

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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Kansas Corporation  
Commission

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Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
**25-TRAM-363-PEN**

April 29, 2025

Mike J. Fritzler  
Fritzler Trucking Inc  
14216 US Hwy 283  
Ness City, Kansas, 67560

This is a notice of a penalty assessment against Fritzler Trucking Inc ("Fritzler Trucking") for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted from February 13 to February 19, 2025, by Kansas Corporation Commission Special Investigators. The Special Investigators identified forty (40) violations of the Motor Carrier Safety regulations. Penalties for the violations are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. Fritzler Trucking has been assessed a \$9,650.00 penalty. For a full description of the penalties and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$9,650.00 through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network ("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.

The attached Order also requires a representative of Fritzler Trucking:

- a. To attend a Commission-sponsored safety seminar within thirty (30) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. 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](http://www.kcc.state.ks.us/trans/safety_meetings.htm).
- b. To submit a written, comprehensive Corrective Action Plan ("CAP") to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.
- c. To submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

**IF YOU CONTEST THE PENALTY ORDER:** You have the right to request a hearing. A request for a hearing must be made in writing, and within fifteen (15) days from the date of service of this Order, setting forth the specific grounds upon which relief is sought. You may request a hearing through the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and you must also mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an

original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$9,650.00 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,  
*/s/ Ahsan A. Latif*  
Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118  
[Ahsan.Latif@ks.gov](mailto:Ahsan.Latif@ks.gov)

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<sup>1</sup> K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners:     Andrew J. French, Chairperson  
                                  Dwight D. Keen  
                                  Annie Kuether

In the Matter of the Investigation of **Fritzler**     )  
**Trucking Inc of Ness City, Kansas.** Regarding     )  
the Violation(s) of the Motor Carrier Safety     )  
Statutes, Rules and Regulations and the     ) Docket No. 25-TRAM-363-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:

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 49 C.F.R. Part 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. 66-129a, 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 issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

4. Fritzler Trucking Inc ("Fritzler Trucking" or "Carrier") is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 328010.

5. The Commission finds it has jurisdiction over Fritzler Trucking pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

6. Between February 13 and February 19, 2025, Commission Transportation Staff ("Transportation Staff" or "Staff") Special Investigators ("SIs") completed a safety compliance investigation of Fritzler Trucking. As a result of the compliance investigation, the SIs identified forty (40) violations, set forth in fourteen (14) counts of the Motor Carrier Safety Regulations ("MCSRs"), which carry a penalty set forth in the FY2025 Uniform Penalty Assessment Matrix.<sup>1</sup>

7. On March 24, 2025, Transportation Staff submitted its Report and Recommendation ("R&R"), attached hereto as "Attachment A" and hereby incorporated by reference herein, recommending a penalty of \$9,650.00 to be issued to Fritzler Trucking based on the frequency, timeline, and severity of the violations discovered.

8. Specifically, pursuant to Staff's R&R, the Commission finds that Fritzler Trucking committed forty (40) violations of the following fourteen (14) counts, discussed more fully in Staff's R&R:<sup>2</sup>

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<sup>1</sup> Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 10 – 24 (Jun. 27, 2024) ("Penalty Matrix").

<sup>2</sup> See Staff's Report and Recommendation, Transportation Division (Mar. 24, 2025).

- a. Count 1: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without first ensuring Shane Parker had been medically examined and certified during the preceding twenty-four (24) months. Fritzler Trucking did not ensure Shane Parker, Aaron Lari or Keath Backstrom had been medically examined and certified prior to allowing them to operate a commercial motor vehicle, which resulted in three (3) violations of 49 C.F.R. 391.45(b), adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- b. Count 2: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without having the commercial motor vehicle inspected in the previous twelve months. Fritzler Trucking operated eleven vehicles without having had them inspected in the twelve months prior to their use in a transport, resulting in eleven (11) violations of 49 C.F.R. 396.17, adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- c. Count 3: On September 19, 2024, Fritzler Trucking required or permitted its driver, Aaron Lari, to operate a commercial driver's license required commercial motor

vehicle (a 2007 Sterling International, VIN ending in 6593, GVWR over 66,000 lbs.) in Kansas on a public road (Jetmore to Ness City) when Aaron Lari was involved in an accident. Fritzler Trucking failed to require Aaron Lari to submit to post-accident testing for alcohol or controlled substances, resulting in one (1) violation of 49 C.F.R. 382.303(a) and (b), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- d. Count 4: On November 17, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 Sterling International, VIN ending in 8773, GVWR 58,000 lbs.) in Kansas on a public road (Ness City to Lane County) prior to enrolling Shane Parker in the company's random testing pool, resulting in one (1) violation of 49 C.F.R. 382.305(i)(2), adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- e. Count 5: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to perform safety sensitive functions (operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County)) after engaging in conduct prohibited by Subpart B, without completing the return to duty process outlined in Part 40, Subpart O, and despite the fact Shane Parker was a prohibited driver in the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse (DACH), resulting in one (1) violation

of 49 C.F.R. 382.305(i)(2), adopted by K.A.R 82-4-3c. The Commission finds that Staff's recommendation of an enhanced penalty of \$3,500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- f. Count 6: On February 20, 2024, Fritzler Trucking required or permitted its driver, Keath Backstrom, to operate a commercial driver's license required commercial motor vehicle (a 2007 Kenworth, VIN ending in 5282, GVWR over 50,000 lbs.) in Kansas on a public road (Jetmore to Ness City) prior to providing its drivers with the company's drug and alcohol program policies. Fritzler Trucking failed to provide drivers Keath Backstrom, Shane Parker, Travis Schweitzer, Aaron Lari or Darby Schwartzkopf with a copy of the employer's written Drug and Alcohol program policies and educational materials, resulting in five (5) violations of 49 C.F.R. 382.601(a), adopted by K.A.R 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- g. Count 7: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without first having his supervisor, Rickey Briney complete the Reasonable Suspicion Supervisor Training required by C.F.R. 382.603, resulting in one (1) violation of 49 C.F.R. 382.603, as adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$100.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- h. Count 8: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without first being enrolled in the FMCSA DACH, which resulted in one (1) violation of 49 C.F.R. 382.711, as adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- i. Count 9: On September 19, 2024, Fritzler Trucking required or permitted its driver, Aaron Lari, to operate a commercial driver's license required commercial motor vehicle (a 2007 Sterling International, VIN ending in 6593, GVWR over 66,000 lbs.) in Kansas on a public road (Jetmore to Ness City) when Aaron Lari was involved in an accident. Fritzler Trucking did not maintain an accident register for 3 years after the accident, which included the required information for the accident that occurred during this transport, resulting in one (1) violation of 49 C.F.R. 390.15(b), as adopted by K.A.R. 82-4-3f. The Commission finds that Staff's recommendation of a penalty of \$200.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- j. Count 10: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without first making an inquiry in to the driving record of each driver to the appropriate state agencies in which the

driver held a commercial motor vehicle operator's license. Fritzler Trucking failed to conduct such an inquiry into Shane Parker, Aaron Lari, Keath Backstrom, Travis Schweitzer or Darby Schwartzkopf, resulting in five (5) violations of 49 C.F.R. 391.25, as adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- k. Count 11: On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Scott County) without first maintaining a road test certificate in the driver's qualification file for drivers Shane Parker, Darby Schwartzkopf, Travis Schweitzer and Keath Backstrom, resulting in four (4) violations of 49 C.F.R. Part 391.51(b), as adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$100.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- l. Count 12: On September 13, 2024, Fritzler Trucking required or permitted its driver, Aaron Lari, to operate a commercial driver's license required commercial motor vehicle (a 2007 Sterling International, VIN ending in 6593, GVWR over 66,000 lbs.) in Kansas on a public road (Jetmore to Hodgeman County) without requiring Aaron Lari to obtain a valid commercial driver's license. Fritzler Trucking allowed drivers Aaron Lari and Shane Parker to operate commercial driver's license required commercial motor vehicles in operations without possessing valid commercial driver's licenses, resulting in two (2) violations of K.S.A. 8-2,125 and

49 C.F.R. 392.2. as adopted by K.A.R. 82-4-3h The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

m. Count 13: On November 17, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 58,000 lbs.) in Kansas on a public road (Ness City to Lane County), which required Shane Parker to drive after being on-duty or driving for over seventy (70) hours in eight (8) days, which is one (1) violation of 49 C.F.R. 395.3, as adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

n. Count 14: On November 2, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver's license required commercial motor vehicle (a 2007 International, VIN ending in 8773, GVWR over 50,000 lbs.) in Kansas on a public road (Ness City to Scott County), without requiring Shane Parker to prepare a record of duty status when required to do so. Fritzler Trucking did not require Shane Parker (on two transports) and Travis Schweitzer to prepare a record of duty status when required to do so, resulting in three (3) violations of 49 C.F.R. 395.8, as adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

9. The Commission hereby adopts Staff's findings as contained in its March 24, 2025,

R&R.

10. The Commission finds that Fritzler Trucking is required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order.<sup>3</sup> A schedule of the dates and locations for safety seminars can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

11. The Commission further finds that Fritzler Trucking is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.<sup>4</sup>

12. The Commission further finds that Fritzler Trucking is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.<sup>5</sup>

13. Failure to comply with the requirements of this Penalty Order shall result in the suspension of Fritzler Trucking's motor carrier operating authority without further notice.<sup>6</sup>

14. The Commission concludes the penalty of \$9,650.00 for the six violations set forth above, and the additional three requirements set forth in paragraphs 10, 11, and 12 are just and reasonable.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Fritzler Trucking is hereby assessed a \$9,650.00 civil penalty for forty (40) violations, set forth in fourteen (14) counts, of Kansas law governing the regulation of motor

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<sup>3</sup> See Id., p. 4.

<sup>4</sup> See Id.

<sup>5</sup> See Id.

<sup>6</sup> K.S.A. 66-1,105.

carriers, the Kansas Administrative regulations, and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Fritzler Trucking is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days of the date of this Order.

C. Fritzler Trucking is hereby ordered to submit a written, comprehensive corrective action plan ("CAP") that is satisfactory to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

D. Fritzler Trucking is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

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

F. 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 \$500.00, 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.<sup>7</sup> For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.<sup>8</sup>

G. If you do not request a hearing, the payment of the civil penalty of \$9,650.00 is due thirty (30) days from the date of service of this Order. Payment of \$9,650.00 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network ("KTRAN") system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure of Fritzler Trucking to perform, pay, or fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of Fritzler Trucking's motor carrier operating authority without further notice.<sup>9</sup> Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

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<sup>7</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

<sup>8</sup> K.S.A. 66-1,142b(e) and amendments thereto.

<sup>9</sup> K.S.A. 66-1,105.

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 04/29/2025



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Celeste Chaney-Tucker  
Executive Director

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**ATTACHMENT "A"**

**REPORT AND RECOMMENDATION  
TRANSPORTATION DIVISION**

**TO:** Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

**FROM:** Jared Smith, Deputy Director of Transportation

**DATE:** March 24, 2025

**SUBJECT: Docket No. 25-TRAM-363-PEN**  
In the Matter of the Investigation of **Fritzler Trucking Inc of Ness City, Kansas**  
Regarding the Violation of the Motor Carrier Rules and Regulations and the  
Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of  
Motor Carrier Authority

**EXECUTIVE SUMMARY:**

Fritzler Trucking Inc (Fritzler Trucking) is a motor carrier (MC) possessing public for-hire operating authority from the Kansas Corporation Commission (Commission), primarily hauling oil field equipment, machinery, large objects and aggregates. Fritzler Trucking Inc operates under USDOT 328010. From February 13 through February 19, 2025, Commission Staff Special Investigators (SIs) completed a safety compliance investigation of the operations of Fritzler Trucking. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SIs identified forty (40) violation(s), set forth in fourteen (14) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$9,650 be issued to the MC.

**DISCUSSION AND ANALYSIS:**

From February 13 through February 19, 2025, Commission Staff SIs conducted a safety compliance investigation of the operations of Fritzler Trucking. The investigation covers a 365-day period any previous compliance review. Each specific count is detailed below.

**Count One (1 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 391.45 states: “The following persons must be medically examined and certified in accordance with § 391.43 as physically qualified to operate a commercial motor vehicle:

- (a) Any person who has not been medically examined and certified as physically qualified to operate a commercial motor vehicle;
- (b) Any driver who has not been medically examined and certified as qualified to operate a commercial motor vehicle during the preceding 24 months, unless the driver is required to be examined and certified in accordance with paragraph (c), (d), (e), (f), (g), or (h) of this section;
- (c) Any driver authorized to operate a commercial motor vehicle only within an exempt intracity zone pursuant to § 391.62, if such driver has not been medically examined and certified as qualified to drive in such zone during the preceding 12 months;
- (d) [Reserved]
- (e) Any driver who has diabetes mellitus treated with insulin for control and who has obtained a medical examiner's certificate under the standards in § 391.46, if such driver's most recent medical examination and certification as qualified to drive did not occur during the preceding 12 months;
- (f) Any driver who does not satisfy, with the worse eye, either the distant visual acuity standard with corrective lenses or the field of vision standard, or both, in § 391.41(b)(10)(i) and who has obtained a medical examiner's certificate under the standards in § 391.44, if such driver's most recent medical examination and certification as qualified to drive did not occur during the preceding 12 months;
- (g) Any driver whose ability to perform his or her normal duties has been impaired by a physical or mental injury or disease; and
- (h) On or after June 23, 2025, any person found by a medical examiner not to be physically qualified to operate a commercial motor vehicle under the provisions of paragraph (g)(3) of § 391.43.”

**Materials Facts and Supporting Documents:** On November 1, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a commercial driver’s license (CDL) required commercial motor vehicle (CMV), a 2007 International, VIN ending in 8773, GVWR 58,000 lbs., in intrastate commerce from Ness City, Kansas to Scott County in Kansas. This transport is evidence by the driver’s Weekly Time Sheet, attached hereto as **Exhibit 2** and the invoice for Joe Gerstner Oil, Lease Fautot #1 dated November 1, 2024, attached hereto as **Exhibit 3**. At the time of this transport, the MC failed to ensure the driver was medically qualified to operate a CMV. The following drivers operated commercial motor vehicles prior to being medically examined and certified: Shane Parker (November 1, 2024), Aaron Lari, (September 30, 2024) and Keath Backstrom (November 4, 2024), resulting in three violations. **Violation:** Fritzler Trucking required or permitted its driver to operate a commercial motor vehicle when the driver had not been medically examined and certified during the preceding 24 months, which is a violation of 49 C.F.R. 391.45(b), adopted by K.A.R 82-4-3g (**Exhibit 1, Page 3**). Three (3) violations were discovered (**Exhibit 1, Page 21**).

**Recommendations:** Staff recommends a fine of \$500, in accordance with FY2025 Penalty Matrix.

**Count Two (2 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 396.17 states: “Every commercial motor vehicle must be inspected as required by this section. The inspection must include, at a minimum, the parts and accessories set forth in appendix A to this part. The term commercial motor vehicle includes each vehicle in a combination vehicle. For example, for a tractor semitrailer, full trailer combination, the tractor, semitrailer, and the full trailer (including the converter dolly if so equipped) must each be inspected.”

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The most recent inspection of the 2007 International involved in this transport, Annual Vehicle Inspection Report No. 2020, dated February 17, 2020, is attached hereto as **Exhibit 4**. The MC failed to provide an annual inspection performed in the year prior to this transport. Fritzler Trucking was unable to provide recent annual inspections for the following eleven vehicles: 2007 International with VIN ending in “8773,” 2007 Sterling with VIN ending in “6372,” 2000 Freightliner with VIN ending in “6503,” 2014 Peterbilt with VIN ending in “6011,” 1996 Kenworth with VIN ending in “4114,” 2007 Kenworth with VIN ending in “6841,” 2022 Ram with VIN ending in “5171,” 1995 International with VIN ending in “5519,” 2001 International with VIN ending in “0634,” 2012 Hillsboro Flatbed trailer with VIN ending in “6372,” 2002 International with VIN ending in “1833.”

**Violation:** Fritzler Trucking operated a CMV not periodically (annually) inspected, which is a violation of Title 49 C.F.R. Part 396.17, adopted by K.A.R. 82-4-3j (**Exhibit 1, Page 3**). Eleven (11) violations were discovered (**Exhibit 1, Page 21**).

**Recommendations:** Staff recommends a fine of \$1,000 in accordance with the FY2025 Penalty Matrix.

### **Count Three (3 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 382.303 (a) and (b) states: “As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers:

- (i) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
  - (j) Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved
- (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.”

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:

- (b) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (c) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

- Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.”

**Materials Facts and Supporting Documents:** On September 19, 2024, Fritzler Trucking required or permitted its driver, Aaron Lari, to operate a CDL-required CMV, a 2007 Sterling, VIN ending in 6593, GVWR 66,000 lbs., in intrastate commerce from Jetmore, Kansas to Ness City, Kansas. At the time of this transport, Mr. Lari was involved in an accident. This is evidenced by Kansas Motor Vehicle Crash Report No. 2024011284, attached hereto as **Exhibit 5** and Driver/Vehicle Examination Report No. KSHP04600551, attached hereto as **Exhibit 6**. The MC failed to conduct post-accident testing on the driver for alcohol and controlled substances following the DOT recordable accident as required by 49 C.F.R. 382.303(a) and (b) and adopted by K.A.R. 82-4-3c.

**Violation:** Fritzler Trucking failed to conduct post-accident alcohol and post-accident controlled substance testing on the driver following a DOT recordable accident, which is a violation of 49 C.F.R. Part 382.303(a) and (b), adopted by K.A.R. 82-4-3c. (**Exhibit 1, Pages 3 to 4**). One (1) violation was discovered. (**Exhibit 1, Page 20**).

**Recommendation:** Staff recommends a fine of \$1,000 in accordance with FY2025 Penalty Matrix.

#### **Count Four (4 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 382.305(i)(2)states: “Each driver selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made.”

**Materials Facts and Supporting Documents:** On November 17, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a CDL-required CMV, a 2007 International, VIN ending in 8773, GVWR 58,000 lbs., in intrastate commerce from Ness City, Kansas to Lane County in Kansas. This transport is evidenced by invoice for Grand Mesa Operating Company, lease #1-8 dated November 17, 2024, attached hereto as **Exhibit 7** and HireRight Employee Roster and Updates for the 4th Quarter showing draw dates October 1, 2024 through December 25, 2024, attached hereto as **Exhibit 8**. At the time of this transport Driver Shane Parker was not enrolled in the random testing pool, resulting in one (1) violation.

**Violations:** Fritzler Trucking failed to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made, which is a violation of 49 C.F.R. 382.305(i)(2), adopted by K.A.R. 82-4-3c. (**Exhibit 1, Page 4**). One (1) violation was discovered. (**Exhibit 1, Page 21**).

**Recommendation:** Staff recommends a fine of \$500, in accordance with FY2025 Penalty Matrix.

#### **Count Five (5 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R. Part 382.503 states: (a) No driver who has engaged in conduct prohibited by subpart B of this part shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O, of

this title. No employer shall permit a driver who has engaged in conduct prohibited by subpart B of this part to perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O, of this title.

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The MC required or permitted Driver Shane Parker to perform safety sensitive functions after engaging in conduct prohibited by Subpart B, without completing the return to duty process outlined in Part 40, Subpart O, resulting in one (1) violation. This is evidenced by the CDLIS report, attached hereto as **Exhibit 9**, which states in capital red letters "DRIVER IS PROHIBITED FROM OPERATING UNDER 382.501(A)." Additionally, the Drug and Alcohol Clearinghouse Report, attached hereto as **Exhibit 10**, states "Driver Prohibited" underneath a red line. The report states Mr. Parker's violation was the result of a positive drug test. At the time of this transport, Driver Shane Parker was prohibited from operating a commercial motor vehicle.

**Violation:** Fritzler Trucking required or permitted a driver to perform safety sensitive functions after engaging in conduct prohibited by Subpart B, without completing the return to duty process outlined in Part 40, Subpart O, which is a violation of 49 C.F.R. 382.503, as adopted by K.A.R. 82-4-3c (**Exhibit 1, Page 5**). One (1) violation discovered. (**Exhibit 1, Page 20**)

**Recommendation:** Staff recommends a penalty of \$3,500, in accordance with the FY2025 Penalty Matrix.

#### **Count Six (6 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 382.601 states: "Each employer shall provide educational materials that explain the requirements of this part and the employer's policies and procedures with respect to meeting these requirements.

(1) The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

(2) Each employer shall provide written notice to representatives of employee organizations of the availability of this information."

**Material Facts and Supporting Documents:** On February 20, 2024, Fritzler Trucking required or permitted its driver, Keath Backstrom, to operate a CDL-required CMV, a 2007 Kenworth, VIN ending in 5282, GVWR 50,000 lbs., intrastate commerce from Jetmore, Kansas to Ness City, Kansas. This transport is evidenced by Driver/Vehicle Examination Report No. KSHP04502440, attached hereto as **Exhibit 11**. The MC failed to provide evidence it provided educational materials explaining requirements of part 382 and employer's drug and alcohol program policies, to Keath Backstrom, Shane Parker, Travis Schweitzer, Aaron Lari or Darby Schwartzkopf, resulting in five (5) violations.

**Violation:** Fritzler Trucking failed to provide drivers with a copy of the employer's written Drug and Alcohol program policies and educational materials, which is a violation of 49 C.F.R. 382.601(a), adopted by K.A.R.82-4-3c. (**Exhibit 1, Page 5**). Five (5) violations discovered. (**Exhibit 1, Page 21-22**).

**Recommendation:** Staff recommends a fine of \$500, in accordance with FY2025 Penalty Matrix.

#### **Count Seven (7 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 382.603 states: “Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under § 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.”

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The MC failed to provide evidence that the drivers’ supervisor, President Rickey Briney, had completed the Reasonable Suspicion Supervisor Training required by C.F.R. 382.603, resulting in one (1) violation.

**Violation:** Fritzler Trucking failed to provide documentation that the drivers’ supervisor had completed the Reasonable Suspicion Training required by 49 C.F.R. 382.603, as adopted by K.A.R. 82-4-3c. **(Exhibit 1, Page 6).** One (1) violation was discovered. **(Exhibit 1, Page 20).**

**Recommendation:** Staff recommends a fine of \$100, in accordance with the FY2025 Penalty Matrix.

#### **Count Eight (8 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 382.711 states: “Each employer and service agent must register with the Clearinghouse before accessing or reporting information in the Clearinghouse.”

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The MC failed to enroll in the FMCSA Drug and Alcohol Clearinghouse (DACH) as required by C.F.R. 382.711. This transport is evidenced by the DACH Search, attached hereto as **Exhibit 12**. The DACH Search states no employer account was found associated with USDOT No. 328010.

**Violation:** Fritzler Trucking failed to enroll in the DACH as required by 49 C.F.R. 382.711, as adopted by K.A.R. 82-4-3c. **(Exhibit 1, Page 6).** One (1) violation was discovered. **(Exhibit 1, Page 20).**

**Recommendation:** Staff recommends a fine of \$1,000, in accordance with the FY2025 Penalty Matrix.

#### **Count Nine (9 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 390.15(b) states: “Motor carriers must maintain an accident register for 3 years after the date of each accident. Information placed in the accident register must contain at least the following:

- (1) A list of accidents defined at § 390.5 of this chapter containing for each accident:
  - (i) Date of accident
  - (ii) City or town, or most near, where the accident occurred and the State where the accident occurred.
  - (iii) Driver Name.”
  - (iv) Number of injuries.
  - (v) Number of fatalities.

- (vi) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicle involved in the accident, were released.

(2) Copies of all accident reports required by State or other governmental entities or insurers  
**Material Facts and Supporting Documents:** This violation took place during the transport on September 19, 2024, described in Count Three, above (*See Exhibit 5*). The MC did not provide an accident register that recorded the required information for the accident that occurred on September 19, 2024.

**Violation:** Fritzler Trucking failed to maintain an accident register for a period of three years after an accident occurs, which is a violation of 49 C.F.R. 390.15(b), as adopted by K.A.R. 82-4-3f (**Exhibit 1, Page 7**). One (1) violation discovered (**Exhibit 1, Page 21**).

**Recommendation:** Staff recommends a fine of \$200, in accordance with the FY2025 Penalty Matrix.

#### **Count Ten (10 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R. 391.25(a) states: "Except as provided in subpart G of this part, each motor carrier shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to each driver's licensing authority where the driver held a commercial motor vehicle operator's license or permit during the time period."

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The MC did not provide a motor vehicle record (MVR) obtained in the twelve months prior to their documented transport for Shane Parker (November 1, 2024), Aaron Lari (September 30, 2024), Keath Backstrom (November 4, 2024), Travis Schweitzer (August 29, 2024) or Darby Schwartzkopf (December 18, 2024), resulting in five (5) violations.

**Violations:** Fritzler Trucking failed to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months, which is a violation of 49 C.F.R. 391.25, as adopted by K.A.R. 82-4-3g (**Exhibit 1, Page 8**). Five (5) violations discovered. (**Exhibit 1, Page 20**).

**Recommendations:** Staff recommends a fine of \$250, in accordance with the FY2025 Penalty Matrix.

#### **Count Eleven (11 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R. 391.51 states: "Each motor carrier shall maintain a driver qualification file for each driver it employs. (b) The qualification file for a driver must include:...

- (vii) The certificate of driver's road test issued to the driver pursuant to § 391.31(e), a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to § 391.33, or the original of the written statement providing that the motor carrier determined the driver is not required by § 391.44(d) to complete a road test pursuant to § 391.44(d)(3)(ii)(A) and the original, or a copy, of the driver's certification required by § 391.44(d)(3)(i)."

**Material Facts and Supporting Documents:** This violation took place during the transport on November 1, 2024, described in Count One, above. The MC did not provide a record of a road test for driver Shane Parker who operated a tank vehicle on November 1, 2024. No road test

certificate was provided for Shane Parker, Darby Schwartzkopf, Travis Schweitzer or Keath Backstrom, resulting in four (4) violations.

**Violations:** Fritzler Trucking failed to maintain a road test certificate in driver's qualification file as required, which is a violation of 49 C.F.R. Part 391.51 (b), as adopted by K.A.R. 82-4-3g (**Exhibit 1, Page 8**). Four (4) violations discovered (**Exhibit 1, Page 20-21**).

**Recommendation:** Staff recommends a penalty of \$100, in accordance with the FY2025 Penalty Matrix.

#### **Count Twelve (12 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** K.S.A 8-2,132 states: “(a) On and after April 1, 1992, except when driving under a commercial class A, B or C or class A or B instruction permit or a valid class C license and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, no person may drive a commercial motor vehicle unless the person has a valid commercial driver's license and is in immediate possession thereof and applicable endorsements valid for the vehicle they are driving, except that no person charged with violating this subsection shall be convicted if such person produces in court or the office of the arresting officer a commercial driver's license issued to such person and valid at the time of the arrest. (b) No person shall drive a commercial motor vehicle while their driving privilege is suspended, revoked or canceled or while subject to a disqualification.

(c) No person shall drive a commercial motor vehicle in violation of an out-of-service order.

(d) Any commercial driver in violation of this section shall be guilty of a class B misdemeanor.”

**Material Facts and Supporting Documents:** On September 13, 2024, Fritzler Trucking required or permitted its driver, Aaron Lari, to operate a commercial motor vehicle, a 2007 Sterling, VIN ending in 6593, GVWR 66,000 lbs. in intrastate commerce from Ness City, Kansas to Hodgeman County in Kansas. This transport is evidenced by Weekly Time Sheet, attached hereto as **Exhibit 13**, a CDLIS report, attached hereto as **Exhibit 14** and the invoice for Becker Oil Corporation, Lease Bradford, Well #1 dated September 13, 2024, attached hereto as **Exhibit 15** At the time of this transport Driver Aaron Lari did not have a valid CDL to operate the CMV. The CDLIS report states only that Mr. Lari was “eligible” for a Class B license. Drivers Aaron Lari and Shane Parker both operated CDL-required CMVs without possessing a valid CDL, resulting in two (2) violations.

**Violations:** Fritzler Trucking required or permitted, Driver Aaron Lari, to operate a CDL-required vehicle without a valid CDL, which is a violation of K.S.A. 8-2,125 and 49 C.F.R. 392.2, as adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 9**). Two (2) violations discovered (**Exhibit 1, Page 21**).

**Recommendation:** Staff recommends a penalty of \$500, in accordance with the FY2025 Penalty Matrix.

#### **Count Thirteen (13 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R. 395.3 (b) states: “No motor carrier shall permit or require a driver of a property-carrying commercial motor vehicle to drive, nor shall any driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, for any period after—

- Having been on duty 60 hours in any period of 7 consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week; or
- Having been on duty 70 hours in any period of 8 consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week.”

**Material Facts and Supporting Documents:** On November 17, 2024, Fritzler Trucking Inc. required or permitted, Driver Shane Parker, to operate a CDL-required CMV, a 2007 International, VIN ending in 8773, GVWR 58,000 lbs., in intrastate commerce from Ness City, Kansas to Lane County in Kansas. This transport is evidenced by Weekly Time Sheet, attached hereto as **Exhibit 16**, and invoice for Grand Mesa Operating Co., Lease #1-8 dated November 17, 2024, attached hereto as **Exhibit 17**. Mr. Parker’s weekly timesheets state as follows:

November 10 – On-duty/Driving: 6 hours	
November 11 – On-duty/Driving: 13 hours	Accumulated time: 19 hours
November 12 – On-duty/Driving: 12.5 hours	Accumulated time: 31.5 hours
November 13 – On-duty/Driving: 9.5 hours	Accumulated time: 41 hours
November 14 – On-duty/Driving: 12.5 hours	Accumulated time: 53.5 hours
November 15 – On-duty/Driving: 11.5 hours	Accumulated time: 65 hours
November 16 – On-duty/Driving: 3 hours	Accumulated time: 68 hours
November 17 – On-duty/Driving: 14 hours	Total time: 82 hours

On November 17, Mr. Parker’s time sheet states he spent four of the fourteen hours he worked driving. At the time of that transport, the MC required or permitted its driver to operate after having been on duty 70 hours in 8 days, resulting in one (1) violation.

**Violation:** Fritzler Trucking required or permitted its driver to drive a CMV after having been on duty 70 hours in 8 days, which is a violation of 49 C.F.R. 395.3, adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 10**). One (1) violation discovered (**Exhibit 1, Page 21**).

**Recommendation:** Staff recommends a fine of \$250, in accordance with FY2025 Penalty Matrix.

#### **Count Fourteen (14 of 14)**

**Authority:** K.S.A. 66-1,111 and 66-1,129.

**Relevant Statutes:** 49 C.F.R 395.8 states: “Except for a private motor carrier of passengers (nonbusiness), as defined in § 390.5 of this subchapter, a motor carrier subject to the requirements of this part must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed in paragraphs (a)(1)(i) through (iii) of this section, as applicable.”

**Material Facts and Supporting Documents:** On November 2, 2024, Fritzler Trucking required or permitted its driver, Shane Parker, to operate a CDL-required CMV, a 2007 International, VIN ending in 3959, GVWR 50,000 lbs., in intrastate commerce from Ness City, Kansas to Scott County in Kansas. This transport is evidenced by his Weekly Time Sheet and invoice for Joe Gerstner Oil, lease Faurot #1 dated 11-2-24, both attached hereto as **Exhibit 18**. At the time of this transport, MC failed to require Mr. Parker, to complete a record of duty status. Mr. Parker was on duty and driving a total of 15.5 hours and did not meet the provisions for the 150-air mile radius exemption. The MC failed to require Shane Parker (November 2 and 5, 2024) and Travis Schweitzer (August 28, 2024) to prepare a record of duty status when required to do so, resulting in three (3) violations.

**Violation:** Fritzler Trucking failed to require its driver to prepare a record of duty status using the appropriate method, which is a violation of 49 C.F.R. Part 395.8, as adopted by K.A.R. 82-4-3a (**Exhibit 1, Page 10 – 11**). Three (3) violations were discovered (**Exhibit 1, Page 20**).

**Recommendation:** Staff recommends a fine of \$250, in accordance with FY2025 Penalty Matrix.

**RECOMMENDATION:**

Transportation Staff recommends the Commission find Fritzler Trucking Inc committed forty (40) violations, set forth in fourteen (14) specific counts, of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$9,650 for forty (40) violations of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Fritzler Trucking Inc require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

Staff further recommends Fritzler Trucking Inc submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

Finally, Staff recommends that Fritzler Trucking Inc submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

## **EXHIBIT 1**

# UNITED STATES DEPARTMENT OF TRANSPORTATION



**U.S. DOT#:** 328010  
**MC/MX#:** 653112

**Legal:** FRITZLER TRUCKING INC  
**Operating (DBA):**

**Investigation Date:**  
03/04/2025

**Investigation Type:** Onsite Comprehensive Investigation

**Location of Investigation:** Company principal place of business (PPOB)

**Extent of Operations:** Entire Operation

## Physical Address

14216 US HWY 283  
NESS CITY, KS 67560  
United States

## Mailing Address

14216 US HWY 283  
NESS CITY, KS 67560  
United States

## Contact Information

**Contact Name:** BILLY BRINEY  
**Email:** fritztruckin@yahoo.com  
**Phone:** (785)798-3641 **Cell:** ( )- **Fax:** (785)798-3869

## Business and Financial

**Business Type:** Corporation  
**Name of Gross Revenue Provider:** BILLY BRINEY  
**Title of Gross Revenue Provider:** VICE PRESIDENT  
**Gross Revenue:** [REDACTED] **For Year Ending:** 12/31/2024  
**Federal Tax ID:** [REDACTED]

## Operation Classification and Type

**Type of Operation:** Non-HM Interstate Carrier, Non-HM Intrastate Carrier

## Cargo

Oil Field Equipment, Machinery, Large Objects, Other (Aggregates)

## Operation Classification

For-Hire Motor Carrier  
Property  
Other Non-Hazardous Freight

## Equipment

	Owned	Term Leased	Trip Leased
Straight Trucks	19		
Truck Tractors	12		
Trailers	29		

## Driver Information

Drivers	Intrastate	Interstate
< 100 Miles	18	
>= 100 Miles		

**Power units used in the U.S.:** 31  
**Percentage of time used in the U.S.:** 100%

**Average trip leased driver/month:** 0  
**Drivers with CDL:** 12  
**Total Drivers:** 18

## Person(s) Interviewed

**Name:** RICKEY BRINEY  
**Name:** BILLY BRINEY

**Title:** PRESIDENT  
**Title:** VICE PRESIDENT

**Questions**

Questions about this report or the Federal Motor Carrier 1303 SW FIRST AMERICAN PL STE 200  
Safety or Hazardous Materials regulations may be TOPEKA, KS 66604-4040  
addressed to the Federal Motor Carrier Safety Phone: (785) 271-1260  
Administration at: Fax: (877) 547-0378

**This report will be used to assess your safety compliance.**

## Violations

### 1. Primary: 391.45(b)

### Secondary: 391.11(a)

Using a driver not medically examined and certified during the preceding 24 months.



### Critical

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
-----	-------	-------

3	3	
---	---	--

### Checked

Fed	State	Total
-----	-------	-------

5	5	
---	---	--

**BASIC Impacted**  
Driver Fitness

**Rating Factor 2:**  
Driver = Part 391

### Example/Notes:

Driver name: Shane Parker

Trip date: 11/1/2024

Prior Medical Examiner's Certificate Expiration Date,: None Provided

Current Medical Examiner's Certificate Issue Date: None Provided

### Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

3	3	
---	---	--

### Checked

Fed	State	Total
-----	-------	-------

5	5	
---	---	--

On November 1, 2024 Driver Shane Parker operated commercial motor vehicle Unit 20 a 2007 International 9900 with a GVWR of 58,000 lbs. and hauled six loads of fresh water to an oilwell site belonging to Gerstner Oil, Lease Faurot #1 in Scott County in Kansas. At the time of this operation Driver Shane Parker did not have a valid medical examiners certificate in the driver qualification file.

### 2. Primary: 396.17(a)

Using a commercial motor vehicle not periodically inspected.



### Critical

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
-----	-------	-------

11	11	
----	----	--

### Checked

Fed	State	Total
-----	-------	-------

13	13	
----	----	--

**BASIC Impacted**  
Vehicle Maintenance

**Rating Factor 4:**  
Vehicle = Part 396

### Example/Notes:

Vehicle Unit 20

Date of trip: 11/1/2024

On November 1, 2024 Unit 20 a 2007 International 9900 with a GVWR of 58,000 lbs was operated to transport 6 loads of fresh water to an oilwell site owned by Gerstner Oil in Scott County in Kansas. At the time of this transportation the only annual inspection provided for Unit 20 was completed on February 17, 2020. Fritzler Trucking Inc. did not provide a current annual inspection for Unit 20.

### Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

11	11	
----	----	--

### Checked

Fed	State	Total
-----	-------	-------

13	13	
----	----	--

### 3. Primary: 382.303(a)

Failing to conduct post accident alcohol testing on driver following a recordable crash.

### Violations Discovered

Fed	State	Total
-----	-------	-------

1		1
---	--	---

### Checked

Fed	State	Total
1		1

Example/Notes:

Driver name: Aaron Lari

Accident date: 9/19/2024

Driver charged: Driver was charged with operating without a valid CDL and failure to yield of right of way.

On September 19, 2024 Driver Aaron Lari was operating a CDL required vehicle without a valid CDL and failed to yield the right of way at an intersection to a passenger vehicle which resulted in serious injuries. Fritzler Trucking Inc. failed to complete a post accident alcohol test.

4. Primary: 382.303(b)

Failing to conduct post accident testing on driver for controlled substances.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver name: Aaron Lari

Crash date: 9/19/2024

Citation: Operating without a valid CDL and failure to yield the right of way.

