

1500 SW Arrowhead Road
Topeka, KS 66604-4027

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner



20250930102605
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
26-TRAM-098-PEN

September 30, 2025

Mr. Myron Koehn, President
Ark Valley Tire and Service Inc d/b/a Ark Valley Tire Inc
408 S Main St.
Cimarron, Kansas 67835-1087

This is a notice of a penalty assessment against Ark Valley Tire and Service Inc d/b/a Ark Valley Tire Inc (“Ark Valley”) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted from August 28, 2025, to September 8, 2025, by Kansas Corporation Commission Special Investigators. The Special Investigators identified two (2) violations of the Motor Carrier Safety regulations. Penalties for the violations are assessed in accordance with the FY 2026 Uniform Penalty Assessment Matrix, approved by the Commission on July 1, 2025. Ark Valley has been assessed a \$350.00 penalty. For a full description of the penalties and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350.00 through your personal account with the Kansas Corporation Commission’s Kansas Trucking Regulatory Assistance Network (“KTRAN”) system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Commission’s Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

The attached Order also requires a representative of Ark Valley:

- a. To attend a Commission-sponsored safety seminar within thirty (30) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission’s website http://www.kcc.state.ks.us/trans/safety_meetings.htm.
- b. To submit a written, comprehensive Corrective Action Plan (“CAP”) to Commission Transportation Staff (Staff) within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier’s efforts and concrete steps taken to ensure the violations do not occur in the future.
- c. To submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, and within fifteen (15) days from the date of service of this Order, setting forth the specific grounds upon which relief is sought. You may request a hearing through the Commission’s electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and you must also 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 copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$350.00 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,
/s/ Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel
(785) 271-3118
Ahsan.Latif@ks.gov

¹ K.A.R. 82-1-215; K.S.A. 77-542.

**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 **Ark Valley**)
Tire and Service Inc d/b/a Ark Valley Tire Inc)
of Cimarron, Kansas, Regarding the Violation(s)) Docket No. 26-TRAM-098-PEN
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.)

PENALTY ORDER

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

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority, and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 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, 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 issue an order on the Commission’s own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

4. Ark Valley Tire and Service Inc d/b/a Ark Valley Tire Inc (“Ark Valley” or “Carrier”) is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 4174541.

5. The Commission finds it has jurisdiction over Ark Valley pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

6. From August 28, 2025, to September 8, 2025, Commission Staff Special Investigators (“SIs”) completed a safety compliance investigation of Ark Valley. As a result of the compliance investigation, the SIs identified two (2) violations, set forth in two (2) counts of the Motor Carrier Safety Regulations (“MCSRs”), which carries a penalty set forth in the FY2026 Uniform Penalty Assessment Matrix.¹

7. On September 16, 2025, Commission Transportation Staff (“Staff”) submitted its Report and Recommendation (“R&R”), attached hereto as “Attachment A” and hereby incorporated by reference herein, recommending a penalty of \$350.00 to be issued to Ark Valley based on the frequency, timeline, and severity of the violations discovered.

8. Specifically, pursuant to Staff’s R&R, the Commission finds that Ark Valley committed two (2) violations of the following two (2) counts, discussed more fully in Staff’s R&R:²

¹ Order Designating Guidance Document and Approving Staff’s Use of the Transportation Division’s Uniform Penalty Assessment Table, pp. 10 – 24 (Jul. 1, 2025) (“Penalty Matrix”).

² See Staff’s Report and Recommendation, Transportation Division (Aug. 26, 2025).

- a. Count 1: On March 31, 2025, Ark Valley required or permitted its driver, Myron Koehn, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV) (a 2012 Freightliner, VIN ending in 9810, GVWR 33,000 lbs., in) in Kansas on a public road (Cimarron, Kansas to Lakin, Kansas) without first providing its driver with a written alcohol and controlled substances policy, resulting in one (1) violation of 49 C.F.R. 382.601, as adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$100.00 is appropriate and in accordance with the FY2026 Penalty Matrix.
 - b. Count 2: On March 31, 2025, Ark Valley required or permitted its driver, Myron Koehn, to operate a CDL-required CMV (a 2012 Freightliner, VIN ending in 9810, GVWR 33,000 lbs., in) in Kansas on a public road (Cimarron, Kansas to Lakin, Kansas) without maintaining the qualification of the inspector who performed the annual inspection on the 2012 Freightliner involved in this transport, resulting in one (1) violation of 49 C.F.R. 396.19(b), as adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$250.00 is appropriate and in accordance with the FY2026 Penalty Matrix.
9. The Commission hereby adopts Staff's September 16, 2025, R&R as additional findings.
 10. The Commission finds that Ark Valley is required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order.³ A schedule of the dates and locations for safety

