

CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027PHONE: 785-271-3100  
FAX: 785-271-3354  
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

**NOTICE OF PENALTY ASSESSMENT**

October 23, 2018

19-TRAM-147-PEN

Fidel V. Meza-Mendoza, Owner  
d/b/a Double M Transport  
4101 E Hwy 50 Lot 590  
Garden City, KS 67846

This is a notice of a penalty assessment against Fidel V. Meza-Mendoza, d/b/a Double M Transport (Double M Transport) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on September 14, 2018, by Kansas Corporation Commission Special Investigator Penny Fryback. Penalty amounts are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. For a full description of the penalty and terms and obligations, please refer to the Penalty Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:**

Double M Transport has been assessed a \$1,750 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. Please remit payment of \$1,750 through your personal account with the Kansas Corporation Commission's 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.

**DOUBLE M TRANSPORT IS A NEW ENTRANT MOTOR CARRIER AND MAY BE ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS:**

New Entrant motor carriers are eligible for a one-time, fifty-percent (50%) reduction in the penalty assessed motor carriers. You have to agree to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the reduction. A fifty-percent (50%) reduction in the penalty assessed may be available if:

(1) within fifteen (15) days from the date of this Penalty Order, the carrier signs and submits the attached Reduced Penalty Agreement to Litigation Counsel at the above address;

(2) within thirty (30) days from the date of this Penalty Order, the carrier submits to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) described in the attached 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;

(3) within thirty (30) days from the date of this Penalty Order, the carrier sends an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance must be submitted to the undersigned Litigation Counsel shortly thereafter; and

(4) within eighteen (18) months from the date of this Penalty Order, the carrier must submit to a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

If a carrier is approved for a fifty-percent (50%) reduced penalty, an Order Amending Penalty Assessment assessing the reduced penalty and setting out the terms and conditions stated above may be issued by the Commission. Payment of the reduced penalty of \$875 would be due within 30 days from the date of service of the Order Amending Penalty Assessment.

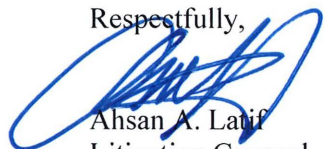
**IF YOU CONTEST THE PENALTY ORDER:**

**You have the right to request a hearing if you contest the terms of the Penalty Order.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Fidel V. Meza-Mendoza, d/b/a Double M Transport 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 Litigation Counsel at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

**IF YOU FAIL TO ACT:**

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$1,750 within thirty (30) days from the date of service of the Penalty Order, or in the alternative, provide a written request for a hearing within 15 days from the date of service of the Penalty Order, will result in the Order becoming final and the terms and conditions set out therein will be enforced. If Double M Transport submits the attached Reduced Penalty Agreement as explained above, an Order Amending Penalty Assessment may be issued assessing the reduced penalty of \$875 and that payment would become due within thirty (30) days from the date of service of the Order Amending Penalty Assessment.

Respectfully,



Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118  
a.latif@kcc.ks.gov

# STATE OF KANSAS



CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027

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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

## **REDUCED PENALTY AGREEMENT**

### **19-TRAM-147-PEN**

Fidel V. Meza-Mendoza, d/b/a Double M Transport (Double M Transport) hereby submits this Reduced Penalty Agreement for approval of a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated October 23, 2018. Double M Transport has agreed to comply with the following terms and obligations:

1. Double M Transport has submitted, within fifteen (15) days from the date of the Penalty Order this signed and dated Reduced Penalty Agreement to Litigation Counsel.
2. Double M Transport will, within thirty (30) days from the date of the Penalty Order, submit to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) and describing specific and detailed information explaining its efforts and concrete steps taken to ensure the violation(s) do not occur in the future. I understand the CAP must be approved by Transportation Staff to become eligible for the 50% reduced penalty.
3. Double M Transport will, within thirty (30) days from the date of the Penalty Order, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Litigation Counsel.
4. Double M Transport will be available within eighteen (18) months from the date of the Penalty Order for a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

Fidel V. Meza-Mendoza, d/b/a Double M Transport understands that if approved, an Order Amending Penalty Assessment will be issued by the Commission assessing a reduced penalty of \$875, and will set out the terms and conditions stated above. Once the Order Amending Penalty Assessment is issued by the Commission, Double M Transport will have thirty (30) days from the date of service of that Order to pay the reduced penalty assessed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Fidel V. Meza-Mendoza, d/b/a Double M  
Transport

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Fidel V. Meza-Mendoza  
Owner

(This Agreement can be mailed via U.S. Mail to the address above to the attention of Ahsan Latif, Litigation Counsel, or sent via e-mail to [v.jacobsen@kcc.ks.gov](mailto:v.jacobsen@kcc.ks.gov) and [alatif@kcc.ks.gov](mailto:alatif@kcc.ks.gov).)

