with applicable requirements.

Kevin Valentine

Collector's Name

5/18/2013 2:48:07 PM CST

Date & Time



Signature of Collector

Remarks:

Step 7. LAB RECEIVED

Seal Intact: ☐ Yes ☐ No

Shipper:

Specimen Bottle(s) Released To

Date & Time

Signature

ORIGINAL MUST ACCOMPANY SPECIMEN TO LABORATORY

**HealthWorks**

MEDICAL GROUP

A Dignity Health Member

*The Right Care, Right Away***National Medical Review Office**

28035 Avenue Stanford West

Valencia, CA 91355

(800) 340-3810 (661) 678-2390 fax

DOT Mandated Urine Drug Test Results

Reviewed in accordance with Federal 49 CFR §40, §382 and §655

To:	HR Manager
Company:	AMI Coaches/Airline Shuttle
DOT Agency	FMCSA
Donor:	██████████alentinetti
SSN:	██████████
Date of Test:	8/30/2013 <i>Hired</i>
Reason for Test:	Pre-Employment
Laboratory:	CRL
Specimen ID:	2018929925
CCF Received:	8/31/2013
Date Verified:	9/4/2013
Verified:	Negative

Donald Bucklin, MD, MRO*Reviewed by: Sarah Cadena*

If this transmission is incomplete or illegible, please call us at (800) 340-3810.

If it has been misdirected to you, or if this fax machine is not in a secure area, please call us immediately.

Confidential



HealthWorks
MEDICAL GROUP

A Dignity Health Member

The Right Care, Right Away

National Medical Review Office

28035 Avenue Stanford West

Valencia, CA 91355

(800) 340-3810 (661) 678-2390 fax

DOT Mandated Urine Drug Test Results

Reviewed in accordance with Federal 49 CFR §40, §382 and §655

To:	HR Manager
Company:	AMI Coaches/Airline Shuttle
DOT Agency	FMCSA
Donor:	[REDACTED] McAllister
SSN:	[REDACTED]
Date of Test:	8/30/2013
Reason for Test:	Pre-Employment <i>HIRE</i>
Laboratory:	CRL
Specimen ID:	2018915458
CCF Received:	8/31/2013
Date Verified:	9/4/2013
Verified:	Negative

Donald Bucklin, MD, MRO

Reviewed by: Sarah Cadena

If this transmission is incomplete or illegible, please call us at (800) 340-3810.

If it has been misdirected to you, or if this fax machine is not in a secure area, please call us immediately.

Confidential



HealthWorks[®]
MEDICAL GROUP

A Dignity Health Member

The Right Care, Right Away

National Medical Review Office

28035 Avenue Stanford West

Valencia, CA 91355

(800) 340-3810 (661) 678-2390 fax

DOT Mandated Urine Drug Test Results

Reviewed in accordance with Federal 49 CFR §40, §382 and §655

To: Steve Valentinetti
Company: AMI Coaches/Airline Shuttle
DOT Agency: FMCSA
Donor: [REDACTED] Tucker
SSN: [REDACTED]
Date of Test: 8/30/2013
Reason for Test: Pre-Employment *Hired*
Laboratory: CRL
Specimen ID: 2018915459
CCF Received: 9/4/2013
Date Verified: 10/24/2013
Verified: Negative

Donald Bucklin, MD, MRO

Reviewed by: Silvia Rojas

If this transmission is incomplete or illegible, please call us at (800) 340-3810.

If it has been misdirected to you, or if this fax machine is not in a secure area, please call us immediately.

Confidential

**HealthWorks**

MEDICAL GROUP

A Dignity Health Member

*The Right Care, Right Away***National Medical Review Office**

28035 Avenue Stanford West

Valencia, CA 91355

(800) 340-3810 (661) 678-2390 fax

DOT Mandated Urine Drug Test Results

Reviewed in accordance with Federal 49 CFR §40, §382 and §655

To: HR Manager
Company: AMI Coaches/Airline Shuttle
DOT Agency: FMCSA
Donor: [REDACTED] Mondry
SSN: [REDACTED]
Date of Test: 9/3/2013
Reason for Test: Pre-Employment
Laboratory: CRL
Specimen ID: 2018915470
CCF Received: 9/5/2013
Date Verified: 9/6/2013
Verified: Negative

David Hoffman, MD, MRO*Reviewed by: Ashley Beckwith*

If this transmission is incomplete or illegible, please call us at (800) 340-3810.
If it has been misdirected to you, or if this fax machine is not in a secure area, please call us immediately.

Confidential



HealthWorks
MEDICAL GROUP

A Dignity Health Member

The Right Care, Right Away

National Medical Review Office

28035 Avenue Stanford West

Valencia, CA 91355

(800) 340-3810 (661) 678-2390 fax

DOT Mandated Urine Drug Test Results

Reviewed in accordance with Federal 49 CFR §40, §382 and §655

To:	HR Manager
Company:	AMI Coaches/Airline Shuttle
DOT Agency	FMCSA
Donor:	██████████ Burdick
SSN:	██████████
Date of Test:	9/11/2013 <i>Nirso</i>
Reason for Test:	Pre-Employment
Laboratory:	CRL
Specimen ID:	2018915442
CCF Received:	9/12/2013
Date Verified:	9/12/2013
Verified:	Negative

Donald Bucklin, MD, MRO

[Signature]

Reviewed by: Ashley Beckwith

If this transmission is incomplete or illegible, please call us at (800) 340-3810.

If it has been misdirected to you, or if this fax machine is not in a secure area, please call us immediately.

Confidential



U.S. Department
of Transportation

**Federal Motor
Carrier Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

July 5, 2013

In reply refer to:
USDOT Number: 2351390

STEVE VALENTINETTI
MANAGER
AMI COACHES LLC
AMI
14644 9TH AVE SW
SEATTLE, WA 98166

MC Number: MC816340

IMPORTANT - SAFETY AUDIT FAILURE NOTICE

**Action Required: Out of Service/New Entrant Registration Revocation Warning Letter
Planned Revocation Date of August 19, 2013**

On June 18, 2013 a New Entrant Safety Audit was conducted on AMI COACHES LLC. The safety audit is required under Part 385 of Title 49 of the Code of Federal Regulations (specifically 49 CFR section 385.307(b)) of all motor carriers after receiving new entrant registration. Based on the findings of that safety audit, the Federal Motor Carrier Safety Administration (FMCSA) determined that AMI COACHES LLC has not yet established required basic safety management controls necessary to ensure safe operation as a motor carrier.

In accordance with section 385.319, AMI COACHES LLC is hereby advised that its USDOT New Entrant registration will be REVOKED on August 19, 2013 AND its motor carrier operations placed out-of-service resulting in AMI COACHES LLC being FORBIDDEN TO OPERATE IN INTERSTATE COMMERCE unless AMI COACHES LLC takes necessary action(s) to remedy its safety management practices to ensure compliance with the regulations below WITHIN 45 DAYS OF THE DATE OF THIS LETTER. In accordance with section 385.325, if the new entrant provides evidence of corrective action acceptable to the FMCSA within the prescribed period for submission of corrective action, the agency will provide written notification to the new entrant that its DOT new entrant registration will not be revoked and it may continue operations. Note that mere submission of a corrective action plan will not extend the [45/60] day period or prevent the possible revocation of the new entrant registration. Motor carriers are urged to submit corrective action plans promptly and in accordance with the guidance provided during the safety audit to allow FMCSA to review the submission and make a final determination on the corrective action plan prior to the planned revocation date.

If the written response (Corrective Action Plan) is submitted within 15 days of the date of this letter, FMCSA can ensure that the Corrective Action Plan will be reviewed and a decision will be rendered before the planned revocation date. If the Corrective Action Plan is submitted after 15 days of the date of this letter, FMCSA makes no assurances that the Corrective Action Plan will be reviewed before the 45 day period expires and AMI COACHES LLC new entrant registration could be revoked and AMI COACHES LLC could be placed Out-of-Service.

AMI COACHES LLC's written response (Corrective Action Plan) should:

1. Include a copy of this letter;
2. Address each violation listed below;
3. Identify why the violation(s) were permitted to occur;
4. Explain actions taken to correct the violation(s) and include evidence and supporting documentation demonstrating the corrective action;
5. Describe actions taken (e.g., implementation of new policies, procedures, etc) to ensure that the violation(s) will not reoccur in the future.

Driver Question 21 - Commercial Driver License, Section 383.23(a)

Operations Question 2 - Making Record of Duty Status, Section 395.8(a)

Evidence of corrective action, together with any supporting documentation, must be submitted via a mail system with a tracking number to:

LORRAINE C. EHRET
WESTERN SERVICE CENTER
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
12600 W. COLFAX AVENUE, SUITE B-300
LAKEWOOD, CO 80215
Email: WSCCAP@DOT.GOV
Phone: 303-407-2347
Fax: 877-547-0383

You may also submit your information via fax or email and maintain evidence the information was submitted.

Depending on State laws, you may be subject to suspension and/or revocation of vehicle registration

privileges.

If AMI COACHES LLC believes that FMCSA committed an error in determining that its basic safety management controls are inadequate, under 49 CFR 385.327, AMI COACHES LLC may request that FMCSA conduct an administrative review. The request for administrative review must explain the error AMI COACHES LLC believes FMCSA committed, in its determination that its safety management controls are inadequate, and include a list of all factual and procedural issues in dispute and any other information or documents supporting your argument. Under section 385.327(e)(1), a request for administrative review must be submitted to the Field Administrator identified below within 90 days of the date of this notice.

WILLIAM PADEN
WESTERN SERVICE CENTER
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
12600 W. COLFAX AVENUE, SUITE B-300
LAKEWOOD, CO 80215

Although the request for administrative review may be submitted any time within 90 days of the date of this notice, the request should be submitted no later than fifteen (15) days of the date of this notice if AMI COACHES LLC wants to ensure FMCSA will be able to issue a final written decision before AMI COACHES LLC's new entrant registration is revoked and its operations placed out-of-service on August 19, 2013.

If AMI COACHES LLC's USDOT New Entrant registration is revoked under section 49 CFR section 385.329(a), AMI COACHES LLC may reapply for new entrant registration no earlier than 30 days after the effective date of this revocation. AMI COACHES LLC must submit an updated MCS-150 (Motor Carrier Identification Report); provide evidence that it has basic safety management controls in effect and the deficiencies that resulted in revocation of its registration were corrected; and restart the 18-month new entrant monitoring period. Reapplication may be made via FMCSA's web site (<http://safer.fmcsa.dot.gov>) or by submitting a MCS-150 form. The form may be obtained by calling FMCSA's technical support at 1-800-832-5660 or via the FMCSA web site.

During the safety audit, additional areas of non-compliance listed below were discovered. Although these violations were not the cause of the failure of the safety audit and AMI COACHES LLC is not required to submit evidence of corrective action for these violations, they are important requirements for motor carrier operations. Non-compliance with any applicable Federal requirement may result in enforcement action and/or civil penalties.

Driver Question 5 - Driving/Employment History, Section 391.51(b)(2)

Operations Question 1 - 100/150 Air-Mile Radius Drivers, Section 395.1(e)(1), 395.1(e)(2)

Operations Question 14 - State and Local Laws, Section 392.2

Please contact your local FMCSA Division Administrator if you have any questions.

Sincerely,



Joseph P. DeLorenzo, Director, Office of
Enforcement and Compliance

44

	US DOT # 2351390	Legal: AMI COACHES LLC Operating (DBA): AMI	
MC/MX #: 816340		State #: CH64766	Federal Tax ID [REDACTED] 423-5000 242-2000
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S. Territory:	
Operation Types Interstate Intrastate			
Carrier: Non-HM	Non-HM	Business: Corporation	
Shipper: N/A	N/A	Gross Revenue: \$80,000.00 for year ending: 12/31/2013	
Cargo Tank: N/A			
Company Physical Address:			
14644 9TH AVE SW SEATTLE, WA 98166			
Contact Name: Steve Valentinetti			
Phone numbers: (1) 206- 423-5000		(2)	Fax
E-Mail Address: amicoaches@live.com			
Company Mailing Address:			
14644 9TH AVE SW SEATTLE, WA 98166			
Carrier Classification			
Authorized for Hire			
Cargo Classification			
Passengers			
Equipment			
	Owned	Term Leased	Trip Leased
Motor Coach	3	0	0
Power units used in the U.S.: 3			
Percentage of time used in the U.S.: 100			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	
< 100 Miles:		2	Average trip leased drivers/month: 0
>= 100 Miles:	1		Total Drivers: 3
			CDL Drivers: 3





AMI (AMI COACHES LLC a)
U.S. DOT #: 2351390

State #: CH64766

Review Date:
06/18/2013

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Utilities & Transportation Commission at:

ATTN: John Foster, PO Box 47250.
Olympia, WA 98504-7250.
Ph. (360) 664-1238, Fax (360) 586-2011, email jfoster@utc.wa.gov.

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Steve Valentinetti

Title: Manager

Name: Stacey Stevens

Title: Executive Assistant





AMI (AMI COACHES LLC a)

U.S. DOT #: 2351390

State #: CH64766

Review Date:

06/18/2013

Part B Violations

1 FEDERAL	Primary: 382.601(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to provide educational materials explaining requirements of part 382 and employer's policies. Example James Mondry, 5/19/13					
2 FEDERAL ACUTE	Primary: 383.37(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
Description Knowingly allowing, requiring, permitting, or authorizing an employee with a Commercial Driver's License which is suspended, revoked, or canceled by a state or who is disqualified to operate a commercial motor vehicle. Example Knowingly allowing, requiring, permitting, or authorizing an employee to operate a commercial motor vehicle during a period in which the driver does not have a valid Commercial Driver's License with the proper class or endorsements. Steve Valentinetti, 5/21/13. Driver's CDL does not have a passenger endorsement.					
3 FEDERAL	Primary: 391.45(a) Secondary: 391.11(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
Description Using a driver not medically examined and certified. Example Steve Valentinetti, 5/18/13.					
4 FEDERAL CRITICAL	Primary: 391.51(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain driver qualification file on each driver employed. Example Steve Valentinetti, 5/18/2013					
5 FEDERAL CRITICAL	Primary: 395.8(a)	Discovered 37	Checked 37	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to require driver to make a record of duty status. Example Steve Valentinetti, 5/18/13.					
6 FEDERAL CRITICAL	Primary: 395.8(k)(1)	Discovered 37	Checked 37	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to preserve driver's records of duty status supporting documents for 6 months. Example Steve Valentinetti, 5/18/13. Carrier produced no supporting documents.					





AMI (AMI COACHES LLC a)
U.S. DOT #: 2351390

State #: CH64766

Review Date:
06/18/2013

Part B Violations

7 FEDERAL CRITICAL	Primary: 396.11(a)	Discovered 37	Checked 37	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to require driver to prepare driver vehicle inspection report. Example Steve Valentinetti, B54444W /WA. Carrier stated the two company vehicles were operated a total of 37 days. There were no DVIRs prepared as required.					
Safety Fitness Rating Information: Total Miles Operated 4,500 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00			OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 2		
Your proposed safety rating is : UNSATISFACTORY			Rating Factors		
			Acute Critical		
			Factor 1: S 0 0		
			Factor 2: U 1 1		
			Factor 3: U 0 4		
			Factor 4: C 0 1		
Factor 5: N 0 0					
Factor 6: S - -					

Effective date: The proposed unsatisfactory safety rating will take effect 45 days from the date of this report if corrective actions are not taken.

Motor carriers must meet the safety fitness standard set forth in Title 49 CFR Part 385. To meet the safety fitness standard, the motor carrier must demonstrate that it has adequate safety management controls in place, which function effectively to ensure acceptable compliance with applicable safety requirements. Part 385.3 defines *Safety Management Controls* as the systems, policies, programs, practices, and procedures used by a motor carrier to ensure compliance with applicable safety and hazardous materials regulations which ensure the safe movement of products and passengers through the transportation system, and to reduce the risk of highway accidents and hazardous materials incidents resulting in fatalities, injuries, and property damage. An unsatisfactory safety rating means a motor carrier does not have adequate safety management controls in place to ensure compliance with safety fitness standards.

This proposed safety rating of "unsatisfactory" is a notice to the motor carrier that the UTC has made a preliminary determination that the motor carrier is "unfit" to continue operating in intrastate commerce, and that the carrier will be placed out of service after 45 days if necessary safety improvements are not made. Immediate corrective actions must be taken for the violations (deficiencies) listed on Part B of this review, and evidence of those corrective actions must be provided to commission staff as directed.

You may appeal the proposed safety rating if you believe that the rating is in error and there are factual and procedural issues in dispute. Appeals should be addressed to David Pratt, Assistant Director, Transportation Safety, PO Box 47250, Olympia, WA 98504-7250.





AMI (AMI COACHES LLC a)
U.S. DOT #: 2351390

State #: CH64766

Review Date:
06/18/2013

Part B Violations

(Note: Neither a petition to contest the rating nor a request for a change in the rating will delay the effective date of the rating, if unchanged.)



Part B Requirements and/or Recommendations

1. To obtain a copy of your Intrastate Safety Profile contact Mike Dotson at (360) 664-1244
2. Maintain complete driver qualification files on each driver employed. File must contain the drivers employment application, employment history investigation, inquiry into drivers driving record obtained within 30 days of hire date, certificate of annual review of driving record, annual copy of driving record, drivers annual certificate of traffic convictions , certificate of road test or equivalent and current medical certificate.
3. Ensure that the driver's employment application contains all the required information including the driver's date of birth, SSN, indicates if previous employment was subject to U.S. D.O.T controlled substance / alcohol testing or not, type of equipment operated, traffic conviction and accident history.
4. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement. Ensure that all time records record the driver start, stop & total on duty time.
5. Obtain a copy of each driver's driving record and review it annually.
6. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
7. Ensure that all drivers are properly licensed and endorsed for the type of equipment operated.
8. Maintain all required alcohol and controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .
9. Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.
10. Ensure that your drug and alcohol testing program conforms with all applicable parts of Part 40.
11. Do not allow drivers to drive unless they have been physically examined.
12. "Under the Administrative Procedure Act (RCW) 34.05) (Laws of 2009, Ch. 358), the commission will waive any fines, civil penalties, or administrative sanctions for first-time paperwork violations by a small business, with certain exceptions. One of those exceptions provides that any violation of a substantially similar paperwork requirement (as described in Part B on this form), may result in the imposition of a fine, civil penalty, or other administrative sanction. The company will not be entitled to a second waiver of penalties for "first-time" paperwork violations."
13. Within 15 days, send a letter to the WUTC describing what actions you have taken in response to this review to ensure that you are complying with the Motor Carrier Safety Regulations.
14. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.
15. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance



Part B Requirements and/or Recommendations

inspections. Take corrective action, if schedules are not being adhered to.

16. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
17. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
18. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN Mr. Steve Valentinetti stated that since AMI Coaches operates primarily within 100 miles of the terminal he allows his drivers to use the short haul exemption in 395.1. However Mr. Valentinetti fails to maintain the records required to qualify for this exemption.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Establish a policy and procedure that accurately records drivers hours-of-service.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order under any circumstances, and immediately contact the carrier when a driver is placed OOS.
- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls.
- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Hours-of-Service (HOS) violations.

Passenger Carrier Only:

- Develop a policy that discourages long-distance trips that depart at night and outlines acceptable route-scheduling procedures.
- Develop a policy that prohibits drivers from deviating from stated itineraries without appropriate management approval, and advise customers of this policy.
- Establish a policy to ensure that drivers enter all compensated time, including time spent working for a non-motor carrier, on their Record of Duty Status (RODS) or prior seven-day duty statement.
- Develop a dispatch policy that discourages use of drivers who have worked various hourly shifts prior to any long-distance trips.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

19. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN The carrier does not does not have personnel assigned to track drivers hours-of-service.



Part B Requirements and/or Recommendations

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Define and document roles and responsibilities of managers and supervisors for monitoring compliance with Hours-of-Service (HOS) policies.
- Ensure that managers are responsible for reviewing Records of Duty Status (RODS) for accuracy and for disciplining those who falsify their logs.
- Assign responsibility for making sure that all Records of Duty Status (RODS) are collected and stored for six months.
- Ensure that drivers are responsible for informing the carrier when they are sick, keeping accurate Records of Duty Status (RODS), and planning their route so that it can be completed efficiently within Hours-of-Service (HOS) rules.
- Define and document roles and responsibilities of drivers and dispatchers as they pertain to Hours-of-Service (HOS) policies and procedures.

Passenger Carrier Only:

- Define and document responsibilities for verifying that Hours of Service (HOS) and available hours for separate operations within-company are accounted for, including part-time, intermittent, and relief drivers, and for "extended day".
- Designate a manager to collect and evaluate all fatigue-related customer complaints and their safety implications.

Seek Out Resources:

- You are encouraged to review your company's record at the following website; <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

20. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN The carrier does not monitor or track drivers hours-of-service.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Implement an effective process for monitoring, tracking, and evaluating all drivers compliance with Hours-of-Service (HOS) regulations and company policies.
- Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
- Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
- Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.
- Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.
- When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or



Part B Requirements and/or Recommendations

represents a systemic breakdown in the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Passenger Carrier Only:

- Monitor and track driver-fatigue-related passenger complaints and assess safety implications.
- Ensure that management ascertains that available hours account for rest periods, separate operations within-company, intermittent and relief drivers, and changes to itinerary that require "extended day." Check in with drivers at pre-designated intervals.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

21. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN Carrier's driver vehicle inspection process and vehicle inspection report does not met minimum requirements.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

Passenger Carrier Only:

- Develop systematic procedures for inspecting maintenance items critical to fire-safety and emergency evacuation - for example, checking wheel-hub lubrication levels according to the manufacturer's recommended inspection intervals, checking wheels for signs of excess heat every time the motorcoach is parked, regularly inspecting wiring and electrical systems for short circuits, and inspecting emergency-exit operation and markings.
- Consider installation of fire-detection-and-suppression systems on current fleets and as purchase options on new coaches.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

22. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Qualification and Hiring



Part B Requirements and/or Recommendations

DESCRIPTION OF PROCESS BREAKDOWN Mr. Valentinetti claims his drivers are independent contractor and he therefore needs no employee or driver qualification files.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver's Licenses (CDLs) are reviewed for driver-fitness-related violations of all prospective drivers for the last three years.
- Ensure that drivers are qualified by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding driver fitness, such as those pertaining to previous violations, Commercial Driver's License (CDL), medical qualifications, operational qualifications from training, and relevant experience.
- Review and evaluate gaps in employment, frequent job changes, incomplete applications, within-company applications and reassignments, operational limitations such as those pertaining to long-combination vehicles (LCVs) and HAZMAT, physical impairments, and controlled-substance and alcohol involvement.
- Require that drivers fill out the long form for the medical card and be examined by the carrier's preferred doctor to ensure that their medical qualifications are accurate.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as whether the driver can handle the physical requirements of the job.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, dispatcher, and driver by using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

Passenger Carriers Only:

- Check the Motor Vehicle Record (MVR) to ensure that drivers have the proper class of license and "P" or "S" endorsement, and to see if the applicable endorsement on the license has a specific restriction, such as an air-brake restriction.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

23. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN AMI Coaches did not have a Drug and Alcohol policy in place
BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver



Part B Requirements and/or Recommendations

refuses to go, this should be considered as equivalent to a positive result.

- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.





U.S. Department
of Transportation

Federal Motor
Carrier Safety
Administration

1200 New Jersey Ave., S.E.
Washington, DC 20590

July 5, 2013

In reply refer to:
USDOT Number: 2351390

MC Number: MC816340

STEVIE VALENTINETTI
MANAGER
AMI COACHES LLC
AMI
14644 9TH AVE SW
SEATTLE, WA 98166

IMPORTANT - SAFETY AUDIT FAILURE NOTICE

**Action Required: Out of Service/New Entrant Registration Revocation Warning Letter
Planned Revocation Date of August 19, 2013**

On June 18, 2013 a New Entrant Safety Audit was conducted on AMI COACHES LLC. The safety audit is required under Part 385 of Title 49 of the Code of Federal Regulations (specifically 49 CFR section 385.307(b)) of all motor carriers after receiving new entrant registration. Based on the findings of that safety audit, the Federal Motor Carrier Safety Administration (FMCSA) determined that AMI COACHES LLC has not yet established required basic safety management controls necessary to ensure safe operation as a motor carrier.

In accordance with section 385.319, AMI COACHES LLC is hereby advised that its USDOT New Entrant registration will be REVOKED on August 19, 2013 AND its motor carrier operations placed out-of-service resulting in AMI COACHES LLC being FORBIDDEN TO OPERATE IN INTERSTATE COMMERCE unless AMI COACHES LLC takes necessary action(s) to remedy its safety management practices to ensure compliance with the regulations below WITHIN 45 DAYS OF THE DATE OF THIS LETTER. In accordance with section 385.325, if the new entrant provides evidence of corrective action acceptable to the FMCSA within the prescribed period for submission of corrective action, the agency will provide written notification to the new entrant that its DOT new entrant registration will not be revoked and it may continue operations. Note that mere submission of a corrective action plan will not extend the [45/60] day period or prevent the possible revocation of the new entrant registration. Motor carriers are urged to submit corrective action plans promptly and in accordance with the guidance provided during the safety audit to allow FMCSA to review the submission and make a final determination on the corrective action plan prior to the planned revocation date.

If the written response (Corrective Action Plan) is submitted within 15 days of the date of this letter, FMCSA can ensure that the Corrective Action Plan will be reviewed and a decision will be rendered before the planned revocation date. If the Corrective Action Plan is submitted after 15 days of the date of this letter, FMCSA makes no assurances that the Corrective Action Plan will be reviewed before the 45 day period expires and AMI COACHES LLC new entrant registration could be revoked and AMI COACHES LLC could be placed Out-of-Service.

AMI COACHES LLC's written response (Corrective Action Plan) should:

1. Include a copy of this letter;
2. Address each violation listed below;
3. Identify why the violation(s) were permitted to occur;
4. Explain actions taken to correct the violation(s) and include evidence and supporting documentation demonstrating the corrective action;
5. Describe actions taken (e.g., implementation of new policies, procedures, etc) to ensure that the violation(s) will not reoccur in the future.

Driver Question 21 - Commercial Driver License, Section 383.23(a)

Operations Question 2 - Making Record of Duty Status, Section 395.8(a)

Evidence of corrective action, together with any supporting documentation, must be submitted via a mail system with a tracking number to:

LORRAINE C. EHRET
WESTERN SERVICE CENTER
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
12600 W. COLFAX AVENUE, SUITE B-300
LAKEWOOD, CO 80215
Email: WSCCAP@DOT.GOV
Phone: 303-407-2347
Fax: 877-547-0383

You may also submit your information via fax or email and maintain evidence the information was submitted.

Depending on State laws, you may be subject to suspension and/or revocation of vehicle registration

privileges.

If AMI COACHES LLC believes that FMCSA committed an error in determining that its basic safety management controls are inadequate, under 49 CFR 385.327, AMI COACHES LLC may request that FMCSA conduct an administrative review. The request for administrative review must explain the error AMI COACHES LLC believes FMCSA committed, in its determination that its safety management controls are inadequate, and include a list of all factual and procedural issues in dispute and any other information or documents supporting your argument. Under section 385.327(e) (1), a request for administrative review must be submitted to the Field Administrator identified below within 90 days of the date of this notice.

WILLIAM PADEN
WESTERN SERVICE CENTER
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
12600 W. COLFAX AVENUE, SUITE B-300
LAKEWOOD, CO 80215

Although the request for administrative review may be submitted any time within 90 days of the date of this notice, the request should be submitted no later than fifteen (15) days of the date of this notice if AMI COACHES LLC wants to ensure FMCSA will be able to issue a final written decision before AMI COACHES LLC's new entrant registration is revoked and its operations placed out-of-service on August 19, 2013.

If AMI COACHES LLC's USDOT New Entrant registration is revoked under section 49 CFR section 385.329(a), AMI COACHES LLC may reapply for new entrant registration no earlier than 30 days after the effective date of this revocation. AMI COACHES LLC must submit an updated MCS-150 (Motor Carrier Identification Report); provide evidence that it has basic safety management controls in effect and the deficiencies that resulted in revocation of its registration were corrected; and restart the 18-month new entrant monitoring period. Reapplication may be made via FMCSA's web site (<http://safer.fmcsa.dot.gov>) or by submitting a MCS-150 form. The form may be obtained by calling FMCSA's technical support at 1-800-832-5660 or via the FMCSA web site.

During the safety audit, additional areas of non-compliance listed below were discovered. Although these violations were not the cause of the failure of the safety audit and AMI COACHES LLC is not required to submit evidence of corrective action for these violations, they are important requirements for motor carrier operations. Non-compliance with any applicable Federal requirement may result in enforcement action and/or civil penalties.

Driver Question 5 - Driving/Employment History, Section 391.51(b) (2)
Operations Question 1 - 100/150 Air-Mile Radius Drivers, Section 395.1(e) (1), 395.1(e) (2)
Operations Question 14 - State and Local Laws, Section 392.2

Please contact your local FMCSA Division Administrator if you have any questions.

Sincerely,



Joseph P. DeLorenzo, Director, Office of
Enforcement and Compliance

46
From: amicoaches@live.com

To: steve.hamilton.ctr@dot.gov; amicoaches@live.com; stevevalentinetti@hotmail.com

Subject: RE: USDOT 2351390

Date: Wed, 24 Jul 2013 23:19:45 -0700

Hi Steve;

Here are our new forms. We are stilling modifying them to fit a bus company instead of trucks. Don Smith is coming tomorrow (Compliance Consultant) morning to look at our forms and help us in the future.

looking forward to your feedback also. Please feel free to contribute to our success. Call anytime.

Steve Valentinetti

amicoaches@live.com

206-242-2000 Office

206-423-5000 Mobile

From: steve.hamilton.ctr@dot.gov

To: amicoaches@live.com

Subject: USDOT 2351390

<https://bay182.mail.live.com/ol/mail.mvc/PrintMessages?mkt=en-us>

10/14/2014

FMCSA

**Federal Motor Carrier
Safety Administration**

2424 Heritage Court SW, Suite 302 Olympia, WA 98502
Phone 360-753-9875 ext. 204/ Fax 360-753-9024 chad.lagerwey@dot.gov

AMI Coaches LLC dba AMI

October 16, 2013

USDOT: 2351390 Fax Number/Email Address: amicoaches@live.com

This letter serves to confirm our appointment on 10/22/2013. I will be at your location 14644 9th Ave SW Seattle, WA 98166 to review your transportation operations. I will be there to start the review between 9:00-9:30am. During the review I will need access to the following records or documents at the time of the visit.

- 1 • List of drivers used since January 2012 to present including date of hire, date of termination, CDL state and license # and date of birth.
- 2 • Driver qualification files (application, drivers abstracts, medical cards, etc.).
- 3 • Controlled substance testing records since January 2012 to present, results and summaries.
- 4 • Driver payroll records.
- 5 • Driver records of duty status (logs, time records, etc) for the past 6 months.
- 6 • Drivers trip reports and expense records for the past 6 months, including scale and fuel receipts (Comdata, EFS), toll receipts, IFTA reports, trip envelopes, dispatch records, payroll records, bills of lading and any other supporting documents.
- 7 • Motor vehicle accident files for the past 12 months.
- 8 • List of equipment (company #, license #, state, year, make, GVWR) used in past 365 days.
- 9 • Lease agreements and associated maintenance records if applicable.
- 10 • Vehicle Maintenance records.
- 11 • Driver vehicle inspection reports for the last 90 days (DVIRs).
- 12 • All roadside inspections for the past 365 days.
- 13 • Company gross revenue for the last full year.
- 14 • Total fleet mileage for the last year.
- 15 • A copy of your MCS-90, endorsement for motor carrier policies of insurance for the current policy.
- 16 • Insurance claim information for past 365 days (loss run).
- 17 • Hazmat documents if applicable (PHMSA Registration, Safety Permit, ect)

Accompanying this letter is a survey for you to complete. Please fill out the carrier information and have it available upon my arrival at your location. Please email (preferred method) or fax me (Attn: Chad) your filled out driver list or an equivalent version of the driver list prior to the review to help speed up the review time.

Your cooperation in making the above mentioned documents available at the time of the review would expedite the review and minimize any disruption to your business.

If you have any questions, please feel free to contact me at the email address or telephone number listed in this letter.

Sincerely,

Chad Lagerwey, Special Agent

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 2351390	Legal: AMI COACHES LLC Operating (DBA): AMI	
MC/MX #: 816340		Federal Tax ID: [REDACTED]	
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.	
Territory:			
Operation Types			
Interstate	Intrastate		
Carrier: Non-HM	N/A	Business: Corporation	
Shipper: N/A	N/A	Gross Revenue: \$129,238.00	
Cargo Tank: N/A		for year ending: 10/1/2013	
Company Physical Address:			
14644 9TH AVE SW SEATTLE, WA 98166			
Contact Name: Steve Valentinetti			
Phone numbers: (1) 206-242-2000 (2) 206-423-5000 Fax 206-242-2010			
E-Mail Address: amicoaches@live.com			
Company Mailing Address:			
14644 9TH AVE SW SEATTLE, WA 98166			
Carrier Classification			
Authorized for Hire			
Cargo Classification			
Passengers			
Equipment			
	Owned	Term Leased	Trip Leased
Motor Coach	4	0	0
Power units used in the U.S.: 4			
Percentage of time used in the U.S.: 100			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	
< 100 Miles:	5		Average trip leased drivers/month: 0
>= 100 Miles:			Total Drivers: 5
			CDL Drivers: 5





U.S. Department of
Transportation

Federal Motor Carrier
Safety Administration

Western Service Center

UPS

1ZA4762T0297002026

December 16, 2013

STEVE VALENTINETTI, OWNER
AMI COACHES LLC dba AMI
14644 9TH AVE SW
SEATTLE, WA, 98166

Golden Hill Office Centre
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350

Fax: (303) 407-2339

AMI Coaches
Received via UPS
12-19-13 @ 17:17
SV

49

ORDER TO CEASE ALL TRANSPORTATION IN INTERSTATE AND INTRASTATE COMMERCE AND REVOCATION OF REGISTRATION

EFFECTIVE Sunday, December 29, 2013 at 12:01 am

USDOT# 2351390

This **Order to Cease All Transportation in Interstate and Intrastate Commerce (Order) and Revocation of Registration** is issued pursuant to 49 USC §§ 13905(f)(1)(B) and 31144, and 49 CFR § 385.13.

This **Order** is the result of a compliance review of AMI COACHES LLC dba AMI's operations completed on November 13, 2013. The review disclosed serious violations of the Federal Motor Carrier Safety Regulations and/or the Hazardous Materials Regulations.

AMI COACHES LLC dba AMI, USDOT# 2351390, was issued a proposed "unsatisfactory" safety rating on November 13, 2013. AMI COACHES LLC dba AMI was notified to take certain actions within 45 days from the date of that proposed rating to improve its safety rating to "conditional" or "satisfactory". AMI COACHES LLC dba AMI was further advised that it would be ordered to cease any and all operation of any commercial motor vehicle(s) in interstate and intrastate commerce and its registration would be revoked unless its safety rating was improved to "conditional" or "satisfactory".

AMI COACHES LLC dba AMI has failed to take the necessary steps required to improve its safety rating to "conditional" or "satisfactory" within the required timeframe.

THEREFORE, **IT IS ORDERED** THAT AMI COACHES LLC dba AMI SHALL CEASE ALL OPERATION OF ANY COMMERCIAL MOTOR VEHICLE(S) IN INTERSTATE AND INTRASTATE COMMERCE ON THE EFFECTIVE DATE AND TIME OF THIS ORDER, AND THE

REGISTRATION OF AMI COACHES LLC dba AMI SHALL BE REVOKED UNLESS AND UNTIL SUCH TIME AS THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION DETERMINES AMI COACHES LLC dba AMI IS FIT, AND AMI COACHES LLC dba AMI HAS REINSTATED ITS REGISTRATION.

IN ADDITION, EACH AND EVERY DEPARTMENT, AGENCY, OR INSTRUMENTALITY OF THE UNITED STATES GOVERNMENT IS PROHIBITED FROM USING AMI COACHES LLC dba AMI FOR ANY TRANSPORTATION IN INTERSTATE AND INTRASTATE COMMERCE WHILE THIS ORDER IS IN EFFECT. (49 USC § 31144).

AMI COACHES LLC dba AMI's continued operation of commercial motor vehicles in interstate and/or intrastate commerce after the effective date and time of this Order and/or Revocation of Registration will be considered a serious safety violation. Each day the transportation continues constitutes a separate offense.

Violation(s) of this Order may result in penalties of not more than \$11,000 for each separate violation and may result in criminal prosecution leading to imprisonment for up to one (1) year or a fine of up to \$25,000, or both, and other actions as deemed necessary by the United States Department of Justice. (49 USC § 521(b)). Violation(s) of registration requirements, including providing transportation requiring registration during any period of revocation, may result in penalties of not less than \$650 for each separate violation. If the registration violation involves providing transportation of passengers, the penalty shall be not less than \$2,200 for each separate violation; if the registration violation involves the transportation of household goods, the penalty shall not be less than \$25,000 for each separate violation. (49 USC § 14901). ✓

Operation, after the effective date and time of this Order and/or Revocation of Registration, of a commercial motor vehicle designed or used to transport hazardous materials for which placarding of the vehicle is required is subject to a civil penalty of not less than \$275 and not more than \$50,000 for each offense. If the violation results in death, serious illness, or severe injury to any person, or in substantial destruction of property, the civil penalty may be increased to not more than \$105,000 for each offense. Operating a commercial motor vehicle designed or used to transport placardable amounts of hazardous materials after the effective date of this Order and/or Revocation of Registration may also result in criminal prosecution leading to fines and imprisonment up to five (5) years, or fines and imprisonment up to ten (10) years if the violation involves a release of hazardous material that results in death or bodily injury to any person. (49 USC §§ 31144, 5123, 5124).

Please be aware, this Order and Revocation of Registration may also attach and apply to the operations of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of a final "unsatisfactory" safety rating. ✓

Sincerely,



William R. Paden, Regional Field Administrator
Federal Motor Carrier Safety Administration
Western Service Center



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

December 24, 2013

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Ave. SW
Seattle, WA 98166

USDOT: 2351390

VIA FACSIMILE: (206) 242-2010

RE: Request for Change in Safety Rating under 49 CFR § 385.17

Mr. Steve Valentinetti:

On November 7, 2013 a compliance review was conducted at AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "Unsatisfactory." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs).

During the compliance review completed on November 7, 2013, you were cited for acute and/or critical violations of the FMCSRs and/or HMRs, including severe non-compliance or serious patterns of non-compliance in:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical).
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),
- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),

- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background.
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days.
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect pushout windows, emergency doors, and emergency marking lights in buses at least every 90 days.
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.
- 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate.
- 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

The compliance review also revealed an unsatisfactory vehicle out-of-service rate of 75%.

Your request for an upgrade and the Safety Management Plan submitted did not include sufficient evidence to justify an upgrade to your proposed safety rating, and you failed to demonstrate that adequate corrective actions have been taken to address the acute and/or critical violations cited during the last compliance review. As required by 49 CFR § 385.17(c) the carrier must base its request upon evidence that you have taken corrective actions and that your operations currently meet the safety standard and factors specified in 49 CFR §§ 385.5 and 385.7. Your request must include a written description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

The evidence of corrective action you submitted to address the violations listed above was inadequate. Your request listed each violation discovered along with a very brief description of how you corrected each violation. Your request did not sufficiently address any of the violations listed above; the corrective action you submitted was inadequate for each and every violation listed above. Your request did not include supporting documentation to substantiate your brief descriptions of corrective action taken. Furthermore, your request did not show that you understood how to come into compliance with the cited violations and you included brief and general statements that your office supervisor or record keeper will be responsible for your

company's compliance with the FMCSRs. Your request also contained evidence of a letter from your consortium/ third-party administrator (C/TPA), an incomplete controlled substance and alcohol testing policy, numerous blank company documents, annual inspection reports, and driver/vehicle examination reports. Your request failed to include a detailed description of the process breakdown that occurred and led to each violations and a detailed description of the procedures implemented to ensure prevent the violations from reoccurring. Your request failed to contain detailed descriptions of the systems you implemented to ensure compliance with FMCSRs. Accordingly, the corrective action you submitted was inadequate.

Your request also failed to provide any evidence of corrective action for your unsatisfactory vehicle out of service (OOS) rate.

After reviewing the upgrade request, the Safety Management Plan, and the documentation submitted, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 CFR §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 CFR § 385.17 this office must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 CFR §§ 385.5 and 385.7. You may submit another request for a change to the proposed "Unsatisfactory" safety rating under 49 CFR § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 CFR § 385.15 (see 49 CFR § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 CFR § 385.15, your request for review must be submitted in writing to the Assistant Administrator, Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590. **The petition for an administrative review will not stay the proposed "Unsatisfactory" safety rating and the pending prohibition on your operation of commercial motor vehicles in interstate or intrastate commerce unless you request a stay of the proposed unsatisfactory safety rating and such stay is granted by the Assistant Administrator. If the proposed "Unsatisfactory" safety rating has become final, the rating shall remain in effect during the period of administrative review.**

If you elect to submit another request for an upgrade to the "Unsatisfactory" safety rating under 49 CFR § 385.17, you must include the following evidence of corrective action in your next Safety Management Plan:

1. A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR § 382.301(a), and a detailed description of the safety management controls and procedures you have implemented or will implement to ensure you do not use a driver in a safety sensitive position before receiving a negative pre-employment controlled substances test result. Identify your designated employer representative (DER) and the person(s) responsible for ensuring compliance with pre-employment controlled substances testing requirements and maintaining documentation as required. Identify any and all drivers that have submitted to a pre-employment controlled

October 2012

substances test for you in the past 365 days, and include a copy of the pre-employment controlled substances test documentation with test results.

2. A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR § 382.305 and detailed description of the safety management controls and procedures you have implemented or will implement to ensure compliance with the requirements in 49 CFR Part 382. Your description must include; procedures to enroll newly hired drivers in your company's random controlled substances and alcohol testing pool; the frequency (monthly, quarterly, etc.) that random tests will be conducted; information indicating whether your drivers will be enrolled in a consortium or your own driver pool; procedures to ensure drivers notified to submit to random test proceed to the collection site immediately and test; and procedures to ensure your random testing pool is up-to-date and includes all drivers currently employed. Identify your company's DER and person(s) responsible for ensuring compliance with random alcohol and controlled substances testing requirements, including verifying that random tests are conducted within the selection period, updating the list of drivers in your random testing pool, monitoring test results, checking annual testing rates and ensuring documentation is maintained as required. Provide evidence of enrollment in random controlled substances and alcohol testing program, and the list of the drivers that are enrolled for random testing. Identify any and all drivers that have submitted to a random alcohol or controlled substances test for you in the past 365 days, and include a copy of the test documentation with test results. Include documentation of the controlled substances and alcohol policy your drivers will receive.
3. Provide a copy of your controlled substance and alcohol testing policy that contains all the required content prescribed in 49 CFR § 382.601(b). Provide copies of certificate of receipt that each driver that has received a copy of your controlled substance and alcohol testing policy.
4. A detailed description of the process breakdown that occurred and resulted in the violations of 49 CFR Part 383, including 383.37(a) violation and a detailed description of the procedures implemented to ensure that your drivers' commercial driver license (CDL) is valid and active. Identify the person(s) and title(s) responsible, with specific roles and duties described for ensuring your drivers are and remain licensed, including with proper endorsements for the type of commercial motor vehicles (CMV), to be driven and monitoring expiration dates. Provide evidence that all drivers have a valid CDL, including a current driver driving history abstract from the issuing State of domicile.
5. A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR Part 391, including §§ 391.45(a)/ 391.11(a) and 391.51(b)(2), and a detailed description of the procedures you have implemented or will implement to ensure that your drivers are and remain qualified, and that required driver qualification (DQ) documents are retained in each driver's file. Provide a detailed description of the procedures you have implemented or will implement for each the specific qualification processes and documents required. Identify the person(s) and title(s), responsible for ensuring your drivers are and remain qualified, and for ensuring that each driver's

qualification file contains all required information and documents and is kept up to date. Provide evidence of completed DQ for three (3) drivers.

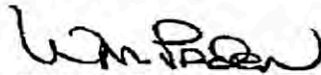
6. A detailed description of the process breakdowns that resulted in violations of 49 CFR Part 395, including §§ 395.8(a) and 395.8(k)(1), and a detailed description of the safety management system you have implemented or will implement to monitor and control driver compliance with hours of service (HOS) requirements and verify drivers complete and timely submit records of duty status (RODS) and/or time records, and verify driver RODS and/or time records are accurate and complete. This description should include procedures for verifying the accuracy of RODS and/or time records; a description of supporting documents used to compare with the RODS; the frequency of RODS checks; and a description and frequency of RODS and/or time records audit summaries. This description should identify the person(s) and title(s) responsible for verifying that drivers complete and submit RODS and associated supporting documents, for checking that RODS are complete and accurate, for verifying the accuracy of drivers' RODS, and for ensuring RODS and supporting documents are maintained as required, and include a description of their training and qualification for these responsibilities.
7. If you use or intend to use a driver disciplinary policy as part of your safety management system, you should include descriptions of any written reprimands or warnings, remedial training, suspensions without pay or termination. The policy should also include a detailed description of actions to be taken by you for driver violations of Part 395 requirements such as falsification, failure to make or turn in RODS and/or time records completing time records and failure to submit supporting documents. Violations triggering the disciplinary process and specific actions to be taken by your management should be clearly defined.
8. A RODS audit summary for the period of November 2013 for three (3) drivers, including, at a minimum, the number of RODS checked compliance with the 10, 15, and 60/70 HOS limits, the number of 10, 15, and 60/70 hour violations found, the number of RODS checked for accuracy, the number of RODS determined to have been falsified, the names of drivers found in violation by violation date and type, and any action taken against the driver. Copies the RODS and supporting documents as well as any evidence of disciplinary action taken against drivers found violating the HOS regulations must be attached to the summary.
9. A time records audit summary for the period of November 2013 for three (3) drivers, including, at a minimum, the number of days checked compliance to ensure the exception in 49 CFR § 395.1(e) is met, the number hour violations found, the number of time records checked for accuracy, the number of time records determined to have not met the exception with 49 CFR § 395.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies the time records, RODS submitted when the exception in 49 CFR § 395.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.

10. A detailed description of the process breakdowns that occurred and resulted in the vehicle maintenance files violations. Provide a detailed description of policies and/or procedures to ensure that each CMV has a complete maintenance file and records of inspections, repairs and maintenance performed. In addition, provide a detailed description of how you will ensure pushout windows, emergency doors, and emergency door marking lights in buses will be inspected at least every 90 days. Identify who will be responsible to monitor maintenance schedules and due dates and ensure maintenance files are kept and contain records of inspection, repairs and maintenance. Provide samples of complete maintenance files for three (3) CMVs.
11. Provide a detailed description of procedures to ensure all CMVs have a current periodic (annual) inspection in accordance to Appendix G of 49 C.F.R. Subchapter B. Provide copies of all annual inspections for all CMV that are not current, which include intermodal chassis trailers. Provide evidence to indicate the individuals that perform the annual inspections on your CMVs are qualified, as prescribed in 49 C.F.R. 396.19.
12. Provide a detailed description on how officer(s) will monitor periodic (annual) inspections from being fraudulently or intentionally altered by drivers, staff. And third-party inspectors. Describe actions taken when documents are discovered to be fraudulently or intentionally altered. Describe specific procedures to ensure annual inspections are not fraudulent or intentionally altered.
13. A detailed description of the process breakdowns that occurred and resulted in violations of 49 CFR § 396.11, and a detailed description of the safety management controls and procedures you have implemented or will implement to ensure your drivers submit driver vehicle inspection reports (DVIRs) as required, and that the reports are maintained as required. Describe instructions you will provide to your drivers on submitting complete DVIRs, including listing and reporting any vehicle defects and/or deficiencies, and certifying repairs were performed. Identify the person(s) and position(s) that ensure defects and/or deficiencies noted on a DVIR are repaired before the CMVs are re-dispatched. Provide a list of the CMVs that you intend to use, and a sample DVIRs that you will require your drivers to complete and submit. Provide a sample of DVIRs for three (3) CMVs for the month of November 2013.
14. A written and detailed description of procedures and safety management controls you have implemented or will implement to ensure systematic inspections, repairs, maintenance and periodic inspections of your commercial motor vehicles to prevent and address vehicle out-of-service defects. Your request should include an explanation of how you will ensure that repairs are made on vehicles that are placed out of service. In addition, your request needs to describe procedures and steps you will take to reduce vehicle out-of-service defects and violations, and how your maintenance program will improve your vehicle out-of-service rate and roadside inspection performance. Provide evidence of repairs performed for all vehicle out-of-service defects and deficiencies noted on federal and state vehicle inspections in the past 365 days.

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of AMI Coaches LLC, dba AMI's request for change in safety rating under 49 C.F.R. § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure your safety management controls provide for sustained compliance with the FMCSRs and that your motor carrier operation meets the safety factors and standards specified in 49 C.F.R. §§ 386.5 and 386.7. The Agreement and Order under 49 C.F.R. 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 C.F.R. § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request.

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Manager by telephone at (303) 407-2350.

Sincerely,



William R. Paden
Regional Field Administrator

cc: Jeffrey A. James, Division Administrator



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

Western Service Center

Received
2-3-2014
2 11:18

Golden Hills Office Centre
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350

Fax: (303) 407-2339

UPS Ground Service

Certified Receipt Number: UPS# 1ZA4766W0396653467

January 31, 2014

Steve Valentinetti, Owner
AMI Coaches LLC
dba AMI
14644 9th Ave SW
Seattle, WA 98166

NOTICE OF CLAIM -- Violations of 49 CFR § 382.301(a); 382.305; 383.37(a);
383.37(d)/ 392.2; 391.45(a)/ 391.11(a); 391.51(b)(2);
392.9a(a)(1); 395.8(a); 395.8(k)(1); 396.17(a).

CIVIL PENALTY: \$63,060

Case Number: WA-2014-0016-US1366

US DOT Number: 2351390

Dear Mr. Valentinetti:

A compliance review was conducted at Seattle, Washington on November 7, 2013. The purpose of this review was to determine your compliance with the Federal Motor Carrier Safety Regulations (FMCSR), the Federal Hazardous Materials Regulations (HMR), and the Federal Motor Carrier Commercial Regulations (FMCCR).

As a result of this review, violations were discovered. This letter constitutes a Notice of Claim by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) against AMI for the amount of \$63,060.

Unless settled or otherwise resolved in a manner set forth below, the FMCSA can recover these penalties, with interest and costs, in a civil action brought in a United States District Court. Additional collection efforts may include, but are not limited to: Internal Revenue Service offsets against tax refunds, and the referral to and the use of collection agencies to collect penalties. Also, under 49 Code of Federal Regulations (CFR) §§ 386.83 and 386.84, once a final order has been issued, the FMCSA may prohibit AMI from operating in interstate commerce until the civil penalty is paid in full and, if applicable, your FMCSA registration will be suspended.

1) A Notice of Claim is the official charging document used by the Federal Motor Carrier Safety Administration to initiate a civil action for violations of Federal Laws.

Case Number: WA-2014-0016-US1366

SUMMARY OF VIOLATIONS

Your company is charged with:

1. One (1) violation of 49 CFR § 382.301(a)- Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.
2. One (1) violation of 49 CFR § 382.305- Failing to implement a random controlled substance and/or an alcohol testing program.
3. One (1) violation of 49 CFR § 383.37(a)- Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.
4. One (1) violation of 49 CFR § 383.37(d)/ 392.2- Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws.
5. One (1) violation of 49 CFR § 391.45(a)/ 391.11(a)- Using a driver not medically examined and certified.
6. One (1) violation of 49 CFR § 391.51(b)(2)- Failing to maintain inquiries into driver's driving record in driver's qualification file.
7. One (1) violation of 49 CFR § 392.9a(a)(1)- Operating without the required authority (Passengers).
8. One (1) violation of 49 CFR § 395.8(a)- Failing to require driver to make a record of duty status.
9. One (1) violation of 49 CFR § 395.8(k)(1)- Failing to preserve driver's records of duty status supporting documents for 6 months.
10. One (1) violation of 49 CFR § 396.17(a)- Using a commercial motor vehicle not periodically inspected.

A copy of the documentary evidence collected during the investigation is available from this office. Upon request, the FMCSA will forward a copy of this evidence within a reasonable period of time. For additional details see the attached "Statement of Charges."

NOTICE OF ABATEMENT

This letter also constitutes a Notice of Abatement of all violations. In order to ensure that these violations cease, your company must take the following actions:

1. Do not allow a driver to perform a safety-sensitive function until the driver submits to a pre-employment controlled substances test and a negative test result is obtained, in accordance with 49 CFR Part 382.

Case Number: WA-2014-0016-US1366

2. You must implement a random controlled substances and alcohol testing program as required by 49 CFR Part 382. Ensure the number of random controlled substances tests conducted annually equals or exceeds 50 percent of the average number of driver positions and the number of random alcohol tests conducted annually equals or exceeds 10 percent of the average number of driver positions, in accordance with 49 CFR Part 382.
3. Do not allow, require, permit, or authorize a driver to operate a CMV in the United States during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.
4. Do not allow, require, permit, or authorize a driver to operate a CMV in the United States during any period in which the driver, or the CMV he/she is driving, or the motor carrier operation, is subject to an out-of-service order.
5. Ensure that each driver is medically examined and certified as qualified to operate a commercial motor vehicle in interstate commerce in accordance with 49 CFR Part 391.
6. Ensure that all Driver Qualification files contain a copy of the response by each State agency concerning a driver's driving record pursuant to 49 CFR 391.23(a)(1).
7. Do not operate a motor vehicle providing transportation unless and until you are registered pursuant to 49 U.S.C. 13902 or do not operate a motor vehicle providing transportation beyond the scope of registration.
8. Require all drivers to prepare complete and accurate records of duty status for each day and to submit them within 13 days. Maintain all duty status records on file, along with all supporting documents (any record, document, receipt, etc. generated as a result of a driver making a trip) for at least six months in accordance with 49 CFR Part 395.
9. Ensure that driver's record of duty status reports, together with all supporting documents such as toll, fuel, repair, and other on the road expense receipts, as well as invoices, bills of lading, dispatch records, trip reports, and any other document generated by the trip, are kept on file for at least six months in accordance with 49 CFR Part 395.
10. Do not operate any commercial motor vehicle unless it has been the subject of and has passed a periodic (annual) inspection conducted in accordance with 49 CFR Section 396.17 and Appendix G within the past 365 days. Ensure a properly prepared periodic (annual) inspection report is maintained on file for at least 14 months from the date of inspection for each commercial motor vehicle.

Failure to Abate Cited Violations

Failure to abate the cited violations could cause penalties to be increased in future enforcement actions.

PENALTY

Penalty Factors for Violations of Safety and Hazardous Materials Regulations

Case Number: WA-2014-0016-US1366

In accordance with 49 USC §§ 521(b)(2)(D) and 5123(c), the FMCSA must, before proposing or claiming a civil penalty, take into consideration the nature, circumstances, extent, and gravity of the violation committed and with respect to the violator, the degree of culpability, history of prior offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice and public safety may require. The civil penalty proposed shall be calculated to induce compliance. These factors will not be considered, however, for violations subject to the Section 222 provision described above.

Penalty Factors for Violations of Commercial Regulations

In the case of violations of the commercial regulations FMCSA also is not required by statute to consider the Section 521 factors. However, before proposing penalties for violations of the commercial regulations (more specifically the transportation of household goods), 49 U.S.C. § 14901 (c) requires FMCSA to take into consideration the degree of culpability, any prior history of such conduct, the degree of harm to shippers, ability to pay, the effect on ability to do business, whether the shipper has been adequately compensated before institution of the civil penalty proceeding, and such other matters as fairness may require.

Discovered Versus Charged Violations

Violations of either safety or hazardous materials regulations discovered during the course of the compliance review, but not proposed for penalty in this Notice of Claim, may have increased the civil penalty claimed for the violations charged in this Notice of Claim. The violations found in Table 1, as attached to this Notice of Claim, detail the violations discovered during our review/inspection.

History of Prior Violations

Your history of prior violations of the FMCSRs, HMRs and/or FMCCRs, where applicable, also may have increased the civil penalty beyond that which would have otherwise been proposed in this Notice of Claim.

Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA)

A pattern of and/or repeated violations of the same or related acute or critical regulations will result in the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during an investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period. Any violations with a checkmark in the "§ 222 Applied" column in the penalty table below are subject to the "Section 222" provision and maximum penalties have been assessed pursuant to statute. See 49 USC § 521 note, 49 USC § 521(b), 49 USC § 5123, 49

Case Number: WA-2014-0016-US1366

USC Chapter 149, and 49 CFR Part 386, Appendix A.

A listing of the statutes governing maximum and minimum penalties for violations of specific regulations is enclosed.

Given the statutorily mandated items listed above, the FMCSA is proposing a civil penalty as follows:

<u>VIOLATION</u>	<u>TYPE OF VIOLATION²</u>	<u>NUMBER OF COUNTS</u>	<u>ASSESSMENT PER COUNT</u>	<u>\$222 APPLIED</u>	<u>TOTAL</u>
382.301(a)	NR	1	\$11,000.00	Yes	\$11,000.00
382.305	NR	1	\$11,000.00	Yes	\$11,000.00
383.37(a)	CDL	1	\$216.00	No	\$216.00
383.37(d)/ 392.2	NO	1	\$1,426.00	No	\$1,426.00
391.45(a)/ 391.11(a)	NR	1	\$11,000.00	Yes	\$11,000.00
391.51(b)(2)	R	1	\$1,000.00	Yes	\$1,000.00
392.9a(a)(1)	COM	1	\$25,000.00	No	\$25,000.00
395.8(a)	R	1	\$1,000.00	Yes	\$1,000.00
395.8(k)(1)	R	1	\$1,000.00	Yes	\$1,000.00
396.17(a)	NR	1	\$418.00	No	\$418.00

Accordingly, the total amount (rounded) assessed by the Federal Government as the result of these violations is \$63,060.

HOW TO REPLY TO THE NOTICE OF CLAIM

Under 49 CFR Part 386, "Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings," you have specific rights with respect to this Notice of Claim. You are advised to carefully read Part 386 and follow the course of action appropriate for you in this case. A copy of Part 386 is attached to this Notice of Claim for your information. You may wish to seek legal counsel for answers to any questions in reference to this Notice of Claim or procedures under Part 386. DO NOT call the FMCSA Service Center or the Chief Counsel's office for advice or assistance in your defense. You may pursue the following courses of action:

(1) PAYMENT OF PENALTY: Within 30 days of service of this Notice of Claim: (a) Pay the assessed penalty in full, or (b) Establish a monthly payment plan by contacting an Enforcement Specialist (NOTE: A payment plan may be available for respondents who demonstrate financial difficulty), or (c) Contact an Enforcement Specialist outlining in writing compelling reasons why the assessed penalty should be reduced and discuss potential settlement. You may be required to submit a current, certified balance sheet or other evidence of assets and liabilities. An Enforcement Specialist can be reached at 303-407-2350. If you pay the full penalty within thirty (30) days of service of this Notice of Claim, you do not need to file a written Reply to the Notice of Claim.

