

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

In the Matter of the Investigation of **Royce Varela** )  
**d/b/a Varela Trucking, of Garden City, Kansas,** )  
Regarding the Violation of the Motor Carrier Safety )  
Statutes, Rules and Regulations and the ) Docket No. 24-TRAM-587-PEN  
Commission's Authority to Impose Penalties, )  
Sanctions and/or the Revocation of Motor Carrier )  
Authority. )

**MOTION TO REINSTATE INTRASTATE MOTOR CARRIER OPERATIONS**

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission reinstate the Kansas motor carrier operations of Royce Varela d/b/a Varela Trucking, of Garden City, Kansas (Carrier). In support of its Motion, Staff states as follows:

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 40 C.F.R. 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.

2. Pursuant to K.S.A. 66-1,129(a)(7), no public motor carrier of property, household goods or passengers or private motor carrier of property shall operate, or allow the operation of, any commercial motor vehicle on any public highway in this state without following rules and regulations consistent with the federal motor carrier safety assistance program.

3. Carrier is a motor carrier, as defined in 49 C.F.R. Part 390.5 and as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.

4. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2379357.

5. On January 24, 2024, Commission Staff (Staff) Special Investigators (SIs) conducted a safety compliance investigation on its operations as a motor carrier pursuant to K.S.A. 66-1,108c.

6. On February 27, 2025, Commission Staff filed a Motion to Suspend Intrastate Motor Carrier Operations because Carrier's continued operation posed a danger to the motoring public.

7. On February 29, 2025, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,<sup>1</sup> until such time as Carrier submitted a corrective action plan that met Staff's approval and came into compliance with the applicable motor carrier safety rules and regulations.

8. On March 7, 2024, Carrier submitted a Request for Hearing.

9. On March 14, 2024, a hearing was held on the Order Suspending Intrastate Motor Carrier Operations.

10. On March 26, 2024, the Commission issued an Order Affirming Suspension of Intrastate Motor Carrier Operations.

11. On April 18, 2024, the Commission issued a Penalty Order to Carrier in Docket No. 24-TRAM-675-PEN, which among other things assessed a \$21,400 civil penalty to Carrier.

12. On April 30, 2024, Staff approved a corrective action plan submitted by Carrier.

13. On March 7, 2025, Carrier submitted payment of the \$21,400 civil penalty assessed in Docket No. 24-TRAM-675-PEN.

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<sup>1</sup>Order Suspending Intrastate Motor Carrier Operations (Jan. 8, 2025).

14. On April 28, 2025, Carrier submitted evidence of complying with the applicable motor carrier safety rules and regulations.

15. Therefore, Staff requests the Commission find that Carrier is now in compliance with the applicable motor carrier safety rules and regulations and the Commission reinstate Carrier's Kansas motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Carrier's Kansas motor carrier operations.

Respectfully submitted,

/s/Ahsan A. Latif

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For Commission Staff

## **CERTIFICATE OF SERVICE**

24-TRAM-587-PEN

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 29, 2025.

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