

**UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

SHAHZAD CHAUDHRY)	Order No.: TX-2016-5000-IMH
)	
HME EXECUTIVE COACH, INC.)	
A/K/A EXEC COACH, INC.)	Service
DBA EXECUTIVE COACH)	Date: _____
(USDOT 1227461))	
)	Time: _____
)	

IMMINENT HAZARD
OPERATIONS OUT-OF-SERVICE ORDER

This is an Imminent Hazard Operations Out-of-Service Order (“ORDER”) issued by the Secretary of the United States Department of Transportation (the “Secretary”) pursuant to 49 U.S.C. § 521(b)(5)(A), 49 U.S.C. § 13905(f), 49 U.S.C. 31132(3), 49 U.S.C. § 31144(c)(1), (2), and (5), and 49 C.F.R. § 386.72(b)(1), and pursuant to a delegation of authority to the Field Administrator, Western Service Center, Federal Motor Carrier Safety Administration (FMCSA), United States Department of Transportation (USDOT), Lakewood, Colorado. This ORDER applies to SHAHZAD CHAUDHRY, and any other business or name under which SHAHZAD CHAUDHRY conducts motor vehicle operations, including without limitation HME EXECUTIVE COACH, INC. a/k/a/ EXEC COACH DBA EXECUTIVE COACH (hereinafter “EXECUTIVE COACH”). SHAHZAD CHAUDHRY and EXECUTIVE COACH are collectively also referred to herein as “you” and “your”.

The Secretary and the FMCSA find your motor vehicle operations in interstate and intrastate commerce constitute an **imminent hazard**. This finding means that based upon your present state of unacceptable safety compliance, your motor vehicle operations pose an **imminent hazard** to public safety.

EFFECTIVE IMMEDIATELY

**YOU MUST CEASE ALL COMMERCIAL MOTOR VEHICLE OPERATIONS
INCLUDING ALL INTERSTATE AND INTRASTATE TRANSPORTATION OF
PASSENGERS FROM ALL DISPATCHING LOCATIONS OR TERMINALS**

“All commercial motor vehicle operations” includes without limitation operating, or causing to be operated, any and all commercial motor vehicles, purchasing and/or leasing commercial motor vehicles, employing and/or assigning, directly or indirectly, drivers to operate commercial motor vehicles, hiring, supervising and/or training drivers, scheduling transportation of passengers or property by commercial motor vehicle, and dispatching, or causing to be dispatched, drivers and/or commercial motor vehicles to operate in interstate or intrastate commerce.

Your commercial motor vehicles and their drivers now in interstate or intrastate commerce may proceed to their next immediate destination. (*See* 49 C.F.R. § 386.72(b)(4) and (5)). You may not load or transport any additional passengers.

**NO ADDITIONAL PASSENGERS MAY BE LOADED OR TRANSPORTED,
NOR MAY YOU OPERATE ANY COMMERCIAL MOTOR VEHICLE(S) IN
INTERSTATE OR INTRASTATE COMMERCE WHILE THIS ORDER IS IN EFFECT.**

You may not operate any commercial motor vehicle in interstate or intrastate commerce. “Operate” or “Operating” includes without limitation all interstate and intrastate transportation by drivers from all dispatching locations or terminals. Commercial motor vehicles, specifically including the commercial motor vehicles listed in Appendix A to this ORDER, may not be operated in the interstate or intrastate commerce, even without passengers, by you or on your behalf. Any movement by you of commercial motor vehicles, specifically including the

commercial motor vehicles listed in Appendix A to this ORDER, must be accomplished only by towing, such that the commercial motor vehicle itself is not driven or operated and requires the written approval of the Field Administrator for FMCSA's Western Service Center.

Within eight (8) hours of your receipt of this ORDER, you must submit to the Field Administrator in writing by facsimile or electronic mail (email) the location of each commercial motor vehicle under your control. Your submission must be sent to:

Field Administrator
(303) 407-2339 (fax)
WSCENF@dot.gov (electronic mail)

I. JURISDICTION

SHAHZAD CHAUDHRY and EXECUTIVE COACH conduct motor vehicle operations in interstate and intrastate commerce using commercial motor vehicles and employing drivers in connection with those operations and are subject to the Federal Motor Carrier Safety Regulations ("FMCSRs"), 49 C.F.R. Parts 350-399, and the alcohol and controlled substances regulations at 49 C.F.R. Part 40, as well as the Orders of the USDOT and FMCSA. (See 49 U.S.C. §§ 506, 507, 521(b)(2)(5), 13501, 31133, 31136, and 31144). SHAHZAD CHAUDHRY is also the President of HME Executive Coach, Inc. and Exec Coach, Inc. dba Executive Coach.

