

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

Pat Apple, Chairman
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

April 27, 2017

17-TRAM-468-PEN

Celeste Noland, Office Manager
Gerber Moving & Storage, Inc.
2222 S 138th St
Bonner Springs, Kansas 66012

Certified Mail No. 70161970000105740914

This is a notice of a penalty assessment against Gerber Moving & Storage, Inc. for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on April 17, 2017, by Kansas Corporation Commission Special Investigator(s) Wade Patterson and Jared Smith. Penalty amounts are assessed in accordance with the FY 2017 Uniform Penalty Assessment Matrix, approved by the Commission on August 18, 2016. For a full description of the penalty(s) and terms and obligations please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY: Gerber Moving & Storage has been assessed a \$9,500 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine amount. A check must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

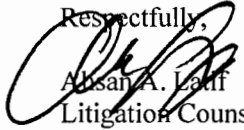
You must attend a Commission-sponsored safety seminar within ninety (90) days from the date of the attached Order and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

You must submit to one follow-up safety compliance review within 18 months from the date of the attached Order. Transportation Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Gerber Moving & Storage 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 must 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 (7) copies of the request to the Commission's Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Penalty Order and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2015 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$9,500 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the attached Penalty Order, or in the alternative, failure to provide a written request for a hearing within fifteen (15) days from the date of service of this Penalty Order, will result in the attached Order becoming a Final Order and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,



Ahsan A. Latif
Litigation Counsel
(785) 271-3118

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

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

In the Matter of the Investigation of **Gerber**)
Moving & Storage, Inc., of Bonner Springs,)
Kansas, Regarding the Violation of the Motor)
Carrier Safety Statutes, Rules and Regulations) Docket No. 17-TRAM-468-PEN
and the 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). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2015 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. 2015 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. 2015 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. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. Gerber Moving & Storage, Inc. (Gerber Moving & Storage) obtained common operating authority from the Commission on July 26, 2016, and operates under KSMCID number 171379 and USDOT number 2391030.

5. Celeste Noland attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on July 19, 2016, on behalf of Gerber Moving & Storage.

6. Gerber Moving & Storage is a common motor carrier which primarily hauls general freight and household goods.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on April 17, 2017, Commission Staff (Staff) Special Investigator(s) Wade Patterson and Jared Smith conducted a compliance review of the operations of Gerber Moving & Storage. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Patterson and Mr. Smith identified eight (8) violation(s) of the Motor Carrier Safety Regulations.

- a. On June 19, 2016, Gerber Moving & Storage required or permitted its driver, Angelo Harris, to operate a CDL-required commercial motor vehicle, a 2003 Freightliner tractor, VIN ending in 59529, GVWR 52,350 lbs., pulling a 1997 Kentucky trailer, VIN ending in 109743, GVWR

70,000 lbs., in interstate commerce from Wichita Falls, Texas to Fort Lewis, Washington. This trip is evidenced by Driver/Vehicle Examination Report No. WAS54A053567, dated June 19, 2016, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, Gerber Moving & Storage was found to be in violation for operating a commercial motor vehicle that was declared as “out-of-service (OOS)” before repairs were made. Driver Angelo Harris admitted to the Washington State Trooper that the previous OOS conditions on the same motor vehicle listed on an April 25, 2016 roadside inspection in North Carolina had not been repaired. The driver attempted to “wrap the lines” to fix the issues. The carrier’s local mechanic certified that the repairs to the wires were made roadside on May 2, 2016, and the office manager certified the document on the same date and sent the fraudulent document to the North Carolina Highway Patrol. *See*, certified Driver/Vehicle Examination Report No. NC 5805789, dated April 25, 2016, a copy of which is attached hereto as Attachment “C” and is hereby incorporated by reference. The actual repairs to the vehicle were not performed until June 25, 2016. Gerber Moving & Storage is in violation of making, or causing to make fraudulent or intentionally false statements, fraudulent or intentionally false entries on record, and/or reproducing records for fraudulent purposes in violation of 49 C.F.R. 390.35, adopted by K.A.R. 82-4-3, and implemented by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$2,000.

- b. On October 5, 2016, Gerber Moving & Storage required or permitted its driver, Benjamin Gerber, to operate a commercial motor vehicle, a 2015 Isuzu, VIN ending in 801411, GVWR 14,500 lbs., in intrastate commerce from Lawrence, Kansas to Bonner Springs, Kansas. This trip is evidenced by Driver/Vehicle Examination Report No. KSPD83740006, dated October 5, 2016, a copy of which is attached hereto as Attachment “D” and is hereby incorporated by reference. At the time of this transportation, Gerber Moving & Storage failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigators found five (5) violations of this type. The carrier’s failure to inquire into its driver’s MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c)(1), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2015 Supp. 66-1,112. Staff recommends a fine of \$250.
- c. On November 19, 2016, Gerber Moving & Storage required or permitted its driver, David Hayes, to operate a CDL-required commercial motor vehicle, a 2012 Freightliner tractor, VIN ending in 3179, GVWR 52,350 lbs., pulling a 2006 Stoughton trailer, VIN ending in 44544, GVWR 70,000 lbs., in interstate commerce from Hooker, Oklahoma to Winslow, Arizona. This trip is evidenced by Driver’s Daily Log, dated November 19, 2016, a copy of which is attached hereto as Attachment “E” and is

hereby incorporated by reference. At the time of this transportation, driver David Hayes drove after the end of the 14th hour after coming on duty. He failed to take 10 hours off duty after driving on November 18, 2016, on which date he drove 9.75 hours past the 14th hour since coming on duty. *See*, Driver's Daily Log, dated November 18, 2016, a copy of which is attached hereto as Attachment "F" and is hereby incorporated by reference. Gerber Moving & Storage's failure to require its driver to cease driving at the 14th hour after coming on duty following ten (10) consecutive hours off duty is in violation of 49 C.F.R. 395.3(a)(2), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$250.

- d. During the transportation described in paragraph c., above, driver David Hayes drove more than eleven (11) hours during the 14-hour consecutive hours of driving. Gerber Moving & Storage's failure to require its driver to cease driving after the 11th hour during the 14-hour consecutive hours of driving time after coming on duty following 10 consecutive hours off duty is in violation of 49 C.F.R. 395.3(a)(3)(i), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$250.
- e. On October 18, 2016, Gerber Moving & Storage required or permitted its driver, Angelo Harris, to operate a CDL-required commercial motor vehicle, a 2003 Freightliner, VIN ending in 59529, GVWR 52,350 lbs., pulling a 2006 Stoughton trailer, VIN ending in 4437, GVWR 70,000 lbs.,

in interstate commerce from Naperville, Missouri to St. Louis, Missouri. This trip is evidenced by Driver's Daily Log, dated October 18, 2016, a copy of which is attached hereto as Attachment "F" and is hereby incorporated by reference. At the time of this transportation, driver Angelo Harris drove more than eight (8) hours since the end of the driver's last off duty or sleeper berth period of at least 30 minutes. The special investigators found six (6) violations of this type. Gerber Moving & Storage's failure to provide "rest breaks" to its drivers if more than eight (8) hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes is a violation of 49 C.F.R. 395.3(a)(3)(ii), adopted by K.A.R. 82-4-3, and implemented by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$250

- f. During the transportation described in paragraph g., above, driver Angelo Harris stopped logging his hours of service in St. Louis, Missouri on October 19, 2016, thereby making a false record of duty status. *See*, Attachment "F" and a copy of the Driver's Daily Log, dated October 19, 2016, a copy of which is attached hereto as Attachment "G" and is hereby incorporated by reference. The special investigators found 48 violations of this type. Gerber Moving & Storage's failing to require its driver to make a complete record of duty status is a violation of 49 C.F.R. 395.8(a), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$1,000.

