

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

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the Matter of the Investigation of **JB**)
Transportation, of Rose Hill, Kansas, Regarding)
the Violation of the Motor Carrier Safety Statutes,)
Rules and Regulations and the Commission's) Docket No. 24-TRAM-805-UCR
Authority to Impose Penalties, Sanctions and/or the)
Revocation of Motor Carrier Authority.)
)

ORDER REINSTATING INTRASTATE MOTOR CARRIER OPERATIONS

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission), on Transportation Staff's motion. The Commission, being fully advised in the premises, finds as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 66-1,111, 66-1,112, 66-1,114b and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f, 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. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, 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. Pursuant to K.S.A. 66-1,129(a)(7), no public motor carrier of property, household goods or passengers or private motor carrier of property shall operate, or allow the operation of, any commercial motor vehicle on any public highway in this state without following rules and regulations consistent with the federal motor carrier safety assistance program.

II. BACKGROUND

4. JB Transportation, of Rose Hill, Kansas (Carrier), is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicles in interstate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 4145466.

6. Pursuant to K.S.A. 66-1,139a and K.A.R. 82-4-30a, motor carriers operating interstate commerce must pay Unified Carrier Registration (UCR) fees annually, by January 1, 2024. Carrier failed to pay its annual UCR fees by January 1, 2024, as required by 49 C.F.R. 367.40 and adopted by K.A.R. 82-4-30a.

7. On August 22, 2024, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,¹ other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, due to non-compliance with a Penalty Order issued on June 11, 2024.² The Penalty Order assessed Carrier a \$300 civil fine for failing to pay its 2024 UCR fees by January 1, 2024, as required by 49 C.F.R. 367.40 and adopted by K.A.R. 82-4-30a.

¹Order Suspending Intrastate Motor Carrier Operations (Aug. 22, 2024).

² See Penalty Order, Docket No. 24-TRAM-805-UCR (Jun. 11, 2024).

8. On December 12, 2024, Carrier submitted payment of the \$300 civil assessment and submitted payment of their 2024 UCR fees. Transportation Staff (Staff) confirmed the payments have been made as of that date and determined the carrier was now in compliance with Kansas motor carrier safety statutes, rules and regulations pursuant to the above-referenced Penalty Order.

9. On December 12, 2024, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations on Carrier.

III. STAFF'S RECOMMENDATION

10. Based on Staff's Motion and Carrier's compliance, Staff recommends the Commission reinstate Carrier's Kansas motor carrier operations.

IV. CONCLUSIONS OF LAW

11. The Commission finds it has jurisdiction over Carrier because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f.

12. Based on the available facts and information that was submitted by the Carrier to the KCC, the Commission finds that Carrier has now complied with the Penalty Order issued June 11, 2024.

13. The Commission concludes that Staff's recommendation to reinstate JB Transportation's motor carrier operations is reasonable.

THE COMMISSION THEREFORE ORDERS THAT:

A. JB Transportation's intrastate motor carrier operations are hereby reinstated. JB Transportation does not possess a certificate, license or permit from the Kansas Corporation Commission and this order does not grant any such authority.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 12/17/2024



Lynn M. Retz
Executive Director

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CERTIFICATE OF SERVICE

24-TRAM-805-UCR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 12/17/2024.

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/S/ KCC Docket Room
KCC Docket Room