

1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Shari Feist Albrecht, Chair  
Jay Scott Emler, Commissioner  
Pat Apple, Commissioner



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

Sam Brownback, Governor

## NOTICE OF PENALTY ASSESSMENT

January 27, 2015

15-TRAM-282-PEN

Stephen Finley, President  
Finley Construction & Ready Mix, Inc.  
12915 Highway 25  
Atwood, Kansas 67730

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on November 17-18, 2014, by Kansas Corporation Commission Special Investigator Penny Fryback. For a full description of the penalty and process please refer to the Order that is attached to this notice.

### IF YOU ACCEPT THE PENALTY:

You have been assessed a \$3,000 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website [http://www.kcc.state.ks.us/trans/safety\\_meetings.htm](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

You must submit to one follow-up safety compliance review within the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

### IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Acting Secretary at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2013 Supp. 77-542.

### IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Michael J. Duenes  
Litigation Counsel  
(785) 271-3181

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

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler  
                                 Pat Apple

In the Matter of the Investigation of **Finley**      )  
**Construction & Ready Mix, Inc., of Atwood,**      )  
**Kansas,** Regarding the Violation of the Motor      )  
Carrier Safety Statutes, Rules and Regulations      ) Docket No. 15-TRAM-282-PEN  
and the Commission's Authority to Impose      )  
Penalties, Sanctions and/or the Revocation of      )  
Motor Carrier Authority.      )

**PENALTY ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

**I.      JURISDICTION**

1.      Pursuant to K.S.A. 2013 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2013 Supp. 66-1,108, 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. 2013 Supp. 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. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

## **II. BACKGROUND**

4. Finley Construction & Ready Mix, Inc. (Finley Construction & Ready Mix) obtained private operating authority from the Commission on May 16, 1979, and operates under KSMCID number 109971 and USDOT number 469880.

5. Finley Construction & Ready Mix is a private motor carrier which primarily hauls construction materials and pre-cast concrete.

## **III. STATEMENT OF FACTS**

6. Pursuant to the jurisdiction and authority cited above, on November 17-18, 2014, Commission Staff (Staff) Special Investigator Penny Fryback conducted a compliance review of the operations of Finley Construction & Ready Mix. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Ms. Fryback identified five (5) violations of the Motor Carrier Safety Regulations.

- a. On November 5, 2014, Finley Construction & Ready Mix required or permitted its driver, Brian Rucker, to operate a commercial motor vehicle, a 1989 International truck tractor, pulling a 1979 Aerocar trailer, to transport a pre-cast concrete septic tank in interstate commerce from Atwood, Kansas to Trenton, Nebraska. This trip is evidenced by Finley Construction & Ready Mix Invoice No. 20787, dated November 5, 2014, a

copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, the truck tractor and trailer operated on expired registrations. This is one example of two truck tractors and three trailers that did not have current registration. Finley Construction & Ready Mix's failure to register its commercial motor vehicles with the State of Kansas is a violation of 49 C.F.R. Part 392.2, as authorized by K.S.A. 8-142 and K.S.A. 8-127. Staff recommends a fine of \$500.

- b. On October 13, 2014, Finley Construction & Ready Mix required or permitted its driver, Richard Corder, Jr., to operate a commercial motor vehicle, a 1994 Kenworth cement mixer truck, to transport 40 yards of ready mix concrete in intrastate commerce from Atwood, Kansas to an Adcock Construction site. This trip is evidenced by Finley Construction and Ready Mix work tickets, copies of which are attached hereto as Attachment "C" and are hereby incorporated by reference. At the time of this transportation, driver Richard Corder, Jr. did not make a record of duty status or a time sheet with start time, end time and total hours for the day. The special investigator found 15 violations of this type. Finley Construction & Ready Mix's failure to require its drivers to keep records of duty status for each 24-hour period, or in the alternative to maintain and retain time records described in 49 C.F.R. 395.1(e) under the short haul exemption, using the method described in 49 C.F.R. 395.8(a), and to submit the original record to the motor carrier within 13 days of creation,

is a violation of 49 C.F.R. 395.8(a) as adopted by K.A.R. 82-4-3a and authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine in the amount of \$500.

- c. On November 14, 2014, Finley Construction & Ready Mix required or permitted its driver, James Luedke, to operate a commercial motor vehicle, a 1989 International truck tractor, to transport pre-cast cement bunks in interstate commerce from Atwood, Kansas to Champion, Nebraska. This trip is evidenced by Driver's Daily Log, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, Finley Construction & Ready Mix had not paid the UCR fees for its six vehicles for 2014. Finley Construction & Ready Mix's failure to annually register its commercial motor vehicle(s) operating in interstate commerce over the highways of this state and to pay the appropriate Unified Carrier Registration (UCR) fees as set out in 49 C.F.R. 367.30, is a violation of K.A.R. 82-4-30a, as authorized by K.S.A. 2013 Supp. 66-1,139a and K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine of \$500.
- d. On October 14, 2014, Finley Construction & Ready Mix required or permitted its driver, Kevin Pochop, to operate a commercial motor vehicle, a cement mixer truck, to transport ready mix concrete in intrastate commerce from Atwood, Kansas to an Adcock Construction site. This trip is evidenced by Finley Construction & Ready Mix work tickets, copies of which are attached hereto as Attachment "E" and are hereby incorporated

by reference. At the time of this transportation, Finley Construction & Ready Mix had not obtained a pre-employment drug test with a negative result prior to allowing Kevin Pochop to operate a commercial motor vehicle. Mr. Pochop was hired on August 18, 2014, and the carrier could not provide documentation that he had ever been tested. Finley Construction & Ready Mix's failure to require its drivers to submit to a pre-employment alcohol and/or controlled substances test and to obtain a negative test result prior to requiring or permitting him to operate a commercial motor vehicle is a violation of 49 C.F.R. 382.301(a), as adopted by K.A.R. 82-4-3c and as authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine of \$1,000.

- e. During the transportation described in paragraph c., above, Finley Construction & Ready Mix could not provide a signed receipt showing that driver James Luedke had been provided educational materials or a copy of the controlled substance and alcohol testing policy. Finley Construction & Ready Mix's failure to provide controlled substance use educational materials that complies with 49 C.F.R. 382.601(b) to each of its drivers subsequent to hiring or testing is a violation of 49 C.F.R. 382.601(a)(1), as adopted by K.A.R. 82-4-3c, as authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine of \$500.

#### **IV. STAFF'S RECOMMENDATIONS**

- 7. Based upon the available facts, Staff recommends the Commission find Finley Construction & Ready Mix committed five (5) violations of Kansas law that governs motor

carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

8. Additionally, Staff recommends a civil penalty of \$3,000 for five (5) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

9. Staff further recommends that Finley Construction & Ready Mix be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

10. Finally, Staff recommends that Finley Construction & Ready Mix submit to one follow-up safety compliance review within the next eighteen (18) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

## **V. CONCLUSIONS OF LAW**

11. The Commission finds it has jurisdiction over Finley Construction & Ready Mix because it is a motor carrier as defined in K.S.A. 2013 Supp. 66-1,108.

12. The Commission finds Finley Construction & Ready Mix committed five (5) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

### **THE COMMISSION THEREFORE ORDERS THAT:**

A. Finley Construction & Ready Mix, Inc., of Atwood, Kansas is hereby assessed a \$3,000 civil penalty for five (5) violations of Kansas law governing the regulation of motor

carriers; the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Finley Construction & Ready Mix is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, Finley Construction & Ready Mix is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2013 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Acting Secretary, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Finley Construction & Ready Mix's right to a hearing, and this Penalty Order will become a Final Order assessing a \$3,000 civil penalty against Finley Construction & Ready Mix, and ordering Finley Construction & Ready Mix to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. A corporation shall not be permitted to enter an appearance, except by its attorney. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the



Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*

F. Failure to pay the \$3,000 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of Finley Construction & Ready Mix's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JAN 27 2015




