

CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA KS 66604-4027PHONE 785-271-3100  
FAX 785-271-3354  
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

SHARI FLIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

## NOTICE OF PENALTY ASSESSMENT

18-TRAM-478-PEN

May 10, 2018

Steve Brumback, Owner  
d/b/a Brumback Towing  
PO Box 894  
Fort Scott, Kansas 66701

Certified Mail No. 70161970000105743465

This is a notice of a penalty assessment against Steve Brumback, d/b/a Brumback Towing (Brumback Towing) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on April 18, 2018, by Kansas Corporation Commission Special Investigator Michael Heenan. Penalty amounts are assessed in accordance with the FY 2018 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2017. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** Brumback Towing has been assessed a \$300 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the penalty. Please remit payment of \$300, through your personal account with 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.

The Order requires Brumback Towing to submit to one follow-up safety compliance review within 18 months from the date of the attached Order. Transportation Staff will contact you at a later date to determine an appropriate time for this review.

**IF YOU CONTEST THE PENALTY ORDER:** 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. Brumback Towing must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and must mail a copy of the request to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$300 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the attached Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

A handwritten signature in black ink, appearing to read "Ahsan A. Latif".

Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118

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

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler  
                                 Dwight D. Keen

In the Matter of the Investigation of **Steve )**  
**Brumback, d/b/a Brumback Towing, of Fort )**  
**Scott, Kansas,** Regarding the Violation of the      )  
Motor Carrier Safety Statutes, Rules and      ) Docket No. 18-TRAM-478-PEN  
Regulations 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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I.      JURISDICTION**

1.      Pursuant to K.S.A. 2017 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. 2017 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. 2017 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. Steve Brumback, d/b/a Brumback Towing (Brumback Towing) has common operating authority with the Commission and further operates USDOT number 706840.

5. Steve Brumback attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on June 1, 2015, on behalf of Brumback Towing.

6. Brumback Towing is a common motor carrier which primarily hauls general freight, motor vehicles, and construction.

7. Brumback Towing transports in commerce between states (interstate commerce), and is thereby subject to the Unified Carrier Registration (UCR) fees assessed pursuant to 49 C.F.R. 367.30, as adopted by K.A.R. 82-4-30a.

## **III. STATEMENT OF FACTS**

8. Pursuant to the jurisdiction and authority cited above, on April 18, 2018, Commission Staff (Staff) Special Investigator Michael Heenan conducted a compliance review of the operations of Brumback Towing. 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, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. On April 18, 2018, Brumback Towing was reviewed for their lack of paying its Uniform Carrier Registration (UCR) fees for the years of 2017 and 2018. Brumback Towing paid the 2017 UCR fees on February 23, 2018, nearly three (3) months late. The carrier paid the 2018 UCR fees on April 9, 2018, which was five (5) days after the enforcement date of April 5, 2018. Brumback Towing has operated as a wrecker with an interstate USDOT Number of 706840. At the time of this safety compliance review, the carrier had paid his delinquent UCR fees, but only after it was informed of the review. Brumback Towing'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, authorized by K.S.A. 2017 Supp. 66-1,139a and K.S.A. 2016 Supp. 66-1,129. Staff recommends a fine of \$300.

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

9. Based upon the available facts, Staff recommends the Commission finds Brumback Towing committed one (1) violation(s) 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.

10. Additionally, Staff recommends a civil penalty of \$300 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

11. Finally, Staff recommends that Brumback Towing submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

## **V. CONCLUSIONS OF LAW**

12. The Commission finds it has jurisdiction over Brumback Towing because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

13. The Commission finds Brumback Towing committed one (1) violation(s) 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. Steve Brumback, d/b/a Brumback Towing, of Fort Scott, Kansas is hereby assessed a \$300 civil penalty for one (1) violation(s) 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. Brumback Towing is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

C. On May 8, 2018, this Penalty Order was mailed to Brumback Towing via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105743465. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt.

D. Pursuant to K.S.A. 2017 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds

upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Brumback Towing's right to a hearing, and this Penalty Order will become a Final Order assessing a \$300 civil penalty against Brumback Towing, and ordering it to submit to a safety compliance review within eighteen (18) months from the date of this Order.

E. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2017 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$300 is due in thirty (30) days from the date of service of this Order. Payment of \$300 must be made through your personal account with the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty owed.

G. Failure to pay the \$300 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Brumback Towing'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 revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 05/10/2018




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Lynn M. Retz  
Secretary to the Commission

AAL

## **ATTACHMENT “A”**



	<b>US DOT #</b> 706840		<b>Legal:</b> STEVE BRUMBACK <b>Operating (DBA):</b> BRUMBACK TOWING	
	<b>MC/MX #:</b> 331659		<b>State #:</b> [REDACTED]	<b>Federal Tax ID:</b> [REDACTED] (EIN)
<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> C
<b>Operation Types</b>				
	<b>Interstate</b>	<b>Intrastate</b>		
<b>Carrier:</b>	HM	HM	<b>Business:</b> Corporation	
<b>Shipper:</b>	N/A	N/A	<b>Gross Revenue:</b> [REDACTED] for year ending: 12/31/2017	
<b>Cargo Tank:</b>	N/A			
<b>Company Physical Address:</b> [REDACTED]				
<b>Contact Name:</b> Steve Brumback				
<b>Phone numbers:</b> (1) [REDACTED]		<b>Fax</b>		
<b>E-Mail Address:</b> [REDACTED]				
<b>Company Mailing Address:</b> P O BOX 894 FORT SCOTT, KS 66701-0894				
<b>Carrier Classification</b> Authorized for Hire				
<b>Cargo Classification</b> General Freight      Motor Vehicles      Construction				
<b>Hazardous Materials</b> 9 Miscellaneous HM      Carried      Non-Bulk				
<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	1	0	0	
Power units used in the U.S.: 1				
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	
< 100 Miles:	2		<b>Total Drivers:</b> 2	
>= 100 Miles:			<b>CDL Drivers:</b> 1	





**BRUMBACK TOWING (STEVE BRUMBACK dba)**  
U.S. DOT #: 706840

State #: [REDACTED]

Review Date:  
04/18/2018

**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:

Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Ks 66604-4027 785-271-3145

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

**Person(s) Interviewed**

**Name:** Steven W Brumback

**Title:** Owner

**Name:**

**Title:**





**BRUMBACK TOWING (STEVE BRUMBACK dba)**  
U.S. DOT #: 706840

State #: [REDACTED]

Review Date:  
04/18/2018

### Part B Violations

1 STATE	Primary: 367.30	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
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#### Description

Failure to Pay Unified Carrier Registration

#### Example

After research, it was found that this carrier had paid 2015 UCR.

They had failed to pay 2016 2017 and 2018 which is what prompted this review.

I notified this carrier of this review on 02-16-18.

The carrier paid his 2017 UCR on 2-23-18 and his 2018 UCR on 4-9-18.

This occurred after he was notified of this review.

The carrier switched his MCS-150 from interstate to Intrastate on 04-09-18 because of the fact he had not traveled to Missouri in several years. He stated he was told he needed IRP and IFTA to travel out of state and he did not wish to pursue that. This carrier vehicle is well under the required weight requirements for IFTA and IRP. Carrier stated he would return to interstate status ASAP as he now understands with his size of vehicle it will not be cost prohibitive to do so.

#### Safety Fitness Rating Information:

Total Miles Operated 5,300  
Recordable Accidents 0  
Recordable Accidents/Million Miles 0.00

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 :

**SATISFACTORY**

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

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





**BRUMBACK TOWING (STEVE BRUMBACK dba)**  
U.S. DOT #: 706840

State #: [REDACTED]

Review Date:  
04/18/2018

## Part B Requirements and/or Recommendations

### 1. 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>

FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012. The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

For all Investigations that could result in a Notice of Claim:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. 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 Notice of Claim. Your signature for 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.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course 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





**BRUMBACK TOWING (STEVE BRUMBACK dba)**

U.S. DOT #: 706840

State #: [REDACTED]

Review Date:

04/18/2018

### Part B Requirements and/or Recommendations

corrective action is forwarded to our office:

US Department of Transportation  
Federal Motor Carrier Safety Administration  
Kansas Division  
Jeff Ellett - Division Administrator  
1303 First American Place, Suite 200  
Topeka, KS 66604-4040

For all investigations where the carrier has been involved in 2 or more recordable crashes:

The Division Administrator/State Director will continue to consider preventability when a motor carrier contests a proposed safety fitness rating. The motor carrier may deem that the recordable accident rate is not a fair means of evaluating its accident factor (Factor 6) on the CR report. If so, the motor carrier must submit the compelling evidence within seven calendar days if the proposed rating is Unsatisfactory and 10 calendar days if the proposed rating is Conditional to:

US Department of Transportation  
Kansas Division  
Jeff Ellett - Division Administrator  
Federal Motor Carrier Safety Administration  
1303 First American Place, Suite 200  
Topeka, KS 66604-4040

Compelling evidence must be limited to official police accident reports and official insurance accident investigation reports.

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:

US Department of Transportation  
Jack Van Steenburg - 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:

US Department of Transportation  
Max Strathman - Midwestern Field Administrator  
Federal Motor Carrier Safety Administration  
4749 Lincoln Mall Drive, Suite 300-A  
Matteson, IL 60443

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

US Department of Transportation  
Kansas Division  
Jeff Ellett - Division Administrator  
Federal Motor Carrier Safety Administration  
1303 First American Place, Suite 200  
Topeka, KS 66604-4040

This letter should be submitted as soon as possible.

For all investigations that did not result in a Cooperative Safety Plan:





**BRUMBACK TOWING (STEVE BRUMBACK dba)**  
U.S. DOT #: 706840

State #: [REDACTED]

Review Date:  
04/18/2018

### Part B Requirements and/or Recommendations

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission  
Attn: Gary Davenport  
1500 SW Arrowhead Rd  
Topeka, KS 66604-4027

**2. For all investigations that did not result in a Cooperative Safety Plan:**

The KCC requires that you prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Mail the letter along with copies of your supporting evidence to:

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

**3. "I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this website:  
[http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)"**

Carrier Signature Steve Brumback

Investigator Signature Michael Newman 02/13

**4. Make certain that you have Unified Carrier Registration if the situation exists that your carrier operations are interstate and are required Unified Carrier Registration under federal regulations. [www.ucr.in.gov](http://www.ucr.in.gov)**

**5. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.**





BRUMBACK TOWING (STEVE BRUMBACK dba)  
U.S. DOT #: 706840

State #: [REDACTED]

Review Date:  
04/18/2018

### Part B Requirements and/or Recommendations

The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.

Motor carrier's currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site.

The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

6. All carriers who are registered with an interstate USDOT are required Unified Carrier Registration. This registration can be obtained at [www.ucr.in.gov](http://www.ucr.in.gov).
7. 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 (Steve Brumback) operating authority and/or the impoundment of (Steve Brumback) commercial motor vehicles.

Carrier Signature Steve Brumback

Investigator Signature M. J. W. [Signature]



**CERTIFICATE OF SERVICE**

18-TRAM-478-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

first class mail/hand delivered on 05/11/2018.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
a.latif@kcc.ks.gov

STEVE BRUMBACK, OWNER  
STEVE BRUMBACK  
D/B/A BRUMBACK TOWING  
PO BOX 894  
FORT SCOTT, KS 66701-0894  
stevebrumback@yahoo.com

/S/ DeeAnn Shupe

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DeeAnn Shupe