



1500 SW Arrowhead Road  
Topeka, KS 66604-4027

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

Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Jay Scott Emler, Commissioner

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
**19-TRAM-331-PEN**

February 28, 2019

William J. Reynolds, Sr., Co-Owner  
d/b/a Heartland Coach Transportation  
3000 N 8th Street  
Independence, KS 67301

This is a notice of a penalty assessment against William J. Reynolds, Sr., d/b/a Heartland Coach Transportation (Heartland Coach Transportation) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 16, 2019, by Kansas Corporation Commission Special Investigator Michael Heenan. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** Heartland Coach Transportation has been assessed a \$350 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350, through your personal account with the Kansas Corporation Commission's KTRAN system 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.

The attached Order requires a representative of Heartland Coach Transportation to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars 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). The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company 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. Heartland Coach Transportation 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 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 copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$350 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final 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:     Dwight D. Keen, Chair  
                                     Shari Feist Albrecht  
                                     Jay Scott Emler

In the Matter of the Investigation of **William J. Reynolds, Sr., d/b/a Heartland Coach Transportation, of Independence, KS,** )  
Regarding the Violation of the Motor Carrier )  
Safety Statutes, Rules and Regulations and the )     Docket No. 19-TRAM-331-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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I.     JURISDICTION**

1.     Pursuant to K.S.A. 2018 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. 2018 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. 2018 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 issue an order 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. William J. Reynolds, Sr., d/b/a Heartland Coach Transportation (Heartland Coach Transportation) has common operating authority with the Commission and further operates under USDOT number 2977029.

5. William Reynolds attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on March 21, 2017, on behalf of Heartland Coach Transportation.

6. Heartland Coach Transportation is a common motor carrier which primarily hauls passengers.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on January 16, 2019, Commission Staff (Staff) Special Investigator Michael Heenan conducted a safety compliance review of the operations of Heartland Coach Transportation. 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, the special investigator identified two (2) violation(s) of the Motor Carrier Safety Regulations.

- a. On September 28, 2018, Heartland Coach Transportation required or permitted its driver, William J. Reynolds, to operate a commercial motor vehicle, a 2017 Ford 14 passenger van, VIN ending in 34085, GVWR 10,360 lbs., in interstate commerce from Independence, Kansas to Tulsa, Oklahoma. This trip is evidenced by Driver's Time Record (150 air-mile radius), a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Heartland Coach Transportation 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. 2018 Supp. 66-1,112. Staff recommends a fine of \$100.
- b. During the transportation described in paragraph a, above, Heartland Coach Transportation failed to require Mr. Reynolds to be medically examined and certified as physically fit to operate a commercial motor vehicle. The carrier's failure to confirm that each of its drivers are 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. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.

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

8. Based upon the available facts, Staff recommends the Commission finds Heartland Coach Transportation 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.

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

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

11. Finally, Staff recommends that Heartland Coach Transportation 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 Heartland Coach Transportation because it is a motor carrier as defined in K.S.A. 2018 Supp. 66-1,108.

13. The Commission finds Heartland Coach Transportation 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.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. William J. Reynolds, Sr., d/b/a Heartland Coach Transportation, of Independence, KS is hereby assessed a \$350 civil penalty 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.

B. Heartland Coach Transportation is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Heartland Coach Transportation 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. 2018 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 copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written

request. Failure to timely request a hearing will result in a waiver of Heartland Coach Transportation's right to a hearing, and this Penalty Order will become a Final Order assessing a \$350 civil penalty against Heartland Coach Transportation, and ordering a representative from Heartland Coach Transportation to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

E. If a request for hearing is filed, 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 less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2018 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$350 is due in thirty (30) days from the date of service of this Order. Payment of \$350 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$350 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 Heartland Coach Transportation'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.**

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 02/28/2019



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Lynn M. Retz  
Secretary to the Commission

