

CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027PHONE: 785-271-3100
FAX: 785-271-3354
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

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

NOTICE OF PENALTY ASSESSMENT

18-TRAM-547-PEN

June 26, 2018

Franz Friessen, Owner
d/b/a Friessen Trucking
7456 Road O
Liberal, Kansas 67901**Certified Mail No. 70161970000105745735**

This is a notice of a penalty assessment against Franz Friessen, d/b/a Friessen Trucking (Friessen Trucking) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on May 17, 2018, by Kansas Corporation Commission Special Investigator Verna Jackson. Penalty amounts are assessed in accordance with the FY 2018 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2017. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: Friessen Trucking has been assessed a \$700 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the penalty. Please remit payment of \$700, through your personal account with the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty.

The Order requires Friessen Trucking to submit to one follow-up safety compliance review within 18 months from the date of the attached Order. Transportation Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Friessen Trucking 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 must mail a copy of the request to the undersigned 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 Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$700 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the attached Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ahsan A. Latif".

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

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

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

In the Matter of the Investigation of **Franz**)
Friessen, d/b/a Friessen Trucking, of Liberal,)
Kansas, Regarding the Violation of the Motor)
Carrier Safety Statutes, Rules and Regulations) Docket No. 18-TRAM-547-PEN
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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2017 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. 2017 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. 2017 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. Franz Friessen, d/b/a Friessen Trucking (Friessen Trucking) has common operating authority with the Commission and further operates USDOT number 1306493.

5. Friessen Trucking is a common motor carrier which primarily hauls general freight, metal, sheets, coils, rolls, machinery, large objects, grain, feed, hay, and farm supplies.

6. Friessen Trucking transports in commerce between states (interstate commerce), and is thereby subject to the Unified Carrier Registration (UCR) fees assessed pursuant to 49 C.F.R. 367.30, as adopted by K.A.R. 82-4-30a.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on May 17, 2018, Commission Staff (Staff) Special Investigator Verna Jackson conducted a compliance review of the operations of Friessen Trucking. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. At the time of the IRP audit on April 5, 2017, Friessen Trucking was found to be in violation of failure to pay the correct Unified Carrier

Registration (UCR) fees for its registered commercial motor vehicles. On October 19, 2016, Friessen Trucking paid UCR fees for 20 vehicles, and it had 24 vehicles registered. *See*, Receipt Number 2017500165782, indicating a UCR payment for 20 commercial motor vehicles, attached hereto as Attachment “B” and is hereby incorporated by reference. *Also* see the list of 24 commercial motor vehicles registered to Friessen Trucking, attached hereto as Attachment “C” and is hereby incorporated by reference. The carrier was sent letters on April 5, 2017 and March 19, 2018, advising it of the discrepancy of paying for only 20 vehicles, when in fact it was to pay for 24 vehicles. *See*, copies of letters, attached hereto as Attachment “D” which are hereby incorporated by reference. To date, Friessen Trucking has not complied with updating his UCR fees for 2017. The carrier’s failure to annually register its commercial motor vehicle(s) operating in interstate commerce over the highways of this state and to pay the appropriate Unified Carrier Registration (UCR) fees as set out in 49 C.F.R. 367.30, is a violation of K.A.R. 82-4-30a, authorized by K.S.A. 2017 Supp. 66-1,139a and K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$700.

IV. STAFF’S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Friessen Trucking committed one (1) 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.

9. Additionally, Staff recommends a civil penalty of \$700 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Finally, Staff recommends that Friessen Trucking 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.

V. CONCLUSIONS OF LAW

11. The Commission finds it has jurisdiction over Friessen Trucking because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

12. The Commission finds Friessen Trucking committed one (1) 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.

THE COMMISSION THEREFORE ORDERS THAT:

A. Franz Friessen, d/b/a Friessen Trucking, of Liberal, Kansas is hereby assessed a \$700 civil penalty for one (1) 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.

B. Friessen Trucking 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 carrier to set up the appointment.

C. On June 26, 2018, this Penalty Order was mailed to Friessen Trucking via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105745735. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt.

D. Pursuant to K.S.A. 2017 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. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Friessen Trucking's right to a hearing, and this Penalty Order will become a Final Order assessing a \$700 civil penalty against Friessen Trucking, and ordering it to submit to a safety compliance review within eighteen (18) months from the date of this Order.

E. 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. 2017 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$700 is due in thirty (30) days from the date of service of this Order. Payment of \$700 must be made through your personal account with the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty owed.

G. Failure to pay the \$700 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Friessen Trucking's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

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.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner


Dated: 06/26/2018



Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 1306493	Legal: FRANZ FRIESSEN		
	Operating (DBA): FRIESEN TRUCKING			
MC/MX #: 525954		Federal Tax ID: [REDACTED] (EIN)		
Review Type: Non-ratable Review - CSA		Focused Investigation		
Scope:	Principal Office	Location of Review/Audit: CSA Off-site		Territory:
Operation Types		Interstate	Intrastate	
Carrier:	Non-HM	Non-HM	Business: Individual	
Shipper:	N/A	N/A	Gross Revenue: [REDACTED] for year ending: 12/31/2017	
Cargo Tank:	N/A			
Company Physical Address: [REDACTED]				
Contact Name: Frank Friesen				
Phone numbers: (1) [REDACTED]				
E-Mail Address: [REDACTED]				
Company Mailing Address: 7456 ROAD O LIBERAL, KS 67901				
Carrier Classification Authorized for Hire				
Cargo Classification General Freight Metal, Sheets, Coils, Rolls Machinery, Large Objects Grain, Feed, Hay Farm Supply				
Equipment				
	Owned	Term Leased	Trip Leased	
Truck Tractor	10	11	0	Trailer
				Owned Term Leased Trip Leased
				11 11 0
Power units used in the U.S.: 21				
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	Average trip leased drivers/month: 0	
< 100 Miles:			Total Drivers: 21	
>= 100 Miles:	21		CDL Drivers: 21	





FRIESEN TRUCKING (FRANZ FRIESSEN dba)
U S. DOT #. 1306493

Review Date
05/17/2018

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Kansas Corporation Commission at

1500 SW Arrowhead Rd
Topeka KS 66604-4027
Phone 785-271-3104

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Frank Friessen

Title: Owner

Name:

Title:





FRIESEN TRUCKING (FRANZ FRIESSEN dba)
U S DOT # 1306493

Review Date:
05/17/2018

Part B Violations

1 FEDERAL	Primary 367.30	Discovered 1	Checked 1	Drivers/Vehicles In Violation 24	Checked 24
Description Pursuant to 49USC 14504a and the Unified Carrier Registration Agreement Sec 10(e)(5)(i), Commercial motor vehicles registered with IRP plates cannot be excluded from the vehicle count when paying the Unified Carrier Registration (UCR) fee Example Franz Friessen dba Friesen Trucking is operating as an INTERstate motor carrier with 24 IRP registered vehicles. Records reflect that the motor carrier paid for 20 vehicles on 10/19/2016.					
Safety Fitness Rating Information:		OOS Vehicle (CR): 0			
Total Miles Operated		Number of Vehicle Inspected (CR): 0			
Recordable Accidents		OOS Vehicle (MCMIS): 0			
		Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed
A focused investigation does not include review of all regulatory parts and factors as set forth in 49 C.F.R Part 385, Appendix B's safety rating methodology and cannot therefore result in a SATISFACTORY safety rating. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating.



FRIESEN TRUCKING (FRANZ FRIESEN dba)
U.S DOT # 1306493

Review Date
05/17/2018

Safety Management Process Breakdowns and Remedies

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>
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

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





FRIESEN TRUCKING (FRANZ FRIESSEN dba)
U S. DOT #: 1306493

Review Date
05/17/2018

Safety Management Process Breakdowns and Remedies

Topeka, KS 66604-4027

2. Pursuant to 49USC 14504a and the Unified Carrier Registration Agreement Sec 10(e)(5)(i), Commercial motor vehicles registered with IRP plates cannot be excluded from the vehicle count when paying the Unified Carrier Registration (UCR) fee. This is a violation of 49 CFR 367.30 as adopted by KAR 82-4-30a as authorized by KSA 66-1,142b.

