

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



20250508105824  
Kansas Corporation  
Commission

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

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

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
**25-TRAM-376-PEN**

May 8, 2025

Phil Alexander, Manager  
The Party Express LLC  
2327 N. Tee Time Court  
Wichita, Kansas, 67205

This is a notice of a penalty assessment against The Party Express LLC ("Party Express") for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on April 14, 2025, by Kansas Corporation Commission Special Investigators. The Special Investigators identified forty-three (43) violations of the Motor Carrier Safety regulations. Penalties for the violations are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. Party Express has been assessed a \$6,400.00 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 \$6,400.00 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 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 Party Express:

- 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](http://www.kcc.state.ks.us/trans/safety_meetings.htm).
- b. To submit a written, comprehensive Corrective Action Plan ("CAP") to Transportation 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. Transportation 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.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$6,400.00 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](mailto:Ahsan.Latif@ks.gov)

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<sup>1</sup> 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 **The Party**     )  
**Express LLC of Kansas City, Kansas.**     )  
Regarding the Violation(s) of the Motor Carrier     )  
Safety Statutes, Rules and Regulations and the     ) Docket No. 25-TRAM-376-PEN  
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. 66-129a, 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. The Party Express LLC ("Party Express" or "Carrier") is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 1513917.

5. The Commission finds it has jurisdiction over Party Express 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. On April 14, 2025, Commission Transportation Staff ("Transportation Staff" or "Staff") Special Investigators ("SIs") completed a safety compliance investigation of Party Express. As a result of the compliance investigation, the SIs identified forty-three (43) violations, set forth in ten (10) counts of the Motor Carrier Safety Regulations ("MCSRs"), which carry a penalty set forth in the FY2025 Uniform Penalty Assessment Matrix.<sup>1</sup>

7. On April 15, 2025, Transportation Staff submitted its Report and Recommendation ("R&R"), attached hereto as "Attachment A" and hereby incorporated by reference herein, recommending a penalty of \$6,400.00 to be issued to Party Express based on the frequency, timeline, and severity of the violations discovered.

8. Specifically, pursuant to Staff's R&R, the Commission finds that Party Express committed forty-three (43) violations of the following ten (10) counts, discussed more fully in Staff's R&R:<sup>2</sup>

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<sup>1</sup> Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 10 – 24 (Jun. 27, 2024) ("Penalty Matrix").

<sup>2</sup> See Staff's Report and Recommendation, Transportation Division (Apr. 15, 2025).

- a. Count 1: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without first implementing an alcohol and controlled substances testing program, which resulted in one (1) violation of 49 C.F.R. 382.115(a), adopted by K.A.R 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- b. Count 2: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without first maintaining a driver qualification file for the driver involved in this transport. Party Express failed to maintain a driver qualification file for drivers Carla Lipke, Norma Combs, Steve Kratzer, Jeffery Smith or Lori Nelson, resulting in five (5) violations of 49 C.F.R. 391.54(a), adopted by K.A.R. 82-4-3g. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- c. Count 3: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without requiring Carla Lipke to prepare a record of duty status using the appropriate method. Party Express did not require

the preparation of a record of duty status on twelve transports, resulting in twelve (12) violations of 49 C.F.R. 395.8(a)(1), as adopted by K.A.R. 82-4-3a. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- d. Count 4: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without maintaining minimum records of inspection and vehicle maintenance on the commercial motor vehicle involved in this transport. Party Express operated five vehicles maintaining minimum records of inspection and maintenance, resulting in five (5) violations of 49 C.F.R. 396.3(b)(2), adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- e. Count 5: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without having the commercial motor vehicle inspected in the previous twelve months. Party Express operated four vehicles without having had them inspected in the twelve months prior to their use in a transport, resulting in four (4) violations of 49 C.F.R. 396.17, adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

- f. Count 6: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without having for-hire authority from the Commission to operate in intrastate commerce, resulting in one (1) violations of K.S.A. 66-1,114b and 49 C.F.R. 392.2, as adopted by K.A.R. 82-4-3h. The Commission finds that Staff's recommendation of a penalty of \$500.00 is appropriate and in accordance with the FY2025 Penalty Matrix.
- g. Count 7: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without first having her supervisor complete the Reasonable Suspicion Supervisor Training required by C.F.R. 382.603, resulting in one (1) violation of 49 C.F.R. 382.603, 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 FY2025 Penalty Matrix.
- h. Count 8: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without first being enrolled in the FMCSA DACH, which resulted in one (1) violation of 49 C.F.R. 382.711, as adopted by K.A.R. 82-4-3c. The Commission finds that Staff's recommendation of a penalty of \$1,000.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

i. Count 9: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without systematically inspecting, repairing or maintaining all of the commercial motor vehicles subject to their control, resulting in one (1) violation of 49 C.F.R. 396.3(a), as adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$750.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

