

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

In the Matter of the Investigation of **L. Blixt**)
Construction Inc. of Chapman, Kansas,)
Regarding the Violation of the Motor) Docket No. 22-TRAM-097-PEN
Carrier Safety Statutes, Rules and)
Regulations and the Commission's)
Authority to Impose Penalties, Sanctions)
and/or the Revocation of Motor Carrier)
Authority.

MOTION TO SUSPEND INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend L. Blixt Construction Inc. of Chapman, Kansas (Carrier) from all intrastate commercial motor carrier operations. 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, 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 1408509.
3. On August 24, 2021, the Commission issued Carrier a Penalty Order that assessed a civil penalty of \$850 for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted by Special Investigator Jared Smith on August 13, 2021.
4. The Carrier was served with the Penalty Order via certified mail, return receipt requested, on September 10, 2021. A Proof of Service was filed in this docket on September 14, 2021. The Carrier had 30 days from the date served to pay the civil penalty of \$850.

5. Carrier was sent a collection letter on September 27, 2021, reminding it of the amount due and giving it 10 days from the date of the collection letter to pay. A copy of the collection letter is attached hereto.

6. As of November 2, 2021, Commission records indicate that Carrier has not complied with the collection letter or the requirements of the Penalty Order.

7. Staff asks the Commission find that Carrier's failure to comply with the requirements of the Penalty Order poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

8. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier's intrastate motor carrier operations until such time as Carrier pays the penalty of \$850, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Carrier's intrastate motor carrier.

Respectfully submitted,

/s/Ahsan A. Latif

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For Commission Staff.

CERTIFICATE OF SERVICE

22-TRAM-097-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing motion was placed in the United States mail, postage prepaid, this 2nd day of November, 2021, to the following:

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* Denotes those receiving the Confidential version