



1500 SW Arrowhead Road
Topeka, KS 66604-4027

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

20250108111423
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT

25-TRAM-194-PEN

January 7, 2025

Mr. Gildardo Ochoa, President
Go Trucking, Inc.
2701 W Mary
Garden City, Kansas, 67846

This is a notice of a penalty assessment against Go Trucking, Inc. (“Go Trucking”) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted from September 11 through October 8, 2024, by a Kansas Corporation Commission Special Investigator. The Special Investigator identified eighty-four violations of the Motor Carrier Safety regulations. Penalties for the violations are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. Go Trucking has been assessed a \$14,950.00 penalty. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$14,950.00 through your personal account with the Kansas Corporation Commission’s Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

The attached Order also requires a representative of Go Trucking:

- a. To attend a Commission-sponsored safety seminar within thirty (30) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission’s website http://www.kcc.state.ks.us/trans/safety_meetings.htm.
- b. To submit a written, comprehensive Corrective Action Plan (“CAP”) to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier’s efforts and concrete steps taken to ensure the violations do not occur in the future.
- c. To submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, and within fifteen (15) days from the date of service of this Order, setting forth the specific grounds upon which relief is sought. You may request a hearing through the Commission’s electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and you must also mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

¹ K.A.R. 82-1-215; K.S.A. 77-542.



1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

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

Governor Jeff Colyer, M.D.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$14,950.00 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,
/s/ Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel
(785) 271-3118
ahsan.latif@ks.gov

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Investigation of **Go**)
Trucking, Inc. of Garden City, Kansas.)
Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 25-TRAM-194-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”). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, 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. 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 issue an order on the Commission’s own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

4. Go Trucking (“Go Trucking” or “Carrier”) is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 3835862.

5. The Commission finds it has jurisdiction over Go Trucking pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

6. From September 11, 2024, through October 8, 2024, a Commission Transportation Staff (“Transportation Staff” or “Staff”) Special Investigators (“SIs”) completed a safety compliance investigation of the operations of Go Trucking. As a result of the compliance investigation, the SIs identified eighty-four (84) violation(s), set forth in seventeen (17) count(s), of the Motor Carrier Safety Regulations (“MCSRs”), which carry a penalty set forth in the FY2025 Uniform Penalty Assessment Matrix.²

7. On October 16, 2024, Transportation Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and incorporated by reference herein, recommending a penalty of \$14,950.00 to be issued to Go Trucking based on the frequency, timeline, and severity of the violations discovered.

8. The Commission hereby adopts Staff’s findings as contained in its October 16, 2024, R&R.³

² Order Designating Guidance Document and Approving Staff’s Use of the Transportation Division’s Uniform Penalty Assessment Table, pp. 10 – 24 (June 27, 2024) (“Penalty Matrix”).

³ Staff’s Report and Recommendation (Oct. 16, 2024).

9. Specifically, pursuant to Staff's R&R, the Commission finds that Go Trucking committed eighty-four (84) violation(s) of the following seventeen (17) count(s), discussed more fully in Staff's R&R:⁴

a. Count 1: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road without first enrolling and testing its driver(s), Abel Sotelo in an alcohol and controlled substance testing program, which resulted in one (1) violation of 49 C.F.R. 382.305(a), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the current Penalty Matrix.

b. Count 2: On April 29, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road for which it falsified records/reports, specifically the two annual inspection reports for the 1998 Peterbilt truck, VIN ending in 0206 and Timpte trailer, VIN ending in 4917 (Carrier did not check the vehicle features that were included on the CMV, but also marked that features were "OK" even though they did not exist on the inspected vehicles) which resulted in two (2) violations(s) of 49 C.F.R. 390.35, adopted by K.A.R. 82-4-3f. The Commission finds that Staff's recommendation of an enhanced penalty of \$2,000.00 is appropriate and in accordance with the current Penalty Matrix.

c. Count 3: On July 8, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road without requiring its drivers to maintain a record of duty status for each 24-hour period which resulted in fifteen (15) violations(s) of 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a. The SI found five (5) violations for transports by owner Gildardo Ochoa (July 3 and 8-11, 2024), six (6) violations for transports by Jose Banuelos

⁴ See Staff's Report and Recommendation (Oct. 16, 2024).

Casas (April 15-18, 20, and 21, 2024), and four (4) violations for transports by Isabel Ochoa Nevarez (June 1, 2 and 8 and 9). The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the current Penalty Matrix.

d. Count 4: On June 7, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road for which its drivers made false reports of record of duty status on the 25 different dates set forth herein, which resulted in twenty-five (25) violations(s) of 49 C.F.R. 395.8(e), adopted by K.A.R. 82-4-3a. Go Trucking drivers made false reports of record of duty status (The drivers documented they were "off-duty" during times when a supporting document stated they were on-duty working to load or unload Go Trucking's commercial vehicles.): fourteen violations (14) by Isabel Ochoa Nevarez on June 3-7, 10-14, 18, and 24-26, 2024; three (3) violations by Gildardo Ochoa on June 14, 17, and 20, 2024; three (3) violations by Jose Banuelos Casas (April 9, 11, and 25, 2024), five (5) violations by Jose Ochoa on August 6-9 and 16, 2024). The Commission finds that Staff's recommendation of a penalty of \$4,000.00 is appropriate and in accordance with the current Penalty Matrix.

e. Count 5: On September 9, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and did not provide maintenance records for a 2001 Great Dane trailer, VIN ending in 3403 and a 1988 Transcraft trailer, VIN ending in 0147 used on April 22, 2024, which resulted in two (2) violations(s) of 49 C.F.R. 396.3(b), adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the current Penalty Matrix.

f. Count 6: On April 29, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and did not obtain and provide an annual inspection

covering parts and accessories set forth in Appendix A for a 1998 Peterbilt truck, VIN ending in 0206 and a 2010 Timpte trailer, VIN ending in 4917 which resulted in two (2) violations(s) of 49 C.F.R. 396.17(a), adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the current Penalty Matrix.

g. Count 7: On July 8, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to retain and provide supporting documents set forth in K.A.R. 82-4-35a (a) through (k) for its operations upon request by an duly authorized representative, the state highway patrol or other law enforcement officers, which resulted in ten (10) violations of K.A.R. 82-4-35a and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h. Carrier failed to retain and provide supporting documentation for transports by Gildardo Ochoa on June 13, 14, 17, 19, 20, 2024 and July 3, 8-11, 2024. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the current Penalty Matrix.

h. Count 8: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to conduct a post-accident alcohol and controlled substance test on its driver, Abel Sotelo, who was performing a safety-sensitive function with respect to the commercial vehicle and was in an accident that involved the loss of human life, which is a violation of 49 C.F.R. 382.303(a) and (b), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the current Penalty Matrix.

i. Count 9: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to provide evidence that it provided

to its driver Abel Sotelo, who was involved in an accident that the Carrier gave its drug and alcohol policy that meets the all the requirements of 49 CFR 382.601(b) to Mr. Sotelo, which is a violation of 49 C.F.R. 382.601, adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the current Penalty Matrix.

j. Count 10: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road, and it failed to conduct an annual query of the Clearinghouse into its employee drivers who are subject to controlled substance and alcohol testing: Simon Saldivar, Jose Banuelos Casas, and Crisoforo Ochoa Nevarez, which resulted in three (3) a violation of 49 C.F.R. 382.701(b), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$300.00 is appropriate and in accordance with the current Penalty Matrix.

k. Count 11: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to first to require or conduct a pre-employment query of the Clearinghouse with FMCSA DACH and obtain information about whether its drivers, Abel Sotelo prior to August 19, 2024, and Sandra Jeanty prior to August 13, 2024 had violated §381.211, §382.205, §382.207, §382.209, §382.213, which resulted in two (2) violations of 49 C.F.R. 382.701(a), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$700.00 is appropriate and in accordance with the current Penalty Matrix.

l. Count 12: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to maintain and produce an accident register for 3 years after the date of each accident, including the fatality accident that

occurred on August 19, 2024, which resulted in a violation of 49 C.F.R. 390.15(a), adopted by K.A.R. 82-4-3f. The Commission finds that Staff's recommendation of a penalty of \$200.00 is appropriate and in accordance with the current Penalty Matrix.

m. Count 13: On August 23, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to obtain and produce the motor vehicle record covering at least the preceding 12 months from the driver's license authority for 3 of its driver employees Simeon Saldivar prior to April 29, 2024, Jose Banuelos Casas prior to April 4, 2024 and Crisoforo Ochoa Nevarez prior to August 23, 2024, which resulted in three (3) violations of 49 C.F.R. 391.25, adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the current Penalty Matrix.

n. Count 14: On July 8, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road as a for-hire carrier hauling scrap metal point to point without first obtaining from the Kansas Corporation Commission a certificate of public service to transport property (for-hire authority), which is a violation of K.S.A. 66-1,114b, adopted by K.A.R. 82-4-3h.⁵ Carrier's for-hire authority was cancelled on September 13, 2023 and reinstated on November 7, 2024. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the current Penalty Matrix.

o. Count 15: On June 7, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and driver(s) Isabel Ochoa Nevarez hauled a load of rock with a gross weight of 87,100 lbs., which is 1,600 lbs. over the statutory weight limit

⁵ Also see K.S.A. 66-1,111 and 49 C.F.R. 392.2.

of 85,500 lbs., (Additionally Isabel Ochoa was also driving a commercial vehicle with loads over the statutory limit on June 1, 5, 6, 7, 10, 11, 12, 13, 14 and 26, 2024 and Gildardo Ochoa was driving a commercial vehicle with a load over the statutory limit on June 24, 2024), which resulted in eleven (11) violations of K.S.A. 8-1901(a) and K.S.A. 8-1909, adopted by K.A.R. 82-4-3h.⁶ The Commission finds that Staff's recommendation of a penalty of \$1,500.00 is appropriate and in accordance with the current Penalty Matrix.

p. Count 16: On June 7, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to require its drivers Isabel Ochoa Nevarez on June 7, 2024, Jose Ochoa on August 6, 2024 and Abel Sotelo on July 19, 2024,) to use an Electronic Logging Device (ELD) to record their duty status (log their hours of service), which resulted in three (3) violations of 49 C.F.R. 395.8(a)(1)(i) adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the current Penalty Matrix.

q. Count 17: On August 19, 2024, Go Trucking was operating commercial motor vehicles in Kansas on a public road and failed to provide inspector qualifications for its inspector Bruce Faulkner, who had performed an annual inspection on a 2012 Freightliner, VIN ending in 7187, which resulted in a violation of 49 C.F.R. 396.19(a), adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the current Penalty Matrix.

10. The Commission also finds that Go Trucking is required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order, and provide Litigation Counsel with written

⁶ Also see K.A.R. 82-4-6a, 49 C.F.R. 392.1 and 49 C.F.R. 392.2.

proof of attendance within five days.⁷ A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. The Commission further finds that Go Trucking is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.⁸

12. The Commission further finds that Go Trucking is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁹

13. The Commission concludes the penalty of \$14,950.00 for the eight-four violations set forth above, and the additional three requirements set forth in paragraph 10 through 12, are just and reasonable.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Go Trucking is hereby assessed a \$14,950.00 civil penalty for eighty-four (84) violation(s), set forth in seventeen (17) count(s), 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. Go Trucking is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the

⁷ See Id., p3.

⁸ See Id.

⁹ See Id.

date of this Order and is to timely provide Litigation Counsel with written proof of attendance within seventeen (17) business days of completing the safety seminar.

C. Go Trucking is hereby ordered to submit a written, comprehensive corrective action plan (CAP) that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Go Trucking is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

E. Pursuant to K.S.A. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Go Trucking's right to a hearing, and this Penalty Order will become a Final Order.

F. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500.00, 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.¹⁰ For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.¹¹

G. If you do not request a hearing, the payment of the civil penalty of \$14,950.00 is due in thirty (30) days from the date of service of this Order. Payment of \$14,950.00 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure of Go Trucking to perform, pay or to fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of Go Trucking's motor carrier operating authority without further notice.¹² Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 01/08/2025



Lynn M. Retz
Executive Director

PJH

¹⁰ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

¹¹ K.S.A. 66-1,142b(e) and amendments thereto.

¹² K.S.A. 66-1,105.

ATTACHMENT “A”

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Jared Smith, Deputy Director of Transportation

DATE: October 16, 2024

SUBJECT: Docket No. 25-TRAM-194-PEN
In the Matter of the Investigation of **Go Trucking Inc of Garden City, Kansas**
Regarding the Violation of the Motor Carrier Rules and Regulations and the
Commission’s Authority to Impose Penalties, Sanctions and/or the Revocation of
Motor Carrier Authority

EXECUTIVE SUMMARY:

Go Trucking Inc (Go Trucking) is a motor carrier (MC), primarily hauling grain, feed, hay and other (sand, scrap metal). Go Trucking Inc operates under USDOT 1255993. From September 11, 2024 through October 8, 2024, Commission Staff Special Investigators (SIs) completed a safety compliance investigation of the operations of Go Trucking Inc. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SIs identified eighty-four (84) violations set forth in seventeen (17) specific counts of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$14,950 be issued to the MC.

DISCUSSION AND ANALYSIS:

From September 11, 2024 through October 8, 2024, Commission Staff SIs conducted a safety compliance investigation of the operations of Go Trucking Inc. The investigation covers a 365 day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129

Relevant Statutes: 49 C.F.R. 382.305(a) states: “Every employer shall comply with the requirements of this section. Every driver shall submit to random alcohol and controlled substance testing as required in this section.”

Material Facts and Supporting Documents: On August 19, 2024, Go Trucking required or permitted its driver, Abel Sotelo, to operate a commercial driver’s license (CDL) required commercial motor vehicle (CMV), a 2012 Freightliner, VIN ending in 7187, GVWR 52,000 lbs., pulling a 1998 Timppte trailer, VIN ending in 2797, GVWR 65,000 lbs., in interstate commerce from Orleans, Nebraska to Dighton, Kansas. This transport is evidenced by Driver Vehicle Examination Report No. KSHP02822450 and Accident Report No. 2024010011, both attached hereto as **Exhibit 2**.

During this transport on August 19, 2024, Mr. Sotelo was involved in a fatality accident (*See* Accident Report attached as **Exhibit 2**) in the state of Kansas. The MC did not provide the SIs with evidence of enrollment in a random alcohol and controlled substance testing program compliant with 49 C.F.R. 382.305 at the time of this transport.

Violation: Go Trucking failed to enroll in a random alcohol and controlled substance testing program, which is a violation of 49 C.F.R. 382.305, adopted by K.A.R. 82-4-3c (**Exhibit 1, Page 3**). One (1) violation discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$1,000, in accordance with the FY2025 Penalty Matrix.

Count Two (2 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 390.35 states: “No motor carrier, its agents, officers, representatives, or employees shall make or cause to make—

- (a) A fraudulent or intentionally false statement on any application, certificate, report, or record required by part 325 of subchapter A or this subchapter;
- (b) A fraudulent or intentionally false entry on any application, certificate, report, or record required to be used, completed, or retained, to comply with any requirement of this subchapter or part 325 of subchapter A; or
- (c) A reproduction, for fraudulent purposes, of any application, certificate, report, or record required by this subchapter or part 325 of subchapter A.”

Material Facts and Supporting Documents: On April 29, 2024, Go Trucking required or permitted its driver, Simeon Saldivar, to operate a CDL-required CMV, a 1998 Peterbilt truck, VIN ending in 0206, GVWR 50,000 lbs., pulling a 2010Timppte trailer, VIN ending in 4917, GVWR 70,000 lbs., in intrastate commerce from Garden City, Kansas to Oberlin, Kansas. This transport is evidenced by a Driver Vehicle Examination Report No. KSHP05113203 and copies of annual inspections for the vehicles involved in this transport, attached hereto as **Exhibit 4**.

The MC provided investigators with two annual inspections that were fraudulently completed in that they did not check vehicle features that were included on the CMV and marked as “OK” components that were not found in the vehicle being inspected. The inspections were conducted by the MC’s owner Gildardo Ochoa.

On the Peterbilt truck, Mr. Ochoa failed to check the brake tubing, low pressure warning device, antilock brake system, automatic brake adjusters and failed to complete and check any of the components of Sections #2 Coupling Devices, #3 Exhaust System, #4 Fuel System, #5 Lighting Devices, #7 Steering Mechanism, #8 Suspension, and #9 Frame. The inspector also

marked as "OK" components not found on the vehicle being inspected such as: Electric Brakes, Intermodal Container, and failed to check steer-axle tires.

On the Timpte trailer, Mr. Ochoa failed to check any of the components of Sections #3 Exhaust System, #4 Fuel System, #9 Frame and #11 Wheels and Rims.

Violation: Go Trucking provided investigators with fraudulent annual inspections, which is a violation of 49 C.F.R. 390.35, adopted by K.A.R. 82-4-3f (**Exhibit 1, Page 3**). Two (2) violations were discovered (**Exhibit 1, Page 20**).

Recommendation: Acts of fraud are an intentional violation and therefore Staff recommends an enhanced fine of \$2,000 as determined by the KCC Uniform Penalty assessment table.

Count Three (3 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 395.8(a) states: "Except for a private motor carrier of passengers (nonbusiness), as defined in § 390.5 of this subchapter, a motor carrier subject to the requirements of this part must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed in paragraphs (a)(1)(i) through (iii) of this section, as applicable."

Material Facts and Supporting Documents: On July 8, 2024, Go Trucking required or permitted its owner/driver, Gildardo Ochoa, to operate a CDL-required CMV, a 2020 Peterbilt truck, VIN ending in 4809, GVWR 52,000 lbs., in intrastate commerce from Garden City, Kansas to Wichita, Kansas. This transport is evidenced by a trip sheet attached hereto as **Exhibit 5** and scale ticket #10216 attached hereto as **Exhibit 6**.

At the time of this transport, the MC failed to require its driver to prepare a record of duty status as required by 49 C.F.R. 395.8. The SIs found violations for drivers Gildardo Ochoa (July 3, 8, 9, 10 and 11), Jose Banuelo Casas (April 15, 16, 17, 18, 29 and 21) and Isabel Ochoa Nevarez (June 1, 2, 8 and 8), resulting in fifteen (15) total violations.

Violation: Go Trucking failed to require its drivers to prepare a record of duty status, which is a violation of 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a (**Exhibit 1, Pages 3 to 4**). Fifteen (15) violations were discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$250, in accordance with the FY2025 Penalty Matrix.

Count Four (4 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 395.8(e) states: "(1) No driver or motor carrier may make a false report in connection with a duty status.

(2) No driver or motor carrier may disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or otherwise tamper with an ELD so that the device does not accurately record and retain required data.

(3) No driver or motor carrier may permit or require another person to disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or otherwise tamper with an ELD so that the device does not accurately record and retain required data."

Material Facts and Supporting Documents: On June 7, 2024, Go Trucking required or permitted its driver, Isabel Ochoa Nevarez, to operate a CDL-required CMV, a 2005 Kenworth, VIN ending in 2576, GVWR 52,000 lbs., in interstate commerce from Maywood, Nebraska to Garden City, Kansas. This transport is evidenced by driver Isabel Ochoa Nevarez's Record of Duty Status attached hereto as **Exhibit 7**. Additionally, attached is the drivers Bill Of Lading attached hereto as **Exhibit 8** and Huber Sand scale ticket #180394 attached hereto as **Exhibit 9**.

During this transport, Isabel Ochoa Nevarez unloaded a load of rock in Oberlin, Kansas from 7:00 a.m. to 7:30 a.m. and went to Maywood, Nebraska to load corn that was delivered to Pokie Feeders in Scott City, Kansas. The driver's log states he unloaded the corn in Scott City, loaded rock at Huber Sand in Garden City, and fueled all at the exact same time from 12:30 p.m. to 1:15 p.m. at which time the driver shows he goes "Off Duty." The driver's log is contradicted by the Huber Sand Bill of Lading, which shows the driver loaded rock from 2:59 p.m. to 3:51 p.m., during the time the driver noted on his log he was "Off Duty."

The following drivers made false reports of record of duty status: Isabel Ochoa Nevarez on June 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 24, 25 and 26, 2024; Gildardo Ochoa on June 14, 17, and 20, 2024; Jose Banuelo Casas on April 9, 11 and 25, 2024; and Jose Ochoa on August 6, 7, 8, 9 and 16, 2024. In total the SIs found twenty-five (25) violations. The false records were a result of drivers documenting that they were "Off Duty" during times when a supporting document stated they were loading or unloading at that time.

Violation: Go Trucking provided the SIs with false records of duty status, which is a violation of 49 C.F.R. 395.8(e), adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 4**). Twenty-Five (25) violations discovered (**Exhibit 1, Pages 22 to 23**).

Recommendation: Acts of fraud are an intentional violation and therefore Staff recommends an enhanced fine of \$4,000, in accordance with the FY2025 Penalty Matrix.

Count Five (5 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 396.3(b) states: "Required records. Motor carriers, except for a private motor carrier of passengers (nonbusiness), must maintain, or cause to be maintained, records for each motor vehicle they control for 30 consecutive days. Intermodal equipment providers must maintain or cause to be maintained, records for each unit of intermodal equipment they tender or intend to tender to a motor carrier. These records must include:

(1) An identification of the vehicle including company number, if so marked, make, serial number, year, and tire size. In addition, if the motor vehicle is not owned by the motor carrier, the record shall identify the name of the person furnishing the vehicle;

(2) A means to indicate the nature and due date of the various inspection and maintenance operations to be performed;

(3) A record of inspection, repairs, and maintenance indicating their date and nature; and

(4) A record of tests conducted on pushout windows, emergency doors, and emergency door marking lights on buses."

Material Facts and Supporting Documents: On September 9, 2024, Go Trucking required or permitted its driver to operate a CDL-required CMV, a 2020 Peterbilt truck, VIN ending in 4809, GVWR 53,200 lbs., pulling a Great Dane trailer, VIN ending in 3403, GVWR 67,000 lbs., in intrastate commerce from Wichita, Kansas to Garden City, Kansas. This transport is evidenced by Driver/Vehicle Examination Report No. KSHP04472492 attached hereto as **Exhibit 10**.

The MC did not provide maintenance records for the trailer involved in this transport as well as a 2018 Transcraft trailer, VIN ending in 0147, used in the MC's operations on April 22, 2024.

Violation: Go Trucking failed to provide maintenance records for CMVs involved in its operations, which is a violation of 49 C.F.R. 396.3, adopted by K.A.R. 82-4-3j (**Exhibit 1, Pages 4 to 5**). Two (2) violations for different trailers were discovered (**Exhibit 1, Page 20**).

Recommendation: Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

Count Six (6 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 396.17(a) states: "Every commercial motor vehicle must be inspected as required by this section. The inspection must include, at a minimum, the parts and accessories set forth in appendix A to this part. The term commercial motor vehicle includes each vehicle in a combination vehicle. For example, for a tractor semitrailer, full trailer combination, the tractor, semitrailer, and the full trailer (including the converter dolly if so equipped) must each be inspected."

The inspection shall be retained by the MC pursuant to 49 C.F.R. 396.21(b).

Material Facts and Supporting Documents: This violation took place during the transport on April 29, 2024, described in Count Two, above. The MC did not provide annual inspections that complied with 49 C.F.R. 396.17 for 1998 Peterbilt truck and 2010 Timp trailer involved in this transport. The inspections were required to have been completed in the twelve month period prior to this transport.

Violation: Go Trucking operated CMVs without proof of an annual inspection, which is a violation of 49 C.F.R. 396.17, adopted by K.A.R. 82-4-3j (**Exhibit 1, Page 5**). Two (2) violations discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

Count Seven (7 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.A.R. 82-4-35a states: "The following documents shall be made available upon request for inspection by any duly authorized representative of the commission, the state highway patrol, or other law enforcement officers:

- (a) Registration receipts;
- (b) authority cards;
- (c) driver logs;
- (d) bills of lading or shipping receipts;
- (e) waybills;
- (f) freight bills;
- (g) run tickets, or equivalent documents, and orders;
- (h) cab cards;
- (i) fuel receipts;
- (j) toll road receipts; and

(k) any other documents that would indicate compliance with hours of service requirements.”

Material Facts and Supporting Documents: This violation took place during the transport on July 8, 2024 described in Count Three above. The MC failed to retain and provide the SIs with supporting documents for transports by Gildardo Ochoa on June 13, 14, 17, 19, 20, July 3, 8, 9, 10 and 11, 2024.

Violation: Go Trucking failed to retain and provide supporting documents for its operations, which is a violation of K.A.R. 82-4-35a and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 5**). Ten (10) violations discovered (**Exhibit 1, Page 22**).

Recommendation: Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

Count Eight (8 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 382.303(b) states: “As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:

- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (2) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.”

Material Facts and Supporting Documents: This violation took place during the transport on August 19, 2024, described in Count One, above. During this transport on August 19, 2024, Mr. Sotelo, who was performing safety-sensitive functions with respect to the vehicle, was involved in a fatality accident (*See* Accident Report attached as **Exhibit 2**) in the State of Kansas and the MC did not test for alcohol or require its driver to submit to a post-accident alcohol or controlled substance test as required by 49 C.F.R. 382.303(a) and (b) and adopted by K.A.R. 82-4-3c.

Violation: Go Trucking failed to conduct a post-accident controlled substance test on its driver, Abel Sotelo, after he was involved in a fatality accident, which is a violation of 49 C.F.R. 382.303(b), adopted by K.A.R. 82-4-3c (**Exhibit 1, Pages 6 to 7**). One (1) violation discovered (**Exhibit 1, Page 20**).

Recommendation: Staff recommends a fine of \$1,000, in accordance with the FY2025 Penalty Matrix.

Count Nine (9 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 382.601 states: “General requirements. Each employer shall provide educational materials that explain the requirements of this part and the employer's policies and procedures with respect to meeting these requirements.

(1) The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

(2) Each employer shall provide written notice to representatives of employee organizations of the availability of this information.”

49 C.F.R. 601(b) specifies the required content of the required policy.

Material Facts and Supporting Documents: This violation took place on August 19, 2024, during the transport described in Count One, above. The MC failed to provide the SIs evidence of providing its drivers with a copy of the carrier’s alcohol and controlled substances policy that meets all the requirements of 49 C.F.R. 382.601.

Violation: Go Trucking failed to provide a record/documentation of providing drivers with a copy of the carrier’s written alcohol and controlled substances policy, which is a violation of 49 C.F.R. 382.601, adopted by K.A.R. 82-4-3c (**Exhibit 1, Page 7**). One (1) violation discovered (**Exhibit 1, Page 23**).

Recommendation: Staff recommends a fine of \$500, in accordance with the FY2025 Penalty Matrix.

Count Ten (10 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 382.701(b) states: “Annual query required.

(1) Employers must conduct a query of the Clearinghouse at least once per year for information for all employees subject to controlled substance and alcohol testing under this part to determine whether information exists in the Clearinghouse about those employees.

(2) In lieu of a full query, as described in paragraph (a)(2) of this section, an employer may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement in paragraph (b)(1) of this section. The limited query will tell the employer whether there is information about the individual driver in the Clearinghouse, but will not release that information to the employer. The individual driver may give consent to conduct limited queries that is effective for more than one year.

(3) If the limited query shows that information exists in the Clearinghouse about the individual driver, the employer must conduct a full query, in accordance with paragraph (a)(2) of this section, within 24 hours of conducting the limited query. If the employer fails to conduct a full query within 24 hours, the employer must not allow the driver to

continue to perform any safety-sensitive function until the employer conducts the full query and the results confirm that the driver's Clearinghouse record contains no prohibitions as defined in paragraph (d) of this section.”

Material Facts and Supporting Documents: This violation took place on August 19, 2024, during the transport described in Count One, above. A copy of the carrier's Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse (DACH) Annual Query Report is attached as **Exhibit 11**. The MC failed to conduct an annual query into the following drivers: Simeon Saldivar, Jose Banuelos Casas, and Crisoforo Ocho Navez. The attached annual query report show no annual queries have ever been done.

Violation: Go Trucking failed to conduct required annual queries into its driers with the FMCSA DACH, which is a violation of 49 C.F.R. 382.701(b), adopted by K.A.R. 82-4-3c (**Exhibit 1, Pages 7 to 8**). Three (3) violations discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$300, in accordance with the FY2025 Penalty Matrix.

Count Eleven (11 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 392.701(a) states: “Pre-employment query required.

(1) Employers must not employ a driver subject to controlled substances and alcohol testing under this part to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of § 382.211; or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance, in violation of § 382.213.

(2) The employer must conduct a full query under this section, which releases information in the Clearinghouse to an employer and requires that the individual driver give specific consent.”

Material Facts and Supporting Documents: This violation took place related to and prior to the transport on August 19, 2024, described in Count One, above. Additionally, attached is a copy of the carrier's Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse (DACH) pre-employment query report as **Exhibit 12**. The MC failed to conduct a pre-employment query into the following drivers: Abel Sotelo (prior to an August 19, 2024 transport) and Sandra Jeanty (prior to an August 13, 2024 transport). The attached pre-employment query report show no pre-employment queries have been completed. Under “Result” each attempted query states “Not Complete: Pending driver consent.”

Violation: Go Trucking failed to required pre-employment queries into its drivers with the FMCSA DACH, which is a violation of 49 C.F.R. 382.701(a), adopted by K.A.R. 82-4-3c (**Exhibit 1, Page 8**). Two (2) violations discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$700, in accordance with the FY2025 Penalty Matrix.

Count Twelve (12 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 390.15(b) states: “Motor carriers must maintain an accident register for 3 years after the date of each accident. Information placed in the accident register must contain at least the following:

- (1) A list of accidents as defined at § 390.5 of this chapter containing for each accident:
 - (i) Date of accident.
 - (ii) City or town, or most near, where the accident occurred and the State where the accident occurred.
 - (iii) Driver Name.
 - (iv) Number of injuries.
 - (v) Number of fatalities.
 - (vi) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicle involved in the accident, were released.
- (2) Copies of all accident reports required by State or other governmental entities or insurers.”

Material Facts and Supporting Documents: This violation took place during the transport on August 19, 2024, described in Count One, above. The MC did not provide an accident register which notes all DOT recordable accidents in the last 3 years, including the fatality accident that occurred during the transport on August 19, 2024.

Violation: Go Trucking failed to maintain a record of accidents for the past three years, which is a violation of 49 C.F.R. 390.15, adopted by K.A.R. 82-4-3f (**Exhibit 1, Page 8**). One (1) violation discovered (**Exhibit 1, Page 20**).

Recommendation: Staff recommends a fine of \$200, in accordance with the FY2025 Penalty Matrix.

Count Thirteen (13 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 391.25(a) states: “Except as provided in subpart G of this part, each motor carrier shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to each driver's licensing authority where the driver held a commercial motor vehicle operator's license or permit during the time period.”

Material Facts and Supporting Documents: On August 23, 2024, Go Trucking required or permitted its driver, Crisoforo Ochoa Nevarez, to operate a CDL-required CMV, a 2007 Kenworth truck, VIN ending in 5430, GVWR 50,000 lbs., pulling a 2010 trailer, VIN ending in 7092, GVWR 65,000 lbs., in interstate commerce from Garden City, Kansas to Ragan, Nebraska. This transport is evidenced by Driver Vehicle Examination Report No.

KSHP05113375, attached hereto as **Exhibit 13**. Additionally, attached is a copy of the carrier's driver list, attached hereto as **Exhibit 14**. The MC did not provide a motor vehicle record (MVR) obtained in the twelve months prior to this transport for: Simeon Saldivar, Jose Banuelos Casas, and Crisoforo Ocho Naverez.

Violation: Go Trucking failed to obtain annual MVRs its drivers, which is a violation of 49 C.F.R. 391.25, adopted by K.A.R. 82-4-3g (**Exhibit 1, Page 9**). Three (3) violations were discovered (**Exhibit 1, Page 23**).

Recommendation: Staff recommends a fine of \$250, in accordance with the FY2025 Penalty Matrix.

Count Fourteen (14 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.S.A. 66-1,111 states: "No public motor carrier of property or passengers or private motor carrier of property shall operate any motor vehicle for the transportation of either persons or property on any public highway in this state except in accordance with the provisions of this act, and amendments thereto, and other applicable laws."

K.S.A. 66-1,114b states: "Except as hereinafter provided, it shall be unlawful for any public motor carrier to operate as a carrier of property other than household goods or passengers in intrastate commerce within this state without first having obtained from the commission a certificate of public service to transport property other than household goods or to transport passengers."

49 C.F.R. 392.2 states: "Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with."

Material Facts and Supporting Documents: This violation took place during the transport on July 8, 2024, described in Count Three, above. Additionally, attached is a screenshot of the MC's KTRAN profile, attached hereto as **Exhibit 14**. The MC was operating point to point in the State of Kansas despite the fact it's for-hire authority was cancelled on September 13, 2023, as evidenced by the company's KTRAN profile. The MC's for-hire authority was not reinstated until November 7, 2024.

Violation: Go Trucking operated as a for-hire carrier hauling scrap metal point to point in the State of Kansas without Kansas Corporation Commission For-Hire Authority, which is a violation of K.S.A. 66-1,111, K.S.A. 66-1,114b and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Pages 10 to 11**). One (1) violation was discovered (**Exhibit 1, Page 21**).

Recommendation: Staff recommends a fine of \$500, in accordance with the FY2025 Penalty Matrix.

Count Fifteen (15 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.A.R. 82-4-6a states: “Each motor carrier and driver shall comply with the following:...(c) the uniform act regulating traffic and the size, weight, and load of vehicles as established in K.S.A. 8-1901 et seq. and amendments thereto; and (d) the regulations issued by the commission pertaining to the driving of commercial motor vehicles as adopted in K.A.R. 82-4-3h.”

49 C.F.R. 392.1 states: “(a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of commercial motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with the rules in this part.

49 C.F.R. 392.2 states: “Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.”

K.S.A. 8-1901(a) states: “It shall be unlawful for any person to drive or move or for the owner or lessee to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles of a size or weight exceeding the limitations stated in article 19 of chapter 8 of Kansas Statutes Annotated or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter such limitations except as express authority may be granted in this article.”

K.S.A. 8-1909 describes the specific weight limits.

Material Facts and Supporting Documents: This violation took place during the transport on June 7, 2024, described in Count Four, above. During this transport, Driver Isabel Ochoa Nevarez hauled a load of rock with a gross weight of 87,100 lbs. (*See Exhibit 9*), which is over the statutory weight limit of 85,500 lbs. The following drivers had transports that were over the statutory weight limit: Gildardo Ochoa on June 24, 2024 and Isabel Ochoa Nevarez on June 1, 5, 6, 7, 10, 11, 12, 13, 14, and 26, 2024.

Violation: Go Trucking operated over the statutory weight limit of 85,500 in the State of Kansas, which is a violation of K.A.R. 82-4-6a, K.S.A. 8-1909, 49 C.F.R. 392.1 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 11**). Eleven (11) violations were discovered (**Exhibit 1, Page 20**).

Recommendation: Staff recommends a fine of \$1,500, in accordance with the FY2025 Penalty Matrix.

Count Sixteen (16 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 395.8(a)(1)(i) states: “(i) Subject to paragraph (a)(1)(ii) of this section, a motor carrier operating commercial motor vehicles must install and require each of its drivers to use an ELD to record the driver's duty status in accordance with subpart B of this part no later than December 18, 2017.”

Material Facts and Supporting Documents: This violation took place during the transport on June 7, 2024, described in Count Four, above. The MC failed to require its drivers to record their record of duty status using an Electronic Logging Device (ELD). The following drivers conducted transports that would have required them to use an ELD: Isabel Ochoa Nevarez on June 7, 2024, Jose Ochoa on August 6, 2024 and Abel Sotelo on July 19, 2024.

Violation: Go Trucking failed to require drivers to log their hours of service using an ELD, which is a violation of 49 C.F.R. 395.8(a)(1)(i), adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 11**). Three (3) violations were discovered (**Exhibit 1, Page 22**) set forth herein.

Recommendation: Staff recommends a fine of \$250, in accordance with the FY2025 Penalty Matrix.

Count Seventeen (17 of 17)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 396.19 states: “Motor carriers and intermodal equipment providers must retain evidence of that individual's qualifications under this section. They must retain this evidence for the period during which that individual is performing annual motor vehicle inspections for the motor carrier or intermodal equipment provider, and for one year thereafter.”

Material Facts and Supporting Documents: This violation took place during the transport on August 19, 2024, described in Count Nine, above. Attached as **Exhibit 15** is a copy of the annual inspection. The MC failed to provide inspector qualifications for inspector, Bruce Faulkner, who had performed an annual inspection on a 2012 Freightliner, VIN ending in 7187.

Violation: Go Trucking failed to provide inspector qualifications for inspector, Bruce Faulkner, which is a violation of 49 C.F.R. 396.19(a), adopted by K.A.R. 82-4-3j (**Exhibit 1, Page 12**). One (1) violation discovered (**Exhibit 1, Page 20**).

Recommendation: Staff recommends a fine of \$250, in accordance with the FY2025 Penalty Matrix.

