

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

In the Matter of the Investigation of **Heartland Delivery**)
LLC, of North Kansas City, Kansas, Regarding the)
Violation(s) of the Motor Carrier Safety Statutes, Rules)
and Regulations and the Commission's Authority to) Docket No. 24-TRAM-793-UCR
Impose Penalties, Sanctions and/or the Revocation of)
Motor Carrier Authority.)
)

STAFF'S MOTION TO VACATE PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to Heartland Delivery LLC (Carrier). In support of its Motion, Staff states as follows:

1. On June 3, 2024, Commission Staff submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2024. As explained by Staff, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On June 11, 2024, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2024 UCR fees.

3. Carrier contacted Staff after the issuance of the Penalty Order stating that Carrier is no longer operating and requested inactivation of its USDOT Number.

4. Staff inactivated the Carrier's USDOT Number. Additionally, after reviewing available records, Staff could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2024 UCR fees should be vacated.

¹ Staff's R&R, p. 1 (Jun. 3, 2024).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on June 11, 2024.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Heartland Delivery LLC in this docket on June 11, 2024.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan Latif, S. Ct. #24709
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3118 (Telephone)
(785) 271-3124 (Facsimile)
a.latif@kcc.ks.gov (E-mail)

For Commission Staff

CERTIFICATE OF SERVICE

24-TRAM-793-UCR

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on June 14, 2024.

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

Scott Lowe, OWNER
Heartland Delivery LLC
1200 Swift Street
North
Kansas City, MO 64116
heartlanddelivery@outlook.com

/S/ Kiley McManaman
Kiley McManaman
