1500 SW Arrowhead Road Topeka, KS 66604-4027

Andrew J. French, Chairperson Dwight D. Keen, Commissioner Annie Kuether, Commissioner



20230914130915 Kansas Corporation FG 013127153100 http://kcc.ks.gov/

Laura Kelly, Governor

#### NOTICE OF PENALTY ASSESSMENT 24-TRAM-234-PEN

September 14, 2023

Jacinto Casas Lozano, Owner Jacinto Casas Lozano d/b/a Jacinto's Trucking PO Box 1131 Syracuse, KS 67878

This is a notice of a penalty assessment against Jacinto Casas Lozano d/b/a Jacinto's Trucking (Jacinto's Trucking) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on June 30, 2023, by Kansas Corporation Commission Special Investigator Erica Pargas. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. 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:** Jacinto's Trucking has been assessed a \$500 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$500, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) systemlocated 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 Jacinto's Trucking 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 <a href="http://www.kcc.state.ks.us/trans/safety\_meetings.htm">http://www.kcc.state.ks.us/trans/safety\_meetings.htm</a>.

**IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing.** A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Jacinto's Trucking 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.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$500 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,

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

<sup>&</sup>lt;sup>1</sup> K.A.R. 82-1-215; K.S.A. 77-542.

### 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 Investigation of Jacinto ) Casas Lozano d/b/a Jacinto's Trucking, of ) Syracuse, KS, Regarding the Violation(s) of the ) Motor Carrier Safety Statutes, Rules and ) Docket No. 24-TRAM-234-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:

1. From June 12 through June 30, 2023, Commission Staff, Special Investigator (SI) Erica Pargas, completed a safety compliance investigation of the operations of Jacinto Casas Lozano d/b/a Jacinto's Trucking (Jacinto's Trucking or Carrier). Jacinto's Trucking is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 2529654.

2. On September 1, 2023, Staff submitted its Report and Recommendation (R&R), dated, attached hereto as Attachment "A" and is hereby incorporated by reference, recommending a penalty of \$500 to be issued to Jacinto's Trucking based on the frequency, timeline and severity of the violations discovered. Staff's R&R indicates that as a result of the safety compliance investigations, SI Erica Pargas identified one (1) violation(s), accounting for

one (1) count(s), of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.<sup>2</sup>

3. Additionally, Staff recommends that Jacinto's Trucking be required to have a representative responsibility for the Carrier's safety compliance 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.<sup>3</sup> 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.

4. Staff further recommends Jacinto's Trucking submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.<sup>4</sup>

5. Finally, Staff recommends that Jacinto's Trucking submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.<sup>5</sup> Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

6. Pursuant to K.S.A 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 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business

<sup>&</sup>lt;sup>2</sup> Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 11–26 (Jun. 29, 2023) ("Penalty Matrix").

<sup>&</sup>lt;sup>3</sup> See Staff's Report and Recommendation, p. 2 (Sept. 1, 2023).

<sup>&</sup>lt;sup>4</sup> See Staff's Report and Recommendation, p. 2 (Sept. 1, 2023).

<sup>&</sup>lt;sup>5</sup> See Staff's Report and Recommendation, p. 2 (Sept. 1, 2023).

or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

7. 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 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.

8. 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.

#### IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Jacinto Casas Lozano d/b/a Jacinto's Trucking, of Syracuse, KS is hereby assessed a \$500 civil penalty for one (1) violation(s), accounting for one (1) count(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. Jacinto's Trucking is hereby ordered to have a representative responsible for the Carrier's safety compliance 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. Carrier is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting

3

the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Jacinto's Trucking 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.

E. Pursuant to K.S.A. 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 Jacinto's Trucking's right to a hearing, and this Penalty Order will become a Final 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 \$500 or less, a corporation may appear by a duly authorized representative of the corporation.<sup>6</sup>

G. If you do not request a hearing, the payment of the civil penalty of \$500 is due in thirty (30) days from the date of service of this Order. Payment of \$500 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory

<sup>&</sup>lt;sup>6</sup> K.S.A. 66-1,142b(e) and amendments thereto.

Assistance Network (KTRAN) system located at <u>https://puc.kcc.ks.gov/ktran/</u>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$500 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of Jacinto's Trucking's motor carrier operating authority without further notice.<sup>7</sup> 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.

### BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner (abstaining)

Dated: \_\_\_\_\_09/14/2023

Lynn M. Retz

Lynn M. Retz Executive Director

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<sup>&</sup>lt;sup>7</sup> K.S.A. 66-1,105.

