

2740 North Mayfair

P.O. Box 4208

Springfield, MO 65808-4208

toll free ph 800.848.4560 session

local ph 417.866.0001

www.PrimeInc.com



flatbed

refrigerated

tanker

intermodal

Docket No. 20-GIMM-031-KHP

July 4, 2019

Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson Suite 704
Topeka, KS 66603

Re: Challenge Examination Report KSHP92513439

I am writing this letter to contest the fine notice issued to New Prime Inc. for inspection KSHP92513439 written to Cedric Thornton. Prior to accident Cedric Thornton failed to notify anyone he was fatigued and needed to shut down. The Log book shows Cedric Thornton was in compliance with his hours of service rules. I have attached copy of logs for review. New Prime Inc. always puts safety before anything and drivers will never receive any pushback for shutting down due to fatigue, illness or feel they cannot drive safe.

I am asking the fine amount of 250.00 be dismissed based on there was no indication by New Prime Inc. that the driver was fatigued and driver took it upon himself to drive resulting in a rollover accident.

Please feel free to contact me at 417-521-3207 or jwood@primeinc.com if you have further questions.

Sincerely


Jeff Wood

New Prime Inc.

2740 N Mayfair

Springfield, MO 65803

P: 417-521-3207

F: 417-521-5564

E: jwood@primeinc.com

Driver Log

CEDRIC C THORNTON
(8 day cycle)

Carrier:
Prime Inc.

Main Office:
2740 North Mayfair
Springfield, MO
65803

Depot Location:
Springfield, MO

6/24/2019 Start of Day: Midnight Central

Document(s): 5277043: R28550051

Trailer(s): 180484 185084

Tractor(s): 680596

Co-Driver(s):

Edits: 0

Sensor Failures: 0

Off Duty: 1h03m33

Sleeper Berth:

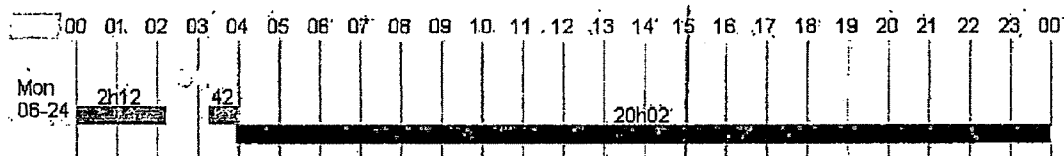
Driving: 2h54m31

On Duty Not Driving: 20h01m56

Total Hours On Duty Today: 22h56m27

Total Hours On Duty for Week: 78h44m14

Distance Driven (mi): 180



| Start Time | Duration | Activity | Location | Flags* | Remarks |
|------------|----------|----------|-------------------------|--------|---------|
| 00:00:00 | 2h12m07 | Driving | 2 mi S of Lexington, NE | | |
| 02:12:07 | 1h03m33 | Off-Duty | 5 mi SSW of Hebron, NE | | |
| 03:15:40 | 0h42m24 | Driving | 5 mi SSW of Hebron, NE | | |
| 03:58:04 | 20h01m56 | On-Duty | 3 mi S of Concordia, KS | | |

Driver's Signature

Driver Log

CEDRIC C THORNTON
(8 day cycle)

Carrier:
Prime Inc.

Main Office:
2740 North Mayfair
Springfield, MO
65803

Depot Location:
Springfield, MO

6/23/2019 Start of Day: Midnight Central

Document(s): 5277043: R28650051

Trailer(s): 180484 165084

Tractor(s): 680596

Co-Driver(s):

Edits: 0

Sensor Failures: 0

Off Duty: 10h00m19

Sleeper Berth: 8h06m14

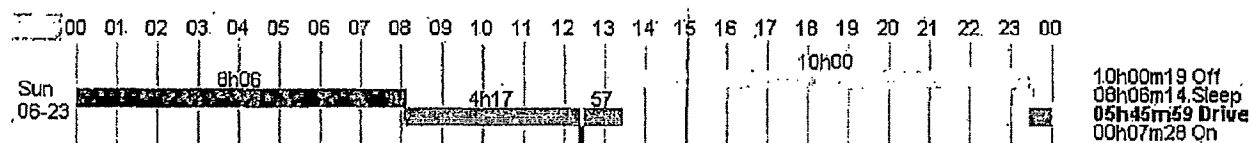
Driving: 5h45m59

On Duty Not Driving: 0h07m28

Total Hours On Duty Today: 5h53m27

Total Hours On Duty for Week: 63h38m56

Distance Driven (mi): 361



| Start Time | Duration | Activity | Location | Flags* | Remarks |
|------------|----------|----------|------------------------------|--------|---------|
| 00:00:00 | 8h06m14 | Sleeper | 3 mi NE of Aurora, CO | | |
| 08:06:14 | 4h16m38 | Driving | 3 mi NE of Aurora, CO | | |
| 12:22:52 | 0h07m28 | On-Duty | 3 mi ESE of North Platte, NE | | |
| 12:30:20 | 0h57m22 | Driving | 3 mi ESE of North Platte, NE | | |
| 13:27:42 | 10h00m19 | Off-Duty | 2 mi SSE of Lexington, NE | | |
| 23:28:01 | 0h31m59 | Driving | 2 mi S of Lexington, NE | | |

