

The Tauro Brothers Trucking Co.

1775 North State Street • Girard, Ohio 44420
Telephone (330) 545-9763 • FAX (330) 545-2276

03 JAN 28 PM 2:59

DEPT. OF TRANSPORTATION

U. S. DOT Dockets
United States Department of Transportation
400 7th Street, SW, Room PL-401
Washington, DC 20590

January 27, 2003

FMCSA-2002-14173-5

Request for Administrative Review as provided in 49 CFR Part 385.15

Re: US DOT NO. : 150336
REVIEW NO. : 258228/CR

As described in 49 CFR Parts 385.11 and 385.15, a petition is hereby made requesting a second Administrative Review of the Compliance Review conducted on December 2, 2002 by Federal Motor Carrier Safety Investigator US0506. The Compliance Review resulted in a proposed "Unsatisfactory" motor carrier safety rating for The Tauro Brothers Trucking Co., USDOT 150336 hereafter referred to as petitioner. Petitioner strongly believes that there was an error in determining the number of Recordable Accidents for the twelve (12) month period covered by the Compliance Review which caused an inaccurate calculation of its Recordable Crash Rate. The Compliance Review showed the petitioner was involved in five (5) Recordable Accidents. The petitioner believes that it was involved in only three (3) accidents that meet the definition of a Recordable Accident during the twelve (12) month period and that could have been prevented by its drivers. The other two accidents could not have been prevented by the petitioner's drivers. The inclusion in the Recordable Crash Rate of the two (2) accidents that could not have been prevented by the petitioner's driver caused the rate to be inaccurately determined as 2.202 per million miles. A Recordable Crash rate of 2.202 exceeds the maximum rate of 1.50 accidents per million miles Federal Motor Carrier Safety Administration uses for a "Satisfactory" rating in Factor 6.

At the time of its first Request for Administrative Review the petitioner inaccurately believed that it had received a verbal determination from the Division Administrator that an accident which occurred on July 30, 2002 could not have been prevented by the Petitioner's driver and that the Division Administrator had reduced the number of Recordable accidents to four (4) and a Recordable Crash Rate of 1.76 for the twelve month period covered in the Compliance Review. On

December 18, 2002, after the petitioner received what it thought to be a reduction of the number of accidents to be used in calculating its Recordable Crash Rate to four (4) accidents, the petitioner initiated a Request for Administrative Review.

A determination of the first Request for Administrative Review was issued on January 22, 2003 holding that the accident which occurred on February 4, 2002 could not have been prevented by petitioner's driver. Upon being notified that a favorable determination had been issued that the December 18, 2002 Request for Administrative Review had resulted in a determination on the February 4, 2002 accident, petitioner was under the mistaken believe that its Recordable Crash Rate was 1.32. A "Recordable" accident frequency rate of 1.32 would result in the petitioner receiving a "Satisfactory" Rating for Factor 6. If the petitioner had not mistakenly believed that the Division Administrator had removed the July 30, 2002 accident from the number of accidents used to calculate the Recordable Crash Rate, it would have included that accident in its initial Request for Administrative Review as well as the February 4, 2002 accident. For the above stated reasons the petitioner hereby requests an Administrative Review of the July 30, 2002 accident involving petitioner's driver Jody R. Poling as well as a review of the Recordable Crash Rate calculated in the December 2, 2002 Compliance Review. The petitioner believes that an objective review of the July 30, 2002 accident will result in a determination that petitioner's driver Jody R. Poling could not have prevented that accident.

The petitioner is a small carrier and any Recordable accident has a significant impact on its Recordable Crash Rate. Therefore any accident that could not have been prevented by one of its commercial drivers could have a particularly adverse effect on the Recordable Crash Rate Factor. Petitioner is including documented proof to substantiate its belief that the July 30, 2002 accident could not have been prevented by its driver, Jody R. Poling. The petitioner believes that it was involved in three (3) Recordable Accidents that could have been prevented by its drivers during the twelve (12) month period of the December 2, 2002 Compliance Review. The petitioner traveled 2, 271,000 during the period of the Compliance Review and the three (3) Recordable accidents that could have been prevented by actions of it's drivers would result in a Recordable Crash rate of 1.320 accidents per million miles. A determination that the July 30, 2002 accident could not have been prevented by petitioner's driver Jody R. Poling, combined with the prior determination reducing the number of preventable accidents, will result in three Recordable Preventable Accidents and a Recordable Crash rate of 1.320 accidents per million miles which would result in a "Satisfactory" rating for Factor 6. Petitioner understands that Factor 3 (Operational/Driving) would continue to be rated "Unsatisfactory" and has initiated systems, programs and corrective actions to improve the Safety Fitness Rating of Factor 3.

The following is a brief description of the July 30, 2002 accident that petitioner believes could not have been prevented by its driver and therefore should not be included as an accident to calculate the Recordable Crash Rate per million miles.

Description and Factual Evidence of the July 30, 2002 Accident

On July 30, 2002 at approximately 2:30 pm the petitioner's driver Jody R. Poling was stopped prior to making a right turn on to I-X Center Road from Grayton Road in Cleveland, OH. A 1994 Geo Prizm driven by Jennifer Cumberworth was attempting to make a left turn from I-X Center Road on to Grayton Road. During the turn Ms. Cumberworth drove into the gravel on the berm of the road, lost control of her vehicle and ran into petitioner's trailer striking the driver side front axle. Two passengers in Ms. Cumberworth's vehicle, Juliana Sadock-Savino and Freddy Cumberworth, were transported to Southwest General Hospital by EMS. No citations were issued by Cleveland Police Officer, David Oxley (Badge #02472) at the time of the accident. The accident meets the definition of a Recordable Accident since two persons were immediately transported from the scene of the accident for medical treatment; however the petitioner believes this accident could not have been prevented by its driver Jody R. Poling.

The petitioner would submit the following evidence that its driver Jody Poling was exercising the proper judgment required of a commercial driver and had complete control of his vehicle. In addition the petitioner strongly believes that its driver could not have avoided the accident without the possibility of risking another or more serious mishap. Ms. Cumberworth lost control of her vehicle while attempting to make a turn in front of his tractor-trailer and petitioner believes that its driver, Jody R. Poling, took the appropriate action by not moving his vehicle. In fact, because petitioner's vehicle was stopped at the intersection, it is apparent that it could take no action to avoid a collision. Even if evasive action were a possibility, the only theoretical evasive action that could have been taken by petitioner's driver would have been to move the vehicle forward into an intersection or backup and in either case risk a more serious collision with other vehicles. The petitioner bases its opinion on evidence contained in the Ohio Traffic Crash Report prepared and signed by Cleveland, OH Police Officer David Oxley (badge # 02472), as well as other documents, Petitioner respectfully requests that specific details of the Traffic Crash Report and the other documents be considered. It should be noted that the petitioner's vehicle is Unit #1 in the report and is shown in Box "A" (the far left hand box) in the Traffic Crash Report.

