

1500 SW Arrowhead Road
Topeka, KS 66604-4027



20170222074952
Kansas Corporation Commission

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

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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

February 21, 2017

17-TRAM-369-PEN

Gary Carpenter, President
Kansas Auto Repair, Inc.
1808 N Main Street
Newton, Kansas 67114

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 17, 2017, by Kansas Corporation Commission Special Investigator Doug Handy. 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 \$350 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.

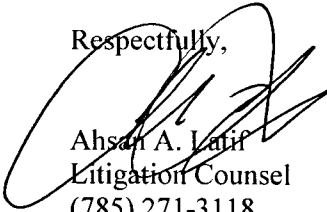
You must submit to one follow-up safety compliance review within the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

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. 2016 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: Pat Apple, Chairman
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Investigation of **Kansas**)
Auto Repair, Inc., of Newton, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 17-TRAM-369-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. 2016 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. 2016 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. 2016 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. Kansas Auto Repair, Inc. (Kansas Auto Repair) obtained common operating authority from the Commission on July 28, 2015, and operates under KSMCID number 170984 and USDOT number 2636284.

5. Frank Ledford attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on May 26, 2015, on behalf of Kansas Auto Repair.

6. Kansas Auto Repair is a common motor carrier which primarily hauls motor vehicles, driveaway and towaway.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 17, 2017, Commission Staff (Staff) Special Investigator Doug Handy conducted a compliance review of the operations of Kansas Auto Repair. 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. Handy identified two (2) violations of the Motor Carrier Safety Regulations.

- a. On December 26, 2016, Kansas Auto Repair required or permitted its driver, Gary Carpenter, to operate a commercial motor vehicle, a 2006 Hino, VIN ending in 2510084, GVWR 19,501 – 23,500 lbs., in intrastate commerce from Potwin, Kansas to Newton, Kansas. This trip is

evidenced by Agero Dispatch Information, dated December 26, 2016, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Kansas Auto Repair 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 (3) violations of this type. Kansas Auto Repair'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)(1), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2016 Supp. 66-1,112. Staff recommends a fine of \$250.

- b. During the transportation described in paragraph a., above, Kansas Auto Repair failed to maintain a road test certificate on its driver in the driver's qualification file. At the time of the compliance review, the carrier had no documentation available indicating the driver had performed a road test as required by Kansas motor carrier regulations. The special investigator found three (3) violations of this type. Kansas Auto Repair's failure to maintain a road test certificate issued to the driver pursuant to 49 C.F.R. 391.3(e) in the driver's qualification file, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to 49 C.F.R. 391.33 is a violation of 49 C.F.R. 391.51(b)(3), as adopted by K.A.R. 82-4-3g. Staff recommends a fine of \$100.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find Kansas Auto Repair committed one (1) violation 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 \$350 for one (1) violation of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Kansas Auto Repair 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 Kansas Auto Repair 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 Kansas Auto Repair because it is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108.

13. The Commission finds Kansas Auto Repair committed one (1) violation 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. Kansas Auto Repair, Inc., of Newton, Kansas is hereby assessed a \$350 civil penalty for one (1) violation 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. Kansas Auto Repair 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, Kansas Auto Repair is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2016 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 Kansas Auto Repair's right to a hearing, and this Penalty Order will become a Final Order assessing a \$350 civil penalty against Kansas Auto Repair, and ordering Kansas Auto Repair 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. 2016 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 \$350 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 Kansas Auto Repair'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.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: FEB 21 2017



Amy L. Green
Secretary to the Commission


AAL

Order Mailed Date

FEB 22 2017

ATTACHMENT “A”

Kansas Corporation Commission

	US DOT # 2636284	Legal: KANSAS AUTO REPAIR INC			
	Operating (DBA):				
MC/MX #:		State #:		Federal Tax ID: (EIN)	
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory: F
Operation Types		Interstate	Intrastate		
Carrier: N/A		HM	Business: Corporation		
Shipper: N/A		N/A	Gross Revenue: for year ending: 12/31/2016		
Cargo Tank: N/A					
Company Physical Address:					
Contact Name: Wendy Ledford					
Phone numbers: (1)					
E-Mail Address:					
Company Mailing Address:					
1808 N MAIN STREET NEWTON, KS 67114-1926					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Motor Vehicles		Driveaway / Towaway			
Hazardous Materials					
9 Miscellaneous HM		Carried	Non-Bulk		
Equipment					
	Owned	Term Leased	Trip Leased	Owned	Term Leased Trip Leased
Truck	2	0	0		
Power units used in the U.S.: 2					
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:		3	Total Drivers: 3		
>= 100 Miles:			CDL Drivers:		



KANSAS AUTO REPAIR INC
U.S. DOT #: 2636284

State #:

Review Date:
01/17/2017

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:

1500 SW. Arrowhead Rd.
Topeka, Ks. 66604-4027

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name:

Name: Gary Carpenter

Title: President





KANSAS AUTO REPAIR INC
U.S. DOT #: 2636284

State #:

Review Date:
01/17/2017

Part B Violations

1 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Using a driver who has not completed and furnished an employment application. Example Driver Name Trip Date 12/26/2016 Hire Date 04/2015 Carrier provided employment applications that failed to meet the requirements of the regulations. The employee application was missing date of birth, social security number, driver license information, the applicants experience in the operations of the motor vehicle, traffic convictions or accident history for the preceding 3 years, and previous DOT regulated positions requiring the driver to be subject to Part 40.					
2 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. Example Driver Name Trip Date 12/26/2016 Hire Date 04/2015 Carrier provided Motor vehicle records that were obtained in Jan. 2017. There were no other Motor vehicle records provided during this investigation in the driver qualification file.					
3 STATE	Primary: 391.51(b)(3) CFR Equivalent: 391.51(b)(3)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent. Example Driver Name Trip Date 12/26/2016 Hire Date 04/2015 Carrier operates commercial motor vehicles under 26,001 pounds. The carrier failed to conduct and certify each driver on a road test. There was no documentation in the driver qualification files indicated they were ever conducted as required by the regulations.					
4 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 Driver Name Trip Date 12/26/2016 Hire Date 04/2015 Carrier provided the annual review for 2017 in the driver qualification file. Carrier had no other annual reviews in the driver qualification files for 2015 or 2016 as required.					





