

Michael Yusim  
7499 Eagle Point Drive  
Delray Beach, Florida 33446

June 04, 2012  
232391  
ENTERED  
Office of Proceedings  
June 5, 2012  
Part of  
Public Record

Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

DOCKET NO: MCF\_21046\_0  
PROFESSIONAL TRANSPORTATION, INC., ASSET ACQUISITION--CUSA ES, LLC AND  
CUSA CSS, LLC

Surface Transportation Board,

I am writing this letter in opposition to the bankruptcy sale of the Coach America bus companies. The bankruptcy sale of the Coach America bus companies does not allow for the Secretary of Labor to hear and decide discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105(a)(3)(A). That is not in the public interest.

There are currently two cases before the Secretary of Labor in which it is alleged that Midnight Sun Tours, one of the Coach America bus companies in bankruptcy, violated 49 USC 31105(a)(1)(C) by discriminating against drivers who accurately reported their hours on duty.

Case No: 2011-STA-00042  
In the Matter of  
Zachary Joyner, Complainant  
v.  
Midnight Sun Tours, Respondent

Case No: 2010-STA-00066  
In the Matter of  
Michael Yusim, Complainant  
v.  
Midnight Sun Tours, Respondent

*49 USC § 31105. EMPLOYEE PROTECTIONS*

*(a) Prohibitions.—*

*(1) A person may not discharge an employee, or discipline or discriminate against an employee regarding pay, terms, or privileges of employment, because—(C) the employee accurately reports hours on duty pursuant to chapter 315;*

*49 USC § 31105. EMPLOYEE PROTECTIONS*

*(a) Prohibitions.—(3)(A) If the Secretary of Labor decides, on the basis of a complaint, a person violated subsection (a) of this section, the Secretary of Labor shall order the person to—*

*(i) take affirmative action to abate the violation;*  
*(ii) reinstate the complainant to the former position with the same pay and terms and privileges of employment; and*  
*(iii) pay compensatory damages, including backpay with interest and compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.*

Coach America is currently under the protection of the Bankruptcy Court in the District of Delaware. Because of the bankruptcy filing, an automatic stay was placed on these discrimination cases before the Secretary of Labor, in accordance with 11 USC 362.

Although it is in the self interest of Coach America, by means of the automatic stay, to prohibit the Secretary of Labor from hearing and deciding discrimination cases in regard to accurately reporting hours on duty, it is certainly not in the public interest.

The purpose of the FMCSA hours of service regulations is to ensure that fatigued drivers are not operating motor vehicles on the public highways. The logging abuses and discrimination in regard to accurately reporting hours on duty that occurred at Midnight Sun Tours as a result of those logging abuses subvert that purpose. In addition, prohibiting the Secretary of Labor from hearing and deciding discrimination cases in regard to accurately reporting hours on duty in accordance with 49 USC 31105(a)(3)(A), by means of the automatic stay imposed by 11 USC 362 and the bankruptcy Sale Order, further subverts that purpose.

It is not in the public interest for Coach America to sell its bus companies under an automatic stay and a bankruptcy Sale Order that prohibits the Secretary of Labor from hearing and deciding discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105(a)(3)(A).

The self interest of Coach America in using the bankruptcy court to prohibit the Secretary of Labor from hearing the logging abuses committed by Midnight Sun Tours that caused these discrimination cases to come before the Secretary of Labor, must be weighed against the public interest of allowing the Secretary of Labor to hear and decide discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105(a)(3)(A).

Although these particular discrimination cases are directed at Midnight Sun Tours, the Midnight Sun Tours bankruptcy is being jointly administered with all of the other Coach America bus company bankruptcies; In Re COACH AM GROUP HOLDINGS, Debtor, Case No: 12-10010 (KG) in the United States Bankruptcy Court in the District of Delaware. Ultimately, Coach America, as the parent company of Midnight Sun Tours, is responsible for the logging abuses and discrimination in regard to accurately reporting hours on duty that occurred at Midnight Sun Tours.

I therefore ask that the Surface Transportation Board stay the sale of the Coach America bus companies, until such time as Coach America decides to place the public interest above its own self interest, by allowing the Secretary of Labor to hear and decide discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105(a)(3)(A).

It is not in the public interest to prohibit the Secretary of Labor from hearing and deciding whether Midnight Sun Tours discriminated against drivers who followed the FMCSA Guidance for logging off-duty during a tour of duty; and did not log off-duty during their tours of duty without the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2.

On September 10, 2009, Midnight Sun Tours issued a company memo that eliminated Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty. The following is taken from the Midnight Sun Tours memo:

*All Midnight Sun Tours Drivers are hereby authorized and instructed to log Off Duty when these conditions are met: (FMCSA 395.2 and Interpretations)*

- 1. You have been relieved of all duty and responsibility for the care and custody of the motor coach, its accessories, and any cargo or passengers that may have been on the motor coach.*
- 2. The duration of your relief from duty is of a set time of sufficient duration to ensure that the fatigue of operating a motor coach is significantly reduced.*
- 3. You are at liberty to pursue activities of your own choosing and may leave the premises where the motor coach is located.*
- 4. You are hereby instructed to log Off Duty when these conditions are met.*
- 5. You are also authorized and instructed to record meal and other routine stops made during your tour of duty as Off Duty time.*

*The purpose of this Authorization and Instruction is to preserve your available hours of service while keeping you rested in between portions of your driving assignments. You are required to log Off Duty when the above conditions are met.*

The Midnight Sun Tours memo does not satisfy Provision 3 in Question 2 of the Guidance to FMCSR 395.2. In order for a motor-coach operator to log off-duty during a tour of duty, all four provisions specified in Question 2 of the Guidance to FMCSR 395.2 must be satisfied. If one of the conditions specified in Question 2 of the Guidance to FMCSR 395.2 is not satisfied, then the driver may not log off-duty during the tour of duty.

Even though a driver may have no responsibility for the bus (Provision 1), may know the duration of the non-driving segment (Provision 2), and may be free to leave the premises where the bus is located (Provision 4), unless the employer provides the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2, then the driver may not log off-duty during the tour of duty.

*Question 2: What conditions must be met for a [CMV](#) driver to record meal and other routine stops made during a tour of duty as off-duty time?*

*Guidance:*

- 1. The driver must have been relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and any cargo or passengers it may be carrying.*
- 2. The duration of the driver's relief from duty must be a finite period of time which is of sufficient duration to ensure that the accumulated fatigue resulting from operating a [CMV](#) will*

*be significantly reduced.*

*3. If the driver has been relieved from duty, as noted in (1) above, the duration of the relief from duty must have been made known to the driver prior to the driver's departure in written instructions from the employer. There are no record retention requirements for these instructions on board a vehicle or at a motor carrier's principal place of business.*

*4. During the stop, and for the duration of the stop, the driver must be at liberty to pursue activities of his/her own choosing and to leave the premises where the vehicle is situated.*

Coach America stressed the importance of Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as being a necessary condition for logging off-duty during a tour of duty, in the Coach America Off-Duty Log Policy, dated August 1, 2007. The following is taken from the Coach America Off-Duty Log Policy:

*A driver must have a written statement, specific to the exact trip that he or she is performing which expressly authorizes the driver to log Off Duty for specific breaks and sufficient time to relieve fatigue during a Tour of Duty, Chartered Trip, Fixed Route or Shuttle.*

*The written statement should be part of the charter order, printed onto the charter order or attached to the charter order, trip sheet or route sheet, with specifics that relate to that exact piece of work. Distinctive Software program has this capability.*

*In general, a driver may log Off Duty if:*

*The Driver is relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, cargo and passengers. This means the bus is securely parked, there are no passengers onboard and the driver is not responsible for the bus's cargo.*

*The duration of the driver's relief must be a finite time with a starting time and a return to duty time.*

*The duration of the relief time Off Duty must be made known to the Driver prior to the driver's departure, in writing.*

On September 10, 2009, Midnight Sun Tours abandoned the Coach America Off Duty Log Policy. Instead of issuing a "written statement, specific to the exact trip that he or she is performing which expressly authorizes the driver to log Off Duty for specific breaks", as required by the Coach America Log Policy, Midnight Sun Tours issued a memo that eliminated Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty. Midnight Sun Tours drivers were expected to log off-duty only on the basis of Provisions 1, 2 and 4 in Question 2 of the Guidance to FMCSR 395.2.

By issuing that memo, Midnight Sun Tours established a policy of discrimination in regard to accurately reporting hours on duty. Drivers who insisted on following the FMCSA Guidance for logging off-duty during a tour of duty, and would not log off-duty without the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2, were now placed in the position of violating a Midnight Sun Tours company memo that required drivers to

log off-duty during their tours of duty without the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2.

On October 26, 2009, I was fired from my position as a bus driver at Midnight Sun Tours, because I did not log off-duty for four hours while I was waiting for my passengers to return to the bus at the Palm Beach County Convention Center on a tour of duty October 24, 2009.

There was nothing on my work order that made it known to me that I was to log off-duty. There were no written instructions specific to this job, as required by the Coach America Off-Duty Log Policy, that made it known to me that I was to log off-duty. There was only a memo from Midnight Sun Tours that eliminated Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty; and I was expected to log off-duty under that memo.

I do not understand how a memo that eliminates Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty, actually satisfies Provision 3 in Question 2 of the Guidance to FMCSR 395.2. I also do not understand why Coach America allowed Midnight Sun Tours to eliminate Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty; especially considering that Coach America had such a strict off-duty log policy in regard to Provision 3 in Question 2 of the Guidance to FMCSR 395.2.

Of course, it is up to the Secretary of Labor to decide, in accordance with 49 USC 31105(a)(3)(A), whether Midnight Sun Tours did in fact fulfill the company's obligation under Provision 3 in Question 2 of the Guidance to FMCSR 395.2 by means of the Midnight Sun Tours memo. However, because of the automatic stay imposed by 11 USC 362 and the terms of the bankruptcy Sale Order, the Secretary of Labor is prohibited from hearing and deciding these discrimination cases in regard to accurately reporting hours on duty. That is not in the public interest.

In these discrimination cases, the meaning of Provision 3 in Question 2 of the Guidance to FMCSR 395.2 is being called into question. What does Provision 3 in Question 2 of the Guidance to FMCSR 395.2 actually mean; and what obligation does Provision 3 in Question 2 of the Guidance to FMCSR 395.2 actually place upon Midnight Sun Tours?

*the duration of the relief from duty must have been made known to the driver prior to the driver's departure in written instructions from the employer*

It is not in the public interest to prohibit the Secretary of Labor from deciding the meaning of Provision 3 in Question 2 of the Guidance to FMCSR 395.2 in these discrimination cases.

Provision 3 in Question 2 of the Guidance to FMCSR 395.2 affects the entire motor-carrier industry. It is in the public interest that there be a clear understanding of what Provision 3 in Question 2 of the Guidance to FMCSR 395.2 actually means. Only the Secretary of Labor can decide the meaning of Provision 3 in Question 2 of the Guidance to FMCSR 395.2 in these discrimination case, in accordance with 49 USC 31105(a)(3)(A).

Motor-coach operators are required to accurately record their hours on duty. Motor-coach operators should not be subject to discrimination in regard to accurately reporting hours on duty, because they do accurately report their hours on duty; as was the case at Midnight Sun Tours.

The drivers of the Coach America bus companies being purchased in the bankruptcy sale should not be placed in the position of having to choose between logging hours of service in accordance with an FMCSA Guidance that requires Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty, and logging hours of service in accordance with a company log policy that eliminates Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty; as was the case at Midnight Sun Tours

I would therefore ask, in the public interest, that the Surface Transportation Board require the Purchasers of the Coach America bus companies to produce the off-duty authorizations under which the newly acquired Coach American drivers will be logging off-duty during their tours of duty. The Purchasers should not be using off-duty authorizations that fail to meet the standard for logging off-duty during a tour of duty established in Provision 3 in Question 2 of the Guidance to FMCSR 395.2; as was the case at Midnight Sun Tours.

I would also ask, in the public interest, that the Surface Transportation Board require the Coach America bus companies currently under the protection of the Bankruptcy Court in the District of Delaware to produce their current off-duty authorizations in order to ensure that those off-duty authorizations are in compliance with Provision 3 in Question 2 of the Guidance to FMCSR 395.2.

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours discriminated against drivers who did not log off-duty during their tours of duty because the drivers were given written instructions that prohibited the drivers from leaving the premises where their buses were located.

On October 3, 2009, I was assigned to a tour of duty to transfer students between the University of Miami and Dolphin Stadium. On my work for that tour of duty were instructions that read:

ALL BUSES MAY BE NEEDED FOR MORE THAN ONE TRIP TO THE GAME AND MORE THAN ONE TRIP FROM THE GAME. THIS IS A SHUTTLE. DO NOT LEAVE STADIUM - LUNCH WILL BE PROVIDED AT STADIUM (MIAMI STAFF).

On October 9, 2009, I was given a written warning with a one day suspension because I did not log off-duty during this tour of duty under those written instructions. I do not understand how Midnight Sun Tours can require drivers to log off-duty under written instructions that prohibit the drivers from leaving the area where the bus is located.

Only the Secretary of Labor can decide, in accordance with 49 USC 31105(a)(1)(C), whether drivers may log off-duty during a tour of duty under written instructions that prohibit the drivers from leaving the area where the bus is located.

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours requires drivers to log off-duty while the drivers are waiting for flights to arrive at the airport.

On October 4, 2009, I was assigned to a tour of duty at Miami International Airport to pick up a group that was arriving from overseas. The flight was overdue; no one knew when this flight was coming in.

On October 9, 2009, I was given a written warning with a one day suspension because I did not log off-duty during that tour of duty. I do not understand how Midnight Sun Tours can require drivers to log off-duty while the drivers are waiting in the bus holding area of airports for their flights to arrive; especially if the flights are overdue and no one knows when the flights are coming in.

When a driver is waiting at a convention center, or at a stadium, or at any venue for a group to return to the bus, or the driver is waiting at an airport to pick up the arriving group, is the driver working, or is the driver not working during the waiting time? Should that waiting time be logged as “on-duty, not driving” or “off-duty”? Only the Secretary of Labor can determine if a motor-coach operator is working during these waiting time.

If there is a dispute between a driver and an employer as to whether a non-driving segment during a tour of duty is to be logged as “on-duty, not driving” or “off-duty”, and the driver is discriminated against because of that dispute, then that dispute must ultimately be resolved by the Secretary of Labor in accordance with 49 USC 31105(a)(3)(A).

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours drivers are required to log off-duty during their tours of duty for durations of time that are greater than the durations made known to the drivers by the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2.

