

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chairman
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Emergency Suspension of)
Authority of **Masedonia Morales d/b/a VAM**)
Trucking of Santana, Kansas for Failure to) Docket No. 18-TRAM-550-OOS
Maintain Insurance Coverage as Required by)
the Motor Carrier Safety Statutes, Rules and)
Regulations.

EMERGENCY ORDER SUSPENDING OPERATING AUTHORITY

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission) upon its own motion. The Commission, being fully advised in the premises, finds as follows:

I. JURISDICTION

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

2. Pursuant to K.S.A. Supp. 66-1,129a, 66-1,130, and 66-1,142b, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law, in regard to the regulations 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. K.S.A. 77-536 governs the use of emergency proceedings. The statute provides in part as follows:

- (a) A state agency may use emergency proceedings: (1) In a situation involving an immediate danger to the public health, safety or welfare requiring immediate state agency action or (2) as otherwise provided by law.
- (b) The state agency may take only such action as is necessary: (1) To prevent or avoid the immediate danger to the public health, safety or welfare that justifies use of emergency adjudication or (2) to remedy a situation for which use of emergency adjudication is otherwise provided by law.

5. K.S.A. Supp. 66-1,129a(a) provides that: "at any time for good cause shown the Commission may suspend the operation of any motor carrier subject to economic or safety rules and regulations adopted by the Commission."

II. FINDINGS OF FACTS

6. Commission records indicate that Masedonia Morales d/b/a VAM Trucking (VAM Trucking) of Santana, Kansas, operates as a common motor carrier which primarily hauls grain, feed, hay, manure, sand and gravel.

7. VAM Trucking is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2478274.

8. Pursuant to the jurisdiction and authority cited above, on May 3-17, 2018, Commission Staff (Staff) Special Investigator Penny Fryback conducted a compliance review of the operations of VAM Trucking. Staff's compliance review revealed nine violations of the

motor carrier rules and regulations established and enforced by this Commission. A Penalty Order issuing fines totaling \$4,700 was issued on June 12, 2018.

9. Commission Staff (“Staff”) submitted a Report and Recommendation regarding additional concerns stemming from the violations, management practices and continuing unlawful operations by VAM Trucking, dated June 19, 2018, attached hereto and made a part hereof by reference.

10. Based on the findings contained in Staff’s R&R, Staff recommends that the Commission issue an Emergency Order Suspending All Intrastate Motor Carrier Operations against Masedonia Morales d/b/a VAM Trucking to protect the motoring public.

11. During the compliance review of VAM Trucking’s operations, Staff discovered multiple serious safety violations including, among other things:

- a. Operation of vehicles in poor and deteriorating conditions, including leaking wheel seals, inoperative or defective brakes and cracked frames.
- b. Failure to obtain or maintain proper identification or valid commercial driver’s licenses (CDLs) for its drivers.
- c. Failure to institute pre-employment drug and alcohol testing on all drivers or to complete a post-accident drug and alcohol test on a driver following an accident.
- d. Failure to maintain valid driver qualification files for drivers, including failure to keep applications, motor vehicle records, medical examination certificates or retain a copy of a CDL if one was possessed.
- e. Routinely hauling loads well over the 85,000 lbs gross weight allowed in Kansas despite not possessing an overweight permit or operating the equipment necessary to obtain such a permit.

- f. Obtaining and displaying invalid annual inspections for vehicles used in carrier operations.

III. STAFF'S RECOMMENDATION'S

1. Staff asks the Commission to find that VAM Trucking's safety violations discovered during the May 3-17, 2018 compliance review and the findings outlined in Staff's R&R are sufficient evidence of unsafe motor carrier operations and as such poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

12. Based on the presented facts, Staff recommends the Commission issue an Emergency Suspension of Operating Authority Order until such time as Respondent takes the necessary steps to obtain compliance with the federal and state motor carrier safety rules and regulations. After Respondent submits verifiable evidence of the same to Staff, Staff will recommend that the Commission enter an order reinstating the Respondent's motor carrier operating authority.

III. CONCLUSIONS OF LAW

13. The Commission finds that the failure of VAM Trucking to maintain safe operations constitutes grounds for an emergency proceeding, as provided for in K.S.A. 77-536 and K.S.A. Supp. 66-1,129a (a).

14. The Commission also finds Respondent's failure to comply with the applicable motor carrier safety statutes, rules and regulations is sufficient evidence of unsafe motor carrier operations, and as such poses a potential immediate threat to the safety and welfare of the public of the state of Kansas. Therefore, this Commission orders the Respondent to suspend all intrastate motor carrier operations, other than such motor carrier operations excepted from the

Commission's regulation under K.S.A. 66-1,129, until such time as the carrier takes the necessary steps to become compliant.

15. VAM Trucking may not operate with a suspended authority. Any such operation is considered an intentional and willful violation of the motor carrier statutes, orders, and regulations, subject to a fine of up to \$5,000 per day pursuant to K.S.A. 66-1,142b.

THE COMMISSION THEREFORE ORDERS THAT:

A. Masedonia Morales d/b/a VAM Trucking of Santana, Kansas is to be immediately suspended from all intrastate commercial motor carrier operations, other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, until such time as Respondent presents to Staff verifiable evidence of their compliance with federal and state motor carrier safety rules and regulations. This Emergency Suspension of Operating Authority Order may also attach and apply to the operations of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of any Order to cease operations or suspend operating authority.

B. Masedonia Morales d/b/a VAM Trucking of Santana, Kansas, is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance.

C. Pursuant to K.S.A. 2017 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road Topeka, Kansas 66604, within fifteen (15) days from the date of service of this Order. If service is by certified mail, return receipt requested, service of this order is complete when Masedonia Morales d/b/a VAM Trucking signs the Domestic Return Receipt. If

service is by regular U.S. mail, service is complete upon the date of mailing plus three (3) days. Pursuant to K.S.A. 66-1,129a, hearings will be held within ten (10) days upon written request. Failure to timely request a hearing will result in a waiver of Respondent's right to a hearing, and this Order will become a Final Order against Respondent, suspending Respondent's motor carrier operations, ordering Respondent to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance.

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

E. Failure to comply with the provisions of this Order may result in further sanctions to include, but not limited to, the assessment of civil penalties and/or the impoundment of commercial motor vehicles found operating in violation of this Order and any other remedies available to the Commission by law, without further notice.

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/28/2018 _____

A handwritten signature in dark ink, appearing to read "Lynn M. Retz", written over a horizontal line.

Lynn M. Retz
Secretary to the Commission

STATE OF KANSAS



CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

REPORT AND RECOMMENDATION TRANSPORTATION DIVISION

TO: Chair Shari Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Dwight D. Keen

FROM: Mike Hoeme, Director of Transportation

DATE: June 19, 2018

DATE SUBMITTED TO LEGAL: June 19, 2018

SUBJECT: Docket No. 18-TRAM-550-OOS
In the Matter of the Emergency Suspension of Authority of Macedonia Morales d/b/a VAM Trucking of Santana, Kansas for Failure to Comply with Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.

EXECUTIVE SUMMARY:

The Transportation Division seeks the issuance of an Emergency Order Suspending All Intrastate Motor Carrier Operations against Masedonia Morales d/b/a VAM Trucking (VAM) of Santana, Kansas after finding serious, ongoing unsafe operations during a recent compliance review that pose an imminent hazard to the motoring public.

BACKGROUND:

On May 3-17, 2018, Commission Staff Special Investigator (SI) Penny Fryback conducted a compliance review after the Transportation Division received a complaint regarding a carrier of the operations of VAM Trucking. The review took place as a joint effort between SI Fryback and Federal Motor Carrier Safety Administration (FMCSA) Special Agent Brian K. Smith.

SI Fryback's report details a comprehensive failure by the carrier to comply with applicable KCC rules and regulations, willful disregard for rudimentary safety practices and minimum vehicle maintenance as well as reckless operation of vehicles that have already lead to

collisions with the carrier taking no responsibility for its actions, nor taking any steps to remediate their safety practices.

SI Fryback's report details the poor condition of VAM's vehicles and lack of proper repair or concern for the deteriorating condition of the trucks and trailers. An inspection done during the compliance review found the trailers were out of service for leaking wheel seals, inoperative or defective brakes as well as cracked frames. SI Fryback stated in her report that poor condition and lack of proper repair made VAM's continued operations an imminent hazard to the public.

Additionally, after interviewing the carrier's drivers, SI Fryback found that the lacked basic licensing. One driver could not produce and admitted to not having any type of drivers' license and could only be identified by a Mexican voter registration card. Despite previous citations for driving without a proper license the driver continued to make intrastate trips for VAM and admitted to knowingly operating without a valid commercial driver's license (CDL). Another driver continued operating despite having his driving privileges suspended indefinitely. Only one of VAM's four listed drivers had a valid CDL and proper qualifications to drive at the time of the inspection. SI Fryback stated she believed that these drivers will continue to operate CDL required vehicles without a valid CDL posing an imminent hazard to the motoring public.

VAM failed to conduct pre-employment drug and alcohol testing on three of the drivers and did not complete a post-accident drug and alcohol test on a driver following a hit and run accident on March 27, 2018. As a result of the accident the driver was charged with Felony Criminal Damage to Property. SI Fryback stated that VAM did not possess an accident register with the required information listed, had not obtained copies of the accident reports or obtained any insurance forms.

SI Fryback also notes that VAM did not have driver qualification files for drivers, failing to keep applications, motor vehicle records, medical examination certificates or even a copy of the CDL if one was possessed.

SI Fryback's report states that VAM routinely hauled loads that would have been well over the 85,000 pounds gross weight allowed in Kansas. VAM does not possess an overweight permit allowing the carrier to haul 90,000 pounds, nor does it operate any triple axel trailers that are required to obtain such a permit.

SI Fryback also details her and Special Agent Smith's efforts to corroborate the validity of VAM's annual inspections for their vehicles. After investigating, they found that none of the annual inspections performed by R & R Frame and Axle were valid "due to the inspectors not being qualified and the actual inspector not signing the annual inspection form.

For these and other reasons outlined in SI Fryback's report, Staff recommends that the Commission issue an Emergency Order Suspending All Intrastate Motor Carrier Operations against Masedonia Morales d/b/a VAM Trucking to protect the motoring public.

ANALYSIS:

K.S.A. 2015 Supp. 77-536 governs the use of emergency proceedings. The statute provides in part as follows:

- (a) A state agency may use emergency proceedings: (1) In a situation involving an immediate danger to the public health, safety or welfare requiring immediate state agency action or (2) as otherwise provided by law.
- (b) The state agency may take only such action as is necessary: (1) To prevent or avoid the immediate danger to the public health, safety or welfare that justifies use of emergency adjudication or (2) to remedy a situation for which use of emergency adjudication is otherwise provided by law.

Furthermore, K.S.A. Supp. 66-1,129a(a) provides that: “at any time for good cause shown the Commission may suspend the operation of any motor carrier subject to economic or safety rules and regulations adopted by the Commission.”

Transportation Staff recommends that the Commission issue an Emergency Order Suspending All Intrastate Motor Carrier Operations against Masedonia Morales d/b/a VAM Trucking to protect the motoring public.

RECOMMENDATION:

Transportation Staff recommends suspension of all intrastate motor carrier operations of Masedonia Morales d/b/a VAM Trucking until such time as the carrier takes the necessary steps to become compliant with federal and state motor carrier safety rules and regulations and submitting verifiable evidence of the same to Staff.

