

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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



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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT
15-TRAM-360-PEN

March 5, 2015

Gavin T. Barmby, President
Pyramid Contractors, Inc.
795 W Ironwood
Olathe, Kansas 66061

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 20, 2015, by Kansas Corporation Commission Special Investigator B.K. Smith. For a full description of the penalty and process please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

You have been assessed a \$1,000 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

You must submit to one follow-up safety compliance review within the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Acting Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2013 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,


Michael J. Duenes
Litigation Counsel
(785) 271-3181

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Investigation of **Pyramid**)
Contractors, Inc., of Olathe, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 15-TRAM-360-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). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2013 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2013 Supp. 66-1,108, 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. 2013 Supp. 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 order a hearing 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. Pyramid Contractors, Inc. (Pyramid Contractors) obtained private operating authority from the Commission on February 25, 2013, and operates under KSMCID number 169542 and USDOT number 575953.

5. William Holmes attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on February 14, 2013, on behalf of Pyramid Contractors.

6. Pyramid Contractors is a private motor carrier which primarily hauls machinery, large objects, liquids/gases in cargo tanks and construction equipment.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 20, 2015, Commission Staff (Staff) Special Investigator B.K. Smith conducted a compliance review of the operations of Pyramid Contractors. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Smith identified two (2) violations of the Motor Carrier Safety Regulations.

- a. On November 7, 2014, Pyramid Contractors required or permitted its driver, Peter Qualizza, to operate a commercial motor vehicle, a 2001 Peterbilt, VIN ending in 568813, in intrastate commerce from Olathe, Kansas to K7 and Johnson Drive. This trip is evidenced by Driver time Record and Daily Log, a copy of which is attached hereto as Attachment

“B” and is hereby incorporated by reference. At the time of this transportation, Peter Qualizza reached the 60 hour threshold at 8:00 a.m. of being on duty and wasn’t released from duty until 4:00 p.m. the same date. Mr. Qualizza continued to be in violation each day thereafter until November 15, 2014, when he dropped below the 60 hour threshold. *See* Attachment “B”. The special investigator found eight violations of this type. Pyramid Contractor’s permitting its driver to drive in excess of 60 hours in a period of seven consecutive days is in violation of 49 C.F.R. 395.3(b)(1), as adopted by K.A.R. 82-4-3a, as authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine in the amount of \$500.

- b. On November 1, 2014, Pyramid Contractors required or permitted its driver, James Dabney, to operate a commercial motor vehicle, a 2002 Peterbilt, VIN ending in 587272, in intrastate commerce from Olathe, Kansas to Edwardsville, Kansas. This trip is evidenced by driver’s Daily Vehicle Inspection Report, dated November 1, 2014, a copy of which is attached hereto as Attachment “C” and is hereby incorporated by reference. At the time of this transportation, the commercial motor vehicle’s annual inspection was expired. The 2002 Peterbilt’s annual inspection expired on September 1, 2014, and was not inspected again until November 4, 2014. This is evidenced by Annual Vehicle Inspection Reports, copies of which are attached hereto as Attachment “D” and are hereby incorporated by reference. Pyramid Contractor’s failure to conduct periodic (annual) inspections on commercial motor vehicles is a violation

of 49 C.F.R. 396.17(a), as adopted by K.A.R. 82-4-3j, and as authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find Pyramid Contractors committed two (2) violations 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, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$1,000 for two (2) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Pyramid Contractors be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Pyramid Contractors submit to one follow-up safety compliance review within the next eighteen (18) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Pyramid Contractors because it is a motor carrier as defined in K.S.A. 2013 Supp. 66-1,108.