Midnight Sun Tours operates a scheduled bus service in Belle Glade, Florida, that runs from 6:30AM to 6:30PM. It is made known to the drivers working the Belle Glade Scheduled Bus Service, by the Belle Glade Bus Service Tracking Sheet, that the drivers may only log off-duty for half an hour, from 1:30PM until 2:00PM, during this tour of duty. It should be noted that the Belle Glade Bus Service Tracking Sheet is the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2 that makes it known to the drivers working this tour of duty, when they are supposed to log off-duty during this tour of duty.

On July 30, 2010, Driver Zachary Joyner worked the Belle Glade bus service tour of duty. Zachary submitted a log for that tour of duty, in which Zachary logged off-duty for the half hour made known to him by the Belle Glade Bus Service Tracking Sheet. (Please note that although the July 26, 2010 Belle Glade Bus Service Tracking Sheet was provided, it is identical to the July 30, 2010 Belle Glade Bus Service Tracking Sheet. The weekday schedules are all the same.)

The original log that Zachary submitted for that tour of duty was rejected by Midnight Sun

Tours, with a big "X" placed on it by Midnight Sun Tours. Zachary was then instructed to submit another log for that tour of duty, in which Zachary was to log off-duty for four hours. Midnight Sun Tours made Zachary log off-duty for periods of time in which Zachary was scheduled to be driving the bus. To make matters even worse, Midnight Sun Tours then presented Zachary's changed log as Zachary's original log.

Midnight Sun Tours was then going to shred Zachary's original log, but Zachary managed to save that log. Midnight Sun Tours was shredding so many logs before the six months retention period, that the company lost track of Zachary's original July 30, 2010 Belle Glade log.

It is not in the public interest to prohibit the Secretary of Labor from hearing how lives are lost in bus accidents, and logs are falsified at Midnight Sun Tours.

On the morning of February 25, 2011, a Midnight Sun Tours bus driver was involved in a bus accident in which there was a loss of life. As part of Zachary's discrimination case before the Secretary of Labor, Midnight Sun Tours was asked to produce that driver's log and work order for the day before the accident, February 24, 2011.

Even though the driver worked on February 24, 2011, Midnight Sun Tours had a log for that driver that showed that driver was off-duty on February 24, 2011.

How can it be that Midnight Sun Tours has a log for a driver in which the driver logged off-duty on a day that the driver worked?

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours dispatched drivers into tours of duty that required the drivers to record 10/15 hours of service violations, and then wrote the drivers up for actually recording those 10/15 hours of service violations.

On July 17th, 2010, Driver Zachary Joyner was dispatched to a tour of duty to Tampa, FL, that was scheduled to begin at 5:15AM, and scheduled to end at 10:00PM.

On July 18, 2010, Zachary was dispatched to a tour of duty to Camp Blanding, FL, that was scheduled to begin at 4:00AM, and scheduled to end at 3:30PM.

Because Midnight Sun Tours did not give Zachary the opportunity to log off-duty for 8 hours in between the two tours of duty, Zachary could not reset his 10 and 15 hour clocks for the second tour of duty to Camp Blanding, FL. As a result, Zachary accurately recorded 10 and 15 hour violations on his log for the July 18, 2010 tour of duty to Camp Blanding, FL.

Zachary was then issued a written warning by Midnight Sun Tours for failing to inform Midnight Sun Tours that he would be accurately recording 10/15 hours of service violations on his July 18, 2010 log for the Camp Blanding tour of duty. The following is taken from that warning:

*On July 18th Zachary got a 10/15 hour violation. He was warned about this and was told that should dispatch offer him work at any given time and he feels he is out of hours he should*

*have let dispatch know of this before accepting the job. This is something that could have been avoided if dispatch would have known of his hours at the time.*

Does Midnight Sun Tours bear any blame in knowing that Zachary was being dispatched into illegal tours of duty; or can Midnight Sun Tours simply pass off that blame to Zachary for failing to inform Midnight Sun Tours of what Midnight Sun Tours already knew when Zachary was assigned these illegal tours of duty?

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours fired drivers moments after they refused to change their logs.

On July 17, 2010, Zachary worked a tour of duty to Tampa, FL. In the ORIGINAL log that Zachary submitted for that tour of duty, Zachary logged off-duty in Tampa, FL, for 5.50 hours; from 11:30AM until 5:00PM.

Zachary was then instructed by Midnight Sun Tours to change his July 17, 2010 log. In the CHANGED log, Zachary logged off-duty for 8 hours, from 10:30AM until 6:30PM.

On July 18, 2010, Zachary worked a tour of duty to Camp Blanding, FL. In the ORIGINAL log that Zachary submitted for that tour of duty, Zachary did the trip from Brooksville, FL, to Lake Worth, FL, in 4.50 hours; from 11:45AM until 4:15PM.

Zachary was then instructed by Midnight Sun Tours to change his July 18, 2010 log for the tour of duty to Camp Blanding, FL. In the CHANGED log, Zachary did the trip from Brooksville, FL, to Lake Worth, FL, in 3.0 hours; from 11:15AM until 2:15PM.

It should also be noted that Midnight Sun Tours then presented Zachary's CHANGED logs for July 17 and 18 of 2010 as Zachary's ORIGINAL logs for July 17 and 18 of 2010.

On September 22, 2010, Midnight Sun Tours wanted Zachary to change his log for the July 18, 2010 tour of duty to Camp Blanding, FL, once again. This time, Zachary refused to change his log. Moments later, Zachary was fired.

It is not in the public interest to prohibit the Secretary of Labor from hearing how Midnight Sun Tours required drivers to sign backdated written warnings moments before they were fired.

On September 22, 2010, after Zachary refused to change his log once again for the July 18, 2010 tour of duty to Camp Blanding, FL, Midnight Sun Tours then made Zachary sign a written warning that was dated July 21, 2010.

Before Zachary left Midnight Sun Tours, Zachary asked for a copy of the written warning he had just signed. Zachary placed the current date next to his signature on the copy of the written warning; SEP 22 WED 2010.

Zachary could not have signed that written warning on July 21, 2010. On July 21, 2010, Zachary worked a two-day tour of duty to Orlando that began at 5:30AM on the morning of July 21,

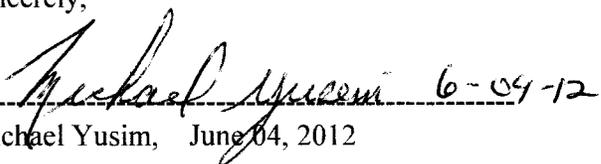
2010. Zachary did not get back to Lake Worth, FL, until the following day.

The only protection motor-coach operators have against discrimination in regard to accurately reporting hours on duty is the protection afforded by 49 USC 31105. It is in the public interest that the Surface Transportation Board not let that protection be taken away by 11 USC 362 and a bankruptcy Sale Order.

Unless the Surface Transportation Board conditions the bankruptcy sale of the Coach America bus companies, such that the Secretary of Labor is not prohibited from hearing and deciding discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105(a)(3)(A), then the logging abuses and discrimination in regard to accurately reporting hours on duty that occurred at Midnight Sun Tours will remain hidden, and questions in regard to how to accurately report hours on duty will remain unanswered.

On that basis, the bankruptcy sale of the Coach America bus companies is not in the public interest.

Sincerely,

 6-04-12  
-----  
Michael Yusim, June 04, 2012

cc:

Andrew K. Light  
Scopelitis, Garvin, Light, Hanson & Feary  
Attorneys at Law  
10 West Market Street, Suite 1500  
Indianapolis, IN 46204



## MIDNIGHT SUN TOURS

### Interoffice Memorandum

From: Don Redden, Safety & Operations Manager 

To: ALL MIDNIGHT SUN TOURS DRIVERS

Re: STANDING AUTHORIZATION AND INSTRUCTION TO LOG OFF  
DUTY FOR RELIEF

Date: September 10, 2009

---

All Midnight Sun Tours Drivers are hereby authorized and instructed to log Off Duty when these conditions are met: (FMCSA § 395.2 and Interpretations)

1. You have been relieved of all duty and responsibility for the care and custody of the motor coach, its accessories, and any cargo or passengers that may have been on the motor coach.
2. The duration of your relief from duty is of a set time of sufficient duration to ensure that the fatigue of operating a motor coach is significantly reduced.
3. You are at liberty to pursue activities of your own choosing and may leave the premises where the motor coach is located.
4. You are hereby instructed to log Off Duty when these conditions are met.
5. You are also authorized and instructed to record meal and other routine stops made during your tour of duty as Off Duty time.

The purpose of this Authorization and Instruction is to preserve your available hours of service while keeping you rested in between portions of your driving assignments. You are required to log Off Duty when the above conditions are met.



August 1, 2007

## **FMCSR 395 – Hours of Service Guidance Logging Off Duty during a Tour of Duty**

The General Manager, Operations Manager, Safety Manager and Sales Manager shall be thoroughly trained and well-versed in Hours of Service rules.

A driver must have a written statement, specific to the exact trip that he or she is performing which expressly authorizes the driver to log Off Duty for specific breaks and sufficient time to relieve fatigue during a Tour of Duty, **Chartered Trip, Fixed Route or Shuttle**.

The written statement should be part of the charter order, printed onto the charter order or attached to the charter order, trip sheet or route sheet, with specifics that relate to that exact piece of work. **Distinctive software program has this capability.**

In general, a driver may log Off Duty if:

- The Driver is relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, cargo and passengers. This means the bus is securely parked, there are no passengers onboard and the driver is not responsible for the bus's cargo.
- The duration of the driver's relief must be a finite time with a starting time and a return to duty time.
- The duration of the relief time Off Duty must be made known to the Driver prior to the driver's departure, in writing.

*The sales department must work with the client to define break times, meal stops and enroute destination stops in order that these times can be specified on Charter Orders and Trip Sheets.*

Prior to a trip's departure, the client should be instructed by the Sales or Operations department that changes to an itinerary which would affect a Driver's Hours of Service are prohibited unless approved by a manager of the company. If the client wishes to make changes to the itinerary while enroute (during a trip or charter), then the client and the driver must (together) attempt to call the Coach America office to obtain approval/denial from a Manager.

# Work Ticket

**Midnight Sun Tc**

220 S. Dixie Hwy.  
Lake Worth

Tel No: 561-588-4446  
Fax No: 561-588-4446

Client	Ms Arnold
Department	
Company	St Joan of Arc
Address	370 SW 3rd St.
	Boca Raton
	FL
Zip Code	33444
Tel No	561-392-0007
Ref 1	
Ref 2	

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	49
Vehicle Type	49 Passenger Motorcoach
License No	1740DP (Midnt Sun)
Fleet No	967

Charter ID	9437/10561
------------	------------

Driver Type	Driver
Driver	Michael Yusim (Midnt Sun)

Description	Day Trip
-------------	----------

First Pick-up	501 Sw 3rd Ave, Boca Raton , FL 33432
Destination	650 Okeechobee Blvd, W Palm Bch, FL

Single Journey	No
Vehicle To Stay	Yes

Total Distance	
Empty Distance	

Date	Time	Type	Location
Sat 10/24/2009	08:30	Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	09:15	Spot	501 Sw 3rd Ave, Boca Raton , FL 33432 St. Joan of Arc School 501 SW 3rd Ave Boca Raton, FL 33432 Pick up in front of Church (East side)
	09:30	Pick-up	501 Sw 3rd Ave, Boca Raton , FL 33432
	10:30	Arrival	650 Okeechobee Blvd, W Palm Bch, FL Palm Beach County Convention Center
	14:00	Leave	650 Okeechobee Blvd, W Palm Bch, FL
	15:00	Back	501 Sw 3rd Ave, Boca Raton , FL 33432
		Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

References

Coach America Salesperson: Deborah Henriksen  
Group Leader: Rosemarie Arnold

Group Name: St Joan Of Arc Catholic Church

Coach Manager Printed: 10/22/2009 11:59:03 AM

Location	Start	First Pick-up	Last Set-down	Finish	Adults	Children	Total Pax
Actual Time:	8:45 AM	9:45 AM	2:45 PM	4:00 PM			
Odometer Reading:	11120.250			11100.1			

MST/YUSIM  
000005



Form 0801

# DRIVER'S DAILY LOG

Will be Scanned  
Please Print Clearly Within the Boxes

RECAP

Month: Day: Year:

0-24-09 145

Total Miles Driving Today

CARRIER: MIDNIGHT SUN TOURS, INC.  
NAME & ADDRESS: 220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Vehicle Number

967

Driver's ID / Code

520000

Vehicle Number

Co-Driver's ID / Code

I certify these entries are true and correct

Driver's Signature in Full

*Michael D. Green*

Co-Driver's Name

MID-NIGHT	DAY										
	1	2	3	4	5	6	7	8	9	10	11
OFF DUTY											
1. SLEEPER											
2. DRIVING											
3. ON DUTY (NOT DRIVING)											

TOTAL HOURS: 16.00  
 14 = 25  
 12 = 50  
 34 = 75

39.25  
 TOTAL HOURS AVAILABLE TOMORROW: 70 HOURS MINUS A



Order Numbers: 9287/10458

9437/10561

# of Days Off Duty Includes Today

Pre-Trip Inspection Signed: [Signature]  
Post-Trip Inspection Signed: [Signature]

Post Trip LAKE WORTH, FL

Post Trip LAKE WORTH, FL

West Palm Beach, FL

Post Trip LAKE WORTH, FL

Post Trip LAKE WORTH, FL

Joan of Arc to Palm Beach Convention Center

Returned to normal work location at end of duty

37.25  
TOTAL HOURS ON DUTY LAST 8 DAYS INCLUDING TODAY

Original File at home terminal.

USE TIME STANDARD AT HOME TERMINAL  
© Copyright 2008 & Published by J. J. KELLER & ASSOCIATES, INC.

