

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

In the Matter of the Investigation of )  
**Baltazar B. Ruiz d/b/a Ruiz Trucking,** )  
**of Garden City, KS,** Regarding the )  
Violations of the Motor Carrier Safety ) **Docket No. 22-TRAM-510-PEN**  
Statutes, Rules and Regulations and )  
the Commission's Authority to Impose )  
Penalties, Sanctions and/or the Revocation )

**CORRECTIVE ACTION PLAN AND MOTION TO REINSTATE  
MOTOR CARRIER AUTHORITY**

Baltazar G. Ruiz, d/b/a Ruiz Trucking, by his counsel Van Z. Hampton submits the following Corrective Action Plan and Moves the Commission to reinstate the Motor Carrier Authority;

1. Baltazar G. Ruiz was notified on May 16, 2022 that his Motor Carrier Authority was suspended due to alleged violations of safety regulations.
2. The Motion to Suspend Intrastate Motor Carrier Authority cited violations identified during compliance review and those were set out in paragraph 5 of the Motion.
3. Baltazar G. Ruiz has responded to the compliance review findings with corrective action and submits the following as a summary of the actions taken, and as his Corrective Action Plan that establishes full compliance and justifies reinstatement:
  - a. Baltazar G. Ruiz acknowledges his driving record includes one DUI conviction and refusal to submit to testing nearly 10 years ago and that he does not currently hold a CDL but Baltazar G. Ruiz did in fact obtain a drivers license issued in Michoacan, Mexico, that is not valid as a CDL in the United States and the Corrective Action taken includes a self imposed restraint

whereby Baltazar G. Ruiz will not operate any Commercial Motor Vehicles, and Ruiz Trucking will rely solely on CMV operators who each hold a valid interstate CDL and who agree to comply with all laws and regulations.

- b. Ruiz Trucking previously employed a driver named Jose Ramirez who was identified as being subject to an OOS order in Nebraska in 2021 but Jose Ramirez has been discharged and will not be re-hired and he has been replaced by a driver who is in compliance with CDL and Motor Carrier statutes and regulations.
- c. Ruiz Trucking previously employed a driver named Larry Snyder whose CDL restricted his authority to drive intrastate only and not interstate as required to operate in Kansas and to cross over the border into neighboring states and Ruiz Trucking has discharged Larry Snyder and he will not be re-hired unless he is in compliance with the interstate CDL requirement.
- d. The Compliance Review revealed hours of service violations and related records violations for Duty Status reports regarding the 11 and 14 hour daily limit violations and the 70 hour weekly hours of service violations and for failing to utilize an electronic logging device and the Corrective Action taken is installation of electronic logging devices as well as GPS location monitors for the Ruiz Trucking vehicles so that Baltazar G. Ruiz is able to monitor the location and duration of travel for each driver and to thereby force limitations on the hours of operation and to enforce the required resting times and those are in place so that when Ruiz Trucking's Motor Carrier Authority is reinstated those safety measures will be in place and enforced.

- e. The Compliance review identified concerns regarding the maintenance of Motor Vehicle Records and Incomplete Employment Applications and the Corrective Action taken is that Ruiz Trucking has obtained forms for Employment Applications and will faithfully require each application to be completed in full by all applicants and further Ruiz Trucking has compiled the maintenance records for all trucks and will keep those records in a condition and at a place that will facilitate inspection.
  - f. Baltazar G. Ruiz, d/b/a Ruiz Trucking is in compliance with the federal and state laws and regulations governing his business as a Motor Carrier and is eligible for reinstatement of his Intrastate Motor Carrier Authority.
4. The preceding Corrective Action Plan is already in place and should be recognized as sufficient to justify reinstatement of the Motor Carrier Authority for Baltazar G. Ruiz.

**WHEREFORE**, Baltazar G. Ruiz, d/b/a Ruiz Trucking, requests the Commission find this Corrective Action Plan and the actions already taken, satisfy the concerns stated in the Motion to Suspend Intrastate Motor Carrier Authority, and reinstate that Authority, and, **FURTHER**, Baltazar G. Ruiz asserts that his expenses incurred to comply, together with related attorney fees constitute a sufficient penalty and no additional penalty should be imposed as it would not cause any greater compliance and would impose an undue hardship on this small business.

Respectfully submitted:

/s/ Van Z. Hampton, # 13302  
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## **CERTIFICATE OF SERVICE**

I, Van Z. Hampton, certify that on this 17<sup>th</sup> day of May, 2022, I filed the preceding Plan and Motion with the Kansas Corporation Commission by submitting the same in the electronic filing portal, and sent a copy by email to the following:

Ahsan A. Latif, Litigation Counsel  
Kansas Corporation Commission  
a.latif@kcc.ks.gov

/s/ Van Z. Hampton