On September 19, 2024 Driver Aaron Lari operated a CDL required vehicle without a valid CDL and failed to yield the right of way at an intersection to a passenger vehicle resulting in serious injuries. Fritzler Trucking Inc. failed to complete a post-accident controlled substance test on Driver Aaron Lari.

5. Primary: 382.305(i)(2)

Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
12		12

Example/Notes:

Driver name: Shane Parker

Selection date: 4th Quarter of 2024

Trip date: 11/17/2024

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

On November 17, 2024 Driver Shane Parker operated Unit 20 to haul 4 loads of fresh water to Grand Mesa Operating Company , Shurpee well #1-8 drilling rig. At the time of this transportation, Driver Shane Parker was not enrolled in the random testing program for the 4th quarter.

#### 6. Primary: 382.503

Allowing a driver to perform safety sensitive functions after engaging in conduct prohibited by Subpart B, without completing the return to duty process outlined in Part 40, Subpart O.

#### Example/Notes:

Driver name: Shane Parker

Trip date: 11/1/2024

Test date: 10/19/2020 and Verified Results on 10/27/2020

Requirements not met: Fritzler Trucking Inc. did not provide any documentation that Driver Shane Parker had completed a SAP evaluation or taken a return to duty test with a negative result.

Prohibited conduct: On November 1, 2024, Driver Shane Parker operated Unit 20 a commercial motor vehicle with a GVWR of 58,000 lbs and hauled 6 loads of fresh water to a drilling rig owned by Joe Gerstner Oil lease name Faurot #1 in Scott County.

#### 7. Primary: 382.601(a)

Failing to provide educational materials explaining requirements of part 382 and employer's drug and alcohol program policies.

#### Example/Notes:

Name: Keith Backstrom

Trip date: 2/20/2024

Information not provided: Fritzler Trucking Inc. did not obtain a signed receipt from Driver Keith Backstrom documenting Fritzler Trucking Inc. had provided the driver with a copy of the written drug and alcohol policy

#### 8. Primary: 382.601(b)

Failing to provide to employees a written policy on misuse of alcohol and controlled

Fed	State	Total
12		12

#### Violations Discovered

Fed	State	Total
1		1

#### Checked

Fed	State	Total
5		5

#### Drivers/Vehicles in Violation

Fed	State	Total
1		1

#### Checked

Fed	State	Total
5		5

#### Violations Discovered

Fed	State	Total
5		5

#### Checked

Fed	State	Total
5		5

#### Drivers/Vehicles in Violation

Fed	State	Total
5		5

#### Checked

Fed	State	Total
5		5

#### Violations Discovered

Fed	State	Total
-----	-------	-------

substances that meets the requirements of 382.601(b) 1-12.

Example/Notes:

Driver name: Shane Parker  
Trip date:11/1/2024

Information not included in policy: Fritzler Trucking Inc. did not have a written drug and alcohol policy that showed a DER (Designated Employee Representative). The only information provided was the guidance on how to write the companies drug and alcohol policy provided by STA United Inc. in 1995. The information provided did not meet the requirements of 382.601(b)-12.

9. Primary: 382.603

Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

Example/Notes:

Driver name: Shane Parker  
Trip date: November 1, 2024  
Supervisor/Company official not trained: President Rickey Briney

On November 1, 2024 Driver Shane Parker operated unit 20 to haul six loads of fresh water to a drilling rig in Scott County, Kansas. Fritzler Trucking Inc. did not have anyone training in reasonable suspicion at the time of this transportation.

10. Primary: 382.711(b)

Failing to register in the Clearinghouse.

Example/Notes:

Driver Shane Parker  
Trip Date: 11/1/2024

1		1
Checked		
Fed	State	Total
1		1

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Drivers/Vehicles in Violation

Fed	State	Total

Checked

On November 1, 2024 Driver Shane Parker transported 6 loads of fresh water to an oil well site in Scott County, Kansas. At the time of this transportation Fritzler Trucking Inc. was not enrolled in the Drug and Alcohol Clearinghouse.

11. Primary: 390.15(b)

Failing to maintain, for a period of three years after an accident occurs, an accident register.

Example/Notes:

Driver name: Aaron Lari  
Accident/Trip date: 9/19/2024

Description of violation: On September 9, 2019 Driver Aaron Lari was involved in a serious injury DOT Recordable accident . Driver Lari failed to yield the right of way and struck a passenger vehicle. Fritzler Trucking Inc. failed to maintain an accident register for this accident and did not obtain a copy of the accident report from the State of Kansas or an insurance loss form for this accident. Investigators were able to obtain a copy of the accident report from the Kansas Highway Patrol.

12. Primary: 391.21(a)

Using a driver who has not completed and furnished an employment application.

Example/Notes:

Driver name: Shane Parker  
Trip date: 11/1/2024

Description of violation: Driver Shane Parkers application for employment was incomplete as it did not have 10 years of previous employer history and did not state whether the driver was subject to the FMCSR's or the drug and alcohol testing requirements.

13. Primary: 391.23(e)(1)

Failing to investigate the driver's alcohol and controlled substances history for the previous 3 years.

Fed	State	Total
-----	-------	-------

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

Checked

Fed	State	Total
-----	-------	-------

Violations Discovered

Fed	State	Total
	5	5

Checked

Fed	State	Total
	5	5

Drivers/Vehicles in Violation

Fed	State	Total
	5	5

Checked

Fed	State	Total
	5	5

Violations Discovered

Fed	State	Total
	2	2

Checked

Fed	State	Total
-----	-------	-------

**Example/Notes:**

Driver name: Shane Parker  
 Trip date: 11/1/2024

Description of violation: Fritzler Trucking Inc. failed to obtain a previous employer inquiry from Paul's Oilfield Services to obtain Driver Shane Parker previous drug and alcohol performance history.

**14. Primary: 391.25(a)**

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

**Drivers/Vehicles in Violation**

Fed	State	Total
	2	2

**Checked**

Fed	State	Total
	5	5

**Violations Discovered**

Fed	State	Total
	5	5

**Checked**

Fed	State	Total
	5	5

**Example/Notes:**

Driver name: Shane Parker  
 Trip date: 11/1/2024

Description of violation: Fritzler Trucking Inc. had not obtained an MVR on any of the five drivers reviewed until after being notified for this investigation. Only MVR's provided were ran on January 24, 2025.

**15. Primary: 391.51(b)(3)**

Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.

**Drivers/Vehicles in Violation**

Fed	State	Total
	5	5

**Checked**

Fed	State	Total
	5	5

**Violations Discovered**

Fed	State	Total
	4	4

**Checked**

Fed	State	Total
	5	5

**Example/Notes:**

Driver name: Shane Parker  
 Trip date: 11/1/2024

Description of violation: Shane Parker operated Unit 20 a 120 barrel transport truck and hauled 6 loads of fresh water to an oilwell site in Scott County in Kansas. At the time of this transportation Fritzler Trucking Inc. had not obtain a road test for Driver Shane Parker.

**16. Primary: 391.51(b)(5)**

**Drivers/Vehicles in Violation**

Fed	State	Total
	4	4

**Checked**

Fed	State	Total
	5	5

**Violations Discovered**

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example/Notes:

Driver name: Shane Parker  
Trip date: 11/1/2024

Description of violation: Fritzler Trucking Inc. failed to complete an annual review of each drivers driving record and complete the annual review form and sign off on whether the driver met the minimum requirements for safe driving.

17. Primary: 391.51(b)(8)

Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file(s).

Example/Notes:

Driver name: Travis Schweitzer  
Trip date: 8/29/2024

Description of violation: Fritzler Trucking Inc. failed to make a note that they had verified that the medical professional that completed the medical certification examination was listed on the National Registry of Certified Medical Examiners

18. Primary: 392.2  
State Equivalent: K.S.A. 8-2,125

Operating without a valid CDL

Example/Notes:

Company Number: Unit Rig # 14  
Driver Name: Aaron Lari  
Trip Date: 9/13/2024

Fed	State	Total
	5	5

Checked

Fed	State	Total
	5	5

Drivers/Vehicles in Violation

Fed	State	Total
	5	5

Checked

Fed	State	Total
	5	5

Violations Discovered

Fed	State	Total
	3	3

Checked

Fed	State	Total
	5	5

Drivers/Vehicles in Violation

Fed	State	Total
	3	3

Checked

Fed	State	Total
	5	5

Violations Discovered

Fed	State	Total
	2	2

Checked

Fed	State	Total
	5	5

Drivers/Vehicles in Violation

Fed	State	Total
	2	2

Checked

Description of Violation: On September 13, 2024, Driver Aaron Lari operated Unit Rig 13 a 2007 Sterling with a GVWR of 66,000 lbs. and VIN number [REDACTED] 6593 to an oilwell site owned by Becker Oil Company, lease name Bradford #1 and set up the rig. At the time of this investigation Driver Aaron Lari did not have a valid Class B CDL according to CDLIS on 1/21/2025.

### 19. Primary: 395.3(b)(2)

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after having been on duty 70 hours in 8 consecutive days.

Fed	State	Total
	5	5

#### Violations Discovered

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	115	115

#### Example/Notes:

Dates of 8-day period: 11/10/2024 to 11/17/2024

Driver name: Shane Parker

Date/Time Violation Began: 11/17/2024

Total Hours Driven in Violation: 2 hours

Trip Date 11/17/2024

#### Drivers/Vehicles in Violation

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	5	5

Violation Description: On November 17, 2024 Driver Shane Parker drove after being on duty 70 hours in eight days. Driver Shane Parker was on duty and driving on 11/10/2024 for 6 hours, was on duty on 11/11/2024 for 13 hours, on duty and driving on 11/12/2024 for 12 1/2 hours, was on duty on 11/13/2024 for 9 1/2 hours, was on duty on 11/14/2024 for 12 1/2 hours, was on duty on 11/15/2024 for 11 1/2 hours, was on duty on 11/16/2024 for 3 hours and on duty and driving on 11/17/2024 for 14 hours for a total of 82 hours. Driver noted that he had 3 hours in the shop, 7 hours watering cattle and 4 hours hauling 4 loads of fresh water to an oilwell site belonging to Grand Mesa Operating Company lease Shurpee #1-8 in Lane County in Kansas. Therefore Driver Shane Parker drove 2 hours after being on duty for 70 hours in 8 days.

### 20. Primary: 395.8(a)(1)

Failing to require a driver to prepare a record of duty status using the appropriate method.

#### Violations Discovered

Fed	State	Total
	3	3

#### Checked

Fed	State	Total
	150	150

#### Example/Notes:

Number Checked - 150

Number Discovered - 2 days

#### Drivers/Vehicles in Violation

Fed	State	Total
	3	3

#### Checked

Fed	State	Total
-----	-------	-------

Violation Description: On November 2, 2024 Driver Shane Parker was on duty and driving for a total of 15 1/2 hours. Driver Shane Parker completed a time card on November 2, 2024 and would have been required to complete a Record of Duty Status for this day because he was on duty more than 14 hours.

5	5
---	---

## 21. Primary: 396.3(b)(1)

Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.

### Violations Discovered

Fed	State	Total
	13	13

### Checked

Fed	State	Total
	13	13

### Example/Notes:

Company number: Unit 17

Trip Date 1/30/2024

### Drivers/Vehicles in Violation

Fed	State	Total
	13	13

### Checked

Fed	State	Total
	13	13

Violation Description: The maintenance record provided maintenance records that were not properly identified. The maintenance file was missing the VIN number and the tire size.

## 22. Primary: 396.9(d)(3)

Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.

### Violations Discovered

Fed	State	Total
	2	2

### Checked

Fed	State	Total
	4	4

### Example/Notes:

Date of inspection: 2/20/2024

Issuing agency: Kansas Highway Patrol

Driver name: Keith Backstrom

Vehicle ID: Unit 4

### Drivers/Vehicles in Violation

Fed	State	Total
	2	2

### Checked

Fed	State	Total
	4	4

Violation Description: Fritzler Trucking Inc. failed to retain copies of roadside inspections for 12 months.

## Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Conditional	0	1
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396	Conditional		1
OOS Vehicles (CR): 0			
Number of Vehicles Inspected (CR): 0			
OOS Vehicles (MCMIS): 0			
Number of Vehicles Inspected (MCMIS): 0			
OOS Rate: 0%			
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate	Satisfactory	N/A	N/A
Total Miles Operated: 388,023			
Recordable Accidents: 1			
Recordable Accidents/Million Miles: 2.58			

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

**DataQs:** If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

## **Process Breakdown and Remedies**

### **BASIC: Unsafe Driving**

#### **Process Breakdown: Policies and Procedures**

Fritzler Trucking Inc. will ensure that all drivers have a valid CDL for the class of vehicle they are operating and that drivers are not prohibited from operating a commercial motor vehicle prior to allowing a driver to operate any commercial motor vehicle.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a policy requiring drivers to submit copies of all roadside inspections and citations for moving violations to carrier management within 24 hours.
2. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows unsafe-driving violations.

### **BASIC: Driver Fitness**

#### **Process Breakdown: Roles and Responsibilities**

Fritzler Trucking Inc. will ensure that all the drivers have a complete driver qualification file, that the drivers motor vehicle records are completed annually, that drivers have a valid medical examiners certificate completed by a medical professional that is on the National Registry of Certified Medical Examiners and review the drivers qualifications annually to ensure that each driver meets the requirements for safe driving.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Roles and Responsibilities:**

1. Define and document the role of managers and supervisors for implementing driver-fitness policies and for monitoring compliance with them. This should include regular evaluation of the carrier's driver-wellness program.

### **BASIC: Vehicle Maintenance**

#### **Process Breakdown: Monitoring and Tracking**

Fritzler Trucking Inc. will put in place a system to monitor and track when annual inspections are due for each unit. Fritzler Trucking Inc. will ensure that all items listed on a roadside inspection are repaired prior to the vehicle being dispatched out again and will document all repairs and maintenance conducted on each unit. Fritzler Trucking Inc. will maintain on file all roadside inspections for a period of 12 months from the date of the inspection.

#### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:**

1. Check all inspections and relevant records, such as Driver Vehicle Inspection Records (DVIRs), pre-trip and annual inspections, and maintenance and repair records, to ensure that company inspection, repairing, and maintenance policies and procedures are adhered to and properly documented.
2. Monitor and track roadside inspection results to ensure that vehicle defects are repaired and documented promptly and to prevent Out-of-Service (OOS) vehicles from operating prior to being repaired.
3. Maintain inspection, repair, maintenance, vehicle identification, and communication records to help evaluate the performance of all staff (drivers, dispatchers, mechanics, and managers) involved in fleet maintenance and the effectiveness of compliance with vehicle maintenance policies, procedures, and regulations.
4. When monitoring and tracking vehicle maintenance issues, always assess whether an issue is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

**BASIC: Controlled Substances/Alcohol**  
**Process Breakdown: Policies and Procedures**

Fritzler Trucking Inc. will enroll in the Drug and Alcohol Clearinghouse (DACH) and run queries annually on all CDL drivers. Fritzler Trucking Inc. will run a pre-employment query on all newly hired drivers prior to allowing a driver to operate a CDL required vehicle to ensure that the drive is not prohibited. Fritzler Trucking Inc. will ensure that the random selection list is kept current and that the company meets the 10% for the random alcohol testing and the 50% for controlled substance random testing. Fritzler Trucking Inc. will have a written drug and alcohol testing policy, provide a copy to each CDL driver and obtain a signed receipt from each driver that documents they received the policy. Fritzler Trucking Inc. will obtain training for at least one driver supervisor for Reasonable Suspicion Supervisor Training.

**Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
2. Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
3. Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
4. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

# Recommendations

## 1. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

## 2. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

## 3. **Employers are responsible for the compliance of 49 CFR Part 40.**

Employers are responsible for their officers', employees', agents', consortia, and/or contractors' compliance with the requirements of 49 CFR Parts 40 and 382.

## 4. **CDL and drug testing rules apply.**

Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.

## 5. **Establish a maintenance records program for all vehicles.**

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

## 6. **Ensure property-carrying drivers take an off-duty period.**

Ensure property-carrying drivers take an off-duty period of 24 or more consecutive hours prior to restarting any period of 7/8 consecutive days.

## 7. **Positive Drivers**

Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled-substance and alcohol regulations and related company policies and procedures.

## 8. **Return to Duty Process**

Do not allow a driver who has engaged in conduct prohibited by 49 CFR Part 382 to perform safety-sensitive functions until he/she has met with a SAP, been evaluated by a SAP, has completed the training/treatment recommended by the SAP AND has been subject to a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or a return to duty controlled substances test with a negative result.

A driver that returns to duty after completing the return to duty process must have a follow up testing plan indicating a minimum of SIX unannounced follow up tests within the first twelve months.

## 9. **Clearinghouse Annual Query**

Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.

## 10. **Reporting Follow Up information into the Clearinghouse**

Ensure that completion of the follow up testing plan is reported in the Clearinghouse by the end of the third business day after receiving the information.

## 11. **Reasonable Suspicion Training**

Provide new-hire and refresher training, to all managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a substance-abuse professional (SAP); and confidentiality requirements in relation to recordkeeping.

## 12. **MCS-150 biennial updates**

Is Your Registration Information Current?

FMCSA requires carriers to update their registration data via a MCS-150 form every 24 months. Please review, verify and update

your contact information, Vehicle Miles Travelled (VMT) and Power Unit (PU) data to ensure that it is current and accurate, since it is used in the new Carrier Safety Measurement System. You should access the system, review all the information and press the submit button. Once you've done this, the system will record that you've reviewed the information and you will be in compliance with the biennial update requirement.

[https://li-public.fmcsa.dot.gov/LIVIEW/PKG\\_REGISTRATION.prc\\_option](https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option)

**13. Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

**14. Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

**15. Clearinghouse Registration - Employer**

Ensure you are registered in the Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>.

**16. Reporting violations into the Clearinghouse**

Ensure violations are entered into the Clearinghouse within the required time frame. The type of violation and time frame may be found in 49 CFR 382.705(b) of the Federal Motor Carrier Safety Regulations.

**17. Driver's prohibited status in Clearinghouse**

1.

Do not allow a driver who is prohibited in the Clearinghouse to perform safety sensitive functions.

**18. Driver drug tests required.**

Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.

**19. Drivers may not drive interstate unless they have had a physical.**

Do not allow drivers to drive interstate or intrastate unless they have been physically re-examined each 24 months.

**20. Maintain all required controlled substance testing records.**

Maintain all required alcohol and controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .

**21. Clearinghouse Driver Consent**

Ensure driver consent has been obtained and is on file before conducting a limited query.

**22. Ensure that inspections are done at proper intervals.**

Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.

**23. Drug and Alcohol Testing Company Policy (Educational Materials)**

Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.

**24. New Hires**

Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.

Review and evaluate driver applicants gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.

**25. 10-year driver employment history required.**

Ensure that drivers provide a 10-year employment history on their employment application.

**26. Maintain a complete file documenting the qualification process.**

Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required

for each driver, documenting the qualification process.

**27. 150-mile exemption terms must be met.**

If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.

**28. Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

**29. UNSAT & CONDITIONAL**

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. Apply Adequate Resources: Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility. 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 C.F.R. Part 391.23 requires prospective employers to , at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substance history from all employers the driver worked for within the previous three 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 is a screening tool that assists 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.

Motor carriers should visit the following website for more information:

FMCSA Carrier Safety Measurement System (SMS) is based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. SMS effectively identifies and prioritize high risk and other unsafe motor carriers for enforcement interventions and is designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carrier's currently have the ability to preview their companies SMS information.. The data preview may be found at <http://csa.fmcsa.dot.gov/>.

For all Investigations resulting 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 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. Your signature is not an

admission of the violations identified.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings.

Your petition should be addressed to:

US Department of Transportation  
Sue Lawless -Chief Safety Officer Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue SE,  
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation  
Matthew Marrin - Midwestern Field Administrator Federal Motor Carrier Safety Administration  
600 Holiday Plaza Drive, Suite 240  
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation  
Kansas Division Michael Christopher - Division Administrator Federal Motor Carrier Safety Administration  
1303 First American Place, Suite 200  
Topeka, KS 66604-4040

This letter should be submitted as soon as possible. Information on your compliance status, roadside inspections, regulatory changes, accident counter measures and hazardous material counter measures is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

30. MANDATORY FOLLOW UP REQUIREMENTS (ALL INVESTIGATIONS THAT RESULT IN PENALTY)

1) The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all 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.

Submit the letter along with copies of your supporting evidence to:

Email: [Jared.L.Smith@ks.gov](mailto:Jared.L.Smith@ks.gov)  
FAX: 785-271-3124  
or mail:  
Kansas Corporation Commission  
Attn: Jared Smith  
1500 SW Arrowhead Rd  
Topeka, KS 66604-4027

2) The KCC requires a representative from Fritzler Trucking Inc.. to attend a Commission-sponsored safety seminar within thirty (30)

days from the date of the penalty order. Schedule of the dates for safety seminars can be found on the Commissions website at <https://www.kcc.ks.gov/transportation/calendar-of-events>.

FAILURE TO SUBMIT THE CORRECTIVE ACTION PLAN (CAP) AND ATTEND A SAFETY SEMINAR WITHIN 30 DAYS WILL RESULT IN THE SUSPENSION OF FRITZLER TRUCKING INC.'S OPERATING AUTHORITY AND/OR THE IMPOUNDMENT OF FRITZLER TRUCKING INC.'S VEHICLES.

I understand that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Signed \_\_\_\_\_

Date\_\_\_\_\_

## Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
<b>382.711(b) - Failing to register in the Clearinghouse.</b>			
1	11/01/2024	Driver: SHANE PARKER	
<b>382.303(b) - Failing to conduct post accident testing on driver for controlled substances</b>			
1	09/19/2024	Driver: AARON LARI	
<b>382.303(a) - Failing to conduct post accident testing on driver for alcohol.</b>			
1	09/19/2024	Driver: AARON LARI	
<b>382.603 - Fail to get "reasonable suspicion" designee 60 min training</b>			
1	11/01/2024	Driver: RICKEY BRINEY	
<b>391.21(a) - Incomplete or no employment application</b>			
1	11/01/2024	Driver: SHANE PARKER	
<b>391.25(a) - Failing to obtain driver's driving record each 12 months</b>			
1	11/01/2024	Driver: SHANE PARKER	
2	09/30/2024	Driver: AARON LARI	
3	11/04/2024	Driver: KEATH BACKSTROM	
4	08/29/2024	Driver: TRAVIS SCHWEITZER	
5	12/18/2024	Driver: DARBY SCHWATRZKOPF	
<b>391.51(b)(5) - Failing to maintain notation of annual review</b>			
1	11/01/2024	Driver: SHANE PARKER	
<b>391.23(e)(1) - Failing to investigate driver's drug and alcohol history for previous 3 years.</b>			
1	11/01/2024	Driver: SHANE PARKER	
2	11/04/2024	Driver: KEATH BACKSTROM	
<b>391.51(b)(3) - Road test certificate/license/equiv. not kept in qual. file</b>			
1	11/01/2024	Driver: SHANE PARKER	
2	12/05/2024	Driver: DARBY SCHWATRZKOPF	
3	09/13/2024	Driver: TRAVIS SCHWEITZER	
4	11/04/2024	Driver: KEATH BACKSTROM	
<b>391.45(b) - Using a driver not medically examined during preceding 24 months</b>			
1	11/01/2024	Driver: SHANE PARKER	
2	09/30/2024	Driver: AARON LARI	
3	11/04/2024	Driver: KEATH BACKSTROM	
<b>396.17(a) - Using a CMV not periodically inspected</b>			
1	11/01/2024	Equipment: Unit 20	

2	09/19/2024	Equipment: Unit 13
3	08/23/2024	Equipment: Unit 10
4	09/13/2024	Equipment: Unit 18
5	12/17/2024	Equipment: Unit 8
6	12/20/2024	Equipment: Unit 5
7	08/16/2024	Equipment: Unit 22
8	11/26/2024	Equipment: Unit 14
9	01/30/2024	Equipment: Unit 17
10	08/16/2024	Equipment: Unit 119
11	09/26/2024	Equipment: Unit Rig 9

**390.15(b) - Failing to maintain an accident register**

1	09/19/2024	AARON LARI
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**396.3(b)(1) - Failing to keep a maintenance record identifying the vehicle**

1	01/30/2024	Equipment: Unit 17
---	------------	--------------------

**396.9(d)(3) - Failing to keep roadside inspection form 12 mo. at PPOB**

1	02/20/2024	Equipment: KEATH BACKSTROM
2	01/30/2024	Equipment: KEATH BACKSTROM

**382.601(a) - Failing to provide controlled substances educational materials**

1	02/20/2024	Driver: Keith Backstrom
2	11/01/2024	Driver: SHANE PARKER
3	09/13/2024	Driver: TRAVIS SCHWEITZER
4	09/30/2024	Driver: AARON LARI
5	12/05/2024	Driver: DARBY SCHWATRZKOPF

**382.503 - Allowing driver to perform safety sensitive function w/o return to duty process**

1	11/01/2024	Driver: SHANE PARKER
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**392.2 - Operating without a valid CDL**

1	09/13/2024	AARON LARI
2	11/01/2024	SHANE PARKER

**391.51(b)(8) - Failing to note verification of medical examiner in DQ file.**

1	08/29/2024	Driver: TRAVIS SCHWEITZER
---	------------	---------------------------

**395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method**

1	11/02/2024	SHANE PARKER
2	11/05/2024	SHANE PARKER
3	08/28/2024	TRAVIS SCHWEITZER

**382.601(b) - Failing to provide to employees a written policy**

1 11/01/2024 Driver: SHANE PARKER

**382.305(i)(2) - Not ensuring each driver has an equal chance at random test**

1 11/17/2024 Driver: SHANE PARKER

**395.3(b)(2) - Req./perm. property CMV driver to drive after 70 hrs on duty in 8 days**

1 11/17/2024 SHANE PARKER

2 11/17/2024 SHANE PARKER

## **EXHIBIT 2**

## WEEKLY TIME SHEET

First Name: SHANE  
Last Name: PARKER

Payroll Start Date: 29-Oct-24  
Payroll End Date: 4-Nov-24

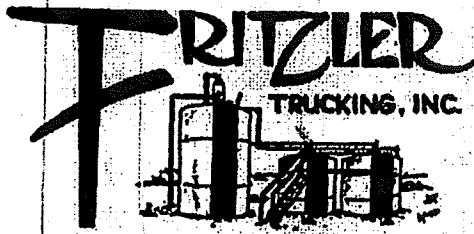
DAY/WEEK	DATE	TIME IN	TIME OUT-LUNCH	TIME IN-LUNCH	TIME OUT	VACATION	TOTAL
TUESDAY	29-Oct-24	7:00	12:00	1:00	5:30		9 1/2 ✓
WEDNESDAY	30-Oct-24	8:00	12:00	1:00	6:00		9 ✓
THURSDAY	31-Oct-24	8:00	12:00	1:00	7:00		10 ✓
FRIDAY	1-Nov-24	7:00			7:30		12 1/2 ✓
SATURDAY	2-Nov-24	7:30	4:00	5:30	12:00		15 1/2 ✓
SUNDAY	3-Nov-24	9:00	2:00	5:30	12:00		11 1/2 ✓
MONDAY	4-Nov-24	7:40	7:30				5 1/2 ✓
TOTAL HOURS FOR THE WEEK							73 1/2 ✓

PROVIDE A BRIEF DESCRIPTION BELOW OF daily work performed for each Job, Rig#, Company Name, Lease Name & other crew members

29-Oct-24	HOURS	TUESDAY
SHOP		
WCI		Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
30-Oct-24	HOURS	WEDNESDAY
SHOP		
WCI		Curtis Faces Ticket was made
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
31-Oct-24	HOURS	THURSDAY
SHOP		
WCI		Curtis Faces ticket was made
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
1-Nov-24	HOURS	FRIDAY
SHOP		5 Shop 1 hr Curtis Faces
WCI		
RANCH		6 1/2 Working water for Rig 10 Paul made ticket #20
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		3 loads
2-Nov-24	HOURS	SATURDAY
SHOP		WEEKEND
WCI		12 1/2 Rig 10 Under haul 10 loads
RANCH		3 hrs Shop Paul made ticket #20
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
3-Nov-24	HOURS	SUNDAY
SHOP		WEEKEND
WCI		11 hrs Rig 10 water haul 9 loads #20
RANCH		1/2 hr Shop Paul made ticket
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
4-Nov-24	HOURS	MONDAY
SHOP		
WCI		Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		

Nickname: SHANE

## **EXHIBIT 3**



- Vacuum & Tank Service
- Mud Pump & Swivel
- Rig Hauling
- Backhoe & Trencher
- High Pressure Truck
- 785-798-3641

Company JOE GERSTNER OIL  
Lease FAUROT #1 Date 11-1-24

DESCRIPTION

HAULED 6 LOADS OF FW TO  
DALL RIG

SHANE 6 - 120 BRL LOADS

80 Bbl. Truck	_____	hr.	_____	per hr.	Total	_____
80 Bbl. Vac. Truck	_____	hr.	_____	per hr.	Total	_____
120 Bbl. Transport Truck	<u>7</u>	hr.	<u>125<sup>00</sup></u>	per hr.	Total	_____
Piston Pump Truck	_____	hr.	_____	per hr.	Total	_____
Mud Pump & Swivel	_____	hr.	_____	per hr.	Total	_____

County SCOTT

Thank You

Driver SHANE

## **EXHIBIT 4**

# ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
2020	20
DATE FEB 17 2020	

MOTOR CARRIER OPERATOR <i>Frederick Trucking Inc</i>	INSPECTOR'S NAME (PRINT OR TYPE) <i>GARY L. RICHARD</i>
ADDRESS <i>14216 W Highway 283</i>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE <i>MISSOURI MO 67560</i>	VEHICLE IDENTIFICATION (2 AND COMPLETE) <input type="checkbox"/> LIC. PLATE NO. <input type="checkbox"/> VIN <input type="checkbox"/> OTHER <i>8773</i>
VEHICLE TYPE <input checked="" type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> (OTHER)	INSPECTION AGENCY (OPTIONAL)

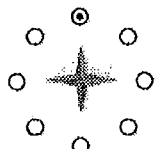
VEHICLE COMPONENTS INSPECTED			
OK	NEEDS REPAIR	REPAIRED DATE	ITEM
<input checked="" type="checkbox"/>			<b>1. BRAKE SYSTEM</b>
<input checked="" type="checkbox"/>			a. Service Brakes
<input checked="" type="checkbox"/>			b. Parking Brake System
<input checked="" type="checkbox"/>			c. Brake Drums or Rotors
<input checked="" type="checkbox"/>			d. Brake Hose
<input checked="" type="checkbox"/>			e. Brake Tubing
<input checked="" type="checkbox"/>			f. Low Pressure Warning Device
<input checked="" type="checkbox"/>			g. Tractor Protection Valve
<input checked="" type="checkbox"/>			h. Air Compressor
<input checked="" type="checkbox"/>			i. Electric Brakes
<input checked="" type="checkbox"/>			j. Hydraulic Brakes
<input checked="" type="checkbox"/>			k. Vacuum Systems
<input checked="" type="checkbox"/>			l. Antilock Brake System
<input checked="" type="checkbox"/>			m. Automatic Brake Adjusters
<input checked="" type="checkbox"/>			<b>2. COUPLING DEVICES</b>
<input checked="" type="checkbox"/>			a. Fifth Wheels
<input checked="" type="checkbox"/>			b. Pintle Hooks
<input checked="" type="checkbox"/>			c. Drawbar/Towbar Eye
<input checked="" type="checkbox"/>			d. Drawbar/Towbar Tongue
<input checked="" type="checkbox"/>			e. Safety Devices
<input checked="" type="checkbox"/>			f. Saddle-Mounts
<input checked="" type="checkbox"/>			<b>3. EXHAUST SYSTEM</b>
<input checked="" type="checkbox"/>			a. Exhaust system leaking forward of or directly below the driver/sleeper compartment.
<input checked="" type="checkbox"/>			b. Bus exhaust system leaking or discharging in violation of standard.
<input checked="" type="checkbox"/>			c. Exhaust system likely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of the motor vehicle.
<input checked="" type="checkbox"/>			<b>4. FUEL SYSTEM</b>
<input checked="" type="checkbox"/>			a. Visible leak.
<input checked="" type="checkbox"/>			b. Fuel tank filler cap missing.
<input checked="" type="checkbox"/>			c. Fuel tank securely attached.
<input checked="" type="checkbox"/>			<b>5. LIGHTING DEVICES</b>
<input checked="" type="checkbox"/>			All lighting devices and reflectors required by Part 393 shall be operable.
<input checked="" type="checkbox"/>			<b>6. SAFE LOADING</b>
<input checked="" type="checkbox"/>			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.
<input checked="" type="checkbox"/>			b. Protection against shifting cargo.
<input checked="" type="checkbox"/>			c. Container securement devices on intermodal equipment.
<input checked="" type="checkbox"/>			<b>7. STEERING MECHANISM</b>
<input checked="" type="checkbox"/>			a. Steering Wheel Free Play
<input checked="" type="checkbox"/>			b. Steering Column
<input checked="" type="checkbox"/>			c. Front Axle Beam and All Steering Components Other Than Steering Column
<input checked="" type="checkbox"/>			d. Steering Gear Box
<input checked="" type="checkbox"/>			e. Pitman Arm
<input checked="" type="checkbox"/>			f. Power Steering
<input checked="" type="checkbox"/>			g. Ball and Socket Joints
<input checked="" type="checkbox"/>			h. Tie Rods and Drag Links
<input checked="" type="checkbox"/>			i. Nuts
<input checked="" type="checkbox"/>			j. Steering System
<input checked="" type="checkbox"/>			<b>8. SUSPENSION</b>
<input checked="" type="checkbox"/>			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.
<input checked="" type="checkbox"/>			b. Spring Assembly
<input checked="" type="checkbox"/>			c. Torque, Radius or Tracking Components
<input checked="" type="checkbox"/>			<b>9. FRAME</b>
<input checked="" type="checkbox"/>			a. Frame Members
<input checked="" type="checkbox"/>			b. Tire and Wheel Clearance
<input checked="" type="checkbox"/>			c. Adjustable Axle Assemblies (Sliding Subframes)
<input checked="" type="checkbox"/>			<b>10. TIRES</b>
<input checked="" type="checkbox"/>			a. Tires on any steering axle of a power unit.
<input checked="" type="checkbox"/>			b. All other tires.
<input checked="" type="checkbox"/>			c. Installation of speed-restricted tires unless specifically designated by motor carrier.
<input checked="" type="checkbox"/>			<b>11. WHEELS AND RIMS</b>
<input checked="" type="checkbox"/>			a. Lock or Side Ring
<input checked="" type="checkbox"/>			b. Wheels and Rims
<input checked="" type="checkbox"/>			c. Fasteners
<input checked="" type="checkbox"/>			d. Welds
<input checked="" type="checkbox"/>			<b>12. WINDSHIELD GLAZING</b>
<input checked="" type="checkbox"/>			Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).
<input checked="" type="checkbox"/>			<b>13. WINDSHIELD WIPERS</b>
<input checked="" type="checkbox"/>			Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
<input checked="" type="checkbox"/>			<b>14. MOTORCOACH SEATS</b>
<input checked="" type="checkbox"/>			Any passenger seat that is not securely fastened to the vehicle structure.
<input checked="" type="checkbox"/>			<b>15. OTHER</b>
<input checked="" type="checkbox"/>			List any other condition(s) which may prevent safe operation of this vehicle.