KANSAS AUTO REPAIR INC
U.S. DOT #: 2636264

State #:

Review Date
01/17/2017

Part B Violations

5 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 Driver Name Trip Date 12/26/2016 Hire Date 04/2015 Carrier provided the certification of violations for 2017 in the driver qualification file. Carrier had no other certification of violations in the driver qualification files for 2015 or 2016 as required.					
Safety Fitness Rating Information: Total Miles Operated 70,664 Recordable Accidents 0		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.





KANSAS AUTO REPAIR INC
U.S. DOT #: 2636284

State #:

Review Date
01/17/2017

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. Obtain a copy of each driver's driving record and review it annually.
4. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN Carrier failed to obtain MVR, Certification of Violations, and annual reviews as required annually.

BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Implement an effective process for monitoring and documenting all drivers' job functions, training, qualifications, renewal dates, disclosed medical conditions, and operational restrictions, including those of drivers on a waiver program or with impairments that may be satisfied by a Skill Performance Evaluation certificate, to ensure that assignments are covered by qualified drivers.
- Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
- Maintain each driver's investigation history file in a secure location with limited and controlled access for as long as the driver is employed and for three years thereafter.
- Maintain roadside inspection reports, moving violation records, training records, the Commercial Driver's License (CDL), the dispatch schedule, bills of lading, and the medical report to help evaluate the performance of all staff involved in qualifying drivers (dispatchers and managers) and the effectiveness of the policies and procedures.
- Implement a system for keeping accurate records of employee driver fitness training needs, such as entry-level and HAZMAT training, and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel who are monitoring driver fitness performance by making sure they are reviewing driver-assignment and qualification files; applying the performance standards fairly, consistently, and equitably; and documenting the evaluations.
- Regularly evaluate the company's driver fitness-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with driver-fitness regulations and company policies.
- When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

HAZMAT Carriers Only:

- Ensure that HAZMAT assignments are allocated according to qualification requirements.

Passenger Carrier Only:

- Monitor all drivers who are used on an intermittent basis to ensure that they are medically qualified and have the proper license class and endorsement ("P" or "S").
- Monitor and track driver-fitness-related passenger complaints and assess safety implications.

Seek Out Resources:

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





KANSAS AUTO REPAIR INC

U.S. DOT #: 2636284

State #:

Review Date

01/17/2017

Part B Requirements and/or Recommendations

the industry

5. 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.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

6. For all investigations that could result in a Penalty Order:

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

7. 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





KANSAS AUTO REPAIR INC
U.S. DOT #. 2636284

State #.

Review Date
01/17/2017

Part B Requirements and/or Recommendations

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.

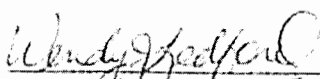
The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

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

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 recurrence 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

9. 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 the Kansas Motor Carrier Safety Statutes and Regulations could result in suspension of Kansas Auto Repair, Inc operating authority and/or the impoundment of Kansas Auto Repair, Inc. vehicles.


01/17/2017

Wendy Ledford, Office Manager
Date



ATTACHMENT “B”

Wendy

From: CCAS-Dispatch@crosscountry-auto.com
Sent: Monday, December 26, 2016 4:05 PM
To: wendy@kansasautorepair.com
Subject: Agero Dispatch Info – PO# 790600653

Agero Dispatch Information

Job Details

PO #: 790600653 Provider ID: 117097 ETA: 150
Urgency: Standard Provider Name: KANSAS AUTO REPAIR Dispatch: 12/26/2016 03:34PM
Arrival: 12/26/2016 06:04PM

Comments: LOCATED AT FALL RANCH; cx covered to \$100

Service Details

Service Needed: Tow	Call reason: Inoperable Problem	
Equipment: LDWL-Light Duty Wheel Lift		
Reason for Disablement?: Mechanical Problem	What is the problem?: Start/Stall	Vehicle stall while driving: Yes
Comments:		

Coverage Details

**Covered to listed location up to claim limit. Provider collects overage.
Claim limit: \$100**

Customer/Vehicle Info

Name: [REDACTED] Vehicle: Chevrolet, Impala - 2010 VIN: [REDACTED] 145
Number: [REDACTED] Color: Silver Fuel type: Gasoline/E85
Type: Large Car Plate:
State:

Comments:

Disablement Location

KS-196	Type: Roadside -Highway	Lat/Long: 37.93411957824940, -97.024149270305
Potwin, KS 67123	Near:	Driver with vehicle: Y
Cross street: Potwin Rd		
Comments:		

Tow To Location

AUTO REPAIR	Type: Repair Facility	Lat/Long: 38.06343890, -97.34479560
1808 NORTH MAIN ST	Near:	Night drop off? N
NEWTON, KS 67114	Cross street: E 17TH ST	

CERTIFICATE OF SERVICE

17-TRAM-369-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 **FEB 21 2017**.

GARY CARPENTER, PRESIDENT
KANSAS AUTO REPAIR, INC.
1808 N MAIN STREET
NEWTON, KS 67114-1926
Fax: 316-284-0258
gary@kansasautorepair.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

FEB 22 2017