

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

In the Matter of the Investigation of **Hotrods Transport**)
LLC of Erie, Kansas, Regarding the Violation(s) of the)
Motor Carrier Safety Statutes, Rules and Regulations)
and the Commission's Authority to Impose Penalties,) Docket No. 25-TRAM-037-UCR
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 requesting the Commission reinstate the Kansas motor carrier operations as well as vacate the Penalty Order issued to Hotrods Transport LLC (Carrier). In support of its Motion, Staff states as follows:

1. Carrier is a motor carrier, as defined in 49 C.F.R. Part 390.5 and as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.
2. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 3885535.
3. Pursuant to K.S.A. 66-1,139a and K.A.R. 82-4-30a, motor carriers operating interstate commerce must pay Unified Carrier Registration (UCR) fees annually, by January 1, 2024. Carrier failed to pay its annual UCR fees by January 1, 2024, as required by 49 C.F.R. 367.40 and adopted by K.A.R. 82-4-30a.

1. On September 10, 2024, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,¹ due to non-compliance with a Penalty Order issued in this docket on July 11, 2024.² The Penalty Order assessed Carrier a \$300 civil fine for its failure to pay its 2024

¹ Order Suspending Intrastate Motor Carrier Operations (Sep. 10, 2024).

² See Penalty Order, (Jul. 11, 2024).

UCR fees by January 1, 2024, as required by 49 C.F.R. 367-40 and adopted by K.A.R. 82-4-30a. The Commission's Penalty Order is incorporated herein by reference and made a part of this Order.

4. On September 18, 2024, Carrier contacted Staff stating that Carrier does not operate and requesting in writing that its USDOT Number be inactivated. Staff inactivated Carrier's USDOT Number and determined the carrier had not operated in interstate commerce and therefore Carrier's Penalty Order should be vacated.

5. Based on the information provided, Staff asks the Commission to vacate the penalty order as the Carrier did not operate interstate.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order vacating the penalty order issued July 11, 2024.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan Latif, S. Ct. #24709
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3118 (Telephone)
(785) 271-3124 (Facsimile)
ahsan.latif@ks.gov (E-mail)

For Commission Staff

CERTIFICATE OF SERVICE

25-TRAM-037-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 September 25, 2024.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
ahsan.latif@ks.gov

Tina Steele, OWNER
Hotrods Transport LLC
318 N WEBSTER STREET
Erie, KS 66733-1178
hotrod_69kss@yahoo.com

/S/ Kiley McManaman
Kiley McManaman
