

STATE OF KANSAS



CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027

PHONE: 785-271-3100
FAX: 785-271-3354
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

NOTICE OF PENALTY ASSESSMENT
19-TRAM-234-PEN

January 3, 2019

Matt Stephens, Managing Member
Stephens Cattle LLC
9544 S Road 90 W
Grinnell, KS 67738

This is a notice of a penalty assessment against Stephens Cattle LLC (Stephens Cattle) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on October 28-29, 2018, by Kansas Corporation Commission Special Investigator Penny Fryback. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. 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: Stephens Cattle has been assessed a \$4,450 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$4,450, through your personal account with the Kansas Corporation Commission's 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 requires a representative of Stephens Cattle to attend a Commission-sponsored safety seminar within ninety (90) 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. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: 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. Stephens Cattle must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and 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 Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$4,450 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,


Ahsan A. Latif
Litigation Counsel
(785) 271-3118

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Dwight D. Keen

In the Matter of the Investigation of **Stephens**)
Cattle LLC, of Grinnell, KS, Regarding the)
Violation of the Motor Carrier Safety Statutes,)
Rules and Regulations and the Commission’s) Docket No. 19-TRAM-234-PEN
Authority to Impose Penalties, Sanctions and/or)
the Revocation of Motor Carrier Authority.)
)

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. 2017 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. 2017 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. 2017 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 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. Stephens Cattle LLC (Stephens Cattle) has private and common operating authority with the Commission and further operates USDOT number 2571046.

5. Matthew Stephens attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on May 15, 2017, on behalf of Stephens Cattle.

6. Stephens Cattle is a private and common motor carrier which primarily hauls livestock.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on October 28-29, 2018, Commission Staff (Staff) Special Investigator Penny Fryback conducted a safety compliance review of the operations of Stephens Cattle. 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, the special investigator identified four (4) violation(s) of the Motor Carrier Safety Regulations.

- a. On August 31, 2018, Stephens Cattle required or permitted its driver, Brandon Levi Standage, to operate a CDL-required commercial motor vehicle, a 2001 Peterbilt, VIN ending in 559957, GVWR 50,000 lbs.,

pulling a 2005 Wilson livestock trailer, VIN ending in 528912, GVWR 65,000 lbs., in intrastate commerce to haul livestock within a 150 air-mile radius in Kansas. This trip is evidenced by Driver's Daily Log, dated August 31, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Stephens Cattle failed to retain the bills of lading, scale tickets or any other supporting documentation for the load hauled. The special investigator discovered 13 violations of this type. The carrier's failure to retain driver supporting documents for load hauled for a period of six (6) months is a violation of 49 C.F.R. Part 395.8(k)(1), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$500.

- b. On February 26, 2018, Stephens Cattle required or permitted its driver, Todd Kuhlman, to operate a CDL-required commercial motor vehicle, a 2007 Peterbilt, VIN ending in 669864, GVWR 50,000 lbs., pulling a 2005 Merritt livestock trailer, VIN ending in 016330, GVWR 65,000 lbs., in interstate commerce from Dodge City, Kansas to Greeley, Colorado. This trip is evidenced by Driver/Vehicle Examination Report Number KSHP01890576, dated February 26, 2018, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, Stephens Cattle had not obtained a pre-employment controlled substance test on this driver with a negative result. This carrier was cited with the same violation during a compliance review

conducted in March 2017. The carrier's failure to require its driver to submit to a pre-employment alcohol and/or controlled substances USDOT regulated test and to obtain a negative test result within 30 days of his employment and prior to requiring or permitting him to operate a commercial motor vehicle is a violation of 49 C.F.R. 382.301(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends an enhanced fine of \$1,300.

- c. On July 20, 2018, Stephens Cattle required or permitted its driver, Todd Kuhlman to operate a CDL-required commercial motor vehicle, a 2007 Peterbilt, VIN ending in 669864, GVWR 50,000 lbs., pulling a 2005 Merritt livestock trailer, VIN ending in 016330, GVWR 65,000 lbs., in intrastate commerce in and around the area of Wichita, Kansas. This trip is evidenced by Kansas Motor Vehicle Accident Report, dated July 20, 2018, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, driver Todd Kuhlman was involved in a USDOT recordable accident and Stephens Cattle failed to obtain a post-accident alcohol and controlled substance test on the driver. The carrier's failure to test its driver for alcohol and controlled substances as soon as practicable following a DOT recordable accident is a violation of 49 C.F.R. 382.303(a) and (b), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$650.

d. On October 26, 2018, Stephens Cattle required or permitted its driver, Todd Kuhlman, to operate a CDL-required commercial motor vehicle, a 2007 Peterbilt, VIN ending in 669864, GVWR 50,000 lbs., pulling a 2005 Wilson livestock trailer, VIN ending in 528912, GVWR 65,000 lbs., in intrastate commerce from Hoxie, Kansas to Seneca, Kansas. This trip is evidenced by Driver's Daily Log, dated October 26, 2018, a copy of which is attached hereto as Attachment "E" and is hereby incorporated by reference. At the time of this transportation, driver Todd Kuhlman hauled livestock from Hoxie, Kansas to Seneca, Kansas which goes beyond the 150 air-mile radius and would have required the driver to log the trip from approximately Washington, Kansas to Seneca, Kansas. The driver Kuhlman would have been agricultural exempt from Seneca, Kansas to Abilene, Kansas, where he loaded livestock going to St. Francis, Kansas, which would have been beyond the 150 air-mile radius and would have required driver to record his hours of service from just west of Park, Kansas to St. Francis, Kansas. Driver Kuhlman had a false record of duty status on October 26, 2018, because it showed he drove one hour from Abilene, Kansas to Ellsworth, Kansas and then went agricultural exempt for the rest of the day. The special investigator discovered 13 false records of duty status. Stephens Cattle's falsifying records of duty status is a violation of 49 C.F.R. 395.8(e)(1), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$2,000.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Stephens Cattle committed four (4) violation(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, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$4,450 for four (4) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Stephens Cattle be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this 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.

11. Finally, Staff recommends that Stephens Cattle submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation 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 Stephens Cattle because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

13. The Commission finds Stephens Cattle committed four (4) violation(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, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Stephens Cattle LLC, of Grinnell, KS is hereby assessed a \$4,450 civil penalty for four (4) violation(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. Stephens Cattle is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Stephens Cattle is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

D. Pursuant to K.S.A. 2017 Supp. 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 Secretary to the Commission, 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 Stephens Cattle's right to a hearing, and this Penalty Order will become a Final Order assessing a \$4,450 civil penalty against Stephens Cattle, and ordering a representative from Stephens Cattle to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and

provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

E. 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, 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). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2017 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$4,450 is due in thirty (30) days from the date of service of this Order. Payment of \$4,450 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$4,450 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Stephens Cattle's 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 revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner


Dated: 01/03/2019 _____

A handwritten signature in dark ink, appearing to read "Lynn M. Retz", is written above a horizontal line.

Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 2571046	Legal: STEPHENS CATTLE LLC Operating (DBA):				
MC/MX #: 898449		State #: [REDACTED]		Federal Tax ID: [REDACTED] (EIN)		
Review Type: Compliance Review (CR)						
Scope: Principal Office		Location of Review/Audit: Other			Territory:	
Operation Types		Interstate Intrastate				
Carrier: Non-HM Non-HM Shipper: N/A N/A Cargo Tank: N/A		Business: Corporation Gross Revenue: [REDACTED] for year ending: 12/31/2017				
Company Physical Address: [REDACTED] GRINNELL, KS 67738-3819 Contact Name: Melissa Huerta Phone numbers: (1) [REDACTED] E-Mail Address: [REDACTED]						
Company Mailing Address: 9544 S RD 90 W GRINNELL, KS 67738-3819						
Carrier Classification Authorized for Hire Exempt for Hire Private Property						
Cargo Classification Livestock						
Equipment						
	Owned		Term Leased		Trip Leased	
Truck Tractor	0	3	0	Trailer	3	1 0
Power units used in the U.S.: 3 Percentage of time used in the U.S.: 100						
Does carrier transport placardable quantities of HM? No						
Is an HM Permit required? N/A						
Driver Information						
	Inter Intra		Average trip leased drivers/month: 0			
< 100 Miles:			Total Drivers: 4			
>= 100 Miles:	4		CDL Drivers: 4			





STEPHENS CATTLE LLC

U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:

12/10/2018

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Kansas Corporation Commission
1500 SW Arrowhead Road Attention: Gary Davenport : 785-271-3151
Topeka, Kansas 66604

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Melissa Huerta

Title: Agent

Name:

Title:





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: XXXXXXXXXX

Review Date:
12/10/2018

Part B Violations

1 STATE CRITICAL	Primary: K.A.R. 82-4-35a CFR Equivalent: 392.2	Discovered 13	Checked 74	Drivers/Vehicles In Violation	Checked
Description Carrier is required to retain the bills of lading, or shipping receipts, waybills, freight bills, run tickets, fuel receipts roll road receipts and any other document that would indicate compliance with the hours of service requirements. Example Driver Branson Standage Trip Date: 8/31/2018 On August 31, 2018 Driver Brandon Standage showed that he had hauled agricultural exempt but did not have a bill of lading, invoice, waybill, freight bill, fuel receipt or any other documents to indicate compliance with the hours of service.					
2 FEDERAL CRITICAL	Primary: 395.8(e)(1)	Discovered 11	Checked 76	Drivers/Vehicles In Violation	Checked 3
Description Making, or permitting a driver to make, a false report regarding duty status Example Driver Todd Kuhlman Trip Date: 9/29/2018 Driver Todd Kuhlman was stopped for a roadside inspection on September 29, 2018 in Cheyenne, Wyoming at 02:34 p.m. Driver Todd Kuhlman's record of duty status showed that he came on duty in Holbrook, AZ on September 28, 2018 at 08:00 p.m. and then drove to Dodge City, Kansas and unloaded at 06:15 a.m. on September 29, 2018 and then drove agricultural exempt for another 2 1/2 hours before going off duty at 09:00 a.m. for the rest of the day					
3 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 4	Drivers/Vehicles In Violation	Checked 4
Description Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Example Driver Todd Kuhlman Trip Date: 2/26/2018 Hire Date: 2/1/2018 Date Tested: 3/2/2018 Driver Todd Kuhlman was stopped for a roadside inspection on 2/26/2018 in Ford County in Kansas on US 283 milepost 38 on February 26, 2018 by Kansas Trooper 189 at 08:29 a.m. Stephens Cattle L.L.C. did not obtain a pre-employment test on Driver Todd Kuhlman until March 2, 2018.					
4 FEDERAL	Primary: 382.303(a)	Discovered 1	Checked 4	Drivers/Vehicles In Violation	Checked 4
Description Failing to conduct post accident alcohol testing on driver following a recordable crash. Example Drivers Todd Kuhlman Accident Date : July 20, 2018 Driver cited for K.S.A. 8-1522 Citation # E00105521 Stephens Cattle L.L.C. did not require Driver Todd Kuhlman to post accident alcohol test following a DOT recordable accident when one person was taken to the hospital to be treated for her injuries and Driver Kuhlman received a citation.					





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:
12/10/2018

Part B Violations

5 FEDERAL	Primary: 382.303(b)	Discovered 1	Checked 4	Drivers/Vehicles In Violation 1	Checked 4
Description Failing to conduct post accident testing on driver for controlled substances. Example Driver Todd Kuhlman Accident Date: 7/20/2018 Citation for K.S.A. 8-1522 Citation # E001055621 Stephens Cattle L.L.C. did not require Driver Todd Kuhlman to post accident controlled substance test following a DOT recordable accident where one person was taken to the hospital to be treated for her injuries and Driver Kuhlman received a citation.					
6 STATE	Primary: 395.8(e) CFR Equivalent: 395.8(e)	Discovered 2	Checked 44	Drivers/Vehicles In Violation 1	Checked 1
Description False reports of records of duty status. Example Driver Todd Kuhlman Trip Date: 10/26/2018 The bill of lading number 1977 showed a load of livestock hauled from Hoxie, Kansas to Seneca, Kansas and bill of lading number 1978 showed a load of livestock hauled from Abilene, Kansas to St Francis, Kansas. Driver Kuhlman's record of duty status showed that he drove from Oakley, Kansas to Mankato, Kansas agricultural exempt and then drove 2 1/2 hours to Seneca, Kansas where he unloaded at 02:30 p.m. Driver Kuhlman then drove another 2 hours to Abilene, Kansas where he loaded livestock going to St. Francis, Kansas. Driver Kuhlman's record of duty status then shows that he drove one hour to Ellsworth, Kansas where he went off duty and then on September 27, 2018 his record of duty status shows agricultural exempt for the entire day. Driver Kuhlman would have been required to start logging the trip to St. Francis, Kansas at just west of Park, Kansas.					
7 STATE	Primary: 395.8(f) CFR Equivalent: 395.8(f)	Discovered 4	Checked 44	Drivers/Vehicles In Violation 2	Checked 3
Description Failing to require driver to prepare record of duty status in form and manner prescribed. Example Driver: Todd Kuhlman Trip Date: October 26, 2018 On October 26, 2018 Driver Todd Kuhlman failed to enter the bill of lading number or shipper and commodity and total miles driven.					





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

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Review Date:
12/10/2018

Part B Violations

8 FEDERAL	Primary: 395.8(f)	Discovered 16	Checked 76	Drivers/Vehicles In Violation 2	Checked 3
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Description

Failing to require driver to prepare record of duty status in form and manner prescribed.

Driver Brandon Standage

Trip Date: August 29, 2018

Driver Brandon Standage failed to enter the bill of lading number, total miles traveled, total hours at the end of the graph and to sign the record of duty status.

9 FEDERAL	Primary: 395.8(k)(1)	Discovered 1	Checked 70	Drivers/Vehicles In Violation 1	Checked 3
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Description

Failing to retain supporting documents in a manner that permits the effective matching of the documents to the driver's record of duty status.

Example

Driver Todd Kuhlman

Trip Date: October 30, 2018

On October 30, 2018 Driver Todd Kuhlman had completed two records of duty status for the same day. One of these records of duty status showed that Driver Kuhlman had driven agricultural exempt to Holdrege, Nebraska from Oakley, Kansas and then driven to Liddendale, IA. The other record of duty status for October 30, 2018 showed that Driver Todd Kuhlman had operated agricultural exempt the entire day.

10 FEDERAL	Primary: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description

Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.

Example

Unit 4

Trip Date: 9/26/2018

Maintenance record missing the VIN number.

Safety Fitness Rating Information:

Total Miles Operated 283,184

Recordable Accidents 1

Recordable Accidents/Million Miles 3.53

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 2

Number of Vehicles Inspected (MCMIS): 3


Your proposed safety rating is :

CONDITIONAL

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

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.



	STEPHENS CATTLE LLC U.S. DOT #: 2571046	State #: [REDACTED]	Review Date: 12/10/2018
Part B Violations			

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.



STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:
12/10/2018

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. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

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

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





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:
12/10/2018

Part B Requirements and/or Recommendations

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.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

US Department of Transportation
Federal Motor Carrier Safety Administration
Kansas Division
Jeff Ellett - Division Administrator
1303 First American Place, Suite 200
Topeka, KS 66604-4040

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

US Department of Transportation
Jack Van Steenburg - Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation
Max Strathman - Midwestern Field Administrator
Federal Motor Carrier Safety Administration
4749 Lincoln Mall Drive, Suite 300-A
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation
Kansas Division
Jeff Ellett - Division Administrator
Federal Motor Carrier Safety Administration
1303 First American Place, Suite 200
Topeka, KS 66604-4040

This letter should be submitted as soon as possible.

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





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:
12/10/2018

Part B Requirements and/or Recommendations

The 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 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. Mail the letter along with copies of your supporting evidence to:

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

2. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Training and Communication

DESCRIPTION OF PROCESS BREAKDOWN: This carrier need to train his drivers on the agricultural exemption and communicate with them to avoid falsification of the hours of service. The carrier needs to have someone who monitors the hours of service on a reular basis.

BASIC SPECIFIC RECOMMENDED REMEDIES

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.





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: [REDACTED]

Review Date:
12/10/2018

Part B Requirements and/or Recommendations

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.

3. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
4. The following information must be included on the form in addition to the grid:
(1) Date; (2) Total miles driving today; (3) Truck or tractor and trailer number; (4) Name of carrier; (5) Driver's signature/certification; (6) 24 hour period starting time (e.g., midnight, 9:00 a.m., noon, 3:00 p.m.); (7) Main office address; (8) Remarks; (9) Name of co driver; (10) Total hours (far right edge of grid); change of duty status locations, and (11) Shipping document number(s), or name of shipper and commodity.
5. Motor carriers must retain each supporting document generated or received in the normal course of business in the following categories for each of its drivers for every 24-hour period to verify on-duty not driving time in accordance with § 395.8(k):
 - (i) Each bill of lading, itinerary, schedule, or equivalent document that indicates the origin and destination of each trip;
 - (ii) Each dispatch record, trip record, or equivalent document;
 - (iii) Each expense receipt related to any on-duty not driving time;
 - (iv) Each electronic mobile communication record, reflecting communications transmitted through a fleet management system; and
 - (v) Each payroll record, settlement sheet, or equivalent document that indicates payment to a driver.A supporting document must include each of the following data elements:
On the document or on another document that enables the carrier to link the document to the driver, the driver's name or personal identification number (PIN) or a unit (vehicle) number if the unit number can be associated with the driver operating the unit and the date, which must be the date at the location where the data is recorded. The location, which must include the name of the nearest city, town, or village to enable Federal, State, or local enforcement personnel to quickly determine a vehicle's location on a standard map or road atlas; and the time, which must be convertible to the local time at the location where it is recorded.
If a driver has fewer than eight supporting documents containing the four data elements a document containing the data elements is considered a supporting document.
6. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.
7. As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol and controlled substances for each of its surviving drivers if the accident involves the loss of human life; or if the driver receives a citation in which bodily injury to any person or one or more motor vehicles incurring disabling damage as a result of the accident. Accident Table is 382.303
8. This review will result in a Safety Rating.
9. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
10. I, _____ acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to





STEPHENS CATTLE LLC
U.S. DOT #: 2571046

State #: 

Review Date:
12/10/2018

Part B Requirements and/or Recommendations

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 Stephens Cattle L.L.C. operating authority and/or the impoundment of Stephens Cattle L.L.C. vehicles.



ATTACHMENT “B”

DRIVER'S RECORD OF DUTY STATUS (One Calendar Day-24 hours)

8 -31-18
 Month Day Year
 (Total miles driving today)
Stephens Cattle LLC
 (Name of Carrier or Carriers)
Grinnell, KS 67738
 (Main Office Address/Home Terminal Address)

1 147
 (Pro or Shipping Number) Vehicle numbers-(Show each unit)
Brandon Hordage
 (Driver's signature in full) I CERTIFY THESE ENTRIES ARE TRUE AND CORRECT
 (Name of co-driver)

	MIDNIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									
2: SLEEPER BERTH																									
3: DRIVING																									
4: ON DUTY (Not Driving)																									

REMARKS:
 P.T.I.
 MAP 21

USE TIME STANDARD AT HOME TERMINAL

DRIVERS DAILY VEHICLE INSPECTION REPORT

Tractor/Truck No.: 1 Trailer(s) No. (s): 147
☒ I detect no defect or deficiency in this motor vehicle as would be likely to affect the safety of its operation or result in its mechanical breakdown.
☐ I detect and list defects or deficiencies in this motor vehicle as would be likely to affect the safety of its operation or result in its mechanical breakdown.
 Remarks:

Driver making report
☐ Above defects corrected.
☐ Above defects need not be corrected for safe operation of vehicle
 MECHANIC'S SIGNATURE
 DRIVER'S SIGNATURE *Brandon Hordage*

ATTACHMENT “C”

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01890578
Inspection Date: 02/26/2018
Start: 8:29 AM CT End: 09:01 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

STEPHENS CATTLE LLC

GRINNELL, KS 67738-3819

USDOT#: 02571046

MC/MX#: 898449

State#:

Phone#:

Fax#:

Location: FORD COUNTY - 057

Highway: U283

County:

MilePost: 38

Origin: DODGE CITY, KS

Destination: GREELEY, CO

Shipper:

Bill of Lading:

Cargo: EMPTY

Driver: KUHLMAN, TODD J

License#:

Date of Birth:

CoDriver:

License#:

Date of Birth:

State: KS

State:

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	PTRB	2007	KS		5	669864	48,000			
2	ST	MERL	2005	KS		T-20	016330	75,000			

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
392.2-SLLS3	392.2-SLLS3	D	N	E001294832	N	N	State/Local Laws - Speeding 11-14 miles per hour over the speed limit.: 78/65
396.17C	396.17C	1	N		N	N	Operating a CMV without proof of a periodic inspection: Expired 02/09/18
396.17C	396.17C	2	N		N	N	Operating a CMV without proof of a periodic inspection: No proof
393.60D	393.60D	1	N		N	N	Glazing permits < 70% of light
395.8K2	395.8K2	D	Y		N	N	Driver failing to retain previous 7 days records of duty status: No log/log not current on 2/20/2018 08:00 AM

HazMat: No HM Transported.

Placard: No

Cargo Tank:

Special Checks: Traffic Enforcement;

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 TODD KUHLMAN "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Eligible to Drive again.. 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 _____

* 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 REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **/** 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.

*CARRIER CERTIFICATION: All defects on this sheet 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.

Signature Of Motor Carrier X: _____

Title: _____

Date: _____

Report Prepared By:
C.J. Hardaway

Badge #:
0189

Copy Received By:
TODD KUHLMAN

Page 1 of 2



02571046 KS KSHP01890578

X _____

X _____

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01890576
Inspection Date: 02/28/2018
Start: 8:29 AM CT End: 09:01 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

STEPHENS CATTLE LLC

GRINNELL, KS 67738-3819
USDOT#: 02571046
MC/MX#: 898449
State#:

Phone#:
Fax#:

Driver: KUHLMAN, TODD J

License#:

Date of Bi

CoDriver:

License#:

Date of Birth:

State: KS

State:

Inspection Notes

Last entry in log book was on 02/20/18 at 0800 hours in San Teresa NM. No proof annual on trailer, expired 2/9/18 on tractor. Speeding 78-65 and dark tinted windows. Photos taken of log.

