

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

Before Commissioners:     Dwight D. Keen, Chair  
                                  Shari Feist Albrecht  
                                  Jay Scott Emler

In the Matter of the Investigation of     )  
**Rene Efrain Reyes, Jr., d/b/a Kings**     )  
**Transport of Lakin, Kansas,**     )  
Regarding the Violation of the Motor     )  
Carrier Safety Statutes, Rules and     )     Docket No. 18-TRAM-212-PEN  
Regulations and the Commission's     )  
Authority to Impose Penalties, Sanctions     )  
and/or the Revocation of Motor Carrier     )  
Authority.     )

**ORDER REINSTATING INTRASTATE MOTOR CARRIER OPERATIONS**

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

**I.     JURISDICTION AND BACKGROUND**

1.     Pursuant to K.S.A. 2018 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2018 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2.     Pursuant to K.S.A. 2018 Supp. 66-1,129a, 66-1,130, and 66-1,142b, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of

Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 2018 Supp. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-1 *et seq.*) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

## **II. FINDINGS OF FACTS**

4. Rene Efrain Reyes, Jr., d/b/a Kings Transport of Lakin, Kansas (Respondent) is a motor carrier as defined in K.A.R. 82-4-1, that operates commercial motor vehicle(s) in intrastate commerce.

5. Respondent operates under USDOT Number 2892785.

6. On March 8, 2019, Transportation Staff filed a Motion to Suspend Intrastate Motor Carrier Operations due to Respondent's non-compliance with ordering clause B of the Penalty Order issued to it on November 30, 2017. Ordering clause B requires the carrier to submit to one follow-up safety compliance review within the next 18 months.

7. On March 14, 2019, the Commission issued an Order Suspending Intrastate Motor Carrier Operations on Respondent based on Staff's motion.

8. Transportation Staff Verna Jackson has advised that Respondent contacted her and has provided the necessary documentation for a safety compliance review.

9. Staff recommends Respondent's motor carrier operations be reinstated.

### **III. CONCLUSIONS OF LAW**

10. The Commission finds it has jurisdiction over Respondent as the Respondent is a motor carrier as defined in K.A.R. 82-4-1.

11. The Commission concludes that Respondent has complied with conducting a safety compliance review and, therefore, its intrastate motor carrier operations should be reinstated.

#### **THE COMMISSION THEREFORE ORDERS THAT:**

A. Rene Efrain Reyes, Jr., d/b/a Kings Transport's intrastate motor carrier operations is hereby reinstated.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>1</sup>

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

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

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 04/11/2019



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Lynn M. Retz  
Secretary to the Commission

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<sup>1</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**CERTIFICATE OF SERVICE**

18-TRAM-212-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 04/11/2019.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3354  
a.latif@kcc.ks.gov

RENE E. REYES, JR., OWNER  
RENE EFRAIN REYES, JR.  
D/B/A KINGS TRANSPORT  
PO BOX 519  
LAKIN, KS 67860-9463

/S/ DeeAnn Shupe  
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DeeAnn Shupe