

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Jay Scott Emler, Chairman
Shari Feist Albrecht, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

December 6, 2016

17-TRAM-221-PEN

Kenneth E. Kropf, President
Kropf Lumber, Inc.
PO Box 310
Hesston, Kansas 67062

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on October 28, 2016, by Kansas Corporation Commission Special Investigator Doug Handy. For a full description of the penalty and process please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

You have been assessed a \$500 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

You must submit to one follow-up safety compliance review within the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

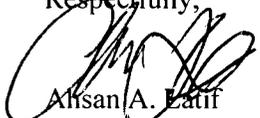
IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2015 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,


Ahsan A. Eatif
Litigation Counsel
(785) 271-3118

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Jay Scott Emler, Chairman
 Shari Feist Albrecht
 Pat Apple

In the Matter of the Investigation of **Kropf**)
Lumber, Inc., of Hesston, Kansas, Regarding)
the Violation of the Motor Carrier Safety)
Statutes, Rules and Regulations and the) Docket No. 17-TRAM-221-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

PENALTY ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2015 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2015 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

2. Pursuant to K.S.A. 2015 Supp. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. Kropf Lumber, Inc. (Kropf Lumber) obtained private operating authority from the Commission on April 12, 1976, and operates under KSMCID number 114503 and USDOT number 394615.

5. Kropf Lumber is an interstate/intrastate carrier that operates five (5) straight trucks with a GVWR of 26,001 or more. It also has one (1) truck-tractor and two (2) semi-trailers with a GVWR of 26,001 or more. Kropf Lumber employs six (6) full time drivers.

6. Kropf Lumber is a private motor carrier which primarily hauls logs, poles, beams, lumber, and building materials.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on October 28, 2016, Commission Staff (Staff) Special Investigator Doug Handy conducted a compliance review of the operations of Kropf Lumber. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Handy identified two (2) violations of the Motor Carrier Safety Regulations.

- a. On August 9, 2016, Kropf Lumber required or permitted its driver, David Wiens, to operate a CDL-required commercial motor vehicle, a 2005 Kenworth, VIN ending in 103109, GVWR 33,000 lbs., in intrastate commerce from Hesston, Kansas to Goessel, Kansas. This trip is

evidenced by Invoice No. 42137, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Kropf Lumber failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigator found three (3) violations of this type. Kropf Lumber's failure to inquire into its driver's MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c)(1), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2015 Supp. 66-1,112. Staff recommends a fine of \$250.

- b. On August 16, 2016, Kropf Lumber required or permitted its driver, Kyle Hanzlicek, to operate a CDL-required commercial motor vehicle, a 2006 Kenworth, VIN ending in 118557, GVWR 33,000 lbs., in intrastate commerce from Hesston, Kansas to Nickerson, Kansas. This trip is evidenced by Invoice No. 42231, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. Kropf Lumber permitted this transportation without first obtaining and documenting a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. There was a periodic inspection conducted by Louie's Service Center, Inc. on April 20, 2015. The next periodic inspection was not conducted until October 12, 2016, by MJ's Truck Repair. Kropf Lumber's failure to conduct periodic (annual)

inspections on commercial motor vehicles is a violation of 49 C.F.R. 396.17(c), as adopted by K.A.R. 82-4-3j, and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$250.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find Kropf Lumber committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$500 for two (2) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Kropf Lumber be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Kropf Lumber submit to one follow-up safety compliance review within the next eighteen (18) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Kropf Lumber because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

13. The Commission finds Kropf Lumber committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety

Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Kropf Lumber, Inc., of Hesston, Kansas is hereby assessed a \$500 civil penalty for two (2) violations of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Kropf Lumber is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, Kropf Lumber is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. **Pursuant to K.S.A. 2015 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order.** If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Kropf Lumber's right to a hearing, and this Penalty Order will become a Final Order assessing a \$500 civil penalty against Kropf Lumber, and ordering Kropf Lumber to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2015 Supp. 66-1,142b(e) and amendments thereto.

