

4. The Penalty Order was mailed to Respondent via certified mail, return receipt requested, on October 14, 2015. The Penalty Order was not received by Respondent, but was re-

sent by certified U.S. mail on November 19, 2015. Upon this second mailing, the Penalty Order was not returned to the Commission.

5. As of January 6, 2016, Commission records indicate Respondent has not complied with requirements of the Penalty Order in that Respondent had thirty (30) days from service to pay the fine amount of \$3,700, and Transportation Division records indicate the fine is unpaid. Further, Respondent was mailed a letter dated December 21, 2015, to his mailing address, notifying him of his unpaid fine and lack of compliance with the above-referenced Penalty Order.

6. Staff asks that the Commission find Respondent received sufficient notice of the Penalty Order, and requisite opportunity to pay the penalty assessment.

7. Staff asks that the Commission find Respondent failed to act upon the Commission's Order.

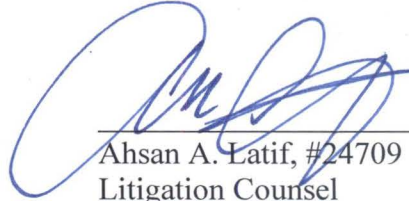
8. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Penalty Order poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's intrastate motor carrier operations until such time as Respondent pays the penalty amount of \$3,700, and brings its motor carrier operation into compliance with motor carrier safety statutes, rules and regulations, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

10. Furthermore, Staff requests the Commission order Respondent to attend a Commission-sponsored safety seminar within the next ninety (90) days, and to provide Staff with written proof of attendance.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's intrastate motor carrier operations and ordering Respondent to attend a Commission-sponsored safety seminar within the next ninety (90) days, and to provide Staff with written proof of attendance.

Respectfully submitted,



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For Commission Staff

CERTIFICATE OF SERVICE

16-TRAM-153-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Intrastate Motor Carrier Operations was placed in the United States mail, postage prepaid, or hand-delivered this 7th day of January, 2016, to the following:

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/s/ Vicki Jacobsen

Vicki Jacobsen