13. The Commission finds Pyramid Contractors committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor

Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Pyramid Contractors, Inc., of Olathe, Kansas is hereby assessed a \$1,000 civil penalty for two (2) violations 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. Pyramid Contractors is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, Pyramid Contractors is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2013 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Acting Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Pyramid Contractors's right to a hearing, and this Penalty Order will become a Final Order assessing a \$1,000 civil penalty against Pyramid Contractors, and ordering Pyramid Contractors to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. 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. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

F. Failure to pay the \$1,000 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of Pyramid Contractors' motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner


Dated: _____


ORDER MAILED MAR 06 2015

Neysa Thomas
Acting Secretary

MJD

ATTACHMENT “A”

	US DOT # 575953	Legal: PYRAMID CONTRACTORS INC Operating (DBA):	
MC/MX #:		State #:	Federal Tax ID: (EIN)
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.	
Territory:			
Operation Types		Business: Corporation	
Interstate	Intrastate		
Carrier: HM	HM		
Shipper: N/A	N/A	Gross Revenue: for year ending: 12/31/2014	
Cargo Tank: N/A			
Company Physical Address:			
Contact Name: Lauri Mazigian			
Phone numbers: (1)		(2)	Fax
E-Mail Address:			
Company Mailing Address:			
795 W IRONWOOD OLATHE, KS 66061-7220			
Carrier Classification			
Private Property			
Cargo Classification			
Machinery, Large Objects Liquids / Gases in Cargo Tanks Construction			
Hazardous Materials			
3 Combustible liquid Carried Bulk			
Equipment			
	Owned	Term Leased	Trip Leased
Truck	1	0	0
Trailer	15	0	0
Truck Tractor	17	0	0
HM Cargo Tank Truck	1	0	0
Power units used in the U.S.: 19			
Percentage of time used in the U.S.: 100			
Does carrier transport placardable quantities of HM? Yes			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:	11		Total Drivers: 11
>= 100 Miles:			CDL Drivers: 11





PYRAMID CONTRACTORS INC
U.S. DOT #: 575953

State #:

Review Date:
01/20/2015

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Kansas Corporation Commission at:

1500 SW Arrowhead Road
Topeka, KS 66604
Phone 913-755-1289

This report will be used to assess your safety compliance.

Person(s) Interviewed

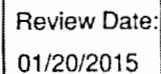
Name: Gavin T. Barmby

Title: President

Name: Lauri Mazigian

Title: Office Manager





1 FEDERAL	Primary: 395.3(b)(1)	Discovered 8	Checked 150	Drivers/Vehicles In Violation 1	Checked 5
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2 FEDERAL	Primary: 396.17(a)	Discovered 1	Checked 8	Drivers/Vehicles In Violation 1	Checked 8
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Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	167,209	Number of Vehicle Inspected (CR): 0	
Recordable Accidents	1	OOS Vehicle (MCMIS): 0	
Recordable Accidents/Million Miles	5.98	Number of Vehicles Inspected (MCMIS): 0	

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	S	0	0
Factor 6:	S	-	-

Capri 6.8.8.5



PYRAMID CONTRACTORS INC

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Part B Requirements and/or Recommendations

1. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
- **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.
- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.

For all Investigations that could result in a Penalty Order:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

For all Investigations that did not result in a Cooperative Safety Plan:

KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 15 days and any additional evidence necessary to prove the corrective action has been taken to:

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was





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Part B Requirements and/or Recommendations

implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.

The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.

Motor carrier's currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site.

The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

3. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN: Annual Inspections were not done within the annual time frame. Carrier needs to establish a reminder to complete this function

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
- Ensure that Driver Vehicle Inspection Records (DVIRs) are effectively coordinated with maintenance and operations, result in timely corrective measures, and are verified during pre-trip inspections as applicable.
- Require mechanics to note whether parts came from inventory or were ordered, to ensure accuracy of maintenance records.
- Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
- Monitor manufacturer recalls through <http://www.nhtsa.dot.gov> and consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance.
- Implement a system for keeping accurate records of employee inspection, repair, and maintenance training needs, including updates on a carrier's fleet or equipment and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Regularly evaluate the company's vehicle-maintenance-related inspection results via the Federal Motor Carrier Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them.
- Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.
- Evaluate personnel who are monitoring vehicle maintenance performance by making sure they are using Driver Vehicle Inspection Records (DVIRs), roadside inspections, and other data; applying performance standards fairly, consistently, and equitably; and documenting evaluations.
- When monitoring and tracking vehicle maintenance issues, always assess whether an issue is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).