Special Studies No Special Study Data Recorded

Report Prepared By:
C.J. Hardaway

Badge #:
0189

Copy Received By:
TODD KUHLMAN

Page 2 of 2



02571046 KS KSHP01890576

X

X

ATTACHMENT “D”

Kansas Motor Vehicle Accident Report										Investigating Department Kansas Highway Patrol		Reviewed by		Local Case No. 2018010092		Page of 1 / 8		<input type="checkbox"/> Amended Report													
KDOT Form 850A Rev 1-2009 KDOT: 20180122982										Investigating Officer Name J. MIDDLETON		Badge Number 467		County SG		City Name WICHITA		<input type="checkbox"/> DUI													
																<input type="checkbox"/> Hit & Run															
																<input type="checkbox"/> Accident Severity															
Milepost 271.2										Block No.		Dir Pk K098		Road Type EXPY		Dir Sh E		Spd Lim 70		Date of Accident (mm/dd/yyyy) 07/20/2018		Time Occur. 22:28		Day FR		Fatal Injury PDO >= \$1,000 PDO < \$1,000					
From Dist 0.5										FV/M M		From Dir E		Dir Pk OAT		Reference or At Road Name 215TH		Road Type ST		Dir Sh W		Spd Lim		Date Notified (mm/dd/yyyy) 07/20/2018		Time Notif 22:34		Day FR			
Narrative: Describe each traffic unit's pre-crash movement and direction of travel										Date Arrived (mm/dd/yyyy) 07/20/2018		Time Arriv. 22:53		Day FR		<input type="checkbox"/> Private Property															
V1 and V2 were both on Eastbound K-98 at milepost 271. V1 was in lane 1 and V2 was in lane 2. V1 drove into lane 2 and the front passenger side of V1 struck the rear driver side of V2.										Latitude (AOI)		00		ON WORK ZONE TYPE		AT															
										Longitude (AOI)				00 None Apply																	
										Photos by				01 Construction Zone - <input checked="" type="checkbox"/>																	
														02 Maintenance Zone -																	
														03 Utility Zone -																	
														09 Unknown																	
														- LOCATION IN WORK ZONE (AOI)																	
														01 Before first warning sign																	
														02 Advance warning area																	
														03 Transition area																	
														04 Activity area																	
														05 Termination area		99 Unknown															
														- WORK ZONE CATEGORY																	
														01 Lane closure																	
														02 Lane shift / crossover																	
														03 Work on shoulder / median																	
														04 Intermittent or moving vehicle																	
														88 Other:																	
														99 Unknown																	
														05 COLLISION WITH VEHICLE		05															
														(mark 1 box per side if applicable)																	
														1st Harmful Event		Most Harmful Event															
														01 Head on																	
														02 Rear end																	
														03 Angle - side impact																	
														04 Sideswipe: opposite direction																	
														05 Sideswipe: Same direction																	
														08 Backed into																	
														88 Other:																	
														99 Unknown																	
														TRAFFIC CONTROLS																	
														(On / At Road) O/A																	
														Type Present		OK/NG															
														00 None																	
														01 Officer, flagger																	
														02 Traffic signal																	
														03 Stop sign																	
														04 Flasher																	
														05 Yield sign																	
														06 RR gates / signal																	
														07 RR crossing signs																	
														08 No passing zone																	
														09 Center/Edge lines																	
														10 Warning signs																	
														11 School zone signs																	
														12 Parking lines																	
														88 Other:																	
														99 Unknown																	

ONLY CHOOSE ONE CODE PER CATEGORY UNLESS SPECIFIED OTHERWISE																			
05 LIGHT CONDITIONS					11 ACC. LOCATION (of 1st Harmful Event)					03 ACCIDENT CLASS (mark 1 box per side)					03				
01 Daylight 04 Dark: street lights on					ON ROADWAY: (within travel lanes)					1st Harmful Event					Most Harmful Event				
02 Dawn 05 Dark: no street lights					11 Non-Intersection					00 Other non-collision									
03 Dusk 99 Unknown					12 Intersection +					01 Overtuned/Rollover									
					13 Intersection-related +					COLLISION WITH:									
					14 Access to Parking lot/Drivwy					02 Pedestrian									
					15 Interchange Area +					03 Motor vehicle in-transport*									
					16 On Crossover					04 Legally Parked Vehicle									
					17 Toll Plaza					05 Railway train									
					OFF ROADWAY:					06 Pedal cyclist									
					20 Shoulder					07 Animal Type:									
					21 Roadside (not shoulder)					08 Fixed object**									
					22 Median					09 Other object:									
					23 Parking lot or Rest area					99 Unknown									
					88 Other:														
					99 Unknown														
					+INTERSECTION TYPE/					**FIXED OBJECT TYPE									
					01 Four-way intersection					(mark 1 box per side if applicable)									
					02 Five-way or more					1st Harmful Event					Most Harmful Event				
					03 T - Intersection					01 Bridge structure									
					04 Y - Intersection					02 Bridge rail									
					05 L - Intersection					03 Crash cush./impact attenuator									
					06 Roundabout (See Manual for Definitions)					04 Divider, median barrier									
					07 Traffic Circle					05 Overhead sign support									
					08 Part of an interchange					06 Utility devices: pole, meter, etc									
					99 Unknown					07 Other post or pole									
										08 Building									
										09 Guardrail									
										10 Sign post									
										11 Culvert									
										12 Curb									
										13 Fence/Gate									
										14 Hydrant									
										15 Barricade									
										16 Mailbox									
										17 Ditch									
										18 Embankment									
										19 Wall									
										20 Tree									
										21 RRXING fixtures									
										88 Other:									
										99 Unknown									

00 SURFACE TYPE					01 SURFACE CONDITIONS				
01 Concrete					01 Dry				
02 Blacktop (Asphalt)					02 Wet				
03 Gravel					03 Snow				
04 Dirt					04 Ice				
05 Brick					05 Mud/dirt/sand				
88 Other:					06 Debris (oil, etc.)				
99 Unknown					07 Standing/ moving water				
					08 Slush				

ROAD SPECIAL FEATURES (up to 3)				
00 None				
01 Bridge				
02 Bridge Overhead				
03 Railroad Bridge				
04 RRXING				
05 Interchange				
06 Ramp				
99 Unknown				

ATTACHMENT “E”



10, 26, 18
(Month) (Day) (Year)

DRIVER'S DAILY LOG

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

RECAP
Complete at
end of workday.

Stephens Cattle
Name of Carrier or Carriers
Guennell KS

On-duty hours
today (Total
lines 3 & 4)

70 Hr./8 Day
Drivers

Total Miles Driving Today Total Mileage Today

Main Office Address

Home Terminal Address

I certify these entries are true and correct.

Truck/Tractor and Trailer Numbers or
License Plate(s) / State (show each unit)

Driver's Full Signature

Co-Driver's Name

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									18
2. SLEEPER BERTH																									
3. DRIVING																									5.5
4. ON DUTY (NOT DRIVING)																									1.5

A.
Total hours on
duty last 7 days,
including today.

B.
Total hours
available
tomorrow,
70 hr. minus A.*

C.
Total hours on
duty last 8 days,
including today.

60 Hr./7 Day
Drivers

REMARKS

A.
Total hours on
duty last 6 days,
including today.

B.
Total hours
available
tomorrow,
60 hr. minus A.*

C.
Total hours on
duty last 7 days,
including today.

*If you meet the
34-hour restart
requirements in
49CFR 395.3, you have
60/70 hours
available again.

SHIPPING
DOCUMENTS:

B/L or Manifest No.
or

Shipper & Commodity

Enter name of place you reported and where released from work and when and where each change of duty occurred.

From:

To:

USE TIME STANDARD AT HOME TERMINAL Copyright 2013 J. J. Keller & Associates, Inc.® All rights reserved.

19361 (545-MP)

CERTIFICATE OF SERVICE

19-TRAM-234-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 01/04/2019.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
a.latif@kcc.ks.gov

MATT STEPHENS, MANAGING MEMBER
STEPHENS CATTLE LLC
9544 S RD 90 W
GRINNELL, KS 67738-3819
Fax: 785-824-3470
mattstephens86@yahoo.com

/S/ DeeAnn Shupe

DeeAnn Shupe