

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

In the Matter of the Investigation of **T R L**)
Trucking LLC of Kansas City, Kansas,)
Regarding the Violation of the Motor)
Carrier Safety Statutes, Rules and) Docket No. 16-TRAM-153-PEN
Regulations and the Commission's)
Authority to Impose Penalties, Sanctions)
and/or the Revocation of Motor Carrier)
Authority.)

MOTION TO SUSPEND INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend T R L Trucking LLC of Kansas City, Kansas (Respondent) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108, that operates commercial motor vehicle(s) in intrastate commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 996940.
3. On October 13, 2015, the Commission issued Respondent a Penalty Order that assessed a civil penalty of \$3,700 for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted by Special Investigator B.K. Smith on September 11, 2015.
4. The Respondent was served with the Penalty Order via certified mail, return receipt requested, on November 21, 2015. A Proof of Service was filed in this docket on

November 30, 2015. The Respondent had 30 days from the date served to pay the civil penalty of \$3,700.

5. On January 12, 2016, the Commission issued an Order Suspending Intrastate Motor Carrier Operations for Respondent's failure to pay the civil penalty.

6. On December 28, 2016, Staff and Respondent entered into a Stipulated Settlement Agreement wherein Respondent would pay \$310 a month for eleven (11) months and the final payment of \$290 due on December 15, 2017. On January 5, 2017, the Commission issued an Order Approving Stipulated Settlement Agreement.

7. On March 3, 2017, as a result of Respondent making timely monthly payments, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations. On March 9, 2017, the Commission issued an Order Reinstating Intrastate Motor Carrier Operations.

8. As of January 17, 2018, Commission records indicate that Respondent has defaulted on the Stipulated Settlement Agreement, with the last payment of \$310 made October 11, 2017, for the August 2017 payment. Staff has not received a payment from Respondent since October 11, 2017, even with several reminders made to the Respondent from Litigation Counsel. The account balance owing as of January 17, 2018, is \$910.

9. Staff asks the Commission find Respondent failed to comply with terms and conditions of the approved Stipulated Settlement Agreement (Agreement).

10. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Agreement poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

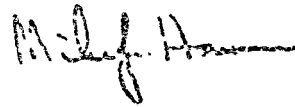
11. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's intrastate motor carrier operations until such time as Respondent pays

the penalty of \$910, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

12. Furthermore, Staff requests the Commission order Respondent to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order of Suspension, and for it to provide Litigation Counsel with written proof of attendance.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's intrastate motor carrier operations, and order Respondent to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order of Suspension, and for it to provide Litigation Counsel with written proof of attendance.

Respectfully submitted,



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For Commission Staff

VERIFICATION

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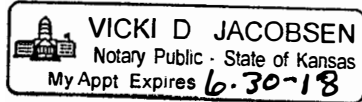
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Suspend Intrastate Motor Carrier Operations*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 23rd day of January, 2018.





Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

16-TRAM-153-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Intrastate Motor Carrier Operations was served via electronic service this 17th day of January, 2018, to the following

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