

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

In the Matter of the Investigation of )  
**Baltazar G. Ruiz d/b/a Ruiz Trucking, of** )  
**Garden City,** Regarding the Violation of )  
the Motor Carrier Safety Statutes, Rules and )  
Regulations and the Commission's ) Docket No. 22-TRAM-510-PEN  
Authority to Impose Penalties, Sanctions )  
and/or the Revocation of Motor Carrier )  
Authority. )

**MOTION TO REINSTATE CIVIL PENALTY**

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 Baltazar G. Ruiz d/b/a Ruiz Trucking of Garden City, 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. 390.5, as adopted by K.A.R. 82-4-3f, in that it 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 1458316.
3. From May 3 to May 26, 2022, Commission Staff (Staff) Special Investigators (SIs) Erica Pargas and Penny Fryback conducted a compliance investigation of the motor carrier operations of Baltazar G. Ruiz d/b/a Ruiz Trucking (Ruiz Trucking or Carrier). As a result of the investigation, SIs Pargas and Fryback identified sixteen (16) violations of the Motor Carrier Safety Regulations.

4. On May 19, 2022, the Commission issued an order in this docket suspending the intrastate motor carrier operations of Ruiz Trucking (Suspension Order) based on the findings of the Staff's compliance investigation.

5. On May 26, 2022, the Federal Motor Carrier Safety Administration issued an Unsatisfactory Safety Rating to Ruiz Trucking based on the findings of Staff's investigation.

6. On June 28, 2022, the Commission issued a Penalty Order in this docket assessing a \$12,700 civil penalty against Carrier.

7. On July 11, 2022, Ruiz Trucking filed a Motion to Vacate Fine Upon Surrender of Motor Carrier Authority.

8. On August 2, 2022, the FMCSA suspended Ruiz Trucking's interstate motor carrier operations upon the Carrier's Unsatisfactory Safety Rating becoming final.

9. On September 13, 2022, Staff filed a Joint Motion for Approval of Unanimous Settlement Agreement. The Unanimous Settlement Agreement is attached hereto as **Attachment "A."**

10. In the Unanimous Settlement Agreement (settlement agreement), Staff agreed to hold in abeyance the \$12,700 civil penalty contingent on Carrier's agreement to refrain from motor carrier operations and Baltazar G. Ruiz's agreement not to drive a motor vehicle while his U.S. driver's license remains suspended. Carrier agreed to these terms. According to the settlement agreement, if Carrier resumed motor carrier operations or if Mr. Ruiz is found operating a motor vehicle, including a commercial motor vehicle, while his U.S. driver's license is suspended, the \$12,700 civil penalty would be reinstated and become due and owing immediately. The Commission's Suspension Order remained in place.

11. As of September 2, 2022, Carrier's USDOT Number was listed as inactivated.

12. On September 26, 2023, Baltazar G. Ruiz was found operating a commercial motor vehicle during a roadside inspection conducted by the Kansas Highway Patrol (KHP). The record of that inspection, Driver Vehicle Examination Report No. KSHP04502153, is attached hereto as **Attachment "B."** The inspection report includes an "out-of-service" violation for "operating a CMV (commercial motor vehicle) without a CDL (commercial driver's license)." Mr. Ruiz was once again operating using a purported Mexican driver license. Baltazar G. Ruiz is not eligible for a Kansas issued driver's license or CDL due to previous Driving Under the Influence convictions and failures to submit to testing. The revocation of Mr. Ruiz's driving privileges is evidenced by an email from the Kansas Department of Revenue (KDOR), dated May 4, 2022, a copy of which is attached hereto as **Attachment "C"** and is hereby incorporated by reference. Although Mr. Ruiz's driving privileges are and remain revoked, during Staff's investigation he provided Staff with a fraudulent Mexican driver's license he used to drive. The fraudulent nature of the license is evidenced by an email from the FMCSA who checked its authenticity with representatives of the Mexican government. The email is dated May 10, 2022, a copy of which is attached hereto as **Attachment "D"** and is hereby incorporated by reference.

