

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

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the Matter of the Investigation of)
Crystal's Livestock Express, LLC of)
Pittsburg, Kansas, Regarding the)
Violation of the Motor Carrier Safety)
Statutes, Rules and Regulations and the) Docket No. 19-TRAM-424-PEN
Commission's Authority to Impose)
Penalties, Sanctions and/or the)
Revocation of Motor Carrier Authority.)

ORDER REINSTATING INTRASTATE MOTOR CARRIER OPERATIONS

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

I. JURISDICTION AND BACKGROUND

1. Pursuant to K.S.A. 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.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. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

II. FINDINGS OF FACTS

4. Crystal's Livestock Express, LLC of Pittsburg, Kansas (Carrier) is a motor carrier as defined in K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.

5. Carrier operates under USDOT Number 807187.

6. On July 6, 2020, Transportation Staff filed a Motion to Suspend Intrastate Motor Carrier Operations due to Carrier's non-compliance with ordering clause B of the Penalty Order issued to it on April 30, 2019. Ordering clause B requires the carrier to submit to one follow-up safety compliance review within the next 18 months.

7. On July 9, 2020, the Commission issued an Order Suspending Intrastate Motor Carrier Operations on Carrier based on Staff's motion.

8. On August 10, 2020, Transportation Staff filed a Motion to Reinstate Motor Carrier Operations.

9. Transportation Staff has advised that Carrier made contact with the special investigator and has provided the necessary documentation for a safety compliance review.

10. Staff recommends Carrier's motor carrier operations be reinstated.

III. CONCLUSIONS OF LAW

11. The Commission finds it has jurisdiction over Carrier as the Carrier is a motor carrier as defined in K.A.R. 82-4-3f.

12. The Commission concludes that Carrier has complied with conducting a safety compliance review and, therefore, its intrastate motor carrier operations should be reinstated.

THE COMMISSION THEREFORE ORDERS THAT:

A. Crystal's Livestock Express, LLC's intrastate motor carrier operations is hereby reinstated.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 08/13/2020



Lynn M. Retz
Executive Director

AAL

¹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-TRAM-424-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 08/13/2020.

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/S/ DeeAnn Shupe

DeeAnn Shupe