

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

In the Matter of the Investigation of )  
**HAMM, Inc. of Perry, Kansas**, Regarding )  
the Violation of the Motor Carrier Safety ) Docket No. 22-TRAM-167-PEN  
Statutes, Rules and Regulations and the )  
Commission's Authority to Impose )  
Penalties, Sanctions and/or the Revocation )  
of Motor Carrier Authority. )

**MOTION TO SUSPEND INTRASTATE MOTOR CARRIER OPERATIONS**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend HAMM, Inc. of Perry, Kansas (Carrier) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Carrier is a motor carrier as defined in 49 C.F.R. Part 390.5, as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.
2. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 634172.
3. On October 14, 2021, the Commission issued Carrier a Penalty Order that assessed a civil penalty of \$2,000 for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted by Special Investigators, Wade Patterson and Matt Adams, on October 6, 2021.
4. The Carrier was served with the Penalty Order via certified mail, return receipt requested, on October 18, 2021. A Proof of Service was filed in this docket on October 22, 2021. The Carrier had 30 days from the date served to pay the civil penalty of \$2,000.

5. Carrier was sent a collection letter on November 17, 2021, reminding it of the amount due and giving it 10 days from the date of the collection letter to pay. A copy of the collection letter is attached hereto.

6. As of December 22, 2021, Commission records indicate that Carrier has not complied with the collection letter or the requirements of the Penalty Order.

7. Staff asks the Commission find that Carrier's failure to comply with the requirements of the Penalty Order poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

8. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier's intrastate motor carrier operations until such time as Carrier pays the penalty of \$2,000, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Carrier's intrastate motor carrier.

Respectfully submitted,

/s/Ahsan A. Latif

Ahsan A. Latif, #24709

Litigation Counsel

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For Commission Staff

1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Andrew J. French, Chairman  
Dwight D. Keen, Commissioner  
Susan K. Duffy, Commissioner



Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

Laura Kelly, Governor

November 17, 2021

HAMM, Inc.  
609 Perry Pl  
Perry, KS 66073

Re: Docket No. 22-TRAM-167-PEN  
In the Matter of the Investigation of **HAMM, Inc. of Perry, Kansas**, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.

On October 14, 2021, a Penalty Order was issued against HAMM, Inc. for violations of motor carrier safety statutes, rules and regulations. The order assessed it a civil penalty of \$2,000.

To date, this civil penalty has not been paid, nor has evidence been provided to the Commission to avoid sending this matter to a collection agency and/or submission to the Kansas state setoff program for the garnishment of any tax refund that might be due you. Please remit payment of \$2,000 through your personal account in the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed. **Payment must be made within the next 10 days.**

This letter further serves as notice that operation of a commercial motor vehicle in violation of a Commission Penalty Order may subject your company to additional civil penalties and sanctions, including the issuance and enforcement of out-of-service orders and possible impoundments.

Thank you for your prompt attention to this matter. If you have any questions or concerns, please feel free to call me at 785-271-3118.

Respectfully,

*/s/ Ahsan A. Latif*

Ahsan A. Latif  
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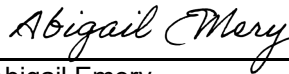
## **CERTIFICATE OF SERVICE**

22-TRAM-167-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing motion was placed in the United States mail, postage prepaid, this 22nd day of December, 2021, to the following:

Kobi Foster, SAFETY DIRECTOR  
HAMM, INC.  
609 PERRY PLACE  
PERRY, KS 66073-4201

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Abigail Emery

\* Denotes those receiving the Confidential version