You may pay the fine electronically through our SAFER website at <<http://safer.fmcsa.dot.gov>> by selecting "Online Fine Payment."

2) CDL=Commercial Driver's License; FR=Financial Responsibility; HM=Hazardous Materials (the total penalty assessed is per citation, not per number of counts); NO=Notice and Orders; NR=Nonrecordkeeping; R=Recordkeeping; COM=Commercial Regulations; E-Employee.

Case Number: WA-2014-0016-US1366

Alternatively, you may pay by cashier's check, certified check, or money order made payable to the FMCSA and mailed to:

United States Department of Transportation
Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Centre
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

Personal or company checks will not be accepted and will be returned.

Payment of the penalty will constitute admission of the violation(s) set forth in the Notice Claim, including any violation(s) charged in the Notice of Claim for a zero dollar penalty, and these violations shall constitute prior offenses under either 49 USC § 521(b)(2)(D) (for violations of the Federal Motor Carrier Safety Regulations), 49 USC § 14901(c) (for violations of the Federal Motor Carrier Commercial Regulations involving transportation of household goods) or 49 USC § 5123(c) (for violations of the Hazardous Materials Regulations) unless you proceed under the provisions of 49 C.F.R. § 386.18(c). These offenses may lead to higher penalties in future enforcement actions.

(2) **REQUEST FOR ADMINISTRATIVE ADJUDICATION:** You may contest the claim and request Administrative adjudication; you may contest the claim and request administrative adjudication for any violation(s) charged in the Notice of Claim including any violation(s) charged for a zero dollar civil penalty. If you choose this course of action, you must carefully follow the provisions within 49 CFR § 386.14, including filing a written Reply within thirty (30) days after service of this Notice of Claim.

Your Reply must be in writing, and clearly state the grounds for contesting the Notice of Claim, and must state any affirmative defenses you intend to assert. You must separately admit or deny each violation alleged in this Notice of Claim, including any violation(s) charged for a zero dollar civil penalty. Any allegations in the Notice of Claim not specifically denied in the Reply will be deemed admitted. A general denial of the claim is insufficient and may result in a default being entered by the Assistant Administrator. Your Reply must include a statement selecting one of the options for administrative adjudication available under 49 CFR § 386.14(d)(1)(iii). Once you select an adjudication option, you are bound by that selection. Please be aware FMCSA has suspended the use of informal hearings for enforcement actions initiated after June 7, 2010, and that this option is currently not available. (75 Fed. Reg. 32242 (June 7, 2010)).

You must serve your reply on all persons listed in the Certificate of Service attached to this Notice of Claim and in accordance with the requirements of 49 CFR § 386.6.

(3) **REQUEST FOR BINDING ARBITRATION:** If you dispute only the amount of the civil penalty and/or the length of time to pay, you can select to have the civil penalty amount adjudicated through FMCSA's binding arbitration program. You should notify the FMCSA of your request in writing when you submit your Reply. The Assistant Administrator will determine if your case is appropriate for binding arbitration. You will be notified in writing of the Assistant Administrator's decision regarding your request. You may choose binding arbitration if the only issues that you dispute are the amount of the civil penalty and/or the length of time to pay. FMCSA's guidance on the use of binding arbitration is available through the following link: <<http://www.fmcsa.dot.gov/>>. You can also

Case Number: WA-2014-0016-US1366

request a copy of the guidelines from the Service Center.

YOU MUST CERTIFY THAT YOUR REPLY HAS BEEN SERVED IN ACCORDANCE WITH THE REQUIREMENTS CONTAINED WITHIN 49 CFR § 386.6.

THE SPECIFIC RIGHTS PROVIDED FOR IN 49 CFR § 386.14 MAY BE WAIVED IF YOU FAIL TO SUBMIT A WRITTEN REPLY WITHIN THIRTY (30) DAYS AFTER THE SERVICE OF THIS NOTICE OF CLAIM.

FAILURE TO REPLY TO THE NOTICE OF CLAIM IN THE **EXACT** MANNER SPECIFIED IN 49 CFR § 386.14 MAY BE TREATED AS IF NO REPLY HAS BEEN FILED. UNDER 49 CFR § 386.14(c), A FAILURE TO REPLY MAY CAUSE THE FMCSA TO ISSUE A NOTICE OF DEFAULT AND FINAL AGENCY ORDER THIRTY (30) DAYS AFTER THIS NOTICE OF CLAIM IS SERVED. THE NOTICE OF DEFAULT AND FINAL AGENCY ORDER WILL DECLARE YOU TO BE IN DEFAULT AND DECLARE THE NOTICE OF CLAIM, INCLUDING THE CIVIL PENALTY PROPOSED IN THE NOTICE OF CLAIM, TO BE THE FINAL AGENCY ORDER IN THE PROCEEDINGS. THE FINAL AGENCY ORDER WILL BECOME EFFECTIVE FIVE (5) DAYS AFTER THE NOTICE OF DEFAULT AND FINAL AGENCY ORDER IS SERVED. THE DEFAULT WILL CONSTITUTE AN ADMISSION OF ALL FACTS ALLEGED IN THE NOTICE OF CLAIM AND A WAIVER OF YOUR OPPORTUNITY TO CONTEST THE CLAIM.

A GENERAL DENIAL DOES NOT MEET THE REQUIREMENTS OF 49 CFR § 386.14(d)(1). UNLESS YOUR REPLY COMPLIES WITH THE REQUIREMENTS OF 49 CFR § 386.14(d)(1), THE ASSISTANT ADMINISTRATOR MAY ENTER A DEFAULT AGAINST YOU.

IF YOU DO NOT UNDERSTAND OR ARE CONFUSED ABOUT YOUR RIGHTS AND OBLIGATIONS AS OUTLINED WITHIN THIS NOTICE OF CLAIM, YOU MAY WISH TO SEEK LEGAL ADVICE.

Copies of the procedural regulations, applicable statutes and the Service List are enclosed.

Sincerely,



Jeffrey A. James
Division Administrator
Federal Motor Carrier Safety Administration

Enclosures

Case Number: WA-2014-0016-US1366

APPLICABLE STATUTES

Section 521(b)(2)(A) of 49 USC provides that any person who is determined to have committed an act that is a violation of regulations issued under subchapter III of chapter 311 (49 USC §§ 31131 et seq.) (except sections 31138 and 31139) or 49 USC §§ 31301 and 31306, or section 31502 of 49 USC, shall be liable for a civil penalty in an amount not to exceed \$11,000 for each offense. 49 C.F.R. 386, Appendix B, paragraph (a)(3). No civil penalty shall be assessed under this section against an employee for a violation in an amount exceeding \$2,750 (49 USC § 521(b)(2)(A) and 49 C.F.R. Part 386, Appendix B, paragraph (a)(4).

Section 521(b)(2)(B)(ii) of 49 USC provides for a maximum civil penalty of \$10,000 for anyone who knowingly falsifies, destroys, mutilates, or changes a required report or record, knowingly files a false report with the Secretary, knowingly makes or causes or permits to be made a false or incomplete entry in a record about an operation or business fact or transaction, or knowingly makes, prepares or preserves a record in violation of a regulation or order of the Secretary, if any such action can be shown to have misrepresented a fact that constitutes a violation other than a reporting or recordkeeping violation. 49 USC § 521(b)(2)(B)(ii).

Section 521(b)(2)(B)(i) of 49 USC provides for a maximum civil penalty of \$1,000 for each recordkeeping offense, (including the failure to make a required report; or making a required report that does not specifically, completely, and truthfully answer a required question; or failing to make, prepare, or preserve a record in the form and manner prescribed), and each day of the violation shall constitute a separate offense. The maximum of all civil penalties assessed against any violator for all offenses related to any single violation shall not exceed \$10,000. 49 USC § 521(b)(2)(B)(i).

Section 521(b)(2)(C) of 49 USC, provides for a maximum civil penalty of \$3,750 for each violation of subparts B, C, E, F, G, or H of the commercial driver's license regulations. 49 USC § 521(b)(2)(C) and 49 C.F.R. Part 386, Appendix B, paragraph (b).

Section 31310(i)(2)(c) of 49 USC provides for a maximum civil penalty of \$25,000 for knowingly allowing, requiring, permitting, or authorizing a driver who has been placed out of service to operate a commercial motor vehicle unless that driver may lawfully do so. Each day the violation continues shall constitute a separate offense.

A person who operates as a motor carrier of passengers in violation of the registration requirements of 49 U.S.C. 13901 is liable for a minimum penalty of \$25,000 per violation. 49 USC § 14901(a) (Oct. 1, 2012).

STATEMENT OF CHARGES

Violation 1 -- 49 CFR 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

CHARGE #1:

On or about 5/18/2013, AMI allowed its driver, Stephen Valentinetti, to perform a safety-sensitive function in that the driver drove a commercial motor vehicle in commerce from Seattle, WA to Seattle, WA, before the carrier received a negative pre-employment controlled substances test result.

Adm H
t. net
D at
orig top

Violation 2 -- 49 CFR 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program.

CHARGE #1:

On or about 5/18/2013, AMI used driver, Stephen Valentinetti, to drive a commercial motor vehicle in commerce from Seattle, WA to Seattle, WA. At the time of this transportation, AMI, did not have in place a random controlled substances/alcohol testing program.

admit -
~~to the~~
entire
not

Violation 3 --- 49 CFR 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.

CHARGE #1:

On or about 5/18/2013, AMI knowingly allowed, required, permitted, or authorized its driver, Stephen Valentinetti, to operate a commercial motor vehicle in commerce from Seattle, WA to Seattle, WA, when that driver's commercial motor vehicle driver's license did not have the required endorsement(s) to operate this vehicle.

Admit

Violation 4 — 49 CFR 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws.

CHARGE #1:

On or about 5/18/2013, AMI knowingly allowed, required, permitted, or authorized its driver, Stephen Valentinetti, to operate a commercial motor vehicle identified as #2 in interstate commerce from Seattle, WA to Seattle, WA, when that driver had been placed OOS according to the NAS OOS criteria.

NG
Dental
Medical
Card
UO
Sea Tac
WTC
Inspector
Medical
Voice Call
Ref NA/SHAH
DOT

Violation 5 — 49 CFR 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified.

STATEMENT OF CHARGES

CHARGE #1:

On or about 07/14/2013, AMI required or permitted its driver, Kenneth McAllister, to drive a commercial motor vehicle in interstate commerce from Seattle, WA to SeaTac, WA. At the time of this transportation, Kenneth McAllister had not been physically examined.

Violation 6 --- 49 CFR 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file.

CHARGE #1:

On or about 7/14/2013, AMI used driver Kenneth McAllister to drive a commercial motor vehicle in interstate commerce from Seattle, WA to SeaTac, WA. At the time of this transportation the carrier did not properly maintain a qualification file for the driver Kenneth McAllister as required. A copy of the Driving Record required by 391.23(a)(1) was not included.

Violation 7 --- 49 CFR 392.9a(a)(1) - Operating without the required authority (Passengers).

CHARGE #1:

On or about 4/7/2013, AMI used driver James Mondry to transport passengers in a commercial motor vehicle in interstate commerce from Seattle, WA to Portland, OR. At the time of this transportation AMI did not have the required operating authority

Violation 8 --- 49 CFR 395.8(a) - Failing to require driver to make a record of duty status.

CHARGE #1:

On or about 06/29/2013, AMI, used driver, Stephen Valentinetti, to drive a commercial motor vehicle in interstate commerce from Seattle, WA to SeaTac, WA, without requiring the driver to prepare a record of duty status for that date.

Violation 9 --- 49 CFR 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months.

CHARGE #1:

On or about 08/18/2013, AMI used driver, Kenneth McAllister, to drive a commercial motor vehicle in interstate commerce from Seattle, WA to SeaTac, WA. The carrier failed to preserve the following supporting documents for that date for a period of 6 months: Charter Bus Trip Slip.

Violation 10 --- 49 CFR 396.17(a) - Using a commercial motor vehicle not periodically inspected.

CHARGE #1:

Medical card
yes
Low team physical
CENTHUSTAL
not required
until 2014

ADMIT

STAVE

previous
9/1/13

STAVE to check?
DM ticket

DM
ECONOMY
WANT'S
BUS TRIP SLIP

Can we get
copy of Bus #
2 stroke
Ray Gardner
BUS

RFPL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

In the Matter of:

AMI COACHES, LLC.
USDOT #2351390

Respondent.

Docket No. WA-2014-0016-US-1366
(Western Service Center)

REPLY TO NOTICE OF CLAIM

I. INTRODUCTION

AMI Coaches, LLC ("Respondent"), by and through counsel, hereby replies to the Federal Motor Carrier Safety Administration ("FMCSA") Notice of Claim dated January 31, 2014 in the above-referenced case number.

II. RESPONDENT'S ELECTION OF OPTIONS

Pursuant to 49 CFR §386.14(b), Respondent elects BINDING ARBITRATION for charges 1, 2, 5, 6, and 9, and ADMINISTRATIVE ADJUDICATION for charges 3, 4, 7, 8 and 10. The January 31, 2014 Notice of Claim assesses a civil penalty in the amount of \$60,060.00. Respondent contests the amount of the civil penalties and the allowed interval to pay the penalties associated with charges 1, 2, 5, 6, and 9. Respondent respectfully requests a formal hearing for those charges in accordance with the FMCSA arbitration program, and further requests administrative adjudication pursuant to 49 CFR §386.14(d) for all remaining

REPLY TO NOTICE OF CLAIM - I

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

April 4, 2014

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Ave. SW
Seattle, WA 98166

USDOT: 2351390

VIA FACSIMILE: (206) 242-2010

RE: Request for Change in Safety Rating under 49 C.F.R. § 385.17

Dear Mr. Valentinetti:

On November 7, 2013 a compliance review was conducted on AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "UNSATISFACTORY." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs). That request was denied on December 24, 2013. On March 4, 2014, you submitted another request to upgrade your safety rating based on corrective action that you took to come into compliance with the FMCSRs and/or HMRs.

During the compliance review, you were cited for violations of the FMCSRs and/or HMRs, including violations of acute and critical regulations:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),
- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,

SCANNED

- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),
- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background,
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days,
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect pushout windows, emergency doors, and emergency marking lights in buses at least every 90 days,
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed,
- 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate,
- 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

The compliance review also revealed an unsatisfactory vehicle out-of-service rate of 75%.

Your "Unsatisfactory" safety rating became effective December 29, 2013 and remains in effect. Therefore, you were ordered to cease all transportation in interstate and intrastate commerce and your operating authority registration was revoked effective on that date.

Your request for an upgrade and/or evidence of corrective action submitted ("upgrade request") is not sufficient to justify an upgrade to your safety rating, and it failed to demonstrate that adequate corrective actions have been taken to address the violations cited during the compliance review. As required by 49 C.F.R. § 385.17(c), a motor carrier must base its request upon evidence that it has taken corrective actions and that its operations currently meet the safety standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. Your upgrade request must include a written description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

The corrective action you submitted to address the violation(s) of 49 C.F.R. §§ 382.301(a) 382.305 and 382.601(b) was inadequate. Your upgrade request stated that you hired Don Smith,

an off-site safety officer from VATA Safety and Compliance, to manage your company's alcohol and controlled substances testing program. You included copies of pre-employment test results, documentation that you hired US Healthworks to perform your random alcohol and controlled substances tests, a copy of your company's alcohol and controlled substances policy and copies of signed receipts from your drivers indicating that they understood your policy. However, your request failed to provide evidence of a comprehensive program of on-site controls, including detailed policies and procedures to ensure that pre-employment, random, post-accident reasonable suspicion, and return to duty testing is conducted in accordance with 49 CFR Part 382. Your company policy was incomplete; in addition, you stated that driver Michael Burdick no longer worked for your company, but he is listed on your most current random controlled substance testing list.

The corrective action you submitted to address the violation(s) of 49 C.F.R. §§ 383.37(a) and 383.37(d)/ 392.2 was inadequate. You stated in your upgrade request that you established new procedures to ensure your driver have a valid commercial driver's license (CDL) with the required endorsement. However, your upgrade request failed to describe the specific procedures you implemented to ensure your drivers are fully qualified and have a valid CDL with required endorsement(s). Your upgrade request failed to demonstrate that your CDL drivers who operated without a passenger endorsement and with an intrastate restriction have obtained the appropriate CDL for the type of CMV they operate. In addition, your request completely failed to address the violation of 49 C.F.R. § 383.37(d)/ 392.2.

The corrective action you submitted to address the violation(s) of 49 C.F.R. § 390.35/396.17(a) was inadequate. Your upgrade request explained that the owner or a "deputy" will re-inspect and verify repairs have been made when a component is marked as needing repair. Your upgrade request explained that when you identify that a fraudulent inspection was performed you will schedule another inspector to inspect the CMV. Your upgrade request failed to explain why a false entry was made on an annual periodic inspection. Your upgrade request failed to identify the name or qualifications of your "deputy" that will re-inspect and verify that repairs are made. In addition, the evidence provided as corrective action included the same inspection that had the false entry and failed to include evidence that the subject vehicle component was replaced and/or repaired. You failed to provide evidence that another annual inspection was performed to replace the annual inspection with the false entry.

The corrective action you submitted to address the violation(s) of 49 C.F.R. §§ 391.23(a), 391.45(a)/391.11(a) and 391.51(b)(2) was inadequate. Your upgrade request indicated that you established new procedures to ensure your drivers are qualified. Your upgrade request indicated that Don Smith, an off-site safety officer, will ensure all that DQ files and documents are complete, will notify the owner when files are complete, and will monitor due dates in each DQ file. Your upgrade request failed to explain the on-site safety management controls to ensure drivers are and remain qualified, DQ hiring criteria, and methods to verify your off-site safety officer performed the DQ process as required in 49 C.F.R. Part 391 – your upgrade request contained incomplete DQ files. For example, the DQ file for Michael Burdick failed to contain evidence that a 3-year driving record history inquiry was made to the state agency that issued the driver license.

Your upgrade request failed to address the violation(s) of 49 C.F.R. § 392.9a(a)(1).

The corrective action you submitted to address the violation(s) of 49 C.F.R. §§ 395.5(b)(2), 395.8(a), 395.8(f), and 395.8(k)(1) was inadequate. Your upgrade request included an explanation that Don Smith, an off-site safety officer, is responsible for ensuring that your drivers do not violate the hours of service (HOS) regulations. Your upgrade request indicated that you will install Zonar, an electronic fleet management system, to monitor and track the drivers' HOS and Don Smith will retain the records of the system once your upgrade request is granted. Your upgrade request indicated that you have established a progressive disciplinary program to ensure records of duty status (RODS), time records, and supporting documents are being submitted. Your upgrade request failed to explain how you will ensure your off-site safety officer is adequately performing the duties identified in your new HOS compliance plan – the samples of 'reviewed' time records you submitted include violations. For example, your driver Rosemary Tucker's work time sheet on January 21, 2013, indicated that she started at 4:30 am (PST) and her end time was 6:30 pm (PST), which would be a total of 14 hours on-duty. Therefore, driver Tucker failed to meet the exception in 49 CFR § 395.1(c), yet your upgrade request failed to demonstrate a RODS was completed for that day. Your upgrade request failed to provide RODS supporting documents that are being retained. Your upgrade request also did not provide a detailed description of how the Zonar electronic fleet management system will ensure your company complies with the HOS requirements or identify personnel that will be trained to monitor the HOS of your drivers.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 396.3(a)(2), 396.3(b)(1), 396.3(b)(2), 396.11(b), 396.11(c)(2) and 396.17(a) were inadequate. Your upgrade request indicated that you established a written policy and implemented new procedures to correct all maintenance deficiencies. Your upgrade request indicated that your drivers will be responsible for ensuring that appropriate 90-day inspections are conducted. Your request indicated that Don Smith, your off-site safety officer, is responsible for ensuring that drivers complete DVIRs on a weekly basis, and that he will maintain your maintenance files and documents and track maintenance and inspection due dates. In addition, your upgrade request indicated that you will install Zonar, an electronic fleet management system, to track DVIRs submitted by your drivers once your upgrade request is granted. Your upgrade request explained that drivers will ensure CMVs have a valid annual inspection. Your upgrade request contained vehicle maintenance logs, a blank 90-day inspection form, copies of DVIRs submitted, repair invoices, vehicle inspection guides, copies of annual inspections, and your employee handbook. Your upgrade request failed to explain any on-site safety management controls to ensure your CMVs meet requirements in 49 C.F.R. Parts 393 and 396 and how you will ensure your off-site safety officer is adequately implementing your maintenance safety plan – the vehicle maintenance files that were provided as evidence of corrective action fail to contain complete information on the nature and due date of next inspection and/or maintenance to be performed, and a complete record of any repair and/or maintenance conducted. For example, the vehicle maintenance log for the CMV identified as "3 Barney" contains a brief description such as "brake lining," however, your record does not identify which brake lining was repaired, replaced, or inspected. Your upgrade request failed to identify the qualifications of your vehicle maintenance staff to ensure CMV components meet the requirements in Appendix G of Subchapter B, and Parts 393 and 396. Your upgrade request also did not provide a detailed

description how the Zonar electronic fleet management system will ensure your company complies with the requirements in 49 C.F.R. § 396.11.

The corrective action you submitted to address your unsatisfactory out of service (OOS) rate was inadequate. Your upgrade request explained that your vehicle out of service rate will improve based on pre-and post-trip inspection training given to drivers and a plan for regular maintenance. Your upgrade request indicated that Don Smith, your off-site safety officer, is responsible for ensuring that drivers report OOS conditions on their DVIRs, and that he will maintain repair documents and place CMVs OOS if repairs are not performed. The maintenance records you submitted fail to demonstrate that you have adequate scheduled maintenance and routine inspections and failed to describe how you will inspect CMVs for OOS defects and deficiencies that cannot be identified by drivers during pre- and post-trip inspections. For example, your upgrade request failed to provide a written explanation of on-site procedures to inspect the undercarriage of CMVs, and to measure the brake push-rods to ensure all vehicle components comply with the requirements in Appendix G of 49 C.F.R. Subchapter B, and Parts 393 and 396. The vehicle maintenance records you submitted are incomplete and failed to demonstrate that the schedules of maintenance described in your request are being followed to prevent OOS defects. For example, the vehicle maintenance for the CMV identified as "3 Barney" included a repair record that indicates neglected preventive maintenance of a mechanical component (axle 1 right side brake rotor).

After reviewing your upgrade request, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 C.F.R. § 385.17 the Field Administrator must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. You may submit another request for a change to the proposed or final safety rating under 49 C.F.R. § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 C.F.R. § 385.15 (see 49 C.F.R. § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 C.F.R. § 385.15, your request for review must be submitted in writing to the Assistant Administrator/ Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590

If you elect to submit another request for a safety rating upgrade under 49 C.F.R. § 385.17, you must submit a new, comprehensive, and well-organized upgrade request. It must include evidence of corrective action that demonstrates that you are in compliance with the safety factors and standards in 49 C.F.R. §§ 385.5 and 385.7, and should include:

1. A detailed description of the on-site safety management controls and procedures you have implemented or will implement to ensure you do not use a driver in a safety sensitive position before receiving a negative pre-employment controlled substances test

result. Identify your designated employer representative (DER) and the carrier official(s) responsible for ensuring compliance with pre-employment controlled substances testing requirements and maintaining documentation as required. Identify any and all drivers that have submitted to a pre-employment controlled substances test for you in the past 365 days, and include a copy of the pre-employment controlled substances test documentation with test results. Include a list of drivers you intend to use once operations resume.

2. A detailed description of the on-site safety management controls and procedures you have implemented or will implement to ensure compliance with the random drug and alcohol testing requirements in 49 CFR Part 382. Your description must include; procedures to enroll newly hired drivers in your company's random controlled substances and alcohol testing pool; procedures to ensure drivers notified to submit to random test proceed to the collection site immediately and test; and procedures to ensure your random testing pool is up-to-date, including procedures for ensuring all terminated drivers are withdrawn from your random testing pool. Identify your company official(s) responsible for ensuring compliance with random alcohol and controlled substances testing requirements, including verifying that random tests are conducted within the selection period, updating the list of drivers in your random testing pool, monitoring test results, checking annual testing rates and ensuring documentation is maintained as required. Provide an updated list of the drivers that are enrolled for random testing. Provide all selection notices from your consortium for all selection periods including those when no drivers were selected. Identify any and all drivers that have submitted to a random alcohol or controlled substances test for you in the past 365 days, and include a copy of the test documentation with test results.
3. A copy of a complete and compliant company controlled substances and alcohol policy, and evidence that it has been distributed to your drivers.
4. A detailed description of the process breakdown that resulted in the violations of 49 CFR Part 383, and a detailed description of the procedures implemented by company official(s) to ensure that your drivers CDLs are valid and active, and include the required endorsement(s). Explain the elements of each driver's record that you will evaluate to determine if the driver is qualified for your operation. Explain any controls you've implemented to ensure drivers do not operate in violation of restrictions. Provide evidence that all drivers have a valid CDL, including a current driver driving history abstract from the issuing State of domicile. Describe what the company has done to prevent driver Steve Valentinetti from driving a CMV requiring a passenger endorsement, until he obtains the proper CDL.
5. A detailed description of the procedures you have implemented or will implement to ensure that your drivers are and remain qualified, and that required DQ documents are retained in each driver's file. Provide a detailed description of the on-site procedures you have implemented or will implement for each the specific qualification processes and documents required. Identify the company official(s) responsible for ensuring your drivers are and remain qualified, and for ensuring that each driver's qualification file

contains all required information and documents and is kept up to date. Provide complete DQ files for three (3) drivers you intend to use once operations resume.

6. A detailed procedures how you will verify that your company has the required operating authority with the FMCSA before an interstate trip is arranged and/or passengers are transported.
7. A detailed description of the safety management system you have implemented or will implement to monitor and control driver compliance with HOS requirements, to verify that drivers complete and timely submit RODS and/or time records, and to verify that driver RODS and/or time records are accurate and complete. This description should include procedures for verifying the accuracy of RODS and/or time records; a description of supporting documents used to compare with the RODS; and a description of the frequency of RODS checks. This description should identify the company official(s) responsible for ensuring drivers' compliance with the HOS requirements and for ensuring RODS and supporting documents are maintained as required.
8. A RODS audit summary for the month of November 2013 for three (3) drivers, including, at a minimum, the number of RODS checked for compliance with the 10, 15, and 60/70 HOS limits, the number of 10, 15, and 60/70 hour violations found, the number of RODS checked for accuracy, the number of RODS determined to have been falsified, the names of drivers found in violation by violation date and type, and any action taken against the driver. Copies of the RODS and supporting documents, as well as any evidence of disciplinary action taken against drivers found violating the HOS regulations must be attached to the summary.
9. A time records audit summary for the month of November 2013 for three (3) drivers, including, at a minimum, the number of days checked for compliance to ensure the exception in 49 C.F.R. § 395.1(e) is met, the number of time records determined to have not met the exception under 49 C.F.R. § 395.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies of the time records, RODS submitted when it was determined that the exception in 49 C.F.R. § 395.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.
10. Provide a detailed description of policies and/or on-site procedures to ensure that each CMV has a complete maintenance file and records of inspections, repairs and maintenance performed. In addition, provide a detailed description of how you will ensure that push-out windows, emergency doors, and emergency door marking lights in buses will all be inspected at least every 90 days. Identify the company official(s) who will be responsible for monitoring maintenance schedules and due dates and ensure maintenance files are kept and contain records of inspection, repairs and maintenance. Provide samples of complete maintenance files for three (3) CMVs.
11. Provide a detailed description of procedures to ensure all CMVs have a current periodic (annual) inspection in accordance to Appendix G of 49 C.F.R. Subchapter B. Provide

copies of all annual inspections for all CMVs, including intermodal chasses. Provide evidence to indicate the individuals that perform the annual inspections on your CMVs are qualified, as prescribed in 49 C.F.R. § 396.19.

12. Provide a detailed description on how company officer(s) will monitor periodic (annual) inspections to ensure they are not fraudulently or intentionally altered by drivers, staff and third-party inspectors. Describe actions taken when documents are discovered to be fraudulently or intentionally altered. Describe specific procedures to ensure annual inspections are not fraudulent or intentionally altered.
13. A detailed description of the safety management controls and procedures you have implemented or will implement to ensure your drivers submit DVIRs as required, and that the reports are maintained as required. Describe instructions you will provide to your drivers on submitting complete DVIRs, including listing and reporting any vehicle defects and/or deficiencies, and certifying repairs were performed. Identify the company official(s) that will ensure that defects and/or deficiencies noted on a DVIR are repaired before the CMV is re-dispatched. Provide a list of the CMVs that you intend to use, and a sample DVIRs that you will require your drivers to complete and submit. Provide a sample of DVIRs for three (3) CMVs for the month of November 2013.
14. A written and detailed description of procedures and safety management controls you have implemented or will implement to ensure systematic inspections, repairs, maintenance and periodic inspections of your commercial motor vehicles to prevent and address vehicle out-of-service defects. Your request should include an explanation of how you will ensure that repairs are made on vehicles that are placed out of service. In addition, your request needs to describe procedures and steps you will take to reduce vehicle out-of-service defects and violations, and how your maintenance program will improve your vehicle out-of-service rate and roadside inspection performance. Provide evidence of repairs performed for all vehicle out-of-service defects and deficiencies noted on federal and state vehicle inspections in the past 365 days.
15. A detailed description of procedures implemented to delineate records for both of your motor carrier operations. This description must include how drivers and vehicles will be identified on documents required by the Federal Motor Carrier Safety Regulations. Also explain how dispatch records will be maintained for each company in a way that someone outside of the company knows when/where trips were made and which motor carrier, driver and vehicle made each trip.

I note that the corrective action provided in your upgrade request is highly dependent on Don Smith, an off-site safety consultant, who is not part of your day to day operation and would only have access to the information you provide him. In any future upgrade request, please describe how you will ensure that Mr. Smith, or any third-party provider and/or safety management personnel, is provided access to all safety related documentation and how you will ensure such consultants are adhering to the requirements in the FMCSRs and policies and/or procedures you have implemented.

949

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of Ami Coaches LLC, dba Ami 's request for change in safety rating under 49 C.F.R. § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure your safety management controls provide for sustained compliance with the FMCSRs and that your motor carrier operation meets the safety factors and standards specified in 49 C.F.R. §§ 386.5 and 386.7. The Agreement and Order under 49 C.F.R. 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 C.F.R. § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request.

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Coordinator by telephone at (303) 407-2350.

Sincerely,



William R. Paden
Regional Field Administrator

cc: Jeffrey A. James, Division Administrator



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration
Western Service Center

Golden Hills Office Centre
12600 West Colfax Avenue, Suite B-300
Lakewood, Colorado 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

May 29, 2014

Steve Valentinetti, Owner
AMI Coaches, LLC
dba AMI
14644 9th Avenue SW
Seattle, WA 98166

WA-2014-0016-US1366
USDOT No. 2351390

Email: habell@williamskastner.com

Enclosed is a settlement agreement ("Agreement") between AMI Coaches, LLC dba AMI and the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA). The Agreement contains the terms and conditions upon which FMCSA consents to settlement in the above-referenced civil penalty proceeding.

The Agreement must be signed by an authorized representative of AMI Coaches, LLC dba AMI and returned to the FMCSA by mail and/or fax:

Fax to: (303) 407 2339

Mail to: MOTOR CARRIER DOCKET CLERK
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
WESTERN SERVICE CENTER
12600 WEST COLFAX AVENUE, SUITE B-300
LAKEWOOD, CO 80215

FMCSA MUST RECEIVE THE SIGNED AGREEMENT BY May 30, 2014. After FMCSA receives the signed Agreement, it will be executed by a Field Administrator. A fully signed and executed copy will be returned to you.

It is important that you return the signed Agreement to FMCSA by May 30, 2014. The Agreement is not in effect or binding upon FMCSA until it has been received in the Service Center and signed by a Field Administrator. If you fail to return the signed Agreement by May 30, 2014, a Field Administrator's preliminary consent to settlement of this civil penalty proceeding will automatically be withdrawn, and appropriate action will be taken to enforce the claim as originally set forth in the Notice of Claim.

Thank you for your cooperation in this matter.

Sincerely,

William R. Paden
Regional Field Administrator
Western Service Center

WA-2014-0016-US1366

C: Airline Shuttle, Inc.
M: FMCSA Investigator

**BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

In the Matter of

**AMI Coaches, LLC
dba AMI
14644 9th Avenue SW
Seattle, WA 98166**

)
) Case No. WA-2014-0016-US1366
) USDOT No. 2351390
) MC No.
)
)

SETTLEMENT AGREEMENT

The Parties to this agreement are:

AMI COACHES, LLC DBA AMI (hereinafter called **RESPONDENT**);

and

The **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION** of the U.S. Department of Transportation (hereinafter called **FMCSA**).

The Parties agree as follows:

1. A. The FMCSA has a pending claim against **RESPONDENT** for violations of Federal statutes and regulations, including the Federal Motor Carrier Safety Regulations, (hereinafter referenced as FMCSRs), Hazardous Materials Regulations (hereinafter referenced as the HMRs) and/or the Federal Motor Carrier Commercial Regulations (hereinafter referenced as the FMCCRs) as follows:

In Case Number WA-2014-0016-US1366 FMCSA has a claim for \$63,060.00 against **RESPONDENT** for the following violations:

One (1) violation of 49 CFR § 382.301(a) – Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

One (1) violation of 49 CFR § 382.305 – Failing to implement a random controlled substance and/or alcohol testing program.

One (1) violation of 49 CFR § 383.37(a) – Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP of CDL or does not have a CLP or

WA-2014-0016-US1366

CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.

One(1) violation of 49 CFR § 383.37(d)/392.2 – Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws.

One (1) violation of 49 CFR § 391.45(a)/391.11(a) – Using a driver not medically examined and certified.

One (1) violation of 49 CFR § 391.51(b)(2) – Failing to maintain inquiries into driver's driving record in driver's qualification file.

One (1) violation of 49 CFR § 392.9a(a)(1) – Operating without the required authority. *RESPONDENT maintains the transportation began in Mukilteo, WA and ended in Seattle, WA.

One (1) violation of 49 CFR § 395.8(a) – Failing to require driver to make a record of duty status.

One (1) violation of 49 CFR § 395.8(k)(1) – Failing to preserve driver's records of duty status supporting documents for 6 months.

One (1) violation of 49 CFR § 396.17(a) – Using a commercial motor vehicle not periodically inspected.

B. This claim was served to **RESPONDENT** on January 31, 2014.

C. As part of this settlement agreement, FMCSA agrees to dismiss the following violations(s):

One(1) violation of 49 CFR § 383.37(d)/392.2 – Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws.

One (1) violation of 49 CFR § 395.8(a) – Failing to require driver to make a record of duty status.

One (1) violation of 49 CFR § 396.17(a) – Using a commercial motor vehicle not periodically inspected.

By modifying the violations, the penalty set forth in the Notice of Claim has been
WA-2014-0016-US1366

reduced from \$63,060 to \$27,060.00.

The Parties stipulate that the dismissal of charges as specified in paragraph 1C of the settlement agreement is solely and exclusively for the purpose of settlement of the claim in Case Number WA-2014-0016-US1366 and shall not modify, amend or supersede any finding of violation or other actions, including the findings of the compliance review, and any safety measurement scores, rankings, and /or safety rating of fitness determination resulting from the compliance review.

2. RESPONDENT is subject to the jurisdiction of the FMCSA. The statutory basis for the claim as set forth and detailed in the above-referenced civil penalty proceeding is found in 49 U.S.C. Subtitle III, General and Intermodal Programs; 49 U.S.C. Subtitle IV, Interstate Transportation, Part B, Motor Carriers, Water Carriers, Brokers, and Freight Forwarders; 49 U.S.C. Subtitle VI, Motor Vehicle and Driver Programs, Part B, Commercial; including, but not limited to, 49 U.S.C. § 521 ("Civil Penalties"); 49 U.S.C. § 5123(c) ("Civil Penalty"); and 49 U.S.C. § 14901 ("General Civil Penalties").
3. Pursuant to the Federal Claims Collection Act of 1966, 31 U.S.C. Chapter 37, Subchapter II, and the regulations of the FMCSA in 49 CFR Part 386, the parties desire to settle the claim. This agreement for settlement of the claims is made pursuant to 49 CFR § 386.22. The Parties stipulate this settlement agreement ("Agreement") resolves only the claim set forth in Paragraph 1 of this Agreement. **Further, the Parties stipulate nothing in this Agreement shall be construed to relieve or limit RESPONDENT's duty to comply with all applicable U.S. Department of Transportation statutes and implementing regulations, including the FMCSRs, HMRs, and the FMCCRs.**
4. Through this Agreement the Parties stipulate that FMCSA will conditionally hold in abeyance **\$15,310.00** of the **\$27,060.00** civil penalty in Case Number WA-2014-0016-US1366 subject to **RESPONDENT'S** compliance with the terms and conditions set forth below. The Parties further stipulate that this Agreement is a contract voluntarily entered, upon the consideration stated herein, which may be enforced. Through this Agreement, **RESPONDENT** knowingly waives any right it may have to adjudication of a breach or notice of breach of this Agreement through a separate Notice of Claim proceeding commenced under 49 CFR § 386.11(c), any right it may have to claim or assert a requirement for a separate Notice of Claim proceeding under 49 CFR § 386.82(a)(3), and any right it may have to claim or assert a requirement for a separate Notice of Claim proceeding under 49 CFR § 386.82(a)(3) as a defense to any notice of breach and/or demand for payment of civil penalties held in abeyance.
 - A. **RESPONDENT'S** successful compliance with 49 CFR Part(s) 382, 383, 391, and 395. Successful compliance with 49 CFR Part(s) 382, 383, 391, and 395 means that, at the conclusion of any investigation conducted within the next 2 year(s) from the date of execution of this Agreement by the Field Administrator, no violations of acute regulations and/or no violations of critical regulations at a violation rate equaling or exceeding 10% in 49 CFR Part(s) 382, 383, 391, and

395 is/are discovered. Acute and critical violations are listed in 49 CFR Part 385, Appendix B, section VII.

Discovery of a violation of an acute regulation in 49 CFR Part(s) 382, 383, 391, and 395 during any investigation, including but not limited to compliance review, roadside inspection and/or on- or off-site investigation, will constitute failure to abide by the terms and conditions of this Agreement. Discovery of a violation of a critical regulation in 49 CFR Part(s) 382, 383, 391, and 395 at a critical violation rate during any investigation, including but not limited to compliance review, roadside inspection and/or on-site or off-site investigation, conducted within the next 2 year(s) from the date of execution of this Agreement by a Field Administrator will constitute a failure to abide by the terms and conditions of this Agreement. A violation rate that equals or exceeds 10% for critical regulations in 49 CFR Part(s) 382, 383, 391, and 395 will constitute a critical violation rate (a critical violation rate is determined by dividing the number of violations discovered by the number of documents examined).

- B. **RESPONDENT'S** successful compliance with the registration and operating authority requirements of 49 U.S.C. §§ 13901-13902 and 49 C.F.R. § 392.9a(a). Successful compliance with the registration and operating authority requirements of 49 U.S.C. §§ 13901-13902 and 49 C.F.R. § 392.9a(a) means that, at the conclusion of any investigation conducted within the next two (2) year(s) from the date of execution of this settlement agreement by the Field Administrator, **RESPONDENT** shall not have operated a commercial motor vehicle providing transportation of passengers in interstate commerce unless **RESPONDENT** has at the time of the transportation active registration and operating authority as required by 49 U.S.C. §§ 13901-13902.

Discovery of a violation of the registration and/or operating authority requirements of 49 U.S.C. §§ 13901-13902 and/or 49 C.F.R. § 392.9a(a) during any investigation, including compliance review, roadside inspection and/or on or off-site investigation, will constitute failure to abide by the terms and conditions of this settlement agreement of **RESPONDENT** during the period of the conditional suspension will constitute failure to abide by the terms of this agreement. If a violation of operating a commercial motor vehicle providing transportation of passengers in interstate commerce during which the **RESPONDENT** at the time of the transportation does not have active registration and operating authority as required by 49 U.S.C. §§ 13901-13902, will constitute failure to abide by the terms and conditions of this settlement agreement.

- C. **RESPONDENT** pays the portion of the civil penalty not held in abeyance in accordance with the terms of this Agreement, including all due dates and procedures for payment.

- D. Except as to payment of the portion of the assessed civil penalty not held in
- WA-2014-0016-US1366

abeyance, and subject to the terms and conditions of this Agreement, the terms related to the civil penalties held in abeyance shall terminate 2 years from the date of execution of this Agreement by a Field Administrator. If at the conclusion of the 2 year period **RESPONDENT** has complied completely with all terms and conditions of this Agreement, the civil penalties held in abeyance will be permanently forgiven.

5. In consideration of the settlement of the above-described claim, and subject to the terms and conditions of this Agreement, **RESPONDENT** agrees to pay the FMCSA, and FMCSA agrees to accept the civil penalties not held in abeyance in the amount of **\$11,750.00, in twelve (12) payments.**
6. Payment may be made electronically through the SAFER website at <http://safer.fmcsa.dot.gov/> by selecting the "Online Fine Payment" option under the FMCSA Services section. Alternatively, payments may be made by mailing a **cashier's check, certified check or money order** payable to the **Federal Motor Carrier Safety Administration**. To expedite processing and ensure proper credit, checks should be annotated with the FMCSA Case Number. **RESPONDENT** acknowledges that payments not received by FMCSA or late payments may result in a breach of this Agreement. **RESPONDENT** further acknowledges that it may document mailed payments by using a trackable method (such as certified mail or commercial delivery service such as Federal Express or United Parcel Service) if **RESPONDENT** does not make its payments electronically through the SAFER website. Mailed payments must be sent to:

Federal Motor Carrier Safety Administration
Western Service Center
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

The first payment of \$981.00 is due no later than July 14, 2014
The second payment of \$979.00 is due no later than August 14, 2014
The third payment of \$979.00 is due no later than September 14, 2014
The fourth payment of \$979.00 is due no later than October 14, 2014
The fifth payment of \$979.00 is due no later than November 14, 2014
The sixth payment of \$979.00 is due no later than December 14, 2014
The seventh payment of \$979.00 is due no later than January 14, 2015
The eighth payment of \$979.00 is due no later than February 14, 2015
The ninth payment of \$979.00 is due no later than March 14, 2015
The tenth payment of \$979.00 is due no later than April 14, 2015
The eleventh payment of \$979.00 is due no later than May 14, 2015
The twelfth payment of \$979.00 is due no later than June 14, 2015

7. Failure to pay in accordance with the terms of this Agreement and/or failure to comply with the terms and conditions of this Agreement shall be considered a breach of this Agreement and may result in the reinstatement of any penalties held in abeyance and may

also result in the loss of any reduction in civil penalties asserted in the Notice of Claim, in which case the original amount asserted in the Notice of Claim (less any payments previously made) will be due immediately. Failure to comply with the terms and conditions of this Agreement shall also void and vacate any payment plan set forth in this Agreement. Failure to make an installment payment on schedule voids any payment plan set forth in this Agreement and the entire debt is payable immediately. **If the entire amount is not paid within ninety (90) days of the missed due date for the installment payment, RESPONDENT will be prohibited from operating in interstate commerce and, if applicable, RESPONDENT'S registration will be suspended or revoked in accordance with 49 CFR §§ 386.83 and 386.84.** In addition, the remaining debt is subject to interest, penalties, and administrative charges at the maximum allowable rate and in accordance with FMCSA procedures. Any payment(s) made after a breach of any term and/or condition of this Agreement, including failure to pay in accordance with the terms of this Agreement, will be applied toward the balance of the original amount claimed, and shall not affect any right of FMCSA to pursue any remedy for breach of this Agreement.

8. The Parties stipulate the claim set forth in the above-described Notice of Claim is valid. By signing this Agreement, **RESPONDENT** waives any right it may have to subsequently challenge the validity of such claim, including without limitation the right to petition for reconsideration under 49 CFR § 386.64. **FMCSA may pursue any action for violations of the FMCSRs, HMRs, and/or the FMCCRs, and/or for enforcement of this Agreement, and/or for recovery of the full penalty asserted in the Notice of Claim.** Any forbearance by FMCSA in exercising any right or remedy under this Agreement or provided by law, including, without limitation, FMCSA's acceptance of late payment(s) or payment(s) in amounts less than the amount due, shall not act as a waiver of or preclude the exercise of any right or remedy hereunder or otherwise available by law, nor shall it in any way affect the validity of this Agreement or any part thereof.
9. This Agreement is to be executed by **RESPONDENT** and returned to **FMCSA**. This Agreement is not binding upon FMCSA until executed by a Field Administrator. Prior to the execution of this agreement by a Field Administrator, this agreement is an offer in compromise by **RESPONDENT** and may not be withdrawn for a period of thirty (30) days after it is executed by **RESPONDENT**. If this Agreement requires approval by the Assistant Administrator or an Administrative Law Judge, neither party may withdraw its consent to the Agreement for a period of thirty (30) days from the date a Field Administrator signs the agreement. This Agreement becomes the Final Agency Order in this proceeding as provided by 49 CFR § 386.22(c)-(e).
10. **RESPONDENT** acknowledges that it has received adequate notice of FMCSA's claim and waives any and all rights it may have to further notice or to further details of the allegations that gave rise to the claim. Further, **RESPONDENT** expressly acknowledges that FMCSA had a reasonable basis in law and fact and was substantially justified in pursuing the claim against **RESPONDENT**.

11. Execution of this Agreement will constitute admission of the violation(s) set forth in this agreement and these violations shall constitute prior offenses under 49 U.S.C. §§ 521, and/or 14901, and/or 5123, which will lead to higher penalties in future enforcement actions and adverse future safety management assessment scores and rankings.
12. This Agreement, including all enumerated conditions held in abeyance of a portion of the assessed penalty, shall apply to, be binding upon, and enforceable against **RESPONDENT** and **RESPONDENT's** successors and assigns, including but not limited to, subsequent purchasers, transferees, and/or successor entity(ies).
13. This Agreement may be executed in counterparts, all of which when taken together shall constitute a fully executed original. A facsimile signature on this Agreement shall constitute an original signature for purposes of execution.
14. This Agreement shall be considered jointly drafted by the Parties, and constitutes the final and exclusive agreement between the Parties in this proceeding. All prior and contemporaneous agreements, representations, negotiations, and understandings of the Parties, oral or written, are hereby superseded. Notwithstanding this provision, the Notice of Claim, as referenced in Paragraph 1 of this Agreement, is incorporated by reference in this Agreement.
15. **RESPONDENT** hereby acknowledges, represents, and warrants that **RESPONDENT** has carefully read and understands this Agreement, all of its terms and conditions, and its final and binding effect, and has been afforded sufficient time and opportunity to review this Agreement with legal counsel of its choosing, has had an opportunity to negotiate with regard to the terms of this Agreement, is fully competent to enter into this Agreement, and has signed this Agreement knowingly, freely, and voluntarily. Each signatory acting on behalf of a partnership, corporation, limited liability company, or other entity represents and warrants that he or she is authorized to act on behalf of, and bind the entity in the signing of this Agreement.
16. Should any provision of this Agreement be held invalid or illegal, such illegality shall not invalidate the whole Agreement, but, rather, the Agreement shall be construed as if it did not contain the invalid or illegal part, and the rights and obligations of the Parties shall be construed and enforced accordingly.

AMI COACHES, LLC DBA AMI
CASE No. WA-2014-0016-US1366

By: 
Steve Valentinetti, Owner

Date:

5-30-2014
2 15:17

Email for service to **RESPONDENT**: habell@williamskastner.com

PLEASE FAX THE SIGNED AGREEMENT TO: (303) 407 2339

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
WESTERN SERVICE CENTER
12600 WEST COLFAX AVENUE, SUITE B-300
LAKEWOOD, COLORADO 80215

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
WESTERN SERVICE CENTER

By: _____

Date: _____

William R. Paden
REGIONAL FIELD ADMINISTRATOR

WA-2014-0016-US1366

10 of 10

I HAVE READ AND APPROVE THE SUBMISSION OF THE ATTACHED SETTLEMENT
AGREEMENT ON BEHALF OF MYSELF AND AMI COACHES, LLC.



STEVE VALENTINETTI
PRESIDENT
AMI COACHES, LLC

DATE: 5-30-2014

Addendum 1

In an effort to move forward working to make the highways safer, AMI will sign the settlement agreement WA-2014-0016-US1366 and pay the \$11,750 fine reflected in the "Settlement Agreement" with the FMCSA's clear legal and normal human understanding that the morning of April 7th, 2013 we sent 2 motor coaches to assist in a train derailment accident that was caused by a mudslide in Mukilteo Washington. We assisted in the rescue and transportation of all passengers on that derailed train only and moved the passengers to safety to the Seattle King St. Amtrak Station*. AMI motor coaches remained on call for the duration of that day, per the Seattle Amtrak Station generating an invoice reflecting 12 hours to Amtrak. Other bus companies with previous experience with Amtrak moved the passengers for the next 48 hours.

AMI Coaches and the FMCSA agree that the fine remains the same however this addendum supersedes the language in the notice of claim 49 CFR 392.9a(a)(1) reflecting a transport from Everett to Portland (April 7, 2013) as well as #11, #1c,2 in the "Parties agree as follows" portion of the settlement agreement as the FMCSA has mistakenly accused us of traveling to Portland Oregon with Amtrak passengers from the train accident.

If AMI understood that a letter from the FMCSA titled "AMI has been Granted Preliminary Authority" means "You don't have Authority" we wouldn't have operated for the emergency Amtrak move April 7th, 2013.

AMI has never "Fraudulently" or "Knowingly" broken any State or Federal rules and with new safeguards in place don't plan to in the future.

Thank you



S-30-2014 @ 11:00

Steve Valentinetti for AMI Coaches

- See FMCSA letter April 1, 2013 "Preliminary Authority Granted"



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

June 12, 2014

USDOT: 2351390

William, Kastner, & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98101

AND VIA FACSIMILE: (206) 628-6611

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Ave. SW
Seattle, WA 98166

AND VIA FACSIMILE: (206) 242-2010

RE: Request for Change in Safety Rating under 49 C.F.R. § 385.17

Dear Mr. Valentinetti:

On November 7, 2013 a compliance review was conducted on AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "UNSATISFACTORY." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs). That request was denied on December 24, 2013. On March 4, 2014, you submitted another request to upgrade your safety rating based on corrective action. That request was denied on April 4, 2014. On May 13th, 2014, you submitted a third request to upgrade your safety rating based on corrective action.

During the compliance review, you were cited for violations of the FMCSRs and/or HMRs, including violations of acute and critical regulations:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or

endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),

- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),
- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background,
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days,
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect pushout windows, emergency doors, and emergency marking lights in buses at least every 90 days,
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed, 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate, 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

The compliance review also revealed an unsatisfactory vehicle out-of-service rate of 75%.

Your "Unsatisfactory" safety rating became effective December 29, 2013 and remains in effect. Therefore, you were ordered to cease all transportation in interstate and intrastate commerce and your operating authority registration was revoked effective on that date.

Your request for an upgrade and/or evidence of corrective action submitted ("upgrade request") is not sufficient to justify an upgrade to your safety rating, and it failed to demonstrate that adequate corrective actions have been taken to address the violations cited during the compliance review. As required by 49 C.F.R. § 385.17(c) a motor carrier must base its request upon evidence that it has taken corrective actions and that its operations currently meet the safety standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7 and must include a written

inspector Terry Roberson certified vehicle # 4 as compliant with Subpart G criteria when you asked him to do so and assured him that the broken tailpipe would be repaired. The broken part was observed still missing from the vehicle 6 days after the inspection. You submitted the fraudulent inspection again as your evidence of corrective action. You failed to provide evidence that another inspection was performed to replace the annual inspection with the false entry. Your upgrade request contained a repair receipt December 17, 2013 for the broken tail pipe on vehicle #4, however no evidence of a periodic inspection after the date was provided.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 391.23(a), 391.45(a)/391.11(a) and 391.51(b)(2) was inadequate. Your request indicated that Ms. Linn and Mr. Valentinetti will ensure driver applicants are fully qualified, that current drivers remain qualified, and that driver qualification (DQ) files are complete and maintained. Your request indicated that your consultant, Don Smith, will conduct on-site DQ file audits. In addition, your request indicated you will utilize the VATA electronic compliance scheduler to monitor DQ document expiration dates. Your request included a sample of two DQ files. Your request failed to provide evidence of the VATA electronic compliance scheduler demonstrating how it has been used to compile driver qualification data and deadlines and any alerts it will generate.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 395.5(b)(2), 395.8(a), 395.8(f) and 395.8(k)(1) was inadequate. Your request indicates that you will equip your commercial motor vehicles (CMVs) with electronic on-board recording devices (Zonar) to comply with the record of duty status (RODS) and hours of service (HOS) requirements. Your request also indicated that you will train all your staff and drivers to properly use the Zonar system. Your request indicated that Mr. Valentinetti and Ms. Linn will conduct RODS/timecards checks daily and Mr. Smith will review RODS/timecards monthly. Your request indicated that during the month of November 2013 your drivers were not required to submit RODS, because all drivers met the exception in 49 C.F.R. § 395.1(e). Your request also indicated that you conducted time record audits for the month of November 2013 and no violations were discovered. Your request included time records for 3 drivers and an employee handbook. When we reviewed the time records provided, we discovered HOS violations for two drivers. For example, on November 21, 2013, Rosemary Tucker recorded on-duty time from 04:30 hours to 18:30 hours, totaling 14 hours on duty, but failed to create a RODS in violation of 49 C.F.R. § 395.8(a). This is the exact situation described for Ms. Tucker in our April denial for her January timecard. In addition, the December 14, 2013 time record for Miko Burdick, included with the audited time records, recorded on-duty time from 04:30 hours to 20:15 hours, totaling 15 hours and 45 minutes on duty. No RODS was submitted for this date. Thus, your request failed to demonstrate that you fully comprehend the requirement in 49 C.F.R. § 395.1(e) and when a RODS is required. Your request failed to demonstrate that you have contacted a Zonar system representative to obtain quotes and/or purchase details. Also, your request failed to include documents, pamphlets, and/or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements in 49 C.F.R. Part 395.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 396.3(a)(2), 396.3(b)(1), 396.3(b)(2), 396.11(b), and 396.11(c)(2) was inadequate. Your request indicated that you have implemented a new procedure to monitor commercial motor vehicle (CMV) maintenance, repair and inspection requirements. In addition, your request indicated you will

description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 382.305 was inadequate. Your request identified the process of enrolling your drivers in your random testing pool and requiring them submit to random testing. Your request identified 2 drivers that are currently enrolled in your random testing pool. Your request indicated that your consultant, Don Smith, will conduct monthly controlled substance and alcohol testing program audits. Your request included an MIS Data Collection form for calendar year 2013 and email correspondence between Don Smith and US Healthworks, your third-party administrator. However, your request failed to describe how you will ensure that your company will meet the annual random controlled substance and alcohol testing rates and it failed to provide evidence of a random testing pool comprising the two retained drivers. You fail to outline the procedures Mr. Valentinetti, your Designated Employer Representative, will follow once he obtains his passenger endorsement and becomes a driver. Additionally, you state at one point in your Safety Management plan that you have a strict no rehire policy for drivers who test positive following a random test; yet later you indicate that you will use the return-to-duty process for drivers who test positive stating that in "most if not all cases" such a driver will not be re-hired. In addition, you refer to using the return-to-duty test for drivers who have been absent, which would be inappropriate.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 383.37(a) was inadequate. Your request indicated that you have implemented a new procedure to monitor commercial driver license (CDL) requirements through your driver qualifications (DQ) procedures. In addition, your request indicated you will utilize the VATA electronic compliance scheduler to monitor CDL expiration dates. Your request stated that Sunny Linn will be responsible for ensuring your drivers' CDLs are valid. Your request indicated that owner Steve Valentinetti has removed himself from AMI's qualified drivers list and is in the process of obtaining a passenger endorsement. Your request included an employee handbook, driver motor vehicle records, and copies of CDLs for all current drivers. Your request failed to describe the process you will use to ensure a CDL is valid, with endorsement, prior to dispatching a driver. Also, your request failed to provide evidence of the VATA electronic compliance scheduler demonstrating how it has been used to compile driver qualification data and deadlines and any alerts it will generate. You have indicated that driver Steve Valentinetti was unaware that his Washington State passenger endorsement had expired; yet information collected during the compliance review indicates that Mr. Valentinetti never held a passenger endorsement in the State of Washington and, in fact, failed the skills test for a passenger endorsement in June 2013. No evidence of a prior passenger endorsement was submitted, nor has an explanation been provided as to why Mr. Valentinetti continued to drive a passenger vehicle requiring a passenger endorsement after June 2013.

The upgrade request you submitted to address the violation(s) of § 390.35/396.17(a) was inadequate. Your request explained that Steve Valentinetti will verify repairs have been made when a component is marked as needing repair and indicated that you had no knowledge of any situation where an AMI employee made or caused to be made a fraudulent entry on a periodic (annual) inspection. However, according to information collected during the compliance review,

utilize the VATA electronic compliance scheduler to monitor maintenance and inspection due dates. Your request indicates that you will equip your CMVs with electronic on-board recording devices (Zonar) so that drivers may record and be alerted of maintenance, repairs and inspections to be performed, including submitting driver vehicle inspection reports (DVIR). Your request indicated that you will train all your drivers to properly prepare DVIRS and report vehicle defects. Your request indicated that Mr. Valentinetti will monitor inspection due dates and remind drivers of upcoming inspection due dates. In addition, Ms. Linn will be responsible to ensure all maintenance, repairs and inspection documents are maintained in each vehicle maintenance file. Your request indicated that your consultant, Don Smith, will conduct monthly on-site vehicle maintenance audits. Your request included samples of maintenance files. Your request failed to demonstrate that you have contacted a Zonar system representative, obtained quotes, and/or purchase details. Also, your request failed to include documents, pamphlets, and/or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements in 49 C.F.R. Part 396. Your request failed to provide evidence of the VATA electronic compliance scheduler demonstrating how it has been used to compile vehicle maintenance data and deadlines and any alerts it will generate.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 396.17(a) was inadequate. Your request indicated that you have implemented a new procedure to ensure annual inspections are completed timely and a copy maintained for each CMV. In addition, your request indicated you will utilize the VATA electronic compliance scheduler to monitor inspection due dates. Your request indicated that Ms. Linn and Mr. Smith will monitor critical inspection due dates and alert Mr. Valentinetti to ensure CMVs are inspected timely. Your request indicated Mr. Valentinetti will ensure annual inspections are not fraudulent, and when an annual inspection is discovered to be fraudulent, he will ensure the CMV is re-inspected. In addition, your request mentioned that if a vehicle fails an inspection, you will place the CMV out-of-service and it will not be available to be dispatched until the CMV is repaired and re-inspected. Your request failed to provide an annual inspection for vehicle #4. Your request failed to provide evidence of the VATA electronic compliance scheduler demonstrating how it has been used to compile annual inspection data and deadlines and any alerts it will generate.

