

RSmith - 3/17/2016

3-17-16 Internal Challenge; R.A Smith. The carrier is challenging violations "inoperative right tail light" or brake lamp and "inoperative breakaway". The actual violations the vehicle has been cited for are 393.9TS Inoperative turn signal, 396.3A1BOS Brakes OOS (# DEFECTIVE= OR >20%) , 393.48A Inoperative/defective brakes & 393.43 No/improper breakaway or emergency braking. There is a violation 393.25F Stop lamp violation which is not an OOS or is being assessed a civil penalty on the inspection report. The carrier is claiming that these items have worked in the past with no problems and that they check on them on a regular basis. They are also claiming that they took the vehicle to a shop and were told that the stop lamps were working properly. The inspecting officer found 4 brakes of 6 brakes defective on the combination of vehicles which met the 20% criteria for 396.3A1BOS. All the violations on the inspection report are valid and will remain on the report. Civil assessment has already dismissed/or not assessed a penalty for violations 396.3A1BOS and 393.48A, therefore the penalty for violations 393.9ts and 393.43 will remain in force. There is no telephone contact information supplied by the carrier, therefore Officer Smith is mailing a Challenge Denial Letter via U.S Mail service.

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