



20240808104322
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
24-TRAM-118-PEN

August 8, 2024
Jaime Garcia
American Logistics LLC
2749 W 131st Terrace
Leawood, Kansas 66209

This is a notice of a penalty assessment against American Logistics LLC (American Logistics) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted from July 25 to July 30, 2024, by a Kansas Corporation Commission Special Investigator. Penalties are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. 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: American Logistics has been assessed a \$1,400 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,400, 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 requires a representative of American Logistics 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.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. American Logistics 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 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 \$1,400 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/ Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel
(785) 271-3118
ahsan.latif@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 **American**)
Logistics LLC, of Leawood, Kansas.)
Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 24-TRAM-118-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:

1. From July 25 to July 30, 2024, a Commission Staff (“Staff”) Special Investigator (“SI”) completed a safety compliance investigation of the operations of American Logistics LLC (American Logistics or Carrier). American Logistics is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 3475280.

2. On July 31, 2024, Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$1,400 to be issued to American Logistics based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigation, the SI identified three (3) violation(s), accounting for three (3)

count(s), of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix.²

3. Additionally, Staff recommends that American Logistics be required to have a representative responsible for the Carrier's safety compliance 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.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.

4. Staff further recommends American Logistics 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 this Penalty 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

5. Finally, Staff recommends that American Logistics submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.⁵ Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

6. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112, and 66-1,114, 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

² Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 10–24 (June 27, 2024) ("Penalty Matrix").

³ See Staff's Report and Recommendation, p.3 (Jul. 31, 2024).

⁴ *Ibid.*

⁵ *Id.*

Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

7. Pursuant to K.S.A. 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.

8. 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.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. American Logistics is hereby assessed a \$1,400 civil penalty for three (3) violation(s), accounting for three (3) count(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. American Logistics is hereby ordered to have a representative responsible for the Carrier's safety compliance 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. American Logistics is hereby ordered to 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 this Penalty 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.

D. American Logistics 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.

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 Executive Director 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 American Logistics' 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, 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.⁶ For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation.⁷

⁶ . K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁷ K.S.A. 66-1,142b(e) and amendments thereto.

G. If you do not request a hearing, the payment of the civil penalty of \$1,400 is due in thirty (30) days from the date of service of this Order. Payment of \$1,400 must be made 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 to pay the \$1,400 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of American Logistics' motor carrier operating authority without further notice.⁸ 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: 08/08/2024



Lynn M. Retz
Executive Director

AAL

⁸ 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: July 31, 2024

SUBJECT: Docket No. 25-TRAM-118-PEN
In the Matter of the Investigation of **American Logistics LLC of Leawood, 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:

Americian Logistics LLC is a motor carrier (MC) possessing public for-hire operating authority from the Commission, primarily hauling general freight and intermodal containers. Americian Logistics LLC operates under USDOT 3475280. From July 25 to July 30, 2024, a Commission Staff Special Investigator (SI) completed a safety compliance investigation of the operations of Americian Logistics LLC. 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 SI identified three (3) violations, accounting for 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 SI, staff recommends penalty of \$1,400 be issued to the MC.

DISCUSSION AND ANALYSIS:

On July 31, 2024, an SI conducted a safety compliance investigation of the operations of Americian Logistics LLC. The investigation covers a 365 day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 3)

Jurisdiction: 49 C.F.R. 382.301(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must require its driver to submit to a pre-employment controlled substances USDOT regulated test and to obtain a negative test result prior to requiring or permitting the driver to operate a commercial motor vehicle.

Supporting Documentation: On June 10, 2024, American Logistics LLC required or permitted its driver, Jose Salazar, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV), a 2014 Volvo truck, VIN ending in 8088, GVWR 50,350 lbs., in interstate commerce from Raytown, Missouri to Lowell, Arkansas. This transport is evidenced by a Driver's Daily Log, dated June 10, 2024, attached hereto as **Exhibit 2**. Additionally, an emailed interchange receipt is attached hereto as **Exhibit 3**. Finally, a Driver/Vehicle Examination Report No. KSHP00180345, dated June 10, 2024, is attached hereto as **Exhibit 4**. The MC was unable to provide the SI with a negative test result for this driver obtained prior to the date of this transport.

Violation: The MC failed to require its driver to submit to a pre-employment-controlled substances USDOT regulated test and to obtain a negative test result prior to requiring or permitting the driver to operate a commercial motor vehicle (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendations: Staff recommends a fine of \$650.

Count Two (2 of 3)

Jurisdiction: 49 C.F.R. 382.701(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must conduct a pre-employment inquiry into its drivers with the FMCSA Drug and Alcohol Clearinghouse (DACH).