Your request explains that your out of service rate (OOS) will improve based on training drivers to conduct pre-trip inspections and regular maintenance. You failed to explain and demonstrate effective corrective action. Many of the OOS defects identified would likely not have been identified during a pre-trip inspection. Although you explain that regular maintenance will be conducted, you failed to demonstrate in your maintenance records that current maintenance efforts/inspections have taken place. Your request indicates that training employees in vehicle maintenance is a critical component to address your company's OOS rate. No evidence that this training has taken place was submitted nor was evidence submitted as to what the training will entail such as the curriculum and/or training materials.

In addition, you submitted a Corrective Action Plan (CAP) in 2013 in response to a failed New Entrant Safety Audit. Your CAP was ineffective. Many of the violations that you claim were corrected at that time actually continued and were again identified during this investigation.

After reviewing your upgrade request, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the

violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 C.F.R. § 385.17 the Field Administrator must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. You may submit another request for a change to the proposed or final safety rating under 49 C.F.R. § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 C.F.R. § 385.15 (see 49 C.F.R. § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 C.F.R. § 385.15, your request for review must be submitted in writing to the Assistant Administrator/ Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590.

If you elect to submit another request for a safety rating upgrade under 49 C.F.R. § 385.17, you must include evidence of corrective action that demonstrates that you are in compliance with the safety factors and standards in 49 C.F.R. §§ 385.5 and 385.7, and should include:

1. Describe how you will ensure your company will meet the annual random controlled substance and alcohol testing rates. Provide evidence of the drivers currently enrolled in a random testing pool. Indicate if your driver are enrolled in a company specific pool or part of a consortium pool. Describe procedures Mr. Valentineti will follow once he becomes a valid driver when he is selected for random testing.
2. Describe the process you will use to ensure a CDL is valid, with endorsement, prior to dispatching a driver. Provide evidence of any software and/or systems that you are planning to use to track CDLs. Provide evidence of a prior passenger endorsement for Mr. Valentineti and an explanation as to why he continued to drive a passenger vehicle requiring a passenger endorsement after June 2013.
3. Provide an explanation of the inspection conducted on vehicle #4 by Terry Roberson and a valid annual inspection conducted following the repair in December 2013.
4. Provide evidence of any software and/or systems that you are planning to use to track DQ file documents and expiration dates.
5. Describe and demonstrate that you fully comprehend the requirement in 49 C.F.R. §§ 395.1(e) and 395.8(a). Demonstrate that you have contacted a Zonar system representative to obtain quotes and/or purchase details. You should include documents, pamphlets, and /or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements in 49 C.F.R. Part 395. Identify and describe the duties and responsibilities of the "AMI Dispatcher."
6. A time records audit summary for the period of December 2013 for all drivers, including, at a minimum, the number of days checked for compliance to ensure the

exception in 49 CFR § 395.1(e) is met, the number of hours violations found, the number of time records checked for accuracy, the number of time records determined to have not met the exception with 49 CFR § 395.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies of the time records, RODS submitted when the exception in 49 CFR § 395.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.

7. Provide evidence of any software and/or systems that you are planning to use to track vehicle maintenance, repairs and inspections and upcoming due dates. Demonstrate that you have contacted a Zonar system representative to obtain quotes and/or purchase details. You should include documents, pamphlets, and /or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements in 49 C.F.R. Part 396.
8. Evidence that the vehicle maintenance/inspection training referenced in the plan has been conducted and/or scheduled, including the curriculum and training materials, and a description of how this training would enable your drivers to discover the vehicle out-of-service defects that have been discovered on your vehicles.
9. Evidence that arrangements or contracts between third parties to conduct integral safety compliance functions for your company exist including a contract with Don Smith, VATA Safety and Compliance, that outlines the terms and duration of the contract.

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of your request for change in safety rating under 49 CFR § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure its safety management controls provide for sustained compliance with the FMCSRs and that its motor carrier operation meets the safety factors and standards specified in 49 CFR §§ 386.5 and 386.7. The Agreement and Order under 49 CFR 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 CFR § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request.

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Manager by telephone at (303) 407-2350.

Sincerely,



William R. Padon
Regional Field Administrator

cc: Jeffrey A. James, Division Administrator



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

October 17, 2014

USDOT: 2351390

Williams, Kastner, & Gibbs PLLC
David Wiley
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98101

AND VIA FACSIMILE: (206) 628-6611

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Ave. SW
Seattle, WA 98166

AND VIA FACSIMILE: (206) 242-2010

RE: Request for Change in Safety Rating under 49 C.F.R. § 385.17

Dear Mr's. Valentinetti and Wiley:

On November 7, 2013, a compliance review was conducted on AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "UNSATISFACTORY." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs). That request was denied on December 24, 2013. On March 4, 2014, you submitted another request to upgrade your safety rating based on corrective action. That request was denied on April 4, 2014. On May 13, 2014, you submitted a third request to upgrade your safety rating based on corrective action. On June 12, 2014, the Field Administrator denied that request. On September 19, 2014, you submitted a fourth request to upgrade your safety rating based on corrective action.

During the compliance review, you were cited for violations of the FMCSRs and/or HMRs, including violations of acute and critical regulations:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a

current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),

- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),
- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background,
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days,
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect push out windows, emergency doors, and emergency marking lights in buses at least every 90 days,
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed, 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate, 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

The compliance review also revealed an unsatisfactory vehicle out-of-service rate of 75%.

Your "Unsatisfactory" safety rating became effective December 29, 2013, and remains in effect. Therefore, you were ordered to cease all transportation in interstate and intrastate commerce and your operating authority registration was revoked effective on that date.

Your request for an upgrade and/or evidence of corrective action submitted ("upgrade request") is not sufficient to justify an upgrade to your safety rating, and it failed to demonstrate that adequate corrective actions have been taken to address the violations cited during the compliance review. As required by 49 C.F.R. § 385.17(c) a motor carrier must base its request upon evidence that it has taken corrective actions and that its operations currently meet the safety

standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7 and must include a written description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 382.305 was inadequate. Your request included a Federal Custody and Control Form and a random controlled substances test result for driver Rosemary Tucker dated August 22, 2014, although Rosemary Tucker was selected for a random breath alcohol test. Your request failed to outline the procedures Mr. Valentinetti, your Designated Employer Representative, will follow specific to selection and referral of drivers for proper testing and the actions that will be taken to ensure that drivers are subjected to proper random testing as selected by your third party administrator.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 391.23(a), 391.45(a)/391.11(a) and 391.51(b)(2) was inadequate. Your request indicated that you do not anticipate using software to track driver qualification (DQ) file documents and expiration dates. Instead, DQ file documents and expiration dates will be tracked by "Ms. Linn." You stated that those dates "will be supplemented with critical date entries on the AMI wall calendar maintained at the principle place of business." On October 16, 2014, during a meeting with Western Service Center (WSC) personnel, you stated that those dates are not to be included on the wall calendar, but on the front cover of each DQ file. Your request failed to demonstrate that critical DQ file dates are, in fact, maintained in a manner that ensures violations do not occur.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 395.1(e) and 395.8(a) was inadequate. Your request stated that you have "expended considerable time and resources becoming fully familiar with the hours of service requirements of 49 C.F.R. § 395.1(e) and the record of duty status requirements of 49 C.F.R. § 395.8(a)." You also state that the "AMI Dispatcher," "Ms. Linn," is the employee tasked with call intake, logging of prospective pickups/drop offs, and actual dispatch of the AMI bus to the point of pick up. Your request failed to fully describe and demonstrate the requirements of 49 C.F.R. §§ 395.1(e) and when a record of duty status (RODS) is required; time records submitted in your previous upgrade request revealed violations in this area. Your request failed to thoroughly describe the duties of the AMI dispatcher.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 396.3(a)(2), 396.3(b)(1), 396.3(b)(2), 396.11(b), and 396.11(c)(2) was inadequate. Your request indicated that you will use a wall calendar, that is updated weekly, and includes maintenance, repairs, inspections, and upcoming due dates. In addition, this wall calendar will be updated by Ms. Linn. Your request failed to demonstrate that such a vehicle maintenance monitoring system is in place as Exhibit E included in your upgrade request was illegible. During your visit to the WSC on October 16, 2014, you neglected to provide a legible copy of the wall calendar as you said you would during a telephone conversation with Enforcement Program Specialist Ray Gassaway on October 15, 2014.

Furthermore, your request failed to address the violation(s) of 49 C.F.R. § 396.17(a). Your request indicated that you have not conducted a current annual inspection on unit #4 because it

has not been in operation since December 2013. During your visit to the WSC, you indicated you would obtain and provide a current annual inspection for unit #4.

Your request explains that your out of service rate (OOS) will improve based on training drivers to conduct pre-trip inspections and regular maintenance. You failed to explain and demonstrate effective corrective action. Many of the OOS defects identified would likely have been identified during a pre-trip inspection(s) and/or consistent application of systematic and periodic maintenance practices. Although you explain that inspection training and regular maintenance will be conducted, you have not provided an adequate curriculum and training materials to be used to provide such training. Your request indicates that training employees in vehicle maintenance is a critical component to address your company's OOS rate. No evidence was submitted as to what the training will entail such as the curriculum and/or training materials to be used.

After reviewing your upgrade request, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 C.F.R. § 385.17 the Field Administrator must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. You may submit another request for a change to the proposed or final safety rating under 49 C.F.R. § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 C.F.R. § 385.15 (see 49 C.F.R. § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 C.F.R. § 385.15, your request for review must be submitted in writing to the Assistant Administrator/ Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590.

Your "Unsatisfactory" safety rating became effective on December 29, 2013, and remains in effect. If you elect to submit another request for an upgrade to the "Unsatisfactory" safety rating under 49 CFR § 385.17, you should include a new, complete, well-organized, and comprehensive safety management plan with associated supporting documentation. Given that there have been four previous submissions, a fifth supplemental submission may lead to confusion or conflicting information. In addition to addressing the deficiencies outlined above, and re-submitting evidence of corrective action previously included in your November 29, 2013, March 4, 2014, May 13, 2014, and September 19, 2014, submissions, you must include the following evidence of corrective action in your next Safety Management Plan:

If you elect to submit another request for a safety rating upgrade under 49 C.F.R. § 385.17, you must include evidence of corrective action that demonstrates that you are in compliance with the safety factors and standards in 49 C.F.R. §§ 385.5 and 385.7, and should include:

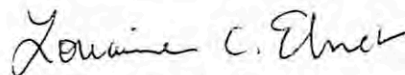
1. Describe how you will ensure your company will meet the annual random controlled

- substance and alcohol testing rates. Provide evidence of the drivers currently enrolled in a random testing pool. Indicate if your driver(s) are enrolled in a company specific pool or part of a consortium pool. Describe procedures Mr. Valentinetti will follow, as the Designated Employee Representative, once drivers are selected for random testing to ensure that drivers are referred for all appropriate tests.
2. Provide evidence of the system(s) you are using to track critical driver qualification file expiration dates.
 3. Describe the requirement in 49 C.F.R. §§ 395.1(e) and 395.8(a) and when each is allowed/ and or required. More fully describe the duties and responsibilities of the "AMI Dispatcher."
 4. Provide a current annual inspection for unit #4.
 5. Provide evidence of the vehicle maintenance/inspection training referenced in your current Safety Management Plan including the curriculum and training materials, and a description of how this training would enable your drivers to discover the vehicle out-of service defects that have been discovered on your vehicles.

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of your request for change in safety rating under 49 CFR § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure its safety management controls provide for sustained compliance with the FMCSRs and that its motor carrier operation meets the safety factors and standards specified in 49 CFR §§ 386.5 and 386.7. The Agreement and Order under 49 CFR 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 CFR § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Manager by telephone at (303) 407-2350.

Sincerely,



William R. Paden
Regional Field Administrator



cc: Jeffrey A. James, Division Administrator



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

January 8, 2015

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Ave. SW
Seattle, WA 98166

USDOT: 2351390

VIA: Fax (206) 242-2010

RE: Request for Change in Safety Rating under 49 C.F.R. § 385.17

Dear Mr. Valentinetti:

On November 7, 2013, a compliance review was conducted on AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "UNSATISFACTORY." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs). That request was denied on December 24, 2013. On March 4, 2014, you submitted another request to upgrade your safety rating based on corrective action. That request was denied on April 4, 2014. On May 13, 2014, you submitted a third request to upgrade your safety rating based on corrective action. On June 12, 2014, the Field Administrator denied that request. On September 19, 2014, you submitted a fourth request to upgrade your safety rating based on corrective action. On October 17, 2014, the FA denied your request. On December 8, 2014, you submitted a fifth request to upgrade your safety rating based on corrective action.

During the compliance review, you were cited for violations of the FMCSRs and/or HMRs, including violations of acute and critical regulations:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),

- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),
- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background,
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days,
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect push out windows, emergency doors, and emergency marking lights in buses at least every 90 days,
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed,
- 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate,
- 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

Your "Unsatisfactory" safety rating became effective December 29, 2013, and remains in effect. Therefore, you were ordered to cease all transportation in interstate and intrastate commerce and your operating authority registration was revoked effective on that date.

Your request for an upgrade and/or evidence of corrective action submitted ("upgrade request") is not sufficient to justify an upgrade to your safety rating, and it failed to demonstrate that adequate corrective actions have been taken to address the violations cited during the compliance review. As required by 49 C.F.R. § 385.17(c), a motor carrier must base its request upon evidence that it has taken corrective actions and that its operations currently meet the safety standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7 and must include a written description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 382.305 was inadequate. In our letter to you of October 17, 2014, we requested you to provide an explanation of your random drug testing program, especially given the fact that you had submitted evidence demonstrating that one of your drivers had been selected for random alcohol testing but you sent her in for random drug testing. Your request stated that AMI drivers were entered into the U.S. Health Works DOT compliant substance testing program in "August 2013, three (3) months before FMCSA's November 7, 2013 audit." Your request failed to describe how you will ensure your company will meet annual random controlled substance and alcohol testing rates. Your request failed to provide evidence of drivers currently enrolled in a random testing pool or explain why drivers could not be currently enrolled in a random testing pool. Your request failed to indicate if your driver(s) are or will be enrolled in a company-specific pool or part of a consortium pool. Your request failed to describe procedures you will follow, as the Designated Employee Representative (DER), once drivers are selected for random testing to ensure that drivers are referred for appropriate tests. Your request failed to describe how Rosemary Tucker was inappropriately referred for a random controlled substance test, when, on August 22, 2014, she was selected for a random alcohol test.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 391.45(a)/391.11(a) and 391.51(b)(2) was inadequate. In our letter to you of October 17, 2014, we requested you to provide evidence of an effective system for tracking critical driver qualification file expiration dates, especially given that you told us you had determined on a different process than you had originally described. Your request indicated that you have "always done background checks on prospective drivers." Your request stated that all drivers for AMI "did and must have current medical cards." In addition, your request stated that AMI keeps all current driving records in the drivers' files at all times. Your request again failed to provide evidence of the system(s) you are using to track critical driver qualification file expiration dates - your request failed to demonstrate that critical driver qualification file expiration dates are recorded on the front cover of each driver qualification file as you indicated on October 16, 2014, during a meeting with Western Service Center (WSC) personnel in Lakewood, Colorado, was your plan.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 395.8(a) was inadequate. Your request stated that EOB's will not be used for the purposes of hours of service (HOS) monitoring or records of duty status (RODS) creation. In our letter to you of October 17, 2014, we had requested that you describe the requirements of 49 C.F.R. § 395.1(e) and 395.8(a) and how the rules are applicable to your operation, given that previous submission(s) had revealed violations in this area; however, your submission failed to address this issue or describe whether and how you would use timecards in your operation..

The upgrade request you submitted to address violation(s) of 49 C.F.R. § 396.17(a) was inadequate. Your request indicated that "all AMI buses" are given an annual inspection before they are placed in service. Your request failed to provide evidence of a current annual inspection for unit #4 as was requested in our letter to you of October 17, 2014. During your October 2014 visit to the WSC, you indicated you would obtain and provide a current annual inspection for unit #4.

Additionally, the upgrade request you submitted did not sufficiently address corrective action performed for the remaining violations that were cited in the compliance review to ensure compliance with the FMCSR's and prevent the onset of additional critical and/or acute violations. Your safety management plan failed to contain adequate and comprehensive remedies for the violations in the following sections:

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 396.3(b)(2) was inadequate. In our letter to you of October 17, 2014, we requested that you provide a legible copy of the "wall calendar" you planned to use to track the nature and due date of inspections to be performed. Your request stated that you have a wall calendar, computers, file cabinets, maintenance files and the MCI manufacturer's maintenance book to satisfy having a means to indicate the nature and due date of inspections to be performed, but you again failed to include a legible copy of the wall calendar we have requested on multiple occasions.

After reviewing your upgrade request, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 C.F.R. § 385.17 the Field Administrator must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. You may submit another request for a change to the proposed or final safety rating under 49 C.F.R. § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 C.F.R. § 385.15 (see 49 C.F.R. § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 C.F.R. § 385.15, your request for review must be submitted in writing to the Assistant Administrator/ Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590.

Your "Unsatisfactory" safety rating became effective on December 29, 2013, and remains in effect. If you elect to submit another request for an upgrade to the "Unsatisfactory" safety rating under 49 CFR § 385.17, you should include a new, complete, well-organized, and comprehensive safety management plan with associated supporting documentation. Given that there have been five previous submissions, a sixth supplemental submission may lead to confusion or conflicting information. In addition to addressing the deficiencies outlined above, and re-submitting evidence of corrective action previously included in your November 29, 2013, March 4, 2014, May 13, 2014, September 19, 2014, and December 6, 2014, submissions, you must include the following evidence of corrective action in your next Safety Management Plan:

1. Describe how you will ensure your company will meet the annual random controlled substance and alcohol testing rates. Provide evidence of the drivers currently enrolled in a random testing pool or an explanation of when and how they would be enrolled.

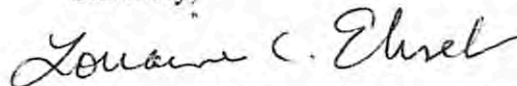
Indicate if your driver(s) are or will be enrolled in a company specific pool or part of a consortium pool. Describe procedures Mr. Steve Valentinetti will follow as the Designated Employee Representative, once drivers are selected for random testing to ensure that drivers are referred for all appropriate tests.

2. Provide legible evidence of the system(s) you are using to track critical driver qualification file expiration dates, especially medical certificate expiration dates and annual driving records.
3. Describe the requirements in 49 C.F.R. § 395.1(e) and 395.8(a) and when each is allowed and/or required and when a time record may be used in lieu of a RODS. Explain if and how you will use time records in your operation.
4. Demonstrate that you are conducting and recording push out window inspections, and emergency exit inspections. Provide legible evidence of each vehicle maintenance file, which properly describes each vehicle, and a legible copy of the wall calendar identifying the nature and due date of each inspection to be performed for each commercial motor vehicle.
5. Provide a current annual inspection for unit #4.

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of your request for change in safety rating under 49 CFR § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure its safety management controls provide for sustained compliance with the FMCSRs and that its motor carrier operation meets the safety factors and standards specified in 49 CFR §§ 385.5 and 385.7. The Agreement and Order under 49 CFR 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 CFR § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request.

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Manager by telephone at (303) 407-2350.

Sincerely,



 William R. Paden
Regional Field Administrator

cc: Jeffrey A. James, Division Administrator



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

March 23, 2015

Steve Valentinetti, President
AMI Coaches LLC, dba AMI
14644 9th Avenue SW
Seattle, WA 98166

USDOT: 2351390

VIA Fax: (206) 242-2010

RE: Request for Change in Safety Rating under 49 C.F.R. § 385.17

Dear Mr. Valentinetti:

On November 7, 2013, a compliance review was conducted on AMI Coaches LLC, dba AMI (hereinafter "you" or "your"). The review resulted in a proposed safety fitness rating of "UNSATISFACTORY." On November 29, 2013, you submitted a request to upgrade your safety rating based on corrective action that you took to come into compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and/or Hazardous Materials Regulations (HMRs). That request was denied by the Regional Field Administrator (RFA) on December 24, 2013. On March 4, 2014, you submitted another request to upgrade your safety rating based on corrective action. That request was denied by the RFA on April 4, 2014. On May 13, 2014, you submitted a third request to upgrade your safety rating based on corrective action. On June 12, 2014, the RFA denied that request. On September 19, 2014, you submitted a fourth request to upgrade your safety rating based on corrective action. On October 17, 2014, the RFA denied your request. On December 8, 2014, you submitted a fifth request to upgrade your safety rating based on corrective action. On January 8, 2015, the RFA denied your request. On February 13, 2015 and March 10 and 11, 2015, you submitted a sixth request to upgrade your safety rating based on corrective action.

During the compliance review, you were cited for violations of the FMCSRs and/or HMRs, including violations of acute and critical regulations:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 382.601(b) - Failing to provide to employees a written policy on misuse of alcohol and controlled substances that fails to meet the requirements of 382.601(b),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or

Cap #7
Deny

1 of 6

endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),

- 49 C.F.R. Section 383.37(d)/ 392.2 - Knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle during any period in which the driver, the CMV he/she is driving, or the motor carrier operation has been placed OOS in accordance with the NAS OOS criteria or compatible laws,
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),
- 49 C.F.R. Section 391.23(a) - Failing to investigate driver's background,
- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 49 C.F.R. Section 392.9a(a)(1) - Operating without the required authority,
- 49 C.F.R. Section 395.5(b)(2) - Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days,
- 49 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(f) - Failing to require driver to prepare record of duty status in form and manner prescribed,
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical),
- 49 C.F.R. Section 396.3(a)(2) - Failing to inspect push out windows, emergency doors, and emergency marking lights in buses at least every 90 days,
- 49 C.F.R. Section 396.3(b)(1) - Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size,
- 49 C.F.R. Section 396.3(b)(2) - Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed,
- 49 C.F.R. Section 396.11(b) - Failing to ensure driver vehicle inspection report is complete and accurate,
- 49 C.F.R. Section 396.11(c)(2) - Failing to retain vehicle inspection report for at least 3 months, and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

Your "Unsatisfactory" safety rating became effective December 29, 2013, and remains in effect. Therefore, you were ordered to cease all transportation in interstate and intrastate commerce and your operating authority registration was revoked effective on that date.

Your request for an upgrade and/or evidence of corrective action submitted ("upgrade request") is not sufficient to justify an upgrade to your safety rating, and it failed to demonstrate that adequate corrective actions have been taken to address the violations cited during the compliance review. As required by 49 C.F.R. § 385.17(c) a motor carrier must base its request upon evidence that it has taken corrective actions and that its operations currently meet the safety standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7 and must include a written

description of corrective actions taken and other documentation that may be relied upon as a basis for the requested change to the proposed rating.

Due to the high number of previous upgrade requests containing different, partial, and sometimes conflicting safety management plans, in the letter dated January 8, 2015, denying your last upgrade request, we requested that you should include a new, complete, well-organized, and comprehensive safety management plan with all associated supporting documentation if you elected to submit another request for an upgrade. You failed to submit a new, complete, well-organized, and comprehensive safety management plan with associated supporting documentation. We cannot, therefore, be sure which of the corrective actions described in your previous requests you actually still intend to rely on to achieve and maintain compliance with the FMCSRs.

For example, to address the violations in 49 C.F.R. Parts 395 and 396, your March 2014, and May 2014, requests relied heavily on arranging for contracted services from Don Smith, VATA Safety and Compliance, to perform the role of AMI Safety and Compliance Officer and on the use of the Zonar System for monitoring and tracking your drivers' hours of service (HOS) compliance and to produce pre- and post-trip vehicle safety inspections; we noted, however that your request contained timecards reviewed for compliance that actually demonstrated continuing violations in Part 395. Your fourth request received on September 19, 2014, stated that all references to Don Smith, VATA Safety and Compliance, should be removed and that you would hire a full time compliance officer, and that all references to the Zonar System should be removed in exchange for an alternate GPS system. Your December 2014, and February 2015, requests, on the other hand, state that you will not depend on any Electronic On Board Recorder (EOBR) for HOS, but that your office staff would continue to manually monitor drivers' HOS. It is unclear whether the previously submitted timecards still constitute part of your corrective action, and, if so, whether they have been re-reviewed for compliance with Part 395. On March 12, 2015, we offered you the opportunity to stipulate to an extension of time in this matter to allow us to work together to organize from your previous submissions a final, complete, safety management plan and to allow you to demonstrate that your plan is in place; however, you declined to accept this opportunity.

If we were to evaluate your February 13, 2015, and March 10 and 11, 2015 submissions as a new, complete, well-organized, and comprehensive safety management plan with all associated supporting documentation, it would be inadequate. For example, the upgrade request you submitted in February to address the violation(s) of 49 C.F.R. § 382.301(a) and 382.305 was inadequate. You stated that AMI "hired bus drivers from the local school district already in the Drug and Alcohol testing system both pre-employment and random (verified) until we entered them into the AMI Coaches D&A program" and you stated that it was your testing consortium's fault that one driver was tested improperly once you did establish a random testing program. In March, you provided some explanation as to how you would treat new drivers, but stated that only after a "review of drivers safety and effectiveness, if AMI plans to keep the driver they will then move the driver into the AMI consortium pool." Your request failed to provide a description of how long this driver review will last and how quickly you will ensure that new drivers are added to the random testing pool. No examples of tests, or policies or procedures covering your drug and alcohol testing process were provided that show how you will ensure that

every driver is properly pre-employment tested (or that you have documented that the driver meets the exemption in Section 382.301(b)) or how you will ensure that U.S. Health Works (or any other consortium/third party administrator you elect to use) will provide the proper services and be provided with regular updates to your driver pool. You also failed to provide a complete and compliant drug and alcohol testing policy.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 383.37(a) was inadequate. Your request merely states that you "overlooked" the fact that president and driver Steve Valentinetti did not have the proper passenger endorsement on his Commercial Drivers' License (CDL) and that there are "periodic checks" in place to monitor CDL issues. You have provided no detail or policies/procedures describing what these periodic checks will include or who will conduct them. You also failed to explain why Mr. Valentinetti continued to drive a CDL after being placed out-of-service for not having a medical card.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. § 390.35/396.17(a) was inadequate. Your request merely states that AMI Coaches' "staff, contractors, drivers, Steve Valentinetti have NEVER FALSIFIED any documents" and that you take offense to the implication.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 391.45(a)/391.11(a) and 391.51(b)(2) was inadequate. Your request merely stated that "all drivers were medically examined as they all drove for other company's [sic] before AMI Coaches." However, it also goes on to suggest that current copies of all medicals were already in AMI's files at the time of the compliance review. It is unclear whether AMI intends to rely on medical examinations contained in other carriers' files in the future. Your request does not indicate who will be tracking driving record expiration dates through the use of your wall calendar.

The upgrade request you submitted to address the violation(s) of 49 C.F.R. §§ 395.8(a) and 395.8(k)(1) was inadequate. You indicate that you will primarily use time cards but will use Records of Duty Status (RODS) when your drivers exceed the limitations placed on the use of timecards. You have provided no explanation of who will ensure that timecards and/or RODS are properly prepared and submitted (especially for your multiple-employer drivers), no time record or RODS audit summary with associated documentation, and no explanation as to how you will also ensure you are maintaining supporting documents such as Port of Seattle Bus Trip slips in the future. You also failed to explain how you will ensure that any required RODS contain all necessary information, such as BOL or charter information.

The upgrade request you submitted to address the violations(s) of 49 C.F.R. § 396.17(a) was inadequate. Your request states that all coaches will receive new annual inspections "at the start-up of AMI and in December of each year," but failed to explain why three of three vehicles checked during the compliance review were operated without an annual inspection, who will ensure your vehicles are not operated in future without an annual inspection, and how your current plan will ensure that this problem will not reoccur. Your request failed to address your unsatisfactory vehicle out-of-service rate of 75% or to provide sufficient documentation that your vehicle maintenance program has been improved, including addressing the deficiencies cited in

the compliance review, in a manner designed to improve your vehicle out-of-service rate in future.

After reviewing your upgrade request, the Federal Motor Carrier Safety Administration (FMCSA) is **DENYING** your request. You have failed to provide sufficient evidence that the violations cited in the compliance review have been corrected and that your current operation meets the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7.

To change a safety rating under the provisions of 49 C.F.R. § 385.17, the Field Administrator must be assured that corrective action has been taken and that the motor carrier's current operations meet the safety fitness standard and factors specified in 49 C.F.R. §§ 385.5 and 385.7. You may submit another request for a change to the proposed or final safety rating under 49 C.F.R. § 385.17. If you believe FMCSA made an error in this denial of request for rating change, you may also request administrative review of this denial under the procedures of 49 C.F.R. § 385.15 (see 49 C.F.R. § 385.17(j)) within 90 days of this denial. If you choose to request administrative review of this denial under the procedures of 49 C.F.R. § 385.15, your request for review must be submitted in writing to the Assistant Administrator/ Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, W60-312, Washington, D.C. 20590.

Your "Unsatisfactory" safety rating became effective on December 29, 2013, and remains in effect. If you elect to submit another request for an upgrade to the "Unsatisfactory" safety rating under 49 CFR § 385.17, you should include a new, complete, well-organized, and comprehensive safety management plan with associated supporting documentation. Given that there have been six previous submissions, a seventh supplemental submission will lead to confusion or conflicting information, as described above. Please re-submit only still-relevant evidence of corrective action previously included in your November 29, 2013, March 4, 2014, May 13, 2014, September 19, 2014, December 6, 2014, February 13, 2015, and March 10 and 11, 2015 submissions.

Specific to a new, complete, well-organized, and comprehensive safety management plan with associated supporting documentation, please ensure that you thoroughly address the following critical and acute violations discovered during the compliance review performed on November 7, 2013:

- 49 C.F.R. Section 382.301(a) - Using a driver before the motor carrier has received a negative pre-employment controlled substance test result (critical),
- 49 C.F.R. Section 382.305 - Failing to implement a random controlled substance and/or an alcohol testing program (acute),
- 49 C.F.R. Section 383.37(a) - Knowingly allowing, requiring, permitting, or authorizing an employee to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL (acute),
- 49 C.F.R. Sections 390.35/ 396.17(a) - Making or causing to make fraudulent or intentionally false entry on an annual periodic inspection form (acute),

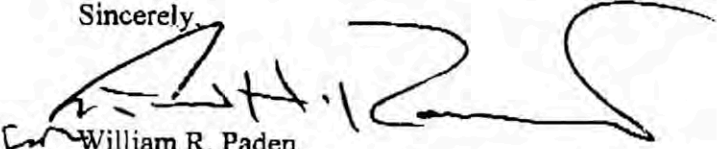
6 of 6

- 49 C.F.R. Sections 391.45(a)/ 391.11(a) - Using a driver not medically examined and certified (critical),
- 49 C.F.R. Section 391.51(b)(2) - Failing to maintain inquiries into driver's driving record in driver's qualification file (critical),
- 449 C.F.R. Section 395.8(a) - Failing to require driver to make a record of duty status (critical),
- 49 C.F.R. Section 395.8(k)(1) - Failing to preserve driver's records of duty status supporting documents for 6 months (critical), and
- 49 C.F.R. Section 396.17(a) - Using a commercial motor vehicle not periodically inspected (critical).

FMCSA may be willing to consider entering into an Agreement and Stipulated Order on Consent for the conditional grant of your request for change in safety rating under 49 CFR § 385.17 ("Agreement and Order"). The purpose of an Agreement and Order is to ensure the motor carrier implements and maintains corrective actions necessary to ensure its safety management controls provide for sustained compliance with the FMCSRs and that its motor carrier operation meets the safety factors and standards specified in 49 CFR §§ 385.5 and 385.7. The Agreement and Order under 49 CFR 385.17 is an agreement between FMCSA's Regional Field Administrator and a motor carrier in which the Regional Field Administrator agrees to grant the carrier's request for safety rating upgrade conditioned upon the motor carrier's compliance with the terms and conditions set forth in the Agreement and Order. If the motor carrier fully complies with the terms and conditions in the Agreement and Order, the conditional grant of the request for change in safety rating will be deemed a final determination under 49 CFR § 385.17; if the motor carrier fails to comply with the terms and conditions of the Agreement and Order, FMCSA will issue a denial of the motor carrier's 385.17 request.

Should you have any questions, please feel free to contact an Enforcement Program Specialist or the Enforcement Program Manager by telephone at (303) 407-2350.

Sincerely,



William R. Paden
Regional Field Administrator

cc: Jeffrey A. James, Division Administrator

Dear FMCSA, WUTC, Counsel;

Please accept the following as my statement of response to your recent safety audit of AMI Coaches.

While we strive to meet and exceed all state and federal safety standards and welcome a constructive, reasonable criticism within the guidelines of the law however we feel that your findings are not only inaccurate but also inflammatory, and malicious in their intent. We have received a copy of the findings July 12, 2013. We are now aware that the WUTC is trying to substantiate their outlandish, irresponsible letter writing campaign to AMI Coaches customers of the previous 2 months.

In short, AMI Coaches is threatening the success of several other bus companies (friends of the WUTC) that have been working for Amtrak and now, because of great response time and performance, the business has shifted to AMI Coaches.

While in response to a train accident (April 7th 2013) AMI Coaches should be getting accolades from the WUTC (like we did from Amtrak and the people involved) for its emergency response to the passenger train derailment but instead our own State WUTC is throwing stones.

It's a shame that the WUTC acts like this putting their personal friendships, as well as trying to protect other bus companies, ahead of emergency response to an accident, and further trying to discredit AMI Coaches by sending negative, false, inflammatory, malicious mail to Amtrak supervisors across the country suggesting that they use a different company other than AMI Coaches. They have tried to make the claim that they did this with regard to safety, but if that were true they would have contacted AMI Coaches immediately to cease and desist.

The WUTC waited 41 days and then responded after they were made aware of a RFP (contract bid) that AMI Coaches was bidding on that threatened their friends (other bus companies).

AMI Coaches immediately contacted the WUTC??????

The WUTC again proves they are a loose cannon making false statements without regard. We gave the WUTC the benefit of doubt (per our attorney's recommendation) but history repeats itself. WUTC is on a witch hunt.

Prior to the audit we invited John Foster (WUTC) to inspect our new bus. He advised Mr. Valentinetti that he would be coming to visit AMI Coaches sometime in late August because they are so overworked and also made a comment that they had had trouble with him before, then, without explanation, the date of the was moved up to June 11th. The timing of the audit was after 12 days of actual operation where Mr. Foster made derogatory comments and wrote 121 violations.

Mr. Foster sent an e-mail requesting 14 things he wanted to inspect which we had laid out and numbered for him.

During the audit, inspector discussed how his "Navy buddy at Journey Lines" has no violations. Following the inspection interview, he advised my office manager to seek employment elsewhere, stating that my company could be "shut down" following this audit.

2.

History with WUTC

- 2000 - Steve Valentinetti applied for the permit held by Grayline to shuttle passengers from SeaTac Airport to downtown Seattle hotels and back. Although Mr. Valentinetti won the rights to operate it was overturned in an appeal stating that there was no need for additional transportation providers because Graylines 30 year old buses do an adequate job. 2003 Light Rail is announced by the State to facilitate better transportation from SeaTac to downtown Seattle and back. Today the light rail is Billions in the RED and the right to operate was given to Shuttle Express (who testified that there was no need for additional transportation to downtown. Shuttle Express follows the plan of operation that Mr. Valentinetti laid out during

the hearings. (using new vans and mini buses that are quicker, cleaner fuel burning and less cumbersome than Graylines 30 year old buses).

- 2004 - approx Grayline sues Mr. Valentinetti for picking up Westin hotel guests. Mr. Valentinetti's company had limosine permits and was called by customers by referral from Westin hotel staff after Graylines failure to meet the schedule.
- 2012 - Mr Valentinetti forms a new bus company with plans to operate starting at the cruise ship season May 2013. Insurance and permits in place January 2013, marketing material goes out February 1, 2013. Ray ____ from the WUTC comes to AMI Coaches to inspect the new bus and welcome us to busing. He did a safety check including license, medical card, bus brakes, steering and safety equipment. The bus had several exits that we couldn't get open so we immediately had it fixed and drove to Olympia (WUTC) to have Ray reinspect and everything passed.

AMI Coaches

Q – Random Drug testing

A – We signed up with Doctors Express (a licensed facility) who solicited that they understand and provide everything necessary for DOT transportation company's including Pre employment, random, suspicion, post and annual drug testing. It was suggested by WUTC that we use a bigger company such as US Health works as they are trusted and do the majority of company's in Washington so we switched to US Health works and started over again with Pre Employment drug tests even though our drivers were already working part time for AMI as well as their other jobs as school bus drivers. When we got notification of an additional inspection we checked to ensure that everything was ok with US Health work and found that they also had not entered AMI into a random pool.

Q – SV allowed to drive after notification of no P endorsement.

A – SV has had his CDL class A with all endorsements including P, Doubles and triples, M, (except Haz Mat) since the inception of the CDL license. Before that he had a Combination license. Knowing that it is a clerical error and will be fixed with a phone call he continued to drive. After the problem was unable to be fixed by phone and multiple trips to Olympia Mr. Valentinetti stopped driving and we pulled him out of the driver pool. He is currently and has not been driving any CDL

equipment however he does meet the busses with AMI marked POV for Customer Service, Marketing and loading purposes. This includes filling out the entry slip at the Port of Seattle so AMI Coaches can proceed directly to it's customers and by-passing the off site, under construction holding lot. Mr. Valentinetti is currently pursuing the return of his P endorsement. Written test completed and passed waiting to take driving portion.

Q – Ken M drove interstate from Seatac to Seattle Pier 91

A – Interstate means across state lines. KM drove 12 miles within the city of Seattle to Seatac Airport.....Intrastate. Passengers pay separately for transportation to and from Seatac to pier 91 otherwise everybody from the cruise ships would be our customer. AMI was also unaware of any restrictions on KM's CDL class A, P endorsement and school bus endorsement. The only restriction we saw was a time restriction Medical card but he got a new card W/O restriction.

Q – Record of hours

A – AMI driver are part time and work an average of 12 hours per week. They are school bus drivers and their hour are low as well as exempt. When a driver is given a 2 or 3 day trip they are required to log book the trip so we see the previous 7 days of work.

Q – Number of buses contracted to Intercrosses

A – 2

Q – AMI Buses 2,3 and 4 operated W/O annual inspection

A – AMI Bus #2 had an annual from the WUTC before operation. When Bus #3 was purchased we had a inspection done before purchase but it was in California. The bus was operated locally by another company but sent to CA. as they traded it in on another bus. We notified the state that we had another bus to inspect and were told they couldn't get to it until September. Since we knew it was safe from the CA. inspection we put it into service. Bus #4 come from MCI dealer and was inspected by MCI in Chicago.

Q – Amtrak Mudslide Drivers and Buses

A – Jim Mondry drove bus #3 and SV drove bus #2. Amtrak requested a 24 pax bus to hold for standby but we didn't use it.

Q – Anything AMI would like to add?

A – Yes

AMI Coaches has been fully compliant providing records, documents, answers to any questions asked and access to offices equipment and motor coaches by Federal and State transportation Authorities thus completing our 6th investigation in our first 12 months of operation. We are amiable to follow

any and all State and Federal regulations as we know our partnership with the FMCSA only make our company stronger, smarter and Safer utilizing the years of experience gained by a multitude of carriers. Constructive criticism benefits everyone involved. We have learned a great deal from the FMCSA and will continue to learn as we progress into our 2nd successful year. We also believe the State of Washington upper management will learn will do "do diligence" before sending e-mail nation wide to our customers asking them to use another company besides Ami Coaches. (We provided this information requested believing the State will act professional not use it as an ANTI-Marketing campaign. We believe it is outside the box for this information to be used for that purpose

- E-mail customers stating that AMI is under State and Federal investigation "do you have any comments you would like to make"
- Calling our insurance company "better check them out. They don't keep any records. We are just trying to stop a big accident from happening.
- Putting our buses out of service for brake rotors below minimum without knowing what the minimum spec is and not having a micrometer to measure
- When the out of service items are fixed we don't appreciate being call liars or our mechanics qualifications being questioned and their business being threatened.

- ETC.

We believe that the FMCSA, WUTC and AMI Coaches should be partners in making our highways safe for all to travel. (not an attempt to control commerce)

We believe the State of Washington should be proud of AMI Coaches, a new proud ethnic diverse company providing great service to our community and State.

We also hope that now the State and FMCSA understands that we are serious about Safety and professionalism and are open to suggestions and criticisms to make our company better.

Thank you

AMI Staff

CAP #2 7-30-13 63
1053

AMI Coaches Corrective Action Plan

WUTC

We are submitting this letter as our Corrective Action Plan. While we strive to meet and exceed all state and federal safety standards, we feel that we have made some positive changes to our forms for compliance by drivers and ease of record keeping. We welcome constructive criticism from any state or federal organization or industry professional. We are proud of our company and will make any changes required, or not required that will make our company better.

Below will display the error, or failed question, followed by the correction or changes that were made.

CFR Part 382.601 (a) – Failing to provide educational materials explaining requirements of part 382 and employer's policies.

We have two copies of, "Your Guide to Achieving a Satisfactory Safety Record," on file in our office. This guide has been provided by the Washington Utilities and Transportation Commission. This guide is available to our drivers on a daily basis.

The Department of Transportation drug testing facility that we now use is, US HealthWorks Medical Group, located in Tukwila, WA.

Our drug testing policy is per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 382, pages 9-43. This guide is available for inspection in our office at all times.

CFR Part 383.37 (a) – Knowingly allowing, requiring, permitting, or authorizing an employee with a Commercial Driver's License which is suspended, revoked, or canceled by a state or who is disqualified to operate a Commercial Motor Vehicle.

It was unknown that Steve's Passenger Endorsement had dropped off from his Class A CDL., Steve will no longer be driving buses for AMI Coaches until this problem has been resolved.

Our policy for employees operating a Commercial Motor Vehicle is per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 383, pages 45-51.

CFR Part 391.45 (a) – Using a driver not medically examined and certified.

Every AMI Coaches' driver is medically examined and certified. All paperwork and medical certificates were also in place at the time of the audit. At the time of the inspection we used Doctors Express. We now use US HealthWorks. To ensure the safety of our passengers, our policy for drivers being medically examined is per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 391, pages 53-93.

- Pre Employment
- Annual
- Random
- Suspicion

CFR Part 391.51 (a) – Failing to maintain driver qualification file on each driver employed.

Per Section 3, page 57/58, a driver file has to be completed within 30 days of employment. Drivers had only been employed two to three weeks (12 actual work days). At the time of the inspection, the files for the drivers were in the process of being established. Even though under Section 3, page 58, it says that a Multiple-employer Driver's file does not have to have all the paperwork that a regularly employed driver has to have. However we now have:

- ☐ Driver's Application for Employment
- ☐ Inquiry to Previous Employers and State Agencies
- ☐ Driving Record for the past three years
- ☐ Entry-Level Driver-Training Certificate
- ☐ Driver's Road Test and Certificate
- ☐ Medical Examiner's Certificate
- ☐ Copy of front and back from Driver's License
- ☐ Copy of front and back of Department of Transportation Medical Card

As noted in the previous section, we comply with all the policies listed in the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 391, pages 53-93.

CFR Part 395.8 (a) – Failing to require driver to make a record of duty status.

Drivers are required to make a record of duty status. The form that was being used did not meet the criteria that, Washington Utilities and Transportation Commission, Inspector John Foster required, due to our form not having a space for our drivers to enter the total hours for the day. The total hours were added by our dispatch per radio call in. We have implemented a new form that allows the drivers to calculate their own total hours.

Our record of duty status is now per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 395, pages 127-139.

CFR 395.8 (k) (1) – Failing to preserve driver's record of duty status supporting documents for six months.

Our driver's record of duty status is preserved. However, our drivers have not been employed for even 30 duty days. Our records of duty status were on file at the time of the inspection however, as noted before, Washington Utilities and Transportation Commission, Inspector John Foster, did not accept our previous form. Therefore stating in his answer, "carrier produced no supporting documents."

Our preservation of the record duty status is now six months per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 395, pages 127-139.

CFR Part 396.11 (a) – Failing to require drivers to prepare Driver Vehicle Inspection Report

The drivers are required to prepare a Driver Vehicle Inspection Report (DVIR). The form that is used was not accepted by the, Washington Utilities and Transportation Commission, Inspector John Foster, due to the form lacking two signatures for/if repairs were needed or done. The two signatures on the new form were updated immediately and approved by the Federal Motor Carrier Safety Administration. Previous DVIR may be reviewed in our office prior to the beginning of the next shift.

Our DVIR is now per the, "Your Guide to Achieving a Satisfactory Safety Record," provided by the Washington Utilities and Transportation Commission, part 396, pages 141-165.

7-30-13

Steve Valentinetti
amicoaches@live.com
206-242-2000 Office
206-423-5000 Mobile

64 CAP #3 1 of 30

AMI Coaches Safety Management Corrective Action Plan

TO:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Jeffrey James, Division Administrator
2424 Heritage Court SW, Suite 302
Olympia, WA 98502

Fax: 360-753-9024

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Center
12600 W. Colfax Ave, Suite B-300
Lakewood, CO 80215

Fax: 303-407-2339

FROM:

AMI Coaches, LLC (dba AMI)
14644 9th Ave. SW
Seattle, WA 98166

US. DOT #: 2351390

Steve Valentinetti
President – AMI Coaches
206-242-2000

Don Smith
AMI Safety and Compliance – Consultant
253-208-8960

DATE: January 15, 2014

RE: This is a request for a safety rating upgrade under 49 CFR section 385.17 from the final UNSATISFACTORY to a CONDITIONAL rating and to resume full operations.

During the second half of 2013, Steve Valentinetti, President of AMI Coaches, LLC, contracted services from Don Smith, VATA Safety and Compliance, to adopt the role as the AMI Safety and Compliance Officer when operations resume in 2014. This decision has enabled more concentrated direction for the Safety Management Corrective Action Plan (CAP) and strengthened the AMI Safety & Compliance team. Mr. Valentinetti has given Don Smith the authority to communicate with FMCSA and any other regulatory agency on behalf of AMI. Mr. Valentinetti and Don Smith are jointly restructuring the Safety and Compliance department of AMI Coaches. AMI's goal is to be a more than safe operation and in total compliance to the State and FMCSA regulations.

This letter is to list the detailed description of the process breakdowns that occurred and resulted in the violations, as well as the corrective action which brings AMI Coaches into compliance with all federal and state rules. Specifically, we will address in this CAP the following subjects as referenced in the attached DOT Letter of Violations:

1. Part 382 – Controlled substances and alcohol use and testing
2. Part 383 – Commercial driver's license standards; requirements and penalties
3. Part 390 – Federal motor carrier safety regulations; general
4. Part 391 – Qualification of Drivers
5. Part 392 – Driving of commercial motor vehicles
6. Part 395 – Hours of Service of Drivers
7. Part 396 – Inspection, Repair and Maintenance
8. Vehicle Inspection – Out Of Service Rate

AMI Coaches Safety Management Corrective Action Plan

We will address below the incidents and deficiencies listed in the FMCSA letter dated 12/24/2013 on page 31 which are: *"If you elect to submit another request for an upgrade to the conditional safety rating under 49 CFR § 385. 17, you must include the following evidence of corrective action in your next Safety Management Plan:"* There are 14 listings to which we will address below. Included are page numbers and references to the requested supporting documentation.

- 1) A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR § 382.301(a), and a detailed description of the safety management controls and procedures you have implemented or will implement to ensure you do not use driver in a safety sensitive position before receiving a negative pre-employment controlled substances test result. Identify your designated employer representative (DER) and the person(s) responsible for ensuring compliance with pre-employment controlled substances testing requirements and maintaining documentation as required. Identify any and all drivers that have submitted to a pre-employment controlled substances test for you in the past 365 days, and include a copy of the pre-employment controlled substances test documentation with test results.

Acknowledgement and Correction:

In the startup of AMI Coaches (Oct 2012), part-time bus drivers were hired who were known personally and who already working for a reputable School District. They were trusted to be drug free and were currently enrolled in the School District's DOT Random Drug and Alcohol (D & A) program. AMI called the School District and verified employment as well as past D & A history. AMI accepted the most recent drug testing receipts from their Pre-Employment and/or Random tests at the School District. President Steve Valentinetti realized that not using a firm to acquire an AMI Pre-Employment drug test with the results reflecting negative before allowing any safety-sensitive actions for AMI was a mistake.

As of September, 2013, AMI requires all CDL final driver applicants to submit to a DOT pre-employment drug screen to be conducted at U.S. HealthWorks. AMI driver applicants shall not be offered a contract and allowed to drive an AMI CMV until a negative test result has been reported. FMCSR §382.301. The AMI Safety Officer, Don Smith, will ensure the pre-employment drug test is conducted within 30 days of employment and operation of a CMV. If the driver does not complete the pre-employment testing within 30 days or if the driver has been on

extended leave of absence the Safety Officer will direct the driver to complete a new pre-employment drug test to ensure the test is completed and returns negative within the 30 day requirement and before doing any safety sensitive functions. Once the evidence of a negative drug test is returned, the AMI Safety Officer, Don Smith, will inform the AMI President, Steve Valentinetti, that the driver is cleared for safety sensitive functions. (Please see DOT Drug and Alcohol Testing supporting documents in the Exhibit 1 packet)

- 2) A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR § 382.305 and detailed description of the safety management controls and procedures you have implemented or will implement to ensure compliance with 49 CFR § 382. Your description must include: procedures to enroll newly hired drivers in your company's random controlled substances and alcohol testing pool; the frequency (monthly, quarterly, etc.) that random tests will be conducted; information indicating whether your drivers will be enrolled in a consortium or your own driver pool; procedures to ensure drivers notified to submit to random test proceed to the collection site immediately and test; and procedures to ensure your random testing pool is up-to-date and includes all drivers currently employed. Identify your company's DER and person(s) responsible for ensuring compliance with random alcohol and controlled substances testing requirements, including verifying that random tests are conducted within the selection period, updating the list of drivers in your random testing pool, monitoring test results, checking annual testing rates and ensuring documentation is maintained as required. Provide evidence of enrollment in random controlled substances and alcohol testing program, and the list of the drivers that are enrolled for random testing. Identify any and all drivers that have submitted to a random alcohol or controlled substances test for you in the past 365 days, and include a copy of the test documentation with test results. Include documentation of the controlled substances and alcohol policy your drivers will receive.

Acknowledgement and Correction:

In the startup of AMI Coaches (Oct 2012), the management team registered with a local consortium for the Random drug and alcohol testing. In that registration there was a miscommunication and AMI drivers were enrolled in an Employer Random D & A Pool, but not into a DOT Random testing pool thereby failing to meet the FMCSA requirement.

That mistake has been corrected in September of 2013 and established the correct policy as stated in the AMI Policy and Procedures manual on page 19, section 105.0 (a) "Random Testing for CDL Authorized Drivers". All CDL Authorized Drivers in the pool will be selected based on a scientifically valid method in accordance with the FMCSR. The Company-approved third party vendor, U.S. Health Works (full identification is in Attachment 1, pg. 24); will administer the random testing program, maintaining all pertinent records on random tests administered.

U.S. HealthWorks will send Steve Valentinetti and Don Smith the name/s of any driver/s that has/have been pulled for random testing. Within 24 hours of notification Steve Valentinetti then notifies the driver/s to proceed for testing. Once notified, a driver must proceed immediately to the assigned collection site. The random testing is spaced monthly, 12 selections in a one year period.

Additionally, the AMI Safety Officer, Don Smith, will keep the driver list current with the third party administrator (TPA) by notifying the TPA each time a driver is hired and the pre-employment test has returned negative that the driver should be added to the random pool for AMI. At least 10 percent of the average number of CDL driver positions will be tested for alcohol each year. At least 50 percent of the average number of CDL driver positions will be tested for controlled substances each year, within the consortium pool.

The random testing will be spread reasonably throughout the calendar year. All random alcohol and controlled substance tests will be unannounced, with each driver having an equal chance of being tested each time selections are made.

A CDL Authorized Driver may only be tested for alcohol while he/she is performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function.

Once notified that he/she has been randomly selected for testing, the CDL Authorized Driver must proceed

immediately to the assigned collection site. The AMI Safety Officer, Don Smith, is responsible for informing the third party vendor of any changes in a driver's status. Including new drivers hired or drivers terminated so that the third party vendor has an accurate list of drivers.

The AMI Safety Officer will review the list of drivers monthly to ensure the third party vendor has an accurate driver list for random selection. In the past 365 days, none of the four AMI drivers were selected for Random D & A testing. (Please see DOT Drug and Alcohol Testing supporting documents in the Exhibit 1 packet)

- 3) Provide a copy of your controlled substance and alcohol testing policy that contains all the required content prescribed in 49 CFR§ 382.601 (b). Provide copies of certificate of receipt that each driver that has received a copy of your controlled substance and alcohol testing policy.

Correction Proof: (Please see Attachment #1 below on page 17, also included in the DOT Drug and Alcohol Testing supporting documents in the Exhibit 1 packet)

- 4) Provide a detailed description of the process breakdown that occurred and resulted in the violations of 49 CFR Part 383, including 383.37(a) violation and a detailed description of the procedures implemented to ensure that your drivers' commercial driver license (CDL) is valid and active. Identify the person(s) and title(s) responsible, with specific roles and duties described for ensuring your drivers are and remain licensed, including with proper endorsements for the type of commercial motor vehicles (CMV), to be driven and monitoring expiration dates. Provide evidence that all drivers have a valid CDL, including a current driver driving history abstract from the issuing State of domicile.

Acknowledgement and Correction:

At the startup of AMI Coaches (Oct 2012), the proper procedures were not established to monitor the critical dates and endorsements in the Driver Qualification Files (DQF). AMI Coaches used a driver that originally was qualified with a Class A CDL and the P/1 endorsement, but during the course of that driver renewing his CDL, the P/1 endorsement was not included on his CDL. Neither the driver nor AMI management team caught the mistake for more than one year. Once the mistake was identified that driver was no longer allowed to operate

an AMI CMV that required the driver to have a CDL with the P/1 endorsement. The new procedure has been established as stated in the Policy and Procedures Manual, page 12 & 13:

AMI requires AMI Safety Officer, Don Smith, to maintain a driver qualification file (DQF) for each Authorized Driver of a CMV in interstate commerce it employs. It is the responsibility of each such individual Authorized Driver and the AMI Safety Officer, Don Smith, to ensure that all DQF-required documents are completed, placed in the DQ. Applicants for an AMI CMV driving positions are not allowed to drive an AMI CMV until the Don Smith has verified the applicant has a fully completed Driver Qualification File. Once Don Smith has verified the driver has a fully compliant DQF, Don Smith, will notify the owner, Steve Valentinetti. No individual will be authorized to drive an AMI CMV without the signed approval of Don Smith and Steve Valentinetti.

DQFs include, at a minimum, the following documents:

- a) Application for Employment (FMCSR 391.21)
- b) Request for Check of Driving Record (Motor Vehicle Record – MVR – Check) (FMCSR 391.23(a)(1) & (b))
- c) Request for Information from Previous Employers (FMCSR 391.23(a)(2) & (c))
- e) Medical Examination Certificate (FMCSR 391.43)
- f) Record and Certificate of Road Test (FMCSR 391.31) (or equivalent CDL)
- g) Annual Driver's Certificate of Violations (FMCSR 391.27)
- h) Annual Review of the driver and annual MVR (this is required to be filled out annually by the driver and Company Bookkeeper the officer manager will add to the DQF). (FMCSR 391.27 & 391.25)
- i) Copy of Driver's License

For items contained in the DQF's with critical reviews and updates highlighted above, all dates of renewal and updates are logged into the Compliance Scheduler and will notify AMI Safety Officer, Don Smith, 30 days in advance of the due date in order for the driver to remain qualified to drive an AMI CMV. Don Smith will either update accordingly or notify the driver and monitor the renewal (as in the case with a CDL or Medical Card renewal). If the renewal does not occur or renewal evidence provided to the Safety Officer by the date specified, the driver will then be removed from the Qualified Driver list and AMI Dispatch and President Steve Valentinetti will be informed. At least annually, the AMI Safety Officer, Don Smith, will review the Driver Qualification Files

for each Authorized Driver of a CMV, to ensure the DQF is up-to-date. The AMI Hiring Standards requires all Authorized Drivers of all CMVs to have a currently valid commercial vehicle operator's license; FMCSR § 391.11(b)(5) and is not disqualified to drive a commercial motor vehicle under the rules.

Driver Ineligibility - AMI shall not consider for employment a driver applicant who does not meet the minimum standards set by the FMCSRs

- 5) A detailed description of the process breakdowns that occurred and resulted in the violations of 49 CFR Part 391, including §§ 391.45(a)/ 391.11(a) and 391.51(b)(2), and a detailed description of the procedures you have implemented or will implement to ensure that your drivers are and remain qualified, and that required driver qualification (DQ) documents are retained in each driver's file. Provide a detailed description of the procedures you have implemented or will implement for each of the specific qualification processes and documents required. Identify the person(s) and title(s), responsible for ensuring your drivers are and remain qualified, and for ensuring that each driver's [narrative apparently missing here Don]:

Acknowledgement and Correction:

In the startup of AMI Coaches (Oct 2012), part-time school bus drivers again were hired who were known personally and who already worked for a reputable School District. The proper procedures were not established to compile and/or monitor the DQF and one or more pieces key information either was not compiled, lost or misplaced. In either instance, evidence of a driver background investigation (391.23 (a)); evidence of a current and valid DOT Medical Card (391.11 (a) & 391.45 (a)); and evidence of a recent Motor Vehicle Report (391.51 (b) (2)) was not in the DQF. The new procedure was established as stated in the Policy and Procedures Manual, page 12 & 13:

AMI is required to maintain a driver qualification file (DQF) for each Authorized Driver of a CMV in interstate commerce it employs. It is the responsibility of each such individual Authorized Driver and the AMI Safety Officer, Don Smith, to ensure that all DQF-required investigations and documents are completed, and placed in

the DQF. Applicants for an AMI CMV driving positions are not allowed to drive an AMI CMV until the Don Smith has verified the applicant has a fully completed Driver Qualification File. Once Don Smith has verified the driver has a fully compliant DQF, the AMI Safety Officer, Don Smith, will notify the owner, Steve Valentinetti. No individual will be authorized to drive an AMI CMV without the signed approval of Don Smith and Steve Valentinetti.

DQFs include, at a minimum, the following documents:

- a) Application for Employment (FMCSR 391.21)
- b) Request for Check of Driving Record (Motor Vehicle Record –MVR -Check) (FMCSR 391.23(a)(1) & (b))
- c) Request for Information from Previous Employers (FMCSR 391.23(a)(2) & (c))
- e) Medical Examination Certificate (FMCSR 391.43)
- f) Record and Certificate of Road Test (FMCSR 391.31) (or equivalent CDL)
- g) Annual Driver's Certificate of Violations (FMCSR 391.27)
- h) Annual Review of the driver and annual MVR (this is required to be filled out annually by the driver and Company Bookkeeper the officer manager will add to the DQF). (FMCSR 391.27 & 391.25)
- i) Copy of Driver's License

For items contained in the DQF's with critical dates, all dates of renewal and updates are logged into the Compliance Scheduler and will notify AMI Safety Officer, Don Smith, 30 days in advance of the due date. Don Smith will either update accordingly or notify the driver and monitor the renewal (as in the case with a CDL renewal). If the renewal does not occur or evidence of the renewal supplied to Don Smith by the date specified, the driver will then be removed from the Qualified Driver list and AMI Dispatch and President Steve Valentinetti will be informed. At least annually, the AMI Safety Officer, Don Smith, will review the Driver Qualification Files for each Authorized Driver of a CMV, to ensure the DQF is up-to-date. The AMI Hiring Standards requires all Authorized Drivers of all CMVs to have a currently valid commercial vehicle operator's license; FMCSR § 391.11(b)(5) and is not disqualified to drive a commercial motor vehicle under the rules.

