



20231109114212  
Kansas Corporation  
Commission  
Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
24-TRAM-346-PEN

November 9, 2023  
John Schneider, Owner  
Roadrunner Towing & Recovery LLC  
304 W Commercial St  
Oberlin, KS 67749

This is a notice of a penalty assessment against Roadrunner Towing & Recovery LLC (Roadrunner Towing & Recovery) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on September 13, 2023, by Kansas Corporation Commission Special Investigators Penny Fryback and Erica Pargas. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. 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:** Roadrunner Towing & Recovery has been assessed a \$4,250 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$4,250, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (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 Roadrunner Towing & Recovery 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).

**IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing.** A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Roadrunner Towing & Recovery 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 Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$4,250 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,

*/s/ Ahsan A. Latif*  
Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118  
[a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov)

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<sup>1</sup> K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners:        Andrew J. French, Chairperson  
                                       Dwight D. Keen  
                                       Annie Kuether

In the Matter of the Investigation of )  
**Roadrunner Towing & Recovery LLC, of** )  
**Oberlin, KS,** Regarding the Violation(s) of the )  
Motor Carrier Safety Statutes, Rules and ) Docket No. 24-TRAM-346-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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1.        On September 13, 2023, Commission Staff Special Investigators (SIs) Penny Fryback and Erica Pargas, completed a safety compliance investigation of the operations of Roadrunner Towing & Recovery LLC (Roadrunner Towing & Recovery or Carrier). Roadrunner Towing & Recovery is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 3877320.

2.        On October 17, 2023, Staff submitted its Report and Recommendation (R&R), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$4,250 to be issued to Roadrunner Towing & Recovery based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigations, SIs Penny Fryback and Erica Pargas identified sixty-four (64)

violation(s), accounting for eight (8) count(s), of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.<sup>2</sup>

3. Additionally, Staff recommends that Roadrunner Towing & Recovery be required to have a representative responsible for the Carrier's safety compliance 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.<sup>3</sup> 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).

4. Staff further recommends Roadrunner Towing & Recovery submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.<sup>4</sup>

5. Finally, Staff recommends that Roadrunner Towing & Recovery submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.<sup>5</sup> Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

6. Pursuant to K.S.A 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 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business

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<sup>2</sup> Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 11 – 26 (Jun. 29, 2023) ("Penalty Matrix").

<sup>3</sup> See Staff's Report and Recommendation, p. 4 (Oct. 17, 2023).

<sup>4</sup> See Staff's Report and Recommendation, p. 5 (Oct. 17, 2023).

<sup>5</sup> *Id.*

or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

7. Pursuant to K.S.A. 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.

8. 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.

**IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Roadrunner Towing & Recovery LLC, of Oberlin, KS is hereby assessed a \$4,250 civil penalty for sixty-four (64) violation(s), accounting for eight (8) count(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. Roadrunner Towing & Recovery is hereby ordered to have a representative responsible for the Carrier's safety compliance 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. Carrier is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting

the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Roadrunner Towing & Recovery 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.

E. Pursuant to K.S.A. 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 Executive Director 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 Roadrunner Towing & Recovery's right to a hearing, and this Penalty Order will become a Final Order.

F. 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.<sup>6</sup>

G. If you do not request a hearing, the payment of the civil penalty of \$4,250 is due in thirty (30) days from the date of service of this Order. Payment of \$4,250 must be made

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<sup>6</sup> . K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$4,250 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of Roadrunner Towing & Recovery's motor carrier operating authority without further notice.<sup>7</sup> 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.

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/09/2023



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Lynn M. Retz  
Executive Director

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<sup>7</sup> K.S.A. 66-1,105.



# **ATTACHMENT “A”**



Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

## REPORT AND RECOMMENDATION TRANSPORTATION DIVISION

**TO:** Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

**FROM:** Gary Davenport, Deputy Director of Transportation  
Jared Smith, Public Service Executive

**DATE:** October 17, 2023

**SUBJECT: Docket No. 24-TRAM-346-PEN**  
In the Matter of the Investigation of **Roadrunner Towing & Recovery LLC of Oberlin, Kansas** Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

### EXECUTIVE SUMMARY:

Roadrunner Towing & Recovery LLC is a motor carrier (MC) operating as a public for-hire carrier, primarily hauling motor vehicles. Roadrunner Towing & Recovery LLC operates under USDOT 3877320. On September 13, 2023, Commission Staff Special Investigators (SIs) Penny Fryback and Erica Pargas completed a safety compliance investigation of the operations of Roadrunner Towing & Recovery LLC. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SIs identified sixty-four (64) violations, accounting for eight (8) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$4,250 be issued to the MC.

