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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of DL Winner :

Livestock Express, Inc. : Case No.

Notice of Apparent Violation: 17-780-TR-CVF

and Intent to Assess

Forfeiture.

PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, held at the Public Utilities Commission of Ohio, 180 East Broad Street, Hearing Room 11-C, Columbus, Ohio, on Thursday, August 24, 2017, at 10:00 A.M.

> Armstrong & Okey, Inc. 222 East Town Street, 2nd Floor Columbus, Ohio 43215 (614) 224-9481 - (800) 223-9481

Territory:



Scope:

US DOT# 624363

Legal: DL WINNER LIVESTOCK EXPRESS INC

Operating (DBA):

MC/MX #: 359658

Review Type: Compliance Review (CR)

Principal Office

Federal Tax ID: 20-5736068 (EIN)

Location of Review/Audit: Company facility in the U. S.

Focused Investigation

Operation Types Interstate Intrastate Non-HM Non-HM | Business: Corporation

Carrier: Shipper:

N/A

N/A

Gross Revenue: \$1,354,035.00

for year ending: 6/30/2016

Cargo Tank:

N/A

Company Physical Address:

6141 SR-705

New Weston, OH 45348

Contact Name:

Daniel L. Winner

Phone numbers: (1) 419-336-0301

(2)

Fax 419-336-0400

E-Mail Address:

livestockexpress@watchtv.net

Company Mailing Address:

6080 SR-705

New Weston, OH 45348

Carrier Classification

Authorized for Hire

Cargo Classification

Truck Tractor

Livestock

Grain, Feed, Hay

Equipment

Owned Term Leased Trip Leased

Trailer

Owned Term Leased Trip Leased

Power units used in the U.S.:13

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

Average trip leased drivers/month: 0

< 100 Miles:

>= 100 Miles:

Total Drivers: 9

CDL Drivers: 9



U.S. DOT #: 624363

Review Date: 07/27/2016

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

180 East Broad Street, 4th Floor Columbus, Ohio 43215 ATTN: Chris May Phone: 614-728-9128 Fax: 614-728-2133

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Daniel L. Winner Name: Steve Plummer

en (1915) (1915) References Leannes (1916) (1916) (1916)

were to be and

Title: President
Title: Consultant



U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Violations

	1	Primary: 382.305(b)(1)	[Drivers/V	ehicles
CRITICAL	FEDERAL		Discovered	Checked	In Violation	Checked
1. TO MOTORE AL	CRITICAL	1	2	_ 2 _	2	2

Description

Failing to conduct random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions.

Example

Driver, Ben Poeppelman, interstate trip 12-1-2015 from New Weston, OH-Plainwell, MI (carrier averaged 12 driver positions during calendar year 2015; 2 random alcohol tests were required to be conducted. However, no tests were completed).

2	Primary: 382.305(b)(2)			Drivers/V	ehicles
FEDERAL		Discovered	Checked	In Violation	Checked
CRITICAL		4	6	4	6

Description

Failing to conduct random controlled substances testing at an annual rate of not less than the applicable annual rate of the average number of driver positions.

Example

Driver, Ben Poeppelman, interstate trip 12-1-2015 from New Weston, OH-Plainwell, MI (carrier averaged 12 driver positions during calendar year 2015; 6 random controlled substances tests were required to be conducted. However, only 2 tests were completed).

3	Primary: 382.303(a)	. –		Drivers/V	ehicles
FEDERAL		Discovered	Checked	In Violation	Checked
L	<u> </u>	11	1	11	1

Description

Failing to conduct post accident alcohol testing on driver following a recordable crash.

Example

On 4-22-2016, driver Keith Delzeith was involved in a 2 vehicle property damage accident which required his CMV to be towed due to disabling damage. As a result, he was cited for driving at an unreasonable speed, too fast to avoid a collision on citation# K351968; interstate trip from Owenton, KY-Plainwell, MI.

4	Primary: 382,303(b)	4) 	Drivers/V	ehicles
FEDERAL	, ,	Discovered	Checked	In Violation	Checked
		1 1	1	1	1

Description

Failing to conduct post accident testing on driver for controlled substances.

Example

On 4-22-2016, driver Keith Delzeith was involved in a 2 vehicle property damage accident which required his CMV to be towed due to disabling damage. As a result, he was cited for driving at an unreasonable speed, too fast to avoid a collision on citation# K351968; interstate trip from Owenton, KY-Plainwell, MI.

5	Primary: 382.303(d)(1)	-		Drivers/V	ehicles
FEDERAL		Discovered	Checked	In Violation	Checked
L		1	. 1	11	1

Description

Failing to prepare and maintain on file a record stating the reasons the alcohol post-accident test was not properly administered.

Example

On 4-22-2016, driver Keith Delzeith was involved in a 2-vehicle recordable crash near Ft. Wayne, IN resulting in his CMV being towed due to disabling damage. As a result of the crash, he was cited for driving at an unreasonable speed, too fast to avoid a collision on citation# K351968. Mr. Delzeith did not submit to a post accident alcohol test within 2-hours and the carrier failed to maintain a record as to why the test was not properly administered; interstate trip from Owenton, KY-Plainwell, Ml.



U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Violations

6 FEDERAL	Primary: 382.303(d)(2)	Discovered	Checked	Drivers/V In Violation	
properly adm Example On 4-22-2016 towed due to collision on ci carrier failed (care and maintain on file a record stating the reasons the inistered. In driver Keith Delzeith was involved in a 2-vehicle record disabling damage. As a result of the crash, he was cited fation# K351968. Mr. Delzeith did not submit to a post accommitted in a record as to why the test was not properly as	able crash near F or driving at an u cident controlled	ances post-ac ft. Wayne, IN unreasonable substances te	cident test was resulting in his speed, too fast est within 32 ho	c not CMV being to avoid a urs and the
MI. 7 FEDERAL	Primary: 382.305(i)(2)	Discovered	Checked 11	Drivers/V In Violation	
selected each	ure that each driver subject to random alcohol and contro time selections are made.	lled substances	testing has an	equal chance	of being
quarterly sele	Delzeith DOH: 9-28-2015 was not enrolled in the carrier's ction was made on 4-11-2016, interstate trip date 4-22-20			<u>II. MI</u>	_====
Driver, Keith [ction was made on 4-11-2016, interstate trip date 4-22-20 Primary: 395.8(e) Secondary: 4901:2-5-03				ehicles
Driver, Keith I quarterly sele 8 STATE Description	ction was made on 4-11-2016, interstate trip date 4-22-20 Primary: 395.8(e) Secondary: 4901:2-5-03 CFR Equivalent: 395.8(e) of records of duty status (inaccurate)	16 from Owento Discovered	n, KY-Planwe Checked	ll. Ml. Drivers/V	ehicles Checked
Driver, Keith I quarterly sele 8 STATE Description False reports Example	ction was made on 4-11-2016, interstate trip date 4-22-20 Primary: 395.8(e) Secondary: 4901:2-5-03 CFR Equivalent: 395.8(e) of records of duty status (inaccurate)	16 from Owento Discovered	n. KY-Planwe Checked 3 Checked	Drivers/V In Violation 1 Drivers/V In Violation	ehicles Checked 5
Driver, Keith I quarterly sele 8 STATE Description False reports Example No violations 9 FEDERAL Description False reports Example On 2-21-16, d	Primary: 395.8(e) Secondary: 4901:2-5-03 CFR Equivalent: 395.8(e) of records of duty status (inaccurate)	Discovered 2 /an Wert at 21:5	Checked 3 Checked 147 Checked	Drivers/V In Violation 1 Drivers/V In Violation 2	chicles Checked 5 Checked 5 dicated he

Example

No violations discovered.



U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Violations

11 FEDERAL	Primary: 395.8(f)		(r	Discovered	Checked	1	rivers/V	ehicles Checked
FEDEIVAL				14	147		5	5
Driver, Mark h	uire driver to prepare rec Koenig, interstate trip dat anges in duty status as	e 2-3-2016 from Lou				iled to	identify t	he
Total Mil Recorda	Rating Information: les Operated ble Accidents	902,690 1	ľ	0	OOS Vehic hicle Inspecte OS Vehicle (f	ed (CR //CMIS): 0): 0	
Recorda	ble Accidents/Million N	Ailes 1.11	Numbe	r of Vehicles	Inspected (N	ACMIS): 0	
			Rating Fa	ctors	A	cute	Critical	
Your proposed	safety rating is:						- unity an	
Your proposed	safety rating is :		Factor		S	0	0	
Your proposed	safety rating is :			r 1:	s U	0	0 2	
Your proposed		ΝΔΙ	Factor	r 1: r 2:	•	0 0 0	0 2 0	
Your proposed	conditions can be conditional careful	NAL	Factor Factor	r 1: r 2: r 3:	Ü	0 0 0 0	0 2 0 0	
Your proposed		NAL	Factor Factor Factor	r 1: r 2: r 3: r 4:	U S	0 0 0 0	0 2 0 0	

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less thar SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed.

A focused investigation does not include review of all regulatory parts and factors as set forth in 49 C.F.R. Part 385, Appendix B's safety rating methodology and cannot therefore result in a SATISFACTORY safety rating. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating.



U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

1. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN

The management of DL Winner Livestock Express Inc. failed to monitor and track the performance of their consortium to ensure compliance with Part 40 & 382. As a result, the carrier's random testing program for 2015 was found to non-compliant; failed to test the minimum annual percentage of drivers for controlled substances and alcohol. The rosters for quarterly selections were not consistent with the drivers employed during that period. Post accident records were not prepared & maintained. The violations discovered have exposed the company, drivers, and the general public to unnecessary potential risk/liability.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Evaluate personnel who are monitoring drivers against performance standards related to controlled-substance and alcohol regulations and company policies to ensure that they are applying standards fairly, consistently, and equitably, and are documenting evaluations.
- Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to controlled substances and alcohol. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
- Monitor and adjust the testing program to ensure proper annual driver sampling.
- Ensure that all test records are monitored for adherence to retention dates and nondisclosure requirements.
- Implement a system for keeping accurate records of controlled-substance and alcohol completed training needs and completed training, via software, checklist in the driver's file, and/or another appropriate method.
- Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled-substance and alcohol regulations and related company policies and procedures.
- Provide adequate oversight of all personnel hiring and training processes, including qualification of service agents, to ensure adherence to controlled-substance and alcohol regulations and company policies and procedures.
- Maintain the following documents to help evaluate the performance of all staff (drivers and managers) involved in
 controlled-substance and alcohol testing and the effectiveness of the policies and procedures: Motor Vehicle Record
 (MVR); records related to testing, the designated employer representative (DER), return to duty, and dispatch; lists of
 drivers removed due to a history of controlled-substance and/or alcohol misuse and those disqualified for personal
 driving under the influence (DUI); substance-abuse professional (SAP) letters; and for each test type, include
 selection criteria, the eligibility-pool list, and the statistical laboratory summary.
- Regularly evaluate the company's controlled-substance and alcohol-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. Use data to help implement an effective process beyond self-reporting to
 monitor, document, and evaluate compliance with controlled-substance and alcohol regulations and company
 policies.
- When monitoring and tracking issues regarding controlled substances and alcohol use, always assess whether they are individual or represent a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

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.
- 2. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Meaningful Action

DESCRIPTION OF PROCESS BREAKDOWN

The management of DL Winner Livestock Express Inc. does not currently utilize meaningful action. A driver policy &



U.S. DOT #: 624363

Review Date 07/27/2016

Part B Requirements and/or Recommendations

procedure manual was drafted, and includes counseling, training and disciplinary action for non-compliance. However, no documentation was provided to indicate the carrier has provided or utilized the outlined methods intended to encourage compliance. Each carrier should regularly evaluate their drivers to determine if they are an asset or liability.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Meaningful Action.

- Design and implement incentives and/or recognition programs in order to reward and encourage effective performance related to compliance with Hours-of-Service (HOS) regulations and company policy - for example, bonuses, gift certificates, and/or verbal recognition for on-time completion of accurate Records of Duty Status (RODS).
- Reward dispatchers, terminal managers, and safety directors for having a low percentage of runs without fatigued-driving violations. Do not use on-time delivery incentives, which could encourage drivers to exceed Hours of Service.
- Give employees immediate feedback, and require corrective action as soon as the company is aware that fatigued-driving related issues, such as Hours of Service (HOS) are not being addressed.
- Provide required remedial training to employees with Hours-of-Service performance issues that can be addressed by enhancing their knowledge and skills.
- Implement a disciplinary policy where potential disciplinary measures correspond to risk posed, with violations associated with high-consequence accidents or incidents being punished more severely.
- Discipline carrier officials for knowingly and willfully allowing violations of Hours-of-Service (HOS)-related regulations, such as falsifying Records of Duty Status (RODS).
- If a problem related to fatigue is systemic, make adjustments to one or more of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

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.

CRASH INDICATOR BASIC PROCESS BREAKDOWN: Training and Communication

DESCRIPTION OF PROCESS BREAKDOWN

The carrier's drivers & CMV's have been involved in 4 crashes within the previous 24 months, but only 1 within the previous 365 days. Two of those crashes have been the direct result of driver negligence; one driver was texting and the second was chemically impaired. The management of DL Winner Livestock Express Inc. must be diligent in their communication with & training of their drivers in the areas of prohibited conduct, distracted driving, defensive driving, accident prevention, and other related behaviors which may impact both the number and severity of future accidents.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Communication and Training.

- Communicate expectations for adhering to safe driving regulations and company policies and procedures to all staff, and provide new hire and refresher training and company communication channels to support meeting those expectations.
- Implement a training/testing program that includes hands-on demonstrations of safe driving with a focus on defensive driving skills and techniques and crash avoidance. Create opportunities for individual instruction and coaching as appropriate.
- Reinforce training by developing job aids and/or establishing communication channels for all staff.
- Ensure that managers and supervisors regularly communicate with their drivers and demonstrate their commitment to the management of safety and safe driving, in particular.

Seek Out Resources:

You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS. You

U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

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.
- 4. Ensure that as soon as practicable following a recordable traffic accident in which the driver employed by the motor carrier is cited as a result of the accident is tested for controlled substances. The test must be performed as required in 49 CFR 382.303(b)(1),(2)(i) and (2)(ii).
- 5. If the post accident CST is not administered within 32 hours following the accident, the employing motor carrier shall cease attempts to administer the test and prepare and maintain a record stating the reasons why the test was not promptly administered.
- 6. Ensure that as soon as practicable following a recordable traffic accident in which the driver employed by the motor carrier is cited as a result of the accident is tested for alcohol. The test must be performed as required in 49 CFR 382.303(a)(1).(2)(i) and (2)(ii).
- 7. If the post accident BAT is not administered within 2 hours following the accident, the employing motor carrier shall prepare and maintain on file a record stating the reasons why the test was not promptly administered. If the test is no administered within 8 hours following the accident, the motor carrier shall cease attempts to administer the alcohol test and prepare and maintain the same record.
- 8. Every employer shall require all operators of commercial vehicles which require a CDL to operate be randomly tested for controlled substances & alcohol. The carrier may make random selections themselves or may use a Consortium/TPA. The carrier shall test at least 10 percent of the average number of driver positions for random alcohol testing and at least 50 percent of the average number of driver positions for random controlled substance testing annually. If using a Consortium/TPA, the carrier must monitor their performance and ensure the testing pool meets the same minimum testing percentages.
- 9. The carrier shall ensure that each driver subject to random controlled substances and alcohol testing is included in their testing pool and that each has an equal chance of being selected each time selections are made.
- 10. Ensure all drivers prepare a true and accurate record of duty status. Promptly examine and verify the accuracy of driver's records of duty status, utilizing all supporting documents generated by each driver and motor carrier; including, but not limited to dispatch records, delivery receipts, shipping papers, fuel reports, GPS tracking technology (if applicable), toll receipts, custody & control forms, traffic citations, accident reports and roadside inspections etc. Internally audit driver's logs and take swift and appropriate disciplinary action against those who attempt to conceal violations of the hours of service rules. Document and maintain any record of disciplinary action taken against these drivers.
- 11. Ensure all drivers who prepare a record of duty status; complete all applicable portions of the document as required in 49 CFR 395.8(f). The driver shall be sure to total his or her hours on the grid, list locations (full city name and 2 letter state abbreviation) for all changes in duty status, including a flag for fuel stops & other supporting activities, show the company assigned unit number for the equipment operated, document a bill of lading number or the name of the shipper & commodity being transported.
- 12. Supporting documents are the records of the motor carrier which are maintained in the ordinary course of business and may be used by the motor carrier to verify the information recorded on the driver's record of duty status. Effective 12/19/2008, the FMCSA formally adopted a policy of including GPS and other advanced technology records as supporting documents (see Federal Register Vol. 73 No. 224, 11/19/2008). Failure to maintain such records for six months as required will result in your company being cited and/or penalized for failure to maintain supporting documents.

Other examples of supporting documents you should maintain are: Bills of lading, GPS tracking information, vehicle



U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

position reports, carrier pros, freight bills, dispatch records, driver call-in records, gate record receipts, weight/scale tickets, fuel receipts, fuel billing statements, toll receipts, international registration plan receipts, international fuel tax agreement receipts, trip permits, port of entry receipts, cash advance receipts, delivery receipts, lumper receipts, interchange and inspection reports, lessor settlement sheets, over/short and damage reports, agricultural inspection reports, CVSA reports, accident reports, telephone billing statements, credit card receipts, driver fax reports, on-board computer reports, border crossing reports, custom declarations, traffic citations, overweight/oversize reports and citations, and/or other documents directly related to the motor carrier's operation, which are retained by the motor carrier in connection with the operation of its transportation business. Supporting documents may include other documents which the motor carrier maintains and can be used to verify information on the driver's records of duty status. If these records are maintained at locations other than the principal place of business but are not used by the motor carrier for verification purposes, they must be forwarded to the principal place of business upon a request by an authorized representative of the FMCSA or State official within 2 business days.

- 13. 49 CFR 395.1 (k) provides a statutory exemption from the hours of service regulations for certain drivers transporting agricultural commodities and farm supplies within a 150 air mile radius during the planting and harvesting season, as determined by the States in which the carrier is operating. The planting and harvesting season is defined in Ohio as a period between March, 1 and November, 30. Ensure that anytime a driver fails to meet this exception, a RODS or time record is prepared and maintained on file at the carrier's PPOB for a period of 6 months from the date of execution.
- 14. Electronic Mobile Mapping Technology (GPS, radio, or cell phone based systems) is a useful tool in compliance verification for Hours-of-Service Regulations. Although the technology may be primarily utilized for driver communication, freight tracking, maintenance etc., it is recognized by FMCSA and the industry as an important method to detect falsification of Records of Duty Status.
 - -EMMT records generated during the ordinary course of business is considered a supporting document and must be retained for six months [49 CFR 395.8(k)(1). This may necessitate downloading the data from the vendor or requesting additional storage space to meet record retention requirements.
 - -Vehicle position reports should contain the vehicle id information, date, time, location, and latitude/longitude.
 - -To qualify from certain record retention relief requirements the EMMT device must be integrally synchronized with the vehicle and ping the location at least once per hour while the vehicle is in motion.

Utilize vehicle position reports along with fuel billing statements, toll receipts, load slips, bill of ladings, weigh station slips, inspection reports, accident reports, and other supporting documents to check RODS for falsification. Vehicle position reports may contain large amounts of data that can be overwhelming. Current best industry practice is to compare the beginning and ending location of breaks and if there was vehicle movement during that time. Periodically check locations of change of duty status for accuracy as well. If discrepancies are found verify the vehicle position report does not have a low validity code, software error, or hardware malfunction. Take corrective action on drivers who falsify RODS.

- 15. The 34 hour restart provision has been modified by the Consolidated and Further Continuing Appropriations Act of 2015. As of December 16, 2014 until September 30, 2015 drivers may take a 34 hour restart as often as they like and are no longer required to have two periods of 1 am to 5 am. Additional studies will be conducted to determine the effectiveness of Hours of Service Regulations. Continue to monitor FMCSA and industry news for further guidance and possible future changes.
- 16. The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web

U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

request. Motor carriers should visit the following website for more information: http://www.psp.fmcsa.dot.gov/Pages/default.aspx

- 17. Effective January 30, 2015 paper copies of Medical Examiners Certificates are only good for 15 days. A driver, upon being medically qualified by a FMCSA certified medical examiner, is to provide the BMV with a copy of their medical examiners certificate. A motor carrier must then conduct a driver's license check and include a copy in their driver's qualification file. After 15 days the paper copy of the Medical Examiners Certificate is no longer valid and a BMV CDL report verifies the driver's medical qualification status. Drivers will no longer need to carry the paper copy of the medical examiners certificate. Motor carriers must maintain a CDLIS (BMV) report in the driver's qualification file indicating the driver is physically qualified.
- 18. NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.
- 19. The Driver Vehicle Inspection Report regulation has been modified in accordance with the Presidential Executive Order 13563, Improving Regulation and Regulatory Review. Effective December 18, 2014 property carrying drivers will no longer be required to fill out a Driver Vehicle Inspection Report (DVIR) if no defects are discovered during the post-trip inspection. Drivers are still required to conduct a pre and post trip inspection of their vehicles. If defects are discovered they must be documented on the DVIR and repairs taken as appropriate and/or necessary. Passenger carrying drivers are also still required to document the post-trip inspection on their DVIR. The regulatory relief of not filling out a DVIR if no defects are discovered only applies to property carrying vehicles. All DVIRs must be retained for 90 days.
- 20. COMPASS PORTAL COMPANY ACCESS ACCOUNT The COMPASS program is an FMCSA-wide initiative that is leveraging new technology to transform the way the FMCSA does business. The ultimate goal is to implement a customer-centric information technology (IT) solution that optimizes FMCSA's business processes and improves the Agency's ability to save lives. Key objectives include (1) creating a single source for crucial safety data via single sign-on access, (2) improving data quality to ensure better, more informed decision-making and (3) providing actionable information as well as data. For companies, the FMCSA Portal provides single sign-on access to L&I, DataQs, Analysis and Information (A&I) Online, and the National Consumer Complaint Database (NCCDB) via a single password and user ID. Company users can also access public functionality in L&I, SAFER, Commercial Vehicle Information Systems and Networks (CVISN), and the National Hazardous Material Route Registry (NHMRR) as well as the "Protect Your Move" and "Share the Road Safely" Web sites. To register for a COMPASS account, go to: https://portal.fmcsa.dot.gov.