AAL



## **ATTACHMENT “A”**

# Kansas Corporation Commission

	<b>US DOT #</b> 2977029	<b>Legal:</b> WILLIAM JOSEPH REYNOLDS SR <b>Operating (DBA):</b> HEARTLAND COACH TRANSPORTATION																		
<b>MC/MX #:</b> 12050		<b>Federal Tax ID:</b> [REDACTED] (SSN)																		
<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> <table style="display: inline-table; vertical-align: top;"> <tr> <td style="text-align: center;"><b>Interstate</b></td> <td style="text-align: center;"><b>Intrastate</b></td> </tr> <tr> <td style="text-align: center;">Carrier: Non-HM</td> <td style="text-align: center;">Non-HM</td> </tr> <tr> <td style="text-align: center;">Shipper: N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td style="text-align: center;">Cargo Tank: N/A</td> <td></td> </tr> </table>					<b>Interstate</b>	<b>Intrastate</b>	Carrier: Non-HM	Non-HM	Shipper: N/A	N/A	Cargo Tank: N/A									
<b>Interstate</b>	<b>Intrastate</b>																			
Carrier: Non-HM	Non-HM																			
Shipper: N/A	N/A																			
Cargo Tank: N/A																				
<b>Business:</b> Individual <b>Gross Revenue:</b> [REDACTED] for year ending: 12/31/2017																				
<b>Company Physical Address:</b> [REDACTED] INDEPENDENCE, KS 67301  <b>Contact Name:</b> Sharon L Reynolds <b>Phone numbers:</b> (1) [REDACTED] <b>Fax</b> <b>E-Mail Address:</b> [REDACTED]																				
<b>Company Mailing Address:</b> [REDACTED] INDEPENDENCE, KS 67301																				
<b>Carrier Classification</b> Authorized for Hire																				
<b>Cargo Classification</b> Passengers																				
<b>Equipment</b> <table style="width: 100%; text-align: center;"> <tr> <th></th> <th>Owned</th> <th>Term Leased</th> <th>Trip Leased</th> <th></th> <th>Owned</th> <th>Term Leased</th> <th>Trip Leased</th> </tr> <tr> <td>Van, 9-15</td> <td>1</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased	Van, 9-15	1	0	0				
	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased													
Van, 9-15	1	0	0																	
<b>Power units used in the U.S.:</b> 1 <b>Percentage of time used in the U.S.:</b> 100																				
<b>Does carrier transport placardable quantities of HM?</b> No <b>Is an HM Permit required?</b> N/A																				
<b>Driver Information</b> <table style="width: 100%;"> <tr> <td style="width: 30%; text-align: center;"> <table> <tr> <td></td> <td style="text-align: center;">Inter</td> <td style="text-align: center;">Intra</td> </tr> <tr> <td>&lt; 100 Miles:</td> <td></td> <td></td> </tr> <tr> <td>&gt;= 100 Miles:</td> <td style="text-align: center;">1</td> <td></td> </tr> </table> </td> <td style="width: 70%;"> <b>Average trip leased drivers/month:</b> 0  <b>Total Drivers:</b> 1  <b>CDL Drivers:</b> </td> </tr> </table>					<table> <tr> <td></td> <td style="text-align: center;">Inter</td> <td style="text-align: center;">Intra</td> </tr> <tr> <td>&lt; 100 Miles:</td> <td></td> <td></td> </tr> <tr> <td>&gt;= 100 Miles:</td> <td style="text-align: center;">1</td> <td></td> </tr> </table>		Inter	Intra	< 100 Miles:			>= 100 Miles:	1		<b>Average trip leased drivers/month:</b> 0 <b>Total Drivers:</b> 1 <b>CDL Drivers:</b>					
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	Inter	Intra																		
< 100 Miles:																				
>= 100 Miles:	1																			





HEARTLAND COACH TRANSPORTATION (WILLIAM JOSEPH REY dba)  
U.S. DOT #: 2977029

Review Date:  
01/16/2019

**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:

1500 SW Arrowhead Rd  
Topeka, Ks 66604-4027  
Attn: Gary Davenport 620-785-3145

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

**Person(s) Interviewed**

**Name:** William J Reynolds

**Title:** Co-Owner

**Name:** Sharon L Reynolds

**Title:** Co-Owner





HEARTLAND COACH TRANSPORTATION (WILLIAM JOSEPH REY dba)

U.S. DOT #: 2977029


Review Date:

