

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Investigation of **RD. G Truckin,**)
LLC, of Emporia, Kansas, Regarding the Violation of)
the Motor Carrier Safety Statutes, Rules and)
Regulations and the Commission's Authority to Impose) Docket No. 18-TRAM-398-PEN
Penalties, Sanctions and/or the Revocation of Motor)
Carrier Authority.)

ORDER GRANTING MOTION TO DISMISS

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

1. On September 28, 2017, a follow-up compliance review was conducted on the motor carrier operations of RD. G Truckin, LLC and one safety violation of the Kansas Motor Carrier Safety Regulations was identified, wherein RD. G Truckin, LLC was alleged to have failed to comply with the UCR fee requirements as a commercial motor carrier owning four vehicles.
2. On March 22, 2018, the Commission issued a Penalty Order assessing RD. G Truckin, LLC a civil penalty of \$300 for the violation described above.
3. On April 30, 2018, RD. G Truckin, LLC submitted a letter to the Commission clarifying that although it owned four vehicles over the course of 2017 only two vehicles were owned and operated at the same time during that year.

4. On May 18, 2018, Staff filed a Motion to Dismiss stating that RD. G Truckin, LLC is in compliance with the stated violation and requesting the Commission dismiss the penalty order assessing RD. G Truckin, LLC a civil penalty of \$300.

5. The Commission finds that Staff's request is reasonable and hereby dismisses the penalty order in this docket against RD. G Truckin, LLC.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The Motion to Dismiss is granted.

(B) Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 05/24/2018



Lynn M. Retz
Secretary

AAL

¹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-TRAM-398-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 05/25/2018.

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/S/ DeeAnn Shupe

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