

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

In the Matter of the Investigation of **Rod**)
Raymond Wyatt of Harrisonville,)
Missouri, Pursuant to the Kansas Highway) Docket No. 11-GIMM-564-KHP
Patrol Issuance of a Notice of Violation for)
Violations of the Federal Motor Carrier)
Safety Regulations, as adopted by K.S.A.)
66-1,129 and implemented by K.A.R. 82-4-)
3.

MOTION TO SUSPEND MOTOR CARRIER OPERATIONS IN KANSAS

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Rod Raymond Wyatt of Harrisonville, Missouri (Respondent) from all Kansas commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108, that operates commercial motor vehicle(s) in commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 01817991.
3. On January 13, 2011, the Commission issued Respondent a Notice and Invoice (Invoice No. H000520246) assessing Respondent a civil fine in the amount of \$600 for violations of the Federal Motor Carrier Safety Regulations as adopted by K.S.A. 66-1,129 and implemented by K.A.R. 82-4-3, et seq., discovered during a stop on September 20, 2010, by a Kansas Highway Patrolman. The Notice informed Respondent that it was to pay the civil fine within 30 days of the date of the Notice, or request an administrative hearing.
4. On June 2, 2011, the Respondent filed a request for hearing, contesting the violations set out in the Notice and Invoice.

5. On May 12, 2011, Transportation Staff filed Staff's Motion to Dismiss Respondent's Request for Hearing as Respondent advised that it no longer wishes to contest the issue(s) and has agreed to pay the civil fine.

6. On May 19, 2011, the Commission issued an Order Granting Staff's Motion to Dismiss Respondent's Request for Hearing and Upholding Civil Fine.

7. As of March 3, 2017, Commission records indicate Respondent has not complied with requirements of the Order dated May 19, 2011, in that Respondent's records show that \$300 of the civil fine is still outstanding.

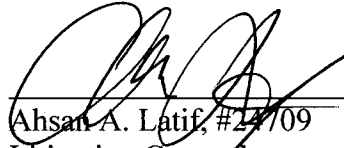
8. Staff asks that the Commission find Respondent failed to act upon the Notice and Invoice and the Commission's Order dated May 19, 2011.

9. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Order dated May 19, 2011, poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

10. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's motor carrier operations in Kansas until such time as Respondent pays the outstanding civil fine of \$300, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's motor carrier operations in Kansas, until such time as the Respondent pays the civil fine as described above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Latif', is written over a horizontal line.

Ahsan A. Latif, #24709

Litigation Counsel

Kansas Corporation Commission

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For Commission Staff

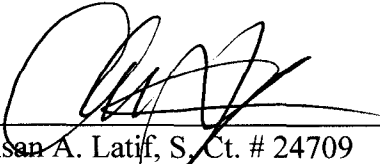
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VERIFICATION

11-GIMM-564-KHP

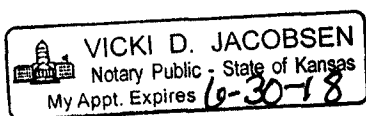
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Suspend Motor Carrier Operations in Kansas*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 3rd day of March, 2017.





Notary Public

My Appointment Expires: June 30, 2018

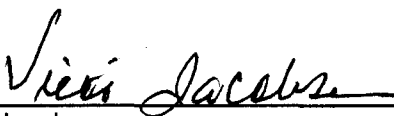
CERTIFICATE OF SERVICE

11-GIMM-564-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Suspend Motor Carrier Operations in Kansas was placed in the United States mail, postage prepaid, or hand-delivered this 3rd day of March, 2017, to the following:

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