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Part B Requirements and/or Recommendations

Passenger Carrier Only:

- Monitor manufacturer recalls through <http://www.nhtsa.dot.gov>; consult with manufacturer service representatives to keep current with service bulletins for proactive maintenance, especially with regard to preowned buses.
- Monitor and track vehicle-maintenance-related passenger complaints and assess safety implications.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

4. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Training and Communication

DESCRIPTION OF PROCESS BREAKDOWN: Driver needs to be made aware of the 60 hour time limit

BASIC SPECIFIC RECOMMENDED REMEDIES: Train the driver that he can't drive after having worked more than the 60 hours in the 7 day period. Possibly training an additional driver.

Implement Safety Improvement Practices: The following are recommended practices related to Communication and Training.

- Convey expectations to all applicable staff for adhering to Hours-of-Service (HOS) regulations and company policies and procedures, and for executing responsibilities by providing new-hire and refresher training, and establish communication channels such as newsletters and/or meetings focused on conflicts between scheduling and HOS rules.
- Inform drivers that management will be monitoring and tracking Records of Duty Status (RODS).
- Ensure that managers and dispatchers encourage fatigued drivers to pull over and take a nap.
- Communicate the carrier's HOS Compliance percentile to all staff, and explain to them individually what they can do to help the carrier improve the percentile.
- Ensure that managers and supervisors communicate their ongoing commitment to abiding by Hours-of-Service (HOS) regulations and to not driving when fatigued for any reason, including illness.
- Ensure that all staff (drivers, dispatchers, sales) involved in the Hours-of-Service (HOS) process receives training as required by regulations and/or company policies.
- Train managers, supervisors, and dispatchers on how to track and communicate drivers' Hours of Service (HOS), including checking the prior seven-day duty statement for intermittent drivers.
- Train the safety director and dispatchers on how to schedule routes that can be completed within Hours-of-Service (HOS) regulations.
- Train dispatchers and drivers to understand that drivers cannot be assigned a run if illness impairs their ability and/or alertness.
- Train all staff who are required to monitor and track Hours of Service (HOS) on appropriate company policies, including those related to discipline and incentives.
- Provide training/testing program to current drivers on proper log completion, how to achieve proper rest on trips by instructing them on the difference between on-duty not driving, for example a driver waits while trailer is loaded, and off-duty, and the importance of proper rest between shifts.
- Train drivers on the proper use of sleeper berths, including the correct procedure for entering time spent in a berth as a co-driver on the driver's Record of Duty Status (RODS).
- Ensure that drivers are trained in driver Out-of-Service (OOS) rules, their responsibilities in adhering to those rules, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.
- Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to Hours-of-Service (HOS) regulations and company policies and procedures.
- Reinforce training about Hours-of-Service (HOS) policies, procedures, and responsibilities to drivers, dispatchers, and other employees, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among them so that they can help each other to improve.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.





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Part B Requirements and/or Recommendations

- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.
5. 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 Pyramid Contractors Inc. operating authority and/or the impoundment of Pyramid Contractors Inc. vehicles.
- Carrier Representative _____ Date _____
6. As required by 391.25(a), motor carriers shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to the appropriate agency of every State in which the driver held a commercial motor vehicle operator's license or permit during the time period.
7. Ensure that all commercial motor vehicles, which would include trailers as well as power units, have a current Annual Inspection as required by 396.17.
8. Carrier should obtain an application for each driver that meets the minimum requirements of the FMCSR's in driver's qualification file.



