

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

Before Commissioners:     Andrew J. French, Chairperson  
                                  Dwight D. Keen  
                                  Susan K. Duffy

In the Matter of the Emergency Suspension of     )  
Operating Authority of **Gale Deon Holle, d/b/a G**     )  
**& D Trucking of Marysville, Kansas**, for Failure     )  
to Comply with New Entrant Safety Requirements     )  
as Required by the Motor Carrier Safety Statutes,     )  
Rules and Regulations.                                     )

Docket No. 19-TRAM-335-OOS

**ORDER REINSTATING MOTOR CARRIER OPERATING AUTHORITY**

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission) upon its own motion. The Commission, being fully advised in the premises, finds as follows:

**I.       JURISDICTION**

1.       Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112, and 66-1,114b, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. 390.5 and adopted by K.A.R. 82-4-3f, 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. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, 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. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

## **II. BACKGROUND**

4. Gale Deon Holle, d/b/a G & D Trucking is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicle(s) in both intrastate and interstate commerce in a manner that requires authority.

5. Gale Deon Holle, d/b/a G & D Trucking is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2339416.

6. The Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration that Gale Deon Holle, d/b/a G & D Trucking's New Entrant Registration had been revoked effective September 4, 2018, for failure to comply with safety requirements.

7. Pursuant to the above authority, on February 26, 2019, the Commission entered an Emergency Suspension of Operating Authority Order on Gale Deon Holle, d/b/a G & D Trucking in the above-referenced docket, until such time that Staff recommended reinstatement.

## **III. STAFF'S RECOMMENDATION**

8. On June 15, 2021, the Staff of the Transportation Division of the Kansas Corporation Commission (Staff) received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, that Gale Deon Holle, d/b/a G & D Trucking has

submitted evidence of compliance with safety requirements as required in 49 C.F.R. 385.329. As a result, the carrier's reapplication for New Entrant registration under USDOT No. 2339416 has been approved and the carrier's authority to operate in interstate operations has been reinstated. See attached FMCSA reinstatement documentation.

9. Carrier further submitted evidence of attendance at a Kansas Corporation Commission-sponsored safety seminar. Eleanor Holle attended on July 14, 2021.

10. Based on the Federal Motor Carrier Safety Administration's reinstatement, it is Staff's recommendation to reinstate Gale Deon Holle, d/b/a G & D Trucking's motor carrier operating authority in Kansas.

#### **IV. CONCLUSIONS OF LAW**

11. The Commission finds it has jurisdiction over Gale Deon Holle, d/b/a G & D Trucking because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted in K.A.R. 82-4-3f.

12. Based on the available facts, the Commission finds that Staff's recommendation to reinstate Gale Deon Holle, d/b/a G & D Trucking's operating authority in Kansas is reasonable.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Gale Deon Holle, d/b/a G & D Trucking's certificate, permit or license that is necessary to carry on the business of a private and/or public motor carrier in Kansas is hereby reinstated.

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

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 07/22/2021



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Lynn M. Retz  
Executive Director

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## **CERTIFICATE OF SERVICE**

19-TRAM-335-OOS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 07/22/2021.

GALE DEON HOLLE, OWNER  
GALE DEON HOLLE  
D/B/A G & D TRUCKING  
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/S/ DeeAnn Shupe

DeeAnn Shupe