³ See Id., p. 4.

seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. The Commission further finds that Ark Valley is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory to Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.⁴

12. The Commission further finds that Ark Valley is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁵

13. Failure to comply with the requirements of this Penalty Order shall result in the suspension of Ark Valley's motor carrier operating authority without further notice.⁶

14. The Commission concludes the penalty of \$350.00 for the two (2) violations set forth above, and the additional three requirements set forth in paragraphs 10, 11, and 12 are just and reasonable.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Ark Valley Tire and Service Inc d/b/a Ark Valley Tire Inc is hereby assessed a \$350.00 civil penalty for two (2) violations, set forth in the two (2) counts 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.

⁴ See Id.

⁵ See Id.

⁶ K.S.A. 66-1,105.

B. Ark Valley is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within thirty (30) days of the date of this Order.

C. Ark Valley is hereby ordered to submit a written, comprehensive corrective action plan ("CAP") that is satisfactory to Staff within thirty (30) days of the date of this order, documenting the violations described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

D. Ark Valley is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

E. Pursuant to K.S.A. 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 copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Ark Valley's right to a hearing, and this Penalty Order will become a Final Order.

F. If a request for a hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500.00, 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.⁷ For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.⁸

G. If you do not request a hearing, the payment of the civil penalty of \$350.00 is due thirty (30) days from the date of service of this Order. Payment of \$350.00 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network ("KTRAN") system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure of Ark Valley to perform, pay, or fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of Ark Valley' motor carrier operating authority without further notice.⁹ 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.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/30/2025



Celeste Chaney-Tucker
Executive Director

AAL

⁷ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁸ K.S.A. 66-1,142b(e) and amendments thereto.

⁹ K.S.A. 66-1,105.

ATTACHMENT “A”

REPORT AND RECOMMENDATION TRANSPORTATION DIVISION

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Jared Smith, Deputy Director of Transportation

DATE: September 16, 2025

SUBJECT: Docket No. 26-TRAM-098-PEN
In the Matter of the Investigation of **Ark Valley Tire and Service Inc of Cimarron, Kansas** Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

EXECUTIVE SUMMARY:

Ark Valley Tire Inc (Ark Valley) is a motor carrier (MC) possessing private operating authority from the Commission, primarily hauling tire pieces. Ark Valley Tire Inc operates under USDOT 4174541. From August 28, 2025, to September 8, 2025, Commission Staff Special Investigators (SIs) completed a safety compliance investigation of the operations of Ark Valley. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SIs identified two (2) violations, set forth as two (2) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2026 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$350 be issued to the MC.

DISCUSSION AND ANALYSIS:

On August 28, 2025, Commission Staff SIs conducted a safety compliance investigation of the operations of Ark Valley. The investigation covers a 365-day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R 382.601 states: “Each employer shall provide educational materials that explain the requirements of this part and the employer's policies and procedures with respect to meeting these requirements.

(1) The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

(2) Each employer shall provide written notice to representatives of employee organizations of the availability of this information.

Material Facts and Supporting Documents: On March 31, 2025, Ark Valley required or permitted its driver, Myron Koehn, to operate a commercial driver’s license (CDL) required commercial motor vehicle (CMV), a 2012 Freightliner, VIN ending in 9810, GVWR 33,000 lbs., in intrastate commerce from Cimarron, Kansas to Lakin, Kansas. This transport is evidenced by driver, Myron Koehn’s timecard, attached hereto as **Exhibit 2**.

