

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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

April 25, 2017

17-TRAM-459-PEN

Audrey B. Compton, Secretary  
Krazy K, Inc.  
11393 1400 Rd  
Fredonia, Kansas 66736

**Certified Mail Receipt No. 70161970000105740983**

This is a notice of a penalty assessment against Krazy K, Inc. for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on March 29, 2017, by Kansas Corporation Commission Special Investigator(s) Michael Heenan. For a full description of the penalty and terms and obligations, please refer to the Penalty Order that is attached to this notice.

### IF YOU ACCEPT THE PENALTY:

Krazy K has been assessed a \$350 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. A check must be made payable to the Kansas Corporation Commission and 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>.

### **KRAZY K, INC. IS A NEW ENTRANT MOTOR CARRIER AND IS ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS:**

New Entrant motor carriers are eligible for a one-time, fifty-percent (50%) reduction in the penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix. You have to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the fifty-percent (50%) reduction. A fifty-percent (50%) reduction in the penalty assessed in the attached Order is available if:

- (1) the carrier signs and submits within fifteen (15) days from the date of this Penalty Order, the attached Reduced Penalty Agreement to Litigation Counsel at the above address;
- (2) within 30 days from the date of the attached Penalty Order, the carrier submits to Transportation Staff an approved Corrective Action Plan (CAP) documenting the violation(s) described in the attached Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future; and
- (3) within thirty (30) days from the date of the attached Penalty Order, the carrier sends an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance must be submitted to the Transportation Division shortly thereafter.
- (4) within 18 months from the date of the attached Penalty Order, the carrier must be available for a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

If a carrier is approved for the fifty-percent (50%) reduced penalty, a Motion to Amend Penalty Order, along with the Reduced Penalty Agreement will be filed with the Commission. An Amended

Penalty Order assessing the reduced penalty and setting out the terms and conditions stated above, will be issued by the Commission shortly thereafter. Payment of the reduced penalty of \$175 will be due within thirty (30) days from the date of service of the Amended Penalty Order.

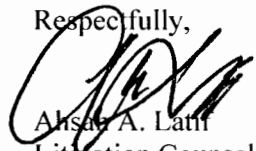
**IF YOU CONTEST THE PENALTY ORDER:**

You have the right to request a hearing if you contest the terms of the Penalty Order. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Krazy K, Inc. 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 by mailing a copy of the request for hearing to Litigation Counsel 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 of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2015 Supp. 77-542.

**IF YOU FAIL TO ACT:**

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$350 within thirty (30) days from the date of service of this Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from the date of service of this Penalty Order, will result in the Order becoming a final Penalty Order and the terms and conditions set out therein will be enforced. If Krazy K submits the attached Reduced Penalty Agreement as explained above, an Amended Penalty order may be issued assessing the reduced penalty of \$175 and that payment will become due within thirty (30) days from the date of service of the Amended Penalty Order.

Respectfully,



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

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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

## **REDUCED PENALTY AGREEMENT**

### **17-TRAM-459-PEN**

Krazy K, Inc. hereby submits this Reduced Penalty Agreement to become eligible for a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated April 25, 2017. Krazy K has agreed to comply with the following terms and obligations:

1. Krazy K has submitted, within fifteen (15) days from the date of the Penalty Order issued on April 25, 2017, this Reduced Penalty Agreement to Litigation Counsel at the above address.

2. Krazy K will, within 30 days from the date of the Penalty Order dated April 25, 2017, submit to Transportation Staff an approved Corrective Action Plan (CAP) documenting the violation(s) describing specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

3. Krazy K will, within thirty (30) days from the date of the Penalty Order dated April 25, 2017, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Transportation Division.

4. Krazy K will be available within eighteen (18) months from the date of the Penalty Order for a Safety Compliance Review. Transportation Staff will contact it to schedule the review.

Krazy K, Inc. understands that if approved, Transportation Litigation Counsel will file a Motion for Amended Penalty Order with the Agreement attached to the motion. The Amended Penalty Order will assess Krazy K a fifty-percent (50%) reduced penalty of \$175, and set out the terms and conditions stated above. Once the Amended Penalty Order is issued by the Commission, Krazy K will have thirty (30) days from the date of service of the Amended Order to pay the reduced penalty assessed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2017.

Krazy K, Inc.

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Audrey B. Compton  
Secretary

(This Agreement can be mailed via U.S. Mail to the address above to the attention of Ahsan Latif, Litigation Counsel, or sent via e-mail to [v.jacobsen@kcc.ks.gov](mailto:v.jacobsen@kcc.ks.gov) and [alatif@kcc.ks.gov](mailto:alatif@kcc.ks.gov).)

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

## PENALTY ORDER

## I. 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. Krazy K, Inc. (Krazy K) obtained common operating authority from the Commission on June 30, 2014, and operates under KSMCID number 163746 and USDOT number 1241620.

5. Audrey Compton attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on June 17, 2014, on behalf of Krazy K.

6. Krazy K is a common motor carrier which primarily hauls building materials, fresh produce, and refrigerated foods.

7. Krazy K is a New Entrant motor carrier and is eligible for a fifty-percent (50%) reduction of the penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix.

## **III. STATEMENT OF FACTS**

8. Pursuant to the jurisdiction and authority cited above, on March 29, 2017, Commission Staff (Staff) Special Investigator(s) Michael Heenan conducted a compliance review of the operations of Krazy K. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Heenan identified two (2) violation(s) of the Motor Carrier Safety Regulations.

- a. On October 29, 2016, Krazy K required or permitted its driver, Billy L. Jahnke, to operate a CDL-required commercial motor vehicle, a 2009

Peterbilt, VIN ending in 775474, GVWR 80,000 lbs., pulling a 2016 BENS semi-trailer, VIN ending in 3924024, in interstate commerce from Pulaski, Tennessee to Caney, Kansas. This trip is evidenced by Driver/Vehicle Examination Report No. TNTCDT000413, dated October 29, 2016, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, Krazy K had not designated a person to supervise staff for the purposes of making reasonable suspicion determinations regarding alcohol and drug usage. This designated person must then undergo reasonable suspicion training to include 60 minutes of alcohol training and 60 minutes of controlled substance training. Krazy K’s inability to produce documentation of this training and its failure to have a designated person to attend 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substances use is a violation of 49 C.F.R. 382.603, adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$100.

- b. On December 30, 2016, Krazy K required or permitted its driver, Gary Wiles, to operate a CDL-required commercial motor vehicle, a 2014 Peterbilt, VIN ending in 246840, GVWR 80,000 lbs., pulling a 2015 Fontaine flatbed, VIN ending in 570593, in intrastate commerce Chanute, Kansas to Parsons, Kansas and then to Pittsburg, Kansas and then returned to Chanute, Kansas. This trip is evidenced by Driver’s Daily Log, dated December 30, 2016, a copy of which is attached hereto as Attachment “C”

and is hereby incorporated by reference. At the time of this transportation, driver Gary Wiles had not stopped driving for 30 minutes prior to beginning his 8<sup>th</sup> hour coming on duty after his full 10 hour break. The special investigator found five (5) violations of this type for this driver. Krazy K's failure to provide "rest breaks" to its drivers if more than eight (8) hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes is a violation of 49 C.F.R. 395.3(a)(3)(ii), adopted by K.A.R. 82-4-3, and implemented by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$250.

#### **IV. STAFF'S RECOMMENDATIONS**

9. Based upon the available facts, Staff recommends the Commission find Krazy K committed two (2) 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.

10. Staff recommends a civil penalty of \$350 for two (2) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

11. Staff provides notice to the Commission that Krazy K, Inc. is a New Entrant motor carrier and is eligible for a fifty-percent (50%) reduced civil penalty if it submits the Reduced Penalty Agreement, which is attached to the Notice of Penalty Assessment, and the Agreement is approved.

12. Staff recommends Krazy K, Inc. submit a Corrective Action Plan (CAP) within 30 days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s)

described in the this Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

13. Staff further recommends that Krazy K attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to the Transportation Division.

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

## **V. CONCLUSIONS OF LAW**

15. The Commission finds it has jurisdiction over Krazy K because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

16. The Commission finds a penalty of \$350 should be assessed Krazy K for committing two (2) 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.

17. The Commission finds Krazy K is a New Entrant motor carrier and is eligible for a fifty-percent (50%) reduction in the penalty(s) normally assessed motor carriers in accordance with the FY 2017 Uniform Penalty Assessment Matrix. The carrier must submit to Litigation Counsel, within fifteen (15) days from the date of this Penalty Order, the signed and dated

Reduced Penalty Agreement attached, which states it will comply with the reduced penalty terms and obligations set out therein.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Krazy K, Inc., of Fredonia, Kansas is hereby assessed a penalty of \$350 for two (2) 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. 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 (17-TRAM-459-PEN).***

B. Krazy K is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Transportation Staff. 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](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

C. Krazy K must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in the attached Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Krazy K 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 motor carrier at a later date to determine an appropriate time for this review.

E. If Krazy K does not submit the Reduced Penalty Agreement and fails to pay the full penalty(s) of \$350 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of Krazy K's motor carrier operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. 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, within fifteen (15) days from the date of service of this Penalty Order. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel within fifteen (15) days from the date of service of this Order. If you do not have access to the internet, you can mail an original seven (7) copies of the request to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel within fifteen (15) days from the date of service of this Order. On April 25, 2017, this Order was mailed via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105740969. Service of this Order is deemed 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 Krazy K's right to a hearing.

G. 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. 2016 Supp. 66-1,142b(e) and amendments thereto.

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: APR 25 2017

  
\_\_\_\_\_  
Amy L. Green  
Secretary to the Commission


AAL

**Order Mailed Date**

**APR 26 2017**

## **ATTACHMENT “A”**

**Kansas Corporation Commission**

	<b>US DOT #</b> 1241620	<b>Legal:</b> KRAZY K INC <b>Operating (DBA):</b>				
	<b>MC/MX #:</b> 516553 <b>State #:</b> [REDACTED] <b>Federal Tax ID:</b> [REDACTED] (EIN)					
<b>Review Type:</b> Compliance Review (CR)						
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.		<b>Territory:</b> C		
<b>Operation Types</b> Interstate    Intrastate						
<b>Carrier:</b> HM            HM		<b>Business:</b> Corporation <b>Gross Revenue:</b> [REDACTED]            for year ending: 12/31/2016				
<b>Shipper:</b> N/A           N/A						
<b>Cargo Tank:</b> N/A						
<b>Company Physical Address:</b> [REDACTED]						
<b>Contact Name:</b> Audrey B Compton						
<b>Phone numbers: (1)</b> [REDACTED]		<b>Fax</b>				
<b>E-Mail Address:</b> [REDACTED]						
<b>Company Mailing Address:</b> 11393 1400 ROAD FREDONIA, KS 66736						
<b>Carrier Classification</b> Authorized for Hire						
<b>Cargo Classification</b> Building Materials                      Fresh Produce                      Refrigerated Foods						
<b>Hazardous Materials</b> 9 Miscellaneous HM                      Carried                      Non-Bulk						
<b>Equipment</b>						
	<b>Owned   Term Leased   Trip Leased</b>			<b>Owned   Term Leased   Trip Leased</b>		
Truck Tractor	5	2	0	Trailer	26	0            0
Power units used in the U.S.: 7						
Percentage of time used in the U.S.: 100						
<b>Does carrier transport placardable quantities of HM?</b>				No		
<b>Is an HM Permit required?</b>				N/A		
<b>Driver Information</b>						
	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0 <b>Total Drivers:</b> 7 <b>CDL Drivers:</b> 7			
< 100 Miles:		1				
>= 100 Miles:	6					