Company access accounts are available to the following types of users: (1) carriers with a USDOT number and (2) carrier employees or other professionals (i.e. freight-forwarders, insurance companies) who need access to carrier information. Note: You must know the carrier's USDOT Number. In order to set up an account, you must know the user account type that you are requesting A Company Official Account is for a person who will have full access to company information, and the ability and responsibility of approving and managing account requests from Company Employees. Note: There will be only one Company Official for each USDOT#. To request a Company Official user account, you must have the PIN associated with your USDOT#. If you do not have a PIN, or do not know your PIN, go to the USDOT PIN Request. An Access Company Information Account is for a person who needs access to limited company information, but is not responsible for managing accounts or other users. For additional information about COMPASS, go to http://www.fmcsa.dot.gov/about/what-we-do/keyprograms/compass-factsheet.htm.

21. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.

U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

22. The Ohio Motor Carrier Information System (OMCIS) is the home to regulatory information for motor carriers in the State of Ohio.

Through this system you can find information about the motor carrier industry as a whole or view specific details about a single company. Motor Carriers and/or their representatives can also utilize the system to register their company with the Public Utilities Commission of Ohio, maintain their corporate profile, register as a motor carrier, pay fees/taxes, track inspections and compliance reviews conducted in Ohio, pay or contest forfeitures, see crash data, and interact with staff of the commission. You are encourage to create an on-line profile

- 23. Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance
- 24. All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. If you see an incident in Ohio the Ohio State Highway Patrol can be directly reached at #677 (non-emergency number) or 911 for the nearest police department. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which are available online. Carriers should visit the following website for more information: http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf
- 25. Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

26. 385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer Federal Motor Carrier Safety Administration 1200 New Jersey Avenue SE, Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

U.S. Department of Transportation Federal Motor Carrier Safety Administration Linda D. Gilliam, Division Administrator 200 North High Street, Room 609 Columbus, OH 43215

Ensure that a CC copy of the request is mailed to:

U.S. Department of Transportation Federal Motor Carrier Safety Administration Midwestern Service Center John Mulcare, Acting Field Administrator 4749 Lincoln Mall Drive, STE 300A





U.S. DOT #: 624363

Review Date: 07/27/2016

Part B Requirements and/or Recommendations

Matteson, IL 60443

27. A Safety Management Plan manual was given to you detailing the requirements for you to follow to upgrade your safety rating.

A copy of the SMP shall be prepared and submitted to each of the following offices:

Linda D. Gilliam, Division Administrator Ohio Division, Federal Motor Carrier Safety Administration 200 North High Street, Room 609 Columbus, OH 43215

John Mulcare, Acting Field Administrator Midwestern Service Center, Federal Motor Carrier Safety Administration 4749 Lincoln Mall Drive STE 300A Matteson, IL 60443

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28. NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

INVESTIGATIVE REPORT RECEIVED BY:

Name: Steve Plummer C/O Daniel L. Winner

Title: Consultant / President

Carrier Name: DL Winner Livestock Express Inc.

Date: 7-27-2016

A complete listing of current drivers and equipment was submitted with this investigation and is stored electronically on the Public Utilities Commission of Ohio's internal server. The carrier most recently updated their MCS-150 filing on 5-20-2015.

REASON FOR INVESTIGATION:

This carrier was assigned for review on 7-5-2016 as part of the moderate risk 1 list, and due to being in alert status in the Crash BASIC 70%, HOS Basic 73%, and Controlled Substances & Alcohol BASIC 88%. There were no USV's included on their previous review conducted on 5-29-2015. Therefore, considering the three full BASIC's requiring investigation; my review was assigned/conducted as an on-site focused review.

SCOPE OF INVESTIGATION:

As previously mentioned, my review was assigned/conducted as an on-site focused review investigating the Crash, HOS and Controlled Substances & Alcohol BASIC. No D & A Supplemental was required, because a full review of Parts 40 & 382 was conducted.

CARRIER OPERATION DESCRIPTION:

DL Winner Livestock Express Inc. has been incorporated and operating as such since September of 2006 and transports livestock in Ohio, Indiana, Kentucky and Michigan. The carrier is an authorized for-hire motor carrier with a fleet of (13) truck-tractors and (14) semi trailers. According to documentation provided by the carrier, they currently employ 9 drivers, including 2-owner operators.

Mr. Daniel Winner provided their 4 most recently completed IFTA reports, 3rd and 4th for year 2015 and the 1st and 2nd for 2016 and used to calculate their fleet mileage for the previous 12 months. However, he refused to provide the carrier's gross revenue. The carrier's revenue entered in Part A was calculated using the methodology prescribed in the FOTM (miles X \$1.50 per mile). The carrier has not engaged in emergency relief efforts. The carrier maintains a modern and very well kept facility which includes office space, and heated garage. The grounds also includes ample covered parking for tractors and trailers and wash-out facility for their livestock trailers. Mr. Winner advised the building is not equipped with any type of video surveillance or recording system.

DATE OF INVESTIGATION:

The review was opened on July 18, 2016 at 12 noon as scheduled to accommodate the carrier. The review was subsequently conducted on site on 7-22-16. I worked on the review at my field office on 7-25-2016, and 7-27-2016. The review was closed in the afternoon on 7-27-16 and uploaded on 7-29-2016.

Corporate Structure:

President: Daniel L. Winner Vice President: vacant

Secretary/Treasurer: vacant

PRE-INVESTIGATION:

On 7-15-2016, I attempted to contact the carrier at the phone number listed on their MCS-150, but it went to Dan Winner's voicemail. I left a brief message along with my contact information. I subsequently received a return call from Mr. Winner. We discussed the reason for their review, scope of investigation, and my intention to begin on Monday July 18, 2016. He requested the review be delayed, because he was undergoing an IRS audit. However, it was established IRS investigators were not working on-site. He also wanted to ensure his consultant was present. Due to previously scheduled training to be held Tuesday thru Thursday next week, I advised him that I could not wait a week before opening. Mr. Winner advised he could be available around noon on 7-18-2016. We agreed to open the review at that time. I requested a driver list be forwarded as soon as possible. The carrier faxed a driver list within the hour. CDLIS queries were completed. I also checked the carrier thru the Ohio SOS, SAFER, L & I, UCR, OMCIS, MCMIS, and A & I prior to opening.

CDLIS:

As previously stated; the carrier currently employs 9-CDL drivers operating Class A CMV's. As a result, per the FMCSA/e-FOTM requirements, a CDLIS/AKA check was performed on their 9 drivers. Although, not required, copies of the CDLIS reports are included with this review. No violations were discovered.

AUTHORITY:

The carrier possessed active contract for-hire authority (MC# 359658).

INSURANCE:

The carrier provided a properly prepared MCS-90 consistent with the information posted with L & I. A copy of their MCS-90 is included.

CRASH BASIC:

The carrier was in alert in the Crash BASIC (70). According to MCMIS, they have been involved in 4 crashes within the previous 24 months, but only 1 within the previous 365 days. This CR was initiated prior to completing CBI training, thus the CAT Tool was not used. Two of those crashes have been the direct result of driver negligence; one driver was texting and the second was chemically impaired. The carrier maintained and provide a properly prepared accident register and was checked against their loss-run report. No unexplained losses were discovered.

On 4-22-2016, driver, Keith Delzeith was involved in a two vehicle crash on I-69 near Ft. Wayne, IN. According to witnesses, he was driving erratically when he struck the rear of a pickup truck pulling a camper. There were no injuries. As a result of the crash, he was issued multiple citations for moving violations and physically arrested by the Indiana State Police for DUI, possession of Methamphetamine, and drug paraphernalia. Delzeith's tractor was towed due to disabling damage and as previous mentioned, he was cited. The trailer loaded with cattle was destined for a packing plant in Plainwell, MI and was not damaged. The carrier dispatched another tractor to pickup the trailer. Post accident testing was required. See the drug & alcohol portion of this summary.

RED FLAG DRIVERS:

According to A & I, the carrier had one RFD (red flag driver) violation. On 4-22-2016, driver, Keith Delzeith was involved in a two vehicle crash on I-69 near Ft. Wayne, IN. As a result of the crash, he was issued multiple citations for moving violations and physically arrested by the Indiana State Police for DUI, possession of Methamphetamine, and drug paraphernalia. According to President, Daniel Winner,

he had received a call from the packing plant in Plainwell, MI inquiring why his driver (Delzeith) had not arrived and delivered as scheduled. He stated he was not able to contact the driver by phone. He was subsequently contacted by the Indiana State Police and informed of the crash and arrest. Delzeith eventually called Mr. Winner from the DeKalb County Jail. He was immediately terminated by the carrier and no further action is required.

DRUG AND ALCOHOL:

A supplemental review was not conducted, because a full review of Parts 40 & 382 was required due to being alert in the BASIC (88). The carrier has been using Tri-State Transportation Consulting Inc. to manage their testing program since 11-2014.

According to appendix A, DL Winner Livestock Express Inc. was not subject to the Drug & Alcohol Management Information System (DAMIS) survey. Supervisory training for reasonable suspicion testing was provided by Steve Plummer on 6-17-2016. The carrier also collects their own specimens for testing. Dan Winner was trained in specimen collection & certified by Mr. Plummer on 5-17-2013. He also completed SST, alcohol test strip training on 5-17-2013. A company policy was presented and reviewed.

Pre-employment CST:

According to the carrier's driver list, they have hired 6 drivers within the previous 12 months. The FOTM required that 5 be reviewed for compliance with pre-employment testing. The following 5 were reviewed;

Keith Delzeith DOH: 9-28-2015, tested on 9-15-2015 and the result was certified negative on 9-17-2015 (trip date 9-28-2015 from New Weston, OH-Portland, IN).

Thomas Stachler DOH: 2-29-2016, tested on 2-25-2016 and the result was certified negative on 2-29-2015 (trip date 3-3-2016 from New Weston, Oh-Portland, IN).

Robert Park DOH: 6-15-2016, tested on 6-10-2016 and the result was certified negative on 6-13-2016 (trip date 6-26-2016 from Spencerville, OH-Latty, OH).

Scott Finnerty DOH: 6-5-2016, tested on 5-31-2016 and the result was certified negative on 6-2-2016 (trip date 6-5-2016 from new Weston, OH-Logansport, IN).

Justin Klinger DOH: 6-12-2016, tested on 6-3-2015 and the result was certified negative on 6-6-2016 (trip date 6-12-2016 from New Weston, OH-Louisville, KY). No violations were discovered.

2015 Random:

Mr. Plummer provided a carrier specific annual summary which showed a total of 3 pre-employment CST, 8 random CST, 2 random BAT, and 1 post accident CST. However, upon reviewing the carrier's selection notifications for the year, it was determined that only 2 drivers had been selected and completed random CST. Driver, Paul Gaier was selected and tested for CST during the first quarter 2015 (2-4-2015), and Kevin Dirksen was selected and tested during the second quarter of 2015 (5-12-2015). All results were negative.

Upon reviewing the annual summary for the consortium's 2015 pool, it indicated the average number of drivers was 555 and that a total of 277 random CST and 55 random BAT were conducted during the year. The required testing percentage for CST in 2015 was 50% of the average number of drivers. It was determined that the consortium was required to conduct a total of 278 random CST. The required testing percentage for BAT in 2015 was 10% of the average number of drivers. It was determined that the consortium was required to conduct a total of 56 random BAT. The consortium's random program was found to be non-compliant for 2015. As a result, the carrier was required to meet the minimum annual percentages as an independent program. DL Winner Livestock Express Inc. was also found to be non-compliant in random testing for calendar year 2015. They were required to conduct at least 6 random CST and at least 2 random BAT.

2016 Random:

The following drivers were selected for testing thus far for 2016. Brian Schemmel was selected for random CST and tested during the first quarter 2016 (1-14-2016), and Rick Schemmel was selected and tested during the first quarter of 2016 (1-12-2016). Scott Wehens was selected for random CST & BAT and tested during the 2nd quarter of 2016 (6-10-2016), and Thomas Stachler was selected for random CST and tested during the 2nd quarter (6-14-2016). All results were negative. Driver, Brian Schemmel was selected for random CST during the third quarter of 2016. As of 7-18-2016, the remaining test has not been conducted.

Post accident:

On 4-22-2016, driver Keith Delzeith was involved in a 2 vehicle accident on I-69 in DeKalb County, IN. According to the Indiana State Police, Delzeith was driving erratic on I-69 at approximately 15:13 ET, when he struck a pickup truck pulling a camper in the rear. As a result, 2 vehicles were towed due to disabling damage and Mr. Delzeith was subsequently cited by the investigating agency for reckless driving, driving under the influence of drugs, possession of drug paraphernalia, unsafe lane change, unsafe speed, and following too closely. The driver was incarcerated as a result of the crash and subsequently terminated by the carrier effective 4-22-2016. According to Sgt. Hans Schmidt (ISP), Mr. Delzeith submitted to a DataMaster BAC (breath test) and chemical blood test at the direction of the ISP. Both tests were conducted within 3 hours of the crash as required by Indiana law. Sgt. Schmidt advised the breath test was negative. The blood test result was not released to me. The carrier failed to obtain the results for the tests administered at the direction of ISP as required by 49 CFR Part 382, and able to be used in lieu of the carrier conducting post accident testing. They also failed to prepare and provide upon request, documentation indicating their reasons why post accident testing was not conducted. The carrier failed to provide a record of their attempts (e-mails, letters, or subpoena) to obtain the law enforcement test results.

WORST 1% DSMS DRIVERS:

According to DSMS, the carrier had no drivers amongst the worst 1%.

INVESTIGATION:

Upon my arrival, I met with Daniel Winner and Consultant, Steve Plummer at the office located in the garage/shop. I conducted my opening interview and discussed the state of the company. Mr. Winner advised the number of drivers employed is down from the previous review; one driver was fired (Delzeith), one driver retired in April and two quit in May. He sounded the familiar bell; that he cannot find desirable/quality drivers who are willing to transport livestock. He also discussed harassment of drivers by activists at the packing plants. There were no operational changes since his previous CR, except that they only haul for Cooper Farms and deliver to Ohio, Michigan, Indiana, and Kentucky.

I completed & confirmed Part A information. I discussed HOS with the carrier and discussed logs and supporting documents. RODS were filed by driver & month. Bulk fuel is maintained on site. The fuel island is not monitored by any type of surveillance system and no fuel log is maintained for inventory control including consumption & theft. Drivers are paid a flat rate. The only time and date stamped records generated are fuel receipts from one owner operator. A BOL is prepared by each driver based on a ticket provided by the initial livestock shipper. One copy is maintained by the carrier and the other is turned in to the packing house.

It was determined that none of the carrier's CMV's are equipped with any type of GPS tracking/locating or EMMT. DQ files, accident register, loss-run report, and maintenance records were all readily available. The standard, FMSCA required and custom recommendations were made in the appropriate

section of this review. The carrier's vehicle OOS percentage was not entered in Part A, because they were not deficient in the vehicle maintenance BASIC.

UNSAFE DRIVING:

The carrier was not alert in the Unsafe Driving BASIC.

DRIVER FITNESS:

The carrier was not alert in the Driver Fitness BASIC, but was partially reviewed as part of the Crash BASIC. I reviewed the DQ file for driver, Keith Delzeith DOH: 9-28-2015 and termination date 4-22-2016. A proper employment application was on file and dated 9-15-2015 and included the required previous employer language. A pre-employment MVR was on file and dated 9-28-2015. Previous employer verification N/A: according to the driver application, he was employed from 9-13 thru 9-15 at North Star Hardware (mechanic), and from 5-2009 thru 9-2013 at D L Winner Express (driver). The annual MVR, certificate of violations and annual review were not required. A photocopy of his CDL was on file. The MEC was issued on 10-14-2014, expires 10-14-2016 and was issued Dr. Juan Torres, #35-079391-OH, phone (419)-586-1220. The MEC was verified by Marge on 7-18-2016 @ 14:35 ET via phone. No violations discovered in Part 391.

HOURS OF SERVICE:

The carrier was in alert (73) in the HOS BASIC. Based on a carrier employing 9-drivers, the required sample size to review for HOS is 30 days X 5 drivers (150 RODS). According to the DSMS, the carrier has 3 drivers identified as having contributed to the alert BASIC, but are no longer employed; Keith Delzeith DOH: 9-28-2015 and termination date 4-22-2016, Ben Poeppelman DOH: 7-27-2014 and termination date 5-6-2016, and Richard Schemmel DOH: 11-8-1998 and termination date 4-29-2016. Thus, those 3 along with 2 additional drivers were selected for review.

Mr. Winner advised that he looks at the logs, but doesn't compare them to other documents. He was not aware of the 395.1(k) Ag exception during planting & harvesting season. There routes are all within 150 air miles except Plainwell, Ml. He advised that drivers are not pushed for hours and based on their operations, hours should never be an issue. He advised he personally ran each of the routes made by his drivers and knows the distance and amount of time required. Overall, the carrier's paperwork pertaining to Part 395 was organized.

The RODS for Keith Delzeith were reviewed for the day of his crash (4-22-2016) and the previous 7 days. This CR was initiated prior to completing CBI training. All 7 days prior to his crash were found to excepted from Part 395 due to 395.1(k). However, the trip on 4-22-2016 was beyond 150 air miles. In conjunction with the RODS from 4-22-2016, I reviewed Delzeith for the month of February for a 30 day sample. All 30 days were on file as required. No HOS violations were discovered.

The RODS for Richard Schemmel were reviewed for the last day of January 2016 and all of February. All 30 days were on file. 1-false nominal RODS was discovered on 2-17-2016 when he logged off duty for 30 minutes in Portland, IN and flagged it as loading. No other HOS violations were discovered.

The RODS for Mark Koenig were reviewed for the last day of January 2016 and all of February. All 30 days were on file. Mr. Koenig had 3 days in violation of F & M for failing to indicate a location for changes in duty status. No other HOS violations were discovered.

The RODS for Ben Poeppelman were reviewed for the last day of January 2016 and all of February. All 30 days were on file. Mr. Poeppelman had 2 days in violation of F & M for failing to indicate a location for changes in duty status and record a BOL# or name of shipper & commodity on his RODS. No other HOS violations were discovered.

The RODS for Eric Seabold were reviewed for the last day of January 2016 and all of February. All 30 days were on file. Mr. Seabold had 9 days in violation of F & M for failing to indicate a location for

changes in duty status. He also had 1 false nominal RODS; on 2-21-16, he logged driving from Van Wert, OH-Haviland, OH from 21:45-22:15, but pumped 96 gallons of diesel fuel in Van Wert at 21:57 ET. No other HOS violations were discovered.

VEHICLE MAINTENANCE:

The carrier was not deficient in the Vehicle Maintenance BASIC. However, was required to be examined due to being alert in the Crash BASIC. The carrier had one crash (4-22-2016) within the previous 365 which was required to be reviewed for compliance with Part 396. It was established that no DVIR was required for the two vehicles involved. The recent rule change (December 2014) concerning DVIR was discussed.

A maintenance file was requested for both units, tractor# 311, a 2011 Peterbilt tractor, VIN# 1NPXGGGG30D12766 and ST# 62, a 2012 Wilson livestock trailer, VIN# 1W165512A7D5543383. Both units were most recently inspected in January 2016 by the carrier's mechanic, Mitch Brockman. It was determined that he was qualified to conduct periodic annual inspection in compliance with 396.17 and 396.19. Both maintenance files were examined as required and each file was properly identified; and included annual inspections, and regularly scheduled maintenance and repairs. A full service is conducted on each tractor every 15,000 miles. The trailers are not equipped with hub meters, but are assigned with each tractor and serviced as one unit. According to Mr. Winner, tractors and trailers are very seldom switched out. According to MCMIS & Query Central, the carrier has had no roadside inspections, information or data generated since the 4-22-2016 crash.

FOLLOW-ON ACTION:

Due to scheduling conflicts and as a courtesy to the carrier, it was agreed to close the CR with the carrier's consultant at their PPOB. On 7-27-2016, I met with Steve Plummer (Owner of Tri-State Transportation Consulting Inc.) at his business in Grover Hill, OH. The review was explained to him and all corresponding documents were provided. Compliance monitoring of the carrier is recommended. Prior to closing the review, I checked the "display rating" button in Part B and discovered the proposed safety rating was conditional. As a result, and according to policy, the review type was changed in CAPRI to a rated review.

DOCUMENTS PROVIDED TO CARRIER:

I provided the SMC for the Drug & Alcohol, HOS, and Crash BASIC. I also provided information about the URS, multiple copies of the brochure, "Get road smart about the 7 BASICS of safety", and information concerning SR upgrade due to corrective action (385.17), including the most recent SMP (4-2016).

A copy of the compliance review was given to Steve Plummer, Owner of Tri-State Transportation Consulting Inc. on 7-27-2016. A copy of the compliance review and all associated documents were mailed to Daniel L. Winner, President of DL Winner Livestock Express Inc., on 8-1-2016. Mr. Winner may be reached at (419)-336-0301 or by e-mail at livestockexpress@watchtv.net <mailto:livestockexpress@watchtv.net>.

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TOTAL			2	1	}	•	1		1			1	1	ł



20308 Road 424 Defiance OH 43512 Phone: 419-789-0292

Fax: 419-587-3122

Random Selection Notice-CONFIDENTIAL

Customer:

D. L. Winner

Livestock Express, INC. Attn: Dan Winner

6080 State Route 705

New Weston, OH 45348

Selection Date: 12/29/2014

Pool Name: Tri State Transportation Consulting Inc.

