

I Eric Smith hereby contest the
fines Levied against me on
Invoice: H000567014.

This was a one time occurrence
helping out the hillsdale range. who
would have ever guessed that picking
up clay pigeons for a range that Law
enforcement officers use. would get
me in a jam. After I was pulled over
and the Trooper was following me, he
stated the Left turn Signal and Brake
Light were working some of the time.
I do not ride the brakes, so they would
not work all of the time. And they were
still working when I took the trailer
back to its owner. I think that maybe
when he was doing his inspection, his
angle to the trailer light may not have
let him see it working. the Lights are
about two feet forward from the back
and are located on the side of the trailer.
as for the no drivers record of duty status
I assume that is a log book. Whenever I
haul something it is my own. I only was hauling
the pigeons to help out.

Cell phone 913-731-3528 Eric Smith

email: Erictheredgerkin@yahoo.com



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

INVOICE

ERIC B. SMITH

PAOLA, KS 66071

Invoice Date: February 17, 2017

Invoice Number: H000567014

Due Date: March 19, 2017

Power Unit Identification at Time of Inspection:

Unit #	Unit Make	Unit License	VIN	License Number	Company ID
2	EAGLE		103050	NONE	1

Unit	Violation	Violation Description	Penalty
2	393.43	No/improper breakaway or emergency braking	150.00
2	393.9TS	Inoperative turn signal	150.00
	395.8A	No drivers record of duty status	250.00
Total Due:			\$550.00

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.



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

Sam Brownback, Governor

NOTICE OF VIOLATION(S)

February 17, 2017

ERIC B. SMITH
1406 N PEARL
PAOLA, KS 66071

Re: Roadside Driver/Vehicle Examination Report No. KSHP02550950

This is a Notice of Violation(s) of Kansas Motor Carrier Safety Statutes and/or Rules and Regulations discovered during a roadside inspection conducted by the Kansas Highway Patrol.

The Kansas Highway Patrol inspected vehicle 103050, on February 15, 2017, and discovered violation(s) of the Federal Motor Carrier Safety Regulations, as adopted by K.S.A. 66-1,129 and K.A.R. 82-4-3 et seq. The civilly assessed violation(s) are set out in the attached invoice along with the fine(s) assessed.

You have thirty (30) days from the date of this letter to pay the fine amount as indicated in the enclosed invoice or thirty (30) days from the date of this letter to submit a challenge as described below. Failure to address this matter may negatively impact your KCC operating authority or result in the issuance of an Out-of-Service Order in the State of Kansas. You have the following options:

1. Pay the fine amount shown on the enclosed invoice: H000567014.
2. If you contest the violation(s) and/or fine(s) you may first submit a challenge to:

Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson, Suite 704
Topeka, Kansas 66603
(785) 296-8157 fax (785) 296-2858

In your "challenge", please specifically describe your contested issues. The KHP will review your issues and either grant, modify or dismiss your challenge.

3. If you are not satisfied with the outcome of your challenge by the KHP, you have the right to an administrative hearing with the Kansas Corporation Commission. The hearing request must be in writing and received within 15 days of the close of the challenge, and forwarded to the Kansas Highway patrol at the above address.

Failure to pay will result in the carrier being in default. Default status prohibits 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.

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DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone #: (785)296-7189 Fax #: (785)296-2858
truckinspection@khp.ks.gov

Report Number: KSHPO2550950
Inspection Date: 2/15/2017 Certification Date: 03/03/2017
Time Started: 15:15 Time Ended: 15:58
Inspection Level: I - Full Inspection
HM Inspection Type: No HM Inspection

ERIC B. SMITH

Driver: SMITH, ERIC B
License #: State: KS
Date of Birth:

PAOLA, KS 66071

USDOT #: Phone #:
MC/MX #: Fax #:
State #: S00000016624

Location: MIAMI COUNTY - 121 MilePost: 57
Highway: K-68 Origin: WEBB CITY, MO Bill of Lading: 97004
County: MIAMI Destination: HILLSDALE, KS Cargo: CLAY TARGETS
Shipper: HILLSDALE RANGE

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TR	CHEVY	2002	KS	NONE	1	103050	14,001			
2	ST	EAGLE	1990	KS		1T	111	10,001			

BRAKE ADJUSTMENTS:

Axle #	1	2	3	4
Right	N/A	N/A	N/A	N/A
Left	N/A	N/A	N/A	N/A
Chamber	HYDR	HYDR	ELEC	ELEC

VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
385.301A	385.301(a)	1	N		N	N	Failing to register with FMCSA to obtain a USDOT number
390.21B	390.21(b)	1	N		N	N	Carrier name and/or USDOT Number not displayed as required: None
391.41A-F	391.41(a)	D	N		N	N	Operating a property-carrying vehicle without possessing a valid medical certificate.: None
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection: No stickers or paperwork
396.17C	396.17(c)	2	N		N	N	Operating a CMV without proof of a periodic inspection: No stickers or paperwork
393.95A	393.95(a)	1	N		N	N	No/discharged/unsecured fire extinguisher: None
393.95F	393.95(f)	1	N		N	N	No / insufficient warning devices: None
395.8A	395.8(a)	D	Y		N	N	No drivers record of duty status: No Log on 2/15/2017 Driver did not have current day, previous 7 and was not recording time for short haul, driver claimed to not need a log
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp: front center ID and right front clearance INOP
393.43	393.43	2	Y		U	N	No/improper breakaway or emergency braking: Cable was connected to safety chains and not independent of
393.9TS	393.9(a)	2	Y		U	N	Inoperative turn signal: Left rear turn signal INOP
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp: Left rear stop light INOP
393.75C	393.75(c)	1	N		N	N	Tire-other tread depth less than 2/32 of inch: #2 axle right side outside tire
393.75B	393.75(b)	1	N		N	N	Tire-front tread depth less than 4/32 of inch: #1 right side at 2/32
393.75B	393.75(b)	1	N		N	N	Tire-front tread depth less than 4/32 of inch: #1 left side at 1/32
392.82A1	392.82(a)(1)	D	N		N	N	Using a hand-held mobile telephone while operating a CMV: When escorting to OOS location driver was talking on cell phone not hands free
392.2RG	392.2	1	N	E001323728	N	N	State vehicle registration or License Plate violation: Vehicle was unregistered

* N - Non-OOS or Driver OOS Violation; U - Unknown

HazMat: No HM Transported.

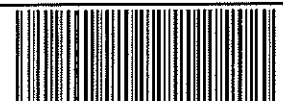
Placard: NA Cargo Tank:

Report Prepared By:
J.J. WEBER

Badge #:
0255

Copy Received By:
SMITH, ERIC B

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KSHPO2550950

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ERIC B. SMITH

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License #: State: KS
Date of Birth:

PAOLA, KS 66071

USDOT #:

Phone #:

MC/MX #:

Fax #:

State #: S00000016624

Special Checks:

- ☐ Alcohol/Controlled Substance Check
☐ Conducted by Local Jurisdiction
☐ Size and Weight Enforcement
☐ ESscreening

- ☐ Traffic Enforcement
☐ PASA Conducted Inspection
☐ Drug Interdiction Search

- ☐ Post Crash Inspection
☐ PBBT Inspection
Arrests:

Inspection Notes: Was hauling clay targets to State of KS Hillsdale range. Driver stated he gets free membership to range for compensation. This was confirmed with range manager. Truck was purchased on purple wave in June of 2015 (Unit # H8512). Owner stated he had not gotten title. I called purple wave talked to Elanie who confirmed the title was retrieved at the Manhattan office on Aug 20th 2015. Driver who is owner also deals in auction items and has large storage area in Hillsdale. Trooper has delt with him on other occasions and he needs USDOT number for his business. Trooper forgot to add UCRs Did not put down common authority on this one although he was a common carrier. He is normally a private carrier.

Special Study Fields:

Special Study1:

Special Study6:

Special Study2:

Special Study7:

Special Study3:

Special Study8:

Special Study4:

Special Study9:

Special Study5:

Special Study10:

* 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 ERIC B. SMITH "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Eligibility to drive is re-established. 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 _____

* 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: 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 Carrier Official: X _____

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 Repairer: X _____

Facility: _____ Date: _____

Report Prepared By:

J.J. WEBER

Badge #:

0255

Copy Received By:

SMITH, ERIC B

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