



## **WESTERN MOTOR CARRIER SAFETY INSTITUTE, INC.**

954 Butterfly Valley Rd., Quincy, CA 95971-9613  
(530) 281-6565 Fax: (530) 281-6566 • 1(800)-TRK-SFTY  
E-mail: paulherbert@trucksafetyexpert.com • www.trucksafetyexpert.com

***Safety!***

*The Law Demands It  
The Public Deserves It  
Profits Depend on It*

### **Presentation of Qualifications**

**V. Paul Herbert, C.P.S.A.**

**Commercial Motor Vehicle Safety & Compliance Expert**

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#### **Areas of Specialization**

- Commercial Vehicle (Truck & Bus) Accident Analysis
- Commercial Vehicle Driver Training & Evaluation Standards
- Air Brake Systems Operation & Maintenance Standards
- Commercial Vehicle Coupling Device (Fifth Wheel & Pintle Hitch) Standards
- Hazardous Materials Transportation Safety Regulations & Standards
- Loading & Load Securement Requirements & Standards
- Commercial Vehicle Driver Selection, Orientation & Training Standards
- State & Federal Motor Carrier Safety Regulations (49 CFR & 13 CCR)
- Commercial Vehicle Driver Hours of Service Restrictions & Driver Fatigue
- Tachograph Chart and On-Board Computer Report Analysis
- Commercial Vehicle Equipment & Maintenance Standards
- Forklift Operator Training, Evaluation & Certification Standards
- Truck Terminal & Loading Dock Safety Procedures and Design Standards
- Heavy Equipment Loading, Hauling & Unloading Standards
- Commercial Vehicle Conspicuity & Visibility Standards
- Commercial Vehicle Inspection & Operation Standards

#### **Employment Experience**

**1-90 to Present, President / Director, Western Motor Carrier Safety Institute, Inc. Quincy, California.** Provide Commercial Motor Vehicle (truck & bus) Safety & Compliance Consultation, Truck, Bus and Forklift Operator Training & Evaluation, Claims Administration, Litigation Consulting, Accident Analysis, Hazardous Materials Training, etc. to trucking companies, institutions, trade associations and law offices. Currently maintain a Class "A" Commercial Driver's License, own, maintain and routinely operate commercial motor vehicles. Provide and operate "representative vehicles" for re-enactments. Inspect, photograph and take digital video of accident-involved commercial vehicles and forklifts.

Conduct seminars and fulfill speaking assignments on various aspects of Commercial Vehicle Safety and Compliance Issues. Testifying Expert Witness concerning Commercial Motor Vehicle & Forklift Safety, Maintenance, Compliance and Operator Training & Qualification Standards.

**1-89 to 12-89, General Manager, American Refrigerated Transport, Inc., Bakersfield,**

**California.** Oversaw complete operation of small interstate refrigerated trucking company.

Responsibilities included: selection, orientation, training, monitoring and control of all employees.

Oversaw the day to day operation and maintenance of 8 tractor-refrigerated trailer vehicle combinations which operated in 48 states. Developed Safety & Maintenance Policies and Procedures in compliance with the Federal Motor Carrier Safety Regulations, California Vehicle Code and the California Code of Regulations Title 13. Drove tractor-trailer on a regular basis hauling a variety of refrigerated loads. Operated forklift regularly loading and unloading trucks. Rode with and evaluated drivers regularly.

**8-86 to 1-89, Director of Safety and Personnel, Kings County Truck Lines, Tulare, California.**

Administered Safety & Compliance Programs and Personnel for Company. Responsible for 300+ employees operating 250+ tractor-trailer combinations out of 9 terminals throughout California and Oregon. Responsibilities included: selection, orientation, training, monitoring and control of all employees, development of safety, maintenance and personnel policies and procedures, safety motivation, claims administration, labor relations, accident investigation & reconstruction. Assured compliance with multiple State and Federal Rules & Regulations. Also responsible for same at affiliated company, M.S.M. Trucking and consulted with commonly owned companies Cal-Western Transport, Regency Transport & Fluid Transport, Inc. Drove company-owned tractor-trailer combinations on a regular basis. Assisted in administering safety and oversight responsibilities for our maintenance shops consisting of approximately 40 full-time truck mechanics. Administered company forklift operator training and certification program.

**4-85 to 8-86, Assistant Director of Safety & Maintenance Activities, Hazardous Materials Specialist, California Trucking Association, West Sacramento, California.**

Administered to the safety and compliance needs of the 2500+ member trucking companies belonging to the association. Conducted training seminars on the State & Federal Motor Carrier Safety Regulations, State & Federal Hazardous Materials / Wastes Transportation Regulations, Employee Safety, Defensive Driver Training, Accident Investigation, etc. Coordinated Safety & Maintenance Management Councils & Tank Truck & Hazardous Waste Transporter Conferences. Planned and executed annual commercial vehicle safety and maintenance educational 3-day educational seminars called "Safety Congress" & "Maintenance Institute". Conducted accident investigation / reconstruction services for CTA members and testified in many court proceedings in their behalf. While employed by the CTA held a part-time job with Fredericksen Tank Lines, Inc. in W. Sacramento as a tank truck driver hauling a variety of bulk fuels operating a variety of tank vehicle combinations. Administered CTA's Forklift Operator Training Program.

**1-84 to 4-85, Tank Truck, Lowboy, Dry Freight & Lumber Truck Driver, Warehouseman, Eastman Transport, Inc., Ft. Bragg, California, Viking FreightSystems, Inc., Reno, NV, & Casazza Trucking, Sparks, Nevada.**

Responsibilities included the safe loading, operation and unloading of heavy commercial vehicle combinations, some exceeding 120,000 pounds in weight and 103 feet in length (triples), transporting a variety of lumber, steel & petroleum products as well as heavy

construction equipment throughout Northern California & Nevada while pulling tank, flatbed and lowboy trailers. Was utilized as a "Driver Trainer" on numerous occasions by both companies. Performed light maintenance on assigned equipment & routinely worked in shop with mechanics. Worked on loading dock, loading and unloading dry van trailers by hand, hand-truck and forklift.

**81 to 83, State Trooper, Nevada Highway Patrol, Reno, Nevada.** Responsibilities included all those commonly associated with the position. Because of background & experience as a truck driver and truck mechanic, was often called upon for assistance in accidents or enforcement action involving heavy commercial vehicle combinations. In this position received a tremendous amount of valuable training and experience which has assisted in the development of a keen understanding of the laws and regulations which govern commercial vehicle operations and accident investigation / reconstruction techniques as well as vehicle dynamics of commercial motor vehicles while engaged in traffic collision incidents.

**78 to 80, Lumber Truck Driver, Eastman Transport, Inc., Ft. Bragg, California, Log Truck Driver, Philbrick, Inc., Ft. Bragg, California, Flatbed Driver / Yard Man, C&H Transportation, Salt Lake City, Utah, Log Truck Driver, C&M Trucking, Quincy, California, Wood Chip Truck Driver, Thompson Trucking, Loyalton, California.** Responsibilities at these various jobs involved the safe loading, operation and unloading of a multitude of different heavy commercial vehicle combinations, forklifts and heavy equipment equipped with different engines, transmissions, and body types. Vehicles operated included tractor semi-trailer, tractor double-trailer & truck & full-trailer combinations having log stake, flatbed, lowboy, drop-deck, and dump bodies. My duties generally required me to operate this equipment under the most demanding and severe roadway and weather conditions. Because of the severe service involved with these job responsibilities, i.e., operating grossly laden vehicles over narrow, winding, steep and often slippery roadways, I gained extensive valuable experience operating a variety of different vehicle combinations hauling an equally varied type of loads over severe roadway conditions.

**77 to 78, Full-time Missionary (volunteer), Church of Jesus Christ of Latter-day Saints,** various locations throughout Missouri & Illinois.

**76 to 77, Dump Truck Driver / Heavy Construction Equipment Operator, Clark Construction, Portola, CA, Log Truck and Water Truck Driver, Clover Logging & C&M Trucking, Quincy, California.** Responsibilities included the safe loading, securement, transportation and unloading of loads of various aggregates in a variety of dump body vehicle combinations, the transportation and distribution of loads of water on miscellaneous logging roads and landings, the transportation of logs from various locations throughout the Plumas National Forest to various lumber mills within Plumas, Sierra and Butte Counties.

### **Specialized Training**

**CVSA NA Roadside Inspection Familiarization Seminar – North American Transportation Management Institute, Albuquerque, NM, 2011 (8 hours)**

**ARC-CSI Crash Conference** – Las Vegas, NV, 2010 (28 hours)

**HR Bootcamp** – North American Transportation Management Institute, Las Vegas, NV, 2006 (8 hrs)

**Commercial Vehicle Safety Summit**, California Highway Patrol, Sacramento, CA 2006 (16 hrs)

**Air Brake School**, Bendix Commercial Vehicle Systems, Sparks, NV 2006 (32 hrs)

**Managing Motor Fleet Safety Programs**, North American Transportation Management Institute, Fresno, CA 2005 (24 hrs)

**Applied Physics for the Accident Reconstructionist**, Institute of Police Technology & Management, Jacksonville, Florida 2005 (40 hrs)

**Special Problems in Accident Reconstruction (Trailer Under-ride)**, Institute of Police Technology & Management, Jacksonville, Florida 2005 (40 hrs)

**Motor Fleet Safety**, North American Transportation Management Institute, Reno, NV 2005 (16 hrs)

**ATA Annual Safety Conference**, American Trucking Associations, Jacksonville, FL 2004 (24 hrs)

**Commercial Tire Service**, Tire Industry Association, Sacramento, CA, 2003 (8 hrs) ATA Western Regional Safety Conference, Seattle, WA 2003 (16 hrs)

**Accident Investigation**, North American Transportation Management Institute, Sacramento, CA (24 hrs)

**Multi-modal Hazardous Material Transportation**, San Diego, CA, 2003 (16 hrs)

**Traffic Collision Reconstruction**, Texas A&M University, Carlsbad Police Department, Carlsbad, California, 1998 (80 hrs)

**Safety & Maintenance Management Seminars**, California Trucking Association, International Trucking Show, Las Vegas, Nevada, 1997 (24 hrs)

**Tire and Vehicle Dynamics ("Blow-out School")**, Michelin of North America, Reno, Nevada, 1997 (28 hrs)

**Bus Accident Investigation**, Institute of Police Technology and Management, University of North Florida, Jacksonville, Florida, 1996 (40 hrs)

**Advanced Commercial Vehicle Accident Investigation and Reconstruction**, T.E.E.X., Texas A&M University, College Station, Texas, 1996 (48 hrs)

**W.A.T.A.I. - S.O.A.R. - T.A.A.R.S. Combined Commercial Vehicle Anti-lock Braking Systems**, Western Washington University, Bellingham, Washington, 1996 (24 hrs)

**Forklift Instructor Training**, Ives and Assoc. / Sacramento Safety Center, Sacramento, California, 1996 (40 hrs)

**Investigation of Commercial Vehicle Accidents and Advanced Commercial Vehicle Accident Investigation**, National Committee for Motor Fleet Supervisor Training and Certification, Norman, Oklahoma, 1994 (20 hrs)

**Intermodal Hazardous Materials Transportation**, U.S. D.O.T., Transportation Safety Institute, Long Beach, California, 1994 (20 hrs)

**Defensive Driving Course 8, Instructor Training**, National Safety Council, Sacramento, California, 1994 (16 hrs)

**Hazardous Materials Transportation Instructor Training**, American Trucking Associations, Salt Lake City, Utah, 1993 (40 hrs)

**Air Brake Operation & Maintenance**, Bendix Heavy Vehicle Systems, Reno, Nevada, 1993 (24 hrs)

**Train the Trainer**, American Trucking Associations, San Jose, California, 1992 (8 hrs)

**Inspection & Investigation of Commercial Vehicle Accidents**, The Institute of Police Technology & Management, Phoenix, Arizona, 1992 (40 hrs)

**Post-Accident & Random Drug Testing**, California Trucking Association, West Sacramento, California, 1992 (8 hrs)

**Hazardous Materials, HM-181**, American Trucking Associations, San Francisco, California, 1991 (8 hrs)

**Air Brake Operation 7 Maintenance**, Bendix Heavy Vehicle Systems, Anaheim, California, 1991 (8 hrs)

**Commercial Drivers License Training**, Highway User's Federation for Safety & Mobility, Washington, D.C., 1991 (16 hrs)

**Commercial Vehicle Inspection & Accident Investigation**, Texas A&M University, College Station, Texas, 1990 (40 hrs)

**Traffic Accident Reconstruction**, Institute of Police Technology & Management, Jacksonville, Florida, 1990 (80 hrs)

**Certified Practicing Safety Administrator Study Group**, California Trucking Association, West Sacramento, California, 1988 (40 hrs)

**Hazardous Materials Awareness**, Government Services Institute, Fresno, California, 1986 (8 hrs)

**Hazardous Materials Transportation**, California Highway Patrol Academy, Sacramento, California, 1985 (16 hrs)

**Safety Coordinator Course**, California Trucking Association, West Sacramento, California, 1985 (40 hrs)

**Safety Management Council**, Monthly meetings sponsored by the California Trucking Association, 2 hour lecture on various Safety Management & Training Topics (1985 to present)

**Safety Management Council Conference**, American Trucking Association, San Francisco, California, 1986 (16 hrs)

**Safety Congress / Maintenance Institute**, California Trucking Association, Anaheim, California, 1985, 1986, 1987, 1988, 1989, 1990, 1991 (140 hrs)

**Transportation of Radioactive Materials**, U.S. Department of Energy, Nevada Test Site, Mercury, Nevada, 1983 (32 hrs)

**Federal Motor Carrier Safety Regulations**, U.S. Dept. of Transportation, Stead, Nevada, 1982 (8 hrs)

**Transportation of Hazardous Materials**, U.S. Dept. of Transportation, Stead, Nevada, 1982 (16 hrs)

**Winter Driving & Skid Control Techniques**, California Highway Patrol, Truckee, California, 1983 (8hrs)

**Advanced Technical Traffic Accident Investigation**, Nevada Highway Patrol, Stead, NV, 1983 (40 hrs)

**Traffic Accident Investigation**, Nevada Highway Patrol, Stead, Nevada, 1981 (100 hrs)

## **Formal Education**

**Brigham Young University**, Provo, Utah, 1976 (one semester) Declared Major —Building Construction Technology

**Portola Jr. Sr. High School**, (College Prep Course of Study - Graduate) Portola, California, 1975

## **Speaking Engagements & Courses Instructed**

**Trucking Litigation and D.O.T Regulations Seminar** - Lorman Education Services, Denver, Colorado, 2008

**Winter Truck Driving Safety** - California Trucking Association, Sacramento, California, 1993, 1997 & 2011

**Hazardous Materials Transportation Safety Instructor Training Course** - Salt Lake City, Utah for Simpson Paper Company, 1995

**Motor Fleet Trainer** - National Committee for Motor Fleet Supervisor Training and Certification, Phoenix, Arizona, 1994

**Drug and Alcohol Testing Requirements**, Fleet Focus Group of Anheuser Busch Distributors, Riverside, California, 1994

**Motor Fleet Safety for Supervisors**, National Committee for Motor Fleet Supervisor Training, 1994 - Concord, California, Denver, Colorado, Dallas, Texas, Baltimore, Maryland, Norman, Oklahoma - Lead Instructor for these 24 hour courses, 1995 - Seattle, Washington, Reno, Nevada

**Advanced Motor Fleet Safety**, National Committee for Motor Fleet Training & Certification, 1995 - Seattle, Washington

**Miscellaneous One & Two-day Courses on Hazardous Materials & Wastes Transportation Safety**, Western States, 1993 & 1994

**Inspection of Commercial Vehicles**, Norcal Waste Systems, Inc., San Francisco, California, 1993 (24 hrs)

**Traffic Accident Investigation**, California Trucking Association, Various Safety Management Council Meetings, 1986 - 1991

**Hours of Service & Log-keeping**, California Trucking Association, Norwalk, California, 1990

**Safety Coordinator Course**, California Trucking Association, West Sacramento, California, 1990

## **Professional Affiliations**

- **American Society of Safety Engineers**
- **California Trucking Association's Safety & Maintenance Management Council**
- **American Trucking Association's Safety Management Council**
- **North American Transportation Management Institute**
- **National Safety Council – Sacramento chapter**

## **Special Positions Held**

**Treasurer**, Northern Safety & Maintenance Management Council, California Trucking Association, 2005-2006

**Chairman**, Northern Safety & Maintenance Management Council, California Trucking Association, 2003, 2010 & 2011

**Member**, ATA Accident Review Committee, 2000 - Present

**First Vice-Chairman**, Sacramento - San Joaquin Safety & Maintenance Management Council, California Trucking Association, West Sacramento, California, 1997 & 1998

**Chairman**, Sacramento - San Joaquin Safety & Maintenance Management Council, California Trucking Association, 1992 & 1999

**Chairman**, Central Valley Safety & Maintenance Management Council, California Trucking Association, 1987

**Chairman**, Statewide Professional Truck Driving Championship Committee, California Trucking Association, 1988

**Chairman**, Central Valley Professional Truck Driving Championship Committee, California Trucking Association, 1987

**Member**, Industry Technical Advisory Committee for the Commercial Drivers License Program, California Department of Motor Vehicles, 1987

**Member**, West Hills Community College Truck Driver Training Course Industry Advisory Committee, 1988

**Instructor**, Commercial Driver's License Course, Sierra College, Rocklin, California, 1991

### **Special Certificates Received**

**Commercial Tire Service Technician**, Tire Industry Association, Sacramento, California, 2003

**Defensive Driving Course 8 Instructor**, National Safety Council, Sacramento, California, 1994

**Master Certified Instructor**, Commercial Driver's License Training, Highway User's Federation for Safety

**Certified Safety Coordinator**, California Trucking Association, 1986

**Certified Practicing Safety Administrator**, California Trucking Association, 1988

**Air Brake Specialist**, Bendix Heavy Vehicle Systems, Reno, Nevada, 1993, 2002, 2006

**Certified Forklift Instructor**, Safety Center, Ives & Associates, Sacramento, California, 1996, 1999, 2002, 2005

**V. Paul Herbert, C.P.S.A.  
President**

## **FEE SCHEDULE - V. PAUL HERBERT, C.P.S.A.**

Initial File Setup Fee (non-refundable) .....	250.00
Consultation, Document Review, etc. ....	250.00/hr
Testimony (Court & Deposition) .....	400.00/hr
Assistants / Support Staff .....	100.00/hr
Travel .....	100.00/hr
Mileage (on own vehicle) .....	.50/mi

Expenses to be passed on directly to client (shared with other clients when possible)

**Note: NO UP FRONT RETAINER FEE REQUIRED NOR ENCOURAGED**

Please make all checks payable to: **WESTERN MOTOR CARRIER SAFETY INSTITUTE, INC.**  
**TAX I.D. #41-2-121104**

I agree to the above fee schedule and will assure all invoices are paid within 60 days of receipt. I further agree that payment of invoices from WMCSI is not in any way contingent on the outcome of the final disposition of the case. I agree to promptly pay the invoiced amount regardless of settlement outcome or jury verdict. Additionally I agree that all invoices not paid within 60 days will be subject to a late fee of 1.5% per month. \_\_\_\_\_ (Please Initial)

Firm: \_\_\_\_\_

Attorney Name: \_\_\_\_\_ Email: \_\_\_\_\_

Paralegal Name: \_\_\_\_\_ Email: \_\_\_\_\_

Firm Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Case Name: \_\_\_\_\_

Date of Loss: \_\_\_\_\_ Trial Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Pease sign and fax back immediately to (530) 281-6566**

Revised 1/3/12