Supporting Documentation: The violation took place during the transport described in Count One, above. The MC's DACH query history is attached as **Exhibit 5**. There is no record of a pre-employment inquiry into driver Jose Salazar on the query history.

Violation: The MC failed to conduct a pre-employment query into its drivers with the FMCSA DACH (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendations: Staff recommends a fine of \$500.

Count Three (3 of 3)

Jurisdiction: 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC shall require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation.

Supporting Documentation: The violation took place during the transport described in Count One, above. Driver Jose Salazar's did not fill out an adequate driver's log for June 10, 2024. The interchange receipt states Mr. Salazar picked up a load in Lowell, Arkansas, which is beyond 150 air miles and therefore the transport was required to be logged. The Driver's Daily Log (**Exhibit 2**) only lists travel within the Kansas City area.

Violation: The MC failed to require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation (**Exhibit 1, Page 3 to 4**). One (1) violation was discovered.

Recommendations: Staff recommends a fine of \$250.

RECOMMENDATION:

Transportation Staff recommends the Commission find Amercian Logistics LLC committed three (3) violations, accounting for 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 \$1,400 for three (3) violations 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 Amercian Logistics LLC require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) 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 Amercian Logistics LLC 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 the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

Finally, Staff recommends that Amercian Logistics LLC 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#: 3475280
MC/MX#: 1138788

Legal: AMERICAN LOGISTICS LLC
Operating (DBA):

Investigation Date:
07/30/2024

Investigation Type: Offsite Investigation

Physical Address

2749 W 131ST TERRACE
LEAWOOD, KS 66209
United States

Mailing Address

2749 W 131ST TERRACE
LEAWOOD, KS 66209
United States

Contact Information

Contact Name: JAIME GARCIA

Email:

Phone: (913)802-8122 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Limited Liability Corporation

Name of Gross Revenue Provider:

Title of Gross Revenue Provider:

Gross Revenue: **For Year Ending:**

Federal Tax ID: [REDACTED]

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier

Operation Classification

For-Hire Motor Carrier

Property

Other Non-Hazardous Freight

Cargo

General Freight, Intermodal Containers

Equipment

	Owned	Term Leased	Trip Leased
Truck Tractors	4		

Driver Information

	Drivers	
	Intrastate	Interstate
Power units used in the U.S.: 4	< 100 Miles	3
Percentage of time used in the U.S.: 100%	>= 100 Miles	

Average trip leased driver/month: 0

Drivers with CDL: 3

Total Drivers: 3

Person(s) Interviewed

Name: JAIME GARCIA

Title: CEO

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: 382.301(a)

Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

Example/Notes:

Driver name: Jose Salazar

Trip date: 6/10/2024

Hire date: 4/26/2024

Driver, Jose Salazar was found to be driving a CMV for American Logistics LLC going from Raytown, MO to Lowell, AR. The motor carrier utilized the driver before receiving a pre-employment test result.

2. Primary: 382.701(a)

Failing to conduct a pre-employment query

Example/Notes:

Driver: Jose Salazar

Trip: 6/10/2024

Violation: Failing to conduct a pre-employment query.

Driver, Jose Salazar, was hired on 4/26/2024. There is no record of a pre-employment query conducted on him. He had a vehicle examination report conducted on him on 6/10/2024- KSHP00180345.

3. Primary: 395.8(a)(1)

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

Example/Notes:

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
3		3

Drivers/Vehicles in Violation

Number Checked - 1 day checked, 6/10/2024

Number Discovered - 1

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

Driver, Jose Salazar, drove from Raytown, MO to Lowell, AR. He did not properly fill out an adequate log for that trip. Only indicating driving within 150 air miles for that day. The total trip to Lowell, AR is greater than 150 air miles and would need to prepare a record of duty status using the appropriate method.

Fed	State	Total
1		1
Checked		
Fed	State	Total
3		3

Safety Fitness Rating

This Investigation is Not Rated

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

This was an offsite investigation. An offsite investigation allows FMCSA to evaluate your safety compliance with minimal disruption to your business. An offsite investigation will not result in a safety rating.

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: Monitoring and Tracking

On 6/10/2024 Jose Salazar drove from Raytown, MO to Lowell, AR. The ELD indicated driving within 150 air miles from his original destination. The trip exceeds the 150 air mile radius, but less than 50 miles.

Specific Recommended Remedies

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

1. Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.

BASIC: Controlled Substances/Alcohol

Process Breakdown: Monitoring and Tracking

Jose Salazar had a hire date of 4/26/2024. A pre-employment query was not conducted on him.

Specific Recommended Remedies

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

1. Ensure that all test records are monitored for adherence to retention dates and nondisclosure requirements.

Recommendations

1. **Additional Information**

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

2. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm

3. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

4. **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.