RECOMMENDATION:

Transportation Staff recommends the Commission find Go Trucking Inc committed eighty-four (84) violation(s) accounting for seventeen (17) specific counts of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$14,950 for eighty-four (84) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Go Trucking Inc require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from

the date of the Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

Staff further recommends Go Trucking Inc submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

Finally, Staff recommends that Go Trucking Inc submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

Exhibit 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 1255993
MC/MX#: 495089

Legal: GO TRUCKING INC
Operating (DBA):

Investigation Date:
10/08/2024

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)
Extent of Operations: Entire Operation

Physical Address

2701 W MARY
GARDEN CITY, KS 67846
United States

Mailing Address

2701 W MARY
GARDEN CITY, KS 67846
United States

Contact Information

Contact Name: GILDARDO (GIL) OCHOA
Email: gotrucking1@cox.net
Phone: (620)640-3910 **Cell:** () - **Fax:** (620)271-0675

Business and Financial

Business Type: Corporation
Name of Gross Revenue Provider: Imelda Ochoa
Title of Gross Revenue Provider: Secretary
Gross Revenue: ██████████ **For Year Ending:** 12/31/2023
Federal Tax ID: ██████████

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier
Cargo Grain, Feed, Hay, Other (Sand, Scrap Metal)

Operation Classification

For-Hire Motor Carrier
Property
Other Non-Hazardous Freight
Exempt Commodities

Equipment

Equipment			Driver Information		
Owned	Term Leased	Trip Leased	Drivers	Intrastate	Interstate
Truck Tractors	1	11		1	
Trailers	1	9			11
			> = 100 Miles		

Power units used in the U.S.: 12
Percentage of time used in the U.S.: 100%

Average trip leased driver/month: 0
Drivers with CDL: 12
Total Drivers: 12

Person(s) Interviewed

Name: GILDARDO (GIL) OCHOA **Title:** PRESIDENT

Person(s) Interviewed**Name:** IMELDA OCHOA**Title:** SECRETARY/TREASURER**Questions**

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
--	--

This report will be used to assess your safety compliance.

Violations

1. Primary: 382.305(a)

Failing to implement a random controlled substance and/or an alcohol testing program.



Acute

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

BASIC Impacted
Controlled
Substances/Alcohol

Rating Factor 2:
Driver = Part 382

Example/Notes:

Driver name: Abel Sotelo

Trip date: 8/19/2024

Calendar year: 2023

Go Trucking Inc. has not been enrolled in a Random Drug & Alcohol Testing Program.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

2. Primary: 390.35

Secondary: 396.3(b)

Making fraudulent or intentionally false entry on inspection and vehicle maintenance record.



Acute

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

BASIC Impacted
Vehicle Maintenance

Rating Factor 1:
General = Part 390

Example/Notes:

Trip date: 4/29/2024

Driver's name: Simeon Saldivar

Vehicle description: Unit #29 1998 Peterbilt with VIN # [REDACTED] 0206

Description of Violation:

Go Trucking Inc. provided investigators with an Annual Inspection that was not completed in accordance with Appendix "A". Inspector, Gildardo Ochoa failed to check the brake tubing, Low Pressure Warning Device, Antilock Brake System, Automatic Brake Adjusters, Failed to complete and check the components of: #2 Coupling Devices, #3 Exhaust System, #4 Fuel System, #5 Lighting Devices, #7 Steering Mechanism, #8 Suspension, and #9 Frame. Inspector also checked off as "OK" components not currently found on the vehicle being inspected such as: Electric Brakes, Intermodal Container, and failed to check steer-axle tires.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

3. Primary: 395.8(a)(1)

Failing to require a driver to prepare a record of duty status using the appropriate method.

Violations Discovered

Fed	State	Total

BASIC Impacted
Hours-of-Service
Compliance

Rating Factor 3:
Operational = Part 395



Critical

At least 10% of the number checked had violations

10	5	15
----	---	----

Checked

Fed	State	Total
120	30	150

Example/Notes:

Number Checked - 150

On 7/8/2024, Go Trucking Inc. driver, Gildardo Ochoa hauled a load of scrap metal from Morss Metal in Garden City, KS to deliver in Wichita, KS. Go Trucking Inc. failed to provide a record of duty status for driver, Gildardo Ochoa

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
4	1	5

4. Primary: 395.8(e)(1)

Making, or permitting a driver to make, a false report regarding duty status



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
22	3	25

Checked

Fed	State	Total
120	30	150

BASIC Impacted Hours-of-Service Compliance

Rating Factor 3: Operational = Part 395

Example/Notes:

Driver name: Isabel Ochoa Nevarez

Trip Date: 6/7/2024

Description of violation:

On 6/7/2024, Go Trucking Inc. driver, Isabel Ochoa Nevarez unloaded a load of rock in Oberlin, KS from 7:00 a.m. to 7:30 a.m. and went to Maywood, NE to load corn that delivered at Pokie Feeders in Scott City, KS. Driver's log shows he unloaded the corn in Scott City, loaded rock at Huber Sand in Garden City, and fueled all at the exact same time from 12:30 p.m. to 1:15 p.m. at which time the driver shows he goes "Off Duty" at 1:15 p.m. Huber Sand Bill of Lading shows the driver loaded a load of rock from 2:59 p.m. to 3:51 p.m. during the time the driver noted on his log he was "Off Duty". Driver, Isabel Ochoa Nevarez was required to log his drive time from Scott City, KS to Garden City as the driver was empty and not "Ag Exempt" and failed to log his load time at Huber Sand from 2:59 p.m. to 3:51 p.m.

Drivers/Vehicles in Violation

Fed	State	Total
3	1	4

Checked

Fed	State	Total
4	1	5

5. Primary: 396.3(b)

Failing to keep minimum records of inspection and vehicle maintenance.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total

BASIC Impacted Vehicle Maintenance

Rating Factor 4: Vehicle = Part 396

5		5
---	--	---

Example/Notes:

Unit #640
 Trip date: 9/9/2024

Go Trucking Inc. failed to provide a maintenance record for Unit #640, a 2001 Great Dane trailer with VIN # [REDACTED] 3403.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

6. Primary: 396.17(a)

Using a commercial motor vehicle not periodically inspected.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

BASIC Impacted
 Vehicle Maintenance

Rating Factor 4:
 Vehicle = Part 396

Example/Notes:

Vehicle: Unit #29 VIN # [REDACTED] 0206
 Date of trip: 4/29/24

Go Trucking Inc. provided Annual Inspections that were not completed pursuant to Appendix "A".

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

7. Primary: 392.2

Secondary: K.A.R. 82-4-35a

Failure to retain supporting documents

Violations Discovered

Fed	State	Total
	10	10

Checked

Fed	State	Total
191	26	217

Example/Notes:

Driver: Gildardo Ochoa
 Trip Date: 7/8/24

Go Trucking Inc. failed to retain and provide all supporting documents for loads of scrap metal being hauled from Morss Metal in Garden City, KS.

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
4	1	5

8. Primary: 376.11

Violations Discovered

Secondary: 376.12

Authorized carrier performed authorized transportation in equipment it does not own without obtaining a written lease.

Fed	State	Total
3		3
Checked		
Fed	State	Total
5		5

Example/Notes:

Trip Date: 8/19/2024

Go Trucking Inc. failed to provide a lease agreement that met all the requirement of Part 376.12 for Unit #4 a 2012 FRHT with VIN # [REDACTED] 7187.

Drivers/Vehicles in Violation

Fed	State	Total
3		3
Checked		
Fed	State	Total
4		4

9. Primary: 382.303(a)

Failing to conduct post accident alcohol testing on driver following a recordable crash.

Violations Discovered

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Example/Notes:

Driver name: Abel Sotelo

Accident date: 8/19/24

Driver charged/ fatality: Fatality

Go Trucking Inc. failed to conduct post-accident alcohol testing on driver, Abel Sotelo after being involved in a DOT recordable accident that resulted in a fatality.

Drivers/Vehicles in Violation

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

10. Primary: 382.303(b)

Failing to conduct post accident testing on driver for controlled substances.

Violations Discovered

Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Example/Notes:

Driver name: Abel Sotelo

Accident date: 8/19/24

Driver charged/ fatality: Fatality

Drivers/Vehicles in Violation

Fed	State	Total
1		1
Checked		

Go Trucking Inc. failed to conduct post-accident controlled substance testing on driver, Abel Sotelo after being involved in a DOT recordable accident that resulted in a fatality.

Fed	State	Total
1		1

11. Primary: 382.601(a)

Failing to provide educational materials explaining requirements of part 382 and employer's drug and alcohol program policies.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Name: Abel Sotelo

Trip date: 8/19/24

Go Trucking Inc. failed to provide evidence/record of providing drivers with a copy of the carriers Drug & Alcohol policy that meets all the requirements of 382.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

12. Primary: 382.603

Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver name: Abel Sotelo

Accident date: 8/19/24

Supervisor: Gildardo Ochoa

Go Trucking Inc. failed to provide evidence of completing supervisor reasonable suspicion training to include 60 minutes of training for alcohol and/or 60 minutes of training for controlled substances.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

13. Primary: 382.701 (b)(1)

Failing to conduct an annual query.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

Example/Notes:

Driver: Simeon Saldivar

Trip Date: 4/29/24

Go Trucking Inc. failed to conduct annual queries.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

14. Primary: 382.701(a)

Failing to conduct a pre-employment query.

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
4		4

Example/Notes:

Trip Date: 8/19/24

Driver: Abel Sotelo

Go Trucking Inc. failed to conduct pre-employment queries on drivers hired in the last 365 days.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
4		4

15. Primary: 390.15(b)

Failing to maintain, for a period of three years after an accident occurs, an accident register.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver name: Abel Sotelo

Accident/Trip date: 8/19/24

Description of violation:

Go Trucking Inc. failed to maintain an accident register which notes all DOT recordable accidents in the last 3 years.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

16. Primary: 391.21(a)

Using a driver who has not completed and furnished an employment application.

Violations Discovered

Fed	State	Total
5		5

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name: Abel Sotelo

Trip date: 8/19/24

Description of violation:

Go Trucking Inc. provided an incomplete application for driver, Abel Sotelo that failed to note 10 years of employment history and whether the driver was subject to FMCSR's or Part 40.

Drivers/Vehicles in Violation

Fed	State	Total
5		5

Checked

Fed	State	Total
5		5

17. Primary: 391.23(e)(1)

Failing to investigate the driver's alcohol and controlled substances history for the previous 3 years.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name: Simeon Saldivar

Trip date: 4/29/24

Description of violation:

Go Trucking Inc. failed to make notation of investigating the driver's alcohol and controlled substances history for the previous 3 years.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

18. Primary: 391.25(a)

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.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name: Crisoforo Ochoa Nevarez

Trip date: 8/23/24

Description of violation:

Go Trucking Inc. failed to make an inquiry into the driving record of each driver every 12 months.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

19. Primary: 391.51(b)(5)

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

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name: Jose Banuelos Casas

Trip date: 4/4/24

Description of violation:

Go Trucking Inc. failed to maintain a note relating to the annual review of the driver's driving record.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
5		5

20. Primary: 391.51(b)(8)

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 qualification file(s).

Violations Discovered

Fed	State	Total
5		5

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name: Abel Sotelo

Trip date: 8/19/24

Description of violation:

Go Trucking Inc. failed to note or provide documentation of verifying medical examiner, Angela Harp was on the national registry.

Drivers/Vehicles in Violation

Fed	State	Total
5		5

Checked

Fed	State	Total
5		5

21. Primary: 392.2**Secondary: K.S.A. 66-1, 111**

Operating without Kansas Corporation Commission For-Hire Authority

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
4	1	5

Example/Notes:

Trip Date: 7/8/2024

Driver: Gildardo Ochoa

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Go Trucking Inc. operated in intrastate commerce from Garden City, KS to Wichita, KS hauling scrap metal for Morss Metal. At the time of operation the carrier did not have Kansas Corporation Commission For-Hire authority.

Fed	State	Total
4	1	5

22. Primary: 392.2
State Equivalent: K.S.A. 8-1901

Operating over the allowable weight of 85,500 in the State of Kansas.

Violations Discovered

Fed	State	Total
10	1	11

Checked

Fed	State	Total
94	16	110

Example/Notes:

On 6/1/2024, Go Trucking Inc. driver, Isabel Ochoa Nevarez hauled a load of rock from Huber Sand in Garden City, KS to Decator County in Oberlin, KS weighing 89,100 pounds which was over the allowable weight of 85,500 in the State of Kansas.

Drivers/Vehicles in Violation

Fed	State	Total
1	1	2

Checked

Fed	State	Total
4	1	5

23. Primary: 395.8(a)(2)(i)

Driver failed to record driver's record of duty status on an Electronic Logging Device.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
4	1	5

Example/Notes:

Driver name: Isabel Ochoa Nevarez

Trip Date: 6/7/2024

Origin and Destination: Maywood, NE to Scott City, KS

Go Trucking Inc. drivers operated in interstate commerce more than eight (8) days in a 30 day period and failed to require the drivers to document their hours of service using an ELD.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
4	1	5

24. Primary: 395.8(f)

Failing to require driver to prepare record of duty status in form and manner prescribed.

Violations Discovered

Fed	State	Total
36	9	45

Checked

Fed	State	Total
120	30	150

Example/Notes:

Driver name(s): Abel Sotelo

Trip date: 7/18/2024

Go Trucking Inc. driver, Abel Sotelo provided records of duty status that failed to document the BOL information.

Drivers/Vehicles in Violation

Fed	State	Total
2	1	3

Checked

Fed	State	Total
4	1	5

25. Primary: 396.9(d)(3)

Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.

Violations Discovered

Fed	State	Total
19		19

Checked

Fed	State	Total
19		19

Example/Notes:

Date of inspection: 8/19/24

Issuing agency: Kansas Highway Patrol

Driver name/Vehicle ID: Abel Sotelo

Go Trucking Inc. failed to keep record of roadside inspections for the last twelve (12) months.

Drivers/Vehicles in Violation

Fed	State	Total
19		19

Checked

Fed	State	Total
19		19

26. Primary: 396.19(b)

Failing to maintain evidence of inspector's qualifications.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
2		2

Example/Notes:

Inspectors name: Bruce Faulkner

Inspection date: 4/8/2024

Vehicle: 2012 Freightliner VIN # [REDACTED] 7187

Trip date: 8/19/2024

Go Trucking Inc. failed to provide inspector qualifications for inspector, Bruce Faulkner.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
2		2

Safety Fitness Rating

Your proposed safety rating is: **UNSATISFACTORY** 2 or more UNSATISFACTORY rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Conditional	1	0
Factor 2: Driver = Parts 382, 383 and, 391	Conditional	1	0
Factor 3: Operational = Parts 392 and 395	Unsatisfactory	0	2
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 3 Number of Vehicles Inspected (MCMIS): 5 OOS Rate: 60%	Unsatisfactory		2
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 611,371 Recordable Accidents: 1 Recordable Accidents/Million Miles: 1.64	Satisfactory	N/A	N/A

Effective date: You will receive an official notice of proposed safety rating from the Federal Motor Carrier Safety Administration in Washington, D.C. The Unsatisfactory rating will take effect 60 days after the date of the official notice.

PROHIBITION: Under 49 USC 31144(c) and 49 CFR 385.13, a motor carrier that receives a final Unsatisfactory safety rating is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce. If applicable, the motor carrier shall have its operating authority registration revoked under 49 USC 13905(f)(1)(B).

You may request a safety rating upgrade based on corrective action under 49 CFR 385.17 and/or an administrative review under 49 CFR 385.15.

Change to safety rating based on corrective action: You may request a change to a safety rating under 49 CFR 385.17 at any time by providing evidence that you have taken actions to correct the deficiencies that resulted in the safety rating. You must make this request in writing to the Field Administrator for the FMCSA Service Center in which you maintain your principal place of business. A pending request for a change in safety rating under 49 CFR 385.17 will not delay the effective date of the rating.

Administrative Review: You may appeal your proposed safety rating in a petition filed under 49 CFR 385.15 if you believe FMCSA made an error in assigning your safety rating. You must submit your appeal within 90 days of the date of the proposed safety rating or within 90 days after denial of a request for a change in rating under section 385.17(i).

You should submit your appeal within 15 days of the date of the official safety rating notice to allow FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. A petition under section 385.15 will not delay the effective date of the rating unless the Chief Safety Officer grants a stay.

You must submit your appeal in writing to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590-0001.

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Vehicle Maintenance

Process Breakdown: Monitoring and Tracking

Go Trucking Inc. will ensure that all vehicles being operated have a maintenance file, will retain copies of roadside inspections, and will ensure that Annual Inspections are completed accurately/by a certified inspector.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
2. Ensure that Driver Vehicle Inspection Records (DVIRs) are effectively coordinated with maintenance and operations, result in timely corrective measures, and are verified during pre-trip inspections as applicable.
3. Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
4. Implement a system for keeping accurate records of employee inspection, repair, and maintenance training needs, including updates on a carrier's fleet or equipment and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
5. Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.

BASIC: Controlled Substances/Alcohol

Process Breakdown: Monitoring and Tracking

Go Trucking Inc. will enroll in a Random Drug & Alcohol Testing program, will complete Reasonable Suspicion Supervisor Training, will complete pre-employment and annual queries on all drivers, and will prepare a Drug & Alcohol policy that meets all the requirements of 382.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to controlled substances and alcohol. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
2. Implement a system for keeping accurate records of controlled-substance and alcohol completed training needs and completed training, via software, checklist in the driver's file, and/or another appropriate method.
3. Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled-substance and alcohol regulations and related company policies and procedures.
4. Maintain the following documents to help evaluate the performance of all staff (drivers and managers) involved in

controlled-substance and alcohol testing and the effectiveness of the policies and procedures: Motor Vehicle Record (MVR); records related to testing, the designated employer representative (DER), return to duty, and dispatch; lists of drivers removed due to a history of controlled-substance and/or alcohol misuse and those disqualified for personal driving under the influence (DUI); substance-abuse professional (SAP) letters; and for each test type, include selection criteria, the eligibility-pool list, and the statistical laboratory summary.

5. Monitor and adjust the testing program to ensure proper annual driver sampling.
6. Ensure that all test records are monitored for adherence to retention dates and nondisclosure requirements.

BASIC: Hours-of-Service Compliance

Process Breakdown: Monitoring and Tracking

Go Trucking Inc. will ensure to monitor all drivers records of duty status, and will ensure that all hours of service are documented using an ELD.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
2. Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
3. Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
4. Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.

Recommendations

1. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

2. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

3. **Obtain copies of the regulations, forms, interpretations, manuals.**

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

4. **CDL and drug testing rules apply.**

Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.

5. **Establish a maintenance records program for all vehicles.**

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

6. **Require all drivers to prepare a written inspection report.**

Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.

7. **Clearinghouse Annual Query**

Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.

8. **Require drivers to prepare complete and accurate records.**

Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.

9. **Duty status records must be kept on file for 6 months.**

Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.

10. **Alcohol Testing**

Ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.

11. **Random Test Selections**

After selection of drivers for random testing, the program coordinator should send confidential correspondence to whoever is informing the selected drivers, noting the selection date, selected names, proper notification procedure, testing location, and when test results need to be completed. Drivers should be reminded that refusal to take the test will be equivalent to a positive result.

12. **Reasonable Suspicion Training**

Provide new-hire and refresher training, to all managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a substance-abuse professional (SAP); and confidentiality requirements in relation to recordkeeping.

