

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Investigation of **RD. G**)
Truckin, LLC, of Emporia, Kansas, Regarding)
the Violation of the Motor Carrier Safety)
Statutes, Rules and Regulations and the) Docket No. 18-TRAM-340-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

MOTION TO AMEND PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission amend the Penalty Order issued to RD. G Truckin, LLC (Respondent) on February 27, 2018. In support of its Motion, Staff states as follows:

1. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 297611.

2. On February 27, 2018, the Commission issued Respondent a Penalty Order assessing it a \$1,500 penalty as a result of three (3) violations of the Motor Carrier Safety Regulations found during a Compliance Review conducted on January 19, 2018, by Transportation Division Special Investigator Jared Smith.

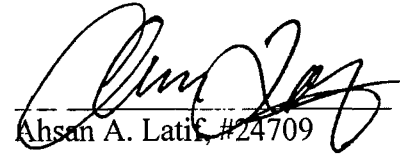
3. After discussions between Respondent and Transportation Staff it was determined that the carrier's failure to require its driver to record the total number of hours worked each day on the Driver's Daily Log, was charged the incorrect amount.

4. Staff requests the Commission to issue an Order Amending Penalty Order which reduces from \$750.00 to \$300.00 the penalty for failure to require its driver to record the total number of

hours worked each day on the Driver's Daily Log is in violation of 395.8(d)(10), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 66-1,129.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an Order amending the Penalty Order issued on February 27, 2018, to adjust the penalty that was previously assessed against the carrier.

Respectfully submitted,




Ahsan A. Latif, #24709
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3118 (Telephone)
(785) 271-3124 (Facsimile)
a.latif@kcc.ks.gov (E-mail)

For Commission Staff

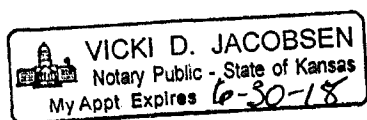
VERIFICATION

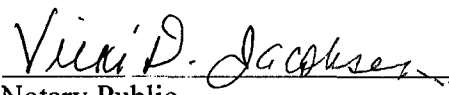
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

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 Amend Penalty Order, 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 19th day of March, 2018.




Notary Public

My Appointment Expires: June 30, 2018

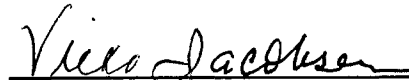
CERTIFICATE OF SERVICE

18-TRAM-340-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Amend Penalty Order was served via electronic service this 19th day of March, 2018, to the following:

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

THOMAS WILSON, MANAGING MEMBER
RD G TRUCKING, LLC
PO BOX 846
EMPORIA, KS 66801
rdgtruckin@yahoo.com



Vicki Jacobsen