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

F. Failure to pay the \$500 civil penalty within thirty (30) days of the service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Kropf Lumber's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: DEC 08 2016



Amy L. Green
Secretary to the Commission

AAL

Order Mailed Date
DEC 09 2016

ATTACHMENT "A"

Kansas Corporation Commission

	US DOT # 394615	Legal: KROPF LUMBER INC Operating (DBA):														
MC/MX #:		State #:	Federal Tax ID: (EIN)													
Review Type: Compliance Review (CR)																
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory: F												
Operation Types																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:15%; text-align:center;">Interstate</td> <td style="width:15%; text-align:center;">Intrastate</td> </tr> <tr> <td>Carrier:</td> <td style="text-align:center;">Non-HM</td> <td style="text-align:center;">Non-HM</td> </tr> <tr> <td>Shipper:</td> <td style="text-align:center;">N/A</td> <td style="text-align:center;">N/A</td> </tr> <tr> <td>Cargo Tank:</td> <td style="text-align:center;">N/A</td> <td></td> </tr> </table>			Interstate	Intrastate	Carrier:	Non-HM	Non-HM	Shipper:	N/A	N/A	Cargo Tank:	N/A		Business: Corporation Gross Revenue: for year ending: 12/31/2015		
	Interstate	Intrastate														
Carrier:	Non-HM	Non-HM														
Shipper:	N/A	N/A														
Cargo Tank:	N/A															
Company Physical Address: [Redacted]																
Contact Name: Kenneth E Kropf Phone numbers: (1) [Redacted] E-Mail Address: [Redacted]																
Company Mailing Address: PO BOX 310 HESSTON, KS 67062-0310																
Carrier Classification Private Property																
Cargo Classification Logs, Poles, Beams, Lumber Building Materials																
Equipment																
	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased									
Truck	5	0	0	Truck Tractor	1	0	0									
Trailer	2	0	0													
Power units used in the U.S.: 6 Percentage of time used in the U.S.: 100																
Does carrier transport placardable quantities of HM? No																
Is an HM Permit required? N/A																
Driver Information																
	Inter	Intra	Average trip leased drivers/month: 0													
< 100 Miles:		6	Total Drivers: 6													
>= 100 Miles:			CDL Drivers: 6													





KROPF LUMBER INC
U.S. DOT #: 394615

State #: [REDACTED]

Review Date
10/28/2016

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at

1500 SW Arrowhead Rd
Topeka, Ks. 66604-4027

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Kenneth E. Kropf

Title: President

Name:

Title:





KROPF LUMBER INC
U.S. DOT #: 394615

State #: [REDACTED]

Review Date
10/28/2016

Part B Violations

1 FEDERAL	Primary: 391.21(a)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description

Using a driver who has not completed and furnished an employment application meeting minimum requirements

Example

Driver Name: [REDACTED]

Trip Date 06/05/2016

Hire Date 05/01/2014

Ks. Roadside Insp. #KSHPO2190975

Carrier had application in driver qualification file that was missing several of the requirements to be in compliance. Application was missing DOB, DL information, Prior applicability of the FMCSR's with prior positions. No accident history, and no traffic violations

2 STATE	Primary: 391.23(a)1(b)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
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Description

Failing to obtain response to the inquiry of each state driving record within 30 days of employment.

Example

Driver Name [REDACTED]

Trip Date 03/13/16

Hire Date 01/01/16

Carrier failed to obtain a MVR from the State Agency where the driver held a commercial motor vehicle operators' license

Driver [REDACTED] Rehired date 07/05/2016 Original Hire Date 05/21/14 Terminated 07/24/15

3 STATE	Primary: 391.25(a) CFR Equivalent: 391.25(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months

Example

Driver Name [REDACTED]

Trip Date 08/09/2016

Hired on 09/12/2011

There were no MVR records for the 2014 - 2016 in the driver qualification files

Driver [REDACTED] Hire Date 05/01/14

Hire Date 03/25/15

4 STATE	Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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Description

Failing to maintain driver's employment application in driver's qualification file.

