

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Governor Jeff Colyer, M.D.

NOTICE OF PENALTY ASSESSMENT

March 1, 2018

18-TRAM-360-PEN

Jimmy Garcia, Sr., Managing Member
J & M Express LLC
106 N 9th St
Garden City, Kansas 67846

This is a notice of a penalty assessment against J & M Express LLC (J & M Express) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on February 7-8, 2018, by Kansas Corporation Commission Special Investigator Penny Fryback. Penalty amounts are assessed in accordance with the FY 2018 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2017. For a full description of the penalty and terms and obligations, please refer to the Penalty Order attached to this notice.

IF YOU ACCEPT THE PENALTY:

J & M Express has been assessed a \$1,000 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. Please remit payment of \$1,000 through your personal account with the Kansas Corporation Commission's 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.

J & M EXPRESS IS A NEW ENTRANT MOTOR CARRIER AND MAY BE ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS:

New Entrant motor carriers are eligible for a one-time, fifty-percent (50%) reduction in the penalty assessed motor carriers. You have to agree to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the reduction. A fifty-percent (50%) reduction in the penalty assessed may be available if:

(1) within fifteen (15) days from the date of this Penalty Order, the carrier signs and submits the attached Reduced Penalty Agreement to Litigation Counsel at the above address;

(2) within thirty (30) days from the date of this Penalty Order, the carrier submits to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) described in the attached Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future;

(3) within thirty (30) days from the date of this Penalty Order, the carrier sends an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance must be submitted to the undersigned Litigation Counsel shortly thereafter; and

(4) within eighteen (18) months from the date of this Penalty Order, the carrier must submit to a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

If a carrier is approved for a fifty-percent (50%) reduced penalty, an Order Amending Penalty Assessment assessing the reduced penalty and setting out the terms and conditions stated above may be issued by the Commission. Payment of the reduced penalty of \$500 would be due within 30 days from the date of service of the Order Amending Penalty Assessment.

IF YOU CONTEST THE PENALTY ORDER:

You have the right to request a hearing if you contest the terms of the Penalty Order. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. J & M Express LLC 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 Litigation Counsel at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2016 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$1,000 within thirty (30) days from the date of service of the Penalty Order, or in the alternative, provide a written request for a hearing within 15 days from the date of service of the Penalty Order, will result in the Order becoming final and the terms and conditions set out therein will be enforced. If J & M Express submits the attached Reduced Penalty Agreement as explained above, an Order Amending Penalty Assessment may be issued assessing the reduced penalty of \$500 and that payment would become due within thirty (30) days from the date of service of the Order Amending Penalty Assessment.

Respectfully,



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

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
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Shari Feist Albrecht, Chair
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REDUCED PENALTY AGREEMENT

18-TRAM-360-PEN

J & M Express LLC (J & M Express) hereby submits this Reduced Penalty Agreement for approval of a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated February 27, 2018. J & M Express has agreed to comply with the following terms and obligations:

1. J & M Express has submitted, within fifteen (15) days from the date of the Penalty Order this signed and dated Reduced Penalty Agreement to Litigation Counsel.

2. J & M Express will, within thirty (30) days from the date of the Penalty Order, submit to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) and describing specific and detailed information explaining its efforts and concrete steps taken to ensure the violation(s) do not occur in the future. I understand the CAP must be approved by Transportation Staff to become eligible for the 50% reduced penalty.

3. J & M Express will, within thirty (30) days from the date of the Penalty Order, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Litigation Counsel.

4. J & M Express will be available within eighteen (18) months from the date of the Penalty Order for a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

J & M Express LLC understands that if approved, an Order Amending Penalty Assessment will be issued by the Commission assessing a reduced penalty of \$500, and will set out the terms and conditions stated above. Once the Order Amending Penalty Assessment is issued by the Commission, J & M Express will have thirty (30) days from the date of service of that Order to pay the reduced penalty assessed.

Dated this _____ day of _____, 2018.

J & M Express LLC

Jimmy Garcia, Sr.
Managing Member

(This Agreement can be mailed via U.S. Mail to the address above to the attention of Ahsan Latif, Litigation Counsel, or sent via e-mail to v.jacobsen@kcc.ks.gov and alatif@kcc.ks.gov.)

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Investigation of **J & M**)
Express LLC, of Garden City, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 18-TRAM-360-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:

I. JURISDICTION

1. Pursuant to K.S.A. 2016 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 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 K.S.A. 2016 Supp. 66-1,108, 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. 2016 Supp. 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 of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. J & M Express LLC (J & M Express) has common operating authority with the Commission and further operates under USDOT number 2780349.

