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'It's a failure across the board.' Advocates say RMV's blunder points to bigger issues

By [Matt Rocheleau](#), [Laura Crimaldi](#) and [Vernal Coleman](#) Globe Staff, July 2, 2019, 8:57 p.m.



The Massachusetts Registry of Motor Vehicles acknowledged that it ignored thousands of paper alerts from other states about unsafe drivers for 15 months. JIM DAVIS/GLOBE STAFF/FILE/GLOBE STAFF

The dismal driving history of the man charged with killing seven motorcyclists in a New Hampshire crash last month — coupled with bureaucratic failures in Massachusetts that allowed him to keep his license — highlight weaknesses in the state and federal systems designed to keep unsafe drivers off the road, industry experts and advocates said Tuesday.

“This crash is an example of a failing at all levels,” said Harry Adler, executive director of the Truck Safety Coalition, an Arlington, Va.-based advocacy group. “It’s a failure across the board.”

The case of 23-year-old Volodymyr Zhukovskyy has exposed a patchwork system of oversight that's reliant on the actions of individual states, many of which use a slow-moving, paper-driven communication network.

Gaps in that notification system were compounded by the Massachusetts Registry of Motor Vehicles' failure to follow through. And shortcomings in how commercial drivers are screened, hired, and monitored, safety advocates say, allowed Zhukovskyy to continue to operate a truck.

"If the system is not set up to prevent someone with this sort of record . . . from receiving a [commercial driver's license], then it would appear the system needs a serious reevaluation," said Jason K. Levine, executive director of the Center for Auto Safety.

Zhukovskyy, of West Springfield, had amassed an extensive list of infractions — [a mix of impairment and traffic violations across five states](#) — before allegedly crashing his truck head-on into a group of motorcyclists in New Hampshire last month. He has pleaded not guilty to negligent homicide charges.

Just six weeks earlier, Zhukovskyy had been arrested on an operating under the influence charge in Connecticut. Officials there alerted Massachusetts authorities of the incident via mail and an electronic notice. Massachusetts officials concede they should have immediately suspended Zhukovskyy's license.

But as Massachusetts RMV officials have acknowledged, the agency failed to act. Erin Deveney, the registrar of motor vehicles, resigned last week amid the fallout.

That was just the tip of the iceberg.

RMV officials on Monday revealed that for 15 months it had ignored tens of thousands of additional alerts that Massachusetts-licensed motorists had broken driving laws in other states. The notices — for drunken driving violations and other serious violations — were stuffed, apparently unread, into mail bins inside a Quincy office building.

Governor Charlie Baker on Tuesday called it a “complete failure.”

One of the crash victims, Michael A. Ferazzi, a retired Plymouth police officer who lived in New Hampshire, was buried Friday at the Massachusetts National Cemetery in Bourne. His sister, Ann Santos, said she learned about the RMV's missteps in news reports.

“It's really just a shame that the Registry of Motor Vehicles doesn't do their job,” said Santos, who lives in Sandwich. “They weren't paying attention to what they're supposed to know.”

When a motorist receives a violation, state agencies share that information via the National Driver Register, an electronic database administered by the federal government. States are mandated to use it, but the information shared there is limited and only cross-checked by states when a resident goes to apply for a license or when it's nearing expiration, according to Framingham attorney Brian Simoneau, who regularly handles such cases.

A second national database, administered by the American Association of Motor Vehicle Administrators, allows states to share more detailed information electronically, but it's voluntary, Simoneau said. According to AAMVA's [website](#), about 25 states, including Massachusetts, were participating as of last month.

States, through other various agreements, share bits of information.

Despite advances in technology, some states mail paper documents, according to Claire Jeffrey of AAMVA.

“States recognize the challenges of the current paper-driven process and are actively evaluating how to leverage modern technology to improve the process,” Jeffrey said.

In Massachusetts, RMV officials began in March 2018 to replace the state’s 32-year-old electronic mainframe with a more modern system. The system, called ATLAS, moved several processes online and promised better business procedures and “no more faxing or mailing documents,” according to the RMV’s website.

Despite the switch, the RMV continued to receive tens of thousands of out-of-state notifications via mail, which staff stopped processing 15 months ago, at the time the agency switched to ATLAS.

RMV officials have also said that ATLAS had been programmed in a way that was partially to blame for not automatically suspending Zhukovskyy’s commercial license.

Other than Zhukovskyy’s May operating under the influence arrest in Connecticut, there is no evidence that his license should have been revoked prior to the fatal New Hampshire crash, industry specialists said.

Even so, they said, Zhukovskyy’s case raises questions about why trucking companies ever hired him.

Federal guidelines require employers to request the driving record of each new hire, and reexamine their record at least once a year. Drivers are required to disclose their violations.

Following the deadly crash, Westfield Transport Inc. owner Dartanyan Gasanov said he wasn’t aware that Zhukovskyy had a checkered record.

Reached by phone Tuesday, a man who identified himself as the company’s owner said only that Zhukovskyy had an active commercial driving license at the time he was hired. He added that the company is cooperating with authorities

and he declined further comment.

Specialists say the case highlights a weakness in oversight of the commercial trucking industry: Unless a prospective driver has a history of major violations, commercial trucking companies can hire whomever they like.

Some smaller operators don't scrutinize records, and some might not be aware that they're required to, said Don Lane, regional executive director of the New England Tractor Trailer School.

"As long as they hold a valid CDL, it's up to the employer," Lane said. "Why somebody would choose to hire somebody that has a OUI, I don't know."

Federal records show that Westfield Transport racked up serious driver-related violations over the past two years at a rate about four times higher than the national average.

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