

# STATE OF KANSAS



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

PHONE: 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

June 7, 2018

18-TRAM-509-PEN

Angela Austin, Operations Manager  
Utility Maintenance Contractors, L.L.C.  
PO Box 4780  
Wichita, Kansas 67204

**Certified Mail No. 70161970000105746008**

This is a notice of a penalty assessment against Utility Maintenance Contractors, L.L.C. (Utility Maintenance Contractors) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on December 13-15, 2017, by Kansas Corporation Commission Special Investigator Gary Goeller. Penalties are assessed in accordance with the FY 2018 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2017. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** Utility Maintenance Contractors has been assessed a \$2,000 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$2,000, 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.

The attached Order requires a representative of Utility Maintenance Contractors to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. 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). The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

**IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Utility Maintenance Contractors 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 the undersigned at the above address. 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 the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$2,000 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118

**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 **Utility**        )  
**Maintenance Contractors, L.L.C., of Wichita,**        )  
**Kansas,** Regarding the Violation of the Motor        )  
Carrier Safety Statutes, Rules and Regulations        ) Docket No. 18-TRAM-509-PEN  
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 issue an order 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. Utility Maintenance Contractors, L.L.C. (Utility Maintenance Contractors) has private and common operating authority with the Commission and further operates USDOT number 1022547. It employs a total of nine (9) drivers and of those nine (9), seven (7) are CDL drivers.

5. John Kretzer attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on July 19, 2016, on behalf of Utility Maintenance Contractors.

6. Utility Maintenance Contractors is a private and common motor carrier which primarily hauls general freight, metal, sheets, coils, rolls, machinery, large objects, utility, and construction.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on December 13-15, 2017, Commission Staff (Staff) Special Investigator Gary Goeller conducted a compliance review of the operations of Utility Maintenance Contractors. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified two (2) violation(s) of the Motor Carrier Safety Regulations.

- a. On October 10, 2017, Utility Maintenance Contractors required or permitted its driver, Richard Anderson, to operate a CDL-required commercial motor vehicle, a 1999 Kenworth Tractor, VIN ending in 17233, GVWR 80,000 lbs., pulling a 1998 Chaparral trailer, VIN ending in 277805, in interstate commerce from Wichita, Kansas to Oklahoma City, Oklahoma. This trip is evidenced by Driver's Daily Log, dated October 10, 2017, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Utility Maintenance Contractors had failed to obtain a negative pre-employment alcohol and/or controlled substance USDOT regulated test result on its driver. The driver was hired on August 1, 2016, and the carrier obtained a Non-DOT test with a negative result on July 20, 2016. *See*, Specimen Result Certificate, dated July 20, 2016, attached hereto as Attachment "C" and hereby incorporated by reference. The carrier's failure to require its driver to submit to a pre-employment alcohol and/or controlled substance USDOT regulated test and to obtain a negative test result within 30 days of his employment and prior to requiring or permitting him to operate a commercial motor vehicle is a violation of 49 C.F.R. 382.301(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$1,000.
- b. During the transportation described in paragraph a., above, Utility Maintenance Contractors failed to ensure that each driver subject to random alcohol and controlled substance testing has an equal chance of being

selected each time selections were made. Driver Richard Anderson was not on the random selection list. The carrier's failure to ensure that each driver selected for random alcohol and controlled substance testing has an equal chance of being selected each time selections are made is in violation of 49 C.F.R. 382.305(i)(2), adopted by K.A.R. 82-4-3c and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$1,000.

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

8. Based upon the available facts, Staff recommends the Commission finds Utility Maintenance Contractors committed two (2) 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.

9. Additionally, Staff recommends a civil penalty of \$2,000 for two (2) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Utility Maintenance Contractors be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

11. Finally, Staff recommends that Utility Maintenance Contractors 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.

## **V. CONCLUSIONS OF LAW**

12. The Commission finds it has jurisdiction over Utility Maintenance Contractors because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

13. The Commission finds Utility Maintenance Contractors committed two (2) 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.

### **THE COMMISSION THEREFORE ORDERS THAT:**

A. Utility Maintenance Contractors, L.L.C., of Wichita, Kansas is hereby assessed a \$2,000 civil penalty for two (2) 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.

B. Utility Maintenance Contractors is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Utility Maintenance Contractors 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 carrier to set up the appointment.

D. On June 7, 2018, this Penalty Order was mailed to Utility Maintenance Contractors via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105746008. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt.

E. 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. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. 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 of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Utility Maintenance Contractors' right to a hearing, and this Penalty Order will become a Final Order assessing a \$2,000 civil penalty against Utility Maintenance Contractors, and ordering a representative from Utility Maintenance Contractors to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

F. 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.

G. If you do not request a hearing, the payment of the civil penalty of \$2,000 is due in thirty (30) days from the date of service of this Order. Payment of \$2,000 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.

H. Failure to pay the \$2,000 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Utility Maintenance Contractors' motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

I. 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: 06/07/2018 \_\_\_\_\_




\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

AAL



## **ATTACHMENT “A”**

	US DOT # 1022547	Legal: UTILITY MAINTENANCE CONTRACTORS LLC Operating (DBA):UMC		
MC/MX #: 977503		State #: [REDACTED]	Federal Tax ID: [REDACTED] (EIN)	
Review Type: Compliance Review (CR)				
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory: F
Operation Types: <input checked="" type="checkbox"/> Interstate <input type="checkbox"/> Intrastate				
Carrier: HM HM		Business: Corporation		
Shipper: N/A N/A		Gross Revenue: [REDACTED] for year ending: 12/31/2016		
Cargo Tank: N/A				
Company Physical Address:				
[REDACTED]				
Contact Name: Angela Austin				
Phone numbers: (1) [REDACTED] (2) [REDACTED] Fax [REDACTED]				
E-Mail Address: [REDACTED]				
Company Mailing Address:				
PO BOX 4780 WICHITA, KS 67204				
Carrier Classification				
Authorized for Hire		Private Property		
Cargo Classification				
General Freight Utility		Metal: Sheets, Coils, Rolls Construction	Machinery, Large Objects	
Hazardous Materials				
9 Miscellaneous HM		Carried	Non-Bulk	
Equipment				
	Owned	Term Leased	Trip Leased	Owned Term Leased Trip Leased
Truck	15	0	0	Truck Tractor 2 0 0
Trailer	17	0	0	
Power units used in the U.S.:17				
Percentage of time used in the U.S.:100				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
Driver Information				
	Inter	Intra	Average trip leased drivers/month: 0	
< 100 Miles:			Total Drivers: 9	
>= 100 Miles:	9		CDL Drivers: 7	



UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)  
U.S. DOT #: 1022547

State #: [REDACTED]

Review Date:  
12/15/2017

### 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:

This report will be used to assess your safety compliance.

**Person(s) Interviewed**

Name: John Kretzer

Title: Manager

Name: Angela Austin

Title: Operations Manager





UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)  
U.S. DOT #: 1022547



State #: [REDACTED]

Review Date:  
12/15/2017

### Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. <b>Example</b> [REDACTED] Hire date 08.01.2016 trip date 10.10.2017 Non-DOT test 07.20.2016  Driver never had a DOT pre-employment test.					
2 FEDERAL	Primary: 382.305(i)(2)	Discovered 1	Checked 7	Drivers/Vehicles In Violation 1	Checked 7
<b>Description</b> Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. <b>Example</b> [REDACTED] Hire Date 08.01.2016 not in random program Trip date 10.10.2017  Driver was not placed in random program on hire date.					
3 STATE	Primary: 395.8(h)(5) CFR Equivalent: 395.8(h)(5)	Discovered 1	Checked 60	Drivers/Vehicles In Violation 1	Checked 60
<b>Description</b> Location—remarks. The name of the city, town, or village, with State abbreviation where each change of duty status occurs shall be recorded. <b>Example</b> [REDACTED] Trip date 10-23-2017  Driver failed to list city and state in remarks section of ROD.					
<b>Safety Fitness Rating Information:</b> Total Miles Operated 480,000 Recordable Accidents 1 Recordable Accidents/Million Miles 2.08		<b>OOS Vehicle (CR): 0</b> Number of Vehicle Inspected (CR): 0 <b>OOS Vehicle (MCMIS): 1</b> Number of Vehicles Inspected (MCMIS): 3			
<b>Your proposed safety rating is :</b>          <b>SATISFACTORY</b>		<b>Rating Factors</b>			
				<b>Acute</b>	<b>Critical</b>
		Factor 1:	S	0	0
		Factor 2:	S	0	0
		Factor 3:	S	0	0
		Factor 4:	S	0	0
		Factor 5:	S	0	0
	Factor 6:	S	-	-	



	<b>UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)</b> U.S. DOT #: 1022547	State #: 	Review Date: 12/15/2017
<b>Part B Violations</b>			

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



UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)  
U.S. DOT #: 1022547

State #: [REDACTED]

Review Date:  
12/15/2017

## 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 Notice of Claim:

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 or scan and email the letter along with copies of your supporting evidence to:





UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)  
U.S. DOT #: 1022547

State #: [REDACTED]

Review Date:  
12/15/2017

## Part B Requirements and/or Recommendations

Kansas Corporation Commission  
Attn: Gary Davenport  
1500 SW Arrowhead Rd  
Topeka, KS 66604-4027  
g.davenport@kcc.ks.gov

2. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm)
3. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).
4. Conduct periodic internal reviews of your maintenance, hazardous materials handling, driver qualification, hours of service control, accident reporting, training, and other safety systems to ensure continued compliance.
5. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
6. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN: UTILITY MAINTENANCE CONTRACTORS LLC uses a out of state TPA and a local collection agent and did not catch that the pre employment test completed on the driver was not a FMCSA TEST nor that the driver was not placed in the random testing program.

### BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Ensure that managers are responsible for ascertaining that employees receive training concerning controlled substances and alcohol in accordance with State or Federal regulations and company policy.
- Ensure that managers are responsible for telling employees of a failed test and its implications.
- Regardless of carrier membership in a consortium, ensure that the carrier defines and documents the role and responsibilities of the designated employer representative (DER) in monitoring test procedures and checking results.
- If the carrier elects to join a consortium, ensure that the respective roles and responsibilities of the carrier and the consortium for controlled-substance and alcohol testing and reporting are defined and documented.

#### Passenger Carrier Only:

- Designate a manager to collect and evaluate all controlled-substance and alcohol-related customer complaints and their safety implications.

#### Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

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.





UMC (UTILITY MAINTENANCE CONTRACTORS LLC dba)  
U.S. DOT #: 1022547

State #: [REDACTED]

Review Date:  
12/15/2017

### Part B Requirements and/or Recommendations

9. I 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 UTILITY MAINTENANCE CONTRACTORS LLC's vehicles operating authority and/or the impoundment of UTILITY MAINTENANCE CONTRACTORS LLC's vehicles.

Signed

*John E. Kruger*

Date

12/15/17





## **ATTACHMENT “B”**



# DRIVER'S DAILY LOG

(24 HOURS)

10 / 10 / 17  
(Month) (Day) (Year)

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

## UTILITY MAINTENANCE CONTRACTORS, LLC

Name of Carrier or Carriers

- WICHITA, KS 67204

Main Office Address

Home Terminal Address

I certify these entries are true and correct:

Driver's Full Signature

Co-Driver's Name

Total Miles Driving Today

Total Mileage Today

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

306-423

1. OFF DUTY

2. SLEEPER  
BERTH

3. DRIVING

4. ON DUTY  
(NOT DRIVING)

REMARKS

SHIPPING  
DOCUMENTS:

B/L or Manifest No.  
or

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

Copyright 2013 J. J. Keller & Associates, Inc.® All rights reserved

RECAP  
Complete at  
end of workday.

On-duty hours  
today (Total  
lines 3 & 4)

70 Hour/  
8 Day  
Drivers

A.  
Total hours on  
duty last 7 days,  
including today.

B.  
Total hours  
available  
tomorrow  
for 70-hour A.

C.  
Total hours on  
duty last 8 days,  
including today.

60 Hour/  
7 Day  
Drivers

A.  
Total hours on  
duty last 6 days,  
including today.

B.  
Total hours  
available  
tomorrow  
for 60-hour A.

C.  
Total hours on  
duty last 7 days,  
including today.

\*If you meet the  
34-hour restart  
requirements  
in 49CFR, you  
have 6070  
hours available  
again.

8542 (Rev. 7/13)

## **ATTACHMENT “C”**





**Attention:**

Verification Date 7/20/2016 09:34 AM

**Utility Maintenance Contractors LLC**

**Medical Review Officer:**

WICHITA, KS 67213

**Wichita, KS 67212**

**Collection Site:**  
**12225 - New Medical Healthcare**

**Donor Name:** Anderson, Richard

Donor SSN:

**Date Of Test:** 7/20/2016

Donor ID:

Reason for Test:

### Pre-employment

ID Number:

**Regulation:**

Non-DOT

**Specimen Type:**

## Urine

**Drugs Tested:**

**Final Result Disposition: Negative**

Remarks:

## **CERTIFICATE OF SERVICE**

18-TRAM-509-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of  
06/08/2018  
first class mail/hand delivered on \_\_\_\_\_.

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

ANGELA AUSTIN, OPERATIONS MANAGER  
UTILITY MAINTENANCE CONTRACTORS, L.L.C.  
PO BOX 4780  
WICHITA, KS 67204  
aaustin2@cox.net

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe