

NOTICE OF PENALTY ASSESSMENT
25-TRAM-285-PEN

February 11, 2025

Mr. Raul Munoz, Owner
R&M Trucking
435 South Cain Avenue
Liberal, Kansas, 67901

This is a notice of a penalty assessment against Raul Munoz d/b/a R&M Trucking (“R&M Trucking”) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted from November 27, 2025, to January 15, 2025, by Kansas Corporation Commission Special Investigators. The Special Investigators identified twenty-six (26) violations of the Motor Carrier Safety regulations. Penalties for the violations are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. R&M Trucking has been assessed a \$3,750.00 penalty. For a full description of the penalties and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$3,750.00 through your personal account with the Kansas Corporation Commission’s Kansas Trucking Regulatory Assistance Network (“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 also requires a representative of R&M Trucking:

- a. To attend a Commission-sponsored safety seminar within thirty (30) 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.
- b. To submit a written, comprehensive Corrective Action Plan (“CAP”) to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier’s efforts and concrete steps taken to ensure the violations do not occur in the future.
- c. To submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, and within fifteen (15) days from the date of service of this Order, setting forth the specific grounds upon which relief is sought. You may request a hearing through the Commission’s electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and you must also 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 Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$3,750.00 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,
/s/ Madisen K. Hane
Madisen K. Hane
Litigation Counsel
(785) 271-3288
Madisen.Hane@ks.gov

¹ K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Investigation of **Raul Munoz**)
of Liberal, Kansas. Regarding the Violation(s) of)
the Motor Carrier Safety Statutes, Rules and) Docket No. 25-TRAM-285-PEN
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”). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority, and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, 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. 66-129a, 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.

4. Raul Munoz d/b/a R&M Trucking (“R&M Trucking” or “Carrier”) is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 3542137.

5. The Commission finds it has jurisdiction over R&M Trucking pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

6. Between November 27, 2024, and January 25, 2025, Commission Transportation Staff (“Transportation Staff” or “Staff”) Special Investigators (“SIs”) completed a safety compliance investigation of R&M Trucking. As a result of the compliance investigation, the SIs identified twenty-six (26) violations, set forth in three (3) counts of the Motor Carrier Safety Regulations (“MCSRs”), which carry a penalty set forth in the FY2025 Uniform Penalty Assessment Matrix.¹

7. On January 22, 2025, Transportation Staff submitted its Report and Recommendation (“R&R”), attached hereto as “Attachment A” and hereby incorporated by reference herein, recommending a penalty of \$3,750.00 to be issued to R&M Trucking based on the frequency, timeline, and severity of the violations discovered.

8. Specifically, pursuant to Staff’s R&R, the Commission finds that R&M Trucking committed twenty-six (26) violations of the following three (3) counts, discussed more fully in Staff’s R&R:²

¹ Order Designating Guidance Document and Approving Staff’s Use of the Transportation Division’s Uniform Penalty Assessment Table, pp. 10 – 24 (Jun. 27, 2024) (“Penalty Matrix”).

² See Staff’s Report and Recommendation, Transportation Division (Jan. 22, 2025).

- a. Count 1: On July 23, 2024, R&M Trucking required or permitted its driver, Ervin Fierro Hermosillo, to operate a commercial driver's license required commercial motor vehicle (a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs.) in Kansas on a public road (interstate commerce from Garden City, Kansas to Cambell, Nebraska and back to Sublette, Kansas) without requiring its driver to prepare a record of duty status. R&M Trucking did not require Mr. Hersoillo to prepare a record of duty status on seven different transports, which resulted in seven (7) violations of 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- b. Count 2: On October 14, 2024, R&M Trucking required or permitted its driver, David Mercado, to operate a commercial driver's license required commercial motor vehicle (a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs.) on a Kansas public road (Atwood to Liberal), however, the Driver's Daily Log stated that Mr. Mercado was off-duty the entire day except for a short period of driving time after 6:30 p.m., which was a false report of record of duty status. R&M Trucking required or permitted Ervin Fierro Hermosillo and David Mercado to prepare false reports of their record of duty status on nine different transports, resulting in nine (9) violations of 49 C.F.R. 395.8(e), adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of an enhanced penalty of \$2,000.00 is appropriate because this was an act of fraud and therefore an intentional violation, which is in accordance with the FY2025 Penalty Matrix.

c. Count 3: On July 2, 2024, R&M Trucking required or permitted its driver, Ervin Fierro Hermosillo, to operate a commercial driver's license required commercial motor vehicle (a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs.) on a Kansas public road (Brewster to Garden City) hauling a load of corn with a gross weight of 90,120 lbs., which is over the statutory weight limit of 85,500 lbs. proscribed by K.S.A. 8-1909. R&M Trucking allowed drivers Ervin Fierro Hermosillo, David Mercado, and Eric Corpus to haul loads that exceeded the statutory weight limit on ten different transports, which resulted in ten (10) violations of 49 C.F.R. 392.1, adopted by K.A.R. 82-4-6a, and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h. The Commission finds that Staff's recommendation of a penalty of \$1,500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

9. The Commission hereby adopts Staff's findings as contained in its January 22, 2025, R&R.

10. The Commission finds that R&M Trucking is required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order.³ 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. The Commission further finds that R&M Trucking is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty

³ See Id., p. 4.

Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.⁴

12. The Commission further finds that R&M Trucking is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁵

13. Failure to comply with the requirements of this Penalty Order shall result in suspension of R&M Trucking's motor carrier operating authority without further notice.⁶

14. The Commission concludes the penalty of \$3,750.00 for the twenty-six violations set forth above, and the additional three requirements set forth in paragraphs 10, 11, and 12 are just and reasonable.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. R&M Trucking is hereby assessed a \$3,750.00 civil penalty for twenty-six (26) violations, set forth in three (3) counts 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. R&M Trucking is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order.

C. R&M Trucking is hereby ordered to submit a written, comprehensive corrective action plan ("CAP") that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and

⁴ See Id.

⁵ See Id.

⁶ K.S.A. 66-1,105.

detailed information explaining Carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

D. R&M Trucking is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

E. Pursuant to K.S.A. 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 Acting 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 R&M Trucking's right to a hearing, and this Penalty Order will become a Final Order.

F. 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 \$500.00, 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.⁷ For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.⁸

G. If you do not request a hearing, the payment of the civil penalty of \$3,750.00 is due in thirty (30) days from the date of service of this Order. Payment of \$3,750.00 must be made

⁷ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁸ K.S.A. 66-1,142b(e) and amendments thereto.

through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network ("KTRAN") system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure of R&M Trucking to perform, pay, or fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of R&M Trucking's motor carrier operating authority without further notice.⁹ 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.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 02/11/2024



Abigail D. Emery
Acting Secretary to the Commission

MKH

⁹ K.S.A. 66-1,105.

ATTACHMENT “A”

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Jared Smith, Deputy Director of Transportation

DATE: January 22, 2025

SUBJECT: Docket No. 25-TRAM-285-PEN

In the Matter of the Investigation of **Raul Munoz d/b/a R&M Trucking of Liberal, Kansas** Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission’s Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

EXECUTIVE SUMMARY:

Raul Munoz d/b/a R&M Trucking (“R&M Trucking”) is a motor carrier (“MC”) possessing public for-hire operating authority from the Commission, primarily hauling commodities dry bulk, grain, feed, and hay. R&M Trucking operates under USDOT 3542137.

From November 27, 2024 through January 15, 2025, Commission Transportation Staff Special Investigators (“SIs”) completed a safety compliance investigation of the operations of R&M Trucking. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SIs identified twenty-six (26) violations, set forth in three (3) specific counts, of the Motor Carrier Safety Regulations (“MCSRs”), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, Transportation Staff recommends penalty of \$3,750 be issued to the MC.

DISCUSSION AND ANALYSIS:

From November 27, 2024 through January 15, 2025, Commission Transportation Staff SIs conducted a safety compliance investigation of the operations of R&M Trucking. The investigation covers a 365 day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 3)

Authority: K.S.A. 66-1,111 and K.S.A. 66-1,129.

Relevant Statutes: 49 C.F.R 395.8(a) states: “Except for a private motor carrier of passengers (nonbusiness), as defined in § 390.5 of this subchapter, a motor carrier subject to the requirements of this part must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed in paragraphs (a)(1)(i) through (iii) of this section, as applicable.”

Material Facts and Supporting Documents: On July 23, 2024, R & M Trucking required or permitted its driver, Ervin Fierro Hermosillo, to operate a commercial driver’s license (“CDL”) required commercial motor vehicle (“CMV”), a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs., in interstate commerce from Garden City, Kansas to Cambell, Nebraska and back to Sublette, Kansas. This transportation is evidenced by the Driver’s Daily Log, the Driver’s Vehicle Inspection Report, Scale Ticket No. CG59958, and Delivery Ticket No. 244759, all attached hereto as **Exhibit 2**.

At the time of this transport, the MC failed to require its driver to prepare a record of duty status as required by 49 C.F.R. 395.8. The SIs found violations for this driver on June 26, July 11, 15, 16, 17, 23 and 25, resulting in seven (7) total violations.

Violation: R&M Trucking failed to require its driver to prepare a record of duty status, which is a violation of 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 3**). Seven (7) violations discovered (**Exhibit 1, Page 11**).

Recommendation: Staff recommends a fine of \$250 in accordance with the FY2025 Penalty Matrix.

Count Two (2 of 3)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R 395.8(e)(1) states: No driver or motor carrier may make a false report in connection with a duty status.

Material Facts and Supporting Documents: On October 14, 2024, R&M Trucking required or permitted its driver, David Mercado, to operate a CDL-required CMV, a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs., in intrastate commerce from Atwood, Kansas to Liberal, Kansas. This transportation is evidenced by the Driver’s Daily Log, Scale Ticket No. 5233 and Delivery Ticket No. ARK101524-002, all attached hereto as **Exhibit 3**.