Driver Ineligibility - AMI shall not consider for employment a driver applicant who does not meet the minimum standards set by the FMCSRs

- 6) A detailed description of the process breakdowns that resulted in violations of 49 CFR Part 395, including §§ 395.8(a) and 395.8(k)(1), and a detailed description of the safety management system you have implemented or will implement to monitor and control driver compliance with hours of service (HOS) requirements and verify drivers complete and timely submit records of duty status (RODS) and/or time records, and verify driver RODS and/or time records are accurate and complete. This description should include procedures for verifying the accuracy of RODS and/or time records; a description of supporting documents used to compare with the RODS; the frequency of RODS checks; and a description and frequency of RODS and/or time records audit summaries. This description should identify the person(s) and title(s) responsible for verifying that drivers complete and submit RODS and associated supporting documents, for checking that RODS are complete and accurate, for verifying the accuracy of drivers' RODS, and for ensuring RODS and supporting documents are maintained as required, and include a description of their training and qualification for these responsibilities.

Acknowledgement and Correction:

In the startup of AMI Coaches (OCT 2012), the AMI management team did require log pages but did not require drivers to adhere to the all HOS documentation rules. The main breakdown occurred by not consistently monitoring the HOS of **multiple-employed drivers**, specifically the start times and on-duty hours with their other driving jobs for the previous 7 days or on the same day as working with AMI. Although AMI was sure that HOS rules were not violated with multiple employers due to verbal communications with the known drivers, they did not keep a documented record. Additionally, for the same reasons stated, the AMI management team did not consistently keep HOS records, (7 days previous record for multi-employed drivers; 7-day hourly log pages and/or RODS pages), for six months. AMI drivers drove an average of 11-16 hours per week.

The AMI action plan for HOS and supporting documentation starts with equipping our coaches with the Zonar product to provide Electric On-board Recording (EOB). This product seems to fit the AMI operation model best as a short distance passenger carrying operation. AMI will install Zonar system as soon as we hear that our Safety Rating is upgraded to satisfactory and full operations resume. Within the first week of operations the

vehicles will be scheduled for installation and Operational training will commence for Supervisors and Drivers.

Due to the AMI business model, we have struggled to provide a good system for "Supporting Documentation" to our HOS program. The type of contracts we have with clients is that of a shuttle service from the airport to various locations and does not generate immediate delivery types of receipts. Fuel slips are difficult because AMI may only purchase fuel every 3 – 4 weeks due to the low miles traveled and the 200 gallon fuel tanks. The Zonar system will provide both, the HOS records or 'logs', and the supporting documentation with GPS tracking. AMI has implemented the following the policy as referenced in the Policy and Procedures Handbook on pages 20-21, 106.0 (a). Driver log procedures: All AMI Authorized CMV Drivers are required to comply with the applicable driver's hours of service time keeping procedures as required in the FMCSR. All AMI drivers that are multiple-employed drivers will complete the ***HOS Record for First Time, Intermittent and Multiple-Employed Drivers*** report (see attachment on page 35) and turned in to the dispatcher upon arrival at AMI, prior to their shift to drive. The dispatcher on-duty will then examine the record to determine the hours available according to the HOS Rules, and dispatch that driver accordingly. All AMI CMV drivers must sign on to the Zonar system upon entering the coach before conduction of the Pre-Trip inspection and enter the total On-Duty hours for the last 7 days. Reports from the EOR will be examined daily by the Dispatcher and weekly by the Safety Officer, Don Smith. In the case of a Zonar breakdown or failure, the driver will immediately switch to the 7-day local log or RODS when and if required. The completed logbook or timecard will be turned in daily or upon return from a trip to AMI's lock box. If the case of being out up to 10 days ever comes up (which it has not as of yet), the driver must use an overnight mail vendor to submit all log pages, invoices, and fuel receipts.

The AMI Safety Officer, Don Smith, is responsible for insuring drivers do not violate any Hours of Service regulations. Any violations identified must be promptly addressed and corrected. The AMI Safety Officer will immediately notify the President, Steve Valentinetti, of any driver who fails to turn in a required log or timecard. Additionally, the AMI Safety Officer, Don Smith, will monitor all timecards and logs of all drivers to ensure the drivers do not exceed the hours of service allowed. The AMI Safety Officer, Don Smith, will also notify the President, Steve Valentinetti, of any drivers that fail to turn in required logs or exceed the hours of service. Drivers will be subject to no pay for the trip as well as the progressive discipline outlined in this policy for

violations of this section, up to and including termination. The AMI dispatcher will review each driver's destination location in which they are working to ensure the driver understands if they are eligible to use the timecard exception allowed in 395.1(e). The AMI President, Steve Valentinetti, will work with the Dispatcher to identify the area in which the driver will be working and determine if the timecard exception will be allowed or if the driver will need to complete a log book as required in 395.8. The driver will be informed of the required hours of service document required before they start work on the new job. (Also See Attachment 2 for flowchart on process to determine proper HOS paperwork for each jobsite). In addition, the company may elect to have drivers stay at hotels that are closer to the job site to ensure drivers are not exceeding hours of service and driving while fatigued. If the company elects to have drivers stay at a hotel close to a jobsite, the company will pay for the hotel and provide an allowance for meals. This election will be on a job by job basis and is at the discretion of the company President.

If the Zonar EOR is working properly then the system will do all the above for the driver. The AMI Safety Officer, Don Smith, is responsible for storing all Zonar reports, and/or timecards or RODS pages, as well as HOS supporting documents, for a period of no less than 6 months.

- 7) If you use or intend to use a driver disciplinary policy as part of your safety management system, you should include descriptions of any written reprimands or warnings, remedial training, suspensions without pay or termination. The policy should also include a detailed description of actions to be taken by you for driver violations of Part 395 requirements such as falsification, failure to make or turn in RODS and/or time records completing time records and failure to submit supporting documents. Violations triggering the disciplinary process and specific actions to be taken by your management should be clearly defined.

Acknowledgement:

AMI Coaches has implemented a progressive disciplinary program in an effort to exhibit the AMI dedication to FMCSA rules and has zero tolerance for violations as stated in the policy below. HOS violations such as falsification, failure to make or turn in RODS and/or time records, completing time records, and failure to submit supporting documents, are all violations listed in the HOS Policy (page 20-21, 106.0 (a)). Any and all violations

will be handled in accordance to the 1st, 2nd, 3rd or 4th violation as referenced below and in the Policy and Procedure Manual on page 25, '108.0 Driver Discipline:'

A. Driver Discipline

In the event that a driver is involved in a moving violation or in an accident which is determined to "at fault" while operating an AMI Vehicle. The driver may be subject to disciplinary action.

B. Disciplinary Action

AMI will not tolerate violations of this Policy. Violations of this Policy may subject the driver to disciplinary action up to and including termination/disqualification. All documentation of disciplinary steps will be placed in the offending driver's Safety file. The normal steps for progressive discipline will include:

1st violation – verbal warning;

2nd violation – written warning;

3rd violation – written warning with financial consequences;

4th violation – termination from employment for AMI Coaches.

However, management also reserves the right to immediately terminate any driver for serious violations even if they only occur once.

- 8) A RODS audit summary for the period of November 2013 for three (3) drivers, including, at a minimum, the number of RODS checked compliance with the 10, 15, and 60/70 HOS limits, the number of 10, 15, and 60/70 hour violations found, the number of RODS checked for accuracy, the number of RODS determined to have been falsified, the names of drivers found in violation by violation date and type, and any action taken against the driver. Copies the RODS and supporting documents as well as any evidence of disciplinary action taken against drivers found violating the HOS regulations must be attached to the summary.

Audit Summary: We are a short haul (airport shuttle in most cases) type of operation with 4 busses requiring the driver to have a CDL. There were no trips in November that required the driver to use a RODS type of log book. There was a one day trip in December and no violations were found. Please see Exhibit #2 for the log page.

- 9) A time records audit summary for the period of November 2013 for three (3) drivers, including, at a minimum, the number of days checked compliance to ensure the exception in 49 CFR § 395.1(e) is met, the number hour violations found, the number of time records checked for accuracy, the number of time records determined to have not met the exception with 49 CFR § 395.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies of time records, RODS submitted when the exception in 49 CFR § 395.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.

Audit Summary: AMI is a short haul (airport shuttle in most cases) type of operation with 4 buses requiring the driver to have a CDL. 98% of the time our 3 drivers use timecards or the 7-day log page. No violations were found. Please see Exhibit #3 for the hourly HOS records.

- 10) A detailed description of the process breakdowns that occurred and resulted in the vehicle maintenance files violations. Provide a detailed description of policies and/or procedures to ensure that each CMV has a complete maintenance file and records of inspections, repairs and maintenance performed. In addition, provide a detailed description of how you will ensure pushout windows, emergency doors, and emergency door marking lights in buses will be inspected at least every 90 days. Identify who will be responsible to monitor maintenance schedules and due dates and ensure maintenance files are kept and contain records of inspection, repairs and maintenance. Provide samples of complete maintenance files for three (3) CMVs.

Acknowledgement and Correction:

In the startup of AMI Coaches (Oct 2012), the management team had established Vehicle Maintenance files (VMF) for their buses but the **Tire Size** was not listed and violated of Part 396. Additionally we failed to keep records on the timeline required by the regulations.

AMI has now established a written policy and implemented the procedures to correct all of the deficiencies

discovered. All AMI CMV drivers have always been required to perform the applicable safety inspection and complete a Driver's Vehicle Inspection Report each time they drive a CMV (10,001 lbs. or more). Drivers coming on duty must review the previous inspection report and insure any defects have been corrected. The AMI DVIR's with 3 signature lines have been accordingly utilized as of May 2013 prior to driving the vehicle. The on-coming driver must also review the AMI Bus Emergency Exit Inspection log to determine if the inspection is due in order to stay within the frequency window of 90 days. The inspecting driver is then required to perform the Emergency Exit inspection if required by the due date or questionable observations. Each driver must complete a DVIR at the completion of their shift. Any defects noted on the DVIR must be brought to the President's attention and promptly repaired. All maintenance performed on all safety related defects must be properly documented and maintained in the vehicle's maintenance file. The AMI Safety Officer, Don Smith, will be responsible for keeping all maintenance files up to date. DVIRs do not need to be filled out if the vehicle has not been used on a particular day. DVIRs will only be retained for 90 days.

Vehicles that fall under the scope of the AMI Policy must/will at all times be properly maintained as designated by FMCSRs. AMI requires periodic maintenance of all AMI CMVs. The AMI periodic maintenance schedule is every 10,000 miles. In addition, all coaches are pulled in every two weeks for maintenance review.

The AMI Safety Officer, Don Smith, will keep and maintain all required maintenance related documents for the maintenance file. This includes:

- Identification of the vehicle including company number (if so marked), make, serial number, year, and tire size.
- A preventative maintenance schedule.
- Inspections of pushout windows, emergency doors, and emergency door marking lights in buses inspected at least every 90 days.
- Record of inspection, repairs, and maintenance conducted on all vehicles.
- All corrective maintenance that was a result of a vehicle inspection.

Any driver that is identified as not completing the appropriate inspections will be disciplined and entered into the (PDP) progressive disciplinary program up to and including disqualification as a driver for AMI.

- 11) Provide a detailed description of procedures to ensure all CMVs have a current periodic (annual) inspection in accordance to Appendix G of 49 C.F.R. Subchapter B. Provide copies of all annual inspections for all CMV that are not current, which include intermodal chassis trailers. Provide evidence to indicate the individuals that perform the annual inspections on your CMVs are qualified, as prescribed in 49 C.F.R. 396.19.

Acknowledgement and Correction:

All AMI CMVs are required to undergo annual inspections as required in the FMCSRs. It is the responsibility of the driver and company to ensure all annual inspections are completed in a timely manner and a copy of that inspection is kept in the CMV. The AMI Safety Officer, Don Smith, will monitor the maintenance files of AMI to ensure all annual inspections are current, completed and filed in the vehicles maintenance file.

- 12) Provide a detailed description on how officer(s) will monitor periodic (annual) inspections from being fraudulently or intentionally altered by drivers, staff and third-party inspectors. Describe actions taken when documents are discovered to be fraudulently or intentionally altered. Describe specific procedures to ensure annual inspections are not fraudulent or intentionally altered.

Security Description: Fraudulently or intentionally altered inspections have never happened at AMI Coaches to our knowledge and to insure it does not, President Steve Valentinetti or a deputy will re-inspect all annual inspections forms and re-check every item that was listed as "needs repair". He will then verify that the repair has been done, the vehicle is in working order and the supporting receipts for the repairs filed in the applicable VM Files. If any fraud is discovered, President Steve Valentinetti will insist the repairs be done correctly before

payment is made. If fraud is discovered on the part of an AMI driver or staff, that employee will be entered into the PDP which could include termination on the spot. If in the case of fraud which includes a third-party inspector, AMI will not pay the inspector and the incident will be reported to the inspector's employer. Another inspection with a new inspector will be scheduled as soon as feasible.

- 13) A detailed description of the process breakdowns that occurred and resulted in violations of 49 CFR § 396.11, and a detailed description of the safety management controls and procedures you have implemented or will implement to ensure your drivers submit driver vehicle inspection reports (DVIR's) as required, and that the reports are maintained as required. Describe instructions you will provide to your drivers on submitting complete DVIR's, including listing and reporting any vehicle defects and/or deficiencies, and certifying repairs were performed. Identify the person(s) and position(s) that ensure defects and/or deficiencies noted on a DVIR are repaired before the CMVs are re-dispatched. Provide a list of the CMVs that you intend to use, and a sample DVIR's that you require your drivers to complete and submit. Provide a sample of DVIR's for three (3) CMVs or the month of November 2013.

Acknowledgement and Correction: In the beginning of AMI (Oct 2012), an AMI DVIR was created with all of the required check points listed. AMI has always required drivers to do a Pre/Post Inspection and fill out the DVIR upon completion of the Post-Trip inspection. The noted violation occurred because the DVIR form that was made did not contain the 3rd signature line thereby technically disqualifying the utilized form. Upon realization of the error, AMI corrected the form in a matter of minutes and began using the form containing 3 signature lines in August of 2013.

Additionally, the AMI action plan for DVIR's starts with equipping our coaches with the Zonar product to provide Pre/Post Trip safety inspection electronic recordings of the differing zones of the CMV. The recording will also allow the driver to list any defects and provide AMI management an electronic message of the component and defect found. The print out also contains 3 signature lines; one for the inspecting driver; one for the mechanic providing repairs and one for the reviewing or re-inspecting driver. This product seems to fit the AMI operation model best as a short distance passenger carrying operation. Again, AMI will install the Zonar system as soon as

we hear that our Safety Rating is upgraded and operations may resume. Within the first week of operations, the vehicles will be scheduled for installation and Operational training will commence for Supervisors and Drivers. The AMI President Steve Valentinetti will audit the DVIR's daily and any required repairs will be made immediately before the CMV can resume operation. The Safety Officer, Don Smith, will also audit the DVIR's weekly and review any repair receipts verifying the repair was completed. The Safety Officer will maintain DVIR's for at least 90 days.

14) A written and detailed description of procedures and safety management controls you have implemented or will implement to ensure systematic inspections, repairs, maintenance and periodic inspections of your commercial motor vehicles to prevent and address vehicle out-of-service defects. Your request should include an explanation of how you will ensure that repairs are made on vehicles that are placed out of service. In addition, your request needs to describe procedures and steps you will take to reduce vehicle out-of-service defects and violations, and how your maintenance program will improve your vehicle out-of-service rate and roadside inspection performance. Provide evidence of repairs performed for all vehicle out-of-service defects and deficiencies noted on federal and state vehicle inspections in the past 365 days.

Description of Procedures: AMI will provide remedial training to the drivers about the proper Pre/Post Trip inspections techniques; component identification and what defects they should be looking for. Additionally, AMI will train drivers how to note the defects on the Zonar device or the DVIR form in case of Zonar mechanical failure, so that a maintenance supervisor or mechanic will understand it. The DVIR's or electronic messages from the Zonar device are turned in daily to the dispatcher who will then inform President, Steve Valentinetti, of the needed repair. The President will then provide for the repair to take place before it is put back into operation again. The AMI Safety Officer, Don Smith, will monitor the Annual Inspection due dates and will inform President, Steve Valentinetti two weeks before the due date. If the coach is not inspected by the due date, the AMI Safety Officer, Don Smith, will place the CMV Out-of-Service (OOS) and will inform the President Steve

Valentinetti and Dispatch of the OOS coach. After the AMI CMV is inspected and necessary repairs are made (if any), President Steve Valentinetti will re-inspect the CMV to verify the repairs have been completed correctly according to the defects noted and the vehicle is qualified to operate. The vehicle Maintenance Schedule will be monitored by Safety Officer, Don Smith, and President Steve Valentinetti will be notified one week in advance of the upcoming scheduled maintenance. The maintenance procedure will be documented on the Vehicle Maintenance Schedule in the Vehicle Maintenance file. Any driver or supervisor that is found to operate or to authorize operation of a CMV when it is place OOS by the Safety Officer, or OOS due to a component failure noted on the DVIR will enter into the PDP which leads up to, and includes, termination. Note: Depending on the severity of the violation, termination is possible immediately.

CONCLUSION

AMI Coaches is committed to safety and operation of its commercial vehicles in strict compliance with all FMCSA regulations, and indeed, we fully realize our reputation is dependent thereon. I, Steve Valentinetti, President of AMI Coaches have adopted the above policies and procedures within the company to rectify any of the operational problems identified by the November 7, 2013 audit and to ensure they will not be replicated in the future to the utmost of our abilities. I have dedicated the resources and infrastructure to enforce the rules and apply discipline to the fullest extent needed to ensure employees conform to policies and regulations stated above. As identified in the opening paragraph on page 1, Don Smith, VATA Safety and Compliance, will adopt the role as the AMI Safety and Compliance Officer when operations resume in 2014.

We look forward to working with DOT and FMCSA to remedy problems identified in the November 7, 2013 audit and believe the present and prospective measures we have now and will be implementing fully reflect AMI Coaches as an exemplary passenger transport company.

Steve Valentinetti, President, AMI Coaches

Don Smith, AMI Coaches Safety and Compliance - Consultant

AMI Coaches Safety Management Corrective Action Plan

Attachment #1

AMI Coaches Alcohol and Drug Abuse Policy Statement of Purpose and Policy

Drivers are an extremely valuable resource for AMI Coaches' business. Their health and safety is a serious company concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of AMI Coaches to prevent substance use or abuse from having an adverse effect on our drivers. AMI Coaches maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on company property. Furthermore, drivers have a right to work in an alcohol and drug-free environment and to work with drivers free from the effects of alcohol and drugs. Drivers who abuse alcohol or use drugs are a danger to themselves, their coworkers, and the client.

The adverse impact of substance abuse by drivers has been recognized by the federal government. The Federal Highway Administration (FHWA) has issued regulations, which require that the company implement a controlled substance testing program. AMI Coaches will comply with these regulations and is committed to maintaining a drug-free environment. All drivers are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with AMI Coaches.

Specifically, it is the policy of AMI Coaches that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any driver while on company premises, engaged in company business, while operating company equipment, or while under the authority of AMI Coaches is strictly prohibited.

FHWA states that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and/or search all driver applicants for alcohol and drug use, and those drivers suspected of violating this policy who are involved in a US Department of Transportation (DOT) reportable accident or who are periodically or randomly elected pursuant to these procedures. These procedures are designed not only to detect violations of this policy, but also to ensure fairness to each driver. Every effort will be made to maintain the dignity of drivers or driver applicants involved. **Disciplinary actions will, however, be taken as necessary.**

Neither the policy nor any of its terms are intended to create a contract of employment to contain the terms of any contract of employment. AMI Coaches retains the sole right to change, amend, or modify and term or provision of this policy without notice. This policy is effective November 18, 2013, and will supersede all prior policies and statements relating to alcohol or drugs.

**ADMINISTRATION GUIDE TO
PERSONNEL
ALCOHOL AND DRUG TESTING PROCEDURES**

I. PURPOSE

The purpose of this administrative guide is to set forth the procedures for the implementation of controlled substances and alcohol use and testing of driver applicants and current drivers pursuant to the Alcohol and Drug Abuse Policy. These procedures are intended as a guide only, and are in no way intended to alter any existing relationship between AMI Coaches and any driver.

II. DEFINITIONS

When interpreting or implementing these procedures, or the procedures required by the Federal Motor Carrier Safety Administration (FMCSA) controlled substance testing regulations the following definitions apply:

"Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

"Alcohol concentration (or content)" means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

"Collection site" means a place where individuals present themselves for the purpose of providing breath, body fluid, or tissue samples to be analyzed for specified controlled substances. This site must possess all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage and transportation or shipment of the samples to a laboratory.

"Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

1. Has a gross combination weight rating of 26,001 or more pounds; or
2. Has a gross vehicle weight rating of 26,001 or more pounds; or
3. Is designed to transport 16 or more passengers, including the driver; or
4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR, Part 172, 1308).

"Driver" means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purpose of pre-employment/pre-duty testing only, the term "driver" includes a person applying to an employer to drive a commercial motor vehicle.

"Drug" means any substance (other than alcohol) that is a controlled substance as defined in the section and 49 CFR, Part 40.

"FMCSA" means the Federal Motor Carrier Safety Administration; US Department of Transportation.

"Owner-operator(s)" means a driver(s) who has been contracted for services with the Company. For the purposes of these procedures and the Company's Alcohol and Drug Abuse Policy, owner-operators are not to be considered employees, but will be required to participate in the Company's Alcohol and Drug Abuse Policy like all Company employee drivers.

"Medical review officer" (MRO) means a licensed MD or DO with knowledge of drug abuse disorders that is employed or used by a motor carrier to conduct drug testing in accordance with this part.

"Performing a safety-sensitive function" means a driver is considered to be performing a safety sensitive function during any period in which he/she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

"Random selection process" means that alcohol and drug tests are unannounced; that every driver of a motor carrier subject to test-tests conducted annually shall equal or exceed ten percent (10%) for alcohol tests and fifty percent (50%) for drug test of the total number of drivers subject to testing of a motor carrier.

"Reasonable cause" means that the motor carrier believes the actions or appearance or conduct of a commercial motor vehicle driver who is on duty as defined below, are indicative of the use of a controlled substance.

"Safety-sensitive function" means any of those on-duty functions set forth in CFR 49, Section 395.2.

"On duty time" means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. "On duty time" shall include:

1. All time at a carrier or shipper plant, terminal, or facility, or other property, or on any public property waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
2. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All driving time;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

III. SUBSTANCES PROHIBITED/PRESCRIPTION MEDICATIONS

A. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol which, when consumed, causes an alcohol concentration in excess of those prescribed by Part 382, Subpart B, (FMCSR) and Section IV of this policy.

B. Controlled substances: In accordance with FMCSA rules, urinalysis will be conducted to detect the presence of the following substances:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the FMCSA in accordance with the recommendations established by the 49 CFR, Part 40.

C. Prescription medications: Drivers taking legally prescribed medications issued by a licensed health care professional familiar with the driver's work-related responsibilities must report such use to their immediate supervisor or dispatcher, and may be required to present written evidence from the health care professional which describes the effects such medications may have on the driver's ability to perform his/her tasks.

In the sole discretion of the alcohol and drug program administrator, a driver may be temporarily removed, with pay, from a safety-sensitive position if deemed appropriate.

IV. PROHIBITIONS

A. Alcohol Prohibitions

The new alcohol rule prohibits any alcohol misuse that could affect performance of a safety sensitive function, including:

1. Use while performing safety-sensitive functions.
2. Use during the 4 hours before performing safety-sensitive functions.
3. Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater.
4. Possession of alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
5. Use during 8 hours following an accident, or until he/she undergoes a post-accident test.
6. Refusal to take a required test.

NOTE: A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

The other consequences imposed by the regulations and discussed below do not apply.

However, documentation of this test constitutes written warning that company policy has been violated, and the next occurrence could result in disqualification of a driver.

B. Drug Prohibitions

The regulations prohibit any drug use that could affect performance of safety-sensitive functions, including:

1. Use of any drug, except by doctor's prescription, and then only if the doctor has advised the driver that the drug will not adversely affect the driver's ability to safely operate the CMV;
2. Testing positive for drugs; and
3. Refusing to take a required test.

All drivers will inform the alcohol and drug program administrator of any therapeutic drug use prior to performing a safety-sensitive function.

V. DRIVER APPLICANT AND CURRENT DRIVER TESTING

A. Applicant Testing: All driver applicants will be required to submit to and pass a breath alcohol test and a urine drug test as a condition of employment. Job applicants who are denied employment because of a positive test may reapply for employment after 6 months.

Offers of employment are made contingent upon passing the Company's medical review, including the alcohol and drug test. Driver applicants who have received firm employment offers are to be cautioned against giving notice at their current place of employment, or incurring any costs associated with accepting employment with the Company until after medical clearance has been received. All newly hired drivers shall be on probationary status for 30 days, contingent upon medical clearance for illicit controlled substance or alcohol usage, as well as other conditions explained in the personnel policies. Under no circumstances may a driver perform a safety-sensitive function until a confirmed negative result is received.

Driver applicant drug testing shall follow the collection, chain-of-custody and reporting procedures as set forth in 49 CFR, Part 40.

B. Owner-Operators: Owner-operators engaged by the Company are not employees of the Company, nor are they to be considered as such under this Policy. However, every owner/operator engaged to provide services to the Company must agree to, and successfully participate in the Company's alcohol and drug testing program. All owner-operator agreements will be entered into by the Company contingent upon the operators' successful completion of urinalysis and breath analysis under all phases of the Company's program, and are contingent upon the owner-operator's continued status as a medically qualified driver. The term "driver" as used in these procedures includes owner-operators.

C. Employee Drivers: Under all circumstances, when a driver is directed to provide either a breath test or urine sample (Appendix C) in accordance with these procedures, he/she must immediately comply as instructed. Refusal will constitute a positive result, and the driver will be immediately removed from the safety-sensitive function, and will be subject to further discipline or termination as appropriate.

1. Suspicion-based Testing:

a. Reasonable Suspicion: If a driver is having work performance problems or displaying behavior that may be alcohol or drug-related, or is otherwise demonstrating conduct that may be in violation of the Policy where immediate management action is necessary, a supervisor or dispatcher, with the concurrence of the alcohol and drug program administrator, will require that driver to submit to a breath test or urinalysis. The following conditions are signs of possible alcohol or drug use (not all-inclusive):

- Abnormally dilated or constricted pupils
- Glazed stare - redness of eyes
- Flushed face
- Change of speech (i.e. faster or slower)
- Constant sniffing
- Increased absences
- Redness under nose
- Sudden weight loss
- Needle marks

- Change in personality (i.e. paranoia)
- Increased appetite for sweets
- Forgetfulness - performance faltering - poor concentration
- Borrowing money from coworkers or seeking an advance of pay or other unusual display of need for money
- Constant fatigue or hyperactivity
- Smell of alcohol
- Slurred speech
- Difficulty walking
- Excessive, unexplained absences
- Dulled mental processes
- Slowed reaction rate

Supervisors or dispatchers must take action if they have reason to believe one or more of the above-listed conditions is indicated, and that the substance abuse is affecting a driver's job performance or behavior in any manner. A supervisor or dispatcher observing such conditions will take the following actions immediately:

- Confront the employee involved, and keep under direct observation until the situation is resolved.
- Secure the alcohol and drug program administrator's concurrence to observations; job performance and company policy violations must be specific.
- Drug/Alcohol Policy, Page 7
- After discussing the circumstances with the supervisor or dispatcher, the alcohol and drug program administrator will arrange to observe or talk with the driver. If he/she believes, after observing or talking to the driver, that the conduct or performance problem could be due to substance abuse, the driver will be immediately informed that continued refusal will result in disqualification from performing any safety sensitive function.
- Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from driving duties. All confiscated evidence will be receipted for with signatures or both the receiving supervisor, as well as the provider.
- If upon confrontation by the supervisor or dispatcher, the driver admits to use but requests assistance, the alcohol and drug program administrator will arrange for assessment by an appropriate substance abuse professional (SAP). Reassignment to the driver position is conditional to completing the SAP's guidelines and return-to work testing.

c. The supervisor or dispatcher shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems, and present such documentation to the alcohol and drug program administrator.

d. The drug and alcohol program administrator will remove or cause the removal of the driver from the Company-owned vehicle and ensure that the driver is transported to an appropriate collection site and thereafter to the driver's residence or, where appropriate, to a place of lodging. Under no circumstances will that driver be allowed to continue to drive a Company vehicle or his/her own vehicle until a confirmed negative test result is received.

e. if, during the course of employment, the driver acknowledges a substance abuse problem and requests assistance, the problem may be treated as if it were an illness, subject to the provisions set forth below:

- The decision to seek diagnosis and accept treatment for the substance abuse problem is the responsibility of the driver;

- The diagnosis and prescribed treatment of the driver's condition will be determined by health care professionals designated by the alcohol and drug program administrator in conjunction with the driver's physician; and
- The driver might be placed on medical leave for a predetermined period recommended by those medical professionals if the SAP determines that such action is appropriate.

2. Post-Accident Testing: Currently, federal regulations place the burden of compliance with post-accident alcohol and drug testing regulations on the driver. Therefore, all drivers are required to provide a breath test and a urine specimen to be tested for the use of controlled substances "as soon as practicable" after an accident. The driver shall remain readily available for such testing or may be deemed by the alcohol and drug program administrator to have refused to submit to testing. No alcohol may be consumed for 8 hours after the accident or until a test is conducted. If the driver is seriously injured and cannot provide a specimen at the time of the accident, he/she shall provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there were any controlled substances in his/her system. An accident is defined by FMCSA regulations as an accident which results in the death of a human being or bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or which has had one of the vehicles towed from the scene of the accident. Except for a fatality accident, verification of the driver's responsibility in the above accident must be established by a citation to the driver.

Drivers will be provided with collection kits to be carried in their vehicles at all times. A list of nationally available collection sites will be provided through the Company dispatchers, including pertinent instructions and procedures prior to the driver operating a commercial motor vehicle.

Adherence by drivers to post-accident specimen collection requirements is a condition of continued employment. The failure of an owner-operator to comply with DOT post-accident and specimen collection rules will be considered a breach of his/her contract with the Company, and the contract is invalid until appropriate substance abuse professional counseling has been completed.

3. Random Testing: AMI will conduct random testing for all covered drivers as follows:

- a. A company-wide selection process which removes discretion in selection from any supervisory personnel will be adopted by the Company. This process will select covered drivers through the use of a computerized program.
- b. The random testing, once begun, will provide for alcohol testing of at least 10% and for drug testing of at least 50% of all covered drivers.
- c. The random testing will be spaced monthly over any 12 month period.
- d. Once notified, a driver must proceed immediately to the assigned collection site.

4. The alcohol and drug program administrator will be responsible for designating the appropriate substance abuse professional who, in conjunction with the driver's physician, will diagnose the problem and recommend treatment.

- a. The driver's successful completion of the approved treatment program is a condition of continued employment as a driver.
- b. Following successful completion of any approved treatment program, the driver will be required to submit to at least six random drug tests during the first year, and follow-up testing may be conducted for up to 60 months. Failure to adhere to this condition is grounds for immediate termination.
- c. All supervisors or dispatchers will receive training to assist them in identifying alcohol and drug behavioral characteristics.

5. Return-to-Duty Testing: Before a driver returns to duty requiring the performance of a safety sensitive function after engaging in conduct prohibited by this policy and Part 382, Subpart B (FMCSR), the driver shall undergo a return to duty alcohol test with a result of less than a 0.02 BAC or receive a confirmed negative result from a controlled substance urinalysis test.

VI. COLLECTION OF BREATH AND URINE SPECIMENS AND LABORATORY ANALYSIS

A. Breath alcohol testing will be conducted either on site or at a prearranged location by a qualified Breath Alcohol Technician according to 49 CFR, Part 40 procedures. Refusal to complete and sign the testing form or refusal to provide breath will be considered a positive test, and the driver will be removed from a safety-

sensitive function until resolved.

B. Specimen Collection: Specimen collection will be conducted in accordance with applicable state and federal law. The collection procedures will be designed to ensure the security and integrity of the specimen provided by each driver, and those procedures will strictly follow federal chain-of-custody guidelines. Moreover, every reasonable effort will be made to maintain the dignity of each driver submitting a specimen for analysis in accordance with these procedures.

C. Laboratory Analysis: As required by FMCSA regulations, only a laboratory certified by Department of Health and Human Services (DHHS) to perform urinalysis for the detection of the presence of controlled substances will be retained by the Company. The laboratory will be required to maintain strict compliance with federally approved chain-of-custody procedures, quality control, maintenance and scientific analytical methodologies.

VII. CONSEQUENCES: APPEAL OF TEST RESULTS

A. Alcohol and drug abuse may not only threaten the safety and productivity of all employees at AMI, but causes serious individual health consequences to those who use them. Attachment #1 outlines several personal consequences which may result after abuse of controlled substances. Any confirmed actions prohibited by Part IV above, while performing a safety-sensitive function or refusing to take a breath test, will be grounds for disqualification as a driver.

B. A driver testing positive for alcohol or drug use is subject to disqualification. Refusal to submit to testing will also be considered a positive.

Refusal may be defined as not providing a breath sample or urine as directed, neglecting to sign appropriate control forms, using alcohol within 8 hours of an accident, or engaging in conduct that clearly obstructs the testing process.

Any driver testing positive for the presence of a controlled substance will be contacted by the Company's MRO. The driver will be allowed to explain and present medical documentation to explain any permissible use of a drug. All such discussions between the driver and the MRO will be confidential. The Company will not be a party to, or have access to, matters discussed between the driver and the MRO. If medically supportable reasons exist to explain the positive result, the MRO will report the test result to the Company as a negative.

Within 72 hours after the driver has been notified of a positive test result for drugs, he/she may request a retest of the split sample. This signed request will be provided to the MRO in writing, who will then initiate the new laboratory analysis. If a different result is detected by the subsequent laboratory, the test will be voided by the MRO, and the company alcohol and drug program administrator will be notified. A retest may be initiated as appropriate.

VII. CONFIDENTIALITY

Under no circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee. Drivers are entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance test.

Collection of breath and urine samples must always be documented and sealed with a tamper-proof sealing system in the presence of the driver, to ensure that all tests can be correctly traced to the driver. Drug test analysis from the DHHS approved laboratory will be forwarded directly to the Medical Review Officer assigned by the alcohol and drug program administrator.

Alcohol test results will be forwarded by the MRO to the alcohol and drug program administrator for confidential recordkeeping.

ALCOHOL AND DRUG EFFECTS

Section 382.601(b)(11) FMCSR mandates that all employees be provided with training material discussing the effects of alcohol and controlled substance use on an individual's health, work, and personal life. This attachment is intended to help individuals understand the personal consequences of substance abuse.

ALCOHOL

Although used routinely as beverage for enjoyment, alcohol can also have negative physical and mood altering effects when abused. These physical or mental alteration in a driver may have serious personal and public safety risks.

Health Effects

An average of three or more servings per day of beer (12 ounces), whiskey (1 ounce), or wine (6 ounces) over time, may result in the following health hazards:

- Dependency
- Fatal liver diseases
- Kidney failure
- Pancreatitis
- Ulcers
- Decreased sexual function
- Increased cancers of the mouth, pharynx, esophagus, rectum, breast, and malignant melanoma
- Spontaneous abortion and neonatal mortality
- Birth defects
- Social Issues
- 2/3 of all homicides are committed by people who drink prior to the crime.
- 2 - 3% of the driving population are legally drunk at any one time. This rate doubles at night and on weekends.
- 2/3 of all Americans will be involved in an alcohol-related vehicle accident during their lifetime.
- The separation and divorce rate in families with alcohol dependency problems is 7 times the average.
- 40% of family court cases are alcohol-related.
- Alcoholics are 15 times more likely to commit suicide.
- More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol-related.
- Over 17,000 fatalities occurred in 1993 in highway accidents, which were alcohol-related. This was 43% of all highway fatalities.
- 30,000 people will die each year from alcohol-caused liver disease.
- 10,000 people will die each year due to alcohol-related brain disease or suicide.
- Up to 125,000 people die each year due to alcohol-related conditions or accidents.
- Workplace Issues
- It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- Impairment can be measured with as little as two drinks in the body.
- A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

ALCOHOL'S TRIP THROUGH THE BODY

Mouth and Esophagus: Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

Stomach and Intestines: Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamine, folic acid, fat, vitamin B1, vitamin B12, and amino acids.

Bloodstream: 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction red blood cell production. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

Pancreas: Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause a lack of insulin, thus resulting in diabetes.

Liver: Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of live cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Gland: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing progressive incoordination: confusion, disorientation, stupor, anesthesia, coma, death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment and learning ability.

DRUGS

Marijuana

Health Effects

- Emphysema-like conditions.
- One joint of marijuana contains cancer-causing substances equal to 1/2 pack of cigarettes.
- One joint causes the heart to race and be overworked. People with heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus* which can cause serious respiratory tract and sinus infections.
- Marijuana lowers the body's immune system response, making users more susceptible to infection.
- Chronic smoking causes changes in brain cells and brain waves. The brain does not work as efficiently or effectively. Long-term brain damage may occur.
- Tetrahydrocannabinol (THC) and 60 other chemicals in marijuana concentrate in the ovaries and testes.
- Chronic smoking of marijuana in males causes a decrease in testosterone and an increase in estrogen, the female hormone. As a result, the sperm count is reduced, leading to temporary sterility.
- Chronic smoking of marijuana in females causes a decrease in fertility.

- A higher than normal incidence of stillborn babies, early termination of pregnancy, and higher infant mortality rate during the first few days of life are common in pregnant marijuana smokers.
- THC causes birth defects including brain damage, spinal cord, forelimbs, liver and water on the brain and spine in test animals.
- Prenatal exposure may cause underweight newborn babies.
- Fetal exposure may decrease visual functioning.
- User's mental function can display the following effects:
 - delayed decision making
 - diminished concentration
 - impaired short-term memory
 - impaired signal detection
 - impaired tracking
 - erratic cognitive function
 - distortion of time estimation
- Workplace Issues
 - THC is stored in body fat and slowly released.
 - Marijuana smoking has long-term effects on performance.
 - Increased THC potency in modern marijuana dramatically compounds the side effects.
 - Combining alcohol or other depressant drugs with marijuana increases the impairing effects of both.

Cocaine

Used medically as a local anesthetic. When abused, it becomes a powerful physical and mental stimulant. The entire nervous system is energized. Muscles tense, heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Health Effects

- Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process causing damage to critical nerve cells. Parkinson's disease could also occur.
- Cocaine causes the heart to beat faster, harder, and rapidly increases blood pressure. It also causes spasms of blood vessels in the brain and heart. Both lead to ruptured vessels causing strokes and heart attacks.
- Strong dependence can occur with one "hit" or cocaine. Usually mental dependency occurs within days for "crack" or within several months for snorting coke. Cocaine causes the strongest mental dependency of all the drugs.
- Treatment success rates are lower than with any other chemical dependency.
- Extremely dangerous when taken with other depressant drugs. Death due to overdose is rapid. Fatal effects are usually not reversible by medical intervention.
- Workplace Issues
 - Extreme mood and energy swings create instability. Sudden noise causes a violent reaction.
 - Lapses in attention and ignoring warning signals increases probability of accidents.
 - High cost frequently leads to theft and/or dealing.
 - Paranoia and withdrawal may create unpredictable or violent behavior.
 - Performance is characterized by forgetfulness, absenteeism, tardiness, and missing assignments.

Opiates

Narcotic drugs which alleviate pain and depress body functions and reactions.

Health Effects

- IV needle users have a high risk of contracting hepatitis or AID when sharing needle.
- Increased pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.
- Narcotic effects are multiplied when combined with other depressants causing an increased risk for overdose.
- Because of tolerance, there is an ever increasing need for more.
- Strong mental and physical dependency occurs.
- With increased tolerance and dependency combined, there is a serious financial burden for the users.

Amphetamines

Central nervous system stimulant that speeds up the mind and body.

Health Effects

- Regular use causes strong psychological dependency and increased tolerance.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to increased blood pressure.
- Chronic use may cause heart or brain damage due to severe constriction of capillary blood vessels.
- Euphoric stimulation increases impulsive and risk taking behavior, including bizarre and violent acts.
- Withdrawal may result in severe physical and mental depression.
- Workplace Issues
 - Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest.
 - With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes impairment.

Phencyclidine (PCP)

Often used as a large animal tranquilizer. Abused primarily for its mood altering effects. Low doses produce sedation and euphoric mood changes. Mood can rapidly change from sedation to excitation and a blank stare. Sudden noises or physical shocks may cause a "freak out" in which the person has abnormal strength, violent behavior, and an inability to speak or comprehend.

Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.
- If misdiagnosed as LSD induced, and treated with Thorazine, can be fatal.
- Irreversible memory loss, personality changes, and thought disorders may result.
- Workplace Issues
 - C Not common in workplace primarily because of the severe disorientation that occurs.
- There are four phases to PCP abuse:
 - Acute toxicity causing combativeness, catatonia, convulsions, and coma.
 - Distortions of size, shape, and distorted perception are common.
 - Toxic psychosis with visual and auditory delusions, paranoia and agitation.
 - Drug induced schizophrenia.
 - Induced depression which may create suicidal tendencies and mental dysfunction.

DRIVER NOTIFICATION LETTER

I certify that I have received a copy of, and have read the above AMI Coaches' policy on alcohol and Drug Testing procedures. I understand that as a condition of employment as a driver I must comply with these guidelines, and do agree that I will remain medically qualified by following these procedures. If I develop a program with alcohol or drug abuse during my employment with AMI Coaches, I understand that I will be terminated.

Employee Signature _____

Date Signed _____

1 of 32 65

TO:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Jeffrey James, Division Administrator
2424 Heritage Court SW, Suite 302
Olympia, WA 98502

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Center
12600 W. Colfax Ave, Suite B-300
Lakewood, CO 80215

Fax: 360-753-9024

Fax: 303-407-2339

FROM:

AMI Coaches, LLC (dba AMI)
14644 9th Ave. SW
Seattle, WA 98166

US. DOT #: 2351390

Steve Valentinetti
President – AMI Coaches
206-242-2000

Hunter Abell
Williams Kastner & Gibbs
206-233-2885

DATE: May 9, 2014

RE: Request for Safety Rating Upgrade Pursuant to 49 CFR §385.17

AMI Coaches, LLC ("AMI") respectfully resubmits its request for a safety rating upgrade from UNSATISFACTORY to CONDITIONAL pursuant to 49 CFR §385.17. As detailed below, AMI has instituted a series of remedial measures designed to ensure complete compliance with Federal Motor Carrier Safety Administration ("FMCSA") regulations. These actions include contracting consultant services from Don Smith, VATA Safety and Compliance, to audit FMCSA compliance issues such as Hours of Service ("HOS"), driver qualifications, and vehicle maintenance. If AMI operations are authorized to resume, VATA audits will occur on or around the 5th of every month. This decision adds a key additional layer of oversight to these subjects, strongly reinforcing the AMI Safety & Compliance Team.

AMI's goal is simple: to be a "more than safe" operation and in total compliance with State of

Washington and FMCSA regulations. This Request for Upgrade provides a detailed description of the process breakdowns that resulted in the violations, as well as the corrective actions that bring AMI into compliance with all federal and state rules. Specifically, this Corrective Action Plan ("CAP") addresses the following subjects as referenced in the attached FMCSA letter of April 4, 2014 (Exh. 1):

- 1) Part 382 – Controlled substances and alcohol use and testing;
- 2) Part 383 – Commercial driver's license standards, requirements and penalties;
- 3) Part 390 – Federal motor carrier safety regulations - general;
- 4) Part 391 – Qualification of Drivers;
- 5) Part 392 – Driving of commercial motor vehicles;
- 6) Part 395 – Hours of Service of Drivers;
- 7) Part 396 – Inspection, Repair and Maintenance; and
- 8) Vehicle Inspection – Out Of Service Rate.

AMI discusses below the incidents and deficiencies listed in the FMCSA letter. There are 16 items which this CAP specifically addresses.¹ Included are page numbers and references to the requested supporting documentation. Steve Valentinetti, President and owner of AMI, has empowered the law firm of Williams, Kastner & Gibbs to communicate on behalf of AMI regarding this CAP with the FMCSA and other regulatory agencies such as the Washington Utilities and Transportation Commission ("WUTC").

1) **FMCSA directive on 4/4/14:** A detailed description of the on-site safety management controls and procedures you have implemented or will implement to ensure you do not use a driver in a safety sensitive position before receiving a negative pre-employment controlled substances test result. Identify your designated employer representative (DER) and the carrier official(s) responsible for ensuring compliance with pre-employment controlled substances testing requirements and maintaining documentation as required. Identify any and all drivers that have submitted to a pre-employment controlled substances test for you in the past 365

¹ The FMCSA letter of April 4, 2014 is lengthy and includes many substantive provisions. This CAP is intended to comprehensively reply to the FMCSA letter. If review of this CAP indicates that any requested information has been inadvertently omitted, AMI respectfully requests that this information be identified and communicated to AMI. AMI will act promptly to provide any further requested information that is within AMI's availability and control.

days, and include a copy of the pre-employment controlled substances test documentation with test results. Include a list of drivers you intend to use once operations resume.

AMI Acknowledgement and Correction:

The AMI Safety & Compliance Team, including the Designated Employer Representative (“DER”) and the officials responsible for ensuring compliance with pre-employment controlled substances testing, consists of the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.²

Each of these individuals will be responsible for executing the provisions of this CAP.

AMI has substantially revised and improved the on-site safety management controls relating to pre-employment controlled substances testing. In the new driver application process, Steve Valentinetti, as DER, and Sunny Linn will determine if the applicant meets the basic qualifications to drive for AMI. If the applicant is qualified, he or she will be issued a Federal Drug Testing Custody and Control Form and sent to US Healthworks for a Department of Transportation (“DOT”) pre-employment drug test. The applicant will not be hired or placed in a safety sensitive function until written evidence reflecting a negative test result is received by the DER from US Healthworks. The written evidence will be retained in the respective driver’s Personal File. Once a positive hiring decision is made and the new driver is ready for dispatch, the DER will instruct US Healthworks to enroll the new driver into the AMI Random Drug and Alcohol Testing Pool. Ms. Linn will verify completion of this action with written evidence from US Healthworks and place the evidence in the respective Personal File. Should AMI receive a positive test result, the prospective driver will be rejected from the hiring process

² Due to the prolonged closure of AMI operations, Ms. Linn’s current ability and desire to return to work at AMI is currently unclear. If Ms. Linn does not return to AMI, her successor will be charged with all of the duties ascribed to Ms. Linn in this CAP. In that event, the name of any hired successor will be transmitted to the FMCSA within 30 days of hire.

and not perform any safety sensitive functions.

Mr. Valentinetti's and Ms. Linn's actions in executing the above preemployment controlled substances testing program will be regularly monitored by Mr. Smith. Once a month Mr. Smith will verify the proper procedures by reviewing the written evidence that the driver was sent for a Pre-Employment UA, the test result report was received by AMI showing a negative outcome, and the resulting notice was received before the driver was dispatched on a safety sensitive function.

There were six Pre-Employment Controlled Substances tests performed in the last 365 days. The test results for these individuals are attached (Exh. 2). The relevant names are as follows:

- 1) James Mondry;
- 2) Kenneth McAllister;
- 3) Michael Burdick;
- 4) Quincy Tyson;
- 5) Rosemary Tucker; and
- 6) Stephen Valentinetti.

Of these, the drivers AMI intends to use if operations are permitted to resume are:

- 1) Rosemary Tucker; and
- 2) Jim Mondry.

2) **FMCSA directive on 4/4/14:** A detailed description of the on-site safety management controls and procedures you have implemented or will implement to ensure compliance with the random drug and alcohol testing requirements in 49 CFR Part 382. Your description must include; procedures to enroll newly hired drivers in your company's random controlled substances and alcohol testing pool; procedures of ensure drivers notified to submit to random test proceed to the collection site immediately and test; and procedures to ensure your random testing pool is up-to-date,

including procedures for ensuring all terminated drivers are withdrawn from your random testing pool. Identify your company official(s) responsible for ensuring compliance with random alcohol and controlled substances testing requirements, including verifying that random tests are conducted within the selection period, updating the list of drivers in your random testing pool, monitoring test results, checking annual testing rates and ensuring documentation is maintained as required. Provide an updated list of the drivers that are enrolled for random testing. Provide all selection notices from your consortium for all selection periods including those when no drivers were selected. Identify any and all drivers that have submitted to a random alcohol or controlled substances test for you in the past 365 days, and include a copy of the test documentation with test results.

AMI Acknowledgement and Correction:

As noted in response to #1 above, the AMI Safety & Compliance Team, including those responsible for ensuring compliance with random alcohol and controlled substances testing requirements, comprises the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.

AMI has taken substantial measures to overhaul and strengthen its procedures with regard to random drug and alcohol testing requirements under 49 CFR §382. As outlined above, in the AMI new driver application process, Mr. Valentinetti, as DER, and Ms. Linn will determine if the applicant qualifies to drive for AMI Coaches. If the applicant is qualified, he or she will then be sent to US Healthworks for a DOT Pre-employment drug test. The applicant will not be hired or placed in a safety sensitive function until written evidence is received by the DER from US Healthworks showing a negative result.

Once the hiring decision is made and the new driver is ready for dispatch, the DER will direct US Healthworks to enroll the new driver into the AMI Random Drug and Alcohol Testing Pool. Ms. Linn will verify the completion of this action with written evidence from US Healthworks that is stored in the driver's Personal File. Once per month, Mr. Smith will audit the appropriate functions of these activities by reviewing the online written evidence from US Healthworks indicating the driver is in the AMI Random Drug and Alcohol Testing Pool. Mr. Smith will then send a written email report of the audit to Mr. Valentinetti.

When an AMI driver is selected by US Healthworks for a random alcohol or controlled substances test, notice will be transmitted by email to Mr. Valentinetti and Mr. Smith. Mr. Smith will then verify with Mr. Valentinetti by email that notice was received and the plan initiated to inform the AMI driver of the random testing requirements. The selected driver will be called to the AMI office just prior, during, or immediately after his or her on-duty service and informed of the random selection. The driver will then be furnished the Federal Drug Testing Custody and Control Form and directed to report immediately to the appropriate US Healthworks collection site using his or her own private or company vehicle. The time of the driver's notice and dispatch will be recorded to ensure the driver reports to the collection site within a two hour window. Upon completion, the driver must present the Federal Drug Testing Custody and Control Form receipt from US Healthworks to the DER or Ms. Linn before continuing with his or her next operational dispatch.

The test results will be transmitted to Mr. Valentinetti and Mr. Smith for review within 24-72 hours. If the results are negative, the driver will continue to operate and the report noted in the driver's Personal File. If AMI receives a positive test result, however, the driver will be immediately removed from any safety sensitive functions. At that point, the driver's Commercial Driver's License ("CDL") will be suspended via the Washington State Department of Licensing and the driver will not be qualified to drive an AMI Commercial Motor Vehicle ("CMV"). The driver will then be provided the necessary information for counseling options and to pursue the Substance Abuse Professional ("SAP") process for restitution and requalification with his or her CDL. AMI policy includes a strict "No Rehire" rule for drivers that test positive in a random drug or alcohol test.

AMI driver Michael Burdick was listed in the most recent AMI Random Drug and Alcohol Testing Pool because, at that time, he remained employed by AMI. Mr. Burdick is no longer employed by AMI and, as a result, his name has been removed. Additionally, all former drivers, including Mr. Burdick, have since been removed from the AMI Random Drug and Alcohol Testing Pool. The pool will be checked on a monthly basis by Mr. Smith to ensure it is up to date. In March, 2014, Mr. Valentinetti, as DER, became responsible for the management of the AMI Random Drug and Alcohol

Testing Pool with clearly written chains of command which, if this CAP is approved, will be utilized upon restart of AMI operations.

In case of a vehicular accident, the driver is to immediately notify Mr. Valentinetti, per the Vehicular Accidents section, 20.0 on page 7 of the AMI Employee Handbook on Policy and Procedures. A complete copy of the AMI Employee Handbook on Policy Procedures is attached (Exh. 3). Mr. Valentinetti will then determine if the accident is DOT reportable under 49 CFR §382.303 and will follow the protocol listed below and as noted in the AMI Drug and Alcohol Policy. This protocol requires the driver to submit to post-accident alcohol and drug testing when a fatality occurs or when the driver receives a citation under state or local law for a moving traffic violation if the accident involved:

1. Bodily injury to any person who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
2. One or more vehicles incurred disabling damage required removal by towing.

Testing shall occur as soon as possible, but shall not exceed more than eight hours from the time of the accident for alcohol testing and 32 hours for drug testing.

Mr. Valentinetti has taken the Supervisor's Reasonable Suspicion Drug and Alcohol Training and will follow the protocols of the Federal Motor Carrier Safety Regulations ("FMCSRs") and as stated in the AMI Drug and Alcohol Policy. Once the determination is made to send a driver for a drug and/or alcohol test following the reasonable suspicion protocol, the driver will be driven to and from the collection site by two AMI staff members. When available, the results will be sent to Mr. Valentinetti and Mr. Smith for review. If the results are negative the driver will continue to operate and the report is to be filed in the driver's Personal File. If AMI receives a positive test result, however, the driver will be removed from any safety sensitive functions immediately.

Return to Duty testing will be administered after a prolonged break in service by using essentially the same protocol as the Pre-Employment test noted above and in the substance testing

policy, except with the Return to Duty box checked off the Federal Drug Testing Custody and Control Form. The Return to Duty testing will also be administered after a driver has been found with a positive test result and proceeded through the SAP process. In most if not all cases, AMI will not rehire a driver after a positive test. Therefore, AMI anticipates very few Return to Duty tests under those circumstances.

AMI has updated the AMI Drug and Alcohol Policy and will distribute the Policy to new and returning drivers within 20 days of AMI being able to operate again with a Conditional Safety Rating.

Drivers currently enrolled for purposes of random testing include the following:

- 1) Rosemary Tucker; and
- 2) James Mondry.

A copy of all selection notices from US Healthworks is attached (Exh. 4).³ Drivers that have submitted to a random alcohol or controlled substances test for AMI in the past 365 days include the following:

- 1) None.

A copy of the above drivers' test documentation with test results is attached (Exh. 5).

-
- 3) **FMCSA directive on 4/4/14:** A copy of a complete and compliant company substances and alcohol policy, and evidence that it has been distributed to your drivers.

AMI Acknowledgement and Correction:

Attached is a complete and compliant copy of the AMI Drug and Alcohol Policy (Exh. 6). Attached are also certifications from AMI drivers that they have received past copies of the AMI Drug and Alcohol Policy (Exh. 7). Since the shutdown of AMI operations, the drivers have had limited contact with AMI leadership. As a result, the current version will be distributed to drivers as soon as practicable upon restart, and certifications to that effect will be provided to the FMCSA.

³ It is somewhat unclear what is being requested in the April 4, 2014 FMCSA letter when it refers to "all selection notices from your consortium for all selection periods *including those when no drivers were selected*" (emphasis added). VATA made contact with US Healthworks to secure this information and was instructed that FMCSA is likely seeking the MIS Data Collection Form. This document is attached at Exh. 4, along with the correspondence with US Healthworks. If further information is required, please direct the request to AMI ICO Williams Kastner & Gibbs.

4) **FMCSA directive on 4/4/14:** A detailed description of the process breakdown that resulted in the violations of 49 CFR Part 383, and a detailed description of the procedures implemented by company official(s) to ensure that your drivers CDLs are valid and active, and include the required endorsement(s). Explain the elements of each driver's record that you will evaluate to determine if the driver is qualified for your operation. Explain any controls you've implemented to ensure drivers do not operate in violation of restrictions. Provide evidence that all drivers have a valid CDL, including a current driver driving history abstract from the issuing State of domicile. Describe what the company has done to prevent driver Steve Valentinetti from driving a CMV requiring a passenger endorsement, until he obtains the proper CDL.

AMI Acknowledgement and Correction:

When AMI began operations in October 2012, proper procedures were not cumulatively implemented to monitor the critical dates and endorsements in the Driver Qualification Files ("DQF"). This included lack of an electronic compliance scheduler. As a result, AMI utilized Mr. Valentinetti to drive on one or more occasions. Mr. Valentinetti was originally qualified with the proper Class A CDL and P/1 endorsement, but during the course of renewing his CDL, the P/1 endorsement was inadvertently dropped and not renewed. Neither Mr. Valentinetti, AMI management team, or WUTC investigators caught the mistake for more than one year. The mistake was identified at the Port of Seattle/Sea-Tac Airport by a WUTC enforcement official who was performing level III inspections.

The May 2013 driver Out Of Service ("OOS") violation referenced in the April 4, 2014 DOT letter, (49 CFR §383.37(d)/ §392.2) occurred when Mr. Valentinetti, under advice of the WUTC official at the SeaTac Airport who had placed the driver OOS, informed Mr. Valentinetti that he could operate the vehicle back to the office so long as he transported no passengers en route to the terminal. Mr. Valentinetti did so and was later cited for the violation at the time of audit.

To prevent future violations, AMI has established a new procedure to monitor driver qualifications. See AMI Employee Handbook on Policy Procedures; page 12 & 13 (Exh. 3). AMI now requires Ms. Linn to compile and maintain a DQF for each authorized driver of a CMV in interstate commerce employed by the company. It is the responsibility of each individually-authorized driver and Ms. Linn to ensure that all DQF-required documents are completed and placed in the DQF. Applicants for an AMI CMV driving position are not permitted to drive an AMI CMV until Ms. Linn and

Mr. Valentinetti verify the applicant has fully completed the required steps in the DQF shown below (A thru H). The AMI DQF includes this list on the inside cover that must be checked off with initials by Ms. Linn and include, at a minimum, the following:

- A) Application for Employment (Completed and stored in the DQF);
- B) A current Motor Vehicle Record ("MVR") – Initialed by Ms. Linn indicating that it has been examined and weighed against the minimum driving record qualifications listed in 49 CFR §383.51, Tables 1, 2, 3, or 4 (Completed and stored in the DQF);
- C) Request for Information from Previous Employers (driving experience, accidents, drug and alcohol violations, etc., as listed in 49 CFR §391.23(a)(2) & (c). These shall be submitted to the past employers and are to be completed within 30 days;
- D) Medical Examination Certificate – verified by Ms. Linn as current (49 CFR §391.43), certified with DOL as non-excepted interstate;
- E) Record and Certificate of Road Test (49 CFR §391.31) (or equivalent CDL);
- F) Copy of the proper CDL(Class B or A) – verified to be current with the P-1 endorsement and the air brake restriction lifted, and certified as an Interstate driver;
- G) Results of the pre-employment drug test showing a negative result; and
- H) HOS record for the previous 7-days.

- **If all the items above (A – H) have been verified by Ms. Linn and Mr. Valentinetti as valid, current and acceptable, the qualified driver may begin safety sensitive operations for AMI. The following list (I – L) comprises AMI requirements of the DQF that will verify the driver remains qualified.**

- I) All of the Request for Information from Previous Employers (driving experience, accidents, drug and alcohol violations, etc., as listed in FMCSR §391.23(a)(2) & (c) have been received back to AMI, or a minimum three documented attempts have been made to contact past employers, including verifications of gaps in employment of more than 30 days;
- J) Annual Inquiry to State Agency for Driver's Record – These MVRs will be ordered 30 days

in advance of the 12 month due date. Upon receipt, they will be reviewed by Ms. Linn to ensure the driver still meets the minimum qualifications and report to Mr. Valentinetti for his review;

- K) Driver's Certification of Violations – At least once every 12 months, AMI requires every driver that it employs to prepare and furnish a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months. This form will be distributed to drivers 30 days in advance of the 12 month due date, with instructions for completion and to return the completed form to Ms. Linn. Upon receipt, the forms will be reviewed by Ms. Linn and reported to Mr. Valentinetti for his review; and
- L) Annual Review of Driving Record – At least once every 12 months, Mr. Valentinetti will review the driving record with each driver in person. A note stating the results of this review shall be included in the DQF. At least once every 12 months, AMI will make inquiry into the driving record of each driver. Remedial measures and/or the Progressive Disciplinary Plan ("PDP") will be discussed for each violation, if any.

All DQF critical expiration dates for renewal or updates are logged into the electronic compliance scheduler. These include dates for CDLs, medical cards, annual state MVRs inquiries, and Driving Record Reviews. The electronic compliance scheduler will notify Ms. Linn, and the VATA compliance scheduler will notify Mr. Smith 30 days in advance of the due date. Mr. Smith will then verify that notice had been received by Ms. Linn, via email. In order for the driver to remain qualified to drive an AMI CMV, Ms. Linn will notify the driver and monitor the renewal (as in the case with a CDL, medical card renewal or self-certifications). The driver will return all updated or renewed documents or copies to Ms. Linn who will store the updates in the DQF. If the renewal does not occur or renewal evidence is not provided to Ms. Linn by the date specified, the driver will be removed from the qualified driver list and AMI Dispatch and Mr. Valentinetti will be informed.

All individual qualification reviews done with drivers by Mr. Valentinetti will be given to Ms. Linn to update the DQF. The AMI Hiring Standards require all authorized drivers of CMVs to have a

currently valid commercial vehicle operator's license as stated in the 49 CFR §391.11(b)(5) and not be disqualified to drive a CMV under the rules.

AMI will not consider for employment a driver applicant who does not meet the minimum standards set by the FMCSRs.

Mr. Valentinetti has removed himself from the AMI Qualified Drivers List and is now in the process of upgrading his Class A CDL to add the P-1 endorsement. His training and upgrade will be arranged in the next four weeks. Upon completion, Mr. Valentinetti will be a qualified driver for AMI. AMI policy is to not permit Mr. Valentinetti, or any other driver, to drive until they are appropriately licensed with the necessary endorsement(s).⁴ Attached is a copy of each AMI driver's valid CDL, along with a valid driving history abstract from the issuing state of domicile (Exh. 8).

5) FMCSA directive on 4/4/14: A detailed description of the procedures you have implemented or will implement to ensure that your drivers are and remain qualified, and that required DQ documents are retained in each driver's file. Provide a detailed description of the on-site procedures you have implemented or will implement for each the specific qualification processes and documents required. Identify the company official(s) responsible for ensuring your drivers are and remain qualified for ensuring that each driver's qualification file contains all required information and documentation and is kept up to date. Provide complete DQ files for three (3) drivers you intend to use once operations resume.

AMI Acknowledgement and Correction:

As noted in response to #1 and #2 above, the AMI Safety & Compliance Team, including those responsible for ensuring qualification processes, comprises the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.

AMI requires Ms. Linn to compile and maintain a DQF for each authorized driver of a CMV in

⁴ AMI recognizes the seeming anomaly of a business owner taking action to remove himself from operations. Mr. Valentinetti is committed, however, to re-securing his P-1 endorsement as quickly as possible in order to return the company to profitable and safe operation. His May 2013 removal from the AMI qualified drivers list has been verified by Mr. Smith.

interstate commerce it employs. It is the responsibility of each individual driver, and the final responsibility of Ms. Linn, to ensure that all DQF-required documents are complete and placed in the DQF. Applicants for an AMI CMV driving position are not permitted to drive an AMI CMV until Ms. Linn and Mr. Valentinetti verify the applicant has fully completed the required steps in the DQF (A-I below). The AMI DQF includes a list on the inside cover that must be checked off with initials by Ms. Linn and include, at a minimum, the following documents:

- A) Application for Employment (Completed by the driver, verified by Ms. Linn and stored in the DQF);
- B) A current MVR – Initialed by Ms. Linn indicating that it has been examined and weighed against the minimum driving record qualifications listed in FMCSR §383.51, Tables 1, 2, 3, or 4. (Completed and stored in the DQF);
- C) Request for Information from Previous Employers by Ms. Linn (driving experience, accidents, drug and alcohol violations, etc., as listed in FMCSR §391.23(a)(2) & (c);
- D) Medical Examination Certificate – verified by Ms. Linn as current (FMCSR §391.43), certified as an interstate driver;
- E) Record and Certificate of Road Test (FMCSR §391.31) (or equivalent CDL);
- F) Copy of the proper CDL (Class B or A) – verified by Ms. Linn to be current with the P-1 endorsement and the air brake restriction lifted, certified as an interstate driver and is not disqualified to drive an AMI CMV under the rules;
- G) Results of the pre-employment drug test showing a negative result, verified by Ms. Linn; and
- H) HOS record for the previous seven days – examined, totaled and verified by Ms. Linn to the amount of hours left available for duty.

- **If all the items above (A – H) have been verified by Ms. Linn and Mr. Valentinetti as acceptable, the qualified driver may begin safety sensitive operations for AMI.**

The following list comprises AMI requirements of the DQF that will verify the

driver remains qualified.

- I) All of the 'Request for Information from Previous Employers' (driving experience, accidents, drug and alcohol violations, etc., as listed in FMCSR §391.23(a)(2) & (c) have been received back to AMI or a minimum three documented attempts have been made to contact past employers, including verifications of gaps in employment of more than 30 days. This process is completed and verified by Ms. Linn;
- J) Annual Inquiry to State Agency for Driver's Record – These MVRs will be ordered 30 days in advance of the 12 month due date. Upon receipt, they will be reviewed by Ms. Linn to ensure the driver still meets the minimum qualifications and report to Mr. Valentinetti for his review;
- K) Driver's Certification of Violations – This form will be distributed to drivers 30 days in advance of the 12 month due date. Upon receipt, they will be reviewed by Ms. Linn and reported to Mr. Valentinetti for his review; and
- L) Annual Review of Driving Record – Within the 12-month timeline, Mr. Valentinetti will review the most recent (or no more than 30 days old) MVR and the Driver's Certificate of Violations to focus on each new violation, if any, with the respective driver. Remedial measures and/or the PDP will be discussed.

All individual driving record qualification reviews are conducted person-to-person by Mr. Valentinetti. Notes will be attached regarding the discussion and measures taken and will be given to Ms. Linn to update the DQF. If Mr. Valentinetti finds the driver is no longer qualified to drive an AMI CMV, he or she will be removed from the AMI list of qualified drivers and not permitted to drive an AMI CMV until the situation is rectified.

All DQF critical expiration dates for renewal or updates are logged into the electronic compliance scheduler, such as CDLs, medical cards, annual state MVRs, and Driving Record Reviews. The electronic compliance scheduler will notify Ms. Linn and Mr. Smith 30 days in advance of the due date. Mr. Smith will then verify by email that the notice had been received by the Ms. Linn. In order

for the driver to remain qualified to drive an AMI CMV, Ms. Linn will notify the driver and monitor the renewal (as in the case with a CDL or medical card renewal). The driver will then return all updated or renewed copies of the documents to Ms. Linn who will store the updates in the DQF. If the renewal does not occur or renewal evidence is not provided to Ms. Linn by the date specified, the driver will be removed from the qualified driver list and AMI Dispatch and Mr. Valentinetti will be informed by Ms. Linn.

Once every month, Mr. Smith will conduct an on-site audit of new DQFs at AMI to verify compliance with the steps outlined above. If violations are identified, Mr. Smith will inform Mr. Valentinetti and Ms. Linn in person or by phone immediately. An audit report will be generated, attached to the monthly VATA invoice, and presented by hand or emailed to Mr. Valentinetti within two business days of the audit. VATA will not be compensated for services rendered unless the audit report is attached as noted.

Once AMI resumes operations, there will be two qualified drivers:

- 1) Rosemary Tucker; and
- 2) Jim Mondry.

The drivers' DQFs are attached (Exh. 9).

6) FMCSA directive on 4/4/14: A detailed procedures [sic] how you will verify that your company has the required operating authority with the FMCSA before an interstate trip is arranged and/or passengers are transported.

AMI Acknowledgement and Correction:

At the beginning of every month, Ms. Linn will log onto the FMCSA Safer website (<https://safer.fmcsa.dot.gov/CompanySnapshot.aspx>) using the AMI DOT number and click on the Licensing and Insurance link to review eligibility. If the website indicates the operating authority is no longer valid, Ms. Linn will notify Mr. Valentinetti immediately and operations will cease until the authority has been restored. Additionally, Mr. Smith will view the status of the operating authority

and SMS through the same website or the FMCSA portal once every month. If violations are found, Mr. Valentinetti and Ms. Linn will be notified in person or by telephone immediately and operations will cease until the authority has been restored. An audit report will be generated, attached to the monthly VATA Invoice, and presented by hand or emailed to Mr. Valentinetti within two business days of the audit. VATA will not be paid for services rendered unless the audit report is attached.

7) FMCSA directive on 4/4/14: A detailed description of the safety management system you have implemented or will implement to monitor and control driver compliance with HOS requirements, to verify that drivers complete and timely submit RODS and/or time records, and to verify that driver RODS and/or time records are accurate and complete. This description should include procedures for verifying the accuracy of RODS and/or time records; a description of supporting documents used to compare with the RODS; and a description of the frequency of RODS checks. This description should identify the company official(s) responsible for ensuring drivers' compliance with the HOS requirements and for ensuring RODS and supporting documents are maintained as required.

AMI Acknowledgement and Correction:

As noted in response to #1, #2 and #5 above, the AMI Safety & Compliance Team, including those responsible for ensuring drivers' compliance with HOS requirements and ensuring RODS and supporting documents are maintained, comprises the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.

The AMI action plan for complying with HOS requirements is a joint approach involving equipping AMI coaches with Zonar to provide Electronic On-Board Recording ("EOR") and executing written documentation for HOS recordkeeping and paper Driver Vehicle Inspection Reports ("DVIRs"). The Zonar product fits the AMI operation model best as a short distance passenger carrying operation. Within a practicable amount of time following a restart of operations, AMI vehicles will be scheduled for Zonar installation and, in case of EOR failure, the following hard copies will be maintained:

- 1) Multi-employed driver timesheet for past seven days;

- 2) Hourly time sheet according to short-haul provision; and
- 3) RODS-type logbook, if ever going beyond the limits of the short-haul provision.

Operational training will commence for the drivers with hands-on instructions of how to use Zonar, how to sign on with their name/code, how to read the unit indicating it is operating properly, how to input the previous seven day HOS record for new or multiple employed drivers, how to determine if the HOS recording is automatically registering the data whenever the CMV is running and/or moving with GPS signals, and how to input the vehicle inspection data for the DVIRs to be generated. The training will also instruct the driver on how to view the previous driver's DVIR, if defects were found requiring repair, the mechanic's name and input indicating repairs were made, and how to indicate the driver re-inspected the repair with his or her name recorded. This is an electronic version of utilizing the three signature lines on a paper DVIR.

Supervisors will receive the same training and additional training regarding how to read and interpret the daily HOS, GPS and DVIR reports sent to the main AMI office. Zonar will automatically alert the driver and supervisors as a HOS violation approaches and will sound loudly if a violation occurs. The HOS RODS report will be examined daily by Ms. Linn or, in her absence, Mr. Valentinetti to ensure driver compliance with HOS rules and to verify the hours available for the next day. The GPS report is the supporting document to the HOS report and will be used as such on a daily basis. Ms. Linn is responsible for maintaining these records for a period of no less than six months.

Supervisors will also be instructed on how to interpret the electronic DVIR submitted after the driver completed his or her post-trip inspection, how to determine if repairs are necessary, how to indicate repairs have been made, and how to audit the DVIRs to verify all three signature lines have been electronically utilized when appropriate. The printed DVIRs will be kept for no less than 90 days. When repairs are necessary, a copy of the DVIR will be printed and attached to the receipts for the completed repair and placed in the appropriate Vehicle Maintenance File ("VMF").

AMI has grappled in the past in providing failsafe systems for supporting documentation that meets federal requirements. The type of customers AMI has are those of a shuttle service from the

airport to various locations and does not generate immediate delivery types of receipts. Fuel slips are less relevant for documentation of AMI operations because AMI may only purchase fuel every three or four weeks due to the relatively few miles traveled and its 200 gallon capacity fuel tanks. As a result of these characteristics, AMI believes Zonar will be a contributor to HOS records and the supporting documentation with GPS tracking. Additionally, AMI will review the Zonar GPS Tracking Reports to compare with RODS. RODS checks will occur daily by Ms. Linn and/or Mr. Valentinetti, and be reviewed monthly by Mr. Smith.

During that same timeframe following resumption of operations, Mr. Smith will deliver a HOS and DVIR refresher training meeting for supervisors and drivers and discuss the AMI HOS policy as referenced below and in the AMI Employee Handbook on Policy Procedures, pages 20-21, §106.0 (a). (Exh. 3).

Regarding driver log procedures, all AMI-authorized CMV drivers are required to comply with the applicable driver's HOS time keeping procedures as required in the FMCRs. All multiple-employed AMI drivers will complete the HOS Record Multiple-Employed Drivers Report totaling the on-duty hours of service for the past seven days (see Exh. 10) and sent to the dispatcher prior to arrival, or turned in to the dispatcher upon arrival at AMI, prior to their shift to drive. The on duty dispatcher will then examine the record to determine the hours available according to the Passenger Carrying HOS Rules, the 10-hour driving limit, the 15-hour limit, and the 60-hour limit in seven days, and dispatch that driver accordingly. The AMI supervisor/dispatcher will review the paper HOS record in the same manner as described above with the Zonar HOS records.

In the case of a Zonar failure or breakdown with electronic DVIRs, the AMI Supervisor/Dispatcher will review the paper DVIR in the same way as above with the Zonar DVIRs.

All AMI CMV drivers must sign on to the Zonar system upon entering the coach before conducting the pre-trip inspection and, if a new driver or multiple-employed driver, they must enter the total On-Duty hours for the last seven days. Reports from the EOR will be examined daily by the dispatcher, Mr. Valentinetti and/or Ms. Linn, and monthly by Mr. Smith. Mr. Smith will generate a HOS

audit report and a DVIR audit report for all drivers and turn the reports in to Mr. Valentinetti. In case of violations being identified, Mr. Smith will highlight the violations with notes and present the findings to Mr. Valentinetti. Mr. Valentinetti will then conduct remedial training and the driver and/or dispatcher will enter into the AMI PDP. As noted above, the audit report will be generated, attached to the monthly VATA invoice, and presented by hand or emailed to Mr. Valentinetti within two business days of the audit. VATA will not be compensated for services rendered unless the audit report is attached as noted.

If case of the driver being out up to 10 days ever comes about (which has not yet occurred), the driver must use an overnight mail vendor to submit all log pages, invoices, and fuel receipts.

Ms. Linn and/or Mr. Valentinetti are responsible for ensuring drivers do not violate any HOS regulations. If a HOS violation is discovered, either with Zonar, paper time records, or RODS, Ms. Linn will notify Mr. Valentinetti immediately who will promptly address violations and instigate remedial training. The offending driver will be placed in the PDP which leads up to and may include termination. Ms. Linn will also notify Mr. Valentinetti of any drivers that fail to turn in time records or required logs.

The AMI dispatcher will also review each driver's destination location in which they are working to ensure the driver understands if they are eligible to use the timecard exception permitted in 49 CFR §395.1(e). Mr. Valentinetti will work with the AMI dispatcher to identify the area in which the driver will be working and determine if the timecard exception will be allowed or if the driver will need to complete a log book as required in 49 CFR §395.8. The driver will be informed of the HOS document required before they start work on the new dispatch. A process summary to ensure proper HOS paperwork for each job site is attached (Exh. 11).

AMI might also elect to have drivers stay at hotels that are closer to the job site to ensure drivers are not exceeding HOS and driving while fatigued. If AMI elects to have drivers stay at a hotel close to a jobsite, AMI will pay for the hotel and provide an allowance for meals. This election will be on a job by job basis and at the discretion of the AMI President.

8) **FMCSA directive on 4/4/14:** A RODS audit summary for the month of November 2013 for three (3) drivers, including, at a minimum, the number of RODS checked for compliance with the 10, 15, and 60/70 HOS limits, the number of 10, 15, and 60/70 hour violations found, the number of RODS checked for accuracy, the number of RODS determined to have been falsified, the names of drivers found in violation by violation date and type, and any action taken against the driver. Copies of the RODS and supporting documents, as well as any evidence of disciplinary action taken against drivers found violating the HOS regulations must be attached to the summary.

AMI Acknowledgement and Correction:

AMI is a short-haul operation with four buses currently requiring the driver to have a CDL. Due to releases from duty within the 12-hour window and not traveling beyond the 100 mile radius, there were no trips in November 2013 that required the driver to use a RODS type of log book.

9) **FMCSA directive on 4/4/14:** A time record audit summary for the month of November 2013 for three (3) drivers, including, at a minimum, the number of days checked for compliance to ensure the exception in 49 C.F.R. § 395.1(e) is met, the number of time records determined to have not met the exception under 49 C.F.R. § 395.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies of the time records, RODS submitted when it was determined that the exception in 49 C.F.R. § 395.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.

AMI Acknowledgment and Correction:

As noted above, AMI is a short haul operation with four buses requiring the driver to have a CDL. 98% of the time, AMI's drivers use timecards or the seven day log page. There were no days in November 2013 that required the driver to use the RODS. No violations were found of the following HOS rules:

Drivers of passenger carrying vehicles must comply with the following:

- May drive a maximum of 10 hours after eight consecutive hours off duty;
- May not drive after having been on duty 15 hours following eight consecutive hours off duty;
- May not drive after 60/70 hours on duty in seven/eight consecutive days; and
- CMV drivers using the sleeper berth provision must take at least eight consecutive hours in the sleeper berth. This may be split into two periods, each at least two hours

long.

Hourly HOS records are attached for all three drivers for the entire month. (Exh. 12).

In the future, AMI will use an EOR device. If the EOR breaks down, each driver will switch to the JJ Keller seven day hourly log book (seven days to each page), as well as a RODS type logbook to be used in case the driver realizes he or she is going to exceed the qualifications for the Short-Haul Provision. If that is the case, he or she will switch to the RODS immediately.

10) FMCSA directive on 4/4/14: Provide a detailed description of policies and/or on-site procedures to ensure that each CMV has a complete maintenance file and records of inspections, repairs and maintenance performed. In addition, provide a detailed description of how you will ensure that push-out windows, emergency doors, and emergency door marking lights in buses will be inspected at least every 90 days. Identify the company official(s) who will be responsible for monitoring maintenance schedules and due dates and ensure maintenance files are kept and contain records of inspection, repairs and maintenance. Provide samples of complete maintenance files for three (3) CMVs.

AMI Acknowledgement and Correction:

As noted in response to #1, #2, #5, and #7 above, the AMI Safety & Compliance Team, including those responsible for monitoring maintenance schedules and due dates and ensuring maintenance files are maintained, comprises the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.

In the October 2012 startup of AMI Coaches, AMI management established VMFs for the buses, but the tire size was omitted in violation of 49 CFR §396. AMI has now established a written policy and implemented the procedures to correct all of the deficiencies discovered. All AMI CMV drivers have always been required to perform the applicable safety inspection and complete a DVIR each time they drive a CMV.

Within a practicable amount of time following restart of operations, all AMI vehicles will be scheduled for installation and operational training will commence for drivers with hands-on

instruction on how to use the product, how to sign on with their name/code, how to read the unit indicating it is functioning properly, and how to input the vehicle inspection data for the DVIR to be generated. Training will also instruct the driver on how to view the previous driver's DVIR, if defects were found requiring repair, the mechanic's name and input establishing repairs were made, and how to indicate the current driver re-inspected the repair with his or her name recorded. This process is the electronic version of utilizing the three signature lines on a paper DVIR.

Supervisors will receive the same training and additional incremental training on how to read and interpret the daily DVIR reports sent to the main AMI office after the driver completed his or her post-trip inspection, how to determine if repairs are necessary, how to indicate repairs have been made, and how to audit the DVIRs to verify all three signature lines have been electronically utilized where appropriate. The printed DVIRs will be retained for no less than 90 days. When repairs are necessary, a copy of the DVIR will be printed and attached to the receipts for the completed repair and placed in the appropriate VMF.

Drivers coming on duty must review the previous Zonar inspection report or the printed paper version and ensure any defects have been corrected. As of May 2013, the AMI DVIRs with three signature lines will have been accordingly utilized prior to any operation of the vehicle.

The driver coming on to duty must also review the AMI Bus Emergency Exit Inspection Log to determine if the inspection is due in order to stay within the frequency window of 90 days. The inspecting driver is then required to perform the emergency exit inspection if required by the due date or questionable observations. This emergency push-out window and exit inspection due date will be maintained in the electronic compliance scheduler, and Mr. Valentinetti will be alerted seven days prior to the 90-day due date. Mr. Valentinetti will then remind any driver of the upcoming due date and order the inspection to be made and recorded.

Each driver must complete a Zonar DVIR as described at the completion of their shift. In the case of a Zonar failure or breakdown, the driver will fall back onto the paper DVIR. Any defects noted on the Zonar or paper DVIR must be brought to Mr. Valentinetti's attention and promptly repaired. All

maintenance performed on safety-related defects must be properly documented and maintained in the vehicle's maintenance file. Ms. Linn, will be responsible for keeping all maintenance files up to date. DVIRs do not need to be filled out if the vehicle has not been used on a particular day. DVIRs will be retained for a minimum of 90 days.

Vehicles that fall under the scope of the AMI Policy will at all times be properly maintained as designated by FMCSRs. AMI requires periodic maintenance of all AMI CMVs. The AMI periodic maintenance schedule is every 10,000 miles. These reviews will be conducted in addition to the annual safety inspections of the components and functionality of the undercarriage, steering system, front and rear suspensions, brake systems, tires and wheels, etc. Mr. Valentinetti will be informed of any and all repairs necessary and scheduled for repair or repaired immediately depending on the situation.

Ms. Linn will keep and maintain all required maintenance-related documents for the maintenance file. This includes:

- 1) Identification of the vehicle including company number (if so marked), make, serial number, year, and tire size;
- 2) A preventative maintenance schedule;
- 3) Inspections of push-out windows, emergency doors, and emergency door marking lights in buses inspected at least every 90 days;
- 4) Record of inspection, repairs, and maintenance conducted on all vehicles; and
- 5) All corrective maintenance that was a result of a vehicle inspection.

Any driver that is identified as not completing the appropriate inspections will be disciplined and entered into the PDP, up to and including disqualification as an AMI driver.

As referenced above, once a month Mr. Smith will audit the VMFs for accuracy concerning the timely-scheduled maintenance duties and inspections, and an audit report will be generated, attached to the monthly VATA invoice, and presented by hand or emailed to Mr. Valentinetti within two business days of the audit. VATA will not be paid for services rendered unless the audit report is

attached.

VMFs for three CMVs are attached (Exh. 13).

11) FMCSA directive on 4/4/14: Provide a detailed description of procedures to ensure all CMVs have a current periodic (annual) inspection in accordance to Appendix G of 49 C.F.R. Subchapter B. Provide copies of all annual inspections for all CMVs, including intermodal chassis. Provide evidence to indicate the individuals that perform the annual inspections on your CMVs are qualified, as prescribed in 49 C.F.R. §396.19.

AMI Acknowledgement and Correction:

All AMI CMVs are required to undergo annual inspections as required in the FMCSRs. It is the responsibility of the driver and AMI to ensure all annual inspections are completed in a timely manner and a copy of that inspection is kept in the CMV. Both Ms. Linn and Mr. Smith will keep critical dates in the electronic compliance scheduler and will be notified 30 days in advance of a periodic inspection due date. Notice from both Ms. Linn and Mr. Smith will be provided to Mr. Valentinetti of the upcoming periodic inspection due date for a particular AMI CMV. Ms. Linn will monitor the AMI maintenance files to ensure all annual inspections are current, completed, and filed in the VMF. Mr. Valentinetti will be responsible for making sure a complete and current copy of the periodic inspection is distributed to Ms. Linn and Mr. Smith, and is in the CMV. The AMI driver is responsible to make sure a copy of the current periodic inspection is in the CMV on a daily basis. In case a new periodic inspection is not obtained by the due date, both Ms. Linn and Mr. Smith will send notices by email to Mr. Valentinetti that the CMV is OOS until the periodic inspection is completed and all indicated repairs are addressed. Once evidence of the inspection is complete and any subsequent repairs have been performed accompanied by receipts, the OOS notice will be lifted with a written notice emailed to Mr. Valentinetti and Dispatch by both Ms. Linn and Mr. Smith.

Copies of all annual CMV inspections, including intermodal chassis, are attached (Exh. 14). Additionally, inspector qualifications are also attached (Exh. 15).

12) FMCSA directive on 4/4/14: Provide a detailed description of how company officer(s) will monitor periodic (annual) inspections to ensure they are not fraudulently or intentionally altered by

drivers, staff and third party inspectors. Describe actions taken when documents are discovered to be fraudulently or intentionally altered. Describe specific procedures to ensure annual inspections are not fraudulent or intentionally altered.

AMI Acknowledgment and Correction:

To AMI's knowledge, intentionally or fraudulently altered inspection reports have never happened at AMI. AMI understands that the false entry allegation apparently stems from an incident on October 24, 2013 where buses were placed out of service by a WUTC inspector working for FMCSA. The repairs were identified and subsequently made by Hiline Frame & Wheel Alignment and Phelps Tire. Terry Roberson conducted annual inspections on the buses that evening and four inspection forms were faxed to the FMCSA in Lakewood, CO at approximately 6:00 PM (PST). Mr. Roberson was interviewed by the FMCSA on October 25, 2013 to corroborate the completion of the repair work.

To ensure there is no fraudulently or intentionally altered documentation, Mr. Valentinetti will re-evaluate all annual inspections forms and re-check every item listed as "needs repair." He will then verify that the repair is complete, the vehicle is in working order, and the supporting receipts for the repairs are filed in the applicable VMFs. If any alteration or misstatement of a repair being made is discovered, Mr. Valentinetti will insist the repairs be completed correctly before any payment is remitted. If fraud is discovered on the part of an AMI driver or staff, that employee will be assigned to the PDP which could include immediate termination. If any fraud includes a third-party inspector, AMI will not pay the inspector and the incident will be reported to the inspector's employer. Another inspection with a new inspector will be scheduled as soon as feasible before placing the affected vehicle back into service.

13) **FMCSA directive on 4/4/14:** A detailed description of the safety management controls and procedures you have implemented or will implement to ensure your drivers submit DVIRs as required, and that the reports are maintained as required. Describe instructions you will provide to your drivers on submitting complete DVIRs, including listing and reporting any vehicle defects and/or deficiencies, and certifying repairs are were performed. Identify the company official(s) that will ensure that defects and/or deficiencies noted on a DVIR are repaired before the CMV is re-dispatched. Provide a list of the CMV that you intend to use, and a sample DVIRs that you will require your drivers to complete and submit. Provide a sample of DVIRs for three (3) CMVs for the month of November

2013.

AMI Acknowledgement and Correction:

As noted in response to #1, #2, #5, #7, and #10 above, the AMI Safety & Compliance Team, including those responsible for ensuring defects and/or deficiencies noted on a DVIR are repaired prior to a CMV being re-dispatched, comprises the following individuals:

- 1) Steve Valentinetti – President, AMI, DER;
- 2) Don Smith – Consultant, VATA Safety and Compliance; and
- 3) Sunny Linn – Administrative Assistant, AMI.

At the beginning of AMI operations, an AMI DVIR was created with all of the required check points listed. AMI has always required drivers to do pre/post inspections and to fill out the DVIR upon completion of the post-trip inspection. The noted violation occurred because the DVIR standard form did not contain the required third signature line, thereby disqualifying the utilized form under the regulations. Upon being made aware of the omission, AMI promptly corrected the form and began using the form containing three signature lines in May of 2013.

The current AMI plan for DVIR's starts with equipping coaches with Zonar to provide pre/post trip safety inspection recordings of the differing zones of the CMV. The recording will also allow the driver to list any defects and provide AMI management an electronic message of the component and defect found. The print out also contains three signature lines: one for the inspecting driver, one for the mechanic providing repairs, and one for the reviewing or re-inspecting driver. This form matches the AMI operation model well as a short distance passenger carrying operation. Again, AMI will install Zonar as soon as it is informed that AMI's Safety Rating is upgraded and operations may resume. As soon as possible following Zonar installation, training will commence for supervisors and drivers. In that same training, Mr. Smith will provide a refresher course on how to complete a hand written DVIR, and the purpose and utilization of the three signature lines. Mr. Valentinetti will also audit the DVIRs daily and any required repairs will be made immediately before the CMV can resume operation. Ms.

Linn, will also audit the DVIRs weekly and review any repair receipts verifying the repair was completed. Ms. Linn or any successor will maintain DVIRs for at least 90 days. Once every month, Mr. Smith will conduct an on-site audit of the DVIRs for proper utilization, completeness, and maintenance.

A complete list of the CMVs that AMI intends to use is attached (Exh. 16). Additionally, DVIRs for three CMVs for the month of November 2013 are attached (Exh. 17).

14) FMCSA directive on 4/4/14: A written and detailed description of procedures and safely management controls you have implemented or will implement to ensure systematic inspections, repairs, maintenance and periodic inspections of your commercial motor vehicles to prevent and address vehicle out-of-service defects. Your request should include an explanation of how you will ensure that repairs are made on vehicles that are placed out of service. In addition, you request needs to describe procedures and steps you will take to reduce vehicle out-of-service defects and violations, and how your maintenance program will improve your vehicle out-of-service rate and roadside inspection performance. Provide evidence of repairs performed for all vehicle out-of-service defects and deficiencies noted on federal and state vehicle inspections in the past 365 days.

AMI Acknowledgment and Correction:

AMI has established a comprehensive series of controls designed to prevent and address OOS defects. This starts with providing remedial training to drivers about the proper pre/post trip inspection techniques, component identification, and what defects drivers should be searching for. Additionally, AMI will train drivers on how to note the defects on Zonar or the DVIR form in case of Zonar mechanical failure, so that a maintenance supervisor or mechanic will understand it. The DVIRs or electronic messages from Zonar will be turned in daily to the dispatcher who will then inform Mr. Valentinetti of any needed repair. Mr. Valentinetti will then schedule the repair to take place before the vehicle is put back into operation again. All AMI CMVs are required to undergo annual inspections as required in the FMCSRs.

It is the responsibility of the driver and company to ensure all annual inspections are completed in a timely manner and a copy of that inspection is kept in the CMV. Both Ms. Linn and Mr. Smith will keep critical dates in the electronic compliance scheduler and will be notified 30 days in advance of any periodic inspection due date. As noted above, notice from the electronic compliance

scheduler will also inform Mr. Valentinetti seven days in advance of the CMV's push-out window/emergency exit inspection due date. Mr. Valentinetti will then check with the driver to verify completion and/or order the inspection. Notices from both Ms. Linn and Mr. Smith will be provided to Mr. Valentinetti of the upcoming periodic inspection due date for a particular AMI CMV. Ms. Linn or her successor will also monitor the maintenance schedule in the VMFs as a backup to the electronic compliance scheduler to ensure all emergency exit and annual inspections are current, completed and filed in the vehicles maintenance file. Mr. Valentinetti will be responsible to make sure a complete and current copy of the periodic inspection is distributed to Ms. Linn, Mr. Smith, and is in the CMV. The AMI driver is responsible to ensure copies of the current and/or up to date periodic inspection and push-out window test records are in the CMV on a daily basis. In case of not obtaining a new periodic inspection by the due date, both Ms. Linn and Mr. Smith will send notice by email to Mr. Valentinetti that the CMV is OOS until the periodic inspection is completed and all noted repairs have been addressed. Once evidence of the inspection is complete and any subsequent repairs have been performed accompanied by receipts, the OOS notice will be lifted with a written notice emailed to Mr. Valentinetti and Dispatch by both Ms. Linn and Mr. Smith.

Any driver or supervisor that is found operating or authorizing operation of a CMV when it is placed OOS by the Safety Officer, or when OOS due to a component failure noted on the DVIR, will be entered into the PDP which leads up to, and includes, possible termination. Depending on the severity of the violation, immediate termination is possible.

As stated previously, Mr. Valentinetti, Ms. Linn, and Mr. Smith, will utilize the electronic compliance scheduling calendar with alerts for the inspection and maintenance due dates. Additionally, Ms. Linn and Mr. Smith will monitor the copies of the maintenance schedule to ensure timely and systematic actions described above with correct inspection dates. Strict adherence to the schedule, plus additional vehicle inspection training of the AMI drivers, and the benefits of Zonar to the AMI program, will significantly improve the AMI OOS rate. Please address any questions or concerns regarding the use of Zonar, the electronic compliance scheduler, or the maintenance of

written records to AMI ICO Williams, Kastner & Gibbs at the contact information provided on page 1 of this CAP.

Evidence of repairs performed for all vehicle OOS defects and deficiencies noted on federal and state vehicle inspections for the past 365 days is attached (Exh. 18).

15) FMCSA directive on 4/4/14: A detailed description of procedures implemented to delineate records for both of your motor carrier operations. This description must include how drivers and vehicles will be identified on documents required by the Federal Motor Carrier Safety Regulations. Also explain how dispatch records will be maintained for each company in a way that someone outside of the company knows when/where trip were made and which motor carrier, driver and vehicle made each trip.

AMI Acknowledgement and Correction:

Unlike previous occasions, currently, there are not two motor carrier operations in effect at the AMI terminal. If and when operations resume with two carriers,⁵ AMI will adhere to the following policy: The day before transports are scheduled to occur, a plan will be made for which driver and vehicle will be used to accomplish the business goal and dispatch assignment. Additionally, all documentation for the service will be placed on appropriate letterhead for the duration of the transport, including separate invoices, contracts, receipts, etc.

The motor carrier operations will maintain two classifications of drivers: 1) Airline Shuttle ("AS") Drivers; and 2) AMI Drivers. The distinctions between the two classifications are outlined below.

AS Drivers: AS drivers will operate passenger-carrying CMVs that do not require a CDL. AS drivers will have AS DQFs and meet all the qualifications required to operate said CMVs in interstate transport, although they will not go beyond a 75 mile radius so DOT medical cards will not be required. Since they will not operate vehicles requiring the driver to have a CDL, a drug and alcohol testing program is not established. AS will also use AMI-qualified drivers (multiple-employed drivers) and therefore will keep separate AS DQFs on those drivers.

⁵ Airline Shuttle is not currently operating and its future is unclear. All responses in this section are predicated on the assumption that Airline Shuttle will resume operations, which is unlikely.

AMI Drivers: AMI drivers will operate passenger-carrying vehicles with a GVWR of 26,001 lbs. or greater and therefore will require the driver to have a Class A or B CDL with the P-1 endorsement. They will have AMI DQFs and meet all the conditions necessary to operate said CMVs in interstate transport. As noted, they will abide by all FMCSRs regarding drug and alcohol testing as established in the AMI Drug and Alcohol Policy.

HOS & DVIR Forms: Separate HOS records and DVIRs will be maintained for each respective driver and vehicle. AMI and AS will keep previous seven day "On Duty" time records for all multiple-employed drivers, as required, and will analyze the hours left available in light of previous dispatches from all companies. Each multi-employed driver will keep separate HOS records for each company. Each multi-employed driver will complete a DVIR for any and all CMVs driven and turned in to the AS box or the AMI box

Passenger Transports: As noted above, all documentation for an AMI or AS transport will be on the respective company's letterhead and/or dispatch sheet for the duration of the transport, and will utilize separate invoices, contracts, receipts, etc. In the case of one carrier doing a job for the other, a trip lease will be applied to that transport, with all qualifications such as insurance requirements and operating authorities being considered before the dispatch.

Vehicle Registrations & Markings: All CMV's owned or leased by or from Mr. Valentinetti will be registered and marked respectively to the correct carrier.

MCS-150/DOT Number/MC Number: Each carrier will have separate filings in all regulatory areas showing the updated and correct information.

16) FMCSA direction on 4/4/14: In any future upgrade request, please describe how you will ensure that Mr. Smith, or any third-party provider and/or safety management personnel, is provided access to all safety related documentation and how you will ensure such consultants are adhering to the requirements in the FMCSRs and policies and/or procedures you have implemented.

AMI Acknowledgement and Correction:

AMI relies on Mr. Smith and his VATA team to provide an additional level of support to ensure compliance and proper execution of this CAP. As a result, Mr. Valentinetti and AMI recognize the importance of transparency and open access to safety-related documentation. Toward that end, AMI

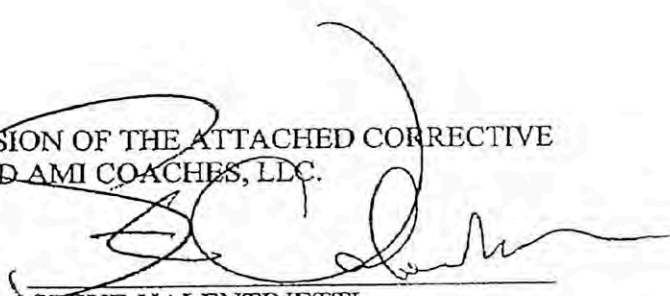
will provide continual and open access to safety-related documentation, including the pre-employment drug testing documentation, online evidence from US Healthworks related to random testing, DQFs, Personal Files, the DVIRs, and other safety documents as necessary. "Personal Files" will include medical information, controlled substances test results, and disciplinary actions. Additionally, VATA will have access to all roadside inspection documentation, annual driving record reviews, invoices or delivery receipts and payroll records. VATA, or any other successor consultant organization, will be compensated only for adhering to the requirements outlined in the FMCSRs and the procedures outlined in this CAP.

Conclusion:

AMI takes pride in providing safe and reliable services to the public. This lengthy CAP is produced and implemented to demonstrate AMI's abiding dedication to achieving 100% compliance with all applicable state and FMCSA regulations. AMI therefore respectfully requests an upgrade from UNSATISFACTORY to CONDITIONAL and permission to resume full operations. If you have any questions or concerns in review of this program, please contact Hunter Abell at (206) 233-2885 or (206) 628-6600.

32 of 32

I HAVE READ AND APPROVE THE SUBMISSION OF THE ATTACHED CORRECTIVE
ACTION PLAN ON BEHALF OF MYSELF AND AMI COACHES, LLC.



STEVE VALENTINETTI
PRESIDENT
AMI COACHES

DATE: 5-12-14

67

AMI Coaches USDOT #2351390 Corrective Action Plan #6

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Center
12600 W. Colfax Ave Suite B-300
Lakewood, Co. 80215

Fax 303-407-2339
12-1-14

This is a safety rating upgrade request under (49 CFR 385.17) from Unsatisfactory to Satisfactory

49 – Failure to implement Pre-Employment Controlled Substance testing (Critical)

- AMI Coaches – Steve Valentinetti graduated with 100% Drug & Alcohol Awareness Training 3-26-2013. (Exhibit #1 Certificate of Completion)
- AMI complied with **49 CFR 382.301(b)** safety-sensitive functions by hiring school bus drivers from the local school district that were already in the DOT substance testing program both pre employment and random then transferred them into the AMI substance program.
49 CFR 382.301(b)(1)(i)(ii)(3)
- AMI Drivers were entered into the U.S. Health Works DOT compliant substance testing program August 2013, 3 months before the FMCSA's November 7th 2013 Audit. (Exhibit #2 Statement of Drug and Alcohol Testing Services), (#3 Statement from "National MRO" 8-1-2013 – 10-22-2013), E-mail from FMCSA's Chad Lagerway stating that he "Got them" 10-31-2013.
- If this violation was valid the fine should be \$400 (Cobb's Coaches USDOT #1820707, FMCSA 2009-0037) = 9 fatalities and 30 injuries)

– Failure to implement Random controlled and Alcohol Testing (Acute)

- AMI Drivers were entered into the U.S. Health Works DOT compliant substance testing program August 2013, 3 months before the FMCSA' November 7th 2013 Audit. (Exhibit #2 Statement of Drug and Alcohol Testing Services), (#3 Statement from "National MRO" 8-1-2013 – 10-22-2013), E-mail from FMCSA's Chad Lagerway stating that he "Got them" 10-31-2013.
- AMI complied with **49 CFR 382.301** safety-sensitive functions by hiring school bus drivers from the local school district or were already in the program and then transferred them into the AMI program. (Exhibit #4 U.S. Health Works negative DOT test (James Mondry 4-4-2012) **49 CFR 382.301(b)(1)(i)(ii)**)

– Failure to Provide written policy on Drug and Alcohol

- AMI provided 2 separate state written books on Drug and Alcohol and Controlled substances policy (October 15th 2012) the day we began business at our office available to drivers to read during business hours. (Exhibit #5 photo)
- AMI has now created its own Drug and Alcohol substance policy (November 2013)
- AMI drivers have been given a personal copy of the AMI "Drug, Alcohol, substance policy" and have signed/dated a "Driver Notification Letter" (December 2013)

– Knowingly operate a CMV W/O proper endorsement. (Acute)

- AMI never “knowingly” allowed any driver to operate a CMV without the proper endorsement. When it was found that SV’s multiple endorsements were missing from his license he discontinued driving a CMV for AMI Coaches.
- Signatures by SV at the “Port of Seattle SeaTac Airport” after May 2013 are because he was dispatching for AMI via the airport and his Motor Coaches could circumvent the off-site bus lot as well as the bus sign in line saving 20 to 45 minutes per turn.
- SV was removed from the AMI Coaches driver’s available list May 2013.
- SV will not drive for AMI without going through the same hiring program that is set up for all new drivers
- Other bus company UFA fine \$400 (MTZ Tours USDOT #814065 FMCSA 2013-0343 (Cobb’s Coaches USDOT #1820707, FMCSA 2009-0037) = 9 fatalities and 30 injuries)

- Knowingly allowing, requiring, permitting or authorizing a CMV to be driven after an OOS order.

- AMI driver SV was placed out of service upon arrival of AMI Coaches office per WUTC’s John Foster. We never knowingly, allowed, required, permitted anyone to drive when placed out of service.

(Acute) – Fraudulent or Intentionally false entry (Acute)

- AMI Coaches has never knowingly, intentionally, required, allowed, permitted, any employee, office staff, driver, contractor, or anyone else to make a false entry or statement.
- The only false entry AMI Coaches ever made was agreeing and signing the “Notice of Claim” agreement (per attorneys advise) with the indirect promise that in joining the FMCSA’s little Mafia/terrorist club they would turn AMI back on before irreversible damage has been done. Obviously that wasn’t the case and words like fraudulent, falsify, knowingly were negotiated out of the settlement agreement before signing the NOC agreement however the FMCSA has disingenuously brought the same verbiage and claims back in further upgrade denials.
- We never have falsified but if we did the UFA fine is for other companies is \$400

– Failing to investigate drivers background.

- AMI has always done background checks on prospective drivers, mechanics, and office staff.
- AMI Coaches calls previous employers, questions time worked from when to when? Would they rehire or are they still employed? How many hours per week do or did they work? Is it ok for them to also work with AMI Coaches in addition to their other job? Can you forward to AMI or give to prospective employee current drug test results?
- October 15, 2012 AMI didn’t keep the phone interview notes in the driver’s files. We will keep all note in the future.

– Driver not medically examined

- All drivers did and must have current medical cards even if we use the exception
49 CFR 382.301(b)(1)(i)(ii)(3)

– Failing to maintain inquires drivers driving record.

- AMI keeps a current driving record on file in the drivers files at all times.
- AMI failed to keep the old driving records of the drivers of when they were first hired.
- AMI now keeps all records (history) adding to the drivers file instead of keeping the file current with the latest information.

- Other companies fine \$410.

– Operating without required operating authority. (April 7, 2013)

- April 7th, 2013 (6 months after the Oct 15, 2012 start-up of AMI Coaches) AMI Coaches responded to a train accident (Amtrak) and moved approximately 90 passengers (no passenger manifest from Amtrak) from Mukilteo to the Seattle King street station 13.6 miles away all within the Seattle Commercial Zone 49 CFR 372.217. We also believe that this transport is covered under our State of Washington Charter/ Excursion permits that were in full force April 7th, 2013. Lastly due to AMI Coaches being a new 6 month old company we had not had a transport across State lines and didn't have the "Cruise ship Contracts" that it did later in 2013. This train wreck transport was the first Interstate (grey area interstate) transport that AMI had ever done thus per FMCSA case law (Walters VS American Coach Lines of Miami, Inc. No. 08-15636) it would be deemed **Diminimus Interstate transport** and therefore Authority would not be needed.
- (Exhibit #6) FMCSA's April 1, 2013 Preliminary Grant of Operating Authority
- (Exhibit #7) Seattle time's article and photo of AMI Coaches responding to the Amtrak train accident.
- (Exhibit #8) FMCSA's April 29, 2013 "This Certificate is evidence of the carrier's authority." With special notes for AMI about non-compliance, safety fitness regulations and mention of a unsatisfactory rating will result in AMI to show cause why this authority should not be suspended or revoked.
- (Exhibit #9) Insurance brokers e-mail of the FMCSA stating application still in vetting per FMCSA.
- Safer website is not an accurate measure of authority
- Should we have paid the \$2,200 that the FMCSA charges other bus companies that really have committed the true offense (Blue Bird YVR USDOT #2294860 FMCSA Docket FMCSA #2013-0246) or should we be put out of business for 1 year with a \$63,100 fine?
- **We were proud to help the victims of the Amtrak train wreck April 7, 2013**

– Exceeding 70 hours in 8 days.

- It just never happened or even came close to happening. The maximum hours an AMI driver has ever been paid per week is 26 hours. School bus drivers work about 20-25 hours per week. James Mondry a union truck driver works as many hours as he can at his other job rarely reaching 40 hours. The most Mr. Mondry has been paid 12 hours per 1 week.

– RODS (Critical) failing to prepare RODS in a form and manner prescribed.

- Of course we keep track of driver's time but in May 2013, 6 months before the November 7th, 2013 FMCSA audit but our time records didn't fully comply with FMCSA RODS regulation.
- June 2013 and at the time of the November 2013 FMCSA audit we keep FMCSA compliant RODS for 6 months.

– Preserve RODS for 6 months.

- Since our RODS didn't meet FMCSA standards Oct, 2012 to May, 2013 (6 months +) we were cited for not preserving RODS for 6 months.
- June 2013 and at the time of the November 2013 audit we keep FMCSA compliant RODS for 6 months.

– Failing to inspect push out windows.

- Our bus washer Augustine opens every window of every bus on or about the 1st of every month.

- Our bus window logs are kept in the office (May 2013). Now (November 2013) they are kept in both the bus and the office. We were cited for not keeping the log in the bus.
- Our emergency exit windows are opened / tested every 30 days (when in service) rather than every 90 days.

– Failing to keep a maintenance record.

- We have kept maintenance records since day 1, October 15, 2012 however it was pointed out to us by a State WUTC inspection (May 2012) that our records didn't include the tire size and therefore didn't comply so we added tire size that minute. The tire size was present for the FMCSA's November 7th, 2013 audit 6 months later (although the FMCSA report in November 2013 and 5+ Corrective Action plans since then still reflect that we don't keep FMCSA compliant maintenance files (because of the tire size issue).

Failing to have the means of indicating the nature and due date of inspections.

- We have a wall calendar as well as a inspections / fluid maintenance sheet on the front page of our maintenance files.
- We have and always and will continue to follow the manufactures recommended maintenance checks as well as AMI's own more extensive timeline.
- Exhibit #10 Photo

49 CFR 396.11(b) – Failing to ensure DVIR is complete and accurate.

- We have quarterly training on different driver operations and functions including paperwork (DVIR's and their importance to the safety of the Motor Coach and it's passengers)
- If a driver's paperwork is incomplete they are not paid for the trip and will receive counseling and if continued placed in our-----.

49 CFR 396.11(2) – Failing to retain DVIR's for 90 days.

- AMI keeps DVIR's for 90 days and then purges them from the file per FMCSA regulation.
- At the time of the FMCSA audit in November 2013 we kept DVIR's for 1 year. We must have misplaced 1 DVIR during the audit to receive this charge.

– Using a commercial motor vehicle not periodically inspected. (Critical)

- All AMI buses were given an Annual inspection before its use and sometimes even before purchase.
- Bus #2 that was cited for not being inspected did not have the annual inspection form in the #2 Bus maintenance file at the time of the November 7th 2013 FMCSA inspection although it did have the CVSA 2012 sticker in the window from the November 2012 annual inspection that the Washington State Utilities and Transportation Commission completed. (Exhibit # _____ Photo of sticker. (Exhibit # _____ Copy of inspection report
- Although Bus # 2's Annual Inspection (completed by the State of Washington November 2012) report was received by FMCSA in 5+ Corrective Action Plans the FMCSA rejection to a satisfactory rating or even being placed into operation still states we didn't have an annual on bus #2.

- AMI Coaches owned a total of 5 buses and a Emergency Services truck at the time of the FMCSA Compliance Audit. 2 Motor Coaches and 1 mini bus in service and 2 newly purchased Motor Coaches that were being brought up to speed. We bought 1 from Chicago MCI Motor Coach dealer and the other from the Seattle Auction. The Motor Coach from Chicago received an annual inspection from MCI before our purchase. The auction Motor Coach was passing of the annual but was never placed into service by AMI. All vehicles had 5M proper insurance.
- We wiped off the oil of the fill tube, (WSDOT inspector Don said it was leaking, WSDOT Mike Laponte said it was spill from adding oil) changed the drive belts, cleaned the batteries, replaced the exhaust tip on bus #4 and had our tire guys change tires (even though they were not illegal as stated by Don in his report and red tag of the buses) had the brake people come measure the single rotor in question with a caliper (FMCSA Don eye balled it and said it is under the minimum) to find that it is within safe spec per MCI Motor Coach to complete the annual inspections.
- We completed the FMCSA paperwork and faxed it to Washington DC. That evening, FMCSA inspectors accused us of lying and came out the next morning to re-inspect our motor coaches to find that we had indeed done all the work necessary to pass the annuals.
- FMCSA not only accused us of lying and falsifying before re-inspecting but continued by writing that we falsified the reports. (again in 5+ Corrective action Plans and the Notice of Claim)

49 CFR 382.305 response was inadequate-

. We have kept Rosemary Tucker who hasn't driven a AMI CMV in 11 months in the random program believing that AMI Coaches will be turned back on with each of its 5+ Corrective Action Plans. The AMI Coaches office staff is gone after 11 months of being closed so procedures are not in place at this time however when we are informed that AMI will be turned back on with a satisfactory rating we will again staff our office with great people that will follow the random selection, notification and transport to the U.S. Health Works federally accredited collection site. U.S. Health Works will then send the secure samples to the federally accredited MRO who will perform the proper test that THEY REQUESTED in the first place. AMI can only check after the test is completed to insure that the MRO has performed the test that they requested. If not AMI will contact the MRO to question their test. AMI office staff will handle this. Steve Valentinetti as the Designated Employer Representative will only over see this function.

(Exhibit 12, 13 photos of wall calendars and exterior DQF)

– AMI checks the DOT CMV driver history as well as the personal driving history with each State the potential driver has worked in the past 3 years and with all DOT companies employed 3 years. (We now same that information forever as opposed to keeping the current drivers record only)

– Medically Examined drivers – AMI has never had a driver that wasn't medically examined??? We check the Medical card, restrictions, expirations, make a copy and place in file. Expiration date is in the DQ file.

– AMI Coaches applicants fill out a application, Visa, green card, legal to work in USA, we check Drivers license, endorsements, expiration, medical card expirations and restrictions, phone reference check with all DOT companies, negative substance testing results and proof, call and verify with random MRO to insure applicant is currently enrolled in program, proof, oral interview, experience, accident history, bus DVIR check, test drive if all is good before we decide an applicant is qualified to drive an AMI Coaches CMV.

49 CFR 391.55(b)(2) – Photo of current valid CDL with proper endorsements

Ms. Linn or successor will track the critical expiration dates of the DQF's manually and the wall calendar as back up for additional office staff, part time as well as interns will continue to monitor critical timeline dates and events. Calendars are in place and were used in the past however no DQ entries have been made in 2014 as after 11 months we don't know if any of the past drivers will be coming back. We will not depend on a EOBR for HOS. We will have excellent office staff in place as we did before, to manually monitor HOS.

49 CFR 395.1(e) - response was inadequate EOBR will be used but not for the purposes of this CAP or running our company, HOS, RODS or maintenance scheduling. It will only be counted on as a back-up system.

Ms. Linn or successor AMI staff will monitor HOS and RODS scheduling days ahead of the transport and not allowing a driver to come anywhere close to timing out hour wise. AMI has never had a HOS violation.

49 CFR 395.8(a) - response was inadequate – We will use a EOBR for our own choosing but not for the purposes of this CAP or to comply with HOS or RODS. We will choose the best EOBR (there are many on the market now) when we are allowed to resume service will be used as a back-up to our excellent office staff. We don't use and will not use an I-Pad or I-Phone to run our company as suggested.

We know days ahead of time where our Motor Coaches will be with a time schedule. We are not a long distance trucking company trying to get as far as we can in a day. We have a plan and we follow it. The EOBR will allow our dispatcher to make changes to the schedule if the group is falling behind. The EOBR will assist in back-up HOS, fueling, maintenance etc.

Example #1 – Day 1

10:45 - Driver arrives at AMI Coaches Corporate office and completes DVIR inspection and paperwork, notes any changes in schedule

11:00 - pick up group at the airport (3 miles)

11:50 - Space Needle (15 miles)

12:40 - restaurant for lunch (1 mile)

14:00 - Pike Place market (1 mile)

16:00 - Seattle waterfront (1 mile)

17:20 - Hotel to check in (2 miles)

18:00 – Dinner (1 mile)

19:30 – Hotel, Motor Coach and driver are released

19:45 – Shut down at AMI office complete and turn in paperwork (12 miles)

20:00 – Go home

Totals for the day

Total time – 9:15

On-Duty (not driving) – 4 hours (load and unload luggage),

Off-Duty (on pay) – 3:15

Drive Time – 2:00 hours

Total miles – 36

Refuel - No

Log book required - NO

Example #1 – Day 2

06:30 – Driver arrives at AMI Coaches, completes inspection and paperwork, notes any changes in schedule

06:55 – Motor Coach arrives at Hotel (12 miles)

07:00 – Depart for Mt. Rainier

09:15 – Arrive Mt. Rainier, (105 miles) Group hiking and photos

12:00 – Depart for Seattle (105 miles)

13:00 – Stop for lunch

14:00 – Depart for Century link field (Home of the Seahawks)

15:15 – Tour Century link

16:15 – Dinner

17:30 – Hotel, Motor Coach and driver are released (12 miles)

17:45 - Shut down at AMI office complete and turn in paperwork

18:00 – Go home

Totals for the day

Total time – 11:30

On-Duty (not driving) – 0 hours

Off-Duty (on pay) – 6 Hours

Drive Time – 5.5 hours

Total miles – 234

Refuel - No

Log book required – YES (because of 100 mile limit and close to total time OD)

Example #1 – Day 3

08:30 - Driver arrives at AMI Coaches, complete inspection and paperwork, note any changes in schedule

08:55 - Motor Coach arrives at Hotel (12 miles)

09:00 – Depart for Boeing Tour

10:00 – Boeing (25 miles)

12:00 – Lunch

13:30 – Depart for Snoqualmie Falls (50 miles)

14:30 – Snoqualmie Falls

15:30 – Depart for SeaTac Airport (36 miles)

16:15 – Stop for early dinner before flight

17:45 – Drop group at Airport

18:00 – AMI Coaches office complete inspection and paperwork, note any changes in schedule (3 miles)

18:15 - Go home

Totals for the day

Total time – 9:45

On-Duty (not driving) – 1:45 hours (load and unload luggage)

Off-Duty (on pay) – 4 Hours

Drive Time – 4 hours

Total miles – 126

Refuel - No

Log book required – No

Example #2 Cruise Ship Contract, Fri, Sat, Sun.

06:30 - Driver arrives at AMI Coaches, complete inspection and paperwork, note any changes in schedule
06:55 - Motor Coach arrives at SeaTac Hotel to pick up ship's crew (3 miles)
07:10 - Depart for Pier 91 Cruise terminal (17 miles)
08:00 - Drop crew at ship and stand by
09:30 - Depart Pier 91 for SeaTac Airport with Cruise ship passengers (no manifest)(17 miles)
10:10 - Arrive SeaTac Airport and disembark passengers, stand by
11:00 - Depart to Pier 91 with passengers (17 miles)
11:50 - Released for the day
12:00 - AMI Coaches office complete inspection and paperwork, note any changes in schedule (3 miles)

Totals for the day

Total time - 5.5
On-Duty (not driving) - 3 hours
Off-Duty (on pay) - 0 Hours
Drive Time - 2:30 hours
Total miles - 54
Refuel - No
Log book required - No

(Examples done by SV not our professional office staff)

Daily Dispatcher Job duties (as we have always done)

- Arrive at work clock in and call in on radio, turn up lights and heat/air
- Check Fax, Email, Phone and desk for messages
- Look at schedule to see where our Motor Coaches should be and make radio contact
- Advise of any changes or updated, localized weather or possible traffic impacts.
- Check wall calendar for future transport schedules as well as maintenance deadlines, driver or coach issues, report to manager.
- Monitor the days schedule to make sure everything is on-time
- Make changes to next day schedule if needed
- Check drivers HOS before scheduling the next day. Email schedule to drivers.
- Return messages, book trips, AR/AR file paperwork in bus maintenance files noting critical dates as well as DQF for critical dates check calendar, check yesterdays DVIR's for maintenance issues. Report to manager.
- Communicate with manager via face to face, phone, text, email, radio, written notes, satellite phone if international.
- Shut down office, go home

Both Ami Coaches and Airline Shuttle (AS unregulated) are happy to follow the state and federal regulations (applicable or not) as we have for our entire 25 year accident free immaculate safety record. If we were not interested in a better than satisfactory safety our record it would not be flawless.

The world is constantly changing and both AMI Coaches and Airline Shuttle are leaders in the industry making improvements and changing with the times. We had van to van to office radios and GPS in the early 90's before anyone knew what GPS was (before there was an FMCSA).