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK ☒ X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

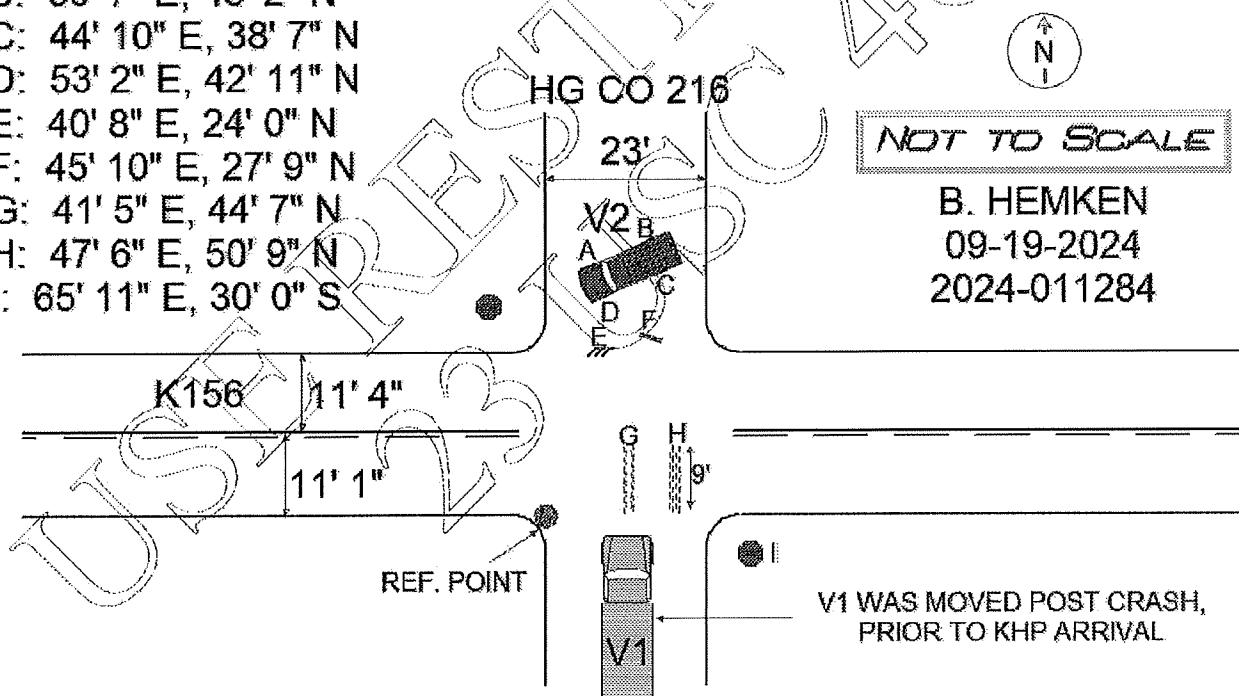
## **EXHIBIT 5**

<b>Kansas Motor Vehicle Crash Report</b> KDOT Form 850A, page 1 Rev. 2019 KDOT: 20240116959				Investigating Department Kansas Highway Patrol		Reviewed by Lt. Stanton		Local Case No. 2024011284		Page of 1 / 7		<input checked="" type="checkbox"/> Amended Report															
Investigating Officer Name BRENT HEMKEN				Badge Number 460		County HG		City Name				<input type="checkbox"/> DUI <input type="checkbox"/> Hit & Run															
Milepost 53.8		Block No		Dir Pkx		On Road Name K156		Road Type HWY		Dir Sfx		Spd Lmt 65		Date of Crash (mm/dd/yyyy) 09/19/2024		Time Occur. 08:22		Day TH		<input type="checkbox"/> Crash Severity							
From Dist		Ft/Mi		From Dir <input type="radio"/> FROM <input checked="" type="radio"/> AT		Dir Pkx		Reference or At Road Name HG CO 216 ROAD		Road Type RD		Dir Sfx		Spd Lmt 55		Date Notified (mm/dd/yyyy) 09/19/2024		Time Notif. 08:25		Day TH		Fatal Injury PDO >= \$1,000 PDO < \$1,000					
Narrative: Describe each traffic unit's pre-crash movement and direction of travel V1 was northbound on HG CO 216 Road. V2 was westbound on K156. V1 entered the intersection and struck V2 in the westbound lane of K156.												Date Arrived (mm/dd/yyyy) 09/19/2024		Time Arriv. 08:46		Day TH											
												Latitude (AOI)		00		ON		WORK ZONE TYPE		AT		00					
												Longitude (AOI)						00 None Apply									
												Photos by K460						01 Construction Zone - <input checked="" type="checkbox"/>									
																		02 Maintenance Zone - <input type="checkbox"/>									
																		03 Utility Zone -									
																		99 Unknown									
KDOT: Object 1 Damaged & Nature of Damage (show in diagram)												Owner Street Address		Personal Phone													
<input type="checkbox"/>																											
Owner Last Name												First Name		Middle Name		City		State		Zip		Work Phone					
KDOT: Object 2 Damaged & Nature of Damage (show in diagram)												Owner Street Address		Personal Phone													
<input type="checkbox"/>																											
Owner Last Name												First Name		Middle Name		City		State		Zip		Work Phone					
ONLY CHOOSE ONE CODE PER CATEGORY UNLESS SPECIFIED OTHERWISE																											
01 LIGHT CONDITIONS				12 CRASH LOCATION (of 1st Harmful Event)				03 CRASH CLASS (mark 1 box per side)				03															
01 Daylight 04 Dark: street lights on 02 Dawn 05 Dark: no street lights 03 Dusk 99 Unknown				ON ROADWAY: (within travel lanes) 11 Non-intersection 12 Intersection + 13 Intersection-related + 14 Access to Parking lot/Drwy 15 Interchange Area + 16 On Crossover 17 Toll Plaza OFF ROADWAY: 20 Shoulder 21 Roadside (not shoulder) 22 Median 23 Rest area 88 Other: 99 Unknown				1st Harmful Event Most Harmful Event 00 Other non-collision 01 Overturned/Rollover COLLISION WITH: 02 Pedestrian 03 Motor vehicle in-transport* 04 Legally Parked Vehicle 05 Railway train 06 Pedal cyclist 07 Animal type: 08 Fixed object** 09 Other object: 99 Unknown **FIXED OBJECT TYPE (mark 1 box per side if applicable) 1st Harmful Event Most Harmful Event 01 Bridge structure 02 Bridge rail 03 Crash cush./Impact attenuator 04 Divider, median barrier 05 Overhead sign support 06 Utility devices: pole, meter, etc 07 Other post or pole 08 Building 09 Guardrail 10 Sign post 11 Culvert 12 Curb 13 Fence/Gate 14 Hydrant 15 Barricade 16 Mailbox 17 Ditch 18 Embankment 19 Wall 20 Tree 21 RRXING fixtures 88 Other: 99 Unknown																			
00 ADVERSE WEATHER CONDITIONS 00 No adverse conditions 01 Rain, mist, drizzle 02 Sleet, hail 03 Snow 04 Fog 05 Smoke 06 Strong wind 07 Blowing dust, sand, etc. 08 Freezing rain, mist, drizzle 14 Rain & fog 16 Rain & wind 24 Sleet & fog 36 Snow & wind 88 Other: 99 Unknown				01 +INTERSECTION TYPE 01 Four-way intersection 02 Five-way or more 03 T - Intersection 04 Y - Intersection 05 L - intersection 06 Roundabout (See Manual for Definitions) 07 Traffic Circle 08 Part of an interchange 99 Unknown																							
02 ON SURFACE TYPE AT 03																											
01 Concrete 02 Blacktop (Asphalt) 03 Gravel 04 Dirt 05 Brick 88 Other: 99 Unknown																											
01 ON SURFACE CONDITIONS AT 01																											
01 Dry 02 Wet 03 Snow 04 Ice 05 Mud/dirt/sand 06 Debris (oil, etc.) 07 Standing/ moving water 08 Slush																											
				ROAD SPECIAL FEATURES (up to 3) 00 None 1 00 2 3 01 Bridge 02 Bridge Overhead 03 Railroad Bridge 04 RRXING 05 Interchange 06 Ramp 99 Unknown																							
												- LOCATION IN WORK ZONE (AOI)															
												01 Before first warning sign 02 Advance warning area 03 Transition area 04 Activity area 05 Termination area 99 Unknown															
												- WORK ZONE CATEGORY															
												01 Lane closure 02 Lane shift / crossover 03 Work on shoulder / median 04 Intermittent or moving vehicle 88 Other: 99 Unknown															
												03 *COLLISION WITH VEHICLE 03 (mark 1 box per side if applicable) 1st Harmful Event Most Harmful Event 01 Head on 02 Rear end 03 Angle - side impact 04 Sideswipe: opposite direction 05 Sideswipe: Same direction 06 Backed into 88 Other: 99 Unknown															
												TRAFFIC CONTROLS (On / At Road) O/A Type Present OK/NF 00 None 01 Officer, flagger 02 Traffic signal 03 Stop sign 04 Flasher 05 Yield sign 06 RR gates / signal 07 RR crossing signs 08 No passing zone 09 Center/Edge lines 10 Warning signs 11 School zone signs 12 Parking lines 88 Other: 99 Unknown															

<b>Crash Diagram</b> 850A page 2			SPECIAL EVENT			SPECIAL DATA			Local Case No. 2024011284	Page of 2 / 7
02	ROADWAY NUMBER OF LANES	02	01	ROAD CHARACTER ON	01	00	SPECIAL JURISDICTION		<p>A basic diagram is required for all state reportable crashes showing movements, direction, and positions of all traffic units in relationship to the trafficway. Identify (label) the street(s) and traffic unit(s) along with the area of impact (AOI) where possible. Refer to vehicles and pedestrians by unique numbers assigned in this report.</p> <p><u>Indicate North Direction</u></p> 	
01	ON	01	AT	01	00					
01	One			01	Straight & Level		00 Normal Jurisdiction (Not Special)			
02	Two			02	Straight on grade/slope		01 National Park Service			
03	Three			03	Straight on hillcrest		02 Military			
04	Four to Six			04	Curved & level		03 Indian Reservation			
05	Seven or more			05	Curved on grade/slope		04 College / University Campus			
88	Other: _____			06	Curved on hillcrest		05 Other Federal property			
99	Unknown			88	Other: _____		88 Other: _____			
				99	Unknown		99 Unknown			

Draw scene as observed or recreate per statements and evidence available

A: 40' 8" E, 43' 7" N  
 B: 50' 7" E, 48' 2" N  
 C: 44' 10" E, 38' 7" N  
 D: 53' 2" E, 42' 11" N  
 E: 40' 8" E, 24' 0" N  
 F: 45' 10" E, 27' 9" N  
 G: 41' 5" E, 44' 7" N  
 H: 47' 6" E, 50' 9" N  
 I: 65' 11" E, 30' 0" S



<b>Occupants &amp; Vehicles</b> KDOT Form 850B page 1 - Rev. 2019				<b>DRIVER &amp; PASSENGER INFORMATION</b> (record pedestrians on supplemental form 854)				Investigating Officer / Badge No. <b>BRENT HEMKEN 460</b>		Legal Case No. <b>2024011284</b>		Page of <b>3 / 7</b>			
01 08-1528				NA11103502				01 08-0235(c)(e)				NA11103501			
OFFICER'S OPINION OF APPARENT CONTRIBUTING CIRCUMSTANCES - ENTER AS MANY AS APPLY TO THIS CRASH (FACTOR TYPE, TUN, CC CODE)															
D1		24		D1		30		D2		00					
Line #	Driver's Last Name	First Name	DOB	Driver's Address	City	State	Zip	Personal Phone Number	Gender	Height	Weight	Eye Color	Hair Color		
TU 01	LARI	ANTHONY						(785) 279-0534	M	S	N				
ST 01	AARON			NESS CITY		KS	67560	(785) 798-3641	44	N					
TU 02	VILLALOBOS HERNANDEZ							(620) 521-4289	M	S	D	A			
ST 01	CAIN			GREAT BEND		KS	67530		34	T					
TRAFFIC UNIT# 01 (01, 03, N3, X3, etc)				TRAFFIC UNIT# 02 (02, 04, N2, X4, etc)											
DL State	Driver's License Number	DL Class	Driving for Employer?	CDL?	DL State	Driver's License Number	DL Class	Driving for Employer?	CDL?						
KS		C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KS		C	<input type="checkbox"/>	<input type="checkbox"/>						
01	DR LICENSE COMPLY	RESTRICT COMPLY	COMMERCIAL ENDORSEMENTS		01	DR LICENSE COMPLY	RESTRICT COMPLY	COMMERCIAL ENDORSEMENTS							
00 Not licensed	Restrictions? <input type="checkbox"/>	1 <input type="checkbox"/>	Z - None		00 Not licensed	Restrictions? <input type="checkbox"/>	1 <input type="checkbox"/>	Z - None							
01 Valid License	Driver's Lic. Restrictions <input type="checkbox"/>	2 <input type="checkbox"/>	T - Double/Triple Trailer		01 Valid License	Driver's Lic. Restrictions <input type="checkbox"/>	2 <input type="checkbox"/>	T - Double/Triple Trailer							
02 Suspended	Complied? <input type="checkbox"/>	3 <input type="checkbox"/>	P - Passenger Vehicle		02 Suspended	Complied? <input type="checkbox"/>	3 <input type="checkbox"/>	P - Passenger Vehicle							
03 Revoked		4 <input type="checkbox"/>	N - Tank Vehicle		03 Revoked		4 <input type="checkbox"/>	N - Tank Vehicle							
04 Expired			H - Placarded Haz. Material		04 Expired			H - Placarded Haz. Material							
05 Canceled or Denied			X - Combination Tank/HazMat		05 Canceled or Denied			X - Combination Tank/HazMat							
06 Disqualified			S - School Bus		06 Disqualified			S - School Bus							
07 Restricted			U - Unknown		07 Restricted			U - Unknown							
08 Unknown					08 Unknown										
SUBSTANCE USE (mark all that apply)				SUBSTANCE USE (mark all that apply)											
<input type="checkbox"/> AP - Alcohol ingested				<input type="checkbox"/> DC - Illegal drugs contributed				<input type="checkbox"/> AP - Alcohol ingested				<input type="checkbox"/> DC - Illegal drugs contributed			
<input type="checkbox"/> AC - Alcohol contributed				<input type="checkbox"/> MP - Medication ingested				<input type="checkbox"/> AC - Alcohol contributed				<input type="checkbox"/> MP - Medication ingested			
<input type="checkbox"/> DP - Illegal drugs ingested				<input type="checkbox"/> MC - Medication contributed				<input type="checkbox"/> DP - Illegal drugs ingested				<input type="checkbox"/> MC - Medication contributed			
METHOD OF DETERMINATION (mark all that apply)				METHOD OF DETERMINATION (mark all that apply)											
<input checked="" type="checkbox"/> 00 No evidence of impairment				<input checked="" type="checkbox"/> 00 No evidence of impairment				<input checked="" type="checkbox"/> 00 No evidence of impairment				<input checked="" type="checkbox"/> 00 No evidence of impairment			
<input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc)				<input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc)				<input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc)				<input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc)			
<input type="checkbox"/> 02 Preliminary Breath Test PBT				<input type="checkbox"/> 02 Preliminary Breath Test PBT				<input type="checkbox"/> 02 Preliminary Breath Test PBT				<input type="checkbox"/> 02 Preliminary Breath Test PBT			
<input type="checkbox"/> 03 Behavioral				<input type="checkbox"/> 03 Behavioral				<input type="checkbox"/> 03 Behavioral				<input type="checkbox"/> 03 Behavioral			
Tests: HGN, walk-and-turn, one leg stand, etc				Tests: HGN, walk-and-turn, one leg stand, etc				Tests: HGN, walk-and-turn, one leg stand, etc				Tests: HGN, walk-and-turn, one leg stand, etc			
<input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth)				<input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth)				<input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth)				<input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth)			
<input type="checkbox"/> 05 Observed (Odor, slurring, slurred speech, etc)				<input type="checkbox"/> 05 Observed (Odor, slurring, slurred speech, etc)				<input type="checkbox"/> 05 Observed (Odor, slurring, slurred speech, etc)				<input type="checkbox"/> 05 Observed (Odor, slurring, slurred speech, etc)			
<input type="checkbox"/> 06 Other (e.g. saliva test)				<input type="checkbox"/> 06 Other (e.g. saliva test)				<input type="checkbox"/> 06 Other (e.g. saliva test)				<input type="checkbox"/> 06 Other (e.g. saliva test)			
Drug screen result <input type="checkbox"/>				Drug screen result <input type="checkbox"/>				Drug screen result <input type="checkbox"/>				Drug screen result <input type="checkbox"/>			
Line #	Driver's Last Name	First Name	DOB	Driver's Address	City	State	Zip	Personal Phone Number	Gender	Height	Weight	Eye Color	Hair Color		
TU 02	VILLALOBOS	JUANA		2011 28TH ST					F	S	D	B			
ST 03	JESSICA			GREAT BEND		KS	67530		40	T					
TU															
ST															
TU															
ST															
TU															
ST															
Transport Unit	BMS Time Notified	Injured taken by:	Transport Unit	BMS Time Notified	Injured taken by:										
Unit B	08:29	HODGEMAN CO EMS	Unit A	08:29	HODGEMAN CO EMS										
BMS Arrived	BMS Time @ Hosp	Injured taken to:	BMS Arrived	BMS Time @ Hosp	Injured taken to:										
08:36	09:30	HODGEMAN CO HEALTH CENTER	08:36	09:30	HODGEMAN CO HEALTH CENTER										

<b>Occupants &amp; Vehicles</b> 850B page 2				<b>VEHICLE# 01</b> (01, 03, N3, X3, etc)				<b>SPECIAL DATA</b>				<b>VEHICLE# 02</b> (02, 04, N2, X4, etc)				<b>SPECIAL DATA</b>				<b>Local Case No.</b> 2024011284				<b>Page of</b> 4 / 7							
OWNER Last Name ("Same" if Driver) <b>FRITZLER</b>								OWNER First Name <b>TRUCKING</b>								OWNER Last Name ("Same" if Driver) <b>VILLALOBOS HERNANDEZ</b>								OWNER First Name <b>CAIN</b>							
OWNER ADDRESS (Number, Street) [REDACTED]								New address? <input type="checkbox"/> Personal Phone [REDACTED]								OWNER ADDRESS (Number, Street) [REDACTED]								New address? <input type="checkbox"/> Personal Phone <b>(620) 521-4289</b>							
CITY <b>NESS CITY</b>				ST <b>KS</b>		ZIP <b>67560</b>		Work Phone <b>(785) 798-3641</b>				CITY <b>GREAT BEND</b>				ST <b>KS</b>		ZIP <b>67530</b>		Work Phone [REDACTED]											
COLOR <b>WHI</b>	YEAR <b>2007</b>	MAKE <b>STER</b>	MODEL <b>CE</b>		BODY STYLE <b>DS</b>		ST <b>KS</b>		COLOR <b>RED</b>				YEAR <b>2009</b>	MAKE <b>CHEV</b>	MODEL <b>C15</b>		BODY STYLE <b>PK</b>		ST <b>KS</b>												
LICENSE PLATE # [REDACTED]		County <b>NS</b>	Exp YR <b>2024</b>	Removed by: <b>OWNER</b>		MC CCs [REDACTED]		LICENSE PLATE # [REDACTED]				County <b>BT</b>	Exp YR <b>2024</b>	Removed by: <b>SOUTHWEST TOWING</b>		MC CCs [REDACTED]															
VEHICLE IDENTIFICATION NUMBER [REDACTED] 5593								Dir of Travel <b>N</b>		# Occupants <b>1</b>		VEHICLE IDENTIFICATION NUMBER [REDACTED] 5683								Dir of Travel <b>W</b>		# Occupants <b>2</b>									
Insurance Company <b>TRAVELERS INSURANCE CO</b>								Policy Number <b>BA 3R764281 22</b>								Insurance Company <b>PROGRESSIVE INSURANCE</b>								Policy Number <b>963147545</b>							
TRAFFIC VIOLATIONS 1 Hit & Run 2 Non-Contact 3 Stolen 4 Legally Parked 5 Pursued by LE 6 Driverless 7 Towed away due to damage								Odometer [REDACTED]								TRAFFIC VIOLATIONS 1 Hit & Run 2 Non-Contact 3 Stolen 4 Legally Parked 5 Pursued by LE 6 Driverless 7 Towed away due to damage								Odometer [REDACTED]							
<b>10 VEHICLE BODY TYPE</b> 01 Automobile 02 Motorcycle 03 Motor scooter or Moped 04 Van 05 Pickup truck <10,001 lbs 06 Sport utility veh - SUV 07 Camper or RV 08 Farm machinery 09 All-terrain vehicle - ATV								<b>LARGE / HEAVY VEHICLE (GCWR over 10,000lbs)</b> 10 Single heavy truck >10,000 lbs 11 Truck & trailer(s) 12 Tractor-trailer(s) 13 Cross country bus 14 School bus 15 Transit (city) bus 16 Other bus 25 Train 88 Other: 99 Unknown								<b>05 VEHICLE BODY TYPE</b> 01 Automobile 02 Motorcycle 03 Motor scooter or Moped 04 Van 05 Pickup truck <10,001 lbs 06 Sport utility veh - SUV 07 Camper or RV 08 Farm machinery 09 All-terrain vehicle - ATV								<b>LARGE / HEAVY VEHICLE (GCWR over 10,000lbs)</b> 10 Single heavy truck >10,000 lbs 11 Truck & trailer(s) 12 Tractor-trailer(s) 13 Cross country bus 14 School bus 15 Transit (city) bus 16 Other bus 25 Train 88 Other: 99 Unknown							
<b>01 VEHICLE USE</b> 01 No special use 02 Taxi / Limo 03 School bus 04 Other bus 05 Military 06 Police 07 Ambulance 08 Fire 09 Mail/Parcel 99 Unknown								<b>01 VEHICLE DAMAGE</b> 00 None 01 Damage (minor) 02 Functional 03 Disabling 04 Destroyed 88 Other: 99 Unknown								<b>01 VEHICLE USE</b> 01 No special use 02 Taxi / Limo 03 School bus 04 Other bus 05 Military 06 Police 07 Ambulance 08 Fire 09 Mail/Parcel 99 Unknown								<b>03 VEHICLE DAMAGE</b> 00 None 01 Damage (minor) 02 Functional 03 Disabling 04 Destroyed 88 Other: 99 Unknown							
<b>DAMAGE LOCATION AREA</b> First Impact 01 Major Impact 01 [Diagram of vehicle with impact points marked]								<b>01 VEH. MANU. BEFORE UNSTAB. SIT.</b> 01 Straight following road 02 Left Turn 03 Right Turn 04 U Turn 05 Passing 06 Changing lanes 07 Avoidance man. 08 Merging 09 Parking 10 Backing 11 Stopped awaiting turn 12 Stopped in traf 13 Illegally parked 14 Disabled in roadway 15 Slowing or stopping 16 Negotiating a curve 88 Other: 99 Unknown								<b>DAMAGE LOCATION AREA</b> First Impact 10 Major Impact 10 [Diagram of vehicle with impact points marked]								<b>07 VEH. MANU. BEFORE UNSTAB. SIT.</b> 01 Straight following road 02 Left Turn 03 Right Turn 04 U Turn 05 Passing 06 Changing lanes 07 Avoidance man. 08 Merging 09 Parking 10 Backing 11 Stopped awaiting turn 12 Stopped in traf 13 Illegally parked 14 Disabled in roadway 15 Slowing or stopping 16 Negotiating a curve 88 Other: 99 Unknown							
<b>VEHICLE SEQUENCE OF EVENTS</b> (List up to 4 per unit in the order of occurrence) 1 22 2 3 4 <input type="checkbox"/> The exact sequence is unknown.								<b>VEHICLE SEQUENCE OF EVENTS</b> (List up to 4 per unit in the order of occurrence) 1 01 2 22 3 4 <input type="checkbox"/> The exact sequence is unknown.																							
<b>NON-COLLISION</b> 01 Ran off road right 02 Ran off road left 03 Crossed centerline 04 Overtum/Rollover 05 Crossed median 06 Fell/Jumped from veh 07 Thrown or falling object 08 Cargo loss or shift 09 Equipment failure (fire, brakes, etc.) 10 Downhill runaway 11 Trailer swing 12 Separation of units 13 Jackknife 14 Fire 15 Explosion 16 Immersion in water 88 Other event: 98 Unknown non-coll.								<b>COLLISION WITH</b> 21 Pedestrian 22 Motor veh in-transport 23 Legally Parked Vehicle 24 Train 25 Pedal cycle (bike, etc) 26 Animal 27 Fixed Object 28 Other moveable object 99 Unknown object								<b>NON-COLLISION</b> 01 Ran off road right 02 Ran off road left 03 Crossed centerline 04 Overtum/Rollover 05 Crossed median 06 Fell/Jumped from veh 07 Thrown or falling object 08 Cargo loss or shift 09 Equipment failure (fire, brakes, etc.) 10 Downhill runaway 11 Trailer swing 12 Separation of units 13 Jackknife 14 Fire 15 Explosion 16 Immersion in water 88 Other event: 98 Unknown non-coll.								<b>COLLISION WITH</b> 21 Pedestrian 22 Motor veh in-transport 23 Legally Parked Vehicle 24 Train 25 Pedal cycle (bike, etc) 26 Animal 27 Fixed Object 28 Other moveable object 99 Unknown object							

<b>Crash Narrative</b> KDOT Form 851 - Rev. 2019	<b>Officer / Witness Statements / Description</b> <b>Additional Information</b>	Investigating Officer / Badge No. BRENT HEMKEN 460	Local Case No. 2024011284	Page of 5 / 7
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INCIDENT: 2 VEHICLE COLLISION RESULTING IN INJURIES  
 LOCATION: INTERSECTION OF K156 AND HG CO 216 ROAD, HODGEMAN COUNTY, KANSAS

V1: 2007 STERLING TRUCK, KS REG: [REDACTED] WHITE IN COLOR, THREE AXLES  
 D1: AARON ANTHONY LARI, KS DL: [REDACTED] CLASS C - NON-CDL

V2: 2009 CHEVROLET 1500 PICKUP, KS REG: [REDACTED] RED IN COLOR, SINGLE CAB / SHORT BED  
 D2: CAIN VILLALOBOS HERNANDEZ, KS DL: [REDACTED]  
 P2: JESSICA VILLALOBOS, KS DL: [REDACTED]

**SYNOPSIS:**

On 9-19-2024 hours, V1 was northbound on 216 road in Hodgeman County. V2 was westbound on K156 approaching 216 road. V1 entered the intersection without yielding to V2. V1 continued across the highway and struck V2 on the north side of K156.

On 09-19-2024, at 0825 hours, KHP communications notified me of a two vehicle collision on K156 at 216 road in Hodgeman County. I was in Rozel, KS and responded to the scene. I arrived on scene at 0846 hours. I saw a white straight truck on the south side of K156, parked on 216 road, facing north. I also saw a red Chevrolet pickup on the north side of K156. I saw damage to both vehicles. At this location, 216 road is a north / south county road with a sand and gravel surface. There is an asphalt approach on 216 road leading up to K156. K156 is an asphalt highway with approximately 12 foot lanes and no paved shoulder outside of the white fog line.

Once on scene, I briefly walked the area and determined that there were two vehicles involved with one driver in V1 and a driver and passenger in V2. I also spoke with the reporting party, Mark Johnson. Mark was the first person on scene at 0825 and he called the crash in to KHP communications. (Mark informed me that the white straight truck was blocking both lanes of travel after the crash and it was moved to the south side of K156 to allow traffic to flow and to prevent secondary crashes since this location had some visibility obstructions (Hills) on the west side. Both the occupants from V2 were being extricated from V2, and taken by EMS to the hospital in Jelmore.

I walked around and examined V2 first. V2 is a red 2009 Chevrolet pickup with a short bed and a single cab. V2 was upright, facing west / southwest on 216 road north of K156. I saw damage to the front left corner, front bumper, front left quarter panel and left front door. The rear of the pickup was undamaged from the impact. There was also damage to the passenger's side door. This damage appears to be from the process of extricating the passenger because the passenger door would not open due to the impact and damage. The hood was up on the pickup but that was done by the fire department when they disconnected the battery. The windshield was not damaged and the rear glass was also intact. I examined all four tires. Three of the tires held air and all four had good tread. The front left tire was flat and the wheel was broken off the axle. Inside the pickup, I saw both seatbelts were in the retracted position and both belts moved freely. Both the driver and passenger stated that they were wearing the seatbelts at the time of the collision and Mark Johnson stated that the driver had his belt on when Johnson approached the vehicle. The pickup was equipped with front air bags and the air bags did not deploy.

I then examined the area around V2. I found two gouge marks in the pavement south of V2. These marks were fresh and were caused by the suspension components and wheel from V2 post impact. I also saw vehicle fluids around V2. In the eastbound lane of K156, I saw two skid marks in a straight line running south to north. The skids lined up with 216 road and with V2. All of these marks were measured and are documented in the diagram.

Next, I examined V1. (V1 was moved after impact to clear the roadway.) I saw damage to the front hood and right front corner. The front bumper is a solid steel bumper and it had very little damage. The fiberglass hood was broken loose from the support on the right side and the front grill was missing. The rest of V1 did not have any apparent damage from this collision.

After examining the scene, I took photographs of the scene and both vehicles. I also took measurements of the scene and V2. Mark Johnson and Sheriff Walker explained that V1 was moved after the crash due to the roadway being blocked and visibility being poor when approaching from the west.

The reporting party, Mark Johnson, did not witness the collision. The only witnesses were the two drivers and the one passenger. Jessica was not able to give a statement due to her medical treatment. Cain gave a verbal statement to Master Trooper Howell. This statement is included with this report.

In the statement, Cain said "we were driving west on the highway when this semi pulled out. He did not stop at the stop sign. It did not seem like he even hit the brakes. I tried to turn right hoping that he would miss me. I hit the brakes at the last moment and he collided into my driver's side."

The driver of V1, Aaron Lari, completed a written statement which is included with this report. Aaron states, "I stopped @ intersection 156 & 216 looked to my east and west looked clear, started across hwy & didn't see truck until I was almost across road as it was swerving north to miss me & it hit the corner of my bumper. I tried to get the door open on their truck but I couldn't."

**Additional investigation:**

On scene, I interviewed Aaron Lari (Driver 1). Aaron admitted that he did not have a Commercial Driver's License. The vehicle Aaron was driving is a registered commercial motor vehicle with commercial tag 5335. The truck is known as a pulling unit in the oil field. The truck is outfitted with large spools of cable and motors and a tower to use with the cables. The truck is capable of pulling pipe out of an oil well and various other tasks using the cable and winch motors. Aaron said he was moving the truck back to Ness City, KS after the truck was used on a nearby oil well, south of the crash location. On this truck, the cab has been replaced and the federal sticker is missing. The federal sticker should be on the driver's door frame and it indicates the GVWR. A company official with Fritzler Trucking was on scene, Rickey Briney. I asked Rickey what the GVWR is on the truck. Rickey located the GVWR through the company records and Rickey said it has a GVWR of 66000 pounds. Additionally, a VIN check on this truck indicates a GVWR of greater than 33000 pounds. Under either weight rating, this truck is classified as a commercial motor vehicle with a GVWR over 26000 pounds which requires a Class B CDL.

I checked Aaron's driver's license record. Aaron has a valid class C non-commercial license. I further examined Aaron's license history and found that from 06-13-2022 until 12-10-2022, Aaron held a Class B CDL. From 03-31-2023 until 09-27-2023, Aaron held a Class A CDL. Both of these license types were CDL Learners permits and Aaron failed to convert the learner's permit to a regular CDL.

At the time of this crash, Aaron Lari did not possess the proper license to legally drive the 2007 Sterling truck that he was operating.

**Additional information:**

Southwest Towing was called by the Hodgeman County Sheriff's office to tow V2. It was towed to Dodge City, KS.

Aaron was not injured and received no medical treatment.

Cain was extricated from V2 via the driver's door. Cain was transported to the Hodgeman County Health Center for treatment. Jessica was extricated from V2 via the passenger door. Jessica was transported to the Hodgeman County Health Center for treatment and was then transported via helicopter by Eagle Med 9 to Wesley Medical Center in Wichita for additional treatment.

KDOT arrived on scene and directed traffic through the scene by running traffic in one direction, alternating between east and west directions.

**Conclusion:**

On 09-19-2024, at 0822 hours, Aaron Lari was driving a 2007 Sterling truck (V1) north on HG CO 216 road. Cain Villalobos Hernandez was driving a 2009 Chevrolet 1500 pickup (V2) west on K156 approaching 216 road. V1 started to cross K156 on 216 road, entering the intersection. Cain saw the truck entering the intersection and attempted to steer to the north edge of K156. In this location, K156 does not have any paved shoulder. V1 struck V2 on the north edge of K156 within the intersection of K156 and 216 road. V1 came to rest facing north and sitting across both the east and west bound lanes of K156. V2 came to rest facing west / southwest on 216 road, just north of K156.

**HEAVY VEHICLE &  
HAZMAT Supplement**

KDOT Form 852 - Rev. 2019

**INFORMATION ON HEAVY VEHICLES /  
BUSES / HAZARDOUS MATERIALS**

Investigating Officer / Badge No.

BRENT HEMKEN 460

Local Case No.

2024011284

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**MOTOR CARRIER INFORMATION**

01	FRITZLER TRUCKING INC	14216 US HWY 283	NESS CITY
TU #	Carrier Name	Carrier Street Address (P.O. Box only if no street address)	City
KS	67560	(785) 798-3641	USA
State	Zip	Phone	Carrier Country
<b>CARRIER IDENTIFICATION NUMBER(S)</b>			
328010			<input type="checkbox"/>
USDOT#		MC/MX#	NONE

0	<b>CARRIER TYPE</b>			
0 - Intrastate	1 - Interstate	2 - Not in Commerce - Other Truck or Bus	3 - Not in Commerce - Government Veh	4 - Other / Not Specified

01	<b>AT THE TIME OF CRASH, THIS VEHICLE WAS:</b>	03	<b>GVWR/GCWR</b>	01	<b>SOURCE OF CARRIER NAME</b>	<b>PERMITS (Issuer and Permit Number)</b>	
01 Operating on a trafficway open to the public (In-Transport)		01 10,000 lbs or less		01 Side of vehicle		1.	
02 Parked on or off the trafficway		02 10,001-26,000 lbs		02 Shipping papers or manifest		2.	
88 Other:		03 More than 26,000 lbs		03 Driver		3.	
99 Unknown		99 Unknown		04 Logbook			
		<b>ACTUAL WEIGHT</b>					
			lbs				

**VEHICLE INFORMATION****HAZMAT / ROADWAY INFORMATION**

<b>TRAILER DIMENSIONS</b>		<b>TRAILER(S) DAMAGED?</b>	<b>OVERSIZED LOAD</b>	<b>HAZARDOUS MATERIALS INVOLVEMENT</b>	
WIDTH (in)	LENGTH (ft)				
Trailer 1		<input checked="" type="checkbox"/> None	<input type="checkbox"/> Height	Did the vehicle have a Hazardous Materials Placard? <input type="checkbox"/>	
Trailer 2		<input type="checkbox"/> Trailer 1	<input type="checkbox"/> Weight	If Yes, Include The Following Information From The Placard:	
Trailer 3		<input type="checkbox"/> Trailer 2	<input type="checkbox"/> Width	HazMat 4-digit # from the diamond center box: <input type="text"/>	
		<input type="checkbox"/> Trailer 3		HazMat Class # from the bottom of diamond: <input type="text"/>	
				Was HazMat released (spilled) from THIS vehicle's cargo? <input type="checkbox"/>	
<b>TRUCK AND TRAILER TOTALS</b>				<b>ON-ROAD LANE TYPE</b>	
Vehicle Length (include trailer(s))	33 ft	No. of Trailers	0	No. of Axles	3
TRAILER 1 - IDENTIFICATION NUMBER				00 Two-way traffic - Undivided roadway	
TRAILER 2 - IDENTIFICATION NUMBER				01 One-way traffic - Undivided roadway	
TRAILER 3 - IDENTIFICATION NUMBER				02 Two-way traffic - Median strip w/o barrier	
				03 Two-way traffic - Median strip w/ barrier	
				04 Two-way traffic - Undivided with a continuous left turn lane	
				99 Unknown	
				<b>VEHICLE ACCESS CONTROL TO ROADWAYS</b>	
				00 No access control (Unlimited access - Roads with no interchanges)	
				01 Partial access control (mix of interchanges and "at-grade" intersections)	
				02 Full access control (entry/exit only by interchange ramps)	
				99 Unknown	

SEE BACK OF THIS FORM FOR EXAMPLES OF VEHICLE CONFIGURATIONS AND CARGO TYPES

03	<b>VEHICLE CONFIGURATION</b>	88	<b>CARGO BODY TYPE</b>	07	<b>CARGO TYPE</b>
00 Bus 9-15 passengers, including driver		00 Not applicable/No cargo body		00 None	12 Mobile / Modular home
01 Bus more than 15 passengers		01 Van or Enclosed box		01 Drive away or Tow away	13 Motor vehicles
02 Single-unit truck (2-axles)		02 Hopper (e.g. Grain, Chips, Gravel)		02 Explosives	14 Refrigerated foods
03 Single-unit truck (3 or more axles)		03 Cargo tank (liquid, powder, etc)		03 Animals: farm or other	15 Solids (bulk)
04 Single-unit truck with trailer(s)		04 Flatbed		04 Farm products	16 Rock, sand, gravel, salt
05 Truck Tractor only (bobtail)		05 Dump		05 Gases	17 Other food products
06 Truck Tractor and semi-trailer		06 Concrete mixer		06 General freight (packages)	18 Plastic products
07 Truck Tractor and two trailers		07 Vehicle transporter		07 Heavy machinery, objects	19 People
08 Truck Tractor and three trailers		08 Garbage or refuse		08 Household goods	20 Garbage / refuse
09 Heavy truck > 10,000 lbs cannot classify		09 Bus 9-15 people, including driver		09 Liquids (bulk)	21 Pavement mixture: concrete, asphalt, etc.
10 Vehicles less than 10,000 lbs carrying hazardous materials		10 Bus more than 15 people		10 Logs, poles, lumber	88 Other:
88 Other:		11 Pole		11 Metal (coils, sheets, etc)	
99 Unknown		12 Vehicle towing another motor vehicle			99 Unknown
		13 Intermodal chassis			
		14 Logging			
		88 Other:			
		<b>PULLING UNIT</b>			
		99 Unknown			
01	<b>CAB TYPE</b>				<b>SPECIAL DATA</b>
01 Cab behind engine	99 Unknown				
02 Cab over engine					

**COMPLETE THIS SUPPLEMENT FOR EACH OF THE FOLLOWING VEHICLES INVOLVED WHERE AT LEAST ONE MOTOR VEHICLE IN-TRANSPORT WAS ON A TRAFFICWAY OPEN TO THE PUBLIC:**



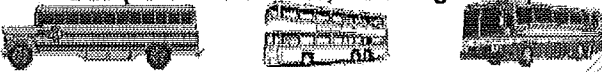



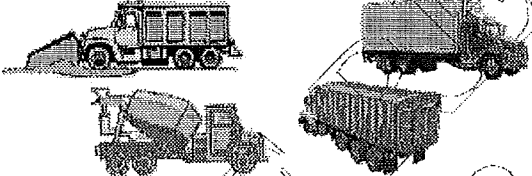


- >10,000 lbs** Any truck having a gross vehicle weight rating (GVW/GVWR) of more than 10,000 pounds or a gross combination weight rating (GCWR) over 10,000 pounds used on public trafficways, OR...
- BUS** Any motor vehicle with seats to transport nine (9) or more people, including the driver OR...
- HAZMAT** Any vehicle, regardless of weight, carrying placardable hazardous materials or displaying a hazardous materials placard.

AND

**IF THIS CRASH INCLUDES:**




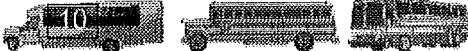
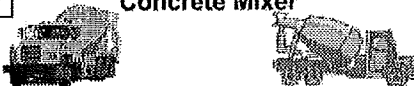





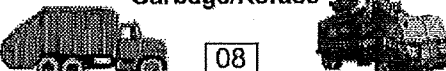




- A FATALITY:** Any person(s) killed in or outside of any vehicle (truck, bus, car, etc.) involved in the crash or who dies within 30 days of the crash as a result of an injury sustained in the crash, OR...
- AN INJURY:** Any person(s) injured as a result of the crash who immediately receives medical treatment away from the crash scene, OR...
- TOW-AWAY:** Any motor vehicle (truck combination, bus, car, etc.) disabled as a result of the crash and transported away from the scene by a tow truck or other vehicle.

