

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

In the Matter of the Investigation of **Complete**)
Tow Service LLC d/b/a Complete Tow)
Service of Greensburg, Kansas. Regarding)
the Violation(s) of the Motor Carrier Safety) Docket No. 25-TRAM-454-PEN
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 Top Rated Towing LLC, of Wichita, Kansas (Carrier) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112 and 66-1,114b, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 40 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2. Pursuant to K.S.A. 66-1,129a, 66-1,130, and 66-1,142b, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,105, "[e]very order and decision of the commission on matters covered by this act shall become operative and effective within 30 days after service, and

the motor carrier shall carry the provisions of the order into effect, unless the order is enjoined or set aside by a court of proper jurisdiction.”

4. 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.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 1997235.

6. On August 5, 2025, the Commission issued Carrier a Penalty Order that assessed a civil penalty of \$3,600.00 for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted by a Staff Special Investigator from June 18, 2025, through July 14, 2025. In the Penalty Order, the Carrier was ordered to pay the \$3,600.00 civil penalty within thirty (30) days of service, to attend a Commission-sponsored safety seminar within thirty (30) days of the date of the Penalty Order, and to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of the Penalty Order.

7. Pursuant to K.S.A. 66-1,105, the Carrier was sent the Penalty Order via U.S. certified mail, return receipt requested, on August 5, 2025. A Proof of Service was filed on October 6, 2025, stating the Order was served on August 14, 2025.

8. The Carrier had 30 days from the date served to pay the civil penalty of \$3,600.00, attend a Commission-sponsored safety seminar and submit a CAP.

9. The Carrier has failed to submit a CAP that has met the approval of Staff, failed to attend a Commission-sponsored safety seminar, and failed to pay the \$3,600.00 civil penalty.

10. On September 10, 2025, the Carrier was sent a collection letter to the mailing address at which it was served, reminding it of the obligation to submit a CAP and giving it 10

days from the date of the collection letter to do so. A copy of the collection letter is attached hereto as Attachment “A” and is hereby incorporated by reference.

11. As of October 10, 2025, Commission records indicate that Carrier has not complied with the collection letter or the requirements of the Penalty Order. Carrier has not sent a CAP that meets the approval of Staff, attended a Commission-sponsored safety seminar, or paid the \$3,600.00 civil penalty.

12. Staff requests the Commission find that Carrier received sufficient notice of the requirement to comply with the Penalty Order issued August 5, 2025, including written notice by the collection letter sent September 10, 2025.

13. Staff asks that the Commission find Carrier failed to respond and has not complied with the Commission’s Penalty Order, which is a violation of K.S.A. 66-1,105 and 66-1,142b.

14. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier’s intrastate motor carrier operations until such time as Carrier submits a CAP approved by Staff, attends a Commission-sponsored safety seminar, and pays the \$3,600.00 civil fine 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

Ahsan A. Latif, #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

ATTACHMENT “A”

September 10, 2025

Complete Tow Service LLC
20267 25th Ave
Greensburg, KS 67054

Re: Docket No. 25-TRAM-454-PEN
In the Matter of the Investigation of **Complete Tow Service LLC of Greensburg, Kansas**,
Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the
Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier
Authority.

On 8/5/2025, a Penalty Order was issued against Complete Tow Service LLC for violations of motor carrier safety statutes, rules and regulations. The order required Complete Tow Service LLC, within thirty (30) days of service of the Penalty Order, to do the following: (1) pay a civil penalty of \$3600; (2) submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff (Staff), documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future; and (3) have a representative of C&D Transport attend a Commission-sponsored safety seminar and to provide the undersigned Litigation Counsel with written proof of attendance.

To date, Complete Tow Service LLC has not completed all three of these actions.

This civil penalty has not been paid, nor has evidence been provided to the Commission to avoid sending this matter to a collection agency and/or submission to the Kansas state setoff program for the garnishment of any tax refund that might be due you. Please remit payment of \$3600 through your personal account in the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed. **Payment must be made within the next 10 days.**

Staff has not received and/or approved of a CAP submitted by Complete Tow Service LLC. **Prepare a CAP and submit it to Transportation Division Deputy Director Jared Smith at Jared.L.Smith@ks.gov within the next 10 days.** If you have questions you can contact him at (785) 271-3284.

Staff does not have confirmation or proof of your attendance at a Commission-sponsored safety seminar. If you have attended a safety seminar, please submit proof of attendance to Ahsan.Latif@ks.gov. If you have not yet attended a safety seminar, **sign up to attend one within the next 10 days.** A schedule of dates and locations for safety seminars can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

This letter further serves as notice that operation of a commercial motor vehicle in violation of a Commission Penalty Order may subject your company to additional civil penalties and sanctions, including the issuance and enforcement of out-of-service orders and possible impoundments.

Thank you for your prompt attention to this matter. If you have any questions or concerns, please feel free to call me at 785-271-3118.

Respectfully,

/s/ Ahsan A. Latif

Ahsan A. Latif
Litigation Counsel
ahsan.latif@ks.gov

CERTIFICATE OF SERVICE

25-TRAM-454-PEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on October 13, 2025.

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

Carl Naumann, OWNER
Complete Tow Service LLC
D/B/A Complete Tow Service
20267 25th Ave
Greensburg, KS 67054
completetowservice@hotmail.com

/S/ Kiley McManaman

Kiley McManaman