Our motor coaches in 2014 had Wi-Fi, GPS and safety cameras.

Both AMI Coaches and Airline Shuttle hire the best safest drivers not just a CDL license holder.

AMI Coaches has a mobile safety van that can do anything from tire chains on or off, lubricate/fuel, minor repairs, tire changes, accident response, search and rescue etc as well as emergency medical service. We might not know everything but we are way ahead of the other motor coach and trucking companies with safety, technology and response to changes.

Our operating authority was revoked December 24, 2013 with false and misleading, deceptive reports by the (Olympia Division) the FMCSA. 5+ Corrective Action Plans and 1 year later AMI is still held out of business by the false, misleading accusations by the FMCSA. We have also heard that our proposed \$63,100 fine is record setting for the FMCSA to a company operating less than 1 year with no accidents. We are not sure about the record but we are sure the FMCSA didn't use the UFA 4.0 (Uniformity and Consistency) in assessing the \$63k fine. Oh, I guess FMCSA (Olympia) must have forgotten about the UFA's 2% gross annual income limit or the ability of a carrier to continue business or the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) or the fact that the real fine should have been about \$400 and a hug and pat on the back for running such a safe professional operation. "Great to have you on the team, let's move forward working together continuing a safe path" That's what I would have said to a company like AMI Coaches.

We at AMI Coaches acknowledge that the FMCSA has a tough job. We appreciate what you are trying to do in keeping our roads safe for all of our families and visitors to the United States however we are a consciences, safe, proud, progressive United States citizen owned company and we deserve to be treated fairly regardless of the perceived national origin of the ownership or employees or personal thoughts and prejudices of the local (Olympia) FMCSA clan.

We are aware of other traditional actions of the FMCSA where (we at AMI Coaches are greatly saddened and pray for the families of the victims, the bus companies and employees) other bus companies have had accidents with 9 fatalities, 30 other injured and their Notice of Claim fine is \$5,850 (January, 2014).

Horizon Coach lines Vashon Island Washington fatality September 2014.....Satisfactory rating??? The news stated they only kill 1 person per year??? Greyhound only 9 per year.....really!

It doesn't seem like the FMCSA is very balanced as we have a \$63,100 fine and never had even a minor accident in 25 years and both AMI Coaches and Airline Shuttle are not only given an unfair "Unsatisfactory Rating" but placed out of bussiness.

This was a discriminatory based attack by the Olympia FMCSA (they also did the same thing (false shut down to Airline Shuttle also owned by Steve Valentinetti) as retaliation.

If there really was a compliance issue or even a safety suggestion or problem found by the FMCSA investigators we would have corrected it immediately. There was never a need for a shut down. (We changed tires, belts, even a sway bar that didn't need changing for the FMCSA the very next day from their inspection)

AMI was not afforded the same opportunities or equal treatment in the Audit, Audit Reporting, NOC fines as well as training, suggestions, input that other companies receive like the "New Entrant Program", like UFA 4.0. AMI Coaches was wrongfully put out of business after only 12 months of operation (Operation Quick Strike's 250 companies were already named w/o AMI Coaches or Airline Shuttle) as well as Mr. Valentinetti's other company Airline Shuttle also shut down (25 accident free history).

Both AMI Coaches shut down and (25 year accident free) Airline Shuttle (airline flight crew only) shut down has nothing to do with transportation law, safety or compliance. It is a personal attack with ethnic background being the basis. My trip to Colorado was not to beg you to turn the 2 companies back on that the FMCSA has destroyed but to explain behind closed doors what is really going on with your people profiling, fabrications and outright lies that your domestic terrorist group "Olympia FMCSA" office are producing.

To put it simply it's ok for a person of color or presumed race to drive a taxi or even a town car but they will not start and operate a bus company that is a major player for large government contracts (Amtrak) or Fortune 500 Companies (Amazon, Amgen, Microsoft, Costco, Sound Rail etc.) professional teams (Seattle Sounders, Seattle Storm, WHL Hockey) Colleges, Universities, high schools both private and public (University of Washington, Seattle U, Texas A&M, Kennedy Catholic etc).

I'm sorry to inform the Olympia FMCSA AMI Coaches doesn't employ Isis terrorists even if some people's skin is brown so you can keep the comments to yourselves about "it's Not going to happen on my watch in this state"

Yes those things were said and threats were made. Some AMI staff quit after the threats were made to protect their families and ability to work and live peacefully in the future.

Steve Valentinetti's "presumed" Hainan Airlines flight attendant girlfriend lost her U.S. work Visa because of statements made by the (Olympia) FMCSA directly to Hainan Airlines staff that "Steve is doing one of your girls". They initially revoked the wrong girls Visa because she is black (language speaker from Africa, she speaks 5 languages) and FMCSA/ Hainan Airlines assumed it was her. (Exhibit 11) 30 days later my real Hainan Airlines Chinese girlfriend lost her U.S. work Visa as their further investigation finally came to her. She has now quit her job since our relationship cannot continue. Is that standard policy for the FMCSA?

The FMCSA threatened our drivers, contractors, Insurance company, customers, Universities, and hotels that we work with about working with us. (yes we have proof) Our reputation is ruined.

The FMCSA also in direct phone communication with our insurance underwriter (phone call from office) stated that AMI and Airline Shuttle are being investigated for a bevy of safety violations that they had better take a closer look. Because of this and our falsely attained UNSATISFACTORY RATING we are unable to

- Attain insurance at a reasonable rate or with a known insurance company.
- Get insurance at all
- Pursue now or in the future Government Contracts
- Work for Amtrak
- Transport professional sports teams
- Transport Colleges and Universities
- Transport high schools sports teams
- Transport students
- Fortune 500 companies
- Recruit and hire the best drivers
- Recruit and hire the best office staff

For these reasons we are unable to accept any further additional frivolous FMCSA attacks on our company in the form of a undeserved Conditional rating upgrade. The FMCSA is across the line in so many ways this time.

Satisfactory is what we request and need to move forward.

AMI will not hire someone else instead of Steve Valentinetti to run the company as has been suggested by FMCSA to both AMI staff and attorneys and past consultant. "They don't want you running the company" (Dave Wiley, attorney, Hunter Able attorney, Don Smith consultant)

I have been a party to discrimination acts before and looked the other way. I will not this time.

28232.0101

Federal Motor Carrier Safety Administration
Jeffrey James, Division Administrator
2424 Heritage Court SW, Suite 302
Olympia, WA 98502

Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Center
12600 W. Colfax Ave., Suite B-30
Lakewood, CO 80215

September 10, 2014

RE: AMI Coaches, LLC Supplemental Request for Safety Rating Upgrade

AMI Coaches, LLC ("AMI") respectfully submits this Supplemental Request for Safety Rating Upgrade ("Supplemental Request") from UNSATISFACTORY to SATISFACTORY pursuant to 49 CFR §385.17. This Supplemental Request supplements and incorporates the request submitted on May 9, 2014. A copy of the May 9, 2014 request is enclosed as **Exhibit A**.¹ AMI expressly incorporates all the provisions of the May 9, 2014 request, with the following exceptions:

- 1) All references to Mr. Valentinetti as a licensed driver of a Commercial Motor Vehicle ("CMV") for AMI should be removed;
- 2) All references to Don Smith, VATA Safety and Compliance should be removed and AMI will hire a full time compliance officer that is an AMI employee; and
- 3) All references to Zonar should be removed in exchange for an alternate GPS system.

The above revisions are a result of Mr. Valentinetti's desire to focus on AMI executive and administrative functions (see #2 below). Additionally, AMI will track operations with a GPS system, but not with Zonar.

On June 12, 2014, AMI received a letter from the Federal Motor Carrier Safety Administration ("FMCSA") denying the May 9, 2014 request for safety rating upgrade. A copy of this letter is attached as **Exhibit B**. This letter identified nine deficiencies. Each deficiency, and AMI's corrective actions, are as follows:

¹ To avoid unnecessary duplication, the May 9, 2014 request is attached without exhibits. If the FMCSA desires or requests review of any previously-submitted exhibit, please do not hesitate to contact Hunter M. Abell, counsel for AMI at (206) 628-2885.

- 1) Describe how you will ensure your company will meet the annual random controlled substance and alcohol testing rates. Provide evidence of the drivers currently enrolled in a random testing pool. Indicate if your driver are [sic] enrolled in a company specific pool or part of a consortium pool. Describe procedures Mr. Valentinetti will follow once he becomes a valid driver when he is selected for random testing.

AMI Coaches Response: AMI Coaches is a small carrier and, if permitted to resume operations, is expected to have a consistent number of drivers. In addition to the steps specified in the May 9, 2014 request, AMI will utilize the procedures outlined at pages 5-14 through 5-19 of the FMCSA Implementation Guidelines for Alcohol and Drug Regulations in Highway Transportation. These pages are attached as **Exhibit C**. AMI personnel have reviewed these pages and are familiar with their contents. AMI signed up with US Health Works to administer substance and alcohol testing in August 2013 and the current consortium pool in October 2013. Evidence that the current AMI drivers are enrolled in a random testing pool is attached as **Exhibit D**. As evidenced by Exhibit D, AMI drivers remain enrolled in a consortium testing pool, as indicated by the August 22, 2014 passing random test of Rosemary Tucker. If additional verification is necessary, U.S. Healthworks may provide further confirmation at (206) 242-3651. Finally, as noted on page one (1) of this Supplemental Request, Mr. Valentinetti no longer intends to drive for AMI. Consequently, Mr. Valentinetti will no longer be eligible for random testing.

- 2) Describe the process you will use to ensure a CDL is valid, with endorsement, prior to dispatching a driver. Provide evidence of any software and/or systems you are planning to use to track CDLs. Provide evidence of a prior passenger endorsement for Mr. Valentinetti and an explanation as to why he continued to drive a passenger vehicle requiring a passenger endorsement after June 2013.

AMI Coaches Response: AMI Coaches will utilize the procedure outlined on pages 9-12 of the May 12, 2014 request for safety rating upgrade, including requiring Ms. Linn,² to compile and maintain a Driver Qualification File ("DQF") for each authorized driver of a Commercial Motor Vehicle ("CMV") in interstate commerce employed by AMI Coaches. It is the responsibility of each individually-authorized driver and Ms. Linn to ensure that all DQF-required documents are complete and placed in the DQF. Applicants for an AMI CMV driving position are not permitted to drive an AMI CMV until Ms. Linn verifies items A-L on pages 10-11 of the May 9, 2014 request. As noted in Item F, this includes verifying the driver has the proper CDL with the current P-1 endorsement.

² All references to Ms. Linn should be construed as referring to her or her designated successor. AMI anticipates that Ms. Linn will desire to return to full-time employment, but that decision is dependent on this request for safety rating upgrade.

AMI does not anticipate utilizing software to track CDLs. Instead, as noted above, the CDLs will be tracked by use of the DQFs maintained by Ms. Linn and the drivers. These will be supplemented by critical date entry on the AMI wall calendar maintained at the principal place of business. A photograph of the wall calendar containing the draft projected critical dates for the 4th quarter of 2014 is attached as **Exhibit E**. These dates are inserted for illustration only.

Mr. Valentinetti did not drive a CDL-required CMV after May 2013. Instead, Mr. Valentinetti drove Airline Shuttle's non-CDL, 14 passenger bus that does not require a passenger endorsement, according to the Washington State Department of Licensing: <http://www.dol.wa.gov/driverslicense/cdlspecial.html> In any event, if AMI is permitted to resume operations, Mr. Valentinetti will not drive on behalf of AMI. Due to the considerable period of time that has elapsed, AMI is unable to locate proof of a prior passenger endorsement for Mr. Valentinetti. As noted in prior correspondence with the FMCSA, Mr. Valentinetti had a good faith belief that he had the required passenger endorsement.³

- 3) Provide an explanation for the inspection conducted on vehicle #4 by Terry Roberson and a valid annual inspection conducted following the repair in December 2013.

AMI Coaches Response: At the time of the inspection in question, vehicle #4 was out of service as AMI had ordered a chrome tail pipe for beautification purposes. Mr. Roberson informed Mr. Valentinetti that the tip must be on the tail pipe before utilization. Mr. Valentinetti demonstrated how the tip would be placed and Mr. Roberson informed Mr. Valentinetti to ensure the bolt was tightened before driving. Mr. Valentinetti assured Mr. Roberson he would and removed the tail pipe waiting for the new one to arrive. Mr. Roberson passed the annual inspection after noting the tip must be in place.

No subsequent annual inspection for vehicle #4 occurred because AMI justifiably relied on the passing inspection conducted by Mr. Roberson. Vehicle #4 has not been in operation since the date of the December 2013 inspection. If AMI is permitted to resume operations, a subsequent annual inspection will be scheduled before vehicle #4 is operated. AMI will conduct annual inspections on all vehicles before resuming operations.

³ Mr. Valentinetti worked for UPS from approximately 1985-1987. During that time, Mr. Valentinetti drove a feeder truck and possessed all appropriate endorsements, including the "P" endorsement or its predecessor. This includes a doubles and triples endorsement that similarly appears to no longer be available. AMI respectfully submits that it is unlikely UPS would inadvertently permit Mr. Valentinetti to drive if he failed to possess the above endorsements.

- 4) Provide evidence of any software and/or systems that you are planning to use to track DQ file documents and expiration dates.

AMI Coaches Response: AMI does not anticipate utilizing software to track DQ file documents and expiration dates. Instead, DQ file documents and expiration dates will be tracked by Ms. Linn. These will be supplemented by critical date entries on the AMI wall calendar maintained at the principal place of business. A photograph of the wall calendar containing the draft projected critical dates for the 4th quarter of 2014 is attached as **Exhibit E**.

- 5) Describe and demonstrate that you fully comprehend the requirement in 49 C.F.R. §§395.1(e) and 395.8(a). Demonstrate that you have contacted a Zonar system representative to obtain quotes and/or purchase details. You should include documents, pamphlets, and/or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements of 49 C.F.R. Part 395. Identify and describe the duties and responsibilities of the "AMI Dispatcher."

AMI Coaches Response: AMI has expended considerable time and resources becoming fully familiar with the Hours of Service ("HOS") requirements of 49 CFR §395.1(e) and the Record of Duty Status ("RODS") requirements of 49 CFR §395.8(a).

Regarding HOS, AMI has reviewed the HOS FAQs page on the FMCSA website. A print out of this page is attached as **Exhibit F**. Additionally, AMI has reviewed the comparison of old and new HOS final rules on the FMCSA website. A print out of this page is attached as **Exhibit G**.

Regarding RODS, AMI has reviewed the RODS requirements found at 49 CFR §395.8(a). Additionally, AMI has reviewed RODS logbook examples found on the FMCSA website. A copy of the FMCSA logbook examples is attached as **Exhibit H**.

As noted on page one (1) of this Supplemental Request, AMI withdraws all references to Zonar. The AMI Dispatcher is the employee tasked with call intake, logging of prospective pick ups/drop offs, and actual dispatch of the AMI bus to the point of pick up. At this time, the AMI Dispatcher is Ms. Linn.

- 6) A time records audit summary for the period of December 2013 for all drivers, including, at a minimum, the number of days checked for compliance to ensure the exception in 49 CFR 395.1(e) is met, the number of hours violations found, the number of time records checked for accuracy, the number of time records determined to have not met the exception with 49 CFR 396.1(e), the names of drivers found in violation by violation date and type, and any action taken as a result of the violation(s). Copies of

the time records, RODS submitted when the exception in 49 CFR 396.1(e) was not met, as well as any evidence of any action taken for violations of HOS requirements must be included with the summary.

AMI Coaches Response: There were no identified hours of service violations in December 2013. Unfortunately, supporting documentation is no longer available. As indicated above, AMI has taken steps to reorganize its operations and, if permitted to resume operations, will continue to maintain appropriate time records going forward.

- 7) Provide evidence of any software and/or systems you are planning to use to track vehicle maintenance, repairs and inspections and upcoming due dates. Demonstrate that you have contacted a Zonar system representative to obtain quotes and/or purchase details. You should include documents, pamphlets, and/or manuals from Zonar demonstrating the services they provide as mentioned in your SMP to help you meet the requirements in 49 CFR Part 396.

AMI Coaches Response: As referenced on page one (1) of this Supplemental Request, all references to Zonar are withdrawn. Instead, as demonstrated by **Exhibit E**, AMI will utilize a manual wall calendar that is updated weekly and includes the maintenance, repairs, inspections, and upcoming due dates. This wall calendar will be updated by Ms. Linn.

- 8) Evidence that the vehicle maintenance/inspection training referenced in the plan has been conducted and/or scheduled, including the curriculum and training materials, and a description of how this training would enable your drivers to discover the vehicle out-of-service defects that have been discovered on your vehicles.

AMI Coaches Response: Providing evidence that the inspection training has been conducted is not possible as AMI has not been in operation for nine (9) months. As a result of the period of time that AMI has been shut down, the drivers are no longer available to receive training. Within six (6) weeks of resuming operations, AMI will provide proof of completed inspection training, as well as other safety sensitive training, for all AMI drivers.

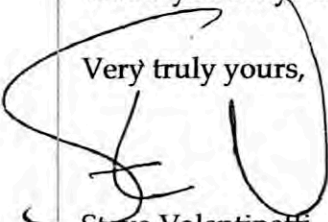
- 9) Evidence that arrangements or contracts between third parties to conduct integral safety compliance functions for your company exist including a contract with Don Smith, VATA Safety and Compliance, that outlines the terms and duration of the contract.

AMI Coaches Response: If permitted to resume operations, AMI will hire a full-time compliance officer instead of depending on the availability and knowledge base of an outside contractor. As referenced on page one (1) of this Supplemental Request, all references to Don Smith and VATA are withdrawn.

AMI sincerely hopes this Supplemental Request comprehensively addresses the deficiencies identified in the June 12, 2014 letter from FMCSA. If there are any questions or concerns, please do not hesitate to contact Hunter M. Abell at (206) 233-2885 or habel@williamskastner.com. Mr. Abell is counsel for AMI in this matter and is authorized to speak with the FMCSA on this issue.

Thank you for your time and consideration.

Very truly yours,


Steve Valentinetti
AMI Coaches



9-11-14

Corrective Action Plan #7

AMI Coaches requests a change in Safety Rating to Satisfactory under 49 CFR 385.17
We will address all new issues as well as the old in CAP #7.

1. – We hired bus drivers from the local school district already in the Drug and Alcohol testing system both pre-employment and random (verified) until we entered them into the AMI Coaches D&A program as per 49 CFR 382.301(b)(a)(1) I'm sure Mr. Lagerway will confirm.
2. AMI had been closed (no office staff) for 8 months at the time of Rosemary Tuckers random call. We sent her anyway as to not mess up the pool and her future driving. As the FMCSA knows per Ray Gasaway (FMCSA compliance officer) the MRO (per their e-mail previously forwarded to Mr. Gasaway) has taken responsibility for performing a different test than they had asked for themselves. The AMI DER did not instruct the MRO to do the wrong test. After 14 months of being "Out of Service" **AMI does not currently have any drivers.** The drivers were enrolled in a consortium pool. The AMI DER will have the AMI Staff print a copy of the "Random request" and have the particular driver driven to U.S. Health Works for the test. If in December the annual random rate has not been attained (depending on how many drivers employed) we will contact the MRO.
3. – In the beginning (October 15th 2012) AMI Coaches provided 2 books titled "Your Guide to achieving a satisfactory safety record" containing a compliant D&A program and the template for our own future AMI D&A program that was provided to the FMCSA inspector November 2013.
4. 49 CFR 383.37(a) – Operate CMV – It was over looked that Mr. Valentinetti's P endorsement as well as the T endorsement had been dropped of his Class A CDL license and previous Combination license. If Mr. Valentinetti never had these endorsements then it's a miracle he never got caught as he drove feeder truck for United Parcel Service for 3 years in the late 80's. Mr. Valentinetti was removed from all CDL required driving as soon as it was brought to our attention that the P and T endorsements were missing. We now have periotic checks in place to monitor CDL's, endorsements, medical cards, random tests etc.
5. Mr. Valentinetti was placed OOS after reaching the AMI office (John Foster, WUTC)
6. AMI Coaches office staff, contractors, drivers, Steve Valentinetti have NEVER FALSIFIED any documents and we resent and taikie offense to this implication.
7. – All drivers were medically examined as they all drove for other company's before AMI Coaches. A current copy is and was in each currently employed drivers file. AMI has always done background checks on prospective drivers. We will keep the information moving forward as we haven't hired any drivers since the November 7th 2013 investigation. All drivers driving records are now kept including the old ones that we had discarded in the past. Driver's expiration dates will be checked monthly and within 6 months of expiration will be added to our wall calendar scheduling system until proof of renewal is provided. Our wall calendar photo is clear and legible as we have no drivers and no maintenance scheduled for 2015 (placed out of business 14 months ago) We do however do 30 to 90 day emergency exit checks. When in service we do emergency exit checks every 30 days.

8. 49 CFR 391.51(b)(2) – Maintain Inquiries into driving record – We made the mistake of updating our driver files to the newest driving record available. We now retain all past driving records.
9. – The “Operating without Authority” AMI Coaches was holding a **letter from the FMCSA dated April 1st 2013 “Granting Preliminary Authority”** This charge is weak at best since the April 7th 2013 move was 13 miles from Mukilteo to the Seattle King st. Amtrak Station. The Intrastate move and violation is without merit as AMI Coaches, Amtrak or the FMCSA does not and did not have a manifest or what destination the remaining passengers onboard the train were coming from. It is only an assumption by the FMCSA that this EMERGENCY Intrastate move potentially could be deemed interstate. AMI Coaches assisted Police, Fire, and other agency’s at this Train Wreck and is proud to have been of assistance to the victims. AMI Coaches was commended by Amtrak Officials as they should be by the FMCSA.
10. – The most a AMI Coaches driver has ever worked in 1 week (7 days not 8) is 26 hours. AMI drivers other jobs are school bus drivers. The most they ever work is 25 hours per week. The FMCSA investigator must have found a missing 7 day work week driver form to make this claimed violation. The last pay cycle before being placed OOS we paid our drivers the additional hours for the quarterly driver training. It would be impossible to have a 14 hour driving day on a trip to view Christmas lights.
11. – The FMCSA investigators must have found a missing 7 day work week driver form to make this claimed violation. 99% of the time we are within the 100 mile radius of our Seattle base of operations. In the rare occasion we exceed 100 miles our drivers will use log books and have never come close to exceeding 10 hours of driving. We are not an over the road trucking company. Our drivers are multi employed experienced CDL drivers and already know how to use a log books however we have driver training quarterly and when a 100 mile plus assignment is scheduled our office staff reminds drivers and goes over any questions the driver may have about the Hours, log book, rest periods, layover hotels maximum drive time, fueling, chaining, communication etc. We will not depend on an EBOR to do our HOS or RODS for us. AMI office staff will monitor HOS and RODS daily. We did not previously turn in HOS violations we simply added and paid our drivers for the quarterly training on their last check before you put us “out of business”. It would be difficult to log 16 hours of driving or on duty time for a Christmas light viewing 2 hours from our base in Seattle. We will use time cards (HOS) connected to the DVIR’s in the future and as we did in the beginning. WUTC asked us to stop combining the 2 so we did but the FMCSA accuses us of not requiring RODS so we will combine the 2. Different agency different requests.
12. 49 CFR 395.8(f) – failing to require RODS in the manner prescribed - ???
13. – We do keep the RODS for 6 months. We will be going back to our old DVIR’s that contain the HOS as well as the DVIR check sheet with 3 signatures. With the time card (HOS) associated with the DVIR, nobody forgets to turn it in.
14. – We inspect the “Emergency Exits” every 30 days. We now keep a copy of the “Emergency Exit Check” in the bus as well as in our office.
15. We added tire size to our maintenance files in June 2013 to make them fully compliant with FMCSA regulations.
16. – We have computers, files, logs, wall calendars (blank, nothing scheduled) and (had) great employees together to ensure “Annual Inspections” “8000 mile Service Intervals” “Regular Maintenance Checks as well as any driver issues or complaints about the Coaches.

17. 49 CFR 382.11(b) – DVIR complete and accurate – DVIR's must be complete and accurate or the driver doesn't get paid for the trip. We have quarterly driver training (when in business)
18. 49 CFR 396.11©(2) – Maintain DVIR 90 days. We maintain DVIR's forever in the past but now due to our consultant and Attorneys we purge the DVIR file at 90 days (every 2 weeks)
19. – All Motor Coaches in service had annual inspections. All Coaches will receive new annual inspections at the start-up of AMI and in December of each year. The accusation that the CVSA Annual Inspection sticker (Falsification charge) on the Coaches is fake is false. Mr. Valentinetti was present when the State of Washington (WUTC) inspected the #2 coach and placed the CVSA sticker on the coach. This was confirmed by Ray Gardner (WUTC). It is now faded. (photo enclosed in CAP #6). Coach #4 has not moved 1 foot since it's last (passing) annual inspection as we told the investigators in the November 2013 Safety Audit, "This bus is still not in Service" as we just purchased it from the Chicago MCI Dealer with an Annual inspection done before purchase and again here in Seattle. We sent photo's in CAP #6 of the exhaust tip being welded back on instead of waiting for the new chrome pipe we had ordered to replace the old nasty one. (accused of falsifying??? Insinuated that we will run the bus without any pipe and lie about it.....really???) None of our 4 motor coaches or 24 passenger mini bus 14 months out of service have current annual inspections as we don't have employees capable of on-site annuals anymore. Under the Cease and Desist we are unable to drive to a facility to have the annuals performed however before being placed in service we will have 5M-insurance, all in-service coach annuals completed and CDL –P qualified drivers.

AMI Coaches doesn't believe they are perfect but with the benefit of a "New Entrant Audit" we could have been very close.

Thanks for your review

Steve Valentinetti
 AMI Coaches
 206-242-2000
 amicoaches@live.com

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#2 Blue
DATE 10-24-2013	

MOTOR CARRIER OPERATOR <i>AMF Coaches</i>	INSPECTOR'S NAME (PRINT OR TYPE) <i>Terry Roberson</i>
ADDRESS <i>14644 9th Ave SW</i>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. ☒ YES
CITY, STATE, ZIP CODE <i>Burien WA 98166</i>	VEHICLE IDENTIFICATION (VIN) AND COMPLETE LIC. PLATE NO. ☒ VIN ☐ OTHER <i>B54444</i>
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☒ (OTHER) <i>Bus</i>	INSPECTION AGENCY/LOCATION (OPTIONAL) <i>Terry Roberson</i>

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
☒			1. BRAKE SYSTEM	☒			4. FUEL SYSTEM	☒			9. FRAME
☒			a. Service Brakes	☒			a. Visible leak	☒			a. Frame Members
☒			b. Parking Brake System	☒			b. Fuel tank filler cap missing	☒			b. Tire and Wheel Clearance
☒			c. Brake Drums or Rotors	☒			c. Fuel tank securely attached	☒			c. Adjustable Axle Assemblies (Sliding Subframes)
☒			d. Brake Hose								
☒			e. Brake Tubing	☒			5. LIGHTING DEVICES				10. TIRES
☒			f. Low Pressure Warning Device				All lighting devices and reflectors required by Section 393 shall be operable.	☒			a. Tires on any steering axle of a power unit.
☒			g. Tractor Protection Valve	☒				☒			b. All other tires.
☒			h. Air Compressor				6. SAFE LOADING				11. WHEELS AND RIMS
☒			i. Electric Brakes				a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	☒			a. Lock or Side Ring-
☒			j. Hydraulic Brakes				b. Protection against shifting cargo	☒			b. Wheels and Rims
☒			k. Vacuum Systems					☒			c. Fasteners
☒			2. COUPLING DEVICES	☒				☒			d. Welds
☒			a. Fifth Wheels				7. STEERING MECHANISM				12. WINDSHIELD GLAZING
☒			b. Pintle Hooks				a. Steering Wheel Free Play				Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
☒			c. Drawbar/Towbar Eye	☒			b. Steering Column				
☒			d. Drawbar/Towbar Tongue	☒			c. Front Axle Beam and All Steering Components Other Than Steering Column	☒			13. WINDSHIELD WIPERS
☒			e. Safety Devices	☒			d. Steering Gear Box				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
☒			f. Saddle-Mounts	☒			e. Pitman Arm				List any other condition which may prevent safe operation of this vehicle.
☒			3. EXHAUST SYSTEM				f. Power Steering				
☒			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.	☒			g. Ball and Socket Joints				
☒			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).	☒			h. Tie Rods and Drag Links				
☒			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	☒			i. Nuts				
				☒			j. Steering System				
							8. SUSPENSION				
							a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
							b. Spring Assembly				
							c. Torque, Radius or Tracking Components.				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☒ NEEDS REPAIR, ☒ IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#3241e
DATE 10-24-2013	

MOTOR CARRIER OPERATOR AMF Coaches	INSPECTOR'S NAME (PRINT OR TYPE) Terry Roberson
ADDRESS 14044 9th Ave SW	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 306.10. ☒ YES
CITY, STATE, ZIP CODE Bunien WA 98146	VEHICLE IDENTIFICATION (VIN) AND COMPLETE ☐ LIC. PLATE NO. ☐ VIN ☐ OTHER B69089K
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☒ (OTHER) BUS	INSPECTION AGENCY/LOCATION (OPTIONAL) Terry Roberson

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
☒			1. BRAKE SYSTEM	☒			4. FUEL SYSTEM	☒			9. FRAME
☒			a. Service Brakes	☒			a. Visible leak	☒			a. Frame Members
☒			b. Parking Brake System	☒			b. Fuel tank filler cap missing	☒			b. Tire and Wheel Clearance
☒			c. Brake Drums or Rotors	☒			c. Fuel tank securely attached	☒			c. Adjustable Axle Assemblies (Sliding Subframes)
☒			d. Brake Hose								
☒			e. Brake Tubing	☒			5. LIGHTING DEVICES	☒			10. TIRES
☒			f. Low Pressure Warning Device				All lighting devices and reflectors required by Section 393 shall be operable.	☒			a. Tires on any steering axle of a power unit.
☒			g. Tractor Protection Valve								b. All other tires.
☒			h. Air Compressor	☒			6. SAFE LOADING	☒			11. WHEELS AND RIMS
☒			i. Electric Brakes				a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	☒			a. Lock or Side Ring
☒			j. Hydraulic Brakes				b. Protection against shifting cargo	☒			b. Wheels and Rims
☒			k. Vacuum Systems								c. Fasteners
☒			2. COUPLING DEVICES	☒			7. STEERING MECHANISM	☒			d. Welds
☒			a. Fifth Wheels				a. Steering Wheel Free Play				12. WINDSHIELD GLAZING
☒			b. Pintle Hooks				b. Steering Column				Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
☒			c. Drawbar/Towbar Eye	☒			c. Front Axle Beam and All Steering Components Other Than Steering Column	☒			13. WINDSHIELD WIPERS
☒			d. Drawbar/Towbar Tongue				d. Steering Gear Box				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
☒			e. Safety Devices	☒			e. Pitman Arm				
☒			f. Saddle-Mounts				f. Power Steering				
☒			3. EXHAUST SYSTEM				g. Ball and Socket Joints				
☒			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.	☒			h. Tie Rods and Drag Links				
☒			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).	☒			i. Nuts				
☒			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	☒			j. Steering System				
							8. SUSPENSION				
							a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
							b. Spring Assembly				
							c. Torque, Radius or Tracking Components.				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☒ NEEDS REPAIR, ☒ NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#4 white 8/14
DATE 10/24/2013	

MOTOR CARRIER OPERATOR <i>AMF Coaches</i>	INSPECTOR'S NAME (PRINT OR TYPE) <i>Larry Roberson</i>
ADDRESS <i>14644 9th Ave SW</i>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. ☒ YES
CITY, STATE, ZIP CODE <i>Burien WA 98146</i>	VEHICLE IDENTIFICATION (VIN) AND COMPLETE LIC. PLATE NO. ☐ VIN ☐ OTHER <i>B355554</i>
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☒ (OTHER) <i>Bus</i>	INSPECTION AGENCY/LOCATION (OPTIONAL) <i>Larry Roberson JR</i>

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
☒			1. BRAKE SYSTEM	☒			4. FUEL SYSTEM	☒			9. FRAME
☒			a. Service Brakes	☒			a. Visible leak	☒			a. Frame Members
☒			b. Parking Brake System	☒			b. Fuel tank filler cap missing	☒			b. Tire and Wheel Clearance
☒			c. Brake Drums or Rotors	☒			c. Fuel tank securely attached	☒			c. Adjustable Axle Assemblies (Sliding Subframes)
☒			d. Brake Hose	☒			5. LIGHTING DEVICES	☒			10. TIRES
☒			e. Brake Tubing	☒			All lighting devices and reflectors required by Section 393 shall be operable.	☒			a. Tires on any steering axle of a power unit.
☒			f. Low Pressure Warning Device <i>Lights</i>	☒			6. SAFE LOADING	☒			b. All other tires.
☒			g. Tractor Protection Valve	☒			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	☒			11. WHEELS AND RIMS
☒			h. Air Compressor	☒			b. Protection against shifting cargo	☒			a. Lock or Side Ring
☒			i. Electric Brakes	☒			7. STEERING MECHANISM	☒			b. Wheels and Rims
☒			j. Hydraulic Brakes	☒			a. Steering Wheel Free Play	☒			c. Fasteners
☒			k. Vacuum Systems	☒			b. Steering Column	☒			d. Welds
☒			2. COUPLING DEVICES	☒			c. Front Axle Beam and All Steering Components Other Than Steering Column	☒			12. WINDSHIELD GLAZING
☒			a. Fifth Wheels	☒			d. Steering Gear Box	☒			Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
☒			b. Pintle Hooks	☒			e. Pitman Arm	☒			13. WINDSHIELD WIPERS
☒			c. Drawbar/Towbar Eye	☒			f. Power Steering	☒			Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
☒			d. Drawbar/Towbar Tongue	☒			g. Ball and Socket Joints	☒			List any other condition which may prevent safe operation of this vehicle.
☒			e. Safety Devices	☒			h. Tie Rods and Drag Links	☒			<i>motor working</i>
☒			f. Saddle-Mounts	☒			i. Nuts	☒			<i>Proper</i>
☒			3. EXHAUST SYSTEM	☒			j. Steering System	☒			
☒			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.	☒			8. SUSPENSION	☒			
☒			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).	☒			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.	☒			
☒			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	☒			b. Spring Assembly <i>bag</i>	☒			
☒				☒			c. Torque, Radius or Tracking Components.	☒			

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☒ NEEDS REPAIR, ☒ NA IF ITEMS DO NOT APPLY. REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#5 <i>PLATE</i>
DATE 10/24 2013	

MOTOR CARRIER OPERATOR <i>AMZ Coaches</i>	INSPECTOR'S NAME (PRINT OR TYPE) <i>Terry Roberson</i>
ADDRESS <i>14644 9th Ave SW</i>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. ☒ YES
CITY, STATE, ZIP CODE <i>Burien WA 98146</i>	VEHICLE IDENTIFICATION (✓) AND COMPLETE ☒ LIC. PLATE NO. ☐ VIN ☐ OTHER
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☒ (OTHER) <i>Bus</i>	INSPECTION AGENCY/LOCATION (OPTIONAL) <i>Terry Roberson</i>

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
☒			1. BRAKE SYSTEM	☒			4. FUEL SYSTEM	☒			9. FRAME
☒			a. Service Brakes	☒			a. Visible leak	☒			a. Frame Members
☒			b. Parking Brake System	☒			b. Fuel tank filler cap missing	☒			b. Tire and Wheel Clearance
☒			c. Brake Drums or Rotors	☒			c. Fuel tank securely attached	☒			c. Adjustable Axle Assemblies (Sliding Subframes)
☒			d. Brake Hose	☒			5. LIGHTING DEVICES	☒			10. TIRES
☒			e. Brake Tubing	☒			All lighting devices and reflectors required by Section 393 shall be operable.	☒			a. Tires on any steering axle of a power unit.
☒			f. Low Pressure Warning Device	☒			6. SAFE LOADING	☒			b. All other tires.
☒			g. Tractor Protection Valve	☒			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	☒			11. WHEELS AND RIMS
☒			h. Air Compressor	☒			b. Protection against shifting cargo	☒			a. Lock or Side Ring
☒			i. Electric Brakes	☒			7. STEERING MECHANISM	☒			b. Wheels and Rims
☒			j. Hydraulic Brakes	☒			a. Steering Wheel Free Play	☒			c. Fasteners
☒			k. Vacuum Systems	☒			b. Steering Column	☒			d. Welds
☒			2. COUPLING DEVICES	☒			c. Front Axle Beam and All Steering Components Other Than Steering Column	☒			12. WINDSHIELD GLAZING
☒			a. Fifth Wheels	☒			d. Steering Gear Box	☒			Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
☒			b. Pintle Hooks	☒			e. Pitman Arm	☒			13. WINDSHIELD WIPERS
☒			c. Drawbar/Towbar Eye	☒			f. Power Steering	☒			Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
☒			d. Drawbar/Towbar Tongue	☒			g. Ball and Socket Joints	☒			List any other condition which may prevent safe operation of this vehicle.
☒			e. Safety Devices	☒			h. Tie Rods and Drag Links	☒			
☒			f. Saddle-Mounts	☒			i. Nuts	☒			
☒			3. EXHAUST SYSTEM	☒			j. Steering System	☒			
☒			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.	☒			8. SUSPENSION	☒			
☒			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).	☒			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.	☒			
☒			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	☒			b. Spring Assembly	☒			
☒				☒			c. Torque, Radius or Tracking Components.	☒			

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☒ NEEDS REPAIR, ☒ NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.



PHELPS TIRE

SINCE 1947

www.phelpstire.com

JOE GALLUCCIO

Commercial Sales

316 SW 16th Street

Renton, Washington 98057

joe.galluccio@phelpstire.com

Phone 425.228.0505 F 425.793.9698 Cell 206.484.5335



76

Driver/Vehicle Examination Report

Report number: US1438000092

Inspection Date: 10/22/13

Regarding Violation Code 393.75C

VIOLATION DISCOVERED: Tire-other tread depth less than 2/32 of inch – axle #2, left side, both tires, right outside dual.

Remedy:

On 10/22/13, three wheels with legal tires were taken off the fourth coach owned by AMI which is not in service. The three legal tires were then traded with the three tires with tread depths of less than 2/32 of an inch on the unit with WA plate #B54444W in the same locations as referenced in the "violations discovered". The end result was that ALL tires on this unit with WA plate #B54444W were above the legal minimums.



SINCE 1947

EVERETT • RENTON • TACOMA • SEATTLE
MT. VERNON • ANCHORAGE • FAIRBANKS • WASILLA
www.phelpstire.com

REMIT PAYMENT TO:

P.O. BOX 24968

SEATTLE, WASHINGTON 98124-0968

ACCOUNTING PHONE: (206) 447-0169

CREDIT/AR (253) 627-8345

PHELPS TIRE - SOUTH

I NVOI CE #: 317842

316 SW 16TH STREET
RENTON, WA

PAGE: 1

98057

425/228-0505

CUSTOMER: AMI COACHES

3 MC #816340

VEHI CLE: BUS 5 & BUS 2

SALESMAN: 00033

I NVOI CE DATE: 10/25/13

DUE: 10/25/13

PRODUCT	MECHANIC	QUANTITY	PRICE	DISC	EXTENSION
SERVICE CALL 7AM-5PM TS367	305	1.00	82.50		82.50
FUEL SURCHARGE FS		1	15.00		15.00
TRUCK WHEEL CHANGE TS307	248	4	10.00		40.00
TRUCK MOUNT & DISMOUNT TS304	248	4	20.00		80.00
315/80R22.5 GOODYEAR G289 OPMT		4 FET:	663.57 63.32		2907.56
WASHINGTON STATE TIRE TAX TIRE		4	1.00		4.00

SWO #251479 10/24/13 SEE NOTES BELOW:

BUS #5/DINO - REPLACED #2 AXLE WITH (4) 315/80R22.5 GOODYEAR G289 AND

BUS #2/TAYO - REPLACED #2 AXLE WITH TIRES OFF BUS #5

SERVICE CALL TO YARD - CALLED IN BY STEVE

MERCHANDISE: 2875.78

F. E. T. : 253.28

I NVOI CE TOTAL: 3129.06

CASH/CHECK

3129.06

CHECK #1069



DRIVER QUALIFICATION FILE CHECKLIST 391.51

1. Driver's Application for Employment * A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment. NOTE: The application form must, as a minimum, contain the information specified in 391.21(b).	49 CFR, 391.21
2. Inquiry to Previous Employers – 3 years ** An investigation of the driver's employment record during the preceding 3 years. This investigation must be made within 30 days of the date his/her employment begins.	49 CFR, 391.23(2)
3. Inquiry to State Agencies – 3 years An investigation into the employee's driving record for the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.	49 CFR, 391.21(a) (1)&(b)
4. Annual Review of Driving Record. At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the driver's qualification file. At least once every 12 months, a motor carrier must make inquiry into the driving record of each driver.	49 CFR, 391.25
5. Annual Driver's Certification of Violations. At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months.	49 CFR, 391.27
6. Driver's Road Test and Certificate (or equivalent). A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate that the motor carrier accepted as equivalent to the driver's road test, pursuant to section 391.33	49 CFR, 391.31&33
7. Medical Examiner's Certificate. The driver must pass a medical examination conducted by a licensed health care professional. A driver must be issued a Medical Examiner's certificate, which must be carried at all times, and must be renewed every two years.	49 CFR, 391.45
8. LCV Certificate of Training or Certificate of Grandfathering A person must not be allowed to drive a LCV until he/she has been issued a LCV Driver-Training Certificate or a LCV Driver-Training Certificate of Grandfathering.	49 CFR, 380.505 & 380.111 Rev 01-2004
9. Entry-Level Driver-Training Certificate (CDL Drivers only). A person must not be allowed to drive a CMV requiring a CDL without first obtaining the required Entry-Level Driver-Training Certificate.	49 CFR, 380.500

***The prospective motor carrier must:**

- Inform the applicant that the information provided on the application concerning previous employers may be used, and the applicant's previous employers will be contacted, for the purpose of investigating the applicant's safety performance history; and
- Notify the driver in writing of his/her due process rights (see Due Process Rights in 391.23)

** Records must be maintained in secured location with controlled access

Driver's Vehicle Inspection Report

Check any defective item and give details under "Remarks."

DATE: _____

TRUCK/TRACTOR NO. _____

- | | | |
|--|---|--|
| ☒ Air Compressor | ☐ Horn | ☐ Springs |
| ☐ Air Lines | ☐ Lights | ☐ Starter |
| ☐ Battery | ☒ Head - Stop | ☐ Steering |
| ☐ Brake Accessories | ☒ Tail - Dash | ☐ Tachograph |
| ☐ Brakes | ☐ Turn Indicators | ☐ Tires |
| ☐ Carburetor | ☐ Mirrors | ☐ Transmission |
| ☐ Clutch | ☐ Muffler | ☐ Wheels |
| ☐ Defroster | ☐ Oil Pressure | ☐ Windows |
| ☐ Drive Line | ☐ On-Board Recorder | ☐ Windshield Wipers |
| ☐ Engine | ☐ Radiator | ☐ Other |
| ☐ Fifth Wheel | ☐ Rear End | |
| ☐ Front Axle | ☐ Reflectors | |
| ☐ Fuel Tanks | ☐ Safety Equipment | |
| ☐ Heater | Fire Extinguisher | |
| | Flags-Flares-Fusees | |
| | Spare Bulbs & Fuses | |
| | Spare Seal Beam | |

TRAILER(S) NO.(S) _____

- | | | |
|---|--|------------------------------------|
| ☐ Brake Connections | ☒ Hitch | ☐ Tarpaulin |
| ☐ Brakes | ☒ Landing Gear | ☐ Tires |
| ☒ Coupling Chains | ☐ Lights - All | ☐ Wheels |
| ☒ Coupling (King) Pin | ☐ Roof | ☐ Other |
| ☐ Doors | ☐ Springs | |

Remarks: _____

☐ CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

Driver's Signature _____

☐ ABOVE DEFECTS CORRECTED

☐ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____ DATE: _____
 OWNING DRIVER'S SIGNATURE _____ DATE: _____

2 of 2 81

AMI Coaches

VEHICLE INSPECTION REPORT

Ending Mileage _____

Date _____ Bus No. _____

Starting Mileage _____

Trip Time _____

Total Miles _____

Location _____

INSPECTION ITEMS LISTED – IF DEFECTIVE, NUMBER AND DESCRIBE IN “REMARKS”

PRE:	COACHES	POST:	PRE:	MINI-BUSSES	POST:
	PASSENGER SIDE OF BUS			ENGINE COMPARTMENT	
_____	Battery Check (secure, no leaks)	_____	_____	Fluids (oil, antifreeze, power steering, brake)	_____
_____	Front & rear axles (tires, rims, lug nuts, radius rods)	_____	_____	Hoses, clamps, wiring, belts secure & in good condition	_____
_____	Front & rear suspensions (shocks, air bags, lines)	_____	_____	START ENGINE	_____
_____	Fuel area (cap secure & no leaks)	_____	_____	Safety Start (transmission in park & parking brake set)	_____
_____	Luggage areas (door secure, bays clean, tool kit, extra belts/fluids)	_____	_____	Transmission check	_____
_____	Toilet Access Door	_____	_____	Unusual noise (pulleys, bearings, belts, tensioners)	_____
	ENGINE COMPARTMENT			FRONT OF BUS	
_____	Fluids (antifreeze, gear box, oil, power steering)	_____	_____	Lights (headlights, signals, 4-ways, clearance)	_____
_____	Leaks (hoses, clamps, muffler all secure)	_____	_____	Windshield: Wipers _____ Cracks/Rock chips _____	_____
_____	Belts (secure & in good condition)	_____	_____	DRIVER'S SIDE OF BUS	_____
	DRIVER'S SIDE OF BUS			Mirrors (secure & in good condition)	_____
_____	Rear & front axles & suspensions (as above)	_____	_____	Front & rear axles (tires, rims, lug nuts, drums, tie rods, cotter pins, & nuts)	_____
_____	Window washing fluid / steering linkage & gear box	_____	_____	Front & rear suspensions (shocks, springs, frame, hangers, u-belts, brackets, air bags)	_____
_____	Mirror (secure & in good condition)	_____	_____	Fuel area (cap secure & no leaks)	_____
_____	Fluid kit (fuel)	_____	_____	Tail pipe (secure & no leaks)	_____
	FRONT OF BUS			REAR OF BUS	
_____	Windshield _____ Wipers _____ Spare Tire _____	_____	_____	Lights (clearance, brake, turn signals, 4-ways)	_____
_____	Safety start bus (in neutral, parking brake set)	_____	_____	Back Up Alarm/Lights _____	_____
_____	Transmission check (fast idle off)	_____	_____	Luggage compartment (door, step & bay secure)	_____
_____	Lights – marker, headlights, 4-ways, turn signal	_____	_____	PASSENGER SIDE OF BUS	_____
_____	Back Up Alarm/Lights _____	_____	_____	Rear & front axles & suspensions (okay as above)	_____
	INTERIOR CHECK			Passenger door (secure & operates as designed)	_____
_____	Emergency: Equip _____ Exits _____ Camera _____	_____	_____	Mirrors (secure & in good condition)	_____
_____	Interior secure (seats, monitors secure) Seatbelts _____	_____	_____	INTERIOR CHECK	_____
_____	Driver's area: Steering Wheel _____ Switches _____	_____	_____	Emergency: Equip _____ Exits _____ Horn _____	_____
_____	Wipers _____ Brake & accelerator pedals _____	_____	_____	Wipers _____	_____
_____	Seat Belt _____ Horns _____	_____	_____	Bus Book (accident kit & camera)	_____
_____	Step stool / Kneeler	_____	_____	Interior Lights (reading & aisle) Seat Belts _____	_____
_____	Interior lights (reading & aisle)	_____	_____	Leaks _____	_____
_____	Wheelchair OP	_____	_____	Wheelchair OP	_____
_____	PA / TV / DVD	_____	_____	PA / TV / DVD	_____
	BRAKE TESTS				
_____	Air pressure cut off test (100-125psi)	_____	_____		
_____	Emergency brake test at max air (in gear, see if move)	_____	_____		
_____	Stab test (see if brakes fully release)	_____	_____		
_____	Service brake test (move forward apply foot brake)	_____	_____		
_____	Low air warning test (pump down to @60 lbs)	_____	_____		
_____	Air leak test (bus off, brake off, stab for 1 minute, no more than 3 lbs loss)	_____	_____		

PRE-TRIP INITIALS _____

POST-TRIP INITIALS _____

Pre-Trip Remarks _____

Post-Trip Remarks _____

☐ ABOVE VEHICLE IS SAFE TO DRIVE

Call to Dispatch: Initials _____ Time _____

DRIVER'S SIGNATURE _____

☐ ABOVE DEFECTS CORRECTED
☐ ABOVE DEFECTS NEED NOT BE CORRECTED
 FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____

DATE _____

REVIEWING DRIVER'S SIGNATURE _____

DATE _____

82

1 of 2

AMI COACHES SAFETY CHECK LIST

06/13/2013

- | | |
|---|--|
| ☒ CALL TO DISPATCH | ☒ FIRST AID KIT |
| ☒ STEERING | ☒ CLEAN INTERIOR/ EXTERIOR |
| ☒ EXTERIOR SECURITY CHECK | ☒ INTERIOR SECURITY CHECK |
| ☒ DENTS OR SCRATCHES | ☒ RIPS OR TEARS IN SEATS |
| ☒ WINDOWS / MIRRORS | ☒ SEAT BELTS IN WORKING ORDER |
| ☒ ENGINE COMPARTMENT VISUAL CHECK | ☒ HEAT AND A/C WORK FRONT AND REAR |
| ☒ CHECK ENGINE OIL | ☒ WINDSHIELD WIPERS / DEFROST |
| ☒ FUEL FULL | ☒ 5 MPH BRAKE CHECK |
| ☒ ENGINE SOUND | ☐ SCHEDULE |
| ☒ OIL PRESSURE | ☐ FULL FUEL TANK AT END OF SHIFT |
| ☒ HEAD, TAIL & BRAKE LIGHTS | ☒ COUPLING DEVICES |
| ☒ SERVICE BRAKES, PARKING BRAKE | ☒ WHEELS & RIMS |
| ☒ TURN SIGNALS | ☒ EMERGENCY EQUIPMENT |
| ☒ TIRES | ☐ OTHER |
| ☒ HORN | |

COMMENTS:

DRIVERS SIGNATURE

DATE: 6/30/13

☐ Above defects corrected.

☐ Above defects need not to be corrected for operation of vehicle

Mechanic's or carrier official's signature certifying repairs: _____ Next day driver's signature: _____

DATE: _____

DATE: _____

DRIVER: Rosemary Tichen

DATE: 6/30/13

UNIT # 20

TOTAL GALLONS OF GAS _____

START TIME 0900

FINISH TIME 13:25

STARTING MILAGE 169056

ENDING MILAGE 169206

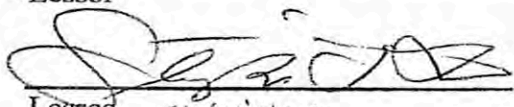
NOTICE OF LEASE

The undersigned Lessor and Lessee do hereby provide public notice of the following lease:

- 1. LESSOR: Steve Valintinetti
- 2. LESSEE: Airline Shuttle, Inc. 14644 9th Ave SW Seattle, Wa. 98166
- 3. LEASES PREMISES: Van 14- VIN# 1FBSS31FX2HA48220
Van 20- VIN# 1FDXE40S2XHB36629
Van 23- VIN# 1FDXE45SX1HA31725
- 4. TERM OF LEASE is 1 year commencing on January 1, 2005 (year)
and ending on January 1, 2006 (year)
- 5. OPTIONS TO EXTEND LEASE
- 6. OPTION TO ACQUIRE PROPERTY OR RIGHT OF FIRST REFUSAL:
- 7. LESSEE IS RESPONSIBLE FOR ALL INSURANCE COVERAGE AND
LIBILITY FOR ALL EQUIPMENT, WHICH SATIFIES THE LAWS FOR
WASHINGTON STATE



Lessor



Lessee Stephanie Lew

STAE OF WASHINGTON)
 :
COUNTY OF PIRECE)

On _____ before me, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that be his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature _____

Affiant Known Unknown
ID Produced _____
(seal)

84

PLATE #: B53559T EXP-DT: 06-03-2014 ISSUE-DT: 07-2011										VH-61
MYR: 1999 MAKE: FORD P/USE: GF/H SERIES: VAN MDL: BT:										REMARKS
TC	LTD	PTC	PLTD	TITLE #		CO OFWK DATE		LOC CD: 1734		
3K	2013221	3K	2012188	0406329815		27 2001 2004063		USE/FLAG EXEMPTS RTA		
CO OFWK YR-REM G		TL-FEES LRC		XFERDT		MR DEP TX		VERIFIED ADDRESS		
17 1403 2013221 2		68.00 17		03032004		12 2		TAB# IS B943917 14		
V.I.N. NUMBER		DLNO		REGISTERED OWNER INFORMATION				C	PREV TAB S609354 13	
1FDXE40S2XHB36629				AIRLINE SHUTTLE LSE					COLOR:	
VIN ABCDEFGHIJKLMN				14644 9TH AVE SW					WHITE	
FLGS-0000000000000000									DOE DATE 08/01/2013	
PLT ABCDEFGHIJKL DREJ									GIFT	
FLGS-000001100001										
OP# OLDLIC# DESDATE SCALE										
026 A93383T		6168 BURIEN		WA 981661859						
FLT / EQ # VALCODE VALYR		LEGAL OWNER INFORMATION		C						
32000 2002		VALENTINETTI, STEVE DBA		Y						
SEATS ROS/AOS #		AIRLINE SHUTTLE INC LSR								
15		1224 153RD ST S								
MG GWT-EXP GWT										
12 06032014 10000										
GWT-FEES GVWR										
60										
DATE: 03/11/2014		SPANAWAY		WA 983878812		CURR-ODOM		PREV-ODOM		
						A 112580		A 110845		
TIME 17:32										
SELECT APPROPRIATE FUNCTION KEY										
CANCEL MAIN		CANCEL VEHICLE		RE-ENTER KEY						
						PARKING TICKET		PRINT		

Washington
(STATE)**INSURANCE IDENTIFICATION CARD**

COMPANY NUMBER

COMPANY



COMMERCIAL



PERSONAL

Occidental Fire & Casualty InsPOLICY NUMBER
CA00037950EFFECTIVE DATE
05/22/13EXPIRATION DATE
10/01/13

YEAR

MAKE/MODEL

1999 Ford Van

VEHICLE IDENTIFICATION NUMBER
1FDXE40S2XHB36629AGENCY/COMPANY ISSUING CARD
Ferguson & Associates, Inc.
Ken Shimomura
PO Box 1835
Kingston, WA 98346-1835360-297-4844
INSUREDAMI Coaches LLC dba AMI
Steve Valentinetti
14644 9th Ave SW
Burien, WA 98166

SEE IMPORTANT NOTICE ON REVERSE SIDE

THIS CARD MUST BE KEPT IN THE INSURED
VEHICLE AND PRESENTED UPON DEMANDIN CASE OF ACCIDENT: Report all accidents to your Agent/Company as
soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

Itinerary:

Date	Time	Pick-up Location	Destination	PAX	Cost
7/6	19:00	Seattle Tacoma Int. Airport	Hotel	24	
7/7	12 Hour Max	Hotel	Pike Place Market	24	
7/8	12 Hour Max	Hotel	Mount Rainier National Park	24	
7/9	12 Hour Max	Hotel	Seattle City Tour	24	
7/10	10:15	Hotel	Seattle Tacoma Int. Airport	24	
				Gratuuity	Not Included
				Total Cost	\$3300.00

Any alterations to the itinerary must be agreed upon in writing between both parties, and will be subject to a 12% price increase and \$50.00 change fee.

X A. Yee 12/20/13 X Anthony Yee
 Client Signature Date Client Name (printed)
626-569-9233 * 1120 626-483-3426
 Office Number Mobile Number

AMI Coaches agrees to fulfill the agreed upon services and terms listed above

X _____ X _____
 AMI Coaches Date

PLEASE MAKE ALL CHECKS PAYABLE TO AMI COACHES
 14644 9th Ave, SW Burien, WA 98166

Payment is also accepted via Visa, or Mastercard for a 6% fee. Please ask for an authorization form if you wish to pay by credit card.

Certificate of Fact

Use this form to make a statement of fact.

License plate/Registration number	Year 1999	Make FORD	Series/Body style ECONO
Vehicle Identification Number (VIN) or Vessel Hull Identification Number (HIN) 1FDXE40S2XHB336629			
I certify that AIRLINE SHUTTLE AND AIRLINE SHUTTLE INC ARE ONE AND THE SAME. IT WAS TITLED INCORRECTLY IN 03/03/2004. I AM NOW TITLING THIS UNDER MY OTHER COMPANY NAME WHICH IS AMI COACHES AS WE SHOULD HAVE DONE BACK OCTOBER 1, 2012 WHEN AMI COACHES WAS ESTABLISHED. NO MONIES EXCHANGED HANDS.			
<i>I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.</i> 03/19/2014  Date and place Signature			

Notarization/Certification

State of WA County of Pierce

Signed or attested before me on 3/19/14 by Steven Galantinetti

(Seal or stamp) Signature Amy Chubb

Printed or stamped name FL

Title 2716-11

and _____

Dealer or county/office number or notary expiration date

We are committed to providing equal access to our services.
If you need accommodation, please call (360) 902-3600 or TTY (360) 664-0116.

88

1 of 3



U.S. Department of
Transportation

Federal Motor Carrier
Safety Administration

Western Service Center

Golden Hill Office Centre
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

Phone: (303) 407-2350
Fax: (303) 407-2339

UPS
1ZA476ZT0291917255

April 11, 2014

STEVE VANENTINETTI, OWNER
AIRLINE SHUTTLE INC
14644 9TH AVE SW
SEATTLE, WA, 98166

**ORDER TO CEASE ALL TRANSPORTATION IN
INTERSTATE AND INTRASTATE COMMERCE**

EFFECTIVE Friday, April 25, 2014 at 12:01 am

USDOT# 2158025

This Order to Cease All Transportation in Interstate and Intrastate Commerce (Order) is issued pursuant to 49 USC § 31144, and 49 CFR § 385.13.

This Order is the result of a compliance review of AIRLINE SHUTTLE INC's operations completed on March 10, 2014. The review disclosed serious violations of the Federal Motor Carrier Safety Regulations and/or the Hazardous Materials Regulations.

AIRLINE SHUTTLE INC, USDOT# 2158025, was issued a proposed "unsatisfactory" safety rating on March 10, 2014. AIRLINE SHUTTLE INC was notified to take certain actions within 45 days from the date of that proposed rating to improve its safety rating to "conditional" or "satisfactory". AIRLINE SHUTTLE INC was further advised that it would be ordered to cease any and all operation of any commercial motor vehicle(s) in interstate and intrastate commerce unless its safety rating was improved to "conditional" or "satisfactory".

AIRLINE SHUTTLE INC has failed to take the necessary steps required to improve its safety rating to "conditional" or "satisfactory" within the required timeframe.