KRAZY K INC  
U.S. DOT #: 1241620

State #

Review Date:  
03/29/2017

### 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 Rd  
Topeka, Ks 66604-4027 1-785-271-3145

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

Name: Audrey B Compton

Title: Secretary

Name:

Title:





KRAZY K INC  
U.S. DOT #: 1241620

State #: [REDACTED]

Review Date:  
03/29/2017

### Part B Violations

1 FEDERAL	Primary: 382.603	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
<b>Description</b> Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances. <b>Example</b> Driver name: [REDACTED] Trip date: 10-29-16 At the time of this trip, and the time of this review, the carrier had taken a supervisor reasonable suspicion training class after a compliance review with Trooper Scott Mayfield of the Kansas Highway Patrol. The family has recently moved and she was unable to locate the class certificate. The carrier will retake the class online as soon as possible. Company Official: Audrey B Compton					
2 FEDERAL	Primary: 391.51(b)(6)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
<b>Description</b> Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. <b>Example</b> Driver name: [REDACTED] Trip date: 10-29-16 At the time of this trip, and the time of this review, the carrier had all five drivers that had expired certificate of violations.					
3 STATE	Primary: 395.3(a)(3)(ii) CFR Equivalent: 395.3(a)(3)(ii)	Discovered 5	Checked 155	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes. <b>Example</b> Driver name: [REDACTED] Trip date: 12/13/16 10.5 intrastate 12/18/16 11 interstate 12/19/16 14 interstate 12/20/16 11.5 intrastate 12/21/16 13 intrastate 12/29/16 14.75 intrastate 12/30/16 11.25 intrastate All the above trips with the above indicated driver were all taken with several hours of On Duty and Driving time without taking or documenting any 30 minute break within the 8th hour of driving. 3 trips were intrastate travel and 2 trips were interstate log sheets					





KRAZY K INC  
U.S. DOT #: 1241620

State #: [REDACTED]

Review Date:  
03/29/2017

### Part B Violations

4 FEDERAL	Primary: 395.3(a)(3)(ii)	Discovered 2	Checked 155	Drivers/Vehicles In Violation 1	Checked 5
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**Description**

Driving after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.

Driver name: [REDACTED]

Trip date: 12/13/16 10.5 intrastate  
12/18/16 11 interstate  
12/19/16 14 interstate  
12/20/16 11.5 intrastate  
12/21/16 13 intrastate

All the above trips with the above indicated driver were all taken with several hours of On Duty and Driving time without taking or documenting any 30 minute break within the 8th hour of driving.

5 FEDERAL	Primary: 395.8(f)	Discovered 1	Checked 155	Drivers/Vehicles In Violation 1	Checked 5
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**Description**

Failing to require driver to prepare record of duty status in form and manner prescribed.

**Example**

Driver name: [REDACTED]

Trip date: 12-16-16

On the above date the driver failed to log total hours in the total hour column.

<b>Safety Fitness Rating Information:</b>	<b>OOS Vehicle (CR): 0</b>
<b>Total Miles Operated</b> 497,935	<b>Number of Vehicle Inspected (CR): 0</b>
<b>Recordable Accidents</b> 0	<b>OOS Vehicle (MCMIS): 2</b>
<b>Recordable Accidents/Million Miles</b> 0.00	<b>Number of Vehicles Inspected (MCMIS): 6</b>

Your proposed safety rating is :       <b>SATISFACTORY</b>	<b>Rating Factors</b>	<b>Acute</b>	<b>Critical</b>
	Factor 1:	S	0
	Factor 2:	S	0
	Factor 3:	S	0
	Factor 4:	S	0
	Factor 5:	S	0
	Factor 6:	S	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





KRAZY K INC  
U.S. DOT #: 1241620

State #: [REDACTED]

