

1500 SW Arrowhead Road
Topeka, KS 66604-4027



20170523163912
Kansas Corporation Commission

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

Pat Apple, Chairman
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

17-TRAM-500-PEN

May 23, 2017

Eric Pfeifer, President
Dave's Recycling, Inc.
2330 R Road
Plainville, Kansas 67663

Certified Mail No. 70161970000105740723

This is a notice of a penalty assessment against Dave's Recycling, Inc. for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 24, 2017, by Kansas Corporation Commission Special Investigator(s) Gregory Askren and Doug Handy. Penalty amounts are assessed in accordance with the FY 2017 Uniform Penalty Assessment Matrix, approved by the Commission on August 18, 2016. For a full description of the penalty(s) and terms and obligations please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY: Dave's Recycling has been assessed a \$3,850 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine amount. Please remit payment of \$3,850, through your personal account with the Kansas Corporation Commission's KTRAN application 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.

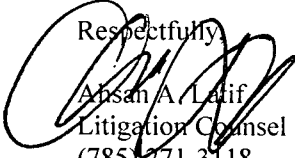
You must attend a Commission-sponsored safety seminar within ninety (90) days from the date of the attached Order and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

You must submit to one follow-up safety compliance review within 18 months from the date of the attached Order. Transportation Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Dave's Recycling 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 must 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 (7) copies of the request to the Commission's Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Penalty Order and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2015 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$3,850 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the attached Penalty Order, or in the alternative, failure to provide a written request for a hearing within fifteen (15) days from the date of service of this Penalty Order, will result in the attached Order becoming a Final Order and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,


Ahsan A. Latif
Litigation Counsel
(785) 271-3118

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

Before Commissioners: Pat Apple, Chairman
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Investigation of **Dave's**)
Recycling, Inc., of Plainville, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 17-TRAM-500-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). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2015 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2015 Supp. 66-1,108, 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. 2015 Supp. 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 order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. Dave's Recycling, Inc. (Dave's Recycling) obtained private operating authority from the Commission on March 4, 2009, and operates under KSMCID number 166963 and USDOT number 1433867.

5. David Pfeifer attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on February 9, 2009, on behalf of Dave's Recycling.

6. Dave's Recycling is a private motor carrier which primarily hauls metal, sheets, coils, rolls, motor vehicles, machinery, large objects, oilfield equipment and recycling metal.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 24, 2017, Commission Staff (Staff) Special Investigator(s) Gregory Askren and Doug Handy conducted a compliance review of the operations of Dave's Recycling. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Askren and Mr. Handy identified eight (8) violation(s) of the Motor Carrier Safety Regulations.

- a. On October 28, 2016, Dave's Recycling required or permitted its driver, Irvin Edward Earl, to operate a CDL-required commercial motor vehicle, a 2007 Volvo, VIN ending in 450659, GVWR 50,000 lbs., pulling a 2005 PJ trailer, VIN ending in 66341, GVWR 26,000 lbs., in intrastate commerce

in and around the area of Hill City, Kansas. This trip is evidenced by Kansas Motor Vehicle Accident Report, dated October 28, 2016, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, Dave’s Recycling did not have an alcohol/controlled substance testing program in place for its CDL drivers. The carrier’s failure to establish an alcohol and/or controlled substances program for its CDL drivers that complies with the procedures established in 49 C.F.R. 382.105 as adopted by K.A.R. 82-4-3c is a violation of 49 C.F.R. 382.115(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$650.

- b. On January 27, 2017, Dave’s Recycling required or permitted its driver, David L. Pfeifer, to operate a CDL-required commercial motor vehicle, a 2007 Volvo, VIN ending in 50659, GVWR 50,000 lbs., pulling a 2007 Trail trailer, GVWR 68,000 lbs., transporting class 9 hazmat in interstate commerce from Plainville, Kansas to Kearny, Nebraska. This trip is evidenced by a vendor check stub, dated January 27, 2017, a copy of which is attached hereto as Attachment “C” and is hereby incorporated by reference. At the time of this transportation, Dave’s Recycling failed to file the proper MSC-90 and present an insurance verification form showing \$100,000 coverage. The carrier’s failure to obtain and have in effect the minimum levels of financial responsibility, including policies of insurance, is in violation of 49 C.F.R. 387.7(a) and (b)(1), adopted by

K.A.R. 82-4-3, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$500.

- c. During the transportation described in paragraph a., above, Dave's Recycling did not have any record of duty status for the required transportation. The special investigators found 56 violations of this type. The carrier's failure to require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation is in violation of 49 C.F.R. 395.8(a), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$1,000.
- d. On March 23, 2016, Dave's Recycling required or permitted its driver, Edward Earl, to operate a CDL-required commercial motor vehicle, a 2003 International, VIN ending in 061911, GVWR 52,000 lbs., in intrastate commerce in and around the area of Stockton, Kansas. This trip is evidenced by Driver/Vehicle Examination Report No. KSHP02260062, dated March 23, 2016, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, Dave's Recycling failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The carrier's failure to inquire into its driver's MVR at least once every 12 months and maintain a copy of the MVR in the driver

qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c)(1), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2016 Supp. 66-1,112. Staff recommends a fine of \$100.