This ORDER has the force and effect of any other Order issued by the FMCSA. This ORDER is binding upon the person of SHAHZAD CHAUDHRY, whether operating under this or any other name or entity name to conduct commercial motor vehicle operations, including HME EXECUTIVE COACH, INC. and EXEC COACH DBA EXECUTIVE COACH, as well as any and all of their officers, members, directors, successors, assigns and closely affiliated companies. FMCSA may attach and apply this ORDER to any entity established and/or used to evade or avoid the consequences of this ORDER. This ORDER applies to all commercial motor

vehicle operations and all commercial motor vehicles owned, leased, operated or otherwise controlled by or on behalf of SHAHZAD CHAUDHRY, including but not limited to, the commercial motor vehicles identified in Appendix A of this ORDER.

II. BASIS FOR ORDER

The basis for determining that your commercial motor vehicle operations and the continued operation of the vehicles identified in this ORDER pose an imminent hazard to the public is that you fail to ensure that drivers are properly qualified; allow drivers to operate commercial motor vehicles without valid commercial driver's licenses; allow or require drivers to exceed maximum driving times, and fail to monitor and ensure that drivers comply with driver hours of service and records of duty status requirements. You also fail to ensure that your commercial motor vehicles are inspected, repaired and maintained; and operate commercial motor vehicles with serious safety violations and defects substantially increasing the likelihood of serious injury or death. You thereby pose a continuing imminent hazard.

You allow or require drivers to transport passengers in motor coaches, despite the driver having been on duty and having driven in excess of allowable hours. You have no program for monitoring your drivers' hours of service, and you fail to ensure that your drivers comply with hours of service and records of duty status requirements. You also have no established driver qualification system and do not take required steps to qualify drivers. You use drivers to operate commercial motor vehicles on your behalf despite not having ensured that the driver is qualified to operate a commercial motor vehicle, including drivers where you have not made required checks into the drivers' driving record. Moreover, you use drivers who do not have valid commercial driver's licenses and/or do not have passenger endorsements.

Further, you have no established vehicle maintenance program, and fail to ensure your

commercial motor vehicles are properly inspected, repaired and maintained. Additionally, you operate or cause to be operated passenger-carrying commercial motor vehicles that have not passed required safety inspections. You fail to repair, or cause to be repaired in a competent manner commercial motor vehicles under your control. Moreover, you also fail to ensure that the commercial motor vehicles you operate meet minimum safety standards, and you operate commercial motor vehicles with significant safety violations and defects. Additionally, you continue to transport passengers in interstate commerce despite being subject to an FMCSA Order to cease operations.

Individually and cumulatively, your violations and conditions of your commercial motor vehicle operations substantially increase the likelihood of serious injury or death to drivers, passengers and the motoring public if not discontinued immediately.

III. BACKGROUND

On or about April 23, 2014, FMCSA completed a compliance review of EXECUTIVE COACH. During the compliance review, FMCSA discovered serious violations of the FMCSRs, including violations of acute regulations and patterns of violations of critical regulations. The compliance review resulted in a conditional safety rating. On June 16, 2014 FMCSA served EXECUTIVE COACH with a Notice of Claim in case number TX-2014-1108-US0841 for violations of the FMCSRs discovered during the April 2014 review; the Notice of Claim was resolved through a settlement agreement executed by SHAHZAD CHAUDHRY on behalf of EXECUTIVE COACH on or about August 12, 2014. EXECUTIVE COACH failed to pay the civil penalty in accordance with the terms of the settlement agreement, and on February 10, 2015 FMCSA issued to EXECUTIVE COACH an Order to Cease All Interstate Transportation and Registration Suspension; the Order to cease and registration suspension

became effective on February 20, 2015 and remain in effect.

On October 8, 2015 FMCSA initiated an investigation related to the transportation of passengers from various church organizations in the Dallas, Texas area to Philadelphia, Pennsylvania for the papal visit and World Family Day.

The investigation revealed that the organizers for the passengers contacted Premiere Coach, Inc. dba Premiere Coach (USDOT 2546268) ("Premiere Coach) in February 2015 to transport 400-500 passengers from Dallas, Texas to Philadelphia, Pennsylvania for the papal visit in September 2015. After FMCSA Ordered Premiere Coach to cease interstate transportation on May 26, 2015, Premiere Coach referred the transportation to SHAHZAD CHAUDHRY. Premiere Coach's physical address, 506 N. Loop 12, Irving, Texas, is the same address used by EXECUTIVE COACH.

The Investigators documented that in June and August 2015, SHAHZAD CHAUDHRY accepted payments for the transportation of passengers from Dallas, Texas to Philadelphia, Pennsylvania and back to Dallas, Texas using 10 motor coach buses. The transportation occurred from September 23, 2015 through September 26, 2015. Drivers were contacted by SHAHZAD CHAUDHRY and a former employee of EXECUTIVE COACH, Elmo Modisette, and hired and paid by SHAHZAD CHAUDHRY. One motor coach used during the transportation was provided to SHAHZAD CHAUDHRY by Premiere Coach, Inc., the other buses were owned by companies controlled by SHAHZAD CHAUDHRY, including EXECUTIVE COACH and EJAZ Investments Group, Inc.¹ SHAHZAD CHAUDHRY provided fuel cards to the drivers for the transportation; at least one of the fuel cards showed the name of EXECUTIVE COACH.

¹ According to the Texas Secretary of State, Shahzad Chaudhry is the President of EJAZ Investment Group, Inc.

During the investigation, the Investigator discovered serious violations of the FMCSRs. At least 2 of the drivers used during the September 2015 transportation did not have valid commercial driver's licenses. The commercial drivers' license of one of the drivers has been suspended since approximately 2002. During the transportation, drivers exceeded maximum on-duty and driving times, and exhibited significant fatigue. None of the motor coaches used during the transportation had sleeper berths; for the drivers that were able to switch off during the transportation, they slept in bus seats or in the passenger aisle. On one of the buses the driver became so fatigued that he could not continue driving, and a passenger was permitted to drive the bus while the driver rested on the bus. The driver of the bus slowed the bus down, but did not stop the bus, while the passenger took over driving the bus. On another bus, the passengers took turns talking to the driver and providing him snacks to keep him awake while he was driving. Several drivers drove the entire, approximately 1,300 mile, trip from Dallas, Texas to Philadelphia, Pennsylvania; a trip lasting at least 20 hours.

Additionally, during the trip, two buses had mechanical problems that required repair. On one bus, the turbo went out and was "fixed" by a driver and a passenger on the bus using foil. A driver noticed on one bus that a wheel had multiple missing and sheared off lug nuts, the vehicle was taken to a Goodyear repair facility in Tennessee. One of the mechanics at the Goodyear facility also discovered cracked rims on the wheels which had to be replaced before the vehicle could continue. A passenger had to pay for the repairs.

During the investigation, you produced only minimal and old records of inspection, maintenance and repair; the most recent records you produced showed inspection, maintenance and repairs completed in 2013. SHAHZAD CHAUDHRY stated that some vehicles had been leased to two other motor carriers, and that SHAHZAD CHAUDHRY took back the vehicles

earlier in 2015.

Investigators observed 14 motor coaches at the N. Loop 12 location. Texas registration records show all but two of the vehicles² are owned by EXECUTIVE COACH, or another company, EJAZ Investment Group, Inc., controlled by SHAHZAD CHAUDHRY. SHAHZAD CHAUDHRY told the Investigators that all of the vehicles were ready and could be used to transport passengers if needed; 7 of the observed vehicles were identified as having been used in the September 2015 transportation. As part of the investigation, FMCSA and Texas Department of Public Safety (TXDPS) officers inspected 12 of the 14 motor coaches. During the inspections, the Investigators discovered numerous serious safety violations on each of the motor coaches; all but one of the inspected motor coaches was ordered out-of-service until the vehicles are repaired and the violations remedied.

During the 12 inspections, a total of 28 out-of-service safety violations and 86 other serious safety defects were discovered. Of the 7 motor coaches identified as being used in the September 2015 transportation, all 7 motor coaches were placed out of service with multiple safety violations. Additionally, the last records of inspection, maintenance and repair for the vehicles produced to the Investigators, where records could be produced, were more than a year old, and at least 2 of the motor coaches, Units 1045 and 1051, did not have current periodic inspections with the state of Texas. Specifically, Unit 1010 was found to have 2 out-of-service safety violations and 8 additional serious safety defects;³ the most recent records of inspection,

² Unit 2015 is currently owned by Eng's Commercial Finance Co., Lisle, Illinois. TX DMV records show Unit 1026 is currently owned by Premier Coach, Inc., 506 N. Loop 12, Irving, TX and was previously owned by HME Executive Coach, Inc.

³ 49 C.F.R. §§ 393.207(c) – leaf spring assembly cracked/broken/missing/shifted out of position – axle #2 left-broken main leaf (OOS); 393.83(d) – improper exhaust bus – discharge more than 15 inches forward of rear most part of bus-crack in tubing going through muffler (OOS); 393.75(a)(1), tire ply/belt material exposed-axle #2 right outside tire-fabric exposed; 393.95(a), fire extinguisher violation-loose not secured; 393.9, inoperable/obscured head lamps(s)-high beams inoperable; 393.19, defective hazard/emergency light-no emergency warning triangles; 393.55(c)(2), anti-lock brake system-air brake-ABS dash light on; 393.209(e), power steering fluid leak-output

maintenance and repair that you produced were from February 2013. Unit 1025 was found to have 7 serious safety defects;⁴ the most recent records of inspection, maintenance and repair that you produced were from June 2012. Unit 1026 was found to have 2 out-of-service safety violations and 9 additional serious safety defects;⁵ the most recent records of inspection, maintenance and repair that you produced were from June 2012. Unit 1045 (a/k/a Unit 45) was found to have 8 serious safety defects;⁶ the most recent records of inspection, maintenance and repair that you produced were from August 2011. Unit 1051 was found to have 4 out-of-service safety violations and 6 additional serious safety defects;⁷ you produced no records of inspection, maintenance or repair to the Investigators, despite their request. Unit 1052 was found to have 2 out-of-service safety violations and 12 serious safety defects;⁸ you produced no

shaft; 393.201(a), frame cracked/loose/sagging/broken-broken cross member at transmission; 393.201(a), frame cracked/loose/sagging/broken-obvious wear areas in bottom of frame rails-beneath engine compartment.

⁴ 49 C.F.R. §§ 393.95(a), fire extinguisher violation-loose not secured; 393.78, windshield washing system-no washer fluid; 396.3(a)(1), fail to repair/maintain any cmv-no luggage cord to prevent against falling articles; 393.209(e), power steering fluid leak-steering gear box oil leak; 393.209(d), steering system component worn/welded/missing-axle #1 left and right ball and socket joints worn; 396.5(b), oil/grease leak-engine; 396.5(b), oil/grease leak-axle #2 differential.

⁵ 349 C.F.R. §§ 393.9, inoperable/obscured turn signal lamps-both front and both rear inoperable (OOS); 393.75(a)(3), tire flat/under inflated-axle #2 right outside tire; 396.5(b), oil/grease leak-engine-right side; 393.19, defective hazard/emergency light-no emergency warning triangles; 396.5(b), hubs-wheel seal leaking-outer wheel-axle #1 right outer seal leaking; 393.9, inoperable/obscured headlamps – left low beam inoperable; 393.75(a)(1), tire ply/belt material exposed-axle #2 right outside tire-54 psi of 130 psi max (OOS); 393.78, windshield washing system-no washer fluid; 396.5(b), oil/grease leak-gear box; 393.5(b), oil/grease leak-axle #2 differential; 393.45(d), brake connections with leaks-under vehicle-axle #1 right air bag.