j. Count 10: On January 19, 2025, Party Express required or permitted its driver, Carla Lipke, to operate a commercial driver's license required commercial motor vehicle (a 1999 16+ passenger Gillig Bus, VIN ending in 9881) in Kansas on a public road (Yoder, Kansas to Wichita, Kansas) without requiring its drivers to prepare a report in writing on each vehicle operated in commerce at the completion of each day's work. The Special Investigators discovered twelve transports that required the preparation of such a report, resulting in twelve (12) violations of 49 C.F.R. 396.11(a), as adopted by K.A.R. 82-4-3j. The Commission finds that Staff's recommendation of a penalty of \$300.00 is appropriate and in accordance with the FY2025 Penalty Matrix.

9. The Commission hereby adopts Staff's April 15, 2025, R&R as additional findings.

10. The Commission finds that Party Express 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.<sup>3</sup> A schedule of the dates and locations for safety

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<sup>3</sup> See *Id.*, p. 4.



seminars can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

11. The Commission further finds that Party Express is required to submit a written, comprehensive Corrective Action Plan ("CAP") that is satisfactory to Transportation 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.<sup>4</sup>

12. The Commission further finds that Party Express 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.<sup>5</sup>

13. Failure to comply with the requirements of this Penalty Order shall result in the suspension of Party Express's motor carrier operating authority without further notice.<sup>6</sup>

14. The Commission concludes the penalty of \$6,400.00 for the forty-three (43) 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. Party Express is hereby assessed a \$6,400.00 civil penalty for forty-three (43) violations, set forth in ten (10) 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.

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<sup>4</sup> See Id.

<sup>5</sup> See Id.

<sup>6</sup> K.S.A. 66-1,105.

B. Party Express 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. Party Express is hereby ordered to submit a written, comprehensive corrective action plan ("CAP") that is satisfactory to Transportation 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. Party Express 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 Party Express's right to a hearing, and this Penalty Order will become a Final Order.

F. If a request for 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.<sup>7</sup> For civil penalties of \$500.00 or less, a corporation may appear by a duly authorized representative of the corporation.<sup>8</sup>

G. If you do not request a hearing, the payment of the civil penalty of \$6,400.00 is due thirty (30) days from the date of service of this Order. Payment of \$6,400.00 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 Party Express 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 Party Express's motor carrier operating authority without further notice.<sup>9</sup> 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: 05/08/2025



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Celeste Chaney-Tucker  
Executive Director

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

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

<sup>9</sup> 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:** April 15, 2025

**SUBJECT: Docket No. 25-TRAM-376-PEN**  
In the Matter of the Investigation of **The Party Express LLC of Wichita, 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:**

The Party Express LLC (Party Express) is a for-hire motor carrier (MC) primarily hauling passengers. The Party Express LLC operates under USDOT 1513917. On April 14, 2025, Commission Staff Special Investigators (SIs) completed a safety compliance investigation of the operations of Party Express. 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 forty three (43) violations, set forth in ten (10) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2025 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 \$6,400 be issued to the MC.

**DISCUSSION AND ANALYSIS:**

On April 14, 2025, Commission Staff SIs conducted a safety compliance investigation of the operations of The Party Express LLC. The investigation covers a 365-day period and any previous compliance review. Each specific count is detailed below.

**Count One: (1 of 10)**

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

**Relevant Statutes:** 49 C.F.R 382.115 states: "(a) All domestic-domiciled employers must implement the requirements of this part on the date the employer begins commercial motor vehicle operations.



(b) All foreign-domiciled employers must implement the requirements of this part on the date the employer begins commercial motor vehicle operations in the United States.”

**Supporting Documentation:** On January 19, 2025, Party Express required or permitted driver Carla Lipke to operate a commercial driver’s license (CDL) required commercial motor vehicle, a 1999 16+ passenger Gillig Bus, VIN ending 9881, in intrastate commerce from Yoder, Kansas to Wichita, Kansas. This trip is evidenced by a trip invoice, which is attached hereto as **Exhibit 2**. At the time of this transport, the MC failed to implement an alcohol and/or controlled substances testing program on the date the employer began CMV operations.

**Violation:** Party Express failed to implement an alcohol and controlled substances testing program, which is a violation of 49 C.F.R. 382.115(a), as adopted by K.A.R. 82-4-3c (**Exhibit 1, page 3**). One (1) violation discovered (**Exhibit 1, page 14**).

**Recommendation:** Staff recommends a fine of \$1,000, in accordance with the FY2025 Penalty Matrix.

#### **Count Two: (2 of 10)**

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

**Relevant Statutes:** 49 C.F.R 391.51(a) states: “Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.”

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, the MC failed to maintain a driver qualification file on each driver it employed. Party Express failed to have a driver qualification file for Carla Lipke, Norma Combs, Steve Kratzer, Jeffery Smith or Lori Nelson, resulting in five (5) violations.

