



1500 SW Arrowhead Road  
Topeka, KS 66604-4027

20240328104732  
Kansas Corporation  
Commission  
Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
24-TRAM-643-PEN

March 28, 2024  
Gregory W. Joslin, Owner  
Gregory W Joslin d/b/a Peru Auto Wrecking  
803 Amanda  
Peru, Kansas 67360

This is a notice of a penalty assessment against Gregory W Joslin d/b/a Peru Auto Wrecking (Peru Auto Wrecking) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted February 27, 2024, by Kansas Corporation Commission Special Investigator Mike Heenan. 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:** Peru Auto Wrecking has been assessed a \$1,800 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,800, 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 Peru Auto Wrecking 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](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. Peru Auto Wrecking 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 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.<sup>1</sup>

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$1,800 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](mailto:a.latif@kcc.ks.gov)

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<sup>1</sup> K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners:        Andrew J. French, Chairperson  
   Dwight D. Keen  
   Annie Kuether

In the Matter of the Investigation of **Gregory W** )  
**Joslin d/b/a Peru Auto Wrecking, of Peru,** )  
**Kansas.** Regarding the Violation(s) of the Motor )  
Carrier Safety Statutes, Rules and Regulations ) Docket No. 24-TRAM-643-PEN  
and the 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:

1.        On February 27, 2024, Commission Staff Special Investigator (SI) Mike Heenan completed a safety compliance investigation of the operations of Gregory W Joslin d/b/a Peru Auto Wrecking (Peru Auto Wrecking or Carrier). Peru Auto Wrecking is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 1689657.

2.        On March 21, 2024, Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$1,800 to be issued to Peru Auto Wrecking based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigations, SI Mike Heenan identified five (5) violation(s), accounting for five

(5) count(s), of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.<sup>2</sup>

3. Additionally, Staff recommends that Peru Auto Wrecking 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.<sup>3</sup> 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](http://kcc.ks.gov/trans/safety_meetings.htm).

4. Staff further recommends Peru Auto Wrecking 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.<sup>4</sup>

5. Finally, Staff recommends that Peru Auto Wrecking submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.<sup>5</sup> 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 and 66-1,114b, 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 procuring business in

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<sup>2</sup> 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").

<sup>3</sup> See Staff's Report and Recommendation, p. 3 (Mar. 21, 2024).

<sup>4</sup> *Id* at 3-4.

<sup>5</sup> *Id* at 4.

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. Gregory W Joslin d/b/a Peru Auto Wrecking of Peru, Kansas is hereby assessed a \$1,800 civil penalty for five (5) violation(s), accounting for five (5) 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. Peru Auto Wrecking 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. Peru Auto Wrecking 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. Peru Auto Wrecking 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 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 Peru Auto Wrecking'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.<sup>6</sup>

G. If you do not request a hearing, the payment of the civil penalty of \$1,800 is due in thirty (30) days from the date of service of this Order. Payment of \$1,800 must be made

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<sup>6</sup>. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

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/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$1,800 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 Peru Auto Wrecking's motor carrier operating authority without further notice.<sup>7</sup> 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: 03/28/2024



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Lynn M. Retz  
Executive Director

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<sup>7</sup> K.S.A. 66-1,105.

# **ATTACHMENT “A”**

Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

**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:** March 21, 2024

**SUBJECT: Docket No. 24-TRAM-643-PEN**  
In the Matter of the Investigation of **Gregory W Joslin d/b/a Peru Auto Wrecking of Peru, 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:**

Gregory W Joslin is a motor carrier (MC) operating as a public for-hire and private carrier, primarily hauling motor vehicles. Gregory W Joslin operates under USDOT 1689657. On February 27, 2024, Commission Staff Special Investigator (SI) Mike Heenan completed a safety compliance investigation of the operations of Gregory W Joslin. 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 five (5) violations accounting for five (5) specific counts of the Motor Carrier Safety Regulations (MCSRs), which carries 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 \$1,800 be issued to the MC.

**DISCUSSION AND ANALYSIS:**

On February 27, 2024, Commission Staff SI Mike Heenan conducted a safety compliance investigation of the operations of Gregory W Joslin. The investigation covers a 365 day period. Each specific count is detailed below.



### Count One (1 of 5)

**Jurisdiction:** K.S.A. 8-142 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must obtain a proper commercial registration for its commercial motor vehicle.

