

Kansas

Corporation Commission

Shari Fels Albrecht, Chair
Jay Scott Euler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

OBJECTION AND CHALLENGE TO NOTICE OF VIOLATION(S)

January 19, 2017

Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson, Suite 704
Topeka, Kansas 66603

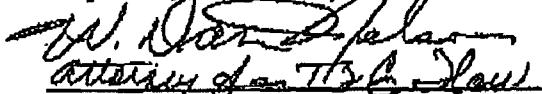
Re: Roadside Driver/Vehicle Examination Report No. KSHP00961430

T&E Flow Services challenges the Notice of Violations submitted by the Kansas Corporation Commission and in support states as follows:

1. Unit one is a Ford vehicle registered in the State of Oklahoma and is not required to register and pay UCR fees therefore, violation 392.2UCR is therefore denied.
2. Vehicle No. 2 is a trailer that was used to carry small quantities of items to deliver. T&E is unable to admit or deny violation 393.43, 393.75A3, 393.9TS, 396.3A1BOS and 395.8A and therefore denies the charges.
3. The alleged violation fo 395.8A is denied for the reason that this is not a commercial truck requiring driver's records.
4. The officer that issued the warning advised the driver that T&E had fifteen days to bring Unit No. 2 into code or add improvements and if it met UCR requirements no violation would issue. The requirement was met by removing the trailer from usage except for local farm use and a new trailer was purchased to substitute which has been registered.
5. T&E Flow reserves the right to supplement this objection and challenges to the notice of violation.

Wherefore, T&E Flow respectfully requests that the Notice of Violations be set aside and dismissed for achieving compliance with the UCR Act and for all other relief appropriate.

Respectfully Submitted by T&E Flow Services,


Attorney for T&E Flow

W. Dan Nelson/OBA No. 6626
4901 Richmond Square, Suite 103
Oklahoma City, OK 73118
Telephone: (405) 608-2233
Facsimile: (405) 608-2255
ATTORNEY FOR T&E FLOW SERVICES