**Violation:** Party Express failed to maintain a driver qualification file on each driver employed in violation of 49 C.F.R. 391.51(a), as adopted by K.A.R. 82-4-3g. (**Exhibit 1, page 3**). Five (5) violations discovered. (**Exhibit 1, page 14**).

**Recommendation:** Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

#### **Count Three: (3 of 10)**

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

**Relevant Statutes:** 49 C.F.R 395.8(a)(1) states: “Except for a private motor carrier of passengers (nonbusiness), as defined in 390.5 of this subchapter, a motor carrier subject to the requirements of this part must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed in paragraphs (a)(1)(i) through (iii) of this section, as applicable.”

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, the MC failed to require its driver to prepare a record of duty status using the appropriate method. The following drivers failed to prepare a record of duty status, resulting in twelve violations: Carla Lipke (January 10, 19, 2025), Norma Combs (January 18, 2025), Steve Kratzer (December 31, 2024, January 3, 7, 2025), Jeffery Smith (December 31, 2024, January 4, 30, 2025) and Lori Nelson (December 27, 2024, January 19, 25, 2025).

**Violation:** Party Express failed to require its drivers to prepare a record of duty status in the method prescribed in violation of 49 C.F.R. 395.8(a)(1) adopted by K.A.R. 82-4-3a (**Exhibit 1, page 5**). Twelve (12) violations discovered (**Exhibit 1, Page 14**).

**Recommendation:** Staff recommends a fine of \$500, in accordance with the FY2025 Penalty Matrix.

**Count Four: (4 of 10)**

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

**Relevant Statutes:** 49 C.F.R 396.3(b)(2): “Motor carriers, except for a private motor carrier of passengers (nonbusiness), must maintain, or cause to be maintained, records for each motor vehicle they control for 30 consecutive days. Intermodal equipment providers must maintain or cause to be maintained, records for each unit of intermodal equipment they tender or intend to tender to a motor carrier. These records must include:

(1) An identification of the vehicle including company number, if so marked, make, serial number, year, and tire size. In addition, if the motor vehicle is not owned by the motor carrier, the record shall identify the name of the person furnishing the vehicle;

(2) A means to indicate the nature and due date of the various inspection and maintenance operations to be performed.”

**Supporting Documentation:** This violation took place during the transport described in Count One, above. Party Express failed to maintain minimum records of inspection and vehicle maintenance on the commercial motor vehicle involved in this transport. The MC failed to maintain minimum records of inspection and maintenance on the following five CMVs: 1999 Gillig Transit Bus with VIN ending in 9881, 1999 Gillig Bus with VIN ending in 9875, 1999 Gillig 30 Passenger Bus with VIN ending in 9351, 1998 Gillig Phantom with VIN ending in 9346 and 2017 Ford Transit 350 EL with VIN ending in 7681.

**Violation:** Party Express failed to maintain, or cause to be maintained, maintenance records for each CMV they control, which is a violation of 49 C.F.R. 396.3(b)(2), as adopted by K.A.R. 82-4-3j (**Exhibit 1, page 6**). Five (5) violations discovered (**Exhibit 1, page 14**).

**Recommendation:** Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

**Count Five: (5 of 10)**

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

**Relevant Statutes:** 49 C.F.R 396.17 states: “Every commercial motor vehicle must be inspected as required by this section. The inspection must include, at a minimum, the parts and accessories set forth in appendix A to this part. The term commercial motor vehicle includes each vehicle in a combination vehicle. For example, for a tractor semitrailer, full trailer combination, the tractor, semitrailer, and the full trailer (including the converter dolly if so equipped) must each be inspected.”

**Supporting Documentation:** This violation took place during the transport described in Count One, above. Party Express failed to obtain an annual inspection on the CMV involved in this transport within the twelve months prior to this transport. The MC failed to obtain annual inspections for the following four CMVs: 1999 Gillig Transit Bus with VIN ending in 9881,

1999 Gillig Bus with VIN ending in 9875, 1999 Gillig 30 Passenger Bus with VIN ending in 9351 and 2017 Ford Transit 350 EL with VIN ending in 7681.

**Violation:** Party Express required or permitted operation of a CMV without obtaining a periodic inspection prior to the vehicle being operated, which is a violation of 49 C.F.R.396.17, as adopted by K.A.R. 82-4-3j (**Exhibit 1, page 4**). Four (4) violations discovered (**Exhibit 1, page 1**).

