



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

3. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

## II. BACKGROUND

4. Midwest Elite Movers LLC, of Great Bend, Kansas (Carrier), is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicles in intrastate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 3600858.

6. On November 16, 2023, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,<sup>1</sup> other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, due to non-compliance with a Penalty Order issued on July 13, 2023.<sup>2</sup> The Penalty Order assessed Carrier a \$300 civil fine for failing to pay its 2023 Unified Carrier Registration (UCR) fees. The Commission's Penalty Order is incorporated herein by reference and made a part of this Order.

7. On November 21, 2023, Carrier contacted Staff stating it had submitted payment of the \$300 civil assessment and submitted payment of their 2023 UCR fees. Transportation Staff (Staff) confirmed the payments have been made and determined the carrier was now in compliance with Kansas motor carrier safety statutes, rules and regulations pursuant to the above-referenced Penalty Order.

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<sup>1</sup>Order Suspending Intrastate Motor Carrier Operations (Nov. 16, 2023).

<sup>2</sup> See Penalty Order, Docket No. 23-TRAM-1034-PEN (Jul. 13, 2023).

8. On November 22, 2023, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations on Carrier.

### III. STAFF'S RECOMMENDATION

9. Based on Staff's Motion and Carrier's compliance, Staff recommends the Commission reinstate Carrier's Kansas motor carrier operations.

### IV. CONCLUSIONS OF LAW

10. The Commission finds it has jurisdiction over Carrier because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f.

11. Based on the available facts, the Commission finds that Staff's recommendation to reinstate Midwest Elite Movers LLC's motor carrier operations is reasonable.

### THE COMMISSION THEREFORE ORDERS THAT:

A. Midwest Elite Movers LLC's intrastate motor carrier authority is hereby reinstated.

### BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/28/2023



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Lynn M. Retz  
Executive Director

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**CERTIFICATE OF SERVICE**

23-TRAM-1034-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/28/2023.

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/S/ KCC Docket Room  
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