**Supporting Documents:** On December 6, 2023, Gregory W Joslin required or permitted its driver, Gregory W. Joslin, to operate a commercial motor vehicle (CMV), a 2000 GMC Rollback, VIN ending in 1101, GVWR 24,000 lbs., in intrastate commerce within Peru, Kansas. This transport is evidenced by BOL #430987, attached here to as **Exhibit 2**. The carrier provided an expired Kansas Registration from 2022, attached here to as **Exhibit 3**. The MC could not provide current registration for the vehicle involved in this transportation.

**Violation:** Gregory W Joslin operated a commercial motor vehicle on this date with no valid Kansas Registration on his only listed vehicle. KS#696550 had been expired since 2022 (**Exhibit 1, Page 3**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$500.

### Count Two (2 of 5)

**Jurisdiction:** 49 C.F.R. 390.19 T (a)(1), adopted by K.A.R. 82-4-3f, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must file Form MCS-150 and/or Form MCS150B.

**Supporting Documents:** This violation took place during the transport described in Count One, above. The carrier's inactivated MICMIS profile attached to as **Exhibit 4**. The MC had been inactivated as of November 5, 2009 for failure to update its MCS-150 form with the FMCSA since September 19, 2007.

**Violation:** Gregory W Joslin operated a commercial motor vehicle without filing a Form MCS-150 or MCS150B (**Exhibit 1, Page 3**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$200.

### Count Three (3 of 5)

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

**Intent of Law:** The MC must maintain a driver qualification file pursuant to 49 C.F.R. 391.51.

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC was unable to provide any driver file information that is required to be included in a driver qualification file.

**Violation:** Gregory W Joslin operated a commercial motor vehicle on this date without having a valid Driver Qualification file on himself (**Exhibit 1, Page 3 to 4**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$350.

### Count Four (4 of 5)

**Jurisdiction:** K.S.A. 66-1330 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC must obtain proper Kansas Corporation Commission authority to operate as a Wrecker before conducting intrastate commercial operations

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC's KTRAN Profile Page is attached to as **Exhibit 5**. The KTRAN Profile Page states the MC does not possess KCC authority.

**Violation:** Gregory W Joslin operated a commercial motor vehicle on this date without having valid Kansas Corporation Commission for hire authority (Wrecker) (**Exhibit 1, Page 4**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$500.

### **Count Five (5 of 5)**

**Jurisdiction:** 49 C.F.R. 396.17(c), adopted by K.A.R. 82-4-3j, and authorized by K.S.A. 66-1,129.

**Intent of Law:** The MC shall obtain and document a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. The inspection shall be retained by the MC pursuant to 49 C.F.R. 396.21(b).

**Supporting Documents:** This violation took place during the transport described in Count One, above. The MC could not provide an annual inspection for the vehicle involved in this transport.

**Violation:** Gregory W Joslin operated a commercial motor vehicle that had not had a valid period annual inspection (**Exhibit 1, Page 4**). One (1) violation discovered.

**Recommendation:** Staff recommends a fine of \$250.

### **RECOMMENDATION:**

Transportation Staff recommends the Commission find Gregory W Joslin committed five (5) violations, accounting for five (5) 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 \$1,800 for five (5) violations 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 Gregory W Joslin 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](http://kcc.ks.gov/trans/safety_meetings.htm).

Staff further recommends Gregory W Joslin submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violations described in the Penalty Order, including specific and detailed

information explaining the carrier's efforts and concrete steps taken to ensure the violations do not occur in the future.

Finally, Staff recommends that Gregory W Joslin 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**

# UNITED STATES DEPARTMENT OF TRANSPORTATION



**U.S. DOT#:** 1689657  
**MC/MX#:** 0

**Legal:** GREGORY W JOSLIN  
**Operating (DBA):** PERU AUTO WRECKING

**Investigation Date:**  
02/22/2024

**Investigation Type:** Onsite Comprehensive Investigation

**Location of Investigation:** Company principal place of business (PPOB)

**Extent of Operations:** Entire Operation

**Physical Address**

803 AMANDA  
PERU, KS 67360  
United States

**Mailing Address**

803 AMANDA  
PERU, KS 67360  
United States

**Contact Information**

**Contact Name:** GREGORY W JOSLIN  
**Email:** peruautowrecking@gmail.com  
**Phone:** (620)725-5567    **Cell:** ( ) -    **Fax:** (270)568-7614

**Business and Financial**

**Business Type:** Sole Proprietorship  
**Name of Gross Revenue Provider:** Gregory W Joslin  
**Title of Gross Revenue Provider:** Owner/Operator  
**Gross Revenue:** ██████████    **For Year Ending:** ██████████  
**Federal Tax ID:** ██████████

**Operation Classification and Type**

**Type of Operation:** HM Intrastate Carrier

**Cargo**

Motor Vehicles

**Operation Classification**

For-Hire Motor Carrier  
Property  
Hazardous Materials  
Private Motor Carrier  
Property – Hazardous Materials

**Hazardous Materials**

Which of the following hazardous materials requiring a Safety Permit does the company transport?

