

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Emergency Suspension of)
Operating Authority of **Erasmo 16 G Trucking**)
LLC of Austin, Texas, for Failure to Comply) Docket No. 26-TRAM-122-PEN
with Safety Requirements as Required by the)
Motor Carrier Safety Statutes, Rules and)
Regulations.)

**EMERGENCY SUSPENSION OF INTRASTATE MOTOR CARRIER
OPERATIONS**

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

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 and adopted by K.A.R. 82-4-3f, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2. Pursuant to K.S.A. 66-1,129a, 66-1,130, and 66-1,142b, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,129(a)(7), no public motor carrier of property, household goods or passengers or private motor carrier of property shall operate, or allow the operation of, any commercial motor vehicle on any public highway in this state without following rules and regulations consistent with the federal motor carrier safety assistance program.

4. 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.

5. K.S.A. 77-536 governs the use of emergency proceedings. The statute provides in part as follows:

- (a) A state agency may use emergency proceedings: (1) In a situation involving an immediate danger to the public health, safety or welfare requiring immediate state agency action or (2) as otherwise provided by law.
- (b) The state agency may take only such action as is necessary: (1) To prevent or avoid the immediate danger to the public health, safety or welfare that justifies use of emergency adjudication or (2) to remedy a situation for which use of emergency adjudication is otherwise provided by law.

6. K.S.A. 66-1,129a(a) provides that "at any time for good cause shown the Commission may suspend the operation of any motor carrier subject to economic or safety rules and regulations adopted by the Commission."

7. Erasmo 16 G Trucking LLC (Erasmo 16 or Carrier) is a motor carrier, as defined in 49 C.F.R. 390.5 and adopted by K.A.R. 82-4-3f, which is domiciled in Austin, Texas, but operates commercial motor vehicles (CMVs) in Kansas. Carrier operates under USDOT number 3981881.

8. On June 4, 2025, a Texas Department of Public Safety Special Investigator (“SI”) completed a safety compliance investigation of Erasmos 16. A copy of the safety compliance report is attached hereto as **Exhibit 1 to Attachment A** and is hereby incorporated by reference. As a result of the compliance investigation, the SI documented one-hundred and five (105) violations of the federal motor carrier safety regulations. All of the violations are detailed in the compliance report, which included the following violations:

a. Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins CMV operations in violation of 49 C.F.R. 392.115(a).

b. Allowing, requiring, permitting, or authorizing a driver to operate a CMV during any period in which the driver does not have a current commercial learner’s permit (CLP) or commercial driver’s license (CDL) with the proper class or endorsements in violation of 49 C.F.R. 383.37(a).

c. Failing to maintain driver qualifications files on each driver employed in violation of 49 C.F.R. 391.51(a).

d. Failing to require drivers to prepare a record of duty status using the appropriate method in violation of 49 C.F.R. 395.8(a)(1).

e. Failing to keep minimum records of inspection and vehicle maintenance in violation of 49 C.F.R. 936.3(b).

9. On July 29, 2025, the Texas Department of Public Safety issued Erasmos 16 an “Order to Cease All Intrastate Transportation” due to an Unsatisfactory Safety rating as a result of the June 4, 2025, onsite compliance review. A copy of the safety

compliance report is attached hereto as **Exhibit 2 to Attachment A** and is hereby incorporated by reference. The Order commanded Erasmos 16 to “immediately cease all intrastate transportation until such time as the Texas Department of Public Safety determines your company fit.” The Order remains in effect as of October 27, 2025.

10. Erasmos 16 had been found repeatedly operating in intrastate commerce in Kansas without complying with federal and state statutes, rules and regulations. In successive roadside inspections, Erasmos 16 was cited for operating CMVs with drivers who do not possess valid CDLs or are prohibited from operating such CMVs, operating CMVs with major tire, brake, or equipment defects that are not corrected despite successive out-of-service designations, operating CMVs without a valid medical certification, operating CMVs and operating CMVs without required period inspections, among other violations.

11. Commission Staff (“Staff”) submitted a Report and Recommendation (R&R) outlining the violations found during the inspections and the unlawful operations of the Carrier. Staff’s R&R, dated October 27, 2025, is attached hereto as **Attachment A** and made a part hereof by reference. Based on motor carrier stops and inspections conducted on September 30, October 17, October 20, October 22 and October 23, 2025, including repeated, serious “out-of-service” violations, Staff deemed Carrier’s violations to be intentional in a manner that poses a potential immediate threat to the safety and welfare of the public of the state of Kansas. Staff therefore recommended the Commission issue an Emergency Suspension of Operating Authority Order until such time as Carrier comes into compliance with the applicable motor carrier statutes, rules

and regulations, and improves its safety rating by complying with authorities in its home state of Texas.

12. The Commission adopts Staff's Report and Recommendations as additional findings.

13. The Commission finds it has jurisdiction over Carrier as the Carrier is a motor carrier, as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.

14. The Commission finds Carrier received sufficient notice of the violations committed during the roadside inspections on September 30, October 17, October 20, October 22 and October 23, 2025, when the Carrier's vehicles and drivers were placed "out-of-service" and Carrier was required to correct all deficiencies prior to resuming operations.

15. The Commission finds that Carrier has violated K.S.A. 66- 1,129(a)(7) and 66-1,111 by failing to correct the violations found during the September 30, October 17, October 20, October 22 and October 23, 2025, roadside inspections.

16. The Commission finds that the Carrier's actions are intentional and its continued operations pose a potential immediate threat to the safety and welfare of the public of the state of Kansas.

17. The Commission concludes the suspension of Erasmo 16 G Trucking LLC's intrastate motor carrier operations and the additional requirement set forth in paragraph 16, above, are just and reasonable.

THE COMMISSION THEREFORE ORDERS THAT:

A. Erasmo 16 G Trucking LLC of Austin, Texas, is suspended and ordered to immediately cease all intrastate commercial motor carrier operations, other than such

motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, until such time as Carrier comes into compliance with the applicable motor carrier statutes, rules and regulations, and cooperates with authorities with the Texas Department of Public Safety and improves its safety rating in its home state of Texas. This Suspension of Intrastate Motor Carrier Operations Order may also attach and apply to the operations of successor entities, including any motor carrier entity or entities established or used to avoid the consequences of any Order to cease operations or suspending operating authority.

B. **Pursuant to K.S.A. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order.** Failure to timely request a hearing will result in a waiver of Carrier's right to a hearing, and this Order will become a Final Order against Carrier, suspending Carrier's motor carrier operations,

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

D. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/30/2025



Celeste Chaney-Tucker
Executive Director

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ATTACHMENT “A”

REPORT AND RECOMMENDATION TRANSPORTATION DIVISION

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

FROM: Jared Smith, Deputy Director of Transportation

DATE: October 27, 2025

SUBJECT: Docket No. 26-TRAM-122-PEN
In the Matter of the Emergency Suspension of **Erasmio 16 G Trucking LLC of Austin, Texas**, for Failure to Comply with Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations.

EXECUTIVE SUMMARY:

Erasmio 16 G Trucking LLC (Erasmio 16 or Carrier) is a motor carrier (MC) domiciled in Austin, Texas operating under USDOT Number 3981881. Carrier primarily hauls rock and dirt.

On June 4, 2025, a Special Investigator (SI) for the Texas Department of Public Safety completed a safety compliance investigation of Erasmios 16. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of the compliance investigation, the SI documented one-hundred and five (105) violations of the motor carrier safety regulations.

On July 29, 2025, the Texas Department of Public Safety issued Erasmios 16 an “Order to Cease All Intrastate Transportation” due to an Unsatisfactory Safety rating as a result of the June 4, 2025, onsite compliance review. A copy of the Order is attached hereto as **Exhibit 2** and is hereby incorporated by reference.

Commission Staff received notice from the Kansas Highway Patrol (KHP) that Erasmio 16 had been found repeatedly operating in intrastate commerce without complying with federal and state statutes, rules and regulations. In successive roadside inspections, Erasmio 16 was cited for operating commercial motor vehicles (CMVs) without a valid commercial driver’s license (CDL), operating a CMV without a valid medical certification, operating CMVs with out-of-service defects and failing to correct those defects, and utilizing vehicles without obtaining annual inspections. Based on the repeated violations evidenced in successive roadside inspections, Staff deems these violations to be intentional in a manner that poses a potential immediate threat to the safety and welfare of the public of the state of Kansas. Staff recommends Erasmio 16 be suspended from intrastate motor carrier operations in Kansas until such time that the carrier comes into compliance with the applicable motor carrier safety statutes, rules and

regulations and improves its safety rating in a manner that results in the Texas Department of Public Safety reinstating its intrastate motor carrier operations in Texas.

DISCUSSION AND ANALYSIS:

K.S.A. 66-1,129a states:

a) The commission, at any time for good cause shown, may suspend the operation of any motor carrier subject to economic or safety rules and regulations adopted by the commission. Upon notice and an opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act, the commission may revoke, amend, initiate sanctions or fine any motor carrier who has a certificate, license or permit issued by the commission or is subject to the safety rules and regulations adopted by the commission. Any motor carrier suspended prior to a hearing must be afforded the opportunity of a hearing on the matter. If such a hearing is requested, the hearing shall be held within 10 days of the request.

As of October 27, 2025, Erasmo 16 has been the subject of six (6) roadside inspection evidencing serious safety violations by Erasmo 16. After reviewing the roadside inspections conducted by the KHP, Staff recommends the carrier's intrastate motor carrier operations in Kansas be suspended by the Commission. The specific safety concerns are outlined below.

KHP Roadside Inspection on September 30, 2025

On September 30, 2025, at approximately 11:30 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Yader Albarenga-Mendoza.

Mr. Albarenga-Mendoza was operating a 2003 Freightliner truck, VIN ending in "5575," GVWR 52,000 lbs., pulling a 2018 Armor trailer, VIN ending in "0385," GVWR 68,000 lbs.

The inspection, dated September 30, 2025, was documented in Driver/Vehicle Examination Report No. KSHP01272308, a copy of which is attached as **Exhibit 3**. The inspection occurred on U.S. 54 Highway at milepost 176 in Kingman County, Kansas. The Level II – Walk-Around Inspection identified three (3) Out-of-Service violations, and eight (8) other violations of the motor carrier rules and regulations. The Out-of-Service violations included:

- a. Tires – All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 4 RIGHT OUTSIDE TIRE FLAT (MEASURED T 50 PSI) – MAX PSI 120 [in violation of 49 C.F.R. 393.75(a)(3)].

The remaining violations included:

- a. Operating a CMV without documentation of a periodic inspection: NONE [in violation of 49 C.F.R. 396.17(c)];

- b. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];
- c. State/Local Laws – State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KANSAS FUEL PERMIT [in violation of 49 C.F.R. 392.2].

According to the information and records examined at the time of the stop, the CMVs were traveling from Wichita, Kansas to Pratt, Kansas.

KHP Roadside Inspection on October 17, 2025

On October 17, 2025, at approximately 11:09 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Sergio D. Rosasmiranda.

Mr. Rosasmiranda was operating a 2003 Freightliner truck, VIN ending in “5575,” GVWR 52,000 lbs., pulling a 2020 Armor trailer, VIN ending in “0260,” GVWR 75,000 lbs.

Mr. Rosasmiranda was identified by a downgraded Mexican CDL. According to the Inspector’s Notes: “HAD A PAPER COPY OF AN OLD MX CDL & A US WORK EMPLOYMENT AUTHORIZATION CARD. CDLIS RETURN SHOWED "NOT ALLOWED TO DRIVE IN USA; The Data Displayed is from the Foreign Conviction and Withdrawal Database (FCWD)" MX CDL STATUS LISTED AS "ELIGIBLE" & NO MEDICAL CARD.”

