

Report of violations (traffic)

KSHPO 1001354



DEPARTMENT

(316) 393-4314

Info@HotshotbyFirefighters.com

5619 Sullivan Rd.

Wichita, Ks, 67204

Owner: Mark Garcia



MARCH 14

Hotshot by Firefighters

MC- 090803 USDOT - 3126529

Authored by: Mark Garcia - owner

Hotshot by Firefighters LLC

Mark Garcia
5619 Sullivan Rd.
Wichita, Ks 67204
[REDACTED]

Dear Commissioners and Chairman;

Please let me initiate this challenge by addressing the professionalism of your operations staff, Mr. N. Wright. #100

At the end of our process we talked at length on a more personal level. He is very dedicated and thorough. As a retired Fire Captain, I understand that this is difficult to achieve. I appreciate his dedication, I'm sure you do as well.

Allow me to start by giving you some basic information about my company.

Hotshot by Firefighters is a very small new venture that I started last year to supplement my retirement income. I have one pick-up and one trailer. It is only me as the sole proprietor and driver. I am new to the transportation field and have figured out quite quickly that there is a "learning curve" associated with this business. I try my best to adhere to the regulations set forth by the state. That being said, some things do get past my scrutiny. Mr. Wright's input on my corrections were invaluable and have all been corrected at a cost just short of \$1,000. I don't mind putting money into my company if safety is the objective.

With that being addressed, you understand that I am new to this and it is a very small company.

Citation #1 - 393.75A3 (flat tire) I understand that the inspector stated that the tire was flat. It was not. I drove to the nearest truck service station and put in additional air to bring it up to pressure. If the tire had indeed been off of the bead and rotated as inspector Wright indicated, the tire would have had to be taken off the trailer and the bead resealed. In addition, on a loaded trailer he could not have possibly rotated the tire even if it was off the rim as the weight from the load would have put pressure on the flat tire against the pavement. It did have a small nail in the tire which was easily plugged while still on the trailer.

Continued on next page:

Violations continued:

Citation #2 - 395.8E (False report of drivers record of duty status) I disagree with this citation as well. As you are aware, recently Electronic Logging devices (eld) were required by federal mandate. When I started my company last year, I bought an ELD that would make sure I was in compliance with the mandate. It plugs directly into my pick-up computer and an app on my smart phone provides duty status to the eld. In short you have to start an app on your phone and pick your status in order to log it as work.

I drive very little and it's only to supplement my retirement. I had picked up this freight about 30 minutes before pulling into the weigh station. I had forgotten to log in as driving when I left the pick-up location. There was no freight moved for more than a week prior to this load. I admit that I neglected to log in as driving, but it certainly was not intentional, as the citation reflects. The citation calls it a false report and there was absolutely no intention to make a false report. In addition, there was no driving for a week prior to the incident, so no over driving infractions occurred. I was made to wait in my truck at the weigh station for 10 hours just to make sure I was in compliance. It does seem like overkill to me, but neglecting to log in as driving caused it, so I would gladly take that punishment. A \$500.00 ticket seems very out of line for it, as it certainly was not intentional and was not done while a lot of other hours were being logged (so as to cheat the system).

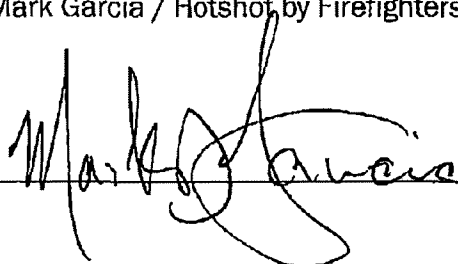
In Summary,

I appreciate the efforts of inspector Wright and understand the value of his input. All of which have been corrected. All 15 infractions ranging from the "US" not appearing before the letters DOT, LLC not appearing after the company name, GVWR rating not on the door magnet, having L.E.D. warning beacons instead of triangles, Tag light being out, and a single side marker lamp out of a total of 19 lamps was not working. Did I mention that he was thorough? I feel like the citations are not deserved. I would be willing to pay a small fine and but feel like the penalty and citations are excessive.

Thank you so much for your time,

Best regards,

Mark Garcia / Hotshot by Firefighters LLC



Date 03/14/2019

KANSAS CORPORATION COMMISSION



Kansas Corporation Commission
 Transportation Division
 1500 SW Arrowhead Road
 Topeka, Kansas 66604-4027
 (785) 271-3145
 FEIN: 48-1124839

INVOICE

HOTSHOT BY FIREFIGHTERS LLC
 5619 N SULLIVAN RD
 WICHITA, KS 67204

Invoice Date: March 8, 2019
 Invoice Number: H000579004
 Due Date: April 7, 2019

Power Unit Identification at Time of Inspection:

Unit #	Unit Make	Unit License	VIN	License Number	Company ID
2	TRLR		121801	176595	1

Unit	Violation	-Violation Description -	Penalty
2	393.75A3	Tire-flat and/or audible air leak	150.00
	395.8E	False report of drivers record of duty status	500.00
Total Due:			\$650.00

**Please return this invoice with your payment, payable to the
 Kansas Corporation Commission
 1500 SW Arrowhead Road
 Topeka, KS 66604-4027
 Fax: (785) 271-3124**

Failure to pay as provided in the Notice of Violation will result in the carrier being in default. Default status will prohibit carriers from making changes to KCC authority, including but not limited to adding vehicles, name changes or renewal of authority; until the fine has been paid or the matter is resolved.

Payment options: check, money order or credit card

Circle type of credit card: Visa, MasterCard, Discover or American Express

Card Holder Name _____

Credit card number: _____ Expires: Date ____/____/____

Please direct questions regarding the violation(s) and/or assessment to the
 Kansas Highway Patrol, MCSAP at (785) 296-8157.