THEREFORE, IT IS ORDERED THAT AIRLINE SHUTTLE INC SHALL CEASE ALL OPERATION OF ANY COMMERCIAL MOTOR VEHICLE(S) IN INTERSTATE AND INTRASTATE COMMERCE ON THE EFFECTIVE DATE AND TIME OF THIS ORDER UNLESS AND UNTIL

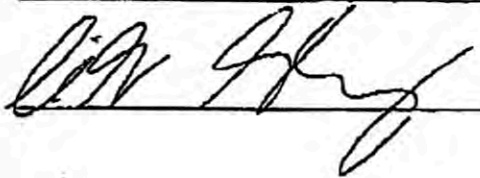
3 of 3

CERTIFICATE OF SERVICE

This is to certify that on April 11, 2014, the undersigned mailed or delivered, as specified, the designated number of copies of the Order to Cease All Transportation in Interstate and Intrastate Commerce to each of the parties listed below.

Each party listed below must receive the designated number of copies of each filing made in this proceeding in the future.

STEVE VANENTINETTI AIRLINE SHUTTLE INC 14644 9TH AVE SW SEATTLE, WA, 98166 Case # WA-2014-5060-UNFIT U.S. DOT # 2158025	One Copy by: UPS Tracking Number: 1ZA4762T0291917255
Jeffrey James, Division Administrator Washington Division U.S. Department of Transportation Federal Motor Carrier Safety Administration 2424 Heritage Court, SW, Suite #302, Olympia, WA 98502-6031	One Copy Internal Mail
Trial Attorney Federal Motor Carrier Safety Administration Western Service Center Golden Hill Office Centre 12600 W. Colfax Ave. Suite B-300 Lakewood, CO 80215	One Copy Internal Mail
U.S. Department of Transportation Federal Motor Carrier Safety Administration FMCSA Docket Clerk Western Service Center Golden Hill Office Centre 12600 W. Colfax Ave. Suite B-300 Lakewood, CO 80215	One Copy Internal Mail



WILLIAMS KASTNER™



18253.0102

April 29, 2014

Jedd Miloud
Federal Motor Carrier Safety Administration
Western Service Center
Golden Hills Office Centre
12600 W. Colfax Ave. Suite B-300
Lakewood, CO 80215

Re: Request for Extension, Order to Cease All Transportation in Interstate and Intrastate
Commerce, Effective April 25, 2014

Dear Mr. Miloud:

Thank you for the telephone conversation this morning regarding Airline Shuttle, Inc.'s ("Airline Shuttle") request for an extension of the effective date of the Order to Cease All Transportation in Interstate and Intrastate Commerce dated April 11, 2014 ("Order"). This written request follows up that conversation and summarizes our client's bases for the request.

As you know, the Order was received by Airline Shuttle by fax on April 28, 2014. My client was surprised to receive by fax a letter dated April 11, 2014, with an effective date of April 25, 2014. Review of the UPS tracking number indicates that the Order never left Colorado and, in fact, was never delivered to my client.

Although the Order was not received until yesterday, the April 25, 2014 date is reflected on prior correspondence to our client, including a March 11, 2014 letter. As I mentioned on the telephone, our client is experiencing significant personnel turnover and was unaware of this pending deadline. As his attorneys, we were also unaware of the pending deadline and would have advised the client regarding a strategy to transition existing clients to other carriers. The March 11, 2014 letter predates our representation of Airline Shuttle in this matter. Although lack of knowledge is not an excuse, we provide this information to you as further background regarding the present request.

Airline Shuttle has a long and proud history of providing reliable service to its customers. Our client solely transports airline crews and is relied on for regular and prompt service. Since receipt of the Order, my client is preparing transition plans for his customers. As you know, that takes time and coordination with the client and a potential replacement carrier. My client's goal is to minimize confusion and inconvenience for third parties. Consequently, Airline

4859462.1

Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, Washington 98101
main 206.628.6600 fax 206.628.6611
www.williamskastner.com
SEATTLE . TACOMA . PORTLAND

Shuttle respectfully requests a two week extension of the April 25, 2014 effective date of the Order. If granted, the Order would take effect on May 9, 2014.

Please do not hesitate to contact me if you have any questions or concerns. Due to the time sensitive nature of this request, the courtesy of a reply is requested as soon as possible.

Thank you for your consideration.

Very truly yours,



Hunter M. Abell

habell@williamskastner.com

(206) 233-2885

SUCH TIME AS THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION DETERMINES AIRLINE SHUTTLE INC IS FIT.

IN ADDITION, EACH AND EVERY DEPARTMENT, AGENCY, OR INSTRUMENTALITY OF THE UNITED STATES GOVERNMENT IS PROHIBITED FROM USING AIRLINE SHUTTLE INC FOR ANY TRANSPORTATION IN INTERSTATE AND INTRASTATE COMMERCE WHILE THIS ORDER IS IN EFFECT. (49 USC § 31144).

AIRLINE SHUTTLE INC's continued operation of commercial motor vehicles in interstate and/or intrastate commerce after the effective date and time of this Order will be considered a serious safety violation. Each day the transportation continues constitutes a separate offense.

Violation(s) of this Order may result in penalties of not more than \$11,000 for each separate violation and may result in criminal prosecution leading to imprisonment for up to one (1) year or a fine of up to \$25,000, or both, and other actions as deemed necessary by the United States Department of Justice. (49 USC § 521(b)). Violation(s) of registration requirements, including providing transportation requiring registration during any period of revocation, may result in penalties of not less than \$650 for each separate violation. If the registration violation involves providing transportation of passengers, the penalty shall be not less than \$2,200 for each separate violation; if the registration violation involves the transportation of household goods, the penalty shall not be less than \$25,000 for each separate violation. (49 USC § 14901).

Operation, after the effective date and time of this Order, of a commercial motor vehicle designed or used to transport hazardous materials for which placarding of the vehicle is required is subject to a civil penalty of not less than \$275 and not more than \$50,000 for each offense. If the violation results in death, serious illness, or severe injury to any person, or in substantial destruction of property, the civil penalty may be increased to not more than \$105,000 for each offense. Operating a commercial motor vehicle designed or used to transport placardable amounts of hazardous materials after the effective date of this Order may also result in criminal prosecution leading to fines and imprisonment up to five (5) years, or fines and imprisonment up to ten (10) years if the violation involves a release of hazardous material that results in death or bodily injury to any person. (49 USC §§ 31144, 5123, 5124).

Please be aware, this Order may also attach and apply to the operations of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of a final "unsatisfactory" safety rating.

Sincerely,



William R. Paden, Regional Field Administrator
Federal Motor Carrier Safety Administration
Western Service Center



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

Western Service Center
12600 West Colfax Avenue
Suite B-300
Lakewood, CO 80215

Phone: 303-407-2350
Fax: 303-407-2339

June 27, 2014

Mr. Hunter M. Abell, Esq.
Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98101

Via Facsimile: (206) 628-6611

Dear Mr. Abell;

We have reviewed your letter, dated April 29, 2014, which was submitted on behalf of Airline Shuttle, Inc. (USDOT 2158025). Your client was placed out-of-service for its Unsatisfactory safety rating, effective April 25, 2014. You requested to extend the out-of-service effective date to May 9, 2014. Your request appears to now be moot. Nevertheless, your request is denied. You failed to provide any indication that Airline Shuttle, Inc., was in compliance or attempting to come into compliance with Federal Motor Carrier Safety Regulations.

Should you have any questions, please contact Art Ramirez, Enforcement Program Manager at (303) 407-2361 or by email arturo.ramirez@dot.gov.

Sincerely,

William R. Paden
Regional Field Administrator

cc: Jeffrey James, Division Administrator

12:50

AMI Coaches

Weekly Hours Log

	Date	Time On	Time Off	On Duty Hrs	Company	Total On-Duty Hours
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

Total On-Duty Hours in Past 7 Days: _____

Employee Name _____ Employee Signature _____

[illegible]

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

EMERGENCY EXIT

10615 95

AMI COACHES, LLC

SUBSTANCE ABUSE POLICY FOR EMPLOYEES AND/OR CONTRACTORS REQUIRED TO POSSESS A COMMERCIAL DRIVER'S LICENSE

Introduction

The United States Department of Transportation mandates urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a commercial driver's license.

This section sets forth AMI's alcohol and drug testing program and the testing and reporting requirements as required by those regulations. It applies to all AMI employees and/or contractors who are required to have and maintain a commercial driver's license (CDL) in order to perform the duties of his or her job.

If You Have Questions

The person designated by AMI to answer drivers questions about this material is Steve Valentinetti. If this person is not available, you may contact any supervisor or manager.

Application

This policy applies to all employees and/or contractors of AMI who are required to have and maintain a commercial driver's license in order to perform the duties of his or her job.

Definitions

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol use means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

Driver. This term includes all employees whose positions may involve driving a commercial motor vehicle and that require the possession of a commercial driver's license.

Commercial Motor Vehicle. A commercial motor vehicle is one that either:

1. has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pound);
2. is designed to transport 16 or more passengers, including the driver; or
3. is used to transport hazardous materials.

Drugs. For the purposes of this section, in accordance with the applicable federal regulations, "drugs" refers to the following five substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines/methamphetamines.

Safety Sensitive Position. For purposes of this section, these are positions associated with the driving of commercial motor vehicles and includes the period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Safety Sensitive Functions. All drivers are considered to be performing safety sensitive functions from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. Time at plant, terminal, facility or other property waiting to be dispatched.
2. Time inspecting, servicing, or conditioning any commercial motor vehicle or equipment at any time.
3. Time spent driving, or in or upon any commercial motor vehicle at any time.
4. Time loading or unloading, supervising or assisting or attending a vehicle being loaded or unloaded.
5. Time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Substance Abuse Professional (SAP). A Substance Abuse Professional shall mean a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Effective Date

AMI's Employee Drug and Alcohol Abuse Policy is effective immediately.

Prohibited Conduct

The following conduct regarding alcohol and drug use or abuse is prohibited:

A. Alcohol Concentration.

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy while having an alcohol concentration of 0.04 or greater.

B. Alcohol Possession and On Duty Use of Alcohol.

An employee may not possess or use alcohol while on duty or while operating a commercial motor vehicle.

C. Pre-Duty Use of Alcohol.

An employee may not operate a commercial motor vehicle within four hours after using alcohol. An on-call employee who consumes alcohol within four hours of being called in will acknowledge the use of alcohol and will not report for duty.

D. Alcohol Use Following an Accident.

An employee required to take a post-accident alcohol test may not use alcohol for eight hours following the accident, or until a post-accident alcohol test is given, whichever comes first.

E. Use of Drugs.

An employee may not report for duty or remain on duty when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively must notify their supervisor and should provide written notice from their physician or pharmacist with respect to the effects of such substances.

F. Refusal to Submit to a Required Test.

An employee may not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or drug test as directed by this policy.

G. Positive Drug Test.

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy if the employee tests positive for drugs or alcohol.

H. Tampering With a Required Test.

An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct the testing process.

I. Possession, Transfer or Sale.

No employee may possess, transfer or sell drugs or alcohol while in any position covered by this policy.

Circumstances Requiring Testing

A. Pre-employment drug Testing.

All individuals who are covered by this policy must pass a drug test as a post-offer condition of employment and before performing safety-sensitive functions.

B. Reasonable Suspicion Testing.

Employees subject to this policy shall submit to a drug or alcohol test when reasonably suspected that this policy (except the prohibitions against possession, transfer or sale of alcohol) may have been or is presently being violated. A referral for testing will be made on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.

If removed from duty based on reasonable suspicion of drug use, the employee will not be allowed to perform or continue to perform the job duties until the test results are returned and indicate a negative result. If removed from duty based on reasonable suspicion of alcohol use, the employee will not be allowed to perform or continue to perform covered functions until:

1. An alcohol test is administered and the driver's breath alcohol concentration measures less than 0.02; or

2. 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.

C. Post-Accident Testing

Following an accident involving a commercial motor vehicle, the driver is required to submit to alcohol and drug tests when a fatality occurs as a result of the accident or when the driver receives a citation under state or local law for a moving traffic violation if the accident involved:

1. Bodily injury to any person who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
2. One or more vehicles incurred disabling damage required removal by towing.

Testing shall occur as soon as possible, but shall not exceed eight hours for alcohol testing and 32 hours for drug testing.

No alcohol test or drug specimen should be taken before the administration of necessary first-aid and/or other appropriate medical care. A driver must make every reasonable effort to notify management as soon as possible whenever an accident has occurred.

A driver who is subject to post-accident testing shall remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

D. Random Testing

Employees covered by this policy will be subject to random, unannounced drug testing at an annual percentage rate of 50% for controlled substances and 10% for alcohol.

E. Return to Duty Testing

Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.

F. Follow-up Testing

An employee who is referred for assistance related to alcohol misuse and/or use of controlled substances is subject to unannounced follow-up testing as directed by a Substance Abuse Professional. The number and frequency of follow-up testing will be determined by the Substance Abuse Professional, but will not be less than six tests in the first 12 months following the employee's return to duty.

G. Re-tests

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer.

Testing Procedures & Safeguards

AMI will follow the collection and drug testing guidelines issued by the U.S. Department of Transportation. Alcohol testing will be conducted using breath-testing instruments and procedures approved by the U.S. Department of Transportation.

The following employee protections will be incorporated to ensure the accuracy and integrity of the drug testing program:

Only Substance Abuse and Mental Health Services Administration (SAMHSA) certified drug testing laboratories will be used.

A strict chain of custody will be used to ensure the integrity of each urine specimen.

The process will ensure individual privacy during the collection process and confidentiality of test results.

All "positive" drug screens will be confirmed by a second test using the gas chromatography/mass spectrometry method or an equivalent approved method.

All drug test results will receive a professional review by a medical review officer (MRO) that includes offering the employee the opportunity to explain or contest a positive test result.

Refusal to Take an Alcohol or Drug Test

No employee shall refuse to submit to an alcohol or drug test as directed under this policy. A refusal to submit shall include, but is not limited to:

1. a failure to provide adequate breath for testing without a valid medical explanation after an employee has received notice of the requirement for breath testing;
2. failure to provide adequate urine for drug testing without a valid medical explanation after an employee has received notice of the requirement for urine testing;
3. engaging in conduct that obstructs the testing process or submitting an adulterated or substituted specimen;
4. failure to cooperate with a *direct observation* collection when required by the regulations;
5. possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
6. admitting to the collector or MRO that he/she adulterated or substituted the specimen.

Refusal to submit to a test shall be considered the same as a positive test result.

Securing Information from Previous Employers

If a person is to be hired or transferred into a position subject to this policy and that person during the previous three (3) years has worked as a driver of a

commercial vehicle, that person must authorize a request to release information from all employers of the driver within the past three years on the following:

1. Positive alcohol or drug tests
2. Refusal to be tested
3. Other violations of DOT agency drug and alcohol testing regulations
4. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests).

This information must be obtained before the person is employed by AMI. However, if the information has not arrived by the anticipated start date, and if the person has passed the pre-employment drug test, the person may be hired and the requested information must be obtained from the previous employers within 30 calendar days of the date of hire. If the information has not been received within the 30 calendar days, the person shall not be permitted to drive commercial vehicles until the information has arrived.

Confidentiality and Record Retention

All records related to drug and alcohol testing shall be maintained in a secure location with controlled access. These records shall be kept separate from records pertaining to all other employees.

Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests

A. Discipline.

An employee will be subject to appropriate disciplinary action up to and including termination from employment if:

1. the employee tests positive for a drug or drugs;
2. results from an alcohol test indicate a blood alcohol level of 0.02 or greater; and/or,
3. the employee has engaged in prohibited conduct as outlined in Prohibited Conduct Section.

The following provisions apply to those employees who are not terminated for their policy violations:

B. Positive Test Result.

If an employee tests positive for drugs or has an alcohol test that indicates a blood alcohol level of .04 or greater from a random, reasonable suspicion or post-accident test, the employee will be immediately removed from duties requiring the driving of a commercial motor vehicle. The employee shall not be permitted to return to work unless he/she:

1. has been evaluated by a qualified Substance Abuse Professional; and,
2. if recommended by a substance abuse counselor, has properly followed any rehabilitation prescribed; and,
3. has a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test (depending upon which test was failed).

Upon completion of a recommended rehabilitation program and successful return to work test, an employee will be subject to follow-up testing for up to

sixty (60) months as recommended by the Substance Abuse Professional and Employee Assistance Program, with a minimum of six such unscheduled tests within the first twelve months of returning to duty.

C. Alcohol Concentration of 0.02 but less than 0.04.

If not terminated or otherwise disciplined, employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial motor vehicle for at least 24 hours.

Employee Assistance Program and Referral

It is the responsibility of all employees to notify management when an alcohol or a controlled substances problem is suspected in any driver or co-worker.

[If you have an Employee Assistance Program (EAP), include the following paragraph]

A confidential Employee Assistance Program (EAP) is available to all employees as described in AMI's Employee Drug and Alcohol Abuse Policy. Employees are encouraged to seek treatment voluntarily and to utilize the EAP. When an alcohol or a controlled substance problem (the driver's or a coworker's) is suspected, any employee may contact the Employee Assistance Program or management for guidance. Any such program, however, can not interfere with the tests required by these rules. For example, a driver could not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test.

The Effects of Alcohol and other Drugs

The following information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life is furnished to drivers.

Alcohol

Alcohol, a natural substance formed by the fermentation that occurs when sugar reacts with yeast, is the major active ingredient in wine, beer, and distilled spirits. There are many kinds of alcohol; the kind found in alcoholic beverages is ethyl alcohol. Whether one drinks a 12-ounce can of beer, a shot of distilled spirits, or a 5-ounce glass of wine, the amount of pure alcohol per drink is about the same (5 ounces.) Ethyl alcohol can produce feelings of well-being, sedation, intoxication, or unconsciousness, depending on the amount and the manner in which it is consumed.

Alcohol is a psychoactive or mind-altering drug, as are heroin and tranquilizers. It can alter moods, cause changes in the body, and become habit forming. Alcohol is called a "downer" because it depresses the central nervous system. That's why drinking too much causes slowed reactions, slurred speech, and sometimes even unconsciousness (passing out). Alcohol works first on the part of the brain that controls inhibitions. As people lose their inhibitions, they may talk more, get rowdy, and do foolish things. After several drinks they may feel "high," but their nervous systems actually are slowing down.

A person does not have to be an alcoholic to have problems with alcohol. Every year, for example, many young people lose their lives in alcohol-related automobile crashes, drownings, and suicides. Serious health problems can and do occur before drinkers reach the stage of addiction or chronic use.

In some studies, more than 25 percent of hospital admissions were alcohol-related. Some of the serious diseases associated with chronic alcohol use are alcoholism and cancers of the liver, stomach, colon, larynx, esophagus, and breast. Alcohol abuse also can lead to serious physical problems such as:

- Damage to the brain, pancreas, and kidneys;
- High blood pressure, heart attacks, and strokes;
- Alcoholic hepatitis and cirrhosis of the liver;
- Stomach and duodenal ulcers, colitis, and irritable colon;
- Impotence and infertility;
- Birth defects and Fetal Alcohol Syndrome, which causes retardation, low birth weight, small head size, and limb abnormalities;
- Premature aging; and
- A host of other disorders, such as diminished immunity to disease, sleep disturbances, muscle cramps, and edema.

Marijuana

Contrary to many young people's beliefs, marijuana is a harmful drug, especially since the potency of the marijuana now available has increased more than 275 percent over the last decade. For those who smoke marijuana now, the dangers are much more serious than they were in the 1960s.

Preliminary studies have shown chronic lung disease in some marijuana users. There are more known cancer-causing agents in marijuana smoke than in cigarette smoke. In fact, because marijuana smokers try to hold the smoke in their lungs as long as possible, one marijuana cigarette can be as damaging to the lungs as four tobacco cigarettes.

New studies using animals also show that marijuana interferes with the body's immune response to various infections and diseases. This finding may have special implications for those infected with the Acquired Immune Deficiency Syndrome (AIDS) Human Immunodeficiency Virus (HIV). Drugs like marijuana that weaken the immune system may exacerbate the condition of people infected with this virus.

Even small doses of marijuana can impair memory function, distort perception, hamper judgment, and diminish motor skills. Health effects also include accelerated heartbeat and, in some persons, increased blood pressure. The changes pose health risks for anyone, but particularly for people with abnormal heart and circulatory conditions such as high blood pressure and hardening of the arteries.

More importantly, there is increasing concern about how marijuana use by children and adolescents may affect both their short- and long-term development. Mood changes occur with the first use. Observers in clinical settings have noted increased apathy, loss of ambition, loss of effectiveness, diminished ability to carry out long-term plans, difficulty in concentrating, and a

decline in school or work performance. Many teenagers who end up in drug treatment programs started using marijuana at an early age.

Driving under the influence of marijuana is especially dangerous. Marijuana impairs driving skills for at least 4 to 6 hours after smoking a single cigarette. When marijuana is used in combination with alcohol, driving skills become even more impaired.

Cocaine

Cocaine is one of the most powerfully addictive of the drugs of abuse-and it is a drug that can kill. No individual can predict whether he or she will become addicted or whether the next dose of cocaine will prove fatal. Cocaine can be snorted through the nose, smoked, or injected. Injecting cocaine-or injecting any drug-carries the added risk of contracting AIDS if the user shares a needle with a person already infected with HIV, the AIDS virus.

Cocaine is a very strong stimulant to the central nervous system, including the brain. The drug accelerates the heart rate and at the same time constricts the blood vessels, which are trying to handle the additional flow of blood. Pupils dilate and temperature and blood pressure rise. These physical changes may be accompanied by seizures, cardiac arrest, respiratory arrest, or stroke.

Nasal problems, including congestion and a runny nose, occur with cocaine use, and with prolonged use the mucous membrane of the nose may disintegrate. Heavy cocaine use can severely damage the nasal septum and cause it to collapse.

Research has shown that cocaine acts directly on structures that have been called the brain's "pleasure centers." Stimulating these pleasure centers produces an intense desire to experience the pleasure effects again and again. The stimulation causes changes in brain activity; as a result, a brain chemical called dopamine is allowed to remain active longer than normal, which triggers an intense craving for more of the drug.

Users often report feelings of restlessness, irritability, and anxiety; and cocaine can trigger paranoia. Users also report being depressed when they are not using the drug and often resume use to alleviate further depression. In addition, cocaine users frequently find that they need increasingly more cocaine more often to generate the same level of stimulation. Therefore, any use can lead to addiction.

"Freebase" is a form of cocaine that is smoked. It is produced by a chemical process in which "street cocaine" (cocaine hydrochloride) is converted to a pure base by removing the hydrochloride salt and some of the "cutting" agents. The end product is not water soluble, so the only way to get it into the system is to smoke it.

"Freebasing" is extremely dangerous. The cocaine reaches the brain in seconds, creating a sudden and intense high. However, the euphoria quickly disappears, leaving the user with an enormous craving to freebase again and again. The user usually increases the dose and the frequency to satisfy this craving, resulting in addiction and physical debilitation.

"Crack" is the street name given to a type of freebase cocaine that comes in the form of small lumps or shavings. The term "crack" refers to the crackling sound made when the mixture is smoked (heated). Smoking "crack" is very dangerous,

since it produces the same debilitating effects as "freebasing" cocaine. Crack has become a major problem in many American cities because it is cheap-selling for between \$5 and \$10 for one or two doses-and easily transportable-being sold in small vials, folding paper, or tinfoil.

PCP (Phencyclidine)

PCP is a hallucinogenic drug, meaning that it alters sensation, mood, and consciousness and may distort hearing, touch, smell, taste, and visual sensation. It is legitimately used as an anesthetic for animals. When used by humans, PCP induces a profound departure from reality, which leaves the user capable of bizarre behavior and severe disorientation. These PCP induced effects may lead to serious injuries or death.

PCP produces feelings of mental depression in some individuals. When PCP is used regularly, memory, perception functions, concentration, and judgment are often disturbed. Chronic PCP use may lead to permanent changes in cognitive ability (thinking), memory, and fine motor function.

Mothers using PCP during pregnancy often deliver babies who have visual, auditory, and motor disturbances. These babies also may have sudden outbursts of agitation and other rapid changes in awareness similar to the responses of adults intoxicated with PCP.

Narcotics - Opiates

Narcotics are drugs that relieve pain and often induce sleep. The opiates, which are narcotics, include opium, morphine, codeine, heroin, and their synthetic substitutes, such as methadone.

Narcotic use is associated with a variety of unwanted effects including drowsiness, inability to concentrate, apathy, lessened physical activity, constriction of the pupils, dilation of the subcutaneous blood vessels causing flushing of the face and neck, constipation, nausea and vomiting and, most significantly, respiratory depression.

Among the hazards of illicit drug use is the ever increasing risk of infection, disease and overdose. Skin, lung and brain abscesses, endocarditis, hepatitis and AIDS are commonly found among narcotic abusers. Since there is no simple way to determine the purity of a drug that is sold on the street, the effects of illicit narcotic use are unpredictable and can be fatal.

With repeated use of narcotics, tolerance and dependence develop. The development of tolerance is characterized by a shortened duration and a decreased intensity of analgesia, euphoria and sedation which creates the need to administer progressively larger doses to attain the desired effect.

Withdrawal symptoms experienced from heroin/morphine-like addiction are usually experienced shortly before the time of the next scheduled dose. Early symptoms include watery eyes, runny nose, yawning and sweating. Restlessness, irritability, loss of appetite, tremors and severe sneezing appear as the syndrome progresses. Severe depression and vomiting are not uncommon.

Amphetamines

Amphetamine, dextroamphetamine and methamphetamine are collectively referred to as amphetamines. Unlike other frequently abused drugs, the amphetamines do not occur in nature but are synthesized in a laboratory. Their chemical properties and actions are so similar that even experienced users have difficulty knowing which drug they have taken.

Amphetamines can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse.

Amphetamines are generally taken orally or injected. However, the addition of "ice," the slang name for crystallized methamphetamine, has promoted smoking as another mode of administration.

The effects of amphetamines, especially methamphetamine, are similar to cocaine, but their onset is slower and their duration longer. In general, chronic abuse produces a psychosis that resembles schizophrenia and is characterized by paranoia, picking at the skin, preoccupation with one's own thoughts, and auditory and visual hallucinations. Violent and erratic behavior is frequently seen among chronic abusers of amphetamines.

"Designer Drugs"

By modifying the chemical structure of certain drugs, underground chemists have been able to create what are called "designer drugs"—a label that incorrectly glamorizes them. They are, in fact, analogs of illegal substances. Frequently, these drugs can be much more potent than the original substances, and can therefore produce much more toxic effects. Health officials are increasingly concerned about "ecstasy," a drug in the amphetamine family that, according to some users, produces an initial state of disorientation followed by a rush and then a mellow, sociable feeling. We now know, however, that it also kills certain kinds of brain cells. These "designer drugs" are extremely dangerous.

*Turning Awareness Into Action
Office for Substance Abuse Prevention
U.S. Department of Health and Human Services*

Blood Alcohol Concentration

Blood alcohol concentration (BAC) is the amount of alcohol in the bloodstream. It is measured in percentages. For instance, having a BAC of 0.10 percent means that a person has 1 part alcohol per 1,000 parts blood in the body.

In a review of studies of alcohol-related crashes, reaction time, tracking ability, concentrated attention ability, divided attention performance, information process capability, visual functions, perceptions, and psycho-motor performance, impairment in all these areas was significant at blood alcohol concentrations of 0.05 percent. Impairment first appeared in many of these important areas of performance at blood alcohol concentrations of 0.02 percent, substantially below the legal standard in most States for drunkenness, which is 0.10 percent.

Approximately half of traffic injuries involve alcohol. About one-third of fatally injured passengers and pedestrians have elevated blood alcohol levels. For fatal intentional injuries, half of homicides involve alcohol, as do one-quarter to one-third of suicides.

The Centers for Disease Control and Prevention (CDC) estimate that about 30,000 unintentional injury deaths per year are directly attributable to alcohol. Another 15,000 to 20,000 homicides or suicides per year are associated with alcohol.

For non-fatal unintentional injuries many studies show that 25 to 50 percent involve alcohol. The same rates are found for a wide range of non-fatal intentional injuries involving alcohol, including assaults, spouse abuse, child molestation, sexual assault, rape, and attempted suicide.

BAC can be measured by breath, blood, or urine tests. BAC measurement is especially important for determining the role of alcohol in crashes, falls, fires, crime, family violence, suicide, and other forms of intentional and unintentional injury.

One problem in obtaining accurate BAC data is a lack of testing in hospital emergency rooms. Research indicates that emergency rooms do not test routinely for alcohol in crash victims. A national survey of trauma centers found that although two-thirds of the centers estimated that the majority of patients had consumed alcohol, only 55 percent routinely conducted BAC tests at patient admissions. A review of emergency room studies indicated that up to one-third of patients admitted to emergency rooms are not tested.

BAC and Impaired Driving

The public most commonly associates BAC with drunk driving. However, it is more accurate to refer to alcohol-impaired driving because one does not have to be drunk (intoxicated) to be demonstrably impaired. Driving skills, especially judgment, are impaired in most people long before they exhibit visible signs of drunkenness. While most States define legal intoxication for purposes of driving at a BAC of 0.10 percent or higher, alcohol may cause deterioration in driving skills at 0.05 percent or even lower. Deterioration progresses rapidly with rising BAC.

In recognition of impairment at lower BAC levels, the National Highway Traffic Safety Administration (NHTSA) refers to traffic crashes as "alcohol involved" or "alcohol related" when a participant (driver, pedestrian, or bicyclist) has a measured or estimated BAC of 0.01 or above. NHTSA defines a "high-level alcohol crash" as one where an active participant has a BAC of 0.10 or higher.

The Technology of Breath-Alcohol Analysis (1992) PH312
Prevention Resource Guide: Impaired Driving (1991) MS434
Safer Streets Ahead (1990) PH292

BLOOD ALCOHOL PERCENTAGE APPROXIMATIONS

		Body Weight in Pounds							
		100	120	140	160	180	200	220	240
Number of Drinks Per Hour	1	.04	.03	.03	.02	.02	.02	.02	.02
	2	.08	.06	.05	.05	.04	.04	.03	.03
	3	.11	.09	.08	.07	.06	.06	.05	.05
	4	.15	.12	.11	.09	.08	.08	.07	.06
	5	.19	.16	.13	.12	.11	.09	.09	.08
	6	.23	.19	.16	.14	.13	.11	.19	.09
	7	.26	.22	.19	.16	.15	.13	.12	.11
	8	.30	.25	.21	.19	.17	.15	.14	.13
	9	.34	.28	.24	.21	.19	.17	.15	.14
	10	.38	.31	.27	.23	.21	.19	.17	.16

END OF POLICY

CERTIFICATE OF RECEIPT AMI POLICY, EMPLOYEE AND/OR CONTRACTOR DRUG AND ALCOHOL ABUSE

Each driver is required to sign a statement certifying that he or she has received a copy of these materials described in this section. AMI is required to maintain the original of the signed certificate for each driver.

I have read, understand, and am in receipt of a copy of AMI 's Drug and Alcohol Abuse Policy and Special Attachment to Policy for Employees Required to Possess a Commercial Driver's License

Employee's Printed Name and Signature

Date

Company Representative

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Steve Valentinetti – President 5.9.14

COMPANY and COMMERCIAL MOTOR VEHICLE POLICY

AMI is committed to promoting the safe, proper and professional operation of all commercial motor vehicles that AMI owns, leases or otherwise operates. AMI is also committed to leasing qualified drivers of commercial motor vehicles.

This Policy applies to all positions that require operation of a commercial motor vehicle (a "CMV") and to employees or third parties who, in the course of their employment or business or contractual relationship with AMI, operate a CMV owned, leased, or rented by or on behalf of AMI.

AMI COACHES DAILY BUSINESS POLICIES

1.0 EQUAL OPPORTUNITY EMPLOYER

Employees are selected for jobs at AMI based on the qualifications and abilities required to perform the essential functions of their job. The Company has a policy that all employment decisions, practices, and procedures are based on merit and ability without regard to an individual's race, color, religion, age, sex, national origin, marital status, physical or mental disability, or veteran status.

2.0 STANDARDS OF CONDUCT

The orderly and efficient operation of our business requires that employees maintain proper standards of conduct and performance at all times. Standards of conduct and quality of workmanship are necessary to protect the health and safety of all employees, to maintain uninterrupted production and jobs, and to protect the company's goodwill and property. With that in mind, we have established rules, which together with observing all other proper standards of conduct, employees are required to follow. Failure to maintain standards of conduct, substandard work and/or violations of company rules will be dealt with firmly and may result in termination of employment.

If you have any questions concerning the application or intent of these rules, or concerning any other expectations in your work, please consult your supervisor.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

3.0 PERSONAL APPEARANCE & APPROPRIATE DRESS

Drivers are to be clean, neatly dressed and groomed. Hair must be kept clean and neat in appearance. Clothing standards are described as business attire.

4.0 COMPANY ATTITUDE & CUSTOMER RELATIONS

Words or actions that are hostile/negative toward the company and/or co-workers are harmful to you and the company. Please avoid criticizing company procedures and discussing company business with any of our clients or associates. Constructive criticism should be made to our supervisory personnel. If you are having problems and cannot resolve them, please contact the office and set up a time to attempt to resolve the problems with the appropriate department/person(s).

Our customers are the reason we are in business and we take pride in providing superior service to them. Drivers are a key component in providing excellent superior service that goes beyond picking up and transporting passengers on time. It also encompasses professional drivers with positive attitudes and appearances. Please be courteous and professional at all times while on duty. Discourtesy or similar inappropriate behavior may result in the drivers' entrance into the Progressive Disciplinary Program (PDP).

5.0 EMPLOYEE DEFINITIONS

As an AMI employee, your status will be defined as seasonal, part-time, or full-time employment.

6.0 GENERAL DAILY DRIVER PROCEDURES

It is company policy to be on time to work and it is critical that you report to your dispatched location on time, which is at least 3 minutes before the scheduled pick-up time. Our customers depend on us to pick up and deliver their personnel and/or clients in a timely fashion. Please make sure that you understand the delivery time(s), locations, etc. at the time that you are dispatched.

Unexcused absences and/or tardiness will lead to the PDP.

Do your pre-trip, mid-trip and post-trip inspections and document them with Zonar. If Zonar fails, use the AMI Driver Vehicle Inspection Report (DVIR). Turn in your paperwork daily. If there are any problems with any equipment at any time, call and report it!

Keep your coach clean! Always call the office with questions.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

The following are some basic things that are required to be done every shift that you work:

- ☐ You will be informed of the job date and time via email or by phone
- ☐ Confirm with AMI that you have the proper time available to complete the work assignment without Hour of Service (HOS) violations
- ☐ Arrive at AMI on time so to have a proper time budget for all applicable paperwork such as a 7-day log and vehicle inspections prior to the departure time
- ☐ Perform a Pre-Trip Inspection
- ☐ Check with office for fueling location if needed (see section 17.0)
- ☐ Keep paperwork updated
- ☐ Perform a Post-Trip Inspection & complete the Zonar record or the DVIR
- ☐ Clean out the coach
- ☐ Make sure the keys are in the proper place per instructions
- ☐ Verify all windows, emergency exits and doors are closed and locked

7.0 PAYROLL AND PAPERWORK

Pay periods are: 1st – 15th and 16th – 31st. Pay days are 20th and the 5th. Pay Day's that land on the weekend or a holiday will be paid on the next following business day.

Turn in all paperwork daily to the office. In the case of overnight trips, turn in all paperwork upon your return.

8.0 CALL IN PROCEDURES

You are required to call dispatch every time the bus moves, plus at the beginning and the end of the day at sign-off. Example: Call when leaving the yard after Pre-Trip; when arrived; when loading passengers; when departing to destination; when arriving at destination for unloading; when moving to stage (park & wait); when moving to next pick-up; etc. With each call a time stamp is entered into our record.

9.0 TARDINESS AND ABSENCES

Tardiness and absenteeism can put a strain on the other employees. You should perform your work assignments until the end of your work shift. Some absences are unavoidable. If you must be late or absent from work due to illness or emergency, you should call your supervisor as soon as you know you will be late or absent, and definitely before your shift starts. Be certain to talk directly to your supervisor when you call in. You should call your supervisor each day that you are absent. Any absence or tardiness for reasons other than illness or

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

emergency must be pre-authorized by your supervisor. Your supervisor must approve leaving before the end of your shift. Approval is not guaranteed and will depend on the needs of the Company.

An employee who does not follow this policy will be recorded with an unexcused absence. Unexcused absences may result in the PDP, up to and including termination. Other acts that will result in disciplinary action are:

- Misrepresenting the reason for absence or lateness
- Excessive absenteeism
- Frequent tardiness
- Leaving work before the end of your shift without prior approval

Should you be absent for three consecutive scheduled work days without contacting your supervisor, you may be removed from the payroll and shown as a voluntary resignation for job abandonment.

10.0 DISCIPLINARY ACTIONS

We will handle all disciplinary action in privacy between the management and the person involved. As an at-will employer, AMI may terminate the relationship at any time, with or without cause.

- a. Matters pertaining to faulty or below average performance will be discussed with drivers in a manner that will attempt to correct and teach proper procedures.
- b. Warnings may be given to driving employees for failure to heed and carry out company operating rules.
Warnings will be made "in person" whenever possible. In some cases, warnings/discussions may be made via telephone if deemed the best procedure for the driver/company. In that case, the conversation and warning that it pertains to will be documented and kept on file at the office. Company managers will discuss violations and issue letters of warning if they deem such action necessary.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

- c. Listed below are some of the conditions that may result in immediate discharge (termination of employment):
- 1) Preventable accident after a full investigation.
 - 2) Theft or dishonesty of any kind.
 - 3) Unauthorized carrying of passengers.
 - 4) Consumption or possession of drugs or alcoholic beverages while on duty or on company property. On duty is defined by the DOT as all time spent at a terminal facility or other property and includes driving, loading, unloading or waiting for passengers or clients.
 - 5) Operating a motor vehicle under the influence of alcohol, amphetamines, narcotic drugs, formulations of amphetamines, or derivatives of narcotic drugs. As defined by the DOT "under the influence" is indicated by a person's alcohol concentration of .04 percent or more; or driving under the influence as prescribed by state or other jurisdictional law; or refusal to undergo such testing by any state or jurisdiction.
 - 6) Testing positive for drugs or alcohol based upon DOT regulations.
 - 7) Striking or threatening a fellow employee, independent contractor, or customer.
 - 8) Repeated customer service failures based on customer complaints, late pickups, deliveries, and/or inappropriate behavior at customer location(s).
 - 9) Unauthorized use of a company vehicle.
 - 10) Failure to correct any actions related to any company policies and/or procedures after any warning. This includes but is not limited to: any policy and/or procedure that is stated in this handbook and/or included in any company memo or update to this handbook, unauthorized absence/failure to report to work when instructed to do so, tardiness, any action/behavior that interrupts the trip and/or customer complaints.

11.0 TOOLS AND SAFETY EQUIPMENT

You must see that all required tools and safety equipment are on your bus before you leave the yard.

This equipment shall consist of:

- a. Set of reflectors/flares
- b. Fire extinguisher
- c. Spare fuses
- d. First Aid Kit
- e. Tire chains or traction devices in the winter months. It is the driver's responsibility to make sure you have the proper amount to meet all state regulations.

12.0 PROPER AND SUFFICIENT REST

Drivers shall at all times get proper and sufficient rest. Your dispatcher will, if possible, advise you of the approximate time of your next trip.

13.0 CARRYING WEAPONS

Being in possession or carrying any deadly weapons when on duty or on company property is forbidden.

14.0 GAMBLING

Gambling while you are on duty or company property is prohibited.

15.0 PERMITS & LICENSES

There is a License and Permit binder in each cab. Make sure that all licenses and permits are present and current.

Notify the office immediately if any are missing or need to be renewed or updated.

16.0 FUELING

Check the fuel level before departure and contact the office if less than half.

17.0 PASSENGER POLICY

The AMI insurance company requires that we have a "no-rider" policy. Unauthorized passengers are strictly prohibited from riding in company vehicles.

18.0 PET POLICY

No pets are allowed in an AMI CMV.

19.0 PERSONAL PROPERTY

AMI does not assume liability or any responsibility for the personal effects or private property of any company employee. This applies to personal items carried in or attached to company vehicles. Additionally, any items brought to company yards, terminals, or facilities, including personal vehicles and their contents, are the sole responsibility of the employee, who assumes the risk of any loss or damage.

20.0 VEHICULAR ACCIDENTS

If your unit is involved in an accident follow these steps and guidelines:

- a. Stop immediately.
- b. First and foremost, within the first 10 minutes secure the area by positioning your 3 reflectors as required by DOT
(*you don't want additional accidents*)
- c. Call 911 to notify officials.
- d. Check for injuries and/or attend to the injured (Keep them warm)
 - i. Call for an ambulance if applicable.
 - ii. Never move the injured unless there is risk of fire or additional injury.
 - iii. Never attempt to do something you're not trained in.
- e. Call the office or your supervisor (if after hours) – you will be advised regarding insurance and procedures.
- f. Do **not** talk or give statements until your supervisor has been contacted. You have this right by law.
- g. Do **not** talk or give statements to anyone, except:
 - 1) A law enforcement officer
 - 2) A company manager
- h. Do **not apologize** for anything, nor admit responsibility or fault.
- i. Do **not** sign a statement or any other document.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

- j. Use your accident kit – including taking photographs. Photographs speak volumes – so take those pictures!
- k. Forward all information including written statement/accounts, witness contact information, pictures, etc. to the office.
- l. If you have any injuries, make sure you seek medical attention and fill out all appropriate injury-related paperwork at the physicians' location. Always report injuries immediately to the office.

21.1 ACCIDENT REVIEW & ACCIDENT REVIEW BOARD

All accidents/incidents in an AMI CMV with a monetary loss value of \$1000 or more, or a DOT reportable accident regardless of assigned fault will be examined by the AMI Accident Review Board to determine if it was preventable or non-preventable by the driver. Moreover to determine what steps can or should be taken by the driver and/or AMI to prevent additional accidents.

The Accident Review Board will be made up by the AMI driver involved in the accident; one member of the AMI Safety Team; one AMI Management team member.

Depending on the final decision by the majority of the Accident Review Board, a "Non-preventable" or a "Preventable" accident/incident rating will be assigned to the driver with the accident and placed in his or her Safety File regardless of fault.

21.0 BREAK DOWNS & OTHER EQUIPMENT ISSUES

If you break down call the office during office hours. If the office is closed, contact the Steve immediately, you will be instructed as to the necessary steps that must be taken. In any instance (break down, accident, etc.) **DO NOT CALL FOR A TOW TRUCK** before contacting the office or Steve. We have a list of preferred tow companies that we need to try to use first.

22.0 NO CONTRACT CREATED

EMPLOYMENT POLICIES AND PRACTICES is provided as a convenient guidebook for employees in understanding some of the general policies of AMI as they relate to the employment relationship.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

IT IS NOT INTENDED TO BE, NOR IS IT IN ANY WAY TO BE CONSTRUED AS A CONTRACT OF EMPLOYMENT OR OTHERWISE. Management expressly reserves the right to change, modify, amend, add to or alleviate any provision or policy contained herein at its sole discretion at any time, with or without notice, and with or without cause.

Every employee at AMI Coaches, LLC is employed at will. AMI reserves the right to terminate any employee at any time, with or without cause, and with or without notice.

23.0 NONDISCLOSURE OF CONFIDENTIAL COMPANY INFORMATION

Definition: "Confidential Information" means all information not generally known to the public, which relates to the business of the company or any third party doing business with the company.

Disclosure Prohibited: employee agrees that the confidential information belongs to the company, and it, as well as information concerning the personal, financial, or other affairs of the company, are a confidential and secret character and are vital to the continued success of the company's business. Employee acknowledges that he or she is employed in a capacity in which he or she will become acquainted with all or part of such information. In order to guard the legitimate interest of the company, it is necessary for the company to protect such information by holding it secret and confidential. Therefore, employee agrees, unless authorized in writing by the company, not to divulge to any person, firm, or corporation, either during or after the termination of his or her employment, any information listed above under "Definition" or other secret or confidential information of the company. Upon request by the company or termination of his or her employment, employee agrees to immediately deliver to the company, and not to make copy of, all customer lists, special needs of customers, driver information, notebooks, literature, data, documents, information, memoranda, or correspondence acquired or coming to the knowledge or custody of employee which relates to his or her activities as an employee of this company.

AMI CHARTERS DOT POLICIES

101.0 Definitions

The following definitions apply. The use of the words "include", "includes" or "including" all mean "including, but not limited to."

- **"Authorized Drivers"** include (1) all persons who are authorized to drive an AMI Commercial Motor Vehicle for business or personal use.
- **"Commercial Drivers License (CDL)"** is a license issued by a state or other jurisdiction, in accordance with the standards contained in the safety regulations prescribed by the FMCSA in Part 383 and Part 391, to an individual who authorizes the individual to operate a class of CMV. Persons who operate a CMV may not have more than one driver's license at any time.

A CDL is required for Authorized Drivers of a CMV or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle –

- has a gross combination weight rating of 26,001 pounds (11,794 kilograms) or more, inclusive of a towed unit(s) with a gross vehicle weight rating of 10,001 pounds (4,536 kilograms) or more; or
 - has a gross vehicle weight rating of 26,001 pounds (11,794 kilograms) or more; or
 - is designed to transport 16 or more passengers, including the driver; or
 - is of any size and is used in the transportation of hazardous materials as defined by the Federal Motor Carrier Safety Regulations. FMCSR §383.91
- **"Commercial Motor Vehicle (CMV)"** is any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle – FMCSR §390.5
 - has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more, whichever is greater;

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

- is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- is used in transporting hazardous material and requires placarding.

CMVs are regulated in the United States by U.S. Department of Transportation.

- **“DOT”** is the abbreviation for the U.S. Department of Transportation. The Federal Motor Carrier Safety Administration (FMCSA) of the DOT promulgates safety regulations for Authorized Drivers of commercial motor vehicles. The application of these regulations to Authorized Drivers of AMI Commercial Motor Vehicles is provided in the Implementation Procedures for Authorized Drivers of Commercial Motor Vehicles.
- **“FMCSR”** is the abbreviation for the Federal Motor Carrier Safety Regulations that are promulgated by the Federal Motor Carrier Safety Administration (FMCSA) of the DOT. These regulations govern the practices that must be followed by Authorized Drivers of CMVs.
- **“Motor Vehicle Record (MVR)”** is a state agency recording of a person’s driving history, which includes, among other items, confirmation that a driver holds a valid driver’s license in the jurisdiction, a list of motor vehicle violations attributed to the driver or collisions that a driver was involved in, and other driving-related information. All Authorized Drivers are required to undergo a Motor Vehicle Record (MVR) check prior to obtaining authorization to operate an AMI commercial motor vehicle for business purposes. MVRs are required to be checked annually on every driver.
- **“Preventable Collision”** is defined as a collision where, it is determined that the driver’s actions, or inactions, put the driver into a position where he/she became involved in a collision.
- **“Safety-sensitive functions”** include all time that a driver is at work or is required to be ready-to-work, until relieved from all responsibility, including, but not limited to, at a location awaiting dispatch; inspecting or servicing equipment; at the controls of a CMV in operation, or in or around a CMV; loading or unloading a CMV; or repairing, obtaining assistance, or remaining with a disabled CMV.

102.0 Central Administration Through AMI

A. Central Administration and Compliance

This Policy will be administered centrally through the AMI Office in Seattle, Washington. The AMI Office is responsible to ensure compliance with this Policy, so that AMI aims of (1) promoting the safe, proper and professional operation of all CMVs which AMI owns, lease or otherwise operates, and (2) using only qualified drivers of CMVs, are achieved. The owner, Steve Valentinetti, of AMI will however have the final determination on compliance, and on the corrective action that needs to be taken to achieve compliance.

B. Policy / Regulatory Updates and Website

The Company Office – through the Office Manager, will keep drivers up to date on: (1) information on this Policy and other applicable AMI policies, such as the AMI CMV Controlled Substances and Alcohol Testing Policy, (2) DOT regulatory updates (and associated changes to this Policy and other applicable AMI policies), and (3) information associated with operation of AMI vehicles.

103.0 Driver Qualification Files (DQF)

AMI is required to maintain a driver qualification file (DQF) for each Authorized Driver of a CMV in interstate commerce it employs. It is the responsibility of each such individual Authorized Driver and the Administrative Assistant and/or Office Manager, to ensure that all DQF-required documents are completed, placed in the DQ. Applicants for an AMI CMV driving positions are not allowed to drive an AMI CMV until the Administrative Assistant and/or Office Manager has verified the applicant has a fully completed Driver Qualification File. Once Administrative Assistant and/or Office Manager has verified the driver has a fully compliant DQF, the Administrative Assistant and/or Office Manager, will notify the owner, Steve Valentinetti. No individual will be authorized to drive an AMI CMV without the approval of Administrative Assistant and/or Office Manager and Steve Valentinetti.

DQFs include, at a minimum, the following documents:

- a) Application for Employment (FMCSR 391.21)
- b) Request for Check of Driving Record (Motor Vehicle Record –MVR - Check) (FMCSR 391.23(a)(1) & (b))
- c) Request for Information from Previous Employers (FMCSR 391.23(a)(2) & (c))
- e) Medical Examination Certificate (FMCSR 391.43)

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

- f) Record and Certificate of Road Test (FMCSR 391.31) (or equivalent CDL)
- g) Annual Driver's Certificate of Violations (FMCSR 391.27)
- h) Annual Review of the driver and annual MVR (this is required to be filled out annually by the driver and Office Manager the officer manager will add to the DQF). (FMCSR 391.27 & 391.25)
- i) Copy of Driver's License

At least annually, the Administrative Assistant and/or Office Manager will review the Driver Qualification Files for each Authorized Driver of a CMV, to ensure the DQF is up-to-date.

104.0 Qualification and Hiring Procedures.

A. HIRING STANDARDS

AMI requires all Authorized Drivers of all CMVs to be a minimum of 21 years of age. (FMCSR §391.11(b)(1))

Driver applicants will also be required, based upon experience, training, or both, to be able to:

- 1) safely operate a CMV; FMCSR §391.11(b)(3)
- 2) read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records; FMCSR §391.11(b)(2)
- 3) is physically qualified to operate a CMV; FMCSR § 391.11(b)(4)
- 4) has a currently valid commercial vehicle operator's license; FMCSR § 391.11(b)(5)
- 5) is not disqualified to drive a commercial motor vehicle under the rules; FMCSR § 391.11(b)(7)
- 6) determine and execute proper cargo securement procedures.

B. DRIVER INELIGIBILITY

AMI shall not consider for employment a driver applicant who does not meet the minimum standards set by the FMCSRs

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

C. APPLICATION FOR EMPLOYMENT

All driver applicants shall complete an AMI application for employment, with the application containing all of the information required by the FMCSRs. The Administrative Assistant and/or Office Manager will ensure the driver's application is properly filled out and kept as part of the driver's qualification file.

AMI's hiring standards require that CDL driver applicants list all former employers for the past ten (10) years whose job responsibilities required operating a motor vehicle. Driver applicants are also required to comply with the requirements listed in AMI's Pre-Employment Screening and Background Check Policy. The FMCSA - Pre-Employment Screening Program (PSP) will be utilized with every experienced driver application.

AMI will make a minimum of three attempts on all previous employers for the last 3 years for whom the driver drove a commercial motor vehicle. AMI will request all driving and controlled substance and alcohol history from previous employers. All attempts to contact previous employers will be documented and placed in the driver's qualification file.

D. LICENSE

Driver applicants must provide AMI with a legible copy of their driver's license prior to their start date. License checks on all AMI CMV drivers will be conducted by the Administrative Assistant and/or Office Manager. The Administrative Assistant and/or Office Manager will review the driving record of the applicant to ensure compliance with the FMCSRs. The Administrative Assistant and/or Office Manager will notify the driver if the license does not meet the DOT criteria. No driver will be allowed to drive until the MVR is reviewed and verified it meets the federal standards. Additionally, each applicant will be checked to verify they only possess one driver's license.

E. FAIR CREDIT REPORTING ACT DISCLOSURE

Driver applicants will be asked for their written authorization giving AMI permission to obtain a copy of their driving records. If a driver applicant is not hired based on the information provided in a driving record, then the driver applicant will receive a copy of the record and the Summary of Consumer Rights pursuant to the Fair Credit Reporting Act.

F. MOTOR VEHICLE RECORD (MVR)

AMI shall request an MVR for driver applicants being considered for employment after it has received a completed and signed employment application. The AMI Administrative Assistant and/or Office Manager, will verify these checks are done within 30 days of employment or prior to employment.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

If more than 30 days has lapsed, the AMI Administrative Assistant and/or Office Manager will run another MVR check to ensure the most current record is obtained.

AMI will review all MVR information to determine if the driver applicant meets the hiring standards regarding driving records, and will compare the MVR against the employment application to check for completeness and accuracy. Persons who fail to provide on their application all relevant information regarding their motor vehicle driving history may be subject to disciplinary action up to and including termination/ disqualification.

Additionally, AMI's Administrative Assistant and/or Office Manager are required to check all CMV drivers MVRs annually. These checks will be conducted by the Administrative Assistant and/or Office Manager and will verify if the MVR meets the DOT criteria. If the MVR does not meet the DOT criteria, the Office Manager will immediately notify the owner, Steve Valentinetti, directly. Steve will immediately disqualify the driver. The Administrative Assistant and/or Office Manager will ensure the last three years MVRs are retained in the drivers qualification file as required by the regulations.

G. INVESTIGATION OF PREVIOUS EMPLOYMENT

The AMI Administrative Assistant and/or Office Manager shall contact all former employers of the driver applicant for the previous 3 years to verify as much of the following as possible:

- Dates of employment
- Type of work performed
- Type of vehicle(s) operated
- Extent of driving experience and verifiable miles
- Vehicle accident record
- Attendance and reliability
- Overall work history and performance
- Record of misconduct regarding employment policies
- Drug or Alcohol Violations

All former and employer information gathered from AMI inquiries will be documented in writing and will be retained in the DQF, if the applicant is hired. In the event a former or employer refuses to release information, a note stating this will be placed in the DQF.

Additionally, each applicant is required to fully explain any gaps in employment on their application. If AMI determines after qualification, that a Driver falsified his/her application by omitting a prior employer, then AMI may disqualify that driver.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

H. CONTROLLED SUBSTANCE AND ALCOHOL TEST INFORMATION FROM PREVIOUS EMPLOYERS

CDL driver applicants must provide written authorization to AMI so that it may obtain controlled substance and alcohol test information for each of the driver applicant's previous and employers during the preceding three years.

All information from former employers regarding drug and alcohol test results must be in writing and will be retained by AMI (if hired). In the event no response is received from a former or employer, a note stating this will be placed in the file.

If AMI discovers a positive pre-employment test the applicant will not be considered for employment.

I. PHYSICAL EXAMINATION AND CERTIFICATE

AMI requires driver applicants to be fully qualified physically to perform all duties and functions of driving and safely operating a CMV. Pre-employment DOT physical examinations will be performed by a qualified medical examiner. The AMI Administrative Assistant and/or Office Manager will ensure drivers are sent to DOT qualified providers for the DOT physical exam.

Driver applicants who successfully pass the physical examination will be issued a Medical Examiner's Certification card. A copy of the Medical Examiner's Certification card must be given to the Administrative Assistant and/or Office Manager and placed in the DQF, and the original will remain in the possession of the driver at all times while on duty or operating an AMI Commercial Motor Vehicle. The AMI Administrative Assistant and/or Office Manager will ensure the last three years of Medical Examiner's certificates are maintained in the driver's qualification file.

If a driver returns a medical requiring a skills performance evaluation, the AMI Administrative Assistant and/or Office Manager inform the President, Steve Valentinetti who will ensure the driver is NOT dispatched until the driver has completed and passed a federal skill performance evaluation. The AMI Administrative Assistant and/or Office Manager are responsible for ensuring all drivers are properly medically qualified before the driver is dispatched. (For additional information regarding the Physical Qualification Requirement, see FMCSR §391.11(b)(4) and FMCSR §391 Subpart E.)

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

J. PRE-EMPLOYMENT CONTROLLED SUBSTANCE/ALCOHOL TESTING

AMI requires CDL driver applicants to submit to a DOT pre-employment drug screen to be conducted at a collection site designated by the company. These driver applicants shall not be offered a contract and allowed to drive an AMI CMV until a negative test result has been reported. FMCSR §382.301.

The AMI Administrative Assistant and/or Office Manager will ensure the pre-employment drug test is conducted within 30 days of employment and operation of a CMV. If the driver does not complete the pre-employment testing within 30 days or if the driver has been on extended leave of absence the Administrative Assistant and/or Office Manager will direct the driver to complete a new pre-employment drug test to ensure the test is completed and returns negative within the 30 day requirement.

K. ROAD TEST AND CERTIFICATE

AMI requires all non-CDL driver applicants to successfully complete a road test examination conducted by AMI. See FMCSR §391.11 (b) (8) as required by 391.31. The road test examination shall be performed in the type of vehicle the driver will operate for AMI.

CDL drivers may not be required to complete a road test, however, the CDL will be copied and maintained in the DQF in lieu of the road test as allowed by the regulations. However, AMI requires all drivers to be at least 21 years of age.

L. Driving Proficiency

Authorized Drivers must continue to demonstrate proficiency in driving the AMI CMV operated by the driver. Authorized Drivers are not permitted to operate a vehicle in a reckless manner, which means, among other things, exhibiting wanton or willful disregard for the safety of other persons, to the AMI vehicle, or other property.

Authorized Drivers shall not consume alcohol or illegal drugs prior to or during the operation of an AMI commercial motor vehicle. Authorized Drivers shall not operate an AMI commercial motor vehicle if impaired by or under the influence of alcohol or drugs. CMV drivers must notify their manager if they are prescribed any medications that may impair their ability to safely operate a vehicle. The manager must immediately remove the driver from a driving position until the driver has been cleared medically.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

M. Physical Qualifications

All Authorized Drivers of CMVs are required to obtain a physical examination at least every 24 months or earlier if required by the regulations. FMCSR § 391 Subpart E.

The completed medical examination long form shall be retained on file at the office of the medical examiner and a copy shall be retained in the driver's Personal file by the Administrative Assistant and/or Office Manager for three years from the date of execution. Authorized Drivers are required to carry a copy of the medical certification form at all times.

Authorized Drivers who fail to provide the required physical qualification documentation will not be permitted to drive an AMI Commercial Motor Vehicle, or any other CMV, within the scope of their employment with AMI, and may be subject to disciplinary action up to and including termination/disqualification.

Authorized Drivers who fail to meet the physical qualifications requirements of this policy and the FMCSRs will not be permitted to operate an AMI commercial motor vehicle.

Any driver required to have a Skills Performance Evaluation or any type of medical waiver must successfully complete the SPE or present the federal waiver prior to being approved as a driver for AMI.

105.0 Drug and Alcohol Testing - Policy

Substance Abuse policy for employees and/or contractors required to possess a commercial driver's license

Introduction

The United States Department of Transportation mandates urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a commercial driver's license.

This section sets forth AMI's alcohol and drug testing program and the testing and reporting requirements as required by those regulations. It applies to all AMI employees and/or contractors who are required to have and maintain a commercial driver's license (CDL) in order to perform the duties of his or her job.