# ATTACHMENT "A"

1500 SW Arrowhead Road Topeka, KS 66604-4027

Susan K. Duffy, Chair Dwight D. Keen, Commissioner Andrew J. French, Commissioner



Phone: 785-271-3100 Fax: 785-271-3354 http://kcc.ks.gov/

Laura Kelly, Governor

### **REPORT AND RECOMMENDATION TRANSPORTATION DIVISION**

- TO: Susan K. Duffy, Chair Dwight D. Keen, Commissioner Andrew J. French, Commissioner
- **FROM:** Gary Davenport, Deputy Director of Transportation Jared Smith, Public Service Executive
- **DATE:** August 31, 2023

### SUBJECT: Docket No. 24-TRAM-234-PEN

In the Matter of the Investigation of Jacinto Casas Lozano d/b/a Jacinto's Trucking of Syracuse, Kansas Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

### **EXECUTIVE SUMMARY:**

Jacinto Casa Lorzano is a motor carrier (MC) operates public for-hire, primarily hauling grain, feed and hay. Jacinto's Casa Lorzano operates under USDOT 2529654. On June 30, 2023, Commission Staff Special Investigator (SI) Erica Pargas completed a safety compliance investigation of the operations of Jacinto Casa Lorzano. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SI identified one (1) violation(s) accounting for one (1) specific count(s) of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$500 be issued to the MC.

### **DISCUSSION AND ANALYSIS:**

On June 30, 2023, Commission Staff SI Erica Pargas conducted a safety compliance investigation of the operations of Jacinto Casa Lorzano. The investigation covers a 365 day period. Each specific count is described in detail below:

### Count One (1 of 1)

**Jurisdiction:** 49 C.F.R. 382.711, adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must be enrolled in the FMCSA Drug and Alcohol Clearinghouse (DACH)

**Supporting Documentation:** On May 1, 2023 Jacinto Casas Lozano permitted its driver to operate a Commercial Driver's License (CDL) required commercial motor vehicle (CMV), a 1999 Freightliner, VIN ending in 6740, gross vehicle weight rating (GVWR) 52000 lbs. pulling a Great Dane Trailer, VIN ending in 5429, in intrastate commerce in Sublette, KS. This transport is evidenced by a scale ticket, dated May 1, 2023, attached hereto as **Exhibit 2**. A copy of the DACH search history is attached hereto as **Exhibit 3**.

Violation: Jacinto Casas Lozano failed to register in the DACH. One (1) violation was discovered (EXHIBIT 1, Page 3).

Recommendation: Staff recommends a fine of \$500.

#### **<u>RECOMMENDATION</u>**:

Transportation Staff recommends the Commission find Jacinto Casa Lorzano committed one (1) violation(s) accounting for one (1) specific counts of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$500 for one (1) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Jacinto Casa Lorzano require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the 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 <u>http://kcc.ks.gov/trans/safety\_meetings.htm</u>.

Staff further recommends Jacinto Casa Lorzano submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

Finally, Staff recommends that Jacinto Casa Lorzano submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

**EXHIBIT 1** 

## UNITED STATES DEPARTMENT OF TRANSPORTATION

	U.S. DOT#: 252965 MC/MX#: 0		egal: JACINTO CASA perating (DBA): JA		-	Investigation Date: 06/30/2023		
Investigati	on Type: Offsite Ir	ivestigation						
Physical A	dress			Mailing Address				
1900 EAST SYRACUSE, United State	KS 67878			PO BOX 1131 SYRACUSE, KS 67878 United States	3-0986			
Contact In	formation							
Contact Na Email: Phone: (620	<b>me:</b> JACINTOS LO2 ))521-6195 <b>Cel</b>	ZANO I: ( )- Fax: (	)-					
Business a	nd Financial							
Title of Gro Gross Reve Federal Tay	ID:	der: Owner For Year Endir	as Lozano 1 <b>g:</b> 12/31/2022					
Operation Classification and Type			Cargo					
<b>Operation</b> For-Hire Mo Property				Grain, Feed, Hay				
Equipment				Driver Information				
	Owned	Term Leased	d Trip Leased	Drivers				
Truck Tracto	ors 3				Intrastate	Interstate		
Trailers	3			< 100 Miles	1			
		2		>= 100 Miles				
Power units used in the U.S.: 3 Percentage of time used in the U.S.: 100%			Average trip leased driver/month: 0 Drivers with CDL: 1 Total Drivers: 1					
Person(s)	nterviewed							
Name: JACINTOS LOZANO				Title: OWNER				

Questions					
Questions about this report or the Federal Motor Carrier	1303 SW FIRST AMERICAN PL STE 200				
Safety or Hazardous Materials regulations may be	ТОРЕКА, КЅ 66604-4040				
addressed to the Federal Motor Carrier Safety	Phone: (785) 271-1260				
Administration at:	Fax: (877) 547-0378				
This report will be used to assess your safety compliance.					

# Violations

Fed 1 Checked Fed 1	State	Total 1 Total 1	
	State	1 <b>Total</b> 1	
	State	<b>Total</b> 1	
<b>Fed</b> 1	State	<b>Total</b> 1	
1		1	
Drivers/Ve	ehicles in	Violation	
Fed	State	Total	
1		1	
Checked			
Fed	State	Total	
1		1	
1 Cł	hecked	hecked	

# **Safety Fitness Rating**

# This Investigation is Not Rated

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to https://dataqs.fmcsa.dot.gov.

# **Process Breakdown and Remedies**

None

## Recommendations

### 1. Additional Information

Please visit the CSA outreach site for additional guidance: https://csa.fmcsa.dot.gov.

2. Obtain copies of the regulations, forms, interpretations, manuals.

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

- A copy of your profile can be obtained by accessing the Portal. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (https://portal.fmcsa.dot.gov/login).
- 4. Ensure that all vehicles are properly marked.

Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number. If your vehicles are also periodically operating for other carriers, they must be marked with that carrier's name and U.S. DOT#.

### 5. Conduct periodic internal reviews. (non-HM)

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

6. 150-mile exemption terms must be met.

If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.

7. Establish a maintenance records program for all vehicles.

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

8. Require all drivers to prepare a written inspection report.

Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.

9. Keep all driver vehicle inspection reports for 90 days.

Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.

### 10. Violations Signature Page

Required recommendation

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 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.

For all Investigations that could result in a Penalty Order:

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order.

Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified. Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at

http://www.fmcsa.dot.gov/ and http://www.safer.fmcsa.dot.gov/.

#### CAP Requirements:

The KCC requires that you prepare a corrective action 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 there 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.

Submit the letter along with copies of your supporting evidence to: e-mail: g.davenport@kcc.ks.gov FAX: 785-271-3124; or mail to; Kansas Corporation Commission Attn: Gary Davenport 1500 SW Arrowhead Road Topeka, KS 66604-4027

CAP Penalty:

Motor carriers are responsible for complying with all tasks ordered by the Commission. You are required to prepare a corrective action plan (CAP), addressing the measures taken to correct all violations identified within this report. Failure to fulfill this requirement may lead to the issuance of further penalties or other repercussions, including revocation of authority to operate intrastate in Kansas.

### Acknowledgement Statement:

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 Jacinto Casas Lozano d/b/a Jacinto's Trucking operating authority and/or the impoundment of Jacinto Casas Lozano d/b/a Jacinto's Trucking Company vehicles.

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Signature X\_\_\_\_\_ Date

Monetary Penalties:

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this web site: http://kcc.ks.gov/trans/penalty\_assessment\_table.htm

Exhibit 2



960 Rd 50 Sublette, KS 67877 page up

Vendor Macinto's trucking

Commodity alsalsa 4x4 = 26

Weish-In: ID#: 2509 10:48 am 05/01/23 76620 1b

Weish-Out: ID#: 2509

12:36 pm 05/01/23 76620 1b TRGross 30120 1b TRTare 46500 1b TRNet

from stone grounds 25 **Test Weight** Moisture Paper Graphics/12422 2509

# Exhibit 3

(				<b>A</b>	
Search for a Driver			Search for an Emp	loyer	
Country of Issuance (optional)	State of Issuance (optional	)	USDOT#		
country 🔻		•			
Driver Name or CDL				or	
			Company Name		
			Jacinto Casas Lozano		
			Country (optional)	State (optional)	
			country	▼ state	-
			Your carrier search did not retu	urn any results.	
	earch	-		Search	

Search for a Driver	State of Issuance (optio	nal)	Search for an Employer
country -	state	<b>•</b>	2529654
Driver Name or CDL			or Company Name
			Country (optional) Country Country State
			There is no employer account associated with the DOT Number you entered. Please confirm the DOT Number is correct.
			You can also try searching by motor carrier name (partial or full) and State/country, in case the carrier does not have a DOT Number associated with their Clearinghouse account.

← → C	earinghouse.fmcsa.dot.gov/Enforcement/EmployerSearch		@ ☆	۵ 🖈	<b>1</b>
S Wellness Onboarding	🔇 FMCSA Login 🔇 ELD - Educational T 🔞 OpenText Content 🔇 Hazmat Registratio 🔤 Office	of Inspector 😻 Insurance Portal 🛛 🎇 Kansas Corporation 😻 Training Provider R	State Con	ntract Prov	 30
	Search for a Driver	Search for an Employer			*
	Country of Issuance (optional) State of Issuance (optional)	USDOT#			
	United States 👻 Kansas 👻				
	Driver Name or CDL	or			
		Company Name			
		Jacinto Lozano			
		Country (optional) State (optional)			
		United States 🔻 Kansas	•		
		Your carrier search did not return any results.			
	Search	Search			
					. 1
	Run Reports The Driver Status Change report includes all drivers that have had a Clearingouse s includes all drivers that are currently listed as "prohibited" in the Clearinghouse.	status change within the specific time frame. The Prohibited Drivers	Report		
	Driver Status Change Report	Prohibited Driver Report			
	Date Range	State of Issuance			

### **CERTIFICATE OF SERVICE**

#### 24-TRAM-234-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 and electronic service on \_\_\_\_\_09/14/2023

AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 a.latif@kcc.ks.gov JACINTO CASAS LOZANO, OWNER JACINTO CASAS LOZANO D/B/A JACINTO'S TRUCKING PO BOX 1131 SYRACUSE, KS 67878-0986

/S/ KCC Docket Room KCC Docket Room