



20241010102315
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
25-TRAM-168-PEN

October 10, 2024
Meribah Garcia, Owner/CFO
Adam R Garcia d/b/a ARG Carrier
1019 Harrison Ave
Goodland, Kansas 67735-2449

This is a notice of a penalty assessment against Adam R Garcia d/b/a ARG Carrier (ARG Carrier) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted August 27, 2024, by a Kansas Corporation Commission Special Investigator. Penalties are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: ARG Carrier has been assessed a \$500 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$500, 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 requires a representative of ARG Carrier 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.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. ARG Carrier must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to 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.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$500 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

¹ 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 **Adam R)**
Garcia d/b/a ARG Carrier, of Goodland,)
Kansas. Regarding the Violation(s) of the Motor)
Carrier Safety Statutes, Rules and Regulations) Docket No. 25-TRAM-168-PEN
and the 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. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission’s jurisdiction and 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. On August 27, 2024, a Commission Staff (“Staff”) Special Investigator (“SI”) completed a safety compliance investigation of the operations of Adam R Garcia d/b/a ARG Carrier (ARG Carrier or Carrier). ARG Carrier is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 1835720. As a result of the safety compliance investigation, the SI identified one (1) violation(s), accounting for one (1) count(s), of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix.²

5. On September 27, 2024, Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$500 to be issued to ARG Carrier based on the frequency, timeline and severity of the violations discovered.

6. The Commission finds it has jurisdiction over ARG Carrier 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.

7. The Commission finds that ARG Carrier committed one (1) violation(s) of the following one (1) count(s), discussed more fully in Staff’s R&R:

- a. Count 1: On May 30, 2024, ARG Carrier operated a commercial motor vehicle, a 2007 International truck, without first obtaining proper commercial registration, which is a violation of K.S.A. 8-142 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,111 and 66-1,129. The

² Order Designating Guidance Document and Approving Staff’s Use of the Transportation Division’s Uniform Penalty Assessment Table, pp. 10 – 24 (June 27, 2024) (“Penalty Matrix”).

Commission finds that Staff's recommended of \$500 is appropriate and in accordance with the current Penalty Matrix.

8. The Commission finds ARG Carrier committed one (1) violation, accounting for one (1) count, of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to fines totaling \$500.

9. Accordingly, the Commission finds that ARG Carrier 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, and provide Litigation Counsel with written proof of attendance.³ 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. The Commission further finds that ARG Carrier shall submit a written, comprehensive corrective action plan (CAP) 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.⁴ Finally, the Commission finds that ARG Carrier shall submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁵

10. Failure to comply with the requirements of this Penalty Order shall result in suspension of ARG Carrier's motor carrier operating authority without further notice.⁶

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

³ See Staff's Report and Recommendation, p.3 (Aug. 30, 2024).

⁴ *Id.*

⁵ *Id.*

⁶ K.S.A. 66-1,105.

A. ARG Carrier is hereby assessed a \$500 civil penalty for one (1) violation(s), accounting for one (1) count(s), of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. ARG Carrier is hereby ordered 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 Penalty Order, and is to timely provide Litigation Counsel with written proof of attendance within five (5) business days of completing the safety seminar.

C. ARG Carrier is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this Penalty 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.

D. ARG Carrier is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at 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 ARG Carrier'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, 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.⁷ For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation.⁸

G. If you do not request a hearing, the payment of the civil penalty of \$500 is due in thirty (30) days from the date of service of this Order. Payment of \$500 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 to pay the \$500 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of Ordering Clauses A through D, above, will result in suspension of ARG Carrier's motor carrier operating authority without further notice.⁹ 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.

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

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

⁹ K.S.A. 66-1,105.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/10/2024



Lynn M. Retz
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: September 27, 2024

SUBJECT: Docket No. 25-TRAM-168-PEN

In the Matter of the Investigation of **Adam R Garcia d/b/a ARG Carrier of Goodland, 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:

Adam R Garcia d/b/a ARG Carrier (ARG Carrier) is a motor carrier (MC) possessing public for-hire operating authority from the Commission, primarily hauling grain, feed, hay, and liquid fertilizer. ARG Carrier operates under USDOT 1835720. On August 27, 2024, a Commission Staff Special Investigator (SI) completed a safety compliance investigation of the operations of ARG Carrier. 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 SI identified one (1) violation, accounting for one (1) specific count, 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 SI, staff recommends penalty of \$500 be issued to the MC.

DISCUSSION AND ANALYSIS:

On August 27, 2024, a Commission Staff SI conducted a safety compliance investigation of the operations of ARG Carrier. The investigation covers a 365 day period and any previous compliance review. Each specific count is detailed below.

Count 1 (1 of 1)

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

Intent of Law: The MC must obtain a proper commercial registration for its commercial motor vehicle.

Supporting Documents: On May 30, 2024, ARG Carrier required or permitted its driver, Adam Garcia, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV), a 2007 International truck, VIN ending in 3193, GVWR of 54,000 lbs., in intrastate commerce from Johnson City, Kansas to Garden City, Kansas. This transport is evidenced by Driver Time Record, attached hereto as **Exhibit 2**. Additionally, the registration inquiry is attached hereto as **Exhibit 3**. The registration inquiry lists the plate type as "Standard" rather than "Commercial."

Violation: ARG Carrier failed to obtain commercial registration for the CMV operated. This is a violation of K.S.A. 8-142 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 3**). One (1) violation was discovered (**Exhibit 1, Page 8**).

Recommendation: Staff recommends a penalty of \$500, as determined by the KCC uniform penalty assessment table.

RECOMMENDATION:

Transportation Staff recommends the Commission find ARG Carrier committed one (1) violation(s), accounting for one (1) specific count, 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 \$500 for one (1) violation(s) 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 ARG Carrier require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within thirty (30) 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.

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

Finally, Staff recommends that ARG Carrier 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#: 1835720
MC/MX#: 1089176

Legal: ADAM R GARCIA
Operating (DBA): ARG CARRIER

Investigation Date:
08/27/2024

Investigation Type: Onsite Comprehensive Investigation

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

Extent of Operations: Entire Operation

Physical Address

1019 HARRISON AVE
GOODLAND, KS 67735-2449
United States

Mailing Address

1019 HARRISON AVE
GOODLAND, KS 67735-2449
United States

Contact Information

Contact Name: MERIBAH GARCIA

Email:

Phone: (785)821-3848 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Sole Proprietorship

Name of Gross Revenue Provider: Meribah Garcia

Title of Gross Revenue Provider: Spouse/CFO

Gross Revenue: ██████████ **For Year Ending:** 12/31/2023

Federal Tax ID: ██████████

Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier

Operation Classification

For-Hire Motor Carrier
Property
Exempt Commodities

Cargo

Grain, Feed, Hay, Other (Liquid Fertilizer)

Equipment

	Owned	Term Leased	Trip Leased
Straight Trucks	3		
Truck Tractors	8		
Trailers	12		

Driver Information

Drivers	Intrastate	Interstate
	< 100 Miles	
>= 100 Miles		5

Power units used in the U.S.: 11
Percentage of time used in the U.S.: 100%

Average trip leased driver/month: 0
Drivers with CDL: 5
Total Drivers: 5

Person(s) Interviewed

Name: ADAM R. GARCIA

Title: OWNER

Name: MERIBAH GARCIA

Title: OWNER/CFO

Person(s) Interviewed**Name:** Jacob Garcia**Title:** ARG Mnger**Questions**

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

Violations

1. 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).

Violations Discovered

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

Example/Notes:

Driver name Adam Garcia

Trip date -5-30-24

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

Drivers/Vehicles in Violation

Fed	State	Total
2		2

Checked

Fed	State	Total
5		5

2. Primary: 392.2

State Equivalent: K.S.A. 8-142

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

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	5	5

Example/Notes:

Vehicle License or Company Number - A7

Driver Name - Asaph Garcia

Trip Date - 5-30-24

Description of Violation - Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. Unit A7's 2024 registration is standard and not for a CMV.

