



1500 SW Arrowhead Road  
Topeka, KS 66604-4027

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

Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Susan K. Duffy, Commissioner

Laura Kelly, Governor

## NOTICE OF PENALTY ASSESSMENT

August 29, 2019

20-TRAM-081-PEN

Ted Bender, Vice President  
Bender Steel & Repair Inc.  
12048 N 143rd St East  
Valley Center, KS 67147

This is a notice of a penalty assessment against Bender Steel & Repair Inc. (Bender Steel) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on July 11, 2019, by Kansas Corporation Commission Special Investigator Doug Handy. Penalty amounts are assessed in accordance with the FY 2020 Uniform Penalty Assessment Matrix, approved by the Commission on July 16, 2019. For a full description of the penalty and terms and obligations, please refer to the Penalty Order attached to this notice.

### IF YOU ACCEPT THE PENALTY:

Bender Steel has been assessed a \$1,900 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. Please remit payment of \$1,900 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.

### **BENDER STEEL IS A NEW ENTRANT MOTOR CARRIER AND MAY BE ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS SET OUT IN THE ATTACHED REDUCED PENALTY AGREEMENT.**

To become eligible, you must agree to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the reduction. The Reduced Penalty Agreement must be submitted to the Litigation Division within 15 days.

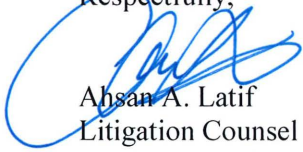
### IF YOU CONTEST THE PENALTY ORDER:

**You have the right to request a hearing if you contest the terms of the Penalty Order.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Bender Steel & Repair Inc. 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 Litigation Counsel at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

**IF YOU FAIL TO ACT:**

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$1,900 within thirty (30) days from the date of service of the Penalty Order, or in the alternative, provide a written request for a hearing within 15 days from the date of service of the Penalty Order, will result in the Order becoming final and the terms and conditions set out therein will be enforced.

Respectfully,



Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118  
a.latif@kcc.ks.gov



1500 SW Arrowhead Road  
Topeka, KS 66604-4027

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Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Susan K. Duffy, Commissioner

Laura Kelly, Governor

## **REDUCED PENALTY AGREEMENT**

### **20-TRAM-081-PEN**

Bender Steel & Repair Inc. (Bender Steel) hereby submits this Reduced Penalty Agreement for approval of a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated August 29, 2019. Bender Steel has agreed to comply with the following terms and obligations:

1. Bender Steel has submitted, within fifteen (15) days from the date of the Penalty Order this signed and dated Reduced Penalty Agreement to Litigation Counsel.
2. Bender Steel will, within thirty (30) days from the date of the Penalty Order, submit to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) and describing specific and detailed information explaining its efforts and concrete steps taken to ensure the violation(s) do not occur in the future. I understand the CAP must be approved by Transportation Staff to become eligible for the 50% reduced penalty.
3. Bender Steel will, within thirty (30) days from the date of the Penalty Order, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Litigation Counsel.
4. Bender Steel will be available within eighteen (18) months from the date of the Penalty Order for a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

Bender Steel & Repair Inc. understands that if approved, an Order Amending Penalty Assessment will be issued by the Commission assessing a reduced penalty of \$950, and will set out the terms and conditions stated above. Once the Order Amending Penalty Assessment is issued by the Commission, Bender Steel will have thirty (30) days from the date of service of that Order to pay the reduced penalty assessed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

Bender Steel & Repair Inc.

\_\_\_\_\_  
Ted Bender  
Vice President

(This Agreement can be mailed via U.S. Mail to the address above to the attention of Ahsan Latif, Litigation Counsel, or sent via e-mail to [v.jacobsen@kcc.ks.gov](mailto:v.jacobsen@kcc.ks.gov) and [alatif@kcc.ks.gov](mailto:alatif@kcc.ks.gov).)

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

Before Commissioners:      Dwight D. Keen, Chair  
                                     Shari Feist Albrecht  
                                     Susan K. Duffy

In the Matter of the Investigation of **Bender**      )  
**Steel & Repair Inc., of Valley Center, KS,**      )  
Regarding the Violation of the Motor Carrier      )  
Safety Statutes, Rules and Regulations and the      ) Docket No. 20-TRAM-081-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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I.      JURISDICTION**

1.      Pursuant to K.A.R. 82-4-1b, 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.A.R. 82-4-1, 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. 2018 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. Bender Steel & Repair Inc. (Bender Steel) has private operating authority with the Commission and further operates under USDOT number 1992117.

5. Tim Hardel attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on November 6, 2017, on behalf of Bender Steel.

6. Bender Steel is a private motor carrier which primarily hauls metal, sheets, coils and rolls.

7. Bender Steel is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction of the penalty(s) assessed below.

## **III. STATEMENT OF FACTS**

8. Pursuant to the jurisdiction and authority cited above, on July 11, 2019, Commission Staff (Staff) Special Investigator Doug Handy conducted a compliance review of the operations of Bender Steel. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified five (5) violation(s) of the Motor Carrier Safety Regulations.

- a. On December 18, 2018, Bender Steel required or permitted its driver, Edward L. Heck, to operate a CDL-required commercial motor vehicle, a

2005 Dodge, VIN ending in 811359, GVWR 14,000 lbs., pulling a 1996 Oklae trailer, VIN ending in 008592, GVWR 30,000 lbs., in intrastate commerce from Wichita, Kansas to Whitewater, Kansas. This trip is evidenced by Driver/Vehicle Examination Report Number KSHP00932807, dated December 18, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Bender Steel failed to obtain a pre-employment controlled substance test and receive a negative result prior to Mr. Heck performing a safety sensitive function. The special investigator discovered three (3) violations of this type. 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 him/her employment and prior to requiring or permitting him/her 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. 2018 Supp. 66-1,129. Staff recommends a fine of \$650.

- b. During the transportation described in paragraph a, above, Bender Steel failed to place driver Edward L. Heck on the carrier's random alcohol/controlled substance list, not giving each driver an equal chance of being selected each time the selections were made. The carrier's failure to require all of its CDL drivers to be enrolled in a random alcohol and controlled substance testing program is a violation of 49 C.F.R. §

382.305(a) and (i)(2), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$650.

- c. During the transportation described in paragraph a, above, Bender Steel failed to provide driver Edward L. Heck with its educational materials explaining the requirements of its alcohol/controlled substance testing program and policies. The carrier's failure to provide alcohol and controlled substance use educational materials that complies with 49 C.F.R. 382.601(b) to each of its CDL drivers subsequent to hiring or testing and having the driver sign an acknowledgement page to retain in the driver's qualification file is a violation of 49 C.F.R. 382.601(a)(1), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.
- d. On June 14, 2019, Bender Steel required or permitted its driver, Theodore G. Bender, to operate a CDL-required commercial motor vehicle, a 1984 Peterbilt, VIN ending in 172756, GVWR 52,000 lbs., pulling a FBUT trailer, VIN ending in 00788, GVWR 82,210 lbs., in interstate commerce from Valley Center, Kansas to Tulsa, Oklahoma. This trip is evidenced by Driver's Daily Log, dated June 14, 2019, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, Bender Steel failed to first designate a person to supervise staff for the purposes of making reasonable suspicion determinations regarding alcohol and drug usage. This designated person must undergo reasonable suspicion training to include 60 minutes of

alcohol training and 60 minutes of controlled substance training. The carrier's inability to produce documentation of this training and its failure to have a designated person to attend 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substances use is a violation of 49 C.F.R. 382.603, adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$100.

- e. During the transportation described in paragraph d, above, Bender Steel 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. @ 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), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2018 Supp. 66-1,112. Staff recommends a fine of \$250.

#### **IV. STAFF'S RECOMMENDATIONS**

9. Based upon the available facts, Staff recommends the Commission find Bender Steel committed five (5) 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.

10. Staff recommends a civil penalty of \$1,900 for five (5) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.



11. Staff provides notice to the Commission that Bender Steel & Repair Inc. is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduced civil penalty. The carrier must submit to Litigation Counsel within fifteen (15) days of the date of this Penalty Order the signed and dated Reduced Penalty Agreement and Transportation Staff must approve the carrier's Corrective Action Plan (CAP).

12. Staff recommends Bender Steel & Repair Inc. submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

13. Staff further recommends that a representative from Bender Steel attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel.

14. Finally, Staff recommends that Bender Steel submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

## **V. CONCLUSIONS OF LAW**

15. The Commission finds it has jurisdiction over Bender Steel because it is a motor carrier as defined in K.A.R. 82-4-1.

16. The Commission finds a penalty of \$1,900 should be assessed to Bender Steel for committing five (5) 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.

