## 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 Emergency Suspension of ) Operating Authority of A & C Logistics Inc of ) Park City, Kansas, for Failure to Comply with ) New Entrant Safety Requirements as Required by ) the Motor Carrier Safety Statutes, Rules and ) Regulations.

Docket No. 25-TRAM-071-OOS

## **ORDER REINSTATING MOTOR CARRIER OPERATING AUTHORITY**

)

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

### I. **JURISDICTION**

1. Pursuant to K.S.A. 66-1,108b, 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 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 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. BACKGROUND**

4. A & C Logistics Inc is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f that operates commercial motor vehicle(s) in both intrastate and interstate commerce in a manner that requires authority.

5. A & C Logistics Inc is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 3791108.

6. The Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration that A & C Logistics Inc was issued an Order to Cease All Interstate Transportation with an effective date of July 8, 2024 at 12:01 a.m., for failure to pay a civil fine.

7. Pursuant to the above authority, on July 23, 2024, the Commission entered an Emergency Suspension of Operating Authority Order on A & C Logistics Inc in the above-referenced docket, until such time that Staff recommended reinstatement.

8. On July 24, 2024, the Staff of the Transportation Division of the Kansas Corporation Commission (Staff) received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, that A & C Logistics Inc has submitted evidence of compliance with safety requirements and payment of the outstanding civil fine. As a result, the carrier's reapplication for New Entrant registration under USDOT No. 3791108 has been approved and the carrier's authority to operate in interstate operations has been reinstated. See

2

attached FMCSA reinstatement documentation, a copy of which is attached hereto as Attachment "A" and is hereby incorporated by reference.

9. Carrier further submitted evidence of attendance at a Kansas Corporation Commission-sponsored safety seminar. A representative of Carrier attended on July 25, 2024. A screenshot of the company's KTRAN page evidencing attendance at the safety seminar is attached hereto as Attachment "B" and is hereby incorporated by reference.

10. Based on the Federal Motor Carrier Safety Administration's reinstatement, it is Staff's recommendation to reinstate A & C Logistics Inc's motor carrier operations in Kansas.

## **IV. CONCLUSIONS OF LAW**

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

12. Based on the available facts, the Commission finds that Staff's recommendation to reinstate A & C Logistics Inc's motor carrier intrastate motor carrier operations in Kansas is reasonable.

## THE COMMISSION THEREFORE ORDERS THAT:

A. A & C Logistics Inc's intrastate motor carrier operations in Kansas are hereby reinstated.

## BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 08/01/2024

Lynn M. Ref

Lynn M. Retz Executive Director

AAL

# ATTACHMENT "A"





## Out of Service Records



USDOT Number: 3791108	Company Type:	CARRIER
Legal Name: A & C LOGISTICS INC	22	
Physical Address: 1519 E CEDAR TREE, PARK CITY, KS 67	219	

OOS Date	State	Rescind Date	
07/08/2024		07/24/2024	90 DAY FAILURE TO PAY FINE

Options for this Company

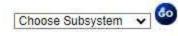
July 29, 2024

| Cargo Tank Search | Company Information | Crash | Inspection | Monitoring | Reports | Review | Safety Audit



FMCSA Home | Feedback | Privacy Policy | USA.gov | Freedom of Information Act (FOIA) | Accessibility | OIG Hotline | Web Policies and Important Links | Plug-ins Federal Motor Carrier Safety Administration 1200 New Jersey Avenue SE, Washington, DG 20590 - 1-800-832-5660 - TTY: 1-800-877-8339 - Field Office Contacts

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Status:

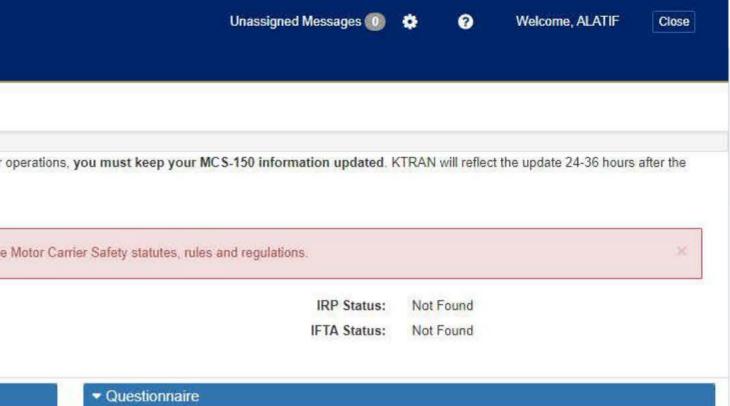
ACTIVE

**Reason Description** 

## **ATTACHMENT "B"**



							A&	C LOGISTICS INC (3791108)
rch	Authority Maintenance	R Paymen	s Remarks	Documents	Messages	Exception Transactions		
:S-150 ck here	information has been up <u>if you need to update yo</u>	odated. our FMCSA regist	ration or authority					ne most up-to-date information about your motor c ith New Entrant Safety Requirements as required
		rrier Operation: USDOT: MCMIS Status:	INTERSTATE 3791108 A					
- Co	mpany Information							
		Legal Na	me: A&CLO	GISTICS INC				
	DBA Na	1.5						
	Ph	one: (720) 37	7-5606				Cell:	
	1	Fax:						
	Er	nail: A3DLO	SISTICS@GMAIL	.COM				
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		Edit						
▶ Add	iress							
	Insurance			Autho	rity		Cargo	Safety Seminar
Add								
Add Date			-	Attendee			IT Locatio	on



Kansas Trucking Application Status

The questionnaire hasn't been completed

My Applications

51.

Currently no Kansas Trucking Application for intrastate authority has been submitted.

## **CERTIFICATE OF SERVICE**

## 25-TRAM-071-OOS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

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electronic service on \_\_\_\_\_08/01/2024

AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ahsan.latif@ks.gov Demarcus Rhodes, CEO A & C Logistics Inc 8676 Carr Loop Westminster, CO 80005 a3dlogistics@gmail.com

/S/ KCC Docket Room KCC Docket Room