



1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Susan K. Duffy, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
20-TRAM-292-PEN

January 14, 2020

John B. File, Owner
d/b/a JB File
508 N Highland
Beloit, KS 67420

This is a notice of a penalty assessment against John B. File, d/b/a JB File (JB File) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on December 24, 2019, by Kansas Corporation Commission Special Investigator Verna Jackson. Penalties are assessed in accordance with the FY 2020 Uniform Penalty Assessment Matrix, approved by the Commission on July 16, 2019. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: JB File has been assessed a \$250 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$250, through your personal account with the Kansas Corporation Commission's 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 requires a representative of JB File to attend a Commission-sponsored safety seminar within ninety (90) 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. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. JB File must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and 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. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$250 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,

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

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Investigation of **John B. File, d/b/a JB File, of Beloit, KS**, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Docket No. 20-TRAM-292-PEN

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:

I. JURISDICTION

1. Pursuant to K.S.A 2018 Supp. 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 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. 2018 Supp. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard

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

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and 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.

II. BACKGROUND

4. John B. File, d/b/a JB File (JB File) has private and common operating authority with the Commission and further operates under USDOT number 2927981.

5. John File attended the Procedures for Safety Compliance Seminar presented by the Kansas Corporation Commission, on October 15, 2018, on behalf of JB File.

6. JB File is a private and common motor carrier which primarily hauls grain, feed and hay.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on December 24, 2019, Commission Staff (Staff) Special Investigator Verna Jackson conducted a safety compliance review of the operations of JB File. 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, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. On November 20, 2019, JB File required or permitted its driver, Adam File, to operate a CDL-required commercial motor vehicle, a 2007 Kenworth, VIN ending in 205083, GVWR 50,000 lbs., pulling a 2012

Timpte Super Hopper trailer, VIN ending in 135554, GVWR 29,484 lbs., in intrastate commerce from Beloit, Kansas to Salina, Kansas. This trip is evidenced by Driver's Daily Log, dated November 20, 2019, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, JB File failed to provide educational materials to its driver explaining the requirements for a controlled substance and alcohol testing program pursuant to the motor carrier regulations. The carrier's failure to provide alcohol and controlled substance use educational materials that complies with 49 C.F.R. 382.601(b) to each of its CDL drivers subsequent to hiring or testing and having the driver sign an acknowledgement page to retain in the driver's qualification file is a violation of 49 C.F.R. 382.601(a)(1), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds JB File committed one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$250 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from JB File be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this 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.

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

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over JB File 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.

13. The Commission finds JB File committed one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. John B. File, d/b/a JB File, of Beloit, KS is hereby assessed a \$250 civil penalty for one (1) violation(s) of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. JB File is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Carrier is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order.

D. JB File is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

E. Pursuant to K.S.A. 2018 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven 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 JB File's right to a hearing, and this Penalty Order will become a Final Order assessing a \$250 civil penalty against JB File, and ordering a representative from JB File to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this 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, 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 less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2018 Supp. 66-1,142b(e) and amendments thereto.

G. If you do not request a hearing, the payment of the civil penalty of \$250 is due in thirty (30) days from the date of service of this Order. Payment of \$250 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$250 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of JB File's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

I. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: _____




Lynn M. Retz
Executive Director

AAL

ATTACHMENT "A"

UNITED STATES DEPARTMENT OF TRANSPORTATION

		U.S. DOT#: 2927981 MC/MX#:	Legal: JB FILE Operating (DBA):	Investigation Date: 12/24/19
Investigation Type: Offsite Investigation				
Physical Address			Mailing Address	
508 NORTH HIGHLAND BELOIT, KS 67420 United States			508 NORTH HIGHLAND BELOIT, KS 67420 United States	
Contact Information				
Contact Name: Adam File				
Email: [REDACTED]				
Phone: [REDACTED] Fax: ()-				
Business and Financial				
Business Type: Sole Proprietorship				
Gross Revenue: [REDACTED] For Year Ending: 12/31/18				
Federal Tax ID: [REDACTED] (IN)				
Operation Classification and Type			Cargo	
Type of Operation: Non-HM Intrastate Carrier			Grain, Feed, Hay	
Operation Classification For-Hire Motor Carrier Property Exempt Commodities				
Equipment			Driver Information	
	Owned	Term Leased	Drivers	
				Intrastate
				Interstate
Truck Tractors	1		< 100 Miles	
Trailers	1		> = 100 Miles	2
Power units used in the U.S.: 1 Percentage of time used in the U.S.: 100.0%			Average trip leased driver/month: 0 Drivers with CDL: 2 Total Drivers: 2	
Person(s) Interviewed				

Questions

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

Kansas Corporation Commission 1500 SW Arrowhead Rd
Topeka, KS 66604
Phone: (785) 271-3104
Fax: (785) 271-3124

This report will be used to assess your safety compliance.

Violations

<p>1. Primary: 382.601(b)</p> <p>Failing to provide to employees a written policy on misuse of alcohol and controlled substances that meets the requirements of 382.601(b) 1-11.</p>	<table border="1"> <thead> <tr> <th colspan="3">Violations Discovered</th> </tr> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>1</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Violations Checked</th> </tr> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>1</td> </tr> </tbody> </table>	Violations Discovered			Fed	State	Total		1	1	Violations Checked			Fed	State	Total		1	1
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<p>Example/Notes:</p> <p>Adam File, November 20, 2019, The policy provided failed to provide the 12 directives of information required in 382.601(b)</p>	<table border="1"> <thead> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Drivers/Vehicles		In Violation	Checked														
Drivers/Vehicles																			
In Violation	Checked																		
<p>2. Primary: 391.51(b)(4)</p> <p>Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).</p>	<table border="1"> <thead> <tr> <th colspan="3">Violations Discovered</th> </tr> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>2</td> <td>2</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Violations Checked</th> </tr> <tr> <th>Fed</th> <th>State</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>2</td> <td>2</td> </tr> </tbody> </table>	Violations Discovered			Fed	State	Total		2	2	Violations Checked			Fed	State	Total		2	2
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<p>Example/Notes:</p> <p>Adam File, November 20, 2019 JB File failed to maintain the responses of the driver's Motor Vehicle Report (MVR) at least once every 12 months. The MVRs provided were dated 9/5/2018 and 12/7/2019.</p>	<table border="1"> <thead> <tr> <th colspan="2">Drivers/Vehicles</th> </tr> <tr> <th>In Violation</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>2</td> </tr> </tbody> </table>	Drivers/Vehicles		In Violation	Checked	2	2												
Drivers/Vehicles																			
In Violation	Checked																		
2	2																		

Safety Fitness Rating

This Investigation is Not Rated

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

This was an offsite investigation. An offsite investigation allows FMCSA to evaluate your safety compliance with minimal disruption to your business. An offsite investigation will not result in a safety rating.

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: Controlled Substances/Alcohol

Process Breakdown: Roles and Responsibilities

JB File failed to provide to drivers a written controlled substance and/or alcohol policy. Failing to provide such document causes the drivers uncertainty in regards to what the tests are conducted, who the carrier representative is for questions that may arise, and the overall guidelines the carrier sets for controlled substance and alcohol.

Specific Recommended Remedies

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

1. Ensure that managers are responsible for ascertaining that employees receive training concerning controlled substances and alcohol in accordance with State or Federal regulations and company policy.

BASIC: Driver Fitness

Process Breakdown: Monitoring and Tracking

JB File failed to make the necessary annual inquiry into the driver's driving record on a timely basis. Conducting this inquiry reflects the carrier's due diligence in verifying the driver has a valid license.

Specific Recommended Remedies

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

1. Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.

Recommendations

1. **Additional Information**

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

2. **If you have any questions concerning this report, contact KCC.**

If you have any questions concerning this report, please contact the Kansas Corporation Commission, 1500 SW Arrowhead Rd, Topeka, KS 66604 or call 785-271-3104

3. **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](http://ai.fmcsa.dot.gov/sms). Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

4. **Written Controlled Substance and Alcohol Policy**

382.601 - (a) - It is the obligation of the Employer to promulgate a policy on the misuse of alcohol and use of controlled substances. (b) - The required content of the written policy shall include detailed discussion of at least the following: 1) The identity of the person designated by the employer to answer driver questions about the materials; 2) The categories of drivers who are subject to the provisions of this part, 3) Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required to be in compliance with this part; 4) Specific information concerning driver conduct that is prohibited by this part; 5) The circumstances under which a driver will be tested for alcohol and/or controlled substances under this part, including post-accident testing under 382.303(d); 6) The procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing processes, safeguard the validity of the test, results, and ensure that those results are attributed to the correct driver, including post-accident information, procedures and instructions required by 382.303(d); 7) the requirement that a driver submit to alcohol and controlled substances tests administered in accordance with this part, 9) An explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences, 10) the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04, 11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem; and available methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and 12) The requirement that the certain personal information collected and maintained under this part shall be reported to the Clearinghouse.