Notification of non-compliance was mailed to the motor carrier on April 5, 2017 and March 19, 2018

3. I acknowledge that the requirements and/or recommendations resulting from this off-site, focused review have been discussed with me and my questions have been answered. I further acknowledge that KCC recommendations only cover the scope of this focused review, and that areas not reviewed by the KCC have not necessarily been endorsed as compliant. 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 Franz Friesen dba Friesen Trucking's operating authority and/or the impoundment of Franz Friesen dba Friesen Trucking's commercial motor vehicles.

Carrier Representative

Date

Printed name and Title

After reviewing these Requirements and/or Recommendations, please sign and date where indicated, and return to the Kansas Corporation Commission, ATTN Verna Jackson, Transportation Division, 1500 SW Arrowhead Rd, Topeka, Kansas 66604-4027, or fax 785-271-3124.

4. I understand that monetary penalties will be assessed as a result of violations found in this compliance investigation. The penalty schedule can be found at this web site http://kcc.ks.gov/trans.penalty_assessment_table.htm

Carrier Name

Carrier Official



ATTACHMENT “B”

Receipt number: 2017500165782
Registration Year: 2017
Expiration Date: 12/31/2017
Legal Name: FRANZ S FRIESSEN
DBA: FRIESEN TRUCKING
USDOT Number: 1306493
MC Number: 525954
Telephone Number: [REDACTED]
Base State: KS
Business Address: [REDACTED]
Liberal , KS 67901
Mailing Address: [REDACTED]
Liberal , KS 67901
Classification: Motor Carrier

Transaction Type	Total Vehicles	Certified By	Fee Paid	Paid Date	Amount	Other Fee
REGISTRATION	20	FRANK FRIESEN	Yes	10/19/2016	\$452.00	\$1 00
Total	20				\$452.00	

Note:

If Fee Paid is 'Payment Error', please contact your financial organization
OR contact 317-615-7350.

ATTACHMENT “C”

USDOT	VIN	OWNER_NAME	LICENSE_I	IRP_E	REGISTRATION_	REGISTRATION_EXPIRE_DATE
1306493		FRANZ S FRIESSEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		SOUTHWEST HAY, LLC	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRIESEN TRUCKING	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		MARCO LUJAN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		CESAR MENDEZ	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANZ S FRIESSEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		JUAN RAMIREZ	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK S FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANZ FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANZ S FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRIESEN FRANK	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANZ S FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		CORNELIUS WIEBE	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		STANLEY LEE LOEWEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		HEARTLAND HARVEST, I	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		RAMIREZ JUAN M	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		WILHELM KRAHN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANK S FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		FRANZ S FRIESEN	KS	1/1/2017 0:00	12/31/2017 0:00	X
1306493		JUAN RAMIREZ	KS	1/1/2017 0:00	12/31/2017 0:00	X

ATTACHMENT “D”

Transportation Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3145
Fax: 785-271-3124
<http://kcc.ks.gov/>

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

Sam Brownback, Governor

April 5, 2017

USDOT 1306493
FRANZ FRIESSEN dba FRIESEN TRUCKING
7456 ROAD O
LIBERAL KS 67901-6063

Re: 2017 UCR

Dear FRANZ FRIESSEN dba FRIESEN TRUCKING Representative:

An annual audit is conducted on carriers that have discrepancies between the number of vehicles registered with IRP and the number of vehicles indicated at the time of the Unified Carrier Registration (UCR) payment. From records collected, FRANZ FRIESSEN dba FRIESEN TRUCKING showed 24 IRP vehicles for the registration period beginning 1/1/2017. The UCR payment transaction made on 10/19/2016 was for 20 vehicles. Motor carriers operating commercial vehicles with IRP registration are required to include all IRP registered vehicles in their UCR count.

