



the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

## II. BACKGROUND

4. Wichita Pools LLC, of Andover, Kansas (Carrier), is a motor carrier as defined in K.A.R. 82-4-3f that operates commercial motor vehicles in intrastate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 3035479.

6. On November 30, 2023, the Commission issued an Order Suspending Intrastate Motor Carrier Operations,<sup>1</sup> other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 66-1,129, due to non-compliance with a Penalty Order issued on September 12, 2023.<sup>2</sup> The Penalty Order assessed Carrier a \$300 civil fine for failing to pay its 2023 Unified Carrier Registration (UCR) fees. The Commission's Penalty Order is incorporated herein by reference and made a part of this Order.

7. On January 22, 2024, Carrier submitted payment of the \$300 civil assessment and submitted payment of their 2023 UCR fees. Transportation Staff (Staff) confirmed the payments have been made as of that date and determined the carrier was now in compliance with Kansas motor carrier safety statutes, rules and regulations pursuant to the above-referenced Penalty Order.

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<sup>1</sup>Order Suspending Intrastate Motor Carrier Operations (Nov. 30, 2023).

<sup>2</sup> See Penalty Order, Docket No. 24-TRAM-222-UCR (Sep. 12, 2023).

8. On January 23, 2024, Staff filed a Motion to Reinstate Intrastate Motor Carrier Operations on Carrier.

### III. STAFF'S RECOMMENDATION

9. Based on Staff's Motion and Carrier's compliance, Staff recommends the Commission reinstate Carrier's Kansas motor carrier operations.

### IV. CONCLUSIONS OF LAW

10. The Commission finds it has jurisdiction over Carrier because it is a motor carrier as defined in 49 C.F.R. 390.5 and as adopted by K.A.R. 82-4-3f.

11. Based on the available facts, the Commission finds that Staff's recommendation to reinstate Wichita Pools LLC's motor carrier operations is reasonable.

### THE COMMISSION THEREFORE ORDERS THAT:

A. Wichita Pools LLC's intrastate motor carrier authority is hereby reinstated.

### BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 01/30/2024



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Lynn M. Retz  
Executive Director

AAL

**CERTIFICATE OF SERVICE**

24-TRAM-222-UCR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 01/30/2024.

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