





To Clomed Vehicles



Florida Department of Law Enforcement Gerald M. Bailey, Commissioner

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This overview is intended to supplement, not replace or re-create the works completed by the El Paso Intelligence Center (EPIC), the Texas Department of Public Safety, or any other agency that has published informational bulletins. Additionally, it is intended for this document to serve as an informational guide for the law enforcement community to recognize possible areas of vulnerabilities and to anticipate where criminals/terrorists may focus their intentions.

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CLONED VEHICLES

An Assessment of a Growing Threat to Law Enforcement
By Analyst Erek Cyr

EXECUTIVE SUMMARY

<u>Problem</u>: Readers should be aware that the term "cloned" vehicle is also used to describe stolen vehicles with fictitious titles and vehicle identification numbers. This report will only specifically address cosmetically cloned vehicles, vehicles whose appearance is altered to look like a legitimate commercial vehicle. Cloned vehicles continue to be an issue for law enforcement agencies across the nation. Historically, cloned vehicles have been used to transport money, drugs, and illegal aliens and continue to be used for these purposes today. In today's post 9/11 society, the potential use of cloned vehicles for an act of terrorism within the United States, poses a viable threat. Today's law enforcement officers must be aware of the current use of cloned vehicles as well as their potential use. Law enforcement officers must have the ability to detect and distinguish cloned vehicles from true commercial vehicles.

<u>Scope of Report</u>: The use of a cloned vehicle allows the criminal to blend in with his/her surroundings in order to evade the attention of law enforcement officers on the road. This report will assist law enforcement officers in the detection of cloned vehicles by examining specific instances of cloned vehicles previously encountered by law enforcement officers. Additionally, this report will provide officers with regulatory information, identify legal issues and make recommendations in confronting the future use of cloned vehicles by the criminal element.

Issues:

- It is difficult to distinguish between cloned vehicles and a true commercial vehicle. However, there are noticeable differences. These differences will be identified and discussed within this assessment.
- Various concealment methods are used to conceal contraband in vehicles. This report will identify and discuss some concealment methods previously discovered by law enforcement.
- Domestic security implications: terrorists could use cloned vehicles to carry out acts of terrorism.
- Through the use of the Internet and other available technology, criminals are able to easily obtain the materials necessary to clone a vehicle with little fear of detection as there is no "face to face" interaction required to make a purchase via the Internet. Additionally, with the right equipment, the criminal can complete their objective from the comfort of their own home with little or no interaction with others.
- Currently, cosmetically cloned commercial vehicles are not illegal. Improper use of a company's logos and colors, without more evidence of criminal activity, are trademark violations, which are civil in nature and not enforceable by law enforcement officers.

Recommendations:

- Provide training for law enforcement officers on the detection of cloned vehicles.
- Provide training for law enforcement officers on concealment methods that might be used in a cloned vehicle to conceal illegal items.
- Coordinate with the commercial entities that provide the services and/or materials that could be used to create a cloned vehicle to ensure that law enforcement officers are aware of the current technology and resources available.
- Law enforcement should encourage the creation of laws, state and federal statutes that
 effectively enact against persons cloning or using cloned vehicles to further their criminal
 activities.



CLONED VEHICLES:

Growing Threat to Law Enforcement

TECHNOLOGY

Today's ever-changing advancements in technology are an obvious benefit to society as a whole and the law enforcement community. However, this same advanced technology is easily and readily available to the criminal element. With Internet and business information, criminals that are technologically savvy are able to clone a vehicle by making use of computer programs such as Adobe Photoshop to copy or manipulate images or clandestinely utilize certain companies' websites to make the products for them. For example, decals used on cloned vehicles require the knowledge of creating, editing or modifying pictures so that they resemble a true commercial vehicle.

DANGERS OF A CLONED VEHICLE

Terrorism:

In today's age of global terrorism, the potential exists for the use of cloned vehicles for terrorist activities ranging from surveillance and preplanning to an actual terrorist attack. Although a cloned vehicle has not been used in a terrorist attack within the United States, true commercial vehicles have. In 1993, a Ryder truck was used in a terrorist attack on the World Trade Center in New York City, New York and in 1995, a Ryder truck was used in an act of domestic terrorism at the Alfred P. Murrah Federal building in Oklahoma City, Oklahoma.

A recent article printed by the Associated Press titled "Expert Warns of Terrorists' Nuke Strategy," stated that, "authorities need to expand their focus on the ways terrorists could deliver nuclear or radiological weapons into the country." One method in which to deliver nuclear or radiological weapons into the country "could be a truck or van driving into (a place like) Manhattan because it blends into the background and is easy to acquire." A cloned vehicle meets these criteria.

Patrol officers and investigators should pay special attention to delivery, service, and government vehicles during patrols, routine traffic stops, and investigations of suspicious incidents. Officers should be mindful of vehicles resembling government vehicles and/or commercial vehicles. Typically, vehicles and occupants are regionally based. Plausible exceptions do exist; however, time factors, cost effectiveness, availability of service in a geographic area, and reason for trip should be heavily considered.

Further, the use of government vehicles with official markings, especially those associated with friendly military, government and public safety entities, could be a means of delivering a vehicle borne explosive device to a target site. This method could allow terrorists to bypass established security protocols and strike hardened, high-value targets. It is essential that all law enforcement personnel maintain vigilance and remain alert to the possible use of what appear to be marked official vehicles as part of a terrorist operation.

