

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

In the Matter of the Investigation of **Hall Industrial**)
Services, Inc, of Wichita, Kansas, Pursuant to the)
Kansas Highway Patrol Issuance of a Notice of)
Violation(s) and Invoice for the Violations of the) Docket No. 25-GIMM-351-KHP
Kansas Motor Carrier Safety Statutes, Rules and)
Regulations.)

NOTICE OF FILING OF REQUEST FOR HEARING

The attached Request for Hearing was received on March 7, 2025 from Hall Industrial Services, Inc (Carrier). The attached documents include:

1. Driver/Vehicle Examination Report No. KSHP92103201, dated December 18, 2024.
2. Notice of Violations/Invoice No. H000608915, dated January 8, 2025.
3. Carrier Contest of Violations, dated February 8, 2025
4. KHP Denial, dated February 17, 2025.
5. Carrier Request for Hearing, dated March 7, 2025.

WHEREFORE, the attached Request for Hearing and corresponding documents are hereby filed for consideration by the Commission.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan A. Latif, S. Ct. #24709
Litigation Counsel
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, Kansas 66604-4027
Phone: 785-271-3118
Fax: 785-271-3167
Email: a.latif@kcc.ks.gov
Attorney for Commission Staff

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP92103201
Inspection Date: 12/18/2024
Start: 10:51 AM CT End: 11:58 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: HALL INDUSTRIAL SERVICES INC

DBA:
 1221 E MURDOCK ST
 WICHITA, KS, 67214-3496
USDOT: 374389 **Phone#: (316)945-4255**
MC/MX#: **Fax#: (316)945-4494**
State#:
Location: WILSON COUNTY - 205
Highway: U-400
County:
Email:

Driver: SHUFELDT, BRIAN L
License#: [REDACTED] **State: OK**
Date of Birth: [REDACTED]
CoDriver:
License#: **State:**
Date of Birth:
Milepost: 373 **Shipper: HALL INDUSTRIAL**
Origin: PITTSBURG,KS **Bill of Lading: NONE**
Destination: WICHITA,KS **Cargo: MACHINERY**

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TR	DODG	2024	OK	[REDACTED]		[REDACTED]	8477 13500			
2	ST	TRLR	2008	KS	[REDACTED]	003001	[REDACTED]	3001 16000			183107

BRAKE ADJUSTMENTS:No brake measurements required for level II or level III

VIOLATIONS

Vio Code	Section	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.23A2-LCDLN	383.23(a)(2)	F	D	Y		N	N	License (CDL) - Operate a CMV and does not possess a valid CDL: Vehicle combination required a Class A CDL
391.41A-MCPC	391.41(a)	F	D	N		N	N	Medical (Certificate) - Operating a property-carrying vehicle without possessing a valid medical certificate: None in driver's possession; driver said he had one, but it was not with him. not located in CDLIS
392.71A-D	392.71(a)	F	D	N	NA15802202	N	N	Driver - Using or equipping a CMV with a radar detector: Escort MAX 360 MKII mounted on windshield and plugged in at time of stop
392.2-SLLIFTA	392.2	F	1	N	NA15802201	N	N	State/Local Laws - State tax/International Fuel Tax (IFTA) violation: No IFTA or KS fuel permit; obtain temporary KS fuel permit @ www.k-trips.ksdot.gov
392.2-SLLIRP	392.2	F	1	N	NA15802201	N	N	State/Local Laws - IRP apportioned tag or registration violation: No IRP or KS registration permit; obtain temporary KS registration permit @ www.k-trips.ksdot.gov
390.21TB1-MC	390.21T(b)(1)	F	1	N		N	N	Operating a CMV without legal name or trade name displayed: Carrier Name and USDOT Number required on both sides of truck
396.17C-PI	396.17(c)	F	1	N		N	N	Operating a CMV without documentation of a periodic inspection: None located for truck; driver said there was none
393.95A1	393.95(a)(1)	F	1	N		N	N	Emergency Equipment - Fire Extinguishers - no fire extinguisher present or not properly rated.: None present
393.95F	393.95(f)	F	1	N		N	N	Emergency Equipment - Stopped vehicle warning devices missing or improper: None present; 3 bi-directional reflective triangles required
393.11A1-LIL	393.11(a)(1)	F	1	N		N	N	Lighting - Identification lamp(s) missing: 1 of 3 rear ID lamps missing; center lamp removed and replaced with back up camera
396.17C-PI	396.17(c)	F	2	N		N	N	Operating a CMV without documentation of a periodic inspection: None located for trailer; driver said there was none
393.43DBMA	393.43(d)	F	2	Y		U	N	Brake - Breakaway not attached to the towing vehicle: looped and hooked back to trailer
393.11B-CSLRR	393.11(b)	F	2	N		N	N	Conspicuity Systems - Trailers, lower rear retro reflective sheeting inadequate on vehicle manufactured on or after December 1, 1993: Retroreflective sheeting required to extend across full width on rear of trailer

