

Kansas Highway Patrol  
Motor Carrier Safety Assistance Program (MCSAP)  
700 SW Jackson Suite 700  
Topeka, KS 66603

To whom it may concern:

This letter is due to the citations that we have received from the Kansas Highway Patrol. We believe that we received the citations due to one of the officers' disagreement with the Roeland Park Chief of Police. The Chief of Police asked him if he was having a bad day and didn't want to be here for the checkpoint. The officer asked the Chief of Police if the Driver License checkpoint was legal. The Chief of Police clarified with the officer that it was legal. The officer then walked over to the other officers on site and conversed with them. After they talked the officers walked away from the checkpoint and began inspecting the tow trucks that were parked on private property and not manned. One of the officers spoke with our company representative regarding where we were towing the vehicles to and how much was it going to cost. After the officers inspected the trucks they wanted to know who parked the vehicles there so they could assign the citations to the drivers. The officer that argued with Chief of Police also made the statement that our company would not be making any money today when he gets done. We were cited on our Chevrolet 6500 [REDACTED] 525105 for tire tread depth. The tire had a flat spot on it. We spoke with our driver and our driver stated that the damaged happened on his way to the checkpoint when he had to brake fast to avoid an accident. We were also cited on our Chevrolet 3500 [REDACTED] 132239 for no parking break. We inspected our vehicle and found that the parking brake was working just fine, there was no defect. Therefore we should not have been cited. The officer stated that we did not have the authority to tow in Kansas because we did not have the MC number. We researched this issue and were advised by Gary Davenport (MODOT) that if we were towing for the police department it was an emergency tow and we could tow without the MC number. We were also in the commercial zone. However for future we applied for the MC number. We feel that the inspection was a revenge inspection due to the disagreement with the Chief of Police. The officer had no reason to inspect our vehicle at the time of the incident. Our trucks were parked and unattended and had been that way for hours. We seek a dismissal of the citations because we do not feel it is right to be penalized for someone's personal gain. We ask for an immediate resolution to this issue. If you have any questions please contact Bill Benfer or Jay Cope, manager at our office [REDACTED]. Thank you for your attention and understanding.

Bill Benfer  
Owner/Manager

KSHPO0531285 → H000564753  
KSHP 01000842 → H000564756  
KSHPO2520638 → H000564878