

STATE OF KANSAS



CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027

PHONE: 785-271-3100
FAX: 785-271-3354
<http://kcc.ks.gov/>

GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

NOTICE OF PENALTY ASSESSMENT
19-TRAM-128-PEN

October 9, 2018

Shelby Steenson, President
S & S Trucking, Inc.
160 N Washington
Mentor, KS 67416

This is a notice of a penalty assessment against S & S Trucking, Inc. (S & S Trucking) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on August 1, 2018, by Kansas Corporation Commission Special Investigator Gregory Askren. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. 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: S & S Trucking has been assessed a \$350 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$350, through your personal account with the Kansas Corporation Commission's 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 S & S Trucking 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. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: 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. S & S Trucking 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 Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2017 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$350 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,


Ahsan A. Latif
Litigation Counsel
(785) 271-3118

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Dwight D. Keen

PENALTY ORDER

I. JURISDICTION

2. Pursuant to K.S.A. 2017 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 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.

II. BACKGROUND

4. S & S Trucking, Inc. (S & S Trucking) has common operating authority with the Commission and further operates USDOT number 991953.

5. Shelby Steenson attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on February 4, 2013, on behalf of S & S Trucking.

6. S & S Trucking is a common motor carrier which primarily hauls grain, feed and hay.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on August 1, 2018, Commission Staff (Staff) Special Investigator Gregory Askren conducted a compliance review of the operations of S & S Trucking. 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, the special investigator identified two (2) violation(s) of the Motor Carrier Safety Regulations.

- a. On July 26, 2018, S & S Trucking required or permitted its driver, Matthew J. Medley, to operate a CDL-required commercial motor vehicle, a 1995 Freighthauler, VIN ending in 848768, GVWR 52,000 lbs., pulling

a 2010 Corn trailer, VIN ending in 0007235, GVWR 65,000 lbs., in interstate commerce from Fairmont, Nebraska to Pawnee, Oklahoma. This trip is evidenced by Driver/Vehicle Examination Report Number KSHP92512744, dated July 26, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, S & S Trucking failed to first designate 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. The carrier's 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, adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2017 Supp. 66-1,129. Staff recommends a fine of \$100.

- b. During the transportation described in paragraph a., above, S & S Trucking failed to make an inquiry every 12 months into the annual motor vehicle record (MVR) of its driver and maintain the response(s) of each state agency in the driver qualification file. The special investigator discovered three (3) violations of this type. The carrier's 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)(1), adopted by K.A.R. 82-4-3g, and authorized by K.S.A. 2017 Supp. 66-1,112. Staff recommends a fine of \$250.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds S & S Trucking committed two (2) violation(s) 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 \$350 for two (2) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from S & S Trucking be required to 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. 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.

11. Finally, Staff recommends that S & S Trucking submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation 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 S & S Trucking because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

13. The Commission finds S & S Trucking committed two (2) violation(s) 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. S & S Trucking, Inc., of Mentor, KS is hereby assessed a \$350 civil penalty for two (2) violation(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. S & S Trucking is hereby ordered to 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. S & S Trucking 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.

D. Pursuant to K.S.A. 2017 Supp. 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 Secretary to the Commission, 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 S & S Trucking's right to a hearing, and this Penalty Order will become a Final Order assessing a \$350 civil penalty against

S & S Trucking, and ordering a representative from S & S Trucking to 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, and to submit to a safety compliance review within 18 months from the date of this Order.

E. 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. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2017 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$350 is due in thirty (30) days from the date of service of this Order. Payment of \$350 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$350 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of S & S Trucking's 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 revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner








Dated: 10/09/2018

A handwritten signature in cursive script, reading "Lynn M. Retz".


Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 991953	Legal: S & S TRUCKING INC Operating (DBA):SHELBY STEENSON	
MC/MX #: 413615		Federal Tax ID:  (EIN)	
Review Type: Compliance Review (CR)			
Scope:	Principal Office	Location of Review/Audit: Company facility in the U. S.	Territory: E
Operation Types		Business: Corporation	
Carrier:	Non-HM N/A	Gross Revenue:  for year ending: 12/31/2017	
Shipper:	N/A N/A		
Cargo Tank:	N/A		
Company Physical Address:			
 MENTOR, KS 67416			
Contact Name: Shelby Steenson			
Phone numbers: (1) 		Fax	
E-Mail Address: 			
Company Mailing Address:			
 MENTOR, KS 67416			
Carrier Classification			
Authorized for Hire			
Cargo Classification			
Grain, Feed, Hay			
Equipment			
	Owned	Term Leased	Trip Leased
Truck Tractor	5	0	0
Trailer	3	1	0
Power units used in the U.S.:5			
Percentage of time used in the U.S.:100			
Does carrier transport placardable quantities of HM? No			
Is an HM Permit required? N/A			
Driver Information			
	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:		1	Total Drivers: 3
>= 100 Miles:	2		CDL Drivers: 3



	SHELBY STEENSON (S & S TRUCKING INC dba) U.S. DOT #: 991953	Review Date: 08/01/2018
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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:

This report will be used to assess your safety compliance.


Person(s) Interviewed

Name: Shelby Steenson

Title: Owner

Name: [REDACTED]



	SHELBY STEENSON (S & S TRUCKING INC dba)	Review Date:
	U.S. DOT #: 991953	08/01/2018

Part B Violations

*1 FEDERAL	Primary: 382.603	Discovered 1	Checked 1	Drivers/Vehicles In Violation	Checked
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Description

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.

Example

Driver Matthew J Medley

DOB - [REDACTED]

Ks. OL [REDACTED]

Trip Date - 7/26/2018

On an interstate trip from Fairmont NE to Pawnee, OK driving a 1996 FRHT, Vin [REDACTED] 848768, Ks. Reg. [REDACTED]
GVWR 52000 pulling a 2010 CORN, Vin [REDACTED] 0007235, Ks. Reg. [REDACTED], GVWR 65000,

S & S Trucking failed to have a 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.

2 FEDERAL	Primary: 391.51(b)(4)	Discovered 5	Checked 5	Drivers/Vehicles In Violation	Checked
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Description

Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

Example

Driver Matthew J Medley

DOB - [REDACTED]

Ks. OL [REDACTED]

Trip Date - 7/26/2018

On an interstate trip from Fairmont NE to Pawnee, OK driving a 1996 FRHT, Vin [REDACTED] 848768, Ks. Reg. [REDACTED]
GVWR 52000 pulling a 2010 CORN, Vin [REDACTED] 0007235, Ks. Reg. [REDACTED], GVWR 65000,

S & S Trucking Inc. failed to check the annual drivers record of each driver as required by 391.25(a).

3 FEDERAL	Primary: 391.51(b)(5)	Discovered 5	Checked 5	Drivers/Vehicles In Violation	Checked
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Description

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

Example

Driver Matthew J Medley

DOB - [REDACTED]


Ks. OL [REDACTED]

Trip Date - 7/26/2018

On an interstate trip from Fairmont NE to Pawnee, OK driving a 1996 FRHT, Vin [REDACTED] 848768, Ks. Reg. [REDACTED]
GVWR 52000 pulling a 2010 CORN, Vin [REDACTED] 0007235, Ks. Reg. [REDACTED], GVWR 65000,

S & S Trucking Inc failed to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).



	SHELBY STEENSON (S & S TRUCKING INC dba)	Review Date
	U.S. DOT #: 991953	08/01/2018

Part B Violations

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

Driver Matthew J Medley

DOB - [REDACTED]

Ks. O [REDACTED]

Trip Date - 7/26/2018

On an interstate trip from Fairmont NE to Pawnee, OK driving a 1996 FRHT, Vin [REDACTED] 848768, Ks. Reg. [REDACTED]
GVWR 52000 pulling a 2010 CORN, Vin [REDACTED] 0007235, Ks. Reg. [REDACTED] GVWR 65000,

S & S Trucking Inc failed to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

Safety Fitness Rating Information:

Total Miles Operated 289,908

Recordable Accidents 0

Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 0

Number of Vehicles Inspected (MCMIS): 0

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.



S & S TRUCKING INC (SHELBY STEENSON dba)
U.S. DOT #: 991953

Review Date:
08/01/2018

Part B Requirements and/or Recommendations

1. 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 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.

