

FMCSA Declares Tennessee Truck Driver to be an Imminent Hazard to Public Safety

WASHINGTON -- The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) has declared Tennessee-licensed truck driver Eric Ronald Scott to be an imminent hazard to public safety and has ordered him not to operate any commercial motor vehicle (CMV) in interstate commerce. Scott was served the federal order on January 18, 2017.

Since receiving his commercial driver's license (CDL) from the state of Tennessee on October 26, 2016, Scott has been arrested in two separate alcohol-involved events spanning a four-day period.

On the morning of December 31, 2016, the Berlin, Vermont, Police Department, in response to a call for assistance at a local hotel parking lot, subsequently found Scott asleep in the cab of his CMV. The next morning, following a preliminary breath test that detected the presence of alcohol, Scott was arrested for domestic assault. On January 2, 2017, Scott was released from police custody. The following evening, the Berlin Police Department responded to a multi-vehicle crash that involved a tractor-trailer operated by Scott. According to the police report, while en route to Memphis, Tennessee, Scott jackknifed his tractor-trailer, striking a stop sign and causing three passenger vehicles to be forced off the road. A breath test again detected the presence of alcohol, and Scott was subsequently arrested for driving under the influence of alcohol.

FMCSA's imminent hazard out-of-service order states that Scott's continued operation of a CMV in interstate commerce " ... substantially increases the likelihood of serious injury or death to you and/or the motoring public if not discontinued immediately." Failure to comply with the provisions of a federal imminent hazard out-of-service order may result in action by the U.S. Attorney's Office for equitable relief and punitive damages. Civil penalties of up to \$3,100 may be assessed for each violation of operating a commercial motor vehicle in violation of the order. Knowing and/or willful violation of the order may also result in criminal penalties.

Scott also may be subject to a civil penalty enforcement proceeding brought by FMCSA for his violation of the agency's safety regulations.