

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

April 26, 2018

18-TRAM-454-PEN

Kevin Schrag, Manager
Backs and Barns LLC
4707 NE 130 Ave
Cheney, Kansas 67025

Certified Mail No. 70161970000105743601

This is a notice of a penalty assessment against Backs and Barns LLC (Backs and Barns) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on April 4, 2018, by Kansas Corporation Commission Special Investigator Jared Smith. Penalties are assessed in accordance with the FY 2018 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2017. 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: Backs and Barns has been assessed a \$100 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$100, 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 Backs and Barns 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. Backs and Barns 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 \$100 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. Backs and Barns LLC (Backs and Barns) has private operating authority with the Commission and further operates USDOT number 1559723.

5. Kevin L. Schrag attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on January 2, 2018, on behalf of Backs and Barns.

6. Backs and Barns is a private motor carrier which primarily hauls general freight, motor vehicles, building materials, grain, feed, hay, and farm supplies.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on April 4, 2018, Commission Staff (Staff) Special Investigator Jared Smith conducted a compliance review of the operations of Backs and Barns. 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 one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. On December 18, 2017, Backs and Barns required or permitted its driver, Leslie Shepard, to operate a CDL-required commercial motor vehicle a 2008 Dodge, VIN ending in 168252, GVWR 9,000 lbs., pulling a 2014 Big Tex trailer, VIN ending in 2634665, GVWR 25,000 lbs., in interstate commerce from Cheney, Kansas to Loyal, Oklahoma. This trip is evidenced

by Driver's Daily Log, dated December 18, 2017, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Backs and Barns 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. Backs and Barns' 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 \$100.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Backs and Barns committed one (1) 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 \$100 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Backs and Barns 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 Backs and Barns 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 Backs and Barns because it is a motor carrier as defined in K.S.A. 2017 Supp. 66-1,108.

13. The Commission finds Backs and Barns committed one (1) 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. Backs and Barns LLC, of Cheney, Kansas is hereby assessed a \$100 civil penalty for one (1) 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. Backs and Barns 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. Backs and Barns 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. On April 26, 2018, this Penalty Order was mailed to Backs and Barns via Certified Mail, Return Receipt Requested, Receipt Number 70161970000105743601. Service of this Order is complete upon the date delivered shown on the Domestic Return Receipt.

E. 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 Backs and Barns's right to a hearing, and this Penalty Order will become a Final Order assessing a \$100 civil penalty against Backs and Barns, and ordering a representative from Backs and Barns 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.

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. 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.

G. If you do not request a hearing, the payment of the civil penalty of \$100 is due in thirty (30) days from the date of service of this Order. Payment of \$100 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.

H. Failure to pay the \$100 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 Backs and Barns'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.

I. 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: 04/26/2018



Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 1559723	Legal: BACKS AND BARNES LLC Operating (DBA):																		
MC/MX #:		Federal Tax ID:  (EIN)																		
Review Type: Non-ratable Review - CSA																				
Scope: Principal Office		Location of Review/Audit: CSA Off-site		Territory:																
Operation Types <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 15%;">Interstate</td> <td style="width: 15%;">Intrastate</td> </tr> <tr> <td>Carrier: Non-HM</td> <td>Non-HM</td> </tr> <tr> <td>Shipper: N/A</td> <td>N/A</td> </tr> <tr> <td>Cargo Tank: N/A</td> <td></td> </tr> </table>					Interstate	Intrastate	Carrier: Non-HM	Non-HM	Shipper: N/A	N/A	Cargo Tank: N/A									
Interstate	Intrastate																			
Carrier: Non-HM	Non-HM																			
Shipper: N/A	N/A																			
Cargo Tank: N/A																				
		Business: Corporation Gross Revenue:  for year ending: 12/31/2017																		
Company Physical Address: 																				
Contact Name: Kevin Schrag Phone numbers: (1)  Fax  E-Mail Address: 																				
Company Mailing Address: 4707 NE 130 AVE CHENEY, KS 67025-8510																				
Carrier Classification Private Property																				
Cargo Classification <table style="width: 100%;"> <tr> <td style="width: 33%;">General Freight</td> <td style="width: 33%;">Motor Vehicles</td> <td style="width: 33%;">Building Materials</td> </tr> <tr> <td>Grain, Feed, Hay</td> <td>Farm Supply</td> <td></td> </tr> </table>					General Freight	Motor Vehicles	Building Materials	Grain, Feed, Hay	Farm Supply											
General Freight	Motor Vehicles	Building Materials																		
Grain, Feed, Hay	Farm Supply																			
Equipment <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th>Owned</th> <th>Term Leased</th> <th>Trip Leased</th> <th></th> <th>Owned</th> <th>Term Leased</th> <th>Trip Leased</th> </tr> <tr> <td>Truck</td> <td>1</td> <td>0</td> <td>0</td> <td>Trailer</td> <td>3</td> <td>0</td> <td>0</td> </tr> </table>						Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased	Truck	1	0	0	Trailer	3	0	0
	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased													
Truck	1	0	0	Trailer	3	0	0													
Power units used in the U.S. 1 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 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th>Inter</th> <th>Intra</th> <th></th> </tr> <tr> <td>< 100 Miles:</td> <td></td> <td></td> <td>Average trip leased drivers/month: 0</td> </tr> <tr> <td>>= 100 Miles:</td> <td>1</td> <td></td> <td>Total Drivers: 1</td> </tr> <tr> <td></td> <td></td> <td></td> <td>CDL Drivers: 1</td> </tr> </table>						Inter	Intra		< 100 Miles:			Average trip leased drivers/month: 0	>= 100 Miles:	1		Total Drivers: 1				CDL Drivers: 1
	Inter	Intra																		
< 100 Miles:			Average trip leased drivers/month: 0																	
>= 100 Miles:	1		Total Drivers: 1																	
			CDL Drivers: 1																	



	BACKS AND BARNS LLC U.S. DOT #: 1559723	Review Date 04/04/2018
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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: Kevin Schrag

Title: Owner

Name:

Title:



	BACKS AND BARNES LLC	Review Date
	U S. DOT # 1559723	04/04/2018

Part B Violations

1 FEDERAL	Primary 391.51(b)(4)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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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

On December 18, 2017 Backs and Barnes LLC had driver [REDACTED] operate a 2008 Dodge (Unit # 1, VIN # [REDACTED] 168252) in combination with a 2014 Big Tex (VIN # [REDACTED] 2634665). These vehicles have a gross vehicle weight rating of 9,000 lbs. and 25,900 lbs. Driver [REDACTED] operated in commerce on an interstate trip from Cheney, Kansas to Loyal, Oklahoma. This trip is evidenced by a driver record of duty status. At the time of this trip carrier was found to be in violation of failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).

2 FEDERAL	Primary. 391.51(b)(5)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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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

On December 18, 2017 Backs and Barnes LLC had driver [REDACTED] operate a 2008 Dodge (Unit # 1, VIN # [REDACTED] 168252) in combination with a 2014 Big Tex (VIN # [REDACTED] 2634665). These vehicles have a gross vehicle weight rating of 9,000 lbs. and 25,900 lbs. Driver [REDACTED] operated in commerce on an interstate trip from Cheney, Kansas to Loyal, Oklahoma. This trip is evidenced by a driver record of duty status. At the time of this trip carrier was found to be in violation of failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

3 FEDERAL	Primary: 391.51(b)(6)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
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Description

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

Example

On December 18, 2017 Backs and Barnes LLC had driver [REDACTED] operate a 2008 Dodge (Unit # 1, VIN # [REDACTED] 168252) in combination with a 2014 Big Tex (VIN # [REDACTED] 2634665). These vehicles have a gross vehicle weight rating of 9,000 lbs. and 25,900 lbs. Driver Leslie Shepard operated in commerce on an interstate trip from Cheney, Kansas to Loyal, Oklahoma. This trip is evidenced by a driver record of duty status. At the time of this trip carrier was found to be in violation of failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	10,000	Number of Vehicle Inspected (CR): 0	
Recordable Accidents	0	OOS Vehicle (MCMIS): 0	
		Number of Vehicles Inspected (MCMIS): 0	

Your proposed safety rating is :

This Review is not Rated.

Safety Management Process Breakdowns and Remedies

1. 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.

2. 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.

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



	BACKS AND BARNES LLC U.S. DOT #: 1559723	Review Date: 04/04/2018
Safety Management Process Breakdowns and Remedies		

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
 1500 SW Arrowhead Rd
 Topeka, KS 66604-4027

3. DRIVER FITNESS BASIC PROCESS BREAKDOWN Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN Backs and Barnes LLC's violations occurred due to a breakdown regarding the monitoring and tracking elements within this section. It is the carrier's responsibility to execute all annual requirements and to verify that all drivers are qualified to operate commercial motor vehicles.

BASIC SPECIFIC RECOMMENDED REMEDIES New Motor Vehicle Reports (MVR) need to be obtained within 365 days from the date of the previous MVR. Additionally, make sure that you have drivers complete a listing of driver violations when you run the MVR's. Then sign the certificate qualifying them for another year if they meet the standards. Utilize the documents provided to you at the time of this investigation.


Implement Safety Improvement Practices The following are recommended practices related to Monitoring and Tracking Processes.

- 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.
- 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.
- Maintain each driver's investigation history file in a secure location with limited and controlled access for as long as the driver is employed and for three years thereafter.
- Maintain roadside inspection reports, moving violation records, training records, the Commercial Driver's License (CDL), the dispatch schedule, bills of lading, and the medical report to help evaluate the performance of all staff involved in qualifying drivers (dispatchers and managers) and the effectiveness of the policies and procedures.
- Implement a system for keeping accurate records of employee driver fitness training needs, such as entry-level and HAZMAT training, and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel who are monitoring driver fitness performance by making sure they are reviewing driver-assignment and qualification files, applying the performance standards fairly, consistently, and equitably; and documenting the evaluations.
- Regularly evaluate the company's driver fitness-related inspection results via the Federal Motor Carrier Safety Administration's (FMCSA) website at <http://ai.fmcsa.dot.gov/SMS>. Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with driver-fitness regulations and company policies.
- When monitoring and tracking any driver-fitness-related issue, always assess whether it is individual or represents a systemic breakdown in one of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

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



	BACKS AND BARNES LLC U.S. DOT # 1559723	Review Date 04/04/2018
Safety Management Process Breakdowns and Remedies		

the industry.

4. I acknowledge that the requirements and/or recommendations resulting from this off-site, focused review have been discussed with me and my questions have been answered. I further acknowledge that KCC recommendations only cover the scope of this focused review, and that areas not reviewed by the KCC have not necessarily been endorsed as compliant. 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 Backs and Barnes LLC's operating authority and/or the impoundment of Backs and Barnes LLC's commercial motor vehicle.

Carrier Representative

Date

After reviewing these Requirements and/or Recommendations, please sign and date where indicated, and return to the Kansas Corporation Commission, ATTN Verna Jackson, Transportation Division, 1500 SW Arrowhead Rd, Topeka, Kansas 66604-4027, or fax 785-271-3124.



ATTACHMENT “B”

169.4

DRIVER'S DAILY LOG — 24 HOURS "One Calendar Day"

12/18/2017 TRK 15496/TOL 629684 315.7

MONTH DAY YEAR

VEHICLE NUMBER(S)

TOTAL MILEAGE (TODAY)

315.7

TOTAL MILES DRIVING (TODAY)

BAKUS & BARN

NAME OF CARRIER(S)

4207 SE 13TH AVE

MAIN OFFICE ADDRESS

I Certify that all figures are true and correct

Leslie D. Shepherd

DRIVER'S SIGNATURE

NAME OF CO-DRIVER

HOME OFFICE ADDRESS

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1- OFF DUTY																									15 1/2
2- SLEEPER BERTH																									0
3- DRIVING																									6 1/2
4- ON DUTY (NOT DRIVING)																									2
REMARKS																									29

Shipping document, manifest number, or name of a shipper and commodity.

Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours.

CHERRY KANSAS

Starting Location

LOYAL OKLA

Destination

ORIGINAL — File Each Day at Home Terminal

USE TIME STANDARD OF HOME TERMINAL

DUPLICATE — Driver Keeps in His Possession for 8 Days

Published by RoadPro (960211)

MADE IN CHINA

Made in China

REGAP
Driving Hours
Today
(Line 3)Total Hours
On Duty
(Line 3 + 4)70 Hours
8 Days1
Total Hours
On Duty
(Line 3 + 4)2
Hours
Available
Tomorrow
70 - Line 13
Hours On
Duty Last
8 Days
(Line 3 + 4)50 Hours
7 Days1
Total Hours
On Duty
(Line 3 + 4)2
Hours
Available
Tomorrow
50 - Line 13
Hours On
Duty Last
7 Days
(Line 3 + 4)If you lose
34 consecutive
hours of duty,
you have 60/70
hours available
again

CERTIFICATE OF SERVICE

18-TRAM-454-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 04/27/2018.

KEVIN SCHRAG, MANAGING MEMBER
BACKS AND BARNES LLC
4707 NE 130TH
CHENEY, KS 67025-8510
Fax: 316-219-5135
kevin@backsandbarns.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe
DeeAnn Shupe