

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
 MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone #: (785)296-7189 Fax #: (785)296-2858
 truckinspection@khp.ks.gov

Report Number: KSHPO4200689
 Inspection Date: 9/13/2019 Certification Date:
 Time Started: 13:40 Time Ended: 15:40
 Inspection Level: I - Full Inspection
 HM Inspection Type: No HM Inspection

DANNY G LAMBETH
 22640 PLEASANT VALLEY RD
 WELLSVILLE, KS 66092-9803
 USDOT #: 00203558
 MC/MX #:
 State #:

Phone #:
 Fax #:

Driver: LAMBETH, DANNY G
 License #:
 Date of Birth: State: KS

Location: JOHNSON COUNTY - 091 MilePost:
 Highway: U56 / GARDNER RD, GARDNER Origin: WELLSVILLE,KS Bill of Lading: NONE
 County: JOHNSON Destination: GARDNER,KS Cargo: TOOLS/LUMBER
 Shipper: DANNY LAMBETH

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TR	KW	1990	KS	D37672		549136	50,000			

BRAKE ADJUSTMENTS:

Axle #	1	2	3
Right	N/A	N/A	N/A
Left	N/A	N/A	N/A
Chamber	NONE	NONE	NONE

VIOLATIONS :

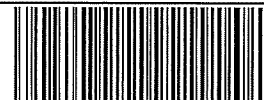
Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
392.16	392.16(a)	D	N	E002208054	N	N	Failing to use seat belt while operating a CMV
392.7A	392.7(a)	D	N		N	N	Driver failing to conduct pre-trip inspection
392.8	392.8	D	N		N	N	Failing to inspect/use emergency equipment
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection: Driver was unable to locate periodic inspection for the unit. [Truck]
393.9H	393.9(a)	1	N		N	N	Inoperable head lamps: Left Highbeam lamp INOP.
393.9T	393.9(a)	1	N		N	N	Inoperable tail lamp: Left and right tail lamps INOP.
393.9TS	393.9(a)	1	N		N	N	Inoperative turn signal: Left and Right rear turn signal INOP.
393.9BRKLAMP	393.9(a)	1	N		N	N	Inoperative Brake Lamps: Left and right brake lamps INOP.
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp: All ID and clearance lamps INOP.
393.75A3	393.75(a)(3)	1	Y		U	N	Tire-flat and/or audible air leak: Axle 2 left outside dual measures at 25psi (max 110psi)
393.75A3	393.75(a)(3)	1	Y		U	N	Tire-flat and/or audible air leak: Axle 2 right inside dual 0 psi (Max 110psi)
393.81	393.81	1	N		N	N	Horn inoperative
393.78	393.78	1	N		N	N	Windshield wipers inoperative/defective
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp: Right front clearance lamp INOP
396.3A1-LLEAK	396.3(a)(1)	1	Y		U	N	A liquid fuel system with a dripping leak at any point.: Left saddle tank dripping fuel and pooling on ground during inspection.
392.2RG	392.2	1	N		N	N	State vehicle registration or License Plate violation: Registration plate not displayed to the rear of unit. KSA 08-0133.
392.9AA1	392.9a(a)(1)	1	N		N	N	Operating without the Required Operating Authority: Per https://kcc.ks.gov/trans/mcsearch.cgi Carrier has no operating authority
390.19A2	390.19(a)(2)	1	N		N	N	HMSP Motor Carrier failed to file required biennial update of MCS-150B as required.: Per CVIEW MCS-150 was last updated 02/13/2018 (Due on or before August 31, 2019)
390.21B	390.21(b)	1	N		N	N	Carrier name and/or USDOT Number not displayed as required: No carrier name displayed.
393.19	393.19	1	N		N	N	Inoperative/Defective Hazard Warning Lamp: Rear hazard lamps INOP.

Report Prepared By:
 R. DILKS

Badge #:
 0420

Copy Received By:
 LAMBETH, DANNY G

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Fax #:

Driver: LAMBETH, DANNY G
License #: [REDACTED] State: KS
Date of Birth: [REDACTED]

393.51	393.51	1	Y	U	N	No or defective brake warning device: No low air warning light or audible signal.
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* N - Non-OOS or Driver OOS Violation; U - Unknown

HazMat:	No HM Transported.	Placard: NA	Cargo Tank:
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Special Checks:

<input type="checkbox"/> Alcohol/Controlled Substance Check	<input checked="" type="checkbox"/> Traffic Enforcement	<input type="checkbox"/> Post Crash Inspection
<input type="checkbox"/> Conducted by Local Jurisdiction	<input type="checkbox"/> PASA Conducted Inspection	<input type="checkbox"/> PBBT Inspection
<input type="checkbox"/> Size and Weight Enforcement	<input type="checkbox"/> Drug Interdiction Search	Arrests:
<input type="checkbox"/> EScreening		

Inspection Notes: Large 3 axle westbound on U56 approaching Gardner Road. Single occupant no seatbelt. Trooper turned around and the truck was stopped the red traffic light at westbound U56 at Gardner Road. The brake light at the rear of the unit where not operating. The Truck had brake lights on the upper headache rack on the back of the cab. Driver had 2 6x6 pieces of wood on the bed of truck that was loosely attached by a chain and binder. The truck had a Kansas Dealer Full use tag displayed in the front windshield of the truck. The driver identified himself with a valid Kansas Class A commercial drivers license. The driver stated that he is not a truck driver and he is exempt CVSA inspections. The driver was a the owner of the company and stated that the truck he was driving is in the businesses inventory and is for sale. The driver was driving from Wellsville, KS to Gardner, KS, O'Reilly Auto Parts to buy "parts" the driver initially was compliant but later refused to comply with the inspection. Their was a loud audible air leak coming from the dash of the truck. The truck held pressure but there was no low air warning light or audible signal.

Brake measurements were not completed due the driver refusing to comply with the inspection.

Trooper Dilks retained photos and videos of the inspection.

INTERNAL CHALLENGE: carrier is contesting oos civil fines and a few other violations. Carrier states he doesnt need authority, and states KCC cannot demand payment as it bypasses the justice system.

tires were measured less than 50% of the max psi, violations are valid
brake warning device, there no audible or visible warning signal when tested, violation is valid
leak, was found s dripping on ground during the inspection with further leakage continuing - violation is valid

will address state statute for being able to assess civil penalties

fines and violations will remain as is 10/22/2019 jpeterson

Special Study Fields:

Special Study1:	Special Study6:
Special Study2:	Special Study7:
Special Study3:	Special Study8:
Special Study4:	Special Study9:
Special Study5:	Special Study10:

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE". No person and/or carrier shall permit and/or require the removal of the "OUT OF SERVICE" stickers or the operation of this motor vehicle until ALL out of service defects have been corrected. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

**** DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. **//** *CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature of Carrier Official: X _____

Date: _____

Report Prepared By:
R. DILKS

Badge #:
0420

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Date of Birth: [REDACTED]

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature of Repairer: X Facility: _____ Date: _____

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