- g. During the transportation described in paragraph d., above, driver David Hayes created a false report of record of duty status. This was discovered by the special investigators comparing credit card receipts and various fuel receipts to 22 records of duty status and found the logs were off by more than an hour or 50 miles. Gerber Moving & Storage's falsifying records of duty status is a violation of 49 C.F.R. 395.8(e)(1), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2015 Supp. 66-1,129. Staff recommends a fine of \$2,500.
- h. During the transportation described in paragraph a., above, Gerber Moving & Storage required or permitted the operation of the commercial motor vehicle described therein, that was declared as "out-of-service" before repairs were made. The carrier's operations of a commercial motor vehicle(s) that has been declared and marked as "out-of-service" with a federal sticker, without it being repaired, is a violation of 49 C.F.R. 396.9(c)(2), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2015 Supp. 6601,129. Staff recommends a fine of \$3,000.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Gerber Moving & Storage committed eight (8) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$9,500 for eight (8) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Gerber Moving & Storage be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Transportation Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Gerber Moving & Storage submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Gerber Moving & Storage because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

13. The Commission finds Gerber Moving & Storage committed eight (8) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Gerber Moving & Storage, Inc., of Bonner Springs, Kansas is hereby assessed a \$9,500 civil penalty for eight (8) violation(s) 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. Gerber Moving & Storage is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Transportation Staff with written proof of attendance.

C. Gerber Moving & Storage 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.

D. Pursuant to K.S.A. 2015 Supp. 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 (7) copies of the request to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel, within fifteen (15) days from the date of service of this Order. On April 27, 2017, this Penalty Order was mailed to Gerber Moving & Storage via Certified Mail, Return Receipt Requested, No. 70161970000105740914. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Gerber Moving & Storage's right to a hearing, and this Penalty Order will become a Final Order assessing a \$9,500 civil penalty against Gerber Moving & Storage, and ordering Gerber Moving & Storage to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and

provide Transportation Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of this Order.

E. 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. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2015 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$9,500 is due in thirty (30) days from the date of service of this Order. A check shall be made payable to the Kansas Corporation Commission and submitted for payment. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payment shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

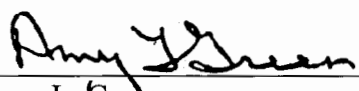
G. Failure to pay the \$9,500 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Gerber Moving & Storage's motor carrier operating authority without further notice. 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.

H. 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.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: MAY 02 2017




Amy L. Green
Secretary to the Commission

AAL




Order Mailed Date

MAY 03 2017


ATTACHMENT “A”

	US DOT # 2391030	Legal: GERBER TRANSFER LLC Operating (DBA): GERBER MOVING & STORAGE INC		
MC/MX #: 821911 State #: [REDACTED] Federal Tax ID: [REDACTED] (EIN)				
Review Type: Compliance Review (CR)				
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory:
Operation Types Interstate Intrastate				
Carrier: Non-HM N/A Shipper: N/A N/A Cargo Tank: N/A		Business: Corporation Gross Revenue: [REDACTED] for year ending: 12/31/2016		
Company Physical Address: <div style="background-color: black; height: 30px; width: 100%;"></div>				
Contact Name: Celeste Noland Phone numbers: (1) [REDACTED] Fax 913-441-8552 E-Mail Address: [REDACTED]				
Company Mailing Address: 2222 S 138TH ST BONNER SPRINGS, KS 66012				
Carrier Classification Authorized for Hire				
Cargo Classification General Freight Household Goods				
Equipment				
	Owned	Term Leased	Trip Leased	
Truck	14	0	0	Truck Tractor
Trailer	17	0	0	
				Owned Term Leased Trip Leased
				9 0 0
Power units used in the U.S.: 23 Percentage of time used in the U.S.: 100				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
Driver Information				
	Inter	Intra		
< 100 Miles:	6		Average trip leased drivers/month: 0	
>= 100 Miles:	7		Total Drivers: 13	
			CDL Drivers: 8	



	GERBER MOVING & STORAGE INC (GERBER TRANSFER LLC dba) U.S. DOT #: 2391030	State #: 	Review Date: 04/17/2017
Part A			
QUESTIONS regarding this report may be addressed to the Kansas Corporation Commission at: 1500 SW Arrowhead Road Topeka, Kansas 66604 Telephone (785)640-9132			
This report will be used to assess your safety compliance.			
<u>Person(s) Interviewed</u> Name:  Name: Celeste Noland Title: Office Manager			



	GERBER MOVING & STORAGE INC (GERBER TRANSFER LLC dba) U.S. DOT #: 2391030	Review Date: 04/17/2017
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State #: 




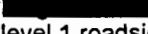

Part B Violations

1 FEDERAL ACUTE	Primary: 390.35 Secondary: 396.3(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
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Description

Making fraudulent or intentionally false entry on inspection and vehicle maintenance record.

Example





On 6/19/2016 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2003 Freightliner tractor (Unit # 9529- VIN #  59529) in combination with a 1997 Kentucky trailer (Unit # 9743 VIN #  109743) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 70,000 lbs. respectively. Driver  operated on an interstate trip from Wichita Falls, Texas to Fort Lewis, Washington. This trip is evidenced by a level 1 roadside inspection signed by R.J Wax#846 with the Washington State Patrol. At the time of this trip, the carrier was found to be in violation of requiring or permitting the operation of a motor vehicle declared "out-of-service" before repairs were made. Driver admitted to Inspector R.J Wax that the previous OOS conditions listed on the 4/25/16 roadside inspection in North Carolina had not been repaired. Driver stated that he "wrapped the lines" in an attempt to fix the issues. Carrier's local mechanic  certified that repairs were made roadside on 05/02/2016. Celeste Noland then certified the document on the same date and sent this fraudulent document to the North Carolina Highway Patrol. The OOS violations listed on the 04/25/16 roadside inspection were finally repaired on 06/25/16.

2 FEDERAL ACUTE	Primary: 396.9(c)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
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Description

Requiring or permitting the operation of a motor vehicle declared "out-of-service" before repairs were made.

Example






On 6/19/2016 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2003 Freightliner tractor (Unit # 9529- VIN #  59529) in combination with a 1997 Kentucky trailer (Unit # 9743 VIN #  109743) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 70,000 lbs. respectively. Driver  operated on an interstate trip from Wichita Falls, Texas to Fort Lewis, Washington. This trip is evidenced by a level 1 roadside inspection signed by R.J Wax#846 with the Washington State Patrol. At the time of this trip, the carrier was found to be in violation of requiring or permitting the operation of a motor vehicle declared "out-of-service" before repairs were made. Driver admitted to Inspector R.J Wax that the previous OOS conditions listed on the 4/25/16 roadside inspection in North Carolina had not been repaired. Driver stated that he "wrapped the lines" in an attempt to fix the issues. Carrier's local mechanic Ron Kraft certified that repairs were made roadside on 05/02/2016. Celeste Noland then certified the document on the same date and sent this fraudulent document to the North Carolina Highway Patrol. The OOS violations listed on the 04/25/16 roadside inspection were finally repaired on 06/25/16.

3 FEDERAL CRITICAL	Primary: 395.8(a)	Discovered 15	Checked 92	Drivers/Vehicles In Violation 1	Checked 5
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
Description

Failing to require driver to make a record of duty status.








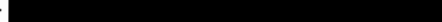


Example

On 10/18/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2003 Freightliner tractor (Unit # 9529- VIN #  59529) in combination with a 2006 Stoughton trailer (Unit # 54437 VIN #  354437) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 70,000 lbs. respectively. Driver  operated in commerce on an interstate trip from Naperville, Missouri to St. Louis, Missouri. This trip is evidenced by a driver record of duty status, roadside inspection, driver vehicle inspection report, and credit card receipts. At the time of this review, carrier was found to be in violation of failing to require driver to make a record of duty status.  stopped logging his hours of service in St. Louis Missouri on 10/19/16.




	GERBER MOVING & STORAGE INC (GERBER TRANSFER LLC dba)		Review Date:
	U.S. DOT #: 2391030	State #: 	04/17/2017

Part B Violations



4 FEDERAL CRITICAL	Primary: 395.8(e)	Discovered 22	Checked 77	Drivers/Vehicles In Violation 2	Checked 5
Description False reports of records of duty status. Example On 11/19/2016 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2012 Freightliner tractor (Unit # 3170- VIN #  3179) in combination with a 2006 Stoughton trailer (VIN #  44544) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350lbs. and 70,000 lbs. respectively. Driver  operated in commerce on an interstate trip from Hooker, Oklahoma to Winslow, Arizona. This trip is evidenced by a driver record of duty status, driver vehicle inspection report and a credit card receipt. At the time of this trip, driver created false reports of records of duty status. The primary supporting documents used to find these violations were the credit reports. Each CDL driver has an individual company credit card. Therefore, each driver's purchases easily correlated with their hours of service records. Carrier verified that the dates and times listed were accurate and were in real time. All times were listed in the central time zone. Additionally, we compared the times of several tangible receipts with the credit charge report to ensure the accuracy of the credit report. All of these false logs were off by more than an hour or 50 miles.					
5 STATE CRITICAL	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 33	Checked 37	Drivers/Vehicles In Violation 2	Checked 5
Description Failing to require driver to make a record of duty status. Example On 10/5/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2015 Isuzu (Unit # 1411 VIN #  801411) in intrastate commerce. This vehicle has a gross vehicle weight rating of 14,500 lbs. Driver  operated in commerce on an intrastate trip from Lawrence, Kansas to Bonner Springs, Kansas. This trip is evidenced by a roadside inspection and an invoice. At the time of this trip, carrier was found to be in violation of failing to require driver to make a record of duty status.					
6 STATE CRITICAL	Primary: 395.8(e) CFR Equivalent: 395.8(e)	Discovered 0	Checked 4	Drivers/Vehicles In Violation 0	Checked 5
Description False reports of records of duty status. Example No violations of this type were discovered in intrastate commerce.					
7 STATE	Primary: 391.25(c)(1) CFR Equivalent: 391.25(c)(1)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Failing to maintain a copy of the motor vehicle record or response from each State agency in the driver qualification file. Example On 10/5/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc had driver  operate a 2015 Isuzu (Unit # 1411- VIN #  801411) in commerce. This vehicle has a gross vehicle weight rating of 14,500 lbs. Driver  operated in intrastate commerce from Lawrence, Kansas to Bonner Springs, Kansas. This trip is evidenced by a roadside inspection and an invoice. At the time of the trip and during the time of this review, carrier was found to be in violation of failing to maintain a copy of the motor vehicle record or response from each State agency in the driver qualification file.					



	GERBER MOVING & STORAGE INC (GERBER TRANSFER LLC dba) U.S. DOT #: 2391030	Review Date: 04/17/2017
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Part B Violations

8 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Example On 10/5/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc had driver [REDACTED] operate a 2015 Isuzu (Unit # 1411- VIN [REDACTED] 801411) in commerce. This vehicle has a gross vehicle weight rating of 14,500 lbs. Driver [REDACTED] operated in intrastate commerce from Lawrence, Kansas to Bonner Springs, Kansas. This trip is evidenced by a roadside inspection and an invoice. At the time of the trip and during the time of this review, carrier was found to be in violation of failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).					
9 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example On 10/5/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc had driver [REDACTED] operate a 2015 Isuzu (Unit # 1411- VIN [REDACTED] 801411) in commerce. This vehicle has a gross vehicle weight rating of 14500 lbs. Driver [REDACTED] operated in intrastate commerce from Lawrence, Kansas to Bonner Springs, Kansas. This trip is evidenced by a roadside inspection and an invoice. At the time of the trip and during the time of this review, carrier was found to be in violation of failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27					
10 STATE	Primary: 395.3(a)(2) CFR Equivalent: 395.3(a)(2)	Discovered 0	Checked 4	Drivers/Vehicles In Violation 0	Checked 5
Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty. Example No violations of this type were discovered in intrastate commerce.					
11 FEDERAL	Primary: 395.3(a)(2)	Discovered 1	Checked 77	Drivers/Vehicles In Violation 1	Checked 5
Description Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty. Example On 11/19/2016 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver [REDACTED] operate a 2012 Freightliner tractor (Unit # 3170- VIN # [REDACTED] 3179) in combination with a 2006 Stoughton trailer (VIN # [REDACTED] 44544) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350lbs. and 70,000 lbs. respectively. Driver [REDACTED] operated in commerce on an interstate trip from Hooker, Oklahoma to Winslow, Arizona. This trip is evidenced by a driver record of duty status, driver vehicle inspection report, and a credit card receipt. At the time of this trip, carrier was found to be in violation of requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty. Driver failed to take 10 hours off duty after driving on 11/18/16. 11/18-19/2016 driver [REDACTED] drove 9 3/4 hours past the 14th hour since coming on duty.					

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12 STATE	Primary: 395.3(a)(3)(i) CFR Equivalent: 395.3(a)(3)(i)	Discovered 0	Checked 4	Drivers/Vehicles In Violation 0	Checked 5
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Description

Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 11 hours.

Example





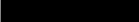
No violations of this type were discovered in intrastate commerce.

13 FEDERAL	Primary: 395.3(a)(3)(i)	Discovered 1	Checked 77	Drivers/Vehicles In Violation 1	Checked 5
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Description

Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 11 hours.

Example

On 11/19/2016 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2012 Freightliner tractor (Unit # 3170- VIN #  3179) in combination with a 2006 Stoughton trailer (VIN #  44544) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350lbs. and 70,000 lbs. respectively. Driver  operated in commerce on an interstate trip from Hooker, Oklahoma to Winslow, Arizona. This trip is evidenced by a driver record of duty status, driver vehicle inspection report, and a credit card receipt. At the time of this trip, carrier was found to be in violation of requiring or permitting a property-carrying commercial motor vehicle to drive more than 11 hours.
11/18-19/2016 driver  drove 16 1/2 hours.

14 STATE	Primary: 395.3(a)(3)(ii) CFR Equivalent: 395.3(a)(3)(ii)	Discovered 0	Checked 4	Drivers/Vehicles In Violation 0	Checked 5
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Description

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.

Example




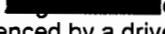
No violations of this type were discovered in intrastate commerce.

15 FEDERAL	Primary: 395.3(a)(3)(ii)	Discovered 6	Checked 77	Drivers/Vehicles In Violation 3	Checked 5
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Description

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.

Example



On 10/18/16 Gerber Transfer LLC dba Gerber Moving & Storage Inc. had driver  operate a 2003 Freightliner tractor (Unit # 9529- VIN #  59529) in combination with a 2006 Stoughton trailer (Unit # 54437 VIN #  54437) in interstate commerce. These vehicles have a gross vehicle weight rating of 52,350 lbs. and 70,000 lbs. respectively. Driver  operated in commerce on an interstate trip from Naperville, Missouri to St. Louis, Missouri. This trip is evidenced by a driver record of duty status, roadside inspection, driver vehicle inspection report, and credit card receipts. At the time of this trip, carrier was found to be in violation of requiring or permitting a property-carrying commercial motor vehicle driver to drive after more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.

Safety Fitness Rating Information:

Total Miles Operated 466,846
Recordable Accidents 0
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0
Number of Vehicle Inspected (CR): 0
OOS Vehicle (MCMIS): 1
Number of Vehicles Inspected (MCMIS): 5



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Part B Violations

Your proposed safety rating is : CONDITIONAL	Rating Factors		Acute	Critical
	Factor 1:	C	1	0
	Factor 2:	S	0	0
	Factor 3:	U	0	4
	Factor 4:	C	1	0
	Factor 5:	N	0	0
	Factor 6:	S	-	-

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

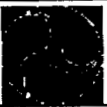

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.

If this was a focused investigation, which will be noted in the Review Type on the first page of this report (Part A), some factors shown above may be marked "SATISFACTORY" even if they were not reviewed. A focused investigation will not result in a SATISFACTORY safety rating because all standards and factors specified in 40 CFR 383.5 and 385.7 were not examined in full, even though it may appear that they were under the rating factors in Part B of this document. It may, however, result in a less than SATISFACTORY rating if sufficient violations are discovered in the parts and factors examined to result in a CONDITIONAL or UNSATISFACTORY rating, or a non-ratable review.

If you receive a conditional or unsatisfactory rating, you may request an administrative review under 49 CFR 385.15 or a safety rating upgrade based on corrective action under 49 CFR 385.17. However, a successful request may only result in a non-ratable status, upgrade to a conditional safety rating, or reinstatement of your most recent safety rating. You will not receive a new satisfactory safety rating as a result of your request(s) under 49 CFR 385.15 and/or 49 CFR 385.17.



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1. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
- **NOTICE:** A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.
- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

For all Investigations that could result in a Notice of Claim:


- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

US Department of Transportation
 Federal Motor Carrier Safety Administration
 Kansas Division
 Division Administrator



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1303 First American Place
 Suite 200
 Topeka, KS 66604-4040

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer
 Federal Motor Carrier Safety Administration
 1200 New Jersey Avenue SE,
 Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

US Department of Transportation
 Federal Motor Carrier Safety Administration
 Midwestern Service Center
 4749 Lincoln Mall Drive
 Suite 300-A
 Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

US Department of Transportation
 Federal Motor Carrier Safety Administration
 Kansas Division
 Division Administrator
 1303 First American Place
 Suite 200
 Topeka, KS 66604-4040



This letter should be submitted as soon as possible.

- **All Other Motor Carriers:** This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an unsatisfactory level of safety compliance. A written notice of proposed unsatisfactory rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 60 days of the date that notice is sent, the unsatisfactory rating will become final and you must cease interstate operations.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the

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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. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Meaningful Action

DESCRIPTION OF PROCESS BREAKDOWN:

Gerber Transfer LLC dba Gerber Moving & Storage's violations occurred due to a breakdown regarding the monitoring and tracking elements of compliance within this section. Additionally, carrier has failed to show meaningful action regarding habitual driver violations related to hours of service. Carrier has established the correct methods of recording hours of service records for each CMV driver. That said, you need to develop a better methodology for ensuring that all drivers record complete and accurate records of duty status. It is incumbent upon the carrier to review all driver records of duty status reports and verify that they are correct and accurate. Monitor the time records continually in order to track the driver movements. Finally, verify the accuracy of their reports with supporting documents. These duties and the documents verifying their completion require continued monitoring and tracking by carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies. In addition to utilizing the services of LogPro, you must also check to ensure that their examination of driver logs is accurate. When you've been notified of driver log issues, take meaningful action with the offending drivers. This should entail re-training, educational materials, and up to termination if the driver does not remedy issues with their hours of service records. If you have questions or needs, please don't hesitate to contact me.



BASIC SPECIFIC RECOMMENDED REMEDIES:

Follow the above listed guidelines to remedy your hours of service issues. Drivers cannot continue to create false logs, violate the 30 minute break rule, operate beyond the 11 and 14 hour rules, and fail to complete or create the required hours of service records. These violations pose a safety risk to the motoring public. The violations discovered during this review must cease. Utilize all training programs and internal company policies at your disposal to re-train your drivers. Additionally, feel free to have them attend the State of Kansas's Procedures for Safety Compliance Presentation free of charge. This presentation will illuminate the correct way to create a log. As always, if you have questions or needs please contact me.

Implement Safety Improvement Practices: The following are recommended practices related to Meaningful Action.

- Design and implement incentives and/or recognition programs in order to reward and encourage effective performance related to compliance with Hours-of-Service (HOS) regulations and company policy - for example, bonuses, gift certificates, and/or verbal recognition for on-time completion of accurate Records of Duty Status (RODS).
- Reward dispatchers, terminal managers, and safety directors for having a low percentage of runs without fatigued-driving violations. Do not use on-time delivery incentives, which could encourage drivers to exceed Hours of Service.
- Give employees immediate feedback, and require corrective action as soon as the company is aware that fatigued-driving related issues, such as Hours of Service (HOS) are not being addressed.
- Provide required remedial training to employees with Hours-of-Service performance issues that can be addressed by enhancing their knowledge and skills.
- Implement a disciplinary policy where potential disciplinary measures correspond to risk posed, with violations associated with high-consequence accidents or incidents being punished more severely.
- Discipline carrier officials for knowingly and willfully allowing violations of Hours-of-Service (HOS)-related



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regulations, such as falsifying Records of Duty Status (RODS).

- If a problem related to fatigue is systemic, make adjustments to one or more of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

3. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Meaningful Action

DESCRIPTION OF PROCESS BREAKDOWN:

Gerber Transfer LLC dba Gerber Moving & Storage's violations occurred due to a breakdown regarding the meaningful action elements of compliance within this section. You have drivers operating CMV's with known controlled substance issues and DUI issues. I understand that both of these "Red Flag" drivers have since left the company, but they were engaged in commerce and operating commercial motor vehicles for your business. Drivers with these types of issues pose a great risk to the motoring public. Both of these drivers had multiple incidents of hitting stationary objects whilst in your commercial motor vehicles. Your insurance rates have suffered from incidents like this and these drivers have both negatively affected your operations.

BASIC SPECIFIC RECOMMENDED REMEDIES:

You must have meaningful action in your company regarding terminated drivers. If a driver leaves your business, under no circumstances can they return to drive without undergoing the appropriate rehiring protocol. Utilize the resources provided to you during our review to assist you in this matter. Finally, if drivers are displaying unsafe driving you must take action. If training and rehabilitation fail, then you must terminate problematic drivers. Problematic drivers can damage your business, increase your liability, and pose a serious threat to the motoring public. If you have questions or needs, please don't hesitate to contact me.



Implement Safety Improvement Practices: The following are recommended practices related to Meaningful Action.

- Design and implement incentives and/or recognition programs in order to reward and encourage safe-driving behavior - for example, including bonuses, gift certificates, and/or verbal recognition for clean inspections, no crashes, and/or fuel efficiency.
- Reward dispatchers, terminal managers, and safety directors for having a low percentage of runs without unsafe-driving violations. Do not use on-time delivery incentives, which could encourage speeding.
- Consider paying drivers by the hour instead of by the load or mileage to encourage them not to speed.
- Give employees immediate feedback and require corrective action as soon as the company is aware that responsibilities related to unsafe-driving issues are not being fulfilled.
- Provide required remedial training to employees with unsafe-driving performance issues that can be addressed by enhancing their knowledge and skills.
- Implement a disciplinary policy where potential disciplinary measures correspond to risk posed, with violations associated with high-consequence accidents or incidents being punished more severely.
- Discipline carrier officials for knowingly and willfully allowing violations of unsafe-driving regulations - for example, for encouraging drivers to speed.
- If a problem related to unsafe driving is systemic, make adjustments to one or more of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.



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VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Meaningful Action

DESCRIPTION OF PROCESS BREAKDOWN:

Gerber Transfer LLC dba Gerber Moving & Storage's violations occurred due to a breakdown regarding the meaningful action elements of compliance within this section. Although your maintenance records kept at the principal place of business seem to be in order, there is evidence of issues in this section of the regulations. On 06/19/2016 you permitted a vehicle declared Out Of Service (OOS) to make an interstate trip without being repaired. This is evidenced by both a driver statement and a previous roadside inspection involving the same driver and commercial motor vehicle. Furthermore, you then falsified the 04/25/16 roadside inspection form stating repairs had been made. This document was certified by you on 05/02/16 and sent to the North Carolina Highway Patrol. The OOS violations did not get repaired until 6/25/16. This series of mistakes has serious implications regarding public safety. OOS violations are very serious in nature and are indicative of an accident going somewhere to happen. To further complicate matters, these safety violations were not fixed and the carrier falsified official documents to sidestep the repair protocol.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Fix all OOS violations immediately on the side of the road. If you do not wish to pay the higher cost associated with roadside repair services, then increase the scrutiny of your preventative maintenance program. Above all else, if you have a vehicle or driver placed Out Of Service (OOS) they CANNOT move until the violations have been completely remedied. The OOS criteria utilized by enforcement personnel is formulated based on facts. Data collected in post crash inspections involving commercial motor vehicles is compiled into a database. That information is then run through an algorithm and patterns develop. If an OOS condition is observed on your vehicle, then the chances of an accident are dramatically elevated. Thus, when you allowed an OOS vehicle to continue operations without having repairs made you endangered the motoring public. This coupled with the fraudulent document provided to the North Carolina Highway Patrol is unacceptable. Formulate a plan within the company to ensure that this never happens again. If you have questions or needs, please don't hesitate to contact me.

Implement Safety Improvement Practices: The following are recommended practices related to Meaningful Action.

- Design and implement incentives and/or recognition programs in order to reward and encourage effective performance related to compliance with vehicle inspection, repair, and maintenance regulations and company policies - for example, to include bonuses, gift certificates, and/or verbal recognition to drivers for a clean Level 1 inspection report.
- Give employees immediate feedback, and require corrective action as soon as the company is aware that vehicle inspection, repair, and maintenance responsibilities are not being fulfilled.
- Provide remedial training to employees with performance issues related to vehicle inspection, repair, and maintenance that can be addressed by enhancing their knowledge and skills.
- Implement a disciplinary policy where potential disciplinary measures correspond to risk posed, with violations associated with high-consequence accidents or incidents being punished more severely.
- Discipline carrier officials for knowingly and willfully allowing violations of vehicle-inspection, repair, and maintenance-related regulations, such as allowing a driver to use a truck that is in disrepair.
- If the problem related to vehicle maintenance is systemic, make adjustments to one or more of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

5. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN:

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Gerber Transfer LLC dba Gerber Moving & Storage's violations occurred due to a breakdown regarding the monitoring and tracking elements of compliance within this section. Carrier has established organized driver qualification files for each CMV driver. That said, you need to develop a better methodology for ensuring that all drivers have the requisite paperwork in their individual files. It is incumbent upon the carrier to execute all annual requirements for their commercial motor vehicle drivers. These duties and the documents verifying their completion require continued monitoring and tracking by carrier officials to ensure compliance. Utilize the documents and instructions provided to you during this review to assist you in correcting the deficiencies.

BASIC SPECIFIC RECOMMENDED REMEDIES:

Driver Benjamin Gerber did not have an MVR on file. Additionally, Mr. Gerber did not create a listing of violations both commercial and personal. Finally, no carrier official certified this driver after having reviewed the MVR. Failure to conduct these requirements was particularly problematic in this instance regarding Benjamin Gerber. It was discovered during a roadside inspection 10/05/16 that Mr. Gerber's license was suspended. Mr. Gerber has multiple DUIs on his record. There is no better illustration on the importance of running MVRs for all commercial motor vehicle operators. Ensure that these steps are completed for all commercial motor vehicle operators going forward. If you have questions or needs, please don't hesitate to contact me.



Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Implement an effective process for monitoring and documenting all drivers' job functions, training, qualifications, renewal dates, disclosed medical conditions, and operational restrictions, including those of drivers on a waiver program or with impairments that may be satisfied by a Skill Performance Evaluation certificate, to ensure that assignments are covered by qualified drivers.
- Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.
- Maintain each driver's investigation history file in a secure location with limited and controlled access for as long as the driver is employed and for three years thereafter.
- Maintain roadside inspection reports, moving violation records, training records, the Commercial Driver's License (CDL), the dispatch schedule, bills of lading, and the medical report to help evaluate the performance of all staff involved in qualifying drivers (dispatchers and managers) and the effectiveness of the policies and procedures.
- Implement a system for keeping accurate records of employee driver fitness training needs, such as entry-level and HAZMAT training, and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel who are monitoring driver fitness performance by making sure they are reviewing driver-assignment and qualification files; applying the performance standards fairly, consistently, and equitably; and documenting the evaluations.
- Regularly evaluate the company's driver fitness-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with driver-fitness regulations and company policies.
- When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

6. 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 Gerber

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Transfer LLC dba Gerber Moving & Storage Inc's operating authority and/or the impoundment of Gerber Transfer LLC dba Gerber Moving & Storage Inc's vehicles.

X _____
Celeste Noland

ATTACHMENT “B”

DRIVER/VEHICLE EXAMINATION REPORT

Washington State Patrol
Commercial Vehicle Enforcement Section
P.O. Box 42614
Olympia, WA 98504-2614
Phone: (360)596-3815

Report Number: WAS54A053567
Inspection Date: 06/19/2016
Start: 3:10 PM PT End: 3:50 PM PT
Inspection Level: II - Walk-Around
HM Inspection Type: None

GERBER TRANSFER LLC

Driver: HARRIS, ANGELO D

BONNER SPRINGS, KS, 66012

License#: [REDACTED] State: KS

USDOT: 2391030

Phone#: [REDACTED]

Date of Bi [REDACTED]

MC/MX#: 821911

Fax#: [REDACTED]

CoDriver:

State#:

License#:

State:

Date of Birth:

Location: SC54 PLYMOUTH (POE)

Milepost: 131

Shipper: [REDACTED]

Highway: 182

Origin: WICHITA FALLS, TX

Bill of Lading: JEAT0071258

County: BENTON

Destination: FORT LEWIS, WA

Cargo: HOUSEHOLD
GOODS

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	QOS Sticker
1	TT	FRHT	2003	KS	[REDACTED]	9529	[REDACTED]	59529 52000			
2	ST	STOU	1997	KS	[REDACTED]	9743	[REDACTED]	109743 70000			

BRAKE ADJUSTMENTS:No brake measurements required for level II or level III

VIOLATIONS

Section	Type	Unit	QOS	Citation #	Verify	Crash	Violations Discovered
393.45B2	F	1	N		N	N	Brake hose or tubing chafing and/or kinking

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

Notes: DRIVER STATED HE HAD WRAPPED THE AIR LINES WHERE THERE WAS CHAFING BECAUSE HE DID NOT HAVE IT REPAIRED AFTER A PREVIOUS INSPECTION.

Report Prepared By:
R. J.

Badge #:
WAX846

Copy Received By:
ANGELO HARRIS

X

X



ATTACHMENT “C”



NC State Highway Patrol
4231 Mail Service Center
Raleigh, NC 27699-4231
Phone #: (919) 715-8193

DRIVER/VEHICLE EXAMINATION REPORT

Report Number: NC 5805789
Inspection Date: 4/25/2016
Start Time: 10:50:00
Insp. Level: 2 - Walk-Around
Inspection

End Time: 11:20:00
End Date: 4/25/2016



MC

GERBER TRANSFER LLC

BONNER SPRINGS, KS 66012

Phone #: [REDACTED] Fax #: [REDACTED]
USDOT #: 2391030 ICC-MC #: 821911
County: BUNCOMBE
Location: ASHEVILLE WEIGH STATION, I-40, E
Highway: I-40, E Mile Post: 41
NCUC Issued: No Warning Ticket Issued: No
Rd Clsctn: Interstate

Driver: ANGELO DEMICHAEL HARRIS

License #: [REDACTED] State: KS

Date of Birth: [REDACTED] Race: [REDACTED]

Co-Driver: [REDACTED] State: [REDACTED]

License #: [REDACTED] State: [REDACTED]

Date of Birth: [REDACTED] Race: [REDACTED]

Special Operation: N

Shipper: NONE

Bill of Lading: NONE

Cargo: EMPTY

Origin: WAYNESVILLE NC

Destination: CLAREMONT NC

VEHICLE IDENTIFICATION:

Unit	Type	Class	Make	Year	State	License #	Company #	VIN #	GVWR	CVSA#	OOS#
1	TT	FH	FRIHT	2003	KS	[REDACTED]	9529	[REDACTED] 69529	52000		
2	ST		STOU	2006	ME	[REDACTED]	54437	[REDACTED] 854437	70000		

VIOLATIONS:

Section Code	State	Unit	OOS	Citation/Warning	Verify	Crash	Violation Description
393.45		1	Y	N/N	U	N	BRAKE TUBING AND HOSE ADEQUACY (EMERGENCY AIR LINE COMING FROM TRACTOR GOING TO GLADHAND)
393.45		2	Y	N/N	U	N	BRAKE TUBING AND HOSE ADEQUACY (EMERGENCY AIR LINE COMING FROM DROP AT TRAILER GOING TO AIR TANK)

HAZ MAT: N/A

Placard: N/A Cargo Tank:

SPECIAL CHECKS:

Required: No

☐ Alcohol/Controlled Substance Check
☐ Conducted by Local Jurisdiction
☐ Size and Weight Enforcement
☐ Motor Coach
☐ Other

☐ Traffic Enforcement
☐ Drug Interdiction Search Arrests:
☐ Post Crash inspection
☐ Assist Allied Agency - Post Crash

STATE FIELDS:

CDL REQUIRED Y/N: Y
LONGITUDE: 08242.082 W
FUEL DECAL #: 37896
OOS FINES ASSESSED Y/N: Y

POST CRASH INSP. Y/N: N
LATITUDE: 03533.267 N
STATE:

FEDERAL INSP DATE: 12/2015
FUEL TAX ACC #: [REDACTED]
IFTA STATE: KS

DRIVER OOS FINE: \$0.00	VEHICLE OOS FINE: \$50.00	BRAKE OOS FINE: \$0.00	HAZMAT FINE: \$0.00
ADMIN OOS FINE: \$0.00	IEP1 OOS FINE: \$0.00		IEP2 OOS FINE: \$0.00
TOTAL FINES: \$50.00	OOS CITATION #: 3109534	001 CITATION #:	RECEIPT #:

Vehicle Placed Out of Service: The vehicle(s) listed on this report and indicated as being Out of Service, shall not be operated until all Out of Service violations have been corrected. No motor carrier shall allow and no driver shall operate a commercial motor vehicle(s) after said vehicle(s) have been placed Out of Service, until such time as repairs have been made and compliance with the Federal Motor Carrier Safety Regulations and/or the Hazardous Material Transportation Regulations have been met

Report Prepared By:

J. B. MERRELL

X

Officer #:

4556

Copy Received By:

ANGELO DEMICHAEL HARRIS

X

Page 1 of 2



NC State Highway Patrol
4231 Mail Service Center
Raleigh, NC 27699-4231
Phone #: (919) 715-8193

DRIVER/VEHICLE EXAMINATION REPORT

Report Number: NC 5805789
Inspection Date: 4/25/2016
Start Time: 10:50:00
Insp. Level: 2 - Walk-Around
Inspection

End Time: 11:20:00
End Date: 4/25/2016



MC

Mechanic Certification: The undersigned certifies that all repairs for violations entered on this report have been made and the vehicle(s) listed on this report are in compliance with the safety requirements of CFR --49 Part 393 and 396 of the Federal Motor Carrier Safety Regulations, to the best of my knowledge.

Signature of Repairer: X

Ron Traft

Facility:

Road Serv.

Date:

5/2/16

Motor Carrier Certification: The undersigned, on behalf of the Motor Carrier named on this report, certifies that all violations entered on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Material Transportation Regulations insofar as they are applicable to motor carriers, drivers and commercial motor vehicles as prescribed in CFR - Title 49 of the United States Codes and those adopted by North Carolina. **This report shall be signed and returned to the shown address within 15 days from issuance of this report.**

Signature of Carrier Official: X

C. B. [Signature]

Date

5/2/16

Return Inspection Report To:

North Carolina State Highway Patrol
Motor Carrier Enforcement Section
4231 Mail Service Center
Raleigh, NC 27699-4231

Report Prepared By:

J. B. MERRELL

X *[Signature]*

Officer #

4556

Copy Received By:

ANGELO DEMICHAEL HARRIS

X

Page 2 of 2

ATTACHMENT “D”

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSPD83740006
Inspection Date: 10/05/2016
Start: 3:04 PM CT **End:** 3:35 PM CT
Inspection Level: I - Full
HM Inspection Type: None

GERBER MOVING & STORAGE INC

Driver: GERBER, BENJAMIN J

License#: [REDACTED]

State: KS

BONNER SPRINGS, KS. 66012

Date of Birth: [REDACTED]

USDOT: 2391030

Phone#:

CoDriver:

MC/MX#: 821911

Fax#:

License#:

State:

State#:

Date of Birth:

Location: 2000 BLK LOUISIANA

Milepost: Shipper: N/A

Highway:

Origin: BONNER SPRINGS,KS

Bill of Lading: 1457

County:

Destination: LAWRENCE,KS

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment	LID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TR	ISU	2015	KS	[REDACTED]	1411	[REDACTED]	5801411	14500			

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify Crash	Violations Discovered
393.9	F	1	N		N	Inoperable Required Lamp
396.17C	F	1	N		N	Operating a CMV without proof of a periodic inspection
391.41A-F	F	D	N		N	Operating a property-carrying vehicle without possessing a valid medical certificate
391.15A-SIN	F	D	Y	A124820	N	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of drivers license issuance.
392.2RG	F	1	N		N	State vehicle registration or License Plate violation

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:

Alcohol/Controlled Substance Check
☒ Conducted by Local Jurisdiction
 Size and Weight Enforcement
 eScreen Inspection

Traffic Enforcement
 PASA Conducted Inspection
 Drug Interdiction Search

Post Crash Inspection
 PBBS Inspection

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129, K.C.C. Reg. 82-4-3, I hereby declare BENJAMIN GERBER "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until Driver has Proper License. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature Of Motor Carrier X _____ Title: _____ Date: _____

* ** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. ** ** CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL, at the address listed at the top of this form.

Signature Of Motor Carrier X _____ Title: _____ Date: _____

Report Prepared By:
 L. Corder

Badge #:
 8374

Copy Received By:
 BENJAMIN GERBER

X

X



ATTACHMENT “E”



DRIVER'S DAILY LOG

(24 HOURS)

11 / 19 / 16
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains (a) for possession for eight days

GERBER TRANSFER

Name of Carrier or Carriers

Main Office Address

Home Terminal Address

Total Miles Driving Today

Total Mileage Today

3170 / 4544

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

I certify these entries are true and correct
David Hayes
Driver's Full Signature

Co-Driver's Name

RECAP

Complete at end of working day
10.5
On duty hours today (Total less 2 & 4)

70 Hours / 8 Day Drivers

Total hours on duty last 7 days, including today
14.0

Total hours available tomorrow, 70 less hours A*

Total hours on duty last 8 days, including today

60 Hours / 7 Day Drivers

Total hours on duty last 7 days, including today

Total hours available tomorrow, 60 less hours A*

Total hours on duty last 7 days, including today

If you have not exceeded the 60/70 hour limit and have 34 consecutive hours off duty, you have 60/70 hours available again.

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

NOON	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
																								6.0
																								7.5
																								9.75
																								7.5

REMARKS

NOON	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
																								24.0

SHIPPING DOCUMENTS:

20596253

B/L or Manifest No.

or

Shipper & Commodity

#2450165 / #246164

Endicott-bricks

#4900 #2049720

Mark Loneragan-Household

#20149720

UBOX

From:

Hooker OK

To:

Winslow AZ

USE TIME STANDARD AT HOME TERMINAL

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SHIPMENTS ON TRUCK

ORDER NO.	WEIGHT	FROM	TO
	7,837	New Century KS	Moyland CA
	2,018	Fairbury NE	Phoenix AZ
KC Mo		Shawnee KS	San Diego CA
		KC Mo	San Diego CA

SHIPMENTS UNLOADED TODAY

ORDER NO.	COLLECT OR BILLED	AMOUNT COLLECTED	MAILED PAPERS FROM

MILES DRIVEN TODAY BY STATES

CODE	STATE	LOADED	EMPTY	ROUTED NO.	FUEL PURCHASED TICKETS ATTACHED
OK		41		54	92.000 GALS
					6.003 GALS
TX		92		54	
NM		386		54 / I-40	
AZ		105		I-40	76.005 GALS
					3.311 DEF GALS
TOTAL		624			

