

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

June 2, 2015

15-TRAM-541-PEN

Tyler L. Edwards, Owner/Operator  
Ace Transports LLC  
5554 County Rd. 5800  
Cherryvale, Kansas 67335

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 April 22, 2015, by Kansas Corporation Commission Special Investigator Michael Heenan. 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 \$950 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 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. 2014 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 **Ace**      )  
**Transports LLC, of Cherryvale, Kansas,**      )  
Regarding the Violation of the Motor Carrier      )  
Safety Statutes, Rules and Regulations and the      ) Docket No. 15-TRAM-541-PEN  
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. 2014 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. 2014 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. 2014 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. Ace Transports LLC (Ace Transports) obtained private and common operating authority from the Commission on April 17, 2013, and operates under KSMCID number 169479 and USDOT number 2365172.

5. Glenna Edwards attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on March 11, 2013, on behalf of Ace Transports.

6. Ace Transports is a private and common motor carrier which primarily hauls oilfield equipment, general freight, building materials, beverages and machinery/large objects.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on April 22, 2015, Commission Staff (Staff) Special Investigator Michael Heenan conducted a compliance review of the operations of Ace Transports. 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, Mr. Heenan identified three (3) violations of the Motor Carrier Safety Regulations.

- a. On April 3, 2015, Ace Transports required or permitted its driver, Tyler L. Edwards, to operate a commercial motor vehicle, a 2011 Kenworth, VIN ending in 221582, pulling a 2003 trailer, in interstate commerce from Salem, Oregon to Atlanta, Georgia. This trip is evidenced by Driver/Vehicle Examination Report No. ORAALE004657, dated April 3,

2015, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Ace Transports had not made inquiry into the motor vehicle record (MVR) of Mr. Edwards within the preceding 12 months. Ace Transports' failure to inquire into its driver's MVR at least once every 12 months and maintain a copy of the MVR in the driver qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2014 Supp. 66-1,112. Staff recommends a fine of \$100.

- b. On April 17, 2015, Ace Transports required or permitted its driver, Rodger L. Swisher, to operate a commercial motor vehicle, a 2010 Kenworth, VIN ending in 221356, pulling a 1999 Great Dane trailer, VIN ending in 312484, in interstate commerce from Tulsa, Oklahoma to Wichita, Kansas. This trip is evidenced by Invoice No. 1018, dated April 20, 2015, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. Mr. Swisher was hired on April 11, 2015, and at the time of this transportation he had not submitted to a pre-employment drug test with a negative result. Ace Transports' 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 them 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. 2014 Supp. 66-1,129. Staff recommends a fine of \$750.

- c. During the transportation described in paragraph a., above, Ace Transports required or permitted this transportation prior to first designating a person to supervise staff for the purposes of making reasonable suspicion determinations regarding alcohol and drug usage. This designated person must then undergo reasonable suspicion training to include 60 minutes of alcohol training and 60 minutes of controlled substance training. Ace Transports' inability to produce documentation of this training and its failure to have a designated person to attend 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substances use is a violation of 49 C.F.R. 382.603, as adopted by K.A.R. 82-4-3c and as authorized by K.S.A. 2014 Supp. 66-1,129. Staff recommends a fine of \$100.

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

8. Based upon the available facts, Staff recommends the Commission find Ace Transports committed three (3) 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.

9. Additionally, Staff recommends a civil penalty of \$950 for three (3) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that Ace Transports 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).

11. Finally, Staff recommends that Ace Transports 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**

12. The Commission finds it has jurisdiction over Ace Transports because it is a motor carrier as defined in K.S.A. 2014 Supp. 66-1,108.

13. The Commission finds Ace Transports committed three (3) 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. Ace Transports LLC, of Cherryvale, Kansas is hereby assessed a \$950 civil penalty for three (3) 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. Ace Transports 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, Ace Transports is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. **Pursuant to K.S.A. 2014 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 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 Ace Transports' right to a hearing, and this Penalty Order will become a Final Order assessing a \$950 civil penalty against Ace Transports, and ordering Ace Transports 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. 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. 2014 Supp. 66-1,142b(e) and amendments thereto.

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.*

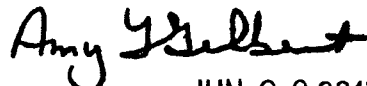
F. Failure to pay the \$950 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of Ace Transports' motor carrier operating authority without further notice. Additionally, the Commission may impose 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: JUN 02 2015




ORDER MAILED JUN 03 2015

Amy L. Gilbert  
Secretary

MJD

## **ATTACHMENT “A”**

**Kansas Corporation Commission**

	<b>US DOT #</b>	<b>Legal: ACE TRANSPORTS LLC</b>			
	2365172	<b>Operating (DBA):</b>			
<b>MC/MX #:</b> 817333		<b>State #:</b>		<b>Federal Tax ID:</b> (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>Business:</b> Corporation			
Interstate Intrastate		Gross Revenue: for year ending: 12/31/2014			
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: (1)</b>			<b>Fax</b>		
<b>E-Mail Address:</b>					
<b>Company Mailing Address:</b>					
5554 CR 5800					
CHERRYVALE, KS 67335-8555					
<b>Carrier Classification</b>					
Authorized for Hire			Private Property		
<b>Cargo Classification</b>					
General Freight		Building Materials		Machinery, Large Objects	
Oil Field Equipment		Beverages			
<b>Equipment</b>					
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>		<b>Owned Term Leased Trip Leased</b>
Truck Tractor	4	0	0	Trailer	4 2 0
Power units used in the U.S.: 4					
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:			<b>Total Drivers:</b> 4		
>= 100 Miles:	4		<b>CDL Drivers:</b> 4		



ACE TRANSPORTS LLC

U.S. DOT #: 2365172

State #:

Review Date:

04/22/2015

**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 Rd  
Topeka, Ks 66604-4027 1-785-271-3145

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

**Person(s) Interviewed****Name:** Tyler L Edwards**Title:** Owner/Operator**Name:**



ACE TRANSPORTS LLC  
U.S. DOT #: 2365172

State #:

Review Date:  
04/22/2015

### Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 4	Drivers/Vehicles In Violation 1	Checked 4
<b>Description</b> Using a driver before the motor carrier has received a negative pre-employment controlled substance test result. <b>Example</b> Driver name: Trip date: 04-17-15 Hire date: At the time of this trip, and the time of this review, this driver had some type of miscommunication with the clinic while obtaining his medical and pre-employment drug testing. The medical was obtained and the pre-employment drug testing was not completed. The carrier tender sheets show that a load was picked up in Tulsa Ok on 04-17-15 and was delivered in Wichita, Ks at 4 am on 04-20-15. The carrier stated that their has been repeated efforts to obtain the testing and the collection clinic has rescheduled the testing.					
2 FEDERAL	Primary: 382.603	Discovered 2	Checked 2	Drivers/Vehicles In Violation 0	Checked 0
<b>Description</b> Failing to ensure person designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances. <b>Example</b> Driver name: Trip date: 04-03-15 Destination: Oregon At the time of this trip, and the time of this review, the carrier's two supervisors could not provide any proof of supervisor training					
3 FEDERAL	Primary: 391.51(b)(4)	Discovered 1	Checked 4	Drivers/Vehicles In Violation 1	Checked 4
<b>Description</b> Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a). <b>Example</b> Driver name: Trip date: 4-03-15 The carrier could not provide any MVR for the carrier/driver, The carrier stated that their Safety Auditor mentioned that the company owner, needed an application for employment but did not mention the driver MVR. The above trip was a recorded accident in Oregon. The carrier's other 3 drivers had current and valid MVRs in their driver files. The report for this carrier/driver was not obtained at least every 12 months.					
4 FEDERAL	Primary: 391.51(b)(5)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4	Checked 4
<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 name: Trip date: 04-03-15 The carrier could not provide any annual review of driving records for any of their drivers. All drivers other than had their driving records in their driving file.					





ACE TRANSPORTS LLC  
U.S. DOT #: 2365172

State #:

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04/22/2015

### Part B Violations

5 FEDERAL	Primary: 391.51(b)(6)	Discovered 1	Checked 4	Drivers/Vehicles In Violation 1	Checked 4
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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 name:

Accident/Trip date: 04-03-15

The carrier could had only one driver, that had been employed for more than 12 months

6 FEDERAL	Primary: 396.19(b)	Discovered 1	Checked 2	Drivers/Vehicles In Violation 1	Checked 5
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**Description**

Failing to maintain evidence of inspector's qualifications.

**Example**

Inspectors name:

Inspection date: 01-07-15

Vehicle: 2011 Kenworth Black tractor

Trip date: 04-22-15

The 5 vehicles examined were inspected by two inspectors and the inspector listed above did not provide any letter of qualification.

**Safety Fitness Rating Information:**

Total Miles Operated 220,000  
Recordable Accidents 0  
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0  
Number of Vehicle Inspected (CR): 0  
OOS Vehicle (MCMIS): 2  
Number of Vehicles Inspected (MCMIS): 7

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:	N	0	0
Factor 6:	S	-	-

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





## Part B Requirements and/or Recommendations

1. Ensure reasonable suspicion training has been completed
2. Each Driver Qualification File must contain a properly executed and signed Certification of Violations and a Annual Review of Driving Record completed yearly.
3. Maintain letters or certificates of qualifications for all persons performing annual periodic inspections on commercial motor vehicles.
4. You are encouraged to review your company's safety record at the following website:

<https://ai.fmcsa.dot.gov/login/default.asp>

You will need to enter your US DOT # Personnel Identification Number (PIN) that has been provided to you by FMCSA in the log in form at the bottom of the page. If you have forgotten your PIN you only need to click on a link on the webpage to make a request for your PIN to be forwarded to you by U.S. mail.

Safety Improvement Resources (SIRs) is a compilation of articles, reports, and other tools designed to assist motor carriers with improving their current safety management practices. SIRs are searchable by resource number, BASIC or safety management practice (SMP). Please refer to any Safety Improvement Resource numbers included within the recommendations.

You are encouraged to view all of the SIRs at the following website: [http://ai.fmcsa.dot.gov/sms/Data/carrier\\_sir.aspx](http://ai.fmcsa.dot.gov/sms/Data/carrier_sir.aspx)

5. 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.





ACE TRANSPORTS LLC  
U.S. DOT #: 2365172

State #:

Review Date:  
04/22/2015

## Part B Requirements and/or Recommendations

Protect yourself, your trucks, your cargo, and your facilities.

6. 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 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.

7. Basic: Driver Fitness  
391.51(b)(4)

Failing to maintain inquiries into drivers records in the driver qualification files at least every 12 months as per 391.25(a)

Please provide written documented proof of obtaining current Motor Vehicle Record Checks on the following drivers

Please provide reasonable suspicion supervisor training certificates on the following supervisors

Please provide current evidence or copies of Motor Vehicle Record Checks on the drivers listed above within 15 days and a letter explaining your actions to correct the violations listed in this report to the person and address listed below.

Mr Gary Davenport  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, Ks 66604-4027

8. Provide proof that the company supervisor listed below has been trained and certified with training on alcohol and drug abuse and provide this agency a copy of such certification.





ACE TRANSPORTS LLC

U.S. DOT #: 2365172

State #:

Review Date:

04/22/2015

**Part B Requirements and/or Recommendations**

1. Within 15 days send a letter to our office explaining your actions taken to remedy a non-compliance status. Mail to Kansas Corporation Commission, 1500 SW Arrowhead RD., Topeka, KS 66604-4027  
Attention: Gary Davenport

2. 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 [Ace Transports LLC] operating authority and/or the impoundment of [Ace Transports LLC] vehicles.

Carrier Signature

*[Signature]*  
M.W. Neenan 8213



## **ATTACHMENT “B”**

# DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

**MOTOR CARRIER MUST SIGN AND RETURN WITHIN 15 DAYS.**  
Oregon Department of Transportation  
3930 Fairview Industrial Dr. SE Salem OR 97302  
Phone: (503)373-0982 FAX: (503)373-7481  
**FAIL TO RETURN MAY RESULT IN ENFORCEMENT ACTION.**

Report Number: ORAALE004657  
Inspection Date: 04/03/2015  
Start: 2:27 PM PT End: 03:13 PM PT  
Inspection Level: I - Full  
HM Inspection Type: None

ACE TRANSPORTS LLC

CHERRYVALE, KS 67335-8555

USDOT#: 02365172

Phone#:

MC/MX#:

Fax#:

State#:

Location: CASCADE LOCKS POE

Highway: 184

County:

MilePost: 44.93

Origin: SALEM, OR

Destination: ATLANTA, GA

Shipper: WILLAMETTE TREE WHOLESALE

Bill of Lading: 2094

Cargo: NURSERY STOCK

Driver: EDWARDS, TYLER L

License#:

State: KS

Date of Birth:

CoDriver: BROOKS, BRANDON L

License#:

State: OK

Date of Birth:

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	KW	2011	KS		7	221582	52,000			
2	ST	HYTR	2003	KS		861598		68,000			

## BRAKE ADJUSTMENTS

Axle #	1	2	3	4	5
Right					
Left					
Chamber	C-20	C-30	C-30	C-30	C-30

## VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
391.45B	391.45B	D	N		N	N	Expired medical examiner certificate. KS DMV shows an expiration date of: 02/01/2015
395.8E	395.8E	D	Y		N	N	False Log: On 4/01/2015 Driver shows off duty in Bennett, CO at the time of a scale crossing at Limon West, CO@ 10:58A MT/11:58A CT
395.8E	395.8E	D	Y		N	N	False Log: on 4/02/15 driver shows sleeper berth in Troutdale, OR at the time of a scale crossing@Woodburn POE, OR@9:22P PT/11:22P CT

HazMat: No HM Transported.

Placard: No Cargo Tank:

## Special Checks:

## State Information:

Medcard Expires (mm/dd/yy): 02/01/2015; ODOMETER: 84808; OR RECEIPT #: P9845176;

DRIVER OUT OF SERVICE NOTICE: TYLER EDWARDS may not drive until 3:13A Central Time. Driver's initials \_\_\_\_\_

MECHANIC CERTIFICATION: I certify that all out-of-service violations have been repaired.

Signature Of Repairer X: \_\_\_\_\_ Facility: \_\_\_\_\_ Date: \_\_\_\_\_

DO YOUR DRIVERS WEAR THEIR SEATBELTS? IT'S NOT JUST A GOOD IDEA - IT'S THE LAW! CARRIER CERTIFICATION: Undersigned certifies all violations have been corrected.

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
TIM PETERSON

Badge #  
AP3331

Copy Received By:  
TYLER EDWARDS

Page 1 of 1



02365172 OR ORAALE004657

X \_\_\_\_\_

X \_\_\_\_\_

## **ATTACHMENT "C"**

**Ace Transports LLC**

**Cherryvale, KS 67335**

**Phone: \_\_\_\_\_**

Invoice #	1018
Invoice Date	2015-04-20
Load #	1018
Ship Date	2015-04-17
Delivery Date	2015-04-20
Terms	
W/O # (Ref)	171216760

**BILL TO:**

**LOAD DETAILS**

<b>Shipper (1)</b>	Watvill, Tulsa, OK USA	<b>Quantity:</b>	<b>Date:</b> 2015-04-17
<b>Type:</b>	TL		<b>Weight:</b> 25000
<b>Description:</b>			
<b>P.O. Numbers:</b>	04694142		

<b>Consignee (1)</b>	CH Whidita, Wichita, KS USA	<b>Quantity:</b>	<b>Date:</b> 2015-04-20
<b>Type:</b>	TL		<b>Weight:</b> 25000
<b>Description:</b>			
<b>P.O. Numbers:</b>			

**RATES AND CHARGES**

Line Haul	\$700.00
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<b>(USD) Total Rate</b>	<b>\$700.00</b>
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**Notes:**

"NOTICE OF ASSIGNMENT"

THIS ACCOUNT HAS BEEN SOLD INVOICES PURCHASED AND ASSIGNED ARE OWNED BY

MAKE CHECKS PAYABLE TO :

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
TYLER L. EDWARDS, OWNER/OPERATOR ACE TRANSPORTS LLC 5554 CR 5800 CHERRYVALE, KS 67335		
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED **JUN 03 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.