

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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

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

Sam Brownback, Governor

## NOTICE OF PENALTY ASSESSMENT

March 3, 2016

16-TRAM-383-PEN

Jim Britz, President  
Northern Kansas Transport Inc., d/b/a NKT  
9775 Lenexa Drive  
Lenexa, Kansas 66215

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on February 22, 2016, by Kansas Corporation Commission Special Investigator Verna Jackson and BK Smith. For a full description of the penalty and process please refer to the Order that is attached to this notice.

### **IF YOU ACCEPT THE PENALTY:**

You have been assessed a \$5,700 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website [http://www.kcc.state.ks.us/trans/safety\\_meetings.htm](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

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

### **IF YOU CONTEST THE PENALTY:**

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2015 Supp. 77-542.

### **IF YOU FAIL TO ACT:**

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,



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

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

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the Matter of the Investigation of **Northern** )  
**Kansas Transport Inc., d/b/a NKT, of Lenexa,** )  
**Kansas,** Regarding the Violation of the Motor )  
Carrier Safety Statutes, Rules and Regulations ) Docket No. 16-TRAM-383-PEN  
and the Commission's Authority to Impose )  
Penalties, Sanctions and/or the Revocation of )  
Motor Carrier Authority. )

**PENALTY ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

**I. JURISDICTION**

1. Pursuant to K.S.A. 2015 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2015 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

2. Pursuant to K.S.A. 2015 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. Northern Kansas Transport Inc., d/b/a NKT (NKT) operates under USDOT number 570740.

5. NKT operates as a for hire carrier in interstate commerce.

6. NKT is a common motor carrier which primarily hauls general freight, fresh produce, meat, US mail, refrigerated foods, beverages and paper products.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on February 22, 2016, Commission Staff (Staff) Special Investigator Verna Jackson and BK Smith conducted a compliance review of the operations of NKT. 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, Ms. Jackson and Mr. Smith identified six (6) violations of the Motor Carrier Safety Regulations.

- a. On November 1, 2015, NKT required or permitted its driver, James Britz, to operate a commercial motor vehicle, a 2001 Freightliner, VIN ending in 55576, pulling a 2006 Great Dane leased trailer, VIN ending in 709107, in interstate commerce from Kansas City, Kansas to the Pharr, Texas. This trip is evidenced by Driver's Daily Log, dated November 1, 2015, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by

reference. At the time of this transportation, NKT had not implemented an alcohol and/or controlled substance testing program for its CDL driver. NKT's failure to establish an alcohol and/or controlled substances program for its drivers 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), as adopted by K.A.R. 82-4-3c, and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$500.

- b. During the transportation described in paragraph a., above, NKT made or caused to be made fraudulent or intentionally false statements, fraudulent or intentionally false entries on records, and or reproducing records for fraudulent purposes. NKT obtained an updated MCS150 on August 24, 2015, when other USDOT numbers were under an OOS order. NKT is in violation of making, or causing to make fraudulent or intentionally false statements, fraudulent or intentionally false entries on record, and/or reproducing records for fraudulent purposed in violation of 49 C.F.R. 390.35, as adopted by K.A.R. 82-4-3, and as implemented by K.S.A. 2014 Supp. 66-1,129. Staff recommends a fine of \$2,000.
- c. On or around the transportation described in paragraph a., above, NKT produced false reports of records of duty status. On November 3, 2015, driver shows off-duty, while having fueled in Mission, TX at 15:53. On November 14, 2015, driver shows off duty, while having fueled in Kansas City, MO at 9:02 a.m. On November 17, 2015, driver fueled at 16:56 in Laredo, TX, and the record of duty status shows one (1) hour away from

Laredo, Texas. On November 18, 2015, driver fueled at 21:12 at Refugio, TX and the record of duty status shows one (1) hour away from Refugio, TX. On November 26, 2015, driver shows off-duty, but fueled in Platte City, MO at 23:03. *See* Driver's Daily Logs, attached hereto as Attachment "C" and hereby incorporated by reference. NKT's falsifying records of duty status is a violation of 49 C.F.R. 395.8(e), as adopted by K.A.R. 82-4-3a, and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$2,000.

- d. During the transportation described in paragraph a., above, NKT 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. NKT's failure to inquire into its driver's MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2015 Supp. 66-1,112. Staff recommends a fine of \$100.
- e. During the transportation described in paragraph a., above, NKT had not had a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. NKT's failure to maintain the required vehicle inspection records and vehicle maintenance records for 30 days is in violation of 49 C.F.R. 396.3(b), as adopted by K.A.R. 82-4-3j and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$750.

- f. During the transportation described in paragraph a., above, NKT permitted this transportation without first obtaining and documenting a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. This violation is evidenced by the absence of a periodic (annual) inspection report in the maintenance file of the vehicle at the time of the compliance review. NKT's failure to conduct periodic (annual) inspections on commercial motor vehicles is a violation of 49 C.F.R. 396.17(a), as adopted by K.A.R. 82-4-3j, and as authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$350.

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

8. Based upon the available facts, Staff recommends the Commission find NKT committed six (6) violations 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 \$5,700 for six (6) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that NKT be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

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

## **V. CONCLUSIONS OF LAW**

12. The Commission finds it has jurisdiction over NKT because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

13. The Commission finds NKT committed six (6) violations 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. Northern Kansas Transport Inc., d/b/a NKT, of Lenexa, Kansas is hereby assessed a \$5,700 civil penalty for six (6) violations 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. NKT is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, NKT is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2015 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of

**this Order.** If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of NKT's right to a hearing, and this Penalty Order will become a Final Order assessing a \$5,700 civil penalty against NKT, and ordering NKT to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2015 Supp. 66-1,142b(e) and amendments thereto.

