



1500 SW Arrowhead Road
Topeka, KS 66604-4027

Phone: 785-271-3100
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<http://kcc.ks.gov/>

Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Susan K. Duffy, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
20-TRAM-002-PEN

July 9, 2019

Francisco D. Cobos, President
DB Towing Inc, d/b/a
TNT Towing and Recovery
935 S Woodlawn Blvd
Wichita, KS 67218

This is a notice of a penalty assessment against DB Towing Inc, d/b/a TNT Towing and Recovery (DB Towing) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on May 18, 2019 and June 12, 2019, by Kansas Corporation Commission Special Investigator Gary Goeller. Penalties 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(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: DB Towing has been assessed an \$850 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$850, 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 DB Towing 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. 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. DB Towing 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 Executive Director 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. 2018 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$850 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: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Investigation of **DB Towing**)
Inc, d/b/a TNT Towing and Recovery, of)
Wichita, KS, Regarding the Violation of the)
Motor Carrier Safety Statutes, Rules and) Docket No. 20-TRAM-002-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.A.R. 82-4-1b, 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.A.R. 82-4-1, 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. 2018 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. DB Towing Inc, d/b/a TNT Towing and Recovery (DB Towing) has common operating authority with the Commission and further operates under USDOT number 2833164.

5. Francisco Cobos attended the Procedures for Safety Compliance Seminar presented by the Kansas Corporation Commission, on June 17, 2019, on behalf of DB Towing.

6. DB Towing is a common motor carrier which primarily hauls motor vehicles.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on May 18, 2019 and June 12, 2019, Commission Staff (Staff) Special Investigator Gary Goeller conducted a safety compliance review of the operations of DB Towing. 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 three (3) violation(s) of the Motor Carrier Safety Regulations.

- a. On May 18, 2019, DB Towing required or permitted its driver, Francisco Cobos, to operate a CDL-required commercial motor vehicle, a 2018 Freightliner, VIN ending in 3419, GVWR 26,000 lbs., in intrastate commerce in and around the area of Wichita, Kansas. This trip is

evidenced by a towing receipt, dated May 18, 2019, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, DB Towing failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigator discovered three (3) violations of this type. The carrier’s failure to inquire into its driver’s MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c)(1), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2018 Supp. 66-1,112. Staff recommends a fine of \$250.

- b. During the transportation described in paragraph a, above, DB Towing failed to maintain a road test certificate in the driver’s qualification file, or copy of license or certificate the motor carrier accepted as equivalent. The special investigator discovered three (3) violations of this type. The carrier’s failure to maintain a road test certificate issued to the driver pursuant to 49 C.F.R. 391.3(e) in the driver’s qualification file, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver’s road test pursuant to 49 C.F.R. 391.33 is a violation of 49 C.F.R. 391.51(b)(3), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$100.
- c. On May 25, 2017, DB Towing required or permitted its driver, Francisco Cobos, to operate a CDL-required commercial motor vehicle, a 2017

Dodge Wrecker, VIN ending in 547988, GVWR 19,500 lbs., in intrastate commerce from Wichita, Kansas to Clearwater, Kansas. This trip is evidenced by Driver/Vehicle Examination Report Number KSSO83180098, dated June 25, 2017, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, DB Towing did not have valid wrecker operating authority from the Kansas Corporation Commission. The carrier's failure to obtain a certificate of public service to operate wrecker service from the Kansas Corporation Commission is a violation of K.S.A. 66-1330. Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds DB Towing 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.

9. Additionally, Staff recommends a civil penalty of \$850 for three (3) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from DB Towing 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.

11. Finally, Staff recommends that DB Towing 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 DB Towing because it is a motor carrier as defined in K.A.R. 82-4-1.

13. The Commission finds DB Towing 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.

THE COMMISSION THEREFORE ORDERS THAT:

A. DB Towing Inc, d/b/a TNT Towing and Recovery, of Wichita, KS is hereby assessed a \$850 civil penalty 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.

B. DB Towing 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. DB Towing 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. Pursuant to K.S.A. 2018 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 Executive Director, 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 DB Towing's right to a hearing, and this Penalty Order will become a Final Order assessing a \$850 civil penalty against DB Towing, and ordering a representative from DB Towing 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.

E. 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. 2018 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$850 is due in thirty (30) days from the date of service of this Order. Payment of \$850 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.

G. Failure to pay the \$850 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 DB Towing's 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.

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.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner


Dated: 07/09/2019



Lynn M. Retz
Executive Director

AAL

ATTACHMENT “A”

	US DOT # 2833184	Legal: DB TOWING INC Operating (DBA): TNT TOWING AND RECOVERY		
MCMX #:		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 Interstate Intrastate				
Carrier: N/A HM Shipper: N/A N/A Cargo Tank: N/A		Business: Corporation Gross Revenue: [REDACTED] for year ending: 12/31/2018		
Company Physical Address:				
935 S WOODLAWN BLVD WICHITA, KS 67218-3613 Contact Name: Francisco D Cobos Phone numbers: (1) [REDACTED] Fax E-Mail Address: [REDACTED]				
Company Mailing Address:				
p o box 4081 WICHITA, KS 67204				
Carrier Classification				
Authorized for Hire				
Cargo Classification				
Motor Vehicles				
Hazardous Materials				
9 Miscellaneous HM Carried Non-Bulk				
Equipment				
	Owned		Term Leased	
	Trip Leased		Owned	
	Term Leased		Trip Leased	
Truck	3	0	0	
Power units used in the U.S.:3				
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:		3	Total Drivers: 3	
>= 100 Miles:			CDL Drivers:	





TNT TOWING AND RECOVERY (DB TOWING INC dba)
U.S. DOT #: 2833164

Review Date:
05/28/2019

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: Francisco D Cobos

Title: President

Name:

Title:

	TNT TOWING AND RECOVERY (DB TOWING INC dba)	Review Date:
	U.S. DOT #: 2833164	06/19/2019

Part B Violations

1 STATE	Primary: 391.25(a) CFR Equivalent: 391.25(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 0	Checked 0
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Description

Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months.

Example

Francisco Cobos
Trip date 5.18.2019

Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without having completed MVR records on drivers every 12 months current mvr on file ran on 5.23.19 after contact for the CR.

2 STATE	Primary: 391.51(b)(1) CFR Equivalent: 391.51(b)(1)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
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Description

Failing to maintain driver's employment application in driver's qualification file.

Example

Francisco Cobos
Trip date 5.18.2019

Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without maintaining a driver application on file in the driver's qualification file.

3 STATE	Primary: 391.51(b)(3) CFR Equivalent: 391.51(b)(3)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
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Description

Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.

Example

Francisco Cobos
Trip date 5.18.2019

Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without having completed a written roadtest on file for non CDL licensed drivers.

4 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
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Description

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2)

Example

Francisco Cobos
Trip date 5.18.2019

Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without having completed a note relating to the annual review of the driver's driving record as required.





TNT TOWING AND RECOVERY (DB TOWING INC dba)
U.S. DOT #: 2833164

Review Date:
06/19/2019

Part B Violations

5 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example Francisco Cobos Trip date 5.18.2019 Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without having drivers complete a certificate of violations as required.					
6 STATE	Primary: 391.51(b)(9) CFR Equivalent: 391.51(b)(9)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver disqualification file(s). Example Francisco Cobos Trip date 5.18.2019 Operated a 2018 Freightliner rollback wrecker KS tag 653052, KS Vin# [REDACTED] 3419, GVWR 26,000 on a trip in Wichita, KS without having placed a note or document verifying the medical examiner's listing on the National Registry.					
7 STATE	Primary: 392.2 Secondary: 66-1330	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
Description Operating intra state without wrecker authority Example Francisco D Cobos Trip date 05.25.2017 Operated a 2017 Dodge KS tag 652932, KS Vin# [REDACTED] 547988, gvwr 19500 lbs on a trip from Wichita, KS to Clearwater KS without having valid KS for hire wrecker authority. Carrier's for hire application was dismissed on August 31, 2017 and operated without KCC for hire wrecker authority until 01.25.2018					
Safety Fitness Rating Information: Total Miles Operated 120,000 Recordable Accidents 0		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.





TNT TOWING AND RECOVERY (DB TOWING INC dba)
U.S. DOT #: 2833164

Review Date:
05/28/2019

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.

This letter should be submitted as soon as possible.

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

The KCC requires that you prepare a corrective action letter plan (CAP), addressing the measures taken to correct all 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





TNT TOWING AND RECOVERY (DB TOWING INC dba)
U.S. DOT #: 2833164

Review Date:
05/28/2019

Part B Requirements and/or Recommendations

and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Mail Submit the letter along with copies of your supporting evidence to:

e-mail: g.davenport@kcc.ks.gov;

FAX: 785.271.3124;

or mail:

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

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
3. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).
4. Obtain a copy of each driver's driving record and review it annually
5. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.

6. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Carrier representative: Francisco D. May

Date 6/12/2019

7. I acknowledge that these requirements/violations 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 DB Towing INC's vehicles operating authority and/or the impoundment of DB Towing Inc's vehicles.

Signed Francisco D. May

Date 6/12/2019

8. Stay in contact with your KCC Investigator for any questions or issues with continued safety compliance. You may contact me: KCC Special Investigator Gary Goeller at 785-623-0541 or email at g.goeller@kcc.ks.gov



ATTACHMENT “B”

TNT Towing inc

2247 N Arkansas AVE, Wichita KS 67204

Phone: (316) 269-2112

Receipt

Printed 5/28/2019

Purchase Order Number 35862629
Call # 10843
Tow Reason See Notes...
Truck BIG RED NEW
Date/Time Requested 5/17/2019 @ 9:47 AM
Date/Time Completed 5/18/2019 @ 10:54 AM
Contact [REDACTED]
Notes Drive Type: RWD

Authorized by Copart - Zone 2
Tow From 3842 W 31ST ST WICHITA, KS USA 67217
Tow To 4510 S MADISON WICHITA, KS USA 67216

Reason: water/flood
Pickup From: KESSLER AUTO (316) 942-4444 (31
Deliver To: COPART - 67 KS - WICHITA 6) 640-0933 (316) 554-0123
*AUTO: XML NOTES: XML CHANGES LOT YEAR FROM 0000
*AUTO: XML NOTES: XML CHANGES INS NAME FROM
*AUTO: ADDITIONAL SERVICE "DUPLICATE VIN" ADDED
*AUTO: SALE YARD CHANGED FROM 000 TO 067
*AUTO: XML ASSIGNMENT GENERATED WITH ASSIGNMENT DATE OF 05/09/19
*AUTO: XML ASSIGNMENT GENERATED AT 08:00:05 PST
*AUTO: CAR COUNT# 0110803 CREATED.
*FILE: CALL ADJUSTER ON ALL RELEASE ISSUES AFTER 1 HOUR!!!!
*AUTO: ORIGINAL CALLER WAS DAVID ROLAND @ (866)298-7987
*AUTO: XML NOTE: VEHICLE DOES NOT START - ENGINE LOCKED UP
*AUTO: SELECTED TO CLEAR FOR PICKUP
*AUTO: AWAITING CLEAR FOR PICKUP CLICK DIAL (316) 942-4444
*AUTO: amcollier
SPOKE WITH SHOP FRANK WHO RELEASED LOT FOR PICK UP. LOT DOES HAVE
KEYS AND WILL TOW. THERE ARE NO CHARGES
*AUTO: CLEARED FOR PICKUP
*AUTO: CHARGES CLEARED FOR \$0 - PICKUP CLEARED ON 050919
*AUTO: DRIVER TTTOWREC DISPATCHED FOR PICKUP ON 05/09/19.
*AUTO: TD SLVG TRANS REC'D, NO ORIG TITL
*AUTO: TD MAILING INSTRUCT SENT TO ADJUST cqd18@allstate.com
*AUTO: TRIP CONFIRMED ON 050919. TRIP DATE IS 050919.
*AUTO: NO ADVANCE CHARGES PAID.
*AUTO: ADVANCE CHARGE DOCUMENTS AVAILABLE
*AUTO: PICKUP COMPLETED BY TTTOWREC
*AUTO: NO NPPI FOUND IN VEHICLE
*AUTO: NO NPPI FOUND IN VEHICLE
*AUTO: RECEIVED ODOMETER MILEAGE CHANGED FROM 0 TO 139188

Year	Make	Model	Color	VIN	Plate	Odometer
2006	Nissan	350Z	Black	[REDACTED]	31295 -	-

TNT TOWING NOTICE OF ACCEPTANCE DISCLAIMER I, the undersigned of TNT Towing, Inc., do hereby certify that I am legally authorized and entitled to take possession of the vehicle described above and all personal property therein. I have received vehicle in satisfactory condition. Not responsible for loss or damage to cars or articles left in cars in case of fire, theft or any other cause beyond our control. Not Responsible for loss or damage to vehicle in case of fire, theft or any other cause beyond our control. CUSTOMER RELEASE DISCLAIMER I have been advised that my vehicle may be damaged if winched, towed, unlocked or left on unattended premises. I recognize the difficulty involved and I agree not to hold the towing service responsible for such damage should it result. Damage release: Customer's own risk for valance and fiberglass - steering - damage caused by faulty tires - personal property left in vehicle. Towing company will not be held responsible after vehicle has been dropped. Roadside Assistance covers lockout, flat tire change, winch out, and jump starts. I understand that such service may involve possible risk of damage to my vehicle and do hereby express and accept all of the risk and damage.

Signature: _____

USDOT: 2833164

ATTACHMENT “C”

ACCIDENT

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSSO83180098
Inspection Date: 05/25/2017
Start: 11:47 AM CT End: 12:50 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

DB TOWING INC
935 S WOODLAWN BLVD
WICHITA, KS, 67218-3613
USDOT: 2833164
MC/MX#: Phone#: [REDACTED]
State#: Fax#: [REDACTED]
Location: 119TH ST W & 39TH ST S
Highway: 39TH ST S
County:

Driver: COBOS, FRANCISCO D
License#: [REDACTED] State: KS
Date of Birth: [REDACTED]
CoDriver: [REDACTED]
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]
Milepost: 11900 Shipper: N/A
Origin: WICHITA,KS
Destination: CLEARWATER,KS
Bill of Lading: N/A
Cargo: MOTOR VEHICLES

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TR	DODG	2017	KS	652932	[REDACTED]	[REDACTED]	547988	19500		132986

BRAKE ADJUSTMENTS: No brake measurements required for level II or level III

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify Crash	Violations Discovered
392.2Y	F	D	N	91308	N	N Failure to yield right of way
393.128B1	F	1	Y		U	Y Vehicle not secured, front and rear
393.60C	F	1	N		N	Y Damaged or discolored windshield
393.100B	F	1	Y		U	Y Leaking/spilling/blowing/falling cargo
393.61	F	1	N		N	Y Inadequate or missing truck side windows
393.25F	F	1	Y		U	Y Stop lamp violations

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:	Alcohol/Controlled Substance Check	X Traffic Enforcement	X Post Crash Inspection
X Conducted by Local Jurisdiction	PASA Conducted Inspection	PBBT Inspection	
Size and Weight Enforcement	Drug Interdiction Search		
eScreen Inspection			

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.
Signature Of Repairer X: _____ Facility: _____ Date: _____

I DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **/** **CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.
Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: R. LORD
Badge #: 8318

Copy Received By: FRANCISCO COBOS

X

X



CERTIFICATE OF SERVICE

20-TRAM-002-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
first class mail/hand delivered on 07/10/2019.

FRANCISCO D. COBOS, PRESIDENT
DB TOWING INC
D/B/A TNT TOWING AND RECOVERY
935 S WOODLAWN BLVD
WICHITA, KS 67218-3613
autotowguys@icloud.com

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