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	5	5

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	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 0%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 200,928 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

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: Driver Fitness

Process Breakdown: Monitoring and Tracking

Specific Recommended Remedies

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

1. Regularly evaluate the company's driver fitness-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with driver-fitness regulations and company policies.
2. When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Recommendations

1. **Additional Information**

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

2. **For all Investigations not Unsat.**

For all Investigations:

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

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

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

NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years. The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information: <http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

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

<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

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

3. **Final Recommendation**

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 Smith [KCC] 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 Failure to submit the plan & attend a KCC safety presentation within 30 days of the

Email: Jared Smith [KCC] 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 Failure to submit the plan & attend a KCC safety presentation within 30 days of the closing of the compliance review can result in further penalties in a follow up review. Carrier ARG CARRIER

Date 9/17/24

I acknowledge that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Adam R Garcia d/b/a ARG Carrier's vehicles operating authority and/or the impoundment of Adam R Garcia d/b/a ARG Carrier's vehicles.

Signed Adam R Garcia Date 9/17/24

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. Carrier representative: [Signature] Date: 9/17/24

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
391.51(b)(8) - Failing to note verification of medical examiner in DQ file.			
1	05/30/2024	Driver: Invoice#1645 January 2024	Adam Garcia
2	05/30/2024	Driver: BOL# 66589 May 2024	Meribah Garcia
392.2 - Operating vehicle in violation of local/State laws			
1	05/30/2024	BOL# 66590	

EXHIBIT 2

EXHIBIT 3

Registration Inquiry

See Also:

- Vehicle Ownership History
- Vehicle Transaction History

-Vehicle																			
VIN				Type	Truck														
Vehicle	2007 INTERNATIONAL 7600 CB			Colors	White														
Weight	17000			GVWR															
Cylinders				List Price	\$117,812.00														
Odometer	335670 Miles - Actual			Vehicle #	8433147														
Sq. Footage				MGVW or GCW	30000														
NCIC Vehicle Type	Truck (TK)			Effective Date		Purchased Amount		GVW		GVW Class Purchased		Declared Weight		End Date					
Class Code	51			Designations															
Sanctions																			

-Title																			
Title Number				Title Type	Regular					Replacement	No								
Title Status	Approved			Status since	3/23/2023														
Title Issue Date (Title Approved Date)	3/23/2023			Owner Relationship															
SI Application Exists	No			Certificate of Compliance															
Security Interests Exists	Yes																		

-Plate																			
Plate #				Plate Type	Standard														
NCIC Plate Type				Plate Format															
Assignment Date	1/29/2015			Personalized	No														

Registration

Start Date	End Date	Transaction Date	Annual Fee	Tonnage	Usage	Plate	Plate Type	Plate Status	Status Date	Carrier	Tracking Number	Declared Weight	Current	Prior	Int	Tax Unit	Decal Number	Exemption Reason
07/01/2024	12/31/2024	7/18/2024 10:34:18 AM	\$905.00	9	Regular		Standard					54000	0.00	0.00	0.00	001	903HEC022501	

Customers

Relationship	Priority	Start Date	Stops Exist	Name	Address
Owner	1	01/29/2015		Garcia, Adam Ralph	
Owner	2	01/29/2015		Garcia, Meribah A	
Security Interest	1	03/23/2023		SJN BANK OF KANSAS	

CERTIFICATE OF SERVICE

25-TRAM-168-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 10/10/2024.

Meribah Garcia, OWNER/CFO
ADAM R GARCIA
D/B/A ARG CARRIER
1019 HARRISON AVE
GOODLAND, KS 67735-2449
argtrucking@sbcglobal.net

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

/S/ KCC Docket Room
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