5. **Clearinghouse Driver Consent**

Ensure driver consent has been obtained and is on file before conducting a limited query.

6. **Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

7. **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.

8. **Serious Violations**

This review contains violations that are serious in nature and may result in a penalty assessment against the company and/or drivers.

9. **CAP to Commission**

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: 785-721-3124

or mail:

Kansas Corporation Commission

Attn: Jared Smith

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

10. **Acknowledgment Signature**

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 Concrete Service Co Inc operating authority and/or the impoundment of Concrete Service Co Inc commercial motor vehicles.

Carrier Representative

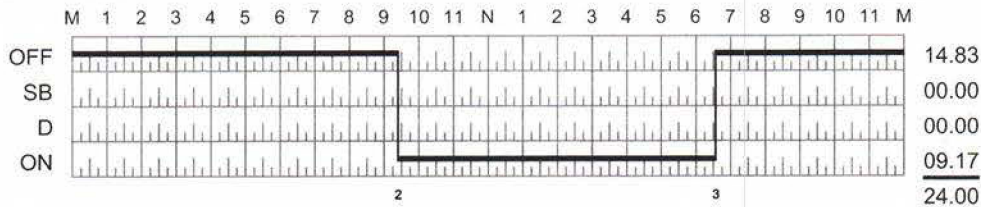
Date

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
382.701(a) - Failing to conduct a pre-employment query			
1	06/10/2024	Driver: Failing to conduct a pre-employment query	
382.301(a) - Using a driver before receiving a pre-employment result			
1	06/10/2024	Driver: Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.	
395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method			
1	06/10/2024	Failing to require a driver to prepare a record of duty status using the appropriate method.	

EXHIBIT 2

Driver ID	Salazar, Jose Guadalupe americanlogisticsdriver15		
Co-Drivers			
Fleet ID	15	Exempt Driver	0
Driver License	██████████, MO	Vehicle License	
Distance		Engine Hours	
Odometers		Shipping Docs	
Current Location	Raytown MO	24-Period Starting	Midnight
Data Diag. Indicators	No	ELD Malfn. Indicators	No
ELD ID	MOTIVE	ELD Provider	Motive Technologies Inc
Vehicles and VINs			
Trailers			
Carrier and DOT#	AMERICAN LOGISTICS LLC (3475280)		
Main Office	2749 W 131ST TERRACE, LEAWOOD, KS, 66209		



No.	Status	Start (CDT)	Duration	Location	Engine (elapsed)	Odo (accum.)	CMV	Notes
1	Off Duty Driver	12:00:00 AM	9 hr 24 min 19 sec	Kansas City, KS				
2	On Duty Driver	9:24:19 AM	9 hr 10 min 11 sec	Kansas City, MO				
3	Off Duty Driver	6:34:30 PM	5 hr 25 min 30 sec	Kansas City, KS				
4	Cert 1	Jun 13 12:31:03 PM						

Unidentified Events								
No.	Status	Start (CDT)	Duration	Location	Engine (elapsed)	Odo (accum.)	CMV	Notes

Recap						
6/03	6/04	6/05	6/06	6/07	6/08	6/09
0.00	0.00	11.17	9.05	10.52	0.00	0.00
						Restart

Total Hours Since Restart	0.00
Hours Available Today	70.00
Hours Worked Today	9.17

I hereby certify that my data entries and my record of duty status for this day are true and correct


Driver Signature

EXHIBIT 3

6/10 LOWELL AR

1 message

American Logistics LLC <americanlogistics0819@gmail.com>
To: ERNESTO GONZALEZ <csamericanlogistics@gmail.com>, JOSE DISPATCH
<americanlogisticsdriver15@gmail.com>

Mon, Jun 10, 2024 at 7:30 AM

BOBTAIL PICK UP EMPTY:

YMLU9001824

Floor Mo
419 S Lincoln St Lowell, AR 72745

RETURN ; CALL



Rocio Garcia
Operations Manager
American Logistics LLC
Office: (913) 353-5656
americanlogistics0819@gmail.com
1809 N 7TH ST Kansas City, KS 66101
<https://americanlogisticskc.com>

Interchange Receipt (J1)

 CLOSE

**BNSF Railway Company
Equipment Inspection Record**

**YMLU 900182 EMPTY
TJPZ 438103**

**Ingate: LOGPARKAN KS 06/10/2024 1701
Shipper: YANGMINAMERI Dest: LONBEAITS CA
Trucker: ALHM Tractor: 193684
License: *****9018
Seal: IC From:**