On October 14, 2024, David Mercado loaded corn in Atwood Kansas to deliver at the Arkalon Ethanol Plant in Liberal, Kansas and was required to log the entire trip as it was not an agricultural exempt load. However, the Driver’s Daily Log states Mr. Mercado was off duty the entire day except for a short period of driving time after 6:30 p.m. The log notes the driver went from Garden City to Atwood and finally to Liberal, Kansas but during most of that travel time the log lists him as off-duty.

The following drivers made false reports of record of duty status: Ervin Fierro Hermosillo on July 10 and 11, 2024; David Mercado on October 1, 2, 3, 4, 10, 14, and 28, 2024. In total the SIs found nine (9) violations.

Violation: R&M Trucking provided the SIs with false records of duty status, which is a violation of 49 C.F.R. 395.8(e), adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 3**). Nine (9) violations were discovered (**Exhibit 1, Pages 11 to 12**).

Recommendations: Acts of fraud are an intentional violation and therefore Staff recommends an enhanced fine of \$2,000 in accordance with the FY2025 Penalty Matrix.

Count Three (3 of 3)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.A.R. 82-4-6a states: “Each motor carrier and driver shall comply with the following:...(c) the uniform act regulating traffic and the size, weight, and load of vehicles as established in K.S.A. 8-1901 et seq. and amendments thereto; and (d) the regulations issued by the commission pertaining to the driving of commercial motor vehicles as adopted in K.A.R. 82-4-3h.”

49 C.F.R. 392.1 states: “(a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of commercial motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with the rules in this part.

49 C.F.R. 392.2 states: “Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.”

K.S.A. 8-1901(a) states: “It shall be unlawful for any person to drive or move or for the owner or lessee to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles of a size or weight exceeding the limitations stated in article 19 of chapter 8 of Kansas Statutes Annotated or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter such limitations except as express authority may be granted in this article.”

K.S.A. 8-1909 describes the specific weight limits.

Material Facts and Supporting Documents: On July 2, 2024, R&M Trucking required or permitted its driver, Ervin Fierro Hermosillo, to operate a CDL-required CMV, a 2003 Freightliner, VIN ending in 2422, GVWR 52,000 lbs., in intrastate commerce from Brewster, Kansas to Garden City, Kansas. This transportation is evidenced by Outbound ticket and Bill of Lading # 150-0038398 and Delivery Scale Ticket #BL004424, both attached hereto as **Exhibit 4**.

During this transport, Driver Ervin Fierro Hermosillo hauled a load of corn with a gross weight of 90,120 lbs. (*See Exhibit 4*), which is over the statutory weight limit of 85,500 lbs. The following drivers had transports that were over the statutory weight limit: Ervin Fierro Hermosillo on July 2, 8, 9, 10, 19, 2024; David Mercado on October 11 and 29, 2024; and Eric Corpus on June 24, July 3 and July 5, 2024. In total the SIs found ten (10) violations.

Violation: R&M Trucking operated over the statutory weight limit of 85,500 in the State of Kansas, which is a violation of K.A.R. 82-4-6a, K.S.A. 8-1909, 49 C.F.R. 392.1 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Pages 3 to 4**). Ten (10) violations discovered (**Exhibit 1, Page 11**).

Recommendations: Staff recommends a fine of \$1,500 in accordance with the FY2025 Penalty Matrix.

RECOMMENDATION:

Transportation Staff recommends the Commission find R&M Trucking committed twenty-six (26) violation(s), set forth in three (3) specific counts, of Kansas law that governs MCs,

including various provisions of the Federal Motor Carrier Safety Regulations (“FMCSRs”), as adopted by the Kansas Administrative Regulations (“K.A.R.s”), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$3,750 for twenty-six (26) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends R&M Trucking require a representative responsible for the company’s safety to attend a Commission-sponsored safety seminar within thirty (30) days from the date of the 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.

Staff further recommends R&M Trucking submit a written, comprehensive Corrective Action Plan (“CAP”) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the 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.

Finally, Staff recommends that R&M Trucking submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

EXHIBIT 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 3542137
MC/MX#: 1183069

Legal: RAUL MUNOZ
Operating (DBA): R & M TRUCKING

Investigation Date:
01/16/2025

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Other (Buruca Trucking Services located at 106 N 9th Street in Garden City, Kansas.)
Extent of Operations: Entire Operation

Physical Address

435 S CAIN AVE
LIBERAL, KS 67901
United States

Mailing Address

106 N. 9th Street
Garden City, KS 67846
United States

Contact Information

Contact Name: RAUL MUNOZ
Email: MUNOZRAUL406@GMAIL.COM
Phone: (620)521-2270 **Cell:** (620)640-8997 **Fax:** ()-

Business and Financial

Business Type: Sole Proprietorship
Name of Gross Revenue Provider: Raul Munoz
Title of Gross Revenue Provider: Member
Gross Revenue: ██████████ **For Year Ending:** 12/31/2023
Federal Tax ID: ██████████

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier
Operation Classification
For-Hire Motor Carrier
Property
Other Non-Hazardous Freight

Cargo

Commodities Dry Bulk, Grain, Feed, Hay

Equipment

	Owned	Term Leased	Trip Leased
Truck Tractors	3		
Trailers	5	2	

Driver Information

Drivers	Intrastate	Interstate
	< 100 Miles	
>= 100 Miles		

Power units used in the U.S.: 3
Percentage of time used in the U.S.: 100%

Average trip leased driver/month: 0
Drivers with CDL: 3
Total Drivers: 3

Person(s) Interviewed

Name: RAUL MUNOZ **Title:** OWNER
Name: ANA BURUCA **Title:** AGENT

Questions

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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This report will be used to assess your safety compliance.

Violations

1. Primary: 395.8(a)(1)

Failing to require a driver to prepare a record of duty status using the appropriate method.



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
7		7

Checked

Fed	State	Total
56		56

BASIC Impacted
Hours-of-Service
Compliance

Rating Factor 3:
Operational = Part
395

Example/Notes:

Number Checked - 30 days for 3 drivers

Number Discovered - 1 Driver was in violation for failure to use an ELD six (6) days and the same drive had a no record of duty status for one (1) day in the 30 days reviewed.

On July 23, 2024 Driver Ervin Fierro Hermosillo drove from Garden City, Kansas to Campbell, Nebraska and loaded corn going to Heritage Beef L.L.C. north of Sublette, Kansas. Driver was required to log trips on 8 days prior to July 11, 2024. Driver would have been required the ELD for seven days starting July 11, 2024. Driver had one missing record of duty status and had 6 trips that required the driver to log a portion of his trip as his trips went beyond the 150 air mile radius or were not an agricultural exempt load.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

2. Primary: 395.8(e)(1)

Making, or permitting a driver to make, a false report regarding duty status



Critical

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
9		9

Checked

Fed	State	Total
72	18	90

BASIC Impacted
Hours-of-Service
Compliance

Rating Factor 3:
Operational = Part
395

Example/Notes:

Driver name : David Marcado

Trip Date: 10/14/2024

Description of violation: driver David Marcado loaded corn in Atwood Kansas to deliver at Arkalon Ethanol Plant in Liberal, Kansas and was required to log the entire trip as it was not an agricultural exempt load. Driver logged 1/2 hour of driving time.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
3	1	4

3. Primary: 392.2

Secondary: K.S.A. 8-1901

Operating in excess of the maximum gross weight of 85,500 lbs. allowed in Kansas.

Violations Discovered

Fed	State	Total
	10	10

Checked

Fed	State	Total

	54	54
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Example/Notes:

Driver Ervin Fierro Hermosillo
 Trip Date: 7/2/2024

On July 2, 2024 Driver Ervin Fierro Hermosillo transported a load of corn from Frontier Ag Inc in Brewster, Kansas to Beeiland Feed Yard in Garden City, Kansas. At the time of this transportation Driver Ervin Fierro Hermosillo hauled over the maximum gross weight of 85,500 lbs. allowed in Kansas without an overweight permit. The gross weight was 90,120 lbs. Three of these overweight violations noted were for operating over the 90,000 lbs allowed by the overweight permit (K.S.A. 8-1919) by Driver Eric Corpus.

4. Primary: 395.8(e)(1)

False reports of records of duty status (inaccurate).

Drivers/Vehicles in Violation

Fed	State	Total
	3	3

Checked

Fed	State	Total
	3	3

Violations Discovered

Fed	State	Total
6		6

Checked

Fed	State	Total
90		90

Example/Notes:

Driver Ervin Fierro Hermosillo
 Trip Date: July 3, 2024

On July 3, 2024 Driver Ervin Fierro Hermosillo failed to log his drive time from Garden City, Kansas until he was within the 150 air mile radius of the source of his next load of corn (agricultural commodity) that he was loading in Holdredge, Nebraska (approximately 17 miles). The load was being delivered in Leoti, Kansas.

5. Primary: 395.8(f)

Failing to require driver to prepare record of duty status in form and manner prescribed.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Violations Discovered

Fed	State	Total
22		22

Checked

Fed	State	Total
90		90

Example/Notes:

Driver name: Eric Corpus
 Trip date: 6/24/2024

On June 24, 2024 Driver Eric Corpus transported a load of corn from Edison, Nebraska to Garden City, Kansas. At the time of this transport Driver Eric Corpus was required to log

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
3		3

his entire trip as he delivered at Reeve Agri Energy. Driver failed to document unit number, company address, shipping information, total hours, change of duty status locations, miles traveled and didn't complete the graph for the entire 24 hours period.

6. Primary: 395.8(k)(2)

Driver failing to have in possession copies of records of duty status for the previous seven consecutive days while on duty.

Violations Discovered

Fed	State	Total
20		20

Checked

Fed	State	Total
30		30

Example/Notes:

Driver Name: Driver Eric Corpus

Vehicle Number: Unit 15

Trip Date: 6/24/2024

Violation Description: Driver Eric Corpus transported a load of corn from Edison, Nebraska to Reeve Agri Energy in Garden City, Kansas and was required to retain a record of duty status for this trip. Driver Eric Corpus failed to complete a record of duty status for his previous 7 days. Driver did not complete a record of duty status for 6/22/2024 or 6/23/2024 but no load information was obtained for these two days.