17. The Commission finds Bender Steel is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction in the penalty(s) assessed herein.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Bender Steel & Repair Inc., of Valley Center, KS is hereby assessed a penalty of \$1,900 for five (5) 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. Payment of \$1,900 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 owed.

B. A representative from Bender Steel is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel. 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](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

C. Bender Steel must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described above, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Bender Steel 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 motor carrier at a later date to determine an appropriate time for this review.

E. If Bender Steel does not submit the Reduced Penalty Agreement and fails to pay the penalty of \$1,900 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of Bender Steel's motor carrier operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. **Pursuant to K.S.A. 2018 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, within fifteen (15) days from the date of service of this Penalty Order.** The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Bender Steel's right to a hearing.

G. 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. 2018 Supp. 66-1,142b(e) and amendments thereto.

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.**

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 08/29/2019




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Lynn M. Retz  
Executive Director

AAL

## **ATTACHMENT “A”**

	<b>US DOT #</b> 1992117	<b>Legal:</b> BENDER STEEL & REPAIR INC. <b>Operating (DBA):</b> BENDER STEEL								
<b>MC/MX #:</b>		<b>Federal Tax ID:</b> [REDACTED] (EIN)								
<b>Review Type:</b> Compliance Review (CR)										
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.		<b>Territory:</b> F						
<b>Operation Types</b>		<b>Business:</b> Corporation								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"><b>Carrier:</b> Non-HM</td> <td style="width: 33%;"><b>Non-HM</b></td> </tr> <tr> <td><b>Shipper:</b> N/A</td> <td><b>N/A</b></td> </tr> <tr> <td><b>Cargo Tank:</b> N/A</td> <td></td> </tr> </table>		<b>Carrier:</b> Non-HM	<b>Non-HM</b>	<b>Shipper:</b> N/A	<b>N/A</b>	<b>Cargo Tank:</b> N/A		<b>Gross Revenue:</b> [REDACTED] <b>for year ending:</b> 12/31/2018		
<b>Carrier:</b> Non-HM	<b>Non-HM</b>									
<b>Shipper:</b> N/A	<b>N/A</b>									
<b>Cargo Tank:</b> N/A										
<b>Company Physical Address:</b> 12048 N 143RD ST EAST VALLEY CENTER, KS 67147										
<b>Contact Name:</b> Ted Bender <b>Phone numbers:</b> (1) [REDACTED] <b>Fax</b> <b>E-Mail Address:</b> [REDACTED]										
<b>Company Mailing Address:</b> 12048 N 143RD ST EAST VALLEY CENTER, KS 67147										
<b>Carrier Classification</b> Private Property										
<b>Cargo Classification</b> Metal: Sheets, Coils, Rolls										
<b>Equipment</b>										
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>							
Truck	3	0	0	Truck Tractor						
Trailer	3	0	0							
<b>Owned</b> <b>Term Leased</b> <b>Trip Leased</b>										
	1	0	0							
Power units used in the U.S.: 4 Percentage of time used in the U.S.: 100										
<b>Does carrier transport placardable quantities of HM?</b> No										
<b>Is an HM Permit required?</b> N/A										
<b>Driver Information</b>										
	<b>Inter</b>	<b>Intra</b>								
< 100 Miles:		2	<b>Average trip leased drivers/month:</b> 0							
>= 100 Miles:	1		<b>Total Drivers:</b> 3							
			<b>CDL Drivers:</b> 3							





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

**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:

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Amy Bender

**Title:** President

**Name:** Ted Bender

**Title:** Vice-President





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

### Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
<b>Description</b> Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. <b>Example</b> Driver Name: Edward L. Heck Trip Date: 12/18/18 Hire Date: 01/01/2019 Ks. Roadside Inspection #KSHP00932807 2005 Dodge Ks. #666196 VIN# [REDACTED] 811359 GVWR 12,200 1996 Good, Ks. #651223 VIN# [REDACTED] 008592 GVWR 30,000  The carrier records provided indicated the driver had never performed a pre-employment controlled substance test.  Carrier failed to have driver listed in the random selection pool at the time this investigation was conducted.					
2 FEDERAL	Primary: 382.305(i)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. <b>Example</b> Driver Name: Edward L. Heck Trip Date: 12/18/18 Hire Date: 01/01/2019 Ks. Roadside Inspection #KSHP00932807 2005 Dodge Ks. #666196 VIN# [REDACTED] 811359 GVWR 12,200 1996 Good, Ks. #651223 VIN# [REDACTED] 008592 GVWR 30,000  Carrier failed to have driver listed in the random selection pool at the time this investigation was conducted.					
3 FEDERAL	Primary: 382.601(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
<b>Description</b> Failing to provide educational materials explaining requirements of part 382 and employer's drug and alcohol program policies. <b>Example</b> Driver Name: Edward L. Heck Trip Date: 12/18/18 Hire Date: 01/01/2019 Ks. Roadside Inspection #KSHP00932807 2005 Dodge Ks. #666196 VIN# [REDACTED] 811359 GVWR 12,200 1996 Good, Ks. #651223 VIN# [REDACTED] 008592 GVWR 30,000					







**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

### Part B Violations

<b>4</b> FEDERAL	Primary: 382.603	Discovered 1	Checked 1	<b>Drivers/Vehicles</b> In Violation Checked
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**Description**

Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

Driver Name: Theodore Bender

Trip Date: 06/14/2019

Company Official: Tim Harder, Business Manager

<b>5</b> STATE	Primary: 391.23(b)	Discovered 1	Checked 1	<b>Drivers/Vehicles</b> In Violation Checked
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**Description**

Obtain copy of the motor vehicle record in response to the inquiry or inquiries to each State required by 391.23(a)(1) within 30 days of the date the driver's employment begins.

**Example**

Driver Name: Edward L. Heck

Trip Date: 12/18/18

Hire Date: 01/01/2019

Ks. Roadside Inspection #KSHP00932807

2005 Dodge Ks. #666196 VIN# [REDACTED] 811359 GVWR 12,200

1996 Good, Ks. #651223 VIN# [REDACTED] 008592 GVWR 30,000

Carrier driver qualification file provided MVR that was obtained on 06/05/2019.

<b>6</b> FEDERAL	Primary: 391.25(a)	Discovered 2	Checked 2	<b>Drivers/Vehicles</b> In Violation Checked
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**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: Theodore Bender

Trip Date: 06/14/2019

Hire Date 11/01/2017

Carrier provided MVR's that were obtained on 06/05/2019. The carrier began operations in 11/2017. There were no other MVR's in the driver qualification files at the time the investigation.

<b>7</b> FEDERAL	Primary: 391.45(b)(1) Secondary: 391.11(a)	Discovered 1	Checked 3	<b>Drivers/Vehicles</b> In Violation Checked
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**Description**

Using a driver not medically examined and certified during the preceding 24 months.

**Example**

Driver Name: Edward L. Heck

Trip Date: 12/18/18

Ks. Roadside Inspection #KSHP00932807

2005 Dodge Ks. #666196 VIN# [REDACTED] 811359 GVWR 12,200

1996 Good, Ks. #651223 VIN# [REDACTED] 008592 GVWR 30,000

Driver operated in Intrastate Commerce from Wichita, Ks. to Whitewater, Ks. without being medically qualified.





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

### Part B Violations

8 FEDERAL	Primary: 391.51(b)(1)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3																												
<b>Description</b> Failing to maintain driver's employment application in driver's qualification file. <b>Example</b> Driver Name: Theodore Bender Trip Date: 06/14/2019 Hire Date 11/01/2017 Carrier failed to have an application in the driver qualification file.																																	
9 FEDERAL	Primary: 391.51(b)(5)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2																												
<b>Description</b> Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). <b>Example</b> Driver Name: Theodore Bender Trip Date: 06/14/2019 Hire Date 11/01/2017  Carrier failed to conduct annual reviews on each driver for 2018-2019. Carrier began operations of the commercial motor vehicles in 11/2017.																																	
10 FEDERAL	Primary: 391.51(b)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2																												
<b>Description</b> Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. <b>Example</b> Driver Name: Theodore Bender Trip Date: 06/14/2019 Hire Date 11/01/2017  Carrier failed to have certification of violation for each driver 2018-2019 in the driver qualification files. Carrier began operations of the commercial motor vehicles in 11/2017.																																	
<b>Safety Fitness Rating Information:</b> Total Miles Operated 25,000 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00		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 :  <b>SATISFACTORY</b>		<table border="1"><thead><tr><th>Rating Factors</th><th></th><th>Acute</th><th>Critical</th></tr></thead><tbody><tr><td>Factor 1:</td><td>S</td><td>0</td><td>0</td></tr><tr><td>Factor 2:</td><td>S</td><td>0</td><td>0</td></tr><tr><td>Factor 3:</td><td>S</td><td>0</td><td>0</td></tr><tr><td>Factor 4:</td><td>S</td><td>0</td><td>0</td></tr><tr><td>Factor 5:</td><td>N</td><td>0</td><td>0</td></tr><tr><td>Factor 6:</td><td>S</td><td>-</td><td>-</td></tr></tbody></table>				Rating Factors		Acute	Critical	Factor 1:	S	0	0	Factor 2:	S	0	0	Factor 3:	S	0	0	Factor 4:	S	0	0	Factor 5:	N	0	0	Factor 6:	S	-	-
Rating Factors		Acute	Critical																														
Factor 1:	S	0	0																														
Factor 2:	S	0	0																														
Factor 3:	S	0	0																														
Factor 4:	S	0	0																														
Factor 5:	N	0	0																														
Factor 6:	S	-	-																														