Driver's Signature

JUN 26 2019

Thor CC

KS

THOR CC

Inspections - Detail View Report #: KS KS-HP92513439

[View Full Report](#)[Dispute](#) [Print](#)

Motor Carrier Information

| | | | |
|--------------|-----------------|---------------------|--|
| Legal Name: | NEW PRIME INC | Business Address: | 2740 N MAYFAIR AVENUE, SPRINGFIELD, MO 65803, US |
| USDOT #: | 00003706 | Business Phone: | (417)866-0001 |
| MC/MX#: | MC140665 | Business Fax: | (417)521-5728 |
| Entity Type: | CARRIER, BROKER | Contact Cell Phone: | (417)425-1960 |

Time & Location

| | | | |
|------------------|---------------|------------------------|-------------|
| Report #: | KS-HP92513439 | Inspection Level: | WALK-AROUND |
| Inspection Date: | 06/24/2019 | Inspection Location: | CONCORDIA |
| Start-End Time: | 0900-1015 | Post Crash Inspection: | YES |

Driver Information

Name: CEDRIC C THORTON
 DOB: 06/20/1979
 Age:

License State: KS
 License #:

Hazardous Materials Information

Material Desc:
 Report Qty:
 Waste:

Vehicle Information

| Unit | Type | Make | State | Plate # | Equipment ID | VIN # | IEP USDOT# |
|------|---------------|------|-------|---------|--------------|--------|------------|
| 1 | TRUCK TRACTOR | FRHT | MO | 13AP9S | 680596 | 5092 | |
| 2 | SEMI-TRAILER | WANC | MO | 35A208 | 165084 | 953941 | |

5277043 01

Violation Information

| Unit | Violation Code | OOS Violations | Category | Violations Discovered | State Citation Number | State Citation Result | Certify Post Crash | IEP |
|------|----------------|----------------|-----------------------------|---------------------------------------|-----------------------|-----------------------|--------------------|-----|
| 1 | 393.60(c) | NO | WINDSHIELD | Damaged or discolored windshield | N/A | NO | YES | |
| 1 | 393.80 | NO | ALL OTHER VEHICLE DEFECTS | No or defective rear-vision mirror | N/A | NO | YES | |
| 2 | 392.9(a)(2) | YES | LOAD SECUREMENT | Failing to secure vehicle equipment | N/A | | YES | |
| D | 392.3 | YES | ALL OTHER DRIVER VIOLATIONS | Operating a CMV while ill or fatigued | N/A | NO | NO | |

BACOC

JUL 02 2019



THORCC

Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Susan K. Duffy, Commissioner

Governor Laura Kelly

NOTICE OF VIOLATION(S)

June 28, 2019

PRIME INC D/B/A PRIME INC
2740 N MAYFAIR AVENUE
SPRINGFIELD, MO 65803

Re: Roadside Driver/Vehicle Examination Report No. KSHP92513439

This is a Notice of Violation(s) of Kansas Motor Carrier Safety Statutes and/or Rules and Regulations discovered during a roadside inspection conducted by the Kansas Highway Patrol.

The Kansas Highway Patrol inspected vehicle 3AKJGLDR3JSHU5092, on June 24, 2019, and discovered violation(s) of the Federal Motor Carrier Safety Regulations, as adopted by K.S.A. 66-1,129 and K.A.R. 82-4-3 et seq. The civilly assessed violation(s) are set out in the attached invoice along with the fine(s) assessed.

You have thirty (30) days from the date of this letter to pay the fine amount as indicated in the enclosed invoice or thirty (30) days from the date of this letter to submit a challenge as described below. Failure to address this matter may negatively impact your KCC operating authority or result in the issuance of an Out-of-Service Order in the State of Kansas. You have the following options:

1. Pay the fine amount shown on the enclosed invoice: H000581135.
2. If you contest the violation(s) and/or fine(s) you may first submit a challenge to:

Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson, Suite 704
Topeka, Kansas 66603
(785) 368-8086 fax (785) 296-2858

In your "challenge", please specifically describe your contested issues. The KHP will review your issues and either grant, modify or dismiss your challenge.

3. If you are not satisfied with the outcome of your challenge by the KHP, you have the right to an administrative hearing with the Kansas Corporation Commission. The hearing request must be in writing and received within 15 days of the close of the challenge, and forwarded to the Kansas Highway patrol at the above address.

Failure to pay will result in the carrier being in default. Default status prohibits changes to KCC authority, including but not limited to adding vehicles, name changes or renewal of authority, until the fine has been paid or the matter is resolved.

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BALCC



2740 North Mayfair
P.O. Box 4208
Springfield, MO 65808-4208

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Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson Suite 704
Topeka, KS 66603

EKO-PMB 66603

