

DRIVER/VEHICLE EXAMINATION REPORT



New York State
DIVISION OF STATE POLICE - Troop T
Commercial Vehicle Enforcement Unit
Albany, NY
Phone:
Email/Web: trucksafety@dot.ny.gov

Report Number: NYSPT3040269
Inspection Date: 11/15/2024
Start: 11:14 AM EST End: 12:22 PM EST
Inspection Level: II
HM Inspection Type: None

RIKI TRANSPORTATION INC
8225 LECLAIRE AVE
BURBANK, IL, 60459
dba: BRZ
USDOT#: 3119062
MC/MX#:
State#:
Phone#: 7083035150
Fax#:

Driver: Acosta, Jonathan
License# A223420791781
State# FL
Date of Birth# 05/18/1979
CoDriver:
License#
State#
Date of Birth#

Location: Batavia Exit 48 Tandem Lot
MilePost:
Highway: I - 90 Thruway
County: Genesee
Shipper:
Bill of Lading:
Origin: ERIE, PA, US
Destination: ELBA, NY, US
Cargo: Empty

VEHICLE IDENTIFICATION

| Unit | Type | Make | Year | State | Plate # | Equipment ID | VIN | GVWR | Mileage | CVSA # | CVSA Issued # | OOS Sticker |
|------|------|------|------|-------|----------|--------------|-------------------|--------|---------|--------|---------------|-------------|
| 1 | TT | MACK | 2020 | IL | P1151462 | 811 | 1M1AN4GY1LM017928 | 53,200 | | | | |
| 2 | ST | GDAN | 2022 | ME | 454509Z | W97041 | 1GR1P0622ND335050 | 68,000 | | | | |

VIOLATIONS ATTRIBUTABLE TO THE MOTOR CARRIER

| Vio Code | Section | Unit | OOS | Citation # | Verify | Violations Discovered |
|---------------|--------------|------|-----|------------|--------|--|
| 393.75A3-TAOL | 393.75(a)(3) | 2 | Y | | U | Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: axle 4, right side, inner tire. sidewall recommends 110 psi (cold), measures 25 psi (heated) |
| 393.75A3-TAOL | 393.75(a)(3) | 2 | Y | | U | Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: axle 5, right side outer tire. sidewall recommends 110 psi (cold), measures 24 psi (heated) |
| 393.9A-LBL | 393.9(a) | 1 | N | 4T82JPL0TM | U | Lighting - Backup lamp inoperative: one white lamp on rear of vehicle which does not illuminate when tractors transmission is in reverse. |
| 395.8E-HOSPD | 395.8(e)(1) | D | N | | U | HOS (Property) - No driver may make a false report in connection with a duty status. Explain: Violation Date: 11/08/2024; Loaded, from Luray VA to Bentonville AR. At 11:58:26hrs driver drives in Off Duty status til 14:45:29. (Lenoke AR to Greenland AR) |

Special Checks:

No Data for Special Checks.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(c), I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X:

Facility:

Date: 11/15/24

Report Prepared By:
TPR DAVID S SLOWIK

Badge #: Radio #:
SPT304 343

Copy Received By:
JONATHAN ACOSTA

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X

X

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State# FL
Date of Birth# 05/18/1979
CoDriver:
License#
State#
Date of Birth#

Location: Batavia Exit 48 Tandem Lot
MilePost:
Highway: I - 90 Thruway
County: Genesee
Shipper:
Bill of Lading:
Origin: ERIE, PA, US
Destination: ELBA, NY, US
Cargo: Empty

NOTE TO DRIVER: Driver: Return this report to the motor carrier whose name appears at the top.

NOTE TO MOTOR CARRIERS: Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(d)(3), within 15 days of the inspection sign below certifying all violations noted on this report have been corrected. Certify the repair has been made. Retain a copy of the signed report at the principal place of business or where the vehicle is housed for 12 months from the date of the inspection. Failure to certify this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000. If you have any reason to question the results of this inspection, go to <https://datagov.fmcsa.dot.gov>.

Signature Of Motor Carrier Official X: _____

Date: 11/27/24

Other Driver / Carrier Notifications

Certify all violations noted have been corrected with phone/tablet. Scan the QR code on this report or go to www.dot.ny.gov/modal/truck and click "CERTIFY ROADSIDE INSPECTION REPORT" to certify with NY that violations were resolved.

If no violations were discovered do not scan.



Report Prepared By:
TPR DAVID S SLOWIK

Badge #: Radio #:
SPT304 343

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JONATHAN ACOSTA

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X _____

X _____

UNIFORM TRAFFIC TICKET

POLICE AGENCY

4T82JPL0TM

To be completed by Police Officer
and given to Motorist

NEW YORK STATE POLICE

Local Police Code

Last Name (Defendant)

ACOSTA

First Name

JONATHAN

M.I.

Number and Street

1311 BIARRITZ DR

Apt. No.

Photo Lic Shown

City

MIAMI BEACH

State

FL

Zip Code

33141

Owner Oper.

O

Lic. Class

A

Client ID Number

A223420791781

Sex

M

Date Expires

05/17/2027

Lic. State

FL

Date of Birth

05/18/1979

Veh. Type

6

Year

2020

Make

MCKT

Color

RD

Plate Number

P1151462

Reg. State

IL

Registration Expires

03/31/2025

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

Time

11:14 AM

Date of Offense

11/15/2024

IN VIOLATION OF

TRANS LAW

Section Sub Section

1402CII

Tr Inf Misd Felony

O

O

O

MPH

MPH Zone

Description of Violation

49 CFR 393.9 INOP REVERSE LAMP

US DOT#

3119062

O/O/S: NO

CDL Veh

O

Bus

O

Haz Mat

O

Place of Occurrence

I-90 EXIT 48

Hwy. No.

90

Loc. Code

1952

C/T/V Name

BATAVIA, TOWN OF - 1952

County

GENESEE

Hwy. Type

1

NCIC/ORI

12703

AFFIRMED UNDER PENALTY OF PERJURY

Date Affirmed

11/15/2024

Off Assign

T 0 43

Arrest Type

3 - ROAD CHECK

Badge/Shield

343

(Officer's Signature)



Tpr. David S. Slowik

Officer's Last Name

SLOWIK

First Name

D

M.I.

S

Radar Officer's Signature

THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW

BATAVIA TOWN COURT

Address

3833 WEST MAIN ST.

City

BATAVIA

State

NY

Zip

14020

Date

12/12/2024

Time

1:00 PM

RETURN BY MAIL BEFORE OR IN PERSON ON:

MUST APPEAR IN PERSON ON:

A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL. IF YOU ARE CONVICTED, NOT ONLY WILL YOU BE LIABLE TO A PENALTY, BUT IN ADDITION YOUR LICENSE TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND YOUR CERTIFICATE OF REGISTRATION, IF ANY, ARE SUBJECT TO SUSPENSION AND REVOCATION AS PRESCRIBED BY LAW.

Conviction may subject you to a mandatory surcharge and/or Driver Responsibility Assessment as prescribed by law.

Your failure to respond may result in a warrant for your arrest or suspension of your driver's license and/or a default judgement against you.

TO PLEAD BY MAIL (NOT TO BE USED FOR MISDEMEANORS OR FELONIES)

- If you are pleading "GUILTY" by mail, place an "X" through SECTION B, then complete and sign SECTION A.

- If you are pleading "NOT GUILTY" by mail, place an "X" through SECTION A, then complete and sign SECTION B.

- Mail this form to the Court noted on the front of this ticket by First Class Mail or by Registered or Certified Mail, Return Receipt Requested.

- DO NOT use this form for misdemeanors or for a third or subsequent speeding violation in an 18 month period. Instead, you must appear in person in the Court noted on the front of this ticket.

- If the Court denies your plea, you will be notified by mail to appear in the Court noted on the front of this ticket.

- You may be eligible for a payment plan. For more information, please contact the court noted on the front of this ticket.

SECTION A - PLEA OF GUILTY

To the Court listed on the other side of this ticket:

I,

residing at

have been charged with the violation as specified on the other side of this ticket. I acknowledge receipt of the warning printed on the other side of this ticket, and I waive arraignment in open court and the aid of an Attorney. I plead GUILTY to the offense as charged and request that this charge be disposed of and a fine or penalty fixed by the court.

Additionally, I make the following statement of explanation (optional):

All statements are made under penalty of perjury:

Date:

Signed

SECTION B - PLEA OF NOT GUILTY

NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ON THE OTHER SIDE OF THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?

Yes ☐ No ☐

SUPPORTING DEPOSITION PROVIDED WHEN THIS TICKET WAS ISSUED?

NO ☐

SPEEDING (Gen 101) ☐

GENERAL (Gen 101A) ☒

Signature

Date

Address

City

State

Zip Code

NOTE: Mail this NOT GUILTY Plea within 48 hours. The court will notify you by First Class Mail of your appearance date.

APPLICANTS UNDER 18 YEARS OF AGE

MUST SUBMIT NAME AND ADDRESS OF PARENT OR GUARDIAN BELOW.

Name of Parent or Guardian

Address

City

State

Zip Code

FAILURE TO ANSWER THIS TICKET WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.

UT-50 (6/21)



4T82JPL0TM

STATEMENT OF CORRECTION FOR SAFETY VIOLATION NEW YORK STATE TRANSPORTATION LAW

Pursuant to New York State Transportation Law Section 14-f governing transportation of hazardous materials, EXCEPT for a violation involving an out-of-service defect or for a violation involving the operation of a vehicle that has been placed out of service, any Uniform Traffic Ticket (UTT) issued for an equipment violation shall be dismissed by the court if the cited equipment defect is corrected not later than one-half hour after sunset on the first full business day after the issuance of the UTT, and proof of such correction is submitted to the court on or before the return date specified on the UTT.

In addition, pursuant to New York State Transportation Law Section 140 governing safety requirements, EXCEPT for a violation involving an out-of-service defect relating to:

1. load securement;
2. brake systems;
3. steering components;
4. coupling devices, or

a violation involving operation of a vehicle placed out-of-service, any Uniform Traffic Ticket (UTT) issued for an equipment violation, shall be dismissed by the court if the cited equipment defect is corrected not later than one-half hour after sunset on the first full business day after the issuance of the UTT, and proof of such correction is submitted to the court on or before the return date specified on the UTT. However, if such violation involves a farm vehicle registered pursuant to subdivision 13 of Section 401 of the Vehicle Traffic Law and operation in conformance with the terms of such registration, the UTT shall be dismissed if the defect cited is corrected not later than one-half hour after sunset on the third full business day, and proof of the correction is submitted to the court on or before the return date specified on the UTT.

In all such instances, "Business day" shall mean any calendar day except Sunday or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day.

The following are acceptable proofs of correction if submitted to the court on or before the return date of the UTT:

1. A statement of correction from an officially designated state inspection station duly executed by the person performing or making such inspection and bearing the official stamp of the state inspection station, or
2. A statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction, or
3. A signed statement of any police officer or a department inspector that the necessary corrections have been made.

The statement shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include:

1. the name, occupation and position of the person making the statement, and
2. the time and date that the repairs or inspection were made, and
3. a statement that the defective equipment, cited in the violation, on the vehicle in question, is in proper working order.

The following may be used by inspection station, fleet maintenance supervisors, and police officers:

To BATAVIA TOWN COURT I, Corey Rosenthal
Court Name
Diesel Tech TA Truck Stop Pembroke
Occupation Position Address or Police Department
 affirm under penalty of perjury that on 11/15/2024 4:30 am/pm I inspected (and repaired)*
Date Time
 the: Reverse Lamp of a 2020 MCKT P1151462 IL
Cited Equipment Year of Vehicle Make of Vehicle Plate Number

and that at such time the defective equipment cited in the Uniform Traffic Ticket or Information on the vehicle in question, was in proper working order.

Sign @ Corey Rosenthal
 Place inspection station facility number and signature of inspector, fleet maintenance supervisor, or police officer above. (Repair shops not licensed as NYS inspection stations must use business stationary.)

* Strike out if inapplicable

VTL SECTIONS APPLICABLE TO THE TB-37

The following VTL sections are those involving required equipment correctable pursuant to VTL 376-a. Violations of VTL Sections 375, 376, or 381 that do not involve required equipment or reference prohibited equipment are NOT correctable.

| VTL Section | VTL Subsection Description | VTL | VTL Subsection Description |
|---------------|--|-------------|---|
| 375 1(a) | Inadequate steering mechanism | 375 23 | No door handles (for hire vehicles) |
| 375 1(a) | Unsuitable /inadequate horn | 375 25(a) | No/inadequate splash guards |
| 375 1(b) | Unsuitable windshield wipers | 375 25(b) | Improperly mounted splash guards |
| 375 2(a)1 | No/inadequate headlamp | 375 27 | No/inadequate flag or light on 4ft+ extended load |
| 375 2(a)2 | No/insufficient tail lamps - mfr prior to 1/1/52 | 375 28-c | No/inadequate emission control system |
| 375 2(a)3 | No/insufficient tail lamps | 375 28-f(f) | No approved emission control registered owner |
| 375 2(a)4 | No/inadequate plate lamp | 375 31 | No/inadequate muffler |
| 375 9 | No fire extinguisher on bus (10 or more pass) | 375 34 | No backup lights |
| 375 10a | No mirror adjusted for full view behind | 375 35(c) | Unsafe tire |
| 375 10b | No right side mirror (omnibus) | 375 36(b) | No Slow-moving vehicle emblem |
| 375 10c | No/unapproved inside mirror - mfr 1970 or later | 375 37 | No/improper equip on frozen dessert vehicle |
| 375 10e | No cross view backup mirror - box truck/van | 375 39 | No/inadequate defroster |
| 375 10-a | No mirror/no left side mirror - mfr 1968 or later | 375 40(a) | Inadequate stop lamps (1951 or older) |
| 375 10-b | No rear defogger/defroster (1973 or later) | 375 40(b) | Inadequate stop lamps (1952 or newer) |
| 375 10-c | No rear defogger/defroster certain vehicles | 375 42 | Unlawful speedometer |
| 375 10-d | No rear defogger/defroster (1993 or later) | 375 48(b) | No/improper bumper |
| 375 11 | No safety glass - buses | 375 49 | No warning light on tilt bed truck |
| 375 12 | No safety glass - all other vehicles | 375 50(a) | No taxicab partition/shield |
| 375 12a(a) | No/illegal front windshield | 375 50(b) | No taxicab amber distress light |
| 375 12a(b)(4) | Rear tint >70%/no side mirrors both sides | 375 51(a) | No seatbelt notice in taxicab/livery |
| 375 13 | Replaced glass not safety glass | 375 51(b) | Taxicab/livery seatbelt not conspicuous |
| 375 17 | No emergency lights or flares (bus/truck > 12k lb) | | |
| 375 18 | No/inadequate directional signals | 376 1(a) | No light/reflectors on vehicles or trailers |
| 375 18-a | No/inadequate hazard signals/flashers | 376 2 | Insufficient wiring - commercial vehicle |
| 375 20(a) | No flashing red light on school bus | | |
| 375 20(b)(1) | No school bus signs | 381 1(a) | Insufficient lights (motorcycle) |
| 375 20(b)(2) | No handicapped sticker on school bus where req | 381 1(a) | No/inadequate muffler (motorcycle) |
| 375 20(e) | No front mirror (school bus) | 381 4 | No/inadequate reflectors (motorcycle) |
| 375 21-g | No school bus backup beepers | 381 5 | Handlbars/grips above shoulder (motorcycle) |
| | | 381 10 | No rear-view mirror (motorcycle) |

**SUPPORTING DEPOSITION / CPL 710.30 NOTICE TO
SUPPORT SIMPLIFIED TRAFFIC INFORMATION**

COUNTY OF **GENESEE**

**LOCAL CRIMINAL COURT
STATE OF NEW YORK
THE PEOPLE OF THE STATE OF NEW YORK
VS**

JONATHAN ACOSTA

UTT NUMBER **4T82JPL0TM**

Officer **D S SLOWIK** of the **NEW YORK STATE POLICE**

a Police Officer and the Complainant alleges that the Defendant committed a violation of

1. (Law/Section/Subsection) **1402CII**

2. Description of Violation **49 CFR 393.9 INOP REVERSE LAMP**

3. Date **11/15/2024** Time **11:14 AM** C/T/V of **BATAVIA, TOWN OF - 1952**

4. Vehicle Year **2020** Make **MCKT** Color **RD - RED**

License Plate No. **P1151462** State **IL**

5. General Direction of Travel by Defendant: **EAST**

6. Highway (Type/Name) **1 - INTERSTATE I-90 EXIT 48**

7. Charge based on Officer's **DIRECT OBSERVATION**

8. Additional Information:

**VEH EQUIPPED WITH ONE WHITE LAMP ON REAR OF TRACTOR WHICH DOES NOT ILLUMINATE WHEN TRACTORS
TRANSMISSION IS IN REVERSE.**

TO THE ABOVE NAMED DEFENDANT:

PLEASE TAKE NOTICE THAT PURSUANT TO SECTION 710.30 OF THE CRIMINAL PROCEDURE LAW, THE PEOPLE
INTEND TO OFFER AT A TRIAL OF THE ABOVE ENTITLED ACTION EVIDENCE OF A STATEMENT MADE BY YOU

on at at **I-90 EXIT 48**, To

D S SLOWIK a public servant,

IN WHICH YOU SUBSTANTIALLY STATED AS FOLLOWS:

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A
MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE
STATE OF NEW YORK

Affirmed Under Penalty of Perjury

11/15/2024

Tpr. David S. Slowik
Tpr. David S. Slowik