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
3		3

Safety Fitness Rating

Your proposed safety rating is: **CONDITIONAL** 1 UNSATISFACTORY rating factor and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Unsatisfactory	0	2
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 3 Number of Vehicles Inspected (MCMIS): 3 OOS Rate: 100%	Conditional		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 269,231 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

Effective date: You will receive an official notice of proposed safety rating from the Federal Motor Carrier Safety Administration in Washington, D.C. The Conditional rating will take effect 60 days after the date of the official notice.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

You may request a safety rating upgrade based on corrective action under 49 CFR 385.17 and/or an administrative review under 49 CFR 385.15.

Change to safety rating based on corrective action: You may request a change to a safety rating under 49 CFR 385.17 at any time by providing evidence that you have taken actions to correct the deficiencies that resulted in the safety rating. You must make this request in writing to the Field Administrator for the FMCSA Service Center in which you maintain your principal place of business. A pending request for a change in safety rating under 49 CFR 385.17 will not delay the effective date of the rating.

Administrative Review: You may appeal your proposed safety rating in a petition filed under 49 CFR 385.15 if you believe FMCSA made an error in assigning your safety rating. You must submit your appeal within 90 days of the date of the proposed safety rating or within 90 days after denial of a request for a change in rating under section 385.17(i). If the safety rating improves a previous Unsatisfactory rating, it becomes effective immediately and you must submit your appeal within 90 days of the final safety rating. A petition under section 385.15 will not delay the effective date of the rating unless the Chief Safety Officer grants a stay.

You must submit your appeal in writing to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590-0001.

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Hours-of-Service Compliance

Process Breakdown: Training and Communication

Rual Munoz d/b/a R & M Trucking will ensure that drivers understand and use the agricultural exemption properly. Rual Munoz d/b/a R & M Trucking will prohibit drivers from falsifying their records of duty status. Rual Munoz d/b/a R & M Trucking will ensure that drivers are completing records of duty status accurately and in the proper form and manner.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:

1. Inform drivers that management will be monitoring and tracking Records of Duty Status (RODS).
2. Ensure that all staff (drivers, dispatchers, sales) involved in the Hours-of-Service (HOS) process receives training as required by regulations and/or company policies.
3. Provide training/testing program to current drivers on proper log completion, how to achieve proper rest on trips by instructing them on the difference between on-duty not driving, for example a driver waits while trailer is loaded, and off-duty, and the importance of proper rest between shifts.

Recommendations

1. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

2. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

3. **Require drivers to prepare complete and accurate records.**

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.

4. **Ensure that all drivers' logs are accurate.**

Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.

5. **Agricultural Exemption**

Ensure that you drivers understand that the 150 air mile radius is from the source of the agricultural commodity (where they load the agricultural commodity) and that all drivers log any miles driven outside of the 150 air mile radius. Drivers cannot claim the agricultural exemption if hauling to a feed mill or an ethanol plant.

6. **UNSAT & CONDITIONAL**

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. Apply Adequate Resources: Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility. 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 C.F.R. Part 391.23 requires prospective employers to , at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substance history from all employers the driver worked for within the previous three 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 is a screening tool that assists 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 visa 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.

Motor carriers should visit the following website for more information:

FMCSA Carrier Safety Measurement System (SMS) is based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. SMS effectively identifies and prioritize high risk and other unsafe motor carriers for enforcement interventions and is designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carrier's currently have the ability to preview their companies SMS information.. The data preview may be found at <http://csa.fmcsa.dot.gov/>.

For all Investigations resulting in a Penalty Order:

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. 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 Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings.

Your petition should be addressed to:

US Department of Transportation
Jack Van Steenburg -Chief Safety Officer Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation
Matthew Marrin - Midwestern Field Administrator Federal Motor Carrier Safety Administration
600 Holiday Plaza Drive, Suite 240
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation
Kansas Division Michael Christopher - Division Administrator Federal Motor Carrier Safety Administration
1303 First American Place, Suite 200
Topeka, KS 66604-4040

This letter should be submitted as soon as possible. Information on your compliance status, roadside inspections, regulatory changes, accident counter measures and hazardous material counter measures 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/>.

7. MANDATORY FOLLOW UP REQUIRMENTS (ALL INVESTIGATIONS THAT RESULT IN PENALTY)

1) The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all 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.

Submit the letter along with copies of your supporting evidence to:

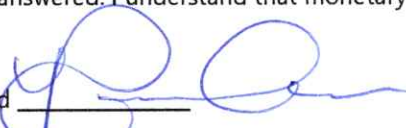
Email: Jared.L.Smith@ks.gov
FAX: 785-271-3124
or mail:
Kansas Corporation Commission
Attn: Jared Smith
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2) The KCC requires a representative from MOTOR CARRIER NAME to attend a Commission-sponsored safety seminar within thirty (30) days from the date of the penalty order. Schedule of the dates for safety seminars can be found on the Commission s website at <https://www.kcc.ks.gov/transportation/calendar-of-events>.

FAILURE TO SUBMIT THE CORRECTIVE ACTION PLAN (CAP) AND ATTEND A SAFETY SEMINAR WITHIN 30 DAYS WILL RESULT IN THE SUSPENSION OF MOTOR CARRIER NAME OPERATING AUTHORITY AND/OR THE IMPOUNDMENT OF VEHICLES.

I understand that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Signed _____



Date _____

1-16-25

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
395.8(e)(1) - False reports of logs, inaccurate log (not critical)			
1	07/03/2024	ERVIN FIERRO HERMOSILLO	
395.8(k)(2) - Failing to have previous 7 days RODS			
1	06/24/2024	ERIC CORPUS	
395.8(f) - Failing to prepare RODS in form and manner prescribed			
1	06/24/2024	ERIC CORPUS	
392.2 - Operating in excess of the maximum gross weight of 85,500 lbs. allowed in Kansas.			
1	07/02/2024	ERVIN FIERRO HERMOSILLO	
2	07/08/2024	ERVIN FIERRO HERMOSILLO	
3	07/09/2024	ERVIN FIERRO HERMOSILLO	
4	07/10/2024	ERVIN FIERRO HERMOSILLO	
5	07/19/2024	ERVIN FIERRO HERMOSILLO	
6	10/11/2024	DAVID MERCADO	
7	10/29/2024	DAVID MERCADO	
8	06/24/2024	ERIC CORPUS	
9	07/03/2024	ERIC CORPUS	
10	07/05/2023	ERIC CORPUS	
395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method			
1	07/23/2024	ERVIN FIERRO HERMOSILLO	
2	07/11/2024	ERVIN FIERRO HERMOSILLO	
3	07/15/2024	ERVIN FIERRO HERMOSILLO	
4	07/16/2024	ERVIN FIERRO HERMOSILLO	
5	07/17/2024	ERVIN FIERRO HERMOSILLO	
6	07/25/2024	ERVIN FIERRO HERMOSILLO	
7	06/26/2024	ERVIN FIERRO HERMOSILLO	
395.8(e)(1) - False reports of records of duty status			
1	07/11/2024	ERVIN FIERROHERMOSILLO	
2	07/10/2024	ERVIN FIERRO HERMOSILLO	
3	10/01/2024	DAVID MERCADO	
4	10/02/2024	DAVID MERCADO	
5	10/03/2024	DAVID MERCADO	
6	10/04/2024	DAVID MERCADO	

7	10/10/2024	DAVID MERCADO	
8	10/14/2024	DAVID MERCADO	
9	10/28/2024	DAVID MERCADO	

EXHIBIT 2



DRIVER'S DAILY LOG

(24 HOURS)

07 / 23 / 24
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

RECAP
Complete at
end of workday.

581

1608421

Total Miles Driving Today

Total Mileage Today

R8M Trucking
Name of Carrier or Carriers

Garden city Ks
Main Office Address

18 65

Home Terminal Address

I certify these entries are true and correct:

Erin F. Ford
Driver's Full Signature

Co-Driver's Name

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
-----------	---	---	---	---	---	---	---	---	---	----	----	------	---	---	---	---	---	---	---	---	---	----	----	-------------

- 1. OFF DUTY
- 2. SLEEPER BERTH
- 3. DRIVING
- 4. ON DUTY (NOT DRIVING)

13.25
8.75
2

MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
-----------	---	---	---	---	---	---	---	---	---	----	----	------	---	---	---	---	---	---	---	---	---	----	----	-------------

24

REMARKS

PTI Garden
food Campbell
ROT Inspector
Vg load Garden
Inspector Garden

SHIPPING DOCUMENTS:

B/L or Manifest No. or

corn

Shipper & Commodity

From:

Enter name of place you reported and where released from work and when and where each change of city occurred.

Campbell

To:

Garden city

51944



USE TIME STANDARD AT HOME TERMINAL

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A. Total hours on duty last 7 days, including today.

B. Total hours available tomorrow. 70 hr. minus A.*

C. Total hours on duty last 8 days, including today.

60 Hour / 7 Day Drivers

A. Total hours on duty last 6 days, including today.

B. Total hours available tomorrow. 60 hr. minus A.*

C. Total hours on duty last 7 days, including today.

*If you took 34 consecutive hours off duty, you have 60/70 hours available again.

DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS

CARRIER: R 8 M Trucking

ADDRESS: Garden City KS

DATE: 07-23-24 TIME: 5:00 A.M. _____ P.M.

CHECK ANY DEFECTIVE ITEM AND GIVE DETAILS UNDER "REMARKS"

TRACTOR/
TRUCK NO. 1B ODOMETER READING 1607840

- | | | |
|---|---------------------------------------|--|
| <input type="checkbox"/> Air Compressor | <input type="checkbox"/> Front Axle | <input type="checkbox"/> Safety Equipment |
| <input type="checkbox"/> Air Lines | <input type="checkbox"/> Fuel Tanks | Fire Extinguisher |
| <input type="checkbox"/> Battery | <input type="checkbox"/> Horn | Flags/Flares/Fuses |
| <input type="checkbox"/> Belts and Hoses | <input type="checkbox"/> Lights | Reflective Triangles |
| <input type="checkbox"/> Body | Head/Stop | Spare Bulbs and Fuses |
| <input type="checkbox"/> Brake Accessories | Tail/Dash | Spare Seal Beam |
| <input type="checkbox"/> Brakes, Parking | Turn Indicators | <input type="checkbox"/> Starter |
| <input type="checkbox"/> Brakes, Service | Clearance/Marker | <input type="checkbox"/> Steering |
| <input type="checkbox"/> Clutch | <input type="checkbox"/> Mirrors | <input type="checkbox"/> Suspension System |
| <input type="checkbox"/> Coupling Devices | <input type="checkbox"/> Muffler | <input type="checkbox"/> Tire Chains |
| <input type="checkbox"/> Defroster/Heater | <input type="checkbox"/> Oil Pressure | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Drive Line | <input type="checkbox"/> Radiator | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Engine | <input type="checkbox"/> Rear End | <input type="checkbox"/> Trip Recorder |
| <input type="checkbox"/> Exhaust | <input type="checkbox"/> Reflectors | <input type="checkbox"/> Wheels and Rims |
| <input type="checkbox"/> Fifth Wheel | | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Fluid Levels | | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Frame and Assembly | | <input type="checkbox"/> Other |

TRAILER(S) NO.(S) 68

- | | | |
|--|---|--|
| <input type="checkbox"/> Brake Connections | <input type="checkbox"/> Hitch | <input type="checkbox"/> Suspension System |
| <input type="checkbox"/> Brakes | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Coupling Devices | <input type="checkbox"/> Lights - All | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Reflectors/Reflective Tape | <input type="checkbox"/> Wheels and Rims |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Roof | <input type="checkbox"/> Other |

Remarks: load corn campbell to Garden

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE: Erin Fiero

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: _____ DATE: _____

DRIVER'S SIGNATURE: _____ DATE: _____

ORIGINAL



COOPERATIVE PRODUCERS, INC.

CAMPBELL

402-756-8291

United States Warehouse Act Grain Inspection and Weight Certificate
(Inspection Not Valid For Purposes of the United States Grain Standards Act)
Original Not Negotiable

YC - CORN

Ticket Type: REGULAR
0000672770

Farm:
Field:

OUTBOUND DATE: 7/23/2024
Scale Ticket #: 150 CG59958

Account Name: THE REDWOOD GROUP LLC

5920 NALL AVE, STE 400
MISSION KS 66202

Confirmation of Storage Agreement: By delivering the commodities described herein, Customer agrees that such commodities shall be subject to the Cooperative's current posted Discount Schedules and Grain Policies, which are available at all Cooperative locations and at www.cpicoop.com - which are hereby incorporated into this agreement by reference.

9:37 AM Gross: 85,360	Vehicle ID: R & M	Shipper:
9:01 AM Tare: 29,140	BOL\Other: 864301	Contract #
Net: 56,220 LBS	Driver: BLACK 18	Driver On?: N
Gross BUSHELS 1,003.93	FDS Load #:	
Shrink 0.00	Comments:	
Net BUSHELS 1,003.93	Weigher: JENNIFER	
MOISTURE SHRINK 13.30	U.S. NO. 1 GRADE	Visit us at www.cpicoop.com
TEST WEIGHT 59.10	This certificate is issued by an inspector and/or weigher licensed under the U.S. Warehouse Act and regulations thereof.	
	eF	BY: _____

244759

HERITAGE BEEF, LLC

1506 Road 30
SUBLETTE, KANSAS 67877

DATE 07 23 2024

MOISTURE:	13.1
TEST WGT	59.5
BROKEN/FM	
TOTAL DAMAGE	
HEAT DAMAGE	
HEATING?	
MUSTY?	
INFESTED?	
SOUR?	

CPIC 244759 07/23/24
 ID #
 GROSS 85360
 TARE 29140
 NET 56220
 LBS

VENDOR: Redwood Driver On () Off (✓)

Commodity Com Contract Number _____

Origin Elevator _____ Origin Location _____

Remarks: #18 Weigher WT

EXHIBIT 3



DRIVER'S DAILY LOG

(24 HOURS)

10 / 14 / 24
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

RECAP
Complete at end of workday.

332

Total Miles Driving Today

627,214

Total Mileage Today

Rim Trucking

Name of Carrier or Carrier

435 S Cain liberal KS 67901

Main Office Address

liberal KS

Home Terminal Address

I certify these entries are true and correct:

[Signature]

Driver's Full Signature

Co-Driver's Name

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 TOTAL HOURS

1. OFF DUTY

2. SLEEPER BERTH

3. DRIVING

4. ON DUTY (NOT DRIVING)

18.50
4.50
.50
.50

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11

REMARKS

24

Garden City KS (PTD)

Atwood KS - ~~to~~ to Depew KS

liberal KS (PTD)

SHIPPING DOCUMENTS:

Rim

B/L or Manifest No.

or Cain

Shipper & Commodity

Enter name of place you reported and where released from work and when and where each change of duty occurred.