### DISCUSSION AND ANALYSIS:

On September 13, 2023, Commission Staff SIs Penny Fryback and Erica Pargas conducted a safety compliance investigation of the operations of Roadrunner Towing & Recovery LLC. The investigation covers a 365 day period. Each specific count is detailed below.

### Count One (1 of 8)

**Jurisdiction:** 49 C.F.R. 391.45, adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 66- 1,129.

**Intent of Law:** The MC must confirm that its driver is medically examined and certified prior to operation of a commercial motor vehicle and maintain documentation of the medical certificate in the driver qualification file pursuant to 49 C.F.R. 391.51.

**Supporting Documentation:** On July 7, 2023, Roadrunner Towing & Recovery LLC required or permitted its driver, Cody Patterson, to operate a commercial motor vehicle (CMV), a 1999 GMC, VIN ending in 6958, GVWR 25,950 lbs., in intrastate commerce towing a disabled vehicle from MM76 on I-70 to Grainfield, KS. This transport is evidenced by tow receipt number 1156, attached hereto as **Exhibit 2**. The MC could not produce a medical examiner's certificate for Mr. Patterson.

**Violation:** Roadrunner Towing & Recovery LLC permitted its driver to operate a CMV without being medically examined and certified (**Exhibit 1, Page 3**). Two (2) violations were discovered.

**Recommendation:** Staff recommends a fine of \$500.

### Count Two (2 of 8)

**Jurisdiction:** Pursuant to 49 C.F.R. 395.8, adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 66-1,129.

**Intent of the Law:** The MC shall require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation.

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC did not require Mr. Patterson to complete a time card or record of duty status for this transport.

**Violation:** Roadrunner Towing & Recovery LLC failed to require its driver to prepare a record of duty status using the appropriate method (**Exhibit 1, Page 3**). Forty-six (46) violations were discovered.

**Recommendation:** Staff recommends a fine of \$500.

### Count Three (3 of 8)

**Jurisdiction:** 49 C.F.R. 396.3, adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC shall systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all commercial motor vehicles subject to its control and maintain required records of such.

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC could not produce records of inspections, repairs or maintenance for the CMV involved in this transport.

**Violation:** Roadrunner Towing & Recovery LLC failed to keep minimum records of inspection and maintenance (**Exhibit 1, Page 3 to 4**). Five (5) violations were discovered.

**Recommendation:** Staff recommends a fine of \$750.

#### **Count Four (4 of 8)**

**Jurisdiction:** 49 C.F.R. 396.17, adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC shall obtain and document a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. The inspection shall be retained by the MC pursuant to 49 C.F.R. 396.21(b).

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC could not produce an annual inspection for the CMV involved in this transport.

**Violation:** Roadrunner Towing & Recovery LLC operated a commercial motor vehicle not periodically inspected (**Exhibit 1, Page 4**). Five (5) violations were discovered.

**Recommendation:** Staff recommends a fine of \$750.

#### **Count Five (5 of 8)**

**Jurisdiction:** 49 C.F.R. 391.11, adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must require any driver operating a CMV to first successfully complete a road test and be issued a certificate of driver's road test pursuant to 49 C.F.R. 391.31, unless the driver possesses a commercial driver's license and is excepted pursuant to 49 C.F.R. 391.33.

**Supporting Documents:** This violation took place during the transport described in Count One.

**Violation:** Roadrunner Towing & Recovery LLC allowed or required its driver to operate a commercial motor vehicle who has not taken a road test or who has not been issued a certificate of driver's road test or presented an operator's license, or certificate of road test which the motor carrier accepted as equivalent. Two (2) violations were discovered.

**Recommendation:** Staff recommends a fine of \$500.

#### **Count Six (6 of 8)**

**Jurisdiction:** 49 C.F.R. 391.25, adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must 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.

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC did not have any MVRs on file for Mr. Patterson.

**Violation:** Roadrunner Towing & Recovery LLC failed to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months (**Exhibit 1, Page 5 to 6**). Two (2) violations were discovered.

**Recommendation:** Staff recommends a fine of \$250.

#### **Count Seven (7 of 8)**

**Jurisdiction:** K.S.A. 66-1,111 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must obtain proper Kansas Corporation Commission authority to operate as a Public (For-Hire) MC before conducting intrastate commercial operations.