1. Under the "Action" category in the Traffic Crash Report Officer Oxley shows that petitioner's tractor/semi-trailer was struck by the 1994 Geo

Prism driven by Jennifer Cumberworth and insured by State Farm Insurance Companies.

2. Under the "Contributing Circumstances" category in the Traffic Crash Report Officer Oxley shows "None" for the contributing circumstances of the Petitioners driver.
3. The Narrative description by Officer Oxley states that Unit #1 (Jody R. Poling) was stopped to make a right turn onto I-X Center Road. Vehicle #2 (Jennifer Cumberworth) was westbound on I-X Center Road and was making a left turn onto Grayton Road, While making the left turn Jennifer Cumberworth drove her vehicle into the gravel berm, lost control and struck the left rear trailer tire of vehicle of Jody R. Poling tractor-trailer.
4. The Traffic Crash Report indicates that no citations were issued. The petitioner's driver (Jody R. Poling) was never cited. It is not known if Jennifer Cumberworth was cited after the Crash Report was issued.
5. The accident diagram in the Traffic Crash Report constructed by Officer David Oxley of the Cleveland Police Department clearly indicates that Jennifer Cumberland drove her vehicle into the gravel berm while attempting a left turn causing her to lose control and strike petitioner's vehicle at the left tire of the front trailer axle. Petitioner believes that its driver, Jody R. Poling, took the correct action by not moving his tractor-trailer and was the only action that could be taken without risking a more serious accident.

The petitioner has included in its documentation a copy of the letter from Jennifer Cumberworth's insurance carrier, State Farm Insurance Companies, advising that it had accepted liability for the accident on behalf of their insured. The petitioner understands that the action of State Farm Insurance Companies to accept liability on behalf Jennifer Cumberworth for the accident does not mean that petitioner's driver could not have prevented the accident however it is an important fact and a necessary first step in determining accident preventability. The fact that Jennifer Cumberworth's insurance carrier, State Farm Insurance, did accept liability for the accident should be given a great deal of consideration. Petitioner believes that a review of all of the documents leads to the conclusion that Jody R. Poling took the correct defensive action and could not have prevented the July 30, 2002 accident without causing a more serious accident.

Petitioner believes that the facts of the July 30, 2002 accident are very clear. Jennifer Cumberworth lost control of her 1994 Geo Prizm while attempting to make a left turn and struck the petitioner's trailer tire while its driver was stopped to make a right turn. The petitioner strongly believes that, when all of the above

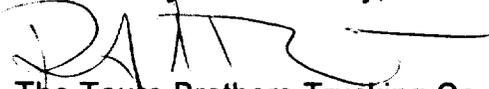
factual evidence included in this Request for Administrative Review are thoroughly and thoughtfully reviewed, it will be determined the petitioner's driver took the correct action and could not have prevented the accident on July 30, 2002 without the possibility of risking a more serious mishap.

When the July 30, 2002 accident is removed from the calculation for the Recordable Crash Rate combined with the prior determination reducing the number of preventable accidents to four, Factor 6 would be rated "Satisfactory". A "Satisfactory" rating for petitioner's Crash Rate for the twelve month period covered by the December 2, 2002 Compliance Review would result in a Safety Fitness Rating of "CONDITIONAL" for The Tauro Brothers Trucking Co. The "Conditional" rating would be the result of an "Unsatisfactory" Rating for Factor 3 and a "Satisfactory" Rating for the other five Factors. Using the Safety Rating Table found in Appendix B to Part 385, the petitioner respectfully believes that it should have been assigned a Motor Carrier Safety Rating of "Conditional" as a result of the Compliance Review on December 2, 2002.

Please be advised that the petitioner is not relying solely on a "Satisfactory" Crash Rate Factor to improve its rating and has concurrently initiated a Petition for Rating Change based on Corrective Action. A determination that the petitioners Recordable Crash Rate is 1.32 accidents per million miles would merely correct the gross error of the Accident Crash Rate Factor calculation. A determination that the petitioner has a "Satisfactory" Recordable Crash Rate would allow it to dedicate its efforts and resources to the corrective actions stated in its "Safety Management Plan" which would allow the petitioner to obtain a "Satisfactory" Safety Rating in Factor 3 and attain the goal of receiving an overall Safety Fitness Rating of "Satisfactory".

The petitioner respectfully requests that it be determined that the accident of July 30, 2002 could not have been prevented by the petitioner's driver. It is further requested that the Motor Carrier Safety Rating for The Tauro Brothers Trucking Co be changed to "CONDITIONAL" based on a review and correction of the Recordable Crash Rate to 1.32 accidents per million miles for the December 2, 2002 Compliance Review.

Respectfully Submitted by,



The Tauro Brothers Trucking Co.
Ronald J. Tauro, Treasurer

cc: Chief Safety Officer, Federal Motor Carrier Safety Administration
Attention: Adjudications Counsel
400 7th Street, SW, Suite 3107
Washington DC 20590

**Attachments: Compliance Review
Traffic Crash Report
Letter of Acceptance of Liability from State Farm Insurance**



THE TAURO BROTHERS TRUCKING CO

USDOT: 00150336

State #:

Date: 12/2/2002

Page No: 1

Safety Fitness Rating Report

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1 General (CFR Parts 387, 390) ✓ 0 Point = Satisfactory
 1 Point = Conditional
 >1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING POINTS

NONE TOTAL POINTS: 0 = SATISFACTORY

FACTOR 2 Driver Qualification (CFR Parts 382, 383, 391) ✓ 0 Point = Satisfactory
 1 Point = Conditional
 >1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING POINTS

NONE TOTAL POINTS: 0 = SATISFACTORY

FACTOR 3 Operational/Driving (CFR Parts 392, 395) 0 Point = Satisfactory
 1 Point = Conditional
 ✓ >1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING POINTS

F 395.3(a)(1) 2 (C)
 F 395.3(a)(2) 2 (C)
 F 395.3(b)(2) 2 (C)
 F 395.8(e) 2 (C)

TOTAL POINTS: 8 = UNSATISFACTORY

FACTOR 4 Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))

VIOLATIONS AFFECTING RATING POINTS Out-of-Service (OOS) Percentage: 0.0

NONE TOTAL POINTS: 0 & 0.0% OOS = SATISFACTORY (see chart)

Fewer than 3 Inspections	3 or more Inspections	
	OOS Less than 34%	OOS 34% or Higher
Rate same as other Regulatory Factors 1, 2, and 3	✓ Satisfactory	Conditional
0 Point = Satisfactory	Conditional	Unsatisfactory
1 Point = Conditional	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation
>1 Point = Unsatisfactory		

FACTOR 5 Hazardous Material (CFR Parts 397, 171, 177, 180) ✓ 0 Point = Satisfactory
 1 Point = Conditional
 >1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING POINTS

NONE TOTAL POINTS: 0 = SATISFACTORY

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TITLE:

Treasurer



THE TAURO BROTHERS TRUCKING CO

USDOT: 00150336

State #:

Date: 12/2/2002

Page No: 2

Safety Fitness Rating Report

FACTOR 6

Crash (Recordable Crash Rate)

$$((\text{Recordable Crashes}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$$

$$(5 \times 1,000,000) \div 2,271,000 = 2.202 = \text{UNSATISFACTORY}$$

CRASH RATE	FACTOR RATING
0.000 - 1.500	= Satisfactory
√ >1.500	= Unsatisfactory

OVERALL SAFETY FITNESS RATING:

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

2

0

=

UNSATISFACTORY

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors		OVERALL RATING
Unsatisfactory	Conditional	
0	2 or fewer	Satisfactory
0	3 or more	Conditional
1	2 or fewer	Conditional
1	3 or more	Unsatisfactory
√ 2	0 or more	Unsatisfactory

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TITLE:

Treasurer



COMPLIANCE THE TAURO BROTHERS TRUCKING CO

REVIEW USDOT: 00150336

DATE: 12/2/2002

PAGE: 1

Requirements and/or Recommendations

- 1 Do not schedule or require drivers to make such trips where they would be required to exceed posted speed limits in order to complete such a run within the hours of service rules. Periodically check the time driven and the miles driven to ensure the driver is not averaging a speed in excess of the posted speed limits.
- 2 Establish an effective system to control drivers hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Develop an effective method to monitor drivers total on duty hours in any 8 day period and enforce sanctions against drivers who violate the hours of service rules. Consider the use of a log checking program to ensure drivers do not violate the 10, 15 and 70 hour rules.
- 3 Ensure all drivers are entering required information on their duty status records in accordance with Part 395.8.
- 4 This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
- 5 Ensure all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Compare the drivers payroll records to the logs to detect "dropped" trips. Prohibit falsification of logs by any of your drivers. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
- 6 Toll receipts and othe on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting documents" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.

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COMPLIANCE THE TAURO BROTHERS TRUCKING CO

REVIEW USDOT: 00150336

DATE: 12/02/2002

PAGE: 4

PART B

information. A written decision will be issued by the FMCSA. Any motor carrier whose request for change is denied may, within 90-days after the denial, request administrative review under 49 CFR 385.15.

[B] ADMINISTRATIVE REVIEW (49 CFR 385.15): A request may be made to the FMCSA to conduct an administrative review if you believe that an error was committed in assigning the proposed safety rating or when your request under 49 CFR 385.17 was denied. This request must be made within 90 days of the date of the proposed safety rating issued under 49 CFR 385.11(c) or within 90-days of the date of an Order denying your request for a rating change under 49 CFR 385.17.

Owners or operators may seek administrative review (49 CFR 385.15) by filing a petition for Review at the following address: U.S. DOT Dockets, United States Department of Transportation, 400 7th Street, SW., Room PL-401, Washington, D.C. 20590. A copy of the Petition must also be sent to: The Chief Safety Officer, Federal Motor Carrier Safety Administration (Attention: Adjudications Counsel), 400 7th Street, SW., Room 3419, Washington, D.C. 20590. The appeal should include a copy of this compliance review and the forthcoming official notice from the FMCSA headquarters office. All subsequent filings must also be served in the same manner.

The FMCSA will conduct a review of the request and issue a decision within 45-days of receipt of that request (49 CFR 385.15(e)(1) and 385.17(e)(1)). The FMCSA highly recommends that owners and operators file requests for administrative review (49 CFR 385.15) within 15-days from the date on the notice of the "proposed" rating (49 CFR 385.15(c)(1)). This will allow sufficient time to review the request and issue a written decision before the prohibitions on operating in interstate commerce take effect. Administrative review requests must be made within 90 days of the date on the notice of the "proposed" rating (49 CFR 385.15(c)(2)). However, failure to petition within 15-days from the date on the notice of the "proposed" rating may prevent the FMCSA from issuing a final decision before the prohibitions on interstate transportation takes effect (49 CFR 385.15(c)(1)).

A petition to contest the rating or a request for a change in the rating will not automatically postpone the effective date of your final rating.

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TITLE:



COMPLIANCE THE TAURO BROTHERS TRUCKING CO

REVIEW USDOT: 00150336

DATE: 12/02/2002

PAGE: 2

PART B

5 FEDERAL CRITICAL	PRIMARY: 395.8(e)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES IN VIOL	CHKD
		35	244	5	14

DESCRIPTION:

False reports of records of duty status.

EXAMPLE:

Drivers are entering off duty and sleeper berth when actually on duty. eg. Driver Kenneth Spitler 08/10/02
Drivers duty status record states the driver is off duty all day , while Payroll records and 3 separate bills of lading show that the driver made trips from Slippery Rock Pa. to Ashtabula Oh.

6 FEDERAL	PRIMARY: 395.8(e)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES IN VIOL	CHKD
		34	244	4	14

DESCRIPTION:

False reports of records of duty status.

EXAMPLE:

Drivers are failing to show time fueling, time at roadside inspections.

7 FEDERAL	PRIMARY: 395.8(f)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES IN VIOL	CHKD
		72	279	5	8

DESCRIPTION:

Failing to require driver to prepare record of duty status in form and manner prescribed.

EXAMPLE:

Drivers are failing to enter shipping document information on duty status records. Dan Price on a trip to Clairton Pa from Warren Oh – 07/08/2002 – No shipping document information.

8 FEDERAL	PRIMARY: 395.8(i)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES IN VIOL	CHKD
		3	282	3	8

DESCRIPTION:

Failing to require driver to forward within 13 days of completion, the original of the record of duty status.

EXAMPLE:

Thomas Johnson 07/11/2002.

RECEIVED BY:	TITLE: <i>treasurer</i>
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COMPLIANCE THE TAURO BROTHERS TRUCKING CO

REVIEW USDOT: 00150336

DATE: 12/02/2002

PAGE: 3

PART B

SAFETY FITNESS RATING INFORMATION:

Total Miles Operated: 2,271,000
 Recordable Crashes 5
 Recordable Crashes / Million Miles: 2.202

OOS Vehicles (CR) : 0
 # of Vehicles Inspected (CR) : 0
 OOS Vehicles (MCMIS) : 0
 # of Vehicles Inspected (MCMIS) : 5

Your proposed safety rating is

UNSATISFACTORY

RATING FACTORS	# OF POINTS	
	ACUTE	CRITICAL
Factor 1: S	0	0
Factor 2: S	0	0
Factor 3: U	0	8
Factor 4: S	0	0
Factor 5: S	0	0
Factor 6: U	-	-

YOUR ABILITY TO OPERATE IN INTERSTATE COMMERCE WILL BE AFFECTED BY A FINAL UNSATISFACTORY SAFETY RATING.

EFFECTIVE DATE: The Federal Motor Carrier Safety Administration (FMCSA) headquarters office in Washington, D.C. will notify you of your rating in a forthcoming official notice. Your unsatisfactory safety rating will take effect 61-days after the date on the notice of the "proposed" rating (49 CFR 385.11(c)(1)).

