



NOTICE OF PENALTY ASSESSMENT
24-TRAM-347-PEN

November 2, 2023
Charles Hamilton, Owner
Hamilton Transport Services LLC
5650 NE 58th Ter
El Dorado, KS 67042

This is a notice of a penalty assessment against Hamilton Transport Services LLC (Hamilton Transport Services) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on September 18, 2023, by Kansas Corporation Commission Special Investigator Matt Rose. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. 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: Hamilton Transport Services has been assessed a \$250 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$250, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (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 Hamilton Transport Services 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.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Hamilton Transport Services 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 Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$250 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,

/s/ Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel
(785) 271-3118
a.latif@kcc.ks.gov

¹ K.A.R. 82-1-215; K.S.A. 77-542.

**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 **Hamilton**)
Transport Services LLC, of El Dorado, KS,)
Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 24-TRAM-347-PEN
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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On September 18, 2023, Commission Staff Special Investigator (SI) Matt Rose, completed a safety compliance investigation of the operations of Hamilton Transport Services LLC (Hamilton Transport Services or Carrier). Hamilton Transport Services is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 3557494.

2. On October 17, 2023, Staff submitted its Report and Recommendation (R&R), attached hereto as Attachment "A" and is hereby incorporated by reference, recommending a penalty of \$250 to be issued to Hamilton Transport Services based on the frequency, timeline and severity of the violations discovered. Staff's R&R indicates that as a result of the safety compliance investigations, SI Matt Rose identified two (2) violation(s), accounting for two (2) count(s), of the

Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.²

3. Additionally, Staff recommends that Hamilton Transport Services be required to have a representative responsible for the Carrier's safety compliance 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.³ 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.

4. Finally, Staff recommends that Hamilton Transport Services submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.⁴ Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

5. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112, 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 49 C.F.R. Part 390.5 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.

6. Pursuant to K.S.A. 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

² Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 11 – 26 (Jun. 29, 2023) ("Penalty Matrix").

³ See Staff's Report and Recommendation, p. 2 (Oct. 17, 2023).

⁴ See Staff's Report and Recommendation, p. 3 (Oct. 17, 2023).

of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

7. 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.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Hamilton Transport Services LLC, of El Dorado, KS is hereby assessed a \$250 civil penalty for two (2) violation(s), accounting for two (2) count(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. Hamilton Transport Services is hereby ordered to have a representative responsible for the Carrier's safety compliance 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. Hamilton Transport Services 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. 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

Executive Director 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 Hamilton Transport Services' right to a hearing, and this Penalty Order will become a Final Order.

E. For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation.⁵

F. If you do not request a hearing, the payment of the civil penalty of \$250 is due in thirty (30) days from the date of service of this Order. Payment of \$250 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (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 \$250 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of Hamilton Transport Services' motor carrier operating authority without further notice.⁶ 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.

⁵ K.S.A. 66-1,142b(e) and amendments thereto.

⁶ K.S.A. 66-1,105.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/02/2023



Lynn M. Retz
Executive Director

AAL

ATTACHMENT “A”

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Gary Davenport, Deputy Director of Transportation
Jared Smith, Public Service Executive

DATE: October 17, 2023

SUBJECT: Docket No. 24-TRAM-347-PEN
In the Matter of the Investigation of Hamilton Transport Services LLC of El Dorado, Kansas Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

EXECUTIVE SUMMARY:

Hamilton Transport Services LLC is a motor carrier (MC) possessing public for-hire and private operating authority from the Commission, primarily hauling machinery, large objects and general freight. Hamilton Transport Services LLC operates under USDOT 3557494. On September 18, 2023, Commission Staff Special Investigator (SI) Matt Rose completed a safety compliance investigation of the operations of Hamilton Transport Services LLC. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SI identified two (2) violations, accounting for two (2) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SI, staff recommends a penalty of \$250 be issued to the MC.

DISCUSSION AND ANALYSIS:

On September 18, 2023, Commission Staff SI Matt Rose conducted a safety compliance investigation of the operations of Hamilton Transport Services LLC. The investigation covers a 365 day period. Each specific count is detailed below.

Count One (1 of 2)

Jurisdiction: 49 C.F.R. 382.701(b), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129

Intent of Law: The MC must conduct an annual inquiry into its drivers with the FMCSA Drug and Alcohol Clearinghouse (DACH).

Supporting Documentation: On July 28, 2023, Hamilton Transport Services LLC required or permitted its driver, Charles Hamilton, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV), a 2022 Ford F-550, VIN ending in 7400, GVWR 19,500 lbs., hauling a PJ Gooseneck trailer, VIN ending in 2647, GVWR 25,900 lbs., in intrastate commerce from El Dorado, KS to Harper, KS. This transport is evidenced bill of lading number 1002, attached hereto as **Exhibit 2**, a fuel receipt, attached hereto as **Exhibit 3**, and an electronic logging device (ELD) report for July 28, 2023, attached hereto as **Exhibit 4**. Additionally, attached is a copy of the MC DACH history, attached hereto as **Exhibit 5**.

Violation: Hamilton Transport Services LLC failed to conduct an annual query into the DACH on its driver, Charles Hamilton (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$150.

Count Two (2 of 2)

Jurisdiction: 49 C.F.R 391.25, adopted by K.A.R. 82-4-3g and authorized by K.S.A 66-1,129.

Intent of the Law: The MC must make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver.

Supporting Documents: This violation took place during the transport described in Count One, above. The MC failed to produce evidence of making an inquiry into the driver's driving record.

Violation: Hamilton Transport Services LLC failed to obtain driver's driving record for each 12 months (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$100.

RECOMMENDATION:

Transportation Staff recommends the Commission find Hamilton Transport Services LLC committed two (2) violations accounting for two (2) specific counts of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$250 for two (2) violations of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Hamilton Transport Services LLC require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the 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.

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

EXHIBIT 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 3557494
MC/MX#: 0

Legal: HAMILTON TRANSPORT SERVICES LLC
Operating (DBA):

Investigation Date:
09/18/2023

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

Physical Address

5650 NE 58TH TER
EL DORADO, KS 67042
United States

Mailing Address

5650 NE 58TH TER
EL DORADO, KS 67042-8274
United States

Contact Information

Contact Name: CHARLES HAMILTON

Email:

Phone: (575)770-3466 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Limited Liability Corporation

Name of Gross Revenue Provider: Charles Hamilton

Title of Gross Revenue Provider: Owner

Gross Revenue: \$ [REDACTED] **For Year Ending:** 12/31/2022

Federal Tax ID: [REDACTED] (EIN)

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier

Operation Classification

For-Hire Motor Carrier

Property

Other Non-Hazardous Freight

Private Motor Carrier

Property – Non-Hazardous Materials

Cargo

Machinery, Large Objects, General Freight

Equipment

	Owned	Term Leased	Trip Leased
Truck Tractors	2		
Trailers	2		

Driver Information

Power units used in the U.S.: 2

Percentage of time used in the U.S.: 100%

Drivers	Intrastate	Interstate
< 100 Miles		
>= 100 Miles	1	

Average trip leased driver/month: 0

Drivers with CDL: 1

Total Drivers: 1

Person(s) Interviewed

Name: CHARLES HAMILTON

Title: OWNER

Questions

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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This report will be used to assess your safety compliance.

Violations

1. Primary: 382.701 (b)(1)

Failing to conduct an annual query.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver Name: Charles Hamilton

Trip Date: 7/28/2023

The drug and alcohol clearinghouse report obtained for this investigation indicated last limited query was obtained on 2/10/2022.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

2. Primary: 391.25(a)

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver name, Charles Hamilton

Trip date. 07/28/2023

Description of violation Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

3. Primary: 391.25(c)(2)

Failing to maintain record of annual review in driver's qualification file.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver name, Charles Hamilton

Trip date. 07/28/2023

Description of violation Failing to maintain record of annual review in driver's qualification file

Drivers/Vehicles in Violation		
Fed	State	Total
1		1
Checked		
Fed	State	Total
1		1

Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 0%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 55,059 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Controlled Substances/Alcohol

Process Breakdown: Monitoring and Tracking

Carrier failed to have annual MVR and annual review.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to controlled substances and alcohol. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.

BASIC: Controlled Substances/Alcohol

Process Breakdown: Monitoring and Tracking

Carrier failed to conduct a limited query for the driver within 12 months of the previous query.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Ensure that annual queries are conducted prior to the 12 month expiration of the previous query.

Recommendations

1. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm

3. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

4. **Clearinghouse Annual Query**

Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.

5. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

6. **Serious Violations**

This review contains violations that are serious in nature and may result in a penalty assessment against the company and/or drivers.

7. **CAP to Commission**

The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all 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. Submit the letter along with copies of your supporting evidence to:

Email: g.davenport@kcc.ks.gov
FAX: 785-721-3124

or mail:
Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

8. **Acknowledgment Signature**

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 Hamilton Transport Services LLC operating authority and/or the impoundment of Hamilton Transport Services LLC commercial motor vehicles.

Carrier Representative

Date

9. **Acknowledgment Signature**

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 Hamilton Transport Services LLC operating authority and/or the impoundment of Hamilton Transport Services LLC commercial motor vehicles.

EXHIBIT 2

STRAIGHT BILL OF LADING - SHORT FORM

NOTICE: Shippers of hazardous materials must enter 24-hour emergency response telephone number under "Emergency Response Phone Number"

Date 7-28-23 Bill of Lading No. 1002

Original—Not Negotiable

Hamilton Transport Services LLC
(Name of Carrier)

Shipper No. _____

Carrier No. _____

TO: Consignee <u>RRP Truck Equipment</u>		FROM: Shipper <u>Harper Industries</u>	
Street <u>350 Racing Ln</u>		Street <u>151 US-160</u>	
Destination <u>Sparks TN</u>	Zip Code <u>38583</u>	Origin <u>Harper KS</u>	Zip Code <u>67058</u>
Route: _____	Vehicle No. _____	SCAC _____	Emergency Response Phone Number _____

No. Shipping Units	+HM	Kind of Packaging, Description of Articles Special Marks and Exceptions	Weight (Subject to Correction)*	Rate or Class	CHARGES
2		Harper Beds	3000		
3		Cake Feeders	1500		
1		Ford 1/2 ton P/U	5000		
			<u>9500</u>		

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading state whether weight is "carrier's or shipper's weight".	REMIT C.O.D. TO: ADDRESS	C.O.D. Amt. \$	C.O.D. FEE: PREPAID <input type="checkbox"/> COLLECT <input type="checkbox"/> \$	TOTAL CHARGES: \$
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Note—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other charges.

(Signature of Consignor)

FREIGHT CHARGES
Check Appropriate Box:
 Freight prepaid
 Collect

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property over all or any portion of said route to destination and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Uniform Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment or (2) in the applicable motor carrier classification or tariff, if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Mark with "DG" if appropriate to designate Hazardous Materials as defined in the U.S. Department of Transportation Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials on Bills of Lading per 172.201(a)(1)(iii) of Title 49 Code of Federal Regulations. Also when shipping hazardous materials, the shipper's certification statement prescribed in section 172.204(a) of the Federal Regulations, as indicated on the Bill of Lading does apply, unless a specific exception from the requirement is provided in the Regulation for a particular material.

The format and content of hazardous item list is the responsibility of individual carrier interpretation of requirements as described in 49 Code of Federal Regulations 172.201 (Hazardous Material Table) and Sections 172.202 and 172.203. Proper shipping name, Hazardous class, UN identification number, packing group, and subsidiary class(es).

Note: Liability limitation for loss or damage in this shipment may be applicable. See 49 United States Code, Sections 14706(c)(1)(A) and (B).

SHIPPER	CARRIER
PER	PER

1 This is to certify that the above named materials are properly classified, packaged, marked, and labeled, and are in proper condition for transportation according to the applicable regulations of the U.S. Department of Transportation.

Carrier acknowledges receipt of packages and any required placards. Carrier certifies emergency response information was made available and/or carrier has the U.S. Department of Transportation emergency response guidebook or equivalent documentation in the vehicle. Property described above is received in good order, except as noted.

EXHIBIT 3

Casey's General Store# 3063
602 W 14TH ST
HARPER, KS 67038
Register 1

7/28/23 12:24:39
Reg:1 Cashier:LINDA
Receipt 1081299
Type SALE

45999

Diesel Fuel #2 297.75
Pump: 7
Gallons: 80.495
Price / Gal: 3.699

SubTotal 297.75
Total 297.75

Received
MudFlap 281.73 ~~297.75~~

+++++

CASEY'S REWARDS

Guest: Charles Hamilton
Rewards Account: XXXXXXXXXXXXX3466

+++++

Visit caseys.com/survey

To take a short survey about your visit
And be entered into a monthly drawing
to win a \$500 Casey's Gift Card.

Survey # 3063-0001081299-1224

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7/28/23 12:24:39

EXHIBIT 4

RODS REPORT

Record of Duty Status

Driver
Charles Hamilton

Carrier
HAMILTON TRANSPORT SERVICES LLC

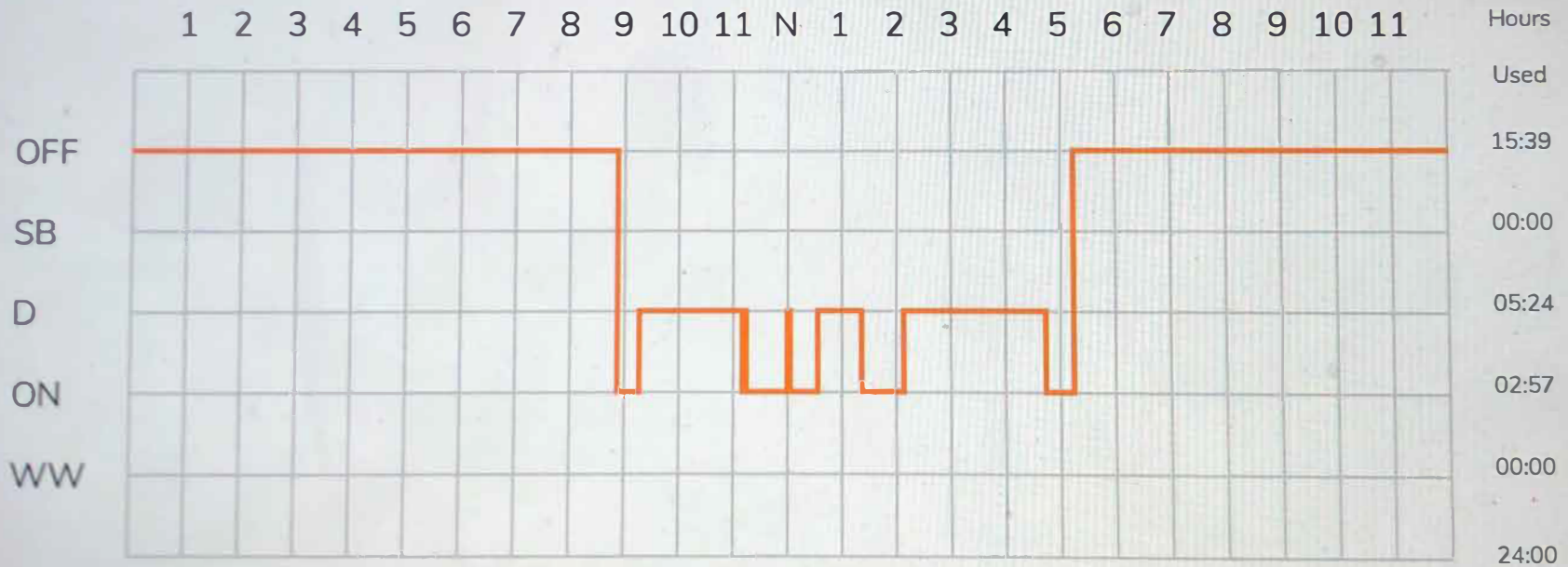
License

Main office
5650 NE 58TH TER EL DORADO, KS 67042

License state
KS

Home terminal
5650 NE 58TH TER EL DORADO, KS 67042

FRIDAY



Total distance: 288.32 mi

ITEM	STATUS	TIME	LOCATION	DURATION	NOTES
1	OFF DUTY	12:00 AM	--	8h 49m	

Total distance: 288.32 mi

ITEM	STATUS	TIME	LOCATION	DURATION	NOTES
1	OFF DUTY	12:00 AM	--	8h 49m	
2	ON DUTY	8:49 AM	El Dorado, Butler, KS	24m	Pre Trip Inspection
3	DRIVING	9:13 AM	El Dorado, Butler, KS	1h 54m	
4	ON DUTY	11:07 AM	Harper, Harper, KS	1m	Fuel
5	DRIVING	11:08 AM	Harper, Harper, KS	3m	
6	ON DUTY	11:11 AM	Harper, Harper, KS	45m	
7	DRIVING	11:56 AM	Harper, Harper, KS	3m	
8	ON DUTY	11:59 AM	Harper, Harper, KS	31m	
9	DRIVING	12:30 PM	Harper, Harper, KS	48m	
10	ON DUTY	1:18 PM	Hardtner, Barber	46m	Check In to Load

TRIP #1

Truck
002 ('22, Ford)

Duration
7h 31m 24s

Distance
288.32 mi

Vin
[REDACTED] 7400

Begin
9:09 AM

End
4:41 PM

Trailers
T2

CoDriver
-

Bill of lading(s)
-

Notes
-

CYCLE

DATE	DRIVING	DUTY	HOS	DISTANCE
7/27/2023	0h	0h	0h	0 mi
7/26/2023	5h 2m	3h 7m	8h 9m	310.9 mi
7/25/2023	7h 35m	3h 40m	11h 15m	445.3 mi
7/24/2023	5h 20m	3h 27m	8h 47m	282.7 mi
7/23/2023	0h	0h	0h	0 mi
7/22/2023	0h	0h	0h	0 mi
7/21/2023	0h	0h	0h	0 mi

Comment for
FMCSA

Trailers

CoDriver

Bill of lading(s)

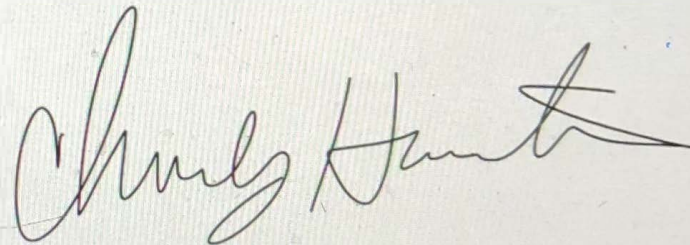
T2

Notes

CYCLE

DATE	DRIVING	DUTY	HOS	DISTANCE
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7/23/2023	0h	0h	0h	0 mi
7/22/2023	0h	0h	0h	0 mi
7/21/2023	0h	0h	0h	0 mi

Comment for
FMCSA



I certify that these entries are true and correct.

EXHIBIT 5



 [Log Out Matthew](#)

DRUG & ALCOHOL CLEARINGHOUSE

 [BACK TO DASHBOARD](#)

[My Dashboard](#)

HAMILTON TRANSPORT SERVICES LLC (USDOT# 3557494)



Address: 5650 NE 58TH TER; EL
DORADO, KS 67042; US

Email:

CHARLESHAMILTON79@HOTMAIL.COM

Owner Operator: Yes

As of: 9/19/2023 15:40

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[C/TPAs](#)

[Annual Queries](#)

[Pre-Employment Queries](#)

[Violations](#)


REGISTERED USERS

Email	Name	Role	Created	Last Login
hamiltontransportservices@hotmail.com	Charles Hamilton	Admin	2/5/2021	2/10/2022

C/TPAS DESIGNATED


C/TPA	Status	Report Violations	Report RTD Information	Conduct Queries
Assured Occupational Solutions Inc	Active	Yes	Yes	Yes

DRIVER CHECK (ANNUAL QUERIES CONDUCTED)

Name	Country	CDL	Most Recent Query	Submitted on	Consent Received	Result
CHARLES HAMILTON	United States		Limited	9/18/2023	General Consent Obtained outside Clearinghouse	Driver Not Prohibited

PRE-EMPLOYMENT QUERIES CONDUCTED

Name	Country	CDL	Most Recent	Submitted on	Consent Received	Result
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Query						
CHARLES HAMILTON	United States		Pre-employment	2/5/2021	2/5/2021	Driver Not Prohibited

VIOLATIONS REPORTED

Test Date	Driver Name	CDL/CLP	Test Reason	Violation Type	Reported By	Reported On	Updated By	Updated On
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U.S. DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration
 1200 NEW JERSEY AVENUE, SE
 WASHINGTON, DC 20590
 202-366-4000

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CERTIFICATE OF SERVICE

24-TRAM-347-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 11/02/2023.

Charles Hamilton, OWNER
Hamilton Transport Services LLC
5650 NE 58th Ter
El Dorado, KS 67042
charleshamilton79@hotmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

/S/ KCC Docket Room
KCC Docket Room