

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

April 28, 2015

15-TRAM-432-PEN

Jake Lentfer, Manager
Mead Building Centers of Manhattan, Inc.
PO Box 878
Columbus, Nebraska 68602

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on February 4, 2015, by Kansas Corporation Commission Special Investigator Brent Scott. For a full description of the penalty and process please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

You have been assessed a \$2,000 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days 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 the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY:

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. Respondent must submit 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 stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2014 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Michael J. Duenes
Litigation Counsel
(785) 271-3181

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

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

In the Matter of the Investigation of **Mead**)
Building Centers of Manhattan, Inc., of)
Manhattan, Kansas, Regarding the Violation of)
the Motor Carrier Safety Statutes, Rules and) Docket No. 15-TRAM-432-PEN
Regulations and the 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. 2014 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. 2014 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. 2014 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. Mead Building Centers of Manhattan, Inc. (Mead Building Centers) obtained private operating authority from the Commission on February 25, 2013, and operates under KSMCID number 160544 and USDOT number 952301.

5. Gary Blanton attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on February 11, 2013, on behalf of Mead Building Centers.

6. Mead Building Centers is a private motor carrier which primarily hauls logs, poles, beams, lumber, building and construction materials.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on February 4, 2015, Commission Staff (Staff) Special Investigator Brent Scott conducted a compliance review of the operations of Mead Building Centers. 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. Scott identified three (3) violations of the Motor Carrier Safety Regulations.

- a. On October 16, 2014, Mead Building Centers required or permitted its driver, Jeremiah Ivy, to operate a commercial motor vehicle, a

2007 IHC in intrastate commerce in and around the area of Manhattan, Kansas. This trip is evidenced by Mr. Ivy's Time Card Report, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Jeremiah Ivy was not placed in a DOT CDL random alcohol and drug testing pool, failing to ensure that each driver selected for random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. Mead Building Centers' failure to ensure that each driver selected for random alcohol and controlled substances testing has an equal chance of being selected each time selections are made is in violation of 49 C.F.R. 382.305(i)(2), as adopted by K.A.R. 82-4-3c and authorized by K.S.A. 2014 Supp. 66-1,129. Staff recommends a fine of \$750.

b. During the transportation described in paragraph a., above, Mead Building Centers gave Jeremiah Ivy a Non-DOT pre-employment controlled substance test, not the required DOT 5 panel drug screen, thereby using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Mead Building Centers' failure to require its driver to submit to a test that complies with 49 C.F.R. 40, as adopted by K.A.R. 82-4-3b, is a violation of 49 C.F.R. 382.301, as adopted by K.A.R. 82-4-3c, as

authorized by K.S.A. 2014 Supp. 66-1,129. Staff recommends a fine of \$750.

c. During the transportation described in paragraph a., above, Mead Building Centers required or permitted its driver, Jeremiah Ivy, to operate a CDL required commercial motor vehicle without a CDL. Mead Building Centers' failure to require its driver to operate a commercial motor vehicle with a valid driver's license is a violation of 49 C.F.R. § 392.2, as adopted by K.A.R. 82-4-3h, and as authorized by K.S.A. 2014 Supp. 8-2,125. Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find Mead Building Centers committed three (3) violations 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 \$2,000 for three (3) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Mead Building Centers be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide 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 Mead Building Centers submit to one follow-up safety compliance review within the next eighteen (18) months. 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 Mead Building Centers because it is a motor carrier as defined in K.S.A. 2014 Supp. 66-1,108.

13. The Commission finds Mead Building Centers committed three (3) violations 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. Mead Building Centers of Manhattan, Inc., of Manhattan, Kansas is hereby assessed a \$2,000 civil penalty for three (3) violations 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. Mead Building Centers is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, Mead Building Centers is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. **Pursuant to K.S.A. 2014 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting**

forth the specific grounds upon which relief is sought, 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 Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Mead Building Centers' right to a hearing, and this Penalty Order will become a Final Order assessing a \$2,000 civil penalty against Mead Building Centers, and ordering Mead Building Centers to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. 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).

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

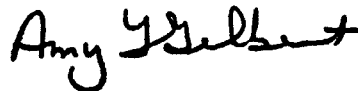
F. Failure to pay the \$2,000 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of Mead Building Centers' motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner


Dated: APR 28 2015



Order Mailed Date APR 29 2015
Amy L. Gilbert
Secretary

MJD

ATTACHMENT "A"

	US DOT # 952301	Legal: MEAD BUILDING CENTERS OF MANHATTAN INC Operating (DBA): MEAD LUMBER						
MC/MX #:	State #:	Federal Tax ID:			(EIN)			
Review Type: Compliance Review (CR)								
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory:			
Operation Types								
Interstate		Intrastate		Business: Corporation				
Carrier: N/A		Non-HM		Gross Revenue:				
Shipper: N/A		N/A		for year ending: 12/31/2014				
Cargo Tank: N/A								
Company Physical Address:								
Contact Name: Jake Lentfer								
Phone numbers: (1)		(2)		Fax				
E-Mail Address:								
Company Mailing Address:								
P O BOX 878 COLUMBUS, NE 68602-0878								
Carrier Classification								
Private Property								
Cargo Classification								
Logs, Poles, Beams, Lumber		Building Materials		Construction				
Equipment								
		Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck		3	0	0	Truck Tractor	1	0	0
Trailer		1	0	0				
Power units used in the U.S.:4								
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:			5	Total Drivers: 5				
>= 100 Miles:				CDL Drivers: 5				





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)

U.S. DOT #: 952301

State #:

Review Date:

02/16/2015

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Kansas Corporation Commission - 1500 SW Arrowhead Road
Topeka, KS 66604-4027
Phone: 785.271.3151 Fax: 785.271.3124

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Jake Lentfer

Title: Manager

Name:

Title:





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)

U.S. DOT #: 952301

State #:

Review Date:

02/16/2015

Part B Violations

1 STATE	Primary: 382.301(a) CFR Equivalent: 382.301(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

Example

10-16-14

Manhattan, KS - Manhattan, KS

Hire Date:

Non-DOT 5 panel Pre-Employment Test

2 STATE	Primary: 382.305(i)(2) CFR Equivalent: 382.305(i)(2)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.

Example

Not in DOT Random Pool

Manhattan, KS to Manhattan, KS

10-16-2014

3 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
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Description

Using a driver who has not completed and furnished an employment application.

Example

10-3-2014

Application failed to have all of the required information in 391.21(b).

4 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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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

10-3-2014

Manhattan, KS - St. George, KS

No annual review of Driver's Violations in DQ file.





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)
 U.S. DOT #: 952301

State #: [REDACTED]

Review Date:
 02/16/2015

Part B Violations

5 STATE	Primary: 391.51(b)(6)	Discovered 3	Checked 5	Drivers/Vehicles	
	CFR Equivalent: 391.51(b)(6)			In Violation	Checked

Description
 Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.
 10-3-2014
 Manhattan, KS - St. George, KS
 No list or certificate of Driver's Violations in DQ file.

6 STATE	Primary: 391.51(d)	Discovered 3	Checked 5	Drivers/Vehicles	
	CFR Equivalent: 391.51(d)			In Violation	Checked

Description
 Failing to keep required records in driver's qualification file for 3 years after date of execution.
Example
 10-3-2014
 Manhattan, KS - St. George, KS
 Previous Medical Certificates and MVR's not kept in DQ file.

7 STATE	Primary: 392.2	Discovered 1	Checked 5	Drivers/Vehicles	
	Secondary: KSA 8-2,125 CFR Equivalent: 392.2			In Violation	Checked

Description
 Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. Operating a CDL required vehicle without a Valid CDL.
Example
 10-16-2014
 Manhattan, KS - Manhattan, KS
 Operating a CDL Vehicle without a Valid CDL

Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	60,000	Number of Vehicle Inspected (CR): 0	
Recordable Accidents	0	OOS Vehicle (MCMIS): 2	
		Number of Vehicles Inspected (MCMIS): 3	

Your proposed safety rating is :

This Review is not Rated.



**Part B Requirements and/or Recommendations**

1. 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.

2. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN:

- 1 - Not all the required information is available on the employment application.
- 2 - Failure to do the Annual Review of the Driver's Record
- 3 - Failure to document a list or certificate of violations
- 4 - Failure to maintain required docs in DQ file for 3 years
- 5 - Operating a CDL vehicle with a CDL

BASIC SPECIFIC RECOMMENDED REMEDIES:

- 1 - Use 391.21(b) make sure all required information is gathered on an employment application
- 2 & 3 - Every 12 months have your driver's fill out the list of violations, compare it to the MVR and Certify your drivers.
- 4 - Keep all required docs in the DQ file for 3 years after the date of execution.
- 5 - Verify and require all your drivers to earn and maintain valid licenses for the vehicles they operate.

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver's Licenses (CDLs) are reviewed for driver-fitness-related violations of all prospective drivers for the last three years.
- Ensure that drivers are qualified by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding driver fitness, such as those pertaining to previous violations, Commercial Driver's License (CDL), medical qualifications, operational qualifications from training, and relevant experience.
- Review and evaluate gaps in employment, frequent job changes, incomplete applications, within-company applications and reassignments, operational limitations such as those pertaining to long-combination vehicles (LCVs) and HAZMAT, physical impairments, and controlled-substance and alcohol involvement.
- Require that drivers fill out the long form for the medical card and be examined by the carrier's preferred doctor to ensure that their medical qualifications are accurate.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as whether the driver can handle the physical requirements of the job.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, dispatcher, and driver by using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

HAZMAT Carrier Only:

- Ensure that drivers can meet physical requirements and are able to handle the additional stress associated with multiple HAZMAT-transportation responsibilities.





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)

U.S. DOT #: 952301

State #:

Review Date:

02/16/2015

Part B Requirements and/or Recommendations

Passenger Carriers Only:

- Check the Motor Vehicle Record (MVR) to ensure that drivers have the proper class of license and "P" or "S" endorsement, and to see if the applicable endorsement on the license has a specific restriction, such as an air-brake restriction.

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.

3. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN:

- 1 - Using CDL drivers without Preliminary DOT 5 panel
- 2 - Not placing CDL driver's in DOT Random Pool

BASIC SPECIFIC RECOMMENDED REMEDIES:

- 1 - Test newly hired drivers with DOT 5 Panel Drug Screen
- 2 - Place all CDL Driver's in DOT Random Pool to assure equal chance in Random Test

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that the controlled-substance and alcohol-testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.
- Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.
- Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.
- Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.
- Verify that the qualifications of all prospective service agents are in accordance with regulations.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.

Passenger Carrier Only:

- When hiring part-time or intermittent drivers with concurrent employment, refer to the pre-employment exception under 382.301(d) or check with the concurrent employer to ensure that drivers are participating in the company's program and no testing violations have occurred.
- Verify that the State credentials produced by applicants for the position of school bus driver meet the Commercial Driver's License qualification and testing requirements.

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





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)

U.S. DOT #: 952301

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02/16/2015

Part B Requirements and/or Recommendations

the industry.

4. • 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.

For all Investigations that could result in a Penalty Order:

- PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. 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 also affect the civil penalty proposed in any subsequent Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

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

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 15 days and any additional evidence necessary to prove the corrective action has been taken to:

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





MEAD LUMBER (MEAD BUILDING CENTERS OF MANHATTAN IN dba)

U.S. DOT #: 952301

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02/16/2015

Part B Requirements and/or Recommendations

5. 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 Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of MEAD BUILDING CENTERS OF MANHATTAN INC's operating authority and/or the impoundment of MEAD BUILDING CENTERS OF MANHATTAN INC's vehicles.

X _____
Printed

X _____
Signed



ATTACHMENT "B"

Time Card Report

Current Period (Sun Oct-05 14 to Sat Oct-18 14)

Ivy, Jeremiah A

Date	In	Out	In	Out	Amount	Schedule	Exceptions
Sun Oct-05 14							
Mon Oct-06 14							
Tue Oct-07 14	7:47a	12:24p	12:50p	5:09p	8:56	Unsch	
Wed Oct-08 14	8:09a	12:50p	1:04p	6:43p	10:28	Unsch	
Thu Oct-09 14	7:43a	5:21p			9:38	Unsch	
Fri Oct-10 14	7:49a	1:39p	2:08p	5:01p	8:03	Unsch	
Sat Oct-11 14	7:51a	12:50p	1:52p	5:55p	9:08	Unsch	
Sun Oct-12 14							
Mon Oct-13 14	7:46a	12:00p	12:30p	12:42p	4:15	Unsch	
Tue Oct-14 14	8:51a	12:47p	1:05p	6:08p	8:59	Unsch	
Wed Oct-15 14	8:40a	1:20p	1:45p	4:48p	9:58	Unsch	
Thu Oct-16 14	7:06a	3:51p	4:15p	6:01p	10:31	Unsch	
Fri Oct-17 14	8:24a	1:09p	1:39p	3:15p	6:27	Unsch	
Sat Oct-18 14	6:52a	1:04p			6:12	Unsch	

Pay Desig.	Locations, Departments, Cret Centen	Hours	Rate	Dollars
Regular	Manhattan, Yard / Delivery, Day Shift	80:00	0.0000	0.0000
Overtime	Manhattan, Yard / Delivery, Day Shift	13:12	0.0000	0.0000
Totals		93:12		0.0000

Employee Signature

93.25

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
JAKE LENTFER, MANAGER MEAD BUILDING CENTERS OF MANHATTAN, INC. PO BOX 878 COLUMBUS, NE 68602-0878		

Order Mailed Date **APR 29 2015**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.