- e. During the transportation described in paragraph a., above, Dave's Recycling failed to have its driver, Edward Earl, medically examined and certified to operate a commercial motor vehicle. The carrier's failure to confirm that its driver is medically examined and certified prior to requiring or permitting the operation of a commercial motor vehicle and maintaining documentation of the medical certificate in the driver qualification file is a violation of 49 C.F.R. 391.41(a)(1)(i), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$250.
- f. During the transportation described in paragraph a., above, Dave's Recycling failed to conduct a road test on its driver or in lieu of a road test, have a copy of the driver's license in the driver's qualification file. The carrier's failure to failure to maintain a road test certificate issued to the driver pursuant to 49 C.F.R. 391.3(e) in the driver's qualification file, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to 49 C.F.R. 391.33 is a violation of 49 C.F.R. 391.51(b)(3), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$100.

- g. During the transportation described in paragraph a., above, Dave's Recycling required or permitted its driver, Edward Earl, to operate a CDL-required commercial motor vehicle without have a Commercial Driver's License (CDL). The carrier's failure to ensure its driver possess a valid commercial motor vehicle license that meets the standards to operate the CDL-required commercial motor vehicle is in violation of 49 C.F.R. 383.23(a)(1) and (2), adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$500.
- h. During the transportation described in paragraph a., above, and during the compliance review, Dave's Recycling could not provide any maintenance and/or inspection records on the commercial motor vehicles operated. The special investigators found four (4) violations of this type. The carrier's failure to maintain the required vehicle inspection records and vehicle maintenance records for 30 days is in violation of 49 C.F.R. 396.3(b), adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$750.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Dave's Recycling committed eight (8) violation(s) 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 sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$3,850 for eight (8) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Dave's Recycling be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Transportation Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Dave's Recycling submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Dave's Recycling because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

13. The Commission finds Dave's Recycling committed eight (8) violation(s) 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 sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Dave's Recycling, Inc., of Plainville, Kansas is hereby assessed a \$3,850 civil penalty for eight (8) violation(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. Dave's Recycling is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Transportation Staff with written proof of attendance.

C. Dave's Recycling is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

D. Pursuant to K.S.A. 2015 Supp. 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 (7) copies of the request to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel, within fifteen (15) days from the date of service of this Order. On May 23, 2017, this Penalty Order was mailed to Dave's Recycling via Certified Mail, Return Receipt Requested, No. 70161970000105740723. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Dave's Recycling's right to a hearing, and this Penalty Order will become a Final Order assessing a \$3,850 civil penalty against Dave's Recycling, and ordering Dave's Recycling to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Transportation Staff with written

proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of this Order.

E. 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. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2015 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$3,850 is due in thirty (30) days from the date of service of this Order. Payment of \$3,850, must be made through your personal account with the Kansas Corporation Commission's KTRAN application 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.

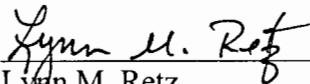
G. Failure to pay the \$3,850 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Dave's Recycling's motor carrier operating authority without further notice. 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.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: **MAY 23 2017**



Lynn M. Retz
Secretary to the Commission


AAL

Order Mailed Date

MAY 24 2017

ATTACHMENT “A”

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 1433867	Legal: DAVE'S RECYCLING INC Operating (DBA):	
MC/MX #:		State #: [REDACTED]	Federal Tax ID: [REDACTED] (EIN)
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.	
Territory: E			
Operation Types			
Carrier: HM	Interstate HM	Intrastate HM	Business: Corporation
Shipper: N/A	Interstate N/A	Intrastate N/A	Gross Revenue: [REDACTED] for year ending: 12/31/2016
Cargo Tank: N/A			
Company Physical Address:			
[REDACTED]			
Contact Name: Eric Pfeifer			
Phone numbers: (1) [REDACTED]		Fax	
E-Mail Address: [REDACTED]			
Company Mailing Address:			
2330 R ROAD PLAINVILLE, KS 67663-9210			
Carrier Classification			
Private Property			
Cargo Classification			
Metal: Sheets, Coils, Rolls		Motor Vehicles	
Oil Field Equipment		Machinery, Large Objects	
		Other: Recycling Metal	
Hazardous Materials			
9 Miscellaneous HM		Carried Non-Bulk	
Equipment			
	Owned	Term Leased	Trip Leased
Truck	1	0	0
Trailer	2	0	0
Truck Tractor	1	0	0
Power units used in the U.S.: 2			
Percentage of time used in the U.S.: 100			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:	1	1	Total Drivers: 2
>= 100 Miles:			CDL Drivers: 2





DAVE'S RECYCLING INC

U.S. DOT #: 1433867

State #: [REDACTED]

Review Date:

05/09/2017

Part A

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:

Address not available

This report will be used to assess your safety compliance.


Person(s) Interviewed

Name: Eric Pfeifer

Title: President

Name: [REDACTED]




	DAVE'S RECYCLING INC	State #: [REDACTED]	Review Date:
	U.S. DOT #: 1433867		05/11/2017

Part B Violations

1 FEDERAL ACUTE	Primary: 382.115(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
Description Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to have a alcohol/controlled substance testing program during this investigation. Dave's Recycling Inc. could not provide documentation indicating there was ever a program implemented as required.					
2 FEDERAL ACUTE	Primary: 387.7(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
Description Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage. Example Driver [REDACTED] 6 Trip date: 1/27/2017 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2007 Trail Ks. Reg [REDACTED] with GVWR 68,000. Transporting a class 9 HM to Kearny NE. which requires \$1,000,000.00 coverage. Dave's Recycling Inc. failed to file the proper MCS-90 and presented an insurance verification form showing \$100,000.00 coverage.					
3 FEDERAL CRITICAL	Primary: 395.8(a)	Discovered 11	Checked 16	Drivers/Vehicles In Violation	Checked 1
Description Failing to require driver to make a record of duty status. Example Driver [REDACTED] Trip date: 1/27/2017 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 Pulling a 2007 Trailmobile, Ks. Reg [REDACTED] with GVWR 68,000.. Dave's Recycling Inc. failed to provide hours of service records as required by the regulations.					
4 STATE CRITICAL	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 45	Checked 45	Drivers/Vehicles In Violation	Checked 2
Description Failing to require driver to make a record of duty status. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to provide hours of service records as required by the regulations.					