STATE OF KANSAS



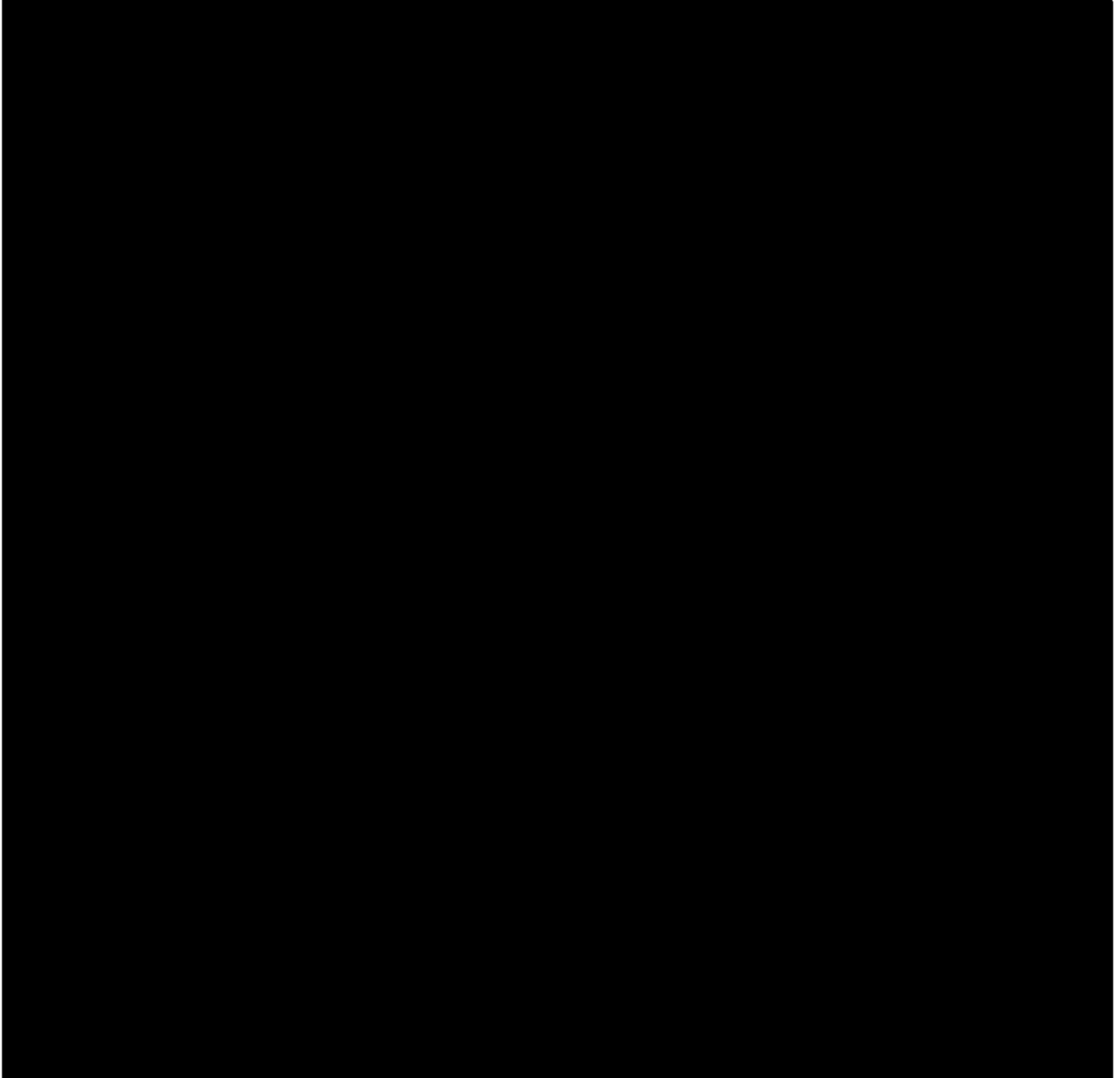
CORPORATION COMMISSION
TRANSPORTATION DIVISION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027

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FAX: 785-271-3124
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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

MEMORANDUM



STATE OF KANSAS

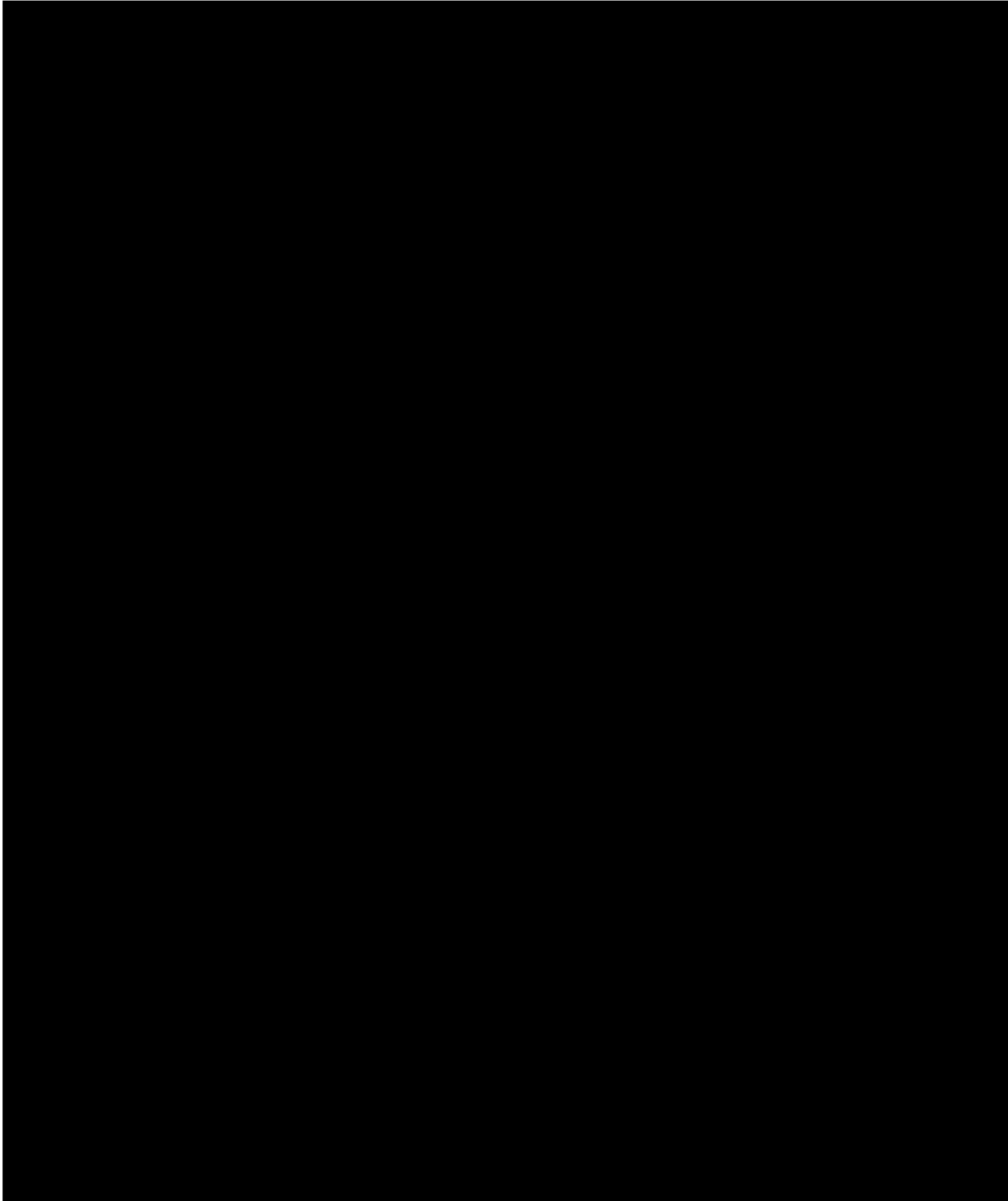


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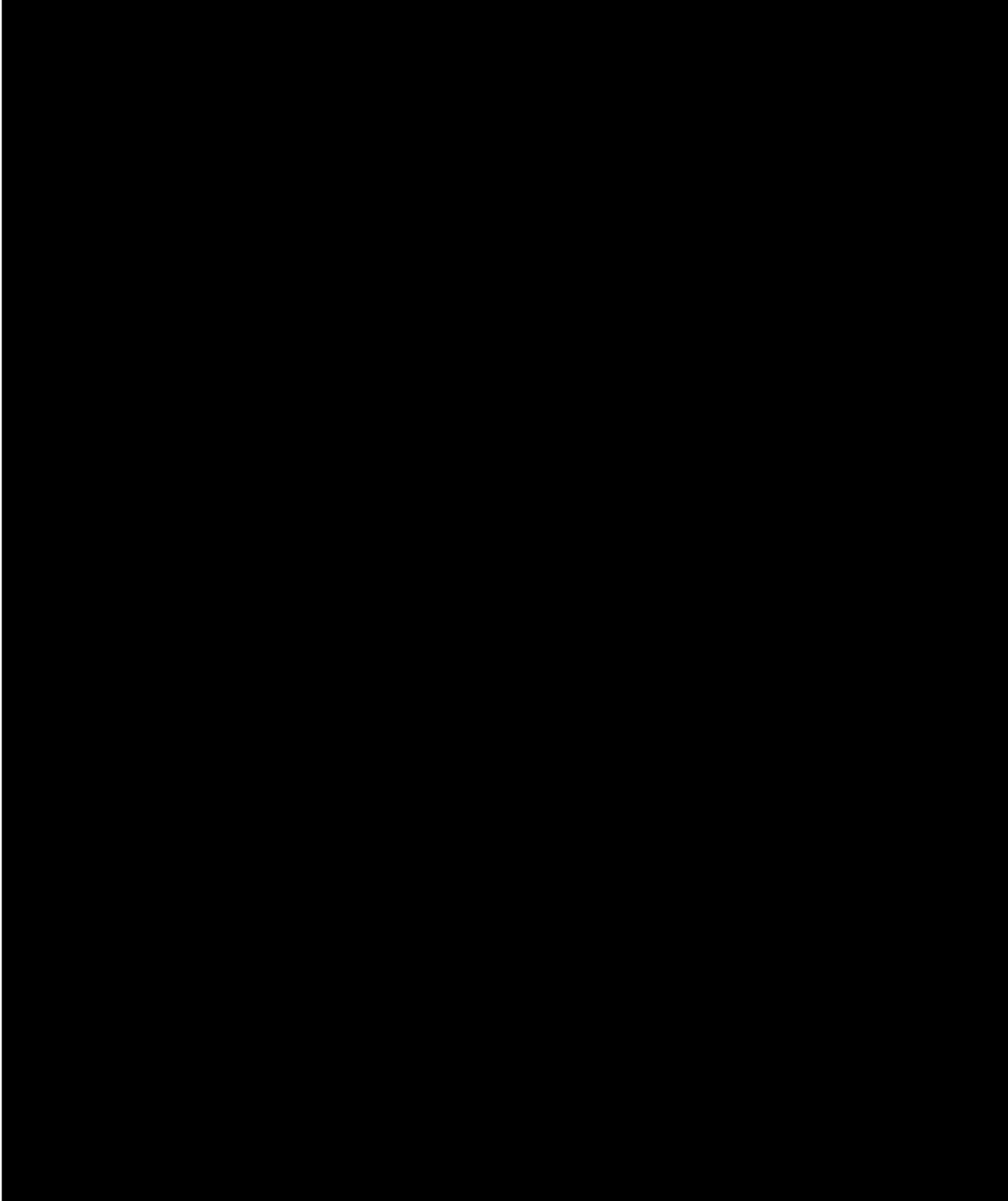


