

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

In the Matter of the Investigation of **Slik** )  
**Transport, LLC of Waxahachie, Texas,** )  
Pursuant to the Kansas Highway Patrol )  
Issuance of a Notice of Violation(s) and ) Docket No. 15-GIMM-469-KHP  
Invoice for the Violations of the Kansas Motor )  
Carrier Safety Statutes, Rules and Regulations. )

**ORDER TO DISMISS REQUEST FOR HEARING AND WAIVE PORTION OF A CIVIL  
PENALTY**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised on the premises, the Commission finds and concludes as follows:

1. On March 3, 2015, the Kansas Highway Patrol (KHP) issued a Notice of Violation and a civil penalty against Slik Transport, LLC (Respondent), for alleged violations found during a February 25, 2015, routine motor carrier stop and inspection conducted by the KHP. *See* Invoice No. H000553809, made a part of this Order by reference.

2. On or about April 10, 2015, Respondent submitted a request for hearing on the KHP's civil penalty.

3. Based on the February 25, 2015, stop and inspection, the KHP issued a \$750 civil penalty against Respondent for (a) operating in interstate commerce in Kansas while driving beyond the 14-hour duty period, in violation of 49 C.F.R. 395.3(a)(2), as adopted by K.A.R. 82-4-3a; and for (b) providing a false report of driver's record of duty status, in violation of 49 C.F.R. 395.8(e), as adopted by K.A.R. 82-4-3a.

4. On May 5, 2015, Staff completed its review of the records pertaining to this docket. Staff found that Respondent made a good faith effort to come into compliance after becoming aware of the KHP above-referenced violations. Based on negotiations between Litigation Counsel for Staff and Respondent's counsel, Respondent agreed to drop its challenge to the above-referenced violations and accept a waiver of the \$250 civil penalty assessed for the 14-hour duty period violation. Thus, the evidentiary hearing scheduled for June 2, 2015, is no longer necessary.

5. On May 6, 2015, Staff filed a Motion to Dismiss, recommending the Commission find that Respondent's request for hearing be dismissed, the \$500 civil penalty assessed against Respondent for a false report of driver's record of duty status be upheld, the \$250 civil penalty assessed against Respondent for the 14-hour duty period violation be waived and the status of this docket be changed to "closed."

6. The Commission has jurisdiction over this proceeding pursuant to K.S.A. 2014 Supp. 66-1,129 and K.A.R. 82-4-3, *et seq.*

7. The Commission finds that Staff's requests are reasonable and hereby dismisses Respondent's request for hearing, upholds the \$500 civil penalty assessed against Respondent for a false report of driver's record of duty status, waives the \$250 civil penalty assessed against Respondent for the 14-hour duty period violation, all with prejudice, and closes the above docket.

**IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:**

(A) Staff's Motion to Dismiss Request for Hearing and Waive Portion of a Civil Penalty is hereby granted.

(B) The \$500 civil penalty assessed against Respondent for a false report of driver's record of duty status is hereby upheld with prejudice. Payment shall be due within 30 days of the effective date of this order.

(C) Respondent's Request for Hearing is hereby dismissed, and the \$250 civil penalty assessed against Respondent for the 14-hour duty period violation is hereby waived, both with prejudice.

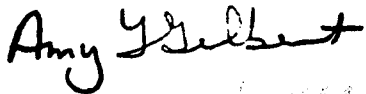
(D) The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529(a)(1).

(E) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated:           **MAY 19 2015**          

  
Order Mailed Date **MAY 20 2015**  
Amy L. Gilbert  
Secretary

MJD

IN RE: DOCKET NO. **15-GIMM-469-KHP**

DATE **MAY 19 2015**

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET  
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
NICHOLAS L. STAFFORD, ATTORNEY AT LAW SLIK TRANSPORT, LLC 1101 Sovereign Row Oklahoma City, OK 73108		

Order Mailed **MAY 20 2015**

The Docket Room hereby certified that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.