# Work Ticket

## Midnight Sun Tours

220 S. Dixie Hwy., Ste 2  
Lake Worth, FL  
33460

Tel No: 561-588-4446  
Fax No: 561-586-8821

*399225 / 42392*

Client Department Company Address	Accounts Payable ACL American Coach Lines of Miami 3595 NW 110th Street
Zip Code	Miami FL 33167
Tel No	800-275-8687
Ref 1	399225/42392
Ref 2	

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	49
Vehicle Type	49 Passenger Motorcoach
License No	1740DP (Midnt Sun) (1 of 6)
Fleet No	967

Charter ID	9485/10609
------------	------------

Driver Type	Driver
Driver	Michael Yusim (Midnt Sun)

Description	UM Game
-------------	---------

First Pick-up Destination	1245 Dauer Dr, Coral Gables, FL 2269 NW 199th. Street, Miami Gardens	Single Journey Vehicle To Stay	No No	Total Distance Empty Distance	
---------------------------	---	--------------------------------	----------	-------------------------------	--

Date	Time	Type	Location
Sat 10/3/2009	15:30	Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	17:15	Spot	1245 Dauer Dr, Coral Gables, FL University of Miami - Bank United Center  (Directions attached) Shuttle as directed  PLEASE HAVE YOUR PAPERWORK SIGN OUT BY ACL-MIAMI STAFF
	17:30	Pick-up	1245 Dauer Dr, Coral Gables, FL
		Arrival	2269 NW 199th. Street, Miami Gardens Miami Dolphins Stadium - game time 8:00 PM
		Leave	2269 NW 199th. Street, Miami Gardens
	23:59	Back	1245 Dauer Dr, Coral Gables, FL
Sun 10/4/2009	01:00	Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

References	
------------	--

Coach America Salesperson: Dorothea

*D. Yusim*  
Signature Required  
*11:05 AM* *1.5*

Coach Manager Printed: 10/2/2009 5:42:31 PM

Location	Start	First Pick-up	Last Set-down	Finish	Adults
Actual Time	3:30 PM	6:00 PM	1:00 AM	2:30 AM	
Odometer Reading	146900			147085	Children Total Pax

MST/YUSIM  
00002

Revised Directions for UM Game:

**Spot at UM:** I95 South to US1 South. Follow about 5-6 miles to Stanford Drive and turn right. Then make immediate left onto Ponce DeLeon Blvd. Go South about two blocks and make a right into the Bank United Center Parking Lot via Dauer Driver (the gated entrance).

**From UM to Land Shark Stadium:** Exit loading area and make a left. Make another left onto Ponce DeLeon Blvd. Turn right onto Stanford Drive and then make immediate left onto US1 North. Follow to I95 North and take HOV Lane North. Follow about 8 miles to Turnpike Exit on left side. After going through Toll Plaza stay on your right and follow the 2X Ramp into the Stadium as directed by Bus Signage.

**From Land Shark Stadium to UM:** Exit Stadium and proceed South to I95 South. Follow to US1 South about 5-6 miles to Stanford Drive and turn right. Then make immediate left onto Ponce DeLeon Blvd and make your first right onto Merrick. Then make first left onto Walsh Ave into the Bank United Center drop off.

**\*\*ALL BUSES MAY BE NEEDED FOR MORE THAN ONE TRIP TO THE GAME AND MORE THAN ONE TRIP FROM THE GAME, THIS IS A SHUTTLE. DO NOT LEAVE STADIUM – LUNCH WILL BE PROVIDED AT STADIUM (MIAMI STAFF)\*\***

**\*\*\*ACL STAFF WILL SIGN YOU OUT AT THE BANK UNITED CENTER IF CLEARED\*\*\***

10/3/09

Day Year Total Miles Driving Today  
10-3-09 92

CARRIER NAME & ADDRESS

MIDNIGHT SUN TOURS, INC.  
220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

RECAP

Vehicle Number  
967

Driver's ID / Code  
520000  
Co-Driver's ID / Code

I certify these entries are true and correct

Driver's Signature in Full  
Co-Driver's Name

	MID-NIGHT											NOON										
	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	7	8	9	10	11
1 OFF DUTY																						
2 SLEEPER																						
3 DRIVING																						
4 ON DUTY (NOT DRIVING)																						

TOTAL HOURS  
15.50  
0  
2.75  
5.75

MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11
-----------	---	---	---	---	---	---	---	---	---	----	----	------	---	---	---	---	---	---	---	---	---	----	----

REMARKS:  
University of Miami  
to  
Leodsherk Stadium  
CASE WARRANT  
MIA OF, E.C.  
SRQ LODGE, FL  
SRQ LODGE, FL

2.9  
1/4 = 25  
1/2 = 50  
3/4 = 75

A. 13  
TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

B. 37  
TOTAL HOURS AVAILABLE TOMORROW: 70 HOURS MINUS A

C. 13  
TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

Charter Numbers 9485 / 12609

# of Days Off Duty Includes Today

Pre-Trip Inspection Signed  
Post-Trip Inspection Signed

Original File at home terminal  
Duplicate Driver retains in his/her possession for eight days

# Work Ticket

## Midnight Sun Tours

220 S. Dixie Hwy., Ste 2  
Lake Worth, FL  
33460

Tel No: 561-588-4446  
Fax No: 561-586-8821

Client	Mr Mayville
Department	
Company	Workaway International
Address	7108 Fairway Drive Suite 330 Palm Beach Gardens FL
Zip Code	33418
Tel No	561-625-2501
Ref 1	
Ref 2	

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	49
Vehicle Type	49 Passenger Motorcoach
License No	I740DP (Midnt Sun)
Fleet No	967

Charter ID	9547/10671
------------	------------

Driver Type	Driver
Driver	Michael Yusim (Midnt Sun)

Description	Airport one way
-------------	-----------------

First Pick-up	NW 20th St & Le Jeune Rd, Miami, FL
Destination	22261 SE 66 Ave, #1704, Boca 33428

Single Journey	Yes
Vehicle To Stay	No

Total Distance	
Empty Distance	

Date	Time	Type	Location
Sun 10/4/2009		Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	14:10	Spot	NW 20th St & Le Jeune Rd, Miami, FL Miami International Airport AF90 arriving 2:20pm Greeter will call 561-588-4446 when group is ready
	14:20	Pick-up	NW 20th St & Le Jeune Rd, Miami, FL
	16:00	Arrival	22261 SE 66 Ave, #1704, Boca 33428 Belaire Boca @Leasing Office Stop in PUBLIX before going to Belaire
	16:15	Leave	22261 SE 66 Ave, #1704, Boca 33428
		Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

References	
------------	--

Coach America Salesperson: Minna Tervola  
Group Leader Phone Number: 625-2501

Group Leader: Teresa Plunkett

Coach Manager Printed: 10/2/2009 3:40:23 PM

Location	Start	First Pick-up	Last Set-down	Finish	Adults	Children	Total Pax
Actual Time	11:15 AM	4:15 PM	7:00 PM	8:00 PM			
Odometer Reading	147084			147239			

- 025

MST/YUSIM  
000003



COPY

Midnight Sun Tours, Inc.

Employee Disciplinary Action Form

Employee Name: Michael Yusim

Date of Incident: October 3 and 4, 2009

Date of Meeting: October 9, 2009

- Oral Warning
- Written Warning and Suspension
- Final Written Warning
- Termination

Driver Michael Yusim has repeatedly been instructed to log "off duty" when possible. He received the MST Driver Memo of Sept. 10, 2009, "Standing Authorization And Instruction To Log Off Duty For Relief."

On October 3, 2009, he logged "on duty, not driving" while parked at (Dolphin) Stadium without passengers. He was able to leave the bus and go for food and drink. His bus was parked for 4 1/2 hours, all logged "on duty."

On October 4, 2009, he logged "on duty, not driving" while parked at MIA for 3 hours. Since he had no passengers and could leave the bus or go for food and drink, he should have logged "off duty".

Mr. Yusim feels the FMCSR provision 3+4 allows him to stay on-duty, despite the Sept. 10, 2009 MST memo authorizing him to go off-duty, and directing him to do so. At the Stadium, and at the MIA, he still stayed on duty.

One day suspension for violation of company log policy.

Supervisor/Manager: Don Redden, Safety & Ops. Mgr.

Date: October 9, 2009

Employee: [Signature]

Date: 10-9-09

Witness: Dorothy Moore

Date: 10-9-09



Belle Glade Express  
Passenger Tracking Sheet



**WEEKDAY - BLUE/ORANGE**

Date: July 26 10 Day: Mon Bus # 2612

Operator Name: ZACHARY JOYNER

Miles Start: 17594 Miles End: 17787 Total Miles: \_\_\_\_\_

Winn Dixie ORANGE	Pruitt Village ORANGE	Winn Dixie ORANGE/BLUE	Pioneer Park BLUE	Winn Dixie BLUE
0630	0655	0715	730	0745
		1	10	2
0745	0810	0830	845	0900
	2	2	5	2
0900	0925	0945	1000	1015
2		6		
1015	1040	1100	1115	1130
4	2	5	4	2
1130	1155	1215	1230	1245
		4	3	1
1245	1310	1330	XXX	XXX
	4		XXX	XXX
1400	1425	1445	1500	1515
3		4		
1515	1540	1600	1615	1630
2		7	3	
1630	1655	1715	1730	1745
2	1	7	1	2
1745	1810	1830	XXX	XXX
			XXX	XXX

COMMENTS: 40 18 18 53

All wheelchair passengers should be denoted with a \*



Form 0801

# DRIVER'S DAILY LOG

(24 HOURS)

Will be Scanned  
Please Print Clearly Within the Boxes

Month Day Year Total Miles Driving Today

7 - 30 - 10 190

CARRIER NAME & ADDRESS

MIDNIGHT SUN TOURS, INC.  
220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Vehicle Number

50 YAD

Driver's ID / Code

520074

I certify these entries are true and correct

Driver's Signature in Full

*Jason Joyner*

Vehicle Number

2611

Co-Driver's ID / Code

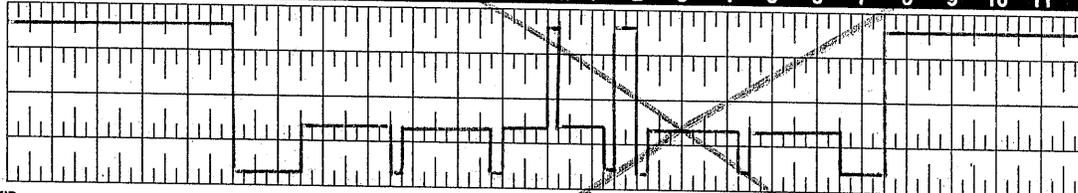
Co-Driver's Name

RECAP

A. 40.25  
TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11

- 1: OFF DUTY
- 2: SLEEPER
- 3: DRIVING
- 4: ON DUTY (NOT DRIVING)



TOTAL HOURS

10.25

10.  
3.75

24

1/4 = 25  
1/2 = 50  
3/4 = 75

B. 29.25  
TOTAL HOURS AVAILABLE TOMORROW: 70 HOURS MINUS A

REMARKS:

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11

Lake Worth, R.  
Pleasant  
Belle Glades  
Belle Glades, R.  
Post-Office  
Lake Worth, R.

BELLE GLADES EXPRESS



Charter Numbers

# of Days Off Duty Includes Today

Returned to normal work location at end of day

Pre-Trip Inspection Signed   
Post-Trip Inspection Signed

C. 52  
TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

Original File at home terminal  
Duplicate Driver retains in his/her possession for eight days

Form 0801

Month

Day

Year

Total Miles Driving Today

CARRIER NAME & ADDRESS

Driver's ID / Code

Co-Driver's ID / Code

Vehicle Number

Vehicle Number

Driver's Signature in Full

Co-Driver's Name

Identify these entries as true and correct

Will be Scanned

Please Print Clearly Within the Boxes

RECAP

4 - 30 - 10

2611 520074

2611

2611

2611

2611

2611

2611

2611

2611

MIDNIGHT 1 2 3 4 5 6 7 8 9 10 11

NOON 1 2 3 4 5 6 7 8 9 10 11

1: OFF DUTY

2: SLEEPER

3: DRIVING

4: ON DUTY (NOT DRIVING)

RECAP

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS A

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS B

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

15.50

8.50

24

104-25  
102-50  
34-73

Returned to normal work schedule at end of day

Pre-Trip Inspection Signed

Post-Trip Inspection Signed

# of Days Off Duty by Incidents Today

USE TIME STANDARD AT HOME TERMINAL

Copyright 2008 & Published by J. J. KELLER & ASSOCIATES, INC.

Original File at home terminal

Duplicate Driver retains in his/her possession for eight days

12

12

12

RECAP

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS A

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS B

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

15.50

8.50

24

104-25  
102-50  
34-73

Returned to normal work schedule at end of day

Pre-Trip Inspection Signed

Post-Trip Inspection Signed

# of Days Off Duty by Incidents Today

USE TIME STANDARD AT HOME TERMINAL

Copyright 2008 & Published by J. J. KELLER & ASSOCIATES, INC.

Original File at home terminal

Duplicate Driver retains in his/her possession for eight days

12

12

12

RECAP

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS A

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

TOTAL HOURS AVAILABLE TO WORK: 24 HOURS MINUS B

TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

15.50

8.50

24

104-25  
102-50  
34-73

Returned to normal work schedule at end of day

Pre-Trip Inspection Signed

Post-Trip Inspection Signed

# of Days Off Duty by Incidents Today

USE TIME STANDARD AT HOME TERMINAL

Copyright 2008 & Published by J. J. KELLER & ASSOCIATES, INC.

Original File at home terminal

Duplicate Driver retains in his/her possession for eight days

12

12

12

MST/JOYNER  
000001

# Work Ticket

## Midnight Sun Tours

220 S. Dixie Hwy., Ste 2  
Lake Worth, FL  
33460

Tel No: 561-588-4446  
Fax No: 561-588-8821

E-Mail: [midnightsun@coachamerica.com](mailto:midnightsun@coachamerica.com)

Client	Ms Amrhein
Department	Athletics
Company	North Broward Preparatory School
Address	7600 Lyons Rd
	Coconut Creeek
	FL
Zip Code	33073
Tel No	(954) 247-0011, ext. 358
Ref 1	
Ref 2	

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	49
Vehicle Type	49 Passenger Motorcoach
License No	A6301 (Northern 1)
Fleet No	970

Charter ID	15681/16964 (Reprint)
Driver Type	Driver
Driver	Robert G Dubose (Northern 1)

Description	
-------------	--

First Pick-up	7600 Lyons Rd, Coconut Creek, 33073	Single Journey	No	Total Distance	
Destination	701 West Lime St, Lakeland, FL 33815	Vehicle To Stay	Yes	Empty Distance	

Date	Time	Type	Location
Thu 2/24/2011		Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	13:45	Spot	7600 Lyons Rd, Coconut Creek, 33073 North Broward Prep
			Depart 2.15pm
			95 South to Palmetto Park Road, West to Lyons Road make a left (south), Pass 18 Street and School will be on the left hand side of the road.
	14:00	Pick-up	7600 Lyons Rd, Coconut Creek, 33073
	17:00	Arrival	701 West Lime St, Lakeland, FL 33815 Lakeland Center
			7pm Game Bathroom breaks on the way up and down
	21:30	Leave	701 West Lime St, Lakeland, FL 33815
Fri 2/25/2011	01:00	Back	7600 Lyons Rd, Coconut Creek, 33073
		Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

### References

Coach America Salesperson: Minna Tervola      Group Name: North Broward Prep  
 Ordered by / Phone Number: Tricia Amrhein      Group Leader / Phone Number: (954) 247-0011, ext. 358

DROP OFF TIME: \_\_\_\_\_ Customer Signature: \_\_\_\_\_

Driver Please Circle one  
 FUELED - YES / NO      DUMPED - YES / NO

Coach Manager Printed: 11/15/2011 3:49:05 PM

Location	Start	First Pick-up	Last Set-down	Finish	Adults	Children	Total Pax
Actual Time							
Odometer Reading							

MST/JOYNER  
000067



RECAP

Will be Scanned  
Please Print Clearly Within the Boxes

**DRIVER'S DAILY LOG**  
(24 Hours)

Form OBD1  
Total Miles Driven Today

Day Year  
2-24-11

CARRIER: MIDNIGHT SUN TOURS, INC.  
ADDRESS: 220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Driver's Signature: P.M. *Bob B. Bose*  
Co-Driver's Name

Driver's ID / Code: 520040  
Co-Driver's ID / Code

Identify these entries as True and correct

A. TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

24

B. TOTAL HOURS AVAILABLE TO WORK - 20 HOURS MINUS A

0

C. TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

0

D. TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

24

E. TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

24

DAY	1	2	3	4	5	6	7	8	9	10	11
MON											
TUE											
WED											
THUR											
FRI											
SAT											
SUN											
MON											
TUE											
WED											
THUR											
FRI											
SAT											
SUN											
MON											
TUE											
WED											
THUR											
FRI											
SAT											
SUN											

REMARKS:

Returned to normal work location at end of day

Per Trip Inspection Signed

Per Trip Inspection Signed

4 Days Off Duty Today

USE TIME STARBOARD AT INKJET TERMINAL.

© Copyright 2005 & Published by J. J. KELLER & ASSOCIATES, INC.

Original File at home terminal

Duplicate Diver's records in files possession for eight days

Driver's Initials

Driver's Initials

# Work Ticket

## Midnight Sun Tours

220 S. Dixie Hwy., Ste 2  
Lake Worth, FL  
33460

Tel No: 561-588-4446  
Fax No: 561-586-8821

Client	Mr Holm
Department	
Company	Holms Family Group
Address	11647 Paradise Cove Lane
	Wellington
	FL
Zip Code	33467
Tel No	561-379-7126
Ref 1	
Ref 2	

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	49
Vehicle Type	49 Passenger Motorcoach
License No	18698 (Midnt Sun)
Fleet No	459

Charter ID	12443/13575
------------	-------------

Driver Type	Driver
Driver	Zachary Joyner

Description	Family trip to Busch Gardens
-------------	------------------------------

First Pick-up	LW Rd & 441, Lake Worth
Destination	3000 E Busch Blvd, Tampa

Single Journey Vehicle To Stay	No Yes
--------------------------------	-----------

Total Distance Empty Distance	
-------------------------------	--

Date	Time	Type	Location
Sat 7/17/2010	05:15	Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	06:15	Spot	LW Rd & 441, Lake Worth Winn Dixie Plaza in front of Blockbuster
	06:30	Pick-up	LW Rd & 441, Lake Worth
		Arrival	3000 E Busch Blvd, Tampa Busch Gardens 813-987-5082
		Leave	3000 E Busch Blvd, Tampa
	21:00	Back	LW Rd & 441, Lake Worth
	22:00	Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

### References

Coach America Salesperson: Connie Georgic  
Ordered by / Group Leader: Richard Holm 379-7126

Group Name: Family gathering

DROP OFF TIME: \_\_\_\_\_ Customer Signature: \_\_\_\_\_

Driver Please Circle one  
FUELED - YES NO

DUMPED YES/NO

*Econo lodge  
1701 E. Busch Blvd  
Tampa, FL.  
813-933-7681*

Coach Manager Printed: 7/16/2010 12:11:10 PM

Location	Start	First Pick-up	Last Set-down	Finish	Adults	Children	Total Pax
Actual Time	3:15 A	6:15 A	9:00 P	10:00 P			
Odometer Reading	10904	10922	11295	11309			

# Midnight Sun Tc

220 S. Dixie Hwy.  
Lake Worth

Tel No: 561-588  
Fax No: 561-588

Client	LTC K Davis
Department	Transportation Division
Company	Florida Army National Guard
Address	FRD, 2305 SR 207
	St Augustine
	FL
Zip Code	32086
Tel No	904-823-0598
Ref 1	
Ref 2	

*Please have the pink slip signed.*

Emergency Tel Nos	561-588-4446
-------------------	--------------

Seats	57
Vehicle Type	57 Passenger Motorcoach
License No	18698 (Midnt Sun)
Fleet No	459

Charter ID	12805/13938
------------	-------------

Driver Type	Driver
Driver	Zachary Joyner

Description	Troop Movement
-------------	----------------

First Pick-up	<b>Camp Blanding, FL</b>
Destination	16386 Spring Hill Drive, Brooksville, FL

Single Journey Vehicle To Stay	Yes No	Total Distance Empty Distance
--------------------------------	-----------	-------------------------------

Date	Time	Type	Location
Sun 7/18/2010	4:00 <sup>am</sup>	Start	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL
	10:45	Spot	Camp Blanding, FL 1 - 244th Aviation Contact SGT Matthew J Leve
	11:00	Pick-up	Camp Blanding, FL
	15:00	Arrival	16386 Spring Hill Drive, Brooksville, FL
	15:30	Leave	<b>16386 Spring Hill Drive, Brooksville, FL</b>
		Finish	Midnt Sun - Lake Worth Garage, 511 East Coast St, Lake Worth, FL

References
------------

Coach America Salesperson: Anna  
Ordered by / Group Leader: SGT Terrill 904-669-5558

Group Name: 1 - 244th Aviation

DROP OFF TIME: \_\_\_\_\_ Customer Signature: \_\_\_\_\_

Driver Please Circle one  
FUELED - YES / NO      DUMPED - YES / NO

*LW - Camp Bland  
5 hrs. 15 min  
309 . mi*

*Turnpike North to exit 358 east*

*[Handwritten Signature]*

Coach Manager Printed: 7/16/2010 2:34:53 PM

Location	Start	First Pick-up	Last Set-down	Finish	Adults	Children	Total Pax
Actual Time	3:15 <sup>a</sup>	8:30 <sup>a</sup>	11:30 <sup>A</sup>	14:30 <sup>P</sup>			
Odometer Reading	11309	11597	11715	11927			



Form 0801



# DRIVER'S DAILY LOG

(24 HOURS)

Will be Scanned  
Please Print Clearly Within the Boxes

Month 7 - Day 12 - Year 10 Total Miles Driving Today 408  
Vehicle Number 459 Driver's ID / Code 52009TH  
Vehicle Number \_\_\_\_\_ Co-Driver's ID / Code \_\_\_\_\_

CARRIER NAME & ADDRESS **MIDNIGHT SUN TOURS, INC.**  
**220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460**

I certify these entries are true and correct  
Driver's Signature in Full Gordon Jovan  
Co-Driver's Name \_\_\_\_\_

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	
1: OFF DUTY																									
2: SLEEPER																									
3: DRIVING																									
4: ON DUTY (NOT DRIVING)																									

TOTAL HOURS  
13  
9.00  
2.00

REMARKS:	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	

24  
1/4 = 25  
1/2 = 50  
3/4 = 75

Carrier numbers 12443/13575 Lake Worth, FL to Tampa, FL



Original File at home terminal  
Duplicate Driver retains in his/her possession for eight days

USE TIME STANDARD AT HOME TERMINAL  
© Copyright 2005 & Published by J. J. KELLER & ASSOCIATES, INC.

