

STATE OF KANSAS



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

PHONE: 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

19-TRAM-117-PEN

October 2, 2018

Andy Bond, Owner
d/b/a/ Bond Trucking
15748 Road 8
Liberal, KS 67901

This is a notice of a penalty assessment against Andy Bond, d/b/a/ Bond Trucking (Bond Trucking) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on July 31, 2018, by Kansas Corporation Commission Special Investigator M.P. McAvoy. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. 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: Bond Trucking has been assessed a \$1,100 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,100, through your personal account with the Kansas Corporation Commission's KTRAN system 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 owed.

The attached Order requires a representative of Bond Trucking to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company 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. Bond 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 mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven 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 \$1,100 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 Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,


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 **Andy Bond,**)
d/b/a/ Bond Trucking, of Liberal, KS,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 19-TRAM-117-PEN
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 issue an order 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. Andy Bond, d/b/a/ Bond Trucking (Bond Trucking) has common operating authority with the Commission and further operates USDOT number 816017.

5. Bond Trucking usually operates within a 100 air-mile radius of principal place of business.

6. Bond Trucking is a common motor carrier which primarily hauls scrap metal, structures, houses and mobile homes.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on July 31, 2018, Commission Staff (Staff) Special Investigator M.P. McAvoy conducted a compliance review of the operations of Bond 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 three (3) violation(s) of the Motor Carrier Safety Regulations.

- a. On April 27, 2018, Bond Trucking required or permitted its driver, Andy Bond, to operate a CDL-required commercial motor vehicle, a 2000 Peterbilt, VIN ending in 514567, GVWR 48,000 lbs., pulling a 2012 CTSI

trailer, VIN ending in 001192, GVWR 65,000 lbs., in intrastate commerce from Liberal, Kansas to Pratt, Kansas. This trip is evidenced by Driver/Vehicle Examination Report Number KSHP01890740, dated April 27, 2018, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, Bond Trucking had not implemented an alcohol and controlled substance abuse policy and testing program for its CDL drivers. The carrier’s failure to establish an alcohol and controlled substances testing program for its CDL drivers that complies with the procedures established in 49 C.F.R. 382.105 as adopted by K.A.R. 82-4-3c is a violation of 49 C.F.R. 382.115(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$350.

- b. During the transportation described in paragraph a., above, Bond Trucking failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigator discovered two (2) violations of this type. The carrier’s failure to inquire into its driver’s MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c)(1), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2017 Supp. 66-1,112. Staff recommends a fine of \$250.
- c. During the transportation described in paragraph a., above, Bond Trucking operated without the proper Kansas Corporation Commission operating

authority (KCC public carrier KAN-C). The carrier's commercial operations of motor vehicles prior to obtaining and maintaining proper Commission authority is a violation of K.S.A. 2017 Supp. 66-1,111 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Bond Trucking committed three (3) 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 \$1,100 for three (3) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Bond Trucking be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Bond 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

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

13. The Commission finds Bond Trucking committed three (3) 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. Andy Bond, d/b/a/ Bond Trucking, of Liberal, KS is hereby assessed a \$1,100 civil penalty for three (3) 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. Bond Trucking is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Bond 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.

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 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 Bond Trucking's right to a hearing, and this Penalty Order will become a Final Order assessing a \$1,100 civil penalty against Bond Trucking, and ordering a representative from Bond Trucking to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

E. If a request for hearing is filed, 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 less than \$500, 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 \$1,100 is due in thirty (30) days from the date of service of this Order. Payment of \$1,100 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$1,100 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 Bond 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: _____



Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 816017		Legal: ANDY BOND Operating (DBA): BOND TRUCKING	
	MC/MX #: 000000		State #: 000000	
Federal Tax ID: [REDACTED] (EIN)		Review Type: Compliance Review (CR)		
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory: F
Operation Types		Business: Individual		
Interstate Intrastate		Gross Revenue: [REDACTED] for year ending: 12/31/2017		
Carrier: Non-HM N/A				
Shipper: N/A N/A				
Cargo Tank: N/A				
Company Physical Address:				
[REDACTED] Liberal, KS 67901				
Contact Name: Andy Bond				
Phone numbers: [REDACTED] Fax				
E-Mail Address: [REDACTED]				
Company Mailing Address:				
[REDACTED] Liberal, KS 67901				
Carrier Classification				
Authorized for Hire				
Cargo Classification				
Other: Building Mover				
Equipment				
	Owned	Term Leased	Trip Leased	
Truck Tractor	1	0	0	Trailer
				Owned Term Leased Trip Leased
				0 1 0
Power units used in the U.S.: 1				
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:	2		Total Drivers: 2	
>= 100 Miles:			CDL Drivers: 1	





BOND TRUCKING (ANDY BOND dba)
U.S. DOT #: 816017

State #: 000000

Review Date:
07/31/2018

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Andy Bond

Title: Owner

Name:

Title:



	BOND TRUCKING (ANDY BOND dba)	State #: 000000	Review Date: 07/31/2018
	U.S. DOT #: 816017		

Part B Violations

1 STATE ACUTE	Primary: 382.115(a) CFR Equivalent: 382.115(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations. Example Driver: Andy Bond Trip date: 27 April 2018					
2 STATE	Primary: 391.11(b)(5) CFR Equivalent: 391.11(b)(5)	Discovered 1	Checked 2	Drivers/Vehicles In Violation 1	Checked 2
Description Operating a commercial motor vehicle without a currently valid motor vehicle operator's license or permit. Example Driver: Andy Bond Trip Date: 27 April 2018 (driver was downgraded from a class A CDL to a class C DL due to expired medical card. Length of time as medical card expired in 2016. carrier incurred penalty through civil process through KCC)					
3 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Using a driver who has not completed and furnished an employment application. Example Driver: Andy Bond Trip date : 27 April 2018 No application for employment on file as required					
4 STATE	Primary: 391.25(a) CFR Equivalent: 391.25(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months. Example Driver: Andy Bond Trip Date: 27 April 2018 Carrier failed to run MVR each 12 months as required					
5 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
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 Driver: Andy Bond Trip date: 27 April 2018 Carrier fail to make notation of annual review in DQ file as required					





BOND TRUCKING (ANDY BOND dba)
U.S. DOT #: 816017

State #: 000000

Review Date:
07/31/2018

Part B Violations

6 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2 Checked 2
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example Driver: Andy Bond Trip date: 27 April 2018 Carrier fail to maintain driver certification of violations in DQ file as required				
7 STATE	Primary: 392.2	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1 Checked 1
Description S 392.2 KSA 66-1,111 NO PUBLIC MOTOR CARRIER KCC AUTHORITY Economic Operating a commercial motor vehicle without KCC public carrier (KAN-C) operating authority. Example Driver: Andy Bond Trip Date 4/27/2018 Violation: No authority, KCC as a for hire (common) carrier on an intrastate movement)				
8 STATE	Primary: 392.2UCR	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0 Checked 0
Description Fail to register and pay UCR fees Example Driver: Andy Bond Trip date: 27 April 2018 Number of vehicles required to be registered: 1 (driver cited on roadside inspection and charged a civil penalty by KCC)				
9 STATE	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 1	Checked 60	Drivers/Vehicles In Violation 1 Checked 2
Description Failing to require driver to make a record of duty status. Example Trip date: 4/27/2018 Driver: Andy Bond Description of violation: Fail to require driver prepare record of duty status(Carrier incurred civil penalty)				
Safety Fitness Rating Information: Total Miles Operated 60,000 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0		





BOND TRUCKING (ANDY BOND dba)
U.S. DOT #: 816017

State #: 000000

Review Date:
07/31/2018

Part B Violations

Your proposed safety rating is :

SATISFACTORY

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	C	1	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





BOND TRUCKING (ANDY BOND dba)
U.S. DOT #: 816017

State #: 000000

Review Date:
07/31/2018

Part B Requirements and/or Recommendations

1. Obtain a copy of each driver's driving record and review it annually.
2. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
3. Ensure that drivers provide a 10-year employment history on their employment application.
4. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
5. Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
6. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
7. This review will result in a Safety Rating.
8. Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.

9. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- 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 controlled-substance and alcohol violations.





BOND TRUCKING (ANDY BOND dba)
U.S. DOT #: 816017

State #: 000000

Review Date:
07/31/2018

Part B Requirements and/or Recommendations

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.

10. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Ensure that managers are responsible for ascertaining that employees receive training concerning controlled substances and alcohol in accordance with State or Federal regulations and company policy.
- Ensure that managers are responsible for telling employees of a failed test and its implications.
- Regardless of carrier membership in a consortium, ensure that the carrier defines and documents the role and responsibilities of the designated employer representative (DER) in monitoring test procedures and checking results.
- If the carrier elects to join a consortium, ensure that the respective roles and responsibilities of the carrier and the consortium for controlled-substance and alcohol testing and reporting are defined and documented.

Passenger Carrier Only:

- Designate a manager to collect and evaluate all controlled-substance and alcohol-related customer complaints and their safety implications.

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.

11. 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.





BOND TRUCKING (ANDY BOND dba)

U.S. DOT #: 816017

State #: 000000

Review Date:

07/31/2018

Part B Requirements and/or Recommendations

• 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.

You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to:

12. Within 15 days, submit a corrective action letter explaining remedies for a non-compliant status. Include documents required for the corrective actions to gain a compliant status.

Send your letter to:

Kansas Corporation Commission
Attention: Gary Davenport
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027

13. *Serious Violations Applies only to CR This review contains violations that are serious in nature and may result in a penalty assessment against the company and/or drivers.
14. *Acknowledgement Statement Applies only to CR "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 [motor carrier's] operating authority and/or the impoundment of [motor carrier's] vehicles.


Carrier Representative

7-31-18
Date



ATTACHMENT “B”

DRIVER/VEHICLE EXAMINATION REPORT

InSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01890740
Inspection Date: 04/27/2018
Start: 8 21 AM CT End: 9:00 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

ANDY BOND

Driver: BOND, ANDY J

LIBERAL, KS, 67901

License#:

State: KS

USDOT: 816017

Phone#:

Date of Birth:

MC/MX#: 374289

Fax#:

CoDriver:

State#:

License#:

State:

Date of Birth:

Location: MEADE COUNTY - 119

Milepost: 44

Shipper: HEAVY METAL RECYCLERS

Highway: U54

Origin: LIBERAL, KS

Bill of Lading: N/A

County: MEADE

Destination: PRATT, KS

Cargo: IRON

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	PTRB	2000	OK			514567	48000			
2	ST	CTSI	2012	OK			001192	65000			

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify Crash	Violations Discovered
393.25F	F	2	Y		A N	Stop lamp violations: Both Inoperable.
392.2FT	F	D	N	E001294919	N N	State or International Fuel Tax (IFTA) Violation, No 2018 IFTA, no trip permit.
392.2UCR	F	1	N		N N	Failure to pay UCR Fee. No 2018 UCR fees paid
391.11B5-DNL	F	D	Y		N N	Driver does not have a valid operator's license for the CMV being operated.: CDL Class A not valid at time of stop for medical card.
391.41A-F	F	D	N	E001294920	N N	Operating a property-carrying vehicle without possessing a valid medical certificate.: Expired 08/2016
395.8A	F	D	Y		N N	No drivers record of duty status: No Log on 4/27/2018

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

Notes: No 2018 UCR fees paid at time of stop. Was working on them during the stop. No 2018 IFTA paid and no trip permit. CDL Class A was listed as other not valid due to medical card down grade. Med card was expired on 08/2016. Both rear stops lamps inoperable at time of stop. Liberal to Pratt is 127 straight line miles, outside the 100 air mile exemption.

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE." No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of the motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the carrier indicated on this report. Driver Initials: XAL

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, I hereby declare the driver identified on this report "OUT OF SERVICE." No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until his/her eligibility to drive has been reestablished. This Out of Service condition may result in the assessment of a civil penalty being issued against the carrier indicated on this report. Driver Initials: XAL

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.
Signature Of Repairer X: _____ Facility: _____ Date: _____

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, a Unified Carrier Registration (UCR) violation may result in the assessment of a civil penalty being issued against the carrier indicated on this report. Driver Initials: XAL



DRIVER/VEHICLE EXAMINATION REPORT

INSPECT 1.99.3



Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01890740
Inspection Date: 04/27/2018
Start: 8:21 AM CT End: 9:00 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.
MOTOR CARRIER CERTIFICATION: All defects identified on this report must be corrected or acknowledged PRIOR TO RE-DISPATCH, and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the Kansas Highway Patrol at the address listed at the top of this form. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)'s Data Q Challenge process, at <https://dataqs.fmcsa.dot.gov>

Signature Of Motor Carrier X. _____ Title: _____ Date: _____

Report Prepared By:
C. Hardaway

Badge #:
0189

Copy Received By:
ANDY BOND



CERTIFICATE OF SERVICE

19-TRAM-117-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 10/03/2018.

ANDY BOND, OWNER
ANDY BOND
D/B/A BOND TRUCKING
15748 ROAD 8
LIBERAL, KS 67901
bond_trucking@yahoo.com

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

/S/ DeeAnn Shupe

DeeAnn Shupe