Violation: Ark Valley failed to provide a complete Drug & Alcohol policy that meets all the requirements of 382.601(b)1-12, which is a violation of 49 C.F.R. 382.601(b), adopted by K.A.R. 82-4-3c. (**Exhibit 1, Page 3**). One (1) violation discovered. (**Exhibit 1, Page 11**).

Recommendation: Staff recommends a fine of \$100, in accordance with the FY2026 Penalty Matrix.

Count Two (2 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: 49 C.F.R. 396.19 states: “Motor carriers and intermodal equipment providers must retain evidence of that individual's qualifications under this section. They must retain this evidence for the period during which that individual is performing annual motor vehicle inspections for the motor carrier or intermodal equipment provider, and for one year thereafter.”

Material Facts and Supporting Documents: This violation took place during the transport on March 31, 2025, described in Count One, above. The 2012 Freightliner involved in this transport had been inspected by Rodney Staats. A copy of the Record of Annual Inspection is attached hereto as **Exhibit 3**. The MC had no record of the inspector qualifications for Inspector Rodney Staats.

Violation: Ark Valley failed to provide evidence of inspector qualifications for inspector Rodney Staats, which is a violation of 396.19(b) as adopted by K.A.R. 82-4-3j (**Exhibit 1, Page 6**). One (1) violation discovered (**Exhibit 1, Page 11**).

Recommendation: Staff recommends a \$250.00, in accordance with the FY2026 Penalty Matrix.

RECOMMENDATION:

Transportation Staff recommends the Commission find Ark Valley Tire Inc committed two (2) violations, set forth as two (2) specific counts, of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the

Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$350 for two (2) violations of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Ark Valley Tire Inc require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within thirty (30) days from the date of the Order and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

Staff further recommends Ark Valley Tire Inc submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

Finally, Staff recommends that Ark Valley Tire Inc submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

Exhibit 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 4174541
MC/MX#: 0

Legal: ARK VALLEY TIRE AND SERVICE INC
Operating (DBA): ARK VALLEY TIRE INC

Investigation Date:
09/08/2025

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

Physical Address

408 S MAIN ST
CIMARRON, KS 67835-8539
United States

Mailing Address

408 S MAIN ST
CIMARRON, KS 67835-1087
United States

Contact Information

Contact Name: MYRON SHAWN KOEHN

Email: arkvalleytire@gmail.com

Phone: (620)855-4452 **Cell:** (620)846-0345 **Fax:** ()-

Business and Financial

Business Type: Corporation

Name of Gross Revenue Provider: MYRON KOEHN

Title of Gross Revenue Provider: President

Gross Revenue: [REDACTED] **For Year Ending:** 08/22/2025

Federal Tax ID: [REDACTED]

Operation Classification and Type

Type of Operation: Non-HM Intrastate Carrier

Operation Classification

Private Motor Carrier

Property – Non-Hazardous Materials

Cargo

Other (Tire pieces)

Equipment

	Owned	Term Leased	Trip Leased
Straight Trucks	1		
Truck Tractors	1		

Driver Information

Power units used in the U.S.: 2

Percentage of time used in the U.S.: 100%

Drivers	Intrastate	Interstate
< 100 Miles	1	
> = 100 Miles		

Average trip leased driver/month: 0

Drivers with CDL: 1

Total Drivers: 1

Person(s) Interviewed

Name: MYRON SHAWN KOEHN

Title: PRESIDENT

Questions

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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This report will be used to assess your safety compliance.

Violations

1. Primary: 382.601(b)

Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-12.

Example/Notes:

Driver name: Myron Koehn
Trip date: 3/31/25

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to provide documentation/evidence of providing drivers with a written Drug & Alcohol policy that meets all the requirements of 382.601(b) 1-12.

2. Primary: 382.701 (b)(1)

Failing to conduct an annual query.

Example/Notes:

Driver: Myron Koehn
Trip: 3/31/25

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to conduct or provide documentation of having obtained an annual query for driver, Myron Koehn.

3. Primary: 391.21(a)

Using a driver who has not completed and furnished an employment application.

Violations Discovered		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Drivers/Vehicles in Violation		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Violations Discovered		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Drivers/Vehicles in Violation		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1
Violations Discovered		
Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1

Example/Notes:

Driver name: Myron Koehn

Trip date: 3/31/25

Description of violation:

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to provide a complete employment application for driver, Myron Koehn that listed 10 years of previous employer history, failed to be signed and dated.

4. Primary: 391.23(c)

Failing to investigate driver's background within 30 days of employment.

Example/Notes:

Driver name: Myron Koehn

Trip date: 3/31/25

Description of violation:

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to conduct/provide record of a previous employer inquiry on driver, Myron Koehn.

5. Primary: 391.51(b)(5)

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example/Notes:

Driver name: Myron Koehn

Trip date: 3/31/25

Description of violation:

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

6. Primary: 391.51(b)(8)

Failing to place a note related to the verification of the medical examiner's listing on the National Registry of Certified Medical Examiners required by 391.23(m) in driver qualification file(s).

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Violations Discovered

Fed	State	Total
	1	1

	Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1						
Fed	State	Total											
	1	1											
Example/Notes: Driver name: Myron Koehn Trip date: 3/31/25 Description of violation: Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to make note related to the verification of medical examiner, Trevor Burns in the driver qualification file for Myron Koehn.	Drivers/Vehicles in Violation <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1	Fed	State	Total		1	1
Fed	State	Total											
	1	1											
Fed	State	Total											
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7. Primary: 396.3(b)(1) Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.	Violations Discovered <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1	Fed	State	Total		1	1
Fed	State	Total											
	1	1											
Fed	State	Total											
	1	1											
Example/Notes: Driver: 3/31/25 Vehicle: 2012 Freightliner VIN [REDACTED] 9810 Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to provide a maintenance file that was properly identified by make, serial number, year, and tire size.	Drivers/Vehicles in Violation <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1	Fed	State	Total		1	1
Fed	State	Total											
	1	1											
Fed	State	Total											
	1	1											
8. Primary: 396.9(d)(3) Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where vehicle is housed.	Violations Discovered <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1	Fed	State	Total		1	1
Fed	State	Total											
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Fed	State	Total											
	1	1											
Example/Notes: Date of inspection: 8/20/25 Issuing agency: Kansas Highway Patrol Driver name/Vehicle ID: [REDACTED] Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to provide and retain	Drivers/Vehicles in Violation <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table> Checked <table><tr><th>Fed</th><th>State</th><th>Total</th></tr><tr><td></td><td>1</td><td>1</td></tr></table>	Fed	State	Total		1	1	Fed	State	Total		1	1
Fed	State	Total											
	1	1											
Fed	State	Total											
	1	1											

records of roadside inspections for the last 12 months.

9. Primary: 396.19(b)

Failing to maintain evidence of inspector's qualifications.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Inspectors name: Rodney Staats

Inspection date 8/2024

Vehicle: 2012 Freightliner VIN [REDACTED] 9810

Trip date: 3/31/2025

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. failed to provide evidence of inspector qualifications for inspector, Rodney Staats.

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Safety Fitness Rating

This Investigation is Not Rated

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Driver Fitness

Process Breakdown: Qualification and Hiring

Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. will ensure that all drivers hired have a complete Driver Qualification file to include: Complete Employment applications, MVR's, Medical Examiner Verification, Annual Reviews, Road Test, and pre-employment/annual queries.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Qualification and Hiring:

1. Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver’s Licenses (CDLs) are reviewed for driver-fitness-related violations of all prospective drivers for the last three years.
2. Ensure that drivers are qualified by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding driver fitness, such as those pertaining to previous violations, Commercial Driver’s License (CDL), medical qualifications, operational qualifications from training, and relevant experience.
3. Review and evaluate gaps in employment, frequent job changes, incomplete applications, within-company applications and reassignments, operational limitations such as those pertaining to long-combination vehicles (LCVs) and HAZMAT, physical impairments, and controlled-substance and alcohol involvement.
4. Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as whether the driver can handle the physical requirements of the job.

Recommendations

1. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. **Clearinghouse Annual Query**

Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.

3. **A copy of your profile can be obtained by accessing the Portal.**

A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).

4. **Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

5. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

6. **Maintain all required controlled substance testing records.**

Maintain all required alcohol and controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .

7. **Clearinghouse Driver Consent**

Ensure driver consent has been obtained and is on file before conducting a limited query.

