

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

In the Matter of the Investigation of **Rene** )  
**Efrain Reyes, Jr., d/b/a Kings Transport,** )  
**of Lakin, Kansas,** Regarding the Violation )  
of the Motor Carrier Safety Statutes, Rules )  
and Regulations and the Commission's )  
Authority to Impose Penalties, Sanctions )  
and/or the Revocation of Motor Carrier )  
Authority. )

Docket No. 18-TRAM-212-PEN

**MOTION TO SUSPEND INTRASTATE MOTOR CARRIER AUTHORITY**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Rene Efrain Reyes, Jr., d/b/a Kings Transport of Lakin, Kansas (Respondent) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2018 Supp. 66-1,108, that operates commercial motor vehicle(s) in intrastate commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 2892785.
3. On November 30, 2017, the Commission issued Respondent a penalty assessment for one (1) violation(s) of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted on October 24, 2017, by Kansas Corporation Commission Special Investigator Verna Jackson. The Respondent has not paid the civil penalty and the account is in collections.

4. In the Penalty Order at ordering clause B., it is stated, “Further Rene Efrain Reyes, Jr., d/b/a Kings Transport must submit to one follow-up safety compliance review within the next 18 months.”

5. Special Investigator Verna Jackson has made numerous attempts to contact Respondent to facilitate a follow-up off-site safety compliance review on its operations as a motor carrier.

6. Ahsan Latif, Litigation Counsel, wrote and mailed Respondent a letter on February 19, 2019, informing Respondent that should it continue to resist by failing to respond, the Commission may suspend its motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against Respondent. The letter gave Respondent ten (10) days from the date of the letter to respond. A copy of the letter is attached hereto as Attachment “A” and is hereby incorporated by reference.

7. As of March 8, 2019, Special Investigator Verna Jackson and Litigation Counsel Ahsan Latif have not heard from Respondent to schedule a follow-up motor carrier safety compliance review.

8. Staff asks that the Commission find Respondent received sufficient notices of the need to schedule a follow-up safety compliance review.

9. Staff asks that the Commission find Respondent failed to respond to several attempts to contact.

10. Staff asks the Commission find that Respondent’s resistance to respond to Special Investigator Verna Jackson’s attempts to contact and Litigation Counsel Ahsan Latif’s letter poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

11. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's intrastate motor carrier authority operations until such time as Respondent contacts Special Investigator Verna Jackson or Litigation Counsel Ahsan Latif to schedule a follow-up safety compliance review, at which time Staff will recommend the Commission issue an order of reinstatement of intrastate motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's intrastate motor carrier operations.

Respectfully submitted,



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Ahsan A. Latif, #24709  
Litigation Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604  
(785) 271-3181 (Telephone)  
(785) 271-3124 (Facsimile)  
[a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov) (E-mail)

For Commission Staff

## **ATTACHMENT “A”**

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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

Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Jay Scott Emler, Commissioner

Laura Kelly, Governor

February 19, 2019

Rene Efrain Reyes Jr, Owner  
Rene Efrain Reyes Jr dba Kings Transport  
PO Box 519  
Lakin, KS 67860

Re: Compliance Investigation

Dear Mr. Reyes Jr:

The Kansas Corporation Commission is given full power, authority and jurisdiction to supervise and control motor carriers - as defined in the Kansas statutes - doing business or procuring business in Kansas, and may do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

From time to time, the commission is required to carefully examine and inspect the condition of each motor carrier, its equipment, the manner of its conduct and its management with reference to the public safety and convenience. Further, the Commission has the authority to investigate an entity under the Commission's jurisdiction and order a hearing when the Commission believes the entity is in violation of the law or any order of the Commission.

Deliberate avoidance of a Commission-sponsored safety compliance review is a violation of the above-stated law and authority. Rene Efrain Reyes Jr d/b/a Kings Transport is a motor carrier that is subject to the Commission's jurisdiction, and therefore, is required by law to submit to Commission compliance reviews.

Commission Special Investigator (SI) Verna Jackson, has made numerous attempts to facilitate a compliance review with you, to no avail. An initial letter was mailed January 2, 2019. After no response, a second request letter was mailed on January 29, 2019. The same letter was emailed to Erin Kraisinger, Agent, on January 29, 2019. A follow-up email was sent to Erin Kraisinger, Agent, on February 8, 2019. There continues to be no response. This letter therefore serves to notify you that should you continue to resist by failing to contact SI Jackson **within ten days of the date of this letter** the Commission may suspend your motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against you.

Thank you for your cooperation. If you have any further questions, you may contact SI Verna Jackson with the Transportation Division of the Kansas Corporation Commission at 785-271-3104.

Sincerely,

/s/

Ahsan A. Latif  
Litigation Counsel

CC: Erin Kraisinger, Agent  
TMT Trucking Permitting  
1516 Plaza E  
Garden City, KS 67846



**VERIFICATION**

STATE OF KANSAS                     )  
  ) ss.  
COUNTY OF SHAWNEE            )

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Suspend Intrastate Motor Carrier Operations* and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



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Ahsan A. Latif, S. Ct. # 24709  
Litigation Counsel  
The State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of March, 2019.



  
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Notary Public

My Appointment Expires: June 30, 2022

## CERTIFICATE OF SERVICE

18-TRAM-212-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Intrastate Motor Carrier Operations was placed in the United States mail, postage prepaid, or hand-delivered this 8th day of March, 2019, to the following:

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

RENE E. REYES, JR., OWNER  
RENE EFRAIN REYES, JR.  
D/B/A KINGS TRANSPORT  
PO BOX 519  
LAKIN, KS 67860-9463

  
\_\_\_\_\_  
Vicki Jacobsen