**LGT- 40 HT- 9.6 KP- 36 AXL- 096 NU-
WGT: TOFC- 16800 COFC- 9300
WGT: G- T- C-**

**HAZMAT Dec: N

Damage:

**Current -
PHOTOGRAPHIC INSPECTION - Equipment defects are
captured on recorded images.**

**Previous -
Inspected - No Damage Found**

**Roadability:
No Roadability Defects Reported
Driver :
IEP DOT#: 1521807**

 PRINT  CLOSE

EXHIBIT 4

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP00180345
Inspection Date: 06/10/2024
Start: 5:24 PM CT End: 5:38 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: AMERICAN LOGISTICS LLC

DBA:
2749 W 131ST TERRACE
LEAWOOD, KS, 66209
USDOT: 3475280 Phone#: (913)802-8122
MC/MX#: Fax#:
State#:

Driver: SALAZAR, JOSE G
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State: MO

Location: JOHNSON COUNTY - 091
Highway: HOMESTEAD RAMP 35 N
County:
Email:

Milepost: Shipper: N/A
Origin: EDGERTON,KS
Destination: KANSAS CITY,MO
Bill of Lading: N/A
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Row 1: 1, TT, VOLV, 2014, KS, [redacted], 1, [redacted], 8088, 50350

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

VIOLATIONS: No violations were discovered

HazMat: No HM transported Placard: Cargo Tank:

Special Checks: No data for special checks

* 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:

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **** *CARRIER CERTIFICATION: All defects on this sheet 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.
Signature Of Motor Carrier X: Title: Date:

Report Prepared By: ID/Badge #:
C.J. Beard 0018

Copy Received By:
JOSE SALAZAR

X

X



03475280 KS KSHP00180345

EXHIBIT 5

Queries History

All Queries

Report Generated on : 07/30/2024 12:50

Key	First Name	Last Name	Country	State	Number	Employer Conducting Query	DBA	DOT Number	Query Status	Query Result	Conducted By	Query Type	Query Submitted	Query Completed
QUERY.2Q00	ADRIAN	LAGWAY	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	4/10/2024
QUERY.2R3R	JUAN	MIRANDA ALVARADO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	4/10/2024
QUERY.2Q01	GERONIMO	ROCHA	US	KS	██████████	American Logistics LLC			Completed	Driver Prohibited	Jaime Garcia	Pre-employment	Manually	4/10/2024
QUERY.2Q01	JAIMIE	GARCIA	US	KS	██████████	American Logistics LLC			Pending driver consent		Jaime Garcia	Full	Manually	
QUERY.2Q01	MARCO	GARCIA-ZAMORA	US	KS	██████████	American Logistics LLC			Pending driver consent	Records Found	Jaime Garcia	Limited -> Full	Manually	4/3/2024
QUERY.2B25	ROBERT	HOOVER	US	MO	██████████	American Logistics LLC			Cancelled	Driver Prohibited	Jaime Garcia	Pre-employment	Manually	7/19/2023
QUERY.2019	THOMAS	DEFEO	US	MO	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	7/21/2023
QUERY.1Z8E	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Specific consent required	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	10/18/2022
QUERY.1ZM1	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Limited	Manually	10/24/2022
QUERY.1Z8J	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Limited	Manually	10/18/2022
QUERY.1Z8J	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Limited	Manually	10/18/2022
QUERY.1X84	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	9/8/2022
QUERY.1X83	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	9/7/2022
QUERY.1X83	JAIMIE	MORENO	US	KS	██████████	American Logistics LLC			Consent refused		Jaime Garcia	Pre-employment	Manually	
QUERY.1T7Y	MARIO	AGUILAR CESENA	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	6/21/2022
QUERY.1D0X	ERIC	MIDDLETON	US	MO	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	3/25/2022
QUERY.1XNC	TERENCE	MOSBY	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	1/6/2022
QUERY.1G0Y	ERIC	SMITH	US	MO	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	10/26/2021
QUERY.1DPC	ROBERT	FINCH	US	MO	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	8/24/2021
QUERY.1EKU	OBED	OCHOA	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	4/15/2021
QUERY.130Y	MARCO	GARCIA-ZAMORA	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	2/18/2021
QUERY.13M1	JAIMIE	GARCIA	US	KS	██████████	American Logistics LLC			Completed	Driver Not Prohibited	Jaime Garcia	Pre-employment	Manually	2/9/2021

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CERTIFICATE OF SERVICE

25-TRAM-118-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 08/08/2024.

JAIME GARCIA, CEO
AMERICAN LOGISTICS LLC
2749 W 131ST TERRACE
LEAWOOD, KS 66209
americanlogistics0819@gmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
ahsan.latif@ks.gov

/S/ KCC Docket Room
KCC Docket Room