

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

June 7, 2016

16-TRAM-530-PEN

Jesus J. Beltran, Member
JJGK Trucking LLC.
4350 S 135th St West
Wichita, Kansas 67227

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 March 29-30, 2016, May 2, 2016 and May 10, 2016, by Kansas Corporation Commission Special Investigator Gary Goeller. 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 \$2,000 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 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. 2015 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,



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

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

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

In the Matter of the Investigation of **JJGK**)
Trucking LLC., of Wichita, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 16-TRAM-530-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. 2015 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. 2015 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. 2015 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. JJGK Trucking LLC. (JJGK Trucking) operates under USDOT number 1707771.
- 5. JJGK Trucking has eight tractor/trailers and operates in intrastate commerce.
- 6. JJGK Trucking is a common motor carrier which primarily hauls commodities dry bulk, construction, rock, sand and dirt.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on May 10, 2016, Commission Staff (Staff) Special Investigator Gary Goeller conducted a compliance review of the operations of JJGK Trucking. 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. Goeller identified three (3) violations of the Motor Carrier Safety Regulations.

- a. On January 29, 2016, JJGK Trucking required or permitted its driver, Salvador Chaves-Ojeda, to operate a commercial motor vehicle, a 1998 Kenworth, VIN ending in 783522, GVWR 48,000 lbs., in intrastate commerce in and around the area of Wichita, Kansas. This trip is evidenced by Driver/Vehicle Examination Report, dated January 29, 2016, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, JJGK Trucking had not obtained a pre-employment alcohol/controlled substance

test of a negative result on driver Salvador Chaves-Ojeda. Mr. Chaves-Ojeda was hired on January 29, 2016, and the test was not obtained until February 22, 2016. JJGK Trucking's failure to require its drivers to submit to a pre-employment alcohol and/or controlled substances test and to obtain a negative test result prior to requiring or permitting him to operate a commercial motor vehicle is a violation of 49 C.F.R. 382.301(a) as adopted by K.A.R. 82-4-3c and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$750.

- b. On February 8, 2016, JJGK Trucking required or permitted its driver, Adrian Lopez, to operate a commercial motor vehicle, a 2000 Kenworth, VIN ending in 845917, GVWR > 33,000 lbs., in intrastate commerce from Wichita, Kansas to Independence, Kansas. This trip is evidenced by JJGK Trucking's load log, dated February 8, 2016, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, JJGK Trucking failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigator found three violations of this type. JJGK Trucking's failure to inquire into its driver's MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2015 Supp. 66-1,112. Staff recommends a fine of \$250.

- c. During the transportation described in paragraph b., above, JJGK Trucking failed to require its driver Adrian Lopez to make a record of duty status showing the start time, end time and total number of hours worked for the day. The special investigator found 150 violations of this type. The carrier's failure to require its drivers to keep records of duty status for each 24-hour period, or in the alternative to maintain and retain time records described in 49 C.F.R. 395.1(e) under the short haul exemption, using the method described in 49 C.F.R. 395.8(a), and to submit the original record to the motor carrier within 13 days of creation is a violation of 49 C.F.R. 395.8(a) as adopted by K.A.R. 82-4-3a and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine in the amount of \$1,000.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find JJGK Trucking committed three (3) 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 \$2,000 for three (3) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that JJGK Trucking 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 JJGK Trucking 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 JJGK Trucking because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

13. The Commission finds JJGK Trucking committed three (3) 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.

THE COMMISSION THEREFORE ORDERS THAT:

A. JJGK Trucking LLC., of Wichita, Kansas is hereby assessed a \$2,000 civil penalty for three (3) 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. JJGK Trucking 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, JJGK Trucking is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2015 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 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 JJGK Trucking's right to a hearing, and this Penalty Order will become a Final Order assessing a \$2,000 civil penalty against JJGK Trucking, and ordering JJGK Trucking 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. 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 of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2015 Supp. 66-1,142b(e) and amendments thereto.

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 \$2,000 civil penalty within thirty (30) days of the 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 JJGK Trucking'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 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 orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: JUN 07 2016




Amy L. Green
Secretary to the Commission

AAL

Order Mailed Date

JUN 08 2016

ATTACHMENT “A”

	US DOT # 1707771	Legal: JJGK TRUCKING LLC Operating (DBA):	
MC/MX #:		Federal Tax ID: [REDACTED] (EIN)	
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S. Territory: F	
Operation Types		Business: Corporation	
Carrier: N/A	Interstate Intrastate Non-HM	Gross Revenue: [REDACTED] for year ending: 12/31/2015	
Shipper: N/A	N/A		
Cargo Tank: N/A			
Company Physical Address:			
[REDACTED]			
Contact Name: Jesus J Beltran			
Phone numbers: (1) [REDACTED]		Fax	
E-Mail Address: [REDACTED]			
Company Mailing Address:			
4350 S 135th ST West WICHITA, KS 67227			
Carrier Classification			
Exempt for Hire			
Cargo Classification			
Commodities Dry Bulk		Construction Other: Rock Sand Dirt	
Equipment			
	Owned	Term Leased	Trip Leased
Truck Tractor	9	0	0
Trailer	4	5	0
Power units used in the U.S.: 9			
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: 7
>= 100 Miles:		7	CDL Drivers: 7





JJK TRUCKING LLC
U.S. DOT #: 1707771

Review Date:
05/10/2016

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
Attn: Gary Davenport
1500 SW Arrowhead Rd., Topeka, KS 66604-4027

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Jesus Jose Beltran

Title: Member

Name: [REDACTED]



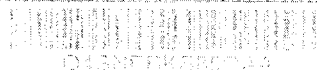


JJGK TRUCKING LLC
U.S. DOT # 1707771

Review Date
05/10/2016

Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Example [REDACTED] Hire date -01.29.2016 Trip date 01-29-2016 Test date 02.22.2016 Carrier failed to get pre employment controlled substance test completed and the results back prior to allowing driver to operate a CDL required CMV. Operated a 1998 Kenworth VIN# [REDACTED] 783522 KS TAG [REDACTED] and a 2013 Trailer VIN# [REDACTED] 1008197 KS tag [REDACTED] on a trip in Wichita, KS					
2 STATE	Primary: 391.23(a)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
Description Failing to investigate driver's background Example [REDACTED] hire date 06.23.2015 Trip Date 12.15.2015 Carrier failed to run MVR on new hire within 30 days of employment Operated a 1999 Kenworth Tractor VIN# [REDACTED] 783519, KS tag [REDACTED] and a 2012 Trailer VIN# [REDACTED] 1607757 KS tag [REDACTED] on a trip from Wichita, KS to Independence, KS					
3 STATE	Primary: 391.23(m)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
Description The motor carrier must obtain an original or copy of the medical examiner's certificate issued in accordance with § 391.43, and any medical variance on which the certification is based, and, beginning on or after May 21, 2014, verify the driver was certified by a medical examiner listed on the National Registry of Certified Medical Examiners as of the date of issuance of the medical examiner's certificate, and place the records in the driver qualification file, before allowing the driver to operate a CMV. Example [REDACTED] Trip date 02.08.2016 Carrier failed to place a note or evidence of verification in the DQ file that the Medical examiner that completed the medical examiner's certificate was on the national Registry of Certified Medical Examiners.					





JGK TRUCKING LLC
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05/10/2016

Part B Violations

4 STATE	Primary: 391.25(a) CFR Equivalent: 391.25(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months [REDACTED] Trip date 02.08.2016 Hire date 09.24.14 No MVR's on file for drivers.					
5 STATE	Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Failing to maintain driver's employment application in driver's qualification file. Example [REDACTED] Trip date 01.29.2016 Driver did not have application on file.					
6 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Example [REDACTED] Trip date 02.08.2016 Hire date 09.24.14 Carrier failed to make note of a annual review					
7 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27 Example [REDACTED] Trip date 02.08.2016 Hire date 09.24.14 Carrier failed to have driver complete driver certification of violations.					





JGK TRUCKING LLC
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Part B Violations

8 STATE	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 150	Checked 150	Drivers/Vehicles In Violation 5	Checked 5
Description Failing to require driver to make a record of duty status. Adrian Lopez Trip date 02.03.2016 Driver failed to complete a record of duty status or a time record. For the five drivers for operations for February 2016 there were 84 days of combined operations. There were no time records or Rcds on file that meet the requirements of CFR395.8 Operated a 2000 KW VIN# [REDACTED] 345917 KStag [REDACTED] on a Trip from Wichita, KS to Independence, KS					
Safety Fitness Rating Information:					
Total Miles Operated	700,000	OOS Vehicle (CR): 0			
Recordable Accidents	0	Number of Vehicle Inspected (CR): 0			
		OOS Vehicle (MCMIS): 4			
		Number of Vehicles Inspected (MCMIS): 14			

Your proposed safety rating is :

This Review is not Rated.





JJGK TRUCKING LLC
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Part B Requirements and/or Recommendations

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
2. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>)
3. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR
4. Obtain a copy of each driver's driving record and review it annually
5. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
6. Ensure that all drivers are fully and properly qualified before operating in intra or interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
7. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within a timely fashion or to follow your company policy. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
8. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
9. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.
10. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Carrier had failed to enforce any HOS policy or any consequences for failing to turn in required documents whether it be logs or time sheets.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures:

- Develop a policy and procedure describing how management will monitor and track logs for falsification
- Establish a policy that prohibits dispatchers from assigning a load to drivers without hours available to complete the load on time.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order under any circumstances, and immediately contact the carrier when a driver is placed OOS.
- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls
- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to





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Part B Requirements and/or Recommendations

review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.

- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Hours-of-Service (HOS) violations.

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.

11. 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





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Part B Requirements and/or Recommendations

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:

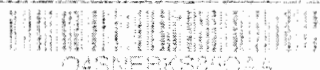
KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 15 days and any additional evidence necessary to prove the corrective action has been taken to:

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

12. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
13. 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 JJGK Trucking LLC's operating authority and/or the impoundment of JJGK Trucking LLC's vehicles.

Signed Jens J. Beltrami date: 05.10.2016

14. Stay in contact with your KCC investigator for any questions or issues with continued safety compliance.



ATTACHMENT “B”

DRIVER/VEHICLE EXAMINATION REPORT

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: KSHPO4010122
Inspection Date: 01/29/2016
Start: 1:00 PM CT End: 2:25 PM CT
Inspection Level: II - Walk-Around Inspection
HM Inspection Type: None

JGJK TRUCKING LLC

Driver: CHAVES-OJEDA, SALVADOR

WICHITA, KS, 67216

License#: [REDACTED] State: KS

USDOT: 1707771

Phone#: [REDACTED]

Date of Birth: [REDACTED]

MC/MX#:

Fax#: [REDACTED]

CoDriver:

License#:

State:

State#:

Date of Birth:

Location: SEDGWICK COUNTY - 173

Milepost:

Shipper: NORTH RIDGE SAND

Highway: 4700 N RIDGE RD

Origin: WICHITA, KS

Bill of Lading: N/A

County:

Destination: WICHITA, KS

Cargo: SAND

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	KW	1998	KS	[REDACTED]	02	[REDACTED]	783522 48000			
2	ST	TRVS	2013	KS	[REDACTED]		[REDACTED]	1008197 68000			122234

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
391.41A	F	D	N	E000977346	N	N	No medical certificate in driver's possession- DRIVER HAS NO MEDICAL CERTIFICATE
393.81	F	1	N		N	N	Horn inoperative
393.75C	F	2	Y		U	N	Tire-other tread depth less than 2/32 of inch - AXLE # 4 PASSENGER SIDE BOTH INSIDE AND OUTSIDE TIRES TREAD DEPTH LESS THAN 1/32 INCH TWO ADJACENT MAJOR TREAD GRO
393.75C	F	2	N		N	N	Tire-other tread depth less than 2/32 of inch - AXLE # 4 DRIVERS SIDE INSIDE TIRE TREAD DEPTH LESS THAN 2/32 OF INCH

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:

Alcohol/Controlled Substance Check
Conducted by Local Jurisdiction
X Size and Weight Enforcement
eScreen Inspection

Traffic Enforcement
PASA Conducted Inspection
Drug Interdiction Search

Post Crash Inspection
PBBT Inspection

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

* 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. **//** *CARRIER CERTIFICATION: All defects on this sheet 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.

Report Prepared By:
D. Gifford

Badge #:
0401

Copy Received By:
SALVADOR
CHAVES-OJEDA

01707771 KS KSHPO4010122

X

X

ATTACHMENT “C”

Company Name: J J G K TRUCKING.

Invoice: _____

4347 S. Wood Hollow Ct. Lot 8 Wichita, Ks 67210
Driver: Adrian Lopez

Cell/Phone: _____

Address: _____ City/State/z.c. _____

Date:	Commodity/ Carga.	Origin Location/City	Origin Ticket	Truck #	Destination Location /City	HRS	Tons. / Bush..	Freight rate	Amount
02/09/16	FAA	North Sand Plant	52077304	14	Independencia	-	26.99		
"	932	Severy	6114123	14	Quikrete	-	27.09		
"	FA-1	North Sand Plant	52077335	14	Plant 1	✓	27.09		
"	"	"	52077349	14	"	✓	27.19		
"	"	"	52077359	14	"	✓	26.38		
02/09/16	FAA	North Sand Plant.	52077377	14	Independencia	-	26.29		
"	932	Severy	6119217	14	Quikrete	•	26.62		
"	FA-1	North Sand Plant	52077431	14	North Shore	*	27.61		
"	"	"	52077441	14	"	*	27.70		
"	"	"	52077448	14	"	*	27.35		
02/10/16	Well Gravel	North Sand Plant		14	Greensburg		27.01		
"	Wait Time	No eastern ch y	no dieron		direction exacta espere	1 hrs.		10.00	
"	Crushed Gravel	West Robbins	1:15-2:15	14	Central and Hwy 235	1 hrs		22.10	
"	FA-1	North Sand Plant	52077525	14	Andover	1	26.97		
"	1x4	South west Butler	489537	14	Stone Yard	•	28.03		
02/11/16	FA-1	North Sand Plant	5202521	14	Andover	1	27.00		
"	"	North Sand Plant	52077577	14	"	1	27.42		
"	"	"	52077540	14	"	108.26	26.87	.84	
"	1x3	South west Butler	489729	14	Stone Yard	•	26.11		
"	"	"	487656	14	"	•	26.07		
"	"	"	489600	14	"	106.83	26.67	1.30	
02/12/16	FAA	North Sand Plant	52077651	14	Independencia	80.87	27.59	2.41	
"	2x5	Moline	77615	14	Stone Yard	80.34	26.63	1.98	

*Please retain a copy for your records. *Mantenga una copia para sus archivos.

"	BM 2x4	Kingsbury	4202659	14	Asphalt Plant 1	107.60	26.94	.62	
"	FA-1	"	4202641	14	North Shore	108.31	25.65	.42	

CERTIFICATE OF SERVICE

16-TRAM-530-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 **JUN 07 2016**.

JESUS J. BELTRAN, MEMBER
JJGK TRUCKING LLC.
4350 S 135TH ST WEST
WICHITA, KS 67227
olgabbeltran27@hotmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

JUN 08 2016