01/16/2019

## Part B Violations

1 FEDERAL	Primary: 391.21(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Using a driver who has not completed and furnished an employment application. <b>Example</b> Driver: William J Reynolds Trip date: 01-03-19 Destination: Tulsa Ok Origination: Independence, KS At the time of this trip, and the time of this review, the carriers only driver had an application for employment in his driver file, but it was not fully completed, signed and dated.					
2 FEDERAL	Primary: 391.51(b)(3)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent. <b>Example</b> Driver name: William J Reynolds Trip date: 09-28-18 Origination: Independence Ks Destination: Bartlesville, Ok At the time of this trip, and the time of this review, the carrier had no copy of road test or road test certificate in the only driver file. This was mentioned in carrier Safety Audit on 5/23/17.					
3 FEDERAL	Primary: 391.51(b)(4)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a). <b>Example</b> Driver name: William J Reynolds Trip date: 09-28-18 Origination: Independence Ks Destination: Bartlesville, Ok At the time of this trip, and the time of this review, the carrier had no MVR on William J Reynolds, their only driver to cover the above date of trip. There was no MVR that was obtained every 12 months after the date of the Safety Audit on 5-23-17. The fact that the carrier had not obtained an MVR within 30 days of beginning commerce was noted in the Safety Audit on 5-23-17. The carrier had been to KCC Safety School on 3-21-17.					
4 FEDERAL	Primary: 391.51(b)(5)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
<b>Description</b> Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). <b>Example</b> Driver name: William J Reynolds Trip date: 09-28-18 Origination: Independence Ks Destination: Bartlesville, Ok At the time of this trip, and the time of this review, the carrier had no annual review of driving record					



	<b>HEARTLAND COACH TRANSPORTATION (WILLIAM JOSEPH REY dba)</b>	<b>Review Date:</b>
	<b>U.S. DOT #: 2977029</b>	<b>01/16/2019</b>

### Part B Violations

<b>5 FEDERAL</b>	<b>Primary: 391.51(b)(6)</b>	<b>Discovered</b> 1	<b>Checked</b> 1	<b>Drivers/Vehicles In Violation</b> 1	<b>Checked</b> 1
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#### Description

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

#### Example

Driver name: William J Reynolds

Trip date: 09-28-18

Origination: Independence Ks

Destination: Bartlesville, Ok

At the time of this trip, and the time of this review, the carrier had no certificate of violations in the only driver file.

<b>6 FEDERAL</b>	<b>Primary: 391.51(b)(7)</b>	<b>Discovered</b> 1	<b>Checked</b> 1	<b>Drivers/Vehicles In Violation</b> 1	<b>Checked</b> 1
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#### Description

Failing to maintain medical examiner's certificate in driver's qualification file.

#### Example

Driver name: William J Reynolds

Trip date: 09-28-18

Origination: Independence Ks

Destination: Bartlesville, Ok

At the time of this trip, and the time of this review, the carrier had no medical certificate in the driver file to cover the above date of trip.

Medical cards presented was

5-18-17 to 5-18-18

and 1-8-19 to 1-8-20

The driver had no medical in the driver file from 5-18-18 to 1-8-19. The carrier was emailed with this review on 12-7-18

<b>Safety Fitness Rating Information:</b>		<b>OOS Vehicle (CR): 0</b>	
<b>Total Miles Operated</b>	8,800	<b>Number of Vehicle Inspected (CR): 0</b>	
<b>Recordable Accidents</b>	0	<b>OOS Vehicle (MCMIS): 0</b>	
<b>Recordable Accidents/Million Miles</b>	0.00	<b>Number of Vehicles Inspected (MCMIS): 0</b>	

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

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







HEARTLAND COACH TRANSPORTATION (WILLIAM JOSEPH REY dba)

U.S. DOT #: 2977029

Review Date:

01/16/2019

## Part B Requirements and/or Recommendations

1. Every self-propelled CMV subject to the regulations must be marked in accordance with 390.21 (b), (c), and (d) of this section and Kansas ruling under KSA 8-143e. 390.21(b)(1) - Legal name or a single trade name as listed on Form MCSA-1 or the motor carrier identification report; (b)(2) - The identification number issued by FMCSA to the motor carrier, preceded by the letters USDOT. KSA 8-143e requires the carrier to also include the City and State where based and GRW (gross registered weight) of the tag if not apportioned. Continuing with 390.21, the marking must (c)(1) appear on both sides of the self-propelled CMV; (c)(2) - have letters in contrasting colors; (c)(3) - be visible during daylight hours from a distance of 50 feet while stationary (2" tall is required by State Statutes); and (c)(4) - be kept and maintained in a manner that retains the legibility required by (c)(3).

2. Per 391.51(a) - requirements for maintaining the medical certification information in the Driver Qualification file is as follows:

(7)(i) The medical examiner's certificate as required by § 391.43(g) or a legible copy of the certificate.