The Unified Carrier Registration Plan is the organization of State, Federal, and Industry representatives responsible for developing, implementing, and administering the UCR Agreement. Through the Unified Carrier Registration Agreement under Section (e)-Calculation if the Number of Commercial Motor Vehicles Owned or Operated For Determination of UCR Fees, (5)(i), commercial motor vehicles registered with IRP plates cannot be excluded from the vehicle count.

To remedy this discrepancy please file an adjustment to your UCR. This can be accomplished in two ways. First option is to go to the UCR link at www.ucr.in.gov. In the left hand column of the website, click on Begin UCR Registration. Select the third radio button, Adjust Your Paid Unified Carrier Registration (UCR) Information. Enter your USDOT number and the registration year you are adjusting. Verify the carrier information. Enter the number of IRP vehicles and the reason for the adjustment. The amount due for the adjustment will show and payment can be made by credit card.

Second option, you may utilize the attached registration forms and return to our office for processing. Complete the registration form with the information requested. Be sure to include the payment with the registration form and return to our office. Please note on the registration form that you are processing an adjustment to the original filing. Payment may be made by check or credit card.

If you have questions, please do not hesitate to contact me.

Thank you.

Verna Jackson
PSA, Special Investigator
Kansas Corporation Commission
Transportation Division
Phone: 785-271-3104
Fax: 785-271-3124

STATE OF KANSAS

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



PHONE: 785-271-3145
FAX: 785-271-3124
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | PAT APPLE, COMMISSIONER

March 19, 2018

USDOT 1306493
FRANZ FRIESSEN dba FRIESEN TRUCKING
7456 ROAD O
LIBERAL KS 67901-6063

Re: 2017 UCR

Dear FRANZ FRIESSEN dba FRIESEN TRUCKING Representative:

On April 5, 2017, a letter was mailed advising you of an issue regarding your 2017 Unified Carrier Registration (UCR) payment. As of the date of this letter, our records indicate that no adjustment has yet been processed correcting the issue. Operating a commercial motor vehicle in interstate commerce prior to paying the correct UCR fees is in violation of 49 C.F.R. 367.30 and K.A.R. 82-4-30a. **Nonpayment of UCR fees will result in Civil Assessments and a Commission-issued Penalty Order, with a penalty of \$300 for each instance of non-compliance.**

An annual audit is conducted on carriers that have discrepancies between the number of vehicles registered with IRP and the number of vehicles indicated at the time of the Unified Carrier Registration (UCR) payment. From records collected, FRANZ FRIESSEN dba FRIESEN TRUCKING showed 24 IRP vehicles for the registration period beginning 1/1/2017. The UCR payment transaction made on 10/19/2016 was for 20 vehicles. Motor carriers operating commercial vehicles with IRP registration are required to include all IRP registered vehicles in their UCR count.

The Unified Carrier Registration Plan is the organization of State, Federal, and Industry representatives responsible for developing, implementing, and administering the UCR Agreement. Through the Unified Carrier Registration Agreement under Section (e)- Calculation if the Number of Commercial Motor Vehicles Owned or Operated For Determination of UCR Fees, (5)(i), commercial motor vehicles registered with IRP plates cannot be excluded from the vehicle count.

To remedy this discrepancy please file an adjustment to your UCR. Go to the UCR link at www.ucr.in.gov. In the left hand column of the website, click on Begin UCR Registration. Select the third radio button, Adjust Your Paid Unified Carrier Registration (UCR) Information. Enter your USDOT number and the registration year you are adjusting. Verify the carrier information. Enter the number of IRP vehicles and the reason for the adjustment. The amount due for the adjustment will show and payment can be made by credit card.

If you have questions, please do not hesitate to contact me.

Thank you.

Verna Jackson
PSA, Special Investigator
Kansas Corporation Commission
Transportation Division
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CERTIFICATE OF SERVICE

18-TRAM-547-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 06/27/2018.

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/S/ DeeAnn Shupe

DeeAnn Shupe