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: X Traffic Enforcement

Notes: The trailer was registered to Hall Industrial and vehicle was traveling with a Hall Industrial tt/st that was carrying 2 forklifts. In the beginning the driver tried to tell me the load was personal items that he was hauling to his cousin's



00374389 KS KSHP92103201

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
Email: Khp.TruckInspection@KS.GOV
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP92103201
Inspection Date: 12/18/2024
Start: 10:51 AM CT End: 11:58 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

house.trailer was a tandem axle, dual wheel gooseneck trailer with no VIN plate, trailer weight was 16,000 pounds minus tongue weight. total vehicle weight on portable scales was 29,300 pounds Carrier is contesting Violation 383.23A2-LC. Carrier states the vehicle GVWR is outside the weight that required a CDL and is not marked or identified as a commercial vehicle. After reviewing the inspection and all documentation the driver does possess a valid Oklahoma Class D drivers licenses but the combination vehicle weighs 29,500 verified by the inspector with portable scales which requires a Class A CDL since the towing unit is over 10,000 pounds. Fines and Violations remain valid TWare 2/14/2025

* 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 _____

* 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 BRIAN SHUFELDT "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: obtain valid CDL A. 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 _____

* 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: _____

**** 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 Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By: ID/Badge #:
D.S. Bales 9210

Copy Received By:
BRIAN SHUFELDT

X

X



00374389 KS KSHP92103201

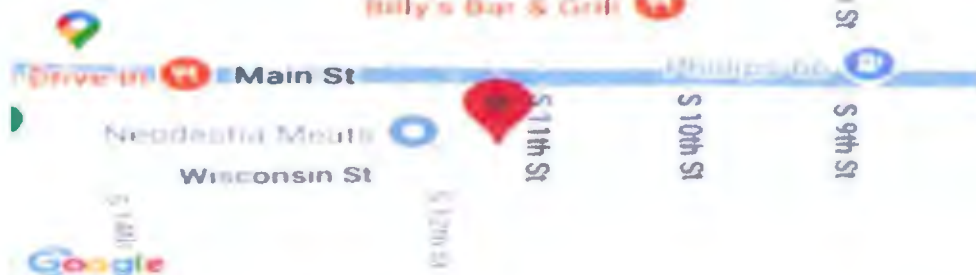
3:55



Brian

Wed, Dec 18 at 11:07 AM

Billy's Bar & Grill



**132-156 S 11th St, Neodesha, KS
66757**

Tap to open in Google Maps

Send me a picture of the trailer
where it is at

Read 12/18/24





Transportation Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027

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



Phone: 785-271-3145
Fax: 785-271-3124
<http://kcc.ks.gov/>

Laura Kelly, Governor

NOTICE OF VIOLATION(S)

January 8, 2025

HALL INDUSTRIAL SERVICES INC
1221 E MURDOCK ST
WICHITA, KS 67214

Re: Driver/Vehicle Examination Report # KSHP92103201

This is a Notice of Violation(s) of the Kansas Motor Carrier Safety Statutes and/or Rules and Regulations discovered during a roadside inspection conducted by the Kansas Highway Patrol.