PROHIBITION: Owners or operators of commercial motor vehicles (except for those that are designed or used to transport hazardous materials for which placarding is required and/or are designed or used to transport passengers), who have been declared "unfit" may not operate in interstate commerce beginning on the 61st day after the date of such fitness determination and may not reestablish interstate operations until they become fit for such transportation. An owner or operator is unfit when the Federal Motor Carrier Safety Administration (FMCSA) issues a final "unsatisfactory" safety rating (49 USC 31144(c) and 49 CFR 385.13(a)). All Federal departments, agencies, or instrumentalities are prohibited from using any owner or operator who is unfit by virtue of having a final unsatisfactory safety rating (49 USC 31144(e) and 49 CFR 385.13(b)). Owners and operators are "fit" when the FMCSA issues a final "conditional" or "satisfactory" safety rating.

An owner or operator receiving a notice of a proposed "unsatisfactory" safety rating from the FMCSA must improve that rating to "conditional" or "satisfactory" within 60 days from the date of the notice. Owners or operators who fail to improve upon their rating within this 60-day period are prohibited from operating in interstate commerce beginning on the 61st day after the date of the rating notice. You may also be subject to State laws that would allow the suspension and/or revocation of vehicle registration privileges.

APPEAL RIGHTS: Owners or operators of commercial motor vehicles may appeal proposed safety rating in the following manners:

[A] REQUESTS FOR A CHANGE TO SAFETY RATING BASED UPON CORRECTIVE ACTIONS (49 CFR 385.17): A request for a change to a safety rating for corrective action may be made at any time. This request must be made in writing to the FMCSA Service Center for the geographic area where the carrier maintains its principal place of business (See 49 CFR 390.27). The request must be based upon evidence that the carrier has taken corrective actions and that its operations currently meet the safety fitness standards and factors specified in 49 CFR 385.5 and 385.7. The FMCSA will make a final determination based upon the documentation submitted and any other additional relevant

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COMPLIANCE THE TAURO BROTHERS TRUCKING CO

REVIEW USDOT: 00150336

DATE: 12/02/2002

PAGE: 1

PART B

1 FEDERAL	PRIMARY: 392.2	NUMBER	NUMBER	DRIVERS/VEHICLES	
		FOUND	CHECKED	IN VIOL	CHKD
		5	279	3	8

DESCRIPTION:

Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.

EXAMPLE:

05/20/2002 Driver Tom Luzier shows driving from Warren Oh to Middletown Oh to Warren Oh in 10 hours stating a total distance driven as 440 miles , while PC Miler shows this distance of 530 miles which would require an average speed of 53 MPH.
(Driver had an interstate trip on 05/18/2002).

2 FEDERAL CRITICAL	PRIMARY: 395.3(a)(1)	NUMBER	NUMBER	DRIVERS/VEHICLES	
		FOUND	CHECKED	IN VIOL	CHKD
		46	279	5	8

DESCRIPTION:

Requiring or permitting driver to drive more than 10 hours.

EXAMPLE:

Robert T. King 09/05/2002 drove 14.25 hours since his last 8 consecutive hours off duty.

3 FEDERAL CRITICAL	PRIMARY: 395.3(a)(2)	NUMBER	NUMBER	DRIVERS/VEHICLES	
		FOUND	CHECKED	IN VIOL	CHKD
		33	279	4	8

DESCRIPTION:

Requiring or permitting driver to drive after having been on duty 15 hours.

EXAMPLE:

07/14/2002 Driver Thomas Johnson drove 10.75 hours after having been on duty 15 hours.

4 FEDERAL CRITICAL	PRIMARY: 395.3(b)(2)	NUMBER	NUMBER	DRIVERS/VEHICLES	
		FOUND	CHECKED	IN VIOL	CHKD
		56	223	3	8

DESCRIPTION:

Requiring or permitting driver to drive after having been on duty more than 70 hours in 8 consecutive days.

EXAMPLE:

06/23/2002 Thomas R. Johnson drove 10 hours after having been on duty 70 hours in the following 8 day period — 06/16/2002 through 06/23/2002.

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UNITED STATES DEPARTMENT OF TRANSPORTATION



US DOT #:
00150336

LEGAL: THE TAURO BROTHERS TRUCKING CO

OPERATING (DBA):

REVIEW TYPE: CR
STATUS: Update
PLACE: Principal Office
CENSUS TYPE: Carrier
BUSINESS: Corporation

PHYSICAL ADDRESS: 1775 North State Street
COUNTY: 155 Girard, OH, 44420

MAILING ADDRESS: 1775 North State Street
COUNTY: 155 Girard, OH, 44420

PHONE: (330)545-9763 **TOLL FREE:** **FAX #:** (330)545-2276

E-MAIL:

MC/MX #: 141392

FEDERAL TAX ID #: 34-0835323 (EIN)

OPERATION TYPE	INTERSTATE	INTRASTATE	OIC: 39	TERRITORY: E
CARRIER OPERATION:	HM	HM		
SHIPPER OPERATION:	N/A	N/A		

CARRIER CLASSIFICATION: (A)
Authorized

CARGO CLASSIFICATION: (V)
Commodities Dry Bulk

HAZARDOUS MATERIALS: (C= Carried S=Shipped B= Bulk N=NonBulk)
3 Combustible liquid C B 9 (Elev temp mater) C B

EQUIPMENT:	TRUCK	TRUCK TRACTOR	TRAILER	HM TANK TRUCK	HM TANK TRAILER	MOTOR COACH	SCHOOL BUS	LIMO	PASS. VAN
OWNED		25	30						
TERM LEASED	1								
TRIP LEASED									

DRIVERS:	INTER	INTRA	Avg. Trip Leased Drivers/Mo.:	Does carrier transport placardable quantities of HM?
<100 Miles:			Total Drivers: 24	No
>= 100 Miles:	24		CDL Drivers: 24	

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:

200 North High St, Room 328
Columbus, OH 43215-2482
Phone: (614)280-5657 Fax:(614)280-6875

This report will be used to assess your safety compliance.

PERSON(S) INTERVIEWED: Ronald Tauro
TITLE(S): Secretary Treasurer

REPORTED BY: *Michael R. Quattro* **TITLE:** *MCSS* **CODE:** US0506 **DATE:** 12/02/2002

RECEIVED BY: *Ronald Tauro* **TITLE:** *treasurer*



THE TAURO BROTHERS TRUCKING CO

USDOT: 00150336

Date: 12/02/2002

Page No: 1

Recommendation Text

This compliance review has been conducted to determine overall compliance with the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Material Regulations (HMR).

The results of this review indicate that your operations do not have adequate safety management controls in place to ensure compliance with the Federal safety fitness standards outlined within 49 CFR 385.5 and 385.7. There is a high probability that an unsatisfactory safety rating will be issued because of this lack of adequate safety management controls.