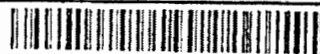
ORDER MAILED JAN 28 2015

Neysa Thomas  
Acting Secretary

MJD

## **ATTACHMENT “A”**

	<b>US DOT #</b>	<b>Legal: FINLEY CONSTRUCTION &amp; READY MIX INC</b>						
	469880							<b>Operating (DBA):</b>
<b>MC/MX #:</b>		<b>State #:</b>		<b>Federal Tax ID:</b>		<b>(EIN)</b>		
<b>Review Type:</b> Compliance Review (CR)								
<b>Scope:</b>		Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.			<b>Territory:</b>	
<b>Operation Types</b>		<b>Interstate</b>	<b>Intrastate</b>	<b>Business:</b> Corporation <b>Gross Revenue:</b> for year ending: 3/31/2014				
Carrier:		Non-HM	Non-HM					
Shipper:		N/A	N/A					
Cargo Tank:		N/A						
<b>Company Physical Address:</b>								
<b>Contact Name:</b>								
<b>Phone numbers:</b>								
<b>E-Mail Address:</b>								
<b>Company Mailing Address:</b>								
12915 HWY 25 ATWOOD, KS 67730-3221								
<b>Carrier Classification</b>								
Private Property								
<b>Cargo Classification</b>								
Construction                      Other: Pre-cast concrete								
<b>Equipment</b>								
		<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>		<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>
Truck		4	0	0	Truck Tractor	2	0	0
Trailer		3	0	0				
Power units used in the U.S.: 6								
Percentage of time used in the U.S.: 100								
Does carrier transport placardable quantities of HM?    No								
Is an HM Permit required?                                      N/A								
<b>Driver Information</b>								
		<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0 <b>Total Drivers:</b> 6 <b>CDL Drivers:</b> 6				
< 100 Miles:			2					
>= 100 Miles:		4						





FINLEY CONSTRUCTION & READY MIX INC  
U.S. DOT #: 469880

State #:

Review Date:  
11/18/2014

**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety or  
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Stephen Finley

**Title:** President

**Name:** Chandí Reed

**Title:** Bookkeeper





FINLEY CONSTRUCTION &amp; READY MIX INC

U.S. DOT #: 469880

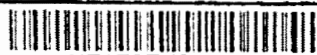
State #:

Review Date:

11/18/2014

## Part B Violations

1 FEDERAL CRITICAL	Primary: 392.2	Discovered 7	Checked 9	Drivers/Vehicles In Violation 7	Checked 9
<b>Description</b> Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. <b>Example</b> KS Apportioned plate Driver James Luedke Trip Date: 11/14/2014  K.S.A.8-142 and K.S.A.. 8-127  Truck Tractor registration expired 12/31/2013 according to CView and the Department of Revenue					
2 FEDERAL CRITICAL	Primary: 395.8(a)	Discovered 15	Checked 60	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to require driver to make a record of duty status. <b>Example</b> Driver James Luedke Trip Date: 9/9/2014  No time record or log book					
3 STATE CRITICAL	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 30	Checked 77	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to require driver to make a record of duty status. <b>Example</b> Driver Richard Corder Jr. Trip Date: 10/20/2014  Drivers time card does not show start time and end time only shows total hours for each day					
4 STATE	Primary: 367.30 Secondary: 82-4-30a CFR Equivalent: 370.7(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
<b>Description</b> Failure to pay the appropriate UCR Fees <b>Example</b> Carrier failed to pay UCR fees for 2014					





FINLEY CONSTRUCTION &amp; READY MIX INC

U.S. DOT #: 469880

State #:

Review Date:

11/18/2014

## Part B Violations

5 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. Driver Kevin Pochop Trip Date 10/14/2014 Hired  No pre-employment tests information provided					
6 FEDERAL	Primary: 382.305(i)(2)	Discovered 2	Checked 5	Drivers/Vehicles In Violation 2	Checked 5
<b>Description</b> Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. <b>Example</b> Driver [REDACTED] Trip Date: 8/19/2014 Hired:					
7 FEDERAL	Primary: 382.413 Secondary: 40.25	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
<b>Description</b> Failing to request alcohol and controlled substances information from previous employers in accordance with the requirements of 40.25. <b>Example</b> Driver Kevin Pochop Trip Date: 10/14/2014 Hired:					
8 FEDERAL	Primary: 382.601(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
<b>Description</b> Failing to provide educational materials explaining requirements of part 382 and employer's drug and alcohol program policies. <b>Example</b> Driver Brian Rucker Trip Date 5/27/2014  The carrier had no signed receipt showing Kevin Pochop had been provided educational materials or a copy of the employers controlled substance and alcohol policy.					





FINLEY CONSTRUCTION &amp; READY MIX INC

U.S. DOT #: 469880

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11/18/2014

## Part B Violations

9 STATE	Primary: 390.15(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
<b>Description</b> Failing to maintain, for a period of three years after an accident occurs, an accident register. Driver Brian Rucker Accident Date: 5/27/2014  Carrier did not have an accident register or copy of the accident report.				
10 FEDERAL	Primary: 391.21(a)	Discovered 4	Checked 5	Drivers/Vehicles In Violation Checked 4 5
<b>Description</b> Using a driver who has not completed and furnished an employment application. <b>Example</b> Driver [REDACTED] Trip Date: 8/19/2014  Missing date of birth, drivers license number, drivers license state and expiration date, social security number, driving experience, accidents information, traffic violations, state of suspension, revocation or denial, 10 years employment history				
11 FEDERAL	Primary: 391.23(a)	Discovered 2	Checked 5	Drivers/Vehicles In Violation Checked 2 5
<b>Description</b> Failing to investigate driver's background. <b>Example</b> Driver James Luedke Trip Date: 9/15/2014  No previous employer inquiry on file.				
12 STATE	Primary: 391.45(b)(1) Secondary: 391.11(a) CFR Equivalent: 391.45(b)(1)	Discovered 1	Checked 5	Drivers/Vehicles In Violation Checked 1 5
<b>Description</b> Using a driver not medically examined and certified during the preceding 24 months. <b>Example</b> Driver Brian Rucker Trip Date: 5/27/2014  Prior medical card expired and the new medical certificate was conducted on				
13 FEDERAL	Primary: 391.51(b)(5)	Discovered 4	Checked 5	Drivers/Vehicles In Violation Checked 4 5
<b>Description</b> Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). <b>Example</b> Driver Brian Rucker Trip Date: 11/5/2014  No annual reviews on file.				





FINLEY CONSTRUCTION & READY MIX INC  
U.S. DOT #: 469880

State #:

Review Date:  
11/18/2014

### Part B Violations

14 FEDERAL	Primary: 391.51(b)(6)	Discovered 4	Checked 5	Drivers/Vehicles In Violation 4	Checked 5
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#### Description

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

#### Example

Driver Brian Ruckers

Trip Date: 11/5/2014

No certificate of violations on file.

#### Safety Fitness Rating Information:

Total Miles Operated 5,200  
Recordable Accidents 1  
Recordable Accidents/Million Miles 192.31

OOS Vehicle (CR): 0  
Number of Vehicle Inspected (CR): 0  
OOS Vehicle (MCMIS): 0  
Number of Vehicles Inspected (MCMIS): 0

Your proposed safety rating is :

**CONDITIONAL**

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	U	0	3
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.







FINLEY CONSTRUCTION & READY MIX INC

U.S. DOT #: 469880

State #:

Review Date:

11/18/2014

## Part B Requirements and/or Recommendations

1. A CDL driver is not required to create a standard log if the following criteria are met:  
The driver operates within a 100 air-mile radius of the normal work reporting location. The driver returns to the work reporting location and is released from work within 12 consecutive hours. The driver has at least 10 consecutive hours off duty separating each 12 hours on duty. The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty. And the motor carrier must maintain time records for 6 months showing:
  - " The time the driver reports for duty each day,
  - " The time the driver is released from duty each day,
  - " Total number of hours on duty each day, and
  - " Total time on duty for the preceding 7 days for drivers used for the first time or intermittently.
2. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
3. For all Investigations:
  - Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
  - Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
  - NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.
  - NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:  
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

  - All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:  
<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