## Vehicle Configuration

00	Bus (9-15 Seats, Including Driver) 	04	Truck/Trailer (Single-Unit Truck Pulling a Trailer) 
01	Bus (16 or More Seats, Including Driver) 	05	Truck Tractor (Bobtail) 
02	Single-Unit (2 Axles, 6 Tires) 	06	Tractor/Semi Trailer (One Trailer) 
03	Single-Unit (3 or More Axles) 	07	Truck Tractor/Double (Two Trailers) 
		08	Truck Tractor/Triple (Three Trailers) 

Revised 08/05

## Cargo Body Type

09	Bus (9-15 Seats, Including Driver) 	05	Dump 	11	Pole 
	Bus (16 or More Seats, Including Driver) 	06	Concrete Mixer 	14	Log 
01	Van/Enclosed Box 	07	Auto Transporter 		Intermodal Chassis 
03	Cargo Tank 		Garbage/Refuse 	12	Vehicle Towing Motor Vehicle 
04	Flat Bed 	02	Grain, Chips, Gravel 	00	No Cargo Body 

## **EXHIBIT 6**

# DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

**Kansas Highway Patrol**  
**Email: Khp.TruckInspection@KS.GOV**  
**700 SW Jackson, Ste 704**  
**Topeka, KS 66603**  
**Phone: (785)296-7189 Fax: (785)296-2858**

**Report Number: KSHP04600551**  
**Inspection Date: 09/19/2024**  
**Start: 10:25 AM CT End: 11:25 AM CT**  
**Inspection Level: II - Walk-Around**  
**HM Inspection Type: None**

**FRITZLER TRUCKING INC**  
**14216 US HWY 283**  
**NESS CITY, KS 67560**  
**USDOT#: 00328010**  
**MC/MX#: 00653112**  
**State#:**

**Phone#: (785)798-3641**  
**Fax#: (785)798-3869**

**Driver: LARI, AARON A**  
**License#:**  
**Date of Birth:**  
**CoDriver:**  
**License#:**  
**Date of Birth:**

**State: KS**

**State:**

**Location: HODGEMAN COUNTY - 083**  
**Highway: K156**  
**County:**

**MilePost: 53**  
**Origin: JETMORE,KS**  
**Destination: NESS CITY,KS**

**Shipper:**  
**Bill of Lading:**  
**Cargo: TOOLS / STEEL PARTS**

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	STRG	2007	KS		13	6593	66,000			152562

**BRAKE ADJUSTMENTS:** No Brake Measurements Required For Level 2

## VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
396.17C	396.17C	1	N		N	N	Operating a CMV without proof of a periodic inspection: No annual inspection in vehicle and company official stated the annual inspection is not current
393.78	393.78	1	N		N	N	Windshield wipers inoperative/defective: Washer fluid does not function.
393.81	393.81	1	N		N	N	Horn inoperative: Air horn and steering wheel horn inoperative
393.9BRKLAMP	393.9BRKLAMP	1	Y		U	N	Inoperative Brake Lamps: Both brake lights on rear of truck are inoperative.
393.19	393.19	1	N		N	N	Inoperative/Defective Hazard Warning Lamp: Hazzard lamps inoperable on rear of truck, left and right side.
391.41A1-NPH	391.41A1-NPH	D	N		N	N	Operating a property-carrying vehicle without possessing a valid medical certificate - no previous history.: No CDL and no medical card
392.2Y	392.2Y	D	N		N	N	Failure to yield right of way: Driver failed to yield to traffic on K156.
383.23A2	383.23A2	D	Y		N	N	Operating a CMV without a CDL: Operating a CMV without a CDL on 9/19/2024

**HazMat:** No HM Transported.

**Placard: No** **Cargo Tank:**

**Special Checks:** Traffic Enforcement; Post Crash;

**Report Prepared By:**  
**B. Hemken**

**Badge #:**  
**0460**

**Copy Received By:**  
**AARON LARI**

Page 1 of 2



00328010 KS KSHP04600551

X \_\_\_\_\_

X \_\_\_\_\_

**DRIVER/VEHICLE EXAMINATION REPORT**

Query Central 3.4

**Kansas Highway Patrol**  
**Email: Khp.TruckInspection@KS.GOV**  
**700 SW Jackson, Ste 704**  
**Topeka, KS 66603**  
**Phone: (785)296-7189 Fax: (785)296-2858**

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**HM Inspection Type: None**

**FRITZLER TRUCKING INC**  
**14216 US HWY 283**  
**NESS CITY, KS 67560**  
**USDOT#: 00328010**  
**MC/MX#: 00653112**  
**State#:**

**Phone#: (785)798-3641**  
**Fax#: (785)798-3869**

**Driver: LARI, AARON A**  
**License#:** XXXXXXXXXX **State: KS**  
**Date of Birth:** XXXXXXXXXX  
**CoDriver:**  
**License#:** XXXXXXXXXX **State:**  
**Date of Birth:**

\* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare AARON LARI "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Driver has a valid CDL for type of veh. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials \_\_\_\_\_

\* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials \_\_\_\_\_

\* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature Of Repairer X: \_\_\_\_\_ Facility: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\* DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. \*\*\*  
must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

\*CARRIER CERTIFICATION: All defects on this sheet  
must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
B. Hemken

Badge #:  
0460

Copy Received By:  
AARON LARI

Page 2 of 2



00328010 KS KSHP04600551

X \_\_\_\_\_

X \_\_\_\_\_

## **EXHIBIT 7**



- Vacuum & Tank Service
- Mud Pump & Swivel
- Rig Hauling
- Backhoe & Trencher
- High Pressure Truck
- 785-798-3641

Company GRAND MESA OPERATING CO.

Lease SHURPEE #1-8 Date 11-17-24

DESCRIPTION

HAULED 4 120 BBL LOADS OF  
FWD TO DRILL RIG  
(RIG LOST CIRCULATION)

80 Bbl. Truck	hr.	per hr.	Total
80 Bbl. Vac. Truck	hr.	per hr.	Total
120 Bbl. Transport Truck	<u>6</u> hr. <u>125.00</u>	per hr.	Total
Piston Pump Truck	hr.	per hr.	Total
Mud Pump & Swivel	hr.	per hr.	Total

Four (120 bbl) loads of fresh water from  
Landon Frank \$220.00

County LANE

Thank You

Driver

S. HANE

## **EXHIBIT 8**



### *Fritzler Trucking Inc - Employee Roster List*

**Company Name:** Fritzler Trucking Inc

**Random Contact Name:** Ginger Fritzler

**Location ID:** Fritzler Trucking Inc

**Pool Name:** Fritzler Trucking Inc - FMCSA

**Pool Agency:** FMCSA

**Random Draw Date:** Employees participating in Random Draw on 10/01/24

**Selection Period:** 4 of 4

**Random Draw Selection Period:** Employees participating in Random Draw on 10/01/24 - 12/25/24

**Page Number:** 1 of 2

**Instructions:** Review your employee roster and RETURN back to HireRight no later than two weeks prior to your next scheduled random draw. Return by email [random.updates@hireright.com](mailto:random.updates@hireright.com) or fax: 1-866-229-5058

### **Employee Roster Confirmation and Updates:**

Please confirm if changes are to be made to your employee roster for your next random draw. This step is required to ensure the most current employee list is included in the next scheduled draw. Check one:

1. ☐ My employee roster is accurate. No changes.
2. ☒ My employee roster needs to be updated. See my updates below (next step is to apply updates to your employee roster in below section).

Employee Name	SSN	Remove Name	Update Employee Information
KEATH BACKSTROM	***-**-5927	<input type="checkbox"/>	
DARBY SCHWARTZKOPF	***-**-0875	<input type="checkbox"/>	
LUIS GOMEZ	***-**-9375	<input type="checkbox"/>	
JACOB J FRITZLER	***-**-0185	<input type="checkbox"/>	
JAMES WATTERSON	***-**-0066	<input checked="" type="checkbox"/>	
JEFFREY YOUNG	***-**-5624	<input type="checkbox"/>	
MIKE FRITZLER	***-**-2577	<input type="checkbox"/>	
PAUL HENDRICKSON	***-**-6461	<input type="checkbox"/>	
VICTOR GARIBAY	***-**-0277	<input type="checkbox"/>	
RICKEY BRINEY	***-**-6421	<input type="checkbox"/>	
TRAVIS SCHWEITZER	***-**-4298	<input type="checkbox"/>	

### **ADD New Employees to my Roster (provide all new additions below):**

Employee Name	SSN
<u>Jesus Rivera</u>	<u>[REDACTED]</u>

## **EXHIBIT 9**

## History Search Results for SHANE PARKER

N ENDORSEMENT REQUIRES X RESTRICTION

DRUG AND ALCOHOL CLEARINGHOUSE - DRIVER IS PROHIBITED FROM OPERATING  
UNDER 382.501(A)

/KS/ [REDACTED]

2025012923083593342BB6DWS

## Driver General Information

First Name	Middle Name	Last Name		Suffix	
SHANE	D	PARKER			
SSN	Birth Date	Height	Weight	Eye Color	Sex
XXXXXXXXXX		600	210	BLUE	M

## Residence

Street	City	County	State	Zip	Country
702 S SCHOOL ST	NESS CITY		KS	675602314	

## Mailing Address

Street	City	County	State	Zip	Country
702 S SCHOOL ST	NESS CITY		KS	675602314	

## Alias 1

First Name	Middle Name	Last Name	Suffix
SHANE	D	PARKER	
SSN	Birth Date	State	Driver License
XXXXXXXXXX	[REDACTED]	KS	[REDACTED]

## Alias 2

First Name	Middle Name	Last Name	Suffix
SHANE	D	PARKER	
SSN	Birth Date	State	Driver License
	[REDACTED]	KS	[REDACTED]

Disclaimer:\*\*This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.\*\*

## History Search Results for SHANE PARKER

/KS/ [REDACTED]

2025012923083593342BB6DWS

## Alias 3

First Name	Middle Name	Last Name	Suffix
SHANE	D	PARKER	
SSN	Birth Date	State	Driver License
	[REDACTED]	KS	[REDACTED]

## Driver License Details

Jurisdiction	Driver License	Issue Date	Exp. Date	Commercial Class
KS	[REDACTED]	2024-05-21	2025-05-20	B
Non Commercial Class	Commercial Status	Non Commercial Status	Withdrawal Action Pending	
BM	Not Eligible	Licensed	No	

## Endorsements

Value
Tank

## Medical Certification

Issue Date	Expiration Date	SPE Issue	SPE Expiration	Med WE Issue	Med WE Expire Date
Status Code	Self Certification				
	Excepted Interstate				

## Permit Class A

Issue Date	Expiration Date	Status
2018-09-13	2018-12-13	Not Eligible

## Permit Class A Restriction

Value
No cargo in CMV tank vehicle No cargo CMV Tank vehicle

## Permit Class A Endorsements

Value
Tank

Disclaimer:\*\*This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.\*\*

## History Search Results for SHANE PARKER

/KS/

2025012923083593342BB6DWS

## Permit Class A

Issue Date	Expiration Date	Status
2018-09-13	2018-12-13	Not Eligible

## Permit Class A Endorsements

Value				
Tank				
Convictions #	Accidents #	Withdrawals #	Permits #	License Restrictions #
0	0	0	2	00

Disclaimer:\*\*This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.\*\*

## **EXHIBIT 10**

# CLEARINGHOUSE

[← BACK TO DASHBOARD](#)

## Driver Record

Below is the information an employer would be able to access after conducting a full query on this driver. The employer will only see this information after the driver provides his or her consent.

If a driver believes information has been inaccurately reported, he or she can [file a petition to initiate a data review](#).

### SHANE PARKER

Driver Prohibited

Date of Birth: [REDACTED]

Country: United States

State: Kansas

CDL Number: [REDACTED]

## Open Violations

### Employer of Driver

2020102219100

734 E OLD HWY 50

STAFFORD, KS 67578

### Driver Information

SHANE PARKER

DOB: [REDACTED]

CDL/CLP#: [REDACTED]

Country: United States

State: Kansas

### Violation Information

Record ID: TEST.Y8DW3.DLWM

Type of Violation: Positive drug test

Test Date: 10/19/2020 Verified Result: 10/27/2020

Reason for Test: Pre-employment

Specimen ID Number: 2048200911

Tested Positive For: Marijuana Metabolite ( $\Delta^9$ -THCA), Methamphetamine, Amphetamine

### Test Results Entered By

Steven Paschall (Nationwide Medical Review) (10/27/2020 11:43:15 AM)

Address: 9330 Priority Way W Dr, Indianapolis, IN 46240, US

Phone: +1 877-585-7366 | Email: [carrera333@aol.com](mailto:carrera333@aol.com)

## **EXHIBIT 11**

# DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol  
Email: Khp.TruckInspection@KS.GOV  
700 SW Jackson, Ste 704  
Topeka, KS 66603  
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP04502440  
Inspection Date: 02/20/2024  
Start: 1:54 PM CT End: 02:41 PM CT  
Inspection Level: I - Full  
HM Inspection Type: None

FRITZLER TRUCKING INC  
14216 US HWY 283  
NESS CITY, KS 67560  
USDOT#: 00328010 Phone#: (785)798-3641  
MC/MX#: 00653112 Fax#: (785)798-3869  
State#:

Driver: BACKSTROM, KEATH L  
License#: [REDACTED] State: KS  
Date of Birth: [REDACTED]  
CoDriver:  
License#: State:  
Date of Birth:

Location: HODGEMAN COUNTY - 083  
Highway: K156  
County:

MilePost: 56 Shipper:  
Origin: JETMORE,KS Bill of Lading:  
Destination: NESS CITY,KS Cargo: SALT WATER / OILFIELD

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	KW	2007	KS	[REDACTED]	4	[REDACTED]	5282	50,000		

## BRAKE ADJUSTMENTS

Axle #	1	2	3
Right	2	1 1/2	1 1/2
Left	2 1/4	1 1/2	1
Chamber	C-20	C-30	C-30

## VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.95A	393.95A	1	N		N	N	No/discharged/unsecured fire extinguisher: NONE FOUND BY DRIVER
393.78	393.78	1	N		N	N	Windshield wipers inoperative/defective: PASSENGER SIDE MISSING - ASSEMBLY IS GONE
396.5B	396.5B	1	N		N	N	Oil and/or grease leak: OIL DRIPPING ON DRIVER SIDE BEHIND CAB ON EXHAUST AND ONTO PAVEMENT
393.11	393.11	1	N		N	N	No or defective lighting devices or reflective material as required: NO TAG LAMP - TAG IS PRESENT
393.9	393.9	1	N		N	N	Inoperable Required Lamp: REVERSE LAMP INOP - 2 PRESENT BUT BOTH INOP - 1 REQUIRED
393.55D1	393.55D1	1	N		N	N	CMV not equipped with ABS malfunction circuit or signal (Truck-Tractor mfg on/after 3/1/1997; Straight Truck mfg on/after 3/1/1998): ABS LAMP ON DASH STAYS ON DURING INSPECTION AND AFTER CYCLE OF KEY
393.75A1	393.75A1	1	N		N	N	Tire-ply or belt material exposed: PASSENGER SIDE AXLE 3 INSIDE DUAL WIRE SHOWING
396.3A1-TC	396.3A1-TC	1	Y		U	N	Tire in contact with another part of the vehicle: FRONT DRIVER SIDE STEER TIRE MAKES CONTACT WITH PITMAN ARM WHEN TURNED TO THE RIGHT - PITMAN ARE IS SHINED UP
393.100B	393.100B	1	Y		U	N	Leaking/spilling/blowing/falling cargo: LOAD LEAKING OUT REAR CAMLOCK FITTING / BALL VALVE AT REAR OF UNIT 1 BY REAR BUMPER

Report Prepared By:  
A.S. Wagner

Badge #:  
0450

Copy Received By:  
KEATH BACKSTROM

Page 1 of 3



00328010 KS KSHP04502440

X \_\_\_\_\_

X \_\_\_\_\_

# DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

**Kansas Highway Patrol**  
**Email: Khp.TruckInspection@KS.GOV**  
**700 SW Jackson, Ste 704**  
**Topeka, KS 66603**  
**Phone: (785)296-7189 Fax: (785)296-2858**

**Report Number: KSHPO4502440**  
**Inspection Date: 02/20/2024**  
**Start: 1:54 PM CT End: 02:41 PM CT**  
**Inspection Level: I - Full**  
**HM Inspection Type: None**

**FRITZLER TRUCKING INC**  
**14216 US HWY 283**  
**NESS CITY, KS 67560**  
**USDOT#: 00328010**  
**MC/MX#: 00653112**  
**State#:**

**Phone#: (785)798-3641**  
**Fax#: (785)798-3869**

**Driver: BACKSTROM, KEATH L**  
**License#: [REDACTED]**  
**Date of Birth: [REDACTED]**  
**CoDriver:**  
**License#: [REDACTED]**  
**Date of Birth: [REDACTED]**  
**State: KS**  
**State:**

<u>Vio Code</u>	<u>Section</u>	<u>Unit</u>	<u>OOS</u>	<u>Citation #</u>	<u>Verify</u>	<u>Crash</u>	<u>Violations Discovered</u>
396.3A1-LLEAK	396.3A1-LLEAK	1	Y		U	N	<b>- DRIPPING ONTO PAVEMENT</b> <b>A liquid fuel system with a dripping leak at any point.: PASSENGER SIDE FUEL TANK IS LEAKING DIESEL FROM FILL CAP AREA</b>
393.47A	393.47A	1	N		N	N	Inadequate brakes for safe stopping - Brake Lining condition: DRIVER SIDE AXLE 1 - BRAKE FRICTION SURFACE AND DRUM ARE CONTAMINATED BY GREASE / OIL
393.53BMAN	393.53BMAN	1	N		N	N	CMV manufactured after 10/20/1994 is not equipped with automatic air brake adjusters.: AXLE 1 ON DRIVER AND PASSENGER SIDE IS MANUAL SLACK ADJUSTERS
393.47E	393.47E	1	N		N	N	Clamp or Roto type brake out-of-adjustment: PASSENGER SIDE AXLE 1 MEASURED 2" - MAX FOR CLAMP 20 IS 1 3/4"
393.47E	393.47E	1	N		N	N	Clamp or Roto type brake out-of-adjustment: DRIVER SIDE AXLE 1 MEASURED 2 1/4" - MAX FOR CLAMP 20 IS 1 3/4"
392.7A	392.7A	D	N		N	N	Driver failing to conduct pre-trip inspection: PT CAN NOT BE SATISFIED WITH MISSING EMERGENCY EQUIPMENT
396.3A1BOS	396.3A1BOS	1	Y		U	N	<b>BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination: 2 OUT OF 6 ARE DEFECTIVE</b>

**HazMat:** No HM Transported.

**Placard:** No **Cargo Tank:**

## Special Checks:

\* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials \_\_\_\_\_

\* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature Of Repairer X: \_\_\_\_\_ Facility: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\\*\* DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. \*\*/\\*\*

\*CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

**Report Prepared By:**  
**A.S. Wagner**

**Badge #:**  
**0450**

**Copy Received By:**  
**KEATH BACKSTROM**

Page 2 of 3



00328010 KS KSHPO4502440

X \_\_\_\_\_

X \_\_\_\_\_

## DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Kansas Highway Patrol  
Email: Khp.TruckInspection@KS.GOV  
700 SW Jackson, Ste 704  
Topeka, KS 66603  
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HM Inspection Type: None

FRITZLER TRUCKING INC  
14216 US HWY 283  
NESS CITY, KS 67560  
USDOT#: 00328010  
MC/MX#: 00653112  
State#:

Phone#: (785)798-3641  
Fax#: (785)798-3869

Driver: BACKSTROM, KEATH L

License#: [REDACTED]

State: KS

Date of Birth: [REDACTED]

CoDriver:

License#:

State:

Date of Birth:

### Inspection Notes

PHOTOS TAKEN SHOWED DRIVER VIOLATIONS  
SOOS AT QUICK PICK IN JETMORE DRIVER DIDN'T KNOW WHERE FIRE EXT WAS /  
LOOKING ALL OVER IN CAB / NEVER FOUND ONE

**Special Studies** No Special Study Data Recorded

Report Prepared By:  
A.S. Wagner

Badge #:  
0450

Copy Received By:  
KEATH BACKSTROM

Page 3 of 3



00328010 KS KSHP04502440

X \_\_\_\_\_

X \_\_\_\_\_

## **EXHIBIT 12**

# CLEARINGHOUSE

## WELCOME MICHAEL

This is your Enforcement Dashboard. Use the fields below to run a report on a driver's violation history or an employer's Clearinghouse activity.

### Search for a Driver

Country of Issuance (optional)

country

State of Issuance (optional)

state

Driver Name or CDL

Search

## Search for an Employer

USDOT#

328010

or

Company Name

Country (optional)

country

State (optional)

state

There is no employer account associated with the DOT Number you entered. Please confirm the DOT Number is correct.

You can also try searching by motor carrier name (partial or full) and State/country, in case the carrier does not have a DOT Number associated with their Clearinghouse account.

Search

## Run Reports

The Driver Status Change report includes all drivers that have had a Clearinghouse status change within the specific time frame.

The Prohibited Drivers Report includes all drivers that are currently listed as "prohibited" in the Clearinghouse.

### Driver Status Change Report

Date Range

From

To

State of Issuance

Search

### Prohibited Driver Report

State of Issuance

Search

## **EXHIBIT 13**

## WEEKLY TIME SHEET

First Name: AARON  
Last Name: LARI

Payroll Start Date: 10-Sep-24  
Payroll End Date: 16-Sep-24

DAY/WEEK	DATE	TIME IN	TIME OUT-LUNCH	TIME IN-LUNCH	TIME OUT	VACATION	TOTAL
TUESDAY ✓	10-Sep-24	630			6		11.5 ✓
WEDNESDAY ✓	11-Sep-24	630			5		10.5 ✓
THURSDAY ✓	12-Sep-24	630			430		10 ✓
FRIDAY ✓	13-Sep-24	630			530		11 ✓
SATURDAY ✓	14-Sep-24	7			3		8 ✓
SUNDAY X	15-Sep-24						-
MONDAY ✓	16-Sep-24	630			5		10.5 ✓
TOTAL HOURS FOR THE WEEK							61.5 ✓

PROVIDE A BRIEF DESCRIPTION BELOW OF daily work performed for each Job, Rig#, Company Name, Lease Name & other crew members

10-Sep-24	HOURS	TUESDAY
SHOP	4	SHOP
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS	7.5	PALOMINO A-M RIG #13
11-Sep-24	HOURS	WEDNESDAY
SHOP	3	SHOP
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS	7.5	GIRSHNER ALDIN-MINER RIG #13
12-Sep-24	HOURS	THURSDAY
SHOP	2	SHOP
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS	8	GIRSHNER ALDIN-MINER RIG #13
13-Sep-24	HOURS	FRIDAY
SHOP	2	SHOP
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS	9	BECKER BRADFORD RIG #13
14-Sep-24	HOURS	SATURDAY
SHOP	8	SHOP WEEKEND
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
15-Sep-24	HOURS	SUNDAY
SHOP		WEEKEND
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		OFF
16-Sep-24	HOURS	MONDAY
SHOP	4	SHOP
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS	6.5	BECKER BRADFORD RIG #13

Nickname: AARON

## **EXHIBIT 14**

## History Search Results for AARON LARI

/KS/

20250121141230067F5C152WS

## Driver General Information

First Name	Middle Name	Last Name		Suffix	
AARON	ANTHONY	LARI			
SSN	Birth Date	Height	Weight	Eye Color	Sex
XXXXXXXXXX		500	180	BROWN	M

## Residence

Street	City	County	State	Zip	Country
412 S COURT ST	NESS CITY		KS	67560200 2	

## Mailing Address

Street	City	County	State	Zip	Country
412 S COURT ST	NESS CITY		KS	67560200 2	

## Alias 1

First Name	Middle Name	Last Name	Suffix
AARON	ANTHONY	LARI	
SSN	Birth Date	State	Driver License
XXXXXXXXXX		KS	

## Alias 2

First Name	Middle Name	Last Name	Suffix
AARON	ANTHONY	LARI	
SSN	Birth Date	State	Driver License
		KS	

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## History Search Results for AARON LARI

/KS/

20250121141230067F5C152WS

## Alias 3

First Name	Middle Name	Last Name	Suffix
AARON	ANTHONY	LARI	
SSN	Birth Date	State	Driver License
		KS	

## Driver License Details

Jurisdiction	Driver License	Issue Date	Exp. Date	Commercial Class
KS		2024-12-10	2025-11-07	
Non Commercial Class	Commercial Status	Non Commercial Status	Withdrawal Action Pending	
C	Eligible	Licensed	No	

## Medical Certification

Issue Date	Expiration Date	SPE Issue	SPE Expiration	Med WE Issue	Med WE Expire Date
Status Code	Self Certification Excepted Interstate				

## Permit Class A

Issue Date	Expiration Date	Status
2024-12-10	2025-06-08	Licensed

## Permit Class A Restriction

Value
No cargo in CMV tank vehicle No cargo CMV Tank vehicle

## Permit Class A Endorsements

Value
Tank

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## History Search Results for AARON LARI

/KS/ [REDACTED]

20250121141230067F5C152WS

## Permit Class A

Issue Date	Expiration Date	Status
2023-03-31	2023-09-27	Eligible

## Permit Class A Restriction

## Value

No passengers in CMV bus No Pass in CMV Bus  
No cargo in CMV tank vehicle No cargo CMV Tank vehicle

## Permit Class A Endorsements

## Value

Tank

## Permit Class B

Issue Date	Expiration Date	Status
2022-06-13	2022-12-10	Eligible

## Permit Class B Restriction

## Value

CDL Intrastate Only CDL Intrastate  
No passengers in CMV bus No Pass in CMV Bus  
No cargo in CMV tank vehicle No cargo CMV Tank vehicle

## Permit Class B Endorsements

## Value

Tank

Convictions #	Accidents #	Withdrawals #	Permits #	License Restrictions #
2	1	0	3	00

## Conviction 1

Citation Date	Conviction Date	Conviction ID	State of Conviction	Court Type	ACD Code
2021-10-01	2021-11-01	01	KS	District	S92 - SPEEDING - REGULATED OR POSTED SPEED LIMIT AND ACTUAL SPEED (DETAIL REQUIRED)
ACD Detail	CDL Holder	CMV	Hazmat	Locator Reference	State Code
55075	Yes	No	No	0000031936	S92

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## History Search Results for AARON LARI

/KS/ [REDACTED]

20250121141230067F5C152WS

## Conviction 2

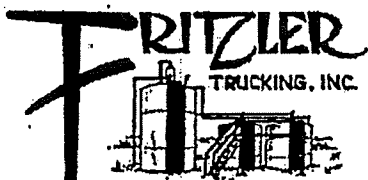
Citation Date	Conviction Date	Conviction ID	State of Conviction	Court Type	ACD Code
2015-06-05	2021-04-05	02	KS	District	S92 - SPEEDING - REGULATED OR POSTED SPEED LIMIT AND ACTUAL SPEED (DETAIL REQUIRED)
ACD Detail	CDL Holder	CMV	Hazmat	Locator Reference	State Code
60076	No	No	No	E000855527	S92

## Accident 1

Accident Date	State	Severity
2024-09-19	KS	Incapacitating Injury Accident
Driving CMV	Carrying	Locator Reference
Yes	No	0116959

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## **EXHIBIT 15**



785-798-3641

DATE 9.13.24

Company BECKER OIL MAP Lease BRADFORD Well # 1

**PULLED FROM WELL**

**RAN IN WELL**

Its	Feet	Size	Equipment	Its	Feet	Size
			Polish Rod			
			Pony Rods			
			Rods			
			Pump			
			Tubing Subs			
			Tubing			
			Tubing Anchor			
			Packer			
			Seat Nipple			
			Mud Anchor			

Description DROVE TO LOCATION, RILLED UP A LONG STICKER,  
NO ACTION - I PULLED TO PUMP, PUMP WAS GOOD &  
RILLED AROUND FOR TUBING, LAID OUT TUBING &  
GOT RIL READY TO SAND PUMP, RAN LINE COUNTER  
& TALKED @ APPROX 4725', RAN SAND PUMP  
X'2 & ~~RIL~~ PICKED UP LOCATION, SHUT DOWN  
& RETURNED TO SHOP

**SUPPLIES FURNISHED BY RIG**

Tubing Tongs	✓	_____	75.00
Rod Tongs	✓	_____	75.00
Pipe Dope			
Stuffing Box Rubbers			
Oil Saver Rubbers	X2	_____	40.00
Chemical Sticks			
Wash Gas	10 gal	_____	40.00
Swab Cups			
Sand pump		_____	150.00

**RIG TIME**

Hrs.	Per Hour	Amount
9	275.00	

Rig # 13 County HODGEMAN

Operator AARON LARI

Floor Hands ALEXIS & EMILIO

## **EXHIBIT 16**

# WEEKLY TIME SHEET

First Name: SHANE  
Last Name: PARKER

Payroll Start Date: 5-Nov-24  
Payroll End Date: 11-Nov-24

DAY/WEEK	DATE	TIME IN	TIME OUT-LUNCH	TIME IN-LUNCH	TIME OUT	VACATION	TOTAL
TUESDAY	5-Nov-24	7:00	12:00	1:00	12:00		16 ✓
WEDNESDAY	6-Nov-24	5:00			4:30		11 1/2 ✓
THURSDAY	7-Nov-24	7:00	12:00	1:00	7:00		11 ✓
FRIDAY	8-Nov-24	Vac					8 ✓
SATURDAY	9-Nov-24	Off					-
SUNDAY	10-Nov-24	9:00			7:00		6 ✓
MONDAY	11-Nov-24	7:00	12:00	1:00	9:00		13 ✓
TOTAL HOURS FOR THE WEEK							68.5

PROVIDE A BRIEF DESCRIPTION BELOW OF daily work performed for each Job, Rig#, Company Name, Lease Name & other crew members

5-Nov-24	HOURS	TUESDAY
SHOP		10 Shop
WCI		6 hrs water to rig Paul made ticket #18
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
6-Nov-24	HOURS	WEDNESDAY
SHOP		2 hrs pool water to rig Paul made ticket #20
WCI		4 1/2 Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		Rodenburg
7-Nov-24	HOURS	THURSDAY
SHOP		Shop
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
8-Nov-24	HOURS	FRIDAY
SHOP		
WCI		Vac 8 hrs
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
9-Nov-24	HOURS	SATURDAY
SHOP		WEEKEND
WCI		Off
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
10-Nov-24	HOURS	SUNDAY
SHOP		WEEKEND
WCI		5 hrs water Paul made ticket #18
RANCH		Rhonda
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
11-Nov-24	HOURS	MONDAY
SHOP		
WCI		13 Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		

Nickname: SHANE

## WEEKLY TIME SHEET

First Name: SHANE  
Last Name: PARKER

Payroll Start Date: 12-Nov-24  
Payroll End Date: 18-Nov-24

DAY/WEEK	DATE	TIME IN	TIME OUT-LUNCH	TIME IN-LUNCH	TIME OUT	VACATION	TOTAL
TUESDAY	12-Nov-24	7:00			7:30		12 1/2
WEDNESDAY	13-Nov-24	7:00	12:00	1:00	5:30		7 1/2
THURSDAY	14-Nov-24	7:00	12:00	1:00	8:30		12 1/2
FRIDAY	15-Nov-24	7:00	12:00	2:00	8:30		11 1/2
SATURDAY	16-Nov-24	12:00	3:00				3
SUNDAY	17-Nov-24	10:00			12 midnight		14
MONDAY	18-Nov-24	midnight			4:30		4 1/2
TOTAL HOURS FOR THE WEEK							67 1/2 ✓

PROVIDE A BRIEF DESCRIPTION BELOW OF daily work performed for each job, Right, Company Name, Lease Name & other crew members

12-Nov-24	HOURS	TUESDAY
SHOP		7 hrs deer ticket was made
WCI		
RANCH		5 1/2 Shop
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
13-Nov-24	HOURS	WEDNESDAY
SHOP		Shop
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
14-Nov-24	HOURS	THURSDAY
SHOP		Shop
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
15-Nov-24	HOURS	FRIDAY
SHOP		Shop
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
16-Nov-24	HOURS	SATURDAY
SHOP		Shop WEEKEND
WCI		
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
17-Nov-24	HOURS	SUNDAY
SHOP		WEEKEND
WCI		4 hrs Gravel Mesa Paul made ticket - \$20
RANCH		3 hrs Shop
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		7 hrs water cattle
18-Nov-24	HOURS	MONDAY
SHOP		
WCI		3 hrs Gravel Mesa Paul made ticket
RANCH		1 1/2 Shop
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		

Nickname: SHANE

## **EXHIBIT 17**



- Vacuum & Tank Service
- Mud Pump & Swivel
- Rig Hauling
- Backhoe & Trencher
- High Pressure Truck
- 785-798-3641

Company GRAND MESA OPERATING CO.

Lease SHURPEE #1-8 Date 11-17-24

DESCRIPTION

HAULED 4 120 BBL LOADS OF  
FWD TO DRILL RIG  
(RIG LOST (TRENCHING))

80 Bbl. Truck	hr.	per hr.	Total
80 Bbl. Vac. Truck	hr.	per hr.	Total
120 Bbl. Transport Truck	<u>6</u> hr. <u>125<sup>00</sup></u>	per hr.	Total
Piston Pump Truck	hr.	per hr.	Total
Mud Pump & Swivel	hr.	per hr.	Total

Four (120 bbl) loads of fresh water from  
Landon Frank \$ 220.00

County LANE

Thank You

Driver

SHANE

## **EXHIBIT 18**

## WEEKLY TIME SHEET

First Name: SHANE  
Last Name: PARKER

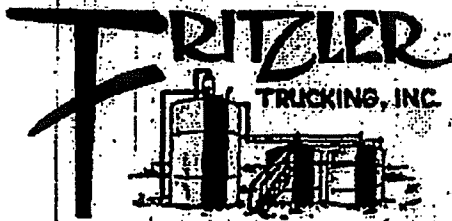
Payroll Start Date: 29-Oct-24  
Payroll End Date: 4-Nov-24

DAY/WEEK	DATE	TIME IN	TIME OUT-LUNCH	TIME IN-LUNCH	TIME OUT	VACATION	TOTAL
TUESDAY	29-Oct-24	7:00	12:00	1:00	5:30		9 1/2 ✓
WEDNESDAY	30-Oct-24	8:00	12:00	1:00	6:00		9 ✓
THURSDAY	31-Oct-24	8:00	12:00	1:00	7:00		10 ✓
FRIDAY	1-Nov-24	7:00			7:30		12 1/2 ✓
SATURDAY	2-Nov-24	7:30	4:30	5:30	12:00		15 1/2 ✓
SUNDAY	3-Nov-24	7:00	2:00	5:30	12:00		11 1/2 ✓
MONDAY	4-Nov-24	7:40	9:30				5 1/2 ✓
TOTAL HOURS FOR THE WEEK							23 1/2 ✓

PROVIDE A BRIEF DESCRIPTION BELOW OF daily work performed for each day, Rig#, Company Name, Lease Name & other crew members

29-Oct-24	HOURS	TUESDAY
SHOP		
WCI		Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
30-Oct-24	HOURS	WEDNESDAY
SHOP		
WCI		Curtis fees, Ticket was made
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
31-Oct-24	HOURS	THURSDAY
SHOP		
WCI		Curtis fees, ticket was made
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
1-Nov-24	HOURS	FRIDAY
SHOP		5 Shop 1 hr Curtis fees
WCI		
RANCH		6 1/2 hauling water to Rig 10 Paul made ticket #20
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		5 hours
2-Nov-24	HOURS	SATURDAY
SHOP		WEEKEND
WCI		12 1/2 Rig 10 Underhaul 10 loads
RANCH		3 hrs Shop Paul made ticket #20
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
3-Nov-24	HOURS	SUNDAY
SHOP		WEEKEND
WCI		11 hrs Rig 10 water haul 9 loads #20
RANCH		1/2 hr Shop Paul made ticket
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		
4-Nov-24	HOURS	MONDAY
SHOP		
WCI		Shop
RANCH		
DESCRIPTION OF JOB COMPANY & LEASE NAME TOTAL HOURS		

Nickname: SHANE



- Vacuum & Tank Service
- Mud Pump & Swivel
- Rig Hauling
- Backhoe & Trencher
- High Pressure Truck
- 785-798-3641

Company JOE GERSTNER OIL

Lease FAUROT #1 Date 11-2-24

DESCRIPTION

HAULED 19 LOADS OF BW TO  
DRG RIG

SHANE 10 - 120 BBL LOADS

LUIS 9 - 80 BBL LOADS

80 Bbl. Truck	<u>7</u> hr.	<u>100<sup>00</sup></u> per hr.	Total <u>          </u>
80 Bbl. Vac. Truck	hr.	per hr.	Total <u>          </u>
120 Bbl. Transport Truck	<u>12</u> hr.	<u>125<sup>00</sup></u> per hr.	Total <u>          </u>
Piston Pump Truck	hr.	per hr.	Total <u>          </u>
Mud Pump & Swivel	hr.	per hr.	Total <u>          </u>

County SCOTT

Thank You

Driver

SHANE LUIS

**CERTIFICATE OF SERVICE**

25-TRAM-363-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of  
first class mail and electronic service on 04/29/2025.

Billy Briney, VICE PRESIDENT  
FRITZLER TRUCKING, INC.  
14216 US Hwy 283  
NESS CITY, KS 67560  
fritztruckin@yahoo.com

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
ahsan.latif@ks.gov

/S/ KCC Docket Room  
KCC Docket Room