The Kansas Highway Patrol inspected vehicle 3C63RRJL0RG168477, on December 18, 2024, and discovered violation(s) of the Federal Motor Carrier Safety Regulations, as adopted by K.S.A. 66-1,129 and K.A.R. 82-4-3 et sq. Pursuant to K.S.A. 66-1, 129a, 66-1,130 and 66-1, 142b, the commission may suspend operations, revoke, or amend certificated, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law regarding the regulation of such motor carriers and persons, or who fails to obey an order, decision, or regulation of the Commission.

You have thirty (30) days from the date of this letter to pay the fine amount as indicated on the enclosed invoice or thirty (30) days from the date of this letter to submit a review as described below. Failure to address this matter may negatively impact your KCC operating authority or result in the issuance of an Out-of-Service Order in the State of Kansas. You have the following options:

1. Pay the fine amount shown on the enclosed invoice H000608915 to:

Kansas Corporation Commission
1500 SW Arrowhead Rd
Topeka, Kansas 66604
Fax (785) 271-3124
Email: kcc.transportation@ks.gov
For Inquiries or Questions Only 785-271-3145

2. To contest the violation(s) and/or fines, please specifically describe your contested issues. The KHP will review your issues and either grant, modify or dismiss your challenge. You may first submit a challenge to:

Kansas Highway Patrol
Motor Carrier Safety Assistance Program (MCSAP)
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone: (785) 296-8157
Fax: (785) 296-2858
Email: KHP.TruckInspection@KS.Gov

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KANSAS CORPORATION COMMISSION



Kansas Corporation Commission
Transportation Division
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027
(785) 271-3145
FEIN: 48-1124839

INVOICE

HALL INDUSTRIAL SERVICES INC
 1221 E MURDOCK ST
 WICHITA, KS 67214

Invoice Date: January 8, 2025
 Invoice Number: H000608915
 Due Date: February 7, 2025

Power Unit Identification at Time of Inspection:

Unit #	Unit Make	Unit License	VIN	License Number	Company ID
2	TRLR		8477		

Unit	Violation	Violation Description	Penalty
2	393.43DBMA	BRAKE - BREAKAWAY NOT ATTACHED TO THE TOWING VEHICLE	150.00
	383.23A2-LC	LICENSE (CDL) - OPERATE A CMV AND DOES NOT POSSESS A VALID CDL	250.00
Total Due:			\$400.00

**Please return this invoice with your payment, payable to the
 Kansas Corporation Commission
 1500 SW Arrowhead Road
 Topeka, KS 66604-4027
 Email: kcc.transportation@ks.gov
 Fax: (785) 271-3124**

Payment options: check, money order or credit card

Circle type of credit card: Visa, MasterCard, Discover or American Express

Card Holder Name _____

Credit card number: _____ Expires: Date ____/____/____

Billing Address Street _____

State _____ Zip Code _____



645 E. Douglas, Suite 100, Wichita, Kansas 67202 | 316-265-9311

DENNIS P. WETTA | dpwetta@martinpringle.com

February 8, 2025

Via Email and Facsimile: KHP.truckinspection@ks.gov

Kansas Highway Patrol
Motor Carrier Safety Assistance Program
700 SW Jackson St., Suite 704
Topeka, KS 66603
Fax: (785) 296-2858

Re: Driver Vehicle Examination Report # KSHP92103201
Our File No.: 39684-04

Dear Sir or Madame:

Please accept this letter as notice that on behalf of Hall Industrial Services Inc., the company disputes the violation the company has been cited in violation 383.23A2-LC "License (CDL)-Operate a CMV and does not possess a valid CDL". The vehicle stopped by the Kansas Highway Patrol at an inspection point in southeast Kansas on December 18, 2024, was not a commercial vehicle as the vehicle's gross vehicle weight rating places it outside the weight required governing commercial vehicles and is not registered nor identified as a commercial vehicle by any insignia. The operator presented officers with a valid Oklahoma driver's license, which did not otherwise restrict his ability to otherwise drive the heavy-duty pickup and trailer being hauled by the pick-up. As such, our position is that this particular citation should be dismissed.

However, the violation that was issued for 393.43DBMA "Brake-Breakaway not attached to the towing vehicle", is a valid citation and a check in the amount of \$150.00 for fine and penalty assessed for issuance of this citation will be mailed out this Monday, February 10th.

If you would please advise the undersigned with regard to the Kansas Corporations Commission determination after review of my letter correspondence of how they intend to handle the License (CDL)-Operate a CMV and does not possess a valid CDL violation I would appreciate it.

Very truly yours,

MARTIN, PRINGLE, OLIVER
WALLACE & BAUER, LLP

A handwritten signature in black ink, appearing to read 'Dennis P. Wetta', written over the printed name.

Dennis P. Wetta

KANSAS | MISSOURI

WICHITA | OVERLAND PARK | KANSAS CITY | EL DORADO

martinpringle.com

Travis Ware [KHP]

From: Travis Ware [KHP]
Sent: Monday, February 17, 2025 2:19 PM
To: dpwetta@martinpringle.com
Cc: kltennison@martinpringle.com
Subject: RE: Motor Carrier Safety Assistance Program-Driver Vehicle Examination Report #KSHP92103201
Attachments: Hall Industrial Services Inc - KSHP92103201.pdf; do_i-need_cdl.pdf; H000608915.PDF

Mr. Wetta,

The Kansas Highway Patrol has made a decision in regard to Hall Industrial Service Inc. contesting inspection # KSHP92103201 and invoice # H000608915. The Kansas Highway Patrol has denied the request. The inspection and invoice will remain valid, please see the attached documents. Please see the invoice for information regarding the fines due and where to remit payment.

A physical copy of the attached documents will be mailed to your office and to Hall Industrial Services Inc.

If you have further questions regarding the enforcement of motor carriers or the inspection in question, please call our office at (785) 296-7189.

Thank you,

Travis Ware

Administrative Specialist
Troop I/MCSAP
Kansas Highway Patrol
Ph: 785-296-8157
Fax: 785-296-2858



From: Tennison, Kaisi <kltennison@martinpringle.com>
Sent: Monday, February 10, 2025 1:52 PM
To: KHP Truck Inspection <KHP.TruckInspection@KS.GOV>
Cc: Wetta, Dennis <dpwetta@martinpringle.com>
Subject: Motor Carrier Safety Assistance Program-Driver Vehicle Examination Report #KSHP92103201

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

Attached, please find correspondence from Dennis P. Wetta regarding the above-referenced matter.

Thank you.

Kaisi L. Tennison
Paralegal



MARTIN PRINGLE ATTORNEYS AT LAW

645 E. Douglas, Suite 100, Wichita, KS 67202

T (316) 265-9311 **F** (316) 265-2955

E kltennison@martinpringle.com

martinpringle.com

KANSAS | MISSOURI

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February 17, 2025

MARTIN PRINGLE ATTORNEYS AT LAW
Attn: DENNIS WETTA
645 E. DOUGLAS SUITE 100
WICHITA, KS 67202

Re: **Hall Industrial Services Inc.**
Invoice # H000608915
Report # KSHP92103201

To Whom it May Concern,

This letter is to inform you that your request for a review regarding violation(s) **383.23A2-LCDLN – LICENSE (CDL) - OPERATE A CMV AND DOES NOT POSSESS A VALID CDL**, has been **DENIED**. Please see guidance below:

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable Federal Motor Carrier Safety Regulations. Safety compliance and safe operations translate into saved lives and protected property; Refer to 49 CFR 390.3T. Employers and drivers who support an underlying business in a vehicle or combination of vehicles with a GVWR, GVW, GCWR, or GCW of 10,001 pounds or more must comply with the Federal Motor Carrier Regulations.

Hall Industrial Services Inc. was engaged in furtherance of a commercial enterprise, on December 18th, 2024, transporting two forklifts from Pittsburg, KS to Wichita, KS. The truck and trailer GVWR accumulated to 29,500 lbs.

Additionally, Drivers are required to obtain and hold the proper license class if they operate in interstate, intrastate, or foreign commerce and drive a vehicle that meets one or more of the classifications of a commercial motor vehicle. In this event your driver Mr. Shufeldt has an Oklahoma Non-CDL Class D license. Mr. Shufeldt is required a valid Class A CDL.

A commercial motor vehicle is defined in 49 CFR 390.5T, as:

- Commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—
 - 1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
 - 2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
 - 3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
 - 4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

According to the Oklahoma Digital Driver License Classes and Fees

<https://oklahoma.gov/content/dam/ok/en/dps/docs/fees.pdf> driver's license classifications are defined as:

- Class A: Any combination of vehicles with a combined weight rating of 26,001 or more pounds provided the gross vehicle weight rating (GVWR) of the vehicle or vehicles being towed is in excess of 10,000 pounds.
- Class B: Any single vehicle with a gross weight rating of 26,001 pounds or more, or any such vehicle towing not in excess of 10,000 pounds GVWR, shall include a bus with a GVWR of 26,001 or more pounds and designed to transport sixteen or more persons, including the driver.
- Class C: Any single vehicle with a GVWR of less than 26,001 pounds or any such vehicle towing a vehicle not in excess of GVWR or 10,000 pounds GVWR, which is: 1. Required to be placed for hazardous material. OR 2. Designed to transport 16 or more persons, including the driver.
- Class D: All other vehicles regardless of weight, except A, B or C.

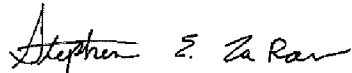
The violation(s) will remain on your carrier profile and Invoice # **H000608915** remains valid. Please see the invoice for information regarding the fines due. Failure to pay will result in the carrier being in default. Default status prohibits changes to KCC authority, including but not limited to adding vehicles, name changes or renewal of authority until the fine has been paid or the matter is resolved.

If you are not satisfied with the outcome of your Internal Review by the Kansas Highway Patrol, you have the right to an administrative hearing with the Kansas Corporation Commission regarding the civil penalty assessed by our state. The hearing request and all further documentation must be received **WITHIN 15 DAYS** from the date of this correspondence.

If you would like to appeal the violation received roadside, please avail yourself to the DataQ process at <http://dataqs.fmcsa.dot.gov>.

Thank you for your time and attention to this matter.

Sincerely,



Captain Stephen La Row
Troop I

SEL: tw

Enc: Commercial Driver's license classes,
Invoice statement

cc: Hall Industrial Services Inc
1221 E Murdock St
Wichita, KS 67214

“Do I need a Commercial Driver’s License?”

(Updated 04/2020)

START HERE!

Is the vehicle a **COMBINATION** (truck and trailer)?

YES

Is the **Gross Combination Weight Rating**, or the **Gross Combination Vehicle Weight** of the power unit and towed unit(s) **GREATER** than 26,000 pounds?
(Whichever is greater)

YES

Is the **Gross Vehicle Weight Rating** or the **Gross Vehicle Weight** of the **TOWED UNIT(S)** **GREATER** than 10,000 pounds?
(Whichever is greater)

YES

Class “A” CDL Required
Combination over 26,000 lbs with towed unit(s) over 10,000 lbs

YES

Class “C” CDL Required
People or placards

NO

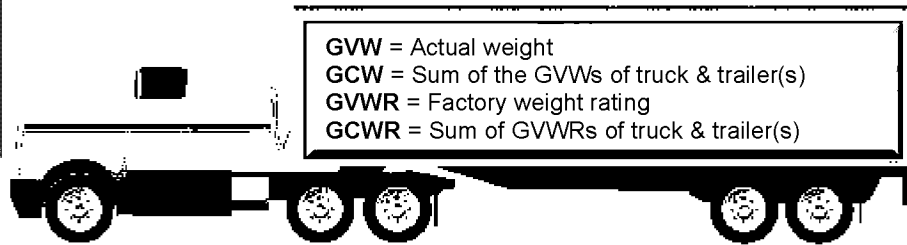
Does the single vehicle have a **Gross Vehicle Weight Rating** or **Gross Vehicle Weight** **GREATER** than 26,000 pounds?
(Whichever is greater)

YES

Class “B” CDL Required
Power unit over 26,000 lbs

NO

NO CDL Required
CDL Endorsements and CDL Restrictions do NOT apply



NO

Is the **Gross Vehicle Weight Rating** or the **Gross Vehicle Weight** of the **POWER** unit **GREATER** than 26,000 pounds?
(Whichever is greater)

YES

Is the vehicle transporting a **placardable quantity** of hazardous materials, **OR designed** to transport 16 or more passengers including the driver?

YES

NO

Commercial Driver's License

CDL CLASSES, EXEMPTIONS, RESTRICTIONS & ENDORSEMENTS

See below for enforcement statutes

CDL CLASSES – 8-234b

- Class A** Combination vehicles with GVWR of 26,001 lbs. or more **AND** towed vehicle(s) have a combined GVWR over 10,000 lbs.
- Class B** Single vehicles with GVWR of 26,001 lbs. or more **OR** such vehicle towing a vehicle with GVWR of 10,000 lbs. or less.
- Class C** Single vehicles with GVWR under 26,001 lbs., **OR** such vehicle towing a vehicle with GVWR over 10,000 lbs. **IF** vehicles combined GVWR is less than 26,001 lbs. Includes vehicles:
 * Designed to transport 16 or more passengers including driver.
 * Used to transport hazardous materials required to be placarded.

CDL EXEMPTIONS – 8-2,127

- (a) Farm vehicles, provided:
- (1) Vehicle is registered as a farm truck or truck tractor.
 - (2) Vehicle is transporting agricultural products, farm machinery, or farm supplies to or from a farm.
 - (3) Vehicle isn't being used in contract or common carrier operation.
- AND**
- (4) Vehicle is used either (A) In **INTRA**state commerce; or (B) in **INTER**state commerce within 150 air miles of farm(s) owned or leased by the vehicle's registered owner.
- (b) Firefighting, SWAT, & other vehicles used in response to emergencies
- (c) Military vehicles operated by military persons.
- (d) Vehicles used solely for private and noncommercial use.
- (e) Farm tractors operated by an implement dealer, or employee thereof, when moved or transported in accordance with KSA 8-1911

Interstate Farmers:

- (1) Vehicle is registered **or otherwise designated**, as a farm truck or truck tractor.
 - (2) Vehicle is transporting agricultural products, farm machinery, or farm supplies to or from a farm.
 - (3) Vehicle isn't being used in contract or common carrier operation.
- AND**
- (4) The vehicle **with a GVWR or GCWR greater than 26,001** is operated within 150 air miles of farm(s) owned or leased by the vehicle's registered owner.

NOTE: If the GVWR/GCWR is ≤ 26,001, there is no mileage limitation.

CFV Exceptions are found in 383.3(h) and 390.5

CDL RESTRICTIONS – 8-2,135

- B** Corrective lenses required
- C** Mechanical aid required
- D** Prosthetic aid required
- E** No manual transmission only (**CDL req. vehicle only**)
- F** Outside mirrors
- G** Daylight hours only
- H** For employment only
- I** Limited – other
- K** Intrastate travel only (**CDL required vehicle only**)
- L** Without airbrakes only (**CDL req. vehicle only**)
- M** CDL Class B & C bus only (no CDL Class A bus)
- N** CDL Class C bus only (no CDL Class A or B bus)
- O** No tractor-trailer combination (**CDL req. vehicle only**)
- V** Medical variance (Skills Performance Evaluation - SPE)
- Z** No full air brake equipped CMV (**CDL req. veh. only**)

CDL ENDORSEMENTS – 8-2,135

- H** Hazardous materials requiring placards
- T** Double and triple trailers
- P** Passenger vehicles (bus)
- N** Tank vehicles: Tank or tanks (liquids/gases), individually more than 119 gals **AND** aggregate of 1,000 gals or more. (Empty storage tank temporarily moved and any bulk package manifested as "empty or residue" exempt)
- X** Combination tank and hazardous materials vehicles
- S** School bus transporting students

CDL STATUTES

- 8-2,128** Definitions
- 8-2,129** Driver of commercial vehicle may possess only one CDL, except during 10-day period beginning when issued a new driver's license.
- 8-2,132(a)** Operator of a commercial vehicle must have CDL proper class and endorsements for the vehicle being driven. (Use KSA 8-2,132(a) for NTA and appropriate CFR on CVSA inspection)
- 8-2,132(b)** No person shall drive a commercial motor vehicle while their driving privilege is suspended, revoked or canceled, while subject to a disqualification. (Use KSA 8-2,132(b) for NTA and 383.23(a)(2) on CVSA inspection)
- 8-2,132(c)** No person shall drive a commercial motor vehicle in violation of a CDL out-of-service order. (Use KSA 8-2,132(c) for NTA and appropriate CFR on CVSA inspection)
- 8-2,133(a)** Fail to self-certify (medical card) to state licensing agency
- 8-2,136(a)** Notwithstanding any other provisions of this act, a driver shall not drive, operate or be in physical control of a commercial motor vehicle while having alcohol in such driver's system. (Use KSA 8-2,136(a) for NTA and 392.5(a) on CVSA inspection)
- 8-2,136(b)** Commercial driver shall be placed out of service for 24 hours for any amount of alcohol in their system or for refusing to submit to a test to determine blood alcohol content. (Use KSA 8-2,132(c) for NTA and 392.5(c) on inspection for violation of OOS order)
- 8-2,142** Driver disqualified from operating a commercial vehicle

Reference vehicle law

www.KSRevisor.org OR www.KSLegislature.org

- 8-2,144(a)** A driver of a commercial vehicle shall be considered as driving while under the influence of alcohol if a blood alcohol test indicates an alcohol level of .04 or more. (Use KSA 8-2,144(a) for NTA and 392.5(a) on CVSA inspection)
- 8-2,146** Seasonal CDL; At least 18 years old, Class B & C only; Operation of CMV owned by farm retail outlets and suppliers, agri-chemical businesses, custom harvesters, and livestock feeders (no hazmat requiring placards EXCEPT diesel fuel, 1,000 gallons or less, and liquid fertilizers with total capacities of 3,000 gallons or less)
- 8-2,147** Custom harvester CDL; At least 16 years old, Class B & C only; Operation of CMV to transport farm machinery or supplies to or from a farm; custom harvest crops only from a harvested field to initial storage or initial market locations

KANSAS MEDICAL CERTIFICATION EXAMINATION (MCE) CODE GUIDE

- | | |
|--|--|
| (1) NI – Non-Excepted Interstate (MCE Required) | (3) NA – Non-Excepted Intrastate (MCE Required) |
| (2) EI – Excepted Interstate (MCE Not Required) | (4) EA – Excepted Intrastate (MCE Not Required) |

*CDL/CLP HOLDERS DO NOT HAVE TO CARRY A MEDICAL CARD BEYOND 15 DAYS FROM ISSUANCE
49 CFR 391.41(a)(2)*

KANSAS CORPORATION COMMISSION



Kansas Corporation Commission
 Transportation Division
 1500 SW Arrowhead Road
 Topeka, Kansas 66604-4027
 (785) 271-3145
 FEIN: 48-1124839

INVOICE - PAST DUE

HALL INDUSTRIAL SERVICES INC
 1221 E MURDOCK ST
 WICHITA, KS 67214

Invoice Date: January 8, 2025
 Invoice Number: H000608915
 Due Date: February 7, 2025

Power Unit Identification at Time of Inspection:

Unit #	Unit Make	Unit License	VIN	License Number	Company ID
2	TRLR		3477		

Unit	Violation	Violation Description	Penalty
2	393.43DBMA	BRAKE - BREAKAWAY NOT ATTACHED TO THE TOWING VEHICLE	150.00
	383.23A2-LC	LICENSE (CDL) - OPERATE A CMV AND DOES NOT POSSESS A VALID CDL	250.00
Total Due:			\$400.00

PLEASE REMIT IMMEDIATELY TO:
 Kansas Corporation Commission
 1500 SW Arrowhead Road
 Topeka, KS 66604-4027
 Email: kcc.transportation@ks.gov
 Fax: (785) 271-3124

Failure to submit payment within fifteen (15) days, from the date of the Second Notice of Violation will result in your account being forwarded to the State's collection program.

Payment options: check, money order or credit card

Circle the type of credit card: Visa, MasterCard, Discover or American Express

Card Holder Name _____

Credit card number _____ Expires: ____ / ____

Billing Address Street _____

State _____ Zip Code _____



645 E. Douglas, Suite 100, Wichita, Kansas 67202 | 316-265-9311

DENNIS P. WETTA | dpwetta@martinpringle.com

March 7, 2025

Via Email: travis.ware@ks.gov

Travis Ware
Administrative Specialist
Troop I/MCSAP
Kansas Highway Patrol

Re: Hall Industrial Services, Inc.
Invoice No. H000608915
Contesting Inspection # KSHP92103201
Our File No. 39684-04

Dear Travis:

I believe you were at a seminar for the better part of this week, and we have traded phone calls for a week or two prior to that, but I am informed that I should be submitting to your attention a request for an appeal of the decision of the Kansas Highway Patrol in the dismissal of the CDL violation issued to Hall Industrial Services, Inc.

I do acknowledge receipt of Captain Stephen La Row's letter dated February 17, 2025. The week that it arrived, I was out of the office and returned back from my travels with a severe head cold and missed a couple of days of work upon my arrival back in Wichita. I spent time attempting to find out how to make my request for an appeal and came to find out through an email with Ahsan Latif at the KCC that such a request should be submitted to you.

Please accept this letter correspondence as a request and an appeal of the decision made by the Kansas Highway Patrol in letter correspondence received from Captain Stephen La Row dated February 17, 2025. On behalf of my client, we dispute that on the date in question, the driver, Mr. Shufeldt, was transporting the equipment on a trailer owned by Hall Industrial Services, was engaged "in the furtherance of a commercial enterprise" and was not even transporting two forklifts at the time. I have attached to my cover letter a copy of the truck and trailer, which was loaded with scrap machine tools, which was personal property, and that the transportation was not for compensation. Thus, we believe that § 390.3T(f)(3) applies and is an exception to the applicability of the rules governing commercial motor vehicles and the transport of property or passengers in interstate commerce.

On behalf of my client, we would like to further develop the facts surrounding the issuance of this violation and the applicability of the motor carrier statutes which govern this

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martinpringle.com

March 7, 2025
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particular fact pattern. We do not believe that the citation should have been issued as the motor carrier regulations would not apply to the driver, Mr. Shufeldt, and the power unit and trailer that was transporting personal property for noncommercial enterprises.

Please let me know how to advance this appeal of the Kansas Highway Patrol's initial decision.

Very truly yours,

MARTIN, PRINGLE, OLIVER
WALLACE & BAUER, LLP

A handwritten signature in black ink, appearing to read "Dennis P. Wetta", is written over the typed name.

Dennis P. Wetta

DPW/ur
Enc.
4900-3506-7685v.1

CERTIFICATE OF SERVICE

25-GIMM-351-KHP

I, the undersigned, certify that a true copy of the attached Filing has been served to the following by means of electronic service on March 14, 2025.

Scott Hall, OWNER
HALL INDUSTRIAL SERVICES, INC.
1221 E Murdock St
Wichita, KS 67214
hallindsvc@aol.com

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

/S/ Kiley McManaman
Kiley McManaman