Returned to normal work location at end of day  
Pre-Trip Inspection Signed   
Post-Trip Inspection Signed

REC  
A. 26  
TOTAL HC ON DUTY 7 DAYS, INCLUDING TODAY  
B. 46  
TOTAL HC AVAILABLE TOMORROW 70 HOURS MINUS A  
C. 24  
TOTAL HC ON DUTY 8 DAYS, INCLUDING TODAY



Form 0801

Month: 7 - 18 - 10  
Year: 618  
Total Miles Driving Today

### DRIVER'S DAILY LOG

(24 HOURS)

CARRIER: MIDNIGHT SUN TOURS, INC.  
NAME & ADDRESS: 220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Driver's Signature in Full: *Garth Beyer*  
Co-Driver's Name

I certify these entries are true and correct

Driver's ID / Code: 5200274  
Co-Driver's ID / Code

Vehicle Number: 459  
Vehicle Number

Will be Scanned  
Please Print Clearly Within the Boxes

### RECAP

A. 37.5  
TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

B. 32.5  
TOTAL HOURS AVAILABLE TOMORROW: 70 HOURS MINUS A

C. 37.5  
TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

TOTAL HOURS  
10.50

12.50

2.4  
1/4 = 25  
1/2 = 50  
3/4 = 75

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	
OFF DUTY																									
SLEEPER																									
DRIVING																									
ON DUTY (OT DRIVING)																									

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	
OFF DUTY																									
SLEEPER																									
DRIVING																									
ON DUTY (OT DRIVING)																									

EMARKS:

Lake Worth FL  
LAKELAND  
DIXIEVILLE FL  
LAKE WORTH FL  
LAKE WORTH FL



Returned to normal work location at end of day

Pre-Trip Inspection Signed  
Post-Trip Inspection Signed

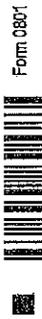
# of Days Off Duty Includes Today

12805/15938 LAKE WORTH FL TO CAMD BRANDING FL SUN

USE TIME STANDARD AT HOME TERMINAL  
© Copyright 2005 & Published by J. J. KELLER & ASSOCIATES, INC.

Original File at home terminal  
Duplicate Driver retains in his/her possession for eight days





Form 0801

### DRIVER'S DAILY LOG

Will be Scanned  
Please Print Clearly Within the Boxes

Month: 07-18-10 Day: 10 Year: 10

Total Miles Driven Today: 618

CARRIER NAME & ADDRESS:  
MIDNIGHT SUN TOURS, INC.  
220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Vehicle Number: 439

Driver's ID / Code: 5200974

Co-Driver's ID / Code:

Driver's Signature in Full: *[Signature]*

I certify these entries are true and correct.

Co-Driver's Name:

### RECAP

A. TOTAL HOURS ON DUTY LAST 7 DAYS INCLUDING TODAY

13.

B. TOTAL HOURS AVAILABLE TOMORROW: 78 HOURS MINUS A

10.

24  
14 = 25  
12 = 60  
34 = 75



Charter Numbers

Original: File at home terminal  
Duplicate: Driver retains in his/her possession for eight days

USE TIME STANDARD AT HOME TERMINAL  
© Copyright 2005 & Published by J. J. KELLER & ASSOCIATES, INC.

TIME	1	2	3	4	5	6	7	8	9	10	11
1: OFF DUTY											
2: SLEEPER											
3: DRIVING											
4: ON DUTY (NOT DRIVING)											

REMARKS:

PLS. TRAVEL  
 LAKE WORTH, FL  
 CAMP BLANCO  
 LAKE WORTH, FL  
 LAKE WORTH, FL  
 BOSS-TALKER

Returned to normal work location at end of day  
 Pre-1hr inspection Signed   
 Post-1hr inspection Signed

July 21, 2010

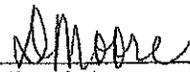
To Zachary Joyner

From Doroithia Moore  
Log compliance Manger

Re; July 18, 2010

On July 18<sup>th</sup> Zachary got a 10/15 hour violation. He was warned about this and was told that should dispatch offer him work at any given time and he feels he is out of hours he should have let dispatch know of this before accepting the job. This is something that could have been avoided if dispatch would have known of his hours at the time.

  
\_\_\_\_\_  
Drivers Signature

  
\_\_\_\_\_  
Log Manager

\*\* a copy of this is placed in the drivers file as well as on hand in the logging department.

MST/JOYNER  
000002

July 21, 2010

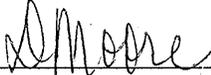
To Zachary Joyner

From Doroithia Moore  
Log compliance Manger

Re; July 18, 2010

On July 18<sup>th</sup> Zachary got a 10/15 hour violation. He was warned about this and was told that should dispatch offer him work at any given time and he feels he is out of hours he should have let dispatch know of this before accepting the job. This is something that could have been avoided if dispatch would have known of his hours at the time.

 SEP-22-WED-2010  
\_\_\_\_\_  
Drivers Signature

  
\_\_\_\_\_  
Log Manager

\*\* a copy of this is placed in the drivers file as well as on hand in the logging department.



Form 0801

# DRIVER'S DAILY LOG (24 HOURS)

Will be Scanned  
Please Print Clearly Within the Boxes

Month 7 - Day 25 - Year 10

Total Miles Driving Today 197

CARRIER NAME & ADDRESS

**MIDNIGHT SUN TOURS, INC.**  
220 S. DIXIE HWY., STE. 2 - LAKE WORTH, FL 33460

Vehicle Number

459

Driver's ID / Code

520094

Co-Driver's ID / Code

I certify these entries are true and correct

Driver's Signature in Full

*[Signature]*

Co-Driver's Name

RECAP

A. 41.25  
TOTAL HOURS ON DUTY LAST 7 DAYS, INCLUDING TODAY

B. 28.75  
TOTAL HOURS AVAILABLE TOMORROW: 70 HOURS MINUS A

C. 46.25  
TOTAL HOURS ON DUTY LAST 8 DAYS, INCLUDING TODAY

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	
OFF DUTY																									
SLEEPER																									
DRIVING																									
ON DUTY (NOT DRIVING)																									

TOTAL HOURS

18.25

4

1.75

24

1/4 = 25  
1/2 = 50  
3/4 = 75

MARKS:	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11
--------	-----------	---	---	---	---	---	---	---	---	---	----	----	------	---	---	---	---	---	---	---	---	---	----	----

PLC-TLSC  
LAKE WORTH, FL  
BOCA RATON, FL  
FT. DAVALA, FL  
PORT OF LA. TRIP  
ORLANDO, FL  
ORLANDO, FL  
POST-Trip



Printer Numbers 11901/13029

# of Days Off Duty Includes Today Wed

Returned to normal work location at end of day

Pre-Trip Inspection Signed   
Post-Trip Inspection Signed

Original File at home terminal  
Duplicate Driver retains in his/her possession for eight days

