

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

In the Matter of the Investigation of **Lowder Trucking**)
LLC, of Gardner, Kansas, Regarding the Violation(s))
of the Motor Carrier Safety Statutes, Rules and)
Regulations and the Commission's Authority to Impose) Docket No. 25-TRAM-008-UCR
Penalties, Sanctions and/or the Revocation of Motor)
Carrier Authority.)

**STAFF'S MOTION TO REINSTATE MOTOR CARRIER OPERATIONS AND
VACATE PENALTY ORDER**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion requesting the Commission reinstate the Kansas motor carrier operations as well as vacate the Penalty Order issued to Lowder Trucking LLC (Carrier). In support of its Motion, Staff states as follows:

1. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2378650.
2. Pursuant to K.S.A. 66-1,139a and K.A.R. 82-4-30a, motor carriers operating interstate commerce must pay Unified Carrier Registration (UCR) fees annually.
3. The Commission does not have a record of Carrier paying its 2024 UCR fees.
4. On September 5, 2024, the Commission issued an Order Suspending Carrier's Intrastate Motor Carrier Operations,¹ due to non-compliance with a Penalty Order issued in this docket on July 2, 2024.² The Penalty Order assessed to Carrier a \$300 civil fine for failing to pay its 2024 Unified Carrier Registration (UCR) fees.
5. On September 5, 2024, Carrier contacted Staff in writing stating that Carrier does not operate interstate and requested its USDOT Number be inactivated. Staff inactivated Carrier's

¹Order Suspending Intrastate Motor Carrier Operations (Sep. 5, 2024).

² See Penalty Order, (Jul. 2, 2024).

USDOT Number and determined the carrier had not operated in interstate commerce, and therefore based on Carrier's representations the Carrier's Penalty Order should be vacated.

6. Therefore, Staff asks the Commission to reinstate Carrier's Kansas motor carrier operations and vacate the penalty order as the Carrier has not operated in interstate commerce in 2024.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Carrier's Kansas motor carrier operations and vacating the Penalty Order issued July 2, 2024.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

25-TRAM-008-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 September 9, 2024.

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