ATTACHMENT “B”

PYRAMID CONTRACTORS, INC. - DRIVER TIME RECORD AND DAILY LOG

Driver Name Pat A. Campbell

Week Beginning 11/13/14 Ending 11/18/14

Time Log

	Lunch and/or Down Time		Quit Time	Total Hours	On Road Hrs	Off-Road Hrs
	Start Time	From To				
Sun						
Mon	4:00		3:00	11	4	7
Tue	4:00		4:00	12	5	7
Wed	4:00		4:00	12	4	8
Thur	4:00		4:00	12	5	7
Fri	4:00		4:00	12	4	8
Sat	4:00		1:00	9	2	7
TOTAL HOURS FOR WEEK						

Mileage/Fuel Log

Day	Vehicle #	Mileage (Odometer)		Total Miles	Miles in Missouri	Miles in Kansas	Fuel # Gallons
		Beginning	Ending				
3	145	41577	41776	199	60	139	29
4	145	41776	42004	228	60	168	34
5	145	42004	42191	187	60	127	30
6	145	42191	42433	242	140	102	37
7	145	42433	42602	169	60	109	28
8	145	42602	42695	93		93	15
Totals							

Fuel Allocation by State - Gallons
(Office Use Only)

Driver Signature

Pat A. Campbell

PYRAMID CONTRACTORS, INC. - ACTIVITY / PAYROLL TIME SHEET

Driver Name Pete R. Rios

Week Beginning 11/13/14 Ending 11/19/14

Hauling Materials				Office Use Only								
Load:	# Trips	To - From	Vehicle #	Job #	Code	Sun	Mon	Tues	Wed	Thur	Fri	Sat
fuel	1	Job to shop	145				11					
fuel	1	Job to shop	145					12				
fuel	1	Job to shop	145						12			
fuel	1	Job to shop	145							12		
fuel	1	Job to shop	145								12	
fuel	1	Job to shop	145									9

Jobsite Boom Use				Office Use Only								
Job	# Idle Hours	Boom Use Description	Vehicle #	Job #	Code	Sun	Mon	Tues	Wed	Thur	Fri	Sat

Hauling Equipment				Office Use Only									
Equip #/Desc	To	-	From	Vehicle #	Job #	Code	Sun	Mon	Tues	Wed	Thur	Fri	Sat

Total Hours						
Sun	Mon	Tues	Wed	Thurs	Fri	Sat

Driver Signature Pete Rios

Office Use
ST
OT

ATTACHMENT “C”



DOT # 575953

Driver's Daily Vehicle Inspection Report

Check Any Defective Item Listed and Give Details Under "Remarks"

DATE: 11-1-14

TRUCK / TRACTOR NO. 139

- | | | |
|---|--|--------------------------------|
| <input type="checkbox"/> Brake Accessories | <input type="checkbox"/> Mirrors | <input type="checkbox"/> Horn |
| <input type="checkbox"/> Brake Connections | <input type="checkbox"/> Tires | <input type="checkbox"/> Other |
| <input type="checkbox"/> Brakes / Parking & Service | <input type="checkbox"/> Wheels | |
| <input type="checkbox"/> Fifth wheel | <input type="checkbox"/> Windows | |
| <input type="checkbox"/> Front Axle | <input type="checkbox"/> Windshield Wipers | |
| <input type="checkbox"/> Reflectors | <input type="checkbox"/> Steering | |
| <input type="checkbox"/> Lights | <input type="checkbox"/> Safety Equipment | |
| Head - Stop | Fire Extinguisher | |
| Tail | Flags - Flares | |
| Turn Indicators | | |

Remarks: _____

☒ CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVERS SIGNATURE: James Dabry

☐ ABOVE DEFECTS CORRECTED

☐ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____ Date: _____

DRIVER'S SIGNATURE _____ Date: _____

ATTACHMENT “D”

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
14762024	139
DATE 9-1-13	

MOTOR CARRIER OPERATOR Pyramid Contractors Inc.	INSPECTOR'S NAME (PRINT OR TYPE) Tim D Morrow
ADDRESS <div style="background-color: black; width: 100%; height: 1.2em;"></div>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE <div style="background-color: black; width: 100%; height: 1.2em;"></div>	VEHICLE IDENTIFICATION (<input checked="" type="checkbox"/> AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER 587272
VEHICLE TYPE <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
1. BRAKE SYSTEM											
<input checked="" type="checkbox"/>			a. Service Brakes	<input checked="" type="checkbox"/>			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	<input checked="" type="checkbox"/>			a. Tires on any steering axle of a power unit.
<input checked="" type="checkbox"/>			b. Parking Brake System	<input checked="" type="checkbox"/>			b. Protection against shifting cargo.	<input checked="" type="checkbox"/>			b. All other tires.
<input checked="" type="checkbox"/>			c. Brake Drums or Rotors	<input checked="" type="checkbox"/>			c. Container securement devices on intermodal equipment.	<input checked="" type="checkbox"/>			6. WHEELS AND RIMS
<input checked="" type="checkbox"/>			d. Brake Hose	<input checked="" type="checkbox"/>			a. Steering Wheel Free Play	<input checked="" type="checkbox"/>			a. Lock or Side Ring
<input checked="" type="checkbox"/>			e. Brake Tubing	<input checked="" type="checkbox"/>			b. Steering Column	<input checked="" type="checkbox"/>			b. Wheels and Rims
<input checked="" type="checkbox"/>			f. Low Pressure Warning Device	<input checked="" type="checkbox"/>			c. Front Axle Beam and All Steering Components Other Than Steering Column	<input checked="" type="checkbox"/>			c. Fasteners
<input checked="" type="checkbox"/>			g. Tractor Protection Valve	<input checked="" type="checkbox"/>			d. Steering Gear Box	<input checked="" type="checkbox"/>			d. Welds
<input checked="" type="checkbox"/>			h. Air Compressor	<input checked="" type="checkbox"/>			e. Pitman Arm				12. WINDSHIELD GLAZING
<input checked="" type="checkbox"/>			i. Electric Brakes	<input checked="" type="checkbox"/>			f. Power Steering				Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).
<input checked="" type="checkbox"/>			j. Hydraulic Brakes	<input checked="" type="checkbox"/>			g. Ball and Socket Joints				18. WINDSHIELD WIPERS
<input checked="" type="checkbox"/>			k. Vacuum Systems	<input checked="" type="checkbox"/>			h. Tie Rods and Drag Links				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
2. COUPLING DEVICES											
<input checked="" type="checkbox"/>			a. Fifth Wheels	<input checked="" type="checkbox"/>			i. Nuts				16. OTHER
<input checked="" type="checkbox"/>			b. Pintle Hooks	<input checked="" type="checkbox"/>			j. Steering System				List any other condition(s) which may prevent safe operation of this vehicle.
<input checked="" type="checkbox"/>			c. Drawbar/Towbar Eye	<input checked="" type="checkbox"/>			8. SUSPENSION				
<input checked="" type="checkbox"/>			d. Drawbar/Towbar Tongue	<input checked="" type="checkbox"/>			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
<input checked="" type="checkbox"/>			e. Safety Devices	<input checked="" type="checkbox"/>			b. Spring Assembly				
<input checked="" type="checkbox"/>			f. Saddle-Mounts	<input checked="" type="checkbox"/>			c. Torque, Radius or Tracking Components				
3. EXHAUST SYSTEM											
<input checked="" type="checkbox"/>			a. Exhaust system leaking forward of or directly below the driver/sleeper compartment.	<input checked="" type="checkbox"/>			9. FRAME				
<input checked="" type="checkbox"/>			b. Bus exhaust system leaking or discharging in violation of standard.	<input checked="" type="checkbox"/>			a. Frame Members				
<input checked="" type="checkbox"/>			c. Exhaust system likely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of the motor vehicle.	<input checked="" type="checkbox"/>			b. Tire and Wheel Clearance				
4. FUEL SYSTEM											
<input checked="" type="checkbox"/>			a. Visible leak.	<input checked="" type="checkbox"/>			c. Adjustable Axle Assemblies (Sliding Subframes)				
<input checked="" type="checkbox"/>			b. Fuel tank filler cap missing.	<input checked="" type="checkbox"/>							
<input checked="" type="checkbox"/>			c. Fuel tank securely attached.	<input checked="" type="checkbox"/>							
5. LIGHTING DEVICES											
<input checked="" type="checkbox"/>			All lighting devices and reflectors required by Part 393 shall be operable.	<input checked="" type="checkbox"/>							

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☐ X NEEDS REPAIR, ☐ NA IF ITEMS DO NOT APPLY, _____ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
PORT NUMBER	FLEET UNIT NUMBER
14762047	139
DATE NOV 4 2014	

MOTOR CARRIER OPERATOR <i>Pyramid Contractors Inc</i>	INSPECTOR'S NAME (PRINT OR TYPE) <i>Tim D Morrow</i>
ADDRESS <i>[REDACTED]</i>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE <i>[REDACTED]</i>	VEHICLE IDENTIFICATION (✓ AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER <i>587272</i>
VEHICLE TYPE <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
			1. BRAKE SYSTEM				6. SAFETLOADING				10. TIRES
✓			a. Service Brakes				a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	✓			a. Tires on any steering axle of a power unit.
✓			b. Parking Brake System				b. Protection against shifting cargo.	✓			b. All other tires.
✓			c. Brake Drums or Rotors	✓			c. Container securement devices on intermodal equipment.	✓			11. WHEELS AND RIMS
✓			d. Brake Hose					✓			a. Lock or Side Ring
✓			e. Brake Tubing					✓			b. Wheels and Rims
✓			f. Low Pressure Warning Device	7/19				✓			c. Fasteners
✓			g. Tractor Protection Valve					✓			d. Welds
✓			h. Air Compressor	7/19			7. STEERING MECHANISM				12. WINDSHIELD GLAZING
7/19			i. Electric Brakes	✓			a. Steering Wheel Free Play	✓			Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).
7/19			j. Hydraulic Brakes	✓			b. Steering Column				13. WINDSHIELD WIPERS
7/19			k. Vacuum Systems	✓			c. Front Axle Beam and All Steering Components Other Than Steering Column	✓			Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
			2. COUPLING DEVICES				d. Steering Gear Box				14. OTHER
✓			a. Fifth Wheels				e. Pitman Arm				List any other condition(s) which may prevent safe operation of this vehicle.
7/19			b. Pintle Hooks	✓			f. Power Steering				
7/19			c. Drawbar/Towbar Eye				g. Ball and Socket Joints				
7/19			d. Drawbar/Towbar Tongue				h. Tie Rods and Drag Links				
✓			e. Safety Devices				i. Nuts				
✓			f. Saddle-Mounts				j. Steering System				
			3. EXHAUST SYSTEM				8. SUSPENSION				
✓			a. Exhaust system leaking forward of or directly below the driver/sleeper compartment.	✓			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
7/19			b. Bus exhaust system leaking or discharging in violation of standard.	✓			b. Spring Assembly				
✓			c. Exhaust system likely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of the motor vehicle.	✓			c. Torque, Radius or Tracking Components				
			4. FUEL SYSTEM				9. FRAME				
✓			a. Visible leak.	✓			a. Frame Members				
✓			b. Fuel tank filler cap missing.				b. Tire and Wheel Clearance				
✓			c. Fuel tank securely attached.	✓			c. Adjustable Axle Assemblies (Sliding Subframes)				
			5. LIGHTING DEVICES								
✓			All lighting devices and reflectors required by Part 393 shall be operable.	7/19							

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK ☒ X NEEDS REPAIR ☒ NA IF ITEMS DO NOT APPLY. REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
GAVIN T. BARMBY, PRESIDENT PYRAMID CONTRACTORS, INC. 795 W IRONWOOD OLATHE, KS 66061-7220		

ORDER MAILED MAR 06 2015

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.