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Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
24-TRAM-339-PEN

November 9, 2023
Bill Woodward, Owner
SAAW Operating LLC
824 Avenue L
Protection, KS 67127

This is a notice of a penalty assessment against SAAW Operating LLC (SAAW Operating) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on August 31, 2023, by Kansas Corporation Commission Special Investigator Jared Smith. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. 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: SAAW Operating has been assessed a \$1,300 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,300, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system 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 owed.

The attached Order requires a representative of SAAW Operating to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. SAAW Operating 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 mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$1,300 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 Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

/s/ Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel
(785) 271-3118
a.latif@kcc.ks.gov

¹ K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Investigation of **SAAW**)
Operating LLC, of Protection, KS, Regarding)
the Violation(s) of the Motor Carrier Safety)
Statutes, Rules and Regulations and the) Docket No. 24-TRAM-339-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). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On August 31, 2023, Commission Staff Special Investigator (SI) Jared Smith, completed a safety compliance investigation of the operations of SAAW Operating LLC (SAAW Operating or Carrier). SAAW Operating is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 3353414.

2. On October 16, 2023, Staff submitted its Report and Recommendation (R&R), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$1,300 to be issued to SAAW Operating based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigations, SI Jared Smith identified five (5) violation(s), accounting for five (5) count(s), of

the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.²

3. Additionally, Staff recommends that SAAW Operating be required to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance.³ A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

4. Staff further recommends SAAW Operating submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.⁴

5. Finally, Staff recommends that SAAW Operating submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.⁵ Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

6. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112g and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business or procuring business in

² Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 11 – 26 (Jun. 29, 2023) ("Penalty Matrix").

³ See Staff's Report and Recommendation, p. 3 (Oct. 16, 2023).

⁴ See Staff's Report and Recommendation, p. 4 (Oct. 16, 2023).

⁵ *Id.*

Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

7. Pursuant to K.S.A. 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.

8. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. SAAW Operating LLC, of Protection, KS is hereby assessed a \$1,300 civil penalty for five (5) violation(s), accounting for five (5) count(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. SAAW Operating is hereby ordered to have a representative responsible for the Carrier's safety compliance attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Carrier is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information

explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. SAAW Operating 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.

E. Pursuant to K.S.A. 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 copies of the request to the Executive Director 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 SAAW Operating's right to a hearing, and this Penalty Order will become a Final Order.

F. If a request for hearing is filed, 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.⁶

G. If you do not request a hearing, the payment of the civil penalty of \$1,300 is due in thirty (30) days from the date of service of this Order. Payment of \$1,300 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking

⁶ . K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$1,300 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of SAAW Operating's motor carrier operating authority without further notice.⁷ 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.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/09/2023



Lynn M. Retz
Executive Director

AAL

⁷ K.S.A. 66-1,105.

ATTACHMENT “A”

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

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

FROM: Gary Davenport, Deputy Director of Transportation
Jared Smith, Public Service Executive

DATE: October 16, 2023

SUBJECT: Docket No. 24-TRAM-339-PEN
In the Matter of the Investigation of **SAAW Operating LLC of Protection, Kansas** Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

EXECUTIVE SUMMARY:

SAAW Operating LLC is a motor carrier (MC) operating as a private motor carrier, primarily hauling general freight and salt water. SAAW Operating LLC operates under USDOT 3353414. On August 31, 2023, Commission Staff Special Investigator (SI) Jared Smith completed a safety compliance investigation of the operations of SAAW Operating LLC. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SI identified five (5) violation(s), accounting for five (5) specific count(s), of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SI, staff recommends penalty of \$1,300 be issued to the MC.

DISCUSSION AND ANALYSIS:

On August 31, 2023, Commission Staff SI Jared Smith conducted a safety compliance investigation of the operations of SAAW Operating LLC. The investigation covers a 365 day period. Each specific count is detailed below.

Count One (1 of 5)

Jurisdiction: K.S.A. 66-1,112g and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

Intent of the law: The MC must obtain proper Kansas Corporation Commission authority to operate as a Private MC before conducting intrastate commercial operations.

Supporting Documents: On August 10, 2023, SAAW Operating LLC required or permitted its driver, William Woodward, to operate a CDL required commercial motor vehicle, a 2006 Freightliner, VIN ending in 9834, GVWR 54,000 lbs., in intrastate commerce from the motor carrier's wells located in various locations of South Central, Kansas to a salt water disposal location in Comanche County, Kansas. This transport is evidenced by driver William Woodward's time sheet, attached hereto as **Exhibit 2**. Additionally attached is a copy of the MC's KTRAN Profile, attached hereto as **Exhibit 3**. The MC was operating point to point within Kansas in a manner that requires KCC authority. The KTRAN profile states the MC's application for public for-hire authority was dismissed on May 3, 2022.

Violation: SAAW Operating LLC failed to obtain KCC Private Motor Carrier operating authority prior to this trip (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$500.

Count Two (2 of 5)

Jurisdiction: 49 C.F.R. 382.701(b), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must conduct an annual inquiry into its drivers with the FMCSA Drug and Alcohol Clearinghouse.

Supporting Documentation: This violation took place during the transport described in Count One, above. Additionally, attached is a copy of the MC's DACH search, attached hereto as **Exhibit 4**. This exhibit shows the MC did not conduct any annual queries into its drivers.

Violation: SAAW Operating LLC failed to conduct an annual inquiry in DACH (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$100.

Count Three (3 of 5)

Jurisdiction: 49 C.F.R. 391.51 (b) (4), adopted by Violation: SAAW Operating LLC failed to submit a CAP as required by Commission Penalty Order dated August 26, 2021. One (1) violation was discovered. K.A.R. 82-4-3g and authorized by K.S.A. 66-1,129.

Intent of the Law: Requires the MCs to receive the motor vehicle record (MVR) annually from each driver's licensing authority to the annual driver record inquiry required by 391.25(a).

Supporting Documents: This violation took place during the transport described in Count One, above. Additionally, attached hereto as **Exhibit 5**, an MVR for William Woodward dated August 24, 2023. The MC was unable to provide any MVR prior to this date.

Violation: SAAW Operating LLC was found to be in violation of failing to maintain inquiries in driver's qualification file (**Exhibit 1, Page 4**). One (1) violation was discovered.

Recommendation: Staff considers this to be an intentional violation and therefore recommends an enhanced violation of \$200, due to the same violation discovered in the previous compliance

investigation conducted on August 12, 2021, and penalized in a Penalty Order issued on August 26, 2021 in Docket No. 22-TRAM-103-PEN.

Count Four (4 of 5)

Jurisdiction: K.S.A. 66-1,142b, and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must comply with the requirements of a Commission Order, including submission of a corrective action plan (CAP) as ordered in a Penalty Order.

Supporting Documents: The MC was ordered to submit a CAP in the Penalty Order issued on August 26, 2021 in Docket No. 22-TRAM-103-PEN.

Violation: SAAW Operating LLC failed to submit a CAP as required by Commission Penalty Order dated August 26, 2021 (**Exhibit 1, Page 4 to 5**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$250.

Count Five (5 of 5)

Jurisdiction: K.S.A. 66-1,142b, and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must comply with the requirements of a Commission Order, including attendance at a Commission-sponsored safety seminar as ordered in a Penalty Order.

Supporting Documents: The MC was ordered to attend a KCC safety seminar in the Penalty Order issued on August 26, 2021 in Docket No. 22-TRAM-103-PEN.

Violation: SAAW Operating LLC failed to attend a KCC safety seminar as required by Commission Penalty Order dated August 26, 2021 (**Exhibit 1, Page 5**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$250.

RECOMMENDATION:

Transportation Staff recommends the Commission find SAAW Operating LLC committed five (5) violation(s) accounting for five (5) specific counts of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.

Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$1,300 for five (5) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends SAAW Operating LLC require a representative responsible for the company's safety to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

Staff further recommends SAAW Operating LLC submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

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

EXHIBIT 1

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 3353414
MC/MX#: 0

Legal: SAAW OPERATING LLC
Operating (DBA):

Investigation Date:
 08/31/2023

Investigation Type: Offsite Investigation

Physical Address

824 AVENUE L
 PROTECTION, KS 67127
 United States

Mailing Address

824 AVENUE L
 PROTECTION, KS 67127
 United States

Contact Information

Contact Name: BILL WOODWARD
Email: billwoodward49@gmail.com
Phone: (620)635-5821 **Cell:** ()- **Fax:** ()-

Business and Financial

Business Type: Limited Liability Corporation
Name of Gross Revenue Provider: Kasey Bayne
Title of Gross Revenue Provider: Office Secretary
Gross Revenue: [REDACTED] **For Year Ending:** 08/29/2022
Federal Tax ID: [REDACTED]

Operation Classification and Type

Type of Operation: Non-HM Intrastate Carrier

Operation Classification

Private Motor Carrier
 Property – Non-Hazardous Materials

Cargo

General Freight, Other (SALT WATER)

Equipment

	Owned	Term Leased	Trip Leased
Straight Trucks	1		

Driver Information

	Drivers	
	Intrastate	Interstate
Power units used in the U.S.: 1	< 100 Miles	1
Percentage of time used in the U.S.: 100%	>= 100 Miles	
Average trip leased driver/month: 0		
Drivers with CDL: 1		
Total Drivers: 1		

Person(s) Interviewed

Name: BILL WOODWARD **Title:** OWNER

Questions

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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This report will be used to assess your safety compliance.

Violations

1. Primary: 392.2

State Equivalent: K.S.A.66-1,112g

Motor Carrier operating in commerce prior to obtaining KCC Private Motor Carrier operating authority.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Driver, William Woodward

Trip Date, 8/10/2023

Saaw Operating LLC operated in commerce prior to obtaining KCC Private Motor Carrier Operating Authority.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

2. Primary: 382.701 (b)(1)

Failing to conduct an annual query.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver, William Woodward

Trip Date, 8/10/2023

SAAW Operating LLC failed to conduct an annual query in the Drug and Alcohol Clearinghouse.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

3. Primary: 382.705(b)(6)

Failing to designate a C/TPA.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
1		1

Example/Notes:

Driver, William Woodward

Trip Date, 8/10/2023

SAAW Operating LLC failed to confirm Hoffenmer Inc as their C/TPA and the C/TPA is showing as rejected.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

4. Primary: 391.51(b)(4)

Failing to maintain inquiries into driver's driving record in driver's qualification file.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Driver name, William Woodward

Trip date, 8/10/2023

SAAW Operating LLC failed to maintain the MVR responses for their driver at least once every 12 months.

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

5. Primary: 391.51(b)(5)

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Driver name, William Woodward

Trip date, 8/10/2023

SAAW Operating LLC failed to provide a note relating to the annual review of the driver's driving record.

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

6. Primary: 392.2

No corrective action plan received OR The corrective action plan provided did not address the measures or include documentation as required.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Driver, William Woodward

Trip Date, 8/10/2023

Saaw Operating LLC failed to provide a Corrective Action Plan (CAP) as required with the past penalty assessment 22-TRAM-103-PEN, dated 8/26/2021.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

7. Primary: 392.2

Motor carrier failed to attend a Commission sponsored safety seminar as stipulated in the penalty assessment.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

Driver, William Woodward

Trip Date, 8/10/2023

Saaw Operating LLC failed to attend a Commission sponsored safety seminar as stipulated in the penalty assessment 22-TRAM-103-PEN, dated 8/26/2021. The penalty assessment stipulated that the motor carrier would be required to attend the safety seminar within 90 days of the date of the assessment.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

Safety Fitness Rating

This Investigation is Not Rated

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Controlled Substances/Alcohol

Process Breakdown: Policies and Procedures

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:

1. Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
2. Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.

BASIC: Driver Fitness

Process Breakdown: Monitoring and Tracking

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Monitoring and Tracking:

1. Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to driver fitness. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.

Recommendations

1. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. **DACH Registration**

Carrier must register in the Drug and Alcohol Clearinghouse. Visit: <https://clearinghouse.fmcsa.dot.gov/> to enroll as a motor carrier.

Visit the learning center to learn more about your responsibilities in the clearinghouse: <https://clearinghouse.fmcsa.dot.gov/Learn>

3. **SMS website**

You are encouraged to review your company's SMS results and take action to make the roads safer for everyone. Your public safety records are available at the following website: <http://ai.fmcsa.dot.gov/sms>. Also visit <https://portal.fmcsa.dot.gov> which provides real time data and the opportunity to review you safety data. You will need to use your PIN number that has been provided by FMCSA. Registration and access is free.

4. **Clearinghouse Registration - Owner/Operator**

As a registered Owner/Operator you must designate a C/TPA in the Clearinghouse to comply with the employer requirements related to your own drug and alcohol program compliance. You may continue to perform the employer functions for any other drivers that you employ who are subject to the requirements of 49 CFR Part 382.

5. **All Investigations**

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.

6. **Safety Seminar**

Motor carriers are responsible for complying with all tasks ordered by the Commission in its Penalty Order. In addition to paying any civil fines issued, you are also required to attend a Commission sponsored safety seminar. Failure to fulfill this requirement may lead to the issuance of further penalties or other repercussions, including revocation of authority to operate intrastate in Kansas.

7. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

8. **CAP Requirement**

The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all 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. Submit the letter along with copies of your supporting evidence to:

Email: g.davenport@kcc.ks.gov

FAX: 785-271-3124

or mail:

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Rd

Topeka, KS 66604-4027

Exhibit 2

UNIT #

3

FUEL/MILEAGE REPORT

MONTH AND YEAR

7.23

DATE INITIALS	ORIGIN AND DESTINATION ROUTE	STATION NAME CITY, STATE	FUEL GAL.	BEG. MILES	END MILES	TOTAL MILES	CO	KS	OK	NE	TX
7/25	Protection KS	Protection KS	94.0	632099	632300	251		X			
7/27				632300	632569	269					
8/1			44.6	632569	632821	252					
8/4			44.6	632821	633090	269					
8/8				633090	633334	244					
8/10			47.1	633334	633609	275					
8/12			43.1	633609	633882	273					
8/15			46.8	633882	634111	229					
8/17				634111	634383	279					
8/20			84.8	634383	634656	273					
8/24				634656	634961	305					
8/26			106	634961	615230	269					
8/28				615230	615488	208					

FUEL/MILEAGE REPORT

MONTH AND YEAR 7.23

STATION NAME CITY, STATE	FUEL GAL.	BEG. MILES	END MILES	TOTAL MILES	CO	KS	OK	NE	TX			
Protection BS	94.0	632099	632300	251		X				7:00	7:15	12
		632300	632569	269						7:00	7:10	17
	44.6	632569	632821	252						7:00	7:00	12
	44.6	632821	633090	269						7:00	7:00	12
		633090	633334	244						7:00	7:00	12
	43.1	633334	633609	275						7:00	7:00	12
	43.1	633609	633882	273						7:00	7:00	12
	46.8	633882	634111	229						7:10	7:00	12
		634111	634383	272						7:00	7:00	12
	84.8	634383	634656	273						7:10	7:10	12
		634656	634961	305						7:10	8:00	13
	106	634961	615230	269						7:00	7:10	12
		615230	615488	258						7:00	7:10	14

Exhibit 3

- Dashboard
- Search
- Applications
- Authority Maintenance
- Vehicles
- Payments
- Remarks
- Documents
- Profiles
- Messages
- UCR Audit

The information in KTRAN is updated daily through the Federal Motor Carrier Management Information System (MCMIS). So that KTRAN receives the most up-to-date information about your motor carrier operations, **you must keep your MCS-150 information updated.** KTRAN will reflect the update 24-36 hours after the MCS-150 information has been updated. [Click here if you need to update your FMCSA registration or authority \(https://www.fmcsa.dot.gov/registration/updating-your-registration\)](https://www.fmcsa.dot.gov/registration/updating-your-registration)

Carrier Operation: INTRASTATE(Non-HM) **Tax Type/ID:** / *****5 **IRP Status:** Active
USDOT: 3353414 **KTRAN PIN:** 5ZQU6L **IFTA Status:** Not Found
MCMIS Status: A

▼ Company Information

Legal Name: SAAW OPERATING LLC

DBA Name:

Phone: (620) 635-5821 **Cell:**

Fax:

Email: billwoodward49@gmail.com

Bus. Type: LIMITED LIABILITY COMPANY **BEIN:**

► Address

Insurance	Authority	Cargo	Safety Seminar																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Date Granted ↓↑</th> <th>Authority ↓↑</th> <th>Service ↓↑</th> <th>Status ↓↑</th> <th>Status Date ↓↑</th> <th>Reason ↓↑</th> <th>Action ↓↑</th> <th>Authority Card ↓↑</th> </tr> </thead> <tbody> <tr> <td>01/08/2020</td> <td>FOR-HIRE</td> <td>PUBLIC SERVICE</td> <td>DISMISSED</td> <td>05/03/2022</td> <td></td> <td></td> <td>-</td> </tr> </tbody> </table>	Date Granted ↓↑	Authority ↓↑	Service ↓↑	Status ↓↑	Status Date ↓↑	Reason ↓↑	Action ↓↑	Authority Card ↓↑	01/08/2020	FOR-HIRE	PUBLIC SERVICE	DISMISSED	05/03/2022			-			
Date Granted ↓↑	Authority ↓↑	Service ↓↑	Status ↓↑	Status Date ↓↑	Reason ↓↑	Action ↓↑	Authority Card ↓↑												
01/08/2020	FOR-HIRE	PUBLIC SERVICE	DISMISSED	05/03/2022			-												

▼ Questionnaire

The questionnaire hasn't been completed

▼ Kansas Trucking Application Status

My Applications

New	FOR-HIRE	DISMISSED	✓Paid
Submitted on: 01/25/2022 18:10:52			

Regulatory Fee Paid

N/A

N

FEIN/SSN Provided

N/A

N

List of Commodities

N/A

N

Active USDOT#

N/A

N

Exhibit 4



DRUG & ALCOHOL CLEARINGHOUSE

[← BACK TO DASHBOARD](#)

SAAW OPERATING LLC

Address: 824 AVENUE L; PROTECTION, KS 67127; US

Email:

Owner Operator: Yes

As of: 8/29/2023 11:17

[Download Compliance Report](#)

[Download Query History](#)

[Users](#) | [C/TPAs](#) | [Annual Queries](#) | [Pre-Employment Queries](#) | [Violations](#)

REGISTERED USERS

Email	Name	Role	Created	Last Login
3353414@clearinghouseportal.org	Bill Woodward	Admin	12/10/2021	12/10/2021

C/TPAS DESIGNATED

C/TPA	Status ⁱ	Report Violations	Report RTD Information ⁱ	Conduct Queries
HOFFENMER INC	Rejected	Yes	Yes	Yes

DRIVER CHECK (ANNUAL QUERIES CONDUCTED)

Name	Country	CDL	Most Recent Query	Submitted on	Consent Received	Result
------	---------	-----	-------------------	--------------	------------------	--------

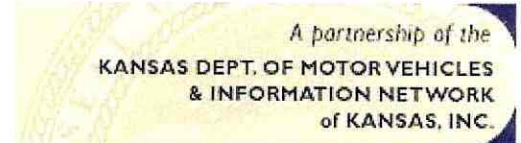
PRE-EMPLOYMENT QUERIES CONDUCTED

Name	Country	CDL	Most Recent Query	Submitted on	Consent Received	Result
WILLIAM WOODWARD	United States	[REDACTED]	Pre-employment	12/10/2021	12/10/2021	Driver Not Prohibited

VIOLATIONS REPORTED

Test Date	Driver Name	CDL/CLP ⁱ	Test Reason	Violation Type	Reported By	Reported On	Updated By	Updated On
-----------	-------------	----------------------	-------------	----------------	-------------	-------------	------------	------------

Exhibit 5



[MVR LTD Search](#) [Driving Record Codes PDF document](#) [Helpful Hints](#) [Contact Info](#) [KDMV Web site](#) [Kansas Web site](#)

[Logout of Session \(William Woodward\)](#)

Motor Vehicle Record Search Results

WARNING: If you select ANY of the links on this page or hit refresh you will not be able to return to this record without paying again!

Certificate of Acceptable Use Information:

Name: William Woodward
Address: 824 Ave L
Protection, KS 67127
Phone: 620-635-5821
Email: billwoodward49@gmail.com
Section I: **A** - I am requesting my own record.

Drivers License search on:

Name: William Woodward
Date of Birth: [REDACTED]
DL Number: [REDACTED]

[Print This Page](#)

*** Opt Out Record ***

WOODWARD WILLIAM P DOB [REDACTED] DL# [REDACTED]
SEX/M EYE/GRN HGT/604 WGT/210 IMG/ OLD DL# W4M2R5
STATUS: REG:VALID KANSAS CDL:VALID KANSAS SOC/
OLN/K02095230 TYPE/COMMERCIAL CLASS/ CDLCLASS/A PREV OLN/W4M2R5
ENDOR/TN ISS/04092021 EXP/04042026 RENEWAL/00000000 OIS/ 04041991
824 AVENUE L
PROTECTION KS 67127-0000
RSTR:B :CORRECTIVE LENSES :
CAT:1 CODE:NI STATUS:A EXAM:07272023 ISSUE:07272023 EXPIRE:07272025
SPE EFF:00000000 SPE EXP:00000000 WVR EFF:00000000 WVR EXP:00000000 JRS:KS
SPC:CH EX NMB:01 03836 MED RES:1 TEL:6206723638 REG:7470083678
LAST NAME:EASTES SFX:
FIRST:WILLIAM MID:

RECORD CLEAR

ENDOFDATA

[Issue another search](#) or if you are done please [logout of your session \(William Woodward\)](#)

Go to the  [Driving Record Codes](#) 126 KB PDF document for code explanations.
08/24/2023 11:43 AM CDT

CERTIFICATE OF SERVICE

24-TRAM-339-PEN

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 11/09/2023.

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

BILL WOODWARD, OWNER
SAAW OPERATING LLC
824 Avenue L
PROTECTION, KS 67127
billwoodward49@gmail.com

/S/ KCC Docket Room
KCC Docket Room
