

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



20240530111547  
Kansas Corporation  
Commission  
Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
24-TRAM-753-PEN

May 30, 2024  
Juan Antonio Morales, Owner  
TM Trucking LLC  
1625 Faulders Lane  
Wichita, Kansas 67218

This is a notice of a penalty assessment against TM Trucking LLC (TM Trucking) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted May 17, 2024, by a Kansas Corporation Commission Special Investigator. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** TM Trucking has been assessed a \$350 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

The attached Order requires a representative of TM Trucking to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website [http://www.kcc.state.ks.us/trans/safety\\_meetings.htm](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

**IF YOU CONTEST THE PENALTY ORDER:** You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. TM Trucking must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$350 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,  
*/s/ Ahsan A. Latif*  
Attorney Name  
Litigation Counsel  
(785) 271-3118  
[a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov)

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

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

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

In the Matter of the Investigation of **TM**        )  
**Trucking LLC, of Wichita, Kansas.** Regarding        )  
the Violation(s) of the Motor Carrier Safety        )  
Statutes, Rules and Regulations and the        ) Docket No. 24-TRAM-753-PEN  
Commission’s Authority to Impose Penalties,        )  
Sanctions and/or the Revocation of Motor        )  
Carrier Authority.                                        )

**PENALTY ORDER**

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

1.        On May 17, 2024, a Commission Staff (“Staff”) Special Investigator (“SI”) completed a safety compliance investigation of the operations of TM Trucking LLC (TM Trucking or Carrier). TM Trucking is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 2844344.

2.        On May 20, 2024, Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$350 to be issued to TM Trucking based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigation, the SI identified one (1) violation, accounting for one (1) count, of the Motor

Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2024 Uniform Penalty Assessment Matrix.<sup>2</sup>

3. Additionally, Staff recommends that TM Trucking be required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance.<sup>3</sup> A schedule of the dates and locations for safety seminars can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

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

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

6. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112 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. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business or procuring business in

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

<sup>3</sup> See Staff's Report and Recommendation, p.2 (May 20, 2024).

<sup>4</sup> *Id.*

<sup>5</sup> See Staff's Report and Recommendation, p. 3 (May 20, 2024).

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

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

8. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

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

A. TM Trucking is hereby assessed a \$350 civil penalty for one (1) violation, accounting for one (1) count, of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. TM Trucking is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. TM Trucking is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed

information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. TM Trucking is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the Carrier to set up the appointment.

E. Pursuant to K.S.A. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of TM Trucking's right to a hearing, and this Penalty Order will become a Final Order.

F. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest.<sup>6</sup> For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation.<sup>7</sup>

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<sup>6</sup> . K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

<sup>7</sup> K.S.A. 66-1,142b(e) and amendments thereto.

G. If you do not request a hearing, the payment of the civil penalty of \$350 is due in thirty (30) days from the date of service of this Order. Payment of \$350 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$350 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of TM Trucking's motor carrier operating authority without further notice.<sup>8</sup> Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 05/30/2024



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Lynn M. Retz  
Executive Director

AAL

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<sup>8</sup> K.S.A. 66-1,105.

# **ATTACHMENT “A”**

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

Laura Kelly, Governor

**REPORT AND RECOMMENDATION  
TRANSPORTATION DIVISION**

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

**FROM:** Gary Davenport, Deputy Director of Transportation  
Jared Smith, Public Service Executive

**DATE:** May 20, 2024

**SUBJECT: Docket No. 24-TRAM-753-PEN**  
In the Matter of the Investigation of **TM Trucking LLC of Wichita, Kansas**  
Regarding the Violation of the Motor Carrier Rules and Regulations and the  
Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of  
Motor Carrier Authority

**EXECUTIVE SUMMARY:**

TM Trucking LLC is a motor carrier (MC) possessing public for-hire operating authority from the Commission, primarily hauling construction, grain, feed, hay, rock, sand, and asphalt. TM Trucking LLC operates under USDOT 2844344. On May 17, 2024, a Commission Staff Special Investigator (SI) completed a safety compliance investigation of the operations of TM Trucking LLC. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SI identified one (1) violation, accounting for one (1) specific count, of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SI, staff recommends penalty of \$350 be issued to the MC.

**DISCUSSION AND ANALYSIS:**

On May 17, 2024, a Commission Staff SI conducted a safety compliance investigation of the operations of TM Trucking LLC. The investigation covers a 365 day period. Each specific count is detailed below.



## Count One (1 of 1)

**Jurisdiction:** 49 C.F.R. 382.701(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must conduct a pre-employment inquiry into its drivers with the FMCSA Drug and Alcohol Clearinghouse.

**Supporting Documentation:** On March 12, 2024, TM Trucking LLC required or permitted its driver, Jesus Aguilar, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV), a 2006 Kenworth N14 Cummins, VIN ending in 3675, GVWR 52,000 lbs., pulling a 2014 Kruz end dump, VIN ending in 6284, GVWR 80,000 lbs., in intrastate commerce within Wichita, Kansas. The trip is evidenced by Jesus Aguilar's Driver's Daily Log, attached hereto as **Exhibit 2**, a Bill of Lading from Cornejo Quality Store dated March 12, 2024, attached hereto as **Exhibit 3**, and TM Trucking LLC's compliance report from the DACH attached hereto as **Exhibit 4**. The DACH report evidences that no pre-employment queries had been conducted as of May 17, 2024.

**Violation:** TM Trucking LLCC failed to conduct a pre-employment query in the Drug & Alcohol Clearinghouse on the driver involved in this transport (**Exhibit 1, Page 3**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$350.

### **RECOMMENDATION:**

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

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$350 for one (1) violation of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

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

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

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

# **EXHIBIT 1**

# UNITED STATES DEPARTMENT OF TRANSPORTATION



**U.S. DOT#:** 2844344  
**MC/MX#:** 967318

**Legal:** TM TRUCKING LLC  
**Operating (DBA):**

**Investigation Date:**  
05/17/2024

**Investigation Type:** Onsite Comprehensive Investigation

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

**Extent of Operations:** Entire Operation

**Physical Address**

1625 FAULDERS LN  
WICHITA, KS 67218  
United States

**Mailing Address**

1625 FAULDERS LN  
WICHITA, KS 67218  
United States

**Contact Information**

**Contact Name:** JUAN ANTONIO MORALES

**Email:**

**Phone:** (316)680-0898    **Cell:** ( ) -    **Fax:** ( ) -

**Business and Financial**

**Business Type:** Limited Liability Corporation

**Name of Gross Revenue Provider:** Juan Antonio Morales

**Title of Gross Revenue Provider:** Member

**Gross Revenue:** ██████████ **For Year Ending:** 12/31/2022

**Federal Tax ID:** ██████████

**Operation Classification and Type**

**Cargo**

**Type of Operation:** Non-HM Interstate Carrier

Construction, Grain, Feed, Hay, Other (rock, sand, and asphalt)

**Operation Classification**

For-Hire Motor Carrier  
Property  
Other Non-Hazardous Freight

**Equipment**

**Driver Information**

	Owned	Term Leased	Trip Leased	Drivers	Intrastate	Interstate
Truck Tractors	3					
Trailers	3					
				> = 100 Miles		3

**Power units used in the U.S.:** 3

**Percentage of time used in the U.S.:** 100%

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

**Person(s) Interviewed**

**Name:** JUAN ANTONIO MORALES

**Title:** OWNER

**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:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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**This report will be used to assess your safety compliance.**

# Violations

## 1. Primary: 382.701(a)

Failing to conduct a pre-employment query.

### Violations Discovered

Fed	State	Total
1		1

### Checked

Fed	State	Total
3		3

### Example/Notes:

Driver: Jesus Aguilar

Trip: 3/12/2024

Violation: Carrier failed to conduct a pre-employment query.

### Drivers/Vehicles in Violation

Fed	State	Total
1		1

### Checked

Fed	State	Total
3		3

# Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

<b>RATING FACTORS</b>	<b>RATING</b>	<b>ACUTE</b>	<b>CRITICAL</b>
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0 OOS Rate: 0%	Satisfactory		
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: 127,792 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

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

# Process Breakdown and Remedies

None



# Recommendations

1. **Additional Information**

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

2. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

3. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm)

4. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

5. **Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

6. **Serious Violations**

This review contains violations that are serious in nature and may result in a penalty assessment against the company and/or drivers.

7. **CAP to Commission**

The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all the violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle, inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

Email: [j.smith@kcc.ks.gov](mailto:j.smith@kcc.ks.gov)

FAX: 785-721-3124

or mail:

Kansas Corporation Commission

Attn: Jared Smith

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

8. **Acknowledgment Signature**

I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of TM Trucking LLC operating authority and/or the impoundment of TM Trucking LLC commercial motor vehicles.

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Carrier Representative

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Date

## Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
<b>382.701(a) - Failing to conduct a pre-employment query.</b>			
1	03/12/2024	Driver: Failing to conduct a pre-employment query	

# **EXHIBIT 2**



3 / 12 / 24  
(Month) (Day) (Year)

# DRIVER'S DAILY LOG

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

**RECAP**  
Complete at  
end of workday.

099437

493

Total Miles Driving Today

Total Mileage Today

TM Trucking

Name of Carrier or Carriers

1625 Founders Ln

Main Office Address

Same

Home Terminal Address

I certify these entries are true and correct:

Jesus Aguilar

Driver's Full Signature

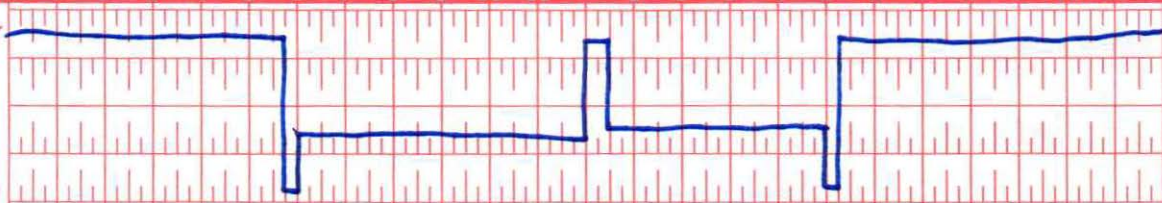
Co-Driver's Name

Tos Tr 50

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

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 TOTAL HOURS

- 1. OFF DUTY
- 2. SLEEPER BERTH
- 3. DRIVING
- 4. ON DUTY (NOT DRIVING)



12:30  
0  
11  
:30

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

70 Hr./8 Day Drivers

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

B. Total hours available tomorrow. 70 hr. minus A.\*

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

60 Hr./7 Day Drivers

REMARKS

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11

Wichita KS  
PTI

Wichita KS  
PTI

24

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

B. Total hours available tomorrow. 60 hr. minus A.\*

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

\*If you took 34 consecutive hours off duty, you have 60/70 hours available again.

SHIPPING DOCUMENTS:

B/L or Manifest No.  
or

Shipper & Commodity

Enter name of place you reported and where released from work and when and where each change of duty occurred.

From:

To:

USE TIME STANDARD AT HOME TERMINAL

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# **EXHIBIT 3**



**CORNEJO**  
quality stone<sub>LLC</sub>

P.O. Box 16204 • Wichita, Kansas 67216

**Truck Driver Copy**

Home Office:  
Ph: 316-522-5100  
Fx: 316-522-8187

Quarry:  
Ph: 010002



Date: 3/12/2024  
Time: 2:55:58PM  
Location: Severy Quarry  
Ticket # 102057698  
WB: Kelly Nault

70.27  
53.54

Customer: 100094  
Name: APAC OF KANSAS-AGGS  
Order #: WICHITA24 Phase:  
Order Desc.: WICHITA PLANT 2024  
PO #: WICHITA  
Hauler Code: Truck #: TM08  
Haul Charge Per Ton: Haul Min:  
Material Code: 000312 Qty: 26.77 Ton  
Material Desc.: Man Sand  
Delivery Info: 3511 S West St

Received by: \_\_\_\_\_

	<u>Pounds</u>	<u>Tons</u>
Gross:	84,780	42.39
Tare:	31,240	15.62
Net:	53,540	26.77

~Manual Weight, \*P.T.

**TOTAL TODAY**

**Tons Shipped This Order Today** 53.05 2 lds  
**Total Tons Shipped This Order** 1,078.38

**CASH**

	Price	Amount
Man Sand		
Freight		
Othe		
Fee		
Total Due		

# **EXHIBIT 4**

# Report Compliance - PRE-EMPLOYMENT QUERIES CONDUCTED

**TM TRUCKING LLC (USDOT# 2844344)**

Address:1625 FAULDERS LN; WICHITA, KS 67218; US

As of:5/17/2024 12:04

Report Generated on : 05/17/2024 12:04

Name	Country	CDL	Most Recent Query
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Disclaimer:\*\*This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.\*\*



**CERTIFICATE OF SERVICE**

24-TRAM-753-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 05/30/2024.

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

Juan Morales, OWNER  
TM Trucking LLC  
1625 Faulders Ln  
Wichita, KS 67218  
mmsanchezlara@gmail.com

/S/ KCC Docket Room  
KCC Docket Room