Review Date:  
03/29/2017

### Part B Requirements and/or Recommendations

1. Ensure reasonable suspicion training has been completed
2. Each Driver Qualification File must contain a properly executed and signed Certification of Violations and a Annual Review of Driving Record completed yearly.
3. Make certain that all log books are completed with every item on the log sheet completed. 395.8 (a). Items such as Bill of Lading number, commodity transported, and recap of daily hours must be completed.
4. "I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this website:  
[http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)"

Carrier Signature

*Audrey Compton*

Investigator Signature

*Michael Hume* 8213

5. You are encouraged to review your company's safety record at the following website:

<https://ai.fmcsa.dot.gov/login/default.asp>

You will need to enter your US DOT # Personnel Identification Number (PIN) that has been provided to you by FMCSA in the log in form at the bottom of the page. If you have forgotten your PIN you only need to click on a link on the webpage to make a request for your PIN to be forwarded to you by U.S. mail.

Safety Improvement Resources (SIRs) is a compilation of articles, reports, and other tools designed to assist motor carriers with improving their current safety management practices. SIRs are searchable by resource number, BASIC or safety management practice (SMP). Please refer to any Safety Improvement Resource numbers included within the recommendations.

You are encouraged to view all of the SIRs at the following website: [http://ai.fmcsa.dot.gov/sms/Data/carrier\\_sir.aspx](http://ai.fmcsa.dot.gov/sms/Data/carrier_sir.aspx)

6. 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.





KRAZY K INC  
U.S. DOT #: 1241620

State #: [REDACTED]

Review Date  
03/29/2017

## Part B Requirements and/or Recommendations

• 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.

7. 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.

8. 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 [Krazy K Inc.] operating authority and/or the impoundment of [Krazy K Inc.]

Carrier Signature

*Audrey Compton*

Investigator Signature

*Mark [unclear] 8217*

9. 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





**KRAZY K INC**  
U.S. DOT #: 1241620

State #: [REDACTED]

Review Date:  
03/29/2017

### **Part B Requirements and/or Recommendations**

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



## **ATTACHMENT “B”**

## DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

Tennessee Department of Safety  
Commercial Vehicle Division  
1150 Foster Avenue  
Nashville, TN 37243  
Phone: (615)743-4990 Fax: (615)253-2278

Report Number: TNTCDT000413  
Inspection Date: 10/29/2016  
Start: 9:50 AM CT End: 10:29 AM CT  
Inspection Level: 1 - Full  
HM Inspection Type: None

KRAZY K INC

Driver: JAHNKE, BILLY L

FREDONIA, KS 66736

License#: [REDACTED]

State: KS

USDOT#: 01241620

Date of Birth: [REDACTED]

MC/MX#: 516553

Phone#: [REDACTED]

CoDriver:

State:

State#:

Fax#: [REDACTED]

License#:

Date of Birth:

Location: US HWY 412

MilePost: 6

Shipper: COASTLINE

Highway:

Origin: PULASKI, TN

Bill of Lading: STK K0372193C

County: CROCKETT, TN

Destination: CANEY, KS

Cargo: PLASTIC

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	PTRB	2009	KS	[REDACTED]	141	[REDACTED] 775474	80,000			
2	ST	BENS	2016	KS	[REDACTED]	223	[REDACTED] 924024				

## BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	2	1 1/2	1 1/2	1 1/2	1 1/2
Left	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2
Chamber	C-20	C-30	C-30	C-30	C-30

## VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.47E	393.47(e)	1	N		N	N	Clamp or Roto type brake out-of-adjustment: 1 axle right side

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Local Enforcement:

## CERTIFICATION of REPAIRMAN

I certify that the violations marked above have been satisfactorily repaired

Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000

Signature Of Repairer X

Facility

Date

\*\*\* NOTE TO DRIVER: This report must be furnished to the motor carrier whose name is listed above

CARRIER CERTIFICATION: The undersigned certifies that all driver and vehicle violations on this report have been corrected and are in compliance with the Motor Carrier Safety and HM Regulations insofar as they are applicable to motor carriers and drivers. This certification MUST BE SIGNED by the Motor Carrier and RETURNED WITHIN 15 Days to the address at the top of this form

