

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Investigation of **Muller**)
Auto Transport LLC, of Paxico, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 18-TRAM-307-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

MOTION TO AMEND PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission amend the Penalty Order issued to Muller Auto Transport LLC (Respondent) on February 6, 2018. In support of its Motion, Staff states as follows:

1. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 884531.
2. On February 6, 2018, the Commission issued Respondent a Penalty Order assessing it a \$1200 penalty as a result of four (4) violations of the Motor Carrier Safety Regulations found during a Compliance Review conducted on January 10, 2018, by Transportation Division Special Investigator Jared Smith.
3. Respondent contacted Transportation Staff and provided additional documentation demonstrating that the carrier obtained and maintained proper Commission authority.
4. Staff requests the Commission to issue an Amended Penalty Order, which removes the \$500 penalty alleging the carrier failed to obtain and maintain proper Commission authority in violation of K.S.A. 2016 Supp. 66-1,111 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 2016 Supp. 66-1,129.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an Order amending the Penalty Order issued on February 6, 2018, to remove a penalty that was previously assessed against the carrier.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ahsan A. Latif', is written over a horizontal line.

Ahsan A. Latif, #24709
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For Commission Staff

VERIFICATION

18-TRAM-307-PEN

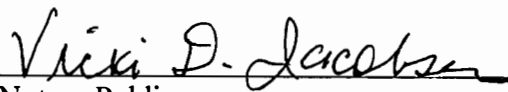
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Amend Penalty Order*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 1st day of March, 2018.



Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

18-TRAM-307-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Amend Penalty Order was served via electronic service this 1st day of March, 2018, to the following

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Vicki Jacobsen