

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

In the Matter of the Investigation of **Belle**)
Springs Trucking, Inc. of Abilene,)
Kansas, Pursuant to the Kansas Highway)
Patrol Issuance of a Notice of Violation for)
Violations of the Federal Motor Carrier) Docket No. 11-GIMM-309-KHP
Safety Regulations, as adopted by K.S.A.)
66-1,129 and implemented by K.A.R. 82-4-)
3.)

MOTION TO SUSPEND MOTOR CARRIER OPERATIONS IN KANSAS

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Belle Springs Trucking, Inc. of Abilene, Kansas (Respondent) from 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 764415.
3. On September 21, 2010, the Commission issued Respondent a Notice and Invoice assessing a civil fine in the amount of \$300 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, et seq., discovered during a stop on September 16, 2010, by a Kansas Highway Patrolman. The Notice informed Respondent that it was to pay the civil fine within 30 days of the date of the Notice, or request an administrative hearing.

4. On October 26, 2010, the Respondent filed a request for hearing, contesting the violations set out in the Notice and Invoice.

5. On December 6, 2010, the Commission issued an Order Granting Staff's Unopposed Motion to Dismiss Respondent's Request For Hearing, as a result of Transportation Staff's discussion with Respondent and Respondent's verbal agreement to pay the civil fine.

6. As of March 3, 2017, Commission records indicate Respondent has not complied with requirements of the Order dated December 6, 2010, in that Respondent has not paid the civil fine of \$300.


7. Staff asks that the Commission find Respondent failed to act upon the Commission's Order dated December 6, 2010.

8. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Order dated December 6, 2010, poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's motor carrier operations in Kansas until such time as Respondent pays the civil fine of \$300, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's motor carrier operations in Kansas, until such time as the Respondent pays the civil fine as described above.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a final horizontal stroke, positioned above a solid horizontal line.

Ahsan A. Latif, #24709
Litigation Counsel
Kansas Corporation Commission
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For Commission Staff


AAL

VERIFICATION

11-GIMM-309-KHP

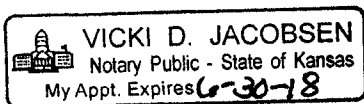
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

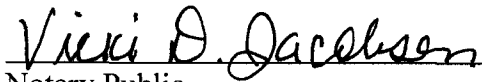
Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Suspend Motor Carrier Operations in Kansas*, and attests that the 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.





Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

11-GIMM-309-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Motor Carrier Operations in Kansas was placed in the United States mail, postage prepaid, or hand-delivered this 31 day of March, 2017, to the following:

DAN REIFF, PRESIDENT
BELLE SPRINGS TRUCKING, INC.
1372 KEY RD
ABILENE, KS 67410

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Vicki Jacobsen