



July 29th, 2019

Docket No. 20-GIMM-045-KHP

Kansas Highway Patrol
700 SW Jackson, Ste 704
Topeka, KS 66603

RE: Invoice H000580995/Report #KSHP04100220

To: Whom it May Concern

Please let this letter serve as our formal request of an administrative hearing with the Kansas Corporation Commission regarding the Invoice/report mentioned above.

Thank you for your consideration of this request.

Sincerely,

Tod Roberg, President
T&R Construction, Inc.
1334A N. Ohio
Salina, KS 67401

700 SW Jackson, Ste 704
Topeka, KS 66603



Phone: 785-296-7189
Fax: 785-296-2858
www.KansasHighwayPatrol.org

Herman T. Jones, Superintendent

Laura Kelly, Governor

July 16, 2019

TRR INC
1334A NORTH OHIO ST
SALINA, KS 67401

RE: Invoice # H000580995
Report # KSHP04100220

To: Whom it May Concern

This letter is to inform you that your challenge concerning violation(s) **392.3-I – Illness Operate a CMV while impaired by illness or other cause**, has been **DENIED**. Please see guidance below

- **§392.3 Ill or fatigued operator.**
 - No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle...
- **Are carriers liable for the actions of their employees?**
 - Yes. Carriers are liable for the actions of their employees, neither intent to commit, nor actual knowledge of, a violation is a necessary element of that liability.

The violation(s) will remain on your carrier profile and Invoice # H000580995 remains valid. Please see the invoice for information regarding the fines due. Failure to pay will result in the carrier being in default. Default status prohibits changes to KCC authority, including but not limited to: adding vehicles, name changes or renewal of authority until the fine has been paid or the matter is resolved.

If you are not satisfied with the outcome of your challenge by the KHP, you have the right to an administrative hearing with the Kansas Corporation Commission. The hearing request must be in writing and received **WITHIN 15 DAYS** of the close of the challenge and forwarded to the Kansas Highway Patrol at the above address.

Thank you for your time and attention to this inspection report.

Sincerely,

Wes Ludolph, Captain
Troop I, Topeka