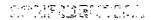
Industry: FMCSA Pool Size: 524

Alcohol % Goal: 10% Drug % Goal: 25%

Test Type	Employee Name	Date Tester
Drug Only	Paul Gaier	
	_	

The following employees have been randomly selected for testing. Please notify the employees as soon as possible and have them report to their designated collection site. Please remember that once the employee has been notified, he/she must report immediately to the collection site for testing. Your selections must be completed in the quarter they are selected for or your company will be terminated from the consortium.

*If the driver quits or is terminated before you are able to have them tested, it is your responsibility to notify Tri State Transportation Consulting Inc. so that an alternate may be selected.





MRO: Dan Drew, MD ~ John Tetrick, MD 7150 Graham Road Indianapolis, IN 46250 317-547-8620 fax 317-568-0849 http://www.drugfresworkplace.com

Results of these tests

Negative

Lab comments
MRO comments

Soc sec #	253-74-7710	Donor name	Galer, Paul L.
Test type	Random	Employer name	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC./
Lab	ALERE TOXICOLOGY	Specimen ID#	504898134
Collection site	TSTC/D. L. WINNER LT:ESTOCK EXPRESS, INC.	Proteco!	ння:рот
Collection date	2/4/15	Employer acct#	362176
Lab date	2/6/15	Lab result date	26/15
Test panel	5-Panel	MRO Dates	
Testing authority	FMCSA	Receipt of CCF #2	2/4/15
		Verified report date	82/26/2015-32:33:23 FW

The above captioned individual has submitted to drug testing pursuant to the requirements of 49 CFR 40 and pertinent regulations of the employer (sted above. Urine testing was carried out for the following drugs Amphetamines, Cotaine, Opiate, Phencyclidine, Marijuana, 6-AM, Eistary.

Medical Review Officer: Daniel C. Drew M.O.

De Drew M

Reviewed by: Nationwide Medical Review 7160 Graham Rd, Indianapolis IN 46250 (317) 547 8620



12236 CR 82 Paulding, Ohio 45879 Phone: 419-789-0292

Fax: 419-785-4703

Random Selection Notice

Customer:

D. L. Winner

Livestock Express, INC. 6080 State Route 705

New Weston, OH 45348

Selection Date: 04/06/2015

Pool Name: Tri State Transportation Consulting Inc.

Industry: FMCSA

Pool Size:564

Alçohol % Goal: 10% Drug % Goal: 50%

Test Type	Employee Name	Date Tested
Drug Only	Kevin Dirksen	5-12-2015

The following employees have been randomly selected for testing. Please notify the employees as soon as possible and have them report to their designated collection site. Please remember that once the employee has been notified, he/she must report immediately to the collection site for testing.

Your selections must be completed in the quarter they are selected for or your company will be terminated from the consortium.

*If the driver quits or is terminated before you are able to have them tested, it is your responsibility to notify Tri State Transportation Consulting Inc. so that an alternate may be selected.





NATIONWIDE MEDICAL REVIEW 7160 Graham Road Indianapolis, IN 46250 Office: (317) 547-8620 Fax: (317) 568 - 0849

Daniel C. Drew, M.D., Certified M.R.O.
John Tetrick, M.D., Certified M.R.O.

Results of these tests : Negative

Sec Sec # / ID #:	293-76-7696	Danor Name;	Dircksen, Kevin J.
Test Type:	Random	Employer Name:	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC.()
Lab:	ALERE TOXICOLOGY	Specimen (D#:	504698135
Collection Site:	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC.	Protocol:	ннѕ/рот
Collection Date:	05/12/2015	Employer Aca#:	362176
Lab Date:	05/14/2015	Leb Result Date:	05/14/2015
Test Panel: Testing Authority	5-Panel	MRO Dates: Receipt of CCF #2 Verified Report Date:	05/12/2015 05/14/2015 06:38:27 PM

The above captioned individual has submitted to drug testing pursuant to the requirements of 49 CFR 40 and pertinent regulations of the employer listed above. Urine testing was carried out for the following drugs Amphatamines , Cocaine, Oplate, Phencyclidine, Marijuana, 6-AM, Ecstacy.

Medical Review Officer: John Tetrick, MD



20308 Road 424 Defiance OH 43512 Phone: 419-789-0292

Fax: 419-587-3122

Random Selection Notice-CONFIDENTIAL

Customer:

Selection Date: 07/06/2015

D. L. Winner

Pool Name: Tri State Transportation Consulting Inc.

Livestock Express, INC.

Industry: FMCSA

Attn: Dan Winner 6080 State Route 705

Pool Size: 571 Alcohol % Goal: 10%

New Weston, OH 45348

Drug % Goal: 25%

Test Type	Employee Name	Date Tester
	NO SELECTION THIS QUARTER	

The following employees have been randomly selected for testing. Please notify the employees as soon as possible and have them report to their designated collection site. Please remember that once the employee has been notified, he/she must report immediately to the collection site for testing. Your selections must be completed in the quarter they are selected for or your company will be terminated from the consortium.

*If the driver quits or is terminated before you are able to have them tested, it is your responsibility to notify Tri State Transportation Consulting Inc. so that an alternate may be selected.



PO Box 98 Grover Hill, OH 45849 Phone: 419-789-0292

Fax: 419-587-3122

Random Selection Notice-CONFIDENTIAL

Customer:

Selection Date: 10/05/2015

D. L. Winner

Pool Name: Tri State Transportation Consulting Inc.

Livestock Express, INC.

Industry: FMCSA

Attn: Dan Winner

Pool Size: 585

6080 State Route 705

Alcohol % Goal: 10%

New Weston, OH 45348

Drug % Goal: 25%

Test Type	Employee Name	Date Tested
	NO SELECTION THIS QUARTER	
		

The following employees have been randomly selected for testing. Please notify the employees as soon as possible and have them report to their designated collection site. Please remember that once the employee has been notified, he/she must report immediately to the collection site for testing. Your selections must be completed in the quarter they are selected for or your company will be terminated from the consortium.

*If the driver quits or is terminated before you are able to have them tested, it is your responsibility to notify Tri State Transportation Consulting Inc. so that an alternate may be selected.



DOT Drug Testing Laboratory Report By Facility

1111 Newton Street Gretna, Louisiana 70053 Ph: 800.433.3823 Fax: 504.361.1530 450 Southlake Boulevard Richmond, VA 23236 Ph: 800.433.3823 Fax: 804.379.5919 www.AlereToxicology.com

acility Number: 362176 STC/D. L. WINNER LIVESTO	Account Number: 119965 COMPLIANCE CORE/DR. DREW			
080 STATE ROUTE 705 IEW WESTON, OH 45348		Start Date: End Date:	01/01/2015 06/30/2015	
1) Total Number of Specimens	Reported	·	5	,
Specimens Reported by Test	<u>Type</u>			
Pre-Employment		and a second of the contract o	Managana and Andrews Control of the State of	
Post Accident				
Random				
Reasonable Cause				
Return to Duty	. 0			
Follow Up				
Other				
2) Total Number of Specimens	Reported As			
a) Negative			5	;
			_	
3) Total Number of Specimens	Reported As Rejected		0)
a) Number of Fatal Flaws	0			
b) Number of Uncorrected F	-			
•				
4) Total Number of Specimens	Reported As Positive	, , , , , , , , , , , , , , , , , , , 	0	I
Specimens Reported Positive	by Drug			
Marijuana Metabolites	0			
Cocaine Metabolites				
Opiates Class	_ 0		•	
Codeine: 0				
Morphine: 0				
6-AM: 0				
Phencyclidine	_ 0			
Amphetamines Class	_ 0			
Amphetamine: 0				
Methamphetamine: 0				
MDMA: 0			••	
MDEA: 0			***	
MDA: 0				
5) Total Number of Specimens	Reported As Adulterate	ed	0	
6) Total Number of Specimens	Reported As Substitute	:d	0	
7) Total Number of Specimens	•		- ∩	

Selection made 12-24-2014

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293-76-7696 298-74-7710 295-56-8442 295-56-8442 295-56-8442 276-58-3987 278-70-3879	8 7 80 9885 7 4 8 7 17 8 101 8 2 3905 89 80 923

Jan, Feb, March

Carriers mat 1. dual 1

12 AVS # divus

50% EST - (6)

2nd quarter 2015
Selection Made 4-6-15

7696 Kevin Dirkson. DI Winner Livertock Events

293-76-7696	Kevin	Dirksen	DL Winner Livestock Express	0.752505638
298-74-7710	Paul	Galer	DL Winner Livestock Express	0.047106596
295-78-3940	Troy	Lewis	DL Winner Livestock Express	0.344326243
286-68-8274	Mark	Middendorf	DL Winner Livestock Express	0.695034544
296-56-1443	. Joe	Rosenbeck	DL Winner Livestock Express	0.521051549
291-84-3987	Mark	Koenig	DL Winner Livestock Express	0.343255463
278-70-3679	Richard	Schemmel	DL Winner Livestock Express	0.659314916
281-82-3905	Brian	Schemmel	DL Winner Livestock Express	0.721729464
287-80-9805	Christopher	Thornhill	DL Winner Livestock Express	0.161578055
273-82-1778	Scott	Wehens	DL Winner Livestock Express	0.298276748
301-82-3905	Daniel	Winner	DL Winner Livestock Express	0.343843984
289-80-9233	Benjamin '	Poppleman	DL Winner Livestock Express	0.814345123

Afril May June 12.

3rd quarter 2015 Selection Maile 7-6-15

298-74-7710	Paul	Gaier	DL Winner Livestock Express
281-82-3905	Brian	Schemmel	DL Winner Livestock Express
291-84-3987	Mark	Koenig	DL Winner Livestock Express
286-68-8274	Mark	Middendorf	DL Winner Livestock Express
289-80-9233	Benjamin	Poppleman	DL Winner Livestock Express
278-70-3679	Richard	Schemmel	DL Winner Livestock Express
301-82-3905	Daniel	Winner	DL Winner Livestock Express
273-82-1778	Scott	Wehens	DL Winner Livestock Express

8 + 2 notin fool

July, Aus, Sept

Eric Seabold DoH: 6-4-2015

Andy Platfoot DoH: 5-31-15

4th quarter 2015 Selection Made 10-5-2015

298-74-7710	Paul	Gaier	DL Winner Livestock Express
287-88-4042	Eric	Siebold	DL Winner Livestock Express
286-68-8274	Mark	Middendorf	DL Winner Livestock Express
290-92-1797	Andrew	Platfoot	DL Winner Livestock Express
291-84-3987	Mark	Koenig	DL Winner Livestock Express
278-70-3679	Richard	Schemmel	DL Winner Livestock Express
281-82-3905	Brian	Schemmel	DL Winner Livestock Express
273-82-1778	Scott	Wehens	DL Winner Livestock Express
301-82-3905	Daniel	Winner	DL Winner Livestock Express
289-80-9233	Benjamin	Poppleman	DL Winner Livestock Express

10+ 1 Mer in Pool

oct, Nov. Dec

Keith Delzeith DoH: 9-28-15

1st Quarter 2016 Drug pool Roster

Selection Made 12-30-15

298-74-7710	Paul	Gaier	DL Winner Livestock Express
	Keith	Delzeith	DL Winner Livestock Express
287-88-4042	Eric	Siebold	DL Winner Livestock Express

291-84-3987	Mark	Koenig	DL Winner Livestock Express
278-70-3679	Richard	Schemmel	DL Winner Livestock Express
281-82-3905	Brian	Schemmel	DL Winner Livestock Express
273-82-1778	Scott	Wehens	DL Winner Livestock Express
301-82-3905	Daniel	Winner	DL Winner Livestock Express
289-80-9233	Benjamin	Poppleman	DL Winner Livestock Express

of to proting pool

Jan. Feb. March

Andy Platfort DoH: 5-3/15
por: 1-21-16

2nd quarter 2016 Random drug pool roster

Selection Made on 4-11-2016

282-90-7041	Justin	Klinger	DL Winner Livestock Express	
301-82-4082	Kevin	Winner	DL Winner Livestock Express	
273-82-1778	Scott	Wehens	DL Winner Livestock Express	
272-60-7759	Thomas	Stachler	DL Winner Livestock Express	
301-82-3905	Daniel	Winner	DL Winner Livestock Express	
281-82-3905	Brian	Schemmel	DL Winner Livestock Express	
312-13-1717	Scott	Finnerty	DL Winner Livestock Express	
298-74-7710	Paul	Gaier	DL Winner Livestock Express	
291-84-3987	Mark	Koenig	DL Winner Livestock Express	
287-88-4042	Eric	Siebold	DL Winner Livestock Express	

10 +1 Aria poci

Agril, May June

Reith Delzeith DoH: 9-28-15 DoT: 4-22-16

DRIVER/VEHICLE EXAMINATION REPORT Query Central 3.4 Report Number: IN6921005893 Indiana State Police Inspection Date: 12/01/2015 **Commercial Vehicle Enforcement** Start: 11:24 AM ET End: 12:00 PM ET 7811 Milhouse Road, Suite S Inspection Level: III - DriverOnly Indianapolis, IN 46241 Phone: (317)615-7373 Fax: (317)237-2116 **HM Inspection Type:** None DL WINNER LIVESTOCK EXPRESS INC Driver: POEPPELMAN, BENJAMIN U License#: RE885995 6141 ST RT 705 State: OH NEW WESTON, OH 45348 Date of Birth: 06/22/1978 USDOT#: 00624363 Phone#: (419)336-0301 CoDriver: MC/MX#: 359658 Fax#: (419)336-0400 License#: State: State#: Date of Birth: Location: US20 WB NEAR CR 800 W MilePost: Shipper: WILLIAMS CATTLE Origin: NEW WESTON, OH Highway: Bill of Lading: NONE Destination: PLAINWELL, MI County: Cargo: CATTLE VEHICLE IDENTIFICATION Equipment ID Unit Type Make Year State Plate # VIN **GVWR** CVSA# New CVSA# OOS# 0109 1 TT PTRB 2009 OH PVU5390 1XPXD49X69N782930 52,000 65,000 2 ST WILX 2013 OH TPZ8887 60 1W16512A1D5543380 BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 3 VIOLATIONS Unit OOS Citation # Vio Code Section Verify Crash Violations Discovered WARNING 392.2-SLLS1 State/Local Laws - Speeding 1-5 miles per 392.2-SLLS1 N hour over the speed limit.: 55 MPH ZONE. D 000076521028 N 395.8F01 Drivers record of duty status not current: Log 395.8F01 Ν not Current on 11/30/2015 12:00 AM. Driver's last entry was on 11/29/15 at 2400 hrs. in On-Duty Not Driving line from New Weston, OH.

HazMat: No HM Transported.		Placard: No	Cargo Tank:	
Special Checks: Traffic Enforcement;				
State Information: Board of Health Enf. Action: 0; CDL Checked: 1; DUTY STA 1 certify that all requirements of the "out-of-service" violations on this inspection				
Signature Of Repairer X:				
IN ACCORDANCE WITH 49 CFR-396.9(d), SHOULD ANY VIOLATIONS BE WITHIN FIFTEEN (15) DAYS, BY DOING SO, YOU VERIFY AND ACKNOW MEASURES.				
Signature Of Motor Carrier X:			Date:	

Report Prepared By: STEVE SPALLINGER Badge #: 6921

Copy Received By: BENJAMIN POEPPELMAN

Page 1 of 2



00624363 IN IN6921005893

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Indiana State Police

Commercial Vehicle Enforcement 7811 Milhouse Road, Suite S

Indianapolis, IN 46241

Phone: (317)615-7373 Fax: (317)237-2116

Report Number: IN6921005893

Inspection Date: 12/01/2015

Start: 11:24 AM ET End: 12:00 PM ET Inspection Level: Ill - DriverOnly

HM Inspection Type: None

DL WINNER LIVESTOCK EXPRESS INC

6141 ST RT 705

NEW WESTON, OH 45348

USDOT#: 00624363 MC/MX#: 359658

Phone#: (419)336-0301

Fax#: (419)336-0400

State#:

Driver: POEPPELMAN, BENJAMIN U

License#: RE885995

Date of Birth: 06/22/1978

CoDriver:

License#:

Date of Birth:

State:

State: OH

Inspection Notes

*overcast, COOL, WET, HAD BEEN RAINING*1 OCC, M-DR, US20 WB NEAR CR 800 W, *I MOVING EB US20 NEAR CR 800 W, NO TRAFFIC BETWEEN US WHEN MEASURED SPEED, FRONT AT 60, LOCKED 60, GOOD AUDIO AND TS*GAVE DL AND PAPERS*TOLD SPEEDING, DIDN'T REALIZE SPEEDING OR SPEED, TOLD 60, KNEW LIMIT 55 - WARNING *TICKET - LOG NOT CURRENT. HE HAD NOTHING FOR TODAY OR YESTERDAY, BUT HAD 6 COMPLETED DAYS OF LOGS. HIS LAST ENTRY WAS ON 11/29/15 AT 2400 HRS. IN THE ON-DUTY NOT DRIVING LINE FROM NEW WESTON, OH.*FAIR ATT*FAIR ATT*INPS. 5893*VIP MCSAP OT

Ì	Special Studies No Special Study Data Recorded
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00624363 IN IN6921005893





Selection Criteria:

Crash Detail Date: 07/13/2014 To 07/12/2016 Crash Sum Date: 07/13/2014 To 07/12/2016 Insp Detail Date: 07/13/2014 To 07/12/2016 Insp Sum Date: 07/13/2014 To 07/12/2016 Inspection: All

Company Safety Profile

DL WINNER LIVESTOCK EXPRESS INC Legal Name:

Doing Business As: USDOT #:

624363

Report 8A

Individual Inspections - Min: 1 Year, Max: 2 Years (from the Date of the Carrier Profile)

For a Motor Carrier involved in less than 50 Inspections in the requested year - the report will show inspections for the previous year up to a The report shows all Inspections for at least one year is defined as a total of 12 months of data previous to the date of the report)

Post Crash Violations are not included in SMS calculations.

maximum of 50 Inspections.

State Driver DOB 06/22/1978 10/28/1984 10/23/1981 03/14/1961 TO 유 원 F 310 311 မြ <u>z</u> 92 8 Driver Name DOTHHOS DOTHER BENJAMIN U POEPPELMAN RICHARD A SCHEMMEI Driver License # KEITH D DELZEITH Company: Company: Company Company TROY M LEWIS 1210299590 RM452515 SC112099 RE885995 DOTHDRY DOTHDRY DLANCHG DOTHDRY DOTHDRY D2CLOSE State VIN: 11NPXGGGG30D127266 VIN: 1NPXGGGG50D108055 1W1UCS1K2BD540410 HO 동 НО F VIN: 1XPXD49X69N782930 1W16512A7D5543383 VIN: 1XPXD49X18N768044 1W16512A7D5543383 1W16512A1D5543380 3 Both Out-of-Service and Post Crash Violation DL WINNER LIVESTOCK EXPRESS INC DL WINNER LIVESTOCK EXPRESS INC DL WINNER LIVESTOCK EXPRESS INC **DL WINNER LIVESTOCK EXPRESS INC** Carrier/Vehicle Name NO NEW WESTON **NEW WESTON** NO NEW WESTON **NEW WESTON** OH-PVU5390 OH-PVT8272 OH-TPZ8889 OH-PVT8264 OH-PVT8271 OH-TPZ8889 OH-TPZ8887 OH-TPZ8897 9 2 ₹ License #: License #: License #: License #: Report # 5224007149 7257003829 6921005893 5211004487 Out-of-Service Violation 2 Post Crash Violation (NB) US 231/ SR 67 160MM US20 WB NEAR CR 800 W D LOGVIO Location State -69 NB @ 326 MM <u>z</u> Unit Type: TT 5 Unit Type: IT Z Unit Type: IT <u>z</u> SR 3 @ 200 S Unit Type: IT Inspection OD SPEDNG 1D DRUGS1 OD SPEDNG Time 15:15 13:06 14:45 Total 2005 1005 Total 900S Total 000S County Date 04/22/2016 12/01/2015 03/11/2015 11/05/2015 STEUBEN DE KALB GREENE Unit #: Unit #: Unit #: Unit #: RUSH Total evel က ന ŝ ŝ

rpt reg carrier profile





Crash Detail Date: 07/13/2014 To 07/12/2016 Crash Sum Date: 07/13/2014 To 07/12/2016 Insp Detail Date: 07/13/2014 To 07/12/2016 Insp Sum Date: 07/13/2014 To 07/12/2016 Selection Criteria: Inspection: All

Company Safety Profile

DL WINNER LIVESTOCK EXPRESS INC Doing Business As: Legal Name:

USDOT #:

624363

Report 8A

Individual Inspections - Min: 1 Year, Max: 2 Years (from the Date of the Carrier Profile)

Out-of-Service Violation 2 Post Crash Violation 3 Both Out-of-Service and Post Crash Violation

