

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

In the Matter of the Investigation of Royce )  
Varela d/b/a Varela Trucking of Garden City, )  
Kansas. Regarding the Violation(s) of the ) Docket No. 24-TRAM-587-PEN  
Motor Carrier Safety Statutes, Rules and )  
Regulations and the Commission's Authority )  
to Impose Penalties, Sanctions and/or the )  
Revocation of Motor Carrier Authority. )

**NOTICE OF FILING OF OPERATOR'S POST-HEARING EXHIBITS**  
**(PUBLIC)**

The Office of General Counsel for the State Corporation Commission of the State of Kansas (Commission) files the attached Operator's post-hearing exhibits which were sent by email on March 15, 2024 to all parties and the Presiding Officer.

Portions have been redacted of the Exhibits to protect against the publication of personally identifiable information of the motor carrier.

Respectfully Submitted,

/s/ Brian G. Fedotin

Brian G. Fedotin #19036  
General Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Rd.  
Topeka, KS 66604  
(785) 271-3105 (Telephone)  
(785) 271-3354 (Fax)  
b.fedotin@kcc.ks.gov

HELLO this is a letter after my hearing and I got over 100 pages of maintenance sheets that I provide STAFF with that if I have to send them all I will let me know I provide with annual inspections as well STAFF like I provide them with time cards as well that there to many if you guys need to send them to you guys I will but staff has them im going a send you guys less just what you guys asked me too for now and if you guys need me to send something else let me know im going a send the invoice of truck bought in Massachusetts invoice that I paid to get it here to Kansas I never drove the truck back so anything that im been accused of please make sure you guys have the rite evidence to do so please consider that and thanks a lot I be sending the statement that I spoken on the hearing as well and the evidence I was asked to send. And if you guys are able to not suspend my company for not having the proper evidence to do so I will work with what I need to get done and have it all good to go for the next 2 months just how the first papers I received I sent em too.

04202R RUVALCABA ROD  
503 N MAIN ST  
GARDEN CITY, KS 67846

PAGE 1  
PROOF OF ME  
HAVING INSURANCE

Named Insured

ANDREA VARELA  
ROYCE VARELA  
VARELA TRUCKING

Policy number: [REDACTED]

Underwritten by:  
United Financial Casualty Company  
January 13, 2023

Policy Period: Jun 29, 2022 - Jun 29, 2023  
Page 1 of 4

agent.progressive.com  
Online Service

Make payments, check billing activity, print  
policy documents, update your policy or  
check the status of a claim.

1-620-805-6715

04202R RUVALCABA ROD

Contact your agent for personalized service.

1-800-444-4487

For customer service if your agent is  
unavailable or to report a claim.

## Commercial Auto Insurance Coverage Summary

### This is your Declarations Page Your coverage has changed

Your coverage began on June 29, 2022 at 12:01 a.m. This policy expires on June 29, 2023 at 12:01 a.m.

This coverage summary replaces your prior one. Your insurance policy and any policy endorsements contain a full explanation of your coverage. The policy limits shown for an auto may not be combined with the limits for the same coverage on another auto, unless the policy contract allows the stacking of limits. The policy contract is form 6912 (02/19). The contract is modified by forms 2852KS (02/19), 1652KS (02/19), 2433KS (04/08), 2434KS (02/19), 2371 (06/10), 1198 (07/16), 8610 (02/19), 5701 (02/19), 4717 (02/19), 4852KS (02/19), 4881KS (02/19) and 2228 (01/11).

The named insured organization type is a sole proprietorship.

### Policy changes effective January 12, 2023

Changes processed on:	January 12, 2023 5:42 p.m.
Premium change:	\$2,560.00
Changes:	The 2001 PETERBILT 379 has been added. Personal Injury Protection has been added on 2006 VANTAGE Trailer.

The changes shown above will not be effective prior to the time the changes were requested.

04202R-RUVALCABA ROD  
503 N MAIN ST  
GARDEN CITY, KS 67840

PAGE 2  
SECOND HALF  
OF YEAR 2023

**Named insured**  
ANDREA VARELA  
ROYCE VARELA  
VARELA TRUCKING  
[Redacted]

**Policy number:** [Redacted]  
Underwritten by:  
United Financial Casualty Company  
June 2, 2023  
**Policy Period: Jun 29, 2023 - Jun 29, 2024**  
Page 1 of 4

**agent.progressive.com**  
**Online Service**  
Make payments, check billing activity, print  
policy documents, update your policy or  
check the status of a claim.

**1-620-805-6715**  
**04202R RUVALCABA ROD**  
Contact your agent for personalized service.

**1-800-444-4487**  
For customer service if your agent is  
unavailable or to report a claim.

## Commercial Auto Insurance Coverage Summary

This is your Renewal  
Declarations Page

This Renewal Declarations Page is effective only if the minimum amount due to renew your policy is received or postmarked by June 29, 2023.

Your coverage begins on June 29, 2023 at 12:01 a.m. This policy expires on June 29, 2024 at 12:01 a.m.

Your insurance policy and any policy endorsements contain a full explanation of your coverage. The policy limits shown for an auto may not be combined with the limits for the same coverage on another auto, unless the policy contract allows the stacking of limits. The policy contract is form 6912 (02/19). The contract is modified by forms 2852KS (02/19), 1652KS (02/19), Z433KS (04/08), Z434KS (02/19), 2371 (06/10), 1198 (07/16), 8610 (02/19), 5701 (02/19), 4717 (02/19), 4852KS (02/19), 4881KS (02/19) and 2228 (01/11).

The named insured organization type is a sole proprietorship.

Policy number: [REDACTED]  
 ANDREA VARELA  
 ROYCE VARELA  
 Page 2 of 4

**Outline of coverage**

**Auto coverage part**

Description	Limits	Deductible	Premium
Liability To Others			\$20,498
Bodily Injury and Property Damage Liability	\$1,000,000 combined single limit		441
Uninsured/Underinsured Motorist	\$1,000,000 combined single limit		130
Personal Injury Protection	Option 1 - medical expense \$4,500 work loss \$900 per month maximum 1 year		
Medical Payments	Rejected		
Trailer Interchange	\$30,000	\$1,000	2,305
<b>Subtotal policy premium</b>			<b>\$23,374</b>

**Commercial General Liability coverage part**

Description	Limits	Premium
Limited General Liability - Trucking Operations	\$1,000,000/\$2,000,000	\$686
Each Occurrence	\$1,000,000	
General Aggregate	\$2,000,000	included
Products/Completed Operations Aggregate	\$2,000,000	included
Personal and Advertising Injury	\$1,000,000/any one person or organization	included
Damage to Premises Rented to You	\$100,000/any one premises	included
Medical Expense	\$5,000/any one person	
<b>Subtotal policy premium</b>		<b>\$686</b>

**Motor Truck Cargo coverage part**

Description	Limits	Deductible	Premium
Motor Truck Cargo	\$5,000	\$1,000	\$1,089
<b>Subtotal policy premium</b>			<b>\$1,089</b>
Waiver of Subrogation Fee			25
Additional Insured Fee			100
<b>Total 12 month policy premium and fees</b>			<b>\$25,274</b>
Discount if paid in full			-2654
<b>Total 12 month policy premium if paid in full</b>			<b>\$22,620</b>

**Rated drivers**

- ANDREA VARELA
- ROYCE VARELA

**Rated commodities**

1. GRAIN

SHOWS I AM PROTECTED WITH GRAIN

**Auto coverage schedule**

1. <b>2006 VANTAGE Trailer</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: Bottom Dump				
	Liability Premium	PIP Premium		Auto Total
	\$155	\$1		\$156
2. <b>1995 CLEG Trailer</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: Dump Body Trailer				
	Liability Premium	PIP Premium		Auto Total
	\$155	\$1		\$156
3. <b>1996 PETERBILT 379</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: Truck Tractor				
	Liability Premium	UM/UIM Premium	PIP Premium	Auto Total
	\$4603	\$84	\$25	\$4,712
4. <b>2008 CHEVROLET SILVERADO</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: Y Body type: Pickup Truck				
	Liability Premium	UM/UIM Premium	PIP Premium	Auto Total
	\$1397	\$105	\$23	\$1,525
5. <b>2009 KENWORTH CONSTRUCTION</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: Truck Tractor				
	Liability Premium	UM/UIM Premium	PIP Premium	Auto Total
	\$4672	\$84	\$28	\$4,784
6. <b>2030 Non-owned Attached Trailer**</b>				
VIN: None Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: 20				
	Liability Premium	PIP Premium		Auto Total
	\$155	\$1		\$156
7. <b>2006 PETERBILT 379</b>				
VIN: [REDACTED] Garaging Zip Code: 67846 Radius: 50 miles				
Personal use: N Body type: Truck Tractor				
	Liability Premium	UM/UIM Premium	PIP Premium	Auto Total
	\$4603	\$84	\$25	\$4,712



Policy Number: [REDACTED]  
ANDREA SERRA  
NICOLA SERRA  
April 2011

2001 FREIGHTLINER COLUMBIA

Year: [REDACTED] Company: [REDACTED] To Code: 87840 Make: Freightliner  
Personal use by: Any type Truck Trailer

Liability	Liability Premium	Medical Payments	Sp. Ins.	Auto Total
	\$400	\$0	\$25	\$4,115

2002 Non-owned Attached Trailer

Year: None Company: [REDACTED] To Code: 87840 Make: [REDACTED]  
Personal use by: Any type TO

Liability	Premium	Auto Total
	\$155	\$155

\*Non-Owned Trailer but only while attached to a rated owner per specifically described on the declarations page

Premium discount

Rate: 030-0268 Electronic funds transfer

The DAY I Got Pulled over  
I had a trailer Renting triple axle  
That doesn't belong to me. ERICCA  
PARGAS said I didn't provide annual  
inspection but that trailer wasn't mine.

AND It shows I had insurance  
ON ALL MY Equipment.



NEW UNDER AN MY NAME

CERTIFICATE OF LIABILITY INSURANCE

This Certificate is issued as a matter of convenience and does not constitute an offer of insurance. This Certificate does not constitute an offer of insurance. It is issued as a matter of convenience and does not constitute an offer of insurance. It is issued as a matter of convenience and does not constitute an offer of insurance.

AGREEMENT: If the Certificate holder is an Admitted Insurer, the policyholder must have adequate surplus provisions to be admitted to the business of insurance. If the Certificate holder is not an Admitted Insurer, the policyholder must have adequate surplus provisions to be admitted to the business of insurance.

Form section containing policy details, including policy number, effective date, and insured information.

COVERAGE: This is to certify that the following coverage is provided under the policy...

Table with columns for Coverage, Amount, and Description. It lists various liability coverages such as Commercial General Liability, Automobile Liability, and Professional Liability.

AGREEMENT OF POLICYHOLDER: I hereby agree to the terms and conditions of the above coverage...

CERTIFICATE HOLDER: Name and address of the policyholder.

CANCELLATION: Information regarding the cancellation of the policy.

Signature of the policyholder or agent.

Also verify  
Amount and company information  
by checking the  
invoice with the  
customer's records.



**R & R FRAME & AXLE, INC.**  
2400 E. Anderson Road P.O. Box 1033  
GARDEN CITY, KANSAS 67846  
(620) 276-8585 Fax (620) 276-8011

DATE: 11-9-23  
NAME: Royce Varela

QUANTITY: 1

QTY	DESCR	PRICE	AMOUNT
- 1	Brake 2119 20 Brake Bd	48.52	48.52
- 1	LN 110-555 P/H	33.57	33.57

PD  
CK # 2244

350.11  
29.65 TAX  
TOTAL 379.76  
141202  
409.16  
THANK YOU

D & H FRAME & AXLE, INC.  
1000 W. Highway 100, P.O. Box 1000  
Lubbock, TX 79402  
806.744.8888 Fax 806.744.8887

11-9-25  
Doyce Vazquez

1	DRUMS	2014.24	49.52
1	LN HOUSING		33.00

PO  
OK #1234

385.11  
375  
01.16  
THANK YOU

-This ticket shows  
the Brake chamber  
I replaced the  
SAME DAY I WAS  
PUT OUT OF SERVICE.

ERICKA PARGAS IS  
SAIDING I DIDN'T  
FIX REPAIRS AND  
THAT'S A LIE SHE  
SPECULATES TO MANY  
THINGS AND THAT'S  
WRONG.



THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Archon J. French, Chairman  
Dwight D. Kiser  
Aron B. Smith

In the Matter of the Investigation of  
Royce Vanels Auto Vehicle Trucking,  
of Garden City, Kansas, Regarding the  
Violation of the Motor Carrier Safety  
Statutes, Rules and Regulations and the  
Commission's Authority to Impose  
Penalties, Sanctions and/or the  
Revocation of Motor Carrier Authority.

Docket No. 24-TRAM-587-PE17

ORDER SUSPENDING INTRASTATE MOTOR CARRIER OPERATIONS

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission feels and concludes as follows:

I. JURISDICTION AND BACKGROUND

1. Pursuant to K.S.A. 66-1,108, 66-1,111, 66-1,112, and 66-1,118, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-31, 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, the Commission may suspend operations, revoke, or amend certificates, and institute sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in

ABUSE OF POWER ETUONA

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 regulations (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. FINDINGS OF FACTS

4. Royce Varela d/b/a Varela Trucking of Garden City, Kansas (Carrier) is a motor carrier as defined in 49 C.F.R. 390.5 as adopted in K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in interstate commerce.

5. Carrier operates under USDOT Number 2379357.

7. Transportation Staff (Staff) Special Investigators Penny Fryback and Ericka Pargas conducted a compliance review of the carrier on January 24, 2024. During the compliance review, Staff discovered a number of major violations, including:

a. Carrier did not possess interstate insurance.

FALSE

b. Carrier was operating interstate with an intrastate only USDOT number.

Carrier had been cited for the same violation during an investigation conducted on February 10, 2021 and penalized in a Penalty Order issued in Docket No. 21-TRAM-336-PEN on March 9, 2021.

AND  
STILL  
INTERSTATE

c. Carrier was operating intrastate without KCC for-hire authority. Carrier had been cited for the same violation during an investigation conducted on February 10, 2021 and penalized in a Penalty Order issued in Docket No. 21-TRAM-336-PEN on March 9, 2021.

TRUE

d. Carrier failed to provide investigators with maintenance files. **BIG LIE**  
 e. Carrier provided investigators with fraudulent documents. **I DID PROVIDE**  
 f. Carrier failed to provide investigators with records of duty status, supporting documents for the loads hauled, or annual inspections for the vehicles operated. **I DID PROVIDE**  
 g. Carrier failed to conduct a random test on a driver, resulting in the driver being deemed a prohibited driver in the Federal Drug and Alcohol Clearinghouse. **I WAS OUT OF COUNTRY THATS WHY I GOT PULLED OFF THE DOLL**  
 h. Carrier used drivers that had not been qualified. **NOT TRUE**  
 i. Carrier was found to be operating CMVs that had been placed out-of-service without making proper repairs. **BIG LIE**

6. On February 26, 2024, Commission Staff filed a Motion to Suspend Intrastate Motor Carrier Operations, requesting that such an action be taken because Carrier's continued operations pose a danger to the motoring public. Staff requested Carrier's intrastate motor carrier operations remain suspended until it complies with the applicable motor carrier safety rules and regulations and submits a corrective action plan (CAP) that meets Staff's approval.

**III. CONCLUSIONS OF LAW**

- 7. The Commission finds it has jurisdiction over Carrier as the Carrier is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-31.
- 8. The Commission finds Carrier is operating in violation of the applicable motor carrier safety rules and regulations.

3. The Commission finds Carrier's non-compliance with the applicable motor carrier safety rules and regulations poses a potential threat to the safety and welfare of the public of the state of Kansas. Further, Carrier's non-compliance is intentional and therefore the Commission orders the Carrier to suspend all interstate motor carrier operations other than such motor carrier operations exempted from the Commission's regulation under K.S.A. 66-1129, until such time as the carrier takes the necessary steps to become compliant.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Rayco Varris d/b/a Varris Trucking of Garden City, Kansas is to be immediately suspended from all interstate commercial motor carrier operations other than such motor carrier operations exempted from the Commission's regulation under K.S.A. 66-1129, until such time as Carrier submits a Corrective Action Plan that meets Staff's approval and comes into compliance with the applicable motor carrier safety rules and regulations. This Suspension of Interstate Motor Carrier Operation Order may also attach and apply to the operation of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of any Order to cease operations or suspend operating authority.

B. Pursuant to K.S.A. 77-537 and K.S.A. 77-541, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. Failure to timely request a hearing will result in a waiver of

Carrier's right to a hearing, and this Order will become a Final Order against Carrier, suspending Carrier's motor carrier operations.

C. If a request for hearing is filed, attorneys for all parties shall advise their appearances in Commission proceedings by giving their names and addresses for the record.

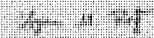
D. Failure to comply with the provisions of this Order may result in further sanctions as include, but not limited to, the assessment of civil penalties and/or the impoundment of commercial motor vehicles found operating in violation of this Order and any other remedies available to the Commission by law, without further notice.

