



Bruins 3, Penguins 4, Final

Fallout from fatal New Hampshire crash continues with state officials pointing fingers

By [Vernal Coleman](#) and [Matt Rocheleau](#) Globe Staff, June 26, 2019, 8:52 p.m.



Scores of motorcyclists were in Whitman on Wednesday for a charity event and vigil after a crash in New Hampshire killed seven riders. ERIN CLARK FOR THE BOSTON GLOBE

Fallout from the crash that killed seven motorcyclists last week continued Wednesday, as a top Connecticut official insisted that his state had properly notified the state of Massachusetts about the [driving violations of the man](#) now accused of causing the fatal collision.

“If the information we sent was insufficient, we’re still waiting to hear how,” Tony Guerrero, deputy commissioner of Connecticut’s motor vehicles department said Wednesday evening.

His defense came a day after the [head of the Massachusetts Registry of Motor Vehicles resigned](#), and Massachusetts officials accepted some of the responsibility for failing to suspend the commercial driver’s license of Volodymyr Zhukovskyy, who is charged with negligent homicide in the fiery New Hampshire crash.

Just six weeks before the crash, [Zhukovskyy was stopped by police in Connecticut](#), refused a chemical test, and was arrested and charged with operating under the influence, Massachusetts officials said. That should have resulted in the suspension of his commercial license, but Massachusetts officials said this week that Connecticut “failed to provide sufficient information” about the arrest through a national tracking system.

However, Massachusetts did receive a notification for a manual review, which registry personnel in Massachusetts did not conduct.

In an interview Wednesday, Guerrero said that the Connecticut department reviewed the case and found that its internal reporting protocols were followed properly, and that a May 29 message to Massachusetts included police codes indicating that Zhukovskyy declined the chemical test.

“Unless someone can show me something different, I think we dotted all of our I’s and crossed our T’s,” he said.

A spokeswoman for the American Association of Motor Vehicle Administrators, which runs the national system that alerts agencies of driver violations, said Wednesday it appeared Connecticut officials followed the correct procedure.



Volodymyr Zhukovskyy is charged with seven counts of negligent homicide in the New Hampshire crash. ASSOCIATED PRESS

The oversight led to the resignation of the head of the Massachusetts RMV, Erin Deveney, who could not be reached for comment Wednesday. A spokesperson for the Massachusetts Department of Transportation, which oversees the RMV, declined to comment, referring to the agency's statement a day earlier.

Speaking to reporters at the State House, Lieutenant Governor Karyn Polito said the registry is undertaking "a thorough review of not only the process involving this particular license holder but also a review of the entire process."

"It's very important that the Registry of Motor Vehicles implement the law, implement the procedures that govern the public safety, and in this case there was a process that needed to be adhered to that was not," Polito said. "And there was a very significant outcome that we all realize."

Polito said she could not answer whether other drivers with similar infractions have licenses.

Zhukovskyy, of West Springfield, pleaded not guilty Tuesday in Lancaster, N.H., to seven counts of negligent homicide. Federal authorities have placed him on a detainer, planning to take him into ICE custody once the legal proceedings conclude.

His case raises several questions about how commercial drivers' records are monitored. While state agencies issue licenses, the commercial trucking industry is regulated via a complex matrix of state and federal laws.

Anyone applying for a license to operate a commercial vehicle faces a battery of written and performance tests, background checks, and medical exams. States authorities monitor commercial truck drivers via the national alert system, which notifies licensing agencies when a license holder commits a driving-related violation.

Zhukovskyy's record includes a string of driving and drug-related violations that began in earnest in 2013, when he was arrested on drunk driving charges.

Per state and federal guidelines, that arrest did not disqualify him from obtaining a commercial driving license in 2018. In Massachusetts, a first impaired driving offense carries a year suspension. A second carries a lifetime ban. Drivers can appeal to lift the ban 10 years after the offense.

While large trucking companies tend to hold themselves to high standards, smaller motor carriers sometimes “cut corners in order to put a warm body in the seat to get a truck to go down the road,” said Scott L. Turner, a trucking industry consultant and former New Jersey State Police car crash investigator.

Turner said systems that monitor commercial trucking companies and drivers have improved significantly over the years. But he said gaps remain, and a shortage of drivers — due to a strong economy and low unemployment — has left some companies desperate to make hires.

Federal records show that the Massachusetts company that owns the truck Zhukovskyy was driving had racked up serious driver-related violations over the past two years at a rate four times higher than the national average.

Commercial vehicles undergo roadside inspections to determine whether they are in compliance with federal regulations, according to the Federal Motor Carrier Safety Administration's website.

Over the past 24 months, 48 inspections were conducted on drivers working for Westfield Transport Inc., records on the agency's website show.

Ten of those inspections, or 20.8 percent, resulted in at least one “out-of-service” order, nearly four times the national average of about 5 percent, records show. An out-of-service order is issued for serious violations.

Federal records for Westfield Transport listed no reported crashes that resulted in fatalities, injuries, or tows over the past two years.

Zhukovskyy had begun working for Westfield Transport three days before the crash, the company’s owner, Dartanyan Gasanov, said this week, adding that he wasn’t aware of Zhukovskyy having driving issues in the past.

Federal records indicate the company has five drivers and five vehicles.

Just 18 days before the New Hampshire crash, Zhukovskyy was driving a car carrier for a different Massachusetts company that rolled over on a Texas highway, authorities there have said.

Zhukovskyy told police in Baytown, Texas, that he had overcorrected after a car cut him off. Police could not locate the vehicle Zhukovskyy said cut him off, said Baytown police Lieutenant Steve Dorris. The truck was carrying five cars at the time.

Zhukovskyy was uninjured in the June 3 crash, did not appear to be under the influence of drugs or alcohol, and was not cited by police, Dorris said.

Also, Zhukovskyy was arrested in February at a Denny’s restaurant in Baytown along Interstate 10, near the spot of his rollover.

Zhukovskyy was unsteady on his feet and his pupils were dilated. Officers said it was “pretty clear he was intoxicated,” Dorris said. They found that Zhukovskyy was carrying a crack pipe, and he was charged with possession of drug

paraphernalia.

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