13. **Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting,

training, and other safety systems to ensure continued compliance with the FMCSR.

14. **Obtain a copy of each driver's driving record and review it.**
Obtain a copy of each driver's driving record and review it annually.
15. **Review maintenance and inspection records for all lease vehicles.**
Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
16. **Driver drug tests required.**
Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
17. **Retain supporting documents for 6 months.**
Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
18. **150-mile exemption terms must be met.**
If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.
19. **10-year driver employment history required.**
Ensure that drivers provide a 10-year employment history on their employment application.
20. **Maintain a complete file documenting the qualification process.**
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.
21. **UNSAT & CONDITIONAL**
Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, 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. Apply Adequate Resources: Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility. 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 C.F.R. Part 391.23 requires prospective employers to , at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substance history from all employers the driver worked for within the previous three 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 is a screening tool that assists 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. Motor carriers should visit the following website for more information:

FMCSA Carrier Safety Measurement System (SMS) is based on ongoing analysis and feedback from enforcement personnel, the

motor carrier industry, and other stakeholders. SMS effectively identifies and prioritize high risk and other unsafe motor carriers for enforcement interventions and is designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carrier's currently have the ability to preview their companies SMS information.. The data preview may be found at <http://csa.fmcsa.dot.gov/>.

For all Investigations resulting in a Penalty Order:

PLEASE NOTE: The violations discovered during this compliance review 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 receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

US Department of Transportation
Jack Van Steenburg -Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation
Matthew Marrin - Midwestern Field Administrator Federal Motor Carrier Safety Administration
600 Holiday Plaza Dr, Suite 240
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation
Kansas Division
Eric Pearson - Acting Division Administrator
Federal Motor Carrier Safety Administration
1303 First American Place, Suite 200
Topeka, KS 66604-4040

This letter should be submitted as soon as possible. Information on your compliance status, roadside inspections, regulatory changes, accident counter measures and hazardous material counter measures 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/>. For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action plan (CAP), addressing the measures taken to correct all 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. Submit the letter along with copies of your supporting evidence to:

e-mail: jared.L.Smith@KS.gov

FAX: 785-271-3124;

or mail to:

Kansas Corporation Commission

Attn: Jared L Smith

1500 SW Arrowhead Road

Topeka, KS 66604-4027

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 Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Go Trucking Inc.'s operating authority and/or the impoundment of Go Trucking Inc.'s commercial motor vehicles.

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this web site: http://kcc.ks.gov/trans_penalty_assessment_table.htm

X _____

Signature

X _____

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
382.303(a) - Failing to conduct post accident testing on driver for alcohol.			
1	08/19/2024	Driver: ABEL SOTELO	
382.303(b) - Failing to conduct post accident testing on driver for controlled substances			
1	08/19/2024	Driver: ABEL SOTELO	
390.15(b) - Failing to maintain an accident register			
1	08/19/2024	ABEL SOTELO	
396.9(d)(3) - Failing to keep roadside inspection form 12 mo. at PPOB			
1	08/19/2024	Equipment: ABEL SOTELO	
391.21(a) - Incomplete or no employment application			
1	08/19/2024	Driver: ABEL SOTELO	
395.8(f) - Failing to prepare RODS in form and manner prescribed			
1	07/18/2024	ABEL SOTELO	
396.3(b) - Failing to keep minimum records of inspection and maintenance			
1	09/09/2024	Equipment: Unit #640	
2	04/22/2024	Equipment: Unit #691	
396.19(b) - Failing to maintain evidence of inspector's qualifications			
1	08/19/2024	Equipment: Unit #4	
392.2 - Operating over the allowable weight of 85,500 in the State of Kansas.			
1	06/24/2024	GILDARDO OCHOA	
2	06/01/2024	ISABEL OCHOANEVAREZ	
3	06/05/2024	ISABEL OCHOANEVAREZ	
4	06/06/2024	ISABEL OCHOANEVAREZ	
5	06/07/2024	ISABEL OCHOANEVAREZ	
6	06/10/2024	ISABEL OCHOANEVAREZ	
7	06/11/2024	ISABEL OCHOANEVAREZ	
8	06/12/2024	ISABEL OCHOANEVAREZ	
9	06/13/2024	ISABEL OCHOANEVAREZ	
10	06/14/2024	ISABEL OCHOANEVAREZ	
11	06/26/2024	ISABEL OCHOANEVAREZ	
390.35 - Making fraudulent entry on records of inspection and vehicle maintenance.			
1	04/29/2024	Unit #29	
2	04/29/2024	Unit #T27	

395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method

1	07/03/2024	GILDARDO OCHOA	
2	07/08/2024	GILDARDO OCHOA	
3	07/09/2024	GILDARDO OCHOA	
4	07/10/2024	GILDARDO OCHOA	
5	07/11/2024	GILDARDO OCHOA	
6	04/15/2024	JOSE BANUELOSCASAS	
7	04/16/2024	JOSE BANUELOSCASAS	
8	04/17/2024	JOSE BANUELOSCASAS	
9	04/18/2024	JOSE BANUELOSCASAS	
10	04/20/2024	JOSE BANUELOSCASAS	
11	04/21/2024	JOSE BANUELOSCASAS	
12	06/01/2024	ISABEL OCHOANEVAREZ	
13	06/02/2024	ISABEL OCHOANEVAREZ	
14	06/08/2024	ISABEL OCHOANEVAREZ	
15	06/09/2024	ISABEL OCHOANEVAREZ	

382.603 - Fail to get "reasonable suspicion" designee 60 min training

1	08/19/2024	Driver: ABEL SOTELO	
---	------------	---------------------	--

382.701 (b)(1) - Failing to conduct an annual query.

1	04/29/2024	Driver: SIMEON SALDIVAR	
2	04/04/2024	Driver: JOSE BANUELOSCASAS	
3	08/23/2024	Driver: CRISOFORO, NEVAREZ OCHOANEVAREZ	

391.51(b)(5) - Failing to maintain notation of annual review

1	04/04/2024	Driver: JOSE BANUELOSCASAS	
---	------------	----------------------------	--

382.701(a) - Failing to conduct a pre-employment query.

1	08/19/2024	Driver: ABEL SOTELO	
2	08/13/2024	Driver: SANDRA JEANTY	

392.2 - Operating without Kansas Corporation Commission For-Hire Authority

1	07/08/2024	GILDARDO OCHOA	
---	------------	----------------	--

382.305(a) - Failing to implement random controlled substance or alcohol testing program

1	08/19/2024	Driver: ABEL SOTELO	
---	------------	---------------------	--

396.17(a) - Using a CMV not periodically inspected

1	04/29/2024	Equipment: Unit #29	
2	04/29/2024	Equipment: Unit #T27	

391.23(e)(1) - Failing to investigate driver's drug and alcohol history for previous 3 years.

1	04/29/2024	Driver: SIMEON SALDIVAR	
---	------------	-------------------------	--

391.51(b)(8) - Failing to note verification of medical examiner in DQ file.

1	08/19/2024	Driver: ABEL SOTELO	
---	------------	---------------------	--

392.2 - Failure to retain supporting documents

1	06/13/2024	GILDARDO OCHOA	
2	06/14/2024	GILDARDO OCHOA	
3	06/17/2024	GILDARDO OCHOA	
4	06/19/2024	GILDARDO OCHOA	
5	06/20/2024	GILDARDO OCHOA	
6	07/03/2024	GILDARDO OCHOA	
7	07/08/2024	GILDARDO OCHOA	
8	07/09/2024	GILDARDO OCHOA	
9	07/10/2024	GILDARDO OCHOA	
10	07/11/2024	GILDARDO OCHOA	

395.8(a)(2)(i) - Failing to record record of duty status on an Electronic Logging Device (DRIVER)

1	06/07/2024	ISABEL OCHOANEVAREZ	
2	08/06/2024	JOSE OCHOA	
3	07/19/2024	ABEL SOTELO	

395.8(e)(1) - False reports of records of duty status

1	06/03/2024	ISABEL OCHOANEVAREZ	
2	06/04/2024	ISABEL OCHOANEVAREZ	
3	06/05/2024	ISABEL OCHOANEVAREZ	
4	06/06/2024	ISABEL OCHOANEVAREZ	
5	06/07/2024	ISABEL OCHOANEVAREZ	
6	06/10/2024	ISABEL OCHOANEVAREZ	
7	06/11/2024	ISABEL OCHOANEVAREZ	
8	06/12/2024	ISABEL OCHOANEVAREZ	
9	06/13/2024	ISABEL OCHOANEVAREZ	
10	06/14/2024	ISABEL OCHOANEVAREZ	
11	06/18/2024	ISABEL OCHOANEVAREZ	
12	06/24/2024	ISABEL OCHOANEVAREZ	
13	06/25/2024	ISABEL OCHOANEVAREZ	
14	06/26/2024	ISABEL OCHOANEVAREZ	
15	06/14/2024	GILDARDO OCHOA	

16	06/17/2024	GILDARDO OCHOA	
17	06/20/2024	GILDARDO OCHOA	
18	04/09/2024	JOSE BANUELOSCASAS	
19	04/11/2024	JOSE BANUELOSCASAS	
20	04/25/2024	JOSE BANUELOSCASAS	
21	08/06/2024	JOSE OCHOA	
22	08/07/2024	JOSE OCHOA	
23	08/08/2024	JOSE OCHOA	
24	08/09/2024	JOSE OCHOA	
25	08/16/2024	JOSE OCHOA	

376.11 - Failure to obtain written lease granting use of the equipment

1	08/19/2024	Unit #4	
---	------------	---------	--

382.601(a) - Failing to provide controlled substances educational materials

1	08/19/2024	Driver: ABEL SOTELO	
---	------------	---------------------	--

391.25(a) - Failing to obtain driver's driving record each 12 months

1	04/04/2024	Driver: JOSE BANUELOSCASAS	
2	08/23/2024	Driver: CRISOFORO OCHOANEVAREZ	
3	04/29/2024	Driver: SIMEON SALDIVAR	

Exhibit 2

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02822450
Inspection Date: 08/19/2024
Start: 1:03 PM CT End: 10:00 AM CT
Inspection Level: I - Full
HM Inspection Type: None

Carrier: GO TRUCKING INC

DBA:
 2701 W MARY
 GARDEN CITY, KS, 67846
USDOT: 1255993 **Phone#: (620)640-3910**
MC/MX#: 00495089 **Fax#: (620)271-0675**
State#:

Driver: SOTELO, ABEL
License#: [REDACTED] **State: KS**
Date of Birth: [REDACTED]
CoDriver:
License#: [REDACTED] **State:**
Date of Birth:

Location: SHERIDAN COUNTY - 179
Highway: K 23
County:
Email:

Milepost: 175 **Shipper: HANNEBAUM GRAIN CO., INC.**
Origin: ORLEANS,NE **Bill of Lading: 217752**
Destination: DIGHTON,KS **Cargo: GRAIN, FEED, HAY**

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2012	KS	[REDACTED]	4	[REDACTED]	7187 52000			168783
2	ST	TIMP	1998	KS	[REDACTED]	03	[REDACTED]	2797 65000			168784

BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	N/M	1/2	1 1/2	1	3/4
Left	N/M	3/4	2 1/4	2	1 3/4
Chamber	C-20	L-30	C-30	C-30	C-30

VIOLATIONS

Section	Type	Unit	OOS	Citation #	VerifyCrash	Violations Discovered
393.207A	F	1	Y		U Y	Axle positioning parts defective/missing: Axle 1, both sides, parts broken and/missing and axle 1 has been pushed back due to accident.
393.203C	F	1	N		N Y	Hood not securely fastened: Hood is missing due to accident.
393.60C	F	1	N		N Y	Damaged or discolored windshield: Passenger side windshield damaged with intersecting cracks.
393.9TS	F	2	Y		U N	Inoperative turn signal: Passenger side rear turn signal inoperable.
393.45	F	2	Y		U Y	Brake tubing and hose adequacy: Air hose that supplies air to trailer had been cut due to accident. Hose cut in front of axle 4, on inside of frame due to frame break and severing line.
393.11	F	2	N		N N	No or defective lighting devices or reflective material as required: Both sides rear upper marker lights are amber in color and should be red.
393.65C	F	1	Y		U Y	Improper securement of fuel tank: Passenger side fuel tank missing and line leaking due to accident.
393.47E	F	1	N		N N	Clamp or Roto type brake out-of-adjustment: Axle 3, driver' side brake out of adjustment. Measured 2 1/4 inch on maximum 2 inch allowable.
393.53B	F	1	N		N N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
393.75C	F	2	N		N N	Tire-other tread depth less than 2/32 of inch measured in a major tread groove: Axle 4, driver's side, outside tire less than 2/32 tread depth.
393.75C	F	2	N		N N	Tire-other tread depth less than 2/32 of inch measured in a major tread groove: Axle 4, passenger side, inside tire less than 2/32 tread depth.
393.75C	F	2	N		N N	Tire-other tread depth less than 2/32 of inch measured in a major tread groove: Axle 4, driver's side, inside tire less than 2/32 tread depth.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:	Alcohol/Controlled Substance Check Conducted by Local Jurisdiction	Traffic Enforcement PASA Conducted Inspection	X Post Crash Inspection PBBT Inspection
	X Size and Weight Enforcement eScreen Inspection	Drug Interdiction Search	



Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02822450
Inspection Date: 08/19/2024
Start: 1:03 PM CT End: 10:00 AM CT
Inspection Level: I - Full
HM Inspection Type: None

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.
Signature Of Repairer X: _____ Facility: _____ Date: _____

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **//** *CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.
Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
J.L. Berland 0282

Copy Received By:
ABEL SOTELO

X _____

X _____



01255993 KS KSHP02822450

Kansas Motor Vehicle Crash Report

Investigating Department
Kansas Highway Patrol

Reviewed by

Local Case No.

Page of

Amended Report

Investigating Officer Name
S. GRUBER

Badge Number
204

County
SD

City Name

2024010011

1 / 9

DUI

Hit & Run

KDOT Form 850A page 1 Rev. 2019
KDOT: 20240095120

Milepost 174.8	Block No	Dir Pfx N	On Road Name K023	Road Type HWY	Dir Sfx	SpdLmt	Date of Crash (mm/dd/yyyy) 08/19/2024	Time Occur. 10:29	Day MO	F Crash Severity Fatal Injury PDO ≥ \$1,000 PDO < \$1,000	
From Dist 233	Fr/Mi F	From Dir N	Dir Pfx <input checked="" type="radio"/> FROM <input type="radio"/> AT	Reference or At Road Name 60 SOUTH	Road Type RD	Dir Sfx	SpdLmt	Date Notified (mm/dd/yyyy) 08/19/2024	Time Notif. 10:30		Day MO
Narrative: Describe each traffic unit's pre-crash movement and direction of travel							Date Arrived (mm/dd/yyyy) 08/19/2024	Time Arriv. 10:35	Day MO		

Vehicle 1 was Southbound on K23 Highway. Vehicle 2 was Northbound on K23 Highway. Vehicle 2 had crossed the centerline and was traveling Northbound in the Southbound lane of travel.

Latitude (AOI) **00** ON WORK ZONE TYPE AT

Longitude (AOI)

Photos by
K204, KHP CHART

00 None Apply
01 Construction Zone -
02 Maintenance Zone -
03 Utility Zone -
99 Unknown

KDOT: Object 1 Damaged & Nature of Damage (show in diagram) Owner Street Address Personal Phone

Owner Last Name First Name Middle Name City State Zip Work Phone

KDOT: Object 2 Damaged & Nature of Damage (show in diagram) Owner Street Address Personal Phone

Owner Last Name First Name Middle Name City State Zip Work Phone

ONLY CHOOSE ONE CODE PER CATEGORY UNLESS SPECIFIED OTHERWISE

01 LIGHT CONDITIONS

01 Daylight 04 Dark: street lights on
02 Dawn 05 Dark: no street lights
03 Dusk 99 Unknown

00 ADVERSE WEATHER CONDITIONS

00 No adverse conditions
01 Rain, mist, drizzle
02 Sleet, hail
03 Snow
04 Fog
05 Smoke
06 Strong wind
07 Blowing dust, sand, etc.
08 Freezing rain, mist, drizzle
14 Rain & fog
16 Rain & wind 88 Other:
24 Sleet & fog
36 Snow & wind 99 Unknown

02 SURFACE TYPE ON AT

01 Concrete
02 Blacktop (Asphalt)
03 Gravel 88 Other:
04 Dirt
05 Brick 99 Unknown

01 SURFACE CONDITIONS ON AT

01 Dry 88 Other:
02 Wet
03 Snow 99 Unknown
04 Ice
05 Mud/dirt/sand
06 Debris (oil, etc.)
07 Standing/ moving water
08 Slush

11 CRASH LOCATION
(of 1st Harmful Event)

ON ROADWAY: (within travel lanes)
11 Non-intersection
12 Intersection +
13 Intersection-related +
14 Access to Parking lot/Drwvy
15 Interchange Area +
16 On Crossover
17 Toll Plaza

OFF ROADWAY:
20 Shoulder
21 Roadside (not shoulder)
22 Median
23 Rest area
88 Other:
99 Unknown

+INTERSECTION TYPE

01 Four-way intersection
02 Five-way or more
03 T - intersection
04 Y - intersection
05 L - intersection
06 Roundabout (See Manual for Definitions)
07 Traffic Circle
08 Part of an interchange
99 Unknown

ROAD SPECIAL FEATURES (up to 3)

00 None 00 00
01 Bridge
02 Bridge Overhead
03 Railroad Bridge
04 RRRXING
05 Interchange
06 Ramp
99 Unknown

03 CRASH CLASS
(mark 1 box per side)

1st Harmful Event Most Harmful Event

00 Other non-collision
01 Overturned/Rollover
COLLISION WITH:
02 Pedestrian
03 Motor vehicle in-transport*
04 Legally Parked Vehicle
05 Railway train
06 Pedal cyclist
07 Animal Type:
08 Fixed object**
09 Other object:
99 Unknown

**FIXED OBJECT TYPE
(mark 1 box per side if applicable)

1st Harmful Event Most Harmful Event

03 CRASH CLASS (continued)

01 Bridge structure
02 Bridge rail
03 Crash cush./Impact attenuator
04 Divider, median barrier
05 Overhead sign support
06 Utility devices: pole, meter, etc
07 Other post or pole
08 Building
09 Guardrail
10 Sign post
11 Culvert
12 Curb
13 Fence/Gate
14 Hydrant
15 Barricade
16 Mailbox
17 Ditch
18 Embankment
19 Wall
20 Tree
21 RRRXING fixtures
88 Other:
99 Unknown

- LOCATION IN WORK ZONE (AOI)

01 Before first warning sign
02 Advance warning area
03 Transition area
04 Activity area
05 Termination area 99 Unknown

- WORK ZONE CATEGORY

01 Lane closure
02 Lane shift / crossover
03 Work on shoulder / median
04 Intermittent or moving vehicle
88 Other:
99 Unknown

01 *COLLISION WITH VEHICLE 01
(mark 1 box per side if applicable)

1st Harmful Event Most Harmful Event

01 Head on
02 Rear end
03 Angle - side impact
04 Sideswipe: opposite direction
05 Sideswipe: Same direction
06 Backed into
88 Other:
99 Unknown

TRAFFIC CONTROLS
(On / At Road) O/A

Type Present OK/Nf

1	1	1
0	09	OK
2	2	08
0	08	OK
3	3	
4	4	
5	5	

00 None
01 Officer, flagger
02 Traffic signal
03 Stop sign
04 Flasher
05 Yield sign
06 RR gates / signal
07 RR crossing signs
08 No passing zone
09 Center/Edge lines
10 Warning signs
11 School zone signs
12 Parking lines
88 Other:
99 Unknown

Crash Diagram

850A page 2

SPECIAL EVENT

SPECIAL DATA

Local Case No.

