



1500 SW Arrowhead Road
Topeka, KS 66604-4027

20250401110831
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
25-TRAM-246-PEN

April 1, 2025

Jonathan Kelly, Owner/Operator
Jonathan Kelly d/b/a It's Your Move
1820 Felix Ave
Parsons, Kansas, 67357

This is a notice of a penalty assessment against Jonathan Kelly d/b/a It's Your Move ("It's Your Move") for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted December 12, 2024, by a Kansas Corporation Commission Special Investigator. It's Your Move has been assessed a \$350.00 penalty. 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: You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350.00 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 also requires a representative of It's Your Move:

- a. To attend a Commission-sponsored safety seminar within thirty (30) 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.
- b. To 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 this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.
- c. To submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, and within fifteen (15) days from the date of service of this Order, setting forth the specific grounds upon which relief is sought. You may request a hearing through the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and you must also 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

¹ K.A.R. 82-1-215; K.S.A. 77-542.

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

Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Governor Jeff Colyer, M.D.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$350.00 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/ Madisen K. Hane
Madisen K. Hane
Litigation Counsel
(785)271-3288
ahsan.latif@ks.gov

**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 **Jonathan**)
Kelly d/b/a It's Your Move, of Parsons,)
Kansas. Regarding the Violation(s) of the Motor)
Carrier Safety Statutes, Rules and Regulations) Docket No. 25-TRAM-246-PEN
and the 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. 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 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. 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.

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.

4. Jonathan Kelly, d/b/a It’s Your Move (“It’s Your Move” or “Carrier”) is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 3084348.

5. On December 12, 2024, a Commission Transportation Staff (“Transportation Staff” or “Staff”) Special Investigator (“SI”) completed a safety compliance investigation of the operations of It’s Your Move. As a result of the compliance investigation, the SI identified two (2) violation(s), set forth in two (2) count(s), of the Motor Carrier Safety Regulations (“MCSRs”), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix.²

6. On December 18, 2024, Transportation Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment A and hereby incorporated by reference, recommending that a penalty of \$350.00 to be issued to It’s Your Move based on the frequency, timeline, and severity of the violations discovered.³ The Commission hereby adopts Staff’s findings as contained in its December 18, 2024, R&R.

7. The Commission finds it has jurisdiction over It’s Your Move pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f and It’s Your Move was operating safety sensitive vehicles and is domiciled in Kansas.

8. Specifically, based on Staff’s R&R, the Commission finds that It’s Your Move committed two (2) violation(s) of the following two (2) count(s), discussed more fully in Staff’s R&R:

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 (Dec. 18, 2024).

a. Count 1: On November 26, 2024, It's Your Move was operating commercial motor vehicles in Kansas on a public road without first obtaining its driver's motor vehicle record (Jonathan Kelly) and maintaining a copy in his driver qualification file, which resulted in one (1) violation of 49 C.F.R. 391.51, adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$100.00 is appropriate and in accordance with the current Penalty Matrix.

b. Count 2: On November 26, 2024, It's Your Move was operating commercial motor vehicles in Kansas on a public road and did not obtain and provide an annual inspection covering parts and accessories over the past 12 months for the 2025 Freightliner truck, VIN ending in 486, which resulted in one (1) violation of 49 C.F.R. 396.17(a), adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the current Penalty Matrix.

9. The Commission finds that It's Your Move has committed two (2) violation(s), set forth in two (2) count(s), of Kansas law that governs motor carriers, 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 fines totaling \$350.00.

10. The Commission also finds that It's Your Move is required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order, and provide Litigation Counsel with written proof of attendance within five days.⁴ 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 See Staff's Report and Recommendation, p.3 (Dec. 18, 2024).

11. The Commission further finds that It's Your Move is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory 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.⁵

12. The Commission further finds that It's Your Move is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁶

13. The Commission concludes the penalty of \$350.00 for the two violations set forth above, and the additional three requirements set forth in paragraphs 10 through 12, are just and reasonable.

14. Failure to comply with the requirements of this Penalty Order shall result in suspension of It's Your Move's motor carrier operating authority without further notice.⁷

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. It's Your Move is hereby assessed a \$350.00 civil penalty for two (2) violation(s), set forth in two (2) 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. It's Your Move is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days

⁵ See Id.

⁶ See Id.

⁷ K.S.A. 66-1,105.

from the date of this Order and is to timely provide Litigation Counsel with written proof of attendance within one (1) business days of completing the safety seminar.

