

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

**In the matter of: Baltazar B. Ruiz d/b/a Ruiz Trucking,)
of Garden City, KS, Regarding the assessment of penalties)
for Violations of the Motor Carrier Safety)
Statutes, Rules and Regulations)**

Docket No. 22-TRAM-510-PEN

MOTION TO VACATE FINE UPON SURRENDER OF MOTOR CARRIER AUTHORITY

Baltazar G. Ruiz, d/b/a Ruiz Trucking, by his counsel Van Z. Hampton, submits the following response to the Notice of Penalty Assessment dated June 28, 2022, in this matter.

1. Baltazar G. Ruiz was notified on May 16, 2022 that his Motor Carrier Authority was suspended due to alleged violations of safety regulations.
2. On June 28, 2022, the KCC issued its Notice of Penalty Assessment resulting from its findings of violations of applicable statutes and regulations in Ruiz Trucking's operation as a Motor Carrier.
3. As a result of the earlier suspension of Ruiz Trucking's Motor Carrier Authority, the business has suffered economic collapse, and has lost its customers to competitors which makes the resumption of business as a Motor Carrier unfeasible.
4. The lack of money required to resume operations also renders the respondent incapable of paying the fine of \$12,700.00 that was assessed on June 28, 2022.
5. As a consequence of his penurious condition, Baltazar G. Ruiz finds no feasible path to resumption of his trucking business.
6. Baltazar G. Ruiz requests the KCC vacate the \$12,700.00 fine assessed upon the surrender of his motor carrier authority.

WHEREFORE, Baltazar G. Ruiz, d/b/a Ruiz Trucking, moves the KCC to accept his surrender of his Motor Carrier Authority and vacate the \$12,700.00 fine assessed herein, and further requests this motion be granted without a hearing, but if a hearing is required to grant this motion, then Baltazar G. Ruiz requests the KCC schedule that hearing with his counsel, Van Z. Hampton.

Respectfully submitted:

/s/ Van Z. Hampton, # 13302
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CERTIFICATE OF SERVICE

I, Van Z. Hampton, certify that on this 11th day of July, 2022, I filed the preceding Motion with the Kansas Corporation Commission by submitting the same in the electronic filing portal, and sent a copy by email to the following:

Ahsan A. Latif, Litigation Counsel
Kansas Corporation Commission
a.latif@kcc.ks.gov

/s/ Van Z. Hampton