



1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
19-TRAM-345-PEN

March 5, 2019

Rick Wilken, Manager
Wilks Underground Utilities, LLC
12000 W K42 Hwy
Wichita, KS 67227

This is a notice of a penalty assessment against Wilks Underground Utilities, LLC (Wilks Underground) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 18, 2019, by Kansas Corporation Commission Special Investigator Gary Goeller. 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: Wilks Underground has been assessed a \$1,700 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,700, 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 Wilks Underground 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. Wilks Underground 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. 2018 Supp. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$1,700 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

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

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

In the Matter of the Investigation of **Wilks**)
Underground Utilities, LLC, of Wichita, KS,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 19-TRAM-345-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

PENALTY ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2018 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 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 K.S.A. 2018 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

2. Pursuant to K.S.A. 2018 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. Wilks Underground Utilities, LLC (Wilks Underground) has private operating authority with the Commission and further operates under USDOT number 2485675.

5. Angela Christian attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on November 6, 2017, on behalf of Wilks Underground.

6. Wilks Underground is a private motor carrier which primarily hauls metal, sheets, coils, rolls, utility and construction.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 18, 2019, Commission Staff (Staff) Special Investigator Gary Goeller conducted a safety compliance review of the operations of Wilks Underground. 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 November 2, 2018, Wilks Underground required or permitted its driver, Alejandro Meza-Felix, to operate a CDL-required commercial motor vehicle, a 2004 Ford, VIN ending in 81247, GVWR 14,500 lbs.,

pulling a 2018 PJ trailer, VIN ending in 288348, GVWR 13,200 lbs., in intrastate commerce in and around the area of Wichita, Kansas. This trip is evidenced by Driver/Vehicle Examination Report Number KSHP00932704, dated November 2, 2018, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Wilks Underground failed to require its driver to complete a Driver Vehicle Inspection Report. The carrier's failure to require its driver to prepare a DVIR in writing, at the completion of each day's work, on each vehicle operated and to submit copies of the reports to the motor carrier for action and record retention is a violation of 49 C.F.R. 396.11(a)(1), adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$200.

- b. During the transportation described in paragraph a, above, Wilks Underground permitted this transportation without first obtaining and documenting a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. The special investigator discovered three (3) violations of this type. This carrier was cited for this same violation in a safety compliance review conducted on November 27, 2017. Wilks Underground's failure to conduct periodic (annual) inspections on commercial motor vehicles is a violation of 49 C.F.R. 396.17(c), adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends an enhanced fine of \$1,500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Wilks Underground 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 \$1,700 for two (2) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Wilks Underground 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 Wilks Underground 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 Wilks Underground because it is a motor carrier as defined in K.S.A. 2018 Supp. 66-1,108.

13. The Commission finds Wilks Underground 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. Wilks Underground Utilities, LLC, of Wichita, KS is hereby assessed a \$1,700 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. Wilks Underground 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. Wilks Underground 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. 2018 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 Wilks Underground's right to a hearing, and this Penalty Order will become a Final Order assessing a \$1,700 civil penalty

against Wilks Underground, and ordering a representative from Wilks Underground 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. 2018 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$1,700 is due in thirty (30) days from the date of service of this Order. Payment of \$1,700 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 \$1,700 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 Wilks Underground'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.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner


Dated: 03/05/2019



Lynn M. Retz
Secretary to the Commission

AAL

ATTACHMENT “A”

	US DOT # 2485675		Legal: WILKS UNDERGROUND UTILITIES LLC Operating (DBA):			
	MC/MX #:		Federal Tax ID: [REDACTED] (EIN)			
Review Type: Compliance Review (CR)						
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.			Territory: F	
Operation Types		Business: Corporation				
Interstate Intrastate		Gross Revenue: [REDACTED] for year ending: 12/31/2018				
Carrier: N/A HM						
Shipper: N/A N/A						
Cargo Tank: N/A						
Company Physical Address:						
12000 W K42 HWY WICHITA, KS 67227-8463						
Contact Name: Rick Wilken						
Phone numbers: (1) [REDACTED] Fax						
E-Mail Address: [REDACTED]						
Company Mailing Address:						
12000 W K42 HWY WICHITA, KS 67227-8463						
Carrier Classification						
Private Property						
Cargo Classification						
Metal: Sheets, Coils, Rolls		Utility		Construction		
Hazardous Materials						
9 Miscellaneous HM		Carried		Non-Bulk		
Equipment						
	Owned	Term Leased	Trip Leased		Owned	Term Leased Trip Leased
Truck	6	0	0	Trailer	7	0 1
Power units used in the U.S.:6						
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:		4	Total Drivers: 4			
>= 100 Miles:			CDL Drivers: 4			



	WILKS UNDERGROUND UTILITIES LLC U.S. DOT #: 2485675	Review Date: 02/12/2019
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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.
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<u>Person(s) Interviewed</u>	
Name: Rick Wilken	Title: Owner
Name: Angela Christian	Title: Office Manager





WILKS UNDERGROUND UTILITIES LLC
U.S. DOT #: 2485675

Review Date:
02/12/2019

Part B Violations

1 STATE	Primary: 392.2 Secondary: 8-2,125 CFR Equivalent: 383.23(a)(1)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Operating a CMV before taking and passing written and driving tests for a CLP or CDL for the group or groups of CMV required. Example Alejandro Meza-Felix Trip date 11.02.2018 Operated a 2004 Ford KS Tag# [REDACTED] KS VIN# [REDACTED] 81247, GVWR 14,500 and a 2018 PJ Trailer KS Tag# [REDACTED], KS Vin# [REDACTED] 1288438, GVWR 13,200					
2 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
Description Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. Example Alejandro Meza-Feliz Trip date 11.02.2018 Carrier failed to have the tire size on maintenance records. Operated a 2004 Ford KS Tag# [REDACTED] KS VIN# [REDACTED] 81247 and a 2018 PJ Trailer KS Tag# 556461 KS VIN# [REDACTED] 1288438					
3 STATE	Primary: 396.9(d)(2) CFR Equivalent: 396.9(d)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failure to correct violations or defects listed on a motor vehicle roadside inspection report. Example Jesus Soto Trip date 10-12-2018 2018 Ring Trailer, KS VIN# [REDACTED] 303164 Trip date 10-12-2018 Inspection # KSHP00932655 Trip date 10-10-2018 Inspection # KSHP04232406 Carrier failed to complete registration on Trailer that is over 2000 lbs gross weight.					
4 STATE	Primary: 396.11(a) CFR Equivalent: 396.11(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to require driver to prepare driver vehicle inspection report Example Alejandro Meza-Feliz Trip date 11.02.2018 Operated a 2004 Ford KS Tag# [REDACTED] KS VIN# [REDACTED] 81247 and a 2018 PJ Trailer KS Tag# 556461 KS VIN# [REDACTED] 1288438					





WILKS UNDERGROUND UTILITIES LLC
U.S. DOT #: 2485675

Review Date:
02/12/2019

Part B Violations

5 STATE	Primary: 396.17(a) CFR Equivalent: 396.17(a)	Discovered 3	Checked 5	Drivers/Vehicles In Violation 3	Checked 5
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Description

Using a commercial motor vehicle not periodically inspected.

Example

Alejandro Meza-Felix

Trip date 11.02.2018

2018 PJ Trailer KS Tag [REDACTED] KS VIN# [REDACTED] 1288438

Operated a 2004 Ford KS Tag [REDACTED] KSvin# [REDACTED] 24EB81247

Jesus S Soto, Trip date 10.12.2018

Operated a 2003 Chevrolet KS tag [REDACTED] KS Vin# [REDACTED] 237616, GVWR 11400 and a 2018 Ring (850 Hydrex rtd-01) trailer, KS VIN# [REDACTED] 303164, GVWR 21,000.

Safety Fitness Rating Information:

Total Miles Operated 10,000

Recordable Accidents 0

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 :

This Review is not Rated.





WILKS UNDERGROUND UTILITIES LLC
U.S. DOT #: 2485675

Review Date:
02/12/2019

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 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.

This letter should be submitted as soon as possible.

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 or scan and email .





WILKS UNDERGROUND UTILITIES LLC
U.S. DOT #: 2485675

Review Date:
02/12/2019

Part B Requirements and/or Recommendations

the letter along with copies of your supporting evidence to:

Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027
g.davenport@kcc.ks.gov

2. Require all drivers to prepare a written inspection report for each day a vehicle is operated over 26001 gvw or gvw. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
3. Periodically review the maintenance and inspection records for all lease and rental vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
4. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis on cmv's over 26,001 gvw, gvw, gcvwr. Keep them on file for 90 days.
5. I understand that monetary penalties will be assessed as a result of violations found in this compliance review. The penalty schedule can be found at this website: <http://kcc.ks.gov/transportation/safety-information>

Carrier representative: Rich Wilken

Date 2-12-19

6. I acknowledge that these requirements/violations 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 Wilks Underground Utilities LLC's vehicles operating authority and/or the impoundment of Wilks Underground Utilities LLC's vehicles.

Signed Rich Wilken

Date 2-12-19

7. Stay in contact with your KCC Investigator for any questions or issues with continued safety compliance. You may contact me: KCC Special Investigator Gary Goeller at 785-623-0541 or email at g.goeller@kcc.ks.gov



ATTACHMENT “B”

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: KSHP00932704
 Inspection Date: 11/02/2018
 Start: 8:50 AM CT End: 9:30 AM CT
 Inspection Level: I - Full
 HM Inspection Type: Non-Bulk

WILKS UNDERGROUND UTILITIES LLC
 4421 W HARRY BLDG 500
 WICHITA, KS, 67209
 USDOT: 2485675
 MC/MX#: _____
 State#: _____

Phone: _____
 Fax#: _____

Driver: MEZA-FELIX, ALEJANDRO
 License#: _____ State: KS
 Date of Birth: _____
 CoDriver: _____
 License#: _____ State: _____
 Date of Birth: _____

Location: SEDGWICK COUNTY - 173
 Highway: 4100 N BROADWAY
 County: _____

Milepost: _____ Shipper: CARRIER
 Origin: WICHITA,KS Bill of Lading: N/A
 Destination: WICHITA,KS Cargo: TOOLS

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate	Equipment ID	VIN	GVWR	CVSA #	Issued #	OOS Sticker
1	TR	FORD	2004	KS	_____	_____	_____81247	14500			
2	ST	PJ	2018	KS	_____	11	_____288438	13200			

BRAKE ADJUSTMENTS

Axle #	1	2	3	4
Right	N/A	N/A	N/A	N/A
Left	N/A	N/A	N/A	N/A
Chamber	HYDR	HYDR	ELEC	ELEC

VIOLATIONS

Section	Type	Unit	OOS	Citation #	Verify Crash	Violations Discovered
383.23A2	F	D	Y		N	N Operating a CMV without a CDL
391.41A-FPC	F	D	Y		N	N Operating a property-carrying vehicle without possessing a valid medical certificate. Previously Cited on [DATE]
392.16	F	D	N	E001839856	N	N Failing to use seat belt while operating CMV
390.21B	F	1	N		N	N Carrier name and/or USDOT Number not displayed as required
393.95A	F	1	N		N	N No/discharged/unsecured fire extinguisher
393.9TS	F	1	N		N	N Inoperative turn signal
393.95F	F	1	N		N	N No / insufficient warning devices
393.81	F	1	N		N	N Horn inoperative
396.17C	F	2	N		N	N Operating a CMV without proof of a periodic inspection
393.205C	F	2	N		N	N Wheel fasteners loose and/or missing

HazMat:

Placard: No

Cargo Tank:

Special Checks:

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

X Traffic Enforcement
 PASA Conducted Inspection
 Drug Interdiction Search

Post Crash Inspection
 PBBT Inspection

Notes: TRK GVWR=12,500, WEIGHED 14,500. TRLR GVWR=9,990, WEIGHED 13200. DRIVER AND PASSENGER CITED FOR NO SEATBELTS. ALL CIVIL ASSESSMENT FOR OOS VIOLATIONS.

* 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 ALEJANDRO MEZA-FELIX "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: OBTAINS CLASS 'A' CDL & MEDICAL CERTIFIC. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials: _____

* 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/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: KSHP00932704
Inspection Date: 11/02/2018
Start: 8:50 AM CT End: 9:30 AM CT
Inspection Level: I - Full
HM Inspection Type: Non-Bulk**

***** 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 #:
B. Lies 0093**

**Copy Received By:
ALEJANDRO MEZA-FELIX**

X

X



CERTIFICATE OF SERVICE

19-TRAM-345-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 03/06/2019.

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

RICK WILKEN, MANAGER
WILKS UNDERGROUND UTILITIES, LLC
12000 W K42 HWY
WICHITA, KS 67227-8463
Fax: 316-977-7100
rick@wilksunderground.com

/S/ DeeAnn Shupe
DeeAnn Shupe