

**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 Emergency Suspension of)
Operating Authority of **Elite Freight & Transport**)
Solutions LLC of Overland Park, Kansas, for) Docket No. 24-TRAM-655-OOS
Failure to Comply with New Entrant Safety)
Requirements as Required by the Motor Carrier)
Safety Statutes, Rules and Regulations.)

ORDER REINSTATING MOTOR CARRIER OPERATING AUTHORITY

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination upon its own motion. Having examined its files and records, the Commission, finds and concludes:

I. Legal Standards

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112, and 66-1,114b, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.A.R. 82-4-3f, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2. Pursuant to K.S.A. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in

regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

II. Analysis

4. Elite Freight & Transport Solutions LLC is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f that operates commercial motor vehicle(s) in both intrastate and interstate commerce in a manner that requires authority.

5. Elite Freight & Transport Solutions LLC is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 4033195.

6. The Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration that Elite Freight & Transport Solutions LLC's New Entrant Registration had been revoked effective March 30, 2024, for failure to comply with safety requirements.

7. Pursuant to the above authority, on April 4, 2024, the Commission entered an Emergency Suspension of Operating Authority Order on Elite Freight & Transport Solutions LLC in the above-referenced docket, until such time that Staff recommended reinstatement.

8. On October 10, 2024, the Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, that Elite Freight & Transport Solutions LLC has submitted evidence of compliance with safety requirements as required in 49 C.F.R. 385.329. As a result, the carrier's reapplication for New Entrant registration under USDOT

No. 4033195 has been approved and the carrier's authority to operate in interstate operations has been reinstated. See attached FMCSA reinstatement documentation, a copy of which is attached hereto as Attachment "A" and is hereby incorporated by reference.

9. Carrier further submitted evidence of attendance at a Kansas Corporation Commission-sponsored safety seminar. A representative of Carrier attended on November 13, 2024. See attached KTRAN screenshot, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference.

10. The Commission finds it has jurisdiction over Elite Freight & Transport Solutions LLC because it is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.

11. The Commission finds that by attending a Commission-sponsored safety seminar, Carrier has met the requirements of the April 4, 2024, Emergency Suspension of Operating Authority Order.

12. Based on the Federal Motor Carrier Safety Administration's reinstatement, the Commission concludes it should reinstate Elite Freight & Transport Solutions LLC's motor carrier operations in Kansas.

THE COMMISSION THEREFORE ORDERS THAT:

A. Elite Freight & Transport Solutions LLC's intrastate motor carrier operations in Kansas are hereby reinstated.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/19/2024



Lynn M. Retz
Executive Director

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ATTACHMENT “A”



U.S. Department of
Transportation
**Federal Motor
Carrier Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590
October 11, 2024

PETER M AFFUL SR.
SOLE PROPRIETOR
ELITE FREIGHT & TRANSPORT SOLUTIONS LLC
7300 W 110TH ST FL 7
OVERLAND PARK, KS 66046

In reply refer to:
USDOT Number: 4033195
MC Number: MC1524277

Action Required: Call to schedule a Safety Audit.

According to Federal Motor Carrier Safety Administration's (FMCSA) records thirty days have elapsed since ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's USDOT New Entrant registration was revoked on March 30, 2024, and that ELITE FREIGHT & TRANSPORT SOLUTIONS LLC has reapplied in accordance with 49 CFR 385.329. This is to inform ELITE FREIGHT & TRANSPORT SOLUTIONS LLC that ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's reapplication for USDOT New Entrant registration has been approved.

A safety audit has not yet been conducted; ELITE FREIGHT & TRANSPORT SOLUTIONS LLC should contact your local State Motor Carrier Safety Assistance Program (MCSAP) office 785-296-8533 as soon as possible to schedule a safety audit. In accordance with 49 CFR section 385.337, failure to permit a safety audit to be performed may result in the revocation of ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's USDOT New Entrant registration and ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's interstate operation being placed out of service. Additionally, the refusal to submit to a safety audit may also subject a new entrant motor carrier to the penalty provisions in 49 U.S.C. 521(b) (2) (A), as adjusted by inflation.

ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's 18-month new entrant safety monitoring period restarts as of October 11, 2024. FMCSA will continue to monitor and evaluate ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's safety management practices and on-road performance to ensure ELITE FREIGHT & TRANSPORT SOLUTIONS LLC has basic safety management controls that are operating effectively and is complying with Federal requirements including the Federal Motor Carrier Safety Regulations (FMCSRs) and applicable Federal Hazardous Materials Regulations (HMRs). Failure to comply with applicable requirements may result in the revocation of ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's USDOT New Entrant or permanent registration.

ELITE FREIGHT & TRANSPORT SOLUTIONS LLC's USDOT number can be found in the upper right hand corner of this letter. This USDOT number should be marked on commercial motor vehicles operated by ELITE FREIGHT & TRANSPORT SOLUTIONS LLC as required by 49 CFR section 390.21. A copy of the FMCSRs, including this regulation, may be found on the FMCSA web site, <http://safer.fmcsa.dot.gov>.

Sincerely,

David J. Yessen, Chief, Compliance Division

ATTACHMENT “B”



- Search
- Authority Maintenance
- UCR
- Payments
- Remarks
- Documents
- Messages
- Exception Transactions**

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](#)

On 04/04/2024 an **EMERGENCY SUSPENSION OF OPERATING AUTHORITY ORDER** (24-TRAM-655-OOS) was issued for failure to comply with New Entrant Safety Requirements as required by the Motor Carrier Safety statutes, rules and regulations. ✕

Carrier Operation: INTERSTATE
USDOT: 4033195
MCMIS Status: A

Tax Type/ID: / *****6
KTRAN PIN: XXXXXXXXXX

IRP Status: Active
IFTA Status: Not Found

▼ Company Information

Legal Name: ELITE FREIGHT & TRANSPORT SOLUTIONS LLC

DBA Name:

Phone: (913) 313-2491 Cell:

Fax:

Email: ELITEFREIGHTTRANSPORT@GMAIL.COM

Bus. Type: No Data BEIN:

[Edit](#)

▼ Questionnaire

SUBMITTED (11/07/2024)

PENDING (11/07/2024) [View](#)

The questionnaire is pending review by staff

► Address

▼ Kansas Trucking Application Status

My Applications

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

Insurance	Authority	Cargo	Safety Seminar
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Add			
Date	Attendee	Location	
11/13/2024	Peter Aful	Other	

CERTIFICATE OF SERVICE

24-TRAM-655-OOS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/19/2024.

Peter Afful, OWNER
Elite Freight & Transport Solutions LLC
2937 Fenwick Rd
Lawrence, KS 66046
elitefreighttransport@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