Drugs, Currency, and Contraband:

When an officer encounters a cloned vehicle, he/she should attempt to determine the motive for the subject(s) to clone the vehicle. The subject(s) motive may give an officer an indication of what may be concealed within the vehicle. The new and innovative ways criminals have been concealing their contraband to repel authorities is too vast to list. However, this assessment includes a few methods that have been used.

As shown in Example seven in this assessment, \$1,070,000 in U.S. currency was concealed inside hollowed-out spools of wire in the cargo area of the van. The van displayed DirecTV markings and logos, and contained cable-related equipment.





HOW TO CLONE A VEHICLE:

Obtain a Vehicle:

In the reported incidents (below), the cloned vehicles were purchased at auto auctions, dealerships or were stolen. In some cases, the registrations of the cloned vehicles remained in the name of the original business even after the vehicle was sold at an auto auction. In many of the incidents, very sophisticated after-market businesses were utilized to make the vehicle appear to belong to a legitimate company, service, or government agency.

Vehicle Wrapping vs. Decals and Magnets:

Vehicle wrapping:

One common method of cloning a vehicle is vehicle wrapping. Members of commercial companies or technically savvy criminals, print out very large sheets of wrapping material that include the images and measurements that fit the model of the vehicle. The company then covers the entire vehicle, even the windows, with the wrap. A car wrap is made of durable vinyl covering that is applied directly to the vehicle. Window sections are perforated to maintain safe visibility.

Vinyl decals and magnetic logos:

Vinyl decals and magnetic logos are usually sold in pairs and placed anywhere on the vehicle (usually one logo on each side). The vinyl decals are intended to be permanent but can be removed. However, once the decals are taken off, new decals will be needed to replace them because the adhesive will be worn away. Magnetic (metallic) logos are placed anywhere on the vehicle and obviously can be removed and replaced as needed.

Create Your Own Logo From Home:

The following is one of many business websites that allows clients to custom design a decal logo via the Internet: (www.streetdecals.com/create.asp). The client is able to submit a logo design to the business via the Internet. The business then produces a magnetic or vinyl decal and ships the decal to the client along with detailed application instructions. No "face to face" contact is needed for the transaction.

Cost:

The cost of vehicle wrapping for cars and vans ranges from \$1,000 - \$6,000 depending on the vehicle. Larger vehicles can also be wrapped and the cost is proportional to the complexity of the installation. Vehicle wrapping requires professional installation.

The cost for magnetic logos depends on the size and color. Cost estimates range between \$45 for a pair of single-color magnetic logos and \$110 for full-color magnetic logos (assuming a standard 12"x24" size logo for a van or small commercial vehicle).

The cost for **vinyl logos** range from \$110 for single-color with installation (\$40 without installation) and \$160 for full-color with installation (\$60 without installation) (also assuming a standard 12"x24" size logo).

Note: It would seem logical that vehicle wrapping businesses would ask a prospective client for some type of affiliation with a commercial company before doing business with them. However, during this report, several vehicle wrapping businesses were contacted and indicated that they <u>usually</u> do not ask for any company affiliation for the job to be completed unless there was a suspicion of wrongdoing.

INCIDENTS INVOLVING CLONED VEHICLES:

1. January 24, 2004: Officials with the Arizona Department of Public Safety, Tucson, AZ, stopped a suspicious looking vehicle on State Road 85 at Milepost 21, near Tucson. The vehicle was a 1992 cargo van marked to appear as a FedEx® delivery vehicle. The driver of the vehicle was wearing a FedEx® jacket, along with matching work pants, which were made to look authentic. The driver stated he was paid \$500 to drive the van to an address in Ajo, AZ. Officials believe the vehicle was most likely going to be used for trafficking narcotics. Since January 2002, there have been many reports of encounters with vehicles marked to appear as FedEx® vehicles.



Figure 1 Example of FedEx Truck

2. February 25, 2005: Missouri Highway Patrol conducted a traffic stop on a vehicle traveling on Interstate 44 in Greene County, MO. Further investigation revealed that the driver was accompanying a FedEx van parked at a local store near the interstate. Officers made contact with the driver of the van and located 1,300 pounds of marijuana packed inside U-Haul boxes. The van displayed Texas registration, which returned to a suspect in Houston, TX.



<u>Indicators that led Missouri Highway Patrol to believe the van was cloned:</u>

 The van displayed FedEx decals and logos on the sides and rear of the vehicle, but was not an official FedEx van because the registration returned to a suspect in Houston, TX.



3. July 2006: Federal and state authorities in Portland, OR, participated in a joint investigation of a subject who was using a stolen pickup that displayed National Security Agency (NSA) and Federal Emergency Management Agency (FEMA) emblems that were affixed to the vehicle as an aid to facilitate involvement in criminal activity. During the investigation, a second stolen truck, again with FEMA markings and other FEMA documentation, was also recovered (information limited due to ongoing investigation).

4. July 12, 2006: Texas Department of Public Safety Highway Patrol troopers and narcotics investigators seized approximately 1,792 pounds of marijuana concealed in the side compartments of a 1993 Chevrolet utility truck that was displaying a Southwestern Bell Telephone Company logo. The truck displayed Texas registration that returned to Southwestern Bell Telephone in Bellaire, TX. Subsequent investigation determined that the vehicle had been purchased at an auction, and the registration had not been changed.



The driver did not have on a SBC Company uniform and did not have any paperwork for the company. The driver was not cooperative.