Page of

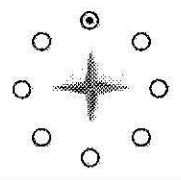
2024010011

2 / 9

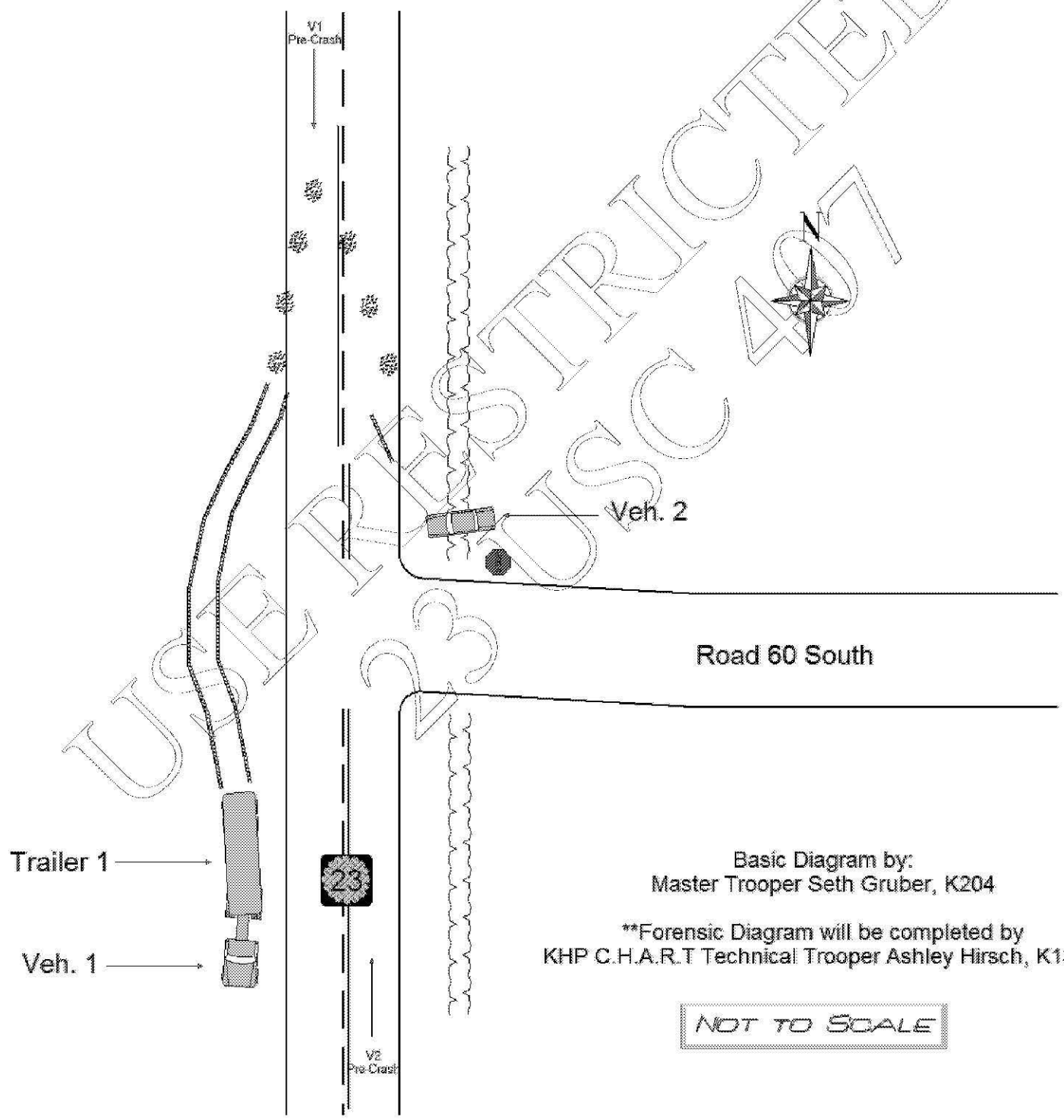
02	ROADWAY	03	ROAD CHARACTER	00	SPECIAL JURISDICTION
ON	NUMBER OF LANES	AT	ON	AT	
01	One	01	Straight & Level	00	Normal Jurisdiction (Not Special)
02	Two	02	Straight on grade/slope	01	National Park Service
03	Three	03	Straight on hillcrest	02	Military
04	Four to Six	04	Curved & level	03	Indian Reservation
05	Seven or more	05	Curved on grade/slope	04	College / University Campus
88	Other: _____	06	Curved on hillcrest	05	Other Federal property
99	Unknown	88	Other: _____	88	Other: _____
		99	Unknown	99	Unknown

A basic diagram is required for all state reportable crashes showing movements, direction, and positions of all traffic units in relationship to the trafficway. Identify (label) the street(s) and traffic unit(s) along with the area of impact (AOI) where possible. Refer to vehicles and pedestrians by unique numbers assigned in this report.

Indicate North Direction



Draw scene as observed or recreate per statements and evidence available



KDOT Form 850B page 1 - Rev. 2019 (record pedestrians on supplemental form 854) S. GRUBER 204 2024010011 3 / 9

TU#	VIOLATIONS CHARGED	CITATION#	TU#	VIOLATIONS CHARGED	CITATION#

OFFICER'S OPINION OF APPARENT CONTRIBUTING CIRCUMSTANCES - ENTER AS MANY AS APPLY TO THIS CRASH (FACTOR TYPE, TU#, CC CODE)

D1 00 D2 31 D2 47

Class	DRIVER Last Name	Middle Name	DRIVER ADDRESS (Number, Street, Suite, etc.)	Personal Phone Number	Gender	ST	City	Zip	Work Phone Number	Age	Sex	Eye Color	Transport Unit
State Type	DRIVER First Name	Date of Birth	City	State	Zip	Work Phone Number	Age	Sex	Eye Color	Transport Unit			
TU	01	SOTELO	MN	2401 W KANSAS AVE LOT 319	(575) 263-6918	M	S	N					
ST	01	ABEL		GARDEN CITY	KS 67846	58	N						
TU	02	TAGGART	MN			M	R	F					
ST	01	JACOB		LOS ANGELES	CA 90046	30	T						

TRAFFIC UNIT# 01 (01, 03, N2, X3, etc) TRAFFIC UNIT# 02 (02, 04, N2, X4, etc)

DL State	Driver's License Number	DL Class	Driving for Employer?	CDL?	DL State	Driver's License Number	DL Class	Driving for Employer?	CDL?
KS		A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CA		C	<input type="checkbox"/>	<input type="checkbox"/>

01	DR LICENSE COMPLY	RESTRICT COMPLY	COMMERCIAL ENDORSEMENTS	01	DR LICENSE COMPLY	RESTRICT COMPLY	COMMERCIAL ENDORSEMENTS
00 Not licensed	Restrictions? <input type="checkbox"/> N	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	Z - None T - Double/Triple Trailer P - Passenger Vehicle N - Tank Vehicle H - Placarded Haz. Material X - Combination Tank/HazMat S - School Bus U - Unknown	00 Not licensed	Restrictions? <input type="checkbox"/> N	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	Z - None T - Double/Triple Trailer P - Passenger Vehicle N - Tank Vehicle H - Placarded Haz. Material X - Combination Tank/HazMat S - School Bus U - Unknown

<input type="checkbox"/> AP - Alcohol ingested	<input type="checkbox"/> AC - Alcohol contributed	<input type="checkbox"/> DP - Illegal drugs ingested	<input type="checkbox"/> DC - Illegal drugs contributed	<input type="checkbox"/> MP - Medication ingested	<input type="checkbox"/> MC - Medication contributed
--	---	--	---	---	--

METHOD OF DETERMINATION (mark all that apply)	IMPAIRMENT TEST (mark all that apply)	METHOD OF DETERMINATION (mark all that apply)	IMPAIRMENT TEST (mark all that apply)
ALCOHOL <input checked="" type="checkbox"/> 00 No evidence of impairment <input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc) <input type="checkbox"/> 02 Preliminary Breath Test PBT <input type="checkbox"/> 03 Behavioral Tests: HGN, walk-and-turn, one leg stand, etc <input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth) <input type="checkbox"/> 05 Observed (Odor, staggering, slurred speech, etc) <input type="checkbox"/> 06 Other (e.g. saliva test)	DRUGS <input checked="" type="checkbox"/> NG - No Test given <input type="checkbox"/> TR - Test Refused (Alcohol/Drug) <input type="checkbox"/> PT - Prelim Positive Test (PBT) <input type="checkbox"/> TG - Evidentiary Test given <input type="checkbox"/> RP - Results pending <input type="checkbox"/> A Evidentiary Breath <input type="checkbox"/> Eye Fluid <input type="checkbox"/> B Blood (BAC) <input type="checkbox"/> Other <input type="checkbox"/> C Drug screen result	ALCOHOL <input checked="" type="checkbox"/> 00 No evidence of impairment <input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc) <input type="checkbox"/> 02 Preliminary Breath Test PBT <input type="checkbox"/> 03 Behavioral Tests: HGN, walk-and-turn, one leg stand, etc <input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth) <input type="checkbox"/> 05 Observed (Odor, staggering, slurred speech, etc) <input type="checkbox"/> 06 Other (e.g. saliva test)	DRUGS <input type="checkbox"/> NG - No Test given <input type="checkbox"/> TR - Test Refused (Alcohol/Drug) <input type="checkbox"/> PT - Prelim Positive Test (PBT) <input checked="" type="checkbox"/> TG - Evidentiary Test given <input type="checkbox"/> RP - Results pending <input type="checkbox"/> A Evidentiary Breath <input type="checkbox"/> Eye Fluid <input type="checkbox"/> B Blood (BAC) <input type="checkbox"/> Other <input type="checkbox"/> C Drug screen result

Class	PASSENGER Last Name	Middle Name	PASSENGER ADDRESS (Number, Street, SE, etc.)	Personal Phone Number	Gender	ST	City	Zip	Work Phone Number	Age	Sex	Eye Color	Transport Unit
State Type	PASSENGER First Name	Date of Birth	City	State	Zip	Work Phone Number	Age	Sex	Eye Color	Transport Unit			
TU		MN											
ST		DOB											
TU		MN											
ST		DOB											
TU		MN											
ST		DOB											
TU		MN											
ST		DOB											

Transport Unit	EMS Time Notified	Injured taken by:	Transport Unit	EMS Time Notified	Injured taken by:
EMS Arrived	EMS Time@Hosp	Injured taken to:	EMS Arrived	EMS Time@Hosp	Injured taken to:

Occupants & Vehicles

VEHICLE# 01

SPECIAL DATA

VEHICLE# 02

SPECIAL DATA

LOG# CASE# NO. 2024010011

Page of 4 / 9

850B page 2

(01, 03, N3, X3, etc)

(02, 04, N2, X4, etc)

OWNER Last Name ("Same" if Driver) R&M TRUCKING
OWNER First Name
Middle Name

OWNER Last Name ("Same" if Driver) TAGGART
OWNER First Name JACOB
Middle Name EDWARD

OWNER ADDRESS (Number, Street)
New address?
Personal Phone

OWNER ADDRESS (Number, Street)
New address?
Personal Phone

CITY GARDEN CITY
ST KS
ZIP 67846
Work Phone (620) 521-2270

CITY LOS ANGELES
ST CA
ZIP 90046
Work Phone

COLOR WHI
YEAR 2012
MAKE FRHT
MODEL TT
BODY STYLE DS
ST KS

COLOR GRY
YEAR 2015
MAKE MAZD
MODEL MZ6
BODY STYLE 4D
ST CA

LICENSE PLATE #
County FI
Exp YR 2024
Removed by: S&M OAKLEY
MC CCs

LICENSE PLATE #
County
Exp YR 2024
Removed by: S&M OAKLEY
MC CCs

VEHICLE IDENTIFICATION NUMBER
Dir of Travel S
Occupants 1

VEHICLE IDENTIFICATION NUMBER
Dir of Travel N
Occupants 1

Insurance Company SENTRY
Policy Number A0224961001

Insurance Company NOT INSURED
Policy Number

SPECIAL CONDITIONS FOR TRAFFIC ENFS
1 7 2 3 4 5
Odometer
Fire?

SPECIAL CONDITIONS FOR TRAFFIC ENFS
1 7 2 3 4 5
Odometer
Fire?

1 Hit & Run
2 Non-Contact
3 Stolen
4 Legally Parked
5 Pursued by LE
6 Driverless
7 Towed away due to damage

1 Hit & Run
2 Non-Contact
3 Stolen
4 Legally Parked
5 Pursued by LE
6 Driverless
7 Towed away due to damage

12 VEHICLE BODY TYPE
01 Automobile
02 Motorcycle
03 Motor scooter or Moped
04 Van
05 Pickup truck <10,001 lbs
06 Sport utility veh - SUV
07 Camper or RV
08 Farm machinery
09 All-terrain vehicle - ATV
LARGE / HEAVY VEHICLE (GCWVR over 10,000lbs)
10 Single heavy truck >10,000 lbs
11 Truck & trailer(s)
12 Tractor-trailer(s)
13 Cross country bus
14 School bus
15 Transit (city) bus
16 Other bus
25 Train
88 Other:
99 Unknown
Calculated speed at impact
Bus Seat Capacity
Power Source F

01 VEHICLE BODY TYPE
01 Automobile
02 Motorcycle
03 Motor scooter or Moped
04 Van
05 Pickup truck <10,001 lbs
06 Sport utility veh - SUV
07 Camper or RV
08 Farm machinery
09 All-terrain vehicle - ATV
LARGE / HEAVY VEHICLE (GCWVR over 10,000lbs)
10 Single heavy truck >10,000 lbs
11 Truck & trailer(s)
12 Tractor-trailer(s)
13 Cross country bus
14 School bus
15 Transit (city) bus
25 Train
88 Other:
99 Unknown
Calculated speed at impact
Bus Seat Capacity
Power Source F

01 VEHICLE USE
01 No special use
02 Taxi / Limo
03 School bus
04 Other bus
05 Military
06 Police
07 Ambulance
08 Fire
09 Mail/Parcel
99 Unknown
03 VEHICLE DAMAGE
00 None
01 Damage (minor)
02 Functional
03 Disabling
04 Destroyed
88 Other:
99 Unknown

01 VEHICLE USE
01 No special use
02 Taxi / Limo
03 School bus
04 Other bus
05 Military
06 Police
07 Ambulance
08 Fire
09 Mail/Parcel
99 Unknown
03 VEHICLE DAMAGE
00 None
01 Damage (minor)
02 Functional
03 Disabling
04 Destroyed
88 Other:
99 Unknown

DAMAGE LOCATION AREA
First Impact 12 Major Impact 12
14 Undercarriage
15 Windshield
16 Other windows
17 Entire vehicle damaged
18 Other:
Trailer: Present / Damaged
01 VEH. MANU. BEFORE UNSTAB. SIT.
01 Straight following road
02 Left Turn
03 Right Turn
04 U Turn
05 Passing
06 Changing lanes
07 Avoidance man.
08 Merging
09 Parking
10 Backing
11 Stopped awaiting turn
12 Stopped in traf
13 Illegally parked
14 Disabled in roadway
15 Slowing or stopping
16 Negotiating a curve
88 Other:
99 Unknown

DAMAGE LOCATION AREA
First Impact 12 Major Impact 12
14 Undercarriage
15 Windshield
16 Other windows
17 Entire vehicle damaged
18 Other:
Trailer: Present / Damaged
01 VEH. MANU. BEFORE UNSTAB. SIT.
01 Straight following road
02 Left Turn
03 Right Turn
04 U Turn
05 Passing
06 Changing lanes
07 Avoidance man.
08 Merging
09 Parking
10 Backing
11 Stopped awaiting turn
12 Stopped in traf
13 Illegally parked
14 Disabled in roadway
15 Slowing or stopping
16 Negotiating a curve
88 Other:
99 Unknown

VEHICLE SEQUENCE OF EVENTS (List up to 4 per unit in the order of occurrence)
1 22 2 3 4
The exact sequence is unknown.

VEHICLE SEQUENCE OF EVENTS (List up to 4 per unit in the order of occurrence)
1 03 2 22 3 4
The exact sequence is unknown.

NON-COLLISION
01 Ran off road right
02 Ran off road left
03 Crossed centerline
04 Overtum/Rollover
05 Crossed median
06 Fell/Jumped from veh
07 Thrown or falling object
08 Cargo loss or shift
09 Equipment failure (fire, brakes, etc.)
10 Downhill runaway
11 Trailer swing
12 Separation of units
13 Jackknife
14 Fire
15 Explosion
16 Immersion in water
18 Other event:
98 Unknown non-coll.
COLLISION WITH
21 Pedestrian
22 Motor veh in-transport
23 Legally Parked Vehicle
24 Train
25 Pedal cycle (bike, etc)
26 Animal
27 Fixed Object
28 Other moveable object
99 Unknown object

NON-COLLISION
01 Ran off road right
02 Ran off road left
03 Crossed centerline
04 Overtum/Rollover
05 Crossed median
06 Fell/Jumped from veh
07 Thrown or falling object
08 Cargo loss or shift
09 Equipment failure (fire, brakes, etc.)
10 Downhill runaway
11 Trailer swing
12 Separation of units
13 Jackknife
14 Fire
15 Explosion
16 Immersion in water
18 Other event:
98 Unknown non-coll.
COLLISION WITH
21 Pedestrian
22 Motor veh in-transport
23 Legally Parked Vehicle
24 Train
25 Pedal cycle (bike, etc)
26 Animal
27 Fixed Object
28 Other moveable object
99 Unknown object

***Synopsis**

On August 19th, 2024, at approximately 1036 hours Central Standard Time (CST), I, Master Trooper Seth Gruber, responded to a report of an injury collision between two-vehicles near the intersection of K-23 Highway and Road 60 South in Sheridan County, KS. It was reported this was a Commercial Motor Vehicle (CMV) versus a single passenger car. While responding to the incident location, I was informed the driver and sole occupant of the passenger car was deceased and this would be upgraded to a fatality motor vehicle collision. Upon my arrival at approximately 1044 hours, I confirmed to Kansas Highway Patrol's dispatch center that this would in fact be a fatality motor vehicle collision that was involving a CMV.

While I was on-scene waiting for the Kansas Highway Patrol's Critical Highway Accident Response Team (CHART) to arrive, I was able to determine that Vehicle 1 and Trailer 1 (the White 2012 Freightliner and 1998 Timpfe Semi-Trailer) were heading Southbound on K-23 Highway, just north of Road 60 South in Sheridan County, KS. Vehicle 2 (the Grey Mazda) was heading Northbound in the Southbound Lane of K-23 Highway, for an unknown reason. Vehicle 1 and Vehicle 2 collided in a head-on type of manner causing Vehicle 1 and Trailer 1 to leave the roadway to the right/West and enter the ditch where it continued traveling Southbound prior to coming to a rest while upright. Vehicle 2 got pushed backwards towards the Southeast causing Vehicle 2 to leave tire markings on the asphalt that led to Vehicle 2's final resting position in the East ditch, facing Southwest.

Driver 1 was checked out by Sheridan County EMS who was also on-scene and was determined to not be injured. Driver 2 was determined to be deceased and this was later confirmed by the on-call Deputy Coroner. Driver 2 was then transported by Mickey-Leopold Funeral Home where he was transferred to Hoxie, KS and then later taken to Hays, KS where an autopsy was performed by a medical pathologist. A blood and urine sample were obtained from Driver 2 by the pathologist during his autopsy and these samples were sent off to the Kansas Bureau of Investigation for testing purposes. All units involved in this collision were removed from the scene by S&M Repair as they were the next non-preference wrecker service on the Kansas Highway Patrol's wrecker rotation list. All times in this report are recorded in Central Standard Time and are approximate.

***On-Scene Investigation**

-Roadway Details:

Kansas Highway 23 (K-23) is a two-lane, uncontrolled access type of highway that runs North and South. There is one lane for Northbound traffic and one lane for Southbound traffic; only being divided by a painted centerline down the highway and painted edge lines. K-23 in Sheridan County, KS is a narrow highway with numerous hills, very minimal grassy shoulders, other county road entrances and exits and other field entrances. At this specific location where the area of impact was, is the top of a hill crest. On the South side of the hillcrest, leading up to the area of impact, the roadway for the Northbound traffic is considered to be in a no passing zone as it is clearly marked with a solid yellow in color center line and the Southbound traffic is in a passing zone as it is clearly marked with a dashed yellow center line. The posted speed limit for this stretch of highway is 65 miles per hour. While on-scene, I did not observe there to be any sight obstructions or disrepair on the roadway itself that would be considered a factor in this collision.

-Units Involved:

This collision involved two different types of vehicles, one being a Commercial Motor Vehicle (CMV) and the other being a personally owned passenger vehicle. The first vehicle involved was identified as a white in color 2012 Freightliner Truck-Tractor (Vehicle 1) that was pulling a 1998 Timpfe semi-trailer (Trailer 1). Vehicle 1 was identified by its Vehicle Identification Number (VIN) on the inside of the driver side door frame being: [REDACTED] 7187. This VIN number was able to be ran through KHP's central dispatch and able to be matched up with a Kansas Registration Plate of: [REDACTED]. This plate was unable to be located in the debris field throughout the scene. The registered owner of Vehicle 1 was listed as R&M Trucking with a USDOT number of: 3542137. After checking with the driver who he was working for, it was determined that Driver 1 was working for the company displayed on the side of the truck being: GO Trucking, INC. with a USDOT number of: 1255993. Vehicle 1 was shown to be insured by Sentry Select Insurance Company with a Policy Number: A0224961001. Trailer 1 was able to be identified as a white in color 1998 Timpfe Semi-Trailer by its displayed Kansas Registration Plate of: [REDACTED]. The silver in color VIN plate on the front of Trailer 1 indicated the VIN for this unit was: [REDACTED] 2797 which matched up with the registration paperwork. Trailer 1 was also registered to R&M Trucking with a USDOT number of: 3542137.

The second vehicle involved in this collision was a grey in color 2015 Mazda, Mazda6, with a California displayed Registration Plate of: [REDACTED]. Vehicle 2 had a VIN located on the driver side door frame which was: [REDACTED] 3291, which matched up with the California Registration. Vehicle 2 was registered to Jacob E. Taggart of California. Various attempts were made to locate insurance information for Vehicle 2 through the California Department of Motor Vehicles and no insurance information was able to be obtained during this investigation. The most recent insurance information for this vehicle was listed as Progressive when the vehicle was purchased with a policy number of: 58181931 but, this policy was cancelled on December 5th, 2023.

-Occupants:

Vehicle 1 was occupied by the driver and sole occupant of Vehicle 1. The driver of Vehicle 1 was identified by his Kansas Driver's License as: Abel Sotelo (H/M DOB: [REDACTED] Kansas OLN: [REDACTED]). Sotelo had a valid Kansas Driver's License, listed as a Commercial Driver's License (CDL); being a Class A CDL. Sotelos' CDL had no listed restrictions on it and a "N" endorsement, allowing for tank vehicles.

Vehicle 2 was occupied by the driver and sole occupant of Vehicle 2. The driver of Vehicle 2 was able to be identified by his California Driver's License as: Jacob Edward Taggart (W/M DOB: [REDACTED] California OLN: [REDACTED]). Taggart had a valid California Driver's License, listed as a non-commercial Class C. Taggarts' license had no listed restrictions or endorsements on it.

-Interior Examination:

Upon examination of Vehicle 1's interior, there was nothing of high importance located or observed as most of the damage on Vehicle 1 was to the front bumper exterior area. Upon looking inside the interior, the drivers' seatbelt was completely in-tact and hanging loosely against the driver-side B pillar of the vehicle. The belt and latching mechanisms were found to be in their respective normal resting positions against the B Pillar and on the right-hand side of the drivers' seat. There was nothing notable about the seatbelt of latching mechanism. Driver 1 stated he did have this on at the time of the collision and was able to take it off without any issue and without having to cut the belt. There was no airbag deployment within Vehicle 1 observed. When viewing the instrument cluster above the steering column, I observed the speedometer needle to be stuck at approximately 59 miles per hour, the tachometer to be shy of 10,000 revolutions per minute (RPM) and the fuel gauge to show the truck had over 3/4 of a full tank of diesel. Vehicle 1's gear shifter was not moved post collision and I unable to be determine which exact gear Driver 1 was in, but it was noted that it was in a forward position to signify that the vehicle was in fact in a "forward drive" position. There were no obstructions observed on-scene, inside of Vehicle 1 to limit Driver 1's view to the front and sides of Vehicle 1.

When examining Vehicle 2's interior, it was observed that the entire interior was open and exposed without the need to open any doors or windows. There was no information able to be obtained from the vehicles' instrument panel as it had either been crushed or it was unable to be located on the scene. It was observed that both the front driver and front passenger seats were reclined as far back as possible, laying into the back seats and it appeared that the rear passenger side seat had become dislodged and was not attached to the car frame anymore as it was sitting at an angle. I was able to confirm that the driver was in fact wearing a seatbelt as the seatbelt was latched properly and it was in a "locked-out" position to indicate it was not put on post-crash. This seatbelt was later cut by first responders to extricate Driver 2. It had appeared that all available airbags had deployed at some point during this collision as the airbags attached to the roof, steering wheel and dash were all visible. It was also noted that the steering column was not attached to the vehicle and was thrown further Southwest of the cars resting position. Going through the debris field and looking inside of the vehicle, it had appeared there was only a small amount of personal type of items left within the vehicles such as clothing, gaming controllers etc. While Driver 2 was being extricated, there was a damaged cell phone and damaged eyeglasses laying in the general vicinity of the drivers' seat.

-Exterior Examination:

On the exterior of Vehicle 1, there was extensive damage to the front end of the power unit to include but, not limited to: Vehicle 1's frame, engine bay area, driveline components, tires, lights, body panels etc. Upon my arrival at the scene of the collision, I observed Vehicle 1 to be at its final resting position sitting upright, facing Southbound in the West ditch of Kansas Highway 23. The hood from Vehicle 1 had been torn off which exposed Vehicle 1's entire engine area. It was evident that most of the normal fluids used in the engine were near empty or were currently spilling out of their respective containers. The front-line drive axle was pushed up under Vehicle 1 and was at its final rest under the cab. There was damage to the plastic fenders and metal steps leading up to the front driver and front passenger side doors. It had also appeared that the strap for the fuel tank on the front passenger side had also become detached from the power unit. There did not appear to be any type of damage from where the sleeper was towards the back of the rest of the unit and semi-trailer. The semi-trailer that was loaded with corn was still attached to the power unit and still had all necessary plugs and wiring connected from the power unit. There was no evidence of any equipment issues (i.e. blown tire, transmission issue or brakes etc.) prior to this collision.

Upon examining Trailer 1, I observed there to be little to no damage to Trailer 1. After reviewing the tires, the sidewalls, landing gear and all lights, there did not appear to be any damage to this specific unit. A Commercial Vehicle Safety Alliance (CVSA) post-crash inspection was completed by Technical Trooper Berland and will be available as an additional document.

Upon examination of Vehicle 2, there was extensive damage to the exterior of the vehicle that was concurrent with a front-end collision. Starting at the front end of the vehicle, the hood of the vehicle was detached and found to be laying in the middle of the roadway, further South of where Vehicle 2 had come to a rest. Due to this, the entire engine bay area was exposed. There were very little components that were able to be made out due to the frontal end impact with the truck-tractor. It had appeared that the numerous components in the front end of the vehicle (i.e. engine, axle, firewall etc.) got pushed backwards towards the center of the vehicle. The entire driver side body panels and roof panels had been stripped and peeled backwards towards the driver side rear of the vehicle near the trunk to include the A, B and C pillars of the vehicle that held in the vehicles' windshield and roof. The rear driver side door and C pillar were still attached to Vehicle 1 but damaged extensively. The rear of the vehicle near the trunk appeared to sustain little to no cosmetic damage. The passenger side of the vehicle still had the B and C pillar attached to the vehicle along with the passenger side doors however, as previously stated, the roof was not attached to these, and these were obviously bent. The undercarriage was unable to be viewed roadside thus, the full extent of the damage to the undercarriage was unable to be determined. There was no evidence of any equipment issues (i.e. blow tire, transmission issue or brakes etc.) prior to this collision.

-Observations On-Scene:

Vehicle 1 and Trailer 1 were actively driving Southbound on Kansas Highway 23, completely within the Southbound Lane. According to Witness 1, prior to the collision, Vehicle 2 was driving Northbound in the Northbound Lane but, was failing to maintain and failing to stay completely within the Northbound Lane. The cause of this is unknown. Leading up to the collision site, it was obvious that Vehicle 2 was traveling Northbound in the Southbound Lane of travel as the plastic skid plate from the bottom of Vehicle 2 was found to be laying in the Southbound Lane. The area of impact where Vehicle 1 and Vehicle 2 collided head-on was approximately in the middle of the Southbound travel lane. Leading up to the area of impact, I observed there to be no pre-collision braking marks from either vehicle. After the collision, there was one single tire mark observed post collision from Vehicle 2 which followed directly in line to lead up with the rear tires of Vehicle 2. There were no other notable or observed sight obstructions.

The Kansas Highway Patrol's Critical Highway Accident Response Team (CHART) had responded and completed a forensic diagram of this collision scene.

-Driving Conditions:

Weather was not considered to be a factor in this collision however, according to the National Weather Service out of Goodland, KS, near the Oakley Airport at approximately 1015 hours; the outside ambient air temperature was approximately 71 degrees Fahrenheit. The dew point was recorded to be at 61. There were minimal winds recorded to be at 10 miles per hour blowing Southeast with an overcast sky. Visibility was recorded to be 10+ miles.

-Driver Evaluations:

I spoke with Driver 1, observed him walk to my patrol car and later returned to my patrol vehicle to speak with him again and I did not observe there to be any odor or any other signs of impairment from any alcohol or drugs. Due to this, there was no Standardized Field Sobriety Tests (SFST) or Preliminary Breath Tests (PBT) given on-scene or after the fact. Driver 2 was deceased upon my arrival and any SFST's or PBT's were unable to be given. There was no evidence of any alcohol or drugs located on-scene or in the debris field leading up to Vehicle 1 or Vehicle 2. However, after Driver 2 was taken to Mickey-Leopold Funeral Home in Hoxie, KS, he was later transported to Brock's-Keithley Funeral Chapel in Hays, KS for an autopsy to be performed. Dr. Lyle Noordhoek had obtained a blood sample and a urine sample at that time. The two samples were collected by Master Trooper Birney and then placed into the Hays temporary evidence storage later that evening. On August 21st, 2024, I was able to retrieve these two samples, complete the required evidence custody receipt required by KHP and the KBI and was able to place both samples into the mail via USPS.

-Evidence Collection:

Photographs were obtained on-scene of Vehicle 1 and Vehicle 2's paths of travel after the collision had occurred. Photographs were obtained of the roadway, of the scene and of each of the vehicles involved. There was no evidence of any alcohol, drugs or drug paraphernalia located on the scene or inside either of Vehicle 1 or Vehicle 2. As previously mentioned, a blood sample was obtained from Driver 2, and this was mailed to the Kansas Bureau of Investigation (KBI) for testing purposes. Vehicle 2 sustained significant damage and did have airbag deployment. The airbag module within Vehicle 2 was able to be obtained and a download of this was able to be obtained and retained by Kansas Highway Patrol's (KHP) Critical Highway Accident Response Team (CHART). Witness 1 did have a dash camera inside of his vehicle, however when attempting to obtain a copy of the footage from this collision, it was determined that this incident was not captured and unable to be obtained. Also included with this report will be photographs from the scene and video footage of the scene from KHP's airplane along with KHP's CHART team report.

***Off-Scene Investigation**

-Driver/Witness Statements:

Driver 1 voluntarily filled out a witness statement, stating the following: "I don't know how it happened because we just suddenly collided. He passed by me where I was driving and it was on a hill that was impossible to lookat. The accident was South of Hoxie KS. Hwy # 23."

No statement was able to be obtained from Driver 2 as he sustained a fatal injury during the course of this collision.

There was one known witness to this collision who was still on-scene upon my arrival. Witness 1, identified by his Kansas Driver's License as: Wyatt Stubbs (W/M DOB: [REDACTED] KS OLN: [REDACTED]) voluntarily filled out a witness statement stating the following: "I was driving North on K-23 the car in front of me 4 miles before the wreck the car dropped his wheels off the shoulder on northbound side almost going into the ditch later I seen the car slowly veering off to the left as the semi approached the top of hill and hit head on."

-Injury Investigation:

While I was responding to the scene of this collision, I was informed that at least one occupant was deceased. Upon Sheridan County EMS & I's arrival at approximately 1044 hours, Sheridan County EMS triaged the driver of Vehicle 2 and confirmed he was deceased. While obtaining photographs of the scene, I had observed and photographed Driver 2 which appeared to have sustained major blunt force trauma to his entire body. Driver 2's left arm, right arm and stomach area all appeared to be broken and sustained massive lacerations as there was blood, tissue, muscle and bone all visible. Once the autopsy from Dr. Noordhoek is available, it will also be included as an additional document included with this report.

Driver 1 was evaluated on-scene by Sheridan County EMS and was determined to not be injured as a result of this collision and was not transported to any area hospital via ambulance or private vehicle.

-Conclusion

On August 19th, 2024, at the approximate time of 1029 hours Central Standard Time, a white in color 2012 Freightliner (Vehicle 1) driven by Abel Sotelo (Driver 1) was traveling Southbound on Kansas Highway 23 near Road 60 South in Sheridan County, Kansas; South of the town of Hoxie, KS. Soto was pulling a 1998 Timpette semi-trailer (Trailer 1) loaded with corn. Jacob E. Taggart (Driver 2) was heading Northbound in his 2015 Mazda, Mazda 6 (Vehicle 2). For an unknown reason, Driver 2 began to veer left of center, across the yellow in color no passing zone line in the center of the roadway and began to travel Northbound in the Southbound Lane of travel, near the crest of a hill. Vehicle 1 and Vehicle 2 collided in the Southbound Lane of travel. Vehicle 1 continued to travel Southbound in the West ditch and came to a rest facing South. Vehicle 2 got pushed backwards towards the Southeast and left a tire mark leading to its final resting position in the East ditch where it came to rest facing Southwest.

Sheridan County 9-1-1 received the first 9-1-1 call of this motor vehicle accident at approximately 1030 hours, Central Standard Time and they dispatched Sheridan County Sheriff's Office, Sheridan County EMS and Sheridan County Fire Department personnel. At approximately 1032 hours Central Standard Time, Sheridan County Sheriff's Office personnel requested Kansas Highway Patrol's assistance with this motor vehicle collision. At approximately 1035 hours Central Standard Time, the Sheridan County Sheriff's Office personnel were the first on-scene, and it was at this time it was broadcasted this motor vehicle collision was now upgraded to a fatality motor vehicle collision.

At approximately 1044 hours Central Standard Time, Sheridan County EMS arrived on-scene and confirmed that Driver 2 had sustained fatal injuries. At the same time, I arrived on-scene and relayed to Kansas Highway Patrol's dispatch center that this was in fact a fatal motor vehicle collision between a commercial motor vehicle and a single passenger car. At approximately 1140 hours Central Standard Time, the on-call deputy coroner Dr. Victor Nemechek arrived on-scene and pronounced Driver 2 deceased. Mickey Leopold Funeral Home was then contacted to transport Driver 2. Driver 2 was retrieved from the scene and taken to Mickey Leopold's Funeral Home prior to being taken to Brock's-Keithley Funeral Chapel in Hays, KS where an autopsy was later performed by Dr. Lyle Noordhoek. During the autopsy, Dr. Noordhoek had obtained a blood sample and a urine sample from Driver 2 which was later obtained and mailed off to the Kansas Bureau of Investigation for testing purposes. The results from these samples are still pending at this time.

The next non-preference wrecker on the Kansas Highway Patrol's rotation list was requested to pick up both Vehicle 1 and Vehicle 2 from the scene of the collision. S&M Repair out of Oakley and Colby responded and removed both vehicles and took them to their tow lot in Oakley, KS.