⁶ 49 C.F.R. §§ 393.95(a), fire extinguisher violation-loose not secured; 393.9, inoperable/obscured lamp-front axle #2 inoperable; 393.9, inoperable/obscured clearance lamp-front left inoperable; 393.62(e), bus-improper emergency door marking-2 exits not properly labeled; 393.55(c)(2), anti-lock brake system-air brake-constant ABS warning light on dash; 393.45(d), brake connections with leaks-under vehicle-axle #1 right air bag with leak; 396.5(b), oil/grease leak-engine rear; and 396.5(b), oil/grease leak-transmission.

⁷ 393.62(a), bus emergency exits-no operating handle-right rear marked emergency exit (OOS), 396.3(a)(1), liquid fuel system with dripping fuel leak-dripping leak at fuel filter (OOS), 393.45, brakes-audible air leak-relay valve axle #2 (OOS); 393.47(a), brakes not maintained in good working order-metal to metal contact-axle #2 left & right side (OOS); 393.75(a)(1), tire ply/belt material exposed-axle #3 right-fabric exposed; 393.95(a), fire extinguisher violation-loose, not secured; 393.60(c), damaged/discolored windshield-cracked-left side; 396.3(a)(1), fail to repair/maintain CMV-seats not able to lock upright; 393.55(c)(2), anti-lock brake system-air brake-light on all the time; 396.5(b), oil/grease leak-engine.

⁸ 49 C.F.R. §§ 393.47(a), brakes not maintained in good working order-axle #2 right rotor cracked (OOS); 393.75(a)(1), tire ply/belt material exposed-axle #3 right –belt material exposed (OOS); 393.205(c), wheel fastener loose/missing-axle #1 right loose lug nut; 393.9, inoperable/obscured backup lamp-left rear inoperable; 393.60(c), damaged/discolored windshield-1 3/8" diameter rock chip; 393.95(a), fire extinguisher violation-loose not secured;

records of inspection, maintenance or repair to the Investigators, despite their request. Unit 1053 was found to have 5 out-of-service safety violations and 8 additional serious safety defects;⁹ you produced no records of inspection, maintenance or repair to the Investigators, despite their request. The vehicles were in poor safety condition, and the violations discovered demonstrated long-term lack of inspection, maintenance and repair of the vehicles.

On October 20, 2015 SHAHZAD CHAUDHRY contacted the FMCSA Investigator and stated that he was attempting to sell the motor coaches and had buyers coming in to look at them. SHAHZAD CHAUDHRY asked the Investigator if the out-of-service stickers could be removed from the vehicles. The Investigator confirmed with SHAHZAD CHAUDHRY that no repairs had been made to the motor coaches, and told him that the out-of-service stickers could not be removed until the vehicles had been repaired and the violations corrected. After the Investigator told SHAHZAD CHAUDHRY that the out-of-stickers could not be removed, SHAHZAD CHAUDHRY asked the Investigator what would happen if the stickers had already been removed. On October 21, 2015 the Investigator went back to the 504/506 N Loop 12 location and observed that all of the out-of-service stickers had been removed from the vehicles; the Investigator also observed that the stickers had been thrown into a trash can.

TXDPS officers replaced the out-of-service stickers on the vehicles.

393.19, defective hazard/emergency light-one triangle exposed; 393.62(c), bus windows-left rear window (emergency exit) shattered; 396.5(b), oil/grease leak-steering output shaft; 396.5(b), oil/grease leak-axle #2 differential; 393.201(a), frame cracked/loose/sagging/broken-broken cross member at transmission; 396.5(b), oil/grease leak-engine; 393.83(d), improper exhaust-bus-broken-leaking 15 or more inches from rear of compartment; 393.201(a), frame cracked/loose/sagging/broken-obvious wear areas in bottom of frame rails-beneath engine compartment.

⁹ 49 C.F.R. §§ 393.83(d), improper exhaust-bus-muffler cracked-exhaust leak greater than 15 inches forward of rear of bus (OOS); 393.62(a), bus emergency exits-not operational (OOS); 393.62(a), bus emergency exits-not properly marked and not operational (OOS); 393.45, brakes-audible air leak- relay valve control parking brake (OOS); 393.45, brake-hose/tube damaged and/or leaking-axle #2 right-cut in hose-leaking (OOS); 393.47(e), brake out of adjustment-clamp/roto-axle #3 #1 left side; 393.95(a), fire extinguisher violation-loose not secured; 393.62(e), escape window/emergency door not marked on bus-not properly marked; 393.9, inoperable/obscured lamp-front X3 inoperable; 393.9, inoperable/obscured clearance lamp-front X2 inoperable; 393.55(c)(2), anti-lock brake system-air brake-broken sensor; 393.209(e), power steering fluid leak-oil leak; 396.3(a)(1), fail to repair/maintain commercial motor vehicle-multiple seats broken-unable to lock upright.

The investigation disclosed violations of the FMCSRs so widespread as to demonstrate a continuing and flagrant general disregard for compliance with the FMCSRs and a philosophy indifferent to commercial motor vehicle safety substantially increasing the likelihood of death or serious injury and establishing an imminently hazardous and potentially deadly situation for passengers, drivers, and the motoring public.

IV. REMEDIAL ACTION

To eliminate this imminent hazard, and before you will be permitted to resume commercial motor vehicle operations, and before commercial motor vehicles, specifically including the commercial motor vehicles listed in Appendix A, may be operated in interstate or intrastate commerce, you must take specific steps to ensure and demonstrate compliance with applicable motor vehicle safety statutes and the FMCSRs.

A. You must ensure and demonstrate compliance with FMCSA's Order to Cease all Interstate Transportation effective February 20, 2015.

B. You must ensure SHAHZAD CHAUDHRY is adequately trained in the requirements of the Federal motor carrier safety statutes and the FMCSRs and is able to conduct commercial motor vehicle operations in interstate or intrastate commerce consistent with those requirements.

C. You must ensure and demonstrate that each and every commercial motor vehicle you operate and/or intend to operate in interstate or intrastate commerce, whether owned, rented or leased, is in a safe operating condition and in full compliance with 49 C.F.R. Part 393 (Parts and Accessories Necessary for Safe Operation) and Part 396 (Inspection, Repair, and Maintenance), and that all defects and deficiencies have been corrected and repaired. You must also

specifically ensure and demonstrate that emergency egress equipment and mechanisms on all commercial motor vehicles are in operating condition and full compliance.

D. You must ensure and demonstrate that all parts and accessories of each and every commercial motor vehicle you operate and/or intend to operate in interstate or intrastate commerce, whether owned, rented or leased, meets and are maintained at the minimum standards set forth in Appendix G of the FMCSRs.

E. You must establish safety management controls and procedures that ensure that each and every commercial motor vehicle you operate and/or intend to operate, whether owned, rented or leased, is systematically and properly inspected, maintained and repaired as required by 49 C.F.R. Part 396, and that documentation of inspections, maintenance and repair is obtained and maintained as required.

F. You must ensure that your employees, contractors and/or agents used to inspect and maintain each and every commercial motor vehicle you operate and/or intend to operate in interstate or intrastate commerce are trained and qualified to conduct such inspections, maintenance and repairs, and documentation of training and qualifications is maintained in accordance with 49 C.F.R. Part 396.

G. You must require drivers to conduct pre- and post-trip commercial motor vehicle inspections, and must require drivers to prepare Driver Vehicle Inspection Reports as required and establish procedures to ensure that reported safety defects and/or deficiencies are corrected before the vehicle is again operated as required by 49 C.F.R. Part 396. You must establish safety management controls and procedures to ensure that you do not operate any commercial motor vehicle in interstate or intrastate commerce before any defects and/or deficiencies discovered during any inspection have been repaired and corrected.

H. You must ensure that each and every commercial motor vehicle you operate or intend to operate in interstate or intrastate commerce, whether owned, rented or leased, has been and is periodically inspected as required by, and in accordance with, 49 C.F.R. Part 396 and Appendix G to Subchapter B of Chapter III, and Texas State safety inspection requirements and that such periodic inspections are conducted by qualified inspectors.

I. You must establish safety management controls and procedures to ensure that defects and deficiencies discovered during inspections of commercial motor vehicles are repaired prior to the vehicle being re-dispatched. You must ensure that no commercial motor vehicle that fails, or has failed, a safety inspection is used for the transportation of passengers prior to necessary repairs being made.

J. You must contact FMCSA's Texas Division Administrator and arrange for inspection of each of your commercial motor vehicles by an FMCSA inspector or an inspector designated by FMCSA.

K. You must establish safety management controls and procedures to ensure that drivers comply with hours of service requirements and records of duty status requirements as set forth in 49 C.F.R. Part 395.

L. You must establish safety management controls and procedures, including procedures for assigning, dispatching and staging drivers to ensure that drivers do not exceed maximum on-duty and/or driving times.

M. You must establish safety management controls and procedures to ensure that each and every driver you use is qualified to operate a commercial motor vehicle and that you have obtained and maintain all required documentation showing the qualification of each driver as required by 49 C.F.R. Part 391. You must check the driving record of each and every driver

you use to operate a commercial motor vehicle in interstate or intrastate commerce, and obtain copies of the driving records for each driver.

N. You must establish safety management controls and procedures to ensure that each and every driver that operates a commercial motor vehicle in interstate or intrastate commerce has the necessary drivers' license, including any required endorsements, for the motor vehicle(s) the driver operates, and that the driver's license is current and valid.

O. You must ensure that all of your employees, including all drivers, are adequately trained in the requirements of the FMCSRs and that they are able to conduct commercial motor vehicle operations in interstate or intrastate commerce consistent with those regulations.

V. RESCISSION OF ORDER

You are subject to this ORDER unless and until the ORDER is rescinded in writing by FMCSA. This ORDER will not be rescinded until the Field Administrator for FMCSA's Western Service Center has determined that the Remedial Action requirements specified in Paragraph IV of this ORDER have been fully satisfied and acceptable documentation submitted.

Before this ORDER may be rescinded you must comply with the provisions of this ORDER, eliminate the deficiencies constituting the imminent hazard that your commercial motor vehicle operations and vehicles pose, and adequately demonstrate to the Field Administrator for FMCSA's Western Service Center the actions taken to eliminate the safety deficiencies. You cannot avoid this ORDER by continuing commercial motor vehicle operations under the name of another person or company.

In order to sell, lease, return leased/contracted and/or transfer any of your commercial motor vehicles, including without limitation the commercial motor vehicles listed in Appendix A, you must first provide in writing to the FMCSA Field Administrator documentation related to

the sale or transfer, including identifying each commercial motor vehicle to be sold, leased, or transferred and the name, contact information and USDOT number, if any, of the person or company to which the commercial motor vehicle would be sold, leased, returned or transferred. Any sale, lease, return of leased/contracted vehicle(s), and/or other transfer of any commercial motor vehicle by you requires at least three (3) business days' advance written notice to the Western Service Center Field Administrator. Any such action taken in anticipation of this ORDER must cease immediately.

Prior to rescission of this ORDER, you will be required to:

1. Identify the breakdowns in safety management controls that resulted in the non-compliance.
2. Develop detailed Safety Management Plans of action that address each area of non-compliance, the steps to be taken to overcome your non-compliance and a time table for these steps.
3. Execute the Safety Management Plans and provide certification by you and all owners, officers and managers of your commercial motor vehicle operations.

Any request to rescind this ORDER, and documentation demonstrating satisfaction of the Remedial Action requirements, must be directed to the Field Administrator, Western Service Center with a copy of the request and documentation submitted to the Division Administrator, Texas Division, at the following addresses:

Terry D. Wolf, Field Administrator
Western Service Center
Federal Motor Carrier Safety Administration
12600 West Colfax Avenue, Suite B-300
Lakewood, Colorado 80215

Joanne Cisneros, Division Administrator
Texas Division
Federal Motor Carrier Safety Administration
903 San Jacinto Blvd., Suite 1100
Austin, Texas 78701

Rescission of this ORDER does not constitute a reinstatement of EXECUTIVE COACH's USDOT Number or its United States Federal operating authority registration, and does not constitute a grant of USDOT number or Federal operating authority registration to SHAHZAD CHAUDHRY, EXECUTIVE COACH and/or any other person or business entity. In order for you to resume commercial motor vehicle operations transporting passengers in interstate or intrastate commerce, you will be required to apply or re-apply for and obtain active USDOT number registration, apply or re-apply for operating authority registration, and demonstrate that you are fit and willing and able to comply with: 1) the statutory and regulatory registration requirements; 2) applicable safety regulations including the FMCSRs; 3) the commercial motor vehicle safety requirements of employers and employees set forth in 49 U.S.C. § 31135; 4) the safety fitness requirements set forth in 49 U.S.C. § 31144; and 5) minimum financial responsibility requirements established under 49 U.S.C. §§ 13906 and 31138; and be granted operating authority registration in writing by FMCSA.

VI. FAILURE TO COMPLY

Failure to comply with the provisions of this ORDER may subject you to an action in the United States District Court for equitable relief and punitive damages. You may be assessed civil penalties of up to \$25,000 for a violation of this ORDER. (49 U.S.C. § 521(b)(2)(F) and 49 C.F.R. Part 386 App. A. § IV(g)). If violations are determined to be willful, criminal penalties may be imposed, including a fine of up to \$25,000 and imprisonment for a term not to exceed one year. (49 U.S.C. § 521(b)(6)(A)).

VII. PENALTIES FOR VIOLATIONS

Any person, including any commercial motor vehicle operator, employer and/or motor carrier, that violates Federal requirements, including the FMCSRs, and/or permits its employee(s) to violate Federal requirements is subject to civil and/or criminal penalty provisions. Penalty provisions for violations of Federal statutes and regulations are separate and distinct from this ORDER. Penalties may be assessed for the violations of Federal requirements, including the FMCSRs and Orders of the FMCSA, previously discovered, discovered after the service of this ORDER, and/or discovered during subsequent investigations.

VIII. RIGHT TO REVIEW

You have the right to an administrative review in accordance with 5 U.S.C. § 554 pursuant to 49 C.F.R. § 386.72(b)(4). Subsequent to the issuance of the ORDER, opportunity for review will be provided in accordance with section 554 of title 5. If a petition for review is filed, a review must commence within ten days after the petition for review is filed and must be concluded as expeditiously as practicable but may run longer than ten days from the date of issuance of such ORDER or the filing of the petition for review. A request for review must be addressed to the Assistant Administrator, United States Department of Transportation, Federal Motor Carrier Safety Administration, with a copy sent to FMCSA's Adjudications Counsel and the Field Administrator, Western Service Center, at the following addresses:

Assistant Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Federal Motor Carrier Safety Administration
Office of the Chief Counsel – Adjudications
1200 New Jersey Avenue, S.E., W61-323
Washington, DC 20590
FMCSA.Adjudication@dot.gov

Field Administrator, Western Service Center
Federal Motor Carrier Safety Administration
12600 West Colfax Avenue, Suite B-300
Lakewood, Colorado 80215

The request must state the material facts at issue which you believe dispute or contradict the finding that your commercial motor vehicle operations in interstate or intrastate commerce constitute an imminent hazard to the public and/or the material facts at issue which you believe dispute or contradict the finding that the operation of the commercial motor vehicles identified in Attachment A in interstate or intrastate commerce constitutes an imminent hazard to the public.

A REQUEST FOR ADMINISTRATIVE REVIEW DOES NOT IN ANY WAY

SUSPEND OR DELAY YOUR DUTY TO COMPLY WITH THIS ORDER

IMMEDIATELY. This ORDER is separate and independent from all other orders or actions that may be issued by FMCSA, and does not amend or modify any other such orders or actions, and any request for administrative review of this ORDER does not attach to or apply to any other order or action.

Date:

11/5/2015



Terry D. Wolf, Field Administrator
United States Department of Transportation
Federal Motor Carrier Safety Administration

APPENDIX A

Unit	Year	Make	VIN#
1010	2001	VANH	YE2CC12B312045731
1025	2003	PREO	2PCH3349131014714
1026	2003	PREO	2PCH3349731014717
1045 a/k/a 45	2005	PREV	2PCH3349151010231
1051	2002	VANH	YE2CC22B522045821
1052	2001	VANH	YE2CC22B512045719
1053	1997	VANH	YE2TC62B5V2043501
1043 a/k/a 43	1995	MCI	1M8SDMMAXSP047152
2014	1993	MCI	1M8RCM7A0PP045138
5001	2000	MCI	1M8PDMPA1YP052511
5003	1999	MCI	1M8IPDMPA0XP052403