	DAVE'S RECYCLING INC U.S. DOT #: 1433867	State #: [REDACTED]	Review Date: 05/11/2017
Part B Violations			

5 FEDERAL	Primary: 390.19(b)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked <div style="display: flex; justify-content: space-around;"> 1 1 </div>
Description Failing to file the appropriate form under 390.19(a) (MCS-150, 150B, or 150C) each 24 months according to the schedule. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to update their MCS-150 as required every 24 months.				
6 FEDERAL	Primary: 391.25(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation Checked <div style="display: flex; justify-content: space-around;"> 1 3 </div>
Description 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. Example Driver [REDACTED] Trip date: 3/23/2016 Hire Date: 1/18/2011 Roadside inspection KSHP02260062 Dave's Recycling Inc. failed to provide an MVR for 3 previous years prior to an MVR obtained on 1/17/2017.				
7 FEDERAL	Primary: 391.45(a) Secondary: 391.11(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation Checked <div style="display: flex; justify-content: space-around;"> 1 3 </div>
Description Using a driver not medically examined and certified. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Driver Irvin [REDACTED] failed to be medically examined at the time of the accident on 10-28-2016.				
8 FEDERAL	Primary: 391.51(b)(1)	Discovered 3	Checked 3	Drivers/Vehicles In Violation Checked <div style="display: flex; justify-content: space-around;"> 3 3 </div>
Description Failing to maintain driver's employment application in driver's qualification file. Example Driver [REDACTED] Trip Date: 6/8/2016 Hire date 5/1/2016 Ks. roadside inspection KSHP01550037 Dave's Recycling Inc. failed to maintain an application of employment on file for each driver in the driver qualification file.				



DAVE'S RECYCLING INC
U.S. DOT #: 1433867

State #: [REDACTED]

Review Date:
05/11/2017

Part B Violations

9 FEDERAL	Primary: 391.51(b)(3)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to conduct road test or in lieu of road test have a copy of the drivers license on file.					
10 FEDERAL	Primary: 391.51(b)(5)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
Description Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Example Driver [REDACTED] Trip date: 3/23/2016 Hire Date: 1/18/2011 Roadside inspection KSHPO2260062 Dave's Recycling Inc. failed to provide annual review for 3 previous years prior to this investigation.					
11 FEDERAL	Primary: 391.51(b)(6)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example Driver [REDACTED] Trip date: 3/23/2016 Hire Date: 1/18/2011 Roadside inspection KSHPO2260062 Dave's Recycling Inc. failed to provide a certification of violations for 3 previous years prior to this investigation.					
12 FEDERAL	Primary: 391.51(b)(9)	Discovered 2	Checked 3	Drivers/Vehicles In Violation 2	Checked 3
Description 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 Driver [REDACTED] Trip date: 3/23/2016 Hire Date: 1/18/2011 Operating - 2003 Intl. Vin # [REDACTED] 061911 Ks. Reg. [REDACTED] GVWR 52000. Was not pulling a trailer on this trip. Roadside inspection KSHPO2260062 Dave's Recycling Inc. failed to note verification of Medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m).					





DAVE'S RECYCLING INC

U.S. DOT #: 1433867

State #: [REDACTED]

Review Date:

05/11/2017

Part B Violations

13 FEDERAL	Primary: 392.2 Secondary: 383.23(a)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
Description Operating a commercial motor vehicle without a valid commercial driver's license. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. No CDL when required while operating a CDL required vehicle. Driver Irvin [REDACTED] has a valid Kansas class C non CDL operators license. In violaiton of KSA 8-2,132(a)					
14 STATE	Primary: 392.60 CFR Equivalent: 392.60	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Requiring or permitting a driver to transport an unauthorized passenger. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to have on file a letter permitting unauthorized passengers on board. [REDACTED] [REDACTED] and [REDACTED] King was ejected and airlifted with major injuries.					
15 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4	Checked 4
Description Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. Example Driver Irvin [REDACTED] Trip Date 10-28-16 Kansas Accident Report # 2016014910 Operating a 2007 Volvo Vin # [REDACTED] 450659 with a GVWR 50,000 pulling a 2005 PJ Vin # [REDACTED] 66341 with GVWR 26,000. Dave's Recycling Inc. failed to provide maintenance records identifying vehicles as required.					
Safety Fitness Rating Information: Total Miles Operated 6,000 Recordable Accidents 1 Recordable Accidents/Million Miles 166.67		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 2 Number of Vehicles Inspected (MCMIS): 3			





DAVE'S RECYCLING INC
U.S. DOT #: 1433867

State #: [REDACTED]

Review Date:
05/11/2017

Part B Violations

Your proposed safety rating is :

UNSATISFACTORY

Rating Factors		Acute	Critical
Factor 1:	C	1	0
Factor 2:	C	1	0
Factor 3:	U	0	2
Factor 4:	C	0	0
Factor 5:	S	0	0
Factor 6:	S	-	-

Effective date: The unsatisfactory rating will take effect 60 days after the date of a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters office in Washington, D.C.

