

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

In the Matter of the Investigation of **Bailey**)
Trucking LLC, of Overland Park, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 23-TRAM-959-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor Carrier)
Authority.)

MOTION TO REINSTATE INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission reinstate the Kansas motor carrier operations of Bailey Trucking LLC of Overland Park, Kansas (Carrier). In support of its Motion, Staff states as follows:

1. Carrier is a motor carrier, as defined in 49 C.F.R. Part 390.5 and as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.
2. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 3136502.
3. On October 19, 2023, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,¹ other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, due to non-compliance with a Penalty Order issued on June 29, 2023.² The Penalty Order assessed Carrier a \$300 civil fine for failing to pay

¹Order Suspending Intrastate Motor Carrier Operations (Oct. 19, 2023).

² See Penalty Order (Jun. 29, 2023).

its 2023 Unified Carrier Registration (UCR) fees. The Commission's Penalty Order is incorporated herein by reference and made a part of this Order.

4. On November 6, 2023, Carrier submitted payment of the \$300 civil assessment and submitted payment of their 2023 UCR fees. Transportation Staff (Staff) confirmed the payments have been made as of that date and determined the carrier was now in compliance with Kansas motor carrier safety statutes, rules and regulations pursuant to the above-referenced Penalty Order.

5. Therefore, Staff asks the Commission to find that Carrier has now complied with the requirements of the above-referenced Penalty Order.

6. Staff also asks the Commission to reinstate Carrier's Kansas motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Carrier's Kansas motor carrier operations.

Respectfully submitted,

/s/Ahsan A. Latif

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For Commission Staff

CERTIFICATE OF SERVICE

23-TRAM-959-PEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on November 6, 2023.

Lilit Galstyan, CEO
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