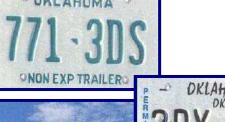


5. August 10, 2006: Texas Department of Public Safety Highway Patrol troopers conducted a traffic stop on a truck and trailer that resulted in the seizure of approximately 3,058 pounds of marijuana and 204 kilograms of cocaine. The truck and trailer displayed logos and marking for Wal-Mart Department Stores, and the driver of the truck was wearing a Wal-Mart uniform. The truck displayed a cloned commercial license plate from Oklahoma that legitimately returned to Wal-Mart Transportation, Inc. Investigation revealed that the truck and trailer did not belong to the Wal-Mart fleet and that the driver was not a Wal-Mart

employee. Further information revealed that this particular truck has eluded law enforcement agencies numerous times in the past.









Cloned Trailer

Authentic Trailer

6. September 11, 2006: Officers with the Pearl Police Department in Mississippi conducted a traffic stop on Interstate 20 that resulted in the seizure of 786 pounds of cocaine. The cocaine was packed inside cardboard boxes in a 2006 Ford van that displayed decal markings for DirecTV, Cox Communications, Dish Network, Comcast, and Adelphia companies on the entire body of the van. There was no visible registration displayed on the van. The van contained cable-related equipment. The driver, who was the sole occupant, advised that the van had been recently purchased.



















Indicators that led the Pearl Police Department to believe the vehicle was cloned:

- There was no license plate attached.
- Chrome license plate bracket (extra cost most companies will not incur).
- Very low truck number listed on the vehicle.
- Several different cable company names listed (rival companies).
- The DirecTV number listed is one number, which does not belong to Comcast, Adelphia, Cox or Dish Network.
- The entire vehicle was marked with vinyl covering vs. smaller pieces for cost effectiveness.
- A closer look at the insignia indicated that the images were made larger, which distorted the image.
- The 800 number listed as a call center for bad driving is spelled wrong (ADVICE vs. ADVISE).
- The 800 number listed is to a recording referring the caller to 800-219-TALK, which is an adult chat line for .99 cents per minute.
- The ladder, tools and cones attached to the vehicle appeared to not have been used in a long period of time, due to the presence of dust, old dirt and discoloration from the sun.



7. September 17, 2006: Officers with the Temple Police Department in Georgia conducted a traffic stop on a 2006 Chevrolet van on Interstate 20 that resulted in the seizure of \$1,070,000 in U.S. currency. The currency was concealed inside hollowed-out spools of wire in the cargo area of the van. The van displayed DirecTV markings and logos, and contained cable-related equipment. The driver, who was the sole occupant, indicated that the van had been recently purchased. The van displayed a California DMV temporary paper tag.



<u>Indicators that led Temple Police to believe the vehicle had been cloned:</u>

- After-market license plate decals on the front and back (the Chevrolet emblems).
- New after-market CD player in the console.
- The van was marked with DirecTV markings to appear as a legitimate company van, but the lower portions of the door indicate that the vehicle is an authorized contractor (not cost effective for a contractor to make the vehicle as a replica of the actual company van).