5. Monica and Jimmy Garcia attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on July 6, 2015, on behalf of J & M Express.

6. J & M Express is a common motor carrier which primarily hauls general freight, grain, feed, hay and commodities dry bulk.

7. J & M Express is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction of the penalty(s) assessed below.

III. STATEMENT OF FACTS

8. Pursuant to the jurisdiction and authority cited above, on February 7-8, 2018, Commission Staff (Staff) Special Investigator Penny Fryback conducted a compliance review of the operations of J & M Express. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. On December 18, 2017, J & M Express required or permitted its driver, Jimmy Garcia, Sr., to operate a CDL-required commercial motor vehicle, a 2007 Kenworth, VIN ending in 156338, GVWR 46,000 lbs., pulling a 2016 spread axle Timpfe trailer, VIN ending in 150845, GVWR 40,700, in intrastate commerce in and around the area of Garden City, Kansas. This

trip is evidenced by Driver's Daily Log, dated December 18, 2017, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, J & M Express was hauling two loads in excess of the maximum gross weight allowed in Kansas, which is 85,500 lbs. The above load was 86,700 lbs. This is just one example of 21 loads discovered that were transported in excess of 85,500 lbs. J & M Express' failure to stay within the legal gross weight limit of 85,500 lbs. is a violation of 49 C.F.R 392.2, adopted by K.A.R. 82-4-3, and authorized by K.S.A. 8-1909. Staff recommends a fine of \$1,000.

IV. STAFF'S RECOMMENDATIONS

9. Based upon the available facts, Staff recommends the Commission find J & M Express committed one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

10. Staff recommends a civil penalty of \$1,000 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

11. Staff provides notice to the Commission that J & M Express LLC is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduced civil penalty. The carrier must submit to Litigation Counsel within fifteen (15) days of the date of this Penalty Order the signed and dated Reduced Penalty Agreement and Transportation Staff must approve the carrier's Corrective Action Plan (CAP).

12. Staff recommends J & M Express LLC submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

13. Staff further recommends that a representative from J & M Express attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel.

14. Finally, Staff recommends that J & M Express submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

15. The Commission finds it has jurisdiction over J & M Express because it is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108.

16. The Commission finds a penalty of \$1,000 should be assessed to J & M Express for committing one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

17. The Commission finds J & M Express is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction in the penalty(s) assessed herein.

THE COMMISSION THEREFORE ORDERS THAT:

A. J & M Express LLC, of Garden City, Kansas is hereby assessed a penalty of \$1,000 for one (1) violation(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. Payment of \$1,000 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty owed.

B. A representative from J & M Express is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel. 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.

C. J & M Express must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described above, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. J & M Express 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 motor carrier at a later date to determine an appropriate time for this review.

E. If J & M Express does not submit the Reduced Penalty Agreement and fails to pay the penalty of \$1,000 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of J & M Express's motor carrier

operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. On March 1, 2018, this Order was mailed via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105744127. Service of this Order is deemed complete upon the date delivered shown on the Domestic Return Receipt.

G. **Pursuant to K.S.A. 2016 Supp. 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, within fifteen (15) days from the date of service of this Penalty Order.** The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of J & M Express's right to a hearing.

H. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2016 Supp. 66-1,142b(e) and amendments thereto.

I. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: March 1, 2018

A handwritten signature in cursive script, reading "Lynn M. Retz". The signature is written in dark ink and is positioned above a horizontal line.

Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”



US DOT #
2780349

Legal: J & M EXPRESS LLC
Operating (DBA):

MC/MX #: 925720 State #: [REDACTED] Federal Tax ID: [REDACTED] (EIN)

Review Type: Compliance Review (CR)

Scope: Principal Office Location of Review/Audit: Other Territory:

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Corporation
Gross Revenue: [REDACTED] for year ending: 12/31/2016

Company Physical Address:

[REDACTED]

Contact Name: Jimmy Garcia Sr

Phone numbers: (1) [REDACTED]

E-Mail Address: [REDACTED]

Company Mailing Address:

106 N 9TH ST
GARDEN CITY, KS 67846-8353

Carrier Classification

Authorized for Hire

Cargo Classification

General Freight Grain, Feed, Hay Commodities Dry Bulk

Equipment

	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck Tractor	6	1	0	Trailer	3	3	0