PROHIBITION: Under 49 USC sections 13905(f)(1)(B) and 31144, and 49 CFR section 385.13 a motor carrier that receives a final safety rating of unsatisfactory is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce and, if applicable, shall have its registration revoked unless and until such time the FMCSA determines the motor carrier is fit and the motor carrier has reinstated its registration.

49 U.S.C. 31144 provides that the prohibition takes effect unless the motor carrier, within 60 days of the date of the forthcoming official notice, takes the necessary steps to improve the rating to conditional or satisfactory.

Unless the motor carrier receives an improved rating within 60 days from the date of the forthcoming official notice from Washington, D.C, the motor carrier will be subject to the prohibition in 49 CFR 385.13.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

Administrative Review: A motor carrier may appeal its proposed safety rating in a petition filed pursuant to 49 CFR section 385.15 if it believes that the rating is in error and there are factual and procedural issues in dispute. Such appeals must be made within 90 days of the date of the proposed safety rating, but should be made within 15 days of the date of the safety rating notice to allow the FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. Appeals filed pursuant to section 385.15 should be addressed to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590. The motor carrier will receive a written decision on the petition within 45 days from receipt of the petition by the Chief Safety Officer. (See 49 CFR 385.15 for additional details.)

(Note: Neither a petition to contest the rating nor a request for a change in the rating will delay the effective date of the rating, if unchanged.)

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new





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Part B Violations

satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.





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Part B Requirements and/or Recommendations

1. 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 carrier's 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.

For all Investigations that could result in a Notice of Claim:

- PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. 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





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also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

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

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
Max Strathman – Midwestern Field Administrator
Federal Motor Carrier Safety Administration
4749 Lincoln Mall Drive, Suite 300-A
Matteson, IL 60443

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

US Department of Transportation
Kansas Division
Jeff Ellett – 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.

For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct 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. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027





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2. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
3. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).
4. 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.
5. 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.
6. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
7. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
8. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
9. 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.
10. Retain on file a properly completed & current copy of your form MCS-90 financial responsibility endorsement.
11. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Dave's Recycling, Inc. failed to require driver to complete a record of duty status.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy and procedure describing how management will monitor and track logs for falsification.
- Establish a policy that prohibits dispatchers from assigning a load to drivers without hours available to complete the load on time.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order





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under any circumstances, and immediately contact the carrier when a driver is placed OOS.

- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls.
- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.
- 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 Hours-of-Service (HOS) violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

12. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Dave's Recycling, Inc. failed to implement a random drug/alcohol testing program. Carrier had a driver involved in a DOT recordable accident and failed to test for post alcohol/controlled substance testing.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- 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.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- 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





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consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

13. CRASH INDICATOR BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Dave's Recycling, Inc. was involved in a DOT recordable accident and failed to obtain a copy of the accident report from the sState of Kansas and have that on file. Carrier failed to maintain accident records as required following a DOT recordable accident.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy stating that drivers are responsible for adhering to all safe-driving-related Federal, State, and local laws and ordinances, including the wearing of seatbelts.
- Develop a policy requiring drivers to report and submit copies of all roadside inspections, moving violation citations, and crash involvements to carrier management within 24 hours.
- Develop policies and procedures that ensure drivers practice and apply safe, defensive driving techniques and skills.
- Develop a policy that prohibits passengers from being on board non-passenger vehicles without management approval.
- Develop a procedure ensuring that vehicle defects that impact safety and/or compliance are reported, repaired, and certified before the vehicle is operated.
- 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.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

14. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Dave's Recycling, Inc. failed to maintain the driver qualification file with the required documentation to be in compliance with the regulations.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.





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- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
- 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 Driver Fitness Violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry

15. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
16. This review will result in a Safety Rating.
17. I acknowledge that these requirements 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 the Kansas Motor Carrier Safety Statutes and Regulations could result in suspension of Dave's Recycling Inc. operating authority and/or the impoundment of Dave's Recycling Inc. vehicles.

NAME OF CARRIER OFFICIAL, TITLE

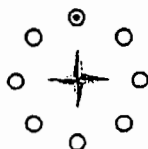
Date

18. Stay in contact with your KCC investigator for any questions or issues with continued safety compliance.
SI Gregory Askren
785.483.0212
g.askren@kcc.ks.gov