***Addendums**

-Personnel On-Scene:

The following individuals from the Sheridan County Fire Department responded to and assisted on-scene: Brandon Fenner, Justin Leth, Brenton Boege, Jeremy Sekavek, Adam Bieker, Jaxen Moss, Jeff Munk, Wade Tremblay, Mike Shaw, Andrew Becker, Gavin Tremblay, Evan Turley, Conner Deppenbusch and Steve Hirsch. The following individuals from Sheridan County EMS responded to and assisted on-scene: Judie Feldt, Don Koerpench, Stacey Brown, Jordan Riley and Heather Bracht. The following Law Enforcement Officials responded to and assisted on-scene: Brandon Carver (Sheridan County Sheriff), Brian Diercks (Sheridan County Sheriff's Office), William Cousins (Sheridan County Sheriff's Office), Technical Trooper Jamie Berland (KHP), Master Trooper Rodd Thornburg (KHP) and I. The following Law Enforcement Officials with Kansas Highway Patrol's Critical Highway Accident Response Team (CHART) responded to and assisted on-scene: Technical Trooper Ashley Hirsch. The following individual was forthcoming as a witness to this collision and had filled out a witness statement form voluntarily: Wyatt Stubbs. The on-scene coroner that responded to the scene was Dr. Victor Nemechek. Joe Welshhon and Mary Ellen Welshhon from the Mickey-Leopold Funeral Home also responded to the scene to transport Taggart's body from the scene to the funeral home and to Hays, KS for the autopsy to be performed.

-Additional Reports:

Attached to this report will be KHP's computer aided dispatch (CAD), Sheridan County's 9-1-1 Center CAD for Fire, EMS and Law Enforcement, Driver 1s' witness statement, Witness 1s' statement, a copy of Dr. Noordhoek's autopsy report and a copy of Technical Trooper Berlands' Post Crash CVSA Inspection for Vehicle 1. A copy of the KBI's lab results will be added and amended into this report after they have completed their testing and the results become available. Also included with this report will be photographs from the scene, video footage of the scene from KHP's airplane and KHP's CHART teams report.

HEAVY VEHICLE & HAZMAT Supplement

INFORMATION ON HEAVY VEHICLES / BUSES / HAZARDOUS MATERIALS

Investigating Officer / Badge No.
S. GRUBER 204

Local Case No.
2024010011

Page of
9 / 9

KDOT Form 852 - Rev. 2019

MOTOR CARRIER INFORMATION

01 GO TRUCKING INC. 2701 W MARY GARDEN CITY
TU # Carrier Name Carrier Street Address (P.O. Box only if no street address) City

KS 67846 (620) 640-3910 USA
State Zip Phone Carrier Country

CARRIER IDENTIFICATION NUMBER(S)

1255993
USDOT# MC/MX# NONE

1 CARRIER TYPE

0 - Intrastate 1 - Interstate 2 - Not in Commerce - Other Truck or Bus 3 - Not in Commerce - Government Veh 4 - Other / Not Specified

01 AT THE TIME OF CRASH, THIS VEHICLE WAS: 01 Operating on a trafficway open to the public (In-Transport) 02 Parked on or off the trafficway 88 Other: _____ 99 Unknown	03 GVWR/GCWR 01 10,000 lbs or less 02 10,001-26,000 lbs 03 More than 26,000 lbs 99 Unknown ACTUAL WEIGHT <input type="text"/> lbs	01 SOURCE OF CARRIER NAME 01 Side of vehicle 02 Shipping papers or manifest 03 Driver 04 Logbook	PERMITS (Issuer and Permit Number) 1. _____ 2. _____ 3. _____
--	---	---	---

VEHICLE INFORMATION

HAZMAT / ROADWAY INFORMATION

TRAILER DIMENSIONS		TRAILER(S) DAMAGED?	OVERSIZED LOAD
WIDTH (in)	LENGTH (ft)		
Trailer 1	96	42	<input type="checkbox"/> Height <input type="checkbox"/> Weight <input type="checkbox"/> Width
Trailer 2			
Trailer 3			

HAZARDOUS MATERIALS INVOLVEMENT


Did the vehicle have a Hazardous Materials Placard?

If Yes, Include The Following Information From The Placard:

HazMat 4-digit # from the diamond center box:

HazMat Class # from the bottom of diamond: HazMat Weight (lbs)

Was HazMat released (spilled) from THIS vehicle's cargo?



TRUCK AND TRAILER TOTALS

Vehicle Length (include trailer(s)) 64 ft No. of Trailers 1 No. of Axles 5

TRAILER 1 - IDENTIFICATION NUMBER

2797

TRAILER 2 - IDENTIFICATION NUMBER

TRAILER 3 - IDENTIFICATION NUMBER

00 ON-ROAD LANE TYPE

00 Two-way traffic - Undivided roadway
01 One-way traffic - Undivided roadway
02 Two-way traffic - Median strip w/o barrier
03 Two-way traffic - Median strip w/ barrier
04 Two-way traffic - Undivided with a continuous left turn lane
99 Unknown

00 VEHICLE ACCESS CONTROL TO ROADWAYS

00 No access control (Unlimited access - Roads with no interchanges)
01 Partial access control (mix of interchanges and "at-grade" intersections)
02 Full access control (entry/exit only by interchange ramps)
99 Unknown

SEE BACK OF THIS FORM FOR EXAMPLES OF VEHICLE CONFIGURATIONS AND CARGO TYPES

06 VEHICLE CONFIGURATION

00 Bus 9-15 passengers, including driver
01 Bus more than 15 passengers
02 Single-unit truck (2-axes)
03 Single-unit truck (3 or more axes)
04 Single-unit truck with trailer(s)
05 Truck Tractor only (bobtail)
06 Truck Tractor and semi-trailer
07 Truck Tractor and two trailers
08 Truck Tractor and three trailers
09 Heavy truck > 10,000 lbs cannot classify
10 Vehicles less than 10,000 lbs carrying hazardous materials
88 Other: _____
99 Unknown

02 CARGO BODY TYPE

00 Not applicable/No cargo body
01 Van or Enclosed box
02 Hopper (e.g. Grain, Chips, Gravel)
03 Cargo tank (liquid, powder, etc)
04 Flatbed
05 Dump
06 Concrete mixer
07 Vehicle transporter
08 Garbage or refuse
09 Bus 9-15 people, including driver
10 Bus more than 15 people
11 Pole
12 Vehicle towing another motor vehicle
13 Intermodal chassis
14 Logging
88 Other: _____
99 Unknown

04 CARGO TYPE

00 None	12 Mobile / Modular home
01 Drive away or Tow away	13 Motor vehicles
02 Explosives	14 Refrigerated foods
03 Animals: farm or other	15 Solids (bulk)
04 Farm products	16 Rock, sand, gravel, salt
05 Gases	17 Other food products
06 General freight (packages)	18 Plastic products
07 Heavy machinery, objects	19 People
08 Household goods	20 Garbage / refuse
09 Liquids (bulk)	21 Pavement mixture: concrete, asphalt, etc.
10 Logs, poles, lumber	88 Other: _____
11 Metal (coils, sheets, etc)	99 Unknown

01 CAB TYPE

01 Cab behind engine 99 Unknown
02 Cab over engine

SPECIAL DATA

COMPLETE THIS SUPPLEMENT FOR EACH OF THE FOLLOWING VEHICLES INVOLVED WHERE AT LEAST ONE MOTOR VEHICLE IN-TRANSPORT WAS ON A TRAFFICWAY OPEN TO THE PUBLIC:







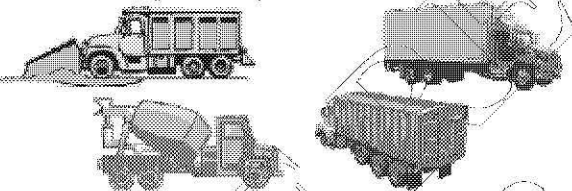

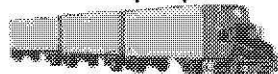
- >10,000 lbs** Any truck having a gross vehicle weight rating (GVW/GVWR) of more than 10,000 pounds or a gross combination weight rating (GCWR) over 10,000 pounds used on public trafficways, OR...
- BUS** Any motor vehicle with seats to transport nine (9) or more people, including the driver OR...
- HAZMAT** Any vehicle, regardless of weight, carrying placardable hazardous materials or displaying a hazardous materials placard.

AND

IF THIS CRASH INCLUDES:

- A FATALITY:** Any person(s) killed in or outside of any vehicle (truck, bus, car, etc.) involved in the crash or who dies within 30 days of the crash as a result of an injury sustained in the crash, OR...
- AN INJURY:** Any person(s) injured as a result of the crash who immediately receives medical treatment away from the crash scene, OR...
- TOW-AWAY:** Any motor vehicle (truck combination, bus, car, etc.) disabled as a result of the crash and transported away from the scene by a tow truck or other vehicle.

Vehicle Configuration

00	Bus (9-15 Seats, Including Driver) 	04	Truck/Trailer (Single-Unit Truck Pulling a Trailer) 
01	Bus (16 or More Seats, Including Driver) 	05	Truck Tractor (Bobtail) 
02	Single-Unit (2 Axles, 6 Tires) 	06	Tractor/Semi Trailer (One Trailer) 
03	Single-Unit (3 or More Axles) 	07	Truck Tractor/Double (Two Trailers) 
		08	Truck Tractor/Triple (Three Trailers) 

Revised 08/05

Cargo Body Type




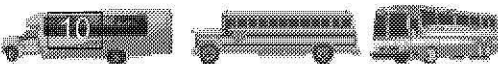
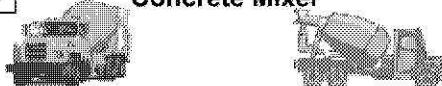


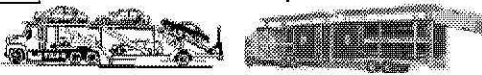
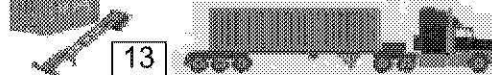

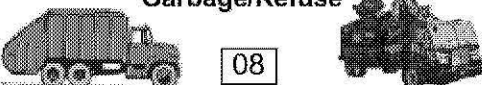




09	Bus (9-15 Seats, Including Driver) 	05	Dump 	11	Pole 
	Bus (16 or More Seats, Including Driver) 	06	Concrete Mixer 	14	Log 
01	Van/Enclosed Box 	07	Auto Transporter 	13	Intermodal Chassis 
03	Cargo Tank 	08	Garbage/Refuse 	12	Vehicle Towing Motor Vehicle 
04	Flat Bed 	02	Grain, Chips, Gravel 	00	No Cargo Body 

Exhibit 3

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP05113203
Inspection Date: 04/29/2024
Start: 7:44 AM CT End: 8:55 AM CT
Inspection Level: I - Full
HM Inspection Type: None

Carrier: GO TRUCKING INC

DBA:
2701 W MARY
GARDEN CITY, KS, 67846
USDOT: 1255993 Phone#: (620)640-3910
MC/MX#: 00495089 Fax#: (620)271-0675
State#:

Driver: SALDIVAR, SIMEON
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State:
State:

Location: DECATUR COUNTY - 039
Highway: US 36
County:
Email:

Milepost: 82 Shipper: HUBER SAND
Origin: GARDEN CITY,KS Bill of Lading: 175219
Destination: OBERLIN,KS Cargo: SAND

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Contains data for units 1 and 2.

BRAKE ADJUSTMENTS

Table with columns: Axle #, Right, Left, Chamber and sub-columns 1-5. Shows brake adjustment values for right and left sides.

VIOLATIONS

Table with columns: Section, Type, Unit, OOS, Citation #, VerifyCrash, Violations Discovered. Lists various traffic violations and their descriptions.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP05113203
Inspection Date: 04/29/2024
Start: 7:44 AM CT End: 8:55 AM CT
Inspection Level: I - Full
HM Inspection Type: None

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.
Signature Of Repairer X: _____ Facility: _____ Date: _____

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **//** *CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.
Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
D.W. 0511
SCHOENBERGER

Copy Received By:
SIMEON SALDIVAR

X

X



ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#29
DATE April 2023	

'98 Pete

MOTOR CARRIER OPERATOR GG Trucking Inc.	INSPECTOR'S NAME (PRINT OR TYPE) Gildardo Ochoa
ADDRESS 2701 W. Mary	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE Garden City KS 67846	VEHICLE IDENTIFICATION (✓ AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER [REDACTED] 0206
VEHICLE TYPE <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED

OK			NEEDS REPAIR			REPAIRED DATE			ITEM			
OK			NEEDS REPAIR			REPAIRED DATE			1. BRAKE SYSTEM			
✓									✓			a. Service Brakes
✓									✓			b. Parking Brake System
✓									✓			c. Brake Drums or Rotors
✓												d. Brake Hose
												e. Brake Tubing
									✓			f. Low Pressure Warning Device
									✓			g. Tractor Protection Valve
									✓			h. Air Compressor
									✓			i. Electric Brakes
												j. Hydraulic Brakes
												k. Vacuum Systems
												l. Antilock Brake System
												m. Automatic Brake Adjusters
OK			NEEDS REPAIR			REPAIRED DATE			6. SAFE LOADING			
												a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.
												b. Protection against shifting cargo.
												c. Container securement devices on intermodal equipment.
OK			NEEDS REPAIR			REPAIRED DATE			10. TIRES			
												a. Tires on any steering axle of a power unit.
												b. All other tires.
												c. Installation of speed-restricted tires unless specifically designated by motor carrier.
OK			NEEDS REPAIR			REPAIRED DATE			11. WHEELS AND RIMS			
												a. Lock or Side Ring
												b. Wheels and Rims
												c. Fasteners
												d. Welds
OK			NEEDS REPAIR			REPAIRED DATE			7. STEERING MECHANISM			
												a. Steering Wheel Free Play
												b. Steering Column
												c. Front Axle Beam and All Steering Components Other Than Steering Column
												d. Steering Gear Box
												e. Pitman Arm
												f. Power Steering
												g. Ball and Socket Joints
												h. Tie Rods and Drag Links
												i. Nuts
												j. Steering System
OK			NEEDS REPAIR			REPAIRED DATE			12. WINDSHIELD GLAZING			
									Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).			
OK			NEEDS REPAIR			REPAIRED DATE			13. WINDSHIELD WIPERS			
									Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.			
OK			NEEDS REPAIR			REPAIRED DATE			8. SUSPENSION			
												a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.
												b. Spring Assembly
												c. Torque, Radius or Tracking Components
OK			NEEDS REPAIR			REPAIRED DATE			9. FRAME			
												a. Frame Members
												b. Tire and Wheel Clearance
												c. Adjustable Axle Assemblies (Sliding Subframes)
OK			NEEDS REPAIR			REPAIRED DATE			14. MOTORCOACH SEATS			
									Any passenger seat that is not securely fastened to the vehicle structure.			
OK			NEEDS REPAIR			REPAIRED DATE			15. OTHER			
									List any other condition(s) which may prevent safe operation of this vehicle.			

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ✓ OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	#29
DATE April 2024	

i98 Pete

MOTOR CARRIER OPERATOR GO Trucking, Inc.	INSPECTOR'S NAME (PRINT OR TYPE) Eildardo Ochoa
ADDRESS 2701 W. Mary	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE Garden City Wis 53846	VEHICLE IDENTIFICATION (✓ AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER [REDACTED] 0206
VEHICLE TYPE <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED

OK			NEEDS REPAIR			REPAIRED DATE			ITEM		
OK			NEEDS REPAIR			REPAIRED DATE			1. BRAKE SYSTEM		
✓											a. Service Brakes
✓											b. Parking Brake System
✓											c. Brake Drums or Rotors
✓											d. Brake Hose
											e. Brake Tubing
											f. Low Pressure Warning Device
											g. Tractor Protection Valve
											h. Air Compressor
											i. Electric Brakes
											j. Hydraulic Brakes
											k. Vacuum Systems
											l. Antilock Brake System
											m. Automatic Brake Adjusters
OK			NEEDS REPAIR			REPAIRED DATE			2. COUPLING DEVICES		
											a. Fifth Wheels
											b. Pintle Hooks
											c. Drawbar/Towbar Eye
											d. Drawbar/Towbar Tongue
											e. Safety Devices
											f. Saddle-Mounts
OK			NEEDS REPAIR			REPAIRED DATE			3. EXHAUST SYSTEM		
											a. No leaks forward of/ directly below the driver/ sleeper compartment.
											b. Bus: No leaking/ discharging in violation of standard.
											c. Unlikely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of vehicle.
OK			NEEDS REPAIR			REPAIRED DATE			4. FUEL SYSTEM		
											a. No visible leak.
											b. Fuel Tank Filler Cap
											c. Fuel tank securely attached.
OK			NEEDS REPAIR			REPAIRED DATE			5. LIGHTING DEVICES		
											All required lights/reflectors operable.
OK			NEEDS REPAIR			REPAIRED DATE			6. SAFE LOADING		
											a. Vehicle parts, load, dunnage, spare tire, etc., secured.
											b. Front End Structure
											c. Intermodal Container Securement Devices
OK			NEEDS REPAIR			REPAIRED DATE			7. STEERING MECHANISM		
											a. Steering Wheel Free Play
											b. Steering Column
											c. Front Axle Beam/All Other Steering Components
											d. Steering Gear Box
											e. Pitman Arm
											f. Power Steering
											g. Ball and Socket Joints
											h. Tie Rods and Drag Links
											i. Nuts
											j. Steering System
OK			NEEDS REPAIR			REPAIRED DATE			8. SUSPENSION		
											a. Axle Positioning Parts
											b. Spring Assembly
											c. Torque, Radius or Tracking Components
OK			NEEDS REPAIR			REPAIRED DATE			9. FRAME		
											a. Frame Members
											b. Tire and Wheel Clearance
											c. Adjustable Axle Assemblies (Sliding Subframes)
OK			NEEDS REPAIR			REPAIRED DATE			10. TIRES		
											a. Steer-Axle Tires
											b. All Other Tires
											c. Speed-Restricted Tires
OK			NEEDS REPAIR			REPAIRED DATE			11. WHEELS AND RIMS		
											a. Lock or Side Ring
											b. Wheels and Rims
											c. Fasteners
											d. Welds
OK			NEEDS REPAIR			REPAIRED DATE			12. WINDSHIELD GLAZING		
											No cracks, discoloration, obstacles, etc. (see 393.60 for exceptions).
OK			NEEDS REPAIR			REPAIRED DATE			13. WINDSHIELD WIPERS		
											No missing, damaged, or inoperable wipers.
OK			NEEDS REPAIR			REPAIRED DATE			14. MOTORCOACH SEATS		
											Seats securely fastened to the vehicle structure.
OK			NEEDS REPAIR			REPAIRED DATE			15. REAR IMPACT GUARD		
											In place, securely attached, proper size, proper placement (see 393.86).
OK			NEEDS REPAIR			REPAIRED DATE			16. OTHER		
											List any other condition(s) which may prevent safe operation of this vehicle.

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ✓ OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
	T27
DATE	April 2024

10 Timple

MOTOR CARRIER OPERATOR Go Trucking, Inc.	INSPECTOR'S NAME (PRINT OR TYPE) Eilebardo Ochoa
ADDRESS 2701 W. Mary	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE Garden city KS 67846	VIN <input checked="" type="checkbox"/> OR <input type="checkbox"/> OTHER XXXXXXXXXX 4917
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input checked="" type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED

OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
			1. BRAKE SYSTEM				6. SAFE LOADING				12. WINDSHIELD GLAZING
✓			a. Service Brakes				a. Vehicle parts, load, dunnage, spare tire, etc., secured.				No cracks, discoloration, obstacles, etc. (see 393.60 for exceptions).
✓			b. Parking Brake System				b. Front End Structure				13. WINDSHIELD WIPERS
✓			c. Brake Drums or Rotors				c. Intermodal Container Securement Devices				No missing, damaged, or inoperable wipers.
✓			d. Brake Hose				7. STEERING MECHANISM				14. MOTORCOACH SEATS
✓			e. Brake Tubing				a. Steering Wheel Free Play				Seats securely fastened to the vehicle structure.
✓			f. Low Pressure Warning Device				b. Steering Column				15. REAR IMPACT GUARD
			g. Tractor Protection Valve				c. Front Axle Beam/All Other Steering Components				In place, securely attached, proper size, proper placement (see 393.86).
			h. Air Compressor				d. Steering Gear Box				16. OTHER
			i. Electric Brakes				e. Pitman Arm				List any other condition(s) which may prevent safe operation of this vehicle.
			j. Hydraulic Brakes				f. Power Steering				
			k. Vacuum Systems				g. Ball and Socket Joints				
			l. Antilock Brake System				h. Tie Rods and Drag Links				
			m. Automatic Brake Adjusters				i. Nuts				
			2. COUPLING DEVICES				j. Steering System				
✓			a. Fifth Wheels				8. SUSPENSION				
✓			b. Pintle Hooks				a. Axle Positioning Parts				
✓			c. Drawbar/Towbar Eye	✓			b. Spring Assembly				
			d. Drawbar/Towbar Tongue	✓			c. Torque, Radius or Tracking Components				
			e. Safety Devices				9. FRAME				
			f. Saddle-Mounts				a. Frame Members				
			3. EXHAUST SYSTEM				b. Tire and Wheel Clearance				
			a. No leaks forward of/directly below the driver/sleeper compartment.				c. Adjustable Axle Assemblies (Sliding Subframes)				
			b. Bus: No leaking/discharging in violation of standard.				10. TIRES				
			c. Unlikely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of vehicle.				a. Steer-Axle Tires				
			4. FUEL SYSTEM				b. All Other Tires				
			a. No visible leak.				c. Speed-Restricted Tires				
			b. Fuel Tank Filler Cap				11. WHEELS AND RIMS				
			c. Fuel tank securely attached.				a. Lock or Side Ring				
			5. LIGHTING DEVICES				b. Wheels and Rims				
✓			All required lights/reflectors operable.				c. Fasteners				
							d. Welds				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ✓ OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

Exhibit 4

GO Trucking, Inc.
 Gil Ochoa
 2701 W. Mary St.
 Garden City, KS 67846
 620-271-0233

Invoice: Morss Metals

THANKS

Date	Location Origin	Original Ticket #	Net Weight	Location Destination	Dest. Ticket #	Net Weight	Freight Rate	Amount Due
7/3/24	GC	10215	37500	Wichita			1,100.00	1,100.00
7/8/24	GC	10216	43880	Wichita			1,100.00	1,100.00
7/9/24	GC	?	41200	Wichita			1,100.00	1,100.00
7/10/24	GC	10221	43000	Wichita			1,100.00	1,100.00
7/11/24	GC	10222	41560	Wichita			1,100.00	1,100.00
7/12/24	worked 1/2 day at RR						500.00	500.00
							Total	6 000 00

Exhibit 5



1724 LINCOLN ROAD
 GARDEN CITY, KS 67846
 PHONE: 620-275-4849
 WWW.MORSSMETALS.COM

**Scale Ticket
 Shipping Ticket**

Shipper #: 10216
 Scale: Truck Scale
 Started At: 7/8/2024 1:51:46PM
 by Weighmaster: Chetan Thakkar
 Completed At: 7/8/2024 2:48:29PM
 by Weighmaster: Chetan Thakkar

Sold To:
 ALLMETAL RECYCLING
 2829 North Emporia Street
 Wichita, Ks 67219

Ship To
 ALLMETAL RECYCLING
 2829 North Emporia Street
 Wichita, Ks 67219

Trailer/Chassis No.: 640 - -

Vehicle Plate: 1

Item Name	Packaging / Units	Gross (lb)	Tare (lb)	Adj (lb)	Net (lb)
Shred		84,180.0 M ¹	40,300.0 M	0.0	43,880.0
		84,180.0	40,300.0		43,880.0

Full Truck Weights (lbs)

Gross: 84,180.0
 Tare: 40,300.0
 Net: 43,880.0
 Items: 43,880.0 Boxes off Truck
 Diff: 0

Exhibit 6

DRIVER'S DAILY LOG
 (ONE CALENDAR DAY - 24 HOURS)

6-7-24
 (MONTH) (DAY) (YEAR)

420
 (TOTAL MILEAGE TODAY)

TRACTOR NO. 6

TRAILER NO. 25

CERTIFY THESE ENTRIES ARE TRUE AND CORRECT

[Signature]
 (DRIVER'S SIGNATURE IN FULL)

GO TRUCKING, INC.

(NAME OF CARRIER OR CARRIERS)

2701 W. Mary, Garden City, KS 67846

(MAIN OFFICE ADDRESS)

GCKS
 (NAME OF CO-DRIVER)

(HOME TERMINAL ADDRESS)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									24 3/4
2: SLEEPER BERTH																									
3: DRIVING																									7
4: ON DUTY (NOT DRIVING)																									2 1/4
	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	

REMARKS
 TRIP #
PTJ GCKS
Oberlin KS unload ROCK
Wichita KS load corn
Wichita KS load corn
Wichita KS load ROCK FUEL PUMP

DRIVER'S VEHICLE CONDITION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING:

DATE: 6-7-24 TRACTOR NO.: 6-7098 TRAILER NO.: 20

MECHANIC'S
 APPROPRIATE
 BOX

- I detect no defect or deficiency in this motor vehicle as would be likely to affect the safety of its operation or result in its mechanical breakdown.
- I detect the following defects or deficiencies in this motor vehicle that would be likely to affect the safety of its operation or result in its mechanical breakdown:

Indicate whether defects are on TRACTOR or TRAILER - Use sufficient detail to locate for mechanic:

Above defects corrected

Above defects need not be corrected for safe operation of vehicle

MECHANIC'S
 SIGNATURE _____

DRIVER'S SIGNATURE

[Signature]

DRIVER'S
 SIGNATURE _____

Exhibit 7

Return This
Copy to Ag Valley Coop
For Payment.

TRUCK SHIPMENT LADING

No 383514

AG VALLEY COOP
EDISON, NEBR. 68936

Edison Phone: 1-800-228-1352

SHIPPED FROM		SHIPPED TO	
SHIPPER: AG VALLEY COOPERATIVE, NON-STOCK		CONSIGNEE: <i>Crossroads Co-op</i>	
ORIGIN: <i>Maywood, NE</i>		DESTINATION:	
DATE LOADED: <i>6-7, 2024</i>	SHIPPER'S CONT. NO.: <i>16405</i>	DATE UNLOADED: _____, 20__	BUYER'S CONT. NO.: <i>53472</i>
LOADING GRADE: <i>Corn</i>		UNLOADING GRADE:	
LOADING SCALE TICKET NO.: <i>M 70676</i>		UNLOADING SCALE TICKET NO.:	

WEIGHTS			CARRIER	
	LOADING	UNLOADING	FIRM NAME: <i>GO Trucking</i>	
GROSS	<i>86800</i>		DRIVER'S NAME: <i>[Signature]</i>	
TARE	<i>29340</i>		DRIVER'S ADDRESS:	
NET	<i>57460</i>		DRIVER'S LICENSE NO.:	
BUSHELS:	<i>1026.07</i>		DOT NO.:	
LOSS IN TRANSIT:			LICENSE NO.:	TRACTOR: <i>4</i> MAKE:
SHIPPER'S SIGNATURE: <i>Kathy Prochaska</i>				TRAILER: <i>25</i> MAKE:
RECEIVER'S SIGNATURE:			DRIVER'S SIGNATURE: <i>[Signature]</i>	

White Copy: Consignee's Copy; Yellow Copy: Truck Driver's Copy; Pink Copy: Shipper's Copy; Gold Copy: Shipper's Copy

Exhibit 8

HUBER SAND INC
395 INDUSTRIAL DRIVE
GARDEN CITY, KS 67846
620-275-7601

HUBER SAND INC
Pit #5
GARDEN CITY, KS

Transaction No.
180394

	Date	Time	Scale
In:	06/07/2024	14:59	3
Out:	06/07/2024	15:51	3

Vehicle ID: G06
Truck # ID:

G06

Material ID: CA SAND

CA SAND

Account ID: OBERLIN CRETE
Job Site ID:

OBERLIN CONCRETE

Comments:

Gross:	87500 lb
Tare:	29460 lb (M)
Net:	58040 lb
Net Tons:	29.02 tn

Operator: GC5

Charge by Weight

Signature: _____

Have a nice day!

Exhibit 9

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP04472492
Inspection Date: 09/09/2024
Start: 1:35 PM CT End: 1:52 PM CT
Inspection Level: III - Driver/Credential
HM Inspection Type: None

Carrier: GO TRUCKING INC

DBA:
2701 W MARY
GARDEN CITY, KS, 67846
USDOT: 1255993 Phone#: (620)640-3910
MC/MX#: 00495089 Fax#: (620)271-0675
State#:

Driver: OCHOA, GILDARDO
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State:
State:

Location: RENO COUNTY - 155
Highway: K-96
County:
Email:

Milepost: 256 Shipper: N/A
Origin: WICHITA,KS
Destination: GARDEN CITY,KS
Bill of Lading: N/A
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Contains two rows of vehicle data.

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS: No violations were discovered

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.
Signature Of Repairer X: Facility: Date:

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **** *CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.
Signature Of Motor Carrier X: Title: Date:

Report Prepared By: ID/Badge #:
B.E. Wade 0447

Copy Received By:
GILDARDO OCHOA

X

X



01255993 KS KSHP04472492

Exhibit 10

Report Compliance - DRIVER CHECK (ANNUAL QUERIES CONDUCTED)

GO TRUCKING INC (USDOT# 1255993)

Address:2701 W MARY; GARDEN CITY, KS 67846; US

As of:9/20/2024 18:47

Report Generated on : 09/20/2024 06:47

Name	Country	CDL	Most Recent Query	Submitted On	Consent Received	Result
------	---------	-----	-------------------	--------------	------------------	--------

Disclaimer:**This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.**

Exhibit 11

Report Compliance - PRE-EMPLOYMENT QUERIES CONDUCTED

GO TRUCKING INC (USDOT# 1255993)

Address:2701 W MARY; GARDEN CITY, KS 67846; US

As of:9/20/2024 18:47

Report Generated on : 09/20/2024 06:47

Name	Country	CDL	Most Recent Query	Submitted On	Consent Received	Result
SIMEON SALDIVAR	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
JOSE BANUELOS CASAS	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
SERGIO RIVAS-NEVAREZ	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
FRANK UNGER	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
GILDARDO OCHOA	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
ISABEL OCHOA NEVAREZ	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
CRISOFORO OCHOA NEVAR	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
JOSE OCHOA	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent
SANDRA JEANTY	United States		Pre-employment	7/18/2024	Pending	Not Complete: Pending driver consent

Disclaimer:**This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.**

Exhibit 12

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP05113375
Inspection Date: 08/23/2024
Start: 11:26 AM CT End: 11:42 AM CT
Inspection Level: III - Driver/Credential
HM Inspection Type: None

Carrier: GO TRUCKING INC

DBA:
2701 W MARY
GARDEN CITY, KS, 67846
USDOT: 1255993 Phone#: (620)640-3910
MC/MX#: 00495089 Fax#: (620)271-0675
State#:

Driver: OCHOA NEVAREZ, CRISOFORO
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State:
State:

Location: NORTON COUNTY - 137
Highway: KS 383
County:
Email:

Milepost: 78 Shipper: N/A
Origin: GARDEN CITY,KS
Destination: RAGAN,NE
Bill of Lading: N/A
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Contains two rows of vehicle data.

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS: No violations were discovered

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature Of Repairer X: Facility: Date:

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **** *CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By: ID/Badge #:
D.W. 0511
SCHOENBERGER

Copy Received By:
CRISOFORO OCHOA NEVAREZ

X

X



01255993 KS KSHP05113375

Exhibit 13



Driver List

Driver First Name	Driver Last Name	Date of Birth (MM/DD/YYYY)	License #	License State	CDL (Y/N)	Phone Number	Date of Hire (MM/DD/YYYY)	Date of Termination (MM/DD/YYYY)
Simeon	Saldivar	7/1/1964		KS	Yes		6/22/2005	
Jose Eloy	Ochoa	11/8/1964		KS	Yes		3/28/2007	
Gildardo	Ochoa	9/25/1970		KS	Yes		3/18/2014	
Isabel	Ochoa	11/5/1957		KS	Yes		4/23/2018	
Crisoforo	Ochoa	4/20/1975		KS	Yes		1/15/2019	
Frank	Unger	1/19/1971		KS	Yes		7/24/2019	
Sergio	Rivas	9/8/1971		KS	Yes		8/8/2022	
Sandra	Jeanty	3/17/1982		KS	Yes		6/25/2024	
Abel	Sotelo	9/10/1965		KS	Yes		7/6/2024	
Javier	Ochoa	12/29/2001		KS	Yes		7/23/2024	
Cristopher A.	Ochoa	10/29/1998		KS	Yes		8/24/2024	

Exhibit 14

- Dashboard
- Search
- Applications
- Authority Maintenance
- UCR
- Payments
- Remarks
- Documents
- Profiles
- Messages
- Exception Transactions

USDOT: 1255993
MCMIS Status: A

KTRAN PIN: XXXXXXXXXX

▼ Company Information

Legal Name: GO TRUCKING INC

DBA Name:

Phone: (620) 640-3910 **Cell:**

Fax: (620) 271-0675

Email: GOTRUCKING1@COX.NET

Bus. Type: No Data **BEIN:**

[Edit](#)

▶ Address

- Insurance
- Authority
- Cargo
- Safety Seminar

Date Granted	Authority	Service	Status	Status Date	Reason	Action	Authority Card
08/03/2004	FOR-HIRE	PUBLIC SERVICE	CANCELLED	09/13/2023	INSURANCE	Rescind	-

Exhibit 15

RECORD OF ANNUAL INSPECTION

(49 CFR 396.17-23)

Prepare Separate Report for Each Vehicle Inspected

DATE

4-8-24

D10276959

COMPANY NAME R3m Trucking		VEHICLE TYPE <input type="checkbox"/> TRUCK <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> CONVERTER <input type="checkbox"/> DOLLY	
STREET ADDRESS 2401 West Kansas Ave TR 319		VEHICLE MAKE FRT	
CITY STATE ZIP CARDEN City KS 67846		MODEL YEAR CASCADE 2012	
INSPECTOR'S NAME (Please Print) BRUCE FADKNER		VEHICLE IDENTIFICATION (Company No., State Tag No. or VIN) 7187	
		EMPLOYEE NO.	

REPORT OF CONDITION (For Detailed Information on Inspection Procedures see FMCSR Part 396, Appendix A)

	OK	REPAIR		OK	REPAIR		OK	REPAIR		OK	REPAIR
BRAKES			EXHAUST			STEERING			FRAME		
Adjustment	✓		Leaks	✓		Adjustment	✓		Members	✓	
Mechan. Compon.	✓		Placement	✓		Column/Gear	✓		Clearance	✓	
Drum/Rotor	✓		LIGHTING			Axle	✓		Rear Impact Guard		
Hose/Tubing	✓		Headlights	✓		Linkage	✓		TIRES		
Lining	✓		Tail/Stop	✓		Power Steering	✓		Tread	✓	
Antilock System	✓		Clearance/Marker	✓		Other			Inflation	✓	
Automatic Adjusters	✓		Identification	✓		FUEL SYSTEM			Damage	✓	
Low Air Warning	✓		Reflectors	✓		Tank(s)/Cap(s)	✓		Speed Restrictions		
Trailer Air Supply	✓		Other			Lines			Other		
Compressor	✓										
Parking Brakes	✓		CAB/BODY			SUSPENSION			WHEELS/RIM		
Other			Access	✓		Springs	✓		Fasteners	✓	
			Eqpt./Load Secure			Attachments			Disc/Spoke		
			Tie-Downs			Sliders					
COUPLERS			Headerboard						WINDSHIELD		
Fifth-Wheel & Mount.	✓		Motorcoach Seats			MIRRORS			Glass	✓	
Pin/Upper Plate			Other						Wipers	✓	
Pintle-Hook/Eye											
Safety Chain(s)											

REMARKS

Certification: This vehicle has passed all the inspection items for the annual vehicle inspection in accordance with 49 CFR Part 396.

QUALIFIED INSPECTOR'S SIGNATURE

B. Fadkner

DATE

4-8-24

APPLY LABEL TO A CLEAN, DRY SURFACE. USE WITH AN OVERLAMINATE (2402) TO IMPROVE DURABILITY UNDER NORMAL WEATHER CONDITIONS.

AN INDELIBLE INK MARKER IS RECOMMENDED FOR USE WHEN FILLING OUT THE LABEL. INDELIBLE INK IS PERMANENT AND WILL NOT WASH OFF, BUT MAY FADE DUE TO EXPOSURE TO ULTRAVIOLET LIGHT OVER TIME. CAREFUL DISCRETION IS ADVISED REGARDING APPLICATION OF LABEL TO AN AREA NOT EXPOSED TO EXCESSIVE ULTRAVIOLET LIGHT AND/OR ELEMENTS AND IT IS RECOMMENDED THAT THE READABILITY OF THE LABEL BE CHECKED PERIODICALLY.

Copyright 2021 J. J. Keller & Associates, Inc.
Nedrahn, WI • JJKeller.com • (800) 327-6852
Printed in the USA

3136
(Rev. 11/21)

FEDERAL ANNUAL INSPECTION

THIS VEHICLE HAS PASSED AN ANNUAL INSPECTION
CONDUCTED IN ACCORDANCE WITH 49 CFR, PART 396, FMCSR

MONTH 4	YEAR 24
---	---

D10276959

VEHICLE ID (Company No.) BF7187	STATE/TAG NO. OR VIN
---	----------------------

LOCATION OF RECORDS:

Company R3m Trucking

Street Address 2401 West Kansas Ave TR 319

City, State, Zip CARDEN City KS 67801

CERTIFICATE OF SERVICE

25-TRAM-194-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 01/08/2025.

PATRICK HURLEY, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
patrick.hurley@ks.gov

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
ahsan.latif@ks.gov

Gildardo Ochoa, PRESIDENT
Go Trucking Inc
2701W Mary
Garden City, KS 67846
gotrucking1@cox.net

/S/ KCC Docket Room
KCC Docket Room