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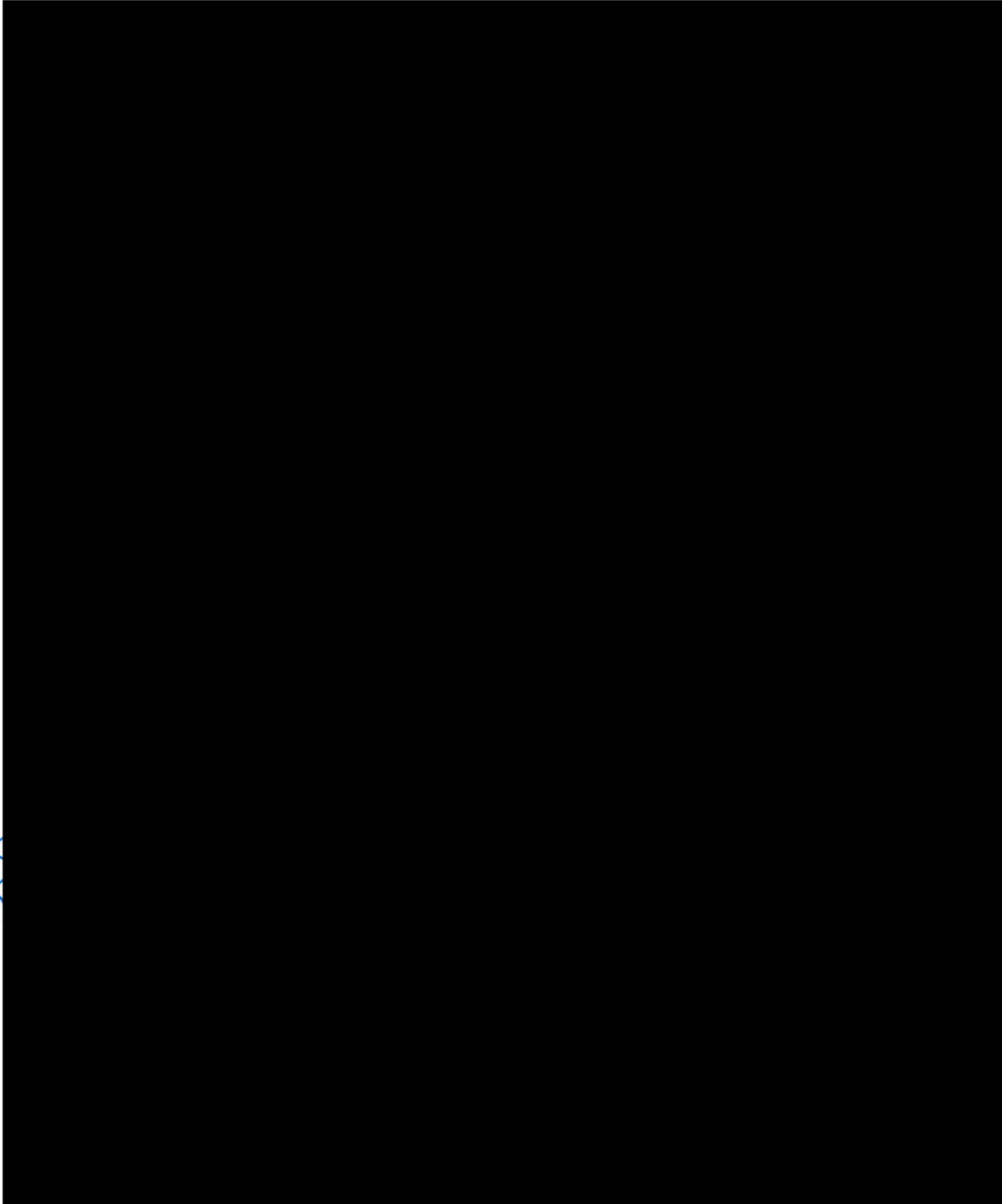


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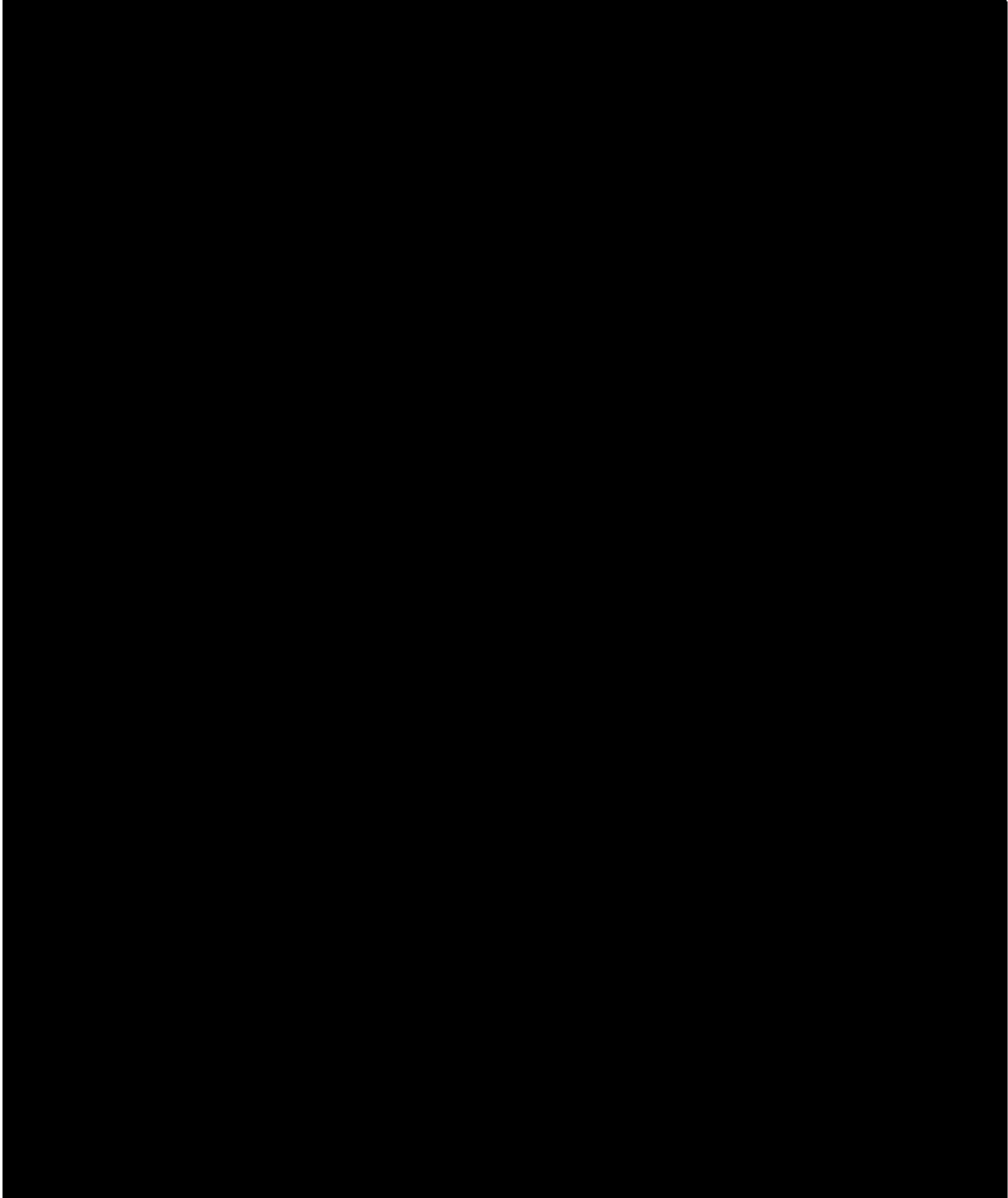


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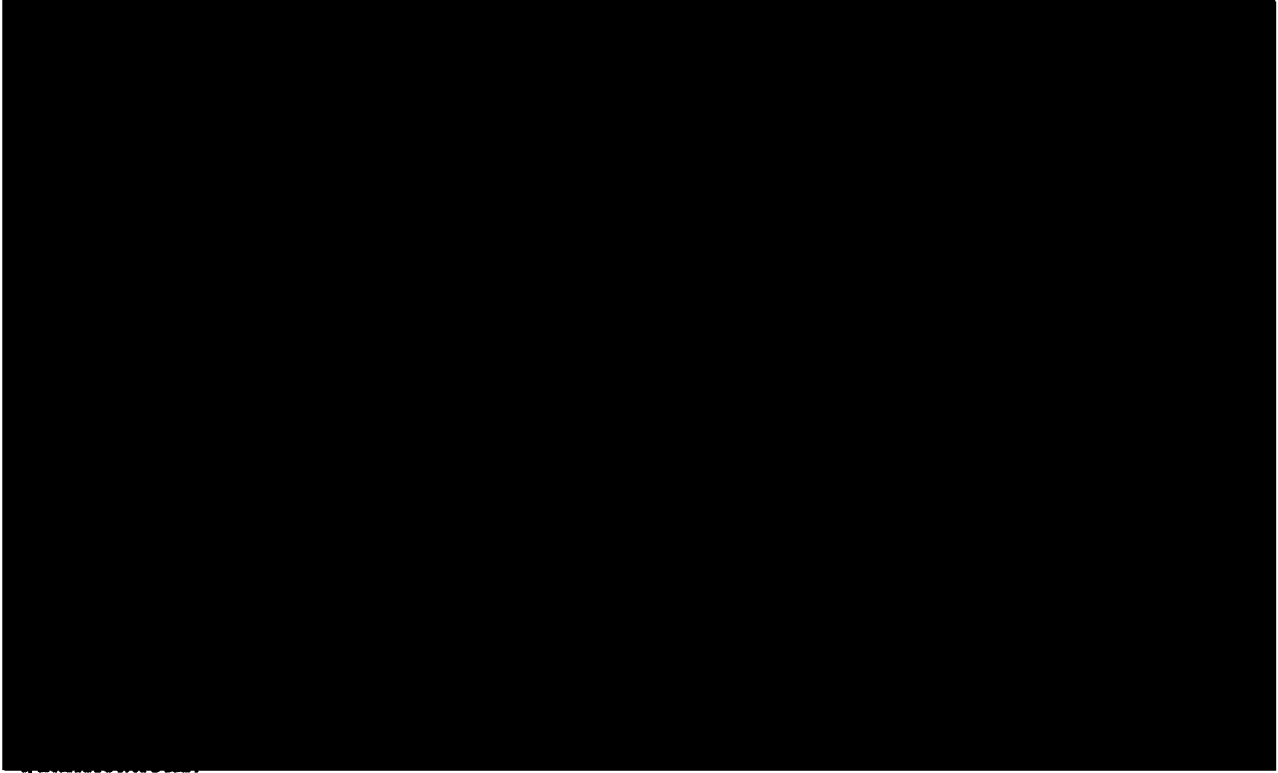


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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER



Signed Statement of MASADONIA MORALES

I, MASADONIA MORALES DBA VAN TRUCKING, OWNER, voluntarily give the following statement to BK SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

Q3 MASADONIA MORALES EXPLAIN WHO IS RESPONSIBLE FOR DAY TO DAY OPERATIONS OF MASADONIA MORALES DBA: VAN TRUCKING

A: I RECEIVE THE WEEKLY DISPATCH AND SEND A GROUP TEXT TO MANAGE AND THE TWO DRIVERS FOR THE WEEK'S WORK. IF THE WORK IS DONE EARLY THE CALL DONNIE HUBER THE DISPATCHER FOR LOADS, TO FINISH THE DAY

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness/Interviewee's signature

Masdonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date

Sent 2/2/18 12:23 pm

Next week

10 loads of corn from co mark in Oberlin Kansas delivered to cattle empire 2

Load 100378 redwood

Unload 276115 Hansen Mueller account

Rate .54/bu.

Call when unloaded each day. I will have more to do. Have a great weekend!

Sent 2/9/18 10:04 am

Next week:

24 loads of corn from co mark in Jennings ks delivered to cattle empire 2

Load 100378

Unload 200978 CGB

Rate .51/bu.

Call when done with these loads. Have a great weekend.

Sent 2/16/18 2:45 pm

Next week:

10 loads of corn from co mark in Oberlin Kansas delivered to windriver

Load 10066 west plains

Unload 11409 west plains

Rate .42/bu.

Please make sure trucks Call when unloaded each day. thank you.

Have a great weekend.

2/23/18. Sent 1:34 pm

Next week

10 loads of corn from [REDACTED] north of Colby Ks delivered to Cattle Empire 2

Load Redwood

Unload 200978 CGB

Rate .45/bu.

Greg 785-626-5609

Call me when unloaded each day. Thank you. Have a great weekend!

Sent 3/2/18 3:42

Next week:

20 loads of corn from [REDACTED] in winona delivered to seaboard leoti

Load Lansing

Unload 48603

Rate .15/bu.

Dustin Latham 785-894-3084

Call when each truck done with 2 each. I will have corn to bring south.

Have a great weekend!

Signed Statement of MASADONIA A. MORALES

I, MASADONIA MORALES OWNER OF MASADONIA A. MORALES DBA VAM TRUCKING, voluntarily give the following statement to SA B.K. SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

Q MASADONIA ^{BY} ~~SA~~ MORALES CAN YOU PLEASE EXPLAIN THE PERCENTAGE OWNERSHIP OF MASADONIA A. MORALES DBA: VAM TRUCKING.

I GET 1 THOUSAND PER MONTH SALARY I GUESS, AND MANUEL A. VARELA AND I ARE EQUAL PARTNERS IN OWNERSHIP OF MASADONIA A. MORALES DBA: VAM TRUCKING.