DRIVER'S VEHICLE INSPECTION REPORT

DRIVER USE / IF SATISFACTORY
USE X IF NOT SATISFACTORY

MECHANIC USE / WHEN CORRECTED AND YOUR INITIALS

TRACTOR/TRUCK NO.	TRAILER(S) NO.(S)
D - DRIVER'S REPORT M - MECHANIC'S REPORT	D - DRIVER'S REPORT M - MECHANIC'S REPORT
Brake Lines to Trailer	Brakes
Brake Lines to Trailer	Brake Connections
Drive Line	Coupling Devices
Coupling Devices	Coupling (King Pin)
Tires - Wheels, Rims	Doors
Suspension System	Hitch
Body	Landing Gear
Clutch	Lights - All
Exhaust	Roof
Frame and Assembly	Suspension System
Fuel System	Tarpaulin
Cooling System	Tires
Engine	Wheels - Rims
Leads	Other
Head Lights	
Tip Lights	
Stop & Turn Lights	
Distance & Marker Lights	
Reflectors	
Air Pressure Warning Device	
Oil Pressure	
Apparatus	
Horn	
Windshield Wipers	
Parking Brakes	
Clutch	
Transmission	
Rear Vision Mirror	
Steering	
Service Brakes	
Speedometer	
Other Items	
EMERGENCY EQUIPMENT	
Reflective Triangles	
Fire Extinguisher	
Flags - Fuses, Fuses, Spare Bulbs	
Tool Chest	

DRIVER OR AGENT REPORTING

COMPANY NAME

ADDRESS

DATE

ATTACHMENT “F”

ATTACHMENT “F”

(24 HOURS)

10, 18, 16
(Month) (Day) (Year)

GERBER TRANSFER

Original - File at home terminal
Duplicate - DeWitt retains in his/her possession for 15 days

RECAP
Complete all
and all entries

Total Miles Driving Today	Total Mileage Today
100	100
200	200
300	300
400	400
500	500
600	600
700	700
800	800
900	900
1000	1000
1100	1100
1200	1200
1300	1300
1400	1400
1500	1500
1600	1600
1700	1700
1800	1800
1900	1900
2000	2000
2100	2100
2200	2200
2300	2300
2400	2400
2500	2500
2600	2600
2700	2700
2800	2800
2900	2900
3000	3000
3100	3100
3200	3200
3300	3300
3400	3400
3500	3500
3600	3600
3700	3700
3800	3800
3900	3900
4000	4000
4100	4100
4200	4200
4300	4300
4400	4400
4500	4500
4600	4600
4700	4700
4800	4800
4900	4900
5000	5000
5100	5100
5200	5200
5300	5300
5400	5400
5500	5500
5600	5600
5700	5700
5800	5800
5900	5900
6000	6000
6100	6100
6200	6200
6300	6300
6400	6400
6500	6500
6600	6600
6700	6700
6800	6800
6900	6900
7000	7000
7100	7100
7200	7200
7300	7300
7400	7400
7500	7500
7600	7600
7700	7700
7800	7800
7900	7900
8000	8000
8100	8100
8200	8200
8300	8300
8400	8400
8500	8500
8600	8600
8700	8700
8800	8800
8900	8900
9000	9000
9100	9100
9200	9200
9300	9300
9400	9400
9500	9500
9600	9600
9700	9700
9800	9800
9900	9900
10000	10000

Main Office Address

9529. 54437

Home Terminal Address

I certify these entries are true and correct:

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

Driver's Full Signature

Co-Driver's Name

TOTAL

I. OFF DUTY

2. SLEEPER BERTH

3. DRIVING

**4. ON DUTY
(NOT DRIVING)**

REMARKS

**SHIPPING
DOCUMENTS:**

B/L or Manifest No.

OR Colbert
Shipper & Commodity

Shipper & Commodity

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

From:

USE TIME STANDARD AT HOME TERMINAL

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On-Camp hours today. (Total from 3 & 4)

**70 Hour/
8 Day
Drivers**

Total Number on

only last 7 days,
including today.

Total hours available to children

950

AD Home/

7 Day
Drivers

10
These hours on
duty last 8 days.

Re. G

57 Mr. James A. *

c. 0
Total hours on duty last 7 days.

***If you have
not excluded**

On 6/7/70 Baker
Smith and later
34 consecutive
hours off duty.

you will be 24 hours available again.

SHIPMENTS UNDER TRUCK				DRIVER'S VEHICLE INSPECTION REPORT	
ORDER NO.	WEIGHT	FROM	TO	DRIVER USE / IF SATISFACTORY USE X IF NOT SATISFACTORY	MECHANIC USE / WHEN CORRECTED AND YOUR INITIALS
		Chicago	Bonner Springs KS		
SHIPMENTS UNLOADED TODAY				TRACTOR/TRUCK NO. <u>95275</u> D - DRIVER'S REPORT D M M - MECHANIC'S REPORT	
ORDER NO.	COLLECT OR BILLED	AMOUNT COLLECTED	MAILED PAPERS FROM	D - DRIVER'S REPORT D M M - MECHANIC'S REPORT	
				Brake Lines to Tires Electric Lines to Tires Drive Line Coupling Devices Tires Wheels Flats Suspension System Body Chassis Exhaust Frame and Axles Fuel System Cooling System Engine Lights Head Lights Tail Lights Stop & Turn Lights Clearance & Marker Lights Reflectors Air Pressure Warning Device Oil Pressure Ammeter Horn Windshield Wipers Parking Brakes Clutch Transmission Rear Vision Mirror Steering Service Brakes Synchromizer Other Gears EMERGENCY EQUIPMENT Radiator Overhaul Fan & Fan Guard Flaps Fenders Fenders Side Bods Fog Lights	
MILES DRIVEN TODAY BY STATES				TRAILER(S) NO(S) <u>3437</u> D - DRIVER'S REPORT D M M - MECHANIC'S REPORT	
CODE	STATE	LOADED	EMPTY	ROUTED NO	FUEL PURCHASED TICKETS ATTACHED
	KS	X		93	53.91 GALS
					GALS
					GALS
					GALS
					GALS
TOTAL					
DRIVER OR AGENT REPORTING				MADE INSPECTION AS REQUIRED ON LISTED ITEMS DRIVER <u>Angelo Harris</u> ODOMETER END OF DAY ODOMETER START OF DAY TOTAL MILES DRIVEN TODAY NEXT LUBRICATION DUE AT <u>MILEAGE</u> <input type="checkbox"/> ABOVE DEFECTS CORRECTED <input type="checkbox"/> ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE MECHANIC'S SIGNATURE <u>Angelo Harris</u> DRIVER'S SIGNATURE DATE	
COMPANY NAME					
ADDRESS					

ATTACHMENT “G”



CERTIFICATE OF SERVICE

17-TRAM-468-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 **MAY 02 2017**.

CELESTE NOLAND, OFFICE MANAGER
GERBER MOVING & STORAGE, INC.
2222 S 138TH ST
BONNER SPRINGS, KS 66012
Fax: 913-441-8552
cnoland@gerbermoving.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

MAY 03 2017