

**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 **Clifford S)
Shuck d/b/a CPS Operating of Hugoton, Kansas,)
Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No.25-TRAM-428-UCR
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor Carrier)
Authority.**

**ORDER REINSTATING INTRASTATE MOTOR CARRIER OPERATIONS AND
WAIVE CIVIL FINE**

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission), on Transportation Staff's motion. The Commission, being fully advised in the premises, finds as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 66-1,111, 66-1,112 and 66-1,114b, and amendments thereto, the Commission is given full power, authority, and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f, 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. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, 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. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulation (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

II. BACKGROUND

4. Clifford S Shuck d/b/a CPS Operating, of Hugoton, Kansas (“Carrier”), is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicles in intrastate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 1807385.

6. Pursuant to K.S.A. 66-1,139a and K.A.R. 82-4-30a, motor carriers operating interstate commerce must pay Unified Carrier Registration (UCR) fees annually, by January 1, 2025. Carrier failed to pay its annual UCR fees by January 1, 2025, as required by 49 C.F.R. 367.40 and adopted by K.A.R. 82-4-30a.

7. On October 2, 2025, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,¹ due to non-compliance with a Penalty Order issued in this docket on July 15, 2025.² The Penalty Order assessed Carrier a \$300 civil fine to Carrier for failing to pay its 2025 UCR fees by January 1, 2025, as required by 49 C.F.R. 367-40 and adopted by K.A.R. 82-4-30a. The Commission’s Penalty Order is incorporated herein by reference and made a part of this Order.

8. Beginning on August 26, 2025, Carrier contacted Staff to discuss Carrier’s unpaid UCR fees. Staff communicated the need for Carrier’s payment of the UCR fee. Staff found that Carrier’s failure to pay the required 2025 UCR fee was not intentional and educated the Carrier

¹ Order Suspending Intrastate Motor Carrier Operations (Sep. 5, 2024).

² See Penalty Order, (Jul. 2, 2024).

regarding the requirement to pay UCR fees. Staff and Carrier reached an agreement that Carrier would pay the overdue UCR fees.

9. By October 1, 2025, Carrier paid its UCR fees for 2025 and 2026

10. Staff determined that the Commission should reinstate Carrier's Kansas motor carrier operations and waive the \$300 civil fine.

11. On October 8, 2025, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations and Waive Civil Fine.

III. STAFF'S RECOMMENDATION

12. Because Carrier has paid its required 2025 UCR fees in full, Staff recommends the Commission reinstate Carrier's Kansas motor carrier operations and waive the \$300 civil fine in the Penalty Order issued July 15, 2025.

IV. CONCLUSIONS OF LAW

13. The Commission finds it has jurisdiction over Carrier because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f.

14. Based on the facts on the record, the Commission finds that Staff's recommendation to reinstate Clifford S Shuck d/b/a CPS Operating's motor carrier operations and waive the \$300 civil fine in the Penalty Order issued July 15, 2025.

THE COMMISSION THEREFORE ORDERS THAT:

A. Clifford S Shuck d/b/a CPS Operating's intrastate motor carrier operations are hereby reinstated.

B. The \$300 civil fine in the Penalty Order issued to Clifford S Shuck d/b/a CPS Operating on July 15, 2025 is hereby waived.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/14/2025



Celeste Chaney-Tucker
Executive Director

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CERTIFICATE OF SERVICE

25-TRAM-428-UCR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 10/14/2025.

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

Clifford Shuck, OWNER
Clifford Shuck
D/B/A CPS Operating
673 Road 12
Hugoton, KS 67951
c.shuck@live.com

/S/ KCC Docket Room
KCC Docket Room