

FILE  
FILE

PUCO EXHIBIT FILING

Date of Hearing: 6/10/10

Case No. 09-1938-TR-CVF

PUCO Case Caption: In the Matter of Jeffrey L. Riffle, Notice of Apparent Violation and Intent to Assess Forfeiture

List of exhibits being filed:

Staff Exhibit 1 - Request for Conference  
2 - Driver/Vehicle Examiner Report

PUCO

RECEIVED-DOCKETING DIV  
2010 JUN 25 PM 2:10

Reporter's Signature: Christopher Gibson  
Date Submitted: 6/25/10

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Technician ✓ Date Processed JUN 25 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of :  
Jeffrey L. Riffle, Notice :  
of Apparent Violation and : Case No. 09-1998-TR-CVF  
Intent to Assess :  
Forfeiture. :

- - -

PROCEEDINGS

before Mr. James Lynn, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-D, Columbus, Ohio, called at 10 a.m.  
on Thursday, June 10, 2010.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

- - -

2009 Sep 22 12:26 PM  
SEP. 22 2009 11:49AM

7403973372 1/5  
CL RICHERT TRUCKING

NO. 282 P. 1

Sent 9-22-2009

P. U. C. O.  
HAZ. MAT. COMPLIANCE

2009 SEP 22 PM 2: 01

C.L. Richert Trucking Co. Inc.  
162 Columbus Road  
PO Box 293  
Mt. Vernon, Ohio 43050  
740-397-4500  
740-397-3372 Fax

STAFF EX. 1

Request For Conference

Requesting CASE NO OH32560070230

JEFFREY L RIALE

75 Appleview Ct

Howards - OHIO - 43028

614-306-0213 cell #

Seat Belt WAS Fastened AT WAIST  
I WAS Responding to officer's Request to  
open Door After Being Stopped - His Verbal  
Response to me WAS "OH you ARE wearing A  
Seat Belt" He did not see Shoulder Strap  
From RSWD - which is Black same color  
AS SHIRT. check with officer!

Telephone OR In person Request.

Sincerely

Jeff Riale

cmf  
10/20  
12:30

# DRIVER/VEHICLE EXAMINATION REPORT

# Ohio

## Public Utilities Commission

Transportation Department  
Phone: (614) 466-0429  
Fax: (614) 752-9274

Report Number: OH3256007023  
Inspection Date: 8/18/2009 Certification Date: 08/24/2009  
Time Started: 08:55 Time Ended: 09:25  
Inspection Level: II - Walk-Around  
HM Inspection Type: No HM Inspection

C L RICHERT TRUCKING CO INC  
PO BOX 482  
HOLLAND, OH 43528  
Phone #: (740)397-4500  
USDOT #: 623131  
State #:

Fax #:  
MC/MX #: 297584

Driver: RIFFLE, JEFFREY L  
License #: RN343994 State: OH  
Date of Birth: 04/19/1955

Location: ROADSIDE  
Highway: IR77  
County: STARK  
Shipper: RHODIA

MilePost: 103  
Origin: GREENVILLE, SC  
Destination: ELYRIA, OH

Bill of Lading: 81319725  
Cargo: GENERAL FREIGHT

### VEHICLE IDENTIFICATION:

| Unit Type | Make | Year | State | License# | Company # | Unit VIN | GVWR              | Issued Decal# | Existing Decal# | OOS Stkr.# |
|-----------|------|------|-------|----------|-----------|----------|-------------------|---------------|-----------------|------------|
| 1         | TT   | KW   | 2000  | OH       | PVA6315   | 596      | 1XKTD89X2YJ847898 | 80,000        |                 |            |
| 2         | ST   | STRI | 2007  | OH       | TNU8059   | 5315     | 1S12E95317E515842 | 65,000        |                 |            |

**BRAKE ADJUSTMENTS:** No brake measurements recorded.

### VIOLATIONS :

| Section Code | St | Unit | OOS | Lvl 6 | Citation # | Verify* | Crash | Violation Description   |
|--------------|----|------|-----|-------|------------|---------|-------|---|
| 392.16       |    | D    | N   | N     |            | N       | N     | Failing to use seat belt while operating CMV - driver observed operating a commercial vehicle without wearing his seat belt properly. |

\* N - Non-OOS or Driver OOS Violation

**HazMat:** No HM Transported.

**Placard:** NA **Cargo Tank:**

### Special Checks:

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

☐ Traffic Enforcement  
☐ PASA Conducted Inspection  
☐ Drug Interdiction Search

☐ Post Crash Inspection  
☐ PBBT Inspection  
Arrests:

**Inspection Notes:** obvi - seat belt

drv dr reg log

Driver passed by me (stationary in the median) wearing a white sleeveless T shirt and his black seat belt was not visible. When stopped the driver stated he wears his shoulder belt off to the side because of a heart condition. Driver stated he does