13. The Mexican license Mr. Ruiz was using during the September 26, 2023 roadside inspection had a different number than the one provided to Staff during their compliance investigation. However, Staff notes that the licenses are of an identical format and presentation. Neither of the Mexican licenses produced by Mr. Ruiz thus far match the "Licencia Federal Conductor" format that can lawfully be used to operate commercial vehicles in the United States by a resident of Mexico. Nonetheless, Mr. Ruiz advised the inspector conducting his roadside inspection on September 26, 2023 that he lives in Garden City, Kansas at the same address he lived at over a year ago when Staff conducted its compliance investigation of his Kansas-based

company, Ruiz Trucking. Pursuant to K.S.A. 8-2,134(c): No person who has been a resident of this state for 30 days shall drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction. Mr. Ruiz is required to use a Kanas-issued CDL, which, as stated above, he is unable to obtain because his driving privileges have been revoked.

14. During this transport, Mr. Ruiz was operating as a driver for Christopher Michael Ruiz d/b/a Sunrise Transportation (Sunrise). Christopher Ruiz is the son of Baltazar Ruiz.

15. Mr. Ruiz's operation of a commercial motor vehicle for his son's company violates the terms of the settlement agreement agreed to by the parties. According to the settlement agreement "if Mr. Ruiz is found driving a motor vehicle while his license is suspended, the \$12,700 civil penalty would be reinstated and become due and owing immediately. Failure to pay prior to operation could result in further penalties and sanctions."<sup>1</sup>

16. Staff asks that the Commission find that Mr. Ruiz's operation of a commercial motor vehicle violates the terms of the settlement agreement, that such operation is dangerous and unlawful and poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

17. Based on the presented facts, Staff requests the Commission issue an order reinstating the \$12,700 civil penalty, which would be due and owing immediately upon issuance of such order. Further, Staff requests that Commission issue additional penalties and sanctions as it sees fit.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating the \$12,700 civil penalty to Baltazar G. Ruiz d/b/a Ruiz Trucking.

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<sup>1</sup>See Unanimous Settlement Agreement, ¶15 (Sep. 13, 2022).

Respectfully submitted,

*/s/ Ahsan Latif*

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Ahsan A. Latif, #24709  
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Kansas Corporation Commission  
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Topeka, Kansas 66604  
(785) 271-3118 (Telephone)  
(785) 271-3124 (Facsimile)  
[a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov) (E-mail)

For Commission Staff

## **ATTACHMENT “A”**

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

Before Commissioners:       Dwight D. Keen, Chair  
                                      Susan K. Duffy  
                                      Andrew J. French

In the Matter of the Investigation of **Baltazar G.**       )  
**Ruiz d/b/a Ruiz Trucking, of Garden City,**       )  
**Kansas,** Regarding the Violation(s) of the Motor       )  
Carrier Safety Statutes, Rules and Regulations       ) Docket No. 22-TRAM-510-PEN  
and the Commission's Authority to Impose       )  
Penalties, Sanctions and/or the Revocation of       )  
Motor Carrier Authority.                               )

**UNANIMOUS SETTLEMENT AGREEMENT**

This Unanimous Settlement Agreement (Agreement) is entered into by and between the Staff of the Corporation Commission of the State of Kansas (Staff and Commission, respectively), and Baltazar G. Ruiz d/b/a Ruiz Trucking (Ruiz Trucking or Carrier). Its effective date will be the date the Commission enters an order approving or amending the terms of the Agreement.

**I. JURISDICTION**

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 and 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. Supp. 66-1,129a, 66-1,130 and 66-1,142b, and amendments thereto, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in

regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

## **II. BACKGROUND**

4. From May 3 to May 26, 2022, Commission Staff (Staff) Special Investigators (SIs) Erica Pargas and Penny Fryback conducted a compliance review on Carrier's motor carrier operations. As a result of the review, SIs Pargas and Fryback identified sixteen (16) violations of the Motor Carrier Safety Regulations.