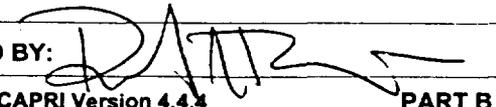
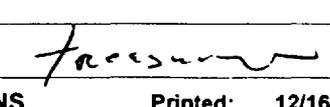
The recommendations listed on the accompanying report will assist you in identifying areas needing management controls. This list is intended as a tool in assisting you with compliance with the FMCSR and HMR. Following these recommendations will not, in and of themselves, assure that all steps have been taken to improve overall compliance with appropriate Federal safety requirements. It is your responsibility to institute appropriate, sufficient, and timely safety management controls.



Requirements and/or Recommendations

- 1 Do not schedule or require drivers to make such trips where they would be required to exceed posted speed limits in order to complete such a run within the hours of service rules. Periodically check the time driven and the miles driven to ensure the driver is not averaging a speed in excess of the posted speed limits.
- 2 Establish an effective system to control drivers hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Develop an effective method to monitor drivers total on duty hours in any 8 day period and enforce sanctions against drivers who violate the hours of service rules. Consider the use of a log checking program to ensure drivers do not violate the 10, 15 and 70 hour rules.
- 3 Ensure all drivers are entering required information on their duty status records in accordance with Part 395.8.
- 4 This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
- 5 Ensure all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Compare the drivers payroll records to the logs to detect "dropped" trips. Prohibit falsification of logs by any of your drivers. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
- 6 Toll receipts and othe on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting documents" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
- 7 Failure to abate the cited violations could cause penalties to be increased in future enforcement actions. Recurring violations of the same or related acute or critical violations that result in three enforcement actions within a 6 year period will cause maximum penalties allowed by law to be assessed for the third enforcement action.
See 49 U.S.C. 521(b), 49 U.S.C. Chapter 149, 49 C.F.R. Part 386, Appendix A and section 222 of the Motor Carrier Safety Act of 1999.
- 8 An "Accident Countermeasures" manual is a tool that can be used by management to review with a driver how an accident might have been prevented. This manual is available from Triodyne, Inc., 5950 W. Touhy Ave., Niles, IL 60648-4610. Phone: (847) 677-4730.

24 114 ↓

RECEIVED BY: 	TITLE: 
--	---

OHIO TRAFFIC CRASH REPORT

OH-1 (Rev. 10/99)

11758

CRASH SEVERITY: 2
 PRIVATE PROPERTY: 1
 HIT/STOP: 1

PROVINCE TAKEN: [] [] [] []

CHPOD CLEVELAND POLICE DEPT 02

073020052

1430 TUE X CLEVELAND 18

GRAYTON RD
 I-X CENTER RD

0101 POLING, JODY R
 8075 WEIR RD WARREN OHIO 44483

RECEIVED IN SOUTHLAND

06121967 35 M

466 00
 330-325-1818
 330-545-9265

OH RJ951418

UP STATE OH TIR9251

Transported By: []
 Insured Taken To: []

THE TAURO BROTHERS TRUCKING 1775 N. STATE ST. GIRARD OHIO 44420

2002 MACK VISION RED REDLAND INSUR

0203 CUMBERWORTH, JENNIFER
 2436 WARRENSVILLE CTR UNIV. HTS 44118

06171985 16 F

4-20-2002

OH SP804653

UP STATE OH

Transported By: []
 Insured Taken To: []

SADOCK-SAVINO, JULIANA 2436 WARRENSVILLE CTR UNIV. HTS OHIO 44118

1994 GEO PRIZM Blue STATE FARM

02 SADOCK-SAVINO, JULIANA 216-371-0882 0306195448 F
 2436 WARRENSVILLE CTR UNIV. HTS 44118 2
 Insured Taken To: SOUTHWEST GEN.

02 CUMBERWORTH, FREDDY 216-371-0882 0723199111 M
 2436 WARRENSVILLE CTR UNIV. HTS 44118 2
 Insured Taken To: SOUTHWEST GEN.

- SEATING POSITION
- 01 FRONT - LEFT (MC DRIVER)
- 02 FRONT - MIDDLE
- 03 FRONT - RIGHT
- 04 SECOND - LEFT (MC PASS)
- 05 SECOND - MIDDLE
- 06 SECOND - RIGHT
- 07 THIRD - LEFT (MC PASSENGER/SEAT CAR)
- 08 THIRD - MIDDLE
- 09 THIRD - RIGHT
- 10 REAR SEAT/SECTION OF CAR
- 11 BICYCLE CARRIER AREA
- 12 BICYCLE CARRIER AREA
- 13 TRAILER LAMP
- 14 BICYCLE
- 15 OTHER
- 16 NON-MOTORIST
- 17 UNKNOWN

- SAFETY EQUIPMENT
- 01 SEATBELT
- 02 HEAD LAMP
- 03 SHOULDER BELT ONLY
- 04 LAMP ONLY
- 05 SHOULDER/LAP BELT
- 06 CHILD SAFETY SEAT
- 07 MC HELMET USED
- 08 LAMP UNKNOWN
- 09 BICYCLE
- 10 HEAD LAMP
- 11 HELMET USED
- 12 PROTECTIVE FACE
- 13 REFLECTIVE CLOTHING
- 14 LIGHTS
- 15 OTHER
- 16 UNKNOWN

- AIR BAG
- 1 NOT DEPLOYED
- 2 DEPLOYED-FRONT
- 3 DEPLOYED-SIDE
- 4 DEPLOYED BOTH FRONT/SIDE
- 5 NOT APPLICABLE
- 6 UNKNOWN

- AIR BAG SWITCH
- 1 NOT PRESENT
- 2 IN ON POSITION
- 3 IN OFF POSITION
- 4 UNKNOWN

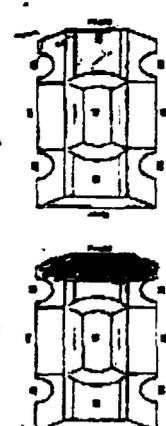
- SELECTION
- 1 NOT SELECTED
- 2 TOTALLY SELECTED
- 3 PARTIALLY SELECTED
- 4 NOT APPLICABLE
- 5 UNKNOWN