**Supporting Documents:** This violation took place during the transport described in Count One. A copy of the MC's KTRAN Profile, attached hereto as **Exhibit 3**. The MC was operating point to point within Kansas in a manner that requires KCC authority. The KTRAN profile states the MC's application for public for-hire authority was submitted on September 18, 2023, five days after the compliance investigation was completed. As of October 17, 2023 the application for Commission authority is pending as the MC has not submitted proof of insurance.

**Violation:** Roadrunner Towing & Recovery LLC failed to obtain KCC Public (For-Hire) Authority (**Exhibit 1, Page 6**). One (1) violation was discovered.

**Recommendation:** Staff recommends a fine of \$500.

### **Count Eight (8 of 8)**

**Jurisdiction:** K.S.A. 8-142 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must obtain a proper commercial registration for its commercial motor vehicle.

**Supporting Documents:** On August 8, 2023, Roadrunner Towing & Recovery LLC required or permitted its driver, Cody Patterson, to operate a CMV, a 2018 Dodge, VIN ending in 9960, GVWR 10,000 lbs., pulling a PJ trailer, VIN ending 9880, GVWR 14,000 lbs., in and around Oberlin, Kansas. This transport is evidenced by photos taken by the SIs dated August 8, 2023, attached hereto as **Exhibit 4**. The photo shows the vehicle is operating using a Decatur County license plate rather than Kansas commercial registration.

**Violation:** Roadrunner Towing & Recovery LLC failed to obtain commercial vehicle registration (**Exhibit 1, Page 6**). One (1) violation was discovered.

**Recommendation:** Staff recommends a fine of \$500.

### **RECOMMENDATION:**

Transportation Staff recommends the Commission find Roadrunner Towing & Recovery LLC committed sixty four (64) violation(s), accounting for eight (8) specific counts, of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of for sixty four (64) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Roadrunner Towing & Recovery LLC require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the 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).

Staff further recommends Roadrunner Towing & Recovery LLC submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the 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.

Finally, Staff recommends that Roadrunner Towing & Recovery LLC submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

## **EXHIBIT 1**

# UNITED STATES DEPARTMENT OF TRANSPORTATION



**U.S. DOT#:** 3877320  
**MC/MX#:** 1421407

**Legal:** ROADRUNNER TOWING & RECOVERY LLC  
**Operating (DBA):**

**Investigation Date:**  
09/13/2023

**Investigation Type:** Onsite Comprehensive Investigation

**Location of Investigation:** Company principal place of business (PPOB)

**Extent of Operations:** Entire Operation

**Physical Address**

304 W COMMERCIAL ST  
OBERLIN, KS 67749  
United States

**Mailing Address**

304 W COMMERCIAL ST  
OBERLIN, KS 67749-2014  
United States

**Contact Information**

**Contact Name:** JOHN SCHNEIDER  
**Email:** ROADRUNNERTOWING2022@GMAIL.COM  
**Phone:** (785)470-0388    **Cell:** ( )-    **Fax:** ( )-

**Business and Financial**

**Business Type:** Limited Liability Corporation  
**Name of Gross Revenue Provider:** JOHN SCHNEIDER  
**Title of Gross Revenue Provider:** OWNER  
**Gross Revenue:** ██████████    **For Year Ending:** 12/31/2022  
**Federal Tax ID:** ██████████

**Operation Classification and Type**

**Type of Operation:** HM Interstate Carrier, HM Intrastate Carrier

**Operation Classification**

For-Hire Motor Carrier  
Property  
Hazardous Materials  
Driveaway/Towaway

**Cargo**

Motor Vehicles

**Hazardous Materials**

Which of the following hazardous materials requiring a Safety Permit does the company transport?

None

Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E?

N/A

Is an HM Permit required by any State?

No

Hazardous Materials

Class 9 Miscellaneous Hazardous Materials = C, NB

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Straight Trucks	3				Intrastate	Interstate
Trailers	2			< 100 Miles	1	
<b>Power units used in the U.S.:</b> 3 <b>Percentage of time used in the U.S.:</b> 100%				>= 100 Miles		1
				<b>Average trip leased driver/month:</b> 0 <b>Drivers with CDL:</b> 0 <b>Total Drivers:</b> 2		
<b>Person(s) Interviewed</b>						
<b>Name:</b> JOHN SCHNEIDER				<b>Title:</b> OWNER		
<b>Name:</b> CODY PETERSON				<b>Title:</b> DRIVER		
<b>Questions</b>						
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:				1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378		
<b>This report will be used to assess your safety compliance.</b>						



# Violations

## 1. Primary: 391.45(a) Secondary: 391.11(a)

Using a driver not medically examined and certified.



**Critical**

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
2		2

### Checked

Fed	State	Total
2		2

### BASIC Impacted

Driver Fitness

### Rating Factor 2:

Driver = Part 391

### Example/Notes:

Driver name: Cody Peterson

Trip date: 7/7/2023

Description of violation: On July 7, 2023 Driver Cody Peterson operated Unit 10 to tow a 2013 Hyundai Elantra from milepost 76 on I-70 to 154 Main Street in Grainfield, Kansas. At the time of this transportation Roadrunner Towing & Recovery L.L.C. did not have a valid medical examiners certificate on file for Driver Cody Peterson.

### Drivers/Vehicles in Violation

Fed	State	Total
2		2

### Checked

Fed	State	Total
2		2

## 2. Primary: 395.8(a)(1)

Failing to require a driver to prepare a record of duty status using the appropriate method.



**Critical**

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
20	26	46

### Checked

Fed	State	Total
22	38	60

### BASIC Impacted

Hours-of-Service Compliance

### Rating Factor 3:

Operational = Part 395

### Example/Notes:

Driver Cody Peterson

Trip Date: 6/8/2023

On June 8, 2023 Driver Cody Peterson operated Unit 11 to tow a 2021 Dodge 1500 from 510 East Oak Street in Oberlin, Kansas to Deveny Dodge, 410 E B Street in McCook, Nebraska. At the time of this transportation Roadrunner Towing & Recovery L.L.C. failed to require Cody Peterson to complete a time card or a record of duty status.

### Drivers/Vehicles in Violation

Fed	State	Total
1	1	2

### Checked

Fed	State	Total
1	1	2

## 3. Primary: 396.3(b)

Failing to keep minimum records of inspection and vehicle maintenance.



**Critical**

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
5		5

### Checked

Fed	State	Total

### BASIC Impacted

Vehicle Maintenance

### Rating Factor 4:

Vehicle = Part 396

5	5
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**Example/Notes:**

Company number: Unit 11  
 Trip date: 6/8/2023

On June 8, 2023 Driver Cody Peterson operated Unit 11 to tow a 2021 Dodge 1500 from 510 Oak Street in Oberlin, Kansas to Deveny Dodge located at 401 E B Street in McCook, Nebraska. At the time of this transportation Roadrunner Towing & Recovery L.L.C. failed to maintain or provide a record of inspections, repairs and maintenance for Unit 11.

Drivers/Vehicles in Violation		
Fed	State	Total
5		5
Checked		
Fed	State	Total
5		5

**4. Primary: 396.17(a)**

Using a commercial motor vehicle not periodically inspected.



**Critical**

At least 10% of the number checked had violations

**Violations Discovered**

Fed	State	Total
5		5

**Checked**

Fed	State	Total
5		5

**BASIC Impacted**  
 Vehicle Maintenance

**Rating Factor 4:**  
 Vehicle = Part 396

**Example/Notes:**

Vehicle: UNIT 11  
 Date of trip: 6/8/2023

On June 8, 2023 Driver Cody Peterson operated Unit 11 to tow a 2021 Dodge 1500 from 510 E Oak Street in Oberlin, Kansas to Deveny Dodge located at 401 E B Street in McCook, Nebraska. At the time of this transportation Roadrunner Towing & Recovery L.L.C. did not have a current annual inspection on Unit 11.

Drivers/Vehicles in Violation		
Fed	State	Total
5		5
Checked		
Fed	State	Total
5		5

**5. Primary: 391.11(b)(8)**

**Secondary: 391.11(a)**

Using a driver who has not taken a road test or who has not been issued a certificate of driver's road test or presented an operators license, or certificate of road test which the motor carrier accepted as equivalent.

**Violations Discovered**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**Example/Notes:**

Driver name: Cody Peterson  
 Trip date: 7/7/2023

Description of violation: On July 7, 2023 Driver Cody Peterson operated Unit 10 to tow a 2013 Hyundai Elantra from milepost 76 on I-70 to 154 Main Street in Grainfield, Kansas. At

Drivers/Vehicles in Violation		
Fed	State	Total
2		2
Checked		
Fed	State	Total
2		2

the time of this transportation Roadrunner Towing & Recovery L.L.C. had not obtain a road test and certificate of road test for Driver Cody Peterson.

**6. Primary: 391.21(a)**

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

**Violations Discovered**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**Example/Notes:**

Driver name: Cody Peterson

Trip date: 7/7/2023

Description of violation: On July 7, 2023 Driver Cody Peterson operated Unit 10 to tow a 2013 Hyundai Elantra from milepost 76 on I-70 to 154 Main Street in Grainfield, Kansas. At the time of this transportation Roadrunner Towing & Recovery L.L.C. did not have an application for employment for Driver Cody Peterson on file.

**Drivers/Vehicles in Violation**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**7. Primary: 391.23(a)**

Failing to investigate driver's background.

**Violations Discovered**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**Example/Notes:**

Driver name: Cody Peterson

Trip date: 7/7/2023

Description of violation: On July 7, 2023 Driver Cody Peterson operated Unit 10 to tow a 2013 Hyundai Elantra from milepost 76 on I-70 to 154 Main Street in Grainfield, Kansas. At the time of this transportation Roadrunner Towing & Recovery L.L.C. did not have a previous employer inquiry on file.

**Drivers/Vehicles in Violation**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**8. Primary: 391.25(a)**

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

**Violations Discovered**

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**Example/Notes:**

**Drivers/Vehicles in Violation**

Driver name: Cody Peterson

Trip date: 7/7/2023

Description of violation: On July 7, 2023 Driver Cody Peterson operated Unit 10 to tow a 2013 Hyundai Elantra from milepost 76 on I-70 to 154 Main Street in Grainfield, Kansas. At the time of this transportation Roadrunner Towing & Recovery L.L.C. did not have an MVR on file for Driver Cody Peterson.

**9. Primary: 392.2**  
**Secondary: K.S.A. 66-1,111**

Operating without Kansas Corporation Commission For Hire Authority

**Example/Notes:**

Driver Cody Peterson

Trip Date: 7/7/2023

On July 7, 2023 Driver Cody Peterson operated Unit 10 to go from Oberlin, Kansas to Oakley, Kansas to tow a 2013 Hyundai Elantra to 154 Main Street in Grainfield, Kansas. Roadrunner Towing & Recovery L.L.C. did not have Kansas Corporation Commission For-Hire operating authority at the time of this tow.

**10. Primary: 392.2**  
**Secondary: K.S.A. 8-142(1)**

Failure to obtain proper and current registration.

**Example/Notes:**

Trip Date: 8/8/2023

Driver Cody Peterson

On August 8, 2023 Driver Cody Peterson operated the 2018 Dodge 2500 pickup with a GVWR of 10,000 pounds pulling the 2017 PJ 20 foot flatbed trailer with a GVWR of 14,000 pounds to haul a gray Ford Taurus belonging to Heath Pinzenscham of Norton, Kansas that had been involved in an accident. The 2018 Dodge 2500 had regular Kansas Decatur County registration number 755 PFT on it. It was required to have a Kansas commercial power registration. The 2017 PJ 20 foot flatbed trailer had no registration.

Fed	State	Total
2		2

**Checked**

Fed	State	Total
2		2

**Violations Discovered**

Fed	State	Total
	2	2

**Checked**

Fed	State	Total
	2	2

**Drivers/Vehicles in Violation**

Fed	State	Total
	2	2

**Checked**

Fed	State	Total
	2	2

**Violations Discovered**

Fed	State	Total
	2	2

**Checked**

Fed	State	Total
	5	5

**Drivers/Vehicles in Violation**

Fed	State	Total
	2	2

**Checked**

Fed	State	Total
	5	5

# Safety Fitness Rating

Your proposed safety rating is: **UNSATISFACTORY** 2 or more UNSATISFACTORY rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Conditional	0	1
Factor 3: Operational = Parts 392 and 395	Unsatisfactory	0	1
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 0%	Unsatisfactory		2
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	Satisfactory	0	0
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 9,325 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

**Effective date:** You will receive an official notice of proposed safety rating from the Federal Motor Carrier Safety Administration in Washington, D.C. The Unsatisfactory rating will take effect 60 days after the date of the official notice.

**PROHIBITION:** Under 49 USC 31144(c) and 49 CFR 385.13, a motor carrier that receives a final Unsatisfactory safety rating is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce. If applicable, the motor carrier shall have its operating authority registration revoked under 49 USC 13905(f)(1)(B).

You may request a safety rating upgrade based on corrective action under 49 CFR 385.17 and/or an administrative review under 49 CFR 385.15.

**Change to safety rating based on corrective action:** You may request a change to a safety rating under 49 CFR 385.17 at any time by providing evidence that you have taken actions to correct the deficiencies that resulted in the safety rating. You must make this request in writing to the Field Administrator for the FMCSA Service Center in which you maintain your principal place of business. A pending request for a change in safety rating under 49 CFR 385.17 will not delay the effective date of the rating.

**Administrative Review:** You may appeal your proposed safety rating in a petition filed under 49 CFR 385.15 if you believe FMCSA made an error in assigning your safety rating. You must submit your appeal within 90 days of the date of the proposed safety rating or within 90 days after denial of a request for a change in rating under section 385.17(i).

You should submit your appeal within 15 days of the date of the official safety rating notice to allow FMCSA to issue a written decision before the prohibitions in 49 CFR 385.13 take effect. A petition under section 385.15 will not delay the effective date of the rating unless the Chief Safety Officer grants a stay.

You must submit your appeal in writing to: Chief Safety Officer, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590-0001.

**DataQs:** If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

## Process Breakdown and Remedies

### BASIC: Driver Fitness

#### Process Breakdown: Qualification and Hiring

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Roadrunner Towing & Recovery L.L.C. shall ensure that all drivers are fully qualified to operate a commercial motor vehicle. Drivers must complete an application for employment that meets all of the Federal Motor Carrier Safety Regulations, have a valid and current medical examiners certification, obtain a pre-employment MVR as well as annual MVR's once the driver has been employed for 12 months, a road test and certification of road test and an annual review of the driving record.

#### Specific Recommended Remedies

**To implement Safety Improvement Practices, the following list are recommended practices related to Qualification and Hiring:**

1. 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.
2. 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.
3. 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.

### BASIC: Hours-of-Service Compliance

#### Process Breakdown: Roles and Responsibilities

---

Roadrunner Towing & Recovery L.L.C. shall ensure that drivers that operate within a 150 air mile radius of Oberlin, Kansas keep a true and accurate time card for each day showing the time the driver reports for work, the time the driver is relieved from work and total hours on duty for each day. On those occasions where the drivers operate beyond the 150 air mile radius Roadrunner Towing & Recovery L.L.C. shall ensure that the driver completes a record of duty status for that day. Roadrunner Towing & Recovery L.L.C. shall ensure that they retain all time cards and records of duty status for six months with the supporting documents such as tow receipts, fuel receipts, motel receipts, toll receipts and any other documents that verify compliance with the hours of service.

#### Specific Recommended Remedies

**To implement Safety Improvement Practices, the following list are recommended practices related to Roles and Responsibilities:**

1. Define and document roles and responsibilities of managers and supervisors for monitoring compliance with Hours-of-Service (HOS) policies.
2. Assign responsibility for making sure that all Records of Duty Status (RODS) are collected and stored for six months.
3. Define and document roles and responsibilities of drivers and dispatchers as they pertain to Hours-of-Service (HOS) policies and procedures.

### BASIC: Vehicle Maintenance

#### Process Breakdown: Policies and Procedures

Roadrunner Towing & Recovery L.L.C. must prepare and maintain a maintenance record for each vehicle that identifies the vehicle by the make, year, VIN number, tire size and the company unit number. Roadrunner Towing & Recovery L.L.C. shall document all oil changes, lubrications, repairs, inspections and maintenance on these maintenance records.

## **Specific Recommended Remedies**

### **To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.

# Recommendations

## 1. **Acute and Critical Violations**

Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

## 2. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

## 3. **Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

## 4. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

## 5. **10-year driver employment history required.**

Ensure that drivers provide a 10-year employment history on their employment application.

## 6. **Maintain a complete file documenting the qualification process.**

Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.

## 7. **Physically unqualified drivers cannot drive in interstate commerce**

Do not allow physically unqualified drivers to drive in interstate commerce.

## 8. **Require drivers to prepare complete and accurate records.**

Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.

## 9. **Duty status records must be kept on file for 6 months.**

Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.

## 10. **150-mile exemption terms must be met.**

If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.

## 11. **Establish a maintenance records program for all vehicles.**

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

## 12. **Hours-of-service regulations: 2003**

Drivers may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. Short-haul truck drivers, who routinely return to their place of dispatch after each duty tour and then are released from duty, may have an increased on-duty period of 16 hours once during any seven consecutive day period.

For more information on these regulations, please access the FMCSA website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

## 13. **UNSAT & CONDITIONAL CR'S**

I 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.



Apply Adequate Resources: Apply adequate resources to properly implement safety management practices. Consider reallocating responsibilities, additional staffing, contracting, or investing in technology to aid in this responsibility.

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 C.F.R. Part 391.23 requires prospective employers to , at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substance history from all employers the driver worked for within the previous three 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 is a screening tool that assists 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. Motor carriers should visit the following website for more information:

FMCSA Carrier Safety Measurement System (SMS) is based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. SMS effectively identifies and prioritize high risk and other unsafe motor carriers for enforcement interventions and is designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carrier's currently have the ability to preview their companies SMS information.. The data preview may be found at <http://csa.fmcsa.dot.gov/>.

For all Investigations resulting 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 resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings.

Your petition should be addressed to:

US Department of Transportation  
Jack Van Steenburg -Chief Safety Officer Federal Motor Carrier Safety Administration

1200 New Jersey Avenue SE,  
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation  
Max Strathman - Midwestern Field Administrator Federal Motor Carrier Safety Administration  
4749 Lincoln Mall Drive, Suite 300-A  
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation  
Kansas Division  
Michael Christopher - Division Administrator Federal Motor Carrier Safety Administration  
1303 First American Place, Suite 200  
Topeka, KS 66604-4040

This letter should be submitted as soon as possible. Information on your compliance status, roadside inspections, regulatory changes, accident counter measures and hazardous material counter measures is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

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

The KCC requires that you prepare a corrective action plan (CAP), addressing the measures taken to correct all 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 in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

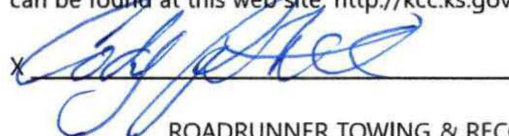
e-mail: [g.davenport@kcc.ks.gov](mailto:g.davenport@kcc.ks.gov)  
FAX: 785-271-3124;

or mail to:

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

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 Roadrunner Towing & Recovery L.L.C.'s operating authority and/or the impoundment of Roadrunner Towing & Recovery L.L.C.'s commercial motor 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 

Signature

X 9/13/2023

## **EXHIBIT 2**



# Roadrunner Towing and Recovery

304 W Commercial St  
 Oberlin, Kansas 67749  
 785-475-0015. 785-470-0388  
 Professional Service. Fair pricing

## ROAD SERVICE

# 1156

DATE <b>07-07-23</b>		TIME <b>1:30</b>		A.M. / P.M. <b>PM</b>		REQUESTED BY <b>AAA</b>		PO # <b>104730</b>	
NAME <b>Harrison Walker</b>						PHONE <b>918-269-2764</b>			
ADDRESS				CITY		STATE		ZIP	
LOCATION OF VEHICLE <b>OKley mile marker 70-76</b>									
YEAR MAKE MODEL <b>2013 Hyundai A1</b>			COLOR		TAG #			STATE	
VIN#						REGISTERED OWNER			
MILEAGE			SERVICE TIME			EXTRA PERSON			
FINISH <b>258613.6</b>			FINISH			FINISH			
START <b>258515.3</b>			START			START			
TOTAL <b>98.3</b>			TOTAL			TOTAL			
REASON FOR SERVICE						EXTRA EQUIPMENT			
<input type="checkbox"/> ACCIDENT		<input type="checkbox"/> ABANDONED		<input type="checkbox"/> FLAT TIRE		<input type="checkbox"/> SINGLE LINE			
<input type="checkbox"/> ARREST		<input type="checkbox"/> STOLEN		<input type="checkbox"/> OUT OF GAS		<input type="checkbox"/> DUAL LINE		<input type="checkbox"/>	
<input type="checkbox"/> UNREGISTERED		<input checked="" type="checkbox"/> BREAK DOWN		<input type="checkbox"/> IMPOUNDED		<input type="checkbox"/> SNATCH BLKS		<input type="checkbox"/>	
<input type="checkbox"/> TOW ZONE		<input type="checkbox"/> LOCK OUT		<input type="checkbox"/>		<input type="checkbox"/> DOLLY		<input type="checkbox"/>	
<input type="checkbox"/> SNOW REMOVAL		<input type="checkbox"/> NO START		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
TYPE OF TOW			TOWED PER ORDER OF			VEHICLE TOWED TO			
<input type="checkbox"/> SLING HOST TOW			<input type="checkbox"/> STATE POLICE			FIRST TOW			
<input checked="" type="checkbox"/> FLAT BED/RAMP			<input type="checkbox"/> LOCAL POLICE			<b>154 Main St Grainfield</b>			
<input type="checkbox"/> WHEEL LIFT			<input type="checkbox"/> OWNER			SECOND TOW			
<input type="checkbox"/>			<input type="checkbox"/> DEALER						
<input type="checkbox"/>			<input type="checkbox"/>						
STORAGE FROM						TOWING CHARGE			
_____ TO _____ DAYS AT \$ _____									
PAID BY						MILEAGE CHARGE			
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK DL # _____						EXTRA PERSON			
<input type="checkbox"/> CREDIT CARD <input type="checkbox"/> MC <input type="checkbox"/> VISA <input type="checkbox"/> AMEX <input type="checkbox"/>						SPECIAL EQP			
CC# _____ EXP _____ CVV# _____						LABOR CHARGE			
OPERATORS NAME <b>Andy Peterson</b>						STORAGE			
OPERATORS SIGNATURE <b>Andy Peterson</b>						ENVIRONMENTAL			
DATE <b>07/07/23</b>						SUB-TOTAL			
TRUCK # <b>#10</b>						TAX			
AUTHORIZED SIGNATURE						TOTAL			
DATE									
VEHICLE RELEASED TO									
DATE									
NAME									
SIGNATURE									
DL#									

Printed in USA by www.printdirect.com 1-800-370-5541

Not responsible for any loss or damage to vehicle in case of fire, theft or any cause beyond our control

**Thank You!**

## **EXHIBIT 3**





ROADRUNNER TOWING & RECOVERY LLC (3877320)

- Search
- Authority Maintenance
- UCR
- Payments
- Remarks
- Documents
- Messages
- Exception Transactions**

The information in KTRAN is updated daily through the Federal Motor Carrier Management Information System (MCMIS). So that KTRAN receives the most up-to-date information about your motor carrier operations, you must keep your MCS-150 information updated. KTRAN will reflect the update 24-36 hours after the MCS-150 information has been updated.

[Click here if you need to update your FMCSA registration or authority](#)

Carrier Operation: INTERSTATE  
 USDOT: 3877320  
 MCMIS Status: A

Tax Type/ID: /\*\*\*\*\*1  
 KTRAN PIN: X8WAZM

IRP Status: Active  
 IFTA Status: Not Found

▼ Company Information

Legal Name: ROADRUNNER TOWING & RECOVERY LLC  
 DBA Name:  
 Phone: (785) 470-0388 Cell:  
 Fax:  
 Email: ROADRUNNERTOWING2022@GMAIL.COM  
 Bus. Type: LIMITED LIABILITY COMPANY BEIN: 2042019  
[Edit](#)

► Address

Insurance		Authority			Cargo		Safety Seminar	
Date Granted	Authority	Service	Status	Status Date	Reason	Action	Authority Card	
	FOR-HIRE	PUBLIC SERVICE	PENDING	09/18/2023		<span style="background-color: green; color: white; padding: 2px;">✔ Grant</span>	-	

▼ Questionnaire

The questionnaire hasn't been completed

▼ Kansas Trucking Application Status

My Applications

<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">New</span>	FOR-HIRE	IN PROGRESS	<span style="color: green;">✔ Paid</span>
<i>Submitted on: 09/18/2023 11:04:13</i>			
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	FEIN/SSN Provided		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	List of Commodities		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	UCR Registration		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	Active USDOT#		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	Business in Good Standing		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: red; color: white; border-radius: 5px; padding: 2px;">N</span>	<a href="#">Liability Insurance(Form E)</a>		
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	<a href="#">Safety Educational Seminar</a>		09/22/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	No Outstanding Invoices		09/20/2023
<span style="background-color: #ccc; border-radius: 5px; padding: 2px;">Y</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N/A</span> <span style="background-color: #ccc; border-radius: 5px; padding: 2px;">N</span>	Designation of Agent		09/20/2023

## **EXHIBIT 4**



Aug 8, 2023 at 1:56:41 PM  
102 S Cass Ave  
Oberlin KS 67749  
United States





Aug 8, 2023 at 2:07:21 PM  
101-121 S Cass Ave  
Oberlin KS 67749  
United States



JANSSEN  
DC  
755 PFT  
OCT  
JANSSENAUTOGROUP.COM



**CERTIFICATE OF SERVICE**

24-TRAM-346-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 11/09/2023.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
a.latif@kcc.ks.gov

John Schneider, OWNER  
Roadrunner Towing & Recovery LLC  
304 W Commercial St  
Oberlin, KS 67749  
roadrunnertowing2022@gmail.com

/S/ KCC Docket Room  
KCC Docket Room

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