

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

In the Matter of the Investigation of **BMS**)
Transportation Company, Inc. of Platte)
City, Missouri, Pursuant to the Kansas)
Highway Patrol Issuance of a Notice of) Docket No. 15-GIMM-212-KHP
Violation for Violations of the Federal)
Motor Carrier Safety Regulations, as)
adopted by K.S.A. 66-1,129 and)
implemented by K.A.R. 82-4-3.)

MOTION TO REINSTATE MOTOR CARRIER OPERATIONS IN KANSAS

Transportation Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission to reinstate BMS Transportation Company, Inc. of Platte City, Missouri (Respondent) for all Kansas commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108, that operates commercial motor vehicle(s) in commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 1074225.
3. On July 7, 2014, the Commission issued Respondent a Notice and Invoice (Invoice No. H000549106) assessing Respondent a civil fine in the amount of \$150 for violation(s) of the Federal Motor Carrier Safety Regulations as adopted by K.S.A. 66-1,129 and implemented by K.A.R. 82-4-3, et seq., discovered during a routine motor carrier stop and inspection on June 23, 2014, by a Kansas Highway Patrolman. The Notice informed Respondent it was to pay the civil fine within 30 days of the date of the Notice, or request an administrative hearing.

4. On November 19, 2014, the Respondent filed a request for hearing, contesting the violation(s) set out in the Notice and Invoice.

5. On March 18, 2015, an evidentiary hearing was conducted and the Commissioners issued a Default Order dated April 14, 2015, ordering Respondent to pay the civil fine. There was no appearance on behalf of the Respondent at the hearing.

6. On December 3, 2015, the Commission issued an Order Suspending Motor Carrier Operations in Kansas, due to the Respondent not paying the civil fine within 30 days of the date of the Default Order.

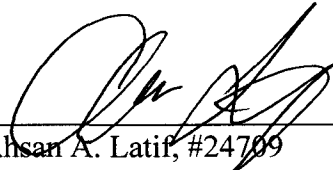
7. A check of Commission records indicates that Respondent paid the amount of \$150 on December 16, 2015.

8. Staff asks that the Commission find Respondent's compliance is satisfactory.

9. Staff recommends that the Commission reinstate BMS Transportation Company, Inc.'s motor carrier operations in Kansas for paying the civil assessment issued in Invoice No. H000549106.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Respondent's motor carrier operations in Kansas.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Latif', is written over a horizontal line.

Ahsan A. Latif, #24709

Litigation Counsel

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For Commission Staff

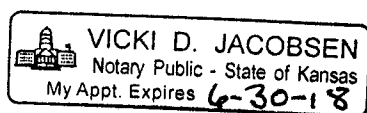
AAL

15-GIMM-212-KHP

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Reinstate Motor Carrier Operations in Kansas*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.


Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 3rd day of March, 2017.



Vicki B. Jacobsen
Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

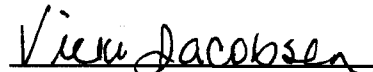
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I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Reinstate Motor Carrier Operations in Kansas was placed in the United States mail, postage prepaid, or hand-delivered this 6th day of March, 2017, to the following:

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BMS TRANSPORTATION COMPANY, INC.
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Vicki Jacobsen