

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

April 4, 2017

17-TRAM-437-PEN

Wanessa Dougherty
Chief Operating Officer
Elegant Home Design, L.L.C., d/b/a Bedrock International
9929 Lackman Road
Lenexa, Kansas 66219

Certified Mail Receipt No. 7016 1970 0001 0574 1119

This is a notice of a penalty assessment against Elegant Home Design, L.L.C., d/b/a Bedrock International for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on March 17, 2017, by Kansas Corporation Commission Special Investigator(s) Wade Patterson and Jared Smith. For a full description of the penalty and terms and obligations, please refer to the Penalty Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

Elegant Home Design has been assessed a \$1,750 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. A check must be made payable to the Kansas Corporation Commission and mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

ELEGANT HOME DESIGN IS A NEW ENTRANT MOTOR CARRIER AND IS ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS:

New Entrant motor carriers are eligible for a one-time, fifty-percent (50%) reduction in the penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix. You have to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the fifty-percent (50%) reduction. A fifty-percent (50%) reduction in the penalty assessed in the attached Order is available if:

(1) the carrier signs and submits within fifteen (15) days from the date of this Penalty Order, the attached Reduced Penalty Agreement to Litigation Counsel at the above address;

(2) within 30 days from the date of the attached Penalty Order, the carrier submits to Transportation Staff an approved Corrective Action Plan (CAP) documenting the violation(s) described in the attached 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; and

(3) within thirty (30) days from the date of the attached Penalty Order, the carrier sends an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance must be submitted to the Transportation Division shortly thereafter.

If a carrier is approved for the fifty-percent (50%) reduced penalty, a Motion to Amend Penalty Order, along with the Reduced Penalty Agreement will be filed with the Commission. An Amended Penalty Order assessing the reduced penalty and setting out the terms and conditions as stated above, will be issued by the Commission shortly thereafter. Payment of the reduced penalty of \$875, will be due within thirty (30) days from the date of service of the Amended Penalty Order.

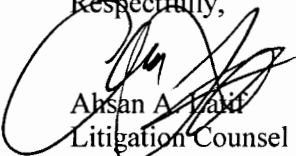
IF YOU CONTEST THE PENALTY ORDER:

You have the right to request a hearing if you contest the terms of the Penalty Order. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Elegant Home Design, L.L.C., d/b/a Bedrock International must file within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and by mailing a copy of the request for hearing to Litigation Counsel at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request 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 Penalty Order and mail a copy of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2016 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$1,750 within thirty (30) days from the date of service of this Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from the date of service of this Penalty Order, will result in the Order becoming a final Penalty Order and the terms and conditions set out therein will be enforced. If Elegant Home Design submits the attached Reduced Penalty Agreement as explained above, an Amended Penalty order will be issued assessing the reduced penalty of \$875 and that payment will become due within thirty (30) days from the date of service of the Amended Penalty Order.

Respectfully,



Ahsan A. Malik
Litigation Counsel
(785) 271-3118

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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



Phone: 785-271-3100
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Sam Brownback, Governor

REDUCED PENALTY AGREEMENT

Elegant Home Design, L.L.C., d/b/a Bedrock International hereby submits this Reduced Penalty Agreement to become eligible for a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated April 4, 2017. Elegant Home Design has agreed to comply with the following terms and obligations:

1. Elegant Home Design has submitted, within fifteen (15) days from the date of the Penalty Order issued on April 4, 2017, this Reduced Penalty Agreement to Litigation Counsel at the above address.

2. Elegant Home Design will, within 30 days from the date of the Penalty Order dated April 4, 2017, submit to Transportation Staff an approved Corrective Action Plan (CAP) documenting the violation(s) describing specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

3. Elegant Home Design will, within thirty (30) days from the date of the Penalty Order dated April 4, 2017, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Transportation Division.

Elegant Home Design, L.L.C., d/b/a Bedrock International understands that Transportation Litigation Counsel will file a Motion for Amended Penalty Order with the agreement attached to the motion. The Amended Penalty Order will assess Elegant Home Design a fifty-percent (50%) reduced penalty of \$875, and set out the terms and conditions stated above. Once the Amended Penalty Order is issued by the Commission, Elegant Home Design will have thirty (30) days from the date of service of the Amended Order to pay the reduced penalty assessed.

Dated this ____ day of _____, 2017.

Elegant Home Design, L.L.C., d/b/a Bedrock
International

Wanessa Dougherty
Chief Operating Officer

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

Before Commissioners: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the Matter of the Investigation of **Elegant**)
Home Design, L.L.C., d/b/a Bedrock)
International, of Lenexa, Kansas, Regarding)
the Violation of the Motor Carrier Safety) Docket No. 17-TRAM-437-PEN
Statutes, Rules and Regulations and the)
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). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2016 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. 2016 Supp. 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. 2016 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 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 order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. Elegant Home Design, L.L.C., d/b/a Bedrock International (Elegant Home Design) obtained private operating authority from the Commission on February 23, 2015, and operates under KSMCID number 170823 and USDOT number 2574263.

5. Robert Collier attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on February 10, 2015, on behalf of Elegant Home Design.

6. Elegant Home Design is a private motor carrier which primarily hauls granite.

7. Elegant Home Design is a New Entrant motor carrier and is eligible for a fifty-percent (50%) reduction of the original penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix.