Power units used in the U.S.: 7

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

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:		
>= 100 Miles:	5	

Average trip leased drivers/month: 0

Total Drivers: 5

CDL Drivers: 5





J & M EXPRESS LLC
U.S. DOT #: 2780349

State #: [REDACTED]

Review Date:
02/08/2018

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Ks 66604

Phone : 785-271-3145

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Jimmy Garcia

Title: President

Name: [REDACTED]





J & M EXPRESS LLC
U.S. DOT #: 2780349

State #: [REDACTED]

Review Date:
02/08/2018

Part B Violations

1 STATE CRITICAL	Primary: K.S.A. 8-1901 CFR Equivalent: 392.2	Discovered 21	Checked 154	Drivers/Vehicles In Violation 5	Checked 5
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Description

Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.

Example

Driver: Jimmy Ray Garcia

Trip Date: 12/18/2018

Owner Jimmy Ray Garcia Sr transports two loads over 85,500 pounds on December 18, 2018. The first load was 86,700 pounds and the second load was 87,620 pounds

Safety Fitness Rating Information:

Total Miles Operated 167,349
Recordable Accidents 0
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 0

Number of Vehicles Inspected (MCMIS): 5

Your proposed safety rating is :

SATISFACTORY

Rating Factors

Acute Critical

Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	C	0	1
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





J & M EXPRESS LLC
U.S. DOT #: 2780349

State #: XXXXXXXXXX

Review Date:
02/08/2018

Part B Requirements and/or Recommendations

1. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance

- **NOTICE:** A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012. The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

For all Investigations that could result in a Penalty Order:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also





J & M EXPRESS LLC
U.S. DOT #: 2780349

State #: [REDACTED]

Review Date:
02/08/2018

Part B Requirements and/or Recommendations

affect the civil penalty proposed in any subsequent Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review.

For all investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

For all investigations that did not result in a Cooperative Safety Plan:

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

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

2. The maximum gross weight allowed in Kansas is 85,500 pounds unless you have a permit to haul and have at least six axles
3. Do not allow driver to haul over the legal weight limit. (20,000 lbs on a single axle , 34,000 on tandem axles, or 85,500 gross weight.)
4. This review will result in a Safety Rating.
5. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
6. I, [Signature] 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 J & M Express L.L.C. operating authority and/or the impoundment of J & M Express L.L.C. vehicles.



ATTACHMENT “B”



DRIVER'S DAILY LOG

USA Property 70 hour / 8 day

Log Date: December 18, 2017

Print Date: January 02, 2018

Driver	Jimmy Garcia	Co-Drivers	
Driver License		Exempt Driver	No
Distance	366 mi	Engine Hours	
Odometers		Shipping Docs	12651,12660,12676-milo
Current Location			
24-Period Starting Midnight			
Data Diag. Indicators	No		
ELD Malfn. Indicators	No		
ELD ID	KTIELD		
Vehicles and VINs			
Trailers	G34		
Carrier and DOT#	J&M Express LLC (2780349)		
Main Office	1712 Janice Ln, Garden City, KS, 67846		

	M	1	2	3	4	5	6	7	8	9	10	11	N	1	2	3	4	5	6	7	8	9	10	11	M
OFF																								15.37	
SB																								00.00	
D																								00.00	
ON																								08.63	
												2												3	24.00

No.	Status	Start (CST)	Duration	Location	Engine	Odo	Notes
1	Off Duty <i>Driver</i>	12:00:00 AM	9 hr 14 min 2 sec	Garden City, KS			
2	On Duty <i>Driver</i>	9:14:02 AM	8 hr 37 min 51 sec	Garden City, KS			Pre-Trip Inspection/Fuel 75 gal/Post-Trip Inspection/LOCAL 100 mile radius
3	Off Duty <i>Driver</i>	5:51:53 PM	6 hr 8 min 7 sec	Garden City, KS			

Recap						
12/11 12.65	12/12 9.56	12/13 8.81	12/14 13.40	12/15 7.99	12/16 0.00	12/17 0.00 Restart
Total Hours Since Restart		0.00				
Hours Available Today		70.00				
Hours Worked Today		8.63				

CERTIFICATE OF SERVICE

18-TRAM-360-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

first class mail/hand delivered on March 1, 2018.

JIMMY GARCIA, SR., MANAGING MEMBER
J & M EXPRESS LLC
106 N 9TH STREET
GARDEN CITY, KS 67846-8353
Fax: 620-275-4536
monicagarcia0204@sbcglobal.net

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe