



1500 SW Arrowhead Road
Topeka, KS 66604-4027

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

20241217103923
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
25-TRAM-234-PEN

December 17, 2024

Luis N Jaco, Member
L Jaco Trucking LLC
106 N. 9th Street
Garden City, Kansas, 67846

This is a notice of a penalty assessment against L Jaco Trucking LLC (“L Jaco Trucking”) for violations of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted December 4, 2024, by a Kansas Corporation Commission Special Investigator. Penalties are assessed in accordance with the FY 2025 Uniform Penalty Assessment Matrix, approved by the Commission on June 27, 2024. 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: L Jaco Trucking has been assessed a \$4,000 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$4,000 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 L Jaco Trucking to attend a Commission-sponsored safety seminar within thirty (30) 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 attached Order further requires that L Jaco Trucking 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 this Penalty Order, including specific and detailed information explaining Carrier’s efforts and concrete steps taken to ensure the violations do not occur in the future.

Finally, the attached Order requires that L Jaco Trucking submit to one follow-up safety compliance review within eighteen (18) months from the date of this Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

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. L Jaco Trucking 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 4,000 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$4,000 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

¹ K.A.R. 82-1-215; K.S.A. 77-542.

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Fax: 785-271-3354
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Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Governor Jeff Colyer, M.D.

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
ahsan.latif@ks.gov

**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 **L Jaco**)
Trucking LLC, of Garden City, Kansas.)
Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 25-TRAM-234-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:

1. 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 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. 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.

4. L Jaco Trucking (“L Jaco Trucking” or “Carrier”) is a motor carrier as defined in 49 C.F.R. 390.5 and operates under USDOT number 970402.

5. On December 4, 2024, a Commission Transportation Staff (“Transportation Staff” or “Staff”) Special Investigators (“SIs”) completed a safety compliance investigation of the operations of L Jaco Trucking. As a result of the compliance investigation, the SIs identified sixty-six (66) violation(s), set forth in two (2) count(s), of the Motor Carrier Safety Regulations (“MCSRs”), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix.²

6. On December 6, 2024, Transportation Staff submitted its Report and Recommendation (“R&R”), attached hereto as Attachment “A” and hereby incorporated by reference, recommending a penalty of \$4,000 to be issued to L Jaco Trucking based on the frequency, timeline, and severity of the violations discovered.

7. The Commission finds it has jurisdiction over L Jaco Trucking pursuant to K.S.A. 66-1,108b because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

8. Specifically, based on Staff’s R&R, the Commission finds that L Jaco Trucking committed sixty-six (66) violation(s) of the following two (2) count(s), discussed more fully in Staff’s R&R:

² Order Designating Guidance Document and Approving Staff’s Use of the Transportation Division’s Uniform Penalty Assessment Table, pp. 10 – 24 (June 27, 2024) (“Penalty Matrix”).

a. Count 1: On September 3, 4, 5, 6, 10, 11, 12, 13, 16, 18, 19, 20, 23, 24, 25, 26, 27, 30, 2024, L Jaco Trucking was operating commercial motor vehicles in Kansas over the statutory weight limit in the State of Kansas, which resulted in twenty-seven (27) violations(s) of K.A.R. 82-4-6a, K.S.A. 8-1909, 49 C.F.R. 392.1 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h.. The Commission finds that Staff’s recommendation of a penalty of \$3,000 is appropriate and in accordance with the current Penalty Matrix.

b. Count 2: On September 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30, 2024, L Jaco Trucking was operating commercial motor vehicles in Kansas without retaining supporting documents for its operations, which resulted in thirty-nine (39) violations(s) of K.A.R. 82-4-35a and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h. The Commission finds that Staff’s recommendation of a penalty of \$1,000 is appropriate and in accordance with the current Penalty Matrix.

9. The Commission hereby adopts Staff’s findings as contained in its December 6, 2024 R&R. The Commission finds that L Jaco Trucking LLC has committed two (2) violation(s), set forth in two (2) count(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 (“K.A.R.s”), and is therefore subject to fines totaling \$4,000.

10. Accordingly, the Commission finds that L Jaco Trucking LLC is required to have a representative responsible for the Carrier’s safety compliance attend a Commission-sponsored safety seminar within thirty (30) days from the date of this Order, and provide Litigation Counsel with written proof of attendance within five days.³ A schedule of the dates and locations for safety seminars can be found on the Commission’s website at

³ See Staff’s Report and Recommendation, p.3-4 (Dec. 6, 2024).

http://kcc.ks.gov/trans/safety_meetings.htm. The Commission further concludes that L Jaco Trucking LLC is required to submit a written, comprehensive Corrective Action Plan (“CAP”) that is satisfactory 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.⁴ Finally, the Commission finds that L Jaco Trucking LLC is required to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.⁵

11. Failure to comply with the requirements of this Penalty Order shall result in suspension of L Jaco Trucking LLC’s motor carrier operating authority without further notice.⁶

12. The Commission concludes the penalty of \$4,000 for the two violations set forth above, and the additional four requirements set forth in paragraphs 9 and 10, are just and reasonable.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. L Jaco Trucking LLC is hereby assessed a \$4,000 civil penalty for two (2) violation(s), set forth in two (2) 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. L Jaco Trucking LLC is hereby ordered to have a representative responsible for the Carrier’s safety compliance attend a Commission-sponsored safety seminar within thirty (30) days

⁴ See Id.

⁵ See Id.

⁶ K.S.A. 66-1,105.

from the date of this Order, and is to timely provide Litigation Counsel with written proof of attendance within two (2) business days of completing the safety seminar.

C. L Jaco Trucking LLC is hereby ordered to submit a written, comprehensive corrective action plan (CAP) that is satisfactory 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. L Jaco Trucking LLC is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order at a time agreeable to Staff.

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 4,0000 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 L Jaco Trucking LLC'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.⁷ For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation.⁸

G. If you do not request a hearing, the payment of the civil penalty of \$4,000 is due in thirty (30) days from the date of service of this Order. Payment of \$4,000 must be made 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 of L Jaco Trucking LLC to perform, pay or to fully comply with the provisions of this Order, including but not limited to Ordering Clauses A through D, above, will result in suspension of L Jaco Trucking LLC's motor carrier operating authority without further notice.⁹ 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: 12/17/2024



Lynn M. Retz
Executive Director

AAL

⁷ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁸ K.S.A. 66-1,142b(e) and amendments thereto.

⁹ K.S.A. 66-1,105.

ATTACHMENT “A”

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

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

FROM: Jared Smith, Deputy Director of Transportation

DATE: December 6, 2024

SUBJECT: Docket No. 25-TRAM-234-PEN
In the Matter of the Investigation of **L Jaco Trucking LLC of Garden City, 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:

L Jaco Trucking LLC (L Jaco Trucking) is a motor carrier (MC) possessing public for-hire operating authority from the Commission, primarily hauling grain, feed, hay, commodities dry bulk. L Jaco Trucking LLC operates under USDOT 970402. On December 4, 2024, Commission Staff Special Investigators (SIs) completed a safety compliance investigation of the operations of L Jaco Trucking LLC. 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 sixty-six (66) violations, set forth in two (2) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carries a penalty according to the FY2025 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SIs, staff recommends penalty of \$4,000 be issued to the MC.

DISCUSSION AND ANALYSIS:

On December 4, 2024, Commission Staff SIs conducted a safety compliance investigation of the operations of L Jaco Trucking LLC. The investigation covers a 365 day period and any previous compliance review. Each specific count is detailed below.

Count One (1 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.A.R. 82-4-6a states: “Each motor carrier and driver shall comply with the following:...(c) the uniform act regulating traffic and the size, weight, and load of vehicles as established in K.S.A. 8-1901 et seq. and amendments thereto; and (d) the regulations issued by the commission pertaining to the driving of commercial motor vehicles as adopted in K.A.R. 82-4-3h.”

49 C.F.R. 392.1 states: “(a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of commercial motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with the rules in this part.

49 C.F.R. 392.2 states: “Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.”

K.S.A. 8-1901(a) states: “It shall be unlawful for any person to drive or move or for the owner or lessee to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles of a size or weight exceeding the limitations stated in article 19 of chapter 8 of Kansas Statutes Annotated or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter such limitations except as express authority may be granted in this article.”

K.S.A. 8-1909 describes the specific weight limits.

Material Facts and Supporting Documents: On September 19, 2024, L Jaco Trucking L.L.C. required or permitted its owner/driver, Luis Jaco, to operate a commercial driver’s license (CDL) required commercial motor vehicle (CMV), a 2006 Freightliner, VIN ending in 5343, GVWR 54,000 lbs., in intrastate commerce from Furley, Kansas to Ingalls, Kansas. This transport is evidenced by Ticket #: D120364 attached hereto as **Exhibit 2**. At the time of this transport Mr. Jaco possessed an overweight permit that allowed him to haul loads of up to 90,000 lbs. (**Exhibit 1, Page 3**) The ticket states Mr. Jaco was hauling a load with a gross weight of 93,750 lbs.

Mr. Jaco hauled loads over the allowed weight limits on September 3, 4, 4, 5, 6, 6, 10, 11, 11, 12, 12, 13, 16, 18, 19, 19, 20, 23, 23, 24, 24, 25, 25, 26, 26, 27, 30, for a total of twenty-seven (27) violations.

Violation: L Jaco Trucking operated over the statutory weight limit of 85,500 in the State of Kansas, which is a violation of K.A.R. 82-4-6a, K.S.A. 8-1909, 49 C.F.R. 392.1 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 3**). Twenty-seven (27) violations were discovered (**Exhibit 1, Pages 9 to 10**).

Recommendations: Staff recommends a penalty of \$3,000, in accordance with the FY2025 Penalty Matrix.

Count Two (2 of 2)

Authority: K.S.A. 66-1,111 and 66-1,129.

Relevant Statutes: K.A.R. 82-4-35a states: “The following documents shall be made available upon request for inspection by any duly authorized representative of the commission, the state highway patrol, or other law enforcement officers:

- (a) Registration receipts;
- (b) authority cards;
- (c) driver logs;
- (d) bills of lading or shipping receipts;
- (e) waybills;
- (f) freight bills;
- (g) run tickets, or equivalent documents, and orders;
- (h) cab cards;
- (i) fuel receipts;
- (j) toll road receipts; and
- (k) any other documents that would indicate compliance with hours of service requirements.”

Material Facts and Supporting Documents: This violation took place during the transport on September 19, 2024, described in Count One above. The MC failed to retain and provide the SIs with supporting documents for transports by Mr. Joca on September 3, 3, 4, 4, 5, 5, 6, 6, 9, 9, 10, 10, 11, 11, 12, 12, 12, 13, 16, 17, 17, 18, 19, 19, 19, 20, 20, 23, 23, 24, 24, 25, 25, 25, 26, 26, 27, 27, 30, 2024.

Violation: L Jaco Trucking failed to retain and provide supporting documents for its operations, which is a violation of K.A.R. 82-4-35a and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h (**Exhibit 1, Page 5**). Thirty-nine (39) violations discovered (**Exhibit 1, Page 22**).

Recommendation: Staff recommends a penalty of \$1,000, in accordance with the FY2025 Penalty Matrix.

RECOMMENDATION:

Transportation Staff recommends the Commission find L Jaco Trucking committed sixty-six (66) violations, set forth in two (2) 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 \$4,000 for sixty-six (66) 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 L Jaco Trucking LLC require a representative responsible for the company’s safety to attend a Commission-sponsored safety seminar within thirty (30) 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.

Staff further recommends L Jaco Trucking LLC 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 the Penalty Order, including specific and detailed

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

Finally, Staff recommends that L Jaco Trucking LLC 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#: 970402
MC/MX#: 412814

Legal: L JACO TRUCKING LLC
Operating (DBA):

Investigation Date:
12/04/2024

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Other (This investigation was conducted at the carriers agents office. Buruca Trucking Services located at 106 N 9th Street in Garden City, Kansas.)

Extent of Operations: Entire Operation

Physical Address

2021 N 3RD ST
GARDEN CITY, KS 67846
United States

Mailing Address

106 N. 9th STREET
GARDEN CITY, KS 67846
United States

Contact Information

Contact Name: LUIS N JACO

Email:

Phone: (620)287-1674 **Cell:** (620)275-456 7 **Fax:** ()-

Business and Financial

Business Type: Limited Liability Corporation

Name of Gross Revenue Provider: Ana Buruca

Title of Gross Revenue Provider: Agent

Gross Revenue: ██████████ **For Year Ending:** 12/31/2023

Federal Tax ID: ██████████

Operation Classification and Type

Cargo

Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier

Grain, Feed, Hay, Commodities Dry Bulk

Operation Classification

For-Hire Motor Carrier

Property

Other Non-Hazardous Freight

Equipment

Driver Information

	Owned	Term Leased	Trip Leased	Drivers		
Truck Tractors		1			Intrastate	Interstate
Trailers		1		< 100 Miles		
				>= 100 Miles		1
Power units used in the U.S.: 1				Average trip leased driver/month: 0		
Percentage of time used in the U.S.: 100%				Drivers with CDL: 1		
				Total Drivers: 1		

Person(s) Interviewed

Name: LUIS N JACO

Title: MEMBER

Person(s) Interviewed**Name:** ANA BURUCA**Title:** AGENT**Questions**

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:	1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378
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This report will be used to assess your safety compliance.

Violations

1. Primary: 392.2

Secondary: K.S.A. 8-1,901

Operating in excess of the maximum gross weight of 90,000 lbs. allowed by the overweight permit.

Example/Notes:

Driver: Luis Jaco

Trip Date: 9/19/2024

On September 19, 2024, L Jaco Trucking LLC allowed or required driver, Luis Jaco to haul a load of wheat from Garden City, Kansas to Wichita, Kansas that had a gross weight of 91,540 pounds. Driver, Luis Jaco then hauled a load of corn from Furley, Kansas that delivered in Ingalls, Kansas that weighed 93,740 pounds. L Jaco Trucking L.L.C. has an overweight permit that only allows the carrier to transport a maximum gross weight of 90,000 pounds.

2. Primary: 392.2

Secondary: K.A.R. 82-4-35a

Failure to retain supporting documents

Example/Notes:

Trip Date: 9/19/24

Driver: Luis Jaco

L Jaco Trucking LLC failed to retain/provide supporting documents.

Violations Discovered

Fed	State	Total
	27	27

Checked

Fed	State	Total
	38	38

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Violations Discovered

Fed	State	Total
	39	39

Checked

Fed	State	Total
	39	39

Drivers/Vehicles in Violation

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory	0	0
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory	0	0
Factor 3: Operational = Parts 392 and 395	Satisfactory	0	0
Factor 4: Vehicle = Parts 393 and 396 OOS Vehicles (CR): 0 Number of Vehicles Inspected (CR): 0 OOS Vehicles (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 1 OOS Rate: 0%	Satisfactory		
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	N/A	N/A	N/A
Factor 6: Accident Factor = Recordable Rate Total Miles Operated: 95,566 Recordable Accidents: 0 Recordable Accidents/Million Miles: 0.00	Satisfactory	N/A	N/A

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report.

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

None

Recommendations

1. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm

3. **Clearinghouse Annual Query**

Ensure annual queries are conducted in the Clearinghouse at least once per year. You may conduct a full or limited query to fulfill this requirement.

4. **Require drivers to prepare complete and accurate records.**

Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.

5. **Duty status records must be kept on file for 6 months.**

Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.

6. **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

7. **A copy of your profile can be obtained by accessing the Portal.**

A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).

8. **Conduct periodic internal reviews. (non-HM)**

Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

9. **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.

10. **Review maintenance and inspection records for all lease vehicles.**

Periodically review the maintenance and inspection records for all lease 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.

11. **Retain supporting documents for 6 months.**

Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.

12. **MANDATORY FOLLOW UP REQUIREMENTS (ALL INVESTIGATIONS THAT RESULT IN PENALTY)**

1) 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: Jared.L.Smith@ks.gov

FAX: 785-271-3124
or mail:
Kansas Corporation Commission
Attn: Jared Smith
1500 SW Arrowhead Rd
Topeka, KS 66604-4027

2) The KCC requires a representative from L Jaco Trucking L.L.C. to attend a Commission-sponsored safety seminar within thirty (30) days from the date of the penalty order. Schedule of the dates for safety seminars can be found on the Commission's website at <https://www.kcc.ks.gov/transportation/calendar-of-events>.

FAILURE TO SUBMIT THE CORRECTIVE ACTION PLAN (CAP) AND ATTEND A SAFETY SEMINAR WITHIN 30 DAYS WILL RESULT IN THE SUSPENSION OF L Jaco Trucking L.L.C. OPERATING AUTHORITY AND/OR THE IMPOUNDMENT OF VEHICLES.

I understand that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that monetary penalties will be assessed as a result of violations found in this compliance review.

Signed Jared Smith
Date 12/04/2024

Table 1: Violations Discovered During Review/Inspection

Violation	Date	Identifying Information	Description
392.2 - Failure to retain supporting documents			
1	09/03/2024	LUIS JACO	
2	09/03/2024	LUIS JACO	
3	09/04/2024	LUIS JACO	
4	09/04/2024	LUIS JACO	
5	09/05/2024	LUIS JACO	
6	09/05/2024	LUIS JACO	
7	09/06/2024	LUIS JACO	
8	09/06/2024	LUIS JACO	
9	09/10/2024	LUIS JACO	
10	09/10/2024	LUIS JACO	
11	09/09/2024	LUIS JACO	
12	09/09/2024	LUIS JACO	
13	09/11/2024	LUIS JACO	
14	09/11/2024	LUIS JACO	
15	09/12/2024	LUIS JACO	
16	09/12/2024	LUIS JACO	
17	09/12/2024	LUIS JACO	
18	09/13/2024	LUIS JACO	
19	09/16/2024	LUIS JACO	
20	09/17/2024	LUIS JACO	
21	09/17/2024	LUIS JACO	
22	09/18/2024	LUIS JACO	
23	09/19/2024	LUIS JACO	
24	09/19/2024	LUIS JACO	
25	09/19/2024	LUIS JACO	
26	09/20/2024	LUIS JACO	
27	09/20/2024	LUIS JACO	
28	09/23/2024	LUIS JACO	
29	09/23/2024	LUIS JACO	
30	09/24/2024	LUIS JACO	
31	09/24/2024	LUIS JACO	

32	09/25/2024	LUIS JACO	
33	09/25/2024	LUIS JACO	
34	09/25/2024	LUIS JACO	
35	09/26/2024	LUIS JACO	
36	09/26/2024	LUIS JACO	
37	09/27/2024	LUIS JACO	
38	09/27/2024	LUIS JACO	
39	09/30/2024	LUIS JACO	

392.2 - Operating in excess of the maximum gross weight of 90,000 lbs. allowed by the overweight permit.

1	09/19/2024	LUIS JACO	
2	09/19/2024	LUIS JACO	
3	09/03/2024	LUIS JACO	
4	09/04/2024	LUIS JACO	
5	09/04/2024	LUIS JACO	
6	09/05/2024	LUIS JACO	
7	09/06/2024	LUIS JACO	
8	09/06/2024	LUIS JACO	
9	09/10/2024	LUIS JACO	
10	09/11/2024	LUIS JACO	
11	09/11/2024	LUIS JACO	
12	09/12/2024	LUIS JACO	
13	09/12/2024	LUIS JACO	
14	09/13/2024	LUIS JACO	
15	09/16/2024	LUIS JACO	
16	09/18/2024	LUIS JACO	
17	09/20/2024	LUIS JACO	
18	09/23/2024	LUIS JACO	
19	09/23/2024	LUIS JACO	
20	09/24/2024	LUIS JACO	
21	09/24/2024	LUIS JACO	
22	09/25/2024	LUIS JACO	
23	09/25/2024	LUIS JACO	
24	09/26/2024	LUIS JACO	
25	09/26/2024	LUIS JACO	
26	09/27/2024	LUIS JACO	

27	09/30/2024	LUIS JACO	
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EXHIBIT 2

002

TICKET #: D120364

INBOUND

DIRECT

CUSTOMER: KANZACOP

SHIPPER:

KANZA COOPERATIVE ASSOCIATION

20112 W HWY 54

PRATT KS 67124

COMMODITY: YELLOW CORN

VEHICLE ID: 29065/176936 ORG# 15275

DRIVER ON?:

TEST WEIGHT 59.4

MOISTURE 11.8

09/19/24 12:47 93740 Lbs GROSS

09/19/24 12:47 30660 Lbs TARE

63080 Lbs NET

GROSS BUSHELS 1126.43

NET AFTER DIS 63080

NET BUSHELS 1126.43

ORIGIN FUR

DESTINATION

002

TICKET #: D120042

INBOUND

DIRECT

CUSTOMER: GARDCIT

SHIPPER:

GARDEN CITY COMPANY

ATTN TROY

GARDEN CITY KS 67846

COMMODITY:HARD RED WINTER WHEAT

VEHICLE ID: 2905/bk52921 ORG# 15149

DRIVER ON?:

TEST WEIGHT 60.8

MOISTURE 11.4

DOCKAGE .6

PROTEIN 12.0

DAMAGE .2

09/19/24 12:12 91540 Lbs GROSS

09/19/24 12:12 30740 Lbs TARE

60800 Lbs NET

GROSS BUSHELS 1013.33

SHRUNKEN AND .2

NET AFTER DIS 60435

NET BUSHELS 1007.25

ORIGIN GCC

DESTINATION

CERTIFICATE OF SERVICE

25-TRAM-234-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 12/17/2024.

Luis Jaco, MEMBER
L Jaco Trucking LLC
106 N 9th Street
Garden City, KS 67846
luisjaco.30@gmail.com

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

/S/ KCC Docket Room
KCC Docket Room