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

F. Failure to pay the \$5,700 civil penalty within thirty (30) days of the service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of NKT's motor carrier operating authority without further notice.



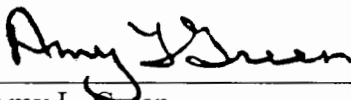
Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

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

**BY THE COMMISSION IT IS SO ORDERED.**

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner


Dated: MAR 03 2016

  
\_\_\_\_\_  
Amy L. Green  
Secretary to the Commission

AAL

Order Mailed Date  
MAR 04 2016

## **ATTACHMENT “A”**

	<b>US DOT #</b> 570740	<b>Legal:</b> NORTHERN KANSAS TRANSPORT INC <b>Operating (DBA):</b> NKT	
<b>MC/MX #:</b> 278467		<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>
<b>Operation Types</b>		<b>Business:</b> Individual	
Interstate	Intrastate	<b>Gross Revenue:</b> [REDACTED] for year ending: 12/31/2015	
Carrier:	Non-HM	N/A	
Shipper:	N/A	N/A	
Cargo Tank:	N/A		
<b>Company Physical Address:</b> [REDACTED]			
<b>Contact Name:</b> Jim Britz			
<b>Phone numbers:</b> (1) [REDACTED]			
<b>E-Mail Address:</b> [REDACTED]			
<b>Company Mailing Address:</b> 859 3rd St Phillipsburg, KS 67661-1612			
<b>Carrier Classification</b> Authorized for Hire			
<b>Cargo Classification</b>			
General Freight	Fresh Produce	Meat	
U.S. Mail	Refrigerated Foods	Beverages	
Paper Products			
<b>Equipment</b>			
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>
Truck Tractor	1	0	0
Trailer	1	0	0
Power units used in the U.S.: 1			
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>	<b>Average trip leased drivers/month:</b> 0
< 100 Miles:			<b>Total Drivers:</b> 1
>= 100 Miles:	1		<b>CDL Drivers:</b> 1





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

### Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or  
Hazardous Materials rules may be addressed to the Kansas Corporation Commission at:

1500 SW Arrowhead  
Topeka, Kansas 66604  
Telephone 785-271-3104

This report will be used to assess your safety compliance.

#### Person(s) Interviewed

Name: Jim Britz

Title: Owner/President

Name: [REDACTED]





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

### Part B Violations

1 FEDERAL ACUTE	Primary: 382.115(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
<b>Description</b> Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations. <b>Example</b> Jim Britz November 1, 2015 Carrier enrolled in a DOT Drug & Alcohol Random Testing Consortium with Express Labs Inc, [REDACTED] Representative for Express Labs, on 12/23/2015, 3:13 PM.				
2 FEDERAL ACUTE	Primary: 390.35	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
<b>Description</b> Making, or causing to make fraudulent or intentionally false statements, fraudulent or intentionally false entries on records, and/or reproducing records for fraudulent purposes. <b>Example</b> [REDACTED] November 1, 2015 Carrier obtained and updated MCS150 on August 24, 2015 when other USDOT numbers were under an OOS order.				
3 FEDERAL CRITICAL	Primary: 395.8(e)	Discovered 6	Checked 30	Drivers/Vehicles In Violation Checked 1 1
<b>Description</b> False reports of records of duty status. <b>Example</b> [REDACTED] November 1, 2015 Driver indicated off duty in Emporia, KS while fueling at 1:21 AM in Lebo, KS.  11/03/2015 - Driver shows off-duty, fueled in Mission, TX at 16:53. 11/14/2015 - Driver shows off duty, fueled in Kansas City MO at 9:02 AM. 11/17/2015 - Fueled at 16:56 in Laredo, TX, driver shows 1 hour away from Laredo TX. 11/18/2015 - Fueled at 21:12 at Refugio, TX, driver shows 1 hour away from Refugio, TX 11/26/2015 - Driver shows off-duty, fueled in Platte City, MO at 23:03.				
4 FEDERAL	Primary: 391.21(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked 1 1
<b>Description</b> Using a driver who has not completed and furnished an employment application. <b>Example</b> [REDACTED] November 1, 2015 Truck Tractor / Trailer Owner-Operator Driver did not supply 10 years of employment history information				





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

### Part B Violations

5 FEDERAL	Primary: 391.51(b)(4)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a). <b>Example</b> [REDACTED] November 1, 2015 NKT failed to maintain the responses of each State agency to the annual MVR in the DQ file.					
6 FEDERAL	Primary: 391.51(b)(5)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<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> [REDACTED] November 1, 2015 NKT failed to maintain a note relating to the annual review of the MVR in the DQ file.					
7 FEDERAL	Primary: 391.51(b)(6)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<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> [REDACTED] November 1, 2015 NKT failed to maintain a list or certificate relating to the violation of the MVR in the DQ file.					
8 FEDERAL	Primary: 395.8(f)	Discovered 17	Checked 30	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to require driver to prepare record of duty status in form and manner prescribed. <b>Example</b> [REDACTED] November 1, 2015 Driver failed to indicate the shipper number, BOL number, or commodity.					
9 FEDERAL	Primary: 396.3(b)(2)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
<b>Description</b> Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. <b>Example</b> [REDACTED] November 1, 2015 Unit 900 connected to Unit U62721 NKT operates one truck tractor and one trailer. NKT failed to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed. No maintenance policy.					