Q MASADONIA ^{BY} ~~SA~~ MORALES ^{BE} ~~DOES~~ WHAT DOES VAM TRUCKING MEAN?

VARELA AND MORALES

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any charges and they bear my initials. I sign this statement under penalty of perjury and in the presence of Masadonia B.K. Smith

Witness/Interviewee's signature

Masadonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date













DRIVER/VEHICLE EXAMINATION REPORT

inSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)298-7189 Fax: (785)298-2858

Report Number: KSHP92061129
Inspection Date: 05/09/2018
Start: 10:00 AM CT **End:** 12:15 PM CT
Inspection Level: V - Terminal
HM Inspection Type: None

MASEDONIA MORALES

Driver:
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:

State:

State:

SATANTA, KS, 67870

USDOT: 2478274

Phone#: (316)300-8471

Fax#: (620)649-3610

MC/MX#:

State#:

Location: FINNEY COUNTY - 055

Highway:

County: FINNEY

Milepost:
Origin: GARDEN CITY, KS
Destination: GARDEN CITY, KS

Shipper: NA

Bill of Lading: NA
Cargo: NA

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2001	KS		777		81175	52000		
2	ST	CORN	2005	KS		T46		07723	65000		124903

BRAKE ADJUSTMENTS

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

VIOLATIONS

Section	Type	Unit	OOS	Citation #	VerifyCrash	Violations Discovered
393.81	F	1	N		N N	Horn Inoperative: both air and truck horn.
393.201A	F	2	Y		U N	Frame cracked / loose / sagging / broken: frame cracked 6in around flange 2 places passenger side. I beam has 14in long crack and a 1in, 2in, 4, 8 in cracks.
396.3A1	F	2	N		N N	Inspection, repair and maintenance of parts & accessories: bolts missing passenger side above axle 5. L bracket holding hopper to frame is missing 7 of 8 bolts. Above axle 4 passenger side has 1 missing bolt.
393.86A1	F	2	N		N N	Rear Impact Guards Required - trailer manufactured on or after January 26, 1998: multiple cracked welds and patches cracked that secure bumper to frame/body.
392.2FT	F	1	N		N N	State or International Fuel Tax (IFTA) Violation: no IFTA stickers on truck and no paperwork.
396.5B	F	1	N		N N	Oil and/or grease leak: from under engine on drivers side.
393.47E	F	2	N		N N	Clamp or Roto type brake out-of-adjustment: axle 3 passenger side measured 2 1/2 in.
393.53B	F	2	N		N N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear: axle 3 passenger side.
393.78	F	1	N		N N	Windshield wipers inoperative/defective: inoperative wash system. Tank has fluid but will not spray onto windshield.
392.2UCR	F	1	N		N N	Failure to pay UCR Fee: for 2018.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

Notes: Driver stated he has driven out of state to Oklahoma to Seaboard farms approx 2 months ago in 2018. Lt Greene measured brakes on this unit. Trailer has multiple cracks in frame in several locations. Rear bumper has over 5 cracked welds and cracked patches on the rear of trailer securing it to frame.

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 the 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: *MM*

Advisory: This vehicle has been identified as having brake adjustment violations. 49 CFR Section 393.53 requires that a brake system be equipped on this vehicle. A qualified service technician needs to determine why the defective brake has excessive stroke and make the appropriate repairs. Simply re-adjusting a self-adjusting brake adjustor, or replacing it, does not guarantee that the problem is corrected. The problem may exist in the foundation brake system. By certifying this inspection report you have indicated that this vehicle now has a properly functioning self-adjusting brake adjustment system.



DRIVER/VEHICLE EXAMINATION REPORT

inSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP92061129
Inspection Date: 05/09/2018
Start: 10:00 AM CT **End:** 12:15 PM CT
Inspection Level: V - Terminal
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: _____

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, a Unified Carrier Registration (UCR) violation may result in the assessment of a civil penalty being issued against the carrier indicated on this report. Driver Initials: _____

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.

MOTOR CARRIER CERTIFICATION: All defects identified on this report 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. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)'s Data Q Challenge process, at <https://dataqs.fmcsa.dot.gov>

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: _____ Badge #: _____
 B. Hosheit 9206

Copy Received By: _____

X Brasholt 3208

X Maria Morales



DRIVER/VEHICLE EXAMINATION REPORT

inSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01940659
Inspection Date: 05/09/2018
Start: 10:00 AM CT End: 12:20 PM CT
Inspection Level: V - Terminal
HM Inspection Type: None

MASEDONIA MORALES

SATANTA, KS, 67870

USDOT: 2478274

MC/MX#:

State#:

Location: FINNEY COUNTY - 055

Highway: 3101 W BUFFALO JONES

County: FINNEY

Phone:

Fax#:

Driver:

License#:

Date of Birth:

CoDriver:

License#:

Date of Birth:

State:

State:

Milepost:

Shipper: N/A

Origin:

Destination:

Bill of Lading: N/A

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2001	KS		V122		86235 52000			135612
2	ST	WILX	1997	KS		T7		225681 68000			135613

BRAKE ADJUSTMENTS

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

VIOLATIONS

Section	Type	Unit	OOS	Citation #	VerifyCrash	Violations Discovered
393.11	F	1	N		N N	No or defective lighting devices or reflective material as required: Reverse light inop, driver side clearance light inop,
392.2FT	F	1	N		N N	State or International Fuel Tax (IFTA) Violation: No IFTA for 2018
392.2UCR	F	1	N		N N	Failure to pay UCR Fee: No UCR for 2018
393.209E	F	1	N		N N	Power steering violations: Power steering fluid leak at connection.
393.47B	F	1	N		N N	Mis-matched brake chambers on same axle: Axle 1- driver side is 20R and passenger side is 20LS
396.5B	F	1	N		N N	Oil and/or grease leak: Oil leak under engine. Fresh oil leak dripping on to ground.
393.48A	F	1	Y		U N	Inoperative/defective brakes: Driver side brake pad oil soaked.
396.5B-HWSLIW	F	1	Y		U N	Hubs - Wheel seal leaking - Inner wheel: Leaking on to brake pad soaking the pad.
393.48A	F	1	Y		U N	Inoperative/defective brakes: Axle 3 passenger side has no movement on the pad.
393.45D	F	2	N		N N	Brake connections with leaks or constrictions: Audible air leak coming from the chamber on passenger side axle 4
393.48A	F	2	Y		U N	Inoperative/defective brakes: axle 4 passenger side no movement from brake pad
393.48A	F	2	Y		U N	Inoperative/defective brakes: Axle 5 passenger side, no movement from brake pad
396.3A1BOS	F	1	Y		U N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination: 3 out of 10 are inoperable
393.201A	F	2	Y		U N	Frame cracked / loose / sagging / broken: 6" crack above axle 3, cracked through weld on passenger side and driver side at landing gear

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

Notes: Inspection done at request of FMCSA and KCC during an audit. Driver (Carlos) that was operating the mechanics of the truck advised that in January he went about 20 miles in to Nebraska to pick up a load of corn this year.

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 the 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: *CLM*



DRIVER/VEHICLE EXAMINATION REPORT

inSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01940659
Inspection Date: 05/09/2018
Start: 10:00 AM CT End: 12:20 PM CT
Inspection Level: V - Terminal
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: _____

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, a Unified Carrier Registration (UCR) violation may result in the assessment of a civil penalty being issued against the carrier indicated on this report. Driver initials: _____

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.

MOTOR CARRIER CERTIFICATION: All defects identified on this report 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. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)'s Data Q Challenge process, at <https://dataqs.fmcsa.dot.gov>

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: J. Greene
Badge #: 0194

Copy Received By:

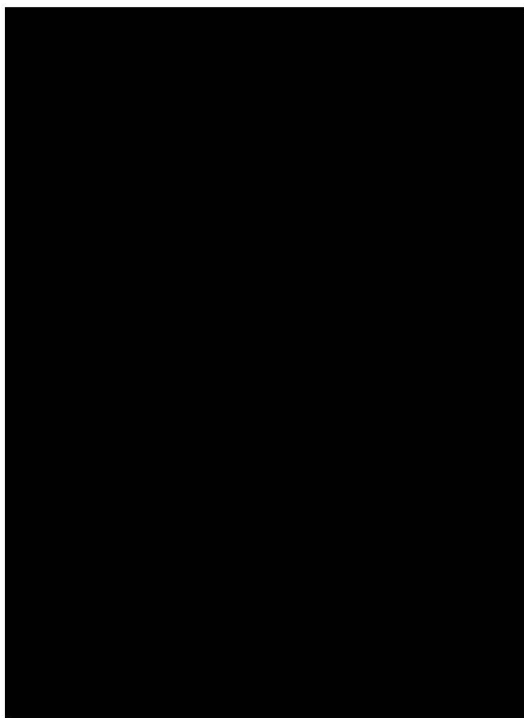
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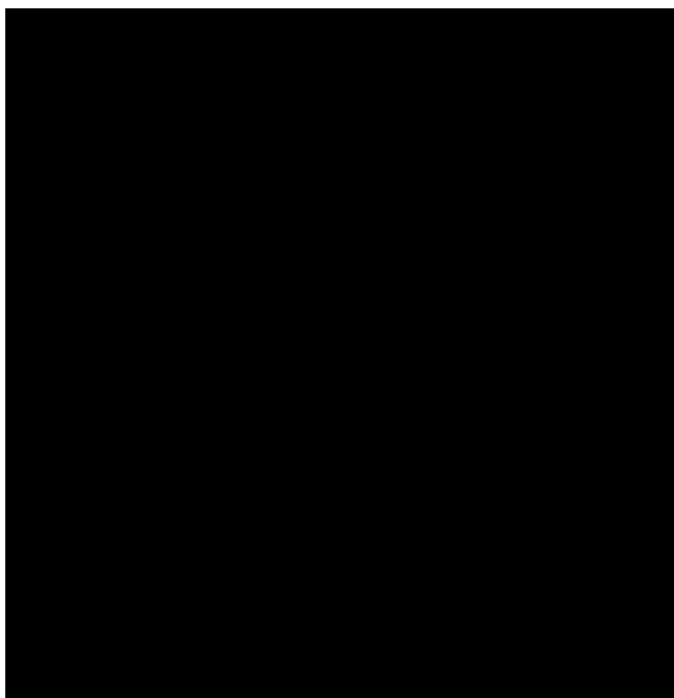
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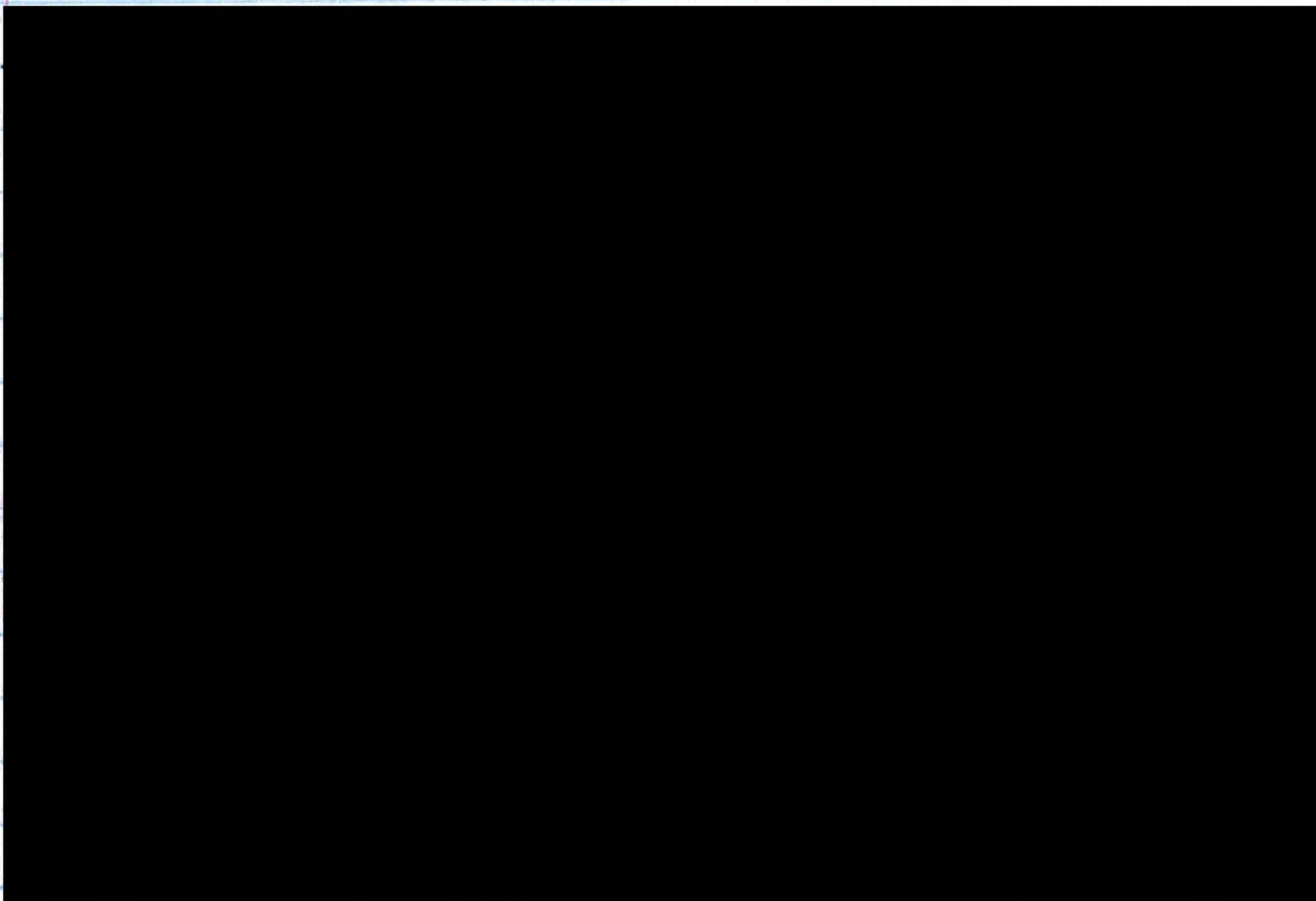
X

