



Bruins 3, Penguins 4, Final

Healey investigating trucking company tied to fatal N.H. crash

By [Laura Crimaldi](#) Globe Staff, July 23, 2019, 11:36 a.m.



Attorney General Maura Healey. CRAIG F. WALKER/GLOBE STAFF, FILE/GLOBE STAFF

The examination of bureaucratic failures that preceded last month's horrifying fatal crash in New Hampshire widened Tuesday, with Massachusetts Attorney General Maura Healey announcing an investigation into the company that

employed [a troubled 23-year-old truck driver](#) and new details emerging on the business's spotty safety record.

Westfield Transport Inc., the West Springfield trucking company under widespread scrutiny, has been cited 74 times by federal regulators in the past two years for a variety of infractions, including allowing unlicensed commercial drivers and a suspended operator behind the wheel, according to a Globe review of federal records.

Drivers for the company incurred violations at a rate four times higher than the national average, according to Federal Motor Carrier Safety Administration records.

Healey's office disclosed its investigation in a brief statement Tuesday but declined to comment further. The statement didn't specify whether Healey's inquiry is civil or criminal in nature.

Scott L. Turner, a New Jersey-based expert in commercial motor vehicle and federal motor carrier safety regulations, said Tuesday that Healey's investigation is a significant development in the aftermath of the June 21 crash that killed seven motorcyclists.

"It's an indicator that there are serious issues that may border on criminal conduct," he said.

The crash has exposed a variety of lapses in state oversight, especially at the Massachusetts Registry of Motor Vehicles, which had ignored warnings and failed to suspend the commercial license of the truck driver whose vehicle allegedly plowed into the motorcyclists in rural New Hampshire.

Volodymyr Zhukovskyy had been on the job for Westfield Transport for three days at the time of the crash, the company's president, Dartanyan Gasanov, previously told the Globe.

He was on his second assignment for the company when his 2016 Dodge 2500 pickup allegedly crossed a double yellow line in Randolph, N.H., and collided with a group of motorcyclists headed in the opposite direction. The truck was towing a trailer.

Zhukovskyy has [pleaded not guilty to seven counts of motor vehicle homicide](#) and is being held without bail in New Hampshire.

Massachusetts officials acknowledged that Zhukovskyy should have been stripped of his commercial driver's license weeks before joining Westfield Transport. He had been arrested in East Windsor, Conn., on a charge of driving under the influence of drugs or alcohol on May 11, just five weeks before the fatal crash.

A man who answered the telephone for Westfield Transport hung up on a reporter Tuesday afternoon.

Much of the company's history is reflected in records from the Federal Motor Carrier Safety Administration, which conducts roadside inspections of commercial vehicles to determine whether they are in compliance with federal safety regulations. The agency can also audit motor carriers. A FMCSA spokesman declined Tuesday to say whether it was looking into Westfield Transport.

Westfield Transport previously operated eight vehicles, with seven drivers, and racked up a number of safety violations in the two years prior to the fatal collision, according to federal records show.

The company has been cited three times after drivers were found operating a commercial vehicle without a commercial license. In the latest incident, on April 2, the inspector who stopped a tractor pulling a semi trailer in Tennessee found the vehicle also had tires that didn't comply with safety regulations.

On March 9, 2018, a Westfield Transport driver was cited for being in possession of a narcotic drug or amphetamine while on duty in Vermont, federal records show. The company was cited for the same offense three days later in Massachusetts. It was unclear whether the sanctions were against different drivers.

Also in March 2018, Westfield Transport was cited after an inspector in New York found a suspended commercial driver operating one of the company's vehicles. The records didn't give the reason for the driver's suspension.

The company's safety violations also continued in the immediate wake of the fatal New Hampshire crash. Five days after the incident, inspectors pulled over two Westfield Transport vehicles and found that one truck had inoperative or defective brakes, according to FMCSA records.

An inspector issued an "out-of-service" order for the vehicle with defective brakes — a sanction that is considered one of the most serious violations.

Since July 2017, Westfield Transport drivers were subject to 54 inspections, records show.

Twelve of those inspections, or 22 percent, resulted in at least one "out-of-service" order. The national average is 5.5 percent.

When it came to its vehicles, the company performed far better than the national average. Only seven of 42 vehicle inspections resulted in an "out-of-service" order.

In another development in the case, the National Transportation Safety Board preliminary report on the crash is expected this week, an agency spokesman said.

Also, earlier this month, Joshua Morin, a Marine veteran from Dalton who was injured in the crash, sued Zhukovskyy and Westfield Transport for negligence.

His lawyer, John Haymond, said Tuesday that the company is no longer in business.

“To the best of our knowledge, Westfield Transport doesn’t exist and has closed its doors,” he said.

State records show Gasanov, the company president, filed paperwork to dissolve the company on July 3.

Massachusetts Registry of Motor Vehicles officials have acknowledged that they [had received alerts from Connecticut’s registry](#) about Zhukovskyy’s previous arrest but had failed to promptly review and suspend his commercial license. After the lapse was made public in late June, [Registrar Erin Deveney](#) resigned.

While examining the missed notification from Connecticut, Massachusetts transportation officials discovered that the Registry had [ignored thousands of alerts](#) from other states about violations committed by local drivers. The notifications had been stored, apparently unopened, in mail bins at Registry headquarters in Quincy.

A short time later, the Registry disclosed it had also failed for years to notify other states when [Massachusetts drivers ran afoul of local driving laws](#).

On Friday, Governor Charlie Baker filed a bill that would strengthen laws for licensing commercial drivers. One provision of the proposal would require employers hiring commercial drivers to use a free driver verification service that provides automatic notification when an operator’s license status changes.

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