

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler  
                                 Pat Apple

In the Matter of the Investigation of **Custom**      )  
**Limousine, Inc. of Bonner Springs, Kansas**, Pursuant      )  
to the Kansas Highway Patrol Issuance of a Notice of      ) Docket No. 15-GIMM-079-KHP  
Violation(s) and Invoice for the Violations of the      )  
Kansas Motor Carrier Safety Statutes, Rules and      )  
Regulations.

**ORDER GRANTING STAFF'S MOTION TO DISMISS**

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 fully advised on the premises, the Commission finds and concludes as follows:

1.      On or about June 5, 2014, Kansas Highway Patrol Technical Trooper Wright conducted a "Level I – Full" inspection on a commercial motor vehicle operated by Custom Limousine, Inc. The inspection was documented in Driver / Vehicle Examination Report Number KS00MX000931.
2.      On or about June 10, 2014, the Kansas Highway Patrol issued a Notice of Violation and Invoice against Custom Limousine, Inc. of Bonner Springs, Kansas, assessing fines for violations found during a June 5, 2014, routine motor carrier stop and inspection conducted by the Kansas Highway Patrol. The Notice of Violation and Invoice was documented with Kansas Corporation Commission Invoice No. H000548536.
3.      On August 4, 2014, Custom Limousine, Inc. filed a request for hearing.

4. In Staff's motion, Staff recommended the Commission dismiss the pending enforcement action with prejudice against Custom Limousine, Inc., dismiss the proposed civil assessment, and close the docket because Staff believes it has insufficient evidence to proceed at this time.

5. The Commission has jurisdiction over this proceeding pursuant to K.S.A. 66-1,129 and K.A.R. 82-4-3, *et seq.*

6. The Commission finds that Staff's requests are reasonable.

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

(A) Staff's Motion to Dismiss is hereby granted.

(B) The above-captioned civil enforcement action against Custom Limousine, Inc. of Bonner Springs, Kansas, is hereby dismissed with prejudice.

(C) The \$150.00 civil assessment levied against Custom Limousine, Inc. of Bonner Springs, Kansas, in Kansas Corporation Commission Invoice No. H000548536 be dismissed.

(D) The above referenced docket be closed.

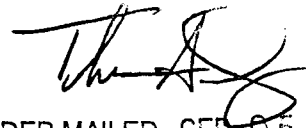
(C) The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

(D) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

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

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner.

Dated: SEP 04 2014



ORDER MAILED SEP 05 2014

Thomas A. Day  
Acting Executive Director

REV/mjd

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
ROBERT VINCENT, LITIGATION ATTORNEY KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
MICHAEL E. CALLEN, ATTORNEY AT LAW 9214 CHEROKEE PLACE LEAWOOD, KS 66206-1704		

ORDER MAILED SEP 05 2014

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.