

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

In the Matter of the Investigation of **Tractor Express**)
LLC, of Manhattan, Kansas, Regarding the)
Violation(s) of the Motor Carrier Safety Statutes, Rules)
and Regulations and the Commission's Authority to) Docket No. 24-TRAM-179-UCR
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 Tractor Express LLC (Carrier). In support of its Motion, Staff states as follows:

1. On August 23, 2023, Commission Staff UCR Manager Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2023. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On August 31, 2023, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2023 UCR fees.

3. Staff determined after the issuance of the Penalty Order that the USDOT number had been established with Fraudulent Activity.

4. Staff inactivated the Carrier's USDOT Number. Additionally, after reviewing available records, Staff could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2023 UCR fees should be vacated.

¹ Staff's R&R, p. 1 (August 23, 2023).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on August 31, 2023.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Tractor Express LLC in this docket on August 31, 2023.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

24-TRAM-179-UCR

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on November 20, 2023.

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