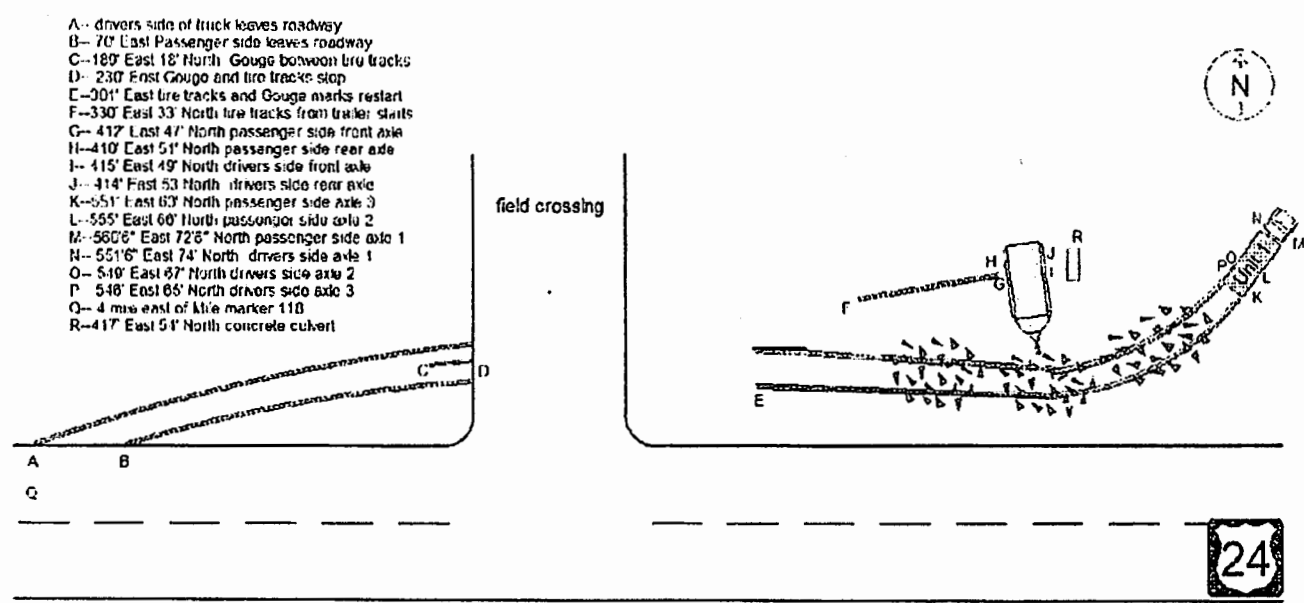


ATTACHMENT “B”

Kansas Motor Vehicle Accident Report				Investigating Department Kansas Highway Patrol		Reviewed by		Local Case No. 2016014910		Page of 1 / 6		<input type="checkbox"/> Amended Report													
KDOT Form 850A Rev 1-2009 KDOT: 20160126302				Investigating Officer Name RK Thornburg		Badge Number 368		County GH		City Name HILL CITY		<input type="checkbox"/> DUI													
Investigating Officer Name RK Thornburg				Badge Number 368		County GH		City Name HILL CITY		Accident Severity		<input type="checkbox"/> Hit & Run													
Milepost 118.4		Block No		Dir Pfx E		On Road Name U024		Road Type HWY		Dir Sfx E		Spd Lmt 65		Date of Accident (mm/dd/yyyy) 10/28/2016		Time Occur. 18:35		Day FR		Fatal Injury PDO >= \$1,000 PDO < \$1,000					
From Dist 2		Fv/Mi M		From Dir W		Dir Pfx N		Reference or At Road Name U283		Road Type HWY		Dir Sfx N		Spd Lmt 65		Date Notified (mm/dd/yyyy) 10/28/2016		Time Notif. 18:52		Day FR		Private Property			
Narrative: Describe each traffic unit's pre-crash movement and direction of travel														Date Arrived (mm/dd/yyyy) 10/28/2016		Time Arriv. 19:07		Day FR		<input type="checkbox"/> Private Property					
Vehicle 1 traveling east when it left the roadway to the north side of the road.														Latitude (AOI)		00		ON		WORK ZONE TYPE		AT			
														Longitude (AOI)						00 None Apply					
														Photos by Thornburg						01 Construction Zone -		KDOT			
																				02 Maintenance Zone -					
																				03 Utility Zone -					
																				99 Unknown					
KDOT: Object 1 Damaged & Nature of Damage (show in diagram) Owner Street Address Personal Phone																									
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																									
Owner Last Name First Name Middle Name City State Zip Work Phone																									
ONLY CHOOSE ONE CODE PER CATEGORY UNLESS SPECIFIED OTHERWISE																									
03 LIGHT CONDITIONS						11 ACC. LOCATION (of 1st Harmful Event)						08 ACCIDENT CLASS (mark 1 box per side)						08							
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 Parking lot or 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													
00 ADVERSE WEATHER CONDITIONS						+INTERSECTION TYPE						17 **FIXED OBJECT TYPE						17							
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 88 Other: 24 Sleet & fog 36 Snow & wind 99 Unknown						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						(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													
02 ON SURFACE TYPE AT						ROAD SPECIAL FEATURES (up to 3)						TRAFFIC CONTROLS													
01 Concrete 02 Blacktop (Asphalt) 03 Gravel 88 Other: 04 Dirt 05 Brick 99 Unknown						00 None 100 2 3 01 Bridge 02 Bridge Overhead 03 Railroad Bridge 04 RRXING 05 Interchange 06 Ramp 99 Unknown						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													
01 ON SURFACE CONDITIONS AT																									
01 Dry 88 Other: 02 Wet 03 Snow 99 Unknown 04 Ice 05 Mud/dirt/sand 06 Debris (oil, etc.) 07 Standing/ moving water 08 Slush																									

Accident Diagram 850A continued		SPECIAL EVENT		SPECIAL DATA		Local Case No. 2016014910	Page of 2 / 6
02 ON	ROADWAY NUMBER OF LANES AT	01 ON	ROAD CHARACTER AT	00	SPECIAL JURISDICTION	<p>A basic diagram is required for all state reportable accidents 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 One 02 Two 03 Three 04 Four to Six 05 Seven or more 88 Other: _____ 99 Unknown		01 Straight & Level 02 Straight on grade/slope 03 Straight on hillcrest 04 Curved & level 05 Curved on grade/slope 06 Curved on hillcrest 88 Other: _____ 99 Unknown		00 Normal Jurisdiction (Not Special) 01 National Park Service 02 Military 03 Indian Reservation 04 College / University Campus 05 Other Federal property 88 Other: _____ 99 Unknown		

Draw scene as observed or recreate per statements and evidence available



NOT TO SCALE

Diagram by K368
RK Thornburg

Occupants & Vehicles KDOT Form 850B Rev. 1-2009				DRIVER & PASSENGER INFORMATION (record pedestrians on supplemental form 854)				Investigating Officer / Badge No. RK Thornburg 368		Local Case No. 2016014910		Page of 3 / 6	
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VIOLATIONS CHARGED				CITATION#		VIOLATIONS CHARGED				CITATION#	
1	08-1522(a)			E001210978		1	08-2503			E001210976	
1	08-1344			E001210977		1	66-1,129			E001210979	

OFFICER'S OPINION OF APPARENT CONTRIBUTING CIRCUMSTANCES - ENTER AS MANY AS APPLY TO THIS ACCIDENT (FACTOR TYPE, T#s, CC CODE)

D1 05

Unit #	DRIVER Last Name	Middle Name	DRIVER ADDRESS (Number, Street, Suffix, etc.)	Personal Phone Number	Gender	SE Used	Inj Severity	Transp Unit	
Seat Type	DRIVER First Name	Date of Birth	City	State	Zip	Age	Eject/Trap	Extraction?	
1		MN				M	N	I	A
01		DOB	Stockton	KS	67669	30	N		
		MN							
		DOB							

TRAFFIC UNIT# 1 (01-03, N1, X3, etc)				TRAFFIC UNIT# (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"/>						

DR LICENSE COMPLY				RESTRICT COMPLY				COMMERCIAL ENDORSEMENTS			
00 Not licensed				Restrictions? <input type="checkbox"/> N				1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>			
01 Valid License				Driver's Lic Restrictions <input type="checkbox"/> Y <input type="checkbox"/> N				Z - None			
02 Suspended								T - Double/Triple Trailer			
03 Revoked								P - Passenger Vehicle			
04 Expired								N - Tank Vehicle			
05 Cancel or Denied								H - Placarded Haz. Material			
06 Disqualified								X - Combination Tank/HazMat			
07 Restricted								S - School Bus			
99 Unknown								U - Unknown			

SUBSTANCE USE (mark all that apply)			
<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"/> DP - Illegal drugs ingested	<input type="checkbox"/> MC - Medication contributed		

METHOD OF DETERMINATION (mark all that apply)				IMPAIRMENT TEST (mark all that apply)			
ALCOHOL				DRUGS			
<input checked="" type="checkbox"/> 00 No evidence of impairment				<input checked="" type="checkbox"/> NG - No Test given			
<input type="checkbox"/> 01 Evidential Test (Breath, Blood, etc)				<input type="checkbox"/> TR - Test Refused (Alcohol/Drug)			
<input type="checkbox"/> 02 Preliminary Breath Test PBT				<input type="checkbox"/> PT - Prelim Positive Test (PBT)			
<input type="checkbox"/> 03 Behavioral Tests: HGN, walk-and-turn, one leg stand, etc				<input type="checkbox"/> TG - Evidentiary Test given			
<input type="checkbox"/> 04 Passive Alcohol Sensor (detects alcohol from driver's mouth)				<input type="checkbox"/> RP - Results pending			
<input type="checkbox"/> 05 Observed (Odor, staggering, slurred speech, etc)				<input type="checkbox"/> Evidentiary Breath <input type="checkbox"/> Eye Fluid			
<input type="checkbox"/> 06 Other (e.g. saliva test)				0. 0.			
				<input type="checkbox"/> Blood (BAC) <input type="checkbox"/> Other			
				0. 0.			
				Drug screen result <input type="checkbox"/>			

Unit #	PASSENGER Last Name	Middle Name	PASSENGER ADDRESS (Number, Street, Sfx, etc.)	Personal Phone Number	Gender	SE Used	Inj Severity	Transp Unit	
Seat Type	PASSENGER First Name	Date of Birth	City	State	Zip	Age	Eject/Trap	Extraction?	
1		MN				M	N	I	A
02		DOB	Stockton	KS	67669	07	N		
1		MN				M	N	D	A
03		DOB	Stockton	KS	67669	10	E	01	
		MN							
		DOB							
		MN							
		DOB							

Transport Unit A	EMS Time Notified 18:42	Injured taken by: Graham County EMS
EMS Arrived 18:47	EMS Time @ Hosp 19:01	Injured taken to: Hill City Hospital

[illegible]

Accident Narrative KDOT Form 851 Rev. 1-2009	Officer Observations Description of Events	Witness Statements Additional Information	Investigating Officer / Badge No. RK Thornburg 368	Local Case No. 2016014910	Page of 5 / 6
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On October 28th at approximately 1852 hours I was advised of an injury accident west of Hill City, Kansas. I arrived on scene at approximately 1907 hours. The driver was identified as [REDACTED] of Stockton Kansas by a Kansas Drivers' Licence. Passengers in the truck were identified as [REDACTED] both from Stockton.

Drivers' Statement: [REDACTED] said that he, his son [REDACTED] and his nephew [REDACTED] had went to Sharon Springs, Kansas to pick up some iron for his boss. As they were headed home from Sharon Springs, [REDACTED] said that he started to get tired so they stopped at Oakley for a while. After being stopped at Oakley for approximately 15 minutes [REDACTED] said that he was feeling pretty good and decided to continue back to Stockton. He said that they made it approximately 2 miles from Hill City when he passed out and went in to the ditch. He said that the truck went airborne and that he woke up while the truck was in the air. After the truck had came to a stop, he said that he looked over and seen [REDACTED] but did not see his nephew [REDACTED]. [REDACTED] said that he jumped out of the truck and went to find [REDACTED]. [REDACTED] said that they had left Stockton at approximately 545 hours that morning. He said that he had the cruise control set at approximately 70 miles per hour.

Vehicle Movements: Vehicle 1 was traveling east on U 24 highway when it crossed the center line and left the roadway. The vehicle went off the north side of the roadway. The vehicle traveled in the north ditch for approximately 230 feet before striking a field crossing. The vehicle went airborne for approximately 70 feet. The vehicle landed and started leaving gouge marks along the side of the ditch for approximately 260 feet before coming to rest on its wheels facing north east near the field edge. The trailer came disconnected from the truck during the accident and came to rest on its wheels further down the hill from where the truck went along the ditch edge.

Physical Evidence: There were tire marks leaving the north edge of the roadway approximately 4 tenths of a mile east of mile marker 118. These tire marks continued east in the north ditch up to a field crossing where they stopped. There was a gouge mark up to the field crossing. At the field crossing the gouge stops. The tire marks and gouge restart approximately 70 feet to the east. The truck continued east along the ditch edge another 260 feet before coming to rest on its wheels facing north east up near the field edge. The trailer came unhooked from the truck and came to rest approximately 100 feet east of where the truck landed after going airborne. The trailer was further down hill from the path that the truck went across. The trailer goose neck was twisted and had the springs on the passenger side were broken out of the equalizing bar between the axles. The truck had the front axle torn out from underneath the truck. The passenger side fuel tank was punctured and leaking fuel, the front strap for the fuel tank was no longer holding the tank in place. The passenger side front tire was torn from the axle. The bracket for the shock for the axle 2 was bent and the spring was broken. Both of the passenger side outside tires on axles 2 and 3 were flat and off the bead. The passenger side door window was broken out along with the windshield. The passenger side head light and turn signal were broken out of the hood. There was metal pieces scattered along the path of the truck. These pieces of metal had been secured on the truck at the time of the accident. The oil pan on the truck had damage to it and leaked oil out along the trucks path. The truck only had 2 seats. None of the occupants were wearing seatbelts.

Weather: Weather was not a factor in this accident.

Injuries: [REDACTED] was treated for a cut on his head. [REDACTED] was checked out and held for observation for his injuries. [REDACTED] was flown out to Good Samaritan hospital in Kearney, Nebraska by Eaglemed for his injuries. [REDACTED] was thrown out of the vehicle during the accident.

Officers' Opinion: Had [REDACTED] stayed stopped at the truck stop in Oakley and slept for a while this accident could have been avoided. Based on his own admission he said that he was tired.

Disposition of Vehicles: The vehicles were removed from the scene by R & R Towing from Wakeeney. The truck and trailer were taken back to Wakeeney to R & R Towing's lot. The owners removed most of the vehicles contents the night of the accident. The remainder was inventoried at the scene.

Accident Narrative 851 Continued	Officer Observations Description of Events	Witness Statements Additional Information	Local Case No. 2016014910	Page of /

HEAVY VEHICLE & HAZMAT Supplement		INFORMATION ON HEAVY VEHICLES / BUSES / HAZARDOUS MATERIALS		Investigating Officer / Badge No.		Local Case No.		Page of	
KDOT Form 852 Rev. 1-2009				RK Thornburg 368		2016014910		6 / 6	
MOTOR CARRIER INFORMATION									
1 Dave's Recycling INC						Plainville			
TU # Carrier Name		Carrier Street Address (P.O. Box only if no street address)				City			
KS 67663		USA		CARRIER IDENTIFICATION NUMBER(S)					
State Zip Phone		Carrier Country		1433867		MC/MX#		<input type="checkbox"/> NONE	
USDOT#									
1 CARRIER TYPE									
0 - Intrastate 1 - Interstate 2 - Not in Commerce - Other Truck or Bus 3 - Not in Commerce - Government Veh 4 - Other / Not Specified									
01 AT THE TIME OF CRASH, THIS VEHICLE WAS:		03 GVWR/GCWR		01 SOURCE OF CARRIER NAME		PERMITS (Issuer and Permit Number)			
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					
ACTUAL WEIGHT 26200 lbs									
VEHICLE INFORMATION					HAZMAT / ROADWAY INFORMATION				
TRAILER DIMENSIONS		TRAILER(S) DAMAGED?		OVERSIZED LOAD		HAZARDOUS MATERIALS INVOLVEMENT			
WIDTH (in) LENGTH (ft)						Did the vehicle have a Hazardous Materials Placard? <input type="checkbox"/>			
Trailer 1 90 42		<input type="checkbox"/> None		<input type="checkbox"/> Height		If Yes, Include The Following Information From The Placard:			
Trailer 2		<input checked="" type="checkbox"/> Trailer 1		<input type="checkbox"/> Weight		HazMat 4-digit # from the diamond center box: _____			
Trailer 3		<input type="checkbox"/> Trailer 2		<input type="checkbox"/> Width		HazMat Class # from the bottom of diamond: _____			
		<input type="checkbox"/> Trailer 3				Was HazMat released (spilled) from THIS vehicle's cargo? <input type="checkbox"/>			
						HazMat Weight (lbs) _____			
TRUCK AND TRAILER TOTALS					00 ON-ROAD LANE TYPE		00 VEHICLE ACCESS CONTROL TO ROADWAYS		
Vehicle Length (include trailer(s)) 64 ft					00 Two-way traffic - Undivided roadway		00 No access control (Unlimited access - Roads with no interchanges)		
No. of Trailers 1					01 One-way traffic - Undivided roadway		01 Partial access control (mix of interchanges and "at-grade" intersections)		
No. of Axles 5					02 Two-way traffic - Median strip w/o barrier		02 Full access control (entry/exit only by interchange ramps)		
TRAILER 1 - IDENTIFICATION NUMBER					03 Two-way traffic - Median strip w/ barrier		99 Unknown		
66341					04 Two-way traffic - Undivided with a continuous left turn lane				
TRAILER 2 - IDENTIFICATION NUMBER					99 Unknown				
TRAILER 3 - IDENTIFICATION NUMBER									
SEE BACK OF THIS FORM FOR EXAMPLES OF VEHICLE CONFIGURATIONS AND CARGO TYPES									
04 VEHICLE CONFIGURATION		04 CARGO BODY TYPE		11 CARGO TYPE					
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, Chlps, 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					
99 Unknown		12 Vehicle towing another motor vehicle		SPECIAL DATA					
01 CAB TYPE		13 Intermodal chassis							
01 Cab behind engine 99 Unknown		14 Logging							
02 Cab over engine		88 Other: _____							
		99 Unknown							

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:


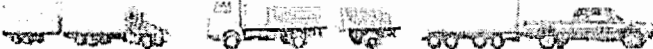
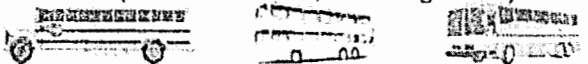
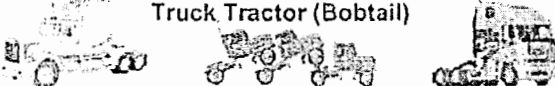

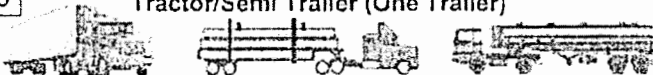
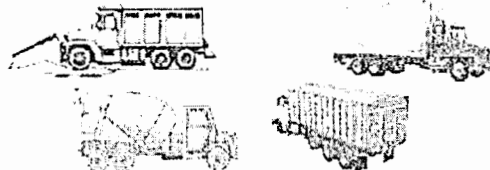
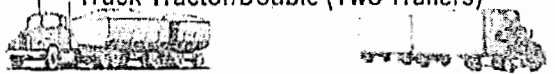

- >10,000 lbs** Any truck having a gross vehicle weight rating (GVWR) of more than 10,000 pounds or a gross combination weight rating (GCWR) over 10,000 pounds used on public trafficways, OR...
- BUS** Any motor vehicle with seats to transport nine (9) or more people, including the driver OR...
- HAZMAT**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

AND

IF THIS ACCIDENT INCLUDES:



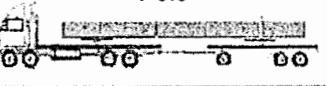

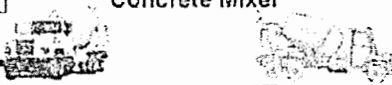


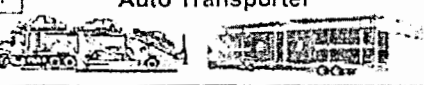


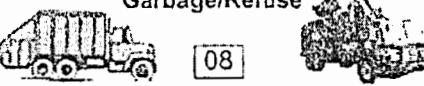
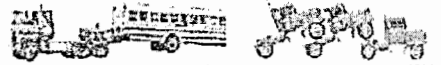



- A FATALITY:** Any person(s) killed in or outside of any vehicle (truck, bus, car, etc.) involved in the crash or who dies within 30 days of the crash as a result of an injury sustained in the crash, OR...
- AN INJURY:** Any person(s) injured as a result of the crash who immediately receives medical 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 6/6/95

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 

ATTACHMENT “C”



ANDERSEN WRECKING CO., INC.
[REDACTED]
KEARNEY, NE 68848

Check Date: 1/27/2017

498924

Ven ID:

Trader:

Invoice	Date	Description	Gross	Tare	Net	Price / UM	Amount
820312	1/27/2017	ALUMINUM	37500	31560	5,940	0.45 / LB	2,673.00

Cab-
Alum
Flat
Bed

Vendor: DA0280

DAVE'S RECYCLING

Amount:

2,673.00

Stub

ATTACHMENT “D”

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP02260062
Inspection Date: 03/23/2016
Start: 1:00 PM CT End: 1:30 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

DAVE'S RECYCLING INC

Driver: PFEIFER, DAVID L

License#:

State: KS

PLAINVILLE, KS, 67663-9210

Date of Birth:

USDOT: 1433867

Phone#:

CoDriver:

MC/MX#:

Fax#:

License#:

State:

State#:

Date of Birth:

Location: ROOKS COUNTY - 163

Milepost: 192

Shipper: N/A

Highway: U183

Origin: STOCKTON,KS

Bill of Lading: N/A

County:

Destination: STOCKTON,KS

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	INTL	2003	KS		2	061911	52000			

BRAKE ADJUSTMENTS:No brake measurements required for level II or level III

VIOLATIONS:No violations were discovered

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

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

Signature Of Motor Carrier X: _____ Title: _____ 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: R. Henry
Badge #: 0226

Copy Received By: DAVID PFEIFER

X

X



CERTIFICATE OF SERVICE

17-TRAM-500-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on MAY 23 2017.

ERIC PFEIFER, PRESIDENT
DAVE'S RECYCLING, INC.
2330 R ROAD
PLAINVILLE, KS 67663-9210
davesrecycling@yahoo.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date

MAY 24 2017