From: Garden City KS

To: liberal KS

8527



On-duty hours today. (Total lines 3 & 4)

70 Hour/8 Day Drivers

A. Total hours on duty last 7 days, including today.

B. Total hours available tomorrow. 70 hr. minus A.*

C. Total hours on duty last 8 days, including today.

60 Hour/7 Day Drivers

A. 60 Total hours on duty last 6 days, including today.

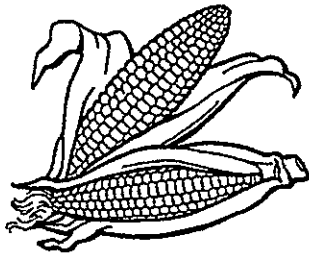
B. 59 Total hours available tomorrow. 60 hr. minus A.*

C. Total hours on duty last 7 days, including today.

*If you took 34 consecutive hours off duty, you have 60/70 hours available again.

USE TIME STANDARD AT HOME TERMINAL

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FRANKLIN

21455 Road E
Atwood, KS 67730



SCALE TICKET

DATE
October 14, 2024

TICKET NUMBER
5233

COMMODITY CORN

GROSS 85,720 lbs
TARE 29,120 lbs
NET 56,600 lbs

GROSS BUSHEL 1,010.71
NET BUSHEL 1,010.71
TRUCK 1

CONSIGNEE Anderson 450K

BIILL OF LADING 960992

D

PRINTED 10/14/2024 3:40:36 PM

Franklin Ethanol, LLC
PO Box 1007
Atwood KS 67905

INBOUND

Number: ARK101524-002

This is a memorandum, non negotiable,
possession of which does not signify that
payment has or has not been consummated.

Date: 10/15/2024
Printed: 10/15/2024 08:24

count of:

E ANDERSONS, INC. - GRAIN

Kind of Grain: CORN #2

Legal:

Driver On Scale: Yes CA:

Vehicle: 18

R & M TRUCKING

Origin City: ATWOOD

FIELD

Grades

Weights

Gross : 85460.00

INBOUND 10/15/2024 7:57:

Tare: 28780.00

OUTBOUND 10/15/2024 08:24

Net : 56680.00

CORN #2 1012.14 BU

MOIST	TW	DM	FM	INF	MUSTY	SOUR	MOLD	AFLO	FUM
13.40 %	59.70	0.00 %	0.10 %	%0.2f	NO	NO	NO	0.00	0.00

Inload : 4200

Manual Ticket :

Bill of Lading: 960992

Storage: GP3

Ownership

AND002

Gross	Shrink	Net	Contract #
1012.14	0.00	1012.14	AK251281

EXHIBIT 4



P.O. Box 998
Goodland, KS 67735

OUTBOUND TICKET AND BILL
OF LADING #: 150 - 0038398
BREWSTER GRAIN, AGRONOMY, PI

DELIVERING QUALITY SOLUTIONS

CUSTOMER: AGMALLC000
AGMARK LLC
BELOIT KS

SHIPPER: 0000001963
R&M TRUCKING
GARDEN CITY KS

FRONTIER AG, INC
CONT#: 0012648
CONT#: 0012648

DRIVER NAME: _____

COMMODITY: CORN
VAR/CLASS: CORN
TEST WEIGHT 58.40

DRIVER SIGN: _____
DRIVER ON: N
FIELD ID: .
E1
VEHICLE ID: RM18

PRICE:

07/02/24 09:03	90120	LBS GROSS	Sca
07/02/24 08:51	29020	LBS TARE	Sca
	61100	LBS NET WT	

BEEFLAND-PLYMELL

DOCKAGE LBS	0
NET LBS	61099.92
NET BU	1091.07

WEIGHER: MDB

MDB

Approved by the Kansas Department of Agriculture
Warning *Combustible Dust* May form combustible dust concentrations in air

Beefland Feed Yard

12500 South Beefland Rd. Garden City, KS 67846 Ph. (620) 275 2030

Ticket Number
BL004424

Corn - Inbound

WN=I00004436

Farm Splits	Quantity	Percent	6267		07/02/2024
AG MARK	1092.50	100.00 %	AG MARK		
			Driver -		ON
Weights - BM	Instructions		Factor	Grade	+Prem/-Disc
12:00 Gross	HAVE A NICE DAY!! 61100 0038398		TestWeight	60.3	-99.0000
12:16 Tare			Moisture	11.1	-99.0000
Net			Damage		
			FM		
Grs Bu.	1,092.50		HeatDamage		
Net Bu.	1,092.50		Aflatoxin		

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CERTIFICATE OF SERVICE

25-TRAM-285-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 02/11/2025.

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/S/ KCC Docket Room
KCC Docket Room