For all Investigations that could result in a Penalty Order:





FINLEY CONSTRUCTION & READY MIX INC

U.S. DOT #: 469880

State #:

Review Date:

11/18/2014

### Part B Requirements and/or Recommendations

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order. Receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record. Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

Division Administrator/Max Strathman  
Federal Motor Carrier Safety Administration  
1303 SW First American Place, Suite 200  
Topeka, KS 66604

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

#### 385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer  
Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue SE,  
Washington, DC 20590

#### 385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

Division Administrator Max Strathman  
Federal Motor Carrier Safety Administration  
1303 SW First American Place, Suite 200  
Topeka, KS 66604

Ensure that a CC copy of the letter is mailed to:

Kansas Corporation Commission  
Deputy Director Gary Davenport  
1500 SW Arrowhead Road  
Topeka, KS 66604

This letter should be submitted as soon as possible.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>

4. You are required to have five hours of service free driver inspections to meet the performance based criteria.





FINLEY CONSTRUCTION & READY MIX INC  
U.S. DOT #: 469880

State #:

Review Date:

11/18/2014

### Part B Requirements and/or Recommendations

5. The Unified Carrier Registration (UCR) program requires individuals and companies that operate commercial motor vehicles in interstate commerce to register their business with Kansas and pay an annual fee based on the size of their fleet. You must pay UCR fees prior to operating in Interstate commerce. You can pay at the following website: [www.ucr.in.gov](http://www.ucr.in.gov) or call Kansas Corporation Commission at 785-271-3104
6. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.
7. Each driver selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made. All driver must be enrolled in the random testing program. This shall include multiple employer drivers and part time drivers.
8. You must request the controlled substance and alcohol testing information from DOT-regulated employers who have employed the employee during any period during the three years before the date of the employee's application or transfer.
9. Each employer shall provide educational materials that explain the requirements of this part 382 and obtain a written receipt showing the driver received the materials.
10. An Accident Register must be maintained on all recordable accidents. The accident register must contain the date of the accident, city or town most near where the accident occurred, drivers name, number of injuries or fatalities, whether hazardous materials were released, and copies of all accident reports required by state or other governmental entities and loss forms from the insurer. Motor carriers must maintain an accident register for three years after the date of each accident.
11. The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed by the applicant, must be signed by him/her, and must contain the following information: (1) The name and address of the employing motor carrier; (2) The applicant's name, address, date of birth, and social security number; (3) The addresses at which the applicant has resided during the 3 years preceding the date on which the application is submitted; (4) The date on which the application is submitted; (5) The issuing State, number, and expiration date of each unexpired commercial motor vehicle operator's license or permit that has been issued to the applicant; (6) The nature and extent of the applicant's experience in the operation of motor vehicles, including the type of equipment (such as buses, trucks, truck tractors, semitrailers, full trailers, and pole trailers) which he/she has operated; (7) A list of all motor vehicle accidents in which the applicant was involved during the 3 years preceding the date the application is submitted, specifying the date and nature of each accident and any fatalities or personal injuries it caused; (8) A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the 3 years preceding the date the application is submitted; (9) A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation, or suspension has occurred; (10)(i) A list of the names and addresses of the applicant's employers during the 3 years preceding the date the application is submitted, (ii) The dates he or she was employed by that employer, (iii) The reason for leaving the employ of that employer, (iv) whether the Applicant was subject to the FMCSRs while employed by that previous employer, (B) Job was designated as a safety sensitive function in any DOT regulated mode subject to alcohol and controlled substances testing requirements as required by 49 CFR part 40; (11) For those drivers applying to operate a commercial motor vehicle as defined by Part 383 of this subchapter, a list of the names and addresses of the applicant's employers during the 7-year period preceding the 3 years contained in paragraph (b)(10) of this section for which the applicant was an operator of a commercial motor vehicle, together with the dates of employment and the reasons for leaving such employment; and (12) The following certification and signature line, which must appear at the end of the application form and be signed by the applicant:





FINLEY CONSTRUCTION & READY MIX INC

U.S. DOT #: 469880

State #:

Review Date:

11/18/2014

## Part B Requirements and/or Recommendations

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

Code of Federal Regulations 348

(Date)

(Applicant's signature)

12. Each motor carrier must obtain and maintain records relating to the investigation into the safety performance history of a new or prospective driver within 30 days of employing the driver from every employer who employed the driver within the previous three years of employment.
13. Do not allow drivers to drive interstate/ intrastate unless they have been physically re-examined and certified each 24 months.
14. Every motor carrier shall maintain a note relating to the annual review of the drivers driving record to determine that the driver meets the minimum requirements for safe driving
15. Each motor carrier shall obtain a list or certificate relating to violations of the motor vehicle laws and ordinances for each driver it employs.
16. For all Investigations:
  - Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
  - Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
  - NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.
  - NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:  
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

• All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.





FINLEY CONSTRUCTION & READY MIX INC  
U.S. DOT #: 469880

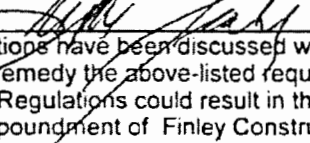
State #:

Review Date:  
11/18/2014

### Part B Requirements and/or Recommendations

17. This review will result in a Safety Rating.
18. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
19. Within 15 days you must prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to:

Kansas Corporation Commission  
Att: Gary Davenport  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

20. I  acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Finley Construction & Ready Mix Inc. operating authority and/or the impoundment of Finley Construction & Ready Mix Inc. vehicles.

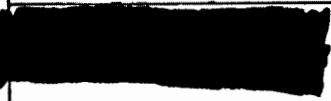


## **ATTACHMENT “B”**

FINLEY'S  
12915 HWY. 25  
ATWOOD, KS 67730

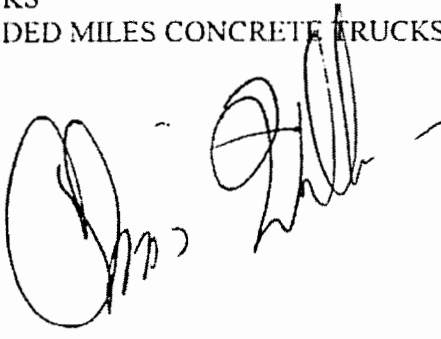
# Invoice

Date	Invoice #
11/5/2014	20787

Bill To

TRENTON, NE 69044

*Chris  
cell*

P.O. No.	Terms	Project
HAMLET NE	DUE 10TH MO...	

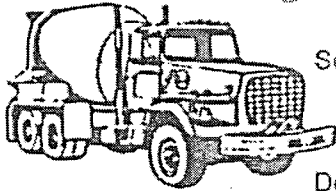
Quantity	Description	Rate	Class	Amount
1	SEPTIC TANK DELIVERED & SET IN HOLE. THIS TANK MEETS THE LOADINGS SET OUT BY KANSAS BULLETIN 4-2. MARCH 1997: MINIMUM STANDARDS FOR DESIGN AND CONSTRUCTION OF ONSITE WASTEWATER SYSTEMS. EFFECTIVE JULY 1, 2002	875.00		875.00
2	12" CONCRETE RISER FOR SEPTIC TANKS	45.00	FINLEY CONSTR...	90.00
51	LOADED MILES CONCRETE TRUCKS	3.75	FINLEY CONSTR...	191.25
				
Thank you for your business.			<b>Total</b>	\$1,156.25

**ATTACHMENT "C"**



# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To:

20003 10-13 2014  
Adcock Const

Deliver To:

P.O.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 yds			
	6 3/4 Sack		
	Rock		
	139 yds total		

Water Added 0 Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_  
 Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_  
 Driver RC Truck No. \_\_\_\_\_  
 Overtime \_\_\_\_\_

Net 10th prox. 1% per month will be charged on all past due balances.

## IMPORTANT

We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$\_\_\_\_\_ per hour will be made for holding trucks longer.

CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention.

TOTAL

TAX

NET

Received by \_\_\_\_\_

Received by \_\_\_\_\_

③

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



**Sold To:**

10-13 2014  
Adcock Const

**Deliver To:**

P.O.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 yds	6 3/4 Sack Block		
Water Added <u>0</u>	Air Ent. _____ Calc. Chl. _____	Net 10th prox. 1 1/2% per month will be charged on all past due balances.	
Mileage _____	Arrived Job _____ Left Job _____		
Driver <u>RL</u>	Truck No. _____		
Overtime _____			
<b>IMPORTANT</b> We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$ _____ per hour will be made for holding trucks longer. <b>CAUTION:</b> Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through satu- rated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention		<b>TOTAL</b>  <b>TAX</b>  <b>NET</b>	

Received by \_\_\_\_\_

②

# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To: 10-13 20 14  
Adcock Const

Deliver To: \_\_\_\_\_

P.O. \_\_\_\_\_

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 yds			
	6 3/4 Sack		
	Rock		

Water Added 0 Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_  
 Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_  
 Driver nc Truck No. \_\_\_\_\_  
 Overtime \_\_\_\_\_

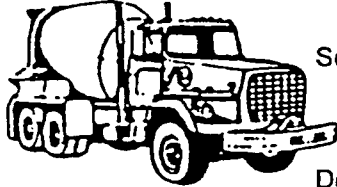
Net 10th prox. 1 1/2% per month will be charged on all past due balances.

**IMPORTANT**  
 We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$ \_\_\_\_\_ per hour will be made for holding trucks longer.  
 CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

**TOTAL**  
  
**TAX**  
  
**NET**

Received by \_\_\_\_\_

**④ Finley Construction and Ready Mix**  
 12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To: 10-13 2014  
Adcock Const

Deliver To: \_\_\_\_\_

P.O. \_\_\_\_\_

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 yds	6 3/4 Sack		
	Rock		

Water Added 7 Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_  
 Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_  
 Driver RE Truck No. \_\_\_\_\_  
 Overtime \_\_\_\_\_

Net 10th prox. 1% per month will be charged on all past due balances.

**IMPORTANT**  
 We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$ \_\_\_\_\_ per hour will be made for holding trucks longer.  
 CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

**TOTAL**  
  
**TAX**  
  
**NET**

Received by \_\_\_\_\_

## **ATTACHMENT “D”**

# REPORT

INS, I SUBMIT THE FOLLOWING:

ER(S) NO.(S):

ly to affect the safety of its operation or result in its

would be likely to affect the safety of its operation or

nt detail to locate for mechanic.

rected for safe operation of vehicle



## DRIVER'S DAILY LOG

(24 HOURS)

Total Miles Driving Today

Total Mileage Today

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

11, 14, 14  
(Month) (Day) (Year)

Finley Const  
North Highway 25

Name of Carrier or Carriers

Main Office Address

Home Terminal Address

I certify these entries are true and correct.

James J. Leudhae  
Driver's Full Signature

Co-Driver's Name

	MID-NIGHT												NOON												MID-NIGHT												TOTAL HOURS
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	7	8	9	10	11			
1. OFF DUTY																																					
2. SLEEPER BERTH																																					
3. DRIVING																																					
4. ON DUTY (NOT DRIVING)																																					

REMARKS

SHIPPING DOCUMENTS:

B/L or Manifest No. or

Shipper & Commodity

From:

Enter name of place you reported and where released from work and when and where each change of duty occurred.

Atwood KS

To:

Champion NE

USE TIME STANDARD AT HOME TERMINAL

Copyright 2013 J. J. Kellor & Associates, Inc. All rights reserved.

Original - File at home terminal  
Duplicate - Driver retains in his/her possession for eight days

### RECAP

Complete at end of workday.

On-duty hours today (Tot. Hrs 3 & 4)

70 Hour/8 Day Drivers

A. Total hours on duty last 7 days, including today.

B. Total hours available tomorrow. 70 hr. minus A.

C. Total hours on duty last 8 days, including today.

60 Hour/7 Day Drivers

A. Total hours on duty last 6 days, including today.

B. Total hours available tomorrow. 60 hr. minus A.

C. Total hours on duty last 7 days, including today.

\*If you meet the 34 hour restart requirements in 49 CFR 395.3, you have 68/70 hours available again.

8560



## **ATTACHMENT “E”**

# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To: Adcoch

10-14 2014

Deliver To: \_\_\_\_\_

P.O. \_\_\_\_\_

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
8	6 3/4 sack		
	30% rock		

Water Added 15 Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_  
 Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_  
 Driver 124 Truck No. \_\_\_\_\_  
 Overtime \_\_\_\_\_

Net 10th prox. 1 1/2% per month will be charged on all past due balances.

**IMPORTANT**  
 We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$ \_\_\_\_\_ per hour will be made for holding trucks longer.  
**CAUTION:** Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

TOTAL  
TAX  
NET

Received by \_\_\_\_\_



# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To

Record

10-14 2014

Deliver To:

P.O.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
8	6 3/4 sack		
	30% rock		

Water Added 5 Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_

Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_

Driver 14 Truck No. \_\_\_\_\_  
Overtime

Net 10th prox. 1 1/2% per month will be charged on all past due balances.

## IMPORTANT

We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser.

The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$ \_\_\_\_\_ per hour will be made for holding trucks longer.

CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

TOTAL

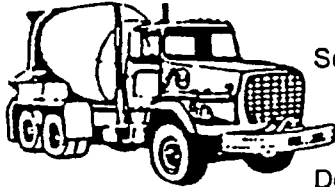
TAX

NET

Received by \_\_\_\_\_

# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To

10-14 2014  
Alcock

Deliver To:

P.O.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
8	6 3/4 sack		
	309 sack		

Water Added \_\_\_\_\_ Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_

Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_

Driver KP Truck No. \_\_\_\_\_

Overtime

Net 10th prox. 1 1/4% per month will be charged on all past due balances.

## IMPORTANT

We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser.

The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$\_\_\_\_\_ per hour will be made for holding trucks longer.

CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

TOTAL

TAX

NET

Received by \_\_\_\_\_

# Finley Construction and Ready Mix

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



Sold To: Accord

10-14 2014

Deliver To: \_\_\_\_\_

P.O. \_\_\_\_\_

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
8	634 sack		
	309 rock		

Water Added \_\_\_\_\_ Air Ent. \_\_\_\_\_ Calc. Chl. \_\_\_\_\_

Mileage \_\_\_\_\_ Arrived Job \_\_\_\_\_ Left Job \_\_\_\_\_

Driver KP Truck No. \_\_\_\_\_  
Overtime \_\_\_\_\_

Net 10th prox. 1½% per month will be charged on all past due balances.

## IMPORTANT

We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$\_\_\_\_\_ per hour will be made for holding trucks longer.

CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention

TOTAL

TAX

NET

Received by \_\_\_\_\_

12915 Hwy. 25 • Atwood, KS 67730 • 785-626-3282



**Sold To:**

**Deliver To:**

P.O.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
8	6 <sup>3</sup> / <sub>4</sub> sack		
	309 rock:		
Water Added <u>10</u> Air Ent. _____ Calc. Chl. _____ Mileage _____ Arrived Job _____ Left Job _____ Driver <u>KP</u> Truck No. _____ <u>Overtime</u>		Net 10th prox. 1½% per month will be charged on all past due balances.	
<b>IMPORTANT</b> We cannot be responsible for damage caused by our trucks when delivering material beyond the curb line. Not responsible for quality of concrete if water is added by purchaser. The maximum allowed time for unloading trucks is 1 (one) hour. Thereafter, a charge of \$_____ per hour will be made for holding trucks longer. CAUTION: Concrete may cause irritation or injury to eyes and skin. Avoid contact with skin, either directly or through saturated clothing, and wash affected areas properly with water. If concrete gets in eyes, rinse immediately and thoroughly with water and get prompt medical attention		<b>TOTAL</b>	
		<b>TAX</b>	
		<b>NET</b>	

Received by

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
STEPHEN FINLEY, PRESIDENT FINLEY CONSTRUCTION & READY MIX, INC. 12915 HIGHWAY 25 ATWOOD, KS 67730		
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED **JAN 28 2015**

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.