

**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 **Elanco US Inc,**   )  
**of Lenexa, Kansas,** Regarding the Violation of the   )  
Motor Carrier Safety Statutes, Rules and        )  
Regulations and the Commission's Authority to    )  
Impose Penalties, Sanctions and/or the Revocation   )  
of Motor Carrier Authority.                               )  
  )

Docket No. 23-TRAM-855-PEN

**ORDER REINSTATING INTRASTATE MOTOR CARRIER OPERATIONS**

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission), on Transportation Staff's motion. The Commission, being fully advised in the premises, finds as follows:

**I. JURISDICTION**

1. Pursuant to K.S.A. 66-1,111, 66-1,112g and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f, 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. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, 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. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

## II. BACKGROUND

4. Elanco US Inc, of Lenexa, Kansas (Carrier), is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicles in intrastate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 1572636.

6. On September 26, 2023, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,<sup>1</sup> other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, due to non-compliance with a Penalty Order issued on June 8, 2023.<sup>2</sup> The Penalty Order assessed Carrier a \$300 civil fine for failing to pay its 2023 Unified Carrier Registration (UCR) fees. The Commission's Penalty Order is incorporated herein by reference and made a part of this Order.

7. On November 8, 2023, Carrier contacted Staff and stated the \$300 civil assessment had been paid as well as its 2023 UCR fees. Transportation Staff (Staff) confirmed the payments have been made as of that date and determined the carrier was now in compliance with Kansas motor carrier safety statutes, rules and regulations pursuant to the above-referenced Penalty Order.

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<sup>1</sup>Order Suspending Intrastate Motor Carrier Operations (Sep. 26, 2023).

<sup>2</sup> See Penalty Order, Docket No. 23-TRAM-855-PEN (Jun. 8, 2023).

8. On November 13, 2023, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations on Carrier.

**III. STAFF’S RECOMMENDATION**

9. Based on Staff’s Motion and Carrier’s compliance, Staff recommends the Commission reinstate Carrier’s Kansas motor carrier operations.

**IV. CONCLUSIONS OF LAW**

10. The Commission finds it has jurisdiction over Carrier because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f.

11. Based on the available facts, the Commission finds that Staff’s recommendation to reinstate Elanco US Inc’s motor carrier operations is reasonable.


**THE COMMISSION THEREFORE ORDERS THAT:**

A. Elanco US Inc’s intrastate motor carrier authority is hereby reinstated.

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/21/2023

  
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Lynn M. Retz  
Executive Director

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**CERTIFICATE OF SERVICE**

23-TRAM-855-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/21/2023.

Tim Haats, SUPPLY CHAIN DIRECTOR  
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/S/ KCC Docket Room  
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