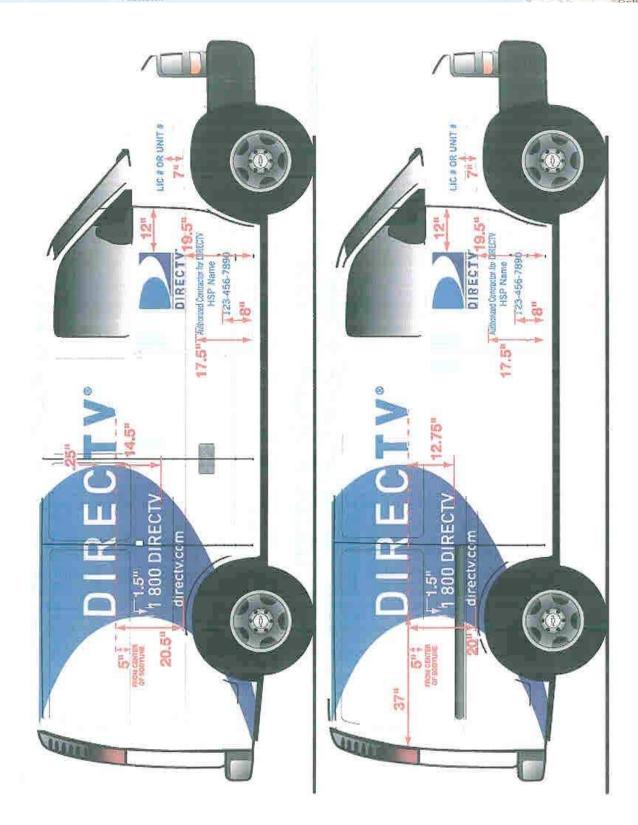






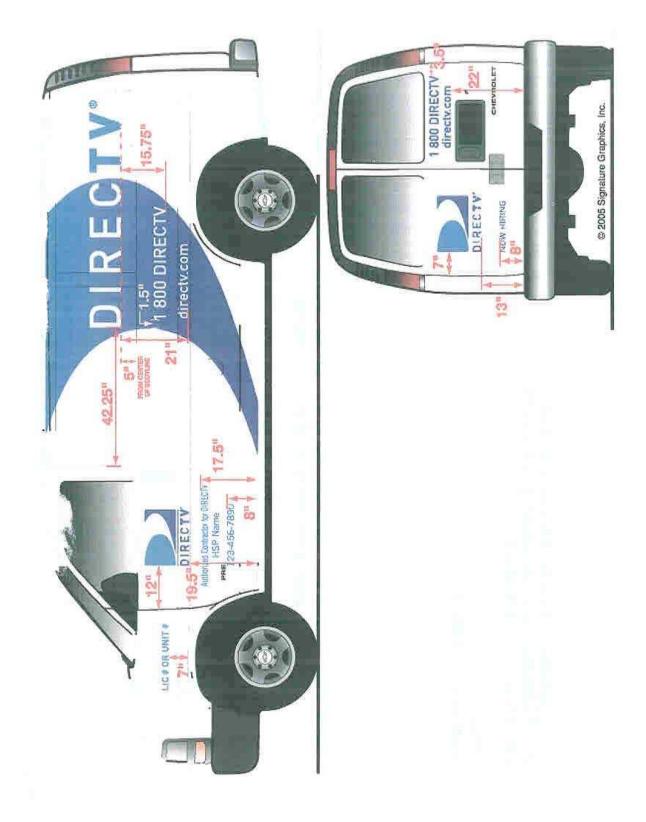






Measurements provided by DirecTV for correct decal placement





Measurements provided by DirecTV for correct decal placement

8. October 4, 2006: Officers with the Iberville Parish Sheriff's Office in Louisiana seized \$699,189 as the result of a traffic stop on a 2006 Chevrolet van on Interstate 10. The currency was hidden under rolls of cable in the cargo area of the van. The van contained cable-related equipment and displayed decal markings for DirecTV, Cox Communications, Dish Network, Comcast, and Adelphia companies in various locations on the van's exterior. There was no visible registration displayed on the van.

Indicators that led the Iberville Parish Sheriff's Office to believe the van was cloned:

- The van had several different names listed with only one contact number.
- The names displayed on the van were the names of rival companies.
- The number listed for driving behavior contact is an actual ADULT talk telephone number, charging .99 cents per minute for calls.
- The vehicle, other than the make, is an exact replica of the seizure made by the Pearl Police Department in Mississippi.

















9. October 8, 2006: Officers with the Pearl Police Department in Mississippi conducted a traffic stop on a van that resulted in the seizure of several hundred pounds of marijuana. The van displayed decal markings of the Mountain Dew Cola Company, specifically Diet Mountain Dew. The markings were displayed on the entire body of the van. The van displayed a personalized vehicle registration from Georgia.

<u>Indicators that led the Pearl Police Department to believe the van was cloned:</u>

- No company phone numbers were displayed.
- The vehicle was a 2001, which conflicts with most service vehicles that are within one or two years old.
- The registration tag that was displayed was a Georgia (Wildlife) tag, which is a
 personalized tag that is purchased at an extra cost. Most companies will not incur extra
 expenses for tags.









10. October 11, 2006: U.S. Border Patrol agents in Casa Grande, AZ, discovered a cloned U.S. Border Patrol van. As agents approached the van, the driver fled into Mexico, abandoning the 31 illegal aliens who were stacked on top of one another inside the van. Statements obtained from the aliens indicated that the cloned van picked up the aliens near Altar, Sonora, Mexico. The van displayed U.S. Border Patrol markings, Arizona plates, and an ID number that is inconsistent with Border Patrol vehicle identification conventions.

The van, a white 2001 Dodge Ram 3500, was registered to A to B Auto Transport, LLC, in Gilbert, AZ. The actual license plate on the vehicle was Arizona 164-SAA which belongs to a 2005 Hyundai, 4-door, registered to a subject that resided in Mesa, AZ. The license plate was not reported as stolen.

Indicator that led U.S. Border Patrol agents to believe the van was cloned:

• The picture shows the serial number: "H2270," the letter "H" is only used for U.S. Border Patrol "Jeep Wranglers." The Letter "P" is used for Border Patrol vans. The next consecutive number (in this case, 2) indicates the year of the vehicles, the vehicle pictured is a 2001 model.















11. October 15, 2006: Officers with the Pearl Police Department in Mississippi conducted a traffic stop on a 2004 Dodge Sprinter van displaying Georgia registration on Interstate 20. Further investigation determined the van was cloned as an ambulance/emergency vehicle. The interior of the van resembled an ambulance, but did not contain any medical supplies. The driver and passenger could not give a valid reason as to why he was driving the vehicle and what the vehicle was to be used for. The occupants of the vehicle, the driver, a known drug violator residing in Flower Mound, TX, and the passenger, a resident of Lewisville, TX, claimed to be traveling to Dallas, TX, from Atlanta, GA. A consensual search of the van did not disclose contraband. The subjects and the vehicle were released.

<u>Indicator that led the Pearl Police Department to believe the vehicle was cloned:</u>

• The interior of the van did not contain any medical supplies.











12. November 6, 2006: Arkansas State Patrol stopped a 2006 Chevrolet van on Interstate 40 in Johnson County, AR, for a traffic violation. The vehicle was bearing California registration and was completely outfitted to resemble a Dish Network installation van. The driver, who did not have any Dish Network identification, claimed to be en route to Kansas City, KS, from Birmingham, AL. The Highway Trooper that conducted the traffic stop stated that the driver was nervous and didn't make sense. A consensual search of the van led to the seizure of \$140,060 concealed inside drums of cable.

<u>Indicator that led Arkansas State Patrol to believe the van was cloned or used for illegal purposes</u>:

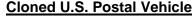
• There was no license plate on the vehicle.



13. On November 20, 2006: The Harlingen Department of Public Safety, Harlingen DIG Unit, Harlingen, TX, stopped a cloned United States Postal minivan. The trooper was advised that the cloned vehicle, a 1999 Ford Windstar van with Texas tags, was spotted by a postal carrier before and had been reported to supervisors in the Postal Service. The trooper was also informed that another postal vehicle had been spotted by other postal carriers in Cameron County, TX, near the vicinity of the Rio Grande River.

The Texas Department of Public Safety, Brownsville, TX, kept in contact with U.S. Postal inspectors in reference to the stop and found the following information which led Texas authorities to believe the U.S. Postal minimum was cloned and identified special features to look for on valid U.S. postal vehicles:

- Valid postal vehicles all have three-inch blue unit numbers on the front and back of the vehicle. The exception to this would be the rural route carriers using their own vehicles to carry the mail. These vehicles should only have the words "U.S. Mail" written on the vehicle and nothing else.
- Valid postal vehicles will have red, white and blue stripes down the side of the vehicle from front to back. The vehicle stopped lacked these stripes (for the Texas area only).
- Valid postal vehicles do not have tinted windows. The vehicle stopped had tinted windows.
- Valid postal vehicles will have mirrors mounted on the top rear left side of the vehicles. The vehicle stopped did not have this feature.
- Valid postal vehicles will have a cage in the back portion of the vehicle that is clearly seen and professionally installed on the inside of the vehicle. The vehicle stopped did not meet those criteria.
- Valid postal vehicles that are operated by rural route carriers will have an amber strobe light mounted on the roof of the vehicle. Also, most postal carriers do not leave the building until 9:00 a.m. to deliver mail. Any postal minivans spotted in the early morning hours with or without the strobe light should be scrutinized.
- The cloned postal vehicle had an eagle decal on the doors that faces backward. The valid postal minivans have eagle decals that always face forward. The counterfeit decals have the words "United States Post Office" under the eagle. The valid decals have "United States Postal Service" written underneath or will have www.usps.com.











Valid U.S. Postal vehicle

14. December 4, 2006: The Texas District Attorney, Special Crime Unit, stopped a vehicle in Morris County, TX, for a traffic violation and found 400 pounds of marijuana in the cargo area. The vehicle was a 1998 Chevrolet Astro van, with a Mississippi registration. The van was headed eastbound on Interstate 30. Officers found that the van was cloned and had the word Purofirst of Memphis imprinted on the sides. The van was bearing a switched Mississippi license plate that was registered to a citizen of Drew, MS and Memphis, TN. The authentic license plate would have been a Tennessee tag registered to Roberts/Wherry Construction, Memphis. The driver of the van was a resident of Edinburg, TX, and claimed to be enroute to Athens, TN from Pharr, TX. A consensual search of the van disclosed 400 pounds of marijuana in the cargo area.









15. On September 5, 2007: The Texas Department of Transportation (DOT) reported the use of two cloned Texas DOT trucks that were used for illegal activities. The first incident occurred on 8-29-07, a cloned Texas DOT truck was pulled over in Live Oak County, TX. The truck was wrecked and the driver and passenger of the vehicle fled the scene and were not apprehended. Drugs were located in the vehicle. The second incident occurred on 8-30-07, when the Texas Department of Public Safety conducted a traffic stop on a similarly cloned Texas DOT truck in Gonzales County, TX. The vehicle was stopped because the windows were tinted too dark. The driver of the truck was wearing a traffic safety vest at the time of the stop. Bales of marijuana were located in the cab of the truck, the bed of the truck and in a tool box mounted in the bed of the truck. The driver was apprehended.

The trucks, complete with lights and the department's insignia, appeared to be legitimate Texas DOT vehicles. Texas DOT officials commented that it was very difficult to determine that the vehicles were cloned.

<u>Indicators that led officials to believe the vehicles were cloned:</u>

- The stars and stripes on the company logo were not spaced correctly
- The vehicle contained two letters in the equipment number
- The front exempt plates were different style and number than rear exempt plates

The following photos are of the truck found in Gonzales County on 8-30-07:



SUMMARY OF CLONED VEHICLE INCIDENTS:

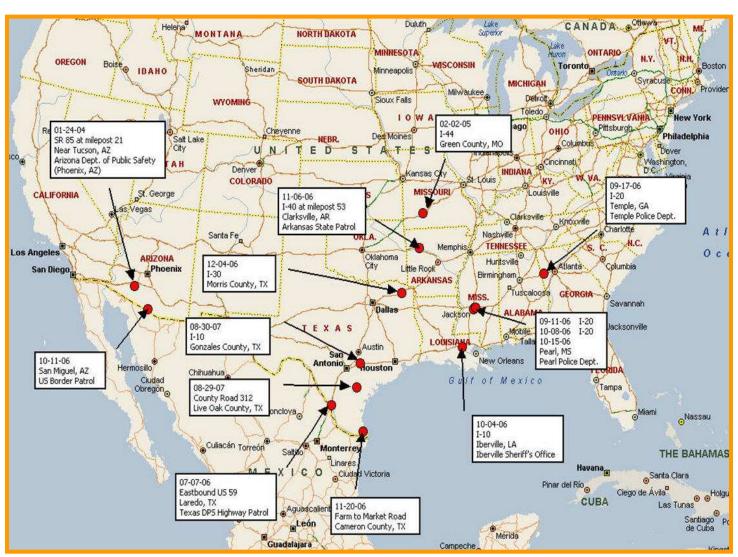
As previously noted, cloned vehicles closely resemble, if not exactly resemble, true commercial vehicles. For example, when the U.S. Border Patrol agents in Casa Grande, AZ, discovered the cloned U.S. Border Patrol van; one of the only indicators that led authorities to believe that the vehicle was cloned was the serial number, which was off by one letter. It is imperative for law enforcement agencies to be aware that any vehicle, from governmental to commercial, has the potential to be cloned.

For instance, on 10-22-07, a report from ABC News stated that "insurgents and al Qaeda terrorists are using Iraqi government vehicles and ambulances to carry out missions." Law

enforcement on the domestic front should be aware of the fact that neither emergency service vehicles nor any government vehicles are exempt from terrorist or other criminal use, whether they are cloned or stolen. With that being said, law enforcement should be completely familiar with the emergency services and emergency vehicles to include fire and other rescue vehicles operating within their jurisdiction, including 24-hour contact information. To better assist law enforcement, emergency service agencies should have verification procedures in place for their vehicles and employees, especially in times of disasters or other events.

Law enforcement should note that governmental and commercial vehicles vary widely in appearance, and as the examples in this assessment have indicated, can be very effective in going unnoticed. In addition to public safety vehicles, city and county utilities, maintenance vehicles and school buses, are but some of the state and local government vehicles being used on a daily basis. In addition, law enforcement should also be aware of the wide array of commercial vehicles ranging from service and delivery vehicles highlighted in this assessment to private security vehicles, taxis, food delivery and much more. Simply stated, no vehicle is exempt from the potential to be cloned.

VISUAL MAP OF RELATED INCIDENTS:



The above map indicates the locations of the cloned vehicles that were cited in this assessment.

POSSIBLE INDICATORS OF A CLONED VEHICLE:

- Improperly displayed vehicle registrations
- No tag displayed
- Vehicle is registered to a person and not a specific company
- Personalized license plates (extra expense)
- Very low service vehicle numbers (007 and 0025)
- Display of names belonging to rival companies
- Display of several company names, but only one company contact number
- After-market accessories (i.e., CD player, license plate bracket, etc. extra expense)
- Ladders, cones and/or other equipment attached to the vehicle do not appear to have been used in a long period of time, indicated by the patterned accumulation of dust and dirt and the patterned discoloration of equipment from the sun.
- Phone numbers listed on the vehicle have no connection with the company name displayed on the vehicle
- No company phone numbers displayed
- Dark tinted windows
- Excessive amounts of decals on exterior of vehicle (extra expense)
- Misspelled words on vehicle

(Texas Department of Public Safety)

Patrol officers should note that these are only <u>possible</u> indicators of a cloned vehicle.

Officers should also pay particular attention to:

- Note the driver's demeanor, attitude and physical appearance (nervous, possible drug/alcohol use).
- Is the driver knowledgeable of the company that they are representing?
- Is the driver's uniform consistent with the vehicle being driven?
- Is the driver/vehicle destination and origin consistent with the company being represented?
- Is there company paperwork inside the vehicle, including vehicle registration and insurance in the company name?
- Is any company equipment actually located inside the vehicle?
- Is the location and/or time of day where the vehicle was observed or stopped, consistent with the business the company might conduct in the given area?
- Vehicles that appear to be heavily laden beyond the vehicle's capacity. This could be indicative of a vehicle carrying illegal drugs, contraband or an explosive device.

(Texas Department of Public Safety)

UNITED STATES DEPARTMENT OF TRANSPORTATION INFORMATION:

Patrol officers should be aware of U.S. Department of Transportation (DOT) number and Operating Authority requirements for various vehicles. There are three questions to consider:

- 1. What vehicles require a U.S. DOT number?
- 2. What is Operating Authority and who is required to have it?
- 3. Where are the U.S. DOT numbers located on these vehicles?

A company needs to register for a U.S. DOT number if it is a carrier that is transporting freight in interstate commerce (either across a state line, or to an air or seaport or railhead for interstate shipment). The DOT number is assigned to the company not to a specific vehicle and the same DOT number assigned to a company can be utilized on all the company's vehicles.

NOTE: Not all companies that have vehicles used for <u>interstate</u> commerce are required to get a U.S. DOT number. The following vehicles require the company to register for a U.S. DOT number:

• The vehicle has a combined gross vehicle weight or weight rating of 10,001 lbs. or more.

or

 The vehicle is designed or used to transport 9-15 passengers (including the driver) for compensation.

or

• The vehicle is designed or used to transport 16 or more passengers (including the driver) whether for compensation or not (CDL required).

or

• The vehicle transports hazardous materials in quantities that require a placard(s) under the hazardous materials regulations (CDL required).

Exceptions to the requirement of a U.S. DOT number include, but are not limited to:

- Vehicles used for *intrastate* commerce have different requirements than vehicles used for *interstate* commerce and many do not require U.S. DOT numbers.
 - Intrastate vehicles are required to have a U.S. DOT number when the vehicle is over 26.000 lbs.
- Government and agricultural vehicles do not require U.S. DOT numbers.

Interstate Operating Authority:

According to the Federal Motor Carrier Safety Administration (FMCSA) website, Operating Authority is defined as "Companies that operate as 'for hire' carriers (for a fee or other compensation) that transport passengers or federally-regulated commodities, or arrange for their transport, in interstate commerce are also required to have interstate operating authority." (http://www.fmcsa.dot.gov/registration-licensing/registration-OP.htm)

The Reach of Operating Authority:

Further, "Federal Motor Carrier Safety Administration operating authority is also referred to as an "MC," "FF," or "MX" number, depending on the type of authority that is granted. Unlike the USDOT Number application process, a company may need to obtain multiple operating authorities to support its planned business operations. Operating Authority dictates the type of operation a company may run, the cargo it may carry, and the geographical area in which it may legally operate" (http://www.fmcsa.dot.gov/registration-licensing/registration-OP.htm).

- The company/motor carrier is required to have operating authority NOT the driver.
- Operating Authority is mainly required for "For-Hire" motor carriers (i.e. UPS, FEDEX);
 which are motor carriers that transport loads for others.
- Private carriers are not required to have Operating Authority (i.e. Coca-Cola, Publix), because they ship their own goods.
- Transporting a passenger or property owned by other for compensation in interstate commerce
- Arranging for the transportation property owned by others for compensation in interstate commerce (e.g. as a broker or freight forwarder)

Additionally, the FMCSA website, offers an excellent source for verifying a motor carrier's U.S. DOT number, legal name, "doing business as" name, physical address and phone number: http://safer.fmcsa.dot.gov/CompanySnapshot.aspx.

The following website offers further information concerning U.S. DOT numbers:

www.safersys.org is an FMCSA electronic records system that can check DOT validation # and/or carrier name

Once an officer establishes a vehicle's requirements, the following is a quick guide to, "How to find the responsible Carrier and Correct U.S. DOT number":

- Vehicles requiring a U.S. DOT number are required to have it on **both** sides of a vehicle's 'power unit.' Look for a number preceded by the letters "U.S. DOT."
- Shipping Papers Provides the name of the motor carrier responsible for the load, but not the carrier's U.S. DOT number.
- Driver's Log Contains the name of the motor carrier and the city and state for the carrier's principal place of business.
- Lease Agreement Identifies the name of the lessee and their U.S. DOT number.
- Driver Interview -
 - 1) Is the vehicle leased or rented?
 - 2) Who is the motor carrier responsible for the load?
 - 3) Who is directing and controlling the movement of the vehicle?
 - 4) Where is the motor carrier's principal place of business?

Note: The Vehicle Registration is generally good for identifying owner or registrant; however, this may not be the responsible carrier.

LEGALITY ISSUES:

Florida has not yet enacted any legislation specifically pertaining to cloned vehicles. However, the law related to searching or seizing any vehicle must also be followed when stopping/searching a cloned vehicle.

Can an officer conduct a **traffic stop** based on his/her suspicion that the vehicle is cloned?

✓ If an officer can articulate the basis of his/her suspicion that the vehicle is cloned – i.e., the Border Patrol vehicle with the wrong letter in the vehicle ID number (pg. 12) – then a traffic stop may be legally justified.

Can an officer conduct a **search** of the vehicle based on his/her suspicion that the vehicle is cloned?

✓ Additional information obtained after the vehicle is stopped <u>may</u> provide probable cause for a search or seizure of the vehicle. <u>One minor</u> indicator probably would not be enough for probable cause, though it might provide reasonable suspicion. <u>Multiple</u> indicators would provide probable cause. It all depends on how clearly the officer is able to articulate his/her reasons for conducting the stop and search.

Caution:

Improper use of a company's logos and colors, without more evidence of criminal activity, are trademark violations, which are civil in nature and not enforceable by law enforcement officers.

RECOMMENDATIONS:

- 1) Law enforcement should keep updated with concealment methods as the criminal element has proven ingenious in developing concealment methods (i.e., from hiding contraband in tires to chemically engineering cocaine in acrylic glass).
- 2) Law enforcement agencies should stay in constant communication with commercial industries that provide tools for cloned vehicles. This will give law enforcement the information needed in order to keep up with new trends that may be available to legitimate companies and allow law enforcement the opportunity to educate the industry on how to detect suspicious clients and encourage the industry to contact law enforcement.
- 3) Regarding terrorist/criminal activities, law enforcement should have communication and verification procedures in place for government vehicles operating within their jurisdiction with specific emphasis on emergency services and emergency vehicles to include fire and other rescue vehicles. Emergency service agencies should have verification procedures in place for their vehicles and employees. Law enforcement agencies should also be aware of the various commercial entities and vehicles operating within their jurisdiction.
- 4) Law enforcement should encourage creation of laws designed to criminalize the use of cloned vehicles. With clearly defined, consistent federal and state statutes available to assist them, law enforcement officers can effectively act against people using cloned vehicles to further their criminal activities.

CONCLUSION:

Without law enforcement intervention, the threat posed by cloned vehicles will continue to provide criminals with the means necessary to carry out their initiative. As discussed earlier, the initiatives may be smuggling drugs, illegal aliens or weapons that may be used by terrorists. It is important for law enforcement agencies to work together and combine investigative efforts on developing cases that involve cloned vehicles. Increased communication and the sharing of information will be a step in the right direction in stopping criminals from using the commercial and private industries to their advantage.





APPENDIX

SOURCES OF INFORMATION:

Websites:

Associated Press, Lisa Orkin Emmanuel (6-14-07): "Expert warns of terrorists' nuke strategy", (pg 2) http://revolutionradio.org/2007/06/14/expert-warns-of-terrorists-nuke-strategy/

How to create a logo from home (pg. 3): www.streetdecals.com/create.asp

ABC News, Brian Ross and Louis Martinez (10-22-07): "Al Qaeda's Using Iraqi Government Vehicles, ambulances" (pg. 17 and 18):

http://blogs.abcnews.com/theblotter/2007/10/us-al-qaeda-usi.html

Department of Transportation – Federal Motor Carrier Safety Administration (pg. 20): www.fmcsa.dot.gov/

Verify a motor carrier's U.S. DOT number, legal name, address and phone (pg. 20): www.safer.fmcsa.dot.gov/CompanySnapshot.aspx

Further information about U.S. DOT numbers (pg. 20): www.safersys.org

Black Asphalt Electronic Networking System (valuable source of information regarding cloned vehicles):

<u>www.desertsnow.com</u> (to apply for membership)<u>www.blackasphalt.org</u> (to enter main site)

Cloned vehicle Incidents: (The sources are listed in the order they appear in this assessment)

- 1) Det. Frank Martinez Arizona Department of Public Safety, (602) 644-5878 (pg. 4)
- 2) Sgt. Jason Clarke Missouri State Highway Patrol, (573) 526-6122 (pg. 4)
- 3) Det. Sandra Brewster Texas Fusion Center, (512) 424-5278 (pg. 4)
- 4) Det. Sandra Brewster Texas Fusion Center, (512) 424-5278 (pg. 5)
- 5) Det. Sandra Brewster Texas Fusion Center, (512) 424-5278 (pg. 5)
- 6) Det. John Johnson Pearl, Mississippi, Police Department, (601) 939-7000 (pg. 6)
- 7) Ofc. Buford Young Temple, Georgia, Police Department, (770) 562-3369 (pg. 7)
- 8) Dep. Aubrey St. Angelo Iberville, Louisiana Sheriff's Department, (225) 687-5296 (pg. 10)
- 9) Det. John Johnson Pearl, Mississippi, Police Department, (601) 939-7000 (pg. 11)
- 10) Det. Michael Cluck Casa Grande Border Patrol (520) 836-7812 (pg. 12)
- 11) Det. John Johnson Pearl, Mississippi, Police Department, (601) 939-7000 (pg. 13)
- 12) Trooper Harry Smith Arkansas State Patrol, (479) 754-3096 (pg. 14)
- 13) Sqt. Albert Maldonado Texas Department of Public Safety, (956) 983-1970 (pg. 15)
- 14) Ofc. Shannon Purdon Texas District Attorney Special Crime Unit, (903) 645-2021 (pg. 16)
- 15) Management Coordinator Scott Alley Texas DOT, (512) 416-3187, (pg. 16-17)

Any law enforcement agency that questions the validity of a UPS or FedEx driver or a truck may contact:

FedEx (Nationwide)

Jerry Eason

(800) 874-4723, ext. 4915

Cell: (870) 365-3527

For Florida Queries, **UPS** can be divided into three regions:

South FloridaCentral FloridaNorth FloridaUlyess GaryLisa PryorJorge Bertot

Office: (786) 413-3315 Office: (407) 826-8181 Office: (904) 693-8328

 Cell: (954) 295-7882
 Cell: 427-3525
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- The Texas Department of Public Safety
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- The Florida Department of Transportation
- The Florida Department of Health
- The Missouri State Highway Patrol
- The Arkansas State Patrol
- The Casa Grande, Arizona, Border Patrol
- The Pearl, Mississippi, Police Department
- The Temple, Georgia, Police Department
- The Iberville, Louisiana, Police Department
- The Texas District Attorney Special Crime Unit
- The Texas Department of Transportation
- The United States Department of Transportation
- The members of Black Asphalt

Office of Statewide Intelligence



Florida Department of Law Enforcement

Mission Statement

The mission of the statewide intelligence function is to provide the Florida Department of Law Enforcement (FDLE) leadership with sufficient information to make informed decisions on deployment of resources.

The Office of Statewide Intelligence (OSI) was created by FDLE to specifically address the need for a preemptive response to our state's varied criminal elements and trends. Members of OSI interact with regional intelligence units and state, local and federal agencies to monitor issues including, but not limited to:

- Major Drugs Crime
- Violent Crime
- Domestic Security
- Computer Crime
- Major Economic Crime
- Public Integrity

OSI has a team of special agents and crime intelligence analysts who are responsible for ensuring the collection and analysis of intelligence information through focused crime specific intelligence teams, which have expertise within their respective areas of responsibility. These sworn and non-sworn members serve as points of contact for other state agency intelligence units. Their focus areas and contact information is as follows:

Domestic Security	SAS Rick Swearingen	<u>rickswearingen@fdle.state.fl.us</u>		
Counter Terrorism Intelligence Center	SMAS Chris Stuck	chrisstuck@fdle.state.fl.us		
Violent Crime/Economic Crime	SAS Keith Wilmer	keithwilmer@fdle.state.fl.us		
& Dangerous Drugs/Gaming Enforcement				
Financial Crime Analysis Center	SMAS Kristie Manzi	kristiemanzi@fdle.state.fl.us		
Special Projects & Dissemination	SMAS Eva Rhody	evarhody@fdle.state.fl.us		
Florida Investigative Support Center	SMAS Kristi Gordon	kristigordon@fdle.state.fl.us		

The Florida Investigative Support Center (FISC) provides 24/7 analytical support to FDLE and local, state and federal partners. The Florida Investigative Support Center can be contacted 24/7 via 850-410-7645, 1-800-342-0820 or email: FISC@fdle.state.fl.us.

OSI is under the leadership of SAC Tom McInerney, who also serves as Florida's Homeland Security Advisor. ASAC Jennifer Pritt has oversight for the daily operations of OSI. Contact information for these command staff members are as follows:

Special Agent in Charge	Thomas J. McInerney	tommcinerney@fdle.state.fl.us
Assistant Special Agent in Charge	Jennifer Pritt	jenniferpritt@fdle.state.fl.us



Florida Department of Law Enforcement Office of Statewide Intelligence Post Office Box 1489 Tallahassee, FL 32302-1489

> OSIIntel@fdle.state.fl.us 850-410-7060