Example

Driver Name: [REDACTED]

Trip Date 08/15/2016

Hired Date: 09/12/11

Carrier failed to have driver complete an application of employment as required by the regulations. Carrier had no application in the driver qualification files during this investigation





KROPF LUMBER INC
U.S. DOT #: 394615

State #: [REDACTED]

Review Date
10/28/2016

Part B Violations

5 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example

Driver Name [REDACTED]

Trip Date 08/15/16

Hired on 09/12/11

Carrier failed to conduct annual reviews on each driver annually as required by the regulations. Driver qualification files were missing annual reviews for 2014 - 2016.

6 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

Example

Driver Name [REDACTED]

Trip Date 08/15/16

Hired on 09/12/11

Carrier failed to have the driver complete the certification of violations annually as required. Driver qualification file was missing certifications for 2014 - 2016.

7 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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Description

Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver disqualification file(s).

Example

Driver Name [REDACTED]

Trip Date 06/13/2016

Hire Date 01/01/2016

Medically certified on 09/17/2015. Carrier failed to verify that [REDACTED] was certified in the National Registry.

8 STATE	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
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Description

Using a commercial motor vehicle not periodically inspected

Example

Driver Name [REDACTED]

Trip Date 08/18/2016

2006 Kenworth Unit#3 VIN# [REDACTED] 118557

Carrier failed to have commercial motor vehicle periodically inspected as required annually. Maintenance record invoice #52806 dated 04/20/2015 indicated DOT Inspection Performed at [REDACTED]. Most recent Periodic Inspection was conducted on 10/12/2016 at [REDACTED].





KROPF LUMBER INC
U.S. DOT #: 394815

State #: [REDACTED]

Review Date:
10/28/2016

Part B Violations

Safety Fitness Rating Information:
 Total Miles Operated 385,416
 Recordable Accidents 0
 Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0
 Number of Vehicle Inspected (CR): 2
 OOS Vehicle (MCMIS): 0
 Number of Vehicles Inspected (MCMIS): 1

Your proposed safety rating is :

SATISFACTORY

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report





KROPF LUMBER INC
U.S. DOT #: 394615

State # [REDACTED]

Review Date
10/28/2016

Part B Requirements and/or Recommendations

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
2. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>)
3. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process
4. Ensure that drivers provide a 10-year employment history on their employment application.
5. Obtain a copy of each driver's driving record and review it annually
6. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
7. Provide a copy of periodic inspection dated prior to next dispatch
8. Failing to investigate a driver's background.
9. Failing to maintain inquiries into driver's driving record in the driver's qualification file.
10. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.
The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.
Motor carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and (3) more specific fact-based displays of SMS results on the SMS Web site.
The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.
11. Starting January 30, 2012 and no later than January 30, 2014, all CDL holders must provide information to their SDLA regarding the type of commercial motor vehicle operation they drive in or expect to drive in with their CDL. Drivers operating in certain types of commerce will be required to submit a current medical examiner's certificate to their SDLA to obtain a "certified" medical status as part of their driving record. CDL holders required to have a "certified" medical status who fail to provide and keep up-to-date their medical examiner's certificate with their SDLA will become "not-certified" and they may lose their CDL.
For specific State by State requirements for drivers and information related to how a State is handling the Medical Certification requirements, and to determine who to contact for additional information, click on the following link: <http://www.aamva.org/aamva/DocumentDisplay.aspx>
12. For all Investigations
 - Understand Why Compliance Saves Time and Money. Compliance with FMCSRs will not only save lives,





KROPF LUMBER INC
U.S. DOT # 394615

State # [REDACTED]

Review Date
10/28/2016

Part B Requirements and/or Recommendations

but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information: <http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

13. For all investigations that could result in a Penalty Order:

PLEASE NOTE: The violations discovered during this compliance investigation may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order. Your signature for the receipt of this report acknowledges your understanding that the violations discovered by the KCC during this investigation may be used to calculate any civil penalty proposed as a result of this investigation. Your signature is not an admission for the violations identified.

14. For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Mail the letter along with copies of your supporting evidence to:





KROPF LUMBER INC
U.S. DOT #. 394615

State #. [REDACTED]

Review Date
10/28/2016

Part B Requirements and/or Recommendations

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

- 15. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
- 16. This review will result in a Safety Rating.
- 17. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements and/or failure to comply with the Kansas Motor Carrier Safety Statutes and Regulations could result in suspension of Kropf Lumber, Inc operating authority and/or the impoundment of Kropf Lumber, Inc vehicles.

Kenneth Kropf Kenneth Kropf, President
10-28-16 Date



ATTACHMENT "B"

Mark 62

K R O P F
Lumber, Inc.
400 North Lancaster, P.O. Box 310
Hesston, KS 67062

Phone (620) 327-4951
Fax (620) 327-3027

Order 8454
Invoice 42137

Sold To:

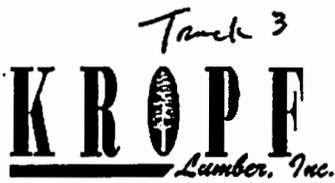
Ship To:

~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
GOESSEL, KS 67053

~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
GOESSEL

Account #	Customer P.O.#	Terms	Order #	Order Date	SLSMN	Invoice #	Invoice Date
V1566		Net 10th	8454	08/02/2016	KB	42137	08/15/2016
Ordered	Backordered	Shipped	U/M	Description	Price	Amount	
1	0	1	SET	5/12 24" O.H. TRUSSES #16112 BUNDLE 1/ 14 TRUSSES 9@ 20-03-04 T03 1@ 20-03-04 T04GE 1@ 20-03-04 T02 1@ 12-01-08 T01 2@ 12-01-08 G01 BUNDLE 2/ 3 TRUSSES 1@ 06-02-05 J05 1@ 02-00-13 J06 1@ 09-00-13 CJ01 BUNDLE 3/ 5 TRUSSES 2@ 04-02-00 J01 1@ 03-01-03 J02 1@ 02-01-03 J03 1@ 01-01-03 J04 3 BUNDLES/ 22 TRUSSES 12 DESIGNS	1080.970	1,080.97	
1	0	1	EA	SIMPSON 2X6 12GA GIRDER HNGR HGUS26-2	18.136	18.14	
2	0	2	EA	SIMPSON 2X6 18GA MD HANGER MUS26	1.663	3.33	
1	0	1	EA	SST TRUSS HIP/JACK HNGR 7-3/4 THJU26-W	48.403	48.40	
				CALL WHEN DONE JEREMY 620-386-0528			

ATTACHMENT "C"



400 North Lancaster, P.O. Box 310
Hesston, KS 67062

Phone (620) 327-4951
Fax (620) 327-3027

Order 10350
Invoice 42231

Sold To:

~~JOSEPH W. HERSHBERGER~~
~~1001 W. 14TH AVE~~

Ship To:

~~JOSEPH W. HERSHBERGER~~
~~1001 W. 14TH AVE~~

NICKERSON, KS 67561

NICKERSON

Account #	Customer P.O.#		Terms	Order #	Order Date	SLSMN	Invoice #	Invoice Date
H4284			Net 10th	10350	08/15/2016	JAF	42231	08/16/2016
Ordered	Backordered	Shipped	U/M	Description		Price	Amount	
50	0	50	EA	PAVING MAT 8X20 6-6-6-6 820PM		29.930	1,496.50	
5	0	5	ROL	DRAINGUARD 3" X 300' W/SOCK 3D		195.000	975.00	
5	0	5	EA	SUMP LINER PLASTIC PSL		31.990	159.95	
25	0	25	EA	DRAINGUARD 3" CAP 3DCAP		2.990	74.75	
25	0	25	EA	DRAINGUARD 3" COUPLING 3DC		2.390	59.75	
				DUMP NORTH OF TREES WHERE W USUALLY DUMP IT. 620-727-3198 PLEASE DELIVER WHEN CAN TUES				

Kyle

Merchandise	2,765.95
Other	0.00
Tax REC	221.28
Freight	0.00
Total	2,987.23

JOSEPH W. HERSHBERGER

Invoice

CERTIFICATE OF SERVICE

17-TRAM-221-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on DEC 08 2016.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

KENNETH E. KROPF, PRESIDENT
KROPF LUMBER, INC.
PO BOX 310
HESSTON, KS 67062-0310
Fax: 620-327-3027
ken@kropflumber.com

/S/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date

DEC 09 2016