

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

In the Matter of the Investigation of **JM Express** )  
**Transportation LLC d/b/a Sarah Chomba, of** )  
**Wichita, Kansas,** Regarding the Violation(s) of the )  
Motor Carrier Safety Statutes, Rules and Regulations ) Docket No. 22-TRAM-122-PEN  
and the Commission's Authority to Impose Penalties, )  
Sanctions and/or the Revocation of Motor Carrier )  
Authority. )

**STAFF'S MOTION TO VACATE PENALTY ORDER**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to JM Express Transportation LLC d/b/a Sarah Chomba (Carrier). In support of its Motion, Staff states as follows:

1. On September 3, 2021, Commission Staff Special Investigator (SI) Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2020 and 2021. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.<sup>1</sup>

2. On September 16, 2021, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2020 UCR fees.

3. Staff after being contacted by a representative of Carrier and reviewing available records determined that Carrier was not operating in 2020 and began operating again in 2021. Additionally, the Carrier paid its 2020 and 2021 UCR fees.

4. Therefore, based on fact the Carrier stopped operating in 2020 and only recently began operating again, Staff requests the Commission vacate the Penalty Order issued to Carrier on September 16, 2021.

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<sup>1</sup> Staff's R&R, p. 1 (Oct. 22, 2020).

**WHEREFORE**, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to JM Express Transportation LLC d/b/a Sarah Chomba in this docket on September 16, 2021.

Respectfully submitted,

*/s/ Ahsan Latif*

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For Commission Staff

## **CERTIFICATE OF SERVICE**

I, the undersigned, certify that a true copy of the attached motion has been served to the following by means of first class mail this 22<sup>nd</sup> of September, 2021:

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/s/Abigail Emery