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

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler  
                                 Dwight D. Keen

In the Matter of the Investigation of **Fidel V.**      )  
**Meza-Mendoza, d/b/a Double M Transport, of**      )  
**Garden City, KS,** Regarding the Violation of      )  
the Motor Carrier Safety Statutes, Rules and      ) Docket No. 19-TRAM-147-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:

**I.      JURISDICTION**

1.      Pursuant to K.S.A. 2017 Supp. 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 K.S.A. 2017 Supp. 66-1,108, 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. 2017 Supp. 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.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

## **II. BACKGROUND**

4. Fidel V. Meza-Mendoza, d/b/a Double M Transport (Double M Transport) has common operating authority with the Commission and further operates under USDOT number 2829254.

5. Fidel Mendoza attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on December 14, 2015, on behalf of Double M Transport.

6. Double M Transport is a common motor carrier which primarily hauls general freight, grain, feed, hay, commodities dry bulk, and road materials.

7. Double M Transport is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction of the penalty(s) assessed below.

## **III. STATEMENT OF FACTS**

8. Pursuant to the jurisdiction and authority cited above, on September 14, 2018, Commission Staff (Staff) Special Investigator Penny Fryback conducted a compliance review of the operations of Double M Transport. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified three (3) violation(s) of the Motor Carrier Safety Regulations.

- a. On July 26, 2018, Double M Transport required or permitted its driver, Fidel Meza-Mendoza, to operate a CDL-required commercial motor

vehicle, a 2011 Peterbilt, VIN ending in 127449, GVWR 54,000 lbs., pulling a 2010 Timppe semi-trailer, VIN ending in 122945, GVWR 37,400 lbs., in interstate commerce from Aurora, Nebraska to Garden City, Kansas. This trip is evidenced by Driver's Daily Log, dated July 26, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Double M Transport transported a load in excess of the gross weight of 85,500 pounds allowed in Kansas. The gross weight transported was 91,400 pounds. This is one example of six loads discovered by the special investigator. The carrier's failure to stay within the legal gross weight limit is a violation of 49 C.F.R 392.2, adopted by K.A.R. 82-4-3, and authorized by K.S.A. 8-1909. Staff recommends a fine of \$750.

- b. On June 5, 2018, Double M Transport required or permitted its driver, Raudel Fernandez-Reyes, to operate a CDL-required commercial motor vehicle, a 2005 Kenworth, VIN ending in 086050, GVWR 54,000 lbs., in interstate commerce from Tribune, Kansas to Denver, Colorado. This trip is evidenced by Driver's Daily Log, dated June 5, 2018, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, driver Raudel Fernandez-Reyes traveled outside of the 150 air mile radius and failed to retain the bills of lading, scale tickets, fuel receipts or any other documents for this trip. The special investigator discovered 17 violations of this type. The carrier's failure to retain driver supporting documents relating to the

record of duty status for a period of six (6) months is a violation of 49 C.F.R. Part 395.8(k)(1), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$750.

- c. On July 9, 2018, Double M Transport required or permitted its driver, Ever Holguin, to operate a CDL-required commercial motor vehicle, a 1994 Peterbilt, VIN ending in 342248, GVWR 54,000 lbs., in interstate commerce from Lyons, Kansas to Blaine, Nebraska. This trip is evidenced by Driver's Daily Log, dated July 9, 2018, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, Double M Transport did not have the inspector certification for Annual Inspector Eloy Duran who had completed the annual inspection on the 1994 Peterbilt on June 1, 2018. The carrier's failure to retain evidence of the inspector's qualifications to inspect the commercial motor vehicles is a violation of 49 C.F.R. 396.19(b), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$250.

#### **IV. STAFF'S RECOMMENDATIONS**

9. Based upon the available facts, Staff recommends the Commission find Double M Transport committed three (3) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

10. Staff recommends a civil penalty of \$1,750 for three (3) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

11. Staff provides notice to the Commission that Fidel V. Meza-Mendoza, d/b/a Double M Transport is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduced civil penalty. The carrier must submit to Litigation Counsel within fifteen (15) days of the date of this Penalty Order the signed and dated Reduced Penalty Agreement and Transportation Staff must approve the carrier's Corrective Action Plan (CAP).

12. Staff recommends Fidel V. Meza-Mendoza, d/b/a Double M Transport submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in this 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. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

13. Staff further recommends that a representative from Double M Transport attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel.

14. Finally, Staff recommends that Double M Transport submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

## **V. CONCLUSIONS OF LAW**

15. The Commission finds it has jurisdiction over Double M Transport because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.



16. The Commission finds a penalty of \$1,750 should be assessed to Double M Transport for committing three (3) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

17. The Commission finds Double M Transport is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction in the penalty(s) assessed herein.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Fidel V. Meza-Mendoza, d/b/a Double M Transport, of Garden City, KS is hereby assessed a penalty of \$1,750 for three (3) violation(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. Payment of \$1,750 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty owed.

B. A representative from Double M Transport is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel. 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).

C. Double M Transport must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described above, 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.

D. Double M Transport 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 motor carrier at a later date to determine an appropriate time for this review.

E. If Double M Transport does not submit the Reduced Penalty Agreement and fails to pay the penalty of \$1,750 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of Double M Transport's motor carrier operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. **Pursuant to K.S.A. 2017 Supp. 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, within fifteen (15) days from the date of service of this Penalty Order.** The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Double M Transport's right to a hearing.

G. 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. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2017 Supp. 66-1,142b(e) and amendments thereto.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/23/2018




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Lynn M. Retz  
Secretary to the Commission

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## **ATTACHMENT “A”**

	<b>US DOT #</b> 2829254	<b>Legal:</b> FIDEL V MEZA-MENDOZA <b>Operating (DBA):</b> DOUBLE M TRANSPORT		
<b>MC/MX #:</b> 945044		<b>State #:</b> [REDACTED]	<b>Federal Tax ID:</b> [REDACTED] (EIN)	
<b>Review Type:</b> Compliance Review (CR)				
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Other		<b>Territory:</b>
<b>Operation Types</b> Interstate Intrastate				
<b>Carrier:</b> Non-HM Non-HM <b>Shipper:</b> N/A N/A <b>Cargo Tank:</b> N/A		<b>Business:</b> Individual <b>Gross Revenue:</b> [REDACTED] for year ending: 12/31/2017		
<b>Company Physical Address:</b> [REDACTED] GARDEN CITY, KS 67846-8481  <b>Contact Name:</b> Ana Buruca <b>Phone numbers:</b> (1) [REDACTED] <b>Fax</b> <b>E-Mail Address:</b> [REDACTED]				
<b>Company Mailing Address:</b> [REDACTED] GARDEN CITY, KS 67846-5350				
<b>Carrier Classification</b> Authorized for Hire Exempt for Hire				
<b>Cargo Classification</b> General Freight Grain, Feed, Hay Commodities Dry Bulk Other: Road Materials				
<b>Equipment</b>				
	Owned	Term Leased	Trip Leased	
Truck Tractor	3	2	0	Trailer
				Owned Term Leased Trip Leased
				3 4 0
Power units used in the U.S.: 5 Percentage of time used in the U.S.: 100 <b>Does carrier transport placardable quantities of HM?</b> No <b>Is an HM Permit required?</b> N/A				
<b>Driver Information</b>				
	Inter	Intra		
< 100 Miles:			<b>Average trip leased drivers/month:</b> 0	
>= 100 Miles:	6		<b>Total Drivers:</b> 6 <b>CDL Drivers:</b> 6	



**DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)**  
U.S. DOT #: 2829254

State #: [REDACTED]

Review Date:  
09/14/2018

**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety or  
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Ks 66604 Phone : 785-271-3145

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

Name: Ana Buruca  
Name:

Title: Agent  
Title:



**DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)**  
U.S. DOT #: 2829254

State #: [REDACTED]