		Inchestion	20			(2a)	CarrierWahiele	0 0		Driver		
l ove	Total	Time	State	# #0000			Nome				ŀ,	
ב רני		בווע	olale	# Hoday		-	Name			r Nari	ָט	
	County		Location		МΗ	S	City	State	Driver License #		State	State Driver DOB
ന	02/04/2015	07:52	ΚΥ	0B90200075		DL WINNER LIVESTOCK EXPRESS INC	SK EXPR	RESS INC	CHRISTOPHER M THORNHIL	HORNHIL	 	
	BOONE	VERONA		Z	9	NEW WESTON		ᆼ	RS501228	0	НО	02/19/1981
	Unit #:	1 Unit Type: TT	IT	License #:	_	OH-PVT8267	VIN: 1N	1NPXGGGG70D782935	Company:			
		2	ST		_	OH-TPZ8894		1W16512AXE5544724	,	<u> </u>		
	Total 300S	2D LOGVIO1		DFLSLOG' DLOGVIO	ş						ļi	
_	12/29/2014	04:00	Z	7301001323		DL WINNER LIVESTOCK EXPRESS INC	CK EXPE	RESS INC	JOSEPH U ROSENBECK	SECK SECK		
	MIAMI	US 31 NB @	3 SR 18	JS 31 NB @ SR 18-KOKOMO N	ON N	NEW WESTON		НО	RR690092	0	HO	05/22/1954
	Unit #:	1 Unit Type: TT	TT	License #:		OH-PVQ7241	VIN:	VIN: 1NPXGGGGX0D127264	Company:	-	11	
_		7	ST			OH-TPZ8900	<u> </u>	1W16512A2C5542186		140	69]]]
	Total 000S	0										
က	09/30/2014	13:37	<u>z</u>	8015000388		DL WINNER LIVESTOCK EXPRESS INC	CK EXPF	RESS INC	SCOTT A WEHNES		 }	
	CLARK	1 65 NB @ 7MM	WW.	Ż.	2	NEW WESTON		HO	RP289777	0	НО	03/07/1968
	Unit #:	1 Unit Type: TT	11	License #:		OH-PVT8268	VIN:	VIN: 1NPXGGGG30D108054	Company:	2	210	
_	1	7	ST	-		OH-TPZ8891	2	IW16512A4E5544721	,	သ	2	
	Total 100S	OD SPEDNG										
7	09/16/2014	08:44	≿	CV43590159		DL WINNER LIVESTOCK EXPRESS INC	CK EXPF	RESS INC	TROY M LEWIS		}	
	JEFFERSON	LOUISVILLE	ш	Z	2	NEW WESTON		동	1210299590		Z	10/23/1981
	Unit #:	1 Unit Type: TT	11	License #:		6	VIN:	VIN: 1NPXGGGGG50D108055	Company:	<u>හ</u>	310	
_		2	ST			OH-PZ8889	1	1W16512A7D5543383		G	62	
	Total 1008	OD LOGVIO										
က	07/30/2014	15:34	Z	8015000316		DL WINNER LIVESTOCK EXPRESS INC	SK EXP	RESS INC	TONY M LEWIS			
	CLARK	MM7 @ BN39I	MM	Z	ON	NEW WESTON	}	Ю	1210299590	=	Z	10/23/1981
	Unit #:	1 Unit Type: TT	TT	License #:		6Z69H/A-HO	VIN:	VIN: 1NPXGGGG50D108055	Company:	81	310	
	1	7	ST		_	OH-TPZ8889	1	1W16512A7D5543383	· · · · ·	.	62	
	Total 0008	0										

original - File at home terminal Duplicate - Defret retains in lisher possession for eight days STOCK EXPRESS, INC. 705 — NIEW WESTON, OH 10ffice Address 705 — NIEW WESTON, OH 10ffice Address	Signature Signature Signature Signature	2/25	The sent work
ORIGINATIVE DIFFERENCE CONTINUED CON	102 (51 %) Trailer Numbers Truck/Tractor and Trailer Numbers Solution 1 2 8 4 8 8 9 10 51 x00x 1 2 8 4 8 8		THE THE STANDARD AT HORE TERRORAL
C C C C C C C C C C C C C C C C C C C	TruckTracte	2. SLEEPER TITELS 3. DRIVING 4. ON DUTY (NOT DRIVING)	SERFING DOCUMENTS:

VAN WERT PARTY MART 1042 S WASHINGTON ST VAN WERT OH 45891 419-238-1418 57 446 495905 \$110305 OH 45891 1042 S WASHINGTON ST VAN WERT

178.60 amount -96.5956 SELF @ 1.849/ G qty *<CUSTOMER COPY>* DIES CR #15 Descr.

178.60 0.00 Sub Tota!

178.60 1 \$ 178.60 TOTAL 178

XXXX XXXX 2718

MASTERCARD

Save \$0.25/gai! Join the Fuel Rewards

Terms & conditions apply. Offer ends 6/5/16. Visit fuelrewards.com program today.

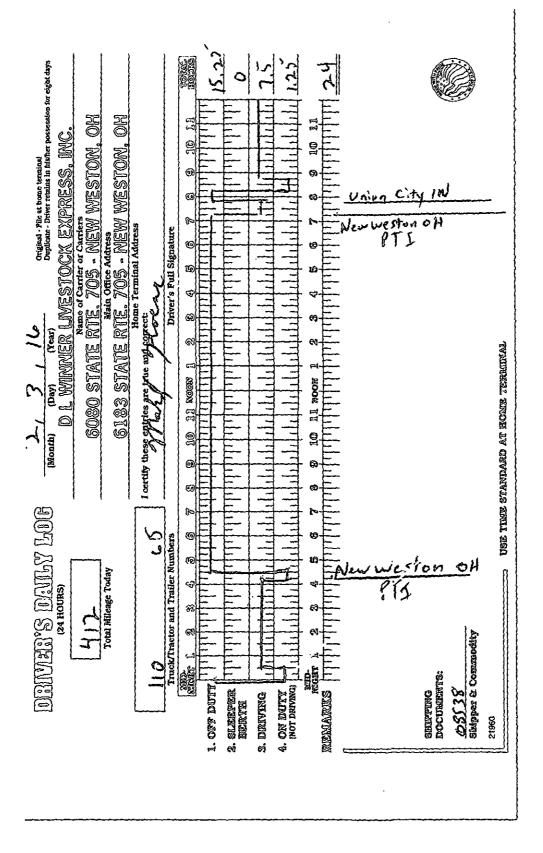
AUTH #: 823670 INVOICE: 543744

APPLY FOR THE NEW SHELL MASTERCARD

FROM CITI CARDS!

1-866-GET-SHELL REG# 0002 CSH# 024 DR# 01 02/21/16 21:57:54

TRAN# 23951



Corrent
Driver
1- 1-15+

Driver Name 1 Paul Gaier 2 Daniel Winner 3 Brian Schemmel 4 Mark Kornia 5 Scott Wehnes	Date Hire Date Hire Date 6-9-2004 1-1-1-195 11-9-2014	1-20-1969 12-30-1969 5-26-1962 11-22-1970 3-7-1968	DL Winner Livestock 7-15-2016 PL# Expire Date RG846299 1-20-2017 RT259752 12-30-2017 RM 235761 5-26-2020 RG765782 11-22-2018 RP 289777 3-7-2020		DL Class A A A A
Driver Name	Hire Date	DOB	DL#	Expire Date	DL Class
1 Paul Gajer	6-9-2004	1-20-1969	RQ846299	1-20-2017	A
2 Daniel Winner	1-1-1995	12-30-1969	RT259752	12-30-2017	A
3 Prigo Schemmel	8006-81-01	5-26- 1962	EN 335761	5-26-2020	A
4 Mark Koenia	H106-6-11	11-22-1970	RG765782	810c-cc-11	A
5 Scott Wehnes	4-21-2014	3-7-1968	RP 289777	3-7-2020	B
6 Eric Seabold	6-4-2015	7-9-1978	RP289036_	7-9-2017	A
7 Thomas Stachler	2-29-3016	7-31-1970	RN 778627	7-31-2020	A
8 Robert Park	6-15 2016	11-5-1960	RT301029	11-5-2017	A
Scott Signerty	6-5-2016	2-25-1993 368006951	3580006951	2-25-2019	A
10					
11					
12					
14					
15	مردان زوجه والمقارضات ويتناه راها والمارك				

					Fr		19336	80400	1	Page:	1/1	Da	te: 7/1	5/201	16 2:3	1:15 F	PM		
		l J	B			REC	EIVE	D 0	7/15	/201	6 02: Q	02PM	141	93361 N	8400				
Chris Thornaill	Cabb Walters	Bes Pressura	35 Richard Schonel	To Keich Delivide	13 Tystin Klinger	12 Andy Phat for	11 paget on allo de f	10	Scott Einserty	8 Robert Park 1	0/07 Thomas Stachler	0/06 Frie Seabold	5 Stoff Webnes/	Mark Koenia	3 Pries Scheppel /	2 Daniel Winner	1 Paul Gaier	Driver Name (is)	
	3-12-16	7-27-14	8651-8-11	9-28-15	6-12-16	81-18-3	81-87-6	N. A. S.	6-5-2016	6-15 2016	9108-66-E	6-4-2015	17108-18-6	Moc-6-11	10-18-2008	1-1-1905	6-9-2004	Time Option (Company Name Dake
	5-6-16	5-6-16	4-29-16	4-22-16	10-20-16	1-21-16	12-15-2015	Dot :	2-25-1993	11-5-1960	7-31-1970	7-9-1978	3-7-1968	11-22-1970	5-26-1962	12-30-1969	1-20-1515	DOB (4)	
									368006951	RT301029	RN 778627	RP 289036	RP 289777	RG765782 11-22-2018	EN 28576]	RT 259752	RQ246299	WIQ	7-15-2016
									9-25-2019	11-5-2017	7-31-2020	7-9-2017	3-7-2020	Moc-ce-11	5-26-2020	12-30-2017	1-20-2013	Expira Date	-2016 Livestock Express are
									30	B	33	A	B	B	B	3	D	. DL Class	n ssudn
		,							IN	410	HO	HO	OI	HO	HO	S.	O T	State	ķ

Corrent Driver List





Selection Criteria:

Crash Sum Date: 07/13/2014 To 07/12/2016 Crash Data!! Date: 07/13/2014 To 07/12/2016 Insp Sum Date: 07/13/2014 To 07/12/2016 Insp Detail Date: 07/13/2014 To 07/12/2016 Inspection: All

STAFF EX. 4

Company Safety Profile

CM CODECT AND

Legal Name: DL WINI Doing Business As: 624363

DL WINNER LIVESTOCK EXPRESS INC

USDOT #: Report 5

Individual Crashes - Min: 1 Year, Max: 2 Year

The report shows all Crashes for at least one year (a year is defined as a total of 12 months of data previous to the date of the report).

For a Motor Carrier involved in less than 50 Crashes in the requested year - the report will show Crashes for the previous year up to a maximum of 50 Crashes.

If multiple vehicles of the same Carrier are involved in a single Crash, each individual vehicle is displayed as a Crash and the number of Injuries and Fatalities will be repeated on the additional Crash record(s)

		CRASH					CARRIER/VEHICLE		DRIVER	
Date	Time	County	State	State Injury Fatal Towaway	tal Towa	way	Name		Driver Name	
Report #		city		Sequence Of I	e Of Eve	Events	City	State	Driver Licence #	State
	Location	c		ヹ	Hazmat		Vehicle License Number	State	Driver DOB	
04/22/2016	15:13	DE KALB	<u>z</u>	0	0	YES	YESDL WINNER LIVESTOCK EXPRESS INC		KEITH D DELZEITH	
IN0902691461		AUBURN	} 	MVH		_	NEW WESTON	P	SC112099	ᆼ
691				HAZMAT = NO	ON	<u> </u>	PVT8272	ЮН	10/28/1984	
01/29/2015	09:32	BOONE	λ	2	-	YESD	YESDL WINNER LIVESTOCK EXPRESS INC		CHRISTOPHER M THORNHILL	
KY0071566503	 	VERONA	} 	MVH MVH MVH	MVH OVR	T	NEW WESTON	FO	RS501228	공
1 0071			}				PVT8267	ОН	02/19/1981	
12/29/2014	03:20	33:20 MIAMI	Z	-	O	YEST	YESDL WINNER LIVESTOCK EXPRESS INC		JOSEPH U ROSENBECK	
IN0902362402		BUNKER HILL (MIAMAVH	L(MIA)	MVH	}	1	NEW WESTON	H _O	RR690092	동
US31				HAZMAT = NO	ON:		PVQ7241	НО	05/22/1954	
12/12/2014	09:55	9:55 BLACKFORD IN	N.C	-	0	YEST	YESDL WINNER LIVESTOCK EXPRESS INC			
IN0902356797		HARTFORD CITY MVH	CITY	MVH			NEW WESTON	E O		
SR26E				HAZMAT = NO	ON:	<u>u</u> .	PVT8271	НО		·

	IND	IANA OFF					DARD CR	ASH REF	OR	T		•	Page	1	of	4	
							!	902691461			Local ID		0.460044	7056	<u> </u>		
Date of Crash	Day of Week	Actual Local Ti	me		C	unt		Ĩσ	washi	p	#Motor	# Injured	0160011 # Dead	# Com	mercial	#Deer	
04/22/2016	Fri	3:13 PM	j		DE	KAL	.B	BL	JTLEF	₹	Vehicles 2	0	0	Veh	icles 1	0	
Roa	d Crash Occum 169	ed On		Neares	d late	X20C	ting Road/Milel 326.0	arker/Interchar	ige _	If not an in number of	f feet from	Direction S		lNTER	sification STATE	1	
Inside Corporate L	Inits?		City/To				ity/Fown		\neg	Property		Crash Lat	ltude	Cre	sh Long	tude	
1	river#1 ITH,KEITH,D			CI	IBUS Iriver EON,	#2		T	_ [Driver #3		T	<u>t</u>	iriver#1			
	1		esn					<u> </u>				Area Infor	mation				
Primary Cause Vehicle 1 Vehicle 2 Vehicle 3	Vehicle 4_		Primary Cause Vehicle 1	Vehicle 2	Vehicle 3	Vehicle 4			}	Hitand Run	NO.						
Driver Contribu	ting Circums Alcoholic	Beverages					g Circumsta Engine Failure	or Defective	-	School Zone	NO						
	Illegal Dru Prescriptio Driver Ast	_			H	H	Accelerator Fa Brake Failure of The Failure or			Rumble Strips	NO.						
	Driver Illne Unsafe Sp	855		İĦ	Ħ	Ħ		fective or Not (ocality RURAL	·			•			
	Failure to	Yield	日上	口	口	ᆸ	Steering Failur	6	fi	ight Conditio	n						
	Disregard Left of Cer	-	HE		Н	H	WindowWinds Oversize/Oven	hield Defective relght Load	Ľ	DAYLIGHT Meather Cond	litione						
	Improper i	-	HF	\mathbb{H}	Я	A	Insecure/Leaky Tow Hitch Faile			CLEAR							
	Improper l	Lane Usage			Ħ	Ħ	Other	-		Surface Condi DRY	ition			<u>-</u>			
	Unsafe Ba	_	Environ Ex	nmer		ontri	None buting Circu Glare	mstances	Ţ	Type of Media	m						
	Ran off Ro	•	H	Ħ	Ħ	Ħ	Roadway Surfa Holes/Ruts in S			Type of Roads	-				 *		
	Pedestriar	n's Action		ļĦ	Ħ	Ħ	Shoulder Defe	etive		NO JUNCTI Road Charact		VED					
	Restriction	r Distraction o Violation	出上		H	ᆸ	Road Under Co Severa Crossu	inds	L	STRAIGHT/		 -					
╏┝┥┞┥┝┥┝┥	Jackkmifin Cell Phone	-	HF	$\{ \vdash \}$	Н	H	Obstruction No Lane Marking (1	CONCRETE							
	Other Tele		ĦΡ	ļŖ.	P	月	View Obstructe			Construction NO	If Yes, t	Construction	Туре				
	SpeedAve	ather Conditions	片		口	Ħ	Traffic Ctl Inep	-	me	Fraffic Contro							
	Unsafe La Other	ne Movement	HE	18	Н	ᆸ	Utility Work Other			LANE CONT	TROL						
Total Estimate of all	None	raeh-					None		1	Traffic Control Device Operational? NA							
\$25001 TO \$5000	-								U	Mas this crast	h the result o	f aggressive	driving?	NO	1		
Other Property Dama	ge (1)	State Property	Ожпе	r's Nan	rie an	d Ad	dress										
Other Property Dama	ge (2)	State Property	Owne	r's Nan	ne an	rd Ad	dress										
		ess/Other Par	ticipan	t							Non-f	Notorist					
Witness Other Participar	# Name							(Last Name, Fi	rst Nac	ne, Mij							
Address etc.	•						<u> </u>	Non-Matorist T			lon-Motorist	Action					
Phone #		on at Time of Cra	sh					Apparent Phys									
Other Participar Address etc.	# Name							Cited? Street/Highway	<u>L</u> .	irection							
Phone#	Locatio	on at Time of Cra	sh				. <u></u> !	Traff	ic Co	ntrol?	If	yes, was tr	affic cor	itrol op	erationa	17	

Local ID	902691461	Page	2	of	4
201600117056					

Type of Crash	REAR END				
Time Notified	Time Arrived	Other Location of Inve	stigation		
3:13 PM	3:27 PM	AT SCENE ONLY			
Assisting Officer		ID No.	Agency	Investigation Complete?	Photos Taken?
SGT NATHALANG		228	ISP FORT WAYNE 22	YES	YES
Assisting Officer		ID No.	Agency	Date of Report	
TRP HARTMAN		9595	ISP FORT WAYNE 22	04/22/2	016
Investigating Officer		ID No.	Agency	Reviewing Officer	· · · ·
STEVENS, J		8761	ISP FORT WAYNE 22	CPL LAZOFF 7926	

Narrative

On 4/22/2016 at approximately 3:13 P.M. Vehicles 1 and 2 were both northbound on I69 near the 326 mile marker. Allen County Dispatch advised ISP Dispatch that they had received several calls of a reckless driving semi hauling cattle northbound I69 from the 316 mile marker.

Sgt. Nathalang of the Indiana State Police informed ISP Dispatch that he had caught up to the suspect vehicle. Sgt. Nathalang stated that as he attempted to stop Vehicle 1 which had been traveling in the right lane, Vehicle 1 collided with the rear of Vehicle 2.

Vehicle 2 was a red Ford F450 dually pulling an approximately 42 foot long fifth-wheel Landmark Camper. Vehicle 2 had heavy damage from the rear of the trailer as well as the rear of the truck from the trailer being shoved into the Vehicle 2.

Driver 2 stated that he was travelling northbound on 169 in the right lane at approximately 85 km/h or approximately 55 mph when he was rear ended by Vehicle 1. Driver 2 stated that he did not see the vehicle prior to the crash and that the crash took him by suprise. Driver 2 stated that he and his passenger were not injured.

Sgt. Nathalang stated that Driver 1 stated that he did not know what happened and thinks he may have blacked out. During the course of the investigation, Driver 1 was arrested by Sgt. Nathalang for possession of methamphetamine and transported to the DeKalb County Jail for further investigation on possible operating while intoxicated charges.

Trp. Hartman arrived on scene and conducted a level 3 inspection of the Vehicle 1 which had been hauling cattle.

Parkers Wrecked arrived and removed all vehicles from the scene.

It is the opinion of the investigating officer that the primary cause of the crash was following too closely and illegal drug use on the part of Driver 1.

UNIT INFORMATION		
Lucal D	90269	461 Page 3 of
201600117056		
Driver's Name (Last, First, MI) 1 DELZEITH, KEITH, D		Safety Equipment Used LAP + HARNESS
· ·		Safety Equipment Effective?
Address (Street, City, State, Zip) 3008 BEAMSVILLE UC RD		YES
ANSONIA	OH 45303	Ejection/Trapp of NOT EJECTED OR TRAPPED
Date of Birth Age	Gender	EMS No. Immed Attn Driver Injury Status
10/28/1984 31 Driver's License #	MALE Lic Type COL Class Lic S	e Nature of Most Severe Injury
SC112099	CD A OF	
Apparent Physical Status Normal Glasses/Contact	Restrictions enses Employer's Vehicle Onl	Location of Most Severe Injury
flad Been Orinking Outside Rearvies	Mirror State-Owned Vehicles	If Cited? IC Codes
Handicapped Daylight Driving	PP Chauffours Taxi Onl	9-21-8-14 9-21-5-1
Asleop/Fatigued Special Controls	Special Restrictions	Misdemeanor 9-21-8-24 8-2.1-24-18
Drugs/Medication Employment Onl Unknewn Motorcycle Only	Probation DWI Probation HTO	Felony (3-21-0-24 0-2.1-24-16
To/From Employ		
Test Given Type Given]
Alcohol Results	Breath SFST PBT Orug Results	
<u> </u>	Pending	
Veh# Color Vehicle Year Make 1 CREGREEN 2011 ASSEMBLED	Madel Styl	Initial Impact Area
# Occupants Lic Year License #	License State	Undercarriage
1 2016 PVT8272	AB	None E C
# Axles Speed Limit Insured By 3 65 NORTHLAND INSURANCE CO	Phone Number 8003285972	Unknown
Vehicle Identification# 1NPXGGGG30D127266		Areas Damaged (Multiples)
Registered Owner's Name (Last, First, Mi)	Same as Driv	Undercarriage
DL WINNER LIVESTOCK EXP Address (Street, City, State, Zip)		
6141 ST RD 705		Unknown
NEW WESTON	OH 45348	Vehicle Use
Towed? To PARKERS	Due to Disabling Damage	COMMERCIAL(TAXIS,COMMON,CONTRACT)
YES 8y PARKERS Lic State Lic Year Registered Owner's Na	YES	Emergency Run? Fire?
1a OH 2016 MLR LEASING	te (Last, Pirst, Mil) Same as Driv	
icense# Address (Street, City, S	ate, Zip)	Vehicle Type
TPZ8889 6080 ST RT 705		TRACTOR/ONE SEMI TRAILER Pre-Crash Vehicle Action
2013 WILSON NEW WESTON	OH 45348	GOING STRAIGHT
Lic State Lic Year Registered Owner's Na	re (Last, First, MI) Same as Driv	Direction of Travel
icense# Address (Street, City, 8	ato, Zip)	NORTH
feh Year Make		Type of Primary/Secondary Roadway
	do Namo and Addings	One Way Road Two Lanes - Two Way
Commercial Vehicle: Carr 1 DL WINNER LIVESTOCK EXPRESS INC	a a reasta stira Madile222	One Lane - One Way Multi-Lane Divided (3 or more) - Two W
6080 STATE ROUTE 705		Two Lanes - One Way Multi-Lane Undivided Two Way Left Tu
		- Multi-Lanes (3 ormore) - One Way
NEW WESTON	OH 45348	Multi-Lane w/ Grass Median Only Multi-Lane w/ Concrete Barrier
IAZMAT Proper Shipping Name:	State DOT#	Multi-Lane w/ Center Turn Lane
IS DOT# ICC#	CMV Inspection If Ye	Multi-Lane w/ Curb Raised Median Private Orive Alley
0000624363 Gross Vehicle Weight Rating	YES L1 Carge Body Type	Multi-Lane w/ Cable Berrier Ramp
		1, ANOTHER MOTOR VEHICLE
26,001# OR MORE OTHER - EX	LAIN IN NARRATIVE	I, ANOTHER MOTOR VEHICLE

UNIT IN	IFORMA"	TION			_									Page	А	of	4
Local ID	147050	-					,	9026914	67					1494	•	Vi	7
201600	11/056																
	Driver's Na PIGEON,		First, MO				-			ety Equipment Used P + HARNESS							
Address	(Street, Cit	ty, State.	Zîp)							ety Equipment Effe	tive?						
210 12/	A ST N A	PT 205'	- • •						YE	s							
LETHBI	RIDGE					AE	3 T1H	12J1	NC NC	etionsTrapped OT EJECTED OR	TRAPPED						
	Date of Bir			Age		Γ	Gender		EM	S No.	Immed Attn		Driver Inj	ury Status			
	01/09/196 License #			56	Lie Tyt	<u></u>	MALE ICDL Class	I ie State	Nat	ure of Most Severe	niurv		<u> </u>				
160490	470					OP	OBE ONIS	AB	L								
	nt Physica Iormal	Status	☐ Gla	sses/Contac		ctions G	nployer's Veh	icle Only	Loc	ation of Most Sever	e Injury					- -	
<u> </u>	lad Been D	-	╽∏┈	side Rearvi	ew Mirror	∏ Sŧ	ste-Owned Ve	hicles	\vdash	If Cited?	IC Codes	_					
=	landicappe	xd		rlight Drivin	-	=	Chauffeurs	Taxi Only] [Infraction	ļ						
	i sleep/Fatig	gued	; ===	omatic Tran eial Control			wer Steering ecial Restrict	ions	ĺ	Misdemeanor							
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∐ u	inknown		1 ==	torcycle Onl From Empla	•	₩	obation HTQ vne]						
	est Given	T	ype Given	TOSTI CONQUE	Juliant	<u> </u>			1		ļ						
Alcohol R	NONE		Blood	☐ Urine	Bre	ath 📗	SFST	PBT	l								
PBT	tesuits	Certif	ied	Г	Pendin	,	Orug Re	isuit\$]]						
Veh#	Colar	1	o Year Ma		M	o del		Style	l is	nitial Impact Area	L					$\overline{}$	_
	RED	2016 Lic Ye		RD ense#	F	450	11	PK	إ إ	Undercarriage		_{]]	
700	cupants 2	2016		J3761			License State AE			✓ Trailer None		Front] <u>\$</u>	
	Speed Lin		-				Phone Numb		1 8	Unknown		(<u> </u>				
2 Vehicle le	70 Sentificatio		ONAL INS	URANCE CO			888277	6481	Ļ	reas Damaged (Mui	tioles)						
	4DT3GEE									Undercarriage	• /	(<u> </u>	<u> </u>	
Registere PIGEON,	d Owner's	Name (La	sst, First, I	40)			Same	as Driver	[[Trailer		Front			5		
Address	(Street, Cit		Zip)						1 ¦	None Unknoum						<u> </u>	
·····	ST N AF	-1 205							L								
LETHBE						AB		12J1		ilde Use	0011041114						
Towed?	To PAR By PAR	KERS		•		Due YE:	to Disabling	Damage		RSONAL (FARM	, COMPANY)		Fire?				
120			Registere	d Owner's N	lame (Last	_ 1	(a))	as Driver	1	ergency Run?			LHGt		10		
			A 2	O4	Ct., 77.				L	ricle Type			<u> </u>	<u>'</u>	-		
License#			Aggress (Street, City,	State, Zip)				UCK (SINGLE 2	AXLE 6 TIRE	S)					
Veh Year	Make					\top			L _	-Crash Vehicle Action							
	Lic State	Lie Year	Registere	d Owner's N	ame fLast	First.	40 🗆 🖘	an Deba-	GC	ING STRAIGHT							
								as Driver	L_	ection of Travel							
License#			Address (Street, City,	State, Zip)			NO	ORTH							
Veh Year	Make		<u></u>			<u> </u>				pe of Primary/Seco	idary Roadway						
		Co	mmercial	Vohicle: Car	rier's Nam	e and A	ddress			One Way Road		Ε] Two Lan	es - Two Wa	y		
][One Lane - One ∛	lay		Multi-La	ne Divided (3	or more) - Two K	lay
			-							Two Lanes - One l	Way		Multi-Lai	ne Undivided	Two Wa	ıy Left Tu	m
										Multi-Lanes (3 or i		_		ne Undivided		-	Way
									Į	Multi-Lane wi Gra			-	ne wi Concre			
HAZMAT	Proper Shi	ipping Na	me:			State I	JUT#			Multi-Lane w/ Cen				n <i>e sal Me</i> tal G			
US DOT#			ICC#			СМУ	Inspection	f Y es	片	Multi-Lane w/ Curl		` <u> </u>	Private (evin(Alie	y	
Grass	Vehicle V	laight De	ina		rare.	o Body	Tyme			Multi-Lane w/ Cab nt Collision With	ie Barrier	L	Ramp				
J1933	a actueste At	r∞Æitt L/81	9		carg	A BOOK	· ypa		1	NOTHER MOTOR V	EHICLE						
HAZMAT	Placard	HAZMAT	Release of	Cargo HA	ZMAT 4-DI	git ID#	Hazzard (lass#									
	ſ			ĺ		- 1		ľ									

Indiana State Police Commercial Vehicle E 7811 Milhouse Road, Indianapolis, IN 4624 Phone #: (317)615-7	Suite S 1	t: (317)237-2116					Report Nu Inspection Time Start Inspection	n Date: ted: n Level;	IN7257003829 4/22/2016 15:15 III - Driver-Onl	Certification Date: Time Ended: 23:59 y Inspection	9
							HMInspec	tion Type		·	
OL WINNER LIVESTO	OCK EXPRES	SINC					Oriver:		DELZEITH, K		
6141 ST RT 705							License #:		SC112099	St	ate: OH
NEW WESTON, OH			_	4440000 0004			Date of Bin	th:	10/28/1984		
USDOT #: 00624363 MC/MX #: 359658 State #:	3			(419)336-0301 (419)336-0400							
Location: I-69 NB	@ 326 MM	<u> </u>	MI	lePost:		326	3 MM				
Highway: 1-69			Oı	igin: OV	VENTON	I, KY			Bill of Lading:	10244	
County: DE KAL Shipper: WILLIA	.B MS CATTLE C	OMPANY	Ď	estination: PL	AINWEL	.L, M1			Cargo: 38	HEAD OF COWS	
VEHICLE IDENTIF Unit Type Make		License#	Ec	quipment ID		Unit V	'(N	GVWR	_CVSA#	CVSA Issued #	OOS Stkr.#
1 TT TRUK 2		PVT8272		311			0D127266	52,000			
2 ST WILX 2	013 OH	TPZ8889		62	1W16	512A7E	5543383	65,000			
BRAKE ADJUSTM	ENTS:	No brake measu	ireme	nts recorded.							
VIOLATIONS:		<u>-</u>		State Citation							<u>. </u>
Vio Code	Section	Unit	003	S Number	Verify*	Crash	Violation E	escription	n		
392.2IRP	392.2	D	N	WARNING	N	N				t Violation: I.C. 9-18-2- ession when required.	21 No
392.4A	392,4(a)	D	Y	K274003	N	N	Driver on drug / amp safe opera	duty and phetamin ation.: Dr	under the influ e, which render lver in possess	ence of, or using a na s the driver incapable ion of a glass smoking while operating a CM	of pipe
392.2MI	392.2	D	N	MISDEMEANOR	N	N	Miscellane driving of a	eous Traff a CMV sp	ic Law Violation eed up/slow do	: I.C. 9-21-8-52(4)(c) R wn blocking both lanes (BY: Sgt. Nathalang P.	eckless of traffic
392,2MI	392.2	D	N	MISDEMEANOR	: N	N	Miscellane	eous Traff chemalia	ic Law Violation (Class A Misder	: I.C. 35-48-4-8.3 Poss neanor)Meth pipe-(B	ession of
392.2LC	392.2	D	N	K351969	N	N		ane chan	ge; I.C. 9-21-8-2	24 Unsafe lane movem	ent (BY:
392.2MI	392.2	D	N	K351968	N	N	Miscellane	eous Traff I speed to	ic Law Violation	: I.C. 9-21-5-1 Unreaso collision (BY: Sgt. Natha	
392.2MI	392.2	D	N	MISDEMEANOR	N	N	Miscellane	ous Traffi intoxicat		: 1.C. 9-30-5-2 Operatio demeanor) (BY: Sgt. N	
392.2FC	392.2	D	N	WARNING	N	N	Following	too close: e vehicle	in front of the Cl	Following too close, an MV and not slowing do	
395.8	395.8	D	N		N	N	Record of	Duty Stat 6) of 395.8	us violation (ger	neral/form and manner; enter proper BOL info	
* N - Non-OOS or Dri	ver OOS Violai	tion					DOOK IDads	•			
HazMat:	N	o HM Transported							Placard: NA	Cargo Tank:	
Special Checks:	X A	cohol/Controled Su	ıbstan	ce Check	X	Traffic	Enforceme	nt	X	Post Crash Inspection	
	ΧC	onducted by Local	Jurisd	iction		PASA	Conducted	Inspection	,	PBBT Inspection	
	si	ize and Weight Enf	orcem	ent	Х	Drug (nterdiction S	Search	Arre	sts: 1	
	≓ ₋	Screening			_	-					

Report Prepared By: JOSEPH HARTMAN

Badge #: 7257

Copy Received By: DELZEITH, KEITH D Page 1 of 2



<u>X</u> X

IN7257003829

		RIVER/VEHICLE EXAMIN						
indiana State Police Commercial Vehicle Enforceme 7811 Milhouse Road, Suite S Indianapolis, IN 46241 Phone #: (317)615-7373 F	ent Fax #: (317)237-2116		Report Number: Inspection Date: Time Started: Inspection Level; HM Inspection Type	IN7257003829 4/22/2016 15:15 III - Driver-Only : No HM Ins	Certification E Time Ended: y Inspection	Pate: 23:59		
L WINNER LIVESTOCK EXP	RESS INC		Driver:	DELZEITH, K	EITH D			
141 ST RT 705			License #:	SC112099		State:	OH	
IEW WESTON, OH 45348			Date of Birth:	10/28/1984				
USDOT#: 00624363	Phone #:	(419)336-0301						
MC/MX #: 359658 State #:	Fax #:	(419)336-0400						
•	f Duty Status, Form and Manne cord shipping document numb		ommodity for each 24 hor	ır period.				
Truck was an assembled vehicl	le Peterbuilt					_	_	
Special Study Fields:								
Special Study1:		Sper	cial Study6:					
Special Study2:		Spec	cial Study7:					
Special Study3:		Sper	cial Study8:					
Special Study4:	•			al Study9:				
Special Study5:		Spec	cial Study10:					
Locally Defined Fields:		AN ALIT OF SERVICE AT BE	WALD OO TALL ALIDLEDN	IN;CDL Checke	ed:			
ACCIDENT/INCIDENT#:: 2016				,				
Locally Defined Fields: ACCIDENT/INCIDENT #:: 2016 Yes; Pre-Screened Carrier; No; Pursuant to Title 49 CFR-395.13 a driver, nor shall any driver place	Food Transport Inspection: No 3(c) and (d), KEITH D. DELZE	;Board of Health Enf. Action: N ITH is considered OOS until 24	No 4 HOURS OFF DUTY, No		hall require or p	ermit		
ACCIDENT/INCIDENT #:: 2016 Yes; Pre-Screened Carrier; No; Pursuant to Title 49 CFR-395.13	Food Transport Inspection: No 3(c) and (d), KEITH D. DELZE ced OOS drive any CMV until FR-396.9(d), SHOULD ANY VI FEEN (15) DAYS. BY DOING S	;Board of Health Enf. Action: N ITH is considered OOS until 2- all terms of the OOS order has OLATIONS BE NOTED, COMP	No 4 HOURS OFF DUTY, No 5 been fulfilled, OOS at: PLETE THIS CERTIFICA	motor carrier s	URN TO THE P			
ACCIDENT/INCIDENT #:: 2016 Yes; Pre-Screened Carrier: No; Pursuant to Title 49 CFR-395.13 driver, nor shall any driver place NACCORDANCE WITH 49 CFA RECY ABOVE WITHIN FIFT COMPLETION OF EFFECTIVE	Food Transport Inspection: No 3(c) and (d), KEITH D. DELZE ced OOS drive any CMV until FR-396.9(d), SHOULD ANY VI FEEN (15) DAYS. BY DOING S	;Board of Health Enf. Action: N ITH is considered OOS until 2- all terms of the OOS order has OLATIONS BE NOTED, COMP	No 4 HOURS OFF DUTY, No 5 been fulfilled, OOS at: PLETE THIS CERTIFICA	motor carrier s	URN TO THE P			
ACCIDENT/INCIDENT #:: 2016 Yes; Pre-Screened Carrier: No; Pursuant to Title 49 CFR-395.13 I driver, nor shall any driver place N ACCORDANCE WITH 49 CFAGENCY ABOVE WITHIN FIFT COMPLETION OF EFFECTIVE Signature of Carrier Official:	Food Transport Inspection: No 3(c) and (d), KEITH D. DELZE ced OOS drive any CMV until FR-396.9(d), SHOULD ANY VI FEEN (15) DAYS. BY DOING S	r;Board of Health Enf. Action: N ITH is considered OOS until 2: all terms of the OOS order has OLATIONS BE NOTED, COMI SO, YOU VERIFY AND ACKNO	No 4 HOURS OFF DUTY, No 5 been fulfilled, OOS at: PLETE THIS CERTIFICA DWLEDGE ALL NOTED V	motor carrier s	URN TO THE P ID THE Date:	OLICE		

Report Prepared By: JOSEPH HARTMAN

X

Badge #: 7257 Copy Received By: DELZEITH, KEITH D Page 2 of 2



X

IN7257003829

From: Sent: To: Subject:	Jody Liberty Thursday, Ju Barrett, Robe Delzeith	<jliberty@co.dek ly 14, 2016 2:56 PN ert</jliberty@co.dek 	alb.in.us> Vi	
	Detzeith operated a vehicle and re X_Drove at st endanger the sat Passed anote for a distance of	cocklessly: uch an unreasonably fely or the property of ther vehicle from the fless than five hundr id out of a line of train refused to give one-	IN THE DEKALB SUPERIOR CAUSE NO.: 17001 1 Count INFORMATION Reckless Driving B Misdemeanor Indiana Code 9-21-8-52 (4)(c) on or about 04/22/2016, in DeKal high or low rate of speed under the of others or block the proper flow- rear while on a slope or on a curved (500) feet ahead; ffic except as otherwise permitted half (1/2) of the roadway to a drive a roadway when the arm signal deposition.	FILED MAY 06 2016 Clerk Devalt Superior Count Y to County, Indiana, Keith D. The circumstances as to of traffic; The where vision is obstructed The covertaking and desiring to
	All of which is contrary to the for dignity of the State of Indiana.	m of the statute in se	ich cases made and provided, and	against the peace and
	1 swear or affirm, under the penals 04/22/2014 Date	ly of perjury, that the	s foregoing representations are trues of the Sgl Luke NaThalang, India	<u></u>

State of Indiana)	SS:	in the dekalb superior o	OURT I
COUNTY OF DEKALB	j	_		
)	CAUSE NO.: 17001 Î	605CM 030:
State of Indiana		}	Count INFORMATION	
-V8		}	Possession of Paraphernalia	FILED
KEITH D. DELZEITH		j	C Misdemeanor	11115 A A BASA
Defendant		?	Indiana Code 35-48-4-8.3	MAY 06 2016
		,		Clerk Dekalb Superior Court I

Sgt. Luke NaThalang states and verifies that on or about 04/22/2016, in DeKalb County, Indiana, Keith D. Delzeith knowingly or intentionally possessed an instrument, a device, or another object that the person intended to use for:

- _X introducing into the person's body a controlled substance;
- testing the strength, effectiveness, or purity of a controlled substance; or
- enhancing the effect of a controlled substance;

which was _a glass smoking pipe. All of which is contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Indiana.

I swear or affirm, under the penalty of perjury, that the foregoing representations are true

04/2-1/2016

Link

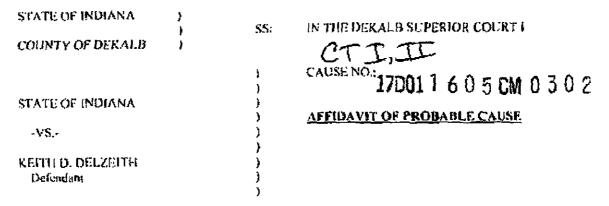
Sec. Luke NaThalang, Indiana State Police

State's witnesses:

- 1. Sgt. Luke NaThalang
- 2. Top. Joe Hamman

Prosecuting Attorney/

Deputy Prosecuting Attorney
75th Judicial Circuit of Indiana



Sgt, Luke NaThalang, BEING FIRST DULY APPRISEO OF THE PENALTIES FOR PERJURY, AFFIRMS that he believes and has good cause to believe that on or about 04/22/2016, in DeKath County, Indiana, Keith D. Defzeith committed:

- 1. Reckless Driving, a Class B Misdemeanor;
- 2. Possession of Paraphernalia, a Class C Misdemeanor
- Operating of vehicle while intoxicated, a Class A Misdementor

and that such belief is based on the following information, to-wit:

On 04/22/2016 at approximately 1502 hrs., ISP District #22 and the Atlen County Sheriff's Department dispatched a semi tractor trailer cattle hauter northbound on 169 from Dupont Rd, that was driving recklessly and running other vehicles off the roadway. I was northbound on 169 at 319 mile marker(MM) in the construction zone when I observed a semi tractor trailer matching the description that was dispatched, traveling in the middle of 169. The semi was traveling in such a manner that it blocked other vehicles from passing it. The vehicle then went into the left lane and continued weaving into the right lane and back into the left lane. At the 325 MM the vehicle was again traveling in the middle of 169. I activated my emergency lights at this point and followed the semi towards the 326 MM exit in the right lane. I positioned my vehicle in the left lane and saw that there was an RV camper traveling in the right lane ahead of the semi. The semi went up behind the camper and struck it in the rear at approximately 60-65 mph disabling both of the vehicles.

I stopped behind the semi in the right lane and approached the semi from the driver's side. As I was walking up to the cab, the male white driver started to exit from the driver's door. He appeared to be discriented and confused. I met him at the driver's door and asked him if he was okay. He said he was ok. Due to the subject' condition, state of mind and traffic conditions. I placed him in handcuffs for his safety and mine. I frisked him for weapons and then escorted him to the front of the cah and questioned him further. He appeared to be nervous and anxious and constantly moved his hands and arms in a tick movement.

Trp. Jue Hartman (CMV-95-95) arrived shortly thereafter to assist. DeKalb County Deputy Derek Bergdall (17-12 also arrived at the scene to assist. Once Deputy Bergdall and Trp. Hartman arrived I uncuffed the driver. I asked the driver where his driver's license and registration were and he stated that his driver's license was in the wallet in the briefcase located on the passenger seat and the registration was in the glove box. I checked the briefcase, which was open on the passenger seat and I saw a brown wallet and took the driver's license out of the holder. The driver was identified as KEITH D. DELZETTH, dob 10/28/84, M, W, 5°T", 170 lbs., Ohio driver's license. I could not locate the registration in the glove box so I looked in the briefcase again and saw a brown napkin wrapped around: round object. Inside the napkin was a glass pipe with white residual on the inside. At this point Trp. Hartman placed DELZETTH into custody and handcuffed him in the back and DELZETTH then stated that "it's meth". I checked the briefcase further and saw an open pack of eigarenes with several container and an empty small baggy.

Trp. Hartman ran a field test on the residual from the glass pipe and it checked positive for methamphotomine. I read DELZETFI the implied consent and he agreed to the breath test for alcohol and tested .00% bac. Deputy Bergdall then transported DELZETFI to the DeKalb county lockup. I arrived at the DeKalb county lockup along with Trp. Thrasher to conduct DRE analysis. Trp. Thrasher read DELZETFI his Miranda warning and be agreed to proceed with the DRE analysis. I administered DELZETFI on intox EC/IR-II at 1722.

hrs., and he tested .00 g/210h.. Trp. Hartman then,transported DELZETTH to Dekalb Memorial Hospital for a blood test.

After DELZETH returned from his blood draw! spoke with DELZETH and explained to him what had happened with the crash. I told him that he was still under the Miranda warning and did not have to answer any questions if he did not want to. He stated that he had nothing to hide and was willing to tell the truth. I asked him how long he had been using meth and he stated about a year and a half. I asked him if the glass pipe and plastic straws were his and he stated that they were. He said he does not like to smoke the meth, instead he likes to snort it better and that is why there were several cut up plastic straws in the briefcase. I then advised him that he was being charged with the following: Speed too fast to avoid the collision, unsafe movement from lane to lane, warnings for failure to signal lane change and fallowing too closely. He was also being charged with reckless driving, possession of paraphernalia, and operating while intoxicated. Trp. Hartman also charged him with FMCSR of driving CMV unde influence/ possession of drugs.

Further, affiant sayeth naught,

I swear or affirm, under the penalty of perjury, that the foregoing representations are true.

4

STATE OF INDIANA

Count IT 17D01 1 6 0 5 CM 0 5

INFORMATION 17D01 1 6 0 5 CM 0 5

Operating A Vehicle While Intoxicated Class A Misdemeanor Indiana Code 9-30-5-2(b)

FILE

MAY 06

Clerk BeKalb Superi

Sgt. Luke NaThalang states and verifies that on or about 04/22/2016, in DeKalb County, Indiana, Keith D. Delzeith operated a vehicle while intoxicated in a manner that endangered a person. All of which is contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Indiana.

I swear or affirm, under the penalty of perjury, that the foregoing representations are true.

State's witnesses:

1. Sgt. Luke NaThelang

2. Trp. Josh Thrasher

3. Trp. Joe Hartman

Sgr. Luke NaThalang, Indiana State Police

Prosocuting Attorney

Deputy Prosecuting Attorney

75th Judicial Circuit of Indians

STATE OF INDIANA)	SS:	IN THE DEKALB SUPERIOR COURT!
COUNTY OF DEKALB	Ś	00.	
		}	CAUSENO.: 17001 1 6 0 5 CM 0 3 0
STATE OF INDIANA		}	Coum
-VS)	INFORMATION
KEITH D. DELZEITH)	Operating a Vehicle With A Controlled Substance, Class C Misdemeanor
Defendant)	Indiana Code 9-30-5-1(c)

MAY 06 21

Sgt. Luke NaThalang states and verifies that on or about 04/22/2016, in DcKalb County, Indiana, Keith D. Delzeith operated a vehicle with a controlled substance listed in schedule 1 or 11, that being methamphotamine, or its metabolite, in his or her body. All of which is contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Indiana.

I sweet or affirm, under the penalty of perjury, that the foregoing representations are true.

rod te

State's witnesses:

1. Sgt. Luke NaThalang

2. Trp. Joe Hartman

Sgt. Luke NaTholang, Indiana State Police

Prosecuting Attorney/

Deputy Prosecuting Attorney 75th Judicial Circuit of Indiana

	SINDEDIVE A	_COURT COUNTY OF	DEKALB s	58;
Simo Form 44213 (R6 / 10-10) STATE OF INDIANA IN THE	SUPERIOR / A A		52,212	33.
State of Indiana)	1/D01 1 6 A	5 CM 0 3 G 2	1810130001874	4
vs.) COUR	rt cause number	AGENCY (CASE NUMBER 161SPC004321	1
KEITH O. DELZEITH	AFFIDAVIT FOR	PROBABLE CAUSE		
(, Sgt. Luke NaThalong a la	w enforcement officer with	the (ogency) Indiana	State Police, affirms the	het c
(abus) that (22 / 2016 . At appoint the big	lv 3-10. [laxa-be] non the accused. (//premote) KE	#Mh	
(middle Initial) D. (last name) Delbeith (DL number or last four digits of SSM) SC	112000 Clicate Car	A COLA WAS OPEN	Temak, (awa) 14 / 28 / 12	104 104
to 325 man	(county)	Details Indiana open	ting a (relicie description, include CM)	V _d u
Hospiai Indicator): Cream grace, 2011, Pelarous	semi, OH appende Plate PV	BZ7Z under the felt	lowing circumstances.	
L PRELIMINARY COSERVATION/REASON	N FOR STOP (clieck mil that a	poly)		
I observed the secused openite a vehicle in my pr		okuscý operate a vehicle.		
I I had reason to believe the recessed operated the s	orbiote because:			_
The accused committed the following violation(s) Passenger under age. 18 pursuant to 1C 9-10-5-3;	i): <u>Unitale movement lang t</u> 2):	tione, receipes diffing, father to	tenver (sus country tollowing for cross	7Y.
C Other:	·			
Crosh lavalved: 2 YA No Crosh involv	ed Local Crash Num	her: 2016-00117056	Time of Crash: 3:15 arm 2 ;	руп
The accused admitted to being the driver involve The result of the accused driving resulted inc	o in the costs. The serious bodily injury	🖸 fatality		
Name(a) of person(a) injured:				
				1
IL OBSERVATIONS				
I had reason to believe the accused was INTOXICA Goar of alcaholic beverage Left	4.4.	T Heres	11 11 11	AY
Alcohol beverage containers in view Failer Speech was	to shot off vehicle	Walk and Turn		
Speech was Cook	not open door	Ope Leg Stand Rhomberg Botan		ZZ.
Manual dextenity Stoge	ated (tom vehicle	P.B.T./Alco-sensor 0. 00 s	rum of dischol per 210 liters of oresid.	:01
Color of alcoholic beverage Left Alcohol beverage containers in view Failer Speech was Could Eyes were Pulls Manual destenty Stage Abusive attitude Learn Halance was Solicaldisorderly clothing	d against vehicle	Det Santaion	Performed by: Trp. Josh Threshe	
Salicaldisorderly clathing		DRE: Conclusion:		
A Other abservations/test: #4050ct was seeing nor	vous and appeared disonance	d, confused and was unable to sta	nd still, kept moving his arms and hand:	<u>is_</u>
He admitted to having the glass smoking gips with	white seatcher on a se beard	nelitamphalamine, several plantic:	stres used to sport mails.	<u> </u>
NI. CHEMICAL TEST If advised the accused of the Implied Consent Lay	and the engineed!	motion to or III of and a share	en sest Z results are pending	
was metric to other a country test to the accent			ed Ref. No reporte the behand?	
	od pecarac entip beraou mes:	nyini 🔲 suojassaspats 🔲 injun	বৌ	
a certified che	nical last operator, determined	from a chemical rest that the accuse	ed d had an alcohol concentration equivalent	4 (0
	nical last operator, determined The chemical last was esminis	from a chemical rest that the accuse	ed d had an alcohol concentration equivalent	d LO
gram of alcohol per 210 livers of breath. am pan using certified instrum l was told by	mical last operator, determined The chamical last was ediminis ent mumber the result of the shamical	from a shemical test that the accuse terms of (focation) This was an alsohol boncentration eq	ed of the control of	al.
grant of stocked per 210 lives of breath. Germ Derm using contribution instrum 1 was told by milli uses of blood. Such test was administered by de-	nical test operator, determined The chemical test was edminis ent number	from a chemical test that the accuse terms of (focallon) Loss was an alsohol concentration equipola blood as	ed di had an absolut concentration equivalent uivalent to 0	10(at
grant of stocked per 210 lives of breath. Germ Derm using contribution instrum 1 was told by milli uses of blood. Such test was administered by de-	nical test operator, determined The chemical test was edminis ent number	from a chemical test that the accuse terms of (focallon) Loss was an alsohol concentration equipola blood as	cd di had an absolut concentration equivalent suivalent to 0	10(at
	nical test operator, determined The chemical test was edminis ent number	from a chemical test that the accuse terms of (focallon) Loss was an alsohol concentration equipola blood as	cd di had an absolut concentration equivalent suivalent to 0	10(at
grant of slooked per 210 livers of breath. arm print using contribed instrume 1 was told by millithers of blood. Such test was administered by definition of blood distant entropied substance metabolite, or metrog, to writ other blood distant at (location) Drawn by: Ganera Lung	mical last operator, determined The chemical last was edminis ent number the result of the chemical nuving or taking a sample of w the result of the chemical Suc	from a themical test that the accuse term of (focalion) Itsa was an alsohol concentration of hole blood as Tall test determined that the occused in test was administered by drawing at (time)	cd di had an absolut concentration equivalent suivalent to 0	10(at
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COURT APPEARANCE - I promise to appear as follows or be subject to arrest and/or license suspension (E. 9-30-36). Court Subject	DID COMMIT THE FOLLOWING OF Vehicle Speed Prima Facility of the form of the state statute, i.C. 9-24 I, affirm under the penalty of perjury as specified by IC 35- representations are true. Signature of Officer Prima Parents Div. Disc.	OFFENSE: e Speed LANE To LANE -8-24. 442-1, that the foregoing
Court Appearance to anest and/or license suspension (IC 9-30-3-8). Court Dev to Dey Mo. Year Time Court's address Your signature to not an Segnature admission of guilt or	DID COMMIT THE FOLLOWING OF Vehicle Speed Prima Facility of the form of the state statute, i.C. 927 I, affirm under the penalty of perjury as specified by IC 35-representations are true Signature of Officer Police agency (NDIA)	OFFENSE: e Speed LANE To LANE -8-24. 44-2-1, that the foregoing 1,0, no. 4500 INA STATE POLICE Prosocuto//Denuty Prosecutor
Court's address Court's address Too win St Cubum Your signature to not an Signature admission of guilt or	DID COMMIT THE FOLLOWING OF Vehicle Speed Prima Facility of the form of the state statute, i.e. 9-27 I, affirm under the penalty of perjury as specified by IC 35-representations are true. Div. Dist. Police agents INDIA Approved by Judicial Circuit on Judicial Circ	OFFENSE: e Speed LANE To LANE -8-24. 44-2-1, that the foregoing I.D. no. 4600 INA STATE POLICE Prosocular/Denuty Prosecular 20:
Court's address Your signature to not an Signature admission of guilt or	DID COMMIT THE FOLLOWING OF Vehicle Speed Prima Facility of the form of the state statute, i.C. 927 I, affirm under the penalty of perjury as specified by IC 35-representations are true Signature of Officer Police agency (NDIA Approved by Judicial Circuit on COURT APPEARANCE - to arrest and/or ilcense suspense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to appear as followed to arrest and/or ilcense suspense to arrest and/or ilcense and/or ilcense arrest arrest arrest and/or ilcense arrest	OFFENSE: e Speed LANE To LANE - 8 - 24. 44-2-1, that the foregoing 1.0. no. 4650 INA STATE POLICE Prosoculor/Denety Prosecutor 20: He or be subject pension
Your signature to not an Squature admission of guilt or	DID COMMIT THE FOLLOWING OF THE POLLOWING OF THE POLLOWIN	OFFENSE: e Speed LANE To LANE - 8 - 24. 44-2-1, that the foregoing 1,0, no. 46.00 INA STATE POLICE Prosocutor/Denety Prosecutor 20: As or be subject pension
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	DID COMMITTHE FOLLOWING OF Vehicle Speed Prima Facility of the form of the state statule, i.C. 927 I, affirm under the penalty of perjury as specified by IC 35-representations are true Signature of Officer Div. Dist. Police agency INDIA Approved by Judicial Circuit on COURT APPEARANCE - to arrest and/or license sust (IC 9-30-3-5). Court Devices Address Court's address	OFFENSE: e Speed LANE To LANE - 8- 24. 44-2-1, that the foregoing 1,0, no. 4600 INA STATE POLICE Prosocutor/Denuty Prosecutor 20: ers or be subject pension Time N CT
violation.	DID COMMIT THE FOLLOWING OF THE POLLOWING OF THE POLLOWIN	OFFENSE: e Speed LANE To LANE - 8 - 24. 44-2-1, that the foregoing 1,0, no. 4600 INA STATE POLICE Prosocutor/Denuty Prosecutor 20: es or be subject pension Time N Co



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Clerk Dekaib Superior Col

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COURT DISPOSITION
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DATETRIED
FINDING OF TRIAL COURT
0. L. DIVERSION/DEFERRAL 7. L. DISMISSED
1 D GUILTY S. C. APPEALED A B E JUDGMENT WITHHELD
2. ☐ BOUND OVER TO OTHER COURT 19. ☐ CLOSED REFERRED TO
COURT DATE COMM SUREAU OF
3. AGQUITTED NOT GUILTY MOTOR VEHICLES
A D BAIL FORFEITED.
AMOUNT \$ 11 10 JUDGMENT FOR DEFENDANT
SENTENCE
Anioun
The state of the s
FINE THE STATE OF
COSTS
JAIL SENTENCE
CNO. OF DAYS)
INDIOS DAYS)
WITNESSES:
OFFICER'S NOTES FOR TESTIFYING IR COURT
Please note facts and circumstances in addition to these chessed in face of contolaint
that is: 1. Any specific action of violation which increased the hazard of the violation.
2. Where violation observed and where contact made: 3. Total distance raveled during
pursuit: 4. Statements of violator, and general attitude; 5. Place of employment
《中国的首都在全国的特别的一个中国的特别的一个人的一个人的一个人的对象的一个
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LN POR PASS BLT DIPHLICH DIRECTION AND DR.
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Carlo Maria de Santo de Carlo
921 nd 1 303 N 1045 In (10) Related
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THE PROPERTY OF THE PARTY OF TH

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INFORMATION AND SUMM	
逊 complaint and summo	NS K274003
Siale Form 36044 (R6 / 6-or))
Stock # 409	K-172 Count
STATE OF INDIANA	Cause 30
W. 15	m.s.
The undersigned heiring probable cause to be	
says that on:	
Day of wk. Day Month	WILL TOUS PM
Lasinama	MOINT OF THE
DELZETH	""herth ""
Street address	- II - UE PN
3008 REWN	
CIV ANICANTE IA	SIM ZIP 200をつれる
Rapa Sex Age DOB	Weight Weight
100 104 131 178/2	8/8413-671176
Operator's houseons 41000	State / Type Class
2C11X044	OH CN+ FT
<u> </u>	LLY OPERATE:
	トース性 「生代下の9777
(Fig. 607+ 26.08	MA TO THE TAXABLE PARTY OF THE
Truck/Tractor	DOTATION DIMEAD
Trailer 🗂 🐧	3 12002
Combination vehicle	16+ Passengers
CONTORINACION C.	··· }
Location (A public street or highway)	Plecardod HAZMAT L.)
	57 NR (4232(~ MA
DID COMMIT THE FO	LLOWING OFFENSE
EAKSO D	MY MACHY 392 4
Vehicle Speed	
Under IN Fluence	1/Busession Drugs
	10 10 10
Contrary to the form of the state statute. LC	B-XI 172 7-17
I, affirm under the penalty of perjuty as spec	floo by 16 35-44-2-1. that the foregoing
representations one true	
Signature of Officer CVEO/7000E/ \tag{w-1/2}	10,000 70677
Div. Dist.	Phin
132/CVED- 77	INDIANA STATE POLICE
Approved by	Prosecutor/Deputy Prosecutor (
	- · · · · · · · · · · · · · · · · · · ·
Judicial Circuit o	
	pear as follows or be subject
(C 9-30-3-8),	license suspension
Court	o. Year - Foney CC
KNOSWOW INTAL	NOTE IN
Cours midies Withert	O MINT
Your signature is not an Signature	main sr 12
disturbation to the contract and a second	
The state of the s	10,46700 W
260-925-4-03)

My

FILEC MAY 0 6 20:

	6	<u>(</u>)
State Form 44313 (R6 / 10-10) STATE OF INDIANA IN THE	SUPERIOR 19	COURT COUNTY OF	DEKALB ss:
	17001 1 6 0	5 CM 0 3 0 2	
State of Indiana vs.	COURT CAUSE NUMBER	AGENCY CA	SENUMBER 161SPC004321
KEITH D. DELZEITH	Affidavit fo	R PROBABLE CAUSE	
(dole) 04 / 22 / 2018 , of app	a law enforcement officer will	h the (agency) Indiana S Then the accused (first name) Kaille	State Police , affirms that
(entitalle initial) D. (last mance) C (Oi, number or last four digits of SSN))etzelih	a 🗵 Maic. 🔲 l	Female (30/b) 10 / 28 / 1984
(DL number or last four digits of SSN)	SC112099 , (licenze sy	pej <u>CDL-A</u> was observed	in (location) 169 northbound from 319 mm
to 325 mm Harmat indicator): Crosmitatego, 2011.	Peterbuill sum CM sonnding Plate P	VT8272 under the follo	ng a (vehicle description, include CMV or,
	TREASON FOR STOP (check all that		
I charved the aroused operate a veloc			
☐ I had reason to believe the accused apo	cruted the vehicle because:	e accused operate a rehiele.	
The necused committed the following: Passenger under age 18 pussuant to 10.	violation(s): <u>Unsale mavement lane</u>	to lane, recalese others, fallure to six	mai lane Change, following too clasely
Crush lavolved: Yes No Cr	eath involved Local Crush Nur	mbee: 2016-00117056	Time of Crash: 3:15 sm pm
The accused admitted to being the drive	er involved in the crush,		
Name(s) of person(s) injured:	ted in: 🔲 serious bodily Injury	D Country	
IL ORSERVATIONS I had reason to believe the accused was IN		fall and and	
The Alexandral in houseway	Titali reshista in mase	(3 HCM	Passed Failed WAV
About beverage containers in view Speech was Eyes were Manual descrip	Failed to shut off vehicle	Walk and Turn	
Speech was	Chaid not open door	One Leg Stand Rhomberg Balance	
Déanual dexterity	Staggeted from vehicle Leaned against vehicle	7.8 T./Aico-sensor 0. 00 gra	en of alcohol per 210 liters of Residual St
Abusive allitude Balance was	Leaned against vehicle		Performed by: Trp. Josh Thursher
Soliodisisorderly citating			-
Diver observations/Lest Subject was the edmitted to having the glass emoking	duise of the empires entry the solid the police of the pol	ted, confused and was unable to stand methamphetemine, several plastic st	still, kept moving his arms and hands we used to sport meth.
III. CHEMICAL TEST			
I advised the accused of the implied O I was unable to offer a chemical test to	the profited because such person 1985;	unconscious 🗖 injured	
D . a cer	nifico chemical test occusor, determine	of from a chemical test that the appreced i	had an elechol concentration equivalent to
The Committee to the contraction of the contraction	ed incommed arombor	istered at (Incalina)	
I was told by millitiers of blood. Such test was adminis	the result of the chemics	al last was an electron concentration equi	valent to 0grom of alcohol per 10
millitiers of blood. Such test was adminis	lates by drawing or taking a sample of	whose blood at arm p	om. Drawn by: d in his her body a controlled substance, a
controlled substance metabolite, of a drug,	towit	ich test was administered by drawing or	wking a sample of: blood, uninc
other blood drawn st (location)		ih at (nme)	6:43 🔲 am 🖾 pm.
Drawn by: Gonewa Luing			
IV. WITNESS INFORMATION (Only	Print Witness Information on Officer Address	And Prosecutor Capit 1	TX Number
2. Nume	Address		TX Number
V. PREVIOUS INDIANA AND OUT I. Offense, Coun Information, Convicti	on Date and Court Cause/Case number.		
 Offense, Count Information, Convicti THE At 		ION OF IC 9-30-5, IC 14-15-8, or IC	31.27.19
I AFFIRM PURSUANT TO		<u>TY OF PERJURY THAT THE FORE</u>	EGOING FACTS ARE TRUE
Singature of Allians	04/22/2016	Print Name & Depo	rement of a State
ORIGINAL TO PROSECU		BMV FROM COURT	2" COPY FOR OFFICER
- ORGENE TO CROSSE			- COLLEGE OFFICER
COURT CAUSE/CASE NUMBER	Buresu of Motor	Yehicles Certificate	. 414 ******
Offense Date (month, day, year): 04 /	22 / 2018 Time: 3:15 (MGENCY CASE NUMBER: LM ☑ PM (OL number or last four i	18ISPC004321 Egits of SSRI SC112099
Driver License Type: COLAA		Oriver License State: ONIO	
Full Name: (First) Keith Date of Birth: 10 / 28 / 1984 Go	(Middle Initial) 0. Meight: 170 Hoigh	(Lost) Detzeith	Color: Rece: W
Addition (number and street, city, state, and 2)	Pentel: 3008 Beamsville UC Rd. Ans	sonia, OH 45303	NBSE, 31
Vehicle Type:	CMV Hazanta	Other:	onding Results of Alcohol or Drug Test
THE PROPERTY OF THE PROPERTY O	THE PARTY INVESTOR A SECOND AND A SECOND	on the fact of the	wind common and the rest



TICKET

State of Indiana

County of: DeKalb UTT #: K274003 Township of: Keyser

·			O BELLEVE SAYS TH	···		
Street Address 3008 BEAMSVILLI RaceE		First Name KEITH	<i>M.I.</i> D		Suffix N/A	<i>Violator</i> DRIYER
Race E			City		State / Country	ZIP
	E UC RD Ethnicity	Gender	ANSON Height	I IA / Weight	OH / US Eve Color	45303 Hair Color
	I/A	MALE	5' 7" <i>f</i>		N/A	N/A
Dr. Lic. # / ID # / S SC112099	SN#	Date of Birth 10/28/1984	<i>License</i> CDL CI		Expiration Date N/A	Lic. State / Country OH / US
<u>DID UNLAWFULLY</u>	OPERATE:					
Vehicle Color CREAM	•	Model ABLED VI N/A	201		<i>Lic. # / Exp. Date</i> PVT8272	Placarded HAZMAT NO
Commercial Vehicle NO	N/A	N/A		State / Country / US	Lic. Type N/A	
DID COMMIT THE	FOLLOWING C	OFFENSE(S):				
Upon (A public str I-69 NB @ 326 t		MM 326.00	CIVIL COMPLAINT & SUMMONS			
<i>Date</i> 04/22/2016	<i>Time</i> 03:15	PM EDT	Actual Wgt. N/A			
Vehicle Speed N/A	N/A	Facie Speed	Allowable Wgt. N/A			
Crash Involved NO	Local (N/A	Crash #	B.A.C. N/A			
Federal / I.A.C.	VILURE TO COM		RAL MOTOR CARRII			
 -				}		
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				}		
-		•			ibove named individu FOREGOING REPRESEN	
		I.D. (Badge) No.	Div/District	•		
Officer's Name	KIITAN	7257	Headquarte		State Police	
Officer's Name TROOPER JOE HAI		7257	•	rs Indiana		ons as follows:
Officer's Name TROOPER JOE HAI PLEA and COURT		7257 You shall answer	•	rs Indiana : Summons and/or	State Police	ons as follows:
Officer's Name TROOPER JOE HAI PLEA and COURT , Plea: O Admit "My signature is an a including my right to contribute to Habitua	APPEARANCE: ' O No Conte admission of the v a trial and will p al Traffic Violator	7257 You shall answer st violation(s) or a ple ay all fees and cost Determination."	this Complaint and S Signature: ading of no contest about the swithin the time allow	Summons and/or ove and will have the for payment. I use	State Police Information and Summe ne same effect as a judgme Inderstand that my admissi	Date: nt of the court. I waive my rights on or pleading of no contest may
Officer's Name TROOPER JOE HAI PLEA and COURT / Plea: O Admit "My signature is an a including my right to contribute to Habitua The record of the jud	APPEARANCE: ' O No Conte admission of the v a trial and will p al Traffic Violator dgment will be se	You shall answer st violation(s) or a ple ay all fees and cost Determination." nt to the commission	this Complaint and S Signature: ading of no contest abo s within the time allow oner of the motor vehic	Summons and/or ove and will have the for payment. It is the set of Indiana or the	State Police Information and Summer the same effect as a judgme understand that my admissione state where you received	Date: Int of the court. I waive my rights on or pleading of no contest may a license to drive (IC 34-28-5-12).
Officer's Name TROOPER JOE HAI PLEA and COURT / Plea: O Admit "My signature is an a including my right to contribute to Habitua The record of the jud O "I Deny to	APPEARANCE: ' O No Conte admission of the v a trial and will p al Traffic Violator dgment will be se the Violation(s)'	You shall answer st violation(s) or a ple ay all fees and cost Determination." nt to the commission."	this Complaint and S Signature: ading of no contest abore within the time allow oner of the motor vehicles Signature:	Summons and/or ove and will have the for payment. It	State Police Information and Summer the same effect as a judgme understand that my admissione state where you received	Date: Int of the court. I waive my rights on or pleading of no contest may a license to drive (IC 34-28-5-12). Date:
Officer's Name TROOPER JOE HAI PLEA and COURT / Plea: O Admit "My signature is an a including my right to contribute to Habitua The record of the jud O "I Deny to	APPEARANCE: ' O No Conte admission of the value and will pure a trial and will pure al Traffic Violator digment will be see the Violation(s)' ial or decide no	You shall answer st violation(s) or a ple ay all fees and cost Determination." nt to the commission."	this Complaint and S Signature: ading of no contest abore within the time allow oner of the motor vehicles Signature:	Summons and/or ove and will have the for payment. It	State Police Information and Summe the same effect as a judgme understand that my admission the state where you received /time listed, contact this	Date: Int of the court. I waive my rights on or pleading of no contest may a license to drive (IC 34-28-5-12).



State of Indiana

County of: DeKalb Township of: Keyser

Court: DeKalb Superior Court 1



UTT #: K274003

CAD #: 2016-00117056

THE UNDERSIGNED HAVING PROBABLE CAUSE TO BELIEVE SAYS THAT:

DELZEITH Street Address First Name KEITH

M.I. D City Suffix N/A State / Country

OH / US

Violator DRIVER ZĮP

3008 BEAMSVILLE UC RD Race WHITE

Ethnicity N/A

Gender MALE

ANSONIA Height / Weight 5' 7" / 170 License Type

Eye Color N/A Expiration Date 45303 Hair Color N/A

Dr. Lic. # / ID # / SSN # Date of Birth Lic. State / Country CDL CLASS A SC112099 10/28/1984 N/A OH / US

DID UNLAWFULLY OPERATE:

Vehicle Color **CREAM**

Year / Make Model 2011 / ASSEMBLED VI N/A

Lic. Year 2016

Lic. # / Exp. Date PVT8272

Placarded HAZMAT 16+ Passenger

Commercial Vehicle Truck / Tractor

DOT # N/A

Lic. State / Country Lic. Type OH / US

VIN Number N/A

Classification

NO

NO

N/A

N/A

Policy

TRUCK

Owner Name N/A

Insurance Company

N/A State / Country

Street Address N/A

N/A

City N/A

N/A

ZIP N/A

DID COMMIT THE FOLLOWING OFFENSE(S):

Upon (A public street or highway)

CIVIL COMPLAINT & SUMMONS 1-69 NB @ 326 MILE MÄRKER MM 326.00

Date 04/22/2016

Time 03:15 PM EDT

Vehicle Speed N/A

Prima Facie Speed

Method N/A

Actual Wat. N/A

Allowable Wat. N/A

Evidence Seized NO

N/A Contrary to the form of the I.C. CODE

8-2.1-24-18 - FAILURE TO COMPLY WITH FEDERAL MOTOR CARRIER SAFI NO

Crash Involved? Local Crash # N/A

BAC N/A

NO

Unit #: N/A

Federal/I.A.C. 392.4(A) - DRIVER USES OR IS IN POSSESSION OF DRUGS

7257

I AFFIRM, UNDER PENALTY OF PERJURY AS SPECIFIED BY IC 35-44.1-2-1, THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

Officer's Name

TROOPER JOE HARTMAN

I.D. (Badge) No.

Div/District

Police Agency

If you enter a denial or decide not to answer, you must appear as follows or, if no date/time listed, contact this court to schedule appearance:

Headquarters

Indiana State Police

Court

DeKalb Superior Court 1

Address 100 S. Main Street Auburn, IN 46706

260 9254576

Contact

You will be contacted by the

court

WITNESSES:

LOVE Voucher:

No

Officer Notes:

IN7257003829

Prosecutor Notes: Proiect Code:

N/A N/A

License Picture:

No Photo Available



COURT SUMMARY

State of Indiana

County of: DeKalb Township of: Keyser



UTT #: K274003 CAD #: 2016-00117056

	<u> /ING PROBABLE CAUSE TO BI</u>			
Last Name DELZEITH	First Name KEITH	<i>M.I.</i> D	Suffix N/A	<i>Violator</i> DRIVER
Street Address		City	State / Country	ZIP
3008 BEAMSVILLE UC R Race Ethnicity		ANSONIA Height / Weight	OH / US Eve Color	45303 Hair Color
WHITE N/A	MALE	5' 7" / 170 ¯	N/A	N/A
Dr. Lic. # / ID # / SSN # SC112099	Date of Birth 10/28/1984	<i>License Type</i> CDL CLASS A	Expiration Date N/A	Lic. State / Country OH / US
DID UNLAWFULLY OPER	MATE:			
	/ Make Model . / ASSEMBLED VI N/A	Lic. Year 2016	Lic. # / Exp. Date PVT8272	Placarded HAZMAT NO
Commercial Vehicle Truck	:/Tractor DOT# N/A	Lic. State / Country OH / US	<i>Lic. Type</i> N/A	
DID COMMIT THE FOLL	OWING OFFENSE(S):			·
Upon (A public street or I-69 NB @ 326 MILE N		VIL COMPLAINT & SUMMONS		
Date 04/22/2016		tual Wgt.		
Vehicle Speed N/A	N/A N	lowable Wgt. V A		}
Crash Involved	N/A N/	A.C. ' A		ł
Federal / I.A.C. 392.4(A) - DRIVER US	he I.C. CODE E TO COMPLY WITH FEDERAL SES OR IS IN POSSESSION OF	}		
Amended To:				
Court Disposition: Failure To: O Appear				
-		nation and Summons to the D BY IC 35-44.1-2-1, THAT THE Div/District Police Ac	FOREGOING REPRESENT	
TROOPER JOE HARTMAN	7257		State Police	Opto
Approved by (Prosecutor/D.		t appear as follows as if n = d-t		court to schodula appearance:
It you enter a denial or o	Address	t appear as follows or, if no date Conta		court to schedule appearance:
DeKaib Superior Court 1	100 S. Main Street Aubum, IN 46706 260 9254576	You v	vill be cted by the	



John R. Kasich, Governor Asim Z. Haque, Chairman Commissioners

Lynn Slaby M. Beth Trombold Thomas W. Johnson

02/12/2017

CR201609120408 Mr Steve Plummer 101 S MAIN ST PO Box 98 GROVER HILL, OH 45849

RE:

NOTICE OF PRELIMINARY

DETERMINATION

Case No. CR201609120408

Dear Sir or Madam:

On 09/12/2016, a compliance review of your facility located at 6080 STATE ROUTE 705, NEW WESTON, OH, U.S.A., 45348 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified D L. WINNER LIVESTOCK EXPRESS INC (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

180 East Broad Street Columbus, Ohlo 43215-3793 (614) 456-3016 www.PUCO.ohio.gov





Commissioners Thuu elaph M. Beth Trombold Thomas W. Johnson

FORFEITURE

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Commission	FOR	0.00
John R. Kasich, Governor Haque, Chairman	manner prescribed.	00.0
Asim Z. Hayasi	Herr	00.0
John R. Kasich, Governor Asim Z. Haque, Chairman e driver to prepare record of duty status in form and frecords of duty status (inaccurate) (State) frecords of duty status (inaccurate) are to prepare record of duty status in form and the cort to prepare record o	nd manner prescribed.	500.00
e driver to prepare record frecords of duty status (inaccurate) (State) frecords of duty status in form a	nd in ot less than the applicable	400.00
frecor	ot less	00.0

VIOLATION (rederal)

(rederal)

Failing to conduct random alcohol testing at an annual rate of not less than the applicable Failing to require CODE 395.8(f) Failing to conduct post accident testing on driver for controlled substances. 395.8(e) 395.8(f)

Failing to ensure that each driver subject to random alcohol and controlled substances testing Failing to prepare and maintain on file a record stating the reasons the controlled substances has an equal chance of being selected each time selections are made. 382.303(b) 382.305(i)(2)

Prost-account was not properly amministed.

Failing to conduct post accident alcohol testing on driver following a recordable crash. 382.303(d)(1) Failing to prepare and maintain on file a record stating the reasons the alcohol post-accident 382.303(d)(2)

382.303(a)

382.305(b)(2) Failing to conduct random controlled substances testing at an annual rate of not less than the

395.8(e)

A conference was conducted pursuant to rule 4901:2-7-10, O.A.C., at which the Respondent had a full A conference was conducted pursuant to rule 4901:2-1-10, U.A.C., at which the kespondent nad a null opportunity to present any reasons why the violation did not occur as alleged, mitigating circumstances regarding to opportunity to present any reasons why the violation relevant to the action proposed to be taken by Staff opportunity to present any reasons why the violation relevant to the action proposed to be taken by Staff. TOTAL AMOUNT DUE: \$2,000.00

As a result of the conference, Staff has made a Preliminary Determination that the Commission should ass As a result of the conference, start has made a recummary Determination and the following amount: civil forfeiture against D L WINNER LIVESTOCK EXPRESS INC in the following amount:

John R. Kasich, Governor Asim Z. Haque, Chairman

Commissioners

Lynn Slaby M. Beth Trombold Thomas W. Johnson

CODE	VIOLATION	FORFEITURE
395.8(f)	Failing to require driver to prepare record of duty status in form and manner prescribed. (State)	0.00
395.8(e)	False reports of records of duty status (inaccurate) (State)	0.00
395.8(f)	Failing to require driver to prepare record of duty status in form and manner prescribed. (Federal)	0.00
382.305(b)(1)	Failing to conduct random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions.	500,00
382.303(b)	Failing to conduct post accident testing on driver for controlled substances.	400.00
382.305(i)(2)	Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.	0.00
382.303(d)(2)	Failing to prepare and maintain on file a record stating the reasons the controlled substances post-accident test was not properly administered.	0.00
382.303(a)	Failing to conduct post accident alcohol testing on driver following a recordable crash.	400.00
382.303(d)(1)	Failing to prepare and maintain on file a record stating the reasons the alcohol post-accident test was not properly administered.	0.00
395.8(e)	False reports of records of duty status (inaccurate) (Federal)	0.00
382.305(b)(2)	Failing to conduct random controlled substances testing at an annual rate of not less than the applicable annual rate of the average number of driver positions.	700.00

TOTAL AMOUNT DUE: \$2,000.00

Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

180 East Broad Street Columbus, Ohio 43215-3793

www.PUCO.ohio.gov

(814) 486-3018





John R. Kasich, Governor Asim Z. Haque, Chairman Commissioners

Lynn Slaby M. Beth Trombold Thomas W. Johnson

Sincerely,

Milan Orbovich, Director

muleu debovick

Transportation Department

Compliance Officer: Mark Banks

180 East Broad Street Columbus, Ohio 43215-3793 (614) 466-3016 www.PUCO.ohio.gov



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COMPLIANCE REVIEW INSTRUCTION SHEET NOTICE OF PRELIMINARY DETERMINATION

Please read this instruction sheet <u>carefully</u>. It contains information about your rights and responsibilities in regard to this Notice of Preliminary Determination.

You have received a "Notice of Preliminary Determination" as described in Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.). Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (2) file a written request for an administrative hearing. If you do not pay the forfeiture or file a request for an administrative hearing within 30 days of this notice, your case will be placed in our default process. Both procedures are described below.

1. How to Pay the Forfeiture

If you do not wish to further contest the violations described in this notice, you may make payment of the civil forfeiture indicated in this notice via one of the following methods:

Online at https://omcis.puc.state.oh.us/home.aspx. You will need your case number and PIN located on the enclosed youcher.

Mail: send a check or money order (no Canadian postal money orders) made payable to "Treasurer, State of Ohio." In order to assure proper credit, you must write the case number on the face of the check or money order. Please send payment to the following address:

Public Utilities Commission of Ohio Atm: CF Processing 180 East Broad Street, 4th Floor Columbus, OH 43215-3793

2. How to File a Request for an Administrative Hearing

If you wish to further contest the violations described in this notice, you should file a "Request for an Administrative Hearing" with the Commission's Docketing Division as described in Rule 4901:2-7-13, O.A.C. Your "Request for an Administrative Hearing" must be in writing and must contain the case number indicated on this notice. Also, please include the contact name, address, and telephone number, of the person to whom further communications regarding this matter should be directed. The request shall be signed by the respondent or its authorized representative. A copy of the "Notice of Preliminary Determination" must be attached to your request.

Your "Request for an Administrative Hearing" must be mailed or hand-delivered within 30 days of this notice to the following address:

Public Utilities Commission of Ohio Attn: Docketing Division 180 East Broad Street Columbus, OH 43215-3793

3. Failure to Submit a Request for an Administrative Hearing

If you do not serve a timely "Request for an Administrative Hearing" in the manner described above, you will forfeit your right to



further contest the violations described in this notice and the occurrence of the violations will be conclusively established. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in this notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

4. Codes and Forfeiture Amounts

"Code" in this notice identifies the rule that was violated. Numbers in a 100 or 300 series refer to specific sections of the Hazardous Materials Regulations or the Federal Motor Carrier Safety Regulations located in Title 49 of the Code of Federal Regulations (C.F.R.). Some section numbers may have suffixes beyond those which appear in the C.F.R. These are used for internal data collection purposes. Codes in other formats refer to violations of Ohio's statutes or regulations.

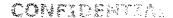
Section 4923.99, Ohio Revised Code, authorizes the Public Utilities Commission of Ohio to assess a civil forfeiture of up to \$25,000 for each day of each violation. The amount of any forfeiture depends upon the nature, gravity, circumstances, and extent of the violation, the offender's degree of culpability for the violation, and the offender's history of violations. "Total Amount Due" is the total amount of the civil forfeiture assessed for all violations described in this notice.

For additional information regarding the civil forfeiture program, please contact the Compliance Division.



DESporder TEX-1

U.S. DEPARTMENT OF TRANSPORTATION DRUG AND ALCOHOL TESTING MIS DATA COLLECTION FORM Calendar Year Covered by this Report: _ 2015 OMB No. 2105-0529 I. Employer: Form DOT F 1385 (Rev. 5/2008) Company Name: TRI. State TRANSPORTATION (Doing Business As (DBA) Name (if applicable) lummer Name of Certifying Official: SHEVENS Signature: Telephone: (419) 789 029 2 Date Certified: Prepared by (if different): Telephone: (C/TPA Name and Telephone (if applicable): To (419) 7 50 Check the DOT agency for which you are reporting MIS data; and complete the information on that same line as appropriate: (<u>419) 7*8910292*</u> ___FMCSA - Motor Carrier: DOT #: Owner-operator: (circle one) YES or NO Exempt (Circle One) YES or NO FAA - Aviation: Certificate # (if applicable): Plan / Registration # (if applicable): PHMSA - Pipeline: (Check) Gas Gathering Gas Transmission Gas Distribution Transport Hazardous Liquids Transport Carbon Dioxide FRA - Railroad: Total Number of observed/documented Part 219 "Rule G" Observations for covered employees: USCG - Maritime: Vessel ID # (USCG- or State-Issued): (If more than one vessel, list separately,) II. Covered Employees: (A) Enter Total Number Safety-Sensitive Employees In All Employee Categories: (B) Enter Total Number of Employee Categories: (C) Employee Category Total Number of Employees If you have multiple employee categories, complete Sections I in this Category and II (A) & (B). Take that filled-in form and make one copy for each employee category and complete Sections II (C). III, and IV for each separate employee category III. Drug Testing Data: 2 3 5 8 9 11 12 13 Refusal Results Verified Positive Results ~ For One Or More Drugs the sum of Columns 2, 3, 9, 10, 11, and 12] Fotal Number Of Test Results [Should equal Positive For Amphetamines "Shy Bladder" ~ With No Medical Explanation Cancelled Resists Verified Negative Results Other Refusals T Submit To Positive For Cocaine Positive For PCP Positive For Opiates Positive For Marijuana Adulterated ubstituted Type of Test Pre-Employment 9 Random Post-Accident Reasonable Susp./Cause Return-to-Duty Follow-Up TOTAL 5 10 IV. Alcohol Testing Data: 9 5 2 3 6 8 Refusal Results Total Number Of Screening Test Results (Should equal Screening Tests With Results 0.02 Or Greater the sum of Columns 2, 3, 7, and 8] Screening Tests With Results Below 0.02 Number Of Confirmation Tests Results With Results 0.04 Or Greater Confirmation Tests With Results 0.02 Through 0.039 Confirmation Tests "Shy Lung" ~ With No Medical Cancelled Results Other Refusals To Submit To Explanation Testing Type of Test Pre-Employment Random Post-Accident Reasonable Susp./Cause Return-to-Duty Follow-Up TOTAL





MRO: John Tetrick, MD / Daniel Drew, MD 7160 Graham Road Indianapolis, IN 46250 317-547-8620 fax 317-568-0849 http://www.drugfreeworkplace.com

Results of these tests

Negative

Lab comments MRO comments

Soc sec #	NA-504698150	Donor name	Gaier, Paul L.
Test type	Random	Employer name	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC./
Lab	ALERE TOXICOLOGY	Specimen ID#	504698150
Collection site	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC.	Protocol	HHS/DOT
Collection date	9/23/15	Employer acct#	362176
Lab date	9/24/15	Lab result date	9/24/15
Test panel	5-Panel	MRO Dates	
Testing authority	FMCSA	Receipt of CCF #2	9/23/15
		Verified report date	09/24/2015 01:33:51 PM

The above captioned individual has submitted to drug testing pursuant to the requirements of 49 CFR 40 and pertinent regulations of the employer listed above. Urine testing was carried out for the following drugs Amphetamines, Cocaine, Opiate, Phencyclidine, Marijuana, 6-AM, Ecstacy.

Medical Review Officer: John Tetrick, MD

Reviewed by: Nationwide Medical Review 7160 Graham Rd, Indianapolis IN 46250 (317) 547 8620



05/14/2015 06:38:27 PM



MRO: John Tetrick, MD / Daniel Drew, MD 7160 Graham Road Indianapolis, IN 46250 317-547-8620 fax 317-568-0849

Negative

http://www.drugfreeworkplace.com

Results of these tests

Lab comments			
MRO comments			
Soc sec #	293-76-7696	Donor name	Dircksen, Kevin J.
Test type	Random	Employer name	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC./
Lab	ALERE TOXICOLOGY	Specimen ID#	504698135
Collection site	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC.	Protocol	HHS/DOT
Collection date	5/12/15	Employer acct#	362176
Lab date	5/14/15	Lab result date	5/14/15
Test panel	5-Panel	MRO Dates	
Testing authority	FMCSA	Receipt of CCF #2	5/12/15

The above captioned individual has submitted to drug testing pursuant to the requirements of 49 CFR 40 and pertinent regulations of the employer listed above. Urine testing was carried out for the following drugs Amphetamines, Cocaine, Opiate, Phencyclidine, Marijuana, 6-AM, Ecstacy.

Verified report date

Medical Review Officer: John Tetrick, MD

Reviewed by: Nationwide Medical Review 7160 Graham Rd, Indianapolis IN 46250 (317) 547 8620





MRO: John Tetrick, MD / Daniel Drew, MD 7160 Graham Road Indianapolis, IN 46250 317-547-8620 fax 317-568-0849

Negative

Lab comments MRO comments

Soc sec #	298-74-7710	Donor name	Gaier, Paul L.
Test type	Random	Employer name	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC./
Lab	ALERE TOXICOLOGY	Specimen ID#	504698134
Collection site	TSTC/D. L. WINNER LIVESTOCK EXPRESS, INC.	Protocol	HHS/DOT
Collection date	2/4/15	Employer acct#	362176
Lab date	2/6/15	Lab result date	2/6/15
Test panel	5-Panel	MRO Dates	
Testing authority	FMCSA	Receipt of CCF #2	2/4/15
		Verified report date	02/06/2015 02:33:23 PM

The above captioned individual has submitted to drug testing pursuant to the requirements of 49 CFR 40 and pertinent regulations of the employer listed above. Urine testing was carried out for the following drugs Amphetamines, Cocaine, Opiate, Phencyclidine, Marijuana, 6-AM, Ecstacy.

Medical Review Officer: Daniel C. Drew M.D.

DEDrew M

Reviewed by: Nationwide Medical Review 7160 Graham Rd, Indianapolis IN 46250 (317) 547 8620

286-Total

Test Type	Total	Ne	Po	Pos-	Са	Ad	Su	Un	su Ref
2015	769	 751	9		0	0	0	0	0
TRI-STATE TRANSPORTATION CONSULTING		28	ō	0	0	0	ō	o	ō
NOT PROVIDED	1	1	Ö	0	0	Ö	0	0	0
PRE-EMPLOYMENT	4	4	Ö	0	0	0	0	0	0
RANDOM	23	23	0	0	0	0	0	0	0
TRI-STATE TRANSPORTATION CONSULTING/		290	2	1	0	0	0	0	0
3. Random	42	42	0	ò	0	0	0	0	0
8. Other	4	3	0	Ω	0	0	0	0	0
	- 248	3 245	2	1	0	0	0	0	0
Pre Employment Tri-State Transportation Consulting/Menke B	3	3	0	o o	0	0	0	0	0
RANDOM	3	3	0	0	0	0	0	0	0
TRI-STATE TRANSPORTATION CONSULTING/	-	3 1	0	0	0	0	0	0	0
RANDOM	1	,	٥	0	٥	9	0	٥	0
TRI-STATE TRANSPORTATION CONSULTING/	•	7	0	0	0	o	0	0	0
	' i	1	0	0	0	_	a		
RANDOM	1					0		0	0
TRUSTATE TRANSPORTATION CONSULT/NON	-	85	5	0	0	0	0	0	0
3. Random	11	10	1	0	0	0	0	0	0
8. Other	4	4	0	0	0	0	0	0	0
Pre Employment	75	71	4	0	0	0	0	0	0
TSTC/50'S FARM INC	3	3	0	0	0	0	0	0	D
3. Random	2	2	0	0	0	0	0	0	D
Pre Employment	1	1	0	٥	9	0	Đ	0	Đ
TSTC/A PLUS PROPANE LLC ,	4	4	0	0	0	0	0	0	0
3. Random	4	4	0	0	0	0	0	0	o .
TSTC/AARON RUBLE AAA FARMS	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	σ	0	0	0	0	0
TSTC/ALL PURPOSE CONTRACTING INC.	3	3	0	0	0	0	0	0	0
3. Random	2	2	٥	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTC/ARCHBOLD EQUIPMENT COMPANY	4	4	0	0	0	0	0	0	0
	3	3	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	D	0	0	0	0
TSTC/ARCHBOLD EQUIPMENT CO.	1	1	0	0	0	0	0	0	0
	7	7	0	0	0	0	D	0	0
TSTC/BARKER FARMS	7	1	0	0	0	0	0	0	0
or righton;	1	1	0	C	O	0	0	0	O
	6	6	0	0	0	O	0	0	0
	2	2	0	0	0	0	0	0	C
Pre Employment	4	4	0	0	0	0	0	0	0
TSTC/BATES EQUIPMENT SALES LLC	1	1	0	0	0	0	0	0	C
3. Random	1	1	٥	0	0	٥	0	0	0
TISTIC IBER-NEL FARMS TRUCKING LLC.	1	7	0	0	0	0	0	٥	0
3. Random	1	1	0	0	0	0	0	0	0
TSTO/BEST TRUCKING LLC.	2	2	0	G	0	0	0	0	0
	1	1	0	0	O	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
	3	6	0	0	0	0	0	0	0
	4	4	0	0.	0	0	0	0	Ö
	2	2	0	0	0	0	0	0	0
• •	<u>4</u> 3	3	0	0	0	0	Ð	0	0
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	3 1	3 1	0	0	-	0	0	Q .	
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J. Manaom	:	1	U	U	U	U	U	Ų	U

Test Type	Total	Ne	Po	Pos-	Ca	Ad	Su	Uns	u Ref
TSTC/DELLINGER BROS LLC	1	1	0	0	0	0	0	0	O
3. Random	1	1	0	0	0	0	0	0	0
TSTD/DOUG MEYER TRUCKING INC.	5	5	0	6	0	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
Pre Employment	3	3	0	0	0	0	0	0	0
TSTC/D. L. WINNER LIVESTOCK EXPRESS, II	N(7	7	0	٥	0	0	0	0	0
3. Random	3	3	0	0	0	0	0	0	0
4. Post Accident	1	1	0	0	0	0	0	0	0
Pre Employment	3	3	0	0	0	0	0	0	D
TSTC/D.O.C. TRUCKING LLC	7	7	0	0	0	Q	٥	0	0
3. Random	3	3	0	D	0	0	0	0	0
Pre Employment	4	4	0	Ð	0	٥	D	0	0
TSTO/ESTLE TOWING LLC	2	2	0	Ō	0	0	0	0	0
Pre Employment	2	2	0	o o	ō	ō	ō	õ	0
TSTC/EVOLUTION AG LLC	17	17	0	ō	ō	Ō	0	0	0
3. Random	9	9	0	0	0	0	0	0	0
4. Post Accident	1	1	O O	0	0	0	0	8	0
4. Post Accident 8. Other	1	1	0	0	0	0	0	0	0
	6	6	0	0	0	ט ס	0	0	0
Pre Employment TSTC/FARM TRANSPORT, LLC	34	33	0	0	0	0	0	0	0
	17	33 16	0	0	ō	0	0	0	0
3. Random		1	0	0	0	0	0	0	0
4. Post Accident	1		-	-	0	-	0	-	
7. Follow Up	5	5	0	0		0		0	0
Pre Employment	11	11	0	0	0	0	0	0	0
TSTC/FINDLAY IMPLEMENT CO	12	12	0	0	0	0	0	0	0
3. Random	8	8	0	0	0	0	0	0	0
Pre Employment	4	4	0	0	0	0	0	0	0
TSTO/FINDLAY IMPLEMENT CO.	7	7	0	0	0	0	0	0	0
3. Random	3	3	0	0	0	0	0	0	0
Pre Employment	4	4	0	0	0	0	0	0	0
TSTO, FRY BROTHERS LLC.	5	5	0	0	D	0	0	0	0
3. Random	5	5	0	0	٥	0	0	0	0
TRTC/G4 TRANSPORT LLC	1	1	Đ	0	0	9	0	Đ	0
3. Random	1	1	G	0	0	0	0	O	0
TSTC/GAERTE AG SERVICE	1	7	0	0	0	0	0	0	0
3. Random	1	1	0	0	G	0	0	0	0
TSTO/GILMAR TRUCKING, LLC.	11	11	O	0	0	0	0	0	0
3. Random	9	9	0	0	0	0	e	0	0
4. Post Accident	1	1	0	0	0	Ö	0	Ö	0
Pre Employment	1	1	0	0	0	Ö	0	Õ	0
TSTO/GRELTON ELEVATOR, INC.	3	3	0	0	0	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTO/GUILFORD FARMS	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	٥	0	0
TSTC/G&H EXPRESS HAULING LLC	, 7	7	0	0	0	0	0	0	0
	3	3		0	0	0	0		
3. Random	=		0	-	-	-		0	0
Pre Employment	4	4	Đ	0	0	0	0	0	0
TSTC/HLC TRANSPORTATION LLC	5	5	0	0	0	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
8. Other	1	1	0	0	0	O .	0	0	0
Pre Employment	2	2	0	0	9	0	0	0	0
TSTO/HOWARD SHEPHERD TRUCKING	3	3	0	0	0	0	0	0	0

Test Type	Total	Ne	Po	Pos-	Ca	Ađ	Su	Uns	u Ref
3. Random	3	3	0	0	0	0	0	0	0
TSTC/INTEGRITY DEFIANCE AUTO BODY INC	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTC/J & O TRUCKING LLC.	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTOUADE TRUCKING LLC.	4	4	0	0	0	0	0	0	0
3. Random	3	3	0	0	0	0	0	0	0
4. Post Accident	1	1	Ô	0	0	0	0	0	0
TSTC/JBL TRUCKING LLC.	ī	1	0	0	0	0	0	ō	0
4. Post Accident	1	1	Õ	0	ō	0	0	0	0
TSTC/JILLB LLC.	5	5	0	0	0	0	0	ō	0
3. Random	4	4	0	0	0	0	Ō	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTC/JOHN KAUSER TRUCKING SERVICE, IN	K11	11	0	0	0	0	0	0	0
3. Random	9	9	٥	٥	٥	0	0	٥	0
8. Other	1	1	0	0	0	ō	0	0	0
Pre Employment	, T	1	0	0	0	0	0	0	0
TSTC/K SCHROEDER FARMS & TRUCKING LL	•	1	0	0	٥	0	0	0	0
3, Random	1	1	0	0	0	0	0	0	0
TSTC/KLENKE'S TRASH SERVICE, LLC.	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
	4	4	٥	0	0	Đ	0	٥ ٥	0
TSTC/KTS EXPRESS INC.	•		0	0	0	0	0	0	0
3. Random	2	2		-	0	_	0	0	0
Pre Employment	2	2	0	0		0		_	
TSTC/KYLE A LUGINBILL	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	_	0	0	0	0	0
TSTC/LARRY J. BISCHOFF TRUCKING LLC	2	2	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTO/LO. TRAMSPORT LLC	9	9	0	0	0	0	0	0	0
3. Random	5	5	0	0	0	0	0	0	0
Pre Employment	4	4	0	0	0	0	0	0	0
TSTC/LH TRANSPORT LLC	8	8	0	0	0	0	0	0	0
3. Random	8	8	0	0	0	0	0	0	0
TSTC/LIBERTY TRANSPORT SERVICES LLC.	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTC/LOGISITCIZE LTD.	2	2	D	0	0	0	0	0	0
Pre Employment	2	2	0	0	0	0	0	0	O .
TSTC/LONG CONNECTION LLC.	1	1	0	0	Đ	0		0	0
3. Random	1	1	0	0	0				0
TSTO/LOOP ASPHALT SERVICES	3	3	0	0					0
3. Random	1	1	0	0	0 .	0	0	0	0
Pre Employment	2	2	0	0	0	0	0	0	O
TETC LOOP ASPHALT SERVICES LLC	1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTOWAY PAINTING AND SANDBLASTING INC	:1	1	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTOWERKLE HEAVY MOVING INC.	1	1	0	ō	0				0
3. Random	1	1	0	0	0				0
TSTC/MICHAEL FIECHTER	3	3	0	0	0	D	0		0
3. Random	2	2	G	0	0				0
Pre Employment	1	1	0	0	_				0
	2	2	0	D		_	-		0
	-	_	-	•	-	-	-	•	-

Test Type	Total	Ne	Ро	Pos-	Ca	Ad	Su	Un	su Ref
3. Random	1	===== 1	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTC/MIDWAY LOGISTICS	2	2	0	0	٥	0	0	0	0
3. Random	2	2	٥	0	0	δ	0	0	0
TSTC/MIKE TODD FARMS LTD	1	1	0	ō	0	0	ō	0	0
3. Random	1	1	Û	0	0	0	0	0	0
TSTC/MKT FARMS LLC.	1	1	Ŏ	0	0	0	Ö	0	0
3. Random	1	1	0	0	0	0	0	õ	0
TSTC/MOORE FARMS	2	2	0	0	0	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
Tato/oberlin trucking LLC.	4	1	0	0	0	0	0	0	0
3. Random	1	1	٥	0	Ð	0	0	0	0
TSTC/ONE SOURCE WASTE SOLUTIONS INC	•	: 43	2	0	0	0	0	0	0
	14	43 14	0	0	0	0	0	0	0
3. Random			-	_	_	_			•
4. Post Accident	2	1	1	0	0	0	0	0	0
7. Follow Up		3	0	0	0	0	0	0	0
8. Other	1	1	0	0	0	0	0	0	0
Pre Employment	24	23	1	0	0	0	0	0	0
Return To Duty	1	1	0	0	0	0	0	0	0
TSTC/PERRYSBURG PAVEMENT SOLUTIONS		1	0	0	0	0	0	0	0
3. Random	1	1	0	C	0	0	0	0	0
TSTC/PORTERS BP LLC	6	6	0	0	0	0	0	0	C
3. Random	6	6	0	0	0	0	0	0	0
TSTC/RAD TRANSPORTATION LTD	1	1	0	٥	0	0	0	0	0
Pre Employment	1	1	0	a	0	0	0	0	0
TSTC/RUFENACHT FARMS	1	1	0	0	0	0	0	0	O
3, Random	4	1	0	0	0	0	0	0	0
TSTO/SAM HENRY TRUCKING LLC.	1	1	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTC/SCHUMACHER & BASINGER LLC.	2	2	0	0	0	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
TSTC/SHUR GREEN FARMS LLC	5	5	G	0	0	0	0	0	0
3. Random	2	2	٥	D	ū	D	0	0	D
Pre Employment	3	3	0	0	0	0	0	0	0
TSTC/SLOAN EXPRESS LLC	2	2	0	0	0	0	0	0	C
3. Random	2	2	0	C	0	0	0	0	0
TSTO/STOSE BROTHERS TRUCKING LLC	2	2	0	0	0	0	0	0	0
3. Random	2	2	C	0	0	0	0	0	0
TSTO/SGS DIRECTIONAL BORING LTD	19	13	0	0	0	0	0	0	0
3. Random	1	1	٥	0	0	0	0	0	0
7. Follow Up	2	2	0	0	0	0	0	0	0
8. Other	3	0	0	0	3	0	0	ů	0
	ა 13	-	=						
Pre Employment TSTC/S&S SANITATION INC.		10	0	0	0	0	0	0	0
	4	4	0	0	0	0	0	0	0
3. Random FSTC/THE STRYKER FARMERS EXCHANGE		4	0	0	0	0	0	0	0
	3	3	0	0	0	0	0	0	0
3. Random	3	3	0	0	0	0	0	0	0
TSTOTIM COR INC.	4	4	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	٥
Pre Employment	3	3	0	O	O	0	0	ß	O
TSTO/TONNER TRUCKING LLC.	2	2	0	0	C	0	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
TSTC/TRI-STATE TRANSLOAD	2	2	0	0	0	0	0	0	0

Test Type	Total	Ne	Po	Pos-	Са	Αď	Su	Uns	u Ref
Pre Employment	2	2	0	0	0	0	0	0	0
TSTC/TWIN STIX TRANSPORT, LLC	6	6	0	0	0	0	0	0	0
3. Random	4	4	9	0	0	0	0	0	0
4. Post Accident	1	1	0	0	0	0	0	0	0
Pre Employment	1	1	0	0	0	0	0	0	0
TSTC/VAN WERT PROPANE INC.	4	4	0	0	0	0	0	0	0
3. Random	3	3	0	0	0	0	0	0	Û
Pre Employment	7	7	0	0	0	0	0	0	0
TSTC/WEHRLE TRUCKING	7	1	0	0	O	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
TSTC/WILLSON FARMS	2	2	0	0	0	G	0	0	0
3. Random	2	2	0	0	0	0	0	0	0
TSTC/ZYLSTRA CUSTOM FARMING	2	2	0	0	0	0	0	0	0
3. Random	1	1	0	0	0	0	0	0	0
Pre Employment	1	1	٥	0	0	0	0	0	0

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Prin	t Selected	Print Unrea	Mark Se	ected Unr	ead			Search Crea	i ⁻
		Test Type	✓ Total	Neg.	Pos- Ver	Pos- NC	Can- Ver	Adult- RT	Subs- RT
2014	4			507	2	0	0	0	0
} 2015	5			751	9	1	0	0	0
) 2016	;			324	4	1	0	0	0
				1582	15	2	0	0	0

Accident De Kall CO. INDIANA. 4-03-16

Ruspond 2 Ex. 18

Post occident Doug and Alcohol test were not done.

due to Driver Keith Delzenth was incorrected by Indiana

State Police Desart Eo, Jail, Driver was nort recented

before allowed time For testing.

Ddw=

De Winner Livestock Express Fic.

Aspen 3.0.0.1

State: OH

State:

No. 0622

DRIVER/VEHICLE EXAMINATION REPORT

MilePost: 326 MM

NAKOH STATE POLICE

Indiana State Police

Commercial Vehicle Enforcement 7811 Milhouse Road, Suite S

Indianapolis, IN 46241

Phone: (317)615-7373 Fax: (317)237-2116

Report Number: IN7257003829

Inspection Date: 04/22/2016

Start: 03:15 PM ET End: 11:59:00 PM ET

GVWR CVSA# CVSA Issued # OOS Sticker

Inspection Level: III - Driver Only HM Inspection Type: None

DL WINNER LIVESTOCK EXPRESS INC

6141 ST RT 705

NEW WESTON, OH 45348

USDOT#: 00624368 MC/MX#: 359658

Phone#: (419)336-0301

Fax#:

License#:

Date of Birth:

CoDriver:

Shipper: WILLIAMS CATTLE COMPANY

Origin: OWENTON, KY Bill of Lading: 10244 Destination:PLAINWELL, MI Cargo: 38 HEAD OF COWS

DINGS DELZEITH, KEITH D

Date of Birth: 10/28/1984

License#: SC112099

Location: I-69 NB 使 326 MM

Highway: I-69

State#:

County: DE KALB, IN

VEHICLE IDENTIFICATION

ST WILX 2013 OH

Unit Type Make Year State <u> Plate #</u> . TT- TRUK 2011 OH

PVT8272 TPZ8889

311 62

Equipment ID

MM 1NPXGGGG30D127266 52,000

1W16512A7D5543383 65,000

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 3

VIOLATIONS							
Vio Code	Section	<u>Unit</u>		Citation #	Verify		Violations Discovered
392,2IRP	392.2	Ø	N	WARNING	•	N	IRP Apportioned Tag or Registration Violation: i.C. 9-18-2-21 No truck registration certificate in possession when required.
392 <i>.</i> 4A	392.4(a)	ā	Y	K274003	'n	Ń	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.: Driver in possession of a glass smoking pipe that tested postive for METH. OWI while operating a CMV.
382 <u>.2</u> MI	392.2	D	MM	ISDEMEANÇ	RN	N	Miscellaneous Traffic Lew Violation: I.C. 9-21-8-52(4)(c) Reckless driving of a CMV speed up/slow down blocking both lanes of traffic and causing a crash. Class B Misd (BY; Sgt. Nathalang P.E. 4600)
392.2MI	392.2	D	NM	ISDEMEANO	RN	N	Miscellaneous Traffic Law Violation: I.C. 35-48-4-8.3 Possession of drug paraphemalia (Class A Misdemeanor)Meth pipe-(BY: Sgt. Nathalang P.E. 4600)
3 <u>92.2</u> LC	392.2	D	N	K351969	N	N	Improper lane change; I.C. 9-21-8-24 Unsafe lane movement (BY: Sgt. Nathalang P.E. 4800)
392.2MI .	392.2	D	N	K351988	N	N	Miscellaneous Traffic Law Violation: I.C. 9-21-5-1 Unreasonable speed and speed too fast to avoid collision (BY: Sgt. Nathalang P.E. 4600)
392,2Mi	392.2	D	NMI	SDEMEANO	RN	N	Miscellaneous Traffic Law Violation: I.C. 9-30-5-2 Operation of a CMV while intoxicated (Class C Misdemeanor) (BY: Sgt. Nathalang P.E. 4600)
392.2FC	392.2	D	N	WARNING	N .	N	Following too close: i.C. 9-21-8-14 Following too close, and then ran into the vehicle in front of the CMV and not slowing down. (BY: Sgt. Nathalang P.E. 4600)
395.8	395.8	D	N		N	N	Record of Duly Status violation (general/form and manner): Violation(s) of 395.8(f)(12) Failed to enter proper BOL into for log book toads

HazMat: No HM Transported.

Placard: No

Cargo Tank:

Special Checks: Alcohol Substance Check; Traffic Enforcement; Local Enforcement; Post Crash; Drug Interdiction

Report Prepared By: CVEO/TRP JOE HA

Badge # 7257 Copy Received By: KEITH DELZEITH



Aspen 3.0.0.17

State: OH

State:

No. 0622

DRIVER/VEHICLE EXAMINATION REPORT

(NDIANA STATE POLICE

Indiana State Police Commercial Vehicle Enforcement 7811 Milhouse Road, Suite S Indianapolis, IN 46241

Phone: (317)615-7373 Fax: (317)237-2116

Report Number: IN7257003829 Inspection Date: 04/22/2016

Start: 03:15 PM ET End: 11:69:00 PM ET

Inspection Level: III - Driver Only HM Inspection Type: None

DL WINNER LIVESTOCK EXPRESS INC

6141 ST RT 705

State#:

NEW WESTON, OH 45348

Location: I-69 NB @ 326 MM

USDOT#: 00624363 MC/MX#: 359658

Phone#: (419)336-0301

Fax#:

CoDriver: Licenao#:

Date of Birth:

Driver: DELZEITH, KEITH D

License#: 5C112099

Date of Birth: 10/28/1984

Origin: OWENTON, KY Destination:PLAINWELL, MI

Shipper: WILLIAMS CATTLE COMPANY

Bill of Lading: 10244 Cargo: 38 HEAD OF COWS

State information:

County: DE KALB, IN

Highway: 1-69

ACCIDENT/INCIDENT #:: 2016-00117056; DUTY STATUS:: RD; OUT-OF-SERVICE AT: DEKALB CO JAIL AUBURN, IN; COL Checked: YES: Pre-Screened Carrier: NO: Food Transport Inspection: NO; Board of Health Enf. Action; NO;

MilePost; 326 MM

Pursuant to Title 49 CFR-465,13(c) and (d), KETH DELZETH is considered OOS until 24 HOURS OFF DUTY. No motor carrier shall require or permit e driver, nor shall any driver placed DOS drive any CMM (mit) all terms of the DOS order has been fulfilled. OOS at:

IN ACCORDANCE WITH 48 CFR-386,8(d), SHOULD ANY VIOLATIONS BE NOTED, COMPLETE THIS CERTIFICATION AND RETURN TO THE POLICE AGENCY ABOVE WITHIN FIFTEEN (16) DAYS. BY DOING SO, YOU VERBY AND ACKNOWLEDGE ALL NOTED VIOLATIONS AND THE COMPLETION OF EFFECTIVE CORRECTIVE MEASURES.

Signature Of Motor Carrier X:

Report Prepared By: CVEO/TRP JOE/AARTMAN Badge #: 7257

Copy Received By: KEITH DELZEITH

N/A

Page 2 of 2