8. **Drug and Alcohol Testing Company Policy (Educational Materials)**

Provide employees with a written controlled substance and alcohol testing policy that complies with all the requirements noted in Part 382.601(b). Also, ensure you maintain a certificate signed by the employee certifying they have received your company drug and alcohol testing policy.

9. **10-year driver employment history required.**

Ensure that drivers provide a 10-year employment history on their employment application.

10. **Maintain a complete file documenting the qualification process.**

Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.

11. **Drug and Alcohol Clearinghouse**

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov> .

12. **Violations Signature Page**

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

1) The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all the 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. Submit the letter along with copies of your supporting evidence to:

Email: jared.L.Smith@ks.gov

FAX: 785-271-3124

or mail:

Kansas Corporation Commission

Attn: Jared Smith

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

2) The KCC requires a representative from Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. to attend a

Commission-sponsored safety seminar within thirty (30) days from the date of the penalty order. Schedule of the dates for safety seminars can be found on the Commissions website at <https://www.kcc.ks.gov/transportation/calendar-of-events>.

FAILURE TO SUBMIT THE CORRECTIVE ACTION PLAN (CAP) AND ATTEND A SAFETY SEMINAR WITHIN 30 DAYS WILL RESULT IN THE SUSPENSION OF Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc. AND/OR THE IMPOUNDMENT OF Ark Valley Tire and Service Inc. d/b/a Ark Valley Tire Inc.'s VEHICLES.

I understand that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Signed:_____

Date: _____

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
391.23(c) - Failing to investigate driver's background within 30 days			
1	03/31/2025	Driver: Myron Koehn	
391.51(b)(5) - Failing to maintain notation of annual review			
1	03/31/2025	Driver: Myron Koehn	
391.51(b)(8) - Failing to note verification of medical examiner in DQ file.			
1	03/31/2025	Driver: Myron Koehn	
396.3(b)(1) - Failing to keep a maintenance record identifying the vehicle			
1	03/31/2025	Equipment: Unit #10	
396.19(b) - Failing to maintain evidence of inspector's qualifications			
1	03/31/2025	Equipment: Myron Koehn	
382.601(b) - Failing to provide to employees a written policy			
1	03/31/2025	Driver: Myron Koehn	
382.701 (b)(1) - Failing to conduct an annual query.			
1	03/31/2025	Driver: Myron Koehn	
391.21(a) - Incomplete or no employment application			
1	03/31/2025	Driver: Myron Koehn	
396.9(d)(3) - Failing to keep roadside inspection form 12 mo. at PPOB			
1	08/20/2025	Equipment: Unit #10/Myron Koehn	

Exhibit 2

DRIVER'S TIME RECORD (150 air-mile radius)

Driver's Name (print) Myron Koehn Employee No. _____ Month March Year 25

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:

- *Operates within 150 air-mile radius of the normal work reporting location.
- *Returns to normal work reporting location and is released from work within 14 consecutive hours.
- *At least 10 consecutive hours off duty separates each 14 hours on duty.

INTERMITTENT DRIVERS

Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.

Date	Start Time	End Time	Total Hours	Truck Number	Trip Information TO - FROM
1	off			10	
2	off				
3	7:00	5:00	9:30	10	Garden City
4	off				
5	off				
6	off				
7					
8	off				
9	off				
10	10:00	5:30	6:30	10	Shop
11	7:20	6:00	10:10	10	Dodge City
12	7:20	6:00	10:10	10	Dodge City
13	7:20	5:30	8:20	10	Shop
14	7:20	6:20	9:45	10	Shop
15	off				
16	off				
17	7:00	7:00	11:30	10	Garden City
18	7:00	5:00	9:30	10	Garden City
19	3:00	5:00	2:00	10	Shop
20			1:00	10	Shop
21	7:15	6:05	10:20	10	Dodge City
22	12:15	3:45	3:30	10	Dodge City
23	off				
24	off				
25	off				
26	off				
27	off				
28	7:20	6:10	10:05	10	Shop
29	off				
30	off				
31	7:00	5:10	9:40	10	Lakin Garden City

To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off." Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.

Exhibit 3

DATE

RECORD OF ANNUAL INSPECTION

(49 CFR 396.17-23)

Prepare Separate Report for Each Vehicle Inspected

D10160443

COMPANY NAME <i>ARK Valley Tire</i>			VEHICLE TYPE ☒ TRUCK ☐ TRACTOR ☐ TRAILER ☐ CONVERTER ☐ DOLLY		
STREET ADDRESS <i>408 S. Main St</i>			VEHICLE MAKE <i>Freightliner</i>		
CITY <i>Simmons</i>			MODEL <i>Business Class</i>		
STATE <i>KS</i>			YEAR <i>2010</i>		
ZIP <i>67835</i>			VEHICLE IDENTIFICATION (Company No., State Tag No., or VIN) <i>Vin# [REDACTED] 9510</i>		
INSPECTOR'S NAME (Please Print) <i>Rocky Staats</i>				EMPLOYEE NO.	

REPORT OF CONDITION (For Detailed Information on Inspection Procedures see FMCSR Part 396, Appendix A)

	OK	REPAIR		OK	REPAIR		OK	REPAIR		OK	REPAIR
BRAKES			EXHAUST			STEERING			FRAME		
Adjustment	✓		Leaks	✓		Adjustment	✓		Members	✓	
Mechan. Compon.	✓		Placement	✓		Column/Gear	✓		Clearance	✓	
Drum/Rotor	✓		LIGHTING			Axle	✓		Rear Impact Guard		
Hose/Tubing	✓		Headlights	✓		Linkage	✓		TIRES		
Lining	✓		Tail/Stop	✓		Power Steering	✓		Tread	✓	
Antilock System	✓		Clearance/Marker	✓		Other			Inflation	✓	
Automatic Adjusters	✓		Identification	✓		FUEL SYSTEM			Damage	✓	
Low Air Warning	✓		Reflectors	✓		Tank(s)/Cap(s)	✓		Speed Restrictions		
Trailer Air Supply			Other			Lines	✓		Other		
Compressor	✓										
Parking Brakes	✓		CAB/BODY			SUSPENSION			WHEELS/RIM		
Other			Access	✓		Springs	✓		Fasteners	✓	
			Eqpt./Load Secure	✓		Attachments	✓		Disc/Spoke	✓	
COUPLERS			Tie-Downs			Sliders					
Fifth-Wheel & Mount			Headerboard						WINDSHIELD		
Pin/Upper Plate			Motorcoach Seats			MIRRORS	✓		Glass	✓	
Pintle-Hook/Eye			Other						Wipers	✓	
Safety Chain(s)											

REMARKS

Certification: This vehicle has passed all the inspection items for the annual vehicle inspection in accordance with 49 CFR Part 396.

QUALIFIED INSPECTOR'S SIGNATURE

Rocky Staats

DATE

aug 2024

APPLY LABEL TO A CLEAN, DRY SURFACE.
USE WITH AN OVERLAMINATE (2402) TO
IMPROVE DURABILITY UNDER NORMAL
WEATHER CONDITIONS.

AN INDELIBLE INK MARKER IS RECOMMENDED
FOR USE WHEN FILLING OUT THE LABEL.
INDELIBLE INK IS PERMANENT AND WILL NOT
WASH OFF, BUT MAY FADE DUE TO EXPOSURE
TO ULTRAVIOLET LIGHT OVER TIME. CAREFUL
DISCRETION IS ADVISED REGARDING
APPLICATION OF LABEL TO AN AREA NOT
EXPOSED TO EXCESSIVE ULTRAVIOLET LIGHT
AND/OR ELEMENTS AND IT IS RECOMMENDED
THAT THE READABILITY OF THE LABEL BE
CHECKED PERIODICALLY.

D10160443

CERTIFICATE OF SERVICE

26-TRAM-098-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 09/30/2025.

MYRON SHAWN KOEHN, COMPANY OFFICIAL
ARK VALLEY TIRE AND SERVICE INC
D/B/A ARK VALLEY TIRE INC
408 S MAIN ST
CIMARRON, KS 67835
arkvalleytire@gmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
ahsan.latif@ks.gov

/S/ KCC Docket Room
KCC Docket Room