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

### Part B Violations

10 FEDERAL	Primary: 396.17(a)	Discovered 1	Checked 2	Drivers/Vehicles In Violation 1	Checked 2																												
<b>Description</b> Using a commercial motor vehicle not periodically inspected. <b>Example</b> NKT permitted driver to transport commodity in a leased trailer not periodically inspected. Trailer U62721 annual inspection expired 10/20/2015.																																	
<b>Safety Fitness Rating Information:</b> Total Miles Operated 120,000 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 :		<table border="1"><thead><tr><th colspan="2">Rating Factors</th><th>Acute</th><th>Critical</th></tr></thead><tbody><tr><td>Factor 1:</td><td>C</td><td>1</td><td>0</td></tr><tr><td>Factor 2:</td><td>C</td><td>1</td><td>0</td></tr><tr><td>Factor 3:</td><td>U</td><td>0</td><td>2</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:	C	1	0	Factor 2:	C	1	0	Factor 3:	U	0	2	Factor 4:	S	0	0	Factor 5:	N	0	0	Factor 6:	S	-	-
Rating Factors		Acute	Critical																														
Factor 1:	C	1	0																														
Factor 2:	C	1	0																														
Factor 3:	U	0	2																														
Factor 4:	S	0	0																														
Factor 5:	N	0	0																														
Factor 6:	S	-	-																														
<b>CONDITIONAL</b>																																	

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.





## Part B Requirements and/or Recommendations

1. 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: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Norther Kansas Transport Inc dba NKT failed to implement an alcohol and/or controlled substances testing program prior to operation. Requirements are for the motor carrier to verify drivers are alcohol and substance free prior to allowing the driver to operate a CDL CMV.

#### 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 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.
- 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.

#### 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. The starting date for alcohol and/or controlled substance testing programs must be implemented no later than the date the employer begins commercial motor vehicle operations per 49 CFR 382.115(a).
4. PER 390.35 - Certificates, reports, and records: falsification, reproduction, or alteration: No motor carrier, its agents, officers, representatives, or employees shall make or cause to make (a) A fraudulent or intentionally false statement on any application, certificate, report, or record required by Part 325 of Subchapter A or this subchapter; (b) A







NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

## Part B Requirements and/or Recommendations

fraudulent or intentionally false entry on any application, certificate, report, or record required to be used, completed, or retained, to comply with any requirement of this subchapter or Part 325 Subchapter A; or (c) A reproduction, for fraudulent purposes, of any application, certificate, report, or record required by this subchapter or Part 325 of Subchapter A.

### 5. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Roles and Responsibilities

**DESCRIPTION OF PROCESS BREAKDOWN:** Northern Kansas Transport Inc dba NKT used a driver who did not complete an employment application with all the employment history required, failed to maintain the responses of the driver's driving record in the DQ file, failed to review the driver's driving record, and failed to maintain a list or certificate relating to violations of the driver's driving record. Even owner operators are required to provide the previous 10 years experience on the driver's application, provide a copy of the driver's driving record, and process the annual review of the driver's driving record.

#### BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Define and document the role of managers and supervisors for implementing driver-fitness policies and for monitoring compliance with them. This should include regular evaluation of the carrier's driver-wellness program.
- Define and document roles and responsibilities of managers and supervisors in providing training and maintaining qualifications for all employees according to driver-fitness regulations and company policies and procedures.
- Ensure that operations managers and dispatchers are responsible for having the proper amount of fit drivers by considering short-term changes, for example, with regard to vacations, variations in sales, and additional driver duties, and long-term changes, for example, with regard to permanent reassignment and termination of employees.
- Ensure that dispatchers and operation managers are responsible for ascertaining that drivers are qualified before authorizing runs.
- Define and document roles and responsibilities of drivers, dispatchers, and other personnel according to driver fitness regulations and company policies and procedures.

**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.

6. As required by 391.25(a), motor carriers shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to the appropriate agency of every State in which the driver held a commercial motor vehicle operator's license or permit during the time period.

### 7. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Monitoring and Tracking

**DESCRIPTION OF PROCESS BREAKDOWN:** Northern Kansas Transport Inc dba NKT permitted the recording of false reports and failed to require driver to prepare the record of duty status in the form and manner required. Falsifying records of duty status is a critical violation. The falsification indicates the driver is operating outside of the safety and security of a non-fatigued driver. Accidents and misjudgements occur when the driver is fatigued.

#### 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, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
- Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.





## Part B Requirements and/or Recommendations

- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
- Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
- Regularly evaluate the company's fatigue-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.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Consider using Electronic On-board Recorders (EOBRs) to monitor and track Hours-of-Service (HOS) 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.

8. Require driver to prepare record of duty status in the form and manner prescribed. Required fields are: Date, total miles, truck/trailer number, carrier name, signature, 24 hour time, main office address, remarks, co-driver information if applicable, total hours, shipping document #/commodity.

### 9. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Northern Kansas Transport Inc dba NKT used a commercial motor vehicle before obtaining an annual inspection. NKT also failed to have a maintenance policy indicating the nature and due date of the various inspection and maintenance operations to be performed. Preventative maintenance is valuable tool and not maintaining a means of indicating the nature and due date of maintenance operations, the carrier cannot validate the process the carrier takes in performing maintenance. Annual inspections performed by certified mechanics is an avenue required, but also assists in validating all commercial motor vehicles are safe to operate.

### BASIC SPECIFIC RECOMMENDED REMEDIES

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

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are repaired and certified before the vehicle is operated.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.

### 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.

10. Ensure that you have in writing a means of indicating the nature and due date of various inspection and maintenance operations to be performed.





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

## Part B Requirements and/or Recommendations

11. Ensure that all commercial motor vehicles, which would include trailers as well as power units, have a current Annual Inspection as required by 396.17. A motor carrier shall not use a commercial motor vehicle unless each component has passed an inspection at least once during the preceding 12 months. The inspection must identify the vehicle, the date of the inspection, and the name and address of the motor carrier or entity where the report is maintained.
12. 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.
  - Apply Adequate Resources: Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility.
  - 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.
  - 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.

For all Investigations resulting in a Penalty Order:

- PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order. Your signature for 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. Your signature is not an admission of the violations identified.

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:

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





NKT (NORTHERN KANSAS TRANSPORT INC dba)  
U.S. DOT #: 570740

Review Date:  
02/22/2016

### Part B Requirements and/or Recommendations

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:

Ensure that a CC copy of the letter is mailed to:  
Division Administrator/Max Stratham  
Federal Motor Carrier Safety Administration  
1303 First American Place, Suite 200  
Topeka, KS 66604

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

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

The Kansas Corporation Commission requires you to prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 15 days, and any additional evidence necessary to prove the corrective action has been taken to:

Kansas Corporation Commission  
Attn: Gary Davenport  
1500 SW Arrowhead Road  
Topeka, KS 66604

13. 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 NORTHERN KANSAS TRANSPORT INC DBA NKT's operating authority and/or the impoundment of NORTHERN KANSAS TRANSPORT INC DBA NKT's vehicles.

Carrier Representative

Date

Printed Name and Title of Carrier Representative



## **ATTACHMENT “B”**

# DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## RECAP

11 1 15 714  
(MONTH) (DAY) (YEAR) (TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

906 62761  
VEHICLE NUMBERS - (SHOW EACH UNIT)

714  
(TOTAL MILES DRIVING TODAY)

(DRIVER'S SIGNATURE IN FULL)

NKT Inc  
(NAME OF CARRIER OR CARRIERS)

none  
(NAME OF CO-DRIVER)

Phillipsburg, Ks  
(MAIN OFFICE ADDRESS)

Phillipsburg, Ks  
(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									13.25
2: SLEEPER BERTH																									0
3: DRIVING																									10.25
4: ON DUTY (NOT DRIVING)																									50
REMARKS																									24

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: Kansas City, Ks TO: Phoenix, Tx  
(STARTING POINT OR PLACE) (DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

DAY NO.

DRIVING HRS TODAY  
TOTAL LINE 3

DRIVING VIOLATION TODAY

ON DUTY HRS TODAY  
TOTAL LINES 3 & 4

70 HR/8 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW TO HRS MINUS A

C. TOTAL HRS ON DUTY LAST 8 DAYS, INCL TODAY

60 HR/7 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 6 DAYS, INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW TO HRS MINUS A

C. TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

## DRIVER'S VEHICLE INSPECTION REPORT

CARRIER'S NAME: NKT Inc

CARRIER'S ADDRESS: Phillipsburg, Ks

TRACTOR/TRUCK NO.: 900 TRAILER(S) NO.(S): 62761

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer.....			Frame & Assembly.....			Transmission.....			Brakes.....		
Electric Lines to Trailer.....			Head Lights.....			Rear Vision Mirror.....			Brake Connections.....		
Drive Line.....			Tail Lights.....			Steering.....			Coupling Devices.....		
Coupling Devices.....			Stop & Turn Lights.....			Service Brakes.....			Coupling (King) Pin.....		
Tires, Wheels, Rims.....			Clearance & Marker Lights..			Speedometer.....			Doors.....		
Suspension System.....			Reflectors.....			Other Items.....			Hitch.....		
Body.....			Air Pressure Warning Device			EMERGENCY EQUIPMENT			Landing Gear.....		
Glass.....			Oil Pressure.....						Lights - All.....		
Fuel System.....			Ammeter.....						Roof.....		
Cooling System.....			Horn.....						Suspension System.....		
Engine.....			Windshield Wipers.....			Fire Extinguisher.....			Tarpaulin.....		
Leaks.....			Parking Brakes.....			Flags, Fusees, Reflectors....			Tires.....		
Exhaust.....			Clutch.....			Spare Bulbs, Fuses.....			Wheels - Rims.....		
						Tire Chains.....			Other Items.....		

I MADE INSPECTION AS REQUIRED ON LISTED ITEMS

DRIVER: [Signature] DATE: [Blank]

DRIVER USE / IF SATISFACTORY  
USE X IF NOT SATISFACTORY

MECHANIC USE / WHEN CORRECTED AND  
YOUR INITIALS

ODOMETER END OF DAY 729 946  
ODOMETER START OF DAY 728 252  
TOTAL MILES DRIVEN TODAY  
NEXT LUBRICATION DUE AT MILEAGE

ABOVE DEFECTS CORRECTED  
ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: [Blank] DATE: [Blank]

DRIVER'S SIGNATURE: [Blank]

## **ATTACHMENT “C”**

# DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## RECAP

11 1 15 714  
(MONTH) (DAY) (YEAR) (TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

900 62761  
VEHICLE NUMBERS - (SHOW EACH UNIT)

714  
(TOTAL MILES DRIVING TODAY)

(DRIVER'S SIGNATURE IN FULL)

NKT Inc  
(NAME OF CARRIER OR CARRIERS)

none  
(NAME OF CO-DRIVER)

Phillipsburg, KS  
(MAIN OFFICE ADDRESS)

Phillipsburg, KS  
(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									13.25
2: SLEEPER BERTH																									0
3: DRIVING																									10.25
4: ON DUTY (NOT DRIVING)																									50
REMARKS																									24

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: Kansas City, KS TO: Phoenix, AZ  
(STARTING POINT OR PLACE) (DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

70 HR/8 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 70 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 8 DAYS INCL TODAY

60 HR/7 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 8 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 60 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

## DRIVER'S VEHICLE INSPECTION REPORT

CARRIER'S NAME: NKT Inc

CARRIER'S ADDRESS: Phillipsburg, KS

TRACTOR/TRUCK NO.: 900 TRAILER(S) NO.(S): 62761

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer.....	✓		Frame & Assembly.....	✓		Transmission.....	✓		Brakes.....	✓	
Electric Lines to Trailer.....			Head Lights.....			Rear Vision Mirror.....			Brake Connections.....		
Drive Line.....			Tail Lights.....			Steering.....			Coupling Devices.....		
Coupling Devices.....			Stop & Turn Lights.....			Service Brakes.....			Coupling (King) Pin.....		
Tires, Wheels, Rims.....			Clearance & Marker Lights..			Speedometer.....			Doors.....		
Suspension System.....			Reflectors.....			Other Items.....			Hitch.....		
Body.....			Air Pressure Warning Device						Landing Gear.....		
Glass.....			Oil Pressure.....						Lights - All.....		
Fuel System.....			Ammeter.....			EMERGENCY EQUIPMENT	✓		Rcof.....		
Cooling System.....			Horn.....			Reflective Triangles.....			Suspension System.....		
Engine.....			Windshield Wipers.....			Fire Extinguisher.....			Tarpaulin.....		
Leaks.....			Parking Brakes.....			Flags, Fusees, Reflectors...			Tires.....		
Exhaust.....			Clutch.....			Spare Bulbs, Fuses.....			Wheels - Rims.....		
						Tire Chains.....			Other Items.....		

MADE INSPECTION AS REQUIRED ON LISTED ITEMS

DRIVER: [Signature] DATE: [Blank]

DRIVER USE ✓ IF SATISFACTORY USE X IF NOT SATISFACTORY MECHANIC USE ✓ WHEN CORRECTED AND YOUR INITIALS

ODOMETER END OF DAY 728 946  
ODOMETER START OF DAY 728 252  
TOTAL MILES DRIVEN TODAY  
NEXT LUBRICATION DUE AT MILEAGE

□ ABOVE DEFECTS CORRECTED  
□ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: [Blank] DATE: [Blank]

DRIVER'S SIGNATURE: [Blank]



# DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## RECAP

11 3 15  
(MONTH) (DAY) (YEAR)

(TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

900 62761  
VEHICLE NUMBERS - (SHOW EACH UNIT)

(DRIVER'S SIGNATURE IN FULL)

(TOTAL MILES DRIVING TODAY)

(NAME OF CARRIER OR CARRIERS)

(NAME OF CO-DRIVER)

(MAIN OFFICE ADDRESS)

(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									24
2: SLEEPER BERTH																									8
3: DRIVING																									8
4: ON DUTY (NOT DRIVING)																									8
REMARKS																									24

off duty

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: Pham, TX (STARTING POINT OR PLACE) TO: Delaware OH (DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

70 HRS DAY DRIVERS

TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

TOTAL HRS AVAILABLE TOMORROW 70 HRS MINUS A

TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

60 HRS DAY DRIVERS

TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

TOTAL HRS AVAILABLE TOMORROW 60 HRS MINUS A

TOTAL HRS ON DUTY LAST 7 DAYS, INCL TODAY

## DRIVER'S VEHICLE INSPECTION REPORT

CARRIER'S NAME: ART Inc

CARRIER'S ADDRESS: Phillipsburg, K

TRACTOR/TRUCK NO.: 900

TRAILER(S) NO.(S): 62761

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer			Frame & Assembly			Transmission			Brakes		
Electric Lines to Trailer			Head Lights			Rear Vision Mirror			Brake Connections		
Drive Line			Tail Lights			Steering			Coupling Devices		
Coupling Devices			Stop & Turn Lights			Service Brakes			Coupling (King) Pin		
Tires, Wheels, Rims			Clearance & Marker Lights			Speedometer			Doors		
Suspension System			Reflectors			Other Items			Hitch		
Body			Air Pressure Warning Device			EMERGENCY EQUIPMENT			Landing Gear		
Glass			Oil Pressure			Reflective Triangles			Lights - All		
Fuel System			Ammeter			Fire Extinguisher			Road		
Cooling System			Horn			Flags, Fusees, Reflectors			Suspension System		
Engine			Windshield Wipers			Spare Bulbs, Fuses			Tarpaulin		
Leaks			Parking Brakes			Tire Chains			Tires		
Exhaust			Clutch						Wheels - Rims		
									Other Items		

I MADE INSPECTION AS REQUIRED ON LISTED ITEMS

DRIVER: [Signature] DATE: 11/3/15

DRIVER USE ☒ IF SATISFACTORY USE X IF NOT SATISFACTORY

MECHANIC USE ☒ WHEN CORRECTED AND YOUR INITIALS

ODOMETER END OF DAY: 729190

ODOMETER START OF DAY: 729190

TOTAL MILES DRIVEN TODAY: 0

NEXT LUBRICATION DUE AT: MILEAGE

MECHANIC'S SIGNATURE: [Signature]

DATE: [Blank]

DRIVER'S SIGNATURE: [Blank]

# **DRIVER'S DAILY LOG** (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## **RECAP**

11 14 15  
(MONTH) (DAY) (YEAR)

0  
(TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

VEHICLE NUMBERS - (SHOW EACH UNIT)

0  
(TOTAL MILES DRIVING TODAY)

*Ang*  
(DRIVER'S SIGNATURE IN FULL)

NKT Inc

(NAME OF CARRIER OR CARRIERS)

Phillipsburg 16

(MAIN OFFICE ADDRESS)

*Joe*  
(NAME OF CO-DRIVER)

Phillipsburg 16

(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									48
2: SLEEPER BERTH																									8
3: DRIVING																									8
4: ON DUTY (NOT DRIVING)																									8
REMARKS																									48

70 HR/8 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 70 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 8 DAYS INCL TODAY

60 HR/7 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 6 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 60 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: St. Joseph Mo  
(STARTING POINT OR PLACE)

TO: Lindsay Ar  
(DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

## **DRIVER'S VEHICLE INSPECTION REPORT**

CARRIER'S NAME: \_\_\_\_\_

CARRIER'S ADDRESS: \_\_\_\_\_

TRACTOR/TRUCK NO.: \_\_\_\_\_ TRAILER(S) NO.(S): \_\_\_\_\_

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer.....			Frame & Assembly.....			Transmission.....			Brakes.....		
Electric Lines to Trailer.....			Head Lights.....			Rear Vision Mirror.....			Brake Connections.....		
Drive Line.....			Tail Lights.....			Steering.....			Coupling Devices.....		
Coupling Devices.....			Stop & Turn Lights.....			Service Brakes.....			Coupling (King) Pin.....		
Tires, Wheels, Rims.....			Clearance & Marker Lights..			Speedometer.....			Doors.....		
Suspension System.....			Reflectors.....			Other Items.....			Hitch.....		
Body.....			Air Pressure Warning Device						Landing Gear.....		
Glass.....			Oil Pressure.....			EMERGENCY EQUIPMENT			Lights - All.....		
Fuel System.....			Ammeter.....			Reflective Triangles.....			Roof.....		
Cooling System.....			Horn.....			Fire Extinguisher.....			Suspension System.....		
Engine.....			Windshield Wipers.....			Flags, Fusees, Reflectors...			Tarpaulin.....		
Leaks.....			Parking Brakes.....			Spare Bulbs, Fuses.....			Tires.....		
Exhaust.....			Clutch.....			Tire Chains.....			Wheels - Rims.....		
									Other Items.....		

I MADE INSPECTION AS REQUIRED ON LISTED ITEMS

DRIVER _____ DATE _____	DRIVER USE <input checked="" type="checkbox"/> IF SATISFACTORY USE X IF NOT SATISFACTORY	MECHANIC USE <input checked="" type="checkbox"/> WHEN CORRECTED AND YOUR INITIALS
ODOMETER END OF DAY _____	<input type="checkbox"/> ABOVE DEFECTS CORRECTED	
ODOMETER START OF DAY _____	<input type="checkbox"/> ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE	
TOTAL MILES DRIVEN TODAY _____	DRIVER'S SIGNATURE _____	
NEXT LUBRICATION DUE AT _____ MILEAGE _____	DATE _____	
	MECHANIC'S SIGNATURE _____	

# DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## RECAP

11 17 15 381  
(MONTH) (DAY) (YEAR) (TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

900  
VEHICLE NUMBERS - (SHOW EACH UNIT)

381  
(TOTAL MILES DRIVING TODAY)

(DRIVER'S SIGNATURE IN FULL)

NKT Inc  
(NAME OF CARRIER OR CARRIERS)

none  
(NAME OF CO-DRIVER)

Phillipsburg, KS  
(MAIN OFFICE ADDRESS)

Phillipsburg, KS  
(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									18.5
2: SLEEPER BERTH																									0
3: DRIVING																									5.0
4: ON DUTY (NOT DRIVING)																									5.0
REMARKS																									24

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: DONNA, TX (STARTING POINT OR PLACE) TO: Mathew Ma (DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

70 HR/8 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 70 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 8 DAYS INCL TODAY

60 HR/7 DAY DRIVERS

A. TOTAL HRS ON DUTY LAST 8 DAYS INCL TODAY

B. TOTAL HRS AVAILABLE TOMORROW 60 HRS MINUS A

C. TOTAL HRS ON DUTY LAST 7 DAYS INCL TODAY

## DRIVER'S VEHICLE INSPECTION REPORT

CARRIER'S NAME: NKT Inc

CARRIER'S ADDRESS: Phillipsburg, KS

TRACTOR/TRUCK NO.: 900 TRAILER(S) NO.(S): 62761

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer.....	<input checked="" type="checkbox"/>		Frame & Assembly.....	<input checked="" type="checkbox"/>		Transmission.....	<input checked="" type="checkbox"/>		Brakes.....	<input checked="" type="checkbox"/>	
Electric Lines to Trailer.....	<input checked="" type="checkbox"/>		Head Lights.....	<input checked="" type="checkbox"/>		Rear Vision Mirror.....	<input checked="" type="checkbox"/>		Brake Connections.....	<input checked="" type="checkbox"/>	
Drive Line.....	<input checked="" type="checkbox"/>		Tail Lights.....	<input checked="" type="checkbox"/>		Steering.....	<input checked="" type="checkbox"/>		Coupling Devices.....	<input checked="" type="checkbox"/>	
Coupling Devices.....	<input checked="" type="checkbox"/>		Stop & Turn Lights.....	<input checked="" type="checkbox"/>		Service Brakes.....	<input checked="" type="checkbox"/>		Coupling (King) Pin.....	<input checked="" type="checkbox"/>	
Tires, Wheels, Rims.....	<input checked="" type="checkbox"/>		Clearance & Marker Lights ..	<input checked="" type="checkbox"/>		Speedometer.....	<input checked="" type="checkbox"/>		Doors.....	<input checked="" type="checkbox"/>	
Suspension System.....	<input checked="" type="checkbox"/>		Reflectors.....	<input checked="" type="checkbox"/>		Other Items.....	<input checked="" type="checkbox"/>		Hitch.....	<input checked="" type="checkbox"/>	
Body.....	<input checked="" type="checkbox"/>		Air Pressure Warning Device	<input checked="" type="checkbox"/>		EMERGENCY EQUIPMENT	<input checked="" type="checkbox"/>		Landing Gear.....	<input checked="" type="checkbox"/>	
Glass.....	<input checked="" type="checkbox"/>		Oil Pressure.....	<input checked="" type="checkbox"/>		Reflective Triangles.....	<input checked="" type="checkbox"/>		Lights - All.....	<input checked="" type="checkbox"/>	
Fuel System.....	<input checked="" type="checkbox"/>		Ammeter.....	<input checked="" type="checkbox"/>		Fire Extinguisher.....	<input checked="" type="checkbox"/>		Roof.....	<input checked="" type="checkbox"/>	
Cooling System.....	<input checked="" type="checkbox"/>		Horn.....	<input checked="" type="checkbox"/>		Flags, Fusees, Reflectors ..	<input checked="" type="checkbox"/>		Suspension System.....	<input checked="" type="checkbox"/>	
Engine.....	<input checked="" type="checkbox"/>		Windshield Wipers.....	<input checked="" type="checkbox"/>		Spare Bulbs, Fuses.....	<input checked="" type="checkbox"/>		Tarpaulin.....	<input checked="" type="checkbox"/>	
Leaks.....	<input checked="" type="checkbox"/>		Parking Brakes.....	<input checked="" type="checkbox"/>		Tire Chains.....	<input checked="" type="checkbox"/>		Tires.....	<input checked="" type="checkbox"/>	
Exhaust.....	<input checked="" type="checkbox"/>		Clutch.....	<input checked="" type="checkbox"/>					Wheels - Rims.....	<input checked="" type="checkbox"/>	
									Other Items.....	<input checked="" type="checkbox"/>	

I MADE INSPECTION AS REQUIRED ON LISTED ITEMS

DRIVER: [Signature] DATE: 11-17-15

DRIVER USE ☒ IF SATISFACTORY MECHANIC USE ☒ WHEN CORRECTED AND USE X IF NOT SATISFACTORY YOUR INITIALS

ODOMETER END OF DAY: 732 113

ODOMETER START OF DAY: 732 932

TOTAL MILES DRIVEN TODAY: \_\_\_\_\_

NEXT LUBRICATION DUE AT: \_\_\_\_\_ MILEAGE

MECHANIC'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

DRIVER'S SIGNATURE: \_\_\_\_\_

# DRIVER'S DAILY LOG

(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - File each day at home terminal  
DUPLICATE - Driver retains in his possession for eight days

## RECAP

11 18 5  
(MONTH) (DAY) (YEAR)

187

(TOTAL MILEAGE TODAY)

I certify these entries are true and correct:

900 62761

VEHICLE NUMBERS - (SHOW EACH UNIT)

(TOTAL MILES DRIVING TODAY)

NKT Inc

(NAME OF CARRIER OR CARRIERS)

Phillipsburg, KS

(MAIN OFFICE ADDRESS)

(DRIVER'S SIGNATURE IN FULL)

None

(NAME OF CO-DRIVER)

Phillipsburg, KS

(HOME TERMINAL ADDRESS)

	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
1: OFF DUTY																									20.5
2: SLEEPER BERTH																									8
3: DRIVING																									2.5
4: ON DUTY (NOT DRIVING)																									.75
REMARKS																									24

70 HR/8 DAY DRIVERS

TOTAL HRS ON DUTY LAST 7 DAYS, INCL. TODAY

TOTAL HRS AVAILABLE TOMORROW 70 HRS MINUS A

60 HR/7 DAY DRIVERS

TOTAL HRS ON DUTY LAST 8 DAYS, INCL. TODAY

TOTAL HRS AVAILABLE TOMORROW 60 HRS MINUS A

TOTAL HRS ON DUTY LAST 7 DAYS, INCL. TODAY

Shipping document, manifest number, or name of a shipper and commodity.  
Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

FROM: McAlester, TX (STARTING POINT OR PLACE)

TO: Methuen, MA (DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

## DRIVER'S VEHICLE INSPECTION REPORT

CARRIER'S NAME:

NKT

CARRIER'S ADDRESS:

Phillipsburg, KS

TRACTOR/TRUCK NO.:

900

TRAILER(S) NO(S):

62761

TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRACTOR/TRUCK	DRIVER'S REPORT	MECHANIC'S REPORT	TRAILER(S)	DRIVER'S REPORT	MECHANIC'S REPORT
Brake Lines to Trailer.....	<input checked="" type="checkbox"/>		Frame & Assembly.....	<input checked="" type="checkbox"/>		Transmission.....	<input checked="" type="checkbox"/>		Brakes.....	<input checked="" type="checkbox"/>	
Electric Lines to Trailer.....	<input checked="" type="checkbox"/>		Head Lights.....	<input checked="" type="checkbox"/>		Rear Vision Mirror.....	<input checked="" type="checkbox"/>		Brake Connections.....	<input checked="" type="checkbox"/>	
Drive Line.....	<input checked="" type="checkbox"/>		Tail Lights.....	<input checked="" type="checkbox"/>		Steering.....	<input checked="" type="checkbox"/>		Coupling Devices.....	<input checked="" type="checkbox"/>	
Coupling Devices.....	<input checked="" type="checkbox"/>		Stop & Turn Lights.....	<input checked="" type="checkbox"/>		Service Brakes.....	<input checked="" type="checkbox"/>		Coupling (King) Pin.....	<input checked="" type="checkbox"/>	
Tires, Wheels, Rims.....	<input checked="" type="checkbox"/>		Clearance & Marker Lights.....	<input checked="" type="checkbox"/>		Speedometer.....	<input checked="" type="checkbox"/>		Doors.....	<input checked="" type="checkbox"/>	
Suspension System.....	<input checked="" type="checkbox"/>		Reflectors.....	<input checked="" type="checkbox"/>		Other Items.....	<input checked="" type="checkbox"/>		Hitch.....	<input checked="" type="checkbox"/>	
Body.....	<input checked="" type="checkbox"/>		Air Pressure Warning Device.....	<input checked="" type="checkbox"/>					Landing Gear.....	<input checked="" type="checkbox"/>	
Glass.....	<input checked="" type="checkbox"/>		Oil Pressure.....	<input checked="" type="checkbox"/>		EMERGENCY EQUIPMENT	<input checked="" type="checkbox"/>		Lights - All.....	<input checked="" type="checkbox"/>	
Fuel System.....	<input checked="" type="checkbox"/>		Ammeter.....	<input checked="" type="checkbox"/>		Reflective Triangles.....	<input checked="" type="checkbox"/>		Roof.....	<input checked="" type="checkbox"/>	
Cooling System.....	<input checked="" type="checkbox"/>		Horn.....	<input checked="" type="checkbox"/>		Fire Extinguisher.....	<input checked="" type="checkbox"/>		Suspension System.....	<input checked="" type="checkbox"/>	
Engine.....	<input checked="" type="checkbox"/>		Windshield Wipers.....	<input checked="" type="checkbox"/>		Flags, Fuses, Reflectors.....	<input checked="" type="checkbox"/>		Tarpaulin.....	<input checked="" type="checkbox"/>	
Leaks.....	<input checked="" type="checkbox"/>		Parking Brakes.....	<input checked="" type="checkbox"/>		Spare Bulbs, Fuses.....	<input checked="" type="checkbox"/>		Tires.....	<input checked="" type="checkbox"/>	
Exhaust.....	<input checked="" type="checkbox"/>		Clutch.....	<input checked="" type="checkbox"/>		Tire Chains.....	<input checked="" type="checkbox"/>		Wheels - Rims.....	<input checked="" type="checkbox"/>	
I MADE INSPECTION AS REQUIRED ON LISTED ITEMS						DRIVER USE <input checked="" type="checkbox"/> IF SATISFACTORY MECHANIC USE <input checked="" type="checkbox"/> WHEN CORRECTED AND USE X IF NOT SATISFACTORY YOUR INITIALS					
DRIVER _____ DATE _____						DRIVER'S SIGNATURE _____					
ODOMETER END OF DAY _____						DATE: _____					
ODOMETER START OF DAY 733113						MECHANIC'S SIGNATURE _____					
TOTAL MILES DRIVEN TODAY _____						MECHANIC'S SIGNATURE _____					
NEXT LUBRICATION DUE AT _____ MILEAGE _____						MECHANIC'S SIGNATURE _____					

**CERTIFICATE OF SERVICE**

16-TRAM-383-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 **MAR 03 2016**.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
a.latif@kcc.ks.gov

JIM BRITZ, PRESIDENT  
NORTHERN KANSAS TRANSPORT INC.  
D/B/A NKT  
9775 LENEXA DRIVE  
LENEXA, KS 66215  
Fax: 785-670-8400  
nktinc@outlook.com

/S/ DeeAnn Shupe  
DeeAnn Shupe

**Order Mailed Date**

**MAR 04 2016**