Review Date:  
09/14/2018

### Part B Violations

1 STATE	Primary: K.S.A. 8-1901 CFR Equivalent: 392.2	Discovered 6	Checked 250	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. <b>Example</b> Driver Fidel Meza-Mendoza Trip Date: 7/26/2017  On July 26, 2017 Driver Fidel Meza-Mendoza transported a load of distillers grain from Aurora, Nebraska to Garden City, Kansas. The gross weight of this load was 91,400 pounds. The maximum gross weight allowed in Kansas without an overweight permit is 85,500 pounds.					
2 STATE	Primary: K.A.R. 82-4-35(a) CFR Equivalent: 392.2	Discovered 12	Checked 219	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failure to preserve or provide supporting documents <b>Example</b> Driver: Felix Morales-Deluca Trip Date: 5/8/2018  On May 8, 2018 Driver Felix Morales-Deluca transported corn from Dresden, Kansas to Garden City, Kansas. Driver Felix Morales-Deluca or Double M Transport failed to retain copies of the bills of lading, scale tickets or any other documents for this day.					
3 FEDERAL	Primary: 395.8(k)(1)	Discovered 5	Checked 53	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Failing to preserve driver's records of duty status supporting documents for 6 months. <b>Example</b> Driver Ever Holguin Trip Date: 7/24/2018  On July 24, 2018 Driver Ever Holguin transported a load of something from Johnson, Kansas to Commerce City, Colorado. Driver Holguin or Double M Transport failed to retain the bill of lading or scale ticket or any other document for this trip.					
4 FEDERAL	Primary: 395.24(c)(2)(iii)	Discovered 52	Checked 150	Drivers/Vehicles In Violation 3	Checked 5
<b>Description</b> Failure to enter the required shipper and commodity information into the ELD. <b>Example</b> Driver Raul Fernandez-Reyes Trip Date: 6/28/2018  Driver Raul Fernandez-Reyes failed to enter a bill of lading number or shipping information into the ELD					





**DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)**  
U.S. DOT #: 2829254

State #: [REDACTED]

Review Date:  
09/14/2018

### Part B Violations

5 FEDERAL	Primary: 396.19(b)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
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**Description**

Failing to maintain evidence of inspector's qualifications.

**Example**

Inspector Eloy Duran

Inspection Date: 6/1/2018

Unit # 27

Trip Date: 7/9/2018

**Safety Fitness Rating Information:**

Total Miles Operated 384,000  
Recordable Accidents 0  
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 0

Number of Vehicles Inspected (MCMIS): 3

Your proposed safety rating is :

**SATISFACTORY**

**Rating Factors**

**Acute Critical**

Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.







**DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)**  
U.S. DOT #: 2829254

State #: [REDACTED]

Review Date:  
09/14/2018

## Part B Requirements and/or Recommendations

### 1. For all Investigations:

- **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.

- **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 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 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 allows 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. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:  
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012. The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

For all Investigations that could result 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





**DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)**  
U.S. DOT #: 2829254

State #: [REDACTED]

Review Date:  
09/14/2018

### Part B Requirements and/or Recommendations

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.

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

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the 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. Mail the letter along with copies of your supporting evidence to:

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

2. The maximum gross weight allowed in Kansas is 85,500 pounds unless you have a permit to haul and have at least six axles
3. Supporting documents shall be made available upon request for inspection by any duly authorized representative of the Kansas Corporation Commission. Supporting documents are registration receipts, drivers records of duty status, bills of lading, shipping receipts, waybills, freight bills, run tickets or equivalent documents, fuel receipts, toll road receipts and any other document that would indicate compliance with the hours of service requirements.
4. Motor carriers must retain each supporting document generated or received in the normal course of business in the following categories for each of its drivers for every 24-hour period to verify on-duty not driving time in accordance with § 395.8(k):
  - (i) Each bill of lading, itinerary, schedule, or equivalent document that indicates the origin and destination of each trip;
  - (ii) Each dispatch record, trip record, or equivalent document;
  - (iii) Each expense receipt related to any on-duty not driving time;
  - (iv) Each electronic mobile communication record, reflecting communications transmitted through a fleet management system; and
  - (v) Each payroll record, settlement sheet, or equivalent document that indicates payment to a driver.A supporting document must include each of the following data elements:  
On the document or on another document that enables the carrier to link the document to the driver, the driver's name or personal identification number (PIN) or a unit (vehicle) number if the unit number can be associated with the driver operating the unit and the date, which must be the date at the location where the date is recorded. The location, which must include the name of the nearest city, town, or village to enable Federal, State, or local enforcement personnel to quickly determine a vehicle's location on a standard map or road atlas; and the time, which must be convertible to the local time at the location where it is recorded.  
If a driver has fewer than eight supporting documents containing the four data elements a document containing the data elements is considered a supporting document.
5. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
6. Evidence of the individual's qualifications to perform annual inspections shall be retained by the motor carrier for the period during which that individual is performing annual motor vehicle inspections for the motor carrier, and for one year thereafter.





DOUBLE M TRANSPORT (FIDEL V MEZA-MENDOZA dba)  
U.S. DOT #: 2829254

State #: [REDACTED]

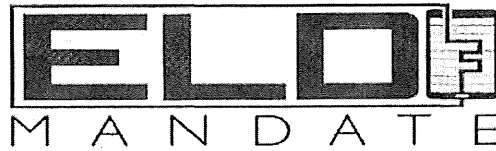
Review Date:  
09/14/2018

**Part B Requirements and/or Recommendations**

7. This review will result in a Safety Rating.
8. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
9. I, *Anna Buruca* 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 Fidel V. Meza-Mendoza d/b/a Double M Transport operating authority and/or the impoundment of Fidel V. Meza-Mendoza d/b/a Double M Transport vehicles.

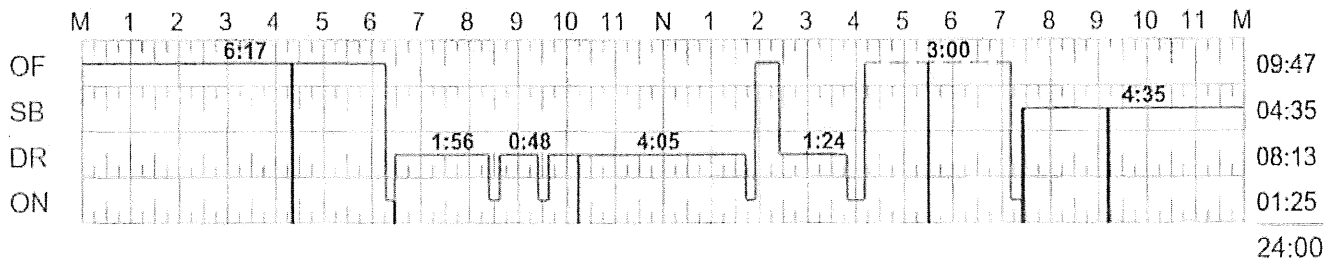


## **ATTACHMENT “B”**



## Driver's Daily Log

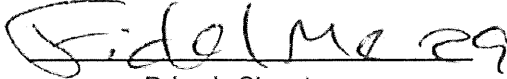
Log Date: 26-Jul-18 Print/Display Date: 12-Sep-18  
 Driver ID: FIDEL Vehicles Driven: Truck7  
 Driver Name: FIDEL MEZAMENDOZA Vehicle's Total Mileage:  
 Co-Drivers Name: Trailers Driven: T03TMP2010  
 Driver's Total Mileage: Shipment:  
 Carrier Name: DOUBLE M TRANSPORT Main Office Address:   
 GARDEN CITY KS 67846-8481  
 Home Terminal Address:   
 GARDEN CITY KS 67846-8481 Exceptions:



No.	Time	Status	Location	Remarks	Odometer	Violation
1	12:00 AM	OffDuty	205 E Burnside Dr, Garden City, KS, 67846, USA			
2	06:17 AM	OnDuty	205 E Burnside Dr, Garden City, KS, 67846, USA	pit ins	859986	
3	06:28 AM	Driving	205 E Burnside Dr, Garden City, KS, 67846, USA		859986	
4	08:24 AM	OnDuty	302-336 SW 56 Ave, Great Bend, KS, 67530, USA	unload sand	860107	
5	08:37 AM	Driving	302-336 SW 56 Ave, Great Bend, KS, 67530, USA	driving	860107	
6	09:25 AM	OnDuty	1660 Avenue N, Lyons, KS, 67554, USA	load salt	860148	
7	09:38 AM	Driving	1660 Avenue N, Lyons, KS, 67554, USA	driving	860148	
8	01:43 PM	OnDuty	235 Iowa St, David City, NE, 68632, USA	unload solt	860415	
9	01:55 PM	OffDuty	235 Iowa St, David City, NE, 68632, USA	Break Time	860415	
10	02:25 PM	Driving	200-248 Iowa St, David City, NE, 68632, USA	driving	860415	
11	03:49 PM	OnDuty	1205 S O Rd, Aurora, NE, 68818, USA	load ddg	860504	
12	04:11 PM	PersonalUse	1205 S O Rd, Aurora, NE, 68818, USA		860545	
13	04:11 PM	OffDuty	1205 S O Rd, Aurora, NE, 68818, USA	start 150 miles marktt	860504	

No.	Time	Status	Location	Remarks	Odometer	Violation
14	07:11 PM	ClearPU	894-994 US Highway 83, Colby, KS, 67748, USA		860739	
15	07:11 PM	OnDuty	W Railroad St, Jennings, KS, 67643, USA	pit ins	860691	
16	07:25 PM	Sleeper	W Railroad St, Jennings, KS, 67643, USA		860691	

\_\_\_\_\_  
Fleet Administrator's Signature

  
Driver's Signature



## **ATTACHMENT “C”**



# DRIVER'S DAILY LOG

(24 HOURS)

06 / 05 / 18  
(Month) (Day) (Year)

Original - File at home terminal  
Duplicate - Driver retains in his/her possession for eight days

703

Total Miles Driving Today

750253

Total Mileage Today

Double M Transport

Name of Carrier or Carriers

Main Office Address

Garden City KS 67846

Tro #3 Tia #701

Truck/Tractor and Trailer Numbers or  
License Plate(s) / State (show each unit)

Home Terminal Address

I certify these entries are true and correct

Driver's Full Signature

Co-Driver's Name

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									19.5
2. SLEEPER BERTH																									8
3. DRIVING																									1.5
4. ON DUTY (NOT DRIVING)																									24

REMARKS

SHIPPING DOCUMENTS:

Donny

B/L or Manifest No.

Wheat / Rock

Shipper & Commodity

Enter name of place you reported and where released from work and when and where each change of duty occurred.

From:

To:

USE TIME STANDARD AT HOME TERMINAL

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## DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING

DATE: 06/05/18

TRACTOR/TRUCK NO.: 5

TRAILER(S) NO.(S): 701

☒ I DETECT NO DEFECT OR DEFICIENCY IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

☐ I DETECT THE FOLLOWING DEFECTS OR DEFICIENCIES IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

INDICATE WHETHER DEFECTS ARE ON TRACTOR/TRUCK OR TRAILER - DESCRIBE DEFECT IN DETAIL, USE BACK SIDE IF NECESSARY.

DRIVER'S SIGNATURE:

☐ ABOVE DEFECTS CORRECTED

☐ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE

DRIVER'S SIGNATURE:

DATE:

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615-MP 12215



## **ATTACHMENT “D”**



# DRIVER'S DAILY LOG

(24 HOURS)

666  
Total Miles Driving Today

1620930  
Total Mileage Today

67 / 09 / 2018  
(Month) (Day) (Year)

Double m transport

Name of Carrier or Carriers

[Redacted] KS 67066

Main Office Address

Original - File at home terminal  
Duplicate - Driver retains in his/her possession for eight days

27

63

Truck/Tractor and Trailer Numbers or  
License Plate(s) / State (show each unit)

Home Terminal Address  
I certify these entries are true and correct:

*Em H*

Driver's Full Signature

Co-Driver's Name

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									12.25
2. SLEEPER BERTH																									1
3. DRIVING																									6.50
4. ON DUTY (NOT DRIVING)																									4.25

REMARKS	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
NE 324 Low-108 KS 234 SHIPPING DOCUMENTS: Donny B/L or Manifest No. or DD6 Shipper & Commodity																									24
																									HWY
																									61 14
																									156 70
																									30 29
																									680

From:

To:

USE TIME STANDARD AT HOME TERMINAL

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## DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING

DATE: 07/09/2018

TRACTOR/TRUCK NO.: 27

TRAILER(S) NO(S): 63

☒ I DETECT NO DEFECT OR DEFICIENCY IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

☐ I DETECT THE FOLLOWING DEFECTS OR DEFICIENCIES IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

INDICATE WHETHER DEFECTS ARE ON TRACTOR/TRUCK OR TRAILER - DESCRIBE DEFECT IN DETAIL, USE BACK SIDE IF NECESSARY.

DRIVER'S SIGNATURE

*Em H*

☐ ABOVE DEFECTS CORRECTED

☒ ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE:

DRIVER'S SIGNATURE

*Em H*

DATE

07-09-2018

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**CERTIFICATE OF SERVICE**

No Docket

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 10/24/2018.

ANA BURUCA, SAFETY COMPLIANCE OFFICER

106 N 9TH ST  
GARDEN CITY, KS 67846-5350  
buruca@sbcglobal.net

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

/S/ DeeAnn Shupe

---

DeeAnn Shupe