None

Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E?

N/A

Is an HM Permit required by any State?

No

Hazardous Materials

Class 9 Miscellaneous Hazardous Materials = C, S, NB

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Straight Trucks	1				Intrastate	Interstate
<b>Power units used in the U.S.: 1</b> <b>Percentage of time used in the U.S.: 100%</b>				< 100 Miles	1	
				>= 100 Miles		
				<b>Average trip leased driver/month: 0</b> <b>Drivers with CDL: 0</b> <b>Total Drivers: 1</b>		
<b>Person(s) Interviewed</b>						
<b>Name:</b> GREGORY W JOSLIN				<b>Title:</b> OWNER		
<b>Questions</b>						
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:				1500 SW Arrowhead Rd Topeka, KS 66604-4027 Phone: (785) 271-3151		
<b>This report will be used to assess your safety compliance.</b>						

# Violations

## 1. Primary: 392.2

### Secondary: 8-142

No valid Kansas Registration

#### Example/Notes:

Gregory W Joslin

Trip date 12/06/2023

Origination: Peru, Ks

Destination: Peru, Ks

At the time of this trip, and the time of this review on 02-07-24 this carrier had no valid Kansas registration. Kansas tag number 696550 was expired and not valid. Carrier stated he was in the process of updating the tag.

#### Violations Discovered

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	1	1

#### Drivers/Vehicles in Violation

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	1	1

## 2. Primary: 390.19T(a)(1)

Failing to file a Motor Carrier Identification Report, Form MCS-150 (Motor Carrier)

#### Example/Notes:

Gregory W Joslin

Trip date 12/06/2023

A motor carrier that fails to update the Form MCS-150 as required in paragraph (b) will have its USDOT Number deactivated and will be prohibited from conducting transportation.

At the time of this trip, and the time of this review on 02-07-24 this carrier USDOT # 1689657 was inactivated due to non renewal or no contact by the carrier.

#### Violations Discovered

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	1	1

#### Drivers/Vehicles in Violation

Fed	State	Total

#### Checked

Fed	State	Total

## 3. Primary: 391.51(a)

Failing to maintain driver qualification file on each driver employed.

#### Violations Discovered

Fed	State	Total
	1	1

#### Checked

Fed	State	Total
	1	1

**Example/Notes:**

Gregory W Joslin

Trip date 12/06/2023

At the time of this trip, and the time of this review on 02-07-24 this carrier had absolutely no driver file information in the driver file.

Not one item in the driver file requirements were offered during this review.

**Drivers/Vehicles in Violation**

Fed	State	Total
	1	1

**Checked**

Fed	State	Total
	1	1

**4. Primary: 392.2****State Equivalent: 66-1330**

No KCC for Hire Authority

**Violations Discovered**

Fed	State	Total
	1	1

**Checked**

Fed	State	Total
	1	1

**Example/Notes:**

Gregory W Joslin

Trip date 12/06/2023

Origination: Peru, Ks

Destination: Peru, Ks

At the time of this trip, and the time of this review on 02-07-24 this carrier had no Kansas Corporation Commission For Hire Authority (Wrecker). Carrier authority was cancelled due to non renewal.

**Drivers/Vehicles in Violation**

Fed	State	Total

**Checked**

Fed	State	Total

**5. Primary: 396.17(c)**

Using a commercial motor vehicle not periodically inspected in accordance with minimum standards.

**Violations Discovered**

Fed	State	Total
	1	1

**Checked**

Fed	State	Total
	1	1

**Example/Notes:**

Gregory W Joslin

Trip date 12/06/2023

Origination: Peru, Ks

Destination: Peru, Ks

At the time of this trip, and the time of this review on 02-07-24 this carriers only roll back vehicle had no proof of annual inspection. The carrier had a maintenance file with repair receipts, but no annual inspection was offered or located.

**Drivers/Vehicles in Violation**

Fed	State	Total
	1	1

**Checked**

Fed	State	Total
	1	1





## Safety Fitness Rating

### This Investigation is Not Rated

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: Roles and Responsibilities

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Carrier failure to know roles and responsibilities to prepare and maintain driver files items.

#### Specific Recommended Remedies

**To implement Safety Improvement Practices, the following list are recommended practices related to Roles and Responsibilities:**

1. Define and document the role of managers and supervisors for implementing driver-fitness policies and for monitoring compliance with them. This should include regular evaluation of the carrier's driver-wellness program.
2. Define and document roles and responsibilities of managers and supervisors in providing training and maintaining qualifications for all employees according to driver-fitness regulations and company policies and procedures.
3. Define and document roles and responsibilities of drivers, dispatchers, and other personnel according to driver fitness 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. **Registration required.**

Cease all interstate or foreign transportation until properly registered with the Federal Motor Carrier Safety Administration.

## 3. **Obtain a copy of each driver's driving record and review it.**

Obtain a copy of each driver's driving record and review it annually.

## 4. **Maintain a complete file documenting the qualification process.**

Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.

## 5. **MCS-150 biennial updates**

Is Your Registration Information Current?

FMCSA requires carriers to update their registration data via a MCS-150 form every 24 months. Please review, verify and update your contact information, Vehicle Miles Travelled (VMT) and Power Unit (PU) data to ensure that it is current and accurate, since it is used in the new Carrier Safety Measurement System. You should access the system, review all the information and press the submit button. Once you've done this, the system will record that you've reviewed the information and you will be in compliance with the biennial update requirement.

[https://li-public.fmcsa.dot.gov/LIVIEW/PKG\\_REGISTRATION.prc\\_option](https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option)

## 6. **Investigations not requiring Federal Corrective Action Plan.**

For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action letter plan (CAP), addressing the measures taken to correct all 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 Submit the letter along with copies of your supporting evidence to:

e-mail: [g.davenport@kcc.ks.gov](mailto: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

CAP: The State of Kansas Correction Plan above is required action and if not completed within the required time frame of 30 days there are penalties that will be involved and issued to the carrier.

## 7. **Any questions about this review.**

If you have any questions concerning this report,, please contact the Kansas Corporation Commission 1500 SW Arrowhead Dr. Topeka, Ks 66604. 785-271-3151

## 8. **Driver Medical Certificate**

Carrier must not allow any driver to drive a CMV when not medically certified and certified at least every 24 months.

## 9. **Stay in Contact.**

Stay in Contact with your reviewing investigator:

Mike Heenan

Special Investigator

Kansas Corporation Commission

**10. Road Test Certificate or Equivalent**

All non CDL drivers are to complete a road test. They are to complete a road test certificate or equivalent. The copy of the driver license is only an equivalent when it is a valid and current CDL. The person issuing the Road Test should be a company official that is familiar with the equipment or a CDL holder.

The copy of the driver CDL is not an equivalent if the driver operates twins triples or tank vehicles.

**11. Annual Review of Driving Record**

Carrier must complete annual review of drivers records on each driver when the driver motor vehicle record checks are completed at least every 12 months.

**12. No KCC Common Carrier Authority**

Carrier must apply for and obtain a Common Carrier authority with the KCC as required under state law.

**13. Acknowledgement of requirements and violations.**

I acknowledge that these requirements 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 Gregory W Joslin dba Peru Auto Wrecking operating authority and/or the impoundment of Gregory W Joslin dba Peru Auto Wrecking vehicles.

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 web site: [http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)

X \_\_\_\_\_  
Printed

X \_\_\_\_\_  
Signed

X \_\_\_\_\_  
Investigator Printed

X \_\_\_\_\_  
Investigator(s) Signed

**14. Carrier response and certification.**

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](mailto: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

Failure to submit the plan & attend a KCC safety presentation within 30 days of the closing of the compliance review can result in further penalties in a follow up review. Carrier

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 Gregory W Joslin \_dba Peru Auto Wrecking \_\_\_\_\_ vehicles operating authority and/or the impoundment of Gregory W Joslin \_dba Peru Auto Wrecking vehicles.  
Signed \_\_\_\_\_ Date \_\_\_\_\_

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. Carrier representative: \_\_\_\_\_ Date: \_\_\_\_\_

## 15. Federal Recommendation Page

Violations Signature Page

Required recommendation

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 could result in a Penalty Order:

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Penalty Order.

Your signature for receipt of this report acknowledges your understanding that the violations discovered by the KCC during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified. Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at

<http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

CAP Requirements:

The KCC requires that you prepare a corrective action plan (CAP), addressing the measures taken to correct all 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:

e-mail: [g.davenport@kcc.ks.gov](mailto:g.davenport@kcc.ks.gov)

FAX: 785-271-3124;

or mail to;

Kansas Corporation Commission

Attn: Gary Davenport

1500 SW Arrowhead Road

Topeka, KS 66604-4027

CAP Penalty:

Motor carriers are responsible for complying with all tasks ordered by the Commission. You are required to prepare a corrective action plan (CAP), addressing the measures taken to correct all violations identified within this report. 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.

Acknowledgement Statement:

I acknowledge that these requirements 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 Gregory W Joslin dba Peru Auto Wrecking operating authority and/or the impoundment of Gregory W Joslin dba Peru Auto Wrecking vehicles.

X \_\_\_\_\_

Signature

X \_\_\_\_\_

Date

Monetary Penalties:

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 web site: [http://kcc.ks.gov/trans/penalty\\_assessment\\_table.htm](http://kcc.ks.gov/trans/penalty_assessment_table.htm)

# **EXHIBIT 2**



**Michael Heenan [KCC]**

---

**From:** sheriff@cqcountyks.com  
**Sent:** Tuesday, February 6, 2024 2:09 PM  
**To:** Michael Heenan [KCC]  
**Subject:** CQ County wrecker

**This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.**

Mike, the current log I spoke of was too recent for the dates you requested. I had to look into our CAD system for the month of November and December.

There were 7 total

Rough Country (Rucker) was called for service on

11-16-2023 (big wrecker for semi)

12-1-2023

12-26-2023

12-30-2023

Peru Auto (Joslin) was called for tow service on

11-7-2023

11-16-2023

- 12-6-2023

There were also at least two other calls where the owners had called for a tow truck themselves prior to our arrival and dispatch did not have a record of who they had called.

After your inspection tomorrow would you please let me know if Joslin is currently legally licensed? If not I will take him out of the wrecker rotation until he is.

Thanks  
Richard Newby

430987

Statement

DATE

12/6/23

TERMS

TO

ERIC MARTES

RD 14 <sup>HWY</sup> 166 MUSTANG BLACK TO PERU

IN ACCOUNT WITH

PERU AUTO

803 AMANDA PERU KS ~~67366~~ 67366

620-330-7655

ROLLOVER/TOW

198 80

MILEAGE @ \$5

55 00

STORAGE @ \$30<sup>00</sup>

270 00

EXTRA CLEAN

40 00

515 00

PD CK # 513476

COPART

GJ

CURRENT

OVER 30 DAYS

OVER 60 DAYS

TOTAL AMOUNT

# **EXHIBIT 3**



**Michael Heenan [KCC]**

**From:** Michael Heenan [KCC]  
**Sent:** Monday, February 26, 2024 3:26 PM  
**To:** Michael Heenan [KCC]  
**Subject:** Share by App "Timestamp Camera"

Page 1 of 1  
Run Date: 12/19/2023

**Kansas**  
Department of Revenue

Kansas Department of Revenue  
**COMMERCIAL MOTOR VEHICLE 0799224**  
4000 E. 130th St  
Topeka, KS 66603  
Phone: (785) 339-6043  
www.kdor.gov

2024 at 10:55:00 AM  
803 Amanda St  
Parsons KS 67350  
United States

Account No.: 932037  
Fleet No.: 001  
LICENSE YEAR: 2022

THE INFORMATION PRINTED IN COLUMN A IS THE CURRENT INFORMATION ON FILE.  
IF ANY OF THE INFORMATION IN COLUMN A HAS CHANGED OR IS INCORRECT,  
PRINT OR TYPE THE CORRECT INFORMATION IN COLUMN B.

ITEM OF INFORMATION	COLUMN A - CURRENT INFORMATION ON FILE	COLUMN B - CHANGES AND CORRECTIONS ONLY
REGISTRATION NAME:	PERU AUTO WRECKING	
BUSINESS ADDRESS:	803 AMANDA ST	
CITY/ZIP/COUNTY:	PERU, KS 67350002	
BUSINESS PHONE:	6203307659	
MAILING ADDRESS:		
CITY/ZIP/COUNTY:		
CONTACT PERSON:	GREG JOSLIN	
CONTACT PHONE NUMBER:	6203307659	
FAX NUMBER:		
CELL NUMBER:	6203307655	
EMAIL ADDRESS:		<u>peruauto@peruauto.com</u>
TIN:	453022400	<u>1689657</u>
USDOT NUMBER:	001080457	
TYPE OF OPERATION:	intrastate	

QUARTERLY PAYMENT: YES OR NO (Circle One)  
Do you want Email Notification? YES (Circle if requested)  
Do you want Fax Notification? YES (Circle if requested)

FMCSA - DOT # 800-877-8339 ... 800-832-5660

Sent from my iPhone

# **EXHIBIT 4**



Selection Criteria:  
 Crash Sum Date: 02/05/2023 To 02/05/2024  
 Crash Detail Date: 02/05/2023 To 02/05/2024  
 Insp Sum Date: 02/05/2023 To 02/05/2024  
 Insp Detail Date: 02/05/2023 To 02/05/2024  
 Inspection: All

Company Safety Profile

Legal Name: GREGORY W JOSLIN  
 Doing Business As: PERU AUTO WRECKING  
 USDOT #: 1689657

Carrier Registration Information Outdated.

Report 1

Carrier Operations and Safety Ratings

Physical Address:	Mailing Address:
803 AMANDA PERU, KS 67360 (620) 725-5567 County Name: CHAUTAUQUA	803 AMANDA PERU, KS 67360

Status: INACTIVE Inactive Date: 11/05/2009  
 Class: AUTHORIZED FOR HIRE  
 Carrier Type: CARRIER  
 Carrier Operation: INTRASTATE NON-HAZMAT  
 Shipper Operation:  
 Cargo: MOTOR VEHICLES  
 Hazmat C:  
 Hazmat S:  
 Drivers: 1 Power Units: 1 Truck 1 Bus Units: 0  
 MCS-150 Date: 09/19/2007 Units:  
 New Entrant: NEVER IN NEW ENTRANT PROGRAM

Safety Audit:  
 NO SAFETY AUDIT FOR THIS COMPANY

Safety Rating: Rating Date: Review/Audit Date:

Review/Rating History:						
Type	Review Date	Rating Date	Rating	Conducted By	Code	Reason Not Rated
COMPLIANCE	04/09/2008	04/14/2008	SATISFACTORY	KS8213	C	FINANCIAL RESPONSIBILITY/INTRASTATE CARRIER

Below are details from most recent Rated Compliance Review:

Critical and Acute Violations:		
	Primary Violation	Secondary Violation
NO CRITICAL OR ACUTE VIOLATIONS FOR THIS COMPANY		

Factors Rated Conditional or Unsatisfactory:		
Factor	Rating	Description
NO FACTORS RATED CONDITIONAL OF UNSATISFACTORY FOR THIS COMPANY		

## **EXHIBIT 5**





GREGORY W JOSLIN (1689657)

- Search
- Authority Maintenance
- Vehicles
- Payments
- Remarks
- Documents
- Messages
- Exception Transactions

The information in KTRAN is updated daily through the Federal Motor Carrier Management Information System (MCMIS). So that KTRAN receives the most up-to-date information about your motor carrier operations, **you must keep your MCS-150 information updated.** KTRAN will reflect the update 24-36 hours after the MCS-150 information has been updated.

[Click here if you need to update your FMCSA registration or authority](#)

Carrier Operation: INTRASTATE(HM)

USDOT: 1689657

MCMIS Status: A

Tax Type/ID: /\*\*\*\*\*9

KTRAN PIN: 8RJ5AU

IRP Status: Not Found

IFTA Status: Not Found

### ▼ Company Information

Legal Name: GREGORY W JOSLIN

DBA Name: PERU AUTO WRECKING

Phone: (620) 725-5567

Fax: (270) 568-7614

Email: PERUAUTOWRECKING@GMAIL.COM

Bus. Type: No Data

Cell:

BEIN:

[Edit](#)

### ▼ Questionnaire

The questionnaire hasn't been completed

### ▼ Kansas Trucking Application Status

#### My Applications

Currently no Kansas Trucking Application for intrastate authority has been submitted.

### ▶ Address

Insurance

**Authority**

Cargo

Safety Seminar

Date Granted	Authority	Service	Status	Status Date	Reason	Action	Authority Card
No Authority							



**CERTIFICATE OF SERVICE**

24-TRAM-643-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 03/28/2024.

Gregory Joslin, OWNER  
Gregory W Joslin  
D/B/A Peru Auto Wrecking  
803 Amanda  
Peru, KS 67360  
peruautowrecking@gmail.com

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
a.latif@kcc.ks.gov

/S/ KCC Docket Room  
KCC Docket Room