If You Have Questions

The person designated by AMI to answer drivers questions about this material is Steve Valentinetti. If this person is not available, you may contact any supervisor or manager.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Application

This policy applies to all employees and/or contractors of AMI who are required to have and maintain a commercial driver's license in order to perform the duties of his or her job.

Definitions

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol use means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

Driver. This term includes all employees whose positions may involve driving a commercial motor vehicle and that require the possession of a commercial driver's license.

Commercial Motor Vehicle. A commercial motor vehicle is one that either:

1. has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pound);
2. is designed to transport 16 or more passengers, including the driver; or
3. is used to transport hazardous materials.

Drugs. For the purposes of this section, in accordance with the applicable federal regulations, "drugs" refers to the following five substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines/methamphetamines.

Safety Sensitive Position. For purposes of this section, these are positions associated with the driving of commercial motor vehicles and includes the period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Safety Sensitive Functions. All drivers are considered to be performing safety sensitive functions from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. Time at plant, terminal, facility or other property waiting to be dispatched.
2. Time inspecting, servicing, or conditioning any commercial motor vehicle or equipment at any time.
3. Time spent driving, or in or upon any commercial motor vehicle at any time.
4. Time loading or unloading, supervising or assisting or attending a vehicle being loaded or unloaded.
5. Time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Substance Abuse Professional (SAP). A Substance Abuse Professional shall mean a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Effective Date

AMI's Employee Drug and Alcohol Abuse Policy is effective immediately.

Prohibited Conduct

The following conduct regarding alcohol and drug use or abuse is prohibited:

A. Alcohol Concentration.

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy while having an alcohol concentration of 0.04 or greater.

B. Alcohol Possession and On Duty Use of Alcohol.

An employee may not possess or use alcohol while on duty or while operating a commercial motor vehicle.

C. Pre-Duty Use of Alcohol.

An employee may not operate a commercial motor vehicle within four hours after using alcohol. An on-call employee who consumes alcohol within four hours of being called in will acknowledge the use of alcohol and will not report for duty.

D. Alcohol Use Following an Accident.

An employee required to take a post-accident alcohol test may not use alcohol for eight hours following the accident, or until a post-accident alcohol test is given, whichever comes first.

E. Use of Drugs.

An employee may not report for duty or remain on duty when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively must notify their supervisor and should provide written notice from their physician or pharmacist with respect to the effects of such substances.

F. Refusal to Submit to a Required Test.

An employee may not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or drug test as directed by this policy.

G. Positive Drug Test.

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy if the employee tests positive for drugs or alcohol.

H. Tampering With a Required Test.

An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct the testing process.

I. Possession, Transfer or Sale.

No employee may possess, transfer or sell drugs or alcohol while in any position covered by this policy.

Circumstances Requiring Testing

A. Pre-employment drug Testing.

All individuals who are covered by this policy must pass a drug test as a post-offer condition of employment and before performing safety-sensitive functions.

B. Reasonable Suspicion Testing.

Employees subject to this policy shall submit to a drug or alcohol test when reasonably suspected that this policy (except the prohibitions against possession, transfer or sale of alcohol) may have been or is presently being violated. A referral for testing will be made on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.

If removed from duty based on reasonable suspicion of drug use, the employee will not be allowed to perform or continue to perform the job duties until the test results are returned and indicate a negative result. If removed from duty based on reasonable suspicion of alcohol use, the employee will not be allowed to perform or continue to perform covered functions until:

1. An alcohol test is administered and the driver's breath alcohol concentration measures less than 0.02; or
2. 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.

C. Post-Accident Testing

Following an accident involving a commercial motor vehicle, the driver is required to submit to alcohol and drug tests when a fatality occurs as a result of the accident or when the driver receives a citation under state or local law for a moving traffic violation if the accident involved:

1. Bodily injury to any person who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
2. One or more vehicles incurred disabling damage required removal by towing.

Testing shall occur as soon as possible, but shall not exceed eight hours for alcohol testing and 32 hours for drug testing.

No alcohol test or drug specimen should be taken before the administration of necessary first-aid and/or other appropriate medical care. A driver must make every reasonable effort to notify management as soon as possible whenever an accident has occurred.

A driver who is subject to post-accident testing shall remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

D. Random Testing

Employees covered by this policy will be subject to random, unannounced drug testing at an annual percentage rate of 50% for controlled substances and 10% for alcohol.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

E. Return to Duty Testing

Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.

F. Follow-up Testing

An employee who is referred for assistance related to alcohol misuse and/or use of controlled substances is subject to unannounced follow-up testing as directed by a Substance Abuse Professional. The number and frequency of follow-up testing will be determined by the Substance Abuse Professional, but will not be less than six tests in the first 12 months following the employee's return to duty.

G. Re-tests

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer.

Testing Procedures & Safeguards

AMI will follow the collection and drug testing guidelines issued by the U.S. Department of Transportation. Alcohol testing will be conducted using breath-testing instruments and procedures approved by the U.S. Department of Transportation.

The following employee protections will be incorporated to ensure the accuracy and integrity of the drug testing program:

Only Substance Abuse and Mental Health Services Administration (SAMHSA) certified drug testing laboratories will be used.

A strict chain of custody will be used to ensure the integrity of each urine specimen.

The process will ensure individual privacy during the collection process and confidentiality of test results.

All "positive" drug screens will be confirmed by a second test using the gas chromatography/mass spectrometry method or an equivalent approved method.

All drug test results will receive a professional review by a medical review officer (MRO) that includes offering the employee the opportunity to explain or contest a positive test result.

Refusal to Take an Alcohol or Drug Test

No employee shall refuse to submit to an alcohol or drug test as directed under this policy. A refusal to submit shall include, but is not limited to:

1. a failure to provide adequate breath for testing without a valid medical explanation after an employee has received notice of the requirement for breath testing;
2. failure to provide adequate urine for drug testing without a valid medical explanation after an employee has received notice of the requirement for urine testing;
3. engaging in conduct that obstructs the testing process or submitting an adulterated or substituted specimen;
4. failure to cooperate with a *direct observation* collection when required by the regulations;

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

5. possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
6. admitting to the collector or MRO that he/she adulterated or substituted the specimen.

Refusal to submit to a test shall be considered the same as a positive test result.

Securing Information from Previous Employers

If a person is to be hired or transferred into a position subject to this policy and that person during the previous three (3) years has worked as a driver of a commercial vehicle, that person must authorize a request to release information from all employers of the driver within the past three years on the following:

1. Positive alcohol or drug tests
2. Refusal to be tested
3. Other violations of DOT agency drug and alcohol testing regulations
4. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests).

This information must be obtained before the person is employed by AMI. However, if the information has not arrived by the anticipated start date, and if the person has passed the pre-employment drug test, the person may be hired and the requested information must be obtained from the previous employers within 30 calendar days of the date of hire. If the information has not been received within the 30 calendar days, the person shall not be permitted to drive commercial vehicles until the information has arrived.

Confidentiality and Record Retention

All records related to drug and alcohol testing shall be maintained in a secure location with controlled access. These records shall be kept separate from records pertaining to all other employees.

Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests

A. Discipline.

An employee will be subject to appropriate disciplinary action up to and including termination from employment if:

1. the employee tests positive for a drug or drugs;
2. results from an alcohol test indicate a blood alcohol level of 0.02 or greater; and/or,
3. the employee has engaged in prohibited conduct as outlined in Prohibited Conduct Section.

The following provisions apply to those employees who are not terminated for their policy violations:

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

B. Positive Test Result.

If an employee tests positive for drugs or has an alcohol test that indicates a blood alcohol level of .04 or greater from a random, reasonable suspicion or post-accident test, the employee will be immediately removed from duties requiring the driving of a commercial motor vehicle. The employee shall not be permitted to return to work unless he/she:

1. has been evaluated by a qualified Substance Abuse Professional; and,
2. if recommended by a substance abuse counselor, has properly followed any rehabilitation prescribed; and,
3. has a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test (depending upon which test was failed).

Upon completion of a recommended rehabilitation program and successful return to work test, an employee will be subject to follow-up testing for up to sixty (60) months as recommended by the Substance Abuse Professional and Employee Assistance Program, with a minimum of six such unscheduled tests within the first twelve months of returning to duty.

C. Alcohol Concentration of 0.02 but less than 0.04.

If not terminated or otherwise disciplined, employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial motor vehicle for at least 24 hours.

Employee Assistance Program and Referral

It is the responsibility of all employees to notify management when an alcohol or a controlled substances problem is suspected in any driver or co-worker.

[If you have an Employee Assistance Program (EAP), include the following paragraph]

A confidential Employee Assistance Program (EAP) is available to all employees as described in AMI's Employee Drug and Alcohol Abuse Policy. Employees are encouraged to seek treatment voluntarily and to utilize the EAP. When an alcohol or a controlled substance problem (the driver's or a coworker's) is suspected, any employee may contact the Employee Assistance Program or management for guidance. Any such program, however, can not interfere with the tests required by these rules. For example, a driver could not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test.

The Effects of Alcohol and other Drugs

The following information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life is furnished to drivers.

Alcohol

Alcohol, a natural substance formed by the fermentation that occurs when sugar reacts with yeast, is the major active ingredient in wine, beer, and distilled spirits. There are many kinds of alcohol; the kind found in alcoholic beverages is ethyl alcohol.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Whether one drinks a 12-ounce can of beer, a shot of distilled spirits, or a 5-ounce glass of wine, the amount of pure alcohol per drink is about the same (5 ounces.) Ethyl alcohol can produce feelings of well-being, sedation, intoxication, or unconsciousness, depending on the amount and the manner in which it is consumed.

Alcohol is a psychoactive or mind-altering drug, as are heroin and tranquilizers. It can alter moods, cause changes in the body, and become habit forming. Alcohol is called a "downer" because it depresses the central nervous system. That's why drinking too much causes slowed reactions, slurred speech, and sometimes even unconsciousness (passing out). Alcohol works first on the part of the brain that controls inhibitions. As people lose their inhibitions, they may talk more, get rowdy, and do foolish things. After several drinks they may feel "high," but their nervous systems actually are slowing down.

A person does not have to be an alcoholic to have problems with alcohol. Every year, for example, many young people lose their lives in alcohol-related automobile crashes, drownings, and suicides. Serious health problems can and do occur before drinkers reach the stage of addiction or chronic use.

In some studies, more than 25 percent of hospital admissions were alcohol-related. Some of the serious diseases associated with chronic alcohol use are alcoholism and cancers of the liver, stomach, colon, larynx, esophagus, and breast. Alcohol abuse also can lead to serious physical problems such as:

- Damage to the brain, pancreas, and kidneys;
- High blood pressure, heart attacks, and strokes;
- Alcoholic hepatitis and cirrhosis of the liver;
- Stomach and duodenal ulcers, colitis, and irritable colon;
- Impotence and infertility;
- Birth defects and Fetal Alcohol Syndrome, which causes retardation, low birth weight, small head size, and limb abnormalities;
- Premature aging; and
- A host of other disorders, such as diminished immunity to disease, sleep disturbances, muscle cramps, and edema.

Marijuana

Contrary to many young people's beliefs, marijuana is a harmful drug, especially since the potency of the marijuana now available has increased more than 275 percent over the last decade. For those who smoke marijuana now, the dangers are much more serious than they were in the 1960s.

Preliminary studies have shown chronic lung disease in some marijuana users. There are more known cancer-causing agents in marijuana smoke than in cigarette smoke. In fact, because marijuana smokers try to hold the smoke in their lungs as long as possible, one marijuana cigarette can be as damaging to the lungs as four tobacco cigarettes.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

New studies using animals also show that marijuana interferes with the body's immune response to various infections and diseases. This finding may have special implications for those infected with the Acquired Immune Deficiency Syndrome (AIDS) Human Immunodeficiency Virus (HIV). Drugs like marijuana that weaken the immune system may exacerbate the condition of people infected with this virus.

Even small doses of marijuana can impair memory function, distort perception, hamper judgment, and diminish motor skills. Health effects also include accelerated heartbeat and, in some persons, increased blood pressure. The changes pose health risks for anyone, but particularly for people with abnormal heart and circulatory conditions such as high blood pressure and hardening of the arteries.

More importantly, there is increasing concern about how marijuana use by children and adolescents may affect both their short- and long-term development. Mood changes occur with the first use. Observers in clinical settings have noted increased apathy, loss of ambition, loss of effectiveness, diminished ability to carry out long-term plans, difficulty in concentrating, and a decline in school or work performance. Many teenagers who end up in drug treatment programs started using marijuana at an early age.

Driving under the influence of marijuana is especially dangerous. Marijuana impairs driving skills for at least 4 to 6 hours after smoking a single cigarette. When marijuana is used in combination with alcohol, driving skills become even more impaired.

Cocaine

Cocaine is one of the most powerfully addictive of the drugs of abuse-and it is a drug that can kill. No individual can predict whether he or she will become addicted or whether the next dose of cocaine will prove fatal. Cocaine can be snorted through the nose, smoked, or injected. Injecting cocaine-or injecting any drug-carries the added risk of contracting AIDS if the user shares a needle with a person already infected with HIV, the AIDS virus.

Cocaine is a very strong stimulant to the central nervous system, including the brain. The drug accelerates the heart rate and at the same time constricts the blood vessels, which are trying to handle the additional flow of blood. Pupils dilate and temperature and blood pressure rise. These physical changes may be accompanied by seizures, cardiac arrest, respiratory arrest, or stroke.

Nasal problems, including congestion and a runny nose, occur with cocaine use, and with prolonged use the mucous membrane of the nose may disintegrate. Heavy cocaine use can severely damage the nasal septum and cause it to collapse.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Research has shown that cocaine acts directly on structures that have been called the brain's "pleasure centers." Stimulating these pleasure centers produces an intense desire to experience the pleasure effects again and again. The stimulation causes changes in brain activity; as a result, a brain chemical called dopamine is allowed to remain active longer than normal, which triggers an intense craving for more of the drug.

Users often report feelings of restlessness, irritability, and anxiety; and cocaine can trigger paranoia. Users also report being depressed when they are not using the drug and often resume use to alleviate further depression. In addition, cocaine users frequently find that they need increasingly more cocaine more often to generate the same level of stimulation. Therefore, any use can lead to addiction.

"Freebase" is a form of cocaine that is smoked. It is produced by a chemical process in which "street cocaine" (cocaine hydrochloride) is converted to a pure base by removing the hydrochloride salt and some of the "cutting" agents. The end product is not water soluble, so the only way to get it into the system is to smoke it.

"Freebasing" is extremely dangerous. The cocaine reaches the brain in seconds, creating a sudden and intense high. However, the euphoria quickly disappears, leaving the user with an enormous craving to freebase again and again. The user usually increases the dose and the frequency to satisfy this craving, resulting in addiction and physical debilitation.

"Crack" is the street name given to a type of freebase cocaine that comes in the form of small lumps or shavings. The term "crack" refers to the crackling sound made when the mixture is smoked (heated). Smoking "crack" is very dangerous, since it produces the same debilitating effects as "freebasing" cocaine. Crack has become a major problem in many American cities because it is cheap-selling for between \$5 and \$10 for one or two doses-and easily transportable-being sold in small vials, folding paper, or tinfoil.

PCP (Phencyclidine)

PCP is a hallucinogenic drug, meaning that it alters sensation, mood, and consciousness and may distort hearing, touch, smell, taste, and visual sensation. It is legitimately used as an anesthetic for animals. When used by humans, PCP induces a profound departure from reality, which leaves the user capable of bizarre behavior and severe disorientation. These PCP induced effects may lead to serious injuries or death.

PCP produces feelings of mental depression in some individuals. When PCP is used regularly, memory, perception functions, concentration, and judgment are often disturbed. Chronic PCP use may lead to permanent changes in cognitive ability (thinking), memory, and fine motor function.

Mothers using PCP during pregnancy often deliver babies who have visual, auditory, and motor disturbances. These babies also may have sudden

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

outbursts of agitation and other rapid changes in awareness similar to the responses of adults intoxicated with PCP.

Narcotics - Opiates

Narcotics are drugs that relieve pain and often induce sleep. The opiates, which are narcotics, include opium, morphine, codeine, heroin, and their synthetic substitutes, such as methadone.

Narcotic use is associated with a variety of unwanted effects including drowsiness, inability to concentrate, apathy, lessened physical activity, constriction of the pupils, dilation of the subcutaneous blood vessels causing flushing of the face and neck, constipation, nausea and vomiting and, most significantly, respiratory depression.

Among the hazards of illicit drug use is the ever increasing risk of infection, disease and overdose. Skin, lung and brain abscesses, endocarditis, hepatitis and AIDS are commonly found among narcotic abusers. Since there is no simple way to determine the purity of a drug that is sold on the street, the effects of illicit narcotic use are unpredictable and can be fatal.

With repeated use of narcotics, tolerance and dependence develop. The development of tolerance is characterized by a shortened duration and a decreased intensity of analgesia, euphoria and sedation which creates the need to administer progressively larger doses to attain the desired effect.

Withdrawal symptoms experienced from heroin/morphine-like addiction are usually experienced shortly before the time of the next scheduled dose. Early symptoms include watery eyes, runny nose, yawning and sweating. Restlessness, irritability, loss of appetite, tremors and severe sneezing appear as the syndrome progresses. Severe depression and vomiting are not uncommon.

Amphetamines

Amphetamine, dextroamphetamine and methamphetamine are collectively referred to as amphetamines. Unlike other frequently abused drugs, the amphetamines do not occur in nature but are synthesized in a laboratory. Their chemical properties and actions are so similar that even experienced users have difficulty knowing which drug they have taken.

Amphetamines can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse.

Amphetamines are generally taken orally or injected. However, the addition of "ice," the slang name for crystallized methamphetamine, has promoted smoking as another mode of administration.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

The effects of amphetamines, especially methamphetamine, are similar to cocaine, but their onset is slower and their duration longer. In general, chronic abuse produces a psychosis that resembles schizophrenia and is characterized by paranoia, picking at the skin, preoccupation with one's own thoughts, and auditory and visual hallucinations. Violent and erratic behavior is frequently seen among chronic abusers of amphetamines.

"Designer Drugs"

By modifying the chemical structure of certain drugs, underground chemists have been able to create what are called "designer drugs"—a label that incorrectly glamorizes them. They are, in fact, analogs of illegal substances. Frequently, these drugs can be much more potent than the original substances, and can therefore produce much more toxic effects. Health officials are increasingly concerned about "ecstasy," a drug in the amphetamine family that, according to some users, produces an initial state of disorientation followed by a rush and then a mellow, sociable feeling. We now know, however, that it also kills certain kinds of brain cells. These "designer drugs" are extremely dangerous.

*Turning Awareness Into Action
Office for Substance Abuse Prevention
U.S. Department of Health and Human Services*

Blood Alcohol Concentration

Blood alcohol concentration (BAC) is the amount of alcohol in the bloodstream. It is measured in percentages. For instance, having a BAC of 0.10 percent means that a person has 1 part alcohol per 1,000 parts blood in the body.

In a review of studies of alcohol-related crashes, reaction time, tracking ability, concentrated attention ability, divided attention performance, information process capability, visual functions, perceptions, and psycho-motor performance, impairment in all these areas was significant at blood alcohol concentrations of 0.05 percent. Impairment first appeared in many of these important areas of performance at blood alcohol concentrations of 0.02 percent, substantially below the legal standard in most States for drunkenness, which is 0.10 percent.

Approximately half of traffic injuries involve alcohol. About one-third of fatally injured passengers and pedestrians have elevated blood alcohol levels. For fatal intentional injuries, half of homicides involve alcohol, as do one-quarter to one-third of suicides.

The Centers for Disease Control and Prevention (CDC) estimate that about 30,000 unintentional injury deaths per year are directly attributable to alcohol. Another 15,000 to 20,000 homicides or suicides per year are associated with alcohol.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

For non-fatal unintentional injuries many studies show that 25 to 50 percent involve alcohol. The same rates are found for a wide range of non-fatal intentional injuries involving alcohol, including assaults, spouse abuse, child molestation, sexual assault, rape, and attempted suicide.

BAC can be measured by breath, blood, or urine tests. BAC measurement is especially important for determining the role of alcohol in crashes, falls, fires, crime, family violence, suicide, and other forms of intentional and unintentional injury.

One problem in obtaining accurate BAC data is a lack of testing in hospital emergency rooms. Research indicates that emergency rooms do not test routinely for alcohol in crash victims. A national survey of trauma centers found that although two-thirds of the centers estimated that the majority of patients had consumed alcohol, only 55 percent routinely conducted BAC tests at patient admissions. A review of emergency room studies indicated that up to one-third of patients admitted to emergency rooms are not tested.

BAC and Impaired Driving

The public most commonly associates BAC with drunk driving. However, it is more accurate to refer to alcohol-impaired driving because one does not have to be drunk (intoxicated) to be demonstrably impaired. Driving skills, especially judgment, are impaired in most people long before they exhibit visible signs of drunkenness. While most States define legal intoxication for purposes of driving at a BAC of 0.10 percent or higher, alcohol may cause deterioration in driving skills at 0.05 percent or even lower. Deterioration progresses rapidly with rising BAC.

In recognition of impairment at lower BAC levels, the National Highway Traffic Safety Administration (NHTSA) refers to traffic crashes as "alcohol involved" or "alcohol related" when a participant (driver, pedestrian, or bicyclist) has a measured or estimated BAC of 0.01 or above. NHTSA defines a "high-level alcohol crash" as one where an active participant has a BAC of 0.10 or higher.

The Technology of Breath-Alcohol Analysis (1992) PH312
Prevention Resource Guide: Impaired Driving (1991) MS434
Safer Streets Ahead (1990) PH292

Blood Alcohol Percentage Approximations

	Body Weight in Pounds							
	100	120	140	160	180	200	220	240
1	.04	.03	.03	.02	.02	.02	.02	.02
2	.08	.06	.05	.05	.04	.04	.03	.03
3	.11	.09	.08	.07	.06	.06	.05	.05
4	.15	.12	.11	.09	.08	.08	.07	.06
5	.19	.16	.13	.12	.11	.09	.09	.08
6	.23	.19	.16	.14	.13	.11	.19	.09
7	.26	.22	.19	.16	.15	.13	.12	.11
8	.30	.25	.21	.19	.17	.15	.14	.13
9	.34	.28	.24	.21	.19	.17	.15	.14
10	.38	.31	.27	.23	.21	.19	.17	.16

106.0 Other Recordkeeping and General Requirements

A. Driver log procedures

All AMI Authorized CMV Drivers are required to comply with the applicable driver's hours of service time keeping procedures as required in the FMCSR. All AMI CMV drivers must utilize and make entries using the Zonar electric onboard recording (EOR) or complete a logbook or timecard and turn it in daily or upon return from a trip to Office Manager. If the case of being out up to 10 days ever comes up, the driver must use an overnight mailing vendor to submit all log pages, invoices, and fuel receipts.

The HOS Record for First Time, Intermittent and Multiple-Employed Drivers (see attachment on page 46) must be completed, entered into the EOB and turned in to the dispatcher upon arrival at AMI, before their shift to drive. The dispatcher on-duty will then examine the record to determine the hours available according to the HOS Rules, and dispatch that driver accordingly. The AMI Administrative Assistant and/or Office Manager is responsible for insuring drivers do not violate any Hours of Service regulations. Any violations identified must be promptly addressed and corrected.

The AMI Administrative Assistant and/or Office Manager will immediately notify the President, Steve Valentinetti, of any driver that fails to turn in a required log or timecard. Additionally, the AMI Administrative Assistant and/or Office Manager will monitor all EOB recordings, timecards and logs of all drivers to ensure the drivers do not exceed the hours of service allowed.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

The AMI Administrative Assistant and/or Office Manager will notify the President, Steve Valentinetti, of any drivers that fail to utilize the EOR or turn in required logs or exceed the hours of service. Drivers will be subject to the progressive discipline outlined in this policy for violations of this section.

The AMI Administrative Assistant and/or Office Manager will review each drivers logs and the location in which they are working to ensure the driver understands if they are allowed to use the timecard exception allowed in 395.1(e).

The AMI Administrative Assistant and/or Office Manager will work with the President, Steve Valentinetti, to identify the area the driver will be working and determine the proper EOR steps and if the timecard exception will be allowed or if the driver will need to complete a log book as required in 395.8. The driver will be informed of the required hours of service document required before they start work at a new job site.

In addition, the company may elect to have drivers stay at hotels that are closer to the job site to ensure drivers are not exceeding hours of service and driving while fatigued. If the company elects to have drivers stay at a hotel close to a jobsite the company will pay for the hotel and provide an allowance for meals. This election will be on a job by job basis and is at the discretion of the company President.

The AMI Administrative Assistant and/or Office Manager is responsible for storing all EOR records or hourly time sheets or RODS pages, as well as HOS supporting documents, for a period of no less than 6 months.

B. Driver's Vehicle Inspection Reports

Each driver must complete a Zonar or paper DVIR every time they drive a CMV (10,001 lbs. or more) at the completion of their shift. In the case of a Zonar failure or breakdown, the driver will fall back onto the paper DVIR. Any defects noted on the Zonar or paper DVIR must be brought to Mr. Valentinetti's attention and promptly repaired. On-coming drivers must review the previous inspection report and insure any defects have been corrected and the 3 signature lines have been accordingly utilized prior to driving the vehicle. The on-coming driver must also review the AMI Bus Emergency Exit Inspection log to determine if the inspection is due in order to stay within the frequency window of 90 days. The inspecting driver is then required to perform the Emergency Exit inspection if required by the due date or questionable observations. Each driver must complete a DVIR at the completion of their shift.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Any defects noted on the DVIR must be brought to the President's attention and promptly repaired. All maintenance performed on safety-related defects must be properly documented and maintained in the vehicle's maintenance file.

All maintenance performed on all safety related defects must be properly documented and maintained in the vehicle's maintenance file.

The AMI Administrative Assistant and/or Office Manager will be responsible for keeping all maintenance files up to date.

DVIRs do not need to be filled out if the vehicle has not been used on a particular day. DVIRs should only be retained for 90 days.

C. Seat Belts

Authorized Drivers and authorized passengers in an AMI CMV are required to wear a seat belt at all times.

D. Vehicle Safety Equipment

Authorized Drivers are required to make sure that the AMI CMV which they operate has at all times the following vehicle safety equipment.

Every AMI CMV must be equipped with the following:

1. Fire extinguisher – properly filled and located so that it is readily accessible, securely mounted and maintained to permit visual determination of whether it is fully charged. The extinguisher must contain an extinguishing agent that does not need protection from freezing
2. Warning devices for stopped vehicles – three bi-directional emergency reflective triangles
3. First Aid Kit
4. Vehicle insurance identification card
5. Any other emergency equipment required for the vehicle by the applicable federal, state, or local law or regulation, e.g., snow chains
6. Seat belts.

E. Vehicle Maintenance

Vehicles that fall under the scope of this Policy must at all times be properly maintained as designated by FMCSRs. AMI requires periodic maintenance of all AMI CMVs. The AMI periodic maintenance schedule is every 10,000 miles. In addition, all coaches are pulled in every two weeks for maintenance review.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

The Administrative Assistant and/or Office Manager will keep and maintain all required maintenance related documents for the maintenance file. This includes:

- Identification of the vehicle including company number (if so marked), make, serial number, year, and tire size.
- A preventative maintenance schedule.
- Record of inspection, repairs, and maintenance conducted on all vehicles.
- All corrective maintenance that was a result of a vehicle inspection.

Any driver that is identified as not completing the appropriate inspections will be disciplined up to and including disqualification as a driver for AMI.

F. Annual Vehicle Inspections

All AMI CMVs are required to undergo annual inspections as required in the FMCSRs. It is the responsibility of the driver to ensure all annual inspections are completed in a timely manner and a copy of that inspection is kept in the CMV. The AMI Administrative Assistant and/or Office Manager of AMI will monitor the maintenance files of AMI to ensure all annual inspections are completed and filed in the vehicles maintenance file.

G. Accidents, Moving Violations and DOT Roadside Inspections involving AMI Commercial Motor Vehicles

Authorized Drivers are required to immediately report all accidents involving an AMI CMV, regardless of fault, cost of repairs or extent of injuries or damage, to the appropriate governmental authorities prior to leaving the scene of an accident. Further, the Authorized Driver should obtain the names and telephone numbers of all parties and witnesses involved in the accident.

Authorized Drivers must report all accidents and moving violations to the Office Manager. The AMI Administrative Assistant and/or Office Manager will monitor whether the driver may be disqualified and check to ensure the driver does not drive, if in fact they are disqualified for any reason.

The AMI Administrative Assistant and/or Office Manager will review the circumstances of the accident and determine appropriate disciplinary action, if needed.

AMI drivers are required to turn in all Roadside Inspections to the Dispatcher within 24 hours. The AMI Administrative Assistant and/or Office Manager will ensure all out of service defects and any other safety related defects noted are repaired prior to the vehicle and driver being dispatched.

The AMI Administrative Assistant and/or Office Manager will log into the FMCSA portal weekly to ensure all Roadside Inspections have been turned in. Any driver that fails to turn in a Roadside Inspection or correct a safety defect prior to the next dispatch will be disciplined up to and including termination/disqualification.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

H. Cell Phones and Other Handheld Devices

AMI drivers are specifically prohibited from texting or using a handheld electronic device while operating a Commercial Motor Vehicle. Additionally, all drivers are prohibited from using a cellular phone unless the phone is used with a hands free device. Any violation of this policy will result in discipline up to and including termination.

107.0 Driver Training

A. New Driver Orientation

All new AMI CMV drivers will attend a 1-day orientation to review AMI employee policies and procedures for all aspects relating to employment; the AMI Operations Manual which is applicable to the job description.

All new drivers with less than one year of CMV driving experience must show proof of successful completion of Entry Level Driver Training or attend the AMI Entry Level Driver Training during the Orientation period.

Entry Level Driver Training consists of:

- | | |
|-------------------------|---------------------|
| 1) Driver Qualification | 3) Hours of Service |
| 2) Driver Wellness | 4) Whistle Blower |

Orientation Itinerary (the order may vary):

- Greetings / Introductions
- Job Description and Expectations
- Payroll and Benefits / Sign-up
- HOS Training as per section 6.0 and Attachment #2 of this policy
 - Local 100-mile radius/12 hour time cards
 - Logbooks and the RODS
- Proper Pre/Post Trip Inspections (See Attachment #4; 5 pages)
- Driver Vehicle Inspection Reports (DVIR's)
- Fueling Procedures
- Drug and Alcohol Policy – Distribute Written Policy to Each Driver
- Examination of all other items in the issued AMI CMV Policies and Procedures Manual
- Additional Training for Entry Level Driver if applicable

B. Driver Safety Meetings

All AMI CMV drivers will attend quarterly safety meetings which will always focus on Defensive and Distracted Driving along with seasonal subjects and other topics of choice from AMI management. Additional safety meetings may be required without notice for special circumstances.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

108.0 Driver Discipline

A. Driver Discipline

In the event that a driver is involved in a moving violation or in an accident which is determined to "at fault" while operating an AMI Vehicle. The driver may be subject to disciplinary action.

B. Disciplinary Action

AMI will not tolerate violations of this Policy. Violations of this Policy may subject the driver to disciplinary action up to and including termination/disqualification. The normal steps for progressive discipline will include:

- 1st violation – verbal warning;
- 2nd violation – written warning;
- 3rd violation – written warning with financial consequences;
- 4th violation – termination from employment for AMI Coaches.

However, management also reserves the right to immediately terminate any driver for serious violations even if they only occur once.

109.0 Records Retention

All records created under this policy, including Driver Qualification Files, Driver Vehicle Inspection Reports, driver logbooks, driver timesheets, vehicle maintenance records, acknowledgement forms and other documents shall be retained in accordance with applicable laws and regulations.

Issued by AMI Coaches, LLC

Steve Valentinetti, AMI President

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Attachment 1

AMI Coaches Drug and Alcohol Testing Provider

U.S. HealthWorks
6720 Fort Dent Way Ste #110
Tukwila, WA 98188

206-242-3651 (phone)

AMI Coaches Representative

Steve Valentinetti and/or Administrative Assistant and/or Office Manager
206-242-2000

Attachment #2 (5 pages)

AMI Commercial Motor Vehicle (CMV) Safety Inspection

FMCSA and State Inspection Items for ALL CMV's (10,001 GVWR and above)

For the 1st step of the day or shift, check the fluids first before starting the engine. The order listed here may vary slightly from vehicle to vehicle, change accordingly to build a trail and continue performing the PTI in the same order every time for consistency. These steps are mostly for the components on one side of the vehicle from the front to the rear of the trailer. Continue up the other side the same way.

CMV Pre-Trip

Approach

- ♦ Look to see if the truck is leaning to one side or the other.

Leaks (engine compartment)

Check for fluid leaks on the ground under the engine.

- ♦ Check for puddles of oil, coolant, or fuel.
- ♦ Check for fluid drips under the engine and transmission

Engine Compartment

Engine Hoses

Check the condition of the hoses:

- ♦ Clamps/fittings are tight with no leaks
- ♦ Not worn, torn, frayed or cut
- ♦ Hoses have no abrasions, bulges or cracks
- ♦ Hoses are not rubbing against other parts
- ♦ No leaks

Engine compartment belts

Check the condition of the belts:

- ♦ Not worn, torn, frayed or cut
- ♦ Check the tension of the belts—they should not deflect more than 1/2 to 3/4 of an inch from the center of the belt.

Alternator

Check the alternator:

- ♦ Securely mounted
- ♦ No loose or missing bolts
- ♦ Check for loose electrical connections
- ♦ No exposed, broken or burnt wiring

Water Pump

Check the water pump:

- ♦ Securely mounted
- ♦ No loose or missing bolts
- ♦ Check for leaks from the water pump

Coolant level

- ♦ Check that the coolant level is within a safe operating range.
 - Inspect the reservoir sight glass or tell the tester that you would remove the radiator cap and check the coolant level.

Never attempt to remove a radiator cap on an engine that has recently been running. A verbal explanation for the coolant level is acceptable

Oil level

- ♦ Identify where the dipstick is located.
 - Check that the oil level is within a safe operating range. The level must be above the refill mark. A verbal explanation is acceptable.

Power steering fluid

- ♦ Identify where the power-steering-fluid dipstick is located.
- ♦ Check that the power-steering fluid is at the proper level. The level must be above the refill mark. A verbal explanation is acceptable.

Air compressor

- ♦ Identify the location of the air compressor and check that the unit is securely mounted.
- ♦ Check for loose or missing nuts or bolts.
- ♦ Check for any fluid or air leaks from the compressor.

Front Suspension

Inspect all suspension parts for each axle—on both the power unit and the trailer—whenever the suspension parts for an axle are different from each other in any way.

Springs

Check that leaf springs are not:

- ♦ Cracked.
- ♦ Broken.
- ♦ Shifted.
- ♦ Missing.

Check for broken or distorted coil springs.

Mounts/Hangers

- ♦ Check for cracked or broken spring hangers.
- ♦ Check for missing or damaged bushings.
- ♦ Check for other axle-mounting parts that are broken or loose.

You should check mounts at each point where they are secured to the vehicle frame and axle.

U-Bolts

Check that U-bolts are not:

- ♦ Loose.
- ♦ Damaged.
- ♦ Missing.
- ♦ Cracked

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

CMV Pre-Trip Page 2

Shock absorbers

Check that the shock absorbers:

- ♦ Are securely mounted
- ♦ No loose or missing nuts or bolts
- ♦ Not leaking

Steering

Steering linkage

Check that connecting links, arms, and rods from the steering box to the wheel are not:

- ♦ Worn.
- ♦ Cracked.
- ♦ Bent.

Check that joints and sockets are not:

- ♦ Worn or loose.
- ♦ Missing nuts, bolts, or cotter keys.

Steering box

- ♦ Check that the steering box is securely mounted to the frame.
- ♦ Check for any loose or missing nuts or bolts
- ♦ Check that the steering box is not cracked.
- ♦ Check for power-steering fluid leaks.
- ♦ Steering hoses
 - Clamps and fittings are tight with no leaks
 - Hose is not worn, torn, frayed or cut
 - Hose has not abrasions, bulges or cracks
 - Hose is not rubbing against any other part
 - Not leaking

Brakes

Brake hoses/lines

Check that hose:

- ♦ Clamps and fittings are tight with no leaks
- ♦ Hose is not worn, torn, frayed or cut
- ♦ Hose has no abrasions, bulges or cracks
- ♦ Hose is not rubbing against any other parts
- ♦ Not leaking

If the brakes are hydraulic, look for leaks; if they are air-powered, listen for leaks.

Brake chambers

Check that the brake chambers:

- ♦ Are securely mounted.
- ♦ No loose or missing nuts or bolts
- ♦ Have no loose or missing clamps
- ♦ Have no cracks or dents.
- ♦ Are not leaking

Slack adjusters

- ♦ Check for broken, loose, or missing parts.
- ♦ Check for brake adjustment.
- ♦ Set according to the manufacturers specifications.
- ♦ When pulled by hand, the brake rod should not move more than 1 inch.

Brake linings

Check that brake linings:

- ♦ Are at least 1/4 of an inch.
- ♦ Have no loose or missing parts.
- ♦ Are not cracked or broken.
- ♦ Show no signs of oil or grease on the linings.

Brake drum

- ♦ Check for cracks, grooves or holes.
- ♦ Check that there are no signs of oil or grease on the brake drums.

Front Axle

Tires

- ♦ Check for proper inflation by using a tire gauge
- ♦ Check for cuts, bumps, abrasions, or other damage to the tread or sidewalls.
- ♦ Check that valve stems are not missing, broken, or damaged.
- ♦ Check that the tread depth is at least 4/32 of an inch in all major grooves on steering-axle tires.
- ♦ Check that tread is evenly worn.

Rims

- ♦ Check for dents or damage to the bead flange.
- ♦ Check that there are no:
 - Visible cracks.
 - Welds to the rim assembly.
 - Check for cracks radiating from the lug bolt holes or distortion of the bolt holes.

Lug nuts

- ♦ Check for missing lug nuts
- ♦ Check that lug nuts show no signs of being loose—such as rust trails or shiny threads.

Hub oil seals/Axle seals

- ♦ Check that hub oil/grease seals and axle seals are not leaking.
- ♦ If the wheel has a sight glass or removable seal, check the oil/grease is at the proper level.

Driver, Fuel, and Under-Vehicle Areas

Reflectors

- ♦ Check the reflectors are clean
- ♦ None are missing or broken
- ♦ Red in the rear and amber elsewhere
- ♦ Reflective tape is clean and securely attached to the vehicle.

Mirrors

Check that all mirrors and mirror brackets are:

- ♦ Securely mounted.
- ♦ No missing or loose nuts, bolts or fittings
- ♦ Properly adjusted.
- ♦ Check that the glass is clean.

Doors

Check that any doors:

- ♦ Are not damaged.
- ♦ Open and close securely from the outside
- ♦ Hinges are secure and the seals are intact

Emergency and safety equipment

- ♦ Check for a securely mounted, properly charged and rated fire extinguisher.
- ♦ Locate where the 3 red reflective triangles are stored

Fuel tank and DEF tank (if applicable)

- ♦ Check that all tanks are securely mounted with no missing or loose nuts or bolts or mounting parts
- ♦ Check that all caps are tight.
- ♦ Check that there are no leaks from any tanks or crossover lines.

Frame on bus

- ♦ Check for cracks or bends in the frame.
- ♦ Check for loose or missing bolts.
- ♦ Check for cracks in the cross members

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

CMV Pre-Trip Page 3

Drive shaft

Check that the drive shaft:

- ♦ Is not bent or cracked.
- ♦ Is securely mounted with no loose or missing nuts or bolts or couplings
- ♦ Couplings are free of foreign objects.

Battery Box

Check that the battery box and its cover or door is secure.

- ♦ Check that the sliding fifth wheel has no loose or missing pins in the slide mechanism. If it is air-powered, check for leaks.
- ♦ Check that locking pins are fully engaged.
- ♦ Check that the fifth wheel is positioned properly so that the tractor frame and mud flaps will clear the landing gear during turns.

Rear Suspension

Inspect all suspension parts for each axle—on both the power unit and the trailer—*whenever the suspension parts for an axle are different from each other in any way.*

Springs

- ♦ Check for cracked, broken, shifted, or missing leaf springs.

Mounts/Hangers

- ♦ Check for cracked or broken spring hangers.
- ♦ Check for missing or damaged bushings.
- ♦ Check for other broken or loose axle-mounting parts.
- ♦ You should check mounts at each point where they are secured to the vehicle frame and axle.

U-Bolts

Check that U-Bolts are not:

- ♦ Loose.
- ♦ Damaged.
- ♦ Missing.

Air bags

Check that the air-ride suspension:

- ♦ Has no damage.
- ♦ Has no leaks.
- ♦ Does not rub against other parts.

Torque arm (radius rod/torque spring)

- ♦ Check that torsion bars, torque arm, or other types of suspension parts have no loose or missing bolts, bushings, or mounting parts.

Rear Brakes

Check the same as front brakes

Rear Axle

Duels

- ♦ Check for proper inflation by using a tire gauge
- ♦ Check for cuts, bumps, abrasions, or other damage to the tread or sidewalls.
- ♦ Check that valve stems are not missing, broken, or damaged.
- ♦ Check that the tread depth is at least 2/32 of an inch in all major grooves on drive-axle tires
- ♦ Check that tread is evenly worn.
- ♦ In-between duals:
- ♦ Check that dual tires are not touching.
- ♦ Check that dual tires have nothing lodged between them.

Axle seals

Check for axle seal leaks.

Mud flaps

- ♦ Check that the mud flaps:
- ♦ Are securely mounted.
- ♦ Are not too worn or torn.

Hang down to at least the center of the axle.

Rear Axle

Duels

- ♦ Check for proper inflation by using a tire gauge
- ♦ Check for cuts, bumps, abrasions, or other damage to the tread or sidewalls.
- ♦ Check that valve stems are not missing, broken, or damaged.
- ♦ Check that the tread depth is at least 2/32 of an inch in all major grooves on drive-axle tires
- ♦ Check that tread is evenly worn.
- ♦ In-between duals:
 - Check that dual tires are not touching.
 - Check that dual tires have nothing lodged between them.

Axle seals

Check for axle seal leaks.

Mud flaps

- ♦ Check that the mud flaps:
- ♦ Are securely mounted.
- ♦ Are not too worn or torn.
- ♦ Hang down to at least the center of the axle.

Exhaust system

- ♦ Securely mounted
- ♦ No missing or loose nuts or bolts
- ♦ Not bent, cracked or broken
- ♦ The fittings are tight
- ♦ Check the exhaust system for holes or signs of exhaust leaks (such as soot trails).

In-Cab Inspections

Buckle the Seat Belt

Federal and state laws require you to wear your vehicle seat belt properly. Brake checks may require your vehicle to be put in gear and moved, so you must wear your seat belt. If you are not wearing the seat belt when your vehicle is put in motion at any time during the test, you will be immediately disqualified.

Seat Belt

- ♦ Assembly is securely mounted with no loose or broken parts
- ♦ Securely fastened and adjusted properly
- ♦ Not ripped or frayed

Mirrors

- ♦ Clean
- ♦ Properly adjusted
- ♦ No cracks or other damage that impairs vision

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Clutch pedal (if applicable)

Engage and release the pedal.

Check that the pedal:

- ♦ has freedom of movement.
- ♦ does not bind or stick.
- ♦ does not make unusual noises.

Service brake pedal

Apply and release the pedal.

Check that the pedal:

- ♦ has freedom of movement.
- ♦ does not bind.
- ♦ does not make unusual noises.

Accelerator pedal

Apply and release the pedal.

Check that the pedal:

- ♦ has freedom of movement.
- ♦ does not bind or stick.

CMV Pre-Trip Page 5

Heater and defroster

- ♦ Check that the heater and defroster fan works.

Emergency and safety equipment

- ♦ Check for spare electrical fuses (if applicable)

Safety start

Double check that the parking brakes are set.

- ♦ Depress the clutch (if the vehicle is equipped with a manual transmission).
- ♦ Place the gearshift lever in neutral (for automatic transmissions, place the lever in park).
- ♦ Start the engine, then release the clutch slowly.

Gauges

Air supply gauge

- With the vehicle running, check that the air pressure gauge(s) are working properly.
- Check that the vehicle has an adequate working air supply in the tank reservoir(s).
- Build the air pressure to the governed cutout at 100-125 psi. If your vehicle has a higher cutout range than 100-125 psi, check to see if it is set standard by the manufacturer.
- Note when the air governor cutout activates.

ABS – indicator light comes on then off

Ammeter/Voltmeter

- ♦ Check that the digital gauge shows the alternator and/or generator is charging or that the warning light is off.

Oil pressure gauge

- ♦ Check that the oil pressure gauge is working.
- ♦ Check that the pressure gauge shows increasing or normal oil pressure or that the warning light goes off.

Indicator Lights

Check the following indicators:

- ♦ LTS
- ♦ RTS
- ♦ 4-ways
- ♦ High Beam

Lights (Letting the engine begin to warm-up, activate the lights and get out of the cab to inspect them.)

Check High Beams, Tail & Clearance lights plus 4-ways. Next the Low Beams & Left Signals front & rear. Next the Right Signals front & rear. Then check the Brake lights on bus. That is 4 trips to the front & 4 to the rear.)

Check that all external lights and reflectors are clean and working.

Four-way flashers

Clearance lights and reflectors

Check that all reflectors work and are clean.

Clearance lights—red on the rear, amber elsewhere.

Horn(s)

- ♦ Check that the air horn and/or electric horn(s) work.

Windshield

The windshield should:

- ♦ be clean.
- ♦ have no illegal stickers or decals.
- ♦ have no obstructions.
- ♦ have no damage to the glass

Wipers

Check that wiper arms and blades:

- ♦ are secure.
- ♦ are not damaged.
- ♦ operate smoothly
- ♦ Check that the washer operates correctly

Steering wheel

- ♦ Power steering. With the engine running, check for excessive play by turning the steering wheel back and forth. Play should not exceed 10 degrees—about 2 inches on a 20-inch wheel—before the front-left wheel begins to move. You must watch the front tire while making this check.

Air supply system:

Though air brake safety devices vary, this procedure is designed to see that all safety devices operate correctly as air pressure drops from a normal to a low-air condition. For safety purposes, in areas where an incline is present, you must use wheel chocks during the air brake check. To correctly inspect the air brake system, follow these steps:

(1) Air leak check

1. When air tanks are full, shut off the engine.
2. Chock your wheels (if necessary).
3. Place the transmission into neutral or park.
4. Release parking brake/s (push yellow valve for bus).
5. Fully apply the foot brake and hold it for 1 minute.
6. Check the air gauge to see that the air pressure drops no more than 3 psi in 1 minute in a bus.
7. Note the results

(2) Low-air warning check

1. Without restarting the engine, turn the key to the "on" or "battery charge" position.
2. Begin fanning off the air pressure by pumping the foot brake.
3. Low-air warning devices (buzzer, light) should activate at 60 psi or above.
4. Note the results.

(3) Parking brake

1. Continue to fan off the air pressure.
2. When pressure drops to 20-45 psi on a bus, the parking brake valve should close (pop out) when pressure drops to 20-45 psi.
3. Note the results

Brake checks:

Parking brake

- ♦ Bus
 - Apply the parking brake and check that it will hold the vehicle by shifting into a lower gear and gently pulling against the brake.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Service brake

Operate and check the service brake by pulling forward slowly and applying the service brake. See that it works properly without pulling to one side or the other.

In-Cab/Bus Inspections

Door/Passenger entry

- ◆ Check that the entry door is not damaged, and that it operates smoothly and closes securely from the inside.
- ◆ Check that the entry handrails are secure.

Check that:

- ◆ The entry steps are clear.
- ◆ The step treads are not too worn or loose.
- ◆ Check that nothing is blocking the aisle-way.

Seating

- ◆ Check for broken seat frames.
- ◆ Check that the seat frames are securely attached to the floor.
- ◆ Check that seat cushions are securely attached to the seat frames.

Emergency exit(s) – Must be done every 90 days or less.

Keep a copy in the coach and update the record in the office

Identify the location of all emergency exits.

You must check that the exits:

- ◆ Are not damaged.
- ◆ Operate smoothly.
- ◆ Close securely from the inside.
- ◆ Check that the emergency exit warning devices are working.

Depart to work if safe...

Employee Handbook on Policies and Procedures

AMI Bus Emergency Exits Inspection

Make:	Serial Number:
Year:	Tire Size:
Company No./Other ID:	Owner, if leased:

Inspections are due every 90 days

[illegible]

AMI Coaches, LLC
Employee Handbook on Policies and Procedures

(See call-out boxes for instructions for the 3 signature lines)
DRIVER VEHICLE INSPECTION REPORT

Ending Mileage _____ Date _____ Bus No. _____
Starting Mileage _____ Trip Time _____
Total Miles _____ Location _____

INSPECTION ITEMS LISTED – IF DEFECTIVE, NUMBER AND DESCRIBE IN "REMARKS"

PRE:	COACHES	POST:	PRE:	MINI-BUSSES	POST:
	PASSENGER SIDE OF BUS			ENGINE COMPARTMENT	
_____	Battery Check (secure, no leaks)	_____	_____	Fluids (oil, antifreeze, power steering, brake)	_____
_____	Front & rear axles (tires, rims, lug nuts, radius rods)	_____	_____	Hoses, clamps, wiring, belts secure & in good condition	_____
_____	Front & rear suspensions (shocks, air bags, lines)	_____	_____	START ENGINE	_____
_____	Fuel area (cap secure & no leaks)	_____	_____	Safety Start (transmission in park & parking brake set)	_____
_____	Luggage areas (door secure, bays clean, tool kit, extra belts/fluids)	_____	_____	Transmission check	_____
_____	Toilet Access Door	_____	_____	Unusual noise (pulleys, bearings, belts, tensioners)	_____
_____	ENGINE COMPARTMENT	_____	_____	FRONT OF BUS	_____
_____	Fluids (antifreeze, gear box, oil, power steering)	_____	_____	Lights (headlights, signals, 4-ways, clearance)	_____
_____	Leaks (hoses, clamps, muffler all secure)	_____	_____	Windshield: Wipers _____ Cracks/Rock chips _____	_____
_____	Belts (secure & in good condition)	_____	_____	DRIVER'S SIDE OF BUS	_____
_____	DRIVER'S SIDE OF BUS	_____	_____	Mirrors (secure & in good condition)	_____
_____	Rear & front axles & suspensions (as above)	_____	_____	Front & rear axles (tires, rims, lug nuts, drums, tie rods, cotter pins, & nuts)	_____
_____	Window washing fluid / steering linkage & gear box	_____	_____	Front & rear suspensions (shocks, springs, frame, hangers, u-belts, brackets, air bags)	_____
_____	Mirror (secure & in good condition)	_____	_____	Fuel area (cap secure & no leaks)	_____
_____	Fluid kit (fuel)	_____	_____	Tail pipe (secure & no leaks)	_____
_____	FRONT OF BUS	_____	_____	REAR OF BUS	_____
_____	Windshield _____ Wipers _____ Spare Tire _____	_____	_____	Lights (clearance, brake, turn signals, 4-ways)	_____
_____	Safety start bus (in neutral, parking brake set)	_____	_____	Back Up Alarm/Lights _____	_____
_____	Transmission check (fast idle off)	_____	_____	Luggage compartment (door, step & bay secure)	_____
_____	Lights – marker, headlights, 4-ways, turn signal	_____	_____	PASSENGER SIDE OF BUS	_____
_____	Back Up Alarm/Lights _____	_____	_____	Rear & front axles & suspensions (okay as above)	_____
_____	INTERIOR CHECK	_____	_____	Passenger door (secure & operates as designed)	_____
_____	Emergency: Equip _____ Exits _____ Camera _____	_____	_____	Mirrors (secure & in good condition)	_____
_____	Interior secure (seats, monitors secure) Seatbelts _____	_____	_____	INTERIOR CHECK	_____
_____	Driver's area: Steering Wheel _____ Switches _____	_____	_____	Emergency: Equip _____ Exits _____ Horn _____	_____
_____	Wipers _____ Brake & accelerator pedals _____	_____	_____	Wipers _____	_____
_____	Seat Belt _____ Horns _____	_____	_____	Bus Book (accident kit & camera)	_____
_____	Step stool / Kneeler	_____	_____	Interior Lights (reading & aisle) Seat Belts _____	_____
_____	Interior lights (reading & aisle)	_____	_____	Leaks _____	_____
_____	Wheelchair OP	_____	_____	Wheelchair OP	_____
_____	PA / TV / DVD	_____	_____	PA / TV / DVD	_____
_____	BRAKE TESTS	_____	_____		_____
_____	Air pressure cut off test (100-125psi)	_____	_____		_____
_____	Emergency brake test at max air (in gear, see if move)	_____	_____		_____
_____	Stab test (see if brakes fully release)	_____	_____		_____
_____	Service brake test (move forward apply foot brake)	_____	_____		_____
_____	Low air warning test (pump down to @60 lbs)	_____	_____		_____
_____	Air leak test (bus off, brake off, stab for 1 minute, no more than 3 lbs loss)	_____	_____		_____

PRE-TRIP INITIALS _____

POST-TRIP INITIALS _____

Pre-Trip Remarks _____

Post-Trip Remarks _____

☐ ABOVE VEHICLE IS SAFE TO DRIVE

Call to Dispatch: Initials _____ Time _____

DRIVER'S SIGNATURE _____

☐ ABOVE DEFECTS CORRECTED

☐ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____

DATE _____

REVIEWING DRIVER'S SIGNATURE _____

DATE _____

Sign after the Post-Trip Inspection.

If repairs have been done to the vehicle/s due to a write-up from the 1st driver, the next driver re-inspects the mechanic's work to make sure it is operational. Then that driver signs and dates the 3rd signature line verifying the 'ABOVE DEFECTS CORRECTED'

If the vehicle/s need repair, the repairing mechanic signs and dates here.

AMI Hours of Service Policy

Hours of Service Rules for Passenger-Carrying Operations:

Drivers of passenger carrying vehicles must comply with the following:

- May drive a maximum of 10 hours after 8 consecutive hours off duty.
- May not drive after having been on duty 15 hours following 8 consecutive hours off duty.
- May not drive after 60/70 hours on duty in 7/8 consecutive days
- Motor Carrier must retain all supporting documents.

Short – Haul Provision

100 air-mile exemption: (For Passenger-carrying operations only) A driver does not have to make a record of duty status (log) if all of the following apply:

- The driver operates within a 100 air-mile radius of the normal work reporting location;
- The driver returns to the work reporting location and is released from work within 12 consecutive hours;
- At least 8 consecutive hours off duty separate each 12 consecutive hours on duty;
- The driver does not exceed 10 hours maximum driving time following 8 consecutive hours off duty.
- The motor carrier maintains and retains for 6 months accurate and true time records showing the following:
 - The time the driver reports for duty each day.
 - The total number of hours the driver is on duty each day.
 - The time the driver is released from duty each day.

Motor Carrier must retain all supporting documents.

AMI Coaches, LLC

Employee Handbook on Policies and Procedures

Hours-Of-Service Record for First Time, Intermittent and Multiple-Employed Drivers:

Instructions: When using a driver for the first time or intermittently, a signed statement must be obtained, giving the total time on duty (driving and on-duty) during the immediately preceding seven days with ALL other employers and the time at which the driver was last relieved from duty prior to beginning work.

AMI Hours-Of-Service Record for First Time or Intermittent Drivers	
Name (Printed) _____	
<u>Day</u>	<u>Total Time On-Duty</u>
1	_____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____
Total	_____
I hereby certify that the information contained hereon is true to the best of my knowledge and belief, and that my last period of release from duty was from:	
(Hour/date) _____ to _____ (Hour/date)	
Driver's Signature: _____ Date: _____	

AMI Coaches, LLC
Employee Handbook on Policies and Procedures

Example of a Record of Duty Status (RODS) Logbook Page
for use when going beyond the 100 mile radius or 12 hour limit

1. Enter month, day and year.
2. Total miles driving today.
3. Name of carrier.
4. Main office address.
5. Driver's signature/certification.
6. Name of co-driver (if applicable).
7. Truck or tractor and trailer numbers.

DRIVER'S DAILY LOG

6 27 88 (NOT REQUIRED)
XYZ TRANSPORTATION CO.
SEATTLE, WA

John A. Jones
Bill R. Smith (NOT REQUIRED)

1 2 3 4 5 6 7 8 9 10 11 12 1 2 3 4 5 6 7 8 9 10 11 12

1: OFF DUTY
2: SLEEPING
3: DRIVING
4: ON DUTY

REMARKS
8/L 2345
PICKUP - SEATTLE WA
WOUND - APPROX 08
LOAD - BUCKLE ON

FROM: (NOT REQUIRED)
TO: (NOT REQUIRED)

8. Total hours.
9. Remarks (change of duty status, etc.)
10. Shipping document number(s), or name of shipper and commodity.
11. 24-hour period starting time (e.g., midnight, 9:00am., noon, 3:00pm.).

48 of 48

AMI Coaches, LLC
Employee Handbook on Policies and Procedures

AMI Coaches Weekly Hours Log for use within 100 mile radius and relieve from duty within 12 hours

	Date	Time On	Time Off	On Duty Hrs	Company	Total On-Duty Hours
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						

Total On-Duty Hours in Past 7 Days: _____

Employee Name _____ Employee Signature _____



U.S. Department of
Transportation
1200 New Jersey Ave. S.E.
Washington, D.C. 20590

**Federal Motor Carrier
Safety Administration**

April 3, 2015

USDOT Number 1468812

**CIRASPORT RACING
14644 - 9TH AVE SW
SEATTLE, WA 98166**

DEACTIVATION OF USDOT NUMBER

*****INTERSTATE TRANSPORTATION PROHIBITED*****

Dear STEVE VALENTINETTI,

The Federal Motor Carrier Safety Administration (FMCSA) requires an update of the Motor Carrier Identification Report (MCS-150) form every two years (commonly known as the biennial update). On December 3, 2014 you were provided notice that, pursuant to 49 CFR 390.19(b)(2), the biennial update for USDOT number 1468812 was due on or before February 28, 2015. FMCSA records indicate that CIRASPORT RACING failed to timely complete a biennial update or show good cause why an update was not required.

FMCSA deactivated USDOT Number 1468812, effective April 1, 2015. Pursuant to 49 CFR 392.9b, CIRASPORT RACING is prohibited from providing interstate transportation with an inactive USDOT number.

Pursuant to 49 CFR 390.19(b)(4), failure to complete a biennial update of the MCS-150 may result in the imposition of a civil penalty of up to \$1,000 for each offense. Each day the violation continues constitutes a separate offense, and the total penalty for all offenses related to a single violation may reach up to \$10,000. Continued operation of commercial motor vehicles interstate with an inactive USDOT number may result in additional civil penalties, in accord with 49 USC 521.

Your USDOT Number may be reactivated by filing an updated MCS-150. To complete the biennial update electronically, visit the FMCSA registration website at <http://safer.fmcsa.dot.gov>. You may also contact FMCSA support services at 1-800-832-5660, if you require additional assistance.

Thank you for your prompt attention to this very important matter.

Sincerely,

Steven Dillingham, Ph.D.
Director, Office of Registration and Safety Information