C. It's Your Move is hereby ordered to submit a written, comprehensive corrective action plan ("CAP") that is satisfactory 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. It's Your Move is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

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 It's Your Move's 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 \$500.00, 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.⁸ For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.⁹

G. If you do not request a hearing, the payment of the civil penalty of \$350.00 is due in thirty (30) days from the date of service of this Order. Payment of \$350.00 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 It's Your Move to perform, pay or to fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of It's Your Move's motor carrier operating authority without further notice.¹⁰ 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: 04/01/2025



Celeste Chaney-Tucker
Executive Director

MKH

⁸ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁹ K.S.A. 66-1,142b(e) and amendments thereto.

¹⁰ 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: December 18, 2024

SUBJECT: Docket No. 24-TRAM-246-PEN
In the Matter of the Investigation of **Jonathan Kelly d/b/a It's Your Move of Parsons, 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:

Jonathan Kelly d/b/a It's Your Move ("It's Your Move") is a motor carrier ("MC") possessing for-hire motor carrier operating authority from the Commission, primarily hauling property and other non-hazardous freight. It's Your Move operates under USDOT 3084348.

On December 12, 2024, a Commission Staff Special Investigator ("SI") completed a safety compliance investigation of the operations of It's Your Move. 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 two (2) violations, set forth in two (2) 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, Commission Staff ("Staff") recommends that a penalty of \$350 be issued to the MC.

DISCUSSION AND ANALYSIS:

On December 12, 2024, a Commission Staff SI conducted a safety compliance investigation of the operations of It's Your Move. The investigation covers a 365-day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statute(s): 49 C.F.R. 391.51 provides: “(a) Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.

(b) The qualification file for a driver must include: ...

(2) A copy of the motor vehicle record received from each driver's licensing authority pursuant to § 391.23(a)(1); ...

(4) The motor vehicle record received from each driver's licensing authority to the annual driver record inquiry required by § 391.25(a);”

Material Facts and Supporting Documents: On November 26, 2024, It's Your Move required or permitted its owner/driver, Jonathan Kelly, to operate a commercial motor vehicle (“CMV”), a 2025 Freightliner, VIN ending in 4869, GVWR 26,000 lbs., in interstate commerce from Parsons, Kansas to Republic, Missouri. This trip is evidenced by a bill of lading or activity ticket, attached hereto as **Exhibit 2**. It is also evidenced by a time sheet, attached hereto as **Exhibit 3**.

The MC did not provide a motor vehicle record (“MVR”) obtained during the twelve months preceding this transport.

Violation: It's Your Move failed to obtain an MVR for its owner/driver, Jonathan Kelly, and maintain a copy in his driver qualification file, which is a violation of 49 C.F.R. 391.51(b)(2) and (4), adopted by K.A.R. 82-4-3g (**Exhibit 1, Page 3**). One (1) violation was discovered (**Exhibit 1, Page 8**).

Recommendation: Staff recommends a penalty of \$100, in accordance with the FY2025 Penalty Matrix approved by the Commission.

Count Two (2 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statute(s): 49 C.F.R. 396.17(a) provides: “Every commercial motor vehicle must be inspected as required by this section. The inspection must include, at a minimum, the parts and accessories set forth in appendix A to this part. The term commercial motor vehicle includes each vehicle in a combination vehicle. For example, for a tractor semitrailer, full trailer combination, the tractor, semitrailer, and the full trailer (including the converter dolly if so equipped) must each be inspected.”

The inspection shall be retained by the MC pursuant to 49 C.F.R. 396.21(b).

Material Facts and Supporting Documents: This violation took place during the transport on November 26, 2024, as described in Count One, above. The MC did not provide an annual inspection that complied with 49 C.F.R. 396.17 for the 2025 Freightliner involved in this transport. The inspections were required to have been completed in the twelve-month period prior to this transport.

Violation: It's Your Move operated CMVs without proof of an annual inspection, which is a violation of 49 C.F.R. 396.17, adopted by K.A.R. 82-4-3j (**Exhibit 1, Pages 3 to 4**). One (1) violation was discovered (**Exhibit 1, Page 8**).

Recommendation: Staff recommends a penalty of \$250, in accordance with the FY2025 Penalty Matrix approved by the Commission.

RECOMMENDATION:

Transportation Staff recommends the Commission find It's Your Move committed two (2) violations, set forth in (2) 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 \$350 for two (2) 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 It's Your Move require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within thirty (30) 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 It's Your Move 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 the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

Finally, Staff recommends that It's Your Move 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#: 3084348
MC/MX#: 68462

Legal: JONATHAN KELLY
Operating (DBA): IT'S YOUR MOVE

Investigation Date:
12/12/2024

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

Physical Address

2505 Washington Ave
PARSONS, KS 67357
United States

Mailing Address

1820 FELIX AVE
PARSONS, KS 67357-2930
United States

Contact Information

Contact Name: JONATHAN KELLY

Email: itsyourmovejon@gmail.com

Phone: (620)313-0695 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Sole Proprietorship

Name of Gross Revenue Provider: Jonathan Kelly

Title of Gross Revenue Provider: owner

Gross Revenue: ██████████ **For Year Ending:** 12/31/2023

Federal Tax ID: ██████████

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier

Operation Classification

For-Hire Motor Carrier
Property
Other Non-Hazardous Freight

Cargo

Household Goods

Equipment

	Owned	Term Leased	Trip Leased
Straight Trucks	2		

Driver Information

	Drivers	
	Intrastate	Interstate
Power units used in the U.S.: 2	< 100 Miles	
Percentage of time used in the U.S.: 100%	> = 100 Miles	1
Average trip leased driver/month: 0		
Drivers with CDL: 0		
Total Drivers: 1		

Person(s) Interviewed

Name: JONATHAN KELLY

Title: OWNER

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:

1500 SW Arrowhead Rd
Topeka, KS 66604-4027
Phone: (785) 271-3284

This report will be used to assess your safety compliance.

Violations

1. Primary: 391.51(b)(4)

Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

Example/Notes:

Driver name, Jonathan H Kelly

Trip date. 11/26/24

Description of violation: At the time of this trip, and the time of this review, the carrier/driver, Jonathan H Kelly had no updated MVR on his driving record in his driver file. The only MVR provided was dated 9/23/20. Kelly operated a white 2025 Freightliner in interstate commerce.

Origination: Parsons Ks

Destination: Republic Mo

As per Google Earth this was 112 miles.

Carrier left Parsons, Ks to Pittsburg, Ks loaded a customers household belongings returned to Parsons for the night, and on 11/26/24 left for Republic, Mo. Then returned to Parsons, Ks for the night as they did not want the expense of a hotel. The BOL shows 11-25-24 as that is when they left Parsons, Ks to Pittsburg, Ks and began the move. 11-26-24 was the trip to Republic, Mo

2. Primary: 391.51(b)(5)

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example/Notes:

Driver name, Jonathan H Kelly

Trip date. 11/26/24

Description of violation: At the time of this trip, and the time of this review, the carrier/driver, Jonathan H Kelly had no updated annual review of drivers record in the driver file. The only MVR provided was dated 9/23/20. Kelly operated a white 2025 Freightliner in interstate commerce.

Origination: Parsons Ks

Destination: Republic, Mo

3. Primary: 396.17(a)

Using a commercial motor vehicle not periodically inspected.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Violations Discovered

Fed	State	Total
-----	-------	-------

1		1
---	--	---

Checked

Fed	State	Total
-----	-------	-------

2		2
---	--	---

Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

1		1
---	--	---

Checked

Fed	State	Total
-----	-------	-------

2		2
---	--	---

Example/Notes:

Vehicle: 2025 Freightliner, #1; 26000 lbs GVWR; Ks license [REDACTED] and VIN [REDACTED] 4869.

Driver name, Jonathan H Kelly

Trip date. 11/26/24

Description of violation: At the time of this trip, and the time of this review, the carrier/driver, Jonathan H Kelly had no current annual inspection on the above vehicle. Kelly operated this white 2025 Freightliner in interstate commerce. The vehicle was purchased on 5/15/2024 and the carrier has not used his 2013 International one time since that time. The carrier made the assumption the Pre Delivery Inspection on the vehicle would last for a year until a truck mechanic that does his inspections told him that even new trucks had to have a periodic annual inspection under USDOT regulations. He was unable to get the appointment for the inspection prior to the day of the review. This carrier operated this vehicle from 05/15/2024 until the date of this review on 12/12/2024 without a periodic annual inspection.

Origination: Parsons Ks

Destination: Republic, Mo

Carriers other truck, a 2013 International truck, had a proper and current annual inspection.

Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 0%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 20,000 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

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

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: Driver Fitness

Process Breakdown: Roles and Responsibilities

Carrier did not run the MVR at least on an annual basis. The carrier did not know their role in the process or responsibilities of the carrier to perform annually.

Specific Recommended Remedies

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

1. Ensure that dispatchers and operation managers are responsible for ascertaining that drivers are qualified before authorizing runs.

BASIC: Vehicle Maintenance

Process Breakdown: Roles and Responsibilities

Carrier misunderstood the concept of the vehicles Pre Delivery Inspection thinking it could be in place of a periodic annual inspection.

Specific Recommended Remedies

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

1. Designate a manager to collect and evaluate all vehicle- inspection, repair, and maintenance-related customer complaints and their safety implications.

Recommendations

1. **Additional Information**

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

2. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

3. **Annual review of drivers record.**

Carriers are to complete the certification of drivers records annually. This signifies that a carrier representative has verified the status of their drivers licenses.

4. **Attendance in KCC Safety Class required by order of the Kansas Corporation Commission**

Attend online ZOOM Safety Class available for enrollment at no cost.

www.kcc.ks.gov

Click on Transportation Square.

Go to Safety information

Then on right side click on safety presentation. Enroll on a day that is convenient to you. Free of charge.

5. **For violations that will result in a Penalty Order.**

MANDATORY FOLLOW UP REQUIRMENTS (ALL INVESTIGATIONS THAT RESULT IN PENALTY)

1) 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: 785-271-3124

or mail:

Kansas Corporation Commission

Attn: Jared Smith

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

2) The KCC requires a representative from Jonathan Kelly dba Its Your Move to attend a Commission-sponsored safety seminar within thirty (30) days from the date of the penalty order. Schedule of the dates for safety seminars can be found on the Commission s website at [ttps://www.kcc.ks.gov/transportation/calendar-of-events](https://www.kcc.ks.gov/transportation/calendar-of-events).

FAILURE TO SUBMIT THE CORRECTIVE ACTION PLAN (CAP) AND ATTEND A SAFETY SEMINAR WITHIN 30 DAYS WILL RESULT IN THE SUSPENSION OF Jonathan Kelly dba Its Your Move OPERATING AUTHORITY AND/OR THE IMPOUNDEMENT OF Jonathan Kelly dba Its Your Move vehicles.

I understand that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Signed _____ Date_____

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
391.51(b)(4) - Inquiries into driving record not kept in qualification file			
1	11/26/2024	Driver: Jonathan Kelly	
391.51(b)(S) - Failing to maintain notation of annual review			
1	11/26/2024	Driver: Jonathan Kelly	
396.17(a) - Using a CMV not periodically inspected			
1	11/26/2024	Equipment: VIN# 4869	

EXHIBIT 2

It's Your Move

1820 Felix Ave.
Parsons KS, 67357
(620) 313-0695

Bill of Lading

Carrier:
It's Your Move

Date:)/(-) , J(

Customer:

Dot# 3084348

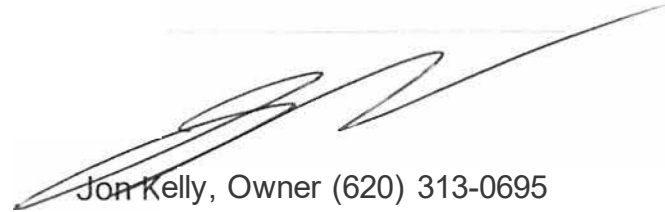
Mary clinz

Description

J/ //Al}ve. t>1
Ov,tl- u./jSrg1;1/-6

J-1 10-q/ full truck in Pittsburg, KS
h OY)t v-?/ to ~~Republic~~
Republic, MO to unload

Comments:



Jon Kelly, Owner (620) 313-0695

EXHIBIT 3

It's Your Move

Drivers Time Record for operations within a 150 air mile radius

For all Vehicles or combinations with a GVWR/GCWR over 10 000 lbs or that require placarding

Driver Name: Jon Kelly

Month: *M'vt'1nb Ir*

Year: *20:1*

Location: *1820 Felix Ave.*

Comments

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3	t				
4					
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I certify that the above information has been completed by me and is true and accurate.

Driver Signature:

This document must be retained by the driver through the first week of the following month so that a previous seven day Record of Duty Status can be presented to any enforcement officer upon request.

CERTIFICATE OF SERVICE

25-TRAM-246-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 04/01/2025.

MADISEN HANE, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
madisen.hane@ks.gov

JONATHAN KELLY, OWNER
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D/B/A IT'S YOUR MOVE
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/S/ KCC Docket Room
KCC Docket Room