5. On May 19, 2022, the Commission issued an order in this docket suspending the intrastate motor carrier operations of Ruiz Trucking based on the findings of the Staff's compliance review.

6. On June 28, 2022, the Commission issued a Penalty Order in this docket assessing a \$12,700 civil penalty against Carrier.

7. On July 11, 2022, Ruiz Trucking filed a Motion to Vacate Fine Upon Surrender of Motor Carrier Authority.

8. On August 11, 2022 and in subsequent correspondence thereafter, Van Z. Hampton, Attorney for Ruiz Trucking, and Ahsan Latif, Litigation Counsel for Staff, informally discussed the possibility of a settlement. During the informal discussions, Staff and Carrier were able to reach mutually agreeable terms in anticipated settlement of the issues. It was agreed that Staff would subsequently reduce the terms to writing and forward the draft to Carrier for approval and signature.



### **III. TERMS OF THE UNANIMOUS SETTLEMENT AGREEMENT**

9. The parties agree that the Commission has jurisdiction and authority over this matter.
10. The parties also agree that adoption of this Agreement is in the public interest and that the Commission should approve the stipulations as set forth below.
11. Carrier stipulates to the violations as listed in the Commission's Penalty Order, which are hereby incorporated by reference.
12. Baltazar G. Ruiz agrees not to drive a motor vehicle while his U.S. driver's license remains suspended.
13. Ruiz Trucking agrees and understands that the Commission's Order Suspending Intrastate Motor Carrier Authority will remain in place and is not affected by this settlement.
14. Carrier has inactivated its USDOT Number and agrees not to operate as a motor carrier. Staff agrees to hold in abeyance the \$12,700 civil penalty contingent on Carrier's agreement to refrain from motor carrier operations and Mr. Ruiz's agreement not to operate a motor carrier while his driver's license remains suspended. Carrier has agreed to these terms.
15. Carrier understands that if it chooses to resume motor carrier operations or if Mr. Ruiz is found driving a motor vehicle while his license is suspended, the \$12,700 civil penalty would be reinstated and become due and owing immediately. Failure to pay prior to operation could result in further penalties and sanctions.
16. Staff agrees to recommend to the Commission that this Agreement be approved. Staff further agrees that upon approval by the Commission, this Agreement shall constitute a final resolution of this matter.

#### **IV. RESERVATIONS**

13. This Unanimous Settlement Agreement fully resolves issues specifically addressed between the parties. The terms of this Agreement constitute a fair and reasonable resolution of the issues addressed herein.

##### **A. *Negotiated Settlement***

14. This Agreement represents a negotiated settlement that fully resolves the issues raised in this proceeding. The Signatories represent that the terms of this Agreement constitute a fair and reasonable resolution of the issues addressed herein. Except as specified herein, the Signatories shall not be prejudiced, bound by, or affected in any way by the terms of this Agreement: (1) in any future Commission or court proceeding; (2) in any proceeding currently pending before the Commission under a separate docket; and/or (3) in this proceeding, if the Commission decides not to approve this Agreement in total or in any way conditions its approval of the same. This paragraph is not meant to limit future enforcement of this Agreement, should either party fail to fulfill all terms and provisions

##### **B. *Interdependent Provisions***

15. The terms and provisions of this Agreement have resulted from negotiations between the Signatories and are interdependent. In the event the Commission does not approve the terms of the Agreement in total, or materially changes the Agreement terms, the Agreement shall be voidable and no Signatory Party hereto shall be bound by, prejudiced, or in any way affected by any of the terms or provisions hereof, unless otherwise provided herein.

16. If the Commission approves this Agreement in its entirety and incorporates the same into a final order in this docket, the Parties agree to be bound by its terms and the Commission's order incorporating its terms as to all issues addressed herein, and will not appeal the Commission's order.