For all Investigations that did not result in a Cooperative Safety Plan:

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

Kansas Corporation Commission

Attn: Gary Davenport





S & S TRUCKING INC (SHELBY STEENSON dba)
U.S. DOT #. 991953

Review Date:
08/01/2018

Part B Requirements and/or Recommendations

1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
3. A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).
4. Obtain a copy of each driver's driving record and review it annually.
5. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
6. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
7. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: Ensure that each driver's driving record is reviewed yearly.

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.
- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.

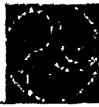
Seek Out Resources:

- You are encouraged to review your company's record at the following website. <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry

8. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN: Obtain driving records and review annually.



	S & S TRUCKING INC (SHELBY STEENSON dba)	Review Date
	U.S. DOT #. 991953	08/01/2018
Part B Requirements and/or Recommendations		

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that Motor Vehicle Records (MVRs) from States issuing Commercial Driver's Licenses (CDLs) are reviewed for driver-fitness-related violations of all prospective drivers for the last three years.
- Ensure that drivers are qualified by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding driver fitness, such as those pertaining to previous violations, Commercial Driver's License (CDL), medical qualifications, operational qualifications from training, and relevant experience.
- Review and evaluate gaps in employment, frequent job changes, incomplete applications, within-company applications and reassignments, operational limitations such as those pertaining to long-combination vehicles (LCVs) and HAZMAT, physical impairments, and controlled-substance and alcohol involvement.
- Require that drivers fill out the long form for the medical card and be examined by the carrier's preferred doctor to ensure that their medical qualifications are accurate.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations (FMCSRs), such as whether the driver can handle the physical requirements of the job.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, dispatcher, and driver by using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

Seek Out Resources.

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

9. Provide new-hire and refresher training, to all managers, other designated personnel, and the designated employer representative (DER), on controlled-substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result, referral to a substance-abuse professional (SAP); and confidentiality requirements in relation to recordkeeping.
10. Stay in contact with your KCC Investigator for any questions or issues with continued safety compliance. You may contact me: KCC Special Investigator Greg Askren at 785-483-0212 or email at g.askren@kcc.ks.gov
11. 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 Shelby Steenson DBA S & S Trucking Inc. operating authority and/or the impoundment of Shelby Steenson DBA S & S Trucking Inc. vehicles.

Signed 

Date 8-01-2018



ATTACHMENT “B”

S/W

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
 MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone: (785)296-7189 Fax: (785)296-2858

Report Number: KSHP92512744
 Inspection Date: 07/26/2018
 Start: 9:00 AM CT End: 9:35 AM CT
 Inspection Level: II - Walk-Around
 HM Inspection Type: None

S & S TRUCKING INC

MENTOR, KS, 67416

USDOT: 991953

MC/MX#: 413615

State#:

Location: BELLEVILLE

Highway: U-81

County:

Phone#:

Fax#:

Driver: MEDLEY, MATTHEW J

License#:

Date of B:

CoDriver:

License#:

Date of Birth:

State: KS

State:

Milepost: 219 Shipper: FLINT HILLS RESOURCES

Origin: FAIRMONT, NE

Destination: PAWNEE, OK

Bill of Lading: 162217

Cargo: DRIED DISTILLERS
GRAIN

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TT	FRHT	1996	KS		808		348768	52000		
2	ST	TRUE	2010	KS		3		0007235	65000		

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

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify Crash	Violations Discovered
393.83G	F	1	N		N	Exhaust leak under truck cab and/or sleeper
393.95A	F	1	N		N	No/discharged/unsecured fire extinguisher
396.17C	F	2	N		N	Operating a CMV without proof of a periodic inspection

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks:

Alcohol/Controlled Substance Check
 Conducted by Local Jurisdiction
 X Size and Weight Enforcement
 eScreen Inspection

Traffic Enforcement
 PASA Conducted Inspection
 Drug Interdiction Search

Post Crash Inspection
 PBBT Inspection

* 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: Badge #:
 T. Gantz 9251

Copy Received By:
 MATTHEW MEDLEY

X

X



CERTIFICATE OF SERVICE

19-TRAM-128-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 10/10/2018.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
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TOPEKA, KS 66604
Fax: 785-271-3354
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/S/ DeeAnn Shupe

DeeAnn Shupe