

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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



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

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT
15-TRAM-408-PEN

April 28, 2015

Lori Driskell, Office Manager
Town Oil Company, Inc.,
16205 W 287th St
Paola, Kansas 66071

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 29, 2015, by Kansas Corporation Commission Special Investigator Wade Patterson. For a full description of the penalty and process please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

You have been assessed a \$1,000 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

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

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

IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2014 Supp. 77-542.

IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Michael J. Duenes
Litigation Counsel
(785) 271-3181

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

II. BACKGROUND

4. Town Oil Company, Inc. (Town Oil Company) obtained private operating authority from the Commission on September 25, 2013, and operates under KSMCID number 169788 and USDOT number 280156.

5. Lane Town attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on September 23, 2013, on behalf of Town Oil Company.

6. Town Oil Company is a private motor carrier which primarily hauls building materials and oilfield equipment.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 29, 2015, Commission Staff (Staff) Special Investigator Wade Patterson conducted a compliance review of the operations of Town Oil Company. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Patterson identified two (2) violations of the Motor Carrier Safety Regulations.

- a. On May 13, 2014, Town Oil Company required or permitted its driver, Adrian Morgan, to operate a commercial motor vehicle, a 2000 Freightliner, VIN ending in 08842, in interstate commerce from Paola, Kansas to Lisle, Missouri. This trip is evidenced by Invoice No. 7018, dated May 13, 2014, and a customer order sheet dated May 6, 2014, copies of which are attached hereto as Attachment "B" and are hereby incorporated by reference. At the

time of this transportation, Town Oil Company did not have implemented a proper alcohol and/or controlled substance testing program for its drivers. Town Oil Company's failure to establish an alcohol and/or controlled substances program for its drivers that complies with the procedures established in 49 C.F.R. 382.105, as adopted by K.A.R. 82-4-3c, is a violation of 49 C.F.R. 382.115(a), as adopted by K.A.R. 82-4-3c, and as authorized by K.S.A. 2014 Supp. 66-1,129. Staff recommends a fine of \$500.

- b. On January 19, 2015, Town Oil Company required or permitted its driver, Adrian Morgan, to operate a commercial motor vehicle, a 1998 Ford, VIN ending in 37352, in interstate commerce from Paola, Kansas to Lisle, Missouri. This trip is evidenced by Invoice No. 7571, dated January 27, 2015, and MCS Temporary Permit No. L000070, copies of which are attached hereto as Attachment "C" and are hereby incorporated by reference. At the time of this transportation, Town Oil Company had not paid its Uniform Commercial Registration (UCR) fees for the year of 2015. Town Oil Company operates eleven (11) power units. Town Oil Company's failure to annually register its commercial motor vehicle(s) operating in interstate commerce over the highways of this state and to pay the appropriate Unified Carrier Registration (UCR) fees as set out in 49 C.F.R. 367.30, is a violation of K.A.R. 82-4-30a, as authorized by K.S.A. 2014 Supp. 66-1,139a and K.S.A. 2014 Supp. 66-1,129. The recommended fine for this violation is

\$1,000, but due to a number of mitigating circumstances, Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find Town Oil Company committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$1,000 for two (2) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Town Oil Company be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Town Oil Company submit to one follow-up safety compliance review within the next eighteen (18) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Town Oil Company because it is a motor carrier as defined in K.S.A. 2014 Supp. 66-1,108.

13. The Commission finds Town Oil Company committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety

Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. Town Oil Company, Inc., of Paola, Kansas is hereby assessed a \$1,000 civil penalty for two (2) violations of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Town Oil Company is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, Town Oil Company is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2014 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Town Oil Company's right to a hearing, and this Penalty Order will become a Final Order assessing a \$1,000 civil penalty against Town Oil Company, and ordering Town Oil Company to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2014 Supp. 66-1,142b(e) and amendments thereto.

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

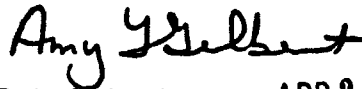
F. Failure to pay the \$1,000 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of Town Oil Company's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: **APR 28 2015**




Order Mailed Date **APR 29 2015**


Amy L. Gilbert
Secretary

MJD

ATTACHMENT “A”

	US DOT # 280156	Legal: TOWN OIL COMPANY INC Operating (DBA): TOWN OIL CO INC	
MC/MX #:		State #: [REDACTED]	Federal Tax ID: 4 [REDACTED] (EIN)
Review Type: Compliance Review (CR)			
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.	
Territory:			
Operation Types Interstate Intrastate			
Carrier: Non-HM Non-HM		Business: Corporation	
Shipper: N/A N/A		Gross Revenue: [REDACTED] for year ending: 12/31/2014	
Cargo Tank: N/A			
Company Physical Address:			
16205 W 287TH ST PAOLA, KS 66071-8482			
Contact Name: Lori Driskell			
Phone numbers: (1) [REDACTED]		Fax [REDACTED]	
E-Mail Address: [REDACTED]			
Company Mailing Address:			
16205 W 287TH ST PAOLA, KS 66071-8482			
Carrier Classification			
Private Property			
Cargo Classification			
Building Materials		Oil Field Equipment	
Equipment			
	Owned	Term Leased	Trip Leased
Truck	9	0	0
Trailer	2	0	0
	Owned	Term Leased	Trip Leased
Truck Tractor	2	0	0
Power units used in the U.S.: 11			
Percentage of time used in the U.S.: 100			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	
< 100 Miles:	11		Average trip leased drivers/month: 0
>= 100 Miles:			Total Drivers: 11
			CDL Drivers: 6



	TOWN OIL CO INC (TOWN OIL COMPANY INC dba) U.S. DOT #: 280156	State #:	Review Date: 02/02/2015
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Part A

QUESTIONS regarding this report may be addressed to the Kansas Corporation Commission at:

1500 SW Arrowhead Road
Topeka, Kansas 66604
Telephone (785)640-9132

This report will be used to assess your safety compliance.

Person(s) Interviewed


Name: Lori Driskell

Title: Office Manager

Name:

Title:




	TOWN OIL CO INC (TOWN OIL COMPANY INC dba)		Review Date:
	U.S. DOT #: 280156		02/02/2015

State #:

Part B Violations

1 FEDERAL ACUTE	Primary: 382.115(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
Description Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations. Example 05/13/2014, Driver operated a CDL required vehicle vin# 38482 in commerce from Paola Kansas to Lisle Missouri to Honsinger Lease.				
2 FEDERAL	Primary: 367.30	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
Description Fail to pay current years UCR and operating in interstate commerce. Example Company has failed to pay 2015 UCR.				
3 STATE	Primary: 390.19(b)(2) Secondary: KAR 82-4-3f(a)(7)(g) CFR Equivalent: 390.19(b)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
Description Failing to file the appropriate form under 390.19(a) (MCS-150, 150B, or 150C) each 24 months according to the schedule. Example Carrier failed to update MCS150 as required by the FMCSR's. 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.				
4 FEDERAL	Primary: 391.21(a)	Discovered 4	Checked 5	Drivers/Vehicles In Violation Checked 4 5
Description Using a driver who has not completed and furnished an employment application. Example 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.				
5 FEDERAL	Primary: 391.25(a)	Discovered 5	Checked 5	Drivers/Vehicles In Violation Checked 5 5
Description Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months. Example 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.				



	TOWN OIL CO INC (TOWN OIL COMPANY INC dba)	State #:	Review Date:
	U.S. DOT #: 280156		02/02/2015

