



20231107094758
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-327-PEN

November 7, 2023
Dana Lies Sr, Owner
Lies Ready Mix Inc
4605 SW Blvd
Wichita, KS 67215

This is a notice of a penalty assessment against Lies Ready Mix Inc (Lies Ready Mix) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on August 22, 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: Lies Ready Mix has been assessed a \$1,500 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,500, 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 Lies Ready Mix 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. Lies Ready Mix 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 1,500 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 \$1,500 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.

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 Lies Ready Mix 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 Lies Ready Mix 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 Lies Ready Mix 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, 66-1,112, 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 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business or

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. 9, 2023).

⁴ *Id.*

⁵ *Id.*

procuring business in 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. Lies Ready Mix Inc, of Wichita, KS is hereby assessed a \$1,500 civil penalty for nine (9) violation(s), accounting for three (3) 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. Lies Ready Mix 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. Lies Ready Mix 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 1,500 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 Lies Ready Mix'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 \$1,500 is due in thirty (30) days from the date of service of this Order. Payment of \$1,500 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 \$1,500 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 Lies Ready Mix'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: 11/07/2023



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 9, 2023

SUBJECT: Docket No. 24-TRAM-327-PEN
In the Matter of the Investigation of **Lies Ready Mix Inc of Wichita, 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:

Lies Ready Mix Inc is a motor carrier (MC) operating as carrier exempt from operating authority, primarily hauling rock, sand and cement. Lies Ready Mix Inc operates under USDOT 1559598. On August 22, 2023, Commission Staff Special Investigator (SI) Jared Smith completed a safety compliance investigation of the operations of Lies Ready Mix Inc. 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 nine (9) violation(s), accounting for three (3) 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 \$1,500 be issued to the MC.

DISCUSSION AND ANALYSIS:

On August 22, 2023, Commission Staff SI Jared Smith conducted a safety compliance investigation of the operations of Lies Ready Mix Inc. The investigation covers a 365 day period. Each specific count is detailed below.

Count One (1 of 3)

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 (DACH).

Supporting Documentation: On May 26, 2023 Lies Ready Mix Inc permitted its driver, Jordan Lies, to operate a commercial driver's license (CDL) required commercial motor vehicle (CMV), a 2013 Peterbilt, VIN ending in 7900, GVWR 52,000 lbs. pulling a 1975 Heil Trailer, VIN ending in 7248, GVWR 70,000lbs., in intrastate commerce in and around Wichita, KS. This transport is evidenced by a Driver/Vehicle Examination Report (DVER) Number KSHP05200679, hereto as **Exhibit 2**. A copy of the MC's DACH report dated August 3, 2023, attached hereto as **Exhibit 3**. The report showed no queries had been made.

Violation: Lies Ready Mix Inc failed to conduct an annual query in the Drug and Alcohol Clearinghouse (**Exhibit 1, Page 3**). Three (3) violation(s) were discovered.

Recommendations: Staff recommends a fine of \$300.

Count Two (2 of 3)

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

Intent of the Law: The MC must conduct a pre-employment inquiry into its drivers with the FMCSA DACH.

Supporting Documents: On August 14, 2023, Lies Ready Mix Inc permitted its driver, Roberto Sanchez, to operate a CDL required CMV, a 2018 Peterbilt, VIN ending in 1639, GVWR 53,000 lbs., pulling a 2007 Vantage trailer, VIN ending in 8326, GVWR 68,000 lbs., in intrastate commerce in and around Wichita, KS. This transport is evidenced by a DVER Number KSHP92191730, attached hereto as **Exhibit 4**. A copy of the carriers DACH report dated August 3, 2023, attached hereto as **Exhibit 3**. The report showed no queries had been made.

Violation: Lies Ready Mix Inc failed to conduct a pre-employment query in the DACH (**Exhibit 1, Page 3**). Three (3) violation(s) were discovered

Recommendations: Staff recommends a fine of \$700.

Count Three (3 of 3)

Jurisdiction: Pursuant to 49 C.F.R 391.51 (b) (4), adopted by K.A.R. 82-4-3g and authorized by K.S.A 66-1,129.

Intent of the Law: Requires the MC 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. Lies Ready Mix Inc failed to have a current MVR on file. A copy of the MVR dated July 7, 2023 is attached hereto as **Exhibit 5**. The MC was unable to produce MVR's prior to this date.

Violation: Lies Ready Mix Inc failed to maintain the responses of each State Agency to the annual driver record. Three (3) violations(s) were discovered.

Recommendation: Staff recommends an enhanced violation of \$500, due to the same violation discovered in the previous compliance investigation conducted on July 20, 2021 and penalized in Docket Number 22-TRAM-065-PEN on August 12, 2021.

RECOMMENDATION:

Transportation Staff recommends the Commission find Lies Ready Mix Inc committed nine (9) violation(s) accounting for three (3) 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 \$1,500 for nine (9) 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 Lies Ready Mix Inc 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.

Finally, Staff recommends that Lies Ready Mix Inc 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

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: 382.701 (b)(1)

Failing to conduct an annual query.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
3		3

Example/Notes:

Driver: Jordan Lies

Trip date: 5/26/23

Carrier failed to run annual queries on all drivers.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
3		3

2. Primary: 382.701(a)

Failing to conduct a pre-employment query.

Violations Discovered

Fed	State	Total
3		3

Checked

Fed	State	Total
3		3

Example/Notes:

Driver: Roberto Sanchez

Trip date: 8/14/2023

At the time of this trip carrier failed to run a pre-employment query in the Drug and Alcohol Clearinghouse.

Drivers/Vehicles in Violation

Fed	State	Total
3		3

Checked

Fed	State	Total
3		3

3. Primary: 391.51(b)(4)

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

Violations Discovered

Fed	State	Total
	3	3

Checked

Fed	State	Total
	3	3

Example/Notes:

Driver name: Jordan Lies

Trip date: 5/26/2023

Description of violation: Carrier provided MVR's dated 7/7/23 but failed to provide any MVR's prior to this date.

Drivers/Vehicles in Violation

Fed	State	Total
	3	3

Checked

Fed	State	Total
	3	3

Safety Fitness Rating

This Investigation is Not Rated

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

This was an offsite investigation. An offsite investigation allows FMCSA to evaluate your safety compliance with minimal disruption to your business. An offsite investigation will not result in a safety rating.

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: Driver Fitness

Process Breakdown: Monitoring and Tracking

Lies Ready Mix Inc. Failed to run annual MVR's on drivers.

Specific Recommended Remedies

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

1. Implement an effective process for monitoring and documenting all drivers' job functions, training, qualifications, renewal dates, disclosed medical conditions, and operational restrictions, including those of drivers on a waiver program or with impairments that may be satisfied by a Skill Performance Evaluation certificate, to ensure that assignments are covered by qualified drivers.
2. 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.

BASIC: Controlled Substances/Alcohol

Process Breakdown: Monitoring and Tracking

Lies Ready Mix Inc. failed to run pre-employment or annual queries in the Drug and Alcohol Clearinghouse. As a result carrier allowed a prohibited driver to operate.

Specific Recommended Remedies

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

1. Run full-queries in the Drug and Alcohol Clearinghouse on all new employees prior to allowing them to operate a commercial motor vehicle.
2. Run annual queries in the Drug and Alcohol Clearinghouse on all CDL operators. This is an annual requirement and must be completed within 365 days of the last query.
3. Evaluate personnel who are monitoring drivers against performance standards related to controlled-substance and alcohol regulations and company policies to ensure that they are applying standards fairly, consistently, and equitably, and are documenting evaluations.
4. Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled-substance and alcohol regulations and related company policies and procedures.
5. Provide adequate oversight of all personnel hiring and training processes, including qualification of service agents, to ensure adherence to controlled-substance and alcohol regulations and company policies and procedures.

Recommendations

1. **Additional Information**

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

2. **DACH Annual Query**

All CDL operators must have annual (limited) queries ran every year. Queries must be completed within 365 days of the last one

3. **Drug and Alcohol Clearinghouse**

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov> .

4. **Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

5. **MVR**

As required by 391.25(a), motor carriers shall, at least once every 12 months, make an inquiry to obtain the motor vehicle record of each driver it employs, covering at least the preceding 12 months, to the appropriate agency of every State in which the driver held a commercial motor vehicle operator's license or permit during the time period.

6. **Driver's prohibited status in Clearinghouse**

1.

Do not allow a driver who is prohibited in the Clearinghouse to perform safety sensitive functions.

7. **All Reviews**

"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>

8. **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.

9. **CAP**

"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

DRIVER/VEHICLE EXAMINATION REPORT

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

Report Number: KSHP92191730
Inspection Date: 05/26/2023
Start: 8:15 AM CT End: 9:01 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Carrier: LIES READY MIX INC

DBA:
4605 SW BLVD
WICHITA, KS, 67215
USDOT: 1559598
MC/MX#: 00578584
State#:

Phone#: (316)530-8322
Fax#:

Driver: LIES, JORDAN M
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:

State: KS

State:

Location: SEDGWICK COUNTY - 173
Highway: SW BLVD & I235
County:
Email:

Milepost: Shipper: CENTRAL PLAINS CEMENT
Origin: WICHITA,KS Bill of Lading: 15671
Destination: WICHITA,KS Cargo: POWDER CEMENT

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Contains two rows of vehicle data.

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

VIOLATIONS

Table with columns: Section, Type, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Lists various traffic and safety violations.

HazMat: No HM transported

Placard:

Cargo Tank:

Table with columns: Special Checks, Placard, Cargo Tank. Lists inspection items like Alcohol/Controlled Substance Check, Traffic Enforcement, etc.

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare the above marked unit(s) as "OUT OF SERVICE".

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

**** 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.



Exhibit 3

Queries History

All Queries

Report Generated on : 08/03/2023 03:21

Key	First Name	Last Name	Country	State	Number
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Disclaimer:**This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.**

Exhibit 4

DRIVER/VEHICLE EXAMINATION REPORT

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

Report Number: KSHP05200679
Inspection Date: 08/14/2023
Start: 2:36 PM CT End: 2:55 PM CT
Inspection Level: III - Driver/Credential
HM Inspection Type: None

Carrier: LIES READY MIX INC

DBA:
4605 SW BLVD
WICHITA, KS, 67215
USDOT: 1559598 Phone#: (316)530-8322
MC/MX#: 578584 Fax#:

Driver: SANCHEZ, ROBERTO
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
State: KS
State:

Location: SEDGWICK COUNTY - 173 Milepost: 282 Shipper: N/A
Highway: K-96 Origin: WICHITA,KS Bill of Lading: N/A
County: SEDGWICK Destination: WICHITA,KS Cargo: EMPTY
Email:

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate, Equipment ID, VIN, GVWR, CVSA #, Issued #, OOS Sticker. Contains two rows of vehicle data.

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

VIOLATIONS

Table with columns: Section, Type, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Contains one row of violation data.

HazMat: No HM transported

Placard:

Cargo Tank:

Special Checks: No data for special checks

DRIVER: This form is to be sent to the carrier identified on this report within 24 hours of receipt.
MOTOR CARRIER CERTIFICATION: All defects identified on this report 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. If no violations were discovered, you are not required to sign and return a copy.

NOTE: Challenges to violations may be submitted through the Federal Motor Carrier Safety Administration (FMCSA)s Data Q Challenge process, at https://dataqs.fmcsa.dot.gov
Signature Of Motor Carrier X: Title: Date:

Report Prepared By: ID/Badge #:
A.P. McGuire 0520

Copy Received By:
ROBERTO SANCHEZ

X

X



DRIVER/VEHICLE EXAMINATION REPORT

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

Report Number: KSHP92191730
Inspection Date: 05/26/2023
Start: 8:15 AM CT End: 9:01 AM CT
Inspection Level: II - Walk-Around
HM Inspection Type: None

Report Prepared By: ID/Badge #:
T. B. OXFORD 9219

Copy Received By:
JORDAN LIES

X

X



Exhibit 5

JORDAN MICHAEL LIES

DOB: ***** SSN: ***** Relation to HH: Self
Address: ***** Previous:

License: ***** State: KS
Phone: *****
LexId: 148783503976

The information displayed below is CONFIDENTIAL and may only be viewed. It may not be disclosed, copied, downloaded, saved, published or otherwise shared outside of this system. Sensitive data has been redacted from this report, unselect the print option to get the unredacted report.

MVR Report

as of: 07/07/2023

Original Requester: A009345 Originally Requested For: A009345
Reference: LexId: 148783503976

- ** OBTAINED FROM CUSTOMER DUPLICATE FILE **
- PER STATUS: 1 VALID
- ORIGINAL ISSUE: 070203
- SELF-CERT CODE: NON-EXCEPTED INTERSTATE
- MED CERT ISS: 08/11/2021 EXP: 08/11/2023
- MED CERT RESTRICTIONS: CORRECTIVE LENSES
- ENDORSEMENT: DOUBLE/TRIPLES
- ENDORSEMENT: LIQUID BULK/CARGO TANK

MVR Return Info:

Name and Address: *****

Birth Date	Gender	SSN	Drivers License	
*****	*****	*****	*****	
Issue Date	Expir. Date	Class	Status	Restriction
08/08/2019	05/16/2024	A-COM,GCWR>26001	1 VALID	CORRECTIVE LENSES

Records:

Type	Code	Vio/ Sus Date	Conv/ Rein Date	Points	Description
ACCI	AC4	03/08/2020			INVOLVEMENT IN AN ACCIDENT. DOES NOT INDICATE FAULT. STATE: KS LOCAL CODE: BU CASE #: 0004414 ACCIDENT SEVERITY: PROPERTY DAMAGE ONLY SVC: 22020; PROPERTY DAMAGE ONLY ACC INVOLVEMENT
VIOL	EM2	05/26/2023	06/21/2023		EXCEEDED WEIGHT LIMITS STATE: KS LOCAL CODE: SG COURT TYPE: DIS CDL:C SVC: 66320 C; GROSS WEIGHT LIMIT

CERTIFICATE OF SERVICE

24-TRAM-327-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 11/07/2023.

AHSAN LATIF, LITIGATION COUNSEL
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/S/ KCC Docket Room
KCC Docket Room