- TRAPPED
- 1 NOT TRAPPED
- 2 EXTRICATED BY MECHANICAL MEANS
- 3 TRIPPED BY NON-MEC MEANS
- 4 MEANS
- 5 UNKNOWN

- DOLLARS
- 1 NO DOLLAR
- 2 POSSIBLE
- 3 NONE
- 4 INCORPORATING
- 5 ASSESS DOLLAR
- 6 UNKNOWN

BLANK FOR OTHERS

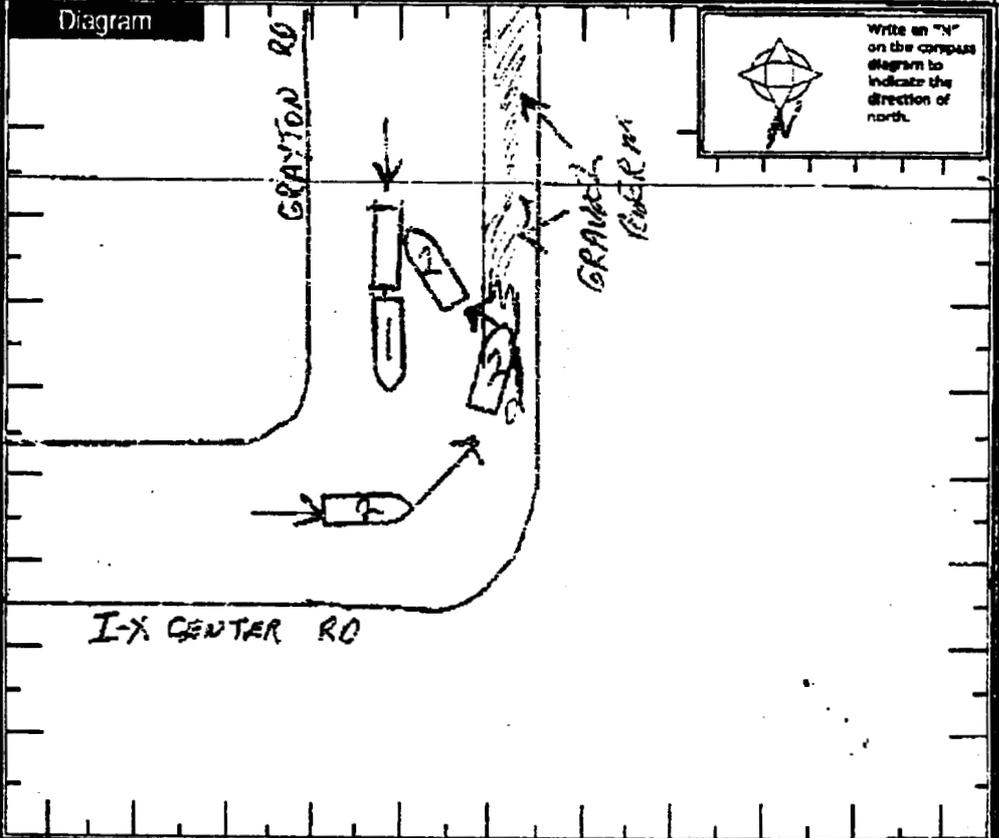
TOP COPY - COPS BOTTOM COPY - AGENT

UNIT NUMBER	DAMAGE AREA	PLASH ACTIONS	SEQUENCE OF EVENTS	FOR. / REV.	DRUG TEST STATUS
0102		0506		2525	1 1
NON-MOTORIST LOCATION 01 MARKER CROSSWALK AT INTERSECTION 02 INTERSECTION/NO CROSSWALK 03 NON-INTERSECTION CROSSWALK 04 DRIVEWAY ACCESS CROSSWALK 05 IN ROADWAY 06 NOT IN ROADWAY 07 IMPACT (BUT NOT SUSTAINED) 08 ISLAND 09 SHOULDER 10 SIDEWALK 11 WITHIN 10 FEET OF ROADWAY (NOT SHOULDER, MEDIAN, SIDEWALK, ISLAND) 12 BEYOND 10 FEET OF ROADWAY (WITHIN TRAVELWAY) 13 OUTSIDE TRAVELWAY 14 SHARED USE PATH OR TRAIL 15 UNKNOWN	MOTORIST 01 MOVEMENT ESSENTIALLY STRAIGHT AHEAD 02 BACKING 03 CHANGING LANE 04 OVERTAKING/PASSING 05 TURNING RIGHT 06 TURNING LEFT 07 MAKING U-TURN 08 ENTERING TRAFFIC LANE 09 LEAVING TRAFFIC LANE 10 PAUSED 11 SLOWING/STOPPED IN TRAFFIC 12 OBTAINED 13 OTHER 14 UNKNOWN BIKE-MOTORIST 15 ENTERING/LEAVING IN SPECIFIED LOCATION 16 WALKING, RUNNING, JOGGING, PLAYING, CYCLING 17 WALKING 18 PURSUING VEHICLE 19 APPROACHING/LEAVING VEHICLE 20 PLAYING/WORKING ON VEHICLE 21 STANDING 22 OTHER 23 UNKNOWN	NON-COLLISION 01 OVERTAKE/ROLLBACK 02 FWD/REARWARD 03 DIVERGENCE 04 ACCIDENT 05 CONVOY/FORMATION LOSS/SHIFT 06 EQUIPMENT FAILURE 07 SEPARATION OF UNITS 08 RAN OFF ROAD RIGHT 09 RAN OFF ROAD LEFT 10 OBJECT STRUCK/CENTERLINE 11 DOWNHILL RUNNING 12 OTHER NON-COLLISION 13 UNKNOWN NON-COLLISION COLLISION IN/OUTSIDE VEHICLE 14 REARWARD 15 FORWARD 16 SIDEWALK VEHICLE 17 ANIMAL - FARM 18 ANIMAL - OTHER 19 ANIMAL - OTHER 20 MOTOR VEHICLE IN TRAVELWAY 21 PASSED MOTOR VEHICLE 22 WORK ZONE MAINTENANCE EQUIPMENT 23 OTHER MOVABLE OBJECT COLLISION WITH OTHER OBJECT 24 UNIDENTIFIED OBJECT 25 IMPACT ATTRACTOR/CORNER CURBSTONE 26 BRIDGE OVERHEAD STRUCTURE 27 SIGNAL POST OR ASSEMBLY 28 BRIDGE SUPPORT 29 BRIDGE PILE 30 GUARDRAIL FACE 31 GUARDRAIL END 32 MEDIAN BARRIER 33 MEDIAN TRAFFIC SIGN POST 34 OVERHEAD SIGN POST 35 LIGHT/LUMINAIRE SUPPORT 36 UTILITY POLE 37 OTHER POST, PILE OR SUPPORT 38 CURBSTONE 39 CURB 40 DITCH 41 UNIDENTIFIED 42 POLE 43 WALLFACE 44 TREE 45 OTHER FIXED OBJECT 46 NON-ZONE MAINTENANCE EQUIPMENT 47 UNKNOWN FIXED OBJECT 48 OTHER 49 UNKNOWN	TRAFFIC CONTROL 01 NO CONTROL 02 STOP SIGN 03 YIELD SIGN 04 TRAFFIC SIGNAL 05 TRAFFIC PLACEMENT 06 SCHOOL ZONE 07 RAILROAD CROSSINGS 08 RAILROAD PLACEMENT 09 RAILROAD GATES 10 CONSTRUCTION BARRICADE 11 POLICE OFFICER 12 PEDESTRIAN MAINTENANCE 13 CROSSWALK LINES 14 WALK/BIKEWAY WALL SIGNAL 15 TRAFFIC CONTROL DEVICE 16 OTHER	DRUG TEST TYPE 1 NONE 2 BLOOD 3 URINE 4 OTHER DRUG TEST 1&2 RESULT 1 NONE 2 MARIJUANA 3 COCAINE 4 OTHER 5 AMPHETAMINE 6 PCP 7 OTHER 8 UNKNOWN AT TIME OF STOPPING	
1302	0102	01	4224		
MOTORIST 01 SUB-COMPACT 02 COMPACT 03 MID SIZE 04 FULL SIZE 05 MINIVAN 06 SPORT UTILITY VEHICLE 07 PICKUP 08 PERM/VAN 09 SINGLE UNIT TRUCK 10 TRUCK, 6 TONS 11 SINGLE UNIT TRUCK, 2+ AXLES 12 TRUCK/TRAILER 13 TRUCK/TRACTOR (BROWARD) 14 TRACTOR/SEMI-TRAILER 15 TRACTOR/DOUBLE DRIVE 16 TRACTOR/DOUBLE LANE 17 FARM VEHICLE OR CONVENTIONAL DOLLY 18 TRACTOR/TRAILER 19 MOTORCYCLE 20 MOTOBIKE 21 SCHOOL BUS 22 PUBLIC BUS 23 OTHER BUS 24 POLICE VEHICLE 25 FIRE TRUCK 26 AMBULANCE/RESCUE 27 TAXI 28 MOTOR HOME 29 TRAMP 30 FARM VEHICLE 31 FARM EQUIPMENT 32 SNOWMOBILE 33 CONSTRUCTION EQUIPMENT 34 ALL OTHERS NON-MOTORIST 35 ANIMAL W/TROUSERS 36 ANIMAL W/NO TROUSERS 37 BICYCLE 38 PEDESTRIAN 39 PEDESTRIAN CYCLIST 40 SKATER 41 OTHER-NON MOTORIST 42 UNKNOWN EMERGENCY RESPONSE 1 NO 2 YES 3 UNKNOWN	MOTORIST 01 NONE 02 DRIVER FRONT 03 DRIVER REAR 04 PASSENGER 05 PASSENGER 06 REAR CENTER 07 LEFT REAR 08 LEFT SIDE 09 LEFT FRONT 10 TOP AND WINDOW 11 UNDERCARRIAGE 12 LOAD/TRAILER 13 TOTAL (ALL AREAS) 14 OTHER 15 UNKNOWN POINT OF IMPACT 01 NONE 02 DRIVER FRONT 03 DRIVER REAR 04 PASSENGER 05 PASSENGER 06 REAR CENTER 07 LEFT REAR 08 LEFT SIDE 09 LEFT FRONT 10 TOP AND WINDOW 11 UNDERCARRIAGE 12 LOAD/TRAILER 13 TOTAL (ALL AREAS) 14 OTHER 15 UNKNOWN ACTION 1 NON-COMPLIANT 2 NON-COLLISION 3 STOPPED 4 STRUCK 5 BOTH STOPPED AND STRUCK 6 UNKNOWN	CONTRIBUTING CIRCUMSTANCES 01 MOTORIST 01 NONE 02 FAILURE TO YIELD 03 RAN RED LIGHT, OR STOP SIGN 04 EXCEEDED SPEED LIMIT 05 WRECK SPEED 06 IMPROPER TURN 07 LEFT OF CENTER 08 FOLLOWED TOO CLOSELY/ACCID 09 IMPROPER LANE CHANGE/ DROVE OFF ROAD/ IMPROPER PASSING 10 IMPROPER STOP 11 IMPROPER STOP FROM PROPER POSITION 12 STOPPED ON PAVED SURFACE 13 OPERATIVE FAILURE IN DRIVING, RECKLESS, CARELESS, PRELUDE OR AMBIGUOUS MANEUVER 14 IMPROPER TO APPROX (DUE TO WIND, SLIPPERY SURFACE, VEHICLE, OBJECT, ROAD-OBSTRUCTION OR ROADWAY, ETC) 15 FAILURE TO CONTROL 16 VISION OBSTRUCTION 17 DRIVER DISTRACTION 18 ACTING/ALARM 19 OPERATIVE DEFENSIVE EQUIPMENT 20 LOAD SHIFTING/FALLING/SPILLING 21 OTHER DEFENSIVE ACTION 22 UNKNOWN NON-MOTORIST 23 NONE 24 IMPROPER CROSSING 25 STOPPED 26 WIND AHEAD/ON OR CLOSELY IN ROADWAY 27 FAILURE TO YIELD RIGHT OF WAY 28 NOT VISIBLE (DARK CLOTHING) 29 IMPROPER 30 FAILURE TO OBEY TRAFFIC SIGN, SIGNAL, OR CONTROL 31 WRONG SIDE OF THE ROAD 32 OTHER 33 UNKNOWN VEHICLE DEFECT CODE (ABLE TO "P" SELECTED ABOVE) 01 TURN SIGNALS 02 HEAD LAMP 03 TAIL LAMP 04 BRAKES 05 STEERING 06 TIRE BLOWOUT 07 WORK ON SLICK TIRES 08 TRAILER EQUIPMENT DEFECTIVE 09 MOTOR TROUBLE 10 DEFLECTED FRONT FENDER CURB 11 OTHER DEFECT	POST NARRIAL EVENT OF THE SEQUENCE OF EVENTS - WHICH ONE IS THE MOST HARMFUL EVENT (1-4) MOST HARMFUL EVENT OF THE SEQUENCE OF EVENTS - WHICH ONE IS THE MOST HARMFUL EVENT (1-4) SPEED DETECTED 1 STATED 2 ESTIMATED SPEED SPEED 25 25	CONDITION 1 APPARENTLY NORMAL 2 PHYSICAL IMPAIRMENT 3 OBSCURED 4 LIMITED 5 FULL ARREST, FARTHS, FATIGUED, ETC 6 UNDER THE INFLUENCE OF MEDICATIONS/DRUGS/ALCOHOL 7 OTHER 8 UNKNOWN ALCOHOL/DRUG SUSPECTED 1 NONE 2 YES - ALCOHOL SUSPECTED 3 YES - HERO NOT SUSPECTED 4 YES - DRUGS SUSPECTED 5 YES - ALCOHOL / DRUGS SUSPECTED 6 UNKNOWN POST NARRIAL EVENT OF THE SEQUENCE OF EVENTS - WHICH ONE IS THE MOST HARMFUL EVENT (1-4) ALCOHOL TEST STATUS 1 NONE 2 TEST REFUSED 3 TEST GIVEN, CONFIRMATED SAMPLE/UNRELIABLE 4 TEST GIVEN, RESULTS KNOWN 5 TEST GIVEN, RESULTS UNKNOWN 6 UNKNOWN ALCOHOL TEST TYPE 1 NONE 2 BLOOD 3 URINE 4 BREATH 5 OTHER ALCOHOL TEST RESULT 1 NONE 2 MARIJUANA 3 COCAINE 4 OTHER 5 AMPHETAMINE 6 PCP 7 OTHER 8 UNKNOWN AT TIME OF STOPPING	TYPE OF INTERSECTION 01 NOT AN INTERSECTION 02 FOUR-WAY INTERSECTION 03 T-INTERSECTION 04 Y-INTERSECTION 05 TRAFFIC CONTROL/TRAFFIC SIGNAL 06 PAVED/ON ROAD 07 ON ROAD 08 OFF ROAD 09 OVERPASS 10 UNDERPASS 11 RAILROAD CROSSING 12 SHARED-USE PATH ON TRAIL 13 UNKNOWN OCCURRENCE 1 ON ROADWAY 2 ON SHOULDER 3 IN MEDIAN 4 ON ROADSIDE 5 ON GOLF 6 OUTSIDE TRAVELWAY 7 UNKNOWN ROAD CONDITION 3 1 SMOOTH LEVEL 2 STRAIGHT GRADE 3 CURVE LEFT 4 CURVE RIGHT ROAD CONDITIONS 01 DRY 02 WET 03 SLIP 04 ICE 05 SAND, MUD, STONE, OR GRAVEL 06 WATER CHANNELS, MOVING 07 SLUSH 08 DEBRIS 09 RY, HOLES, BUMP, UNEVEN PAVEMENT, ETC 10 OTHER 11 UNKNOWN *Secondary Road Conditions ONLY

Narrative

VEHICLE #1 STOPPED TO MAKE RIGHT TURN ONTO I-X CENTER RD,
 VEHICLE #2 GOING W/B ON I-X CENTER RD WAS MAKING LEFT
 TURN ONTO GRAYTON RD, WHILE TURN VEHICLE #2 WENT
 INTO THE GRAVEL PAVEM. LOST CONTROL AND STRUCK VEHICLE
 #1 ON THE LEFT REAR TIRE

<p>MAJOR OF COLLISION OR IMPACT</p> <p>1 NOT COLLISION BETWEEN TWO VEHICLES IN TRANSPORT 2 RAMP-UP 3 HEAD-ON 4 REAR-END 5 BACKS 6 ANGLE 7 SIDEWIP, SAME DIRECTION 8 SIDEWIP, OPPOSITE DIRECTION 9 UNKNOWN</p> <p>WEATHER 01 02 CLEAR 03 FOG, SMOG, SMOG 04 RAIN 05 SLEET, HOAR, (FROZEN RAIN DRIZZLE) 06 SNOW 07 SEVERE CLOUDS 08 RAIN, SAND, SOOT, DIRT, SMOG 09 OTHER 10 UNKNOWN</p> <p>LIGHT CONDITIONS 1 2 DAY 3 DAWN 4 DUSK 5 NIGHT - LIMITED ROADWAY 6 NIGHT - NOT LIMITED 7 DARK - UNUSUAL LIGHTING 8 STAFF 9 OTHER 10 UNKNOWN</p>	<p>SO-CAL BUS RELATED</p> <p>1 NO 2 YES, DIRECTLY INVOLVED 3 YES, INDIRECTLY INVOLVED 4 UNKNOWN</p> <p>Work Zone Related</p> <p>1 NO 2 YES 3 UNKNOWN</p> <p>TYPE OF WORK ZONE</p> <p>1 LINE CLOSURE 2 LANE SHUT/OCCUPY 3 WORK ON SHOULDER OR MEDIAN 4 IMPROVEMENT/ MAJOR WORK 5 OTHER</p> <p>LOCATION OF CRASH IN WORK ZONE</p> <p>1 BEFORE PAINT WORK ZONE 2 WITHIN STOP ADVANCE WORKING AREA 3 TRANSITION AREA 4 ACTIVITY AREA 5 WORKERS PRESENT</p> <p>1 NO 2 YES 3 UNKNOWN</p>
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<p>Truck/Bus</p> <p>THE CRASH INVOLVED ONE OR MORE OF THE FOLLOWING: A TRUCK (MOTOR VEHICLE) WITH A GVWR GREATER THAN 10,000 POUNDS OR A TRUCK (MOTOR VEHICLE) WITH A REGULATORY WEIGHTED PUNDED; OR A BUS DESIGNED FOR AT LEAST 8 PERSONS, INCLUDING DRIVER.</p> <p>THE CRASH RESULTED IN ONE OR MORE OF THE FOLLOWING: A FATALITY OR AN INJURY REQUIRING TRANSPORTATION FOR IMMEDIATE MEDICAL TREATMENT; OR AN INJURY AND VEHICLE WAS TOWED DUE TO DAMAGING DAMAGE OR REQUIRED ATTENTION ASSISTANCE BEFORE PROCEEDING UNDER ITS OWN POWER.</p>	<p>Company Name Shipping Agent THE TAURO TRUCKING (BROTHERS) COMPANY ADDRESS (STREET, CITY, ST, ZIP CODE) 1775 N. STATE ST. GIRARD OHIO 44420</p> <p>Company Phone 330-372-1548</p>
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US DOT 15U356	ICC MC 141392	REG 00106509	TRUCK LP # OH	TRAILER LP # 03	TRAILER LP # TLR2903	
<p>CARGO BODY TYPE 01 NOT APPLICABLE 02 BUS (9-15 SEAT/SEATING CAPACITY) 03 VAN/ENCLOSED BOX 04 GRAB/CHOP/BLADE</p> <p>02</p>	<p>OS POLE 06 CARGO TANK 07 PLATE 08 DUMP</p>	<p>GV GROSS WEIGHT 10 AUTO TRANSPORTER 11 EXHAUST/REFUEL 12 OTHER 13 UNKNOWN</p>	<p>Weight (GVWR) 1 LESS THAN 10,000 2 10,001 - 20,000 3 MORE THAN 20,000</p> <p>3</p>	<p>CDL Class 1 CLASS A 2 CLASS B 3 CLASS C 4 CLASS M 5 CLASS J</p> <p>1</p>	<p>Historical Motorists Placed 1 NO 2 YES 3 UNKNOWN</p> <p>1</p>	<p>Historical Restraint Released 1 NO 2 YES 3 NOT APPLICABLE 4 UNKNOWN</p>

Police Action

DEPART	ARRIVE	CLEAR	OTHER

OFFICER'S NAME * **DAVID OXLEY** OFFICER ID # **02472** OFFICER SIGNATURE **[Signature]** DATE REPORT FILED * **11758**

REPORT TAKEN BY **1** 1 POLICE REPORT 2 UNKNOWN REPORT TAKEN AT **1** 1 SCENE 2 STREET 3 OTHER

State Farm Insurance Companies



August 28, 2002

Claim Service Center
1499 Boardman-Canfield Road
Boardman, Ohio 44512
1-888-326-0154
(330) 533-7800
FAX 330-533-7803

The Tauro Brothers Trucking
1775 N. State St.
Girard, OH 44420

RE: Claim Number: 35-W939-977
Date of Loss: July 30, 2002
Insured: Juliana Sadock Savino
Subject: Property Damage

Dear Sirs:

I understand that your 2002 Vision Mack truck was involved in an auto accident while being driven by Jody Poling on Grayton Road in Cleveland on July 30, 2002.

We have accepted liability on behalf of our insured, Jennifer Cumberworth, and need to know if there was any damage done to your truck.

Please acknowledge this letter by phone or in writing. If I do not hear from you within 30 days of the date of this letter, I will go ahead and close your file with the assumption that no claim is being presented.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Huston".

Kathy Huston
Claim Specialist
(330) 702-2154

State Farm Mutual Automobile Insurance Company