The inspection, dated October 17, 2025, was documented in Driver/Vehicle Examination Report No. KS0127000027, a copy of which is attached as **Exhibit 4**. The inspection occurred at 3540 South Meridian Ave in Sedgwick County, Kansas. The Level I – Full Inspection identified six (6) Out-of-Service violations, and nine (9) other violations of the motor carrier rules and regulations. The Out-of-Service violations included:

- a. License (CDL) - Operate a CMV and does not possess a valid CDL: NO CDL (MX CDL DOWNGRADED) [in violation of 49 C.F.R. 383.23(a)(2)];
- b. Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: NO MEDICAL CARD [in violation of 49 C.F.R. 391.41(a)];
- c. Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 3 – LEFT OUTSIDE TIRE MEASURED AT 54 PSI (120 MAX) [in violation of 49 C.F.R. 393.75(a)(3)];

- d. Brake - Defective brake(s) are equal to or greater than 20% of the service brakes on the vehicle/combination: 2 OF 10 BRAKES OUT OF ADJUSTMENT [in violation of 49 C.F.R. 396.3(a)(1)].

The remaining violations included:

- a. State/Local Laws – State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT [in violation of 49 C.F.R. 392.2];
- b. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];
- c. State/Local Laws – Excessive Weight – OPERATE OVER 80 M ON THE INTERSTATE (BOL - 81,040 LBS) / 8-1909 [in violation of 49 C.F.R. 392.2];

According to the information and records examined at the time of the stop, the CMVs were traveling from Wichita, Kansas to Pratt, Kansas.

KHP Roadside Inspection on October 20, 2025

On October 20, 2025, at approximately 9:50 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Yader Albarenga-Mendoza.

Mr. Albarenga-Mendoza was operating a 2013 Volvo truck, VIN ending in “3671,” GVWR 52,000 lbs., pulling a 2018 Armor trailer, VIN ending in “0385,” GVWR 75,000 lbs.

The inspection, dated October 20, 2025, was documented in Driver/Vehicle Examination Report No. KSHP93553658, a copy of which is attached as **Exhibit 5**. The inspection occurred on K-14 at milepost 51 in Kingman County, Kansas. The Level II – Walk-Around Inspection identified one (1) Out-of-Service violation, and six (6) other violations of the motor carrier rules and regulations. The violations included:

- a. State/Local Laws – State tax/International Fuel Tax (IFTA) violation [in violation of 49 C.F.R. 392.2];
- b. State/Local Laws – Excessive Weight – 1 2501-5000 lbs over on an axle/axle groups: SCALE TICKET GROSS 85,160 LBS GROSS ON TANDEMS [in violation of 49 C.F.R. 392.2];
- c. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];
- d. Operate a CMV without USDOT number displayed. Must be preceded by the letters "USDOT": HAS A OLD COMPANY NAME ON TRUCK.

NOT THE COMPANY HE WORKS FOR [in violation of 49 C.F.R. 390.21T(b)(2)];

- e. Operating a CMV without legal name or trade name displayed: NO NAME OF COMPANY [in violation of 49 C.F.R. 390.21T(b)(1)].

According to the information and records examined at the time of the stop, the CMVs were traveling from Wichita, Kansas to Pratt, Kansas.

KHP Roadside Inspection on October 22, 2025

On October 22, 2025, at approximately 10:37 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Norlan Ramos-Aguilar.

Mr. Ramos-Aguilar was operating a 2001 Freightliner truck, VIN ending in “5074,” GVWR 52,000 lbs., pulling a 1997 CPOS trailer, VIN ending in “0072,” GVWR 80,000 lbs.

Mr. Ramos-Aguilar was identified by a Mexican license. The driver did not have a valid CDL for the CMV combination being operated.

The inspection, dated October 22, 2025, was documented in Driver/Vehicle Examination Report No. KS0127000032, a copy of which is attached as **Exhibit 6**. The inspection occurred on U.S. Route 400 at milepost 148 in Pratt County, Kansas. The Level I – Full Inspection identified four (4) Out-of-Service violations, and ten (10) other violations of the motor carrier rules and regulations. The Out-of-Service violations included:

- a. License (CDL) - Operate a CMV and does not possess a valid CDL: NO VALID CDL (ELIGIBLE) / 8-2,132 [in violation of 49 C.F.R. 383.23(a)(2)];
- b. Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: EXPIRED MEDICAL CARD (04/2/2025) [in violation of 49 C.F.R. 391.41(a)].

c.

The remaining violations included:

- a. State/Local Laws – State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT [in violation of 49 C.F.R. 392.2];
- b. State/Local Laws - State registration/tag violation: EXPIRED SEMI-TRAILER REGISTRATION (AUG 2025) / TAG NOT ASSIGNED [in violation of 49 C.F.R. 392.2];
- c. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];

- d. Tires - Less than 2/32 inch tread depth: AXLE 4 - RIGHT INSIDE TIRE 0/32" [in violation of 49 C.F.R. 393.75(c)];
- e. Operating a CMV without documentation of a periodic inspection: NONE [in violation of 49 C.F.R. 396.17(c)].

According to the information and records examined at the time of the stop, the CMVs were traveling from Pratt, Kansas to Wichita, Kansas.

KHP Roadside Inspection on October 23, 2025

On October 23, 2025, at approximately 10:15 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Sergio D. Rosasmiranda.

Mr. Rosasmiranda was operating a 2003 Freightliner truck, VIN ending in "5575," GVWR 52,000 lbs., pulling a 2020 Armor trailer, VIN ending in "0260," GVWR 75,000 lbs.

Mr. Rosasmiranda was identified by a downgraded Mexican CDL. According to the Inspector's report: "NOT ALLOWED TO DRIVE IN USA; The Data Displayed is from the Foreign Conviction and Withdrawal Database (FCWD)."

The CMV involved in this inspection had previously been placed out-of-service on October 17, 2025. The violations included the unauthorized removal of the out-of-service sticker without completing repairs.

The inspection, dated October 23, 2025, was documented in Driver/Vehicle Examination Report No. KS0127000033, a copy of which is attached as **Exhibit 7**. The inspection occurred on K-42 at milepost 83 in Sedgwick County, Kansas. The Level I – Full Inspection identified nine (9) Out-of-Service violations, and thirteen (13) other violations of the motor carrier rules and regulations. The Out-of-Service violations included:

- a. Air Brake - Audible air leak at other than a proper connection: AUDIBLE AIR LEAK FROM AN AIR HOSE IN FRONT OF FIREWALL, UNDER HOOD[in violation of 49 C.F.R. 393.45(d)];
- b. Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 2 - RIGHT OUTSIDE TIRE FLAT - MEASURED AT 32 PSI (120 MAX) [in violation of 49 C.F.R. 393.75(a)(3)];
- c. Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 4 - RIGHT OUTSIDE TIRE FLAT - MEASURED AT 50 PSI (120 MAX) [in violation of 49 C.F.R. 393.75(a)(3)];

- d. License (CDL) - Operate a CMV and does not possess a valid CDL: DOWNGRADED MX CDL - NOT ALLOWED TO DRIVE IN USA; The Data Displayed is from the Foreign Conviction and Withdrawal Database (FCWD) [in violation of 49 C.F.R. 383.23(a)(2)];
- e. Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: NO MEDICAL CARD[in violation of 49 C.F.R. 391.41(a)];
- f. Brake - Defective brake(s) are equal to or greater than 20% of the service brakes on the vehicle/combination: 2 OF 10 BRAKES OUT OF ADJUSTMENT [in violation of 49 C.F.R. 396.3(a)(1)];
- g. Tires – All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 3 LEFT OUTSIDE TIRE FLAT (MEASURED T 52 PSI) –120 MAX [in violation of 49 C.F.R. 393.75(a)(3)].

The remaining violations included:

- a. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];
- b. State/Local Laws – State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT [in violation of 49 C.F.R. 392.2];
- c. State/Local Laws – Excessive Weight – 1,2500 lbs. over on an axle/axle groups: AXLES 4&4 OVERWEIGHT (1,400 LBS) / 34M Max / 8-1908 [in violation of 49 C.F.R. 392.2];
- d. Inspection - Unauthorized removal of an out-of-service vehicle sticker/decal: CMV PLACED OOS ON 10/17/2025 & OOS STICKER WAS REMOVED FROM THE FRONT WINDSHIELD WITHOUT COMPLETING REPAIRS [in violation of 49 C.F.R. 396.9(c)(3)];
- e. OOS Order (Repairs) - Operating a CMV after being declared out-of-service when not having completed all required repairs: REPAIRS NOT COMPLETED FROM 10/17/2025 - #KS0127000027[in violation of 49 C.F.R. 396.9(c)(2)];
- f. Operating a CMV without documentation of a periodic inspection: FRAUDULENT ANNUAL INSPECTION [in violation of 49 C.F.R. 396.17(c)].

According to the information and records examined at the time of the stop, the CMVs were traveling from Wichita, Kansas to Pratt, Kansas.

KHP Roadside Inspection on October 23, 2025

On October 23, 2025, at approximately 10:15 a.m., the KHP conducted a motor carrier stop and inspection on CMVs operated by Joel Soriano-Cancino.

Mr. Soriano-Cancino was operating a 1998 Freightliner truck, VIN ending in “7348,” GVWR 52,000 lbs., pulling a 2004 Construction Specialists trailer, VIN ending in “0566,” GVWR 68,000 lbs.

Mr. Soriano-Cancino was identified by a Mexican license. According to the Inspector’s report: “THE DRIVER WAS IDENTIFIED BY HIS MEXICAN CDL ON HIS PHONE.. KHP DISPATCH CONFIRMED THE DRIVER'S COMMERCIAL LICENSE STATUS WAS ELIGIBLE" AND NOT VALID. DRIVER'S MEDICAL CARD SHOWED EXPIRED 8/24/2025. DRIVER STATED UTILIZING TTRP. CARILLO K40 TO TRANSLATE, THAT HE DID NOT HAVE A MEDICAL CARD. TRUCK”

The CMV involved in this inspection had damage that inhibited is safe operation. The Inspector’s notes state: “LARGE CRACKS IN THE CENTER OF BOTH WINDSHIELD PANELS, DIRECTLY IN THE DRIVER'S LINE OF SIGHT.”

The inspection, dated October 23, 2025, was documented in Driver/Vehicle Examination Report No. KSHP04730555, a copy of which is attached as **Exhibit 8**. The inspection occurred on K-42 at milepost 83 in Sedgwick County, Kansas. The Level II – Walk-Around Inspection identified five (5) Out-of-Service violations, and (15) fifteen other violations of the motor carrier rules and regulations. The Out-of-Service violations included:

- a. License (CDL) - Operate a CMV and does not possess a valid CDL: Checked through CDLIS, DRIVER COMMERCIAL STATUS SHOWS ELIGIBLE [in violation of 49 C.F.R. 383.23(a)(2)];
- b. Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: DRIVER STATED HE DID NOT HAVE A MEDICAL CARD, CDLIS SHOWS MEDICAL CERTIFICATION EXPIRED 08/24/2025 [in violation of 49 C.F.R. 391.41(a)];
- c. Tires - Less than 1/32 inch tread depth at 3 locations/2 adjacent tread grooves: AXLE 5 RIGHT, INSIDE DUAL, NO MEASURABLE TREAD DEPTH IN 3 ADJACENT TREAD GROOVES 6 INCHES APART. TIRE WAS WORN SMOOTH [in violation of 49 C.F.R. 393.75(c)].

The remaining violations included:

- a. State/Local Laws – State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT [in violation of 49 C.F.R. 392.2];
- b. Operating a CMV without documentation of a periodic inspection: PERIODIC INSPECTION FOR TRUCK PROVIDED WAS NOT SIGNED OR DATED BY HAND BY MECHANIC [in violation of 49 C.F.R. 396.17(c)]
- c. State/Local Laws - State registration/tag violation: TRUCK REGISTRATION NOT VALID OUTSIDE OF TEXAS [in violation of 49 C.F.R. 392.2];
- d. State/Local Laws – Failure to pay UCR fee: No 2025 FEES PAID [in violation of 49 C.F.R. 392.2];
- e. Windshield - Damaged or Discolored: BOTH DRIVER AND PASSENGER WINDSHIELD PANELS HAD LARGE CRACKS IN THE CENTER OF THE PANE [in violation of 49 C.F.R. 393.60(c)];
- f. Wipers - Inoperative / missing / damaged wipers: DRIVER STATED THAT WINDSHIELD WIPERS DID NOT WORK [in violation of 49 C.F.R. 393.78)].

According to the information and records examined at the time of the stop, the CMVs were traveling from Wichita, Kansas to Pratt, Kansas.

RECOMMENDATION:

Staff asks the Commission to find that Carrier 1.) received sufficient notice from the KHP of the above described out-of-service violation(s) of motor carrier safety rules and regulations, and was afforded a requisite opportunity to correct the violation(s) and to obtain compliance; 2.) failed to act upon the KHP's notice; and that 3.) Carrier's failure to comply with the applicable motor carrier safety statutes, rules and regulations is sufficient evidence of unsafe motor carrier operations and as such poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

Based on the presented facts, Staff recommends the Commission issue an Emergency Suspension of Intrastate Motor Carrier Operations until such time as Carrier takes the necessary steps to obtain compliance with the federal and state motor carrier safety statutes, rules and regulations and improves its safety rating with the Texas Department of Public Safety resulting in reinstatement by Texas. After Carrier submits verifiable evidence of the same to Staff, Staff will recommend that the Commission enter an order reinstating the Carrier's motor carrier operating authority.

Exhibit 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 3981881
MC/MX#: 0
State ID #: 1046434

Legal: ERASMO 16 G TRUCKING LLC
Operating (DBA):

Investigation Date:
06/04/2025

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

Physical Address

2201 MONTOPOLIS DR APT 1120
AUSTIN, TX 78741-6543
United States

Mailing Address

2201 MONTOPOLIS DR APT 1120
AUSTIN, TX 78741-6543
United States

Contact Information

Contact Name: ERASMO GARCIA
Email: esauhernandezchumi1971@gmail.com
Phone: (571)252-4298 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Limited Liability Corporation
Name of Gross Revenue Provider: Erasmo Garcia
Title of Gross Revenue Provider: Owner
Gross Revenue [REDACTED] **For Year Ending:** 05/05/2025
Federal Tax ID: [REDACTED]

Operation Classification and Type

Type of Operation: Non-HM Intrastate Carrier

Operation Classification

For-Hire Motor Carrier
Property
Other Non-Hazardous Freight

Cargo

Other (rock, dirt, base, asphalt)

Equipment

	Owned	Term Leased	Trip Leased
Truck Tractors	3		
Trailers			3

Power units used in the U.S.: 3
Percentage of time used in the U.S.: 100%

Driver Information

Drivers	Intrastate	Interstate
< 100 Miles		
>= 100 Miles	3	

Average trip leased driver/month: 0
Drivers with CDL: 3
Total Drivers: 3

Person(s) Interviewed

Name: ERASMO GARCIA

Title: OWNER

Name: ISIS MARINA GONZALEZ

Title: ADMIN

Person(s) Interviewed	
Name: LETTY CANTU	Title: ADMIN
Questions	
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	300 East 8th Street, Suite 130 Austin, TX 78701 Phone: (512) 916-5440 Fax: (512) 916-5482
This report will be used to assess your safety compliance.	

Violations

1. Primary: 382.115(a) Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations. A Acute		Violations Discovered <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>1</td><td></td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>1</td><td></td><td>1</td></tr></table>	Fed	State	Total	1		1	Fed	State	Total	1		1	BASIC Impacted Controlled Substances/Alcohol	Rating Factor 2: Driver = Part 382
Fed	State	Total														
1		1														
Fed	State	Total														
1		1														
Example/Notes: Norlan Gerardo Ramos Aguilar, Trip Date: 10/03/2024. Austin, TX to Schertz, TX.			Drivers/Vehicles in Violation <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td></td><td></td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td></td><td></td></tr></table>	Fed	State	Total				Fed	State	Total				
Fed	State	Total														
Fed	State	Total														
2. Primary: 383.37(a) Allowing, requiring, permitting, or authorizing a driver to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL. A Acute		Violations Discovered <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>5</td><td></td><td>5</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>5</td><td></td><td>5</td></tr></table>	Fed	State	Total	5		5	Fed	State	Total	5		5	BASIC Impacted Driver Fitness	Rating Factor 2: Driver = Part 383
Fed	State	Total														
5		5														
Fed	State	Total														
5		5														
Example/Notes: Sergio Dahir Rosas Miranda, Trip Date: 05/05/2025. Austin, TX to Austin, TX. License is not valid in the United States.			Drivers/Vehicles in Violation <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>5</td><td></td><td>5</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td>5</td><td></td><td>5</td></tr></table>	Fed	State	Total	5		5	Fed	State	Total	5		5	
Fed	State	Total														
5		5														
Fed	State	Total														
5		5														
3. Primary: 391.51(a) Failing to maintain driver qualification file on each driver employed. C Critical At least 10% of the number checked had violations		Violations Discovered <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>3</td><td>3</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>3</td><td>3</td></tr></table>	Fed	State	Total		3	3	Fed	State	Total		3	3	BASIC Impacted Driver Fitness	Rating Factor 2: Driver = Part 391
Fed	State	Total														
	3	3														
Fed	State	Total														
	3	3														

Example/Notes:			
Norlan Gerardo Ramos Aguilar, Trip Date: 12/06/2024.	San Antonio, TX	to San Antonio, TX. No driver qualification file provided for this driver.	
4. Primary: 395.8(a)(1) Failing to require a driver to prepare a record of duty status using the appropriate method. Critical At least 10% of the number checked had violations		Violations Discovered FedStateTotal 909090 Checked FedStateTotal 909090	BASIC Impacted Rating Factor 3: Hours-of-Service Operational = Part 395 Compliance
Example/Notes:			
Yader Omar Albarenga Mendoza, Trip Date: 03/31/2025.	Chico, TX	to Fort Worth, TX.	
5. Primary: 396.3(b) Failing to keep minimum records of inspection and vehicle maintenance. Critical At least 10% of the number checked had violations		Violations Discovered FedStateTotal 333 Checked FedStateTotal 333	BASIC Impacted Rating Factor 4: Vehicle Maintenance Vehicle = Part 396
Example/Notes:			
2008 INTL (VIN 539601), Yader Omar Albarenga Mendoza, Trip Date: 03/31/2025.	Chico, TX	to Fort Worth, TX. No maintenance records provided.	
6. Primary: 392.2			

State Equivalent: 43 TAC 218.16(a)

Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage under state law.

Example/Notes:

2006 FRHT (VIN U41734), Sergio Dahir Rosas Miranda, Trip Date: 05/05/2025. Austin, TX to Austin, TX. Insurance for this vehicle was cancelled on 08/24/2024 per Progressive Insurance. The carrier does not have a minimum of \$500,000 vehicle liability insurance coverage.

7. Primary: 392.9a(a)(1)

Operating without the required operating authority.

Example/Notes:

2008 INTL (VIN 539601), Yader Omar Albarenga Mendoza, Trip Date: 03/31/2025. The carrier has never registered with TXDMV.

8. Primary: 396.17(a)
Secondary: 396.23(a)(1)

Using a commercial motor vehicle that is subject to a mandatory state inspection program without having the CMV inspected under that program.

Example/Notes:

2008 INTL (VIN 539601), Yader Omar Albarenga Mendoza, Trip Date: 03/31/2025. Chico, TX to Fort Worth, TX. No annual vehicle inspection.

Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Drivers/Vehicles in Violation		
Fed	State	Total
Checked		
Fed	State	Total
Violations Discovered		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Drivers/Vehicles in Violation		
Fed	State	Total
Checked		
Fed	State	Total
Violations Discovered		
Fed	State	Total
	3	3
Checked		
Fed	State	Total
	3	3
Drivers/Vehicles in Violation		
Fed	State	Total
	3	3
Checked		

	Fed	State	Total
		3	3

Safety Fitness Rating

Your proposed safety rating is: **UNSATISFACTORY** 2 or more UNSATISFACTORY rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Unsatisfactory	2	1
Factor 3: Operational = Parts 392 and 395	Unsatisfactory	0	1
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 3 Number of Vehicles Inspected (MCMIS): 3 OOS Rate: 100%	Unsatisfactory		1
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 200,000 Recordable Accidents: 1 Recordable Accidents/Million Miles: 5.00	Satisfactory	N/A	N/A

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

BASIC: Controlled Substances/Alcohol

Process Breakdown: Policies and Procedures

Erasmus Garcia, Owner of Erasmo 16 G Trucking LLC, does not have a policy and procedure outlining a drug and alcohol testing program which has contributed to the acute violation discovered during this investigation for failing to implement a drug and alcohol testing program before starting operations. Failing to drug and alcohol test CDL required drivers reduces the safety of public roads and may lead to crashes that result in property damage, injuries, and even death.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:

1. Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
2. Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
3. Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.
4. Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.
5. Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
6. Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
7. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

BASIC: Driver Fitness

Process Breakdown: Qualification and Hiring

Erasmus Garcia, Owner of Erasmo 16 G Trucking LLC, failed to hire qualified drivers which resulted in using drivers that do not have the proper driver's license for the vehicles they are operating and failing to maintain driver qualification files. Failing to hire qualified drivers reduces the safety of public roads and may lead to avoidable fines and penalties to motor carriers.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Qualification and Hiring:

1. Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver's Licenses (CDLs) are reviewed for

driver-fitness-related violations of all prospective drivers for the last three years.

2. Ensure that drivers are qualified by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding driver fitness, such as those pertaining to previous violations, Commercial Driver's License (CDL), medical qualifications, operational qualifications from training, and relevant experience.
3. Review and evaluate gaps in employment, frequent job changes, incomplete applications, within-company applications and reassignments, operational limitations such as those pertaining to long-combination vehicles (LCVs) and HAZMAT, physical impairments, and controlled-substance and alcohol involvement.
4. Require that drivers fill out the long form for the medical card and be examined by the carrier's preferred doctor to ensure that their medical qualifications are accurate.
5. Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as whether the driver can handle the physical requirements of the job.
6. Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, dispatcher, and driver by using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

BASIC: Hours-of-Service Compliance

Process Breakdown: Monitoring and Tracking

Erasmus Garcia, Owner of Erasmo 16 G Trucking LLC, failed to monitor and track the hours of service of his drivers which contributed to the critical violation discovered during this investigation in hours of service compliance. Failing to monitor and track the hours of service of commercial motor vehicle (CMV) drivers reduces the safety of public roads and may lead to allowing drivers that are tired or ill to operate CMVs.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
2. Document all findings of fatigue-related noncompliance with regulations and/or company policies.
3. Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatigue level.
4. Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.

BASIC: Vehicle Maintenance

Process Breakdown: Training and Communication

Erasmus Garcia, Owner of Erasmo 16 G Trucking LLC, failed to ensure his drivers and mechanics are trained in the motor carrier safety regulations and CVSA out of service criteria regarding the inspection, repair, and maintenance of commercial motor vehicles (CMVs). This has contributed to numerous serious vehicle equipment defects discovered during roadside inspections, and the serious violations in vehicle maintenance compliance discovered during this investigation. Failing to train mechanics and drivers in the motor carrier safety regulations and CVSA out of service criteria reduces safety by allowing CMVs with unsafe vehicle equipment defects that may lead to crashes to be operated on public roads.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:

1. Convey expectations to all applicable staff for adhering to vehicle inspection, repairing, and maintenance regulations and company policies and procedures, and for executing responsibilities by providing new-hire and refresher training, and establish communication channels such as newsletters and/or meetings focused on conflicts between vehicle availability and repair requirements.
2. Ensure that all employees understand and accept their responsibility for timely communication of safety issues related to fleet inspection, repair, and maintenance to the appropriate individuals.
3. Ensure that managers and supervisors articulate their commitment to and establish communication with employees concerning vehicle inspection, repair, and maintenance.
4. Ensure that mechanics and technicians communicate with the vehicle and equipment manufacturers and receive regular updated bulletins and recommendations.
5. Implement and provide training for a fleet maintenance software system that can be updated according to current industry and regulatory standards, manufacturer's recommendations, and the carrier's experience.
6. Train mechanics to be able to differentiate between safety-related defects and other defects - for example, by recognizing that defective wheel ends can lead to wheel separation.
7. Ensure that drivers are trained in vehicle Out-of-Service (OOS) rules, their responsibilities in adhering to them, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.
8. Train all staff who are required to monitor and track vehicle maintenance on the appropriate company policies, including those related to discipline and incentives.
9. Reinforce training to drivers, mechanics, and other employees about vehicle maintenance policies, procedures, and responsibilities, using job aids, post-training testing, and/or refresher training. Encourage informal feedback among drivers and mechanics so that they can help each other to improve.

Recommendations

1. **Additional Information**

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

2. **Notice of Claim**

I. PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. 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 Notice of Claim. Receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

3. **Acute/Critical Violations**

I. Acute and/or Critical violations were recorded on this investigation report. These violations will impact your safety record.

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.

4. **Drug and Alcohol Clearinghouse**

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>.

5. **TXDMV Motor Carrier Registration**

Motor carriers that operate commercial motor vehicles in intrastate commerce in Texas must register as a motor carrier with TXDMV: <https://www.txdmv.gov/motor-carriers/txdmv-number>

6. **Vehicle Liability Insurance Requirements for Intrastate Property Carriers**

Property motor carriers that operate commercial motor vehicles exceeding 26,000 lbs in intrastate commerce in Texas must have a minimum of \$500,000 vehicle liability insurance coverage.

7. **Unsatisfactory Safety Rating and Corrective Action**

I. 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. <https://csa.fmcsa.dot.gov/safetyplanner/>

II. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: <https://csa.fmcsa.dot.gov/safetyplanner/>

III. Note: FMCSA information can be found at www.fmcsa.dot.gov. A supplementary handbook published by the Texas Department of Public Safety, entitled "A Texas Motor Carrier's Guide to Highway Safety," also referred to as an MCS-9, has been given to you at the time of the review. Additional copies and updates are available free at the Texas Department of Public Safety website: <http://www.dps.texas.gov/cve/publications.htm>. In addition, helpful websites are listed on pages xiii to xvi of the MCS-9. Carriers are also encouraged to visit the above website, click on the Downloadable Forms, search for Motor Carrier Bureau Forms under the Forms by Section tab, and download the MCS-32. Carriers can fill out and turn in this form to the Department in order to receive email notifications whenever a roadside inspection is conducted on one of the carrier's vehicles.

IV. IMPORTANT: The Department's primary method for contacting carriers is by e-mail. If you have provided e-mail to the

Department investigator, ensure that you regularly check this e-mail account for correspondence. If you discontinue using this e-mail account, or change e-mail account addresses, immediately notify the Department by calling 512-424-2562, or by e-mail at mcb.mcca@dps.texas.gov If you change your physical address, mailing address, or phone numbers, you must notify us in the same manner.

V. This review will result in a Safety Rating. The findings indicate you are currently operating at an UNSATISFACTORY level of safety compliance. Therefore, this review will result in a proposed UNSATISFACTORY Safety Rating. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company.

VI. For violations discovered during this review, you will be required to submit corrective action and additional evidence to prove corrective action has been taken. Please follow instructions given by the investigator to ensure corrective actions are submitted properly.

In addition to the corrective action, if you would like to request a rating appeal, remember to follow the instructions provided by the investigator to ensure that your rating appeal is submitted with the required supporting documents necessary to process your request in a timely manner.

If, in Factor 4 (Vehicle/Maintenance) of the Safety Fitness Rating Explanation, you have a vehicle out of service rate of 34% or higher, describe your efforts to increase driver awareness of out-of-service violations and how to prevent them. A list of out-of-service violations may be obtained from the Commercial Vehicle Safety Alliance at <https://cvsa.ps.membersuite.com/onlinestorefront/BrowseMerchandise.aspx> or by contacting them directly at Commercial Vehicle Safety Alliance, 6303 Ivy Lane, Suite 310, Greenbelt, MD, 20770-6319, Telephone: 301-830-6143.

If, in Factor 6 (Recordable Accident Rate) of the Safety Fitness Rating Explanation, you have an Unsatisfactory accident rate, describe your efforts to provide defensive driving training to your drivers, or other accident countermeasures you have taken. Information about accident countermeasures may be obtained at the FMCSA website at <https://www.fmcsa.dot.gov/safety/driver-safety/cmv-driving-tips-references> or by contacting Triodyne Inc., the publisher of the FMCSA's Commercial Vehicle Preventable Accident Manual, at 847-677-4730 ext. 114.

This request should be submitted as soon as possible. If you have a proposed Unsatisfactory Rating, please state We are requesting a Change to Safety Rating Based on Corrective Actions. If your rating appeal request is submitted on or near the effective date of the proposed rating, the rating may become final before an upgrade investigation can be completed. A CARRIER WHICH RECEIVES A FINAL UNSATISFACTORY SAFETY RATING WILL BE PROHIBITED FROM OPERATING IN INTRASTATE TRANSPORTATION, AND IS SUBJECT TO REVOCATION OF THEIR TEXAS DEPARTMENT OF MOTOR VEHICLES OPERATING AUTHORITY.

8. Intrastate Questions

I. Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to:

Texas Department of Public Safety
Motor Carrier Bureau
6200 Guadalupe St, Building P
Austin, TX 78752
Phone: 512-424-2562, Fax: 512-424-5712

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
383.37(a) - CDL must be current with proper endorsements. Must not violate restrictions			
1	05/05/2025	Driver: SERGIO DAHIR ROSAS MIRANDA	License is not valid in the United States
2	12/06/2024	Driver: NORLAN GERARDO RAMOS AGUILAR	The driver is using a Mexican licencia federal de conductor but is not a citizen of Mexico.
3	03/31/2025	Driver: YADER OMAR ALBARENGA MENDOZA	The driver is using a Mexican licencia federal de conductor but is not a citizen of Mexico.
4	07/03/2024	Driver: ANGEL MANUEL RODAS VARELA	The driver is using a Mexican licencia federal de conductor but is not a citizen of Mexico.
5	06/24/2024	Driver: JULIO CESAR VALLE TABORA	The driver is using a Mexican licencia federal de conductor but is not a citizen of Mexico.
382.115(a) - Failing to implement an alcohol and/or drug testing program			
1	10/03/2024	Driver: NORLAN GERARDO RAMOS AGUILAR	
395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method			
1	03/02/2025	YADER OMAR ALBARENGA MENDOZA	
2	03/03/2025	YADER OMAR ALBARENGA MENDOZA	
3	03/04/2025	YADER OMAR ALBARENGA MENDOZA	
4	03/05/2025	YADER OMAR ALBARENGA MENDOZA	
5	03/06/2025	YADER OMAR ALBARENGA MENDOZA	
6	03/07/2025	YADER OMAR ALBARENGA MENDOZA	
7	03/08/2025	YADER OMAR ALBARENGA MENDOZA	
8	03/09/2025	YADER OMAR ALBARENGA MENDOZA	
9	03/10/2025	YADER OMAR ALBARENGA MENDOZA	
10	03/11/2025	YADER OMAR ALBARENGA MENDOZA	
11	03/12/2025	YADER OMAR ALBARENGA MENDOZA	
12	03/13/2025	YADER OMAR ALBARENGA MENDOZA	
13	03/14/2025	YADER OMAR ALBARENGA MENDOZA	
14	03/15/2025	YADER OMAR ALBARENGA MENDOZA	
15	03/16/2025	YADER OMAR ALBARENGA MENDOZA	
16	03/17/2025	YADER OMAR ALBARENGA MENDOZA	
17	03/18/2025	YADER OMAR ALBARENGA MENDOZA	
18	03/19/2025	YADER OMAR ALBARENGA MENDOZA	
19	03/20/2025	YADER OMAR ALBARENGA MENDOZA	
20	03/21/2025	YADER OMAR ALBARENGA MENDOZA	
21	03/22/2025	YADER OMAR ALBARENGA MENDOZA	

22	03/23/2025	YADER OMAR ALBARENGA MENDOZA	
23	03/24/2025	YADER OMAR ALBARENGA MENDOZA	
24	03/25/2025	YADER OMAR ALBARENGA MENDOZA	
25	03/26/2025	YADER OMAR ALBARENGA MENDOZA	
26	03/27/2025	YADER OMAR ALBARENGA MENDOZA	
27	03/28/2025	YADER OMAR ALBARENGA MENDOZA	
28	03/29/2025	YADER OMAR ALBARENGA MENDOZA	
29	03/30/2025	YADER OMAR ALBARENGA MENDOZA	
30	03/31/2025	YADER OMAR ALBARENGA MENDOZA	
31	12/01/2024	NORLAN GERARDO RAMOS AGUILAR	
32	12/02/2024	NORLAN GERARDO RAMOS AGUILAR	
33	12/03/2024	NORLAN GERARDO RAMOS AGUILAR	
34	12/04/2024	NORLAN GERARDO RAMOS AGUILAR	
35	12/05/2024	NORLAN GERARDO RAMOS AGUILAR	
36	12/06/2024	NORLAN GERARDO RAMOS AGUILAR	
37	12/07/2024	NORLAN GERARDO RAMOS AGUILAR	
38	12/08/2024	NORLAN GERARDO RAMOS AGUILAR	
39	12/09/2024	NORLAN GERARDO RAMOS AGUILAR	
40	12/10/2024	NORLAN GERARDO RAMOS AGUILAR	
41	12/11/2024	NORLAN GERARDO RAMOS AGUILAR	
42	12/12/2024	NORLAN GERARDO RAMOS AGUILAR	
43	12/13/2024	NORLAN GERARDO RAMOS AGUILAR	
44	12/14/2024	NORLAN GERARDO RAMOS AGUILAR	
45	12/15/2024	NORLAN GERARDO RAMOS AGUILAR	
46	12/16/2024	NORLAN GERARDO RAMOS AGUILAR	
47	12/17/2024	NORLAN GERARDO RAMOS AGUILAR	
48	12/18/2024	NORLAN GERARDO RAMOS AGUILAR	
49	12/19/2024	NORLAN GERARDO RAMOS AGUILAR	
50	12/20/2024	NORLAN GERARDO RAMOS AGUILAR	
51	12/21/2024	NORLAN GERARDO RAMOS AGUILAR	
52	12/22/2024	NORLAN GERARDO RAMOS AGUILAR	
53	12/23/2024	NORLAN GERARDO RAMOS AGUILAR	
54	12/24/2024	NORLAN GERARDO RAMOS AGUILAR	
55	12/25/2024	NORLAN GERARDO RAMOS AGUILAR	
56	12/26/2024	NORLAN GERARDO RAMOS AGUILAR	

57	12/27/2024	NORLAN GERARDO RAMOS AGUILAR	
58	12/28/2024	NORLAN GERARDO RAMOS AGUILAR	
59	12/29/2024	NORLAN GERARDO RAMOS AGUILAR	
60	12/30/2024	NORLAN GERARDO RAMOS AGUILAR	
61	04/06/2025	SERGIO DAHIR ROSAS MIRANDA	
62	04/07/2025	SERGIO DAHIR ROSAS MIRANDA	
63	04/08/2025	SERGIO DAHIR ROSAS MIRANDA	
64	04/09/2025	SERGIO DAHIR ROSAS MIRANDA	
65	04/10/2025	SERGIO DAHIR ROSAS MIRANDA	
66	04/11/2025	SERGIO DAHIR ROSAS MIRANDA	
67	04/12/2025	SERGIO DAHIR ROSAS MIRANDA	
68	04/13/2025	SERGIO DAHIR ROSAS MIRANDA	
69	04/14/2025	SERGIO DAHIR ROSAS MIRANDA	
70	04/15/2025	SERGIO DAHIR ROSAS MIRANDA	
71	04/16/2025	SERGIO DAHIR ROSAS MIRANDA	
72	04/17/2025	SERGIO DAHIR ROSAS MIRANDA	
73	04/18/2025	SERGIO DAHIR ROSAS MIRANDA	
74	04/19/2025	SERGIO DAHIR ROSAS MIRANDA	
75	04/20/2025	SERGIO DAHIR ROSAS MIRANDA	
76	04/21/2025	SERGIO DAHIR ROSAS MIRANDA	
77	04/22/2025	SERGIO DAHIR ROSAS MIRANDA	
78	04/23/2025	SERGIO DAHIR ROSAS MIRANDA	
79	04/24/2025	SERGIO DAHIR ROSAS MIRANDA	
80	04/25/2025	SERGIO DAHIR ROSAS MIRANDA	
81	04/26/2025	SERGIO DAHIR ROSAS MIRANDA	
82	04/27/2025	SERGIO DAHIR ROSAS MIRANDA	
83	04/28/2025	SERGIO DAHIR ROSAS MIRANDA	
84	04/29/2025	SERGIO DAHIR ROSAS MIRANDA	
85	04/30/2025	SERGIO DAHIR ROSAS MIRANDA	
86	05/01/2025	SERGIO DAHIR ROSAS MIRANDA	
87	05/02/2025	SERGIO DAHIR ROSAS MIRANDA	
88	05/03/2025	SERGIO DAHIR ROSAS MIRANDA	
89	05/04/2025	SERGIO DAHIR ROSAS MIRANDA	
90	05/05/2025	SERGIO DAHIR ROSAS MIRANDA	
391.51(a) - Failing to maintain driver qual. file on each driver			

1	12/06/2024	Driver: NORLAN GERARDO RAMOS AGUILAR	
2	03/31/2025	Driver: YADER OMAR ALBARENGA MENDOZA	
3	05/05/2025	Driver: SERGIO DAHIR ROSAS MIRANDA	
396.3(b) - Failing to keep minimum records of inspection and maintenance			
1	05/05/2025	Equipment: 2006 FRHT (VIN U41734)	
2	03/31/2025	Equipment: 2008 INTL (VIN 539601)	
3	12/06/2024	Equipment: 2001 FRHT (VIN H95074)	
396.17(a) - Using a commercial motor vehicle that is subject to a mandatory state inspection program without having the CMV inspected under that program.			
1	03/31/2025	Equipment: 2008 INTL (VIN 539601)	
2	05/05/2025	Equipment: 2006 FRHT (VIN U41734)	
3	12/06/2024	Equipment: 2001 FRHT (VIN H95074)	

Exhibit 2



FREEMAN F. MARTIN
COLONEL
WALT GOODSON
JASON C. TAYLOR
LIEUTENANT COLONELS

TEXAS DEPARTMENT OF PUBLIC SAFETY

6200 GUADALUPE STREET / PO BOX 4087

AUSTIN, TX 78773-0522

(512) 424-2051

www.dps.texas.gov

MOTOR CARRIER BUREAU



STEVEN P. MACH,
CHAIRMAN
NELDA L. BLAIR
DAN HORD III
LARRY B. LONG
STEVE H. STODGHILL

July 29, 2025

CP No. 1046434
USDOT # 3981881

ERASMO GARCIA
ERASMO 16 G TRUCKING LLC
6934 E BEN WHITE BLVD #3207
AUSTIN, TX 78741

CASE NUMBER: TX-2025-0314-TX0479

EFFECTIVE Aug 4, 2025, THE FINAL SAFETY RATING FOR YOUR COMPANY IS:

UNSATISFACTORY

ORDER TO CEASE ALL INTRASTATE TRANSPORTATION

Erasmo 16 G Trucking Llc, of **6934 E Ben White Blvd #3207, Austin, TX 78741** was served a proposed **UNSATISFACTORY** safety rating on June 4, 2025 resulting from an onsite compliance review on **June 4, 2025**. **Erasmo 16 G Trucking Llc** was notified to take certain affirmative actions in order to improve to conditional or satisfactory this proposed safety rating. **Erasmo 16 G Trucking Llc** was further advised that they would be ordered to cease any and all intrastate transportation unless **Erasmo 16 G Trucking Llc** safety rating was improved to conditional or satisfactory by that date.

WHERE AS, **Erasmo 16 G Trucking Llc** has failed to take the necessary steps required for improving its safety rating to conditional or satisfactory by **August 4, 2025** the **UNSATISFACTORY** safety rating proposed by the Texas Department of Public Safety has become **FINAL**.

THEREFORE, **IT IS ORDERED** THAT **Erasmo 16 G Trucking Llc, 6934 E BEN WHITE BLVD #3207, AUSTIN, TX 78741** SHALL IMMEDIATELY CEASE ALL INTRASTATE TRANSPORTATION UNTIL SUCH TIME AS THE TEXAS DEPARTMENT OF PUBLIC SAFETY DETERMINES YOUR COMPANY FIT.

FURTHERMORE, YOU ARE PROHIBITED FROM TRANSPORTING HAZARDOUS MATERIALS REQUIRING PLACARDING UNDER 49 CFR 172, SUBPART F, OR A VEHICLE TRANSPORTING MORE THAN 15 PASSENGERS, INCLUDING THE DRIVER.

Erasmio 16 G Trucking Llc continuing operation in intrastate commerce after receipt of this **ORDER** will be subject to administrative penalties **up to \$11,000.00 per day** as well as criminal penalties provided by statute, and will be subject to a civil suit filed by the Attorney General at the request of the Director of the Texas Department of Public Safety. Each day of operation constitutes a separate violation.

Please refer to a copy of the compliance review left at your office for more specific guidance regarding the areas in need of corrective action, or contact the original investigator **as shown on Part A of the compliance review**.

A request for a Change To Safety Rating Based on Corrective Actions or a request for Departmental Review of a safety rating (as described in the Notice of Proposed Unsatisfactory Safety Rating) must be submitted in writing to: Texas Department of Public Safety, Manager – Motor Carrier Bureau, 6200 Guadalupe, Building P, Austin, Texas 78752-4019 (37 TAC §4.15(a)(4)(F)). Such request may be made at any time, but must be **BASED ON EVIDENCE** that you have taken corrective actions and that you currently meet the safety standards specified in 49 CFR 385.5 and 385.7, and equivalent state regulations contained in the Texas Transportation Code, Chapters 522 and 644, and 37 TAC, Chapter 4.

FILING OF A REQUEST FOR CHANGE TO SAFETY RATING OR A REQUEST FOR DEPARTMENTAL REVIEW DOES NOT STAY THIS ORDER. YOU STILL MUST IMMEDIATELY CEASE ALL INTRASTATE TRANSPORTATION UNTIL SUCH TIME AS THE TEXAS DEPARTMENT OF PUBLIC SAFETY DETERMINES YOUR COMPANY'S SAFETY RATING IS NO LONGER UNSATISFACTORY.

A MOTOR CARRIER WITH A FINAL SAFETY RATING OF UNSATISFACTORY THAT OPERATES IN INTRASTATE COMMERCE IN VIOLATION OF THE NOTIFICATION TO CEASE OPERATIONS PURSUANT TO 37 TAC CHAPTER 4 MAY BE SUBJECT TO A CIVIL SUIT FILED BY THE TEXAS ATTORNEY GENERAL IN ACCORDANCE WITH TEXAS TRANSPORTATION CODE 644.154. EACH DAY OF OPERATION CONSTITUTES A SEPARATE VIOLATION. (37 TAC 4.15(a)(4)(E)).

You may obtain further information from the Motor Carrier Bureau by contacting MCCA Negotiator Crystal Hill at the Motor Carrier Bureau, 6200 Guadalupe, Building P, Austin, Texas 78752-4019, phone number (512) 424-2316, fax (512) 424-5511.

Sincerely,



Captain Michael Reid
Manager, Motor Carrier Bureau

RR/cah

CERTIFICATE OF SERVICE

I certify that the attached NOTICE OF FINAL UNSATISFACTORY SAFETY RATING and ORDER TO CEASE ALL INTRASTATE TRANSPORTATION issued on **July 29, 2025**, by the Motor Carrier Bureau, Texas Department of Public Safety, to **Erasmio 16 G Trucking Llc, 6934 E Ben White Blvd #3207, Austin, TX 78741** has been served upon the same this ____ day of _____, 20____, at ____ o'clock ____ m., at the said motor carriers principal place of business by hand delivery to _____, a responsible corporate official with **Erasmio 16 G Trucking Llc**. Further, I have explained to the same official the effect of the Order on the intrastate operations of this motor carrier and the consequences of noncompliance. Further, if my attempt to explain to the same official the effect of the Order on the intrastate operations of this motor carrier and the consequences of noncompliance was not possible or was unsuccessful it was because:

BY: _____
Name:
Title:
Agency:
Case Number TX-2025-0314-TX0479

((OR))

CERTIFICATE OF RECEIPT

On this date _____, I have received a copy of this NOTICE OF FINAL UNSATISFACTORY SAFETY RATING and ORDER TO CEASE ALL INTRASTATE TRANSPORTATION from the Motor Carrier Bureau, hand delivered by Texas Department of Public Safety investigator.

Signature of Investigator

Signature of Recipient

Name of Investigator

Name of Recipient

Time & Date of Delivery

Title of Recipient

TX-2025-0314-TX0479

Case Number

Erasmio 16 G Trucking Llc

Name of Motor Carrier

Hill, Crystal

From: MCB.ENF
Sent: Tuesday, July 29, 2025 8:43 PM
To: 'ESAUHERNANDEZCHUMI1971@GMAIL.COM'
Subject: 1046434/ERASMO 16 G TRUCKING LLC - ORDER TO CEASE (cah)
Attachments: 1046434 - ERASMO 16 G TRUCKING LLC - PRE OTC - 7.29.2025.pdf

Importance: High

Please read the attached letter and call with any questions:

Investigator Sara Castillo – 512.424.7867

or

Field Manager Adabel Garza – 210.531.2287

Exhibit 3

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
 Email: Khp.TruckInspection@KS.GOV
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01272308
 Inspection Date: 09/30/2025
 Start: 11:30 AM CT End: 12:45 PM CT
 Inspection Level: II - Walk-Around
 HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC
 DBA:

2201 MONTOPOLIS DR APT 1120
 AUSTIN, TX, 78741

USDOT: 3981881

MC/MX#:

State#:

Location: KINGMAN COUNTY - 095

Highway: US-54

County:

Email:

Phone#: (571)252-4298

Fax#:

Driver: ALBARENGA-MENDOZA, YADER
 OMAR

License#:

Date of Birth:

CoDriver:

License#:

Date of Birth:

State: MX

State:

Milepost: 176 Shipper: CORNEJO

Origin: WICHITA,KS

Destination: PRATT,KS

Bill of Lading: 1367818

Cargo: ROCK

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2003	TX		1524		5575 52000			182291
2	ST	ARMOR	2018	TX				0385 68000			

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

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
391.11B2-Q	391.11(b)(2)	F	D	Y		N	N	Driver cannot satisfy the English language proficiency reqs of 391.11(b)(2) as per FMCSA Enforcement Guidance Memo MC-SEE-2025-0001. Driver failed the Interview: DRIVER DOES NOT COMMUNICATE IN ENGLISH WITHOUT A TRANSLATE APP
392.2-SLLIRP	392.2	F	1	N		N	N	State/Local Laws - IRP apportioned tag or registration violation: TEMPORARY TX TAG NOT DISPLAYED ON POWER UNIT / 8-0133
396.17C-PI	396.17(c)	F	1	N		N	N	Operating a CMV without documentation of a periodic inspection: NONE
392.2-SLLUCR	392.2	F	1	N		N	N	State/Local Laws - Failure to pay UCR fee: NO 2025 FEES PAID
392.2-SLLIFTA	392.2	F	1	N		N	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KANSAS FUEL PERMIT
392.9AA2-OA	392.9a(a)(2)	F	1	Y		U	N	Operating Authority - Motor carrier operating a motor vehicle beyond the scope of the motor carriers operating authority.: NO KANSAS OPERATING AUTHORITY
393.75A3-TAOL	393.75(a)(3)	F	2	Y		U	N	Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 4 - RIGHT OUTSIDE TIRE FLAT (MEASURED AT 50 PSI) - MAX PSI 120
396.17C-PI	396.17(c)	F	2	N		N	N	Operating a CMV without documentation of a periodic inspection: NONE

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: X Size and Weight Enforcement

Notes: STOPPED TO CHECK WEIGHT / AXLE 4 RIGHT OUTSIDE TIRE FLAT (MEASURED AT 50 PSI - 120 MAX).COMPANY FLAGGED ON A FEDERAL OOS (TEXAS INTRASTATE). I CONTACTED TROOP I IN TOPEKA & WAS DIRECTED TO NOT TAKE ANY ENFORCEMENT ACTION ON A TX INTRASTATE OOS ORDER.DRIVER DOES NOT COMMUNICATE IN THE ENGLISH LANGUAGE WITHOUT THE USE OF A TRANSLATE APP OR HIS BOSS (ON THE PHONE) TRANSLATING.NO TAG DISPLAYED - DRIVER HAD A TX TEMP BUYER TAG IN THE CAB. NO KANSAS FUEL PERMIT, NO KS REGISTRATION PERMIT OR KS OPERATING AUTHORITY. NO UCR FEES PAID FOR 2025.NO ANNUAL INSPECTIONS. DRIVER SAID HE IS CURRENTLY LIVING IN HIS CMV IN PRATT.

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP01272308
Inspection Date: 09/30/2025
Start: 11:30 AM CT End: 12:45 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare YADER OMAR ALBARENGA-MENDOZA "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: MUST COMUICATE IN THE ENGLISH LANGUAGE.. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

* 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: _____

**** 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: ID/Badge #:
A.D. Lieber 0127

Copy Received By:
YADER OMAR ALBARENGA-MENDOZA

X

X



Exhibit 4

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000027
Inspection Date: 10/17/2025
Start: 11:09 AM CT End: 12:35 PM CT
Inspection Level: I - Full
HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC

DBA:

2201 MONTOPOLIS DR APT 1120
AUSTIN, TX, 78741-6543

USDOT: 3981881

Phone#: 5712524298

MC/MX#:

Fax#:

State#:

Location: South Meridian Avenue, Wichita

Highway: 3500

County: Sedgwick County

Email:

Driver: ROSASMIRANDA, SERGIO D

License#:

State: MX

Date of Birth:

CoDriver:

License#:

State:

Date of Birth:

Milepost: Shipper: CORNEJO

Origin: WICHITA, KS

Bill of Lading: 1369166

Destination: PRATT, KS

Cargo: ROCK

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2003	TX		1524		5575 52000			182300
2	ST	OTHR	2019	TX				0260 75000			

BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	1 1/2	1 1/2	1 1/4	2 1/2	1 5/8
Left	1 3/4	1 3/8	1 1/4	2 1/2	1 1/2
Chamber	L-20	C-30	C-30	C-30	C-30

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.23A2-LCDLN	383.23(a)(2)	F	D	Y	NA21091001	U	N	License (CDL) - Operate a CMV and does not possess a valid CDL: NO CDL (MX CDL DOWNGRADED)
392.9AA1	392.9a(a)(1)	F	1	Y		U	N	Operating Authority - Motor carrier operating a motor vehicle without the required operating authority. : NO OPERATING AUTHORITY IN KS
391.41APC	391.41(a)	F	D	Y		U	N	Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: NO MEDICAL CARD
392.2-SLLIFTA	392.2	F	1	N	NA21091002	N	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT
392.2-SLLUCR	392.2	F	1	N		N	N	State/Local Laws - Failure to pay UCR fee: NO UCR FEES PAID
393.75A3-TAOL	393.75(a)(3)	F	1	Y		N	N	Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 3 - LEFT OUTSIDE TIRE MEASURED AT 54 PSI (120 MAX)
392.2-SLLIRP	392.2	F	1	N	NA21091003	N	N	State/Local Laws - IRP apportioned tag or registration violation: EXPIRED TEMP TX 144-HR PERMIT (TX ONLY) / 10-06-2025 / 8-142
396.17C-PI	396.17(c)	F	2	N		U	N	Operating a CMV without documentation of a periodic inspection: TX DEPT OF PUBLIC SAFETY FORM NOT SIGNED OR DATED / FRAUDULENT
393.47E	393.47(e)	F	2	N		N	N	Brake Out of Adjustment - Roto, Clamp (Short & Long), DD-3, or Bolt: AXLE 4 - RIGHT
391.11B2-Q	391.11(b)(2)	F	D	Y		U	N	Driver cannot satisfy the English language proficiency requirements of 391.11(b)(2) as per FMCSA Enforcement Guidance Memo MC-SEE-2025-0001. Driver failed the I: DRIVER DOES NOT COMMUNICATE IN ENGLISH
392.2WG	392.2	F	D	N		N	N	State/Local Laws - Excessive Weight Violations: OPERATE OVER 80 M ON THE INTERSTATE (BOL - 81,040 LBS) / 8-1909
396.17C-PI	396.17(c)	F	1	N		U	N	Operating a CMV without documentation of a periodic inspection: TX DEPT OF PUBLIC SAFETY FORM NOT SIGNED OR DATED / FRAUDULENT
393.47E	393.47(e)	F	2	N		U	N	Brake Out of Adjustment - Roto, Clamp (Short & Long), DD-3, or Bolt: AXLE 4 - LEFT BRAKE
393.53B-B	393.53(b)	F	2	N		U	N	Air Brake - CMV manufactured on or after 10/20/1994 has an automatic airbrake adjustment system that fails to compensate for wear: AXLE 4 - BOTH BRAKES
396.3A1-BOS	396.3(a)(1)	F	1	Y		U	N	Brake - Defective brake(s) are equal to or greater than 20% of the service brakes on the vehicle/combination: 2 OF 10 BRAKES OUT OF ADJUSTMENT



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000027
Inspection Date: 10/17/2025
Start: 11:09 AM CT End: 12:35 PM CT
Inspection Level: I - Full
HM Inspection Type: None

HazMat: No HM transported

Placard: No

Cargo Tank:

Special Checks: X Size and Weight Enforcement

Notes: Vehicle Manufacturer Name is: ARMOR LITE for vehicle type: ST with VIN#: 56EA53K22JA000385. I WANTED TO STOP CMV FOR WEIGHT & FOLLOWED CMV OFF I-235 & ONTO S MERIDIAN. DRIVER PULLED INTO THE CASEY'S AND PARKED. NON-ENGLISH SPEAKING DRIVER & UNABLE TO COMMUNICATE WITHOUT A TRANSLATE APP - HAD A PAPER COPY OF AN OLD MX CDL & A US WORK EMPLOYMENT AUTHORIZATION CARD. CDLIS RETURN SHOWED "NOT ALLOWED TO DRIVE IN USA; The Data Displayed is from the Foreign Conviction and Withdrawal Database (FCWD)" MX CDL STATUS LISTED AS "ELIGIBLE" & NO MEDICAL CARD. EXPIRED TEMP TX 144 HR PERMIT (TX OPERATION ONLY). DRIVER GAVE ME ANNUAL INSPECTIONS FOR UNIT 1 & 2 THAT WERE EITHER "PENCIL WHIPPED" OR FRADULANT. NO IFTA / KS FUEL PERMIT & NO KANSAS OPERATING AUTHORITY. USDOT FLAGGED AS A FEDERAL OOS (TEXAS INTRASTATE). CONTACTED KHP TROOP I & WAS DIRECTED TO PLACE THE CMV & DRIVER OOS. CMV & DRIVER WERE PLACED OOS AT THE CASEY'S ON S MERIDIAN.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(c), I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 395.13, I hereby notify and declare the driver: SERGIO ROSASMIRANDA named on this report OUT OF SERVICE. No motor carrier shall permit or require this driver to drive or operate any motor vehicle until: CAN COMMUNICATE IN ENGLISH. Penalties up to \$10,000 are prescribed for violating this out-of-service order (49 CFR 386.82).

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X: _____ Facility: _____ Date: _____

NOTE TO DRIVER: This report must be furnished to the motor carrier whose name appears at the top of this report. [49 CFR 396.9(d)(1)]
NOTE TO MOTOR CARRIERS: Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(d)(3), within 15 days of the inspection sign below certifying all violations noted on this report have been corrected. Return the completed form to the address indicated on the upper left corner of the form, AND retain a copy at the principal place of business or where the vehicle is housed for 12 months from the date of the inspection. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
A. Lieber 0127

Copy Received By:
SERGIO ROSASMIRANDA

X

X



Exhibit 5

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP93553658
Inspection Date: 10/20/2025
Start: 8:40 AM CT End: 9:50 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC

DBA:
2201 MONTOPOLIS DR APT 1120
AUSTIN, TX, 78741
USDOT: 3981881 Phone#: (571)252-4298
MC/MX#: Fax#:
State#:
Location: KINGMAN CO
Highway: K14
County:
Email:

Driver: ALBARENGA MENDOZA, YADER O
License#: [REDACTED] **State: JA**
Date of Birth: [REDACTED]
CoDriver:
License#: [REDACTED] **State:**
Date of Birth:
Milepost: 51 Shipper: CORNEJO
Origin: WICHITA,KS Bill of Lading: 1369211
Destination: PRATT,KS Cargo: ROCK

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	VOLV	2013	TX	[REDACTED]		[REDACTED]	3671 52000			169240
2	ST	BRAZ	2018	TX	[REDACTED]		[REDACTED]	0385 75000			

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

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	VerifyCrash	Violations Discovered
392.9AA1	392.9a(a)(1)	F	1	Y		U N	Operating Authority - Motor carrier operating a motor vehicle without the required operating authority.: NO OPERATING AUTHORITY IN KS
392.2-SLLIFTA	392.2	F	1	N		N N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation
392.2-SLLIRP	392.2	F	2	N		N N	State/Local Laws - IRP apportioned tag or registration violation: EXPIRED 10-18-2025
392.2-SLLEWA2	392.2	F	D	N		N N	State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups: SCALE TICKET GROSS 85,160LBS GROSS ON TANDEMS
392.2-SLLUCR	392.2	F	1	N		N N	State/Local Laws - Failure to pay UCR fee
390.21TB2-DOT	390.21T(b)(2)	F	1	N		N N	Operate a CMV without USDOT number displayed. Must be preceded by the letters "USDOT": HAS A OLD COMPANY NAME ON TRUCK. NOT THE COMPANY HE WORKS FOR
390.21TB1-MC	390.21T(b)(1)	F	1	N		N N	Operating a CMV without legal name or trade name displayed: NO NAME OF COMPANY

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

* 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: _____

**** 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: ID/Badge #:
 S.C. Little 9355

Copy Received By:
 YADER ALBARENGA MENDOZA

X

X



Exhibit 6

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000032
Inspection Date: 10/22/2025
Start: 10:37 AM CT End: 11:35 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC
DBA:

2201 MONTOPOLIS DR APT 1120
AUSTIN, TX, 78741-6543
USDOT: 3981881 Phone#: 5712524298
MC/MX#: Fax#:
State#:
Location: U.S. Route 400, Cunningham
Highway:
County: Pratt County
Email:

Driver: RAMOS-AGUILAR, NORLAN
GERARDO

License#: [REDACTED] State: MX

Date of Birth: [REDACTED]

CoDriver:

License#: State:

Date of Birth:

Milepost: 148 Shipper: N/A

Origin: PRATT, KS

Destination: WICHITA, KS

Bill of Lading: NONE

Cargo: Empty

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2001	TX	[REDACTED]	3090	[REDACTED]	5074 52000			176604
2	ST	OTHR	1997	KS	[REDACTED]	119	[REDACTED]	0072 80000			

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

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.23A2- LCDLN	383.23(a)(2)	F	D	Y	NA21091101	U	N	License (CDL) - Operate a CMV and does not possess a valid CDL: NO VALID CDL (ELIGIBLE) / 8-2,132
390.21TB1- MC	390.21T(b)(1)	F	1	N		N	N	Operating a CMV without legal name or trade name displayed: MISSING COMPLETE COMPANY NAME ON BOTH SIDES OF CMV
390.21TB2- DOT	390.21T(b)(2)	F	1	N		N	N	Operate a CMV without USDOT number displayed. Must be preceded by the letters "USDOT": USDOT NUMBER MISSING LAST DIGIT "1" ON BOTH SIDES OF CMV
391.11B2-Q	391.11(b)(2)	F	D	Y		U	N	Driver cannot satisfy the English language proficiency requirements of 391.11(b)(2) as per FMCSA Enforcement Guidance Memo MC-SEE-2025-0001. Driver failed the I: DRIVER DOES NOT COMMUNICATE IN THE ENGLISH LANGUAGE
391.41APC	391.41(a)	F	D	Y		U	N	Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: EXPIRED MEDICAL CARD (04/21/2025)
392.2- SLLIFTA	392.2	F	1	N	NA21091103	U	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT
392.2- SLLIRP	392.2	F	1	N	NA21091102	N	N	State/Local Laws - IRP apportioned tag or registration violation: EXPIRED TRUCK TRACTOR REGISTRATION (7/23) / 8-142
392.2- SLLSR	392.2	F	1	N		N	N	State/Local Laws - State registration/tag violation: EXPIRED SEMI-TRAILER REGISTRATION (AUG 2025) / TAG NOT ASSIGNED
392.2- SLLUCR	392.2	F	1	N		N	N	State/Local Laws - Failure to pay UCR fee: NO UCR FEES PAID
392.9AA1	392.9a(a)(1)	F	1	Y		N	N	Operating Authority - Motor carrier operating a motor vehicle without the required operating authority. : NO OPERATING AUTHORITY IN KANSAS
393.11A1- CSURR	393.11(a)(1)	F	1	N		U	N	Conspicuity Systems - Truck tractor, upper rear retro reflective sheeting missing on vehicle manufactured on or after July 1, 1997: MISSING RETRO REFLECTIVE SHEETING ON UPPER CORNERS OF TRUCK TRACTOR
393.75C- TAOTD- LT2/32	393.75(c)	F	2	N		N	N	Tires - Less than 2/32 inch tread depth: AXLE 4 - RIGHT INSIDE TIRE 0/32"
396.17C-PI	396.17(c)	F	1	N		U	N	Operating a CMV without documentation of a periodic inspection: NONE
396.17C-PI	396.17(c)	F	2	N		U	N	Operating a CMV without documentation of a periodic inspection: NONE

HazMat: No HM transported

Placard: No

Cargo Tank:

Special Checks: X Size and Weight Enforcement



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000032
Inspection Date: 10/22/2025
Start: 10:37 AM CT **End:** 11:35 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Notes: Vehicle Manufacturer Name is: ARMOR LITE for vehicle type: ST with VIN#: 4Z4111623VP000072.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(c), I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 395.13, I hereby notify and declare the driver: NORLAN GERARDO RAMOS-AGUILAR named on this report OUT OF SERVICE. No motor carrier shall permit or require this driver to drive or operate any motor vehicle until: OBTAINS VALID MEDICAL CARD. Penalties up to \$10,000 are prescribed for violating this out-of-service order (49 CFR 386.82).

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X: _____ Facility: _____ Date: _____

NOTE TO DRIVER: This report must be furnished to the motor carrier whose name appears at the top of this report. [49 CFR 396.9(d)(1)]\nNOTE TO MOTOR CARRIERS: Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(d)(3), within 15 days of the inspection sign below certifying all violations noted on this report have been corrected. Return the completed form to the address indicated on the upper left corner of the form, AND retain a copy at the principal place of business or where the vehicle is housed for 12 months from the date of the inspection. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
A. Lieber 0127

Copy Received By:
NORLAN GERARDO RAMOS-AGUILAR

X

X



Exhibit 7

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000033
Inspection Date: 10/23/2025
Start: 10:15 AM CT End: 12:25 PM CT
Inspection Level: I - Full
HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC

DBA:

2201 MONTOPOLIS DR APT 1120
AUSTIN, TX, 78741-6543

USDOT: 3981881

Phone#: 5712524298

MC/MX#:

Fax#:

State#:

Location: K-42, Wichita

Highway:

County: Sedgwick County

Email:

Driver: ROSASMIRANDA, SERGIO D

License#:

State: MX

Date of Birth:

CoDriver:

License#:

State:

Date of Birth:

Milepost: 83 Shipper: CORNRJO

Origin: WICHITA, KS

Bill of Lading: 1369492

Destination: PRATT, KS

Cargo: ROCK

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	2003	TX		1524		5575 52000			
2	ST	OTHR	2020	TX				0260 75000			

BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right	1 1/2	1 1/2	1 1/4	2 1/2	1 5/8
Left	1 3/4	1 3/8	1 1/4	2 1/2	1 1/2
Chamber	L-20	C-30	C-30	C-30	C-30

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
392.2-SLLUCR	392.2	F	1	N		N	N	State/Local Laws - Failure to pay UCR fee: NO UCR FEES PAID
393.47E	393.47(e)	F	2	N		N	N	Brake Out of Adjustment - Roto, Clamp (Short & Long), DD-3, or Bolt: AXLE 4 - RIGHT BRAKE OUT OF ADJUSTMENT
392.2-SLLIFTA	392.2	F	1	N	NA21091203	N	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT
392.2-SLLIRP	392.2	F	1	N	NA21091204	N	N	State/Local Laws - IRP apportioned tag or registration violation: EXPIRED TX TEMP TAG (10/06/2025)
393.45D-BAAL	393.45(d)	F	1	Y		U	N	Air Brake - Audible air leak at other than a proper connection: AUDIBLE AIR LEAK FROM AN AIR HOSE IN FRONT OF FIREWALL, UNDER HOOD
393.75A3-TAOL	393.75(a)(3)	F	1	Y		N	N	Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 2 - RIGHT OUTSIDE TIRE FLAT - MEASURED AT 32 PSI (120 MAX)
393.75A3-TAOL	393.75(a)(3)	F	2	Y		N	N	Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 4 - RIGHT OUTSIDE TIRE FLAT - MEASURED AT 50 PSI (120 MAX)
393.53B-B	393.53(b)	F	2	N		U	N	Air Brake - CMV manufactured on or after 10/20/1994 has an automatic airbrake adjustment system that fails to compensate for wear: AUTOMATIC AIRBRAKE ADJUST INOP
392.2-SLLEWA1	392.2	F	D	N		N	N	State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups: AXLES 4&5 OVERWEIGHT (1,400 LBS) / 34M MAX / 8-1908
383.23A2-LCDLN	383.23(a)(2)	F	D	Y		U	N	License (CDL) - Operate a CMV and does not possess a valid CDL: DOWNGRADED MX CDL - NOT ALLOWED TO DRIVE IN USA; The Data Displayed is from the Foreign Conviction and Withdrawal Database (FCWD)
391.11B2-Q	391.11(b)(2)	F	D	Y		U	N	Driver cannot satisfy the English language proficiency requirements of 391.11(b)(2) as per FMCSA Enforcement Guidance Memo MC-SEE-2025-0001. Driver failed the I: DRIVER DOES NOT COMMUNICATE IN THE ENGLISH LANGUAGE
391.41APC	391.41(a)	F	D	Y		U	N	Medical (Certificate) - Operating a property-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agency: NO MEDICAL CARD
392.2-SLLEWA2	392.2	F	D	N	NA21091201	N	N	State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups: AXLES 2&3 OVERWEIGHT (5,000 LBS) / 34M MAX / 8-1908



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Troop I
700 SW Jackson St. STE 704
Topeka, KS 66603
785-296-7189

Report Number: KS0127000033
Inspection Date: 10/23/2025
Start: 10:15 AM CT **End:** 12:25 PM CT
Inspection Level: I - Full
HM Inspection Type: None

396.9C3-I	396.9(c)(3)	F	D	N	N	N	Inspection - Unauthorized removal of an out-of-service vehicle sticker/decals: CMV PLACED OOS ON 10/17/2025 & OOS STICKER WAS REMOVED FROM THE FRONT WINDSHIELD WITHOUT COMPLETING REPAIRS
396.3A1-BOS	396.3(a)(1)	F	1	Y	U	N	Brake - Defective brake(s) are equal to or greater than 20% of the service brakes on the vehicle/combination: 2 OF 10 BRAKES OUT OF ADJUSTMENT
393.75A3-TAOL	393.75(a)(3)	F	1	Y	N	N	Tires - All others, leaking or inflation less than 50% of the maximum inflation pressure on tire not equipped with ATIS: AXLE 3 - LEFT OUTSIDE TIRE FLAT - MEASURED AT 52 PSI (120 MAX)
392.9AA1	392.9a(a)(1)	F	1	Y	U	N	Operating Authority - Motor carrier operating a motor vehicle without the required operating authority. : TX INTRASTATE OOS ORDER - NO OPERATING AUTHORITY IN KANSAS
396.9C2-OOSO	396.9(c)(2)	F	D	N	N	N	OOS Order (Repairs) - Operating a CMV after being declared out-of-service when not having completed all required repairs: REPAIRS NOT COMPLETED FROM 10/17/2025 - #KS0127000027
396.17C-PI	396.17(c)	F	1	N	N	N	Operating a CMV without documentation of a periodic inspection: FRAUDULENT ANNUAL INSPECTION
392.2-SLLIRP	392.2	F	1	N	U	N	State/Local Laws - IRP apportioned tag or registration violation: TX TEMP TAG NOT ASSIGNED TO TRAILER (VALID IN TEXAS ONLY)
393.47E	393.47(e)	F	2	N	N	N	Brake Out of Adjustment - Roto, Clamp (Short & Long), DD-3, or Bolt: AXLE 4 - LEFT BRAKE OUT OF ADJUSTMENT
396.17C-PI	396.17(c)	F	2	N	N	N	Operating a CMV without documentation of a periodic inspection: FRAUDULENT ANNUAL INSPECTION

HazMat: No HM transported

Placard: No

Cargo Tank:

Special Checks: X Size and Weight Enforcement

Notes: Vehicle Manufacturer Name is: ARMOR LITE for vehicle type: ST with VIN#: 56EA53K20LA000260.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(c), I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 395.13, I hereby notify and declare the driver: SERGIO ROSASMIRANDA named on this report OUT OF SERVICE. No motor carrier shall permit or require this driver to drive or operate any motor vehicle until: VALID MEDICAL CARD OBTAINED. Penalties up to \$10,000 are prescribed for violating this out-of-service order (49 CFR 386.82).