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





## 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.

### 2. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Roles and Responsibilities

**DESCRIPTION OF PROCESS BREAKDOWN-** Bender Steel & Repair, Inc./DBA Bender Steel failed to have a supervisor trained in reasonable suspicion alcohol/controlled substance testing.

#### BASIC SPECIFIC RECOMMENDED REMEDIES

**Implement Safety Improvement Practices:** The following are recommended practices related to Roles and Responsibilities.

- Ensure that managers are responsible for ascertaining that employees receive training concerning controlled





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

### **Part B Requirements and/or Recommendations**

substances and alcohol in accordance with State or Federal regulations and company policy.

- Ensure that managers are responsible for telling employees of a failed test and its implications.
- Regardless of carrier membership in a consortium, ensure that the carrier defines and documents the role and responsibilities of the designated employer representative (DER) in monitoring test procedures and checking results.
- If the carrier elects to join a consortium, ensure that the respective roles and responsibilities of the carrier and the consortium for controlled-substance and alcohol testing and reporting are defined and documented.

#### **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. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures**

**DESCRIPTION OF PROCESS BREAKDOWN-** Bender Steel & Repair, Inc./DBA Bender Steel failed to have a written policy.

#### **BASIC SPECIFIC RECOMMENDED REMEDIES**

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

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- 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 controlled-substance and alcohol 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.

### **4. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Monitoring and Tracking**





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

## Part B Requirements and/or Recommendations

**DESCRIPTION OF PROCESS BREAKDOWN-**Bender Steel & Repair, Inc./DBA Bender Steel failed to have the required documentation in the driver qualification files as required to be in compliance.

### 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.).

### 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.

5. Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.
6. Pursuant to 391.23 (a) (1) An inquiry to each state where the driver held or holds a motor vehicle operator's license or permit during the preceding 3 years to obtain that driver's motor vehicle record.
7. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
8. This review will result in a Safety Rating.
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 Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Bender Steel





**BENDER STEEL (BENDER STEEL & REPAIR INC dba)**  
U.S. DOT #: 1992117

Review Date:  
07/12/2019

### Part B Requirements and/or Recommendations

& Repair, Inc./DBA Bender Steel operating authority and/or the impoundment of Bender Steel & Repair, Inc./DBA Bender Steel vehicles.

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

The KCC required that you prepare a corrective action plan (CAP), addressing the measures taken to correct all violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

e-mail: [g.davenport@kcc.ks.gov](mailto:g.davenport@kcc.ks.gov)

FAX-785-271-3124

or mail:

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Road

Topeka, KS 66604-4027

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this web site: [http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)

x Teo R  
Signature

Date 7-11-19

Signed





## **ATTACHMENT “B”**

# 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: KSHP00932807  
Inspection Date: 12/18/2018  
Start: 8:50 AM CT End: 09:25 AM CT  
Inspection Level: I - Full  
HM Inspection Type: Non-Bulk

BENDER STEEL & REPAIR INC  
12048 N 143RD ST EAST  
VALLEY CENTER, KS 67147  
USDOT#: 01992117  
MC/MX#: 00000000  
State#:

Phone#:   
Fax#:

Driver: HECK, EDWARD L  
License#:   
State: KS  
Date of Birth:   
CoDriver:   
License#:   
State:   
Date of Birth:

Location: SEDGWICK COUNTY - 173  
Highway: I-135  
County:

MilePost: 010  
Origin: WICHITA, KS  
Destination: WHITEWATER, KS  
Shipper: CARRIER  
Bill of Lading:  
Cargo: BAGGED CEMENT

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	DODG	2005	KS	513FBY	3	811359	12,200			
2	ST	GOOD	1994	KS	177CMX		008592	30,000			

## BRAKE ADJUSTMENTS

Axle #	1	2	3	4
Right	N/A	N/A	N/A	N/A
Left	N/A	N/A	N/A	N/A
Chamber	HYDR	HYDR	ELEC	ELEC

## VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
391.41A-F	391.41A-F	D	N		N	N	Operating a property-carrying vehicle without possessing a valid medical certificate.: NONE IN POSSESSION. DRIVER STATED IT IS EXPIRED.
392.2RG	392.2RG	1	N		N	N	State vehicle registration or License Plate violation: KANSAS COMMERCIAL REGISTRATION REQUIRED PER KSA 8-127.
393.95A	393.95A	1	N		N	N	No/discharged/unsecured fire extinguisher: NONE LOCATED
393.110B	393.110B	2	Y		A	N	Insufficient tiedowns to prevent forward movement for load not blocked by headerboard, bulkhead, or other cargo.: 2 3,000 lb BAGS/PALLETS OF CEMENT ACTING AS BLOCKING DEVICE FOR 4 MORE BAGS/PALLETS, SECURED WITH ONLY ONE TIE DOWN.

HazMat:

Placard: No Cargo Tank:

Special Checks: Traffic Enforcement;

Report Prepared By:  
B.J. Lies

Badge #:  
0093

Copy Received By:  
EDWARD HECK

Page 1 of 3



01992117 KS KSHP00932807

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: KSHP00932807  
Inspection Date: 12/18/2018  
Start: 8:50 AM CT End: 09:25 AM CT  
Inspection Level: I - Full  
HM Inspection Type: Non-Bulk

BENDER STEEL & REPAIR INC  
12048 N 143RD ST EAST  
VALLEY CENTER, KS 67147  
USDOT#: 01992117  
MC/MX#: 00000000  
State#:

Phone#:   
Fax#:

Driver: HECK, EDWARD L  
License#:   
State: KS  
Date of Birth:   
CoDriver:  
License#:   
State:  
Date of Birth:

\* 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. \*\*\*  
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

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
B.J. Lies

Badge #:  
0093

Copy Received By:  
EDWARD HECK

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01992117 KS KSHP00932807

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X \_\_\_\_\_

# DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol  
MOTOR CARRIER SAFETY ASSISTANCE  
700 SW Jackson, Ste 704  
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BENDER STEEL & REPAIR INC  
12048 N 143RD ST EAST  
VALLEY CENTER, KS 67147

USDOT#: 01992117

MC/MX#: 00000000

Phone#:

Fax#:

HECK, EDWARD L

State:

## Inspection Notes

PHOTO ON FILE.

**Special Studies** No Special Study Data Recorded

Report Prepared By:  
B.J. Lies

Badge #:  
0093

Copy Received By:  
EDWARD HECK

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01992117 KS KSHP00932807

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X \_\_\_\_\_

## **ATTACHMENT “C”**



# DRIVER'S DAILY LOG

(24 HOURS)

6 / 14 / 19  
(Month) (Day) (Year)  
Bender Steel

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

**RECAP**  
Complete at  
end of workday.  
8.5  
On-duty hours  
today. (Total  
lines 3 & 4)

Total Miles Driving Today  
380  
Total Mileage Today

Name of Carrier or Carriers  
12048 N. 143rd St East Valley Center, KS 67847  
Main Office Address

Truck 6 Trailer 7

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

Home Terminal Address  
I certify these entries are true and correct:

Driver's Full Signature  
T. J. R. A

Co-Driver's Name

**70 Hour/  
8 Day  
Drivers**

A. 27.5  
Total hours on  
duty last 7 days,  
including today.

B. 42.5  
Total hours  
available  
tomorrow.  
70 hr. minus A.\*

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

**60 Hour/  
7 Day  
Drivers**

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 49 CFR 395.3, you  
have 66/70  
hours available  
again.

1. OFF DUTY
2. SLEEPER BERTH
3. DRIVING
4. ON DUTY (NOT DRIVING)

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
																								15.5
																								0
																								7
																								1.5
																								24

REMARKS

VC - KS  
Tulsa - OK  
VC - KS

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

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8526



## CERTIFICATE OF SERVICE

20-TRAM-081-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail/hand delivered on 08/30/2019.

TED BENDER, VICE PRESIDENT  
BENDER STEEL & REPAIR INC.  
12048 N 143RD ST EAST  
VALLEY CENTER, KS 67147  
ted@bendersteel.com

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

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe