

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

In the Matter of the Investigation of)
Affordable Movers LLC of Kansas City,)
Missouri, Pursuant to the Kansas Highway)
Patrol Issuance of a Notice of Violation(s) and) Docket No. 25-GIMM-220-KHP
Invoice for the Violations of the Kansas Motor)
Carrier Safety Statutes, Rules and Regulations.)

**STAFF'S MOTION TO DISMISS
AFFORDABLE MOVERS LLC'S REQUEST FOR HEARING**

Litigation Counsel for Staff of the State Corporation Commission of the State of Kansas (Litigation Counsel, Staff and Commission, respectively) presents the above-captioned matter to the Commission for dismissal of Affordable Movers LLC's Request for a Hearing. In support of its Motion, Litigation Counsel states as follows:

1. Affordable Movers LLC (Affordable Movers or Carrier) is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2826489.

2. On October 1, 2024, the Kansas Highway Patrol (KHP) issued a Notice of Violation(s) to Affordable Movers LLC, for an alleged violation found during a September 26, 2024, routine motor carrier stop and inspection conducted by the KHP. Affordable Movers was assessed \$150.00 in civil fines, comprised of the following violation, a \$150.00 fine for "Failing to secure vehicle equipment," citing 49 C.F.R. 392.9(a)(2).

3. The Notice of Violation(s) stated: "You have thirty (30) days from the date of this letter to pay the fine amount as indicated on the enclosed invoice or thirty (30) days from the date of this letter to submit a review..." Thirty days from the date of the invoice was October 31, 2024.

4. On November 11, 2024, Affordable Movers submitted a formal challenge to the KHP.

5. On November 15, 2024, the KHP denied Affordable Movers' challenge and advised Affordable Movers of its right to an administrative hearing before the Commission. The KHP's denial stated: "Your request for an internal review has been denied due to not requesting the internal review within the 30 days stated on the invoice."

6. On November 18, 2024, the Kansas Corporation Commission received Affordable Movers' request for hearing before the Commission.

7. Staff moves to affirm the KHP's denial of Affordable Movers' challenge and dismiss the Carrier's request for a hearing based on the fact the Carrier did not timely submit a challenge to the KHP. Affordable Movers' challenge was required to be submitted within thirty days, on or before October 31, 2024. Instead Affordable Movers' challenge was submitted after forty-one days, on November 11, 2024. The challenge was submitted eleven days past the required deadline.

8. Staff requests that Commission require the Carrier to pay the civil fines totaling \$150 within thirty days of issuance of the Commission's Order.

WHEREFORE, for the reasons set forth above, Staff respectfully requests the Commission find that Affordable Movers LLC's Request for Hearing be dismissed and that the Commission require the Carrier to pay the civil fines totaling \$150 within thirty days of issuance of the Commission's Order.

Respectfully submitted,

/s/ Ahsan A. Latif

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For Commission Staff

CERTIFICATE OF SERVICE

25-GIMM-220-KHP

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on November 19, 2024.

Raymond Davies, JR., OWNER
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/S/ Kiley McManaman

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