(ii) Exception. For CDL holders, beginning January 30, 2012, if the CDLIS motor vehicle record contains medical certification status information, the motor carrier employer must meet this requirement by obtaining the CDLIS motor vehicle record defined at § 384.105 of this chapter. That record must be obtained from the current licensing State and placed in the driver qualification file. After January 30, 2015, a non-excepted, interstate CDL or CLP holder without medical certification status information on the CDLIS motor vehicle record is designated "not-certified" to operate a CMV in interstate commerce. After January 30, 2015, a motor carrier may use a copy of the driver's current medical examiner's certificate that was submitted to the State for up to 15 days from the date it was issued as proof of medical certification.

(iii) If that driver obtained the medical certification based on having obtained a medical variance from FMCSA, the motor carrier must also include a copy of the medical variance documentation in the driver qualification file in accordance with § 391.51(b)(8);

3. 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 William J Reynolds dba Heartland Coach Transportation operating authority and/or the impoundment of William J Reynolds dba Heartland Coach Transportation vehicles.

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 web site: [http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)

x Sharon L. Reynolds  
Printed

x Sharon L. Reynolds  
Signed  
M.W. Nauman 8213

4. 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





## Part B Requirements and/or Recommendations

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.

5. As required by 391.25(a), motor carriers shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to the appropriate agency of every State in which the driver held a commercial motor vehicle operator's license or permit during the time period.
6. Per 49 CFR 391.51(b)(5) and (b)(6), the motor carrier is required to process an annual review and certification of the driver's driving record - 391.51(b)(5) A note relating to the annual review of the driver's driving record as required by 391.25(c)(2); 391.51(b)(6) A list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.
7. 391.21 - A person shall not drive a commercial motor vehicle unless he/she has completed and furnished the motor carrier that employs him/her with an application for employment that meets the requirements of paragraph (b) of this section.
8. Stay in contact with your KCC Investigator for any questions or issues with continued safety compliance. You may contact me: KCC Special Investigator Michael Heenan at 620-338-0093 or email at [m.heenan@kcc.ks.gov](mailto:m.heenan@kcc.ks.gov)
9. If carrier is not subject to federal corrective action plan the KCC requires you reply in writing with corrections made to violations in this review. Please advise how you will correct deficiencies and how you intend to rectify them from





**HEARTLAND COACH TRANSPORTATION (WILLIAM JOSEPH REY dba)**  
U.S. DOT #: 2977029

**Review Date:**  
**01/16/2019**

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

happening in the future. Please include all copies of documents to be included in this correction action letter and send to the following individual at the following address within 30 days of this review.

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





## **ATTACHMENT “B”**



# **DRIVER'S TIME RECORD (150 air-mile radius)**

Driver's Name (print) William J. Reynolds Employee No. 1 Month Sept Year 2018

**DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:**

\*For Drivers NOT required to have a CDL.

\*Operates within 150 air-mile radius of the normal work reporting location.

\*Returns to normal work reporting location and is released from work within 14 consecutive hours.

\*At least 10 consecutive hours off duty separates each 14 hours on duty.

## **INTERMITTENT DRIVERS**

Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.

Date	Start Time	End Time	Total Hours	Truck Number	Trip Information TO - FROM
1	✓				
2	✓				
3	✓				
4	✓				
5	✓				
6	✓				
7	✓				
8	✓				
9	✓				
10	6:00 pm	9:00 pm	3 hr	1	Indep - Parsons - Indep
11	✓				
12	✓				
13	✓				
14	✓				
15	✓				
16	✓				
17	✓				
18	✓				
19	✓				
20	✓				
21	✓				
22	2:30 pm	7:00 pm	4 1/2 hr	1	wedding - Indep
23	✓				
24	✓				
25	✓				
26	✓				
27	✓				
28	10:00 AM	5:00 pm	7 hr.	1	Bartlesville - Indep
29	✓				
30	✓				
31					

To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off." Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.

## **CERTIFICATE OF SERVICE**

19-TRAM-331-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 02/29/2019.

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

WILLIAM J. REYNOLDS, SR., CO-OWNER  
WILLIAM J. REYNOLDS, SR.  
D/B/A HEARTLAND COACH TRANSPORTATION  
3000 N 8TH STREET  
INDEPENDENCE, KS 67301  
reynoldsssharon\_67301@yahoo.com

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe