

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

In the Matter of the Investigation of **American** )  
**Diaamond Logistics, of Topeka, Kansas**, Regarding )  
the Violation(s) of the Motor Carrier Safety Statutes, )  
Rules and Regulations and the Commission's Authority ) Docket No. 24-TRAM-555-UCR  
to Impose Penalties, Sanctions and/or the Revocation of )  
Motor Carrier Authority. )  
)

**STAFF'S MOTION TO VACATE PENALTY ORDER**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to American Diaamond Logistics (Carrier). In support of its Motion, Staff states as follows:

1. On February 6, 2024, Commission Staff submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2023 and 2024. As explained by Staff, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.<sup>1</sup>

2. On February 13, 2024, the Commission issued a Penalty Order in this docket assessing a \$600 civil penalty against Carrier for failure to pay its 2023 and 2024 UCR fees.

3. Carrier contacted Staff after the issuance of the Penalty Order stating that they are no longer operating and requested inactivation of its USDOT Number.

4. Staff inactivated the Carrier's USDOT Number. Additionally, after reviewing available records, Staff could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2023 and 2024 UCR fees should be vacated.

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<sup>1</sup> Staff's R&R, p. 1 (Feb. 6, 2024).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on February 13, 2024.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to American Diamond Logistics in this docket on February 13, 2024.

Respectfully submitted,

*/s/ Ahsan Latif*

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For Commission Staff

## **CERTIFICATE OF SERVICE**

24-TRAM-555-UCR

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on April 25, 2024.

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