



**INVESTIGATION OF ACCIDENT  
Mexican Hat, Utah**

**Hwy-08-MH-012**

**FMCSA Follow-up Compliance Review Report  
Dated August 18, 2008**

**ATTACHMENT B-1**  
(12 pages)



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

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

August 28, 2008

In reply refer to:  
Your USDOT No.: 433377  
Review No.: 654357/CR

KIMBALL KINNERSLEY  
CORPORATE DIRECTOR OF SAFETY  
BUSCO INC  
ARROW STAGE LINES  
720 E NORFOLK AVENUE  
NORFOLK, NE 68701

Dear KIMBALL KINNERSLEY:

The motor carrier safety rating for your company is:

**SATISFACTORY**


This SATISFACTORY rating is the result of a review and evaluation of your safety fitness completed on August 18, 2008. A SATISFACTORY rating indicates that your company has adequate safety management controls in place to meet the safety fitness standard prescribed in 49 C.F.R. 385.5.

Please assure yourself that any specific deficiencies identified in the review report have been corrected. We appreciate your efforts toward promoting motor carrier safety throughout your company. If you have questions or require further information, please contact:

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
FEDERAL BUILDING  
100 CENTENNIAL MALL N., RM 220  
LINCOLN, NE 68508-5146  
Telephone No.: 402-437-5986

*11:00*  
*William A. Quade*  
William A. Quade  
Associate Administrator for Enforcement  
and Program Delivery

Bruce N.

	US DOT #	Legal: BUSCO INC
	433377	Operating (DBA): ARROW STAGE LINES

MC/MX #: 232723 Federal Tax ID: [REDACTED]

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office Location of Review/Audit: Company facility in the U. S. Territory:

Operation Types: <input checked="" type="checkbox"/> Interstate <input type="checkbox"/> Intrastate		Business: Corporation
Carrier: Non-HM N/A	Shipper: N/A N/A	Gross Revenue: [REDACTED] for year ending: 12/31/2007
Cargo Tank: N/A		

**Company Physical Address**

720 E NORFOLK AVENUE  
NORFOLK, NE 68701

Contact Name: Kimball Kinnersley  
Phone numbers: (1) 402-371-3850 (2) Fax 402-731-1333  
E-Mail Address: kimball@arrowstagelines.com

**Company Mailing Address**

720 E NORFOLK AVENUE  
NORFOLK, NE 68701

**Report Summary**

Report	# of Pages
Part A - General	2
Part B - Violations	2
Part B - Recommendations	1
Review/Audit Receipt Page	1
<b>Total Pages</b>	<b>6</b>

**Disclaimer:** By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

FMCSA 100 Centennial Mail North, Room 406  
Lincoln, NE 68508-3851  
Phone: (402)437-5986 Fax: (402)437-5837


This report will be used to assess your safety compliance.

**Person(s) Interviewed**

Name: Kimball Kinnersley	Title: Corporate Director of Safety
Name:	Title:
Reported By: [Signature]	Title: Safety Investigator Code: US0851 Date: 8/18/2008
Received By: [Signature]	Title: Resident, COO



**UNITED STATES DEPARTMENT OF TRANSPORTATION**

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Power units used in the U.S.: 236 Percentage of time used in the U.S.: 99																																																					





**ARROW STAGE LINES (BUSCO INC dba)**  
U.S. DOT #: 433377

Review Date:  
08/18/2008

**Part A**

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

FMCSA 100 Centennial Mall North, Room 406  
Lincoln, NE 68508-3851  
Phone: (402)437-5986 Fax:(402)437-5837

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Kimball Kinnersley

**Title:** Corporate Director of Safety

**Name:**

**Title:**





ARROW STAGE LINES (BUSCO INC dba)  
U.S. DOT #: 433377

Review Date:  
08/18/2008

**Part B Violations**

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 20	Drivers/Vehicles In Violation 1	Checked 20
<b>Description</b> Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.					
<b>Example</b> Driver [REDACTED] trip date 6/19/2008.					
2 FEDERAL	Primary: 383.93	Discovered 7	Checked 68	Drivers/Vehicles In Violation 7	Checked 68
<b>Description</b> Operating a commercial motor vehicle without having the proper endorsements on commercial driver's license.					
<b>Example</b> Driver [REDACTED] trip date 2/1/2008.					
3 FEDERAL	Primary: 391.45(b)(1) Secondary: 391.11(a)	Discovered 2	Checked 66	Drivers/Vehicles In Violation 2	Checked 66
<b>Description</b> Using a driver not medically examined and certified during the preceding 24 months.					
<b>Example</b> Driver [REDACTED] trip date 5/11/2008.					
4 STATE	Primary: 391.45(b)(1) Secondary: 391.11(a) CFR Equivalent: 391.45(b)(1)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<b>Description</b> Using a driver not medically examined and certified during the preceding 24 months.					
<b>Example</b> Driver [REDACTED] trip date 5/23/2008.					
5 FEDERAL	Primary: 395.5(a)(1)	Discovered 9	Checked 577	Drivers/Vehicles In Violation 4	Checked 17
<b>Description</b> Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive more than 10 hours.					
<b>Example</b> Driver [REDACTED] trip date 6/20/2008.					
6 FEDERAL	Primary: 395.5(a)(2)	Discovered 10	Checked 577	Drivers/Vehicles In Violation 4	Checked 17
<b>Description</b> Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty 15 hours.					
<b>Example</b> Driver [REDACTED] trip date 5/28/2008.					





**ARROW STAGE LINES (BUSCO INC dba)**  
U.S. DOT #: 433377

Review Date:  
08/18/2008

**Part B Violations**

7 FEDERAL	Primary: 395.5(b)(2)	Discovered 24	Checked 461	Drivers/Vehicles In Violation 5	Checked 17
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**Description**

Requiring or permitting a passenger-carrying commercial motor vehicle driver to drive after having been on duty more than 70 hours in 8 consecutive days.

**Example**

Driver [redacted] trip date 6/23/2008.

8 FEDERAL	Primary: 395.8(e)	Discovered 4	Checked 404	Drivers/Vehicles In Violation 1	Checked 17
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**Description**

False reports of records of duty status.

**Example**

Driver [redacted] trip date 3/27/2008.

*Training Status -*

9 STATE CRITICAL	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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**Description**

Using a commercial motor vehicle not periodically inspected.

**Example**

Vehicle unit number V983.

10 FEDERAL CRITICAL	Primary: 396.17(a)	Discovered 4	Checked 49	Drivers/Vehicles In Violation 4	Checked 49
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**Description**

Using a commercial motor vehicle not periodically inspected.

**Example**

Vehicle unit number V982, trip date 4/5/2008.

**Safety Fitness Rating Information:**

Total Miles Operated 10,285,097  
Recordable Accidents 8  
Recordable Accidents/Million Miles 0.78

OOS Vehicle (CR): 0  
Number of Vehicle Inspected (CR): 0  
OOS Vehicle (MCMIS): 2  
Number of Vehicles Inspected (MCMIS): 50

Your proposed safety rating is :

**SATISFACTORY**

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	C	0	1
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.







### Part B Requirements and/or Recommendations

1. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
2. PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Materials Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified to you by the investigator. Attached to this report is Table 1, which identifies all documented violations discovered during this review.
3. Within 15 days, send a letter to the FMCSA describing what actions you have taken in response to this review to ensure that you are complying with the Federal Motor Carrier Safety Regulations.
4. Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
5. Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
6. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
7. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
8. Establish a system to control drivers' hours of service. Do not dispatch drivers who do not have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15, and 60/70 hour limits.
9. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
10. Ensure that all commercial motor vehicles are periodically inspection every 12 months. Do not operate vehicles without a current periodic inspection.






TABLE 1: VIOLATIONS DISCOVERED DURING REVIEW OF INSPECTION REPORT

Number	Violation Section	Identifying information:		Trip Date
		Number	Vehicle/Commodity	
1	49 CFR § 396.17(a)		Unit 1563	2/9/2008
2	49 CFR § 396.17(a)		Unit V982	4/5/2008
3	49 CFR § 396.17(a)		Unit 1580	4/14/2008
4	49 CFR § 396.17(a)		Unit V985	3/16/2008

*Kimball*

	US DOT # 433377	Legal: BUSCO INC Operating (DBA): ARROW STAGE LINES
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MCMX #: 232723 Federal Tax ID: [REDACTED]

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office Location of Review/Audit: Company facility in the U. S. Territory:

Operation Types: <del>Interstate</del> <del>Intrastate</del>	Carrier: Non-HM N/A Shipper: N/A N/A Cargo Tank: N/A	Business: Corporation Gross Revenue: [REDACTED] for year ending: 12/31/2007
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**Company Physical Address:**  
720 E NORFOLK AVENUE  
NORFOLK, NE 68701

Contact Name: Kimball Kinnersley  
Phone numbers: (1) 402-371-3850 (2) Fax 402-731-1333  
E-Mail Address: kimball@arrowstagelines.com

**Company Mailing Address:**  
720 E NORFOLK AVENUE  
NORFOLK, NE 68701

**Report Summary**

Report	# of Pages
Part A - General	2
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**Person(s) Interviewed**

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Name:	Title:
Reported By: [Signature]	Title: Safety Investigator Code: US0851 Date: 8/18/2008
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**UNITED STATES DEPARTMENT OF TRANSPORTATION**

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**ARROW STAGE LINES (BUSCO INC dba)**  
U.S. DOT #: 433377

Review Date:  
08/18/2008

**Part B Violations**

<b>Safety Fitness Rating Information:</b> Total Miles Operated 10,285,097 Recordable Accidents 8 Recordable Accidents/Million Miles 0.78		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 2 Number of Vehicles Inspected (MCMIS): 50																													
Your proposed safety rating is :  <div style="text-align: center; font-size: 1.5em; font-weight: bold;">SATISFACTORY</div>		<table border="1"> <thead> <tr> <th>Rating Factors</th> <th></th> <th>Acute</th> <th>Critical</th> </tr> </thead> <tbody> <tr> <td>Factor 1:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 2:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 3:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 4:</td> <td>C</td> <td>0</td> <td>1</td> </tr> <tr> <td>Factor 5:</td> <td>N</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 6:</td> <td>S</td> <td>-</td> <td>-</td> </tr> </tbody> </table>		Rating Factors		Acute	Critical	Factor 1:	S	0	0	Factor 2:	S	0	0	Factor 3:	S	0	0	Factor 4:	C	0	1	Factor 5:	N	0	0	Factor 6:	S	-	-
Rating Factors		Acute	Critical																												
Factor 1:	S	0	0																												
Factor 2:	S	0	0																												
Factor 3:	S	0	0																												
Factor 4:	C	0	1																												
Factor 5:	N	0	0																												
Factor 6:	S	-	-																												

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.