E. 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.**

French, Chairperson, Keen, Commissioner, Kuebler, Commissioner

Dated: 02/29/2024



Lynn M. Reig  
Executive Director

AAI

MY Statement BASED ON THIS  
PAPERS PAPERS (A)

TEST

Hello, my name is Robert Woods.

To start off with, I would like to know what is the main reason for me getting this audit? My company has been in good shape. The only gotten was out of service. To tell you the truth, the reason it's obviously because my brother just had an audit. He was rushing to do with my business. I'm a private different deal. I easily did this discrimination because we have the same last name of Forrestly what is the deal with this lady, Ericka Popper? Looks like and we all feel like she's got something against our last name, Vardola. My company didn't cause any red flags, have not been on any accidents, nor have I been put out of service multiple times. That's my concern, it's nothing professional from her part as an investigator because this has been for a while that she's been going through me and many employees. One by one, I have been driving for 16 years, since I turned 18 years old. Most of my family has been on this business for over 30 years and we have never had this problem. The note, We are just hard working people doing our best to provide for our family who honest work. We are not smuggling drugs or been drug dealers. That's how this investigation seems like, feeling harassed, seeing this individual going around taking pictures in private property. All I want to be work, I got a family of 5, 4 little girls and a wife that depend on me. I am the one and only who provides for this family. Since this audit started with all this non sense accusations towards me of me supposedly having all this wrong stuff. This is why I think is something more personal towards me and my last name, putting all this obstacles to make it hard for us to work. Like trying to put me out of service for (A) Carrier did not possess interstate insurance, I pay over 20,000 a year, saying I was running last year with no interstate insurance, if that was the case, 2 years ago when Perry Fryback did my audit, She did her job very professional. Didn't feel harassed, and it did not seem anything personal. And doing her job. How come she never told me anything about having my mothers name Alicia Vardola DBA Vardola Trucking and me being on the policy? There's nothing that says I don't have insurance and if the insurance doesn't work like that then why do they allow you to get tags if it is not valid? As of today, I wanted to represent myself, just to express the way I feel. Because to me and many others seems like she's abusing of her power to stop me from working with things that don't make any sense to me. (B) Carrier was operating interstate with an interstate DOT# carrier has been cited back in Feb 10 2021 that is another big lie from this lady but I'm sure I know what she's talking about, about a truck that I bought in NY, the truck costed me \$3,000 NOT operable truck. I personally sent a guy to check it out and make a deal for me. He then brought it back to Kansas in April 16, 2021. It a trailer truck is still at the shop getting an overhaul and doing work to it. If you know about trucks then you should know that you don't find a 2004 KVL 4000 for that price easily. It was pretty much a junk that I wanted to fix up and sell it. She misunderstood the deal with that truck but that truck has been bought as it was. It is not considered operating out of state when it wasn't even registered under my name or nothing, that is another incorrect statement. (C) and her saying this based on what evidence that you got? (D) I did provide STAFF with maintenance files and I also provided TMT with those same maintenance files. Why is she starting back that I failed to provide? (E) I want to know what fraudulent documents you are talking about? (F) I did provide with duty status and annual inspections. (G) I did, that was the reason they pulled me out of the POLL because I wasn't inside of the country. I was in heavily vacation. (H) all the drivers I used last year were qualified to drive, yes I do get loads for my truck and I can do it all myself, I hire trucks to help under their own authority and that has nothing to do me as having them us drivers. (I) Carrier was found to be operating CMV that had been placed out of service without making proper repairs. That is another false statement, truck that I was driving

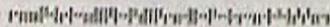
when I got pulled over and put out of service, it was a brake chamber that was bigger than the other one, that I couldn't have reattached chambers so I called my nephew to bring it for me all the way from Garden City on my service truck. I replaced it right there. Then the low pressure alarm didn't sound, I took dash off and it was just disconnected and plugged it back up and everything was good to go. That was the only stuff I had to be right there to be able to leave. I have been in this business for 16 years. I work hard to provide for my family, I grew up around trucks, I work on my trucks most of the time. I really think I know more than a lot of mechanics out there. I trust myself more than most of authorized mechanics. I've never done drugs before, never have I tested positive. I understand if I got to go through the program to be able to get my license back and back to work I am going to do it. I already registered myself. I have an evaluation with Christy Ross. Paid \$600 for this program that I feel is also a loss of my money and very unnecessary since I do not do drugs. I was just out of the country. Right now I'm not working, paying unnecessary programs, missing out of jobs because of this. I can't even have a driver working because Ericka Pargas told me NOT to renew my tags because my company was going to be put up OCS, which I don't know why it either Bradley and Wagner inspected my trucks. They came out good, a few repairs had to be. I really want to know why my company is suspended and I can't work. Trucks are play to go. There's a lot of trucks out there way more than mine, that have accidents, out of services, drivers coming out dirty and stuff like that, that I think STAFF should be more focused on. Like I said, my company I know for a fact, everybody was kind of in shock that I was getting an audit and I know it's because of my last name, its pretty much obvious now. A year ago my wife wanted to buy a truck and put a driver to maybe work out of state, that's why she wanted to open her own company with parson tags, this audit of my brother started right after she opened her company the first thing that I was asked by Ericka Pargas when I went to see them the last time I went to see them was "You think we were not going to find out that you opened the company and wanted to add trucks to the company?" I was like damn! You really have something personal towards us. We don't even know her. We don't think of her when we are doing our things. My brother maybe he was wrong in a lot of things on his company but we are completely two different persons, two different companies and his business shouldn't be taken against my business either. He offered my wife his trucks cheap because he ran out of money. At the end was like yeah I'm interested on buying it and two 2 days later I was notified that I have an audit, what a coincidence don't you think? To me that's discrimination. I don't have nothing against her, I don't even know her but she makes me think she does have something against us. I don't know why but that has to stop. I'm willing to pay whatever fines there is but ONLY the true statements not all the base accusations that to me doesn't make any sense. I just want to work, I have never been positive on drugs, never done them, never will. I got goals to accomplish, a big family to feed and this process might take a little longer than expected so me as a driver I understand I can't work till I go through this process, but if I can have a driver at least to help me and get a OCS income to pay bills and provide time I request, I am the only source of income in the family. I already have the driver, registered on the drug program and trucks were inspected and came out good, ready to work.

Thank you.

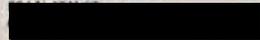


U.S. Department of  
Transportation  
1200 New Jersey Ave. S.E.  
Washington, D.C. 20590

Federal Motor Carrier  
Safety Administration



Review No.: 2104074/  
ROYCE VARELA

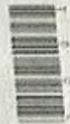


First Letter I GOT  
SOUNDS FAIR TO ME

60 Day Property Carrier

February 27, 2024

In reply refer to:  
USDOT Number: [REDACTED]  
Review No.: 2104074-CR



Dear ROYCE VARELA:

The proposed motor carrier safety rating for your company is:

**UNSATISFACTORY**

This proposed UNSATISFACTORY rating is the result of an onsite compliance review and evaluation of your safety fitness completed on February 21, 2024. An UNSATISFACTORY rating indicates that your company does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences of violations listed in 49 CFR 385.5(a-k), and indicates that your company is operating at an unacceptable level of compliance.

Under 49 CFR 385.13, a motor carrier that receives a final safety rating of UNSATISFACTORY is prohibited from operating a commercial motor vehicle in interstate and intrastate commerce. Additionally, 49 USC 31144 and 49 CFR 385.13(a)(1) provide that this prohibition takes effect unless, within 60 days of the date of this notice, you take the necessary steps to improve the rating to conditional or satisfactory.

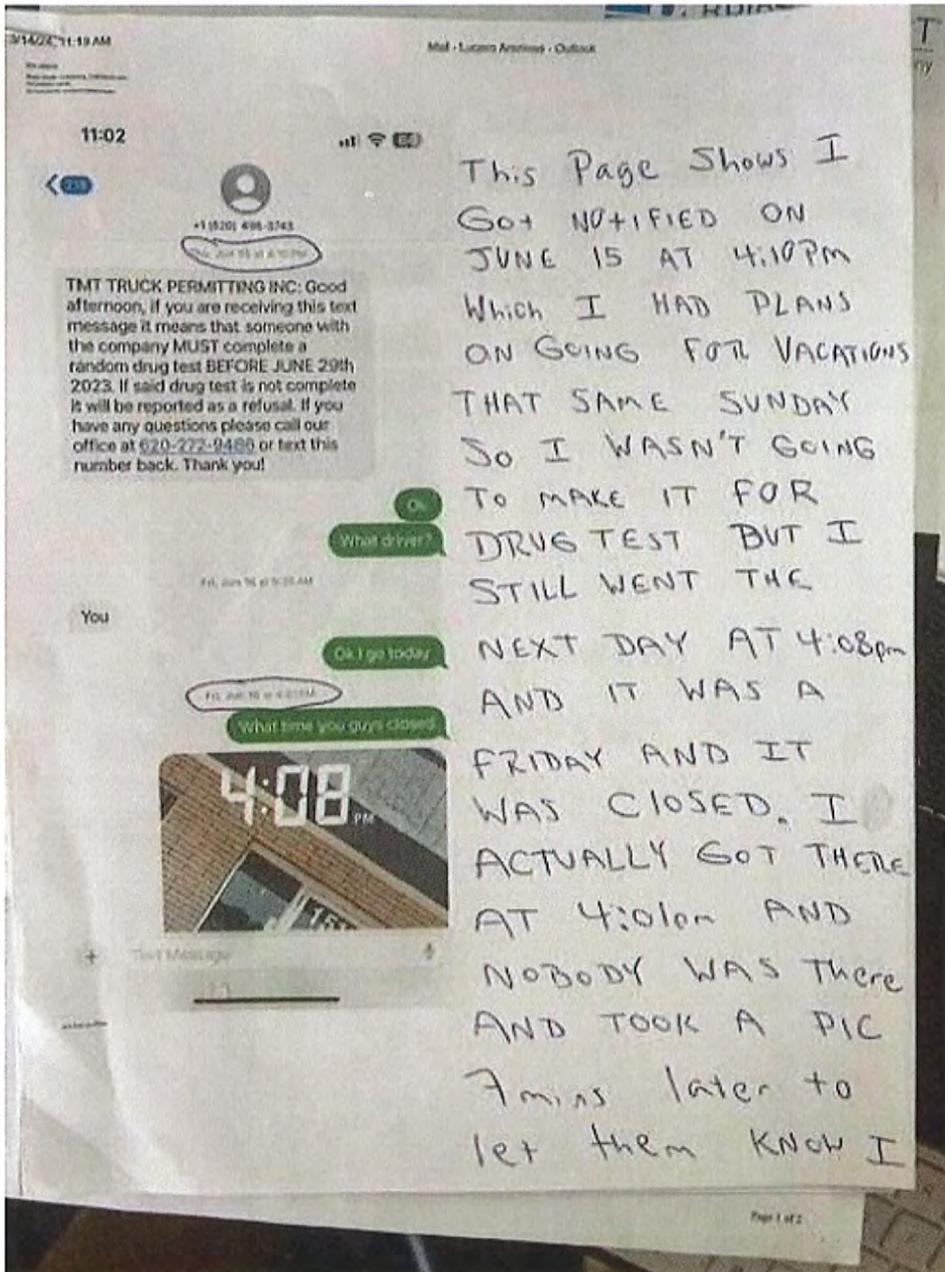
Pursuant to 49 USC 11905(f)(1)(B), the registration of a motor carrier that has been prohibited from operating in interstate and intrastate commerce for failure to comply with the safety fitness requirement shall be revoked.

**UNLESS YOU IMPROVE YOUR PROPOSED UNSATISFACTORY RATING, IT WILL BECOME FINAL AND YOU WILL BE PROHIBITED FROM OPERATING COMMERCIAL MOTOR VEHICLES IN INTERSTATE AND INTRASTATE COMMERCE BEGINNING ON APRIL 28, 2024, AND YOUR REGISTRATION SHALL BE REVOKED, IF APPLICABLE.**

If you have been subject to any Order(s), prohibition(s), registration suspension(s) and/or registration revocation(s) in any other case(s) or proceeding(s), the prohibitions and registration revocation in this case will be in addition to, and will not supersede, amend, or modify any Order, notice, and/or requirements in any other case(s) or proceeding(s). Further, the orders, prohibitions and/or registration revocation may also attach and apply to the operations of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of a "final" unsatisfactory safety rating.

Immediate action must be taken to correct any deficiencies or violations discovered during the compliance review. Your operation was found to be deficient with respect to the applicable safety regulations in the following areas:

- Part 387 FINANCIAL RESPONSIBILITY
- Part 391 QUALIFICATIONS OF DRIVERS
- Part 392 DRIVING OF MOTOR VEHICLES
- Part 382 CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING
- Part 390 GENERAL REGULATIONS
- Part 396 INSPECTION, REPAIR AND MAINTENANCE
- Part 395 HOURS OF SERVICE OF DRIVERS



3/14/23 11:19 AM

Mail · Luzern Airlines · Outlook

11:02



TMT TRUCK PERMITTING INC: Good afternoon, if you are receiving this text message it means that someone with the company MUST complete a random drug test BEFORE JUNE 29th 2023. If said drug test is not complete it will be reported as a refusal. If you have any questions please call our office at 620-272-9488 or text this number back. Thank you!

Ok  
What driver?

Fri, Jun 16 at 9:20 AM

You

Ok I go today

Fri, Jun 16 at 4:08 PM

What time you guys closed



This Page Shows I Got NOTIFIED ON JUNE 15 AT 4:10PM WHICH I HAD PLANS ON GOING FOR VACATIONS THAT SAME SUNDAY SO I WASN'T GOING TO MAKE IT FOR DRUG TEST BUT I STILL WENT THE NEXT DAY AT 4:08pm AND IT WAS A FRIDAY AND IT WAS CLOSED. I ACTUALLY GOT THERE AT 4:08pm AND NOBODY WAS THERE AND TOOK A PIC 7mins later to let them know I

11:21 AM

Mail - Lucero Arreola - Outlook

11:03


  
 Ok I go today.
   
Thu, Jun 18 at 4:01 PM
  
 What time you guys closed



You will need to call our office and speak with Melissa.

Tue, Jun 19 at 10:23 AM

TMT TRUCK PERMITTING INC: Good morning, this is just a reminder that

+ Text Message

WENT. SINCE ALL  
 WEEK THEY CLOSE  
 AT 5 I COULDN'T  
 MAKE IT WITH 1  
 DAY NOTICE.

I TOLD EM I  
 WASN'T GOING A  
 BE HERE.

DOT 219831

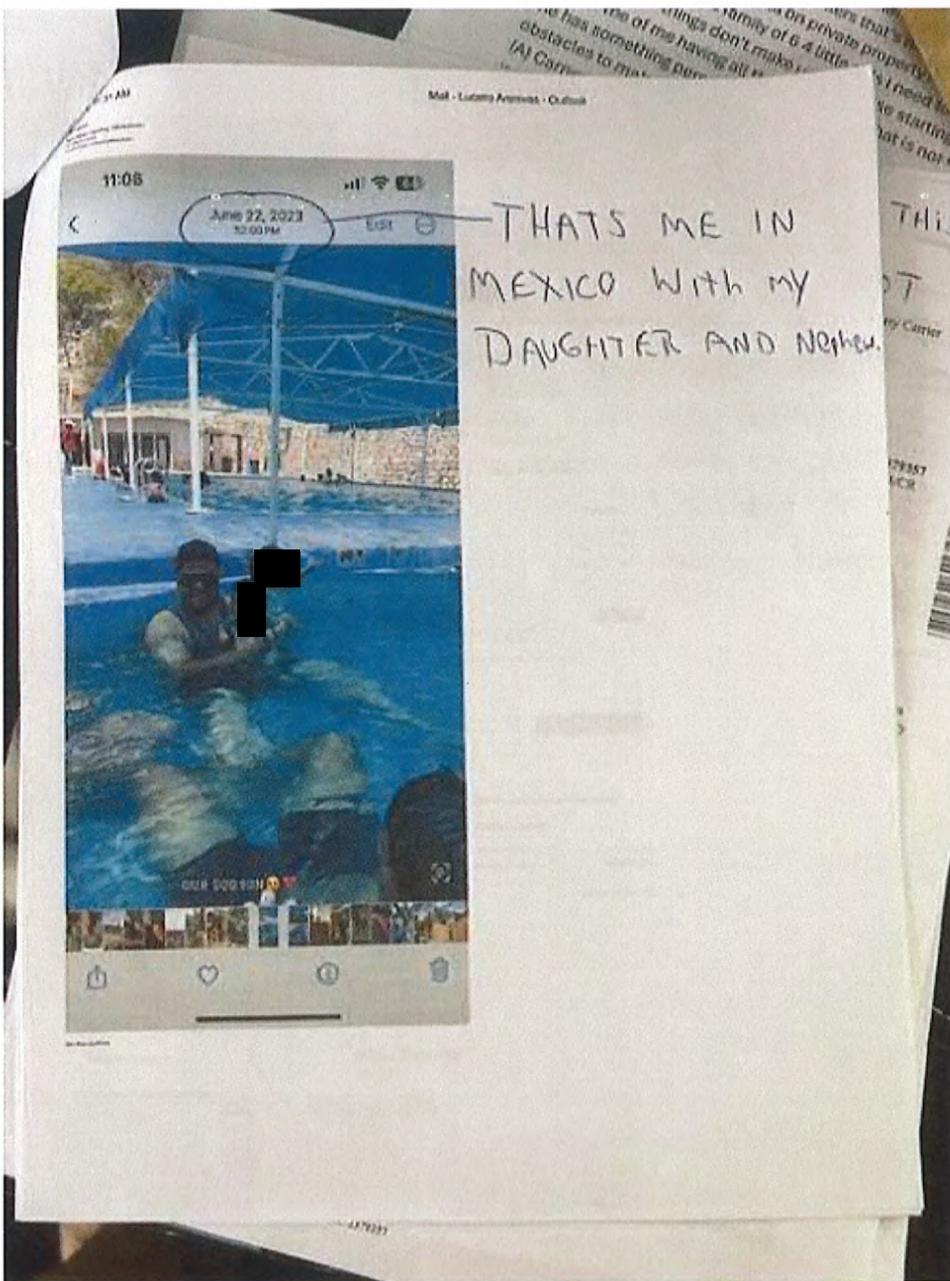


CLOSING HOURS

11:08  
June 19, 2023 10:17 AM Edit



WE WERE  
CROSSING THE  
BORDER AT  
10:00AM MONDAY  
WE LEFT KANSAS  
SUNDAY NIGHT  
TO DRIVE DAYLIGHT  
IN MEXICO.



Subject: **Confirmación de reservación de VivaAerobus**  
Date: **Mar 28, 2023 at 8:48:22 AM**



**Confirmación de reservación**

Clase de reservación:  
**USOPRV**

Nombre de vuelo:  
**USOPRV**

Nombre de destino:  
**USOPRV**

Clase:  
**LIGHT**

Estado:  
**CONFIRMADO**

Presidencia

Aerolinea

HERE A  
PROOF OF  
ME BEEN  
OUT OF THE  
COUNTRY FOR  
THOSE DATES



HERE'S A PIC OF  
ME AND MY  
DAUGHTERS  
BOARDING AIRPLANE  
FROM CHIHUAHUA  
MEXICO TO MAZATLAN  
MEXICO.

11:09

June 29, 2023  
6:27PM

Edit



RETURN

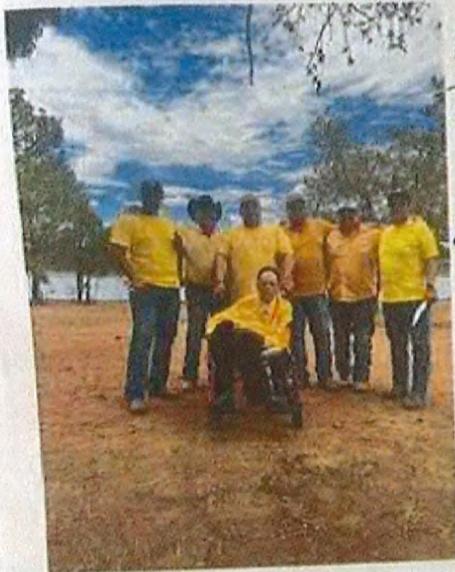


11:09

Signal, Wi-Fi, and battery icons

Madera  
July 1, 2023 2:13 PM

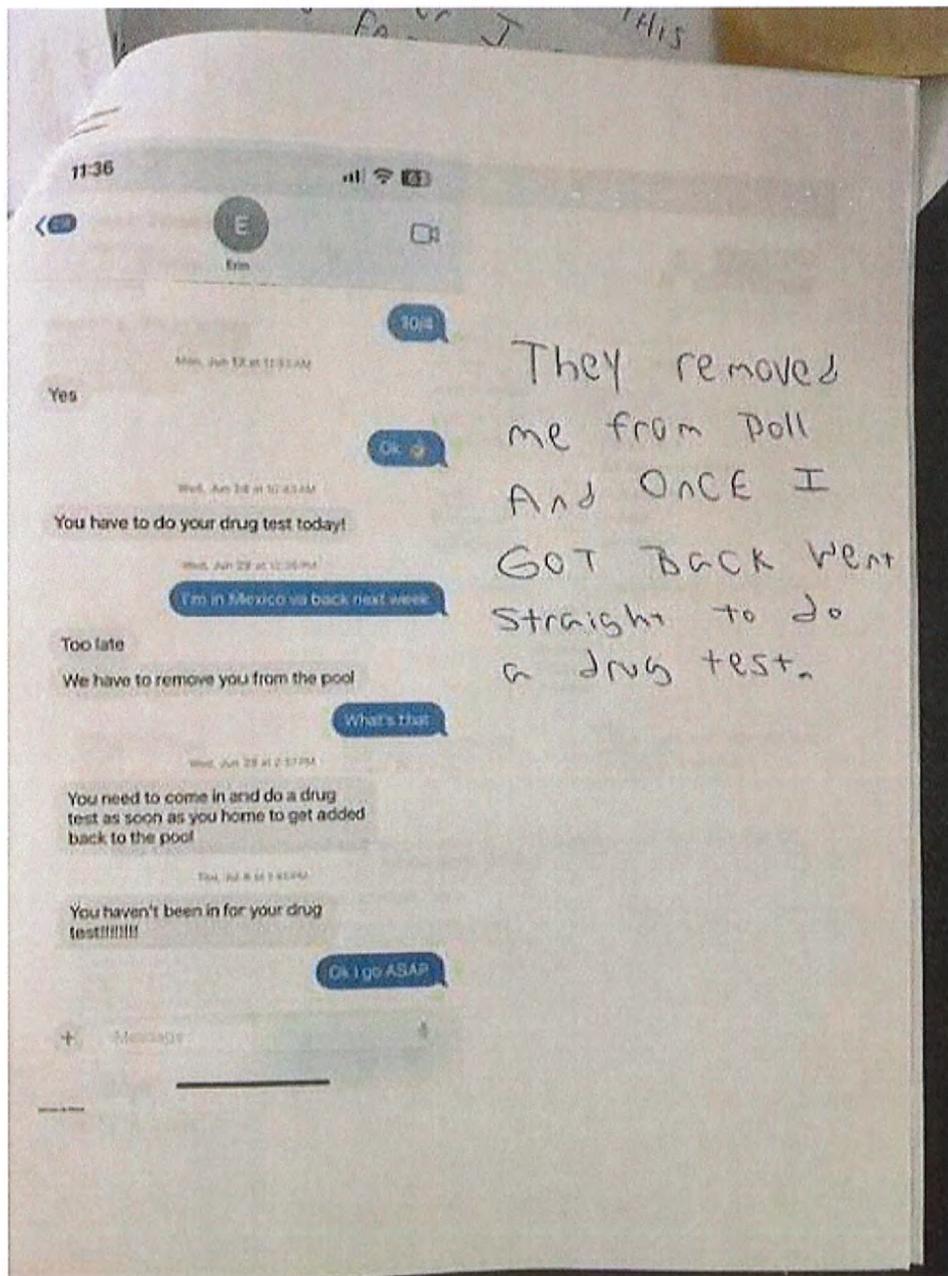
Edit



After we got  
BACK to Chihuahua  
we had a Birthday  
Celebration with  
Granna. Still in  
Mexico



Share, Heart, Info, and Delete icons



**Specimen Detail for Royce Varela, Urine - CONFIDENTIAL**

**TMT Truck Permitting**  
 1516 Taylor Plaza  
 Garden City, KS 67846  
 620-272-9486



**Varela Trucking**  
 [Redacted]

Donor	Royce Varela
Donor ID	[Redacted]
Overall Result	Negative
Date/Time Collected	7/18/2023 4:45 PM
MRO Verified	July 20, 2023
Type	Pre-Employment (Urine)
Panel	5-Substances (DoT)
Specimen ID	[Redacted]
REGULATED BY	DOT (FMCSA)

Test	Result	Screen Cutoff	Confirm Cutoff
Amphetamines	Negative		
Cocaine	Negative		
Marijuana	Negative		
Opioids	Negative		
Phencyclidine	Negative		

**Collected By:**  
 ADRIANA HERRERA  
 Sr/Pl  
 TMT Truck Permitting Services-  
 Garden City  
 1516 Taylor Plaza E  
 Garden City, KS 67846  
 620-272-9486

**Lab:**  
 Quest Diagnostics, Inc. (KS)  
 10101 Reiner Blvd  
 Lenexa, KS 66219

**MRO:**  
 Philip A. Lopez, M.D. (954-592-8912)  
 MRO Express  
 18241 Daybreak Drive  
 Boca Raton, FL 33496

This controlled substance test was conducted in accordance with 49 CFR Part 40.

**Additional Notes**

Cutoff for AMPHETAMINES (500 ng/mL SCREEN) : 500  
 Cutoff for MDA ANALOGUES : 500  
 Cutoff for COCAINE METABOLITES (150 ng/mL SCREEN) : 150  
 Cutoff for MARIJUANA METABOLITES (150 ng/mL SCREEN) : 50  
 Cutoff for OPIATES (2000 NG/ML SCREEN) : 2000  
 Cutoff for 6-ACETYLMORPHINE (10 ng/mL SCREEN) : 10  
 Cutoff for OPIATES (SEMI-SYNTHETIC) : 300  
 Cutoff for OXYCODONES (100 ng/mL SCREEN) : 100  
 Cutoff for PHENCYCLIDINE : 25

DRUG TEST

Philip A. Lopez, M.D.

RMI VELAZQUEZ  
EVANS CO



Contractors Invoice

TO: POYSE Varela  
WORK PERFORMED AT: Fall River MA

DATE: 5/22/23

DESCRIPTION OF WORK PERFORMED:  
I picked up a truck on rail low-boy trailer  
from Fall River MA and took it to Garden City KS  
I ran 1,750 miles and charged customer \$2 a mile  
= \$3,500 I delivered truck on 5/24/23 in Garden City KS

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of

Dollars \$ 3,500  
May 24 2023

This is a  Partial  Full invoice due and payable by: \_\_\_\_\_  
is accounted with our  Agreement  Proposal No. \_\_\_\_\_ Dated \_\_\_\_\_

RN VELAZQUEZ  
EVANS CO

Contractors Invoice

Poive Varela

Fall River MA

5/22/23

I picked up a truck on my low-boy trailer from Fall River MA and took it to Garden City KS. I ran 1,795 miles and charged customer \$2 a mile = \$3,590. I delivered truck on 5/24/23 in Garden City KS.

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of

Dollars (\$ 3,590 )

This is a  Partial  Full invoice due and payable by

May

24

2023

In accordance with our  Agreement  Proposal

No.

Dated

101122

**CERTIFICATE OF MAILING**

24-TRAM-587-PEN

I, the undersigned, certify that a true copy of the attached has been served to the following by means of electronic service on Mar. 18, 2024.

BRIAN G. FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
b.fedotin@kcc.ks.gov

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

CARLY MASENTHIN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
c.masenthin@kcc.ks.gov

ROYCE VARELA, OWNER  
ROYCE VARELA  
D/B/A VARELA TRUCKING  
804 4TH STREET  
GARDEN CITY, KS 67846  
rvtrucking\_13@icloud.com

/S/ Sally Conn

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Sally Conn, Executive Secretary