Part B Violations

6 FEDERAL	Primary: 391.51(b)(5)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5																												
Description Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Example 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.																																	
7 FEDERAL	Primary: 391.51(b)(6)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5																												
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.																																	
8 FEDERAL	Primary: 391.51(d)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5																												
Description Failing to keep required records in driver's qualification file for 3 years after date of execution. Example 01/19/2015, Driver operated a CDL required vehicle vin# 37352 in commerce from Paola Kansas to Lisle Missouri to Setzer Lease owned by TDR Construction Inc.																																	
Safety Fitness Rating Information: Total Miles Operated 79,332 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0																															
Your proposed safety rating is : <div style="text-align: center; font-size: 1.2em; font-weight: bold;">SATISFACTORY</div>		<table border="1"> <thead> <tr> <th>Rating Factors</th> <th></th> <th>Acute</th> <th>Critical</th> </tr> </thead> <tbody> <tr> <td>Factor 1:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 2:</td> <td>C</td> <td>1</td> <td>0</td> </tr> <tr> <td>Factor 3:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 4:</td> <td>S</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 5:</td> <td>N</td> <td>0</td> <td>0</td> </tr> <tr> <td>Factor 6:</td> <td>S</td> <td>-</td> <td>-</td> </tr> </tbody> </table>				Rating Factors		Acute	Critical	Factor 1:	S	0	0	Factor 2:	C	1	0	Factor 3:	S	0	0	Factor 4:	S	0	0	Factor 5:	N	0	0	Factor 6:	S	-	-
Rating Factors		Acute	Critical																														
Factor 1:	S	0	0																														
Factor 2:	C	1	0																														
Factor 3:	S	0	0																														
Factor 4:	S	0	0																														
Factor 5:	N	0	0																														
Factor 6:	S	-	-																														

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.

TOWN OIL CO INC (TOWN OIL COMPANY INC dba)
U.S. DOT #: 280156

State #:

Review Date:
02/02/2015

Part B Requirements and/or Recommendations

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

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

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.

For all Investigations that could result in a Penalty Order:


- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

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

KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 15 days and any additional evidence necessary to prove the corrective action has been taken to:

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

2. Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR. Set up

	TOWN OIL CO INC (TOWN OIL COMPANY INC dba)	Review Date:
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Part B Requirements and/or Recommendations

and maintain a comprehensive drug and alcohol testing program that adheres to the FMCSR's.

3. Carrier is required to pay Unified Carrier Registration (UCR) fee when operating in Interstate commerce.
4. Make sure the MCS-150 (USDOT number) is updated every year. When doing so, be sure to change any information being reflected inaccurate.
5. Per Kansas Regulation KAR 82-4-3f(a)(7)(G), the MCS-150 (USDOT number) is required to be updated every year. Kansas is a Performance Registration Information Systems Management (PRISM) state and all Kansas based carriers are required to update their carrier profile annually. To file an updated MCS-150, you can sign on to the Federal website at www.fmcsa.dot.gov. Hover over the words Registration & Licensing. When the drop down menu appears, click on On Line Registration. In the first box on the right side "Register Now without Help", click on the link available for Online Registration without Help at the bottom of the box. This will open a new window for the FMCSA Registration process. Scroll down and answer the questions accordingly. Once again, filing on line is the faster process. However, the form can be printed, filled out and mailed. The completed form can be mailed to Kansas Corporation Commission, Attn Transportation Division, 1500 SW Arrowhead Rd, Topeka, KS 66604-4027. If you do not have access to the internet, you may call 785-271-3145 and request a form be mailed to you.
6. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Ensure that all applications are properly completed by prospective drivers. All information should be clearly filled out. Company officials should thoroughly investigate all applicants and note any issues.

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- 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.
- 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.
- 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.
- 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.
- 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.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, dispatcher, and driver by using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.


HAZMAT Carrier Only:

- Ensure that drivers can meet physical requirements and are able to handle the additional stress associated with multiple HAZMAT-transportation responsibilities.

Passenger Carriers Only:

- Check the Motor Vehicle Record (MVR) to ensure that drivers have the proper class of license and "P" or "S" endorsement, and to see if the applicable endorsement on the license has a specific restriction, such as an air-brake restriction.

Seek Out Resources:

	TOWN OIL CO INC (TOWN OIL COMPANY INC dba)	Review Date:
	U.S. DOT #: 280156	02/02/2015
<p align="center">Part B Requirements and/or Recommendations</p>		

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
 - Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.
7. As required by 391.25(a), motor carriers shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to the appropriate agency of every State in which the driver held a commercial motor vehicle operator's license or permit during the time period.
 8. 391.51 states that 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. The qualification file for a driver must include a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Going forward, ensure this is completed for every driver annually as directed by the FMCSR's.
 9. 391.51 states that 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. The qualification file for a driver must include a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). Going forward, ensure this is completed for every driver annually as directed by the FMCSR's.
 10. 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. Ensure that applicable documents are retained for a period of three (3) years.
 11. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Town Oil Co Inc's operating authority and/or the impoundment of Town Oil Co Inc's vehicles.

X _____
Lori Driskell

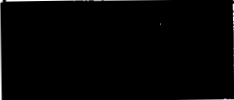
ATTACHMENT “B”

Town Oil Company

16205 W 287th St
Paola, Kansas 66071

Invoice

Date	Invoice #
5/13/2014	7018

Bill To


			Terms
			Net 30
Quantity	Description	Rate	Amount
3	Honsinger Lease	85.00	255.00T
	Sales Tax	7.65%	19.51
There will be a 1 1/2% finance charge added to all invoices each 30 days payment is late.		Total	\$274.51

317842

Customer's

Order No.

DATE _____

5-6-14

SOLD TO

TNT

ADDRESS

Hansinger Lease - Lyle, MD

SALESMAN

Adrian

TERMS

CASH	CHARGE	C. O. D.	PAID OUT	RETD. MDSE.	RECD. ON ACCT.
QUAN.	DESCRIPTION			PRICE	AMOUNT
	Collect contents from well washing on Hensinger lease				
	Start				
	1:00 PM				
	3 hr				
	Stop				
	4:00 PM				
	2000 Freightliner VIN# [REDACTED]				30846

ALL Claims and Returned Goods MUST Be Accompanied By This Bill

SIGNATURE

ATTACHMENT “C”

Town Oil Company

16205 W 287th St
Paola, Kansas 66071

Invoice

Date	Invoice #
1/27/2015	7571

Bill To
<div style="background-color: black; width: 150px; height: 40px;"></div>

Terms
Net 30

Quantity	Description	Rate	Amount
2	Setzer Lease - Missouri	85.00	170.00T
	Sales Tax	7.65%	13.01
There will be a 1 1/2% finance charge added to all invoices each 30 days payment is late.		Total	\$183.01



MISSOURI DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SERVICES
P.O. Box 270, Jefferson City, Mo 65102-0270
MCS Temporary Permit

PERMIT NUMBER

L000070

USDOT NUMBER 000280156			TYPE OF PERMIT	
ISSUED TO TOWN OIL COMPANY INC			<input checked="" type="checkbox"/>	72-Hour Reciprocity Trip \$10
BUSINESS STREET ADDRESS 16205 W 287TH ST			<input type="checkbox"/>	72-Hour Fuel Trip \$10
BUSINESS CITY, STATE, ZIP PAOLA, KS 66071-848			<input type="checkbox"/>	72-Hour Trip (In lieu of stamp or sticker) \$5
			<input type="checkbox"/>	30 Day Hunter Permit \$25
			Total Collected \$10	
VEHICLE MAKE FORD	VIN NUMBER [REDACTED] 37352	YEAR 1998	BEGINNING: 01 / 19 / 2015 MONTH DAY YEAR	
LICENSE NO (Leave blank for Hunter Permit) [REDACTED]	LICENSE STATE (Leave blank for Hunter Permit) KS		HOUR: 09:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	

This permit is non-transferable and must be in the possession of vehicle operator at all times. This license is valid for the duration and commencing with the time of the permit as shown above for the vehicle described hereon. Any alternation voids the permit. If further information is needed, please contact Motor Carrier Service, 830 MoDOT Drive, Jefferson City, MO 65102, Phone 573-751-7100

Movement on the 30-Day Unladen/Hunter's Permit authorizes the movement of a vehicle and trailer in all jurisdictions upon cancellation of a lease, at the empty weight by a lessor if the apportioned plate has been surrendered to the (motor carrier) lessee.

This 72-Hour Reciprocity Trip Permit is deemed void if the Motor Carrier Responsible for Safety has been placed Out of Service by FMCSA.

IN RE: DOCKET NO. 15-TRAM-408-PEN

DATE APR 28 2015

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
LORI DRISKELL, OFFICE MANAGER TOWN OIL COMPANY, INC. 16205 W 287TH ST PAOLA, KS 66071-8482		

Order Mailed Date **APR 29 2015**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.