III. STATEMENT OF FACTS

8. Pursuant to the jurisdiction and authority cited above, on March 17, 2017, Commission Staff (Staff) Special Investigator(s) Wade Patterson and Jared Smith conducted a compliance review of the operations of Elegant Home Design. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Patterson and Mr. Smith identified four (4) violation(s) of the Motor Carrier Safety Regulations.

- a. On January 3, 2017, Elegant Home Design required or permitted its driver, Jose Carillo, to operate a CDL-required commercial motor vehicle, a 2014 Volvo Tractor, VIN ending in 175566, GVWR 52,350 lbs., in interstate commerce from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by Driver's Daily Log, dated January 3, 2017, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, driver Jose Carillo drove after the end of the 14th hour after coming on duty. The special investigators found five (5) violations of this type. Elegant Home Design's failure to require its driver to cease driving at the 14th hour is in violation of 49 C.F.R. 395.3(a)(2), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$250.
- b. On January 5, 2017, Elegant Home Design required or permitted its driver, Dave Thrower, to operate a CDL-required commercial motor vehicle, a 2014 Mitsubishi, VIN ending in 53181, GVWR 33,000 lbs., in interstate commerce from Lenexa, Kansas to Springfield, Missouri. This trip is evidenced by Driver's Daily Log, dated January 5, 2017, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, driver Dave Thrower drove more than eight (8) hours since the end of driver's last off duty or sleeper berth period of at least 30 minutes. The special investigators found five (5) violations of this type. Elegant Home Design's failure to provide "rest breaks" to its drivers if more than eight (8) hours have passed since the

end of the driver's last off-duty or sleeper-berth period of at least 30 minutes is a violation of 49 C.F.R. 395.3(a)(3)(ii), adopted by K.A.R. 82-4-3, and implemented by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$250.

- c. On February 13, 2017, Elegant Home Design required or permitted its driver, Curtis Sims, to operate a 2014 Mitsubishi, VIN ending in 53181, GVWR 33,000 lbs., in intrastate commerce in and around the area of Lenexa, Kansas. This trip is evidenced by Driver's Daily Log, dated February 13, 2017, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, Elegant Home Design failed to require its driver to make a record of duty status for the previous seven days in operation. The special investigators found seven (7) violations of this type. Elegant Home Design's failure to require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation is in violation of 49 C.F.R. 395.8(a), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$250.
- d. During the transportation described in paragraph a., above, driver Jose Cariollo created a false record of duty status. The special investigators compared the Driver's Daily Log, dated January 3, 2017, with gas receipts and credit card transactions and found discrepancies in the record of duty

status. The Driver's Daily Log is attached hereto as Attachment "B". The gas receipts and credit card transaction list is attached hereto as Attachment "E", and is hereby incorporated by reference. The special investigators found four (4) violations of this type. Elegant Home Design's falsifying records of duty status is a violation of 49 C.F.R. 395.8(e)(1), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$1,000.

IV. STAFF'S RECOMMENDATIONS

9. Based upon the available facts, Staff recommends the Commission find Elegant Home Design committed four (4) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

10. Staff recommends a civil penalty of \$1,750 for four (4) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

11. Staff provides notice to the Commission that Elegant Home Design, L.L.C., d/b/a Bedrock International is a New Entrant motor carrier and is eligible for a fifty-percent (50%) reduced civil penalty if it submits the Reduced Penalty Agreement which is attached to the Notice of Penalty Assessment and it is approved.

12. Staff recommends Elegant Home Design, L.L.C., d/b/a Bedrock International submit a Corrective Action Plan (CAP) within 30 days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in the this 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. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

13. Staff further recommends that Elegant Home Design attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to the Transportation Division.

14. Finally, Staff recommends that Elegant Home Design submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

15. The Commission finds it has jurisdiction over Elegant Home Design because it is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108.

16. The Commission finds Elegant Home Design committed four (4) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

17. The Commission finds Elegant Home Design is a New Entrant motor carrier and is eligible for an a fifty-percent (50%) reduction in the penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix. The carrier must submit to Litigation Counsel the Reduced Penalty Agreement attached, which states it will comply with the reduced penalty terms and obligations set out therein. If Elegant Home Design does not submit the Agreement within fifteen (15) days from the date of this Penalty Order, it no longer is eligible for the reduced penalty option and must comply with the terms and conditions

of this Order, including payment of the full penalty of \$1,750 within thirty (30) days from the date of service of this Penalty Order.

THE COMMISSION THEREFORE ORDERS THAT:

A. Elegant Home Design, L.L.C., d/b/a Bedrock International, of Lenexa, Kansas is hereby assessed penalty of \$1,750 for four (4) violation(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. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding (17-TRAM-437-PEN).*

B. Elegant Home Design is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Transportation Staff. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

C. Elegant Home Design must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in the attached 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.

D. Elegant Home Design is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

E. If Elegant Home Design does not submit the Reduced Penalty Agreement and fails to pay the full penalty(s) of \$1,750 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of Elegant Home Design's motor carrier operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. Pursuant to K.S.A. 2016 Supp. 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, within fifteen (15) days from the date of service of this Penalty Order. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel within fifteen (15) days from the date of service of this Order. If you do not have access to the internet, you can mail an original seven (7) copies of the request to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel within fifteen (15) days from the date of service of this Order. On April 4, 2017, this Order was mailed via Certified Mail, Return Receipt Requested, Receipt Number 7016 1970 0001 0574 1119. Service of this Order is deemed complete upon the date delivered shown on the Domestic Return Receipt. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Elegant Home Design's right to a hearing.

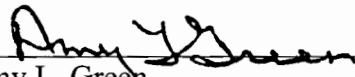
G. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination 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. 2016 Supp. 66-1,142b(e) and amendments thereto.

H. 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.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: APR 04 2017




Amy L. Green
Secretary to the Commission

AAL

Order Mailed Date

APR 04 2017

ATTACHMENT “A”

| | | | | | |
|---|----------------------------|---|--------------------------------------|------------------------------|--------------------------------------|
|  | US DOT # 2574263 | Legal: ELEGANT HOME DESIGN LLC Operating (DBA):BEDROCK INTERNATIONAL | | | |
| MC/MX #: | | State #: | | Federal Tax ID: (EIN) | |
| Review Type: Compliance Review (CR) | | | | | |
| Scope: Principal Office | | Location of Review/Audit: Company facility in the U. S. | | | Territory: |
| Operation Types | | Interstate | Intrastate | | |
| Carrier: Non-HM | | N/A | | | |
| Shipper: N/A | | N/A | | | |
| Cargo Tank: N/A | | | | | |
| | | Business: Corporation | | | |
| | | Gross Revenue: | | for year ending: 12/31/2016 | |
| Company Physical Address: | | | | | |
| | | | | | |
| Contact Name: Wanessa Dougherty | | | | | |
| Phone numbers: (1) | | | | | |
| E-Mail Address: | | | | | |
| Company Mailing Address: | | | | | |
| 9929 LACKMAN ROAD LENEXA, KS 66219-1211 | | | | | |
| Carrier Classification | | | | | |
| Private Property | | | | | |
| Cargo Classification | | | | | |
| Other: granite | | | | | |
| Equipment | | | | | |
| | Owned | Term Leased | Trip Leased | | Owned Term Leased Trip Leased |
| Truck | 5 | 3 | 0 | Truck Tractor | 0 2 0 |
| Trailer | 6 | 0 | 0 | | |
| Power units used in the U.S.:10 | | | | | |
| Percentage of time used in the U.S.:100 | | | | | |
| Does carrier transport placardable quantities of HM? No | | | | | |
| Is an HM Permit required? N/A | | | | | |
| Driver Information | | | | | |
| | Inter | Intra | | | |
| < 100 Miles: | 6 | | Average trip leased drivers/month: 0 | | |
| >= 100 Miles: | 3 | | Total Drivers: 9 | | |
| | | | CDL Drivers: 9 | | |




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|---|---|------------|----------------------------|
|  | BEDROCK INTERNATIONAL (ELEGANT HOME DESIGN LLC dba) U.S. DOT #: 2574263 | State #: . | Review Date: 03/17/2017 |
|---|---|------------|----------------------------|

Part B Violations

| | | | | |
|--|---|-----------------|---------------|---|
| 1 FEDERAL | Primary: 391.21(a) | Discovered 5 | Checked 5 | Drivers/Vehicles In Violation 5 Checked 5 |
| Description Using a driver who has not completed and furnished an employment application. Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver J operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip and the time of this review carrier used a driver who has not completed and furnished an employment application. | | | | |
| 2 FEDERAL | Primary: 391.51(b)(5) | Discovered 5 | Checked 5 | Drivers/Vehicles In Violation 5 Checked 5 |
| Description Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip and time of this review carrier failed to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). | | | | |
| 3 FEDERAL | Primary: 391.51(b)(6) | Discovered 5 | Checked 5 | Drivers/Vehicles In Violation 5 Checked 5 |
| Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip and the time of this review carrier failed driver to prepare record of duty status in form and manner prescribed. | | | | |
| 4 STATE | Primary: 395.3(a)(2) CFR Equivalent: 395.3(a)(2) | Discovered 0 | Checked 86 | Drivers/Vehicles In Violation 0 Checked 5 |
| Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty. Example No violations of this type were observed in Intrastate commerce. | | | | |



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|  | BEDROCK INTERNATIONAL (ELEGANT HOME DESIGN LLC dba) | | Review Date: |
| | U.S. DOT #: 2574263 | State #: | 03/17/2017 |

Part B Violations

| | | | | | |
|---|---|------------------------|----------------------|---|---------------------|
| 5 FEDERAL | Primary: 395.3(a)(2) | Discovered 5 | Checked 54 | Drivers/Vehicles In Violation 1 | Checked 5 |
| <p>Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty.</p> <p>Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier required or permitted a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty.</p> | | | | | |
| 6 STATE | Primary: 395.3(a)(3)(ii) CFR Equivalent: 395.3(a)(3)(ii) | Discovered 1 | Checked 86 | Drivers/Vehicles In Violation 1 | Checked 5 |
| <p>Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.</p> <p>Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate a 2005 Kenworth (Unit # T-5 - VIN# 099325) in interstate commerce. This vehicle has a gross vehicle weight rating of 33,000 lbs. Driver operated in commerce on an intrastate trip from Lenexa, Kansas to Wichita, KS. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier required or permitted a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.</p> | | | | | |
| 7 FEDERAL | Primary: 395.3(a)(3)(ii) | Discovered 4 | Checked 54 | Drivers/Vehicles In Violation 3 | Checked 5 |
| <p>Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.</p> <p>Example On 1/5/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Mitsubishi (Unit # 501 - VIN# 53181) in interstate commerce. This vehicle has a gross vehicle weight rating of 33,000 lbs. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Springfield, Missouri. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier required or permitted a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.</p> | | | | | |




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|  | BEDROCK INTERNATIONAL (ELEGANT HOME DESIGN LLC dba) | | Review Date: |
| | U.S. DOT #: 2574263 | State #: | 03/17/2017 |

Part B Violations

| | | | | | |
|--|---|-----------------|---------------|---------------------------------------|--------------|
| 8 STATE | Primary: 395.8(a) CFR Equivalent: 395.8(a) | Discovered 7 | Checked 93 | Drivers/Vehicles In Violation 1 | Checked 5 |
| Description Failing to require driver to make a record of duty status. On 2/13/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Mitsubishi (Unit # 501 - VIN# 53181) in intrastate commerce. This vehicle has a gross vehicle weight rating of 33,000 lbs. Driver operated in commerce on an intrastate trip from Lenexa, Kansas to Lenexa, Kansas. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier failed to require driver to make a record of duty status. Driver made a trip in a CDL required vehicle without having first accounted for the hours worked during the preceeding seven days. | | | | | |
| 9 FEDERAL | Primary: 395.8(a) | Discovered 0 | Checked 54 | Drivers/Vehicles In Violation 0 | Checked 0 |
| Description Failing to require driver to make a record of duty status. Example No violaitons of this type were observed in Interstate commerce. | | | | | |
| 10 STATE | Primary: 395.8(e) CFR Equivalent: 395.8(e) | Discovered 0 | Checked 86 | Drivers/Vehicles In Violation 0 | Checked 5 |
| Description False reports of records of duty status. Example No violaitons of this type were observed in Intrastate commerce. | | | | | |
| 11 FEDERAL | Primary: 395.8(e) | Discovered 2 | Checked 54 | Drivers/Vehicles In Violation 1 | Checked 5 |
| Description False reports of records of duty status. Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver Jose Carrillo operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip driver created a false records of duty status. | | | | | |
| 12 STATE | Primary: 395.8(e) CFR Equivalent: 395.8(e) | Discovered 0 | Checked 86 | Drivers/Vehicles In Violation 0 | Checked 5 |
| Description False reports of records of duty status (inaccurate) Example No violaitons of this type were observed in Intrastate commerce. | | | | | |

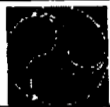


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|  | BEDROCK INTERNATIONAL (ELEGANT HOME DESIGN LLC dba) | | Review Date: |
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Part B Violations

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|---|---|------------------|---------------|---------------------------------------|--------------|
| 13 FEDERAL | Primary: 395.8(e) | Discovered 2 | Checked 54 | Drivers/Vehicles In Violation 2 | Checked 5 |
| Description False reports of records of duty status (inaccurate) Example On 1/12/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Mitsubishi (Unit # 501 - VIN# 53181) in interstate commerce. This vehicle has a gross vehicle weight rating of 33,000 lbs. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Springfield, Missouri. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip driver created a false records of duty status. | | | | | |
| 14 STATE | Primary: 395.8(f) CFR Equivalent: 395.8(f) | Discovered 12 | Checked 86 | Drivers/Vehicles In Violation 2 | Checked 5 |
| Description Failing to require driver to prepare record of duty status in form and manner prescribed. Example On 11/23/16 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Mitsubishi (Unit # 501 - VIN# 53181) in intrastate commerce. This vehicle has a gross vehicle weight rating of 33,000 lbs. Driver operated in commerce on an intrastate trip from Lenexa, Kansas to Overland Park, Kansas. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier failed to require driver to prepare record of duty status in form and manner prescribed. | | | | | |
| 15 FEDERAL | Primary: 395.8(f) | Discovered 27 | Checked 54 | Drivers/Vehicles In Violation 5 | Checked 5 |
| Description Failing to require driver to prepare record of duty status in form and manner prescribed. Example On 1/3/17 Elegant Home Design dba Bedrock International had driver (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier failed to require driver to prepare record of duty status in form and manner prescribed. | | | | | |
| 16 FEDERAL | Primary: 396.3(b)(2) | Discovered 5 | Checked 5 | Drivers/Vehicles In Violation 0 | Checked 0 |
| Description Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. Example On 1/3/17 Elegant Home Design dba Bedrock International had driver Jose Carillo (KS CDL#) operate 2014 Volvo Tractor (Unit # 687942 - VIN# 175566) in combination with a drop trailer (Unit# T17 - VIN# 78860) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 80,000 lbs. respectively. Driver operated in commerce on an interstate trip from Lenexa, Kansas to Dubuque, Iowa. This trip is evidenced by a driver record of duty status, driver trip report, fuel receipt and credit card statement. At the time of this trip carrier failed to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. | | | | | |



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|---|--|---------------------|
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| Part B Requirements and/or Recommendations | | |

1. For all Investigations:

- **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.
- **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 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 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 allows 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. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>


For all Investigations that could result in a Notice of Claim:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. 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 Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

US Department of Transportation
 Federal Motor Carrier Safety Administration
 Kansas Division
 Division Administrator

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1303 First American Place
Suite 200
Topeka, KS 66604-4040

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual 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 letter, addressing the measures taken to correct the 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. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.

The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.

Motor carrier's currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site.

The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

3. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN:

Elegant Home Design LLC dba Bedrock International's violations occurred due to a breakdown regarding the monitoring and tracking elements of compliance within this section. Carrier has established the correct methods of recording hours of service records for each CMV driver. That said, you need to develop a better methodology for ensuring that all drivers record complete and accurate records of duty status. It is incumbent upon the carrier to review all driver records of duty status reports and verify that they are correct and accurate. Monitor the time records continually in order to track the driver movements. Finally, verify the accuracy of their reports with supporting documents. These duties and the documents verifying their completion require continued monitoring and tracking by





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carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Utilize the forms provided to you from the "Red Book" to assist you in correcting these HOS violations. These documents illustrate the correct way for drivers to complete their log book pages. Additionally, ensure that branch managers examine all logs for errors and issues. If you have any questions or needs, please don't hesitate to contact me.

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
- 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.
- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
- 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.
- Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.
- Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.
- When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or represents a systemic breakdown in the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

4. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Training and Communication

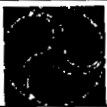
DESCRIPTION OF PROCESS BREAKDOWN:

Elegant Home Design dba Bedrock International's roadside violations occurred due to a breakdown regarding the training and communication elements of compliance within this section. Carrier drivers have been stopped multiple times by enforcement personnel for issues pertaining to unsafe driving (e.g. speeding, invalid operator's license, and miscellaneous traffic laws). These preventable violations will lead to future issues regarding your CSA score. Develop a training program to address these driver issues. Focus primarily on speeding and distracted driving. Utilize the FMCSA's website to assist you in formulating this training. If you have any questions or needs, please don't hesitate to contact me.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Develop and execute the above mentioned driver training program.



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Implement Safety Improvement Practices: The following are recommended practices related to Communication and Training.

- Convey expectations to all applicable staff for adhering to safe-driving regulations and company policies and procedures, and for expecting responsibilities by providing new-hire and refresher training, and establish communication channels such as newsletters and/or meetings focused on conflicts between on-time delivery and speeding.
- Provide seminars on topics relevant to safe driving, such as when to use flashers; how to handle road rage; the importance of keeping one's eyes on the road ahead and scanning it, with no manual dialing or texting and no use of in-vehicle devices that draw attention away from the road; how to use maps; and no use of radar detectors.
- Communicate the carrier's Unsafe Driving percentiles to all staff, and explain to them individually what they can do to help improve the percentile.
- Ensure that managers and supervisors regularly communicate and demonstrate their commitment to safe driving.
- Inform drivers that their driving history is a factor in determining whether the carrier will be chosen for a roadside inspection as a way to motivate them to drive safely.
- Ensure that all drivers and other employees receive new-hire and refresher training in safe driving as required by regulations and company policy.
- Ensure that drivers are trained in driver Out-of-Service (OOS) rules, their responsibility in adhering to them, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.
- Train the safety director and dispatchers on how to schedule routes that can be completed without speeding.
- Train all staff who are required to monitor and track unsafe-driving behaviors on appropriate company policies, including those related to discipline and incentives.
- Train the hiring manager about issues associated with hiring "high-risk" drivers, such as the impact of drivers with road rage on insurance rates and how to identify these drivers.
- Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to unsafe-driving regulations and company policies and procedures.
- Reinforce training about safe-driving policies, procedures, and responsibilities to drivers, dispatchers, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among them so that they can help each other to improve.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

5. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN:

Elegant Home Design dba Bedrock International failed to establish an overall maintenance policy for company vehicles. They also failed to have a preventative maintenance program that meets the standards laid forth in the regulations. Carrier violations occurred due to a breakdown regarding the policies and procedures elements of compliance within this section. Carrier neglected to establish the appropriate maintenance plans for their commercial motor vehicles. Carrier must create the policies and procedures necessary to effectively maintain the fleet. Follow the directions given to you at the time of our review. All of the required maintenance documents were provided to you from the "Red Book". These duties and the documents verifying their completion require continued monitoring and tracking by carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Establish a company maintenance program. Establish a comprehensive preventative maintenance program to ensure that all vehicles receive adequate preventative maintenance. Utilize the provided forms to assist you in these responsibilities. If you have any questions or needs, please don't hesitate to contact me.

Implement Safety Improvement Practices: The following are recommended practices related to Policies and



**Part B Requirements and/or Recommendations****Procedures.**

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

6. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Roles and Responsibilities**DESCRIPTION OF PROCESS BREAKDOWN:**

Elegant Home Design dba Bedrock International's violations occurred due to a breakdown regarding the Roles and Responsibilities elements of compliance within this section. Carrier has established organized driver qualification files for each CMV driver. That said, you need to develop a better methodology for ensuring that all drivers have the requisite paperwork in their individual files. It is incumbent upon the carrier to execute all annual requirements for their commercial motor vehicle drivers. These duties and the documents verifying their completion require continued monitoring and tracking by carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Ensure that all driver applications meet the federal requirements. Additionally, make sure that you have drivers complete a listing of driver violations when you run the MVRs. Then sign the certificate qualifying them for another year if they meet the standards. Utilize the documents provided to you at the time of this review to complete these requirements.

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Define and document the role of managers and supervisors for implementing driver-fitness policies and for monitoring compliance with them. This should include regular evaluation of the carrier's driver-wellness program.
- Define and document roles and responsibilities of managers and supervisors in providing training and maintaining qualifications for all employees according to driver-fitness regulations and company policies and procedures.
- Ensure that operations managers and dispatchers are responsible for having the proper amount of fit drivers by considering short-term changes, for example, with regard to vacations, variations in sales, and additional driver duties, and long-term changes, for example, with regard to permanent reassignment and termination of employees.
- Ensure that dispatchers and operation managers are responsible for ascertaining that drivers are qualified before authorizing runs.
- Define and document roles and responsibilities of drivers, dispatchers, and other personnel according to driver fitness regulations and company policies and procedures.





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Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

7. 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 Elegant Home Design dba Bedrock International's operating authority and/or the impoundment of Elegant Home Design dba Bedrock International's vehicles.

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Wanessa Dougherty





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- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

6. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN:

Elegant Home Design dba Bedrock International's violations occurred due to a breakdown regarding the Roles and Responsibilities elements of compliance within this section. Carrier has established organized driver qualification files for each CMV driver. That said, you need to develop a better methodology for ensuring that all drivers have the requisite paperwork in their individual files. It is incumbent upon the carrier to execute all annual requirements for their commercial motor vehicle drivers. These duties and the documents verifying their completion require continued monitoring and tracking by carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Define and document the role of managers and supervisors for implementing driver-fitness policies and for monitoring compliance with them. This should include regular evaluation of the carrier's driver-wellness program.
- Define and document roles and responsibilities of managers and supervisors in providing training and maintaining qualifications for all employees according to driver-fitness regulations and company policies and procedures.
- Ensure that operations managers and dispatchers are responsible for having the proper amount of fit drivers by considering short-term changes, for example, with regard to vacations, variations in sales, and additional driver duties, and long-term changes, for example, with regard to permanent reassignment and determination of employees.
- Ensure that dispatchers and operation managers are responsible for ascertaining that drivers are qualified before authorizing runs.
- Define and document roles and responsibilities of drivers, dispatchers, and other personnel according to driver fitness regulations and company policies and procedures.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

7. 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 Elegant Home Design dba Bedrock International's operating authority and/or the impoundment of Elegant Home Design dba Bedrock International's vehicles.

x

Wanessa Dougherty

3/13/2017



ATTACHMENT “B”

FORM MCS 59 Prescribed by the U.S. DEPT. OF TRANSPORTATION FEDERAL
HIGHWAY ADMINISTRATION WASHINGTON, D.C.
FORM D700C DRUStyle JACK-BILT CORP.
www.jack-bilt.net (800) 522-5245 (510) 842-5065

DRIVER'S DAILY LOG

(One calendar day - 24 hours)

ORIGINAL - Forward to designated terminal
DUPLICATE CARBON COPY - Driver retains in
their possession for 7 consecutive days.

Hours Worked
Last 7 Days

1 3 17
(Month) (Day) (Year)

530
(Total miles today)
530
(Total miles driving today)

I certify these entries are true and correct

687942
Vehicle # (show each unit)

Driver's Signature in full: Driver's ID #

(Name of Co-driver) Driver's ID #

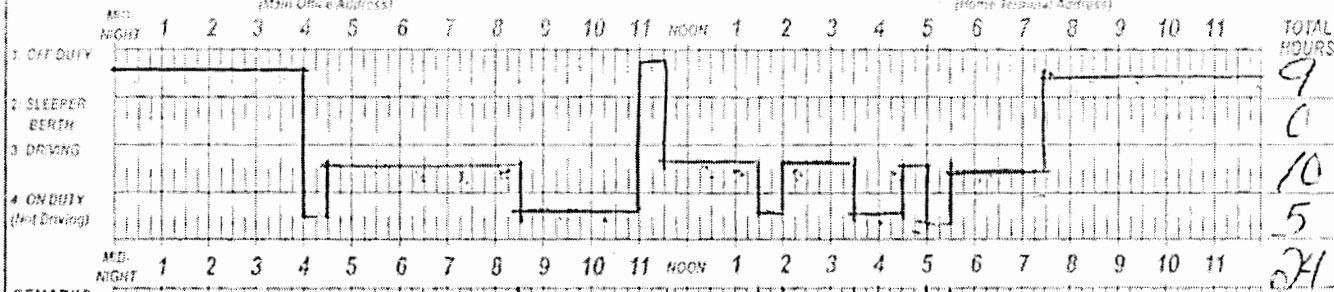
Elegant Home Design LLC, DBA Bedrock Int'l

(Name of Carrier or Owner)

9929 Lackman Rd., Lenexa, KS 66219

(Main Office Address)

(Home Terminal Address)



(Yesterday)

Total Hours

70 Hours Less Total Hours Equals Hours Available Today

Hours Worked Today

If Hours Worked Today Exceeds Hours Available, You are in Violation. Your Reason is to be Entered in "Remarks"

61* Natural Stone Elegant Home

Shipping document, manifest number, or name of shipper and commodity information required by § 395.8. Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours. § 395.8

FROM:

Lenexa, KS
(Starting point or place)

TO:

Cedar Rapids, IA
(Destination or turn-around point or place)

USE TIME STANDARD AT HOME TERMINAL

ATTACHMENT “C”

www.jack-dill.net (800) 522-5245 (816) 842-5065

(One calendar day - 24 hours)

their possession for 7 consecutive days.

© 2004 Blackwell Publishing Ltd *Journal of Internal Medicine* 255: 103–110

(Month) (Day) (Year)

(Total mileage today)

Vehicle number - (show each page)

[Illegible handwritten signature]

Office of Career & Community

Name of the developer:

REMARKS:

8.1.5 Natural Stone

13 14 15 16 17 18 19 20

USE TIME STANDARD AT HOME TERMINAL

(Destination or turn around point or place)

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152

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72 Henry 1 648 Y.

24 Hours Equals

Figure Available

1538

100

145

67.0

www.elsevier.com/locate/jmb

Hours Worked

Today

1000

120

16

10

Figure 1. The effect of the number of trials on the mean accuracy of the responses. The error bars represent the standard error of the mean.

IF PLANTS WORKED
 To-day's *Crocodylus*

100% *in situ* detection

Y. 100.100

1000 500 100
1000 500 100

It is to

RESPONSES TO PA. 0000000000

2000

275226

ATTACHMENT “D”

Enter the number of working hours (on duty & driving) needed 7 days a week to do the job. If there is one that is more than 70 hours, write "more than 70 hours" and enter the hours worked in Column 1 and write the hours needed during the last 3 days and enter in Column 2. Do not enter a vacation and should be credited for more than 40 hours.

The figures in Table 1 represent calculated daily and hourly flows by route by each day of the week. Columns are provided for each of the four flow directions shown.

YEAR

(Destination or turn around point or place)

If Hours Worked Today Exceeds Hours Available You are in Violation. Your Reason is to be Entered in "Remarks"

ATTACHMENT “E”



Store #2580000
201 E. 27th Avenue
Ottawa, KS 66067
(781) 242-2882

Receipt #99894757
Type Sale Normal

| Qty | Name | Price | Total |
|------|--------------|--------|--------|
| 1.00 | DIESEL | 2.689 | 141.61 |
| | Pump: | 20 | |
| | Gallons: | 52.651 | |
| | Price / Gal: | 2.689 | |

| | |
|----------|--------|
| Subtotal | 141.61 |
| Sale Tax | 0.00 |
| Total | 141.61 |

Received

| | |
|----------------|---------------------|
| Card data | 141.61 |
| Card NO | *****9883 |
| Approval | 291806 |
| Company | ELEGANT HOME DESIGN |
| Total Received | 141.61 |

Prompts

| | |
|-------------|--------|
| VehicleID | 300 |
| HubOdometer | 423651 |

Pos H99
Clerk H99 Pay at Pump
Date 1/3/2017

Thank you for shopping at Love's



Store #6840000
1400 Industrial Park Road
Ellsworth, IA 50075
515-836-4800

Receipt #99005471
Type Sale Normal

| Qty | Name | Price | Total |
|------|--------------|--------|--------|
| 1.00 | DIESEL | 2.589 | 251.15 |
| | Pump: | 18 | |
| | Gallons: | 97.006 | |
| | Price / Gal: | 2.589 | |

| | |
|----------|--------|
| Subtotal | 251.15 |
| Sale Tax | 0.00 |
| Total | 251.15 |

Received

| | |
|----------------|---------------------|
| Cardata | 251.15 |
| Card NO | *****0484 |
| Approval | 268059 |
| Company | ELEGANT HOME DESIGN |
| Total Received | 251.15 |

Prompts

| | |
|-------------|--------|
| VehicleID | 687942 |
| HubOdometer | 182421 |

Transaction History

Account Code: ALL

Start Date: 01/01/2017 End Date: 01/14/2017

Found 33 records matching query.


Return to Query

Print

Initiate Dispute

- Select "Transaction Status" to View Transaction Detail.
- Transaction Dispute Process.
 1. Select the transactions that you want to dispute.
 2. Click "Initiate Dispute" button to select Dispute Reason.
 3. Click on "Dispute" button.

FIRST PREV NEXT LAST

Note:  indicates transaction was already disputed.

| Customer ID | Transaction Date/Time | Authorized Amount | Posted Date/Time | Posted Amount | Merchant Name | Transaction Status | Cardholder Name | Card Number | Card Token | MCC |
|-------------|-----------------------|-------------------|---------------------|---------------|------------------------|--------------------|-----------------|------------------|------------|------|
| BLJ9D | 12/30/2016 06:42:50 | 68.61 | 01/02/2017 03:16:53 | 68.61 | LOVE S TRAVEL 00005009 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 12/30/2016 13:05:23 | 19.67 | 01/02/2017 03:16:53 | 19.67 | LOVE S TRAVEL 00005009 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 01/03/2017 11:25:48 | 0.00 | 01/03/2017 11:25:48 | 0.00 | LOVES #684 ELLSWORTH I | Authorized | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/03/2017 11:30:28 | 251.15 | 01/03/2017 11:30:28 | 251.15 | LOVES #684 ELLSWORTH I | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/03/2017 11:39:57 | 53.37 | 01/05/2017 03:33:02 | 53.37 | LOVE S TRAVEL 00006841 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 01/03/2017 18:02:20 | 75.04 | 01/05/2017 09:21:41 | 75.04 | LA QUINTA INN & SUITES | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 3516 |
| BLJ9D | 01/03/2017 20:18:20 | 43.39 | 01/05/2017 03:54:13 | 50.39 | CHILTS #652 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5812 |
| BLJ9D | 01/04/2017 12:26:41 | 0.00 | 01/04/2017 12:26:41 | 0.00 | LOVES #684 ELLSWORTH I | Authorized | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/04/2017 12:32:03 | 312.00 | 01/04/2017 12:32:03 | 312.00 | LOVES #684 ELLSWORTH I | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/04/2017 12:36:33 | 5.87 | 01/05/2017 09:25:59 | 5.87 | HARDEE'S 684 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5814 |
| BLJ9D | 01/04/2017 12:41:05 | 91.74 | 01/06/2017 03:56:38 | 91.74 | LOVE S TRAVEL 00006841 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 01/05/2017 07:45:16 | 0.00 | 01/05/2017 07:45:16 | 0.00 | LOVES #636 NOWATA OK | Authorized | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/05/2017 07:53:29 | 212.02 | 01/05/2017 07:53:29 | 212.02 | LOVES #636 NOWATA OK | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/05/2017 08:09:19 | 72.87 | 01/07/2017 03:29:15 | 72.87 | LOVES TRAVEL S00006361 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 01/05/2017 12:42:30 | 7.62 | 01/08/2017 09:26:57 | 7.62 | SUBWAY 00538090 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5814 |
| BLJ9D | 01/06/2017 10:45:52 | 10.72 | 01/07/2017 04:40:03 | 12.72 | THE DINNER BELL | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5812 |
| BLJ9D | 01/06/2017 16:03:11 | 28.42 | 01/07/2017 06:42:44 | 30.42 | THE DINNER BELL | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5812 |
| BLJ9D | 01/06/2017 16:12:29 | 0.00 | 01/06/2017 16:12:29 | 0.00 | LOVES #500 EAGLEVILLE | Authorized | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/06/2017 16:17:16 | 255.97 | 01/06/2017 16:17:16 | 255.97 | LOVES #500 EAGLEVILLE | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |
| BLJ9D | 01/09/2017 06:19:57 | 56.22 | 01/11/2017 03:18:38 | 56.22 | LOVE S TRAVEL 00005009 | Posted | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | 5541 |
| BLJ9D | 01/09/2017 13:24:31 | 0.00 | 01/09/2017 13:24:31 | 0.00 | LOVES #500 EAGLEVILLE | Authorized | JOSE CARILLO | 556735XXXXXX0484 | 244C42N2J3 | CDNP |

Transaction History

Account Code: ALL

Start Date: 01/01/2017 End Date: 01/14/2017

Found 10 records matching query.

[Return to Query](#)
[Print](#)
[Initiate Dispute](#)

- Select "Transaction Status" to View Transaction Detail.
- Transaction Dispute Process.
 1. Select the transactions that you want to dispute.
 2. Click "Initiate Dispute" button to select Dispute Reason.
 3. Click on "Dispute" button.

Note:  indicates transaction was already disputed.

FIRST PREV NEXT LAST

| Customer ID | Transaction Date/Time | Authorized Amount | Posted Date/Time | Posted Amount | Merchant Name | Transaction Status | Cardholder Name | Card Number | Card Token | MCC |
|-------------|-----------------------|-------------------|---------------------|---------------|------------------------|--------------------|-----------------|------------------|------------|------|
| BLJ9D | 01/03/2017 12:51:27 | 0.00 | 01/03/2017 12:51:27 | 0.00 | LOVES #258 OTTAWA KS | Authorized | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/03/2017 12:55:30 | 141.61 | 01/03/2017 12:55:30 | 141.61 | LOVES #258 OTTAWA KS | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/05/2017 11:40:01 | 131.12 | 01/06/2017 05:30:28 | 131.12 | PHILLIPS 66 - C STORE | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | 5542 |
| BLJ9D | 01/06/2017 13:16:54 | 274.36 | 01/06/2017 13:16:54 | 274.36 | 51 FL GASPER'S KINGDOM | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/09/2017 14:09:34 | 0.00 | 01/09/2017 14:09:34 | 0.00 | LOVES #258 OTTAWA KS | Authorized | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/09/2017 14:15:19 | 244.41 | 01/09/2017 14:15:19 | 244.41 | LOVES #258 OTTAWA KS | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/10/2017 13:22:57 | 285.28 | 01/10/2017 13:22:57 | 285.28 | LAMAR TRAVEL PLAZA CON | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | CDNP |
| BLJ9D | 01/11/2017 12:35:00 | 75.00 | 01/12/2017 04:11:33 | 75.00 | PHILLIPS 66 - PRAIRIE | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | 5542 |
| BLJ9D | 01/11/2017 13:07:28 | 70.00 | 01/12/2017 04:11:33 | 70.00 | PHILLIPS 66 - PRAIRIE | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | 5542 |
| BLJ9D | 01/12/2017 09:36:12 | 141.72 | 01/14/2017 04:41:52 | 141.72 | FM 403 | Posted | DAVID TROWER | 556735XXXXXX9883 | 242P76F2V6 | 5541 |

FIRST PREV NEXT LAST

CERTIFICATE OF SERVICE

17-TRAM-437-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on APR 04 2017.

WANESSA DOUGHERTY, CHIEF OPERATING OFFICER
ELEGANT HOME DESIGN, L.L.C.
D/B/A BEDROCK INTERNATIONAL
9929 LACKMAN ROAD
LENEXA, KS 66219-1211
Fax: 913-438-2357
wanessa@bedrockintl.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date

APR 04 2017