5. **Certificate of Receipt written policy and of educational materials**

382.601(d) - Each employer shall ensure that each driver is required to sign a statement certifying that he or she has received a copy of these materials described in this section. Each employer shall maintain the signed certificate and may provide a copy of the certificate to the driver.

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

Obtain a timely copy of each driver's driving record and review it annually. Inquiry of the driver's driving record is to be conducted at least once every 12 months. Find a time in the year that might be easiest to remember or schedule and conduct all annual MVR checks in that month. Example: Establishing records for the next fiscal year, every June, etc.

7. **Drug and Alcohol Clearinghouse**

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>. Implementation begins January 6, 2020.

8. **CAP Requirement**

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: g.davenport@kcc.ks.gov
FAX: 785-271-3124

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

9. **CAP Penalty**

Motor carriers are responsible for complying with all tasks ordered by the Commission. You are required to prepare a corrective action plan (CAP), addressing the measures taken to correct all the violations identified within this report. Failure to fulfill this requirement may lead to the issuance of further penalties or other repercussions, including revocation of authority to operate intrastate in Kansas.

10. **Acknowledgement Stmt - Offsite**

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 [motor carrier's] operating authority and/or the impoundment of [motor carrier's] commercial motor vehicles.

Carrier Representative

Date

After reviewing these Requirements and/or Recommendations, please sign and date where indicated, and return to the Kansas Corporation Commission, ATTN Verna Jackson, Transportation Division, 1500 SW Arrowhead Rd, Topeka, Kansas 66604-4027, or fax 785-271-3124.

11. **Monetary Penalties**

I understand that monetary penalties will be assessed as a result of violations found in this compliance investigation. The penalty schedule can be found at this web site: http://kcc.ks.gov/trans.penalty_assessment_table.htm

Carrier Name

Carrier Official

12. **Safety Seminar Requirement**

Motor carriers are responsible for complying with all tasks ordered by the Commission in its Penalty Order. In addition to paying any civil fines issued, carriers are also required to attend a Commission sponsored safety seminar. Failure to fulfill this requirement may lead to the issuance of further penalties or other repercussions, including revocation of authority to operate intrastate in Kansas.

ATTACHMENT "B"

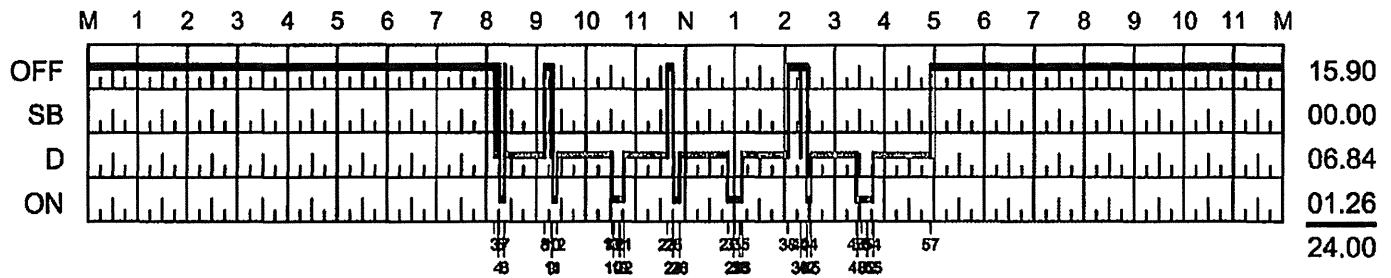


DRIVER'S DAILY LOG

USA Property 70 hour / 8 day

Log Date: November 20, 2019
Print Date: December 07, 2019

Driver ID	Adam File		
Co-Drivers			
Driver License	[REDACTED]		Exempt Driver No
Distance	330 mi	Engine Hours	24035.3 - 24044.5
Odometers	634,598 - 634,928	Shipping Docs	Ada-wheat to salina scoular
Current Location	3.4 mi E of Salina, KS	24-Period Starting	Midnight
Data Diag. Indicators	No	ELD Malfn. Indicators	No
ELD ID	KTIELD		
Vehicles and VINs	JBF02 (1XKDDU9X47J205083)		
Trailers	T15		
Carrier and DOT#	JB FILE (2927981)		
Main Office	508 HIGHLAND AVE, BELOIT, KS, 67420		



No.	Status	Start (CST)	Duration	Location	Engine	Odo	Notes
1	Off Duty Driver	12:00:00 AM	8 hr 10 min 15 sec	22.1 mi W of Concordia, KS	24035.3	634,599	
2	Engine Power Up	8:07:52 AM	-	22.1 mi W of Concordia, KS	24035.7		
3	Driving ELD	8:10:15 AM	4 min 27 sec	22.1 mi W of Concordia, KS	24035.7	634,599	
4	Off Duty Driver	8:14:42 AM	1 min 31 sec	24.1 mi W of Concordia, KS	24035.8	634,602	
5	On Duty Driver	8:16:13 AM	5 min 22 sec	24.1 mi W of Concordia, KS			Fuel
6	Off Duty Driver	8:21:35 AM	31 sec	24.1 mi W of Concordia, KS			
7	Driving ELD	8:22:06 AM	48 min 6 sec	24.1 mi W of Concordia, KS	24035.9	634,602	
8	Off Duty Driver	9:10:12 AM	8 min 31 sec	26.0 mi NW of Salina, KS	24036.7	634,640	
9	Driving ELD	9:18:43 AM	43 sec	26.0 mi NW of Salina, KS	24036.9	634,640	
10	Off Duty Driver	9:19:26 AM	1 min 9 sec	26.0 mi NW of Salina, KS	24036.9	634,640	
11	On Duty Driver	9:20:35 AM	5 min 22 sec	3.4 mi E of Salina, KS			
12	Driving ELD	9:25:57 AM	1 hr 6 min 1 sec	26.0 mi NW of Salina, KS	24037	634,640	
13	On Duty Driver	10:31:58 AM	1 min 13 sec	3.4 mi E of Salina, KS			

14	YM Started	10:33:11 AM	-	3.4 mi E of Salina, KS	24038.1	
15	On Duty ELD Yard Move	10:33:11 AM	1 min 4 sec	3.4 mi E of Salina, KS	24038.1	634,684
16		10:34:15 AM	-	3.4 mi E of Salina, KS	24038.1	
17	On Duty Driver	10:34:15 AM	7 min 24 sec	3.4 mi E of Salina, KS	24038.1	634,684
18	YM Started	10:41:39 AM	-	3.3 mi E of Salina, KS	24038.2	
19	On Duty ELD Yard Move	10:41:39 AM	4 min 30 sec	3.3 mi E of Salina, KS	24038.2	634,684
20		10:46:09 AM	-	3.3 mi E of Salina, KS	24038.3	
21	On Duty Driver	10:46:09 AM	25 sec	3.3 mi E of Salina, KS	24038.3	634,685
22	Driving ELD	10:46:34 AM	52 min 13 sec	3.3 mi E of Salina, KS	24038.3	634,685
23	Off Duty Driver	11:38:47 AM	7 min 12 sec	26.0 mi NW of Salina, KS	24039.2	634,728
24	Driving ELD	11:45:59 AM	44 sec	26.0 mi NW of Salina, KS	24039.3	634,728
25	On Duty Driver	11:46:43 AM	6 min 43 sec	26.0 mi NW of Salina, KS	24039.4	634,728
26	Driving ELD	11:53:26 AM	59 min 1 sec	25.9 mi NW of Salina, KS	24039.5	634,728
27	On Duty Driver	12:52:27 PM	6 min 52 sec	3.4 mi E of Salina, KS	24040.4	634,772
28	YM Started	12:59:19 PM	-	3.4 mi E of Salina, KS	24040.5	
29	On Duty ELD Yard Move	12:59:19 PM	49 sec	3.4 mi E of Salina, KS	24040.5	634,772
30		1:00:08 PM	-	3.4 mi E of Salina, KS	24040.6	
31	On Duty Driver	1:00:08 PM	6 min 29 sec	3.4 mi E of Salina, KS	24040.6	634,772
32	YM Started	1:06:37 PM	-	3.3 mi E of Salina, KS	24040.7	
33	On Duty ELD Yard Move	1:06:37 PM	1 min 48 sec	3.3 mi E of Salina, KS	24040.7	634,772
34		1:08:25 PM	-	3.4 mi E of Salina, KS	24040.7	
35	On Duty Driver	1:08:25 PM	1 min 27 sec	3.4 mi E of Salina, KS	24040.7	634,772
36	Driving ELD	1:09:52 PM	55 min 5 sec	3.4 mi E of Salina, KS	24040.7	634,772
37	Int Location	1:51:15 PM	-	22.6 mi NW of Salina, KS	24041.4	
38	Off Duty Driver	2:04:57 PM	14 min 47 sec	26.0 mi NW of Salina, KS	24041.6	634,815 Off Duty
39	Driving ELD	2:19:44 PM	13 sec	26.0 mi NW of Salina, KS	24041.9	634,815
40	Off Duty Driver	2:19:57 PM	7 min 7 sec	25.9 mi NW of Salina, KS	24041.9	634,815 Off Duty

41	YM Started	2:27:04 PM	-	25.9 mi NW of Salina, KS	24042	
42	On Duty ELD Yard Move	2:27:04 PM	3 min 7 sec	25.9 mi NW of Salina, KS	24042	634,815
43		2:30:11 PM	-	26.1 mi NW of Salina, KS	24042	
44	On Duty Driver	2:30:11 PM	2 min 32 sec	26.1 mi NW of Salina, KS	24042	634,816
45	Driving ELD	2:32:43 PM	54 min 39 sec	26.1 mi NW of Salina, KS	24042.1	634,816
46	On Duty Driver	3:27:22 PM	1 min 34 sec	3.4 mi E of Salina, KS	24043	634,859
47	YM Started	3:28:56 PM	-	3.4 mi E of Salina, KS	24043.1	
48	On Duty ELD Yard Move	3:28:56 PM	3 min 12 sec	3.4 mi E of Salina, KS	24043.1	634,859
49		3:32:08 PM	-	3.4 mi E of Salina, KS	24043.1	
50	On Duty Driver	3:32:08 PM	8 min 17 sec	3.4 mi E of Salina, KS	24043.1	634,859
51	YM Started	3:40:25 PM	-	3.3 mi E of Salina, KS	24043.3	
52	On Duty ELD Yard Move	3:40:25 PM	6 min 28 sec	3.3 mi E of Salina, KS	24043.3	634,859
53		3:46:53 PM	-	3.3 mi E of Salina, KS	24043.4	
54	On Duty Driver	3:46:53 PM	41 sec	3.3 mi E of Salina, KS	24043.4	634,860
55	Driving ELD	3:47:34 PM	1 hr 9 min 20 sec	3.3 mi E of Salina, KS	24043.4	634,860
56	Int Location	4:26:33 PM	-	20.3 mi S of Concordia, KS	24044	
57	Off Duty Driver	4:56:54 PM	7 hr 3 min 6 sec	22.1 mi W of Concordia, KS	24044.5	634,929
58	Engine Shutdown	4:58:47 PM	-	22.1 mi W of Concordia, KS	24044.5	
59	Cert	8:28:03 PM	-			

Recap						
11/13	11/14	11/15	11/16	11/17	11/18	11/19
2.25	1.34	0.01	0.00	0.00	0.00	0.00
			Restart			
Total Hours Since Restart		0.00				
Hours Available Today		70.00				
Hours Worked Today		8.10				

Odometers			
Vehicle	Start	End	Distance
JBF02	634,684	634,684	0 mi
JBF02	634,684	634,684	0 mi

JBF02	634,684	634,727	43 mi
JBF02	634,727	634,727	0 mi
JBF02	634,727	634,771	44 mi
JBF02	634,771	634,771	0 mi
JBF02	634,771	634,772	1 mi
JBF02	634,772	634,815	43 mi
JBF02	634,815	634,815	0 mi
JBF02	634,815	634,815	0 mi
JBF02	634,815	634,859	44 mi
JBF02	634,859	634,859	0 mi
JBF02	634,859	634,859	0 mi
JBF02	634,859	634,928	69 mi
JBF02	634,640	634,684	44 mi
JBF02	634,640	634,640	0 mi
JBF02	634,601	634,640	39 mi
JBF02	634,598	634,601	3 mi

I certify that these entries are true and correct



Driver Signature

KEEP TRUCKIN

DRIVER'S VEHICLE INSPECTION REPORT

November 20, 2019
09:10 AM CST

Driver Adam File	Carrier JB FILE
Odometer 0	Location 26.0 mi NW of Salina, KS
Vehicle JBF02	Trailers T15
No Defects Found	No Defects Found

Vehicle Condition Satisfactory

I declare that this vehicle has been inspected in accordance with the applicable requirements.



Driver Signature

CERTIFICATE OF SERVICE

20-TRAM-292-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/hand delivered on 01/15/2020.

JOHN B. FILE, OWNER
JOHN B. FILE
D/B/A JB FILE
508 HIGHLAND AVE
BELOIT, KS 67420-1810
adam_file@yahoo.com

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

/S/ DeeAnn Shupe

DeeAnn Shupe