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X: _____ Facility: _____ Date: _____

NOTE TO DRIVER: This report must be furnished to the motor carrier whose name appears at the top of this report. [49 CFR 396.9(d)(1)]\nNOTE TO MOTOR CARRIERS: Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(d)(3), within 15 days of the inspection sign below certifying all violations noted on this report have been corrected. Return the completed form to the address indicated on the upper left corner of the form, AND retain a copy at the principal place of business or where the vehicle is housed for 12 months from the date of the inspection. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
A. Lieber 0127

Copy Received By:
SERGIO ROSASMIRANDA

X

X



Exhibit 8

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP04730555
Inspection Date: 10/23/2025
Start: 10:15 AM CT End: 1:15 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: ERASMO 16 G TRUCKING LLC

DBA:
2201 MONTOPOLIS DR APT 1120
AUSTIN, TX, 78741
USDOT: 3981881 Phone#: (571)252-4298
MC/MX#: Fax#:
State#:
Location: SEDGWICK COUNTY - 173

Driver: SORIANO-CANCINO, JOEL
License#: [REDACTED] State: OA
Date of Birth: [REDACTED]
CoDriver:
License#: State:
Date of Birth:

Milepost: 83.4 Shipper: DIRT ROCKS CONSTRUCTION
INDUSTRY

Highway: K42
County: SEDGWICK
Email:

Origin: WICHITA,KS
Destination: PRATT,KS
Bill of Lading: 1369493
Cargo: GRAVEL

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	1998	TX	[REDACTED]	2622	[REDACTED]	7348 52000			
2	ST	CTSI	2004	TX	[REDACTED]		[REDACTED]	0566 68000			

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

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.23A2-LCDLN	383.23(a)(2)	F	D	Y	NA048910	N	N	License (CDL) - Operate a CMV and does not possess a valid CDL: CHECKED THROUGH CDLIS, DRIVER COMMERCIAL STATUS SHOWS ELIGIBLE
391.41A-MCPVI	391.41(a)	F	D	Y		N	N	Medical (Certificate) - Operating a passenger-carrying vehicle without a valid medical certificate in possession or on file with the state drivers licensing agenc: DRIVER STATED HE DID NOT HAVE A MEDICAL CARD, CDLIS SHOWS MEDICAL CERTIFICATION EXPIRED 08/24/2025
391.11B2-Q	391.11(b)(2)	F	D	Y		N	N	Driver cannot satisfy the English language proficiency reqs of 391.11(b)(2) as per FMCSA Enforcement Guidance Memo MC-SEE-2025-0001. Driver failed the Interview: DRIVER CANNOT COMMUNICATE IN THE ENGLISH LANGUAGE, STATED REPEATEDLY THAT HE DID NOT SPEAK ENGLISH- IN SPANISH
390.21TB1-MC	390.21T(b)(1)	F	1	N		N	N	Operating a CMV without legal name or trade name displayed: BOTH SIDES OF VEHICLE DISPLAY "ERASMO 16 G" MISSING "TRUCKING LLC" ON BOTH SIDES
390.21TB2-DOT	390.21T(b)(2)	F	1	N		N	N	Operate a CMV without USDOT number displayed. Must be preceded by the letters "USDOT": MISSING "S" ON DRIVERS SIDE OF CMV
392.2-SLLIFTA	392.2	F	1	N		N	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: NO IFTA OR KS FUEL PERMIT
392.9AA1	392.9a(a)(1)	F	1	Y		U	N	Operating Authority - Motor carrier operating a motor vehicle without the required operating authority.: NO OPERATING AUTHORITY IN KANSAS
396.17C-PI	396.17(c)	F	1	N		N	N	Operating a CMV without documentation of a periodic inspection: PERIODIC INSPECTION FOR TRUCK PROVIDED WAS NOT SIGNED OR DATED BY HAND BY MECHANIC
396.17C-PI	396.17(c)	F	2	N		N	N	Operating a CMV without documentation of a periodic inspection: PERIODIC INSPECTION THAT WAS PROVIDED FOR TRAILER WAS NOT SIGNED OR DATED BY HAND BY MECHANIC
392.2-SLLSR	392.2	F	1	N	NA048910T	N	N	State/Local Laws - State registration/tag violation: TRUCK REGISTRATION NOT VALID OUTSIDE OF TEXAS
392.2-SLLSR	392.2	F	2	N		N	N	State/Local Laws - State registration/tag violation: TRAILER REGISTRATION NOT VALID OUTSIDE OF TEXAS
392.2-SLLUCR	392.2	F	1	N		N	N	State/Local Laws - Failure to pay UCR fee: NO UCR FEES PAID
393.60C	393.60(c)	F	1	N		N	N	Windshield - Damaged or Discolored: BOTH DRIVER AND PASSENGER WINDSHIELD PANELS HAD LARGE CRACKS IN THE CENTER OF THE PANE
393.78	393.78	F	1	N		N	N	Wipers - Inoperative / missing / damaged wipers: DRIVER STATED THAT WINDSHIELD WIPERS DID NOT WORK



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP04730555
Inspection Date: 10/23/2025
Start: 10:15 AM CT End: 1:15 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

393.9A-HLLH	393.9(a)	F	1	N	N	N	Lighting - Headlamp(s) fail to operate on low and high beam: PASSENGER SIDE HIGH BEAM INOPERATIVE
393.9A-LCL	393.9(a)	F	1	N	N	N	Lighting - Clearance lamp(s) inoperative: RIGHT CLEARANCE LAMP INOPERATIVE
393.95A1	393.95(a)(1)	F	1	N	N	N	Emergency Equipment - Fire Extinguishers - no fire extinguisher present or not properly rated.: DRIVER STATED THROUGH TRANSLATION APP THAT THERE WAS NO FIRE EXTINGUISHER
393.95F	393.95(f)	F	1	N	N	N	Emergency Equipment - Stopped vehicle warning devices missing or improper: DRIVER STATED THROUGH TRANSLATION APP THAT HE DID NOT HAVE TRIANGLES OR FLARES
393.75C-TAOTD-LT1/32	393.75(c)	F	2	Y	U	N	Tires - Less than 1/32 inch tread depth at 3 locations/2 adjacent tread grooves: AXLE 5 RIGHT, INSIDE DUAL, NO MEASURABLE TREAD DEPTH IN 3 ADJACENT TREAD GROOVES 6 INCHES APART. TIRE WAS WORN SMOOTH
393.47E	393.47(e)	F	1	N	N	N	Brake Out of Adjustment - Roto, Clamp (Short & Long), DD-3, or Bolt: AXLE 3 LEFT, TYPE 30 CLAMP MEASURED 2 1/4".

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

Notes: LT. LIEBER K-127 STOPPED 2 COMMERCIAL VEHICLES FOR A CVSA INSPECTION, WESTBOUND K-42 MP 83.4. I ASSISTED CONDUCTING THE INSPECTION ON THE SECOND TRUCK. ON MY INITIAL CONTACT WITH THE DRIVER, HE STATED THAT HE DID NOT SPEAK ENGLISH. I CONFIRMED A SECOND TIME THAT HE SPOKE NO ENGLISH, HE SHOOK HIS HEAD NO. I ASKED THE DRIVER FOR HIS LICENSE AND HE LOOKED AT ME. I WAS ABLE TO GET THE DRIVER TO PROVIDE HIS LICENSE BY SAYING IT IN SPANISH. THE DRIVER WAS IDENTIFIED BY HIS MEXICAN CDL ON HIS PHONE. ASKED IF HE HAD A FIRE EXTINGUISHER, DRIVER JUST LOOKED AT ME, SAME RESPONSE FOR TRIANGLES. I WAS ABLE TO COMMUNICATE THE HORN AND WIPERS USING HAND SIGNALS. THE DRIVER IMMEDIATELY HANDED ME ANNUAL INSPECTIONS FOR THE TRUCK ON INITIAL CONTACT WHICH IS NOT A NORMAL RESPONSE IN MY EXPERIENCE. THE ANNUAL INSPECTIONS WERE NOT HAND SIGNED OR DATED BY THE MECHANIC. LT. LIEBER ADVISED THE ANNUAL INSPECTIONS WERE THE SAME TYPE OF INSPECTIONS HE HAD RECIEVED FROM HIS DRIVER AND WERE BELIEVED TO BE FRADULANT.

KHP DISPATCH CONFIRMED THE DRIVER'S COMMERCIAL LICENSE STATUS WAS "ELIGIBLE" AND NOT VALID. DRIVER'S MEDICAL CARD SHOWED EXPIRED 8/24/2025. DRIVER STATED UTILIZING TTRP. CARILLO K40 TO TRANSLATE, THAT HE DID NOT HAVE A MEDICAL CARD. TRUCK TRACTOR AND TRAILER BOTH HAD TEXAS TEMPORARY REGISTRATION THAT STATED ON THE TAG, ONLY VALID IN TEXAS. KHP DISPATCH CONFIRMED THAT IT WAS ONLY VALID IN TEXAS. DRIVER WAS UNABLE TO PROVIDE PROOF OF INSURANCE WHEN ASKED. DRIVER ADVISED HE WAS LIVING IN HIS TRUCK WHERE THEY DELIVER IN PRATT KS.

LARGE CRACKS IN THE CENTER OF BOTH WINDSHIELD PANELS, DIRECTLY IN THE DRIVER'S LINE OF SIGHT. NO IFTA/KS FUEL PERMITS. NO KS OPERATING AUTHORITY. CARRIER FLAGGED AS FEDERAL OOS. AXLE 5 RIGHT, INSIDE DUAL WAS WORN SMOOTH WITH NO MEASURABLE TREAD IN MULTIPLE LOCATIONS AROUND THE TIRE, IN MULTIPLE MAJOR TREAD GROOVES.

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE." No person and/or carrier shall permit and/or require the removal of the OUT OF SERVICE stickers or the operation of the motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the carrier indicated on this report. Driver initials: _____

Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1, 129; K.C.C. Reg. 82-4-3, I hereby declare the driver identified on this report "OUT OF SERVICE." No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until his/her eligibility to drive has been reestablished. This Out of Service condition may result in the assessment of a civil penalty being issued against the carrier indicated on this report. Driver initials: _____

* 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: _____



DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP04730555
Inspection Date: 10/23/2025
Start: 10:15 AM CT End: 1:15 PM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.

MOTOR CARRIER CERTIFICATION: All defects identified on this report 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. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)s Data Q Challenge process, at <https://dataqs.fmcsa.dot.gov>

Signature Of Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
J. Griner 0473

Copy Received By:
JOEL SORIANO-CANCINO

X

X



CERTIFICATE OF SERVICE

26-TRAM-122-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 10/30/2025.

Erasmo Garcia, OWNER
ERASMO 16 G TRUCKING LLC
2201 MONTOPOLIS DR APT 1120
Austin, TX 78741-6543
esauhernandezchumi1971@gmail.com

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

/S/ KCC Docket Room
KCC Docket Room