**Recommendation:** Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

#### **Count Six: (6 of 10)**

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

**Relevant Statutes:** K.S.A. 66-1,114b(a) states: "Except as hereinafter provided, it shall be unlawful for any public motor carrier to operate as a carrier of property other than household goods or passengers in intrastate commerce within this state without first having obtained from the commission a certificate of public service to transport property other than household goods or to transport passengers."

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, the MC's for-hire authority had been cancelled due to a failure to renew. A screenshot of the MC's authority page in KTRAN is attached as **Exhibit 3**.

**Violation:** Party Express conducted intrastate motor carrier operations without obtaining the appropriate KCC operating authority, which is a violation of K.S.A. 66-1,114b and 49 C.F.R. 392.2, as adopted by K.A.R. 82-4-3h (**Exhibit 1, page 4**). One (1) violation discovered (**Exhibit 1, page 15**).

**Recommendation:** Staff recommends a fine of \$500 in accordance with the FY2025 Penalty Matrix.

#### **Count Seven: (7 of 10)**

**Jurisdiction:** 4 K.S.A. 66-1,111 and 66-1,129.

**Intent of Law:** 49 C.F.R 382.603 states: "Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under § 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required."

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, the MC failed to ensure the person designated to determine that drivers undergo reasonable suspicion testing had undergone the required training.

**Violation:** Party Express failed to obtain reasonable suspicion training for its supervisor, which is a violation of 49 C.F.R. 382.603, as adopted by K.A.R. 82-4-3c (**Exhibit 1, Pages 4 to 5**). One (1) violation discovered (**Exhibit 1, page 14**).



**Recommendation:** Staff recommends a fine of \$100, in accordance with the FY2025 Penalty Matrix.

**Count Eight: (8 of 10)**

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

**Relevant Statutes:** 49 C.F.R 382.711 states: "Each employer and service agent must register with the Clearinghouse before accessing or reporting information in the Clearinghouse."

**Supporting Documentation:** This violation took place during the transport described in Count One, above. The Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse (DACH) report is attached hereto as **Exhibit 4**. At the time of this transport, Party Express was not enrolled in the FMCSA DACH. The DACH Report states that a search for the MC's USDOT Number yielded no results in the DACH.

**Violation:** Party Express failed to enroll in the Clearinghouse, which is a violation of 49 C.F.R. 382.711, adopted by K.A.R. 82-4-3c (**Exhibit 1, page 5**). One (1) violation discovered (**Exhibit 1, page 14**).

**Recommendation:** Staff recommends a fine of \$1,000, in accordance with the FY2025 Penalty Matrix.

**Count Nine: (9 of 10)**

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

**Relevant Statutes:** 49 C.F.R 396.3(a) states: "Every motor carrier and intermodal equipment provider must systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to its control. (1) Parts and accessories shall be in safe and proper operating condition at all times. These include those specified in part 393 of this subchapter and any additional parts and accessories which may affect safety of operation, including but not limited to, frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems."

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, carrier failed to systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to their control.

**Violation:** Party Express failed to systematically inspect, repair and maintain CMVs, which is a violation of 49 C.F.R. 396.3(a) adopted by K.A.R. 82-4-3j (**Exhibit 1, page 6**). One (1) violation discovered (**Exhibit 1, page 14**).

**Recommendation:** Staff recommends a fine of \$750, in accordance with the FY2025 Penalty Matrix.

**Count Ten: (10 of 10)**

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

**Relevant Statutes:** 49 C.F.R 396.11(a) states: "Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on

transport described in Count One, above. The carrier invoice is attached hereto as **Exhibit 2**. each vehicle operated, except for intermodal equipment tendered by an intermodal equipment provider. The report shall cover at least the following parts and accessories:

- (3) Service brakes including trailer brake connections;
  - (4) Parking brake;
  - (5) Steering mechanism;
  - (6) Lighting devices and reflectors;
  - (7) Tires;
  - (8) Horn;
  - (9) Windshield wipers;
  - (10) Rear vision mirrors;
  - (11) Coupling devices;
  - (12) Wheels and rims;
  - (13) Emergency equipment.
- (2) Report content.

(i) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. Drivers are not required to prepare a report if no defect or deficiency is discovered by or reported to the driver.

(ii) The driver must sign the report. On two-driver operations, only one driver needs to sign the driver vehicle inspection report, provided both drivers agree as to the defects or deficiencies identified.”

**Supporting Documentation:** This violation took place during the transport described in Count One, above. At the time of this transport, the MC failed to required its drivers to report and prepare a report in writing at the completion of each day's work, on each vehicle operated in commerce. Party Express failed to provide any DVIRs relating to its intrastate transports. The following drivers were required to prepare a DVIR: Carla Lipke, Norma Combs, Steve Kratzer, Jeffery Smith and Lori Nelson.

**Violation:** Party Express failed to require its drivers to prepare a daily vehicle inspection report when required in violation of 49 C.F.R. 396.11(a) adopted by K.A.R. 82-4-3j. (**Exhibit 1, page 6**). Twelve (12) violations discovered. (**Exhibit 1, page 15**).

**Recommendation:** Staff recommends a fine of \$300, in accordance with the FY2025 Penalty Matrix.

### **RECOMMENDATION:**

Transportation Staff recommends the Commission find The Party Express LLC committed forty three (43) violations, set forth in ten (10) 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 \$6,400 for forty three (43) 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 The Party Express LLC 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](http://kcc.ks.gov/trans/safety_meetings.htm).

Staff further recommends The Party Express LLC 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 The Party Express LLC 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#:** 1513917  
**MC/MX#:** 0

**Legal:** THE PARTY EXPRESS LLC  
**Operating (DBA):**

**Investigation Date:**  
04/14/2025

**Investigation Type:** Onsite Comprehensive Investigation

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

**Extent of Operations:** Entire Operation

## Physical Address

2920 N RIDGE RD  
WICHITA, KS 67205  
United States

## Mailing Address

2327 N TEE TIME CT  
WICHITA, KS 67205  
United States

## Contact Information

**Contact Name:** PHIL ALEXANDER  
**Email:** PHIL@PARTYEXPRESSBUS.COM  
**Phone:** (316)943-4386    **Cell:** (816)912-6200    **Fax:** ( )-

## Business and Financial

**Business Type:** Limited Liability Corporation  
**Name of Gross Revenue Provider:** PHIL ALEXANDER  
**Title of Gross Revenue Provider:** Manager  
**Gross Revenue:** [REDACTED]    **For Year Ending:** 12/31/2024  
**Federal Tax ID:** [REDACTED]

## Operation Classification and Type

**Type of Operation:** Non-HM Intrastate Carrier

## Cargo

Passengers

## Operation Classification

Private Motor Carrier  
Passengers – Business

## Equipment

	Owned	Term Leased	Trip Leased
Mini-Bus 16+	7		
Van 9-15	1		

## Driver Information

Drivers	Intrastate	Interstate
< 100 Miles	12	
>= 100 Miles		

**Power units used in the U.S.:** 8  
**Percentage of time used in the U.S.:** 100%

**Average trip leased driver/month:** 0  
**Drivers with CDL:** 11  
**Total Drivers:** 12

## Person(s) Interviewed

**Name:** PHIL ALEXANDER

**Title:** MANAGER

## Questions

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

**This report will be used to assess your safety compliance.**

# Violations

## 1. Primary: 382.115(a)

Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations.



**Acute**

### Violations Discovered

Fed	State	Total
1		1

### Checked

Fed	State	Total
1		1

**BASIC Impacted**  
Controlled  
Substances/Alcohol

**Rating Factor 2:**  
**Driver = Part 382**

### Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to implement an alcohol and/or drug testing program on the date the employer began commercial motor vehicle operations.

### Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

### Checked

Fed	State	Total
-----	-------	-------

## 2. Primary: 391.51(a)

Failing to maintain driver qualification file on each driver employed.



**Critical**

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
	5	5

### Checked

Fed	State	Total
	5	5

**BASIC Impacted**  
Driver Fitness

**Rating Factor 2:**  
**Driver = Part 391**

### Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to maintain driver qualification file on each driver employed.

### Drivers/Vehicles in Violation

Fed	State	Total
-----	-------	-------

### Checked

Fed	State	Total
	5	5

## 3. Primary: 396.3(b)

Failing to keep minimum records of inspection and vehicle maintenance.



**Critical**

At least 10% of the number checked had violations

### Violations Discovered

Fed	State	Total
	5	5

### Checked

Fed	State	Total
	5	5

**BASIC Impacted**  
Vehicle Maintenance

**Rating Factor 4:**  
**Vehicle = Part 396**

Example/Notes:


On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to keep minimum records of inspection and vehicle maintenance.

Drivers/Vehicles in Violation

Fed	State	Total
	5	5
Checked		
Fed	State	Total
	5	5

4. Primary: 396.17(a)

Using a commercial motor vehicle not periodically inspected.



**Critical**

At least 10% of the number checked had violations

Violations Discovered

Fed	State	Total
	4	4

Checked

Fed	State	Total
	5	5

BASIC Impacted

Vehicle Maintenance

Rating Factor 4:

Vehicle = Part 396

Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier was using a commercial motor vehicle not periodically inspected.

Drivers/Vehicles in Violation

Fed	State	Total
	4	4
Checked		
Fed	State	Total
	5	5

5. Primary: 392.2

State Equivalent: K.S.A. 66-1,111

Failure to Obtain KCC Authority (Public Motor Carrier)

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to have the necessary State of Kansas Operating Authority.

Drivers/Vehicles in Violation

Fed	State	Total
Checked		
Fed	State	Total

6. Primary: 382.603

Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

Violations Discovered

Fed	State	Total
1		1



**Checked**

Fed	State	Total
1		1

**Example/Notes:**

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

**Drivers/Vehicles in Violation**

Fed	State	Total
-----	-------	-------

**Checked**

Fed	State	Total
-----	-------	-------

**7. Primary: 382.711(b)**

Failing to register in the Clearinghouse.

**Violations Discovered**

Fed	State	Total
1		1

**Checked**

Fed	State	Total
1		1

**Example/Notes:**

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to register in the Clearinghouse.

**Drivers/Vehicles in Violation**

Fed	State	Total
-----	-------	-------

**Checked**

Fed	State	Total
-----	-------	-------

**8. Primary: 395.8(a)(1)**

Failing to require a driver to prepare a record of duty status using the appropriate method.

**Violations Discovered**

Fed	State	Total
	12	12

**Checked**

Fed	State	Total
	150	150

**Example/Notes:**

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to require a driver to prepare a record of duty status using the appropriate method.

**Drivers/Vehicles in Violation**

Fed	State	Total
	5	5

**Checked**

Fed	State	Total
	5	5

9. Primary: 396.3(a)

Failing to systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to your control

Violations Discovered

Fed	State	Total
	1	1
Checked		
Fed	State	Total
	1	1

Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to their control.

Drivers/Vehicles in Violation

Fed	State	Total
Checked		
Fed	State	Total

10. Primary: 396.11(a)

Failing to report and prepare a report in writing at the completion of each day's work, on each vehicle operated in commerce.

NOTE: Driver has 10% or greater violations for at least 30 days checked.

Violations Discovered

Fed	State	Total
	12	12
Checked		
Fed	State	Total
	12	12

Example/Notes:

On January 19th, 2025, The Party Express had driver Carla Lipke operate a CDL required party bus in intrastate commerce. Ms. Lipke operated a 16+ passenger bus (1999 Gillig Bus "Barbie" VIN# ending 9881) in commerce from Yoder Kansas to Wichita Kansas. This trip is evidenced by a trip invoice. At the time of this trip, carrier failed to report and prepare a report in writing at the completion of each day's work, on each vehicle operated in commerce. Carrier failed to provide any DVIRs relating to the various intrastate trips.

Drivers/Vehicles in Violation

Fed	State	Total
	5	5
Checked		
Fed	State	Total
	5	5

## **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: Hours-of-Service Compliance**

#### **Process Breakdown: Policies and Procedures**

##### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
2. Establish a policy to ensure that drivers enter all compensated time, including time spent working for a non-motor carrier, on their Record of Duty Status (RODS) or prior seven-day duty statement.

### **BASIC: Vehicle Maintenance**

#### **Process Breakdown: Policies and Procedures**

##### **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.

### **BASIC: Vehicle Maintenance**

#### **Process Breakdown: Qualification and Hiring**

##### **Specific Recommended Remedies**

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

1. Ensure that prospective employees are qualified to inspect, repair and maintain the carrier's vehicles by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding inspection, repair, and maintenance responsibilities and (for mechanics and technicians) the quality of previous work, including whether maintenance services were systematic and well documented. Create a detailed written record of each inquiry.
2. Query the Federal Motor Carrier Safety Administration's (FMCSA) information systems to check the vehicle inspection, repair, and maintenance performance (violations, Out-of-Service [OOS] rates, etc.) of other carriers for whom the mechanic has worked. Then, ask follow-up questions to better determine the mechanic's performance in those previous jobs.

### **BASIC: Controlled Substances/Alcohol**

#### **Process Breakdown: Policies and Procedures**

## **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
2. Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, drivers for controlled-substance testing and for alcohol testing. Ensure selection will result in the applicable annual rate of drivers sampled for controlled-substances testing and for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
3. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

## **BASIC: Controlled Substances/Alcohol**

### **Process Breakdown: Training and Communication**

## **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:**

1. Provide new-hire and refresher training, to all drivers, managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a Substance Abuse Professional (SAP); and confidentiality requirements in relation to recordkeeping.

## **BASIC: Driver Fitness**

### **Process Breakdown: Policies and Procedures**

## **Specific Recommended Remedies**

**To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:**

1. Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
2. Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
3. Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.

4. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.

## **BASIC: Driver Fitness**

### **Process Breakdown: Qualification and Hiring**

#### **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. Require that drivers fill out the long form for the medical card and be examined by the carrier's preferred doctor to ensure that their medical qualifications are accurate.
5. 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. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm)

### 3. **CDL and drug testing rules apply.**

Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.

### 4. **Establish a maintenance records program for all vehicles.**

Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.

### 5. **Require all drivers to prepare a written inspection report.**

Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.

### 6. **Review with drivers procedure for pre and post trip inspections.**

Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.

### 7. **Establish a system to control passenger-carrying drivers' HOS.**

Establish a system to control passenger-carrying drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15, and 60/70-hour limits.

### 8. **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.

### 9. **Require drivers to prepare complete and accurate records.**

Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.

### 10. **Duty status records must be kept on file for 6 months.**

Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.

### 11. **Employers must test for specific drugs.**

DOT drug testing rules require that employers test for marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

### 12. **Alcohol Testing**

Ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.

### 13. **Random Test Selections**

After selection of drivers for random testing, the program coordinator should send confidential correspondence to whoever is informing the selected drivers, noting the selection date, selected names, proper notification procedure, testing location, and when test results need to be completed. Drivers should be reminded that refusal to take the test will be equivalent to a positive result.

### 14. **Reasonable Suspicion Training**

Provide new-hire and refresher training, to all managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a substance-abuse professional (SAP); and confidentiality requirements in relation to recordkeeping.

### 15. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real

time data and the opportunity to review your safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

**16. 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.

**17. 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.

**18. Clearinghouse Registration - Employer**

Ensure you are registered in the Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>.

**19. Ensure that all drivers' logs are accurate.**

Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.

**20. Retain supporting documents for 6 months.**

Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.

**21. Part 40 Violations**

Ensure that your drug and alcohol testing program conforms with all applicable parts of Part 40.

**22. Clearinghouse Driver Consent**

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

**23. Ensure that inspections are done at proper intervals.**

Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.

**24. 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.

**25. 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.

**26. 10-year driver employment history required.**

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

**27. 150-mile exemption terms must be met.**

If you want some drivers to use the 150 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 14 hours from when they report for duty. Logs must be prepared if a driver does not meet the 14 hour requirement.

**28. Drug and Alcohol Clearinghouse**

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

**29. Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

**30. For All Investigations Penalty**

MANDATORY FOLLOW UP REQUIREMENTS (ALL INVESTIGATIONS THAT RESULT IN PENALTY)

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 The Party Express LLC 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 Commission's 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 THE PARTY EXPRESS LLC's OPERATING AUTHORITY AND/OR THE IMPOUNDMENT OF EPIC EXCAVATING LLC'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
<b>382.603 - Fail to get "reasonable suspicion" designee 60 min training</b>			
1	01/19/2025	Driver: CARLA LIPKE	
<b>382.711(b) - Failing to register in the Clearinghouse.</b>			
1	01/19/2025	Driver: CARLA LIPKE	
<b>391.51(a) - Failing to maintain driver qual. file on each driver</b>			
1	01/19/2025	Driver: CARLA LIPKE	
2	01/18/2025	Driver: NORMA COMBS	
3	01/07/2025	Driver: STEVE KRATZER	
4	01/04/2025	Driver: JEFFERY SMITH	
5	01/19/2025	Driver: LORI NELSON	
<b>396.3(a) - Failing to maintain fleet</b>			
1	01/19/2025	Equipment: CARLA LIPKE	
<b>396.3(b) - Failing to keep minimum records of inspection and maintenance</b>			
1	01/19/2025	Equipment: CARLA LIPKE	Unit - Barbie
2	01/19/2025	Equipment: LORI NELSON	Unit - Celebrity
3	01/07/2025	Equipment: STEVE KRATZER	Unit - Millennium
4	01/04/2025	Equipment: JEFFERY SMITH	Unit - DooDah
5	12/28/2024	Equipment: ZACHARY WOOLHEATER	Unit - MegaVan
<b>382.115(a) - Failing to implement an alcohol and/or drug testing program</b>			
1	01/19/2025	Driver: CARLA LIPKE	
<b>396.17(a) - Using a CMV not periodically inspected</b>			
1	01/19/2025	Equipment: CARLA LIPKE	Unit - Barbie
2	01/19/2025	Equipment: LORI NELSON	Unit - Celebrity
3	01/07/2025	Equipment: STEVE KRATZER	Unit - Millennium
4	12/28/2024	Equipment: ZACHARY WOOLHEATER	Unit - MegaVan
<b>396.11(a) - Failing to complete DVIR at completion of each work day (DRIVER)</b>			
1	01/10/2025	Equipment: CARLA LIPKE	
2	01/19/2025	Equipment: CARLA LIPKE	
3	01/18/2025	Equipment: NORMA COMBS	
4	12/31/2024	Equipment: STEVE KRATZER	
5	01/03/2025	Equipment: STEVE KRATZER	
6	01/07/2025	Equipment: STEVE KRATZER	

7	12/31/2024	Equipment: JEFFERY SMITH
8	01/30/2025	Equipment: JEFFERY SMITH
9	01/04/2025	Equipment: JEFFERY SMITH
10	12/27/2024	Equipment: LORI NELSON
11	01/25/2025	Equipment: LORI NELSON
12	01/19/2025	Equipment: LORI NELSON

**395.8(a)(1) - Failing to require a driver to prepare a RODS using the appropriate method**

1	01/10/2025	CARLA LIPKE
2	01/19/2025	CARLA LIPKE
3	01/18/2025	NORMA COMBS
4	12/31/2024	STEVE KRATZER
5	01/03/2025	STEVE KRATZER
6	01/07/2025	STEVE KRATZER
7	12/31/2024	JEFFERY SMITH
8	01/30/2025	JEFFERY SMITH
9	01/04/2025	JEFFERY SMITH
10	12/27/2024	LORI NELSON
11	01/25/2025	LORI NELSON
12	01/19/2025	LORI NELSON

**392.2 - Failure to Obtain KCC Authority (Public Motor Carrier)**

1	01/19/2025	CARLA LIPKE
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## **EXHIBIT 2**

## Merchant: Party Express Bus

2327 W Tea Time Ct  
Wichita, KS 67205  
US

3162394983

Description: January 19th 3:30-7:30pm

Order Number:

P.O. Number:

Customer ID: Paid in full

Invoice Number: Pink Bus **Barbie**

## Billing Information

Kelli Altvater

## Shipping Information

Phone: 6208994959  
Kaltvater@invisionig.com

Shipping: 0.00

Tax: 0.00

Total: USD 1,506.75

Date/Time: 14-Jan-2025 12:41:57 PST  
Transaction ID: 80833224534  
Transaction Type: Authorization w/ Auto Capture  
Transaction Status: Settled Successfully  
Authorization Code: 04742G  
Payment Method: Visa XXXX5209

Wichita to Yoder, Haven, mount hope, Wichita.  
11th birthday going to Dave and busters.

*Carla*

## **EXHIBIT 3**

The information in KTRAN is updated daily through the Federal Motor Carrier Management Information System (MCMIS). So that KTRAN receives the most up-to-date information about your motor carrier operations, you must keep your MCS-150 information updated. KTRAN will reflect the update 24-36 hours after the MCS-150 information has been updated.  
[Click here if you need to update your FMCSA registration or authority](#)

Carrier Operation: INTRASTATE(Non-HM)  
USDOT: 1513917  
MCMIS Status: A

Tax TypeID: 1513917  
KTRAN PIN:

IRP Status: Active  
IFTA Status: Not Found

Company Information

Legal Name: THE PARTY EXPRESS LLC

DBA Name:

Phone: (316) 943-4386

Fax:

Email: PHIL@PARTYEXPRESSBUS.COM

Bus. Type: No Data

Edit

Cell:

BEIN:

Questionnaire

KCC has determined that submitting a Questionnaire is not required

Kansas Trucking Application Status

My Applications

Currently no Kansas Trucking Application for intrastate authority has been submitted.

Address

Insurance

Authority

Cargo

Safety Seminar

Date Granted: 09/18/2015

Authority: FOR-HIRE

Service: CONVENIENCE AND NECESSITY

Status: CANCELLED

Status Date: 01/19/2024

Reason: FAILURE TO RENEW - 2024 Renewal

Action: Authority Card

## **EXHIBIT 4**



# DRUG & ALCOHOL CLEARINGHOUSE

WELCOME WADE



## Search for a Driver

Country of Issuance (optional)

country

State of Issuance (optional)

state

Driver Name or CDL

Search



## Search for an Employer

USDOT#

1513917

or

Company Name

Country (optional)

country

State (optional)

state

There is no employer account associated with the DOT Number you entered. Please confirm the DOT Number is correct.

You can also try searching by motor carrier name (partial or full) and State/country, in case the carrier does not have a DOT Number associated with their Clearinghouse account.

Search

## Run Reports

The Driver Status Change report includes all drivers that have had a Clearinghouse status change within the specific time frame. The Prohibited Drivers Report includes all drivers that are currently listed as "prohibited" in the Clearinghouse.

### Driver Status Change Report

**Date Range**

From

To

**State of Issuance**

Search

### Prohibited Driver Report

**State of Issuance**

Search

U.S. DEPARTMENT OF TRANSPORTATION  
Federal Motor Carrier Safety Administration  
1200 NEW JERSEY AVENUE, SE  
WASHINGTON, DC 20590  
202-366-4000

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Information Collection #: OMB Control No. 2126-0057

**CERTIFICATE OF SERVICE**

25-TRAM-376-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 05/08/2025.

PHIL ALEXANDER, MANAGING MEMBER  
The Party Express LLC  
2327 N Tee Time Ct  
Wichita, KS 67205  
phil@partyexpressbus.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