Signature Of Motor Carrier X

Title

Date

Report Prepared By:  
MICHAEL ARGUELLOBadge #:  
103921Copy Received By:  
BILLY JAHNKE

Page 1 of 1



01241620 TN TNTCDT000413

X \_\_\_\_\_

X \_\_\_\_\_

## **ATTACHMENT “C”**

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS

TRACTOR/  
TRUCK NO. #135 ODOMETER READING 291903

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Air Compressor     | <input type="checkbox"/> Front Axle       | <input type="checkbox"/> Safety Equipment      |
| <input type="checkbox"/> Air Lines          | <input type="checkbox"/> Fuel Tanks       | <input type="checkbox"/> Fire Extinguisher     |
| <input type="checkbox"/> Battery            | <input type="checkbox"/> Horn             | <input type="checkbox"/> Flags/Flares/Fusees   |
| <input type="checkbox"/> Belts and Hoses    | <input type="checkbox"/> Lights           | <input type="checkbox"/> Reflective Triangles  |
| <input type="checkbox"/> Body               | <input type="checkbox"/> Head/Stop        | <input type="checkbox"/> Spare Bulbs and Fuses |
| <input type="checkbox"/> Brake Accessories  | <input type="checkbox"/> Tail/Dash        | <input type="checkbox"/> Spare Seal Beam       |
| <input type="checkbox"/> Brakes, Parking    | <input type="checkbox"/> Turn Indicators  | <input type="checkbox"/> Starter               |
| <input type="checkbox"/> Brakes, Service    | <input type="checkbox"/> Clearance/Marker | <input type="checkbox"/> Steering              |
| <input type="checkbox"/> Clutch             | <input type="checkbox"/> Mirrors          | <input type="checkbox"/> Suspension System     |
| <input type="checkbox"/> Coupling Devices   | <input type="checkbox"/> Muffler          | <input type="checkbox"/> Tire Chains           |
| <input type="checkbox"/> Defroster/Heater   | <input type="checkbox"/> Oil Pressure     | <input type="checkbox"/> Tires                 |
| <input type="checkbox"/> Drive Line         | <input type="checkbox"/> Radiator         | <input type="checkbox"/> Transmission          |
| <input type="checkbox"/> Engine             | <input type="checkbox"/> Rear End         | <input type="checkbox"/> Trip Recorder         |
| <input type="checkbox"/> Exhaust            | <input type="checkbox"/> Reflectors       | <input type="checkbox"/> Wheels and Rims       |
| <input type="checkbox"/> Fifth Wheel        |   | <input type="checkbox"/> Windows               |
| <input type="checkbox"/> Fluid Levels       |   | <input type="checkbox"/> Windshield Wipers     |
| <input type="checkbox"/> Frame and Assembly |   | <input type="checkbox"/> Other                 |

TRAILER(S) NO.(S) \_\_\_\_\_

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Brake Connections   | <input type="checkbox"/> Hitch                      | <input type="checkbox"/> Suspension System |
| <input type="checkbox"/> Brakes              | <input type="checkbox"/> Landing Gear               | <input type="checkbox"/> Tarpaulin         |
| <input type="checkbox"/> Coupling Devices    | <input type="checkbox"/> Lights - All               | <input type="checkbox"/> Tires             |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Reflectors/Reflective Tape | <input type="checkbox"/> Wheels and Rims   |
| <input type="checkbox"/> Doors               | <input type="checkbox"/> Roof                       | <input type="checkbox"/> Other             |

Remarks:

☒ CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE G. J. F.

☒ ABOVE DEFECTS CORRECTED

MECHANIC'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DRIVER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

ORIGINAL

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[illegible]

**CERTIFICATE OF SERVICE**

17-TRAM-459-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 APR 26 2017.

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

AUDREY B. COMPTON, SECRETARY  
KRAZY K, INC.  
11393 1400 RD  
FREDONIA, KS 66736  
auddiebelle@yahoo.com

/s/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe

Order Mailed Date

APR 26 2017