



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
Jay Scott Emler, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT

January 24, 2019

19-TRAM-268-PEN

Gregg L. Hinkle, Managing Member
Hinkle Trucking LLC
PO Box 55
Severy, KS 67137

This is a notice of a penalty assessment against Hinkle Trucking LLC (Hinkle Trucking) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on December 6, 2018, by Kansas Corporation Commission Special Investigator Michael Heenan. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: Hinkle Trucking has been assessed a \$350 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350, through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

The attached Order requires a representative of Hinkle Trucking to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Hinkle Trucking must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$350 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

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

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

PENALTY ORDER

I. 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 issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. Hinkle Trucking LLC (Hinkle Trucking) has private and common operating authority with the Commission and further operates USDOT number 2960993.

5. Gregg Hinkle attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on January 30, 2017, on behalf of Hinkle Trucking.

6. Hinkle Trucking is a private and common motor carrier which primarily hauls grain, feed, hay and refrigerated foods.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on December 6, 2018, Commission Staff (Staff) Special Investigator Michael Heenan conducted a safety compliance review of the operations of Hinkle 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, the special investigator identified two (2) violation(s) of the Motor Carrier Safety Regulations.

- a. On October 6, 2018, Hinkle Trucking required or permitted its driver, Gregg L. Hinkle, to operate a CDL-required commercial motor vehicle, a 1992 Peterbilt, VIN ending in 315432, GVWR 52,500 lbs., pulling a 1999

Utility brand reefer trailer, VIN ending in 091806, GVWR 32,000 lbs., in intrastate commerce from Severy, Kansas to Harper, Kansas. This trip is evidenced by Driver's Daily Log, dated October 6, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Hinkle Trucking had not implemented an alcohol and controlled substance testing program for its CDL driver. The carrier's failure to establish an alcohol and controlled substances testing program for its CDL driver that complies with the procedures established in 49 C.F.R. 382.105 as adopted by K.A.R. 82-4-3c is a violation of 49 C.F.R. 382.115(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 \$100.

- b. During the transportation described in paragraph a, above, Hinkle Trucking failed to retain the inspector qualifications on the mechanic that inspected the commercial motor vehicles on September 1, 2018. The carrier's failure to retain evidence of the inspector's qualifications to inspect the commercial motor vehicles is a violation of 49 C.F.R. 396.19(b), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.

IV. STAFF'S RECOMMENDATIONS

- 8. Based upon the available facts, Staff recommends the Commission finds Hinkle Trucking committed two (2) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the

Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$350 for two (2) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Hinkle Trucking be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

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

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Hinkle Trucking because it is a motor carrier as defined in K.S.A. 2018 Supp. 66-1,108.

13. The Commission finds Hinkle Trucking committed two (2) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Hinkle Trucking LLC, of Severy, KS is hereby assessed a \$350 civil penalty for two (2) violation(s) of Kansas law governing the regulation of motor carriers, the Kansas

Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Hinkle Trucking is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

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

D. Pursuant to K.S.A. 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. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Hinkle Trucking's right to a hearing, and this Penalty Order will become a Final Order assessing a \$350 civil penalty against Hinkle Trucking, and ordering a representative from Hinkle Trucking to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

E. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2018 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$350 is due in thirty (30) days from the date of service of this Order. Payment of \$350 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$350 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Hinkle 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 revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

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

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner


Dated: 01/24/2019

A handwritten signature in cursive script, reading "Lynn M. Retz".

Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT #	Legal: HINKLE TRUCKING LLC			
	2960993				
MC/MX #: 4641		Federal Tax ID: [REDACTED] (EIN)			
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory: C
Operation Types		Business: Corporation Gross Revenue: [REDACTED] for year ending: 12/31/2018			
Interstate Intrastate					
Carrier: Non-HM Non-HM Shipper: N/A N/A Cargo Tank: N/A					
Company Physical Address:					
[REDACTED] Howard, KS 67349					
Contact Name: Gregg L Hinkle Phone numbers: (1) [REDACTED] Fax E-Mail Address: [REDACTED]					
Company Mailing Address:					
[REDACTED] SEVERY, KS 67137-0055					
Carrier Classification					
Authorized for Hire		Exempt for Hire			
Cargo Classification					
Grain, Feed, Hay		Refrigerated Foods			
Equipment					
	Owned		Term Leased		Trip Leased
Truck Tractor	1	0	0	Trailer	2 0 0
Power units used in the U.S.:1					
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 Total Drivers: 1 CDL Drivers: 1		
< 100 Miles:	1				
>= 100 Miles:					



HINKLE TRUCKING LLC
U.S. DOT #: 2960993

Review Date:
12/06/2018

Part A

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

Kansas Corporation Commission
1500 SW Arrowhead Rd. c/o Gary Davenport
Topeka Ks 66604 785-271-3151


This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Gregg L Hinkle
Name:

Title: President
Title:



	HINKLE TRUCKING LLC U.S. DOT #: 2960993	Review Date: 12/06/2018
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Part B Violations

1 STATE	Primary: 382.601(b) CFR Equivalent: 382.601(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
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Description

Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-11.

Example

Driver name: Gregg L Hinkle

Trip date: 10-06-18

Origination: Severy Ks

Destination: Harper Ks

At the time of this trip, and the time of this review, the carrier/driver had no written policy on the premises that outlines the misuse of drugs or alcohol.

2 FEDERAL	Primary: 391.51(b)(4)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

Example

Driver name: Gregg L Hinkle

Trip date: 10-06-18

Origination: Severy Ks

Destination: Harper Ks

At the time of this trip, the carrier/driver listed above had ran his MVR 9-6-16 valid until 9-6-17 the next MVR was dated 11-7-18 to 11-7-19. The carrier went from 9-6-17 to 11-7-18 without any MVR. The trip above was on 10-08-18. The carrier was notified of this review on 11-13-18. The carrier stated a friend told him he needed to update MVRs at least every year.

3 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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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: Gregg L Hinkle

Trip date: 10-06-18

Origination: Severy Ks

Destination: Harper Ks

At the time of this trip, and the time of this review, the carrier/driver had no annual review of driving record in the driver file.

4 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

Example

Driver name: Gregg L Hinkle

Trip date: 10-06-18

Origination: Severy Ks

Destination: Harper Ks

At the time of this trip, and the time of this review, the carrier/driver had no certificate of violations in his driver file.





HINKLE TRUCKING LLC
U.S. DOT #: 2960993

Review Date:
12/06/2018

Part B Violations

5 STATE	Primary: 396.19(b) CFR Equivalent: 396.19(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 3	Checked 3
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Description

Falling to maintain evidence of inspector's qualifications.

Example

Inspectors name: Steve Harrod

Date: 09-01-18

Vehicle 1992 Peterbilt; 2005 Cornhusker; 1999 Utility

Trip date: 10-06-18

At the time of this trip, and the time of this review, the carrier/driver failed to provide any inspectors qualification letter for Steve Harrod

Safety Fitness Rating Information:

Total Miles Operated 82,560
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 :

SATISFACTORY

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.





HINKLE TRUCKING LLC
U.S. DOT #: 2980993

Review Date:
12/06/2018

Part B Requirements and/or Recommendations

1. Each Driver Qualification File must contain a properly executed and signed Certification of Violations and a Annual Review of Driving Record completed yearly.

2. 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 carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

For all Investigations that could result in a Notice of Claim:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. 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 Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.





HINKLE TRUCKING LLC
U.S. DOT #: 2960993

Review Date:
12/06/2018

Part B Requirements and/or Recommendations

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record.

Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

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

For all Investigations where the carrier has been involved in 2 or more recordable crashes:

The Division Administrator/State Director will continue to consider preventability when a motor carrier contests a proposed safety fitness rating. The motor carrier may deem that the recordable accident rate is not a fair means of evaluating its accident factor (Factor 6) on the CR report. If so, the motor carrier must submit the compelling evidence within seven calendar days if the proposed rating is Unsatisfactory and 10 calendar days if the proposed rating is Conditional to:

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

Compelling evidence must be limited to official police accident reports and official insurance accident investigation reports.

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

385.15

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

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

385.17

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

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

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

US Department of Transportation
Kansas Division
Jeff Ellett - Division Administrator





HINKLE TRUCKING LLC
U.S. DOT #: 2960993

Review Date:
12/06/2018

Part B Requirements and/or Recommendations

Federal Motor Carrier Safety Administration
1303 First American Place, Suite 200
Topeka, KS 66604-4040

This letter should be submitted as soon as possible.

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

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

Kansas Corporation Commission

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

3. 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 reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

4. "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 website:

http://kcc.ks.gov/trans/penalty_assessment_table.htm"

Carrier Signature

Investigator Signature

8213

5. Maintain letters or certificates of qualifications for all persons performing annual periodic inspections on commercial





HINKLE TRUCKING LLC
U.S. DOT #: 2960993

Review Date:
12/06/2018

Part B Requirements and/or Recommendations

motor vehicles.

6. Make certain that all drivers of commercial motor vehicles have a record check of their driving record at least every 12 months and within 30 days of their initial employment.
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 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. Provide employees and owner operators with a drug and alcohol policy. The policy will provide a signature page to verify the employee or owner operator has been given a copy of the policy to read and does in fact understand its contents.
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 [Hinkle Trucking LLC] operating authority and/or the impoundment of (Hinkle Trucking LLC) vehicles.

Carrier Signature

Investigator Signature

8213

ATTACHMENT “B”

RECAP
Consider it
end of Sunday

On duty today
Total
Hours 3 9 41

TO 8:15 Day
DRIVE

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

On duty today
Total
Hours 3 9 41

DRIVER'S DAILY LOG

Official Use of Driver's License
Required: Driver's License to be in possession of at all times

Company Name
Hinkle Trucking LLC

Driver's License Number
[Redacted]

Home Address
[Redacted]

Home Telephone Number
[Redacted]

Company Full Name
Hinkle Trucking LLC

Company Address
[Redacted]

Company City/State/Zip
[Redacted]

Company Phone Number
[Redacted]

Company Fax Number
[Redacted]

Company E-mail Address
[Redacted]

Company Website
[Redacted]

Company Hours of Operation
[Redacted]

Company License Number
[Redacted]

Company Registration Number
[Redacted]

Company Insurance Number
[Redacted]

Company Safety Number
[Redacted]

Company Safety Training Number
[Redacted]

Company Safety Record Number
[Redacted]

Company Safety Audit Number
[Redacted]

Company Safety Inspection Number
[Redacted]

Company Safety Review Number
[Redacted]

Company Safety Training Record Number
[Redacted]

Company Safety Audit Record Number
[Redacted]

18 / 6 / 18

Day

389

Total Miles Driven Today

32

99

Truck/Tractor and Trailer Numbers or
License Plates: State (along each unit)

Unit 1

Unit 2

Unit 3

Unit 4

Unit 5

Unit 6

Unit 7

Unit 8

Unit 9

Unit 10

Unit 11

Unit 12

Unit 13

Unit 14

Unit 15

Unit 16

Unit 17

Unit 18

1. OFF DUTY

2. SLEEPER
BIRTH

3. DRIVING

4. ON DUTY
NOT DRIVING

5. REMARKS

6. REMARKS

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SHIPPING
DOCUMENTS:

B/L or Manifest No.

Shipper & Consignee

From

To

USE TIME STANDARD AT HOME TERMINAL

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612-MP (Rev. 7/13) 8524

CERTIFICATE OF SERVICE

19-TRAM-268-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 01/25/2019.

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/S/ DeeAnn Shupe

DeeAnn Shupe