Masidonia Morales









DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP92060934
Inspection Date: 09/20/2017
Start: 8:08 AM CT **End:** 09:08 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

MASEDONIA MORALES

Driver: VARELA, MANUEL A

SATANTA, KS 67870

License#: [REDACTED]

State: MX

USDOT#: 02478274

Date of Bi [REDACTED]

MC/MX#:

Phone#: [REDACTED]

CoDriver:

Fax#: [REDACTED]

License#:

State:

State#:

Date of Birth:

Location: EDWARDS COUNTY - 047

MilePost: 173

Shipper: OFFERLE COOP

Highway: US 50

Origin: GARDEN CITY,KS

Bill of Lading: 37433

County:

Destination: WICHITA,KS

Cargo: WHEAT

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	FRHT	2001	KS	[REDACTED]	122	[REDACTED]	86235	52,000		
2	ST	WILX	1997	KS	[REDACTED]	*	[REDACTED]	225681	65,000		

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
392.2-SLLEWA1	392.2-SLLEWA1	D	N	E001557849	N	N	State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups.
393.9	393.9	2	N		N	N	Inoperable Required Lamp: 1 id lamp top rear o trailer , tag lamp
396.17C	396.17C	1	N		N	N	Operating a CMV without proof of a periodic inspection: no paperwork current sticker. sticker showed expired in jan 2015.
396.17C	396.17C	2	N		N	N	Operating a CMV without proof of a periodic inspection: No current annual inspection on trailer.
392.2DL	392.2DL	D	N		N	N	Miscellaneous Drivers License Violation: Fail to change address on licence within 10 days.
391.11B5-DNL	391.11B5-DNL	D	Y		N	N	Driver does not have a valid operator's license for the CMV being operated.: has expired Mexico DL.
391.41A	391.41A	D	N		N	N	No medical certificate in driver's possession

HazMat: No HM Transported.

Placard: No

Cargo Tank:

Special Checks: Size & Weight;

* 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 MANUEL VARELA "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Driver has VALID CDL. 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:
B. Hoshiet

Badge #:
9206

Copy Received By:
MANUEL VARELA

Page 1 of 1



02478274 KS KSHP92060934

X _____

X _____

KCC WRITTEN STATEMENT

Signed Statement of Manuel Varela,

Representative of Motor Carrier Masedonia Morales d/b/a VAM Trucking

USDOT#_2478274__

I, Manual Varela, voluntarily give the following statement to Special Investigator Penny Fryback, who has identified himself/herself as a Special Investigator for the State Of Kansas, Kansas Corporation Commission. No threats or promises have been made to me in exchange for this statement.

NARRATIVE:

I Manual Varela drove Unit 777 on May 4, 2018. I drove Unit 777 from Garden City, Kansas to Selden, Kansas and loaded corn that I then hauled to Poky Feeders near Scott City, Kansas. I did not complete a driver vehicle inspection report.

I have read the foregoing statement consisting of 1 page(s). It is true, accurate and complete to The best of my knowledge. I reviewed any changes and they bear my initials.

I sign this statement under the penalty of perjury in the presence of Manuel Varela.

Witness'/Interviewee's signature

Melissa D'Amico

Date

5-9-18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's Signature

Penny Fryback

Date

5-9-18

Signed Statement of MASADONIA MORALES

I, MASADONIA MORALES DBA VAM TRUCKING OWNERS, voluntarily give the following statement to BK SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

MASADONIA MORALES HAVE THE FOLLOWING PEOPLE OPERATED CDL REQUIRED CMV'S FOR MASADONIA MORALES DBA VAM TRUCKING IN THE PREVIOUS 365 DAYS

[REDACTED] ON 3/27/2018 - YES

MANUEL A. VARELA ON 9/20/2017 - YES

[REDACTED] 2/8/18/3/8/18 - YES

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness/Interviewee's signature

Masadonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date

Signed Statement of MANUEL VALELA

I, MANUEL VANELOONER MASADONIA MORALES, voluntarily give the following statement to B K SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

TRANSLATED: MELISSA

Narrative:

ON 9-20-2017 YOU WERE STOPPED AND INSPECTED AND PLACED OUT OF SERVICE FOR OPERATING A CDL REQUIRED CMV. PLEASE EXPLAIN WHY YOU HAVE KNOWINGLY CONTINUED TO DRIVE CDL REQUIRED CMV WITHOUT A VALID CDL.

HE HAD TO WORK TO BRING INCOME IN TO FIX EQUIPMENT.

[REDACTED] WHEN DID YOU BEGIN OPERATING A CDL REQUIRED CMV FOR MASADONIA MORALES DBA: UAM TRUCKING?
I DON'T KNOW A DATE WHEN I MADE MY FIRST TRIP NOT FOR SURE

I have read the foregoing statement consisting of 1 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of 5-9-18.

Manuel Varela

Witness/Interviewee's signature

Masadonia Morales

Date

5/9/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

[Signature]

Date

5/9/18

Melissa Huerfano

5-9-18

History Search Results

/KS/K01633338

201805111349527

Driver General Information

First Name	Middle Name	Last Name	SSN	Birth Date	Height	Weight	Eye Color
ANDOLID		TENA-AVALOS					

Mailing Address

Street	City	County	State	Zip
	GARDEN		KS	67846

Alias

First Name	Middle Name	Last Name	Suffix	SSN	Birth Date	State
						KS
						KS

Driver License Details

Jurisdiction	Driver License	Issue Date	Exp. Date	Commercial Class	Non Commercial Class	Commercial Status	Non Commercial Status
KS		2015-12-16	2020-06-01	A	A	Not Eligible	Not Eligible

Endorsements

Value
Tank

Hazmat Determination

TSA Hazmat Determination	Hazmat Expiration Date
SECURITY THREAT	

Medical Certification

Issue Date	Expiration Date	SPE Issue Date	SPE Expire Date	Med WE Issue Date	Med WE Expire Date	Status Code
2016-07-11	2018-07-11					Certified

Medical Examiner Detail

First Name	Middle Name	Last Name	Registry Number
Medical #	Specialty	State	Phone
	Chiropractor	KS	
Convictions #	Accidents #	Withdrawals #	Permits #
			License Restricti

Signed Statement of MASADONIA MORALES

I, MASADONIA MORALES DBA VAM TRUCKING OWNERS, voluntarily give the following statement to B K SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

MASADONIA MORALES
 Q4: PLEASE EXPLAIN WHY ENRIQUE ALCALA-PADILLA WAS ALLOWED TO OPERATE A MASADONIA MORALES DBA: VAM TRUCKING CMV WITHOUT A CURRENT CDL, PRE-EMPLOYMENT DRUG TEST, OR APPLICATION.

A: I DIDN'T KNOW HIM I DIDN'T HIRE

Q5 MASADONIA MORALES PLEASE EXPLAIN HOW ENRIQUE ALCALA-PADILLA CAME TO BE OPERATING A MASADONIA MORALES DBA: VAM TRUCKING CMV ON 3/28/2018?

A: NOT WITH MY PERMISSION, IT HAD TO HAVE BEEN MANUAL

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness/Interviewee's signature

Masdonia Morales

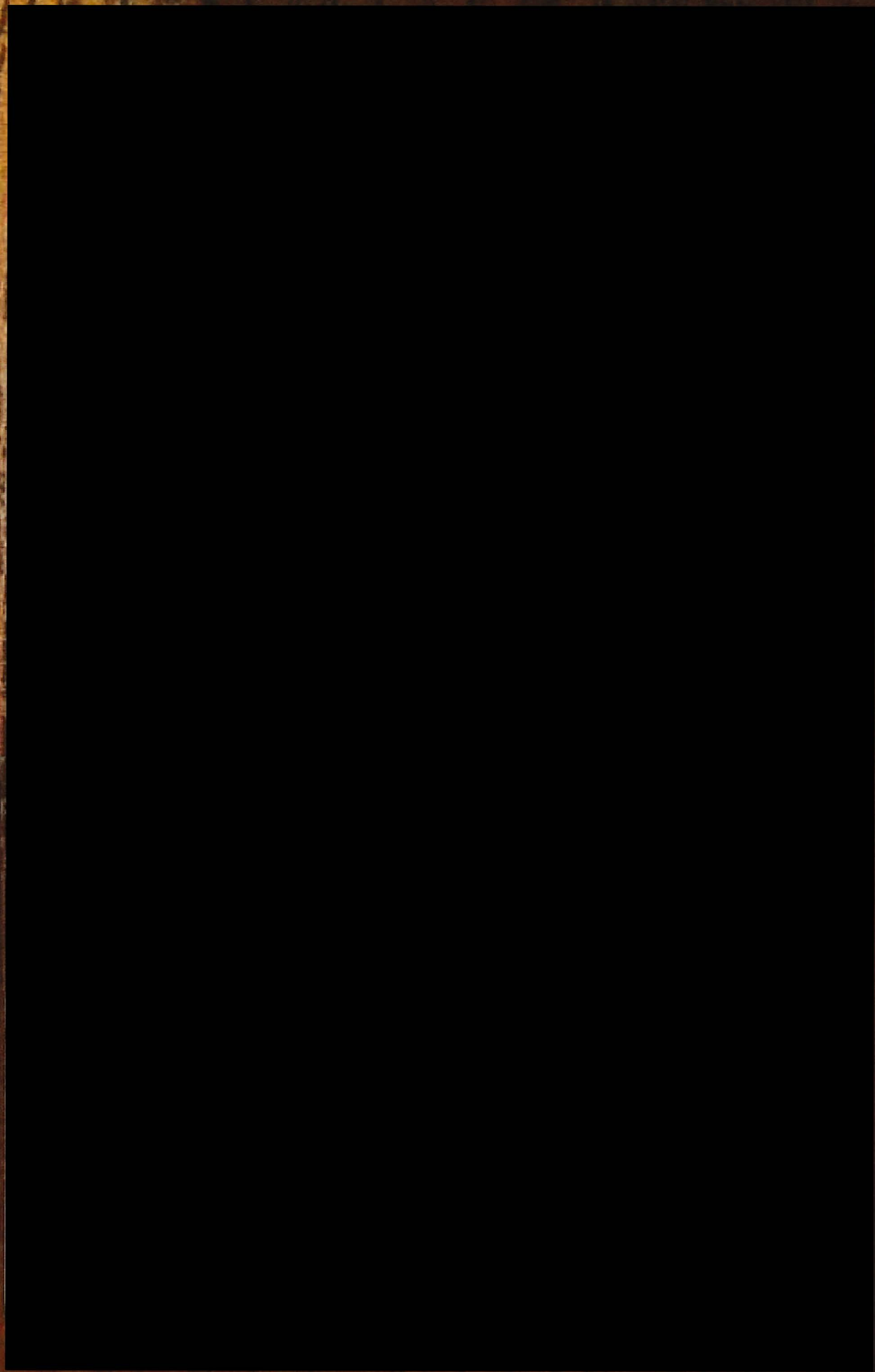
Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date





7

Signed Statement of MASADONIA MORALES

I, MASADONIA MORALES DBA VAN TRUCKING ENTER, voluntarily give the following statement to BK SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

MASADONIA MORALES PLEASE EXPLAIN HOW MUCH AND WHO PAID ENRIQUE ALCALA PADILLA FOR THE TRIP ON 3/28/2018 FOR MASADONIA MORALES DBA: VAN TRUCKING?

A: I AM THE ONE WHO WROTE THE CHECKS AFTER MANUEL TOLD ME HOW MUCH TO PAY HIM

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness'/Interviewee's signature

Masadonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date

KCC WRITTEN STATEMENT

Signed Statement of Mr. Juan R Leal d/b/a Leal Trucking,

Representative of Motor Carrier Mr. Juan R Leal d/b/a Leal Trucking

USDOT# 1259265

I, Mr. Juan R Leal, voluntarily give the following statement to Special Investigator Penny Fryback, who has identified himself/herself as a Special Investigator for the State Of Kansas, Kansas Corporation Commission. No threats or promises have been made to me in exchange for this statement.

NARRATIVE:

I, Mr. Juan R Leal drove my truck tractor Unit 18 with my trailer I use to haul my pay loaders to go to the truck stop in Colby, Kansas and bring back a truck tractor that was involved in an accident in Thomas County on March 27, 2018. I hauled the truck tractor back to a dirt lot next to R & R Frame and Axle on Jones Avenue in Garden City, Kansas. I then returned to Colby and hooked up the trailer that was involved in the accident on March 27, 2018. I did not complete a record of duty status (log book) or a time card for this trip. I walked around the trailer and made sure that the lights worked and that the tires were inflated when I hooked my truck tractor up to the trailer. I then towed that trailer back to Garden City, Kansas to the dirt lot by R & R Frame & Axle.

I have read the foregoing statement consisting of 1 page(s). It is true, accurate and complete to The best of my knowledge. I reviewed any changes and they bear my initials.

I sign this statement under the penalty of perjury in the presence of

Witness'/Interviewee's signature

Diller Rodney

Date

5-10-18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's Signature

Penny Fryback

Date

5-10-18

Signed Statement of MASADONIA MORALES

I, MASADONIA MORALES OWNER VAN TRUCK, voluntarily give the following statement to BK SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

Q MASADONIA MORALES CAN YOU PLEASE EXPLAIN HOW THE 1990 FRT TRUCK TRACTOR UNIT #27 WHICH WAS PLACED OUT OF SERVICE IN COLBY, KS ON 3/27/2018 ENDED UP IN GARDEN CITY, KS

A. I DON'T KNOW, I ASKED MANUEL I CALLED JR AND ASKED HIM ABOUT BEING IN THE TRUCK AREA HERE (MEANING GARDEN)

Q MASADONIA MORALES CAN YOU EXPLAIN WHY THE MILEAGE REPORTED ON THE KS HIGHWAY PATROL ACCIDENT REPORT SAYS 671,958 ON 3/27/2018, AND ON 5/10/2018 THE ODOMETER READS 672,067 IF UNIT #27 HASN'T BEEN DRIVEN

A. I DON'T KNOW SINCE THE ACCIDENT REPORT AND DRAWING W/ TOWED INSURANCE I DON'T KNOW.

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness'/Interviewee's signature

Masadonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date

8

Signed Statement of MASADON.A MORALES

I, MASADON.A MORALES DE LA VENTURA OWNER, voluntarily give the following statement to BK SMITH, who has identified himself/herself as a Special Agent for the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. No threats or promises have been made to me in exchange for this statement.

Narrative:

Q MASADON.A MORALES PLEASE EXPLAIN WHY YOU HAVE FAILED TO MAINTAIN SHIPPING PAPERS OR BILLS OF LADING FOR TRIPS.

A I DIDN'T THINK THEY WERE REQUIRED AND THEY ARE TURNED INTO DONNIE HUEBER.

Q MASADON.A MORALES PLEASE EXPLAIN WHY YOU HAVE FAILED TO MAINTAIN MAINTENANCE REPAIR RECORDS AS REQUIRED?

A I THOUGHT MY WAY WAS OKAY BUT I DON'T KNOW WHAT GOES WHERE.

I have read the foregoing statement consisting of 9 page(s). It is true, accurate and complete to the best of my knowledge. I reviewed any changes and they bear my initials. I sign this statement under penalty of perjury and in the presence of BK Smith.

Witness/Interviewee's signature

Masadonia Morales

Date

05/10/18

I certify that I prepared and took the above statement and that it is a complete and accurate summary of my interview with the witness.

Safety Investigator's signature

Date



DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02741799
Inspection Date: 05/24/2017
Start: 8:46 AM CT **End:** 10:56 AM CT
Inspection Level: I - Full
HM Inspection Type: None

MASEDONIA MORALES

Driver: MONTES-PEREZ, ISIDRO F

License# [REDACTED] **State:** KS

Date of B [REDACTED]

CoDriver:

License#: **State:**

Date of Birth:

SATANTA, KS 67870

USDOT#: 02478274

Phone#: [REDACTED]

MC/MX#:

Fax#: [REDACTED]

State#:

Location: LOGAN COUNTY - 109

MilePost: 150

Shipper: NONE

Highway: U-83

Origin: GARDEN CITY,KS

Bill of Lading: N/A

County:

Destination: MENLO,KS

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	FRHT	2001	KS	[REDACTED]	777	[REDACTED]	81175	52,000		137189
2	ST	TIMP	1994	KS	[REDACTED]	T3	[REDACTED]	86042	65,000		137190

BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	1 1/4	2 1/8	1 7/8	INOP	1/2
Left	1 3/4	1 1/2	1 7/8	2 1/4	1/2
Chamber	L-20*	C-30	C-30	C-30	C-30

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.9H	393.9H	1	N		N	N	Inoperable head lamps: DRIVER SIDE HIGH BEAM LIGHT ON HEAD LAMP IS INOPERABLE.
393.9	393.9	1	N		N	N	Inoperable Required Lamp: RIGHT I.D. LAMP ON ROOF OF CAB IS INOPERABLE.
393.60D	393.60D	1	N		N	N	Glazing permits < 70% of light: DRIVER'S SIDE WINDOW GLAZE CHECKED WITH TM100 TINT METER. TINT METER SHOWED 36% OF LIGHT TRANSMITTING THROUGH WINDOW GLAZE.
393.47E	393.47E	1	N		N	N	Clamp or Roto type brake out-of-adjustment: #2 AXLE RIGHT SIDE BRAKE IS 1/2 BRAKE OUT OF ADJUSTMENT. PUSH ROD TRAVEL MEASURED 2 1/8 INCHES ON TYPE 30 REG BRAKE CHAMBER.
393.53B	393.53B	1	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
396.3A1-LLEAK	396.3A1-LLEAK	1	Y		U	N	A liquid fuel system with a dripping leak at any point.: RIGHT SIDE FUEL TANK IS DRIPPING FUEL ONTO GROUND FROM SUPPORT BAND UNDER FUEL TANK. RAG WAS PUT AROUND FUEL CAP AT BEGINNING OF INSP, STILL DRIPPED AT BOTTOM.
393.83G	393.83G	1	N		N	N	Exhaust leak under truck cab and/or sleeper: EXHAUST LEAK UNDER REAR SLEEPER, PHOTO TAKEN. I DO NOT BELIEVE FUMES ARE GETTING INTO CAB. DRIVER STATED HE DOES NOT GET DIZZY AND DOES NOT

Report Prepared By:
 A.D. Schippers

Badge #:
 0274

Copy Received By:
 ISIDRO MONTES-PEREZ

Page 1 of 4



02478274 KS KSHP02741799

X _____

X _____

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02741799
Inspection Date: 05/24/2017
Start: 8:46 AM CT End: 10:56 AM CT
Inspection Level: I - Full
HM Inspection Type: None

MASEDONIA MORALES

SATANTA, KS 67870
USDOT#: 02478274
MC/MX#:
State#:

Phone#:
Fax#:

Driver: MONTES-PEREZ, ISIDRO F

License# State: KS

Date of B

CoDriver:

License#

State:

Date of Birth:

<u>Vio Code</u>	<u>Section</u>	<u>Unit</u>	<u>OOS</u>	<u>Citation #</u>	<u>Verify</u>	<u>Crash</u>	<u>Violations Discovered</u>
393.207F	393.207F	2	Y		U	N	NOTICE A EXHAUST SMELL Air suspension pressure loss: #4 AND #5 AXLE LEFT AND RIGHT SIDE AIR BAGS ARE DEFLATED. THE ROD THAT ATTACHES TO VALVE TO AIR UP THE SUSPENSION WAS BROKEN.
393.11UR	393.11UR	2	N		N	N	Upper Rear retroreflective sheeting or reflex reflecting material requirements for vehicles manufactured after December 1993: UPPER RIGHT AND LEFT REAR RETRO REFLECTIVE TAPE ON REAR OF TRAILER IS RED/WHITE. SHOULD BE ALL WHITE. PHOTO TAKEN.
396.3A1BOS	396.3A1BOS	2	Y		U	N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination
396.3A1B	396.3A1B	2	N		N	N	Brakes (general) Explain:: AIR RESERVOIR TANK ABOVE #4 AXLE ON RIGHT SIDE ATTACHMENT POINT OF TANK. BOLTS ARE LOOSE ALLOWING MOVEMENT. MOVEMENT IS NOT GREATER THAN 1 INCH.
393.47E	393.47E	2	N		N	N	Clamp or Roto type brake out-of-adjustment: #4 AXLE LEFT SIDE BRAKE OUT OF ADJUSTMENT. PUSH ROD TRAVEL MEASURED 2.25 INCHES ON TYPE 30 REG BRAKE CHAMBER.
393.48A	393.48A	2	N		N	N	Inoperative/defective brakes: #4 AXLE RIGHT SIDE BRAKE INOP. WHEN DRIVER APPLIED BRAKES PUSH ROD MOVED .5 INCHES,BUT BOTTOM BRAKE PAD WAS IN BRAKE DRUM AT ANGLE. PAD NOT MAKING CONTACT W/DRUM.
393.201A	393.201A	2	N		N	N	Frame cracked / loose / sagging / broken: FRAME MEMBER ABOVE #4 AND #5 AXLE IS CRACKED ABOVE AIR BAGS. THESE FRAME MEMBERS CONNECT TO SIDE FRAME RAIL. I SHOWED DRIVER VIOLATIONS.
393.75C	393.75C	2	N		N	N	Tire-other tread depth less than 2/32 of inch: #5AXLE RIGHT INSIDE TIRE TREAD MEASURED LESS THAN 1/32 OF INCH IN 1 MAJOR TREAD GROOVE 3 SEP LOCATIONS 8 INCHES APART.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Report Prepared By:
A.D. Schippers

Badge #:
0274

Copy Received By:
ISIDRO MONTES-PEREZ

Page 2 of 4



02478274 KS KSHP02741799

X _____

X _____



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02742246
Inspection Date: 03/27/2018
Start: 2:56 PM CT End: 4:40 PM CT
Inspection Level: I - Full
HM Inspection Type: None

MASEDONIA MORALES

SATANTA, KS, 67870

USDOT: 2478274

MC/MX#:

State#:

Location: THOMAS COUNTY - 193

Highway: K-25

County: THOMAS

Driver: ALCALA-PADILLA, ENRIQUE

License#:

State: MX

Date of Bi

CoDriver:

License#:

State:

Date of Birth:

Milepost: 202.5 Shipper: LEIBBRANDT FARMS

Origin: ATWOOD,KS

Bill of Lading: 11086

Destination: SATANTA,KS

Cargo: CORN

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	1990	KS		V27		1385671	52000		148138
2	ST	TIMP	1994	KS		4		086042	65000		148139

BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	1 1/2	1 1/2	2	2 1/2	1 1/4
Left	1 1/8	1 1/2	2 1/2	2	2 1/2
Chamber	C-20	C-30	C-30	C-30	C-30

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.51	F	1	Y		U	N	No or defective brake warning device: NO WARNING DEVICE (AUDIBLE OR SOUND) IS OPERATING WHEN AIR PRESSURE IS LESS THAN 55 LBS OF PRESSURE. NEVER CAME ON
393.47E	F	1	N		N	N	Clamp or Roto type brake out-of-adjustment: #3 AXLE LEFT SIDE BRAKE IS OUT OF ADJUSTMENT. PUSH ROD TRAVEL MEASURED 2.5 INCHES ON TYPE 30 BRAKE CHAMBER.
393.205C	F	1	N		N	N	Wheel fasteners loose and/or missing: #3 AXLE RIGHT SIDE WHEEL HAS ONE MISSING WHEEL FASTENER. STUD BOLT IS BROKE. WHEEL IS 10 FASTENER WHEEL.
393.9H	F	1	N		N	Y	Inoperable head lamps: PASSENGER SIDE HEAD LAMP INOPERABLE.
393.9TS	F	1	N		N	Y	Inoperative turn signal: PASSENGER SIDE FRONT TURN SIGNAL INOPERABLE.
393.9TS	F	1	N		N	U	Inoperative turn signal: DRIVER SIDE FRONT TURN SIGNAL INOPERABLE.
393.95A	F	1	N		N	N	No/discharged/unsecured fire extinguisher: NO FIRE EXTINGUISHER. I VISUALLY CHECKED UNDER BUNK AND IN CAB OF TRUCK.
396.17C	F	1	N		N	N	Operating a CMV without proof of a periodic inspection: I COULD NOT FIND ANY PROOF OF PERIODIC INSPECTION. I LOOKED FOR STICKER ON TRUCK AND LOOKED FOR PAPER WORK INSIDE TRUCK AND BLUE FOLDER IN TK THAT HAD DOCUMENTS.
392.2AU	F	1	N		N	N	State Operating Authority violation: Carrier loaded corn from Leibbrandt Farms, Atwood, KS going to Satanta, KS. Hired by Redwood Group. 66-1,111 NO KCC Authority
393.47E	F	2	N		N	N	Clamp or Roto type brake out-of-adjustment: #4 AXLE RIGHT SIDE BRAKE IS OUT OF ADJUSTMENT. PUSH ROD TRAVEL MEASURED 2.5 INCHES ON TYPE 30 BRAKE CHAMBER.
393.47E	F	2	N		N	N	Clamp or Roto type brake out-of-adjustment: #5 AXLE LEFT SIDE BRAKE IS OUT OF ADJUSTMENT. PUSH ROD TRAVEL MEASURED 2.5 INCHES ON TYPE 30 BRAKE CHAMBER.
396.3A1BOS	F	2	Y		U	N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination
393.201A	F	2	Y		U	N	Frame cracked / loose / sagging / broken: Right front crossmember beam that attaches to siderail frame. Crack extends from top web through bottom frame rail flange.
393.201A	F	2	Y		U	N	Frame cracked / loose / sagging / broken: 4 IN CROSS MEMBER FRAME BEAM ABOVE #4 AXLE HAS 2.5 INCH CRACK THAT EXTENDS HORIZONTAL ON SUSPENSION 3.5 INCH CRACK.
396.17C	F	2	N		N	N	Operating a CMV without proof of a periodic inspection: NO DOCUMENTATION FOR PERIODIC ANNUAL INSPECTION. STICKER ON TRAILER SHOWS LAST INSPECTION BEING COMPLETED ON 5/2016.





Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02742246
Inspection Date: 03/27/2018
Start: 2:56 PM CT **End:** 4:40 PM CT
Inspection Level: I - Full
HM Inspection Type: None

391.11B2	F	D	N	N	N	Driver cannot read or speak the English language sufficiently to respond to official inquiries.: DRIVER COULD NOT COMMUNICATE WITH BASIC QUESTION OF WHERE DID YOU LOAD AND WHERE ARE YOU GOING. I GOT SPANISH TRANSLATOR TO COMMUNICATE WITH DRIVER.
392.2FC	F	D	N	N	N	Following too close: DRIVER WAS FOLLOWING TOO CLOSE AND REAR-ENDED CAR IN KDOT ROAD MAINTENANCE ZONE
392.2MI	F	D	N	JAILED	N	Miscellaneous Traffic Law Violation: LOCAL KANSAS STATE LAW 8-1604. LEAVING THE SCENE OF A PROPERTY DAMAGE COLLISION. DRIVER WAS STOPPED ON U-40 MP 53 WB APPROXIMATELY 1.5 HOURS AFTER COLLISION.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:

Alcohol/Controlled Substance Check
 Conducted by Local Jurisdiction
 Size and Weight Enforcement
 eScreen Inspection

Traffic Enforcement
 PASA Conducted Inspection
 Drug Interdiction Search

X Post Crash Inspection
 PBBT Inspection

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 the 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: _____

Signature Of Repairer X: _____ Facility: _____ Date: _____

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

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.

MOTOR CARRIER CERTIFICATION: All defects identified on this report 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. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)'s Data Q Challenge process, at <https://dataqs.fmcsa.dot.gov>

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:

A. Schippers

Badge #:

0274

Copy Received By:

ENRIQUE ALCALA-
 PADILLA

X

X MAILED TO CARRIER (Driver Jailed)



122 S. W. 7th Street
Topeka, KS 66603



Phone: (785) 296-7189
Fax: (785) 296-2858
www.kansashighwaypatrol.org

Mark A. Bruce, Superintendent

Sam Brownback, Governor

July 27, 2017

MASEDONIA MORALES
102 CADD ST
SATANTA, KS 67870

US DOT NUMBER: 02478274

ICC NUMBER:

Dear Sir or Madam,

Below is information on a State Department of Motor Safety Driver/Vehicle Examination report that was issued to one of your drivers and has not been returned to this office as of the current date.

REPORT #	INSPECTION DATE	INSPECTION TIME	LOCATION	DRIVER NAME	LICENSE #
KSHP02741799	5/24/2017	08:46 - 10:56	LG	ISIDRO F MONTES-PEREZ	
UNIT/DRIVER	FEDERAL VIOLATION CODE	UNIT NUMBER	UNIT MAKE	UNIT LICENSE	STATE COMPANY NUMBER
		1	FRHT	153035	KS 777
		2	TIMP	630197	KS T3
UNIT/DRIVER	FEDERAL VIOLATION CODE	VIOLATION DESCRIPTION			OUT OF SERVICE
1	393.83G	Exhaust leak under truck cab and/or sleeper			NO
1	396.3A1-LLEAK	A liquid fuel system with a dripping leak at any point			YES
1	393.53B	19/94 has an automatic airbrake adjustment system tha			NO
1	393.47E	Clamp or Roto type brake out-of-adjustment			NO
1	393.60D	Glazing permits < 70% of light			NO
1	393.9	Inoperable Required Lamp			NO
1	393.9H	Inoperable head lamps			NO
2	393.201A	Frame cracked / loose / sagging / broken			NO
2	396.3A1BOS	The number of defective brakes is equal to or greater			YES
2	393.48A	Inoperative/defective brakes			NO
2	393.47E	Clamp or Roto type brake out-of-adjustment			NO
2	396.3A1B	Brakes (general) Explain:			NO
2	393.11UR	sheeting or reflex reflecting material requirements for			NO
2	393.75C	Tire-other tread depth less than 2/32 of inch			NO
2	393.207F	Air suspension pressure loss			YES

Within 15 days after your driver receives an inspection report, you as the carrier must sign and return that report to this office as verification that all defects or violations have been corrected to assure compliance with the Motor Carrier Safety rules and regulations. If you are unable to locate the inspection report certifying corrections have been made, sign the following statement and mail (or fax 785-296-2858) this document in its entirety to the Kansas Highway Patrol, 700 SW Jackson, Ste 704 Topeka, KS 66603.

The undersigned motor carrier certifies that all violations on this report have been corrected and action has been taken to ensure compliance with the Federal and State Motor Carrier Safety and HM regulations insofar as they are applicable to motor carriers and drivers. Failure to return this document could result in a Compliance Review being conducted on this company.

Signed

Masidonia Mprab owner

Date

8/09/17

If within 21 days after the date of this letter we have not received repair verification on these vehicles, more stringent enforcement action must be taken in order to ensure that defective equipment is not allowed to continue to operate on the highways of this state.

We appreciate your cooperation in the effort to make Kansas highways a safer place to travel. If you have any questions please call (785)368-8086 or (785) 296-2965.

Sincerely

MARK A. BRUCE
Superintendent

Chris

Chris Turner, Captain
Motor Carrier Safety Unit

KSHP02741799

NORTHCUTT, Inc.



2105 N. VFW Road
Garden City, Kansas 67846
(620) 276-0552 • Fax (620) 276-3988
Mobile (620) 272-4208

194
Timplte

INVOICE



G53402-1

NORTHCUTT, Inc.

Est. 1965

P.O. Box 4278 - Wichita, Kansas 67204
 5055 North Broadway - Wichita, Kansas 67219
 (316) 838-1477 - (800) 279-3540 - Fax: (316) 838-6203
 After Hours Parts (316) 838-1477

2105 N. VFW Road
 Garden City, Kansas 67846
 (620) 276-0552 - Fax (620) 276-3988
 Mobile (620) 272-4288

'94
 Timpfe

We Offer A Complete Selection Of:
 New and Used Trailers
 Parts and Service for All Makes

SOLD TO:
 VAM TRUCKING

SHIP TO:
 VAM TRUCKING

CUSTOMER ACCT. NO.	SALESMAN	INVOICE NUMBER	PLEASE REFER TO THIS NUMBER WHEN REMITTING
0000	EH	G53402	

CUSTOMER ORDER NO.	DATE	CUST PICKUP
	05-22-17	

LOCATION	PART NO. DESCRIPTION	U/M	ORD'D	SHIP'D	B/O	LIST PRICE	SYM	SALES		
								UNIT	EXTENSION	WEIGHT
GC4C	BAT-04-932042 CAM, LH 28S 1.5G6 X 20.47 [53]	EA	1	1		58.35	X	32.24	32.24	13.40
GC4C	BAT-04-932041 CAM, RH 28S 1.5G6 X 20.47 [52]	EA	1	1		58.35	X	32.24	32.24	13.40
									WEIGHT	26.80
..... C.O.D. - CHECK O.K. C.O.D. - CHECK O.K. C.O.D. - CHECK O.K. C.O.D. - CHECK O.K.										
***** THANK YOU ***** *** SHOP FOR PARTS 24/7 AT www.northcutt.org - GET STARTED TODAY ***										
W X EH12A6 04:11pm CSH SL										
SUB TOTALS								ACCT NO	SALES	
PARTS								421T	64.48	
SALES TAX@ 7.50%								210	4.84	
CSH SALE								112	69.32	

X

PICKED BY _____ PACKED BY _____ REC'D BY _____

Accounts over 30 days past due will be charged interest at the rate of 1-1/2% per month or an annual rate of 18%.

Monthly Statements will be issued by request.
 Please Remit to P.O. Box 4278
 Wichita, Kansas 67204

ORIGINAL INVOICE

No credit on return parts or cores after 30 days
 from invoice date. Returned parts subject to a
 15% restocking charge.

INSPECTION AND MAINTENANCE RECORD

MAKE Kenworth YEAR 2000 MODEL T600 SERIAL NO. _____

NO. OF TIRES _____ SIZES _____ CO. UNIT NO. V822

IF LEASED, NAME OF LEASOR

EXAMPLE OF WHAT REPAIR MAY CONSIST OF IS LIGHTS & REFLECTORS, WHEELS & TIRES, RUNNING GEAR & UNDERCARRIAGE. BRAKE SYSTEM, HOSES, TUBING, BODY, ETC.

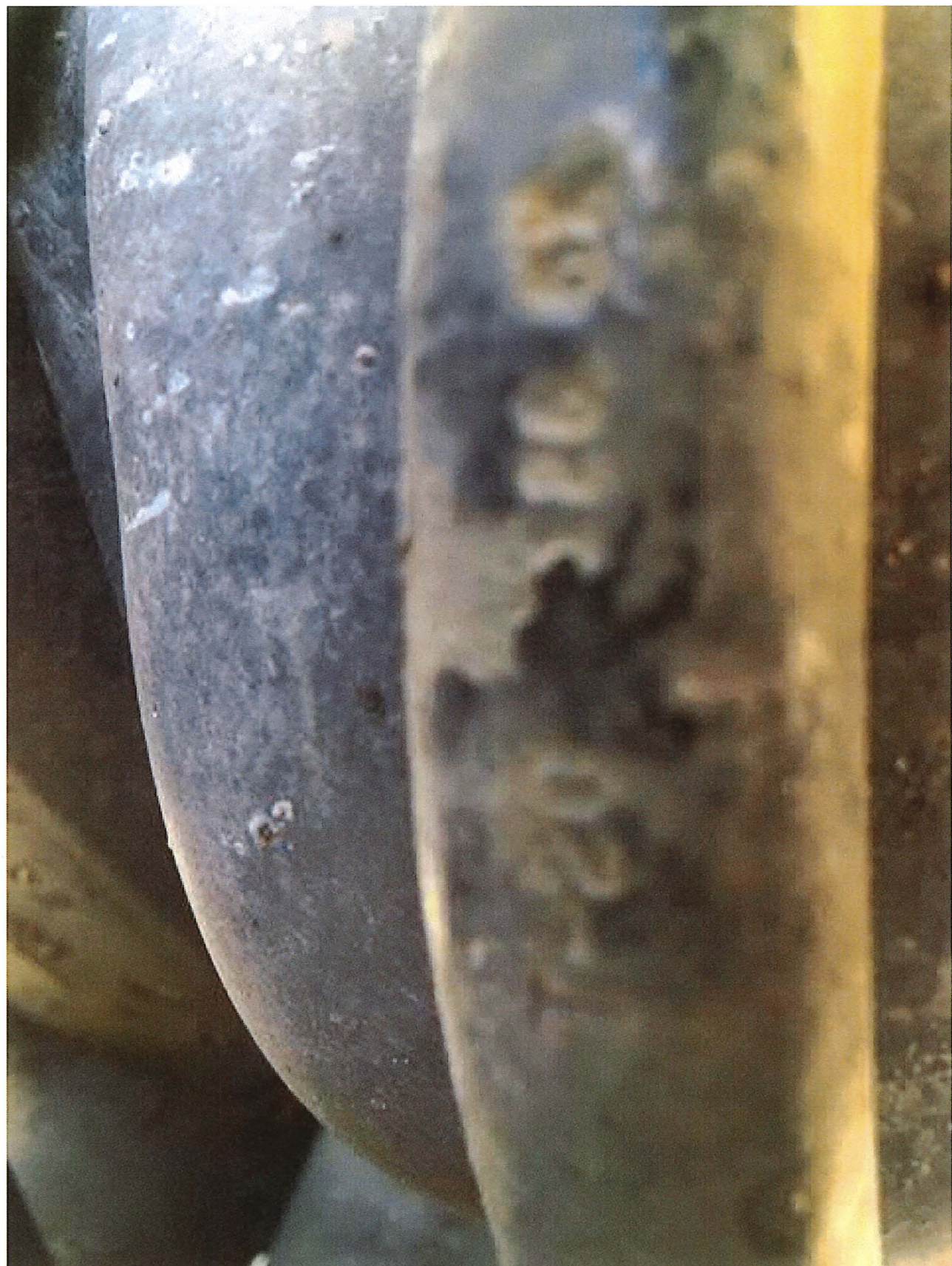
(X - O.K.; A - ADJUSTMENT MADE; R - REPAIRS MADE; RP - REPLACEMENT MADE)

[illegible]











VEHICLE CERTIFICATION FOR TRAILERS
MANUFACTURED BY:

TRUCK EQUIPMENT SERVICE CO.ERS
800 OAK ST.
LINCOLN, NEBRASKA

DATE OF MFG. 08-04
GVWR 65000 KG 28254
GAWR INTERMEDIATE (1) 20000
WITH 11X22.50 TIRES KPa.
22X6.25 RIMS, 90 PSI COLD 5201 KG 5072
GAWR INTERMEDIATE (2) 20000
WITH TIRES KPa.
RIMS, PSI COLD KG
GAWR REAR 23000
WITH 11X22.50 TIRES KPa.
22X6.25 RIMS, 90 PSI COLD 5201 KG 5072

THIS VEHICLE CONFORMS TO ALL
APPLICABLE FEDERAL MOTOR VEHICLE
SAFETY STANDARDS IN EFFECT IN:

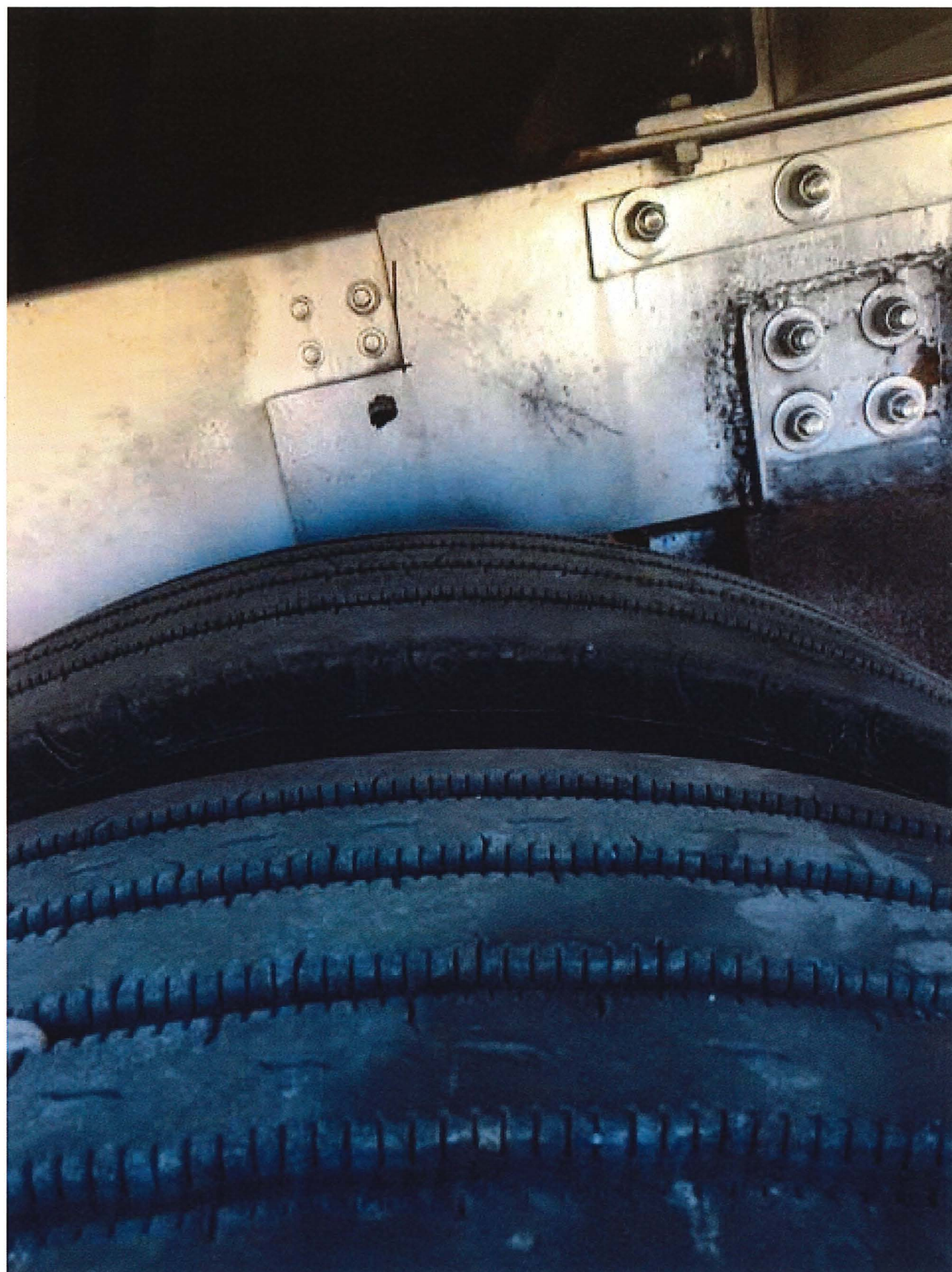
MO. YR.

VEHICLE IDENTIFICATION NUMBER

MODEL NUMBER

TYPE VEHICLE

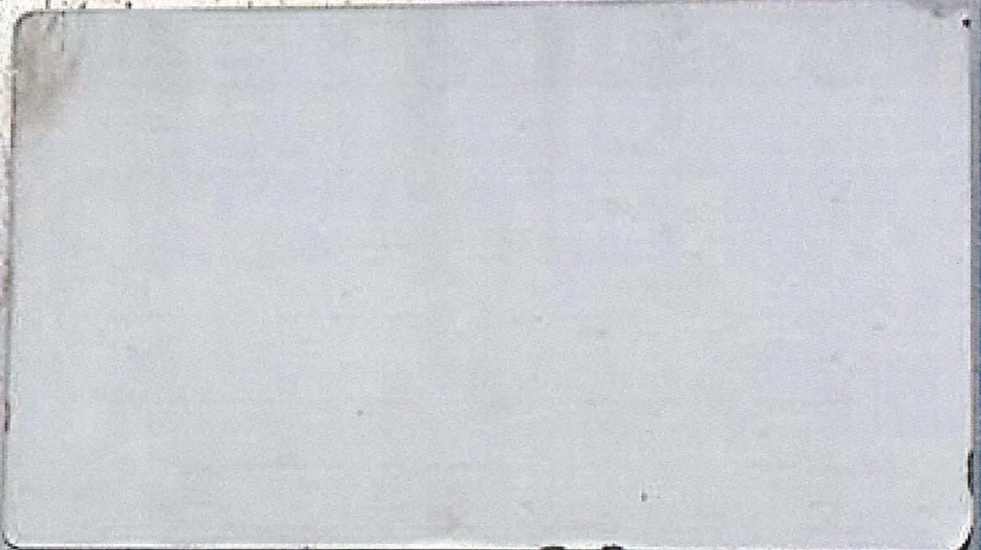








City, State, Zip



TO WRITE ON THIS LABEL USE AN INDELIBLE, PERMANENT INK MARKER,
PEN OR PENCIL THAT WILL NOT FADE IN DIRECT SUNLIGHT

ANNUAL VEHICLE INSPECTION LABEL NO. 42126816

COMPLETED: MONTH March YEAR 2018

A RECORD OF THIS VEHICLE'S ANNUAL VEHICLE INSPECTION REPORT IS
MAINTAINED AT: ☒ MOTOR CARRIER ☐ OTHER ENTITY

VAM Trucking
COMPANY / NAME

102 Caddo St.
STREET

Satanta, KS 67870
CITY, STATE, ZIP CODE

002478274
MOTOR CARRIER IDENTIFICATION NUMBER

CERTIFICATION: THIS VEHICLE HAS PASSED AN INSPECTION IN ACCORDANCE
WITH 49CFR 396.17 THROUGH 396.23.

VEHICLE IDENTIFICATION: IF THE VEHICLE IS NOT READILY, CLEARLY, AND
PERMANENTLY MARKED, CHECK ONE AND COMPLETE.

☐ FLEET UNIT NUMBER ☐ LICENSE / REGISTRATION NUMBER

☒ VEHICLE IDENTIFICATION NUMBER ☐ OTHER

11920472750009723

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1279 (Rev. 4/15)

CERTIFICATE OF SERVICE

18-TRAM-550-OOS

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of
06/29/2018
first class mail/hand delivered on _____.

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

MASADONIA MORALES, OWNER
MASEDONIA MORALES
D/B/A VAM TRUCKING
PO BOX 282
SANTANA, KS 67870
Fax: 620-649-3610
babygirl_j_21@hotmail.com

/S/ DeeAnn Shupe

DeeAnn Shupe