17. This Unanimous Settlement Agreement shall be binding on all parties upon signing.

**IN WITNESS WHERETO**, the parties hereby execute and approve this Unanimous Settlement Agreement by subscribing their signatures below.

By: /s/ Ahsan A. Latif  
Ahsan A. Latif, S.Ct. #24709  
Litigation Counsel  
Kansas Corporation Commission  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604-4027  
Email: [a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov)

Attorney for Commission Staff

By: /s/ Van Z. Hampton  
Van Z. Hampton, S.Ct. #13302  
Attorney  
Warrior Lawyers International  
602 N. 2<sup>nd</sup> Avenue  
Dodge City, KS 67801  
Email: [vanhampton@kernslawgroup.com](mailto:vanhampton@kernslawgroup.com)

Attorney for Ruiz Trucking

## **ATTACHMENT “B”**

## DRIVER/VEHICLE EXAMINATION REPORT

Inspect 1.128.8630



**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: KSHP04502153**  
**Inspection Date: 09/26/2023**  
**Start: 12:35 PM CT End: 2:06 PM CT**  
**Inspection Level: I - Full**  
**HM Inspection Type: None**

**Carrier:** CHRISTOPHER MICHAEL RUIZ**DBA:** SUNRISE TRANSPORTATION

2014 N MOHAWK DR

GARDEN CITY, KS, 67846

**USDOT:** 4000099**Phone#:** (620)290-2487**MC/MX#:** 1503124**Fax#:****State#:****Location:** GRAY COUNTY - 069**Highway:** U56**County:** GRAY**Email:** CHRISCMRM44@HOTMAIL.COM**Driver:** GUZMAN RUIZ, BALASAR**License#:** [REDACTED]**State:** MX**Date of Birth:** [REDACTED]**CoDriver:****License#:****State:****Date of Birth:****Milepost:** 94**Shipper:** N/A**Origin:** SUBLETTE,KS**Destination:** MONTEZUMA,KS**Bill of Lading:** N/A**Cargo:** EMPTY**VEHICLE IDENTIFICATION**

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2002	KS	234322	81	[REDACTED]	1081	52000		
2	ST	TIMP	1997	KS	707516	1255	[REDACTED]	1255	77000		

**BRAKE ADJUSTMENTS**

Axle #	1	2	3	4	5
Right	1/2	2 1/4	1	1 1/2	1
Left	1	1	1 1/4	1 1/2	1 1/4
Chamber	C-20	C-30	C-30	C-30	C-30

**VIOLATIONS**

Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.9H	F	1	N		N	N	Inoperable head lamps: DRIVER SIDE HIGH BEAM INOP
393.81	F	1	N		N	N	Horn inoperative: AIR OR ELECTRONIC HORN / BOTH ARE INOP
393.9	F	1	N		N	N	Inoperable Required Lamp: REVERSE LAMP INOP - 2 PRESENT BUT BOTH INOP - REQUIRED 1
393.11TL	F	1	N		N	N	Truck-Tractor lower rear mud flaps retroreflective sheeting / reflex reflective material requirements for vehicles manufactured after July 1997: NONE ON EITHER SIDE
393.83G	F	1	N		N	N	Exhaust leak under driver and/or sleeper compartment: PASSENGER SIDE UNDER SLEEPER, LEAKING AT BAND CLAMP TO FLEX PIPE - SOOT PRESENT - FELT AND AUDIBLE
393.209E	F	1	N		N	N	Power steering violations: PS LEAKING OUT SHAFT INPUT SEAL AREA
393.45B2UV	F	1	Y		U	N	Brake Hose or Tubing Chafing and/or Kinking Under Vehicle: DRIVER SIDE AXLE 2 - HOSE TO SERVICE SIDE OF CHAMBER IS WORN INTO PLY - PLY IS FRAYED
393.47E	F	1	N		N	N	Clamp or Roto type brake out-of-adjustment: PASSENGER SIDE AXLE 2 MEASURED 2 1/4" - MAX FOR CLAMP TYPE 30 IS 2"
393.53B	F	1	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
393.45B2UV	F	2	Y		U	N	Brake Hose or Tubing Chafing and/or Kinking Under Vehicle: DRIVER SIDE AXLE 4 - HOSE TO PARKING BRAKE SIDE OF CHAMBER IS WORN INTO PLY - PLY IS FRAYED / CUT
393.48A	F	2	N		N	N	Inoperative/defective brakes: DRIVER SIDE AXLE 5 - CLEVIS YOKE PIN - RETAINER PIN IS MISSING / GONE
396.3A1BOS	F	2	Y		U	N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination: 2 OUT OF 10 ARE OUT OF ADJUSTMENT OR INOP
392.7A	F	D	N		N	N	Driver failing to conduct pre-trip inspection: PT CAN NOT BE SATISFIED WITH INOP HORN - AIR IS PLUGGED AND ELECTRIC IS BROKEN ON STEERING WHEEL
383.23A2	F	D	Y		N	N	Operating a CMV without a CDL: Operating a CMV without a CDL on 9/26/2023. DRIVER DOES NOT HAVE A VALID CDL - NO RETURNS, CDLIS, OPEN FOX OR DISPATCH
396.9D2	F	D	N		N	N	Failure to correct defects noted on previous inspection report: FTC VIOLATION FROM INSPECTION# NE00LT000483 ON 12-12-2022 - DRIVER CITED FOR NOT HAVING A VALID CDL UNDER 391.11B5-DNL

**HazMat:** No HM transported**Placard:****Cargo Tank:**

**DRIVER/VEHICLE EXAMINATION REPORT**

Inspect 1.128.8630



**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: KSHP04502153**  
**Inspection Date: 09/26/2023**  
**Start: 12:35 PM CT End: 2:06 PM CT**  
**Inspection Level: I - Full**  
**HM Inspection Type: None**

**Special Checks:** No data for special checks

**Notes:** PHOTOS TAKEN

SHOWED DRIVER OOS VIOLATIONS ON UNIT 1 AND 2  
 DRIVER LIVES AT 3046 WEST JONES, GARDEN CITY, KS  
 DRIVER ADVISED HE GOES BACK AND FORTH TO MEXICO EVERY 6 MONTHS. TOLD HIM TO GET A KANSAS CDL.  
 OOS AT JOHN DEERE / CAR QUEST IN MONTEZUMA, KS  
 DRIVER ALSO HAS A FED OOS USDOT# 1458316

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

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

**Advisory:** This vehicle has been identified as having brake adjustment violations. 49 CFR Section 393.53 requires that a brake system be equipped on this vehicle. A qualified service technician needs to determine why the defective brake has excessive stroke and make the appropriate repairs. Simply re-adjusting a self-adjusting brake adjustor, or replacing it, does not guarantee that the problem is corrected. The problem may exist in the foundation brake system. By certifying this inspection report you have indicated that this vehicle now has a properly functioning self-adjusting brake adjustment system.

\* 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 to be sent to the carrier identified on this report within 24 hours of receipt.

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

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

Report Prepared By: ID/Badge #:  
 A.S. Wagner 0450

Copy Received By:  
 BALTASAR GUZMAN RUIZ

X

X



## **ATTACHMENT “C”**

**From:** [Lacey Hane \[KDOR\]](#)  
**To:** [Erica Pargas](#)  
**Subject:** RE: KDOR DL Contact  
**Date:** Wednesday, May 4, 2022 10:19:41 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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**This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.**

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Erica,

This driver's commercial driving privileges have been permanently revoked since 8/21/2018 due to the accumulation of major violations. This information displays on Withdrawal 5 on the CDLIS information you sent.

Please let me know if you have other questions.

Thanks,

Lacey Hane  
Phone: (785) 368-8786  
Fax: (855) 590-3557

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**From:** Erica Pargas <[e.pargas@kcc.ks.gov](mailto:e.pargas@kcc.ks.gov)>  
**Sent:** Wednesday, May 4, 2022 10:09 AM  
**To:** Lacey Hane [KDOR] <[Lacey.Hane@KS.GOV](mailto:Lacey.Hane@KS.GOV)>  
**Subject:** RE: KDOR DL Contact

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Morning Lacey,

Thank you so much for reaching out. We are in great need of some assistance with a CDL that we are looking for a driver we are conducting an investigation on. I've attached the drivers MVR for your review. We are just trying to figure out if the driver is ineligible and suspended at the time?

**Erica Pargas, Special Investigator**  
Transportation Division  
Kansas Corporation Commission  
1500 SW Arrowhead Road | Topeka, KS | 66604-4027  
Phone (620) 255-3868 | Fax (785) 271-3124

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**From:** Lacey Hane [KDOR] <[Lacey.Hane@KS.GOV](mailto:Lacey.Hane@KS.GOV)>  
**Sent:** Wednesday, May 4, 2022 10:05 AM



## **ATTACHMENT “D”**

From: Perez, Marcelo (FMCSA) <[Marcelo.Perez@doh.gov](mailto:Marcelo.Perez@doh.gov)>  
Sent: Tuesday, May 10, 2022 7:45 AM  
To: Christopher, Michael (FMCSA) <[Michael.Christopher@doh.gov](mailto:Michael.Christopher@doh.gov)>; Gary Davenport <[g.davenport@kvc-la.gov](mailto:g.davenport@kvc-la.gov)>  
Subject: RE: yesterday's e-mail questions

**This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.**

Good morning Michael and Gary,

Following up on Michael's message from last Thursday, I sent the supposed drivers license to our contacts at the Ministry of Infrastructure, Communication and Transportation and asked that they contact someone at the Government of Mexico City/Ministry of Mobility to determine the document's validity and status. They sent the document to [J.C. Lugo-Sanchez Cuevas](#), [Jorge Alvarez](#), [Director of Vehicular Registration, Licenses and Insurance -RUMV](#) for the Ministry of Mobility. Her response is attached and below.

"Buena tarde,

Realizamos una consulta de la supuesta licencia y la misma no existe dentro de las bases de esta Dirección, por lo que se presume que la misma es apócrifa ya que no se obtuvo resultado buscando por nombre, y al consultar el folio, el mismo arroja información de otra persona, además de que el formato no corresponde con aquél utilizado en esta Secretaría.

Sin otro particular, reciban un cordial saludo."

Here is an English translation of her response.

"Good afternoon,

We performed a query on the alleged license and it does not exist within the databases of this Ministry. After querying by name and coming up with no results, and querying by license number and retrieving another person's information, we presume the document is a spoof. In addition, this license format is not used by the Ministry.

Without further ado, warmest regards."

If you have any questions or concerns, please let me know. MP

Marcelo Perez, Transportation Specialist  
Compliance Division  
Federal Motor Carrier Safety Administration  
903 San Jacinto Blvd, Suite 1100 | Austin, TX 78701  
P: (512) 916-5473 | M: (202) 510-0211  
[marcelo.perez@doh.gov](mailto:marcelo.perez@doh.gov)



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

From: Perez, Marcelo (FMCSA)

## **CERTIFICATE OF SERVICE**

22-TRAM-510-PEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on October 9, 2023.

VAN Z. HAMPTON, ATTORNEY  
WARRIOR LAWYERS INTERNATIONAL  
602 N 2ND AVENUE  
DODGE CITY, KS 67801  
vanhampton@kernslawgroup.com

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

BALTAZAR GUZMAN RUIZ  
RUIZ TRUCKING  
3046 JONES AVE  
GARDEN CITY, KS 67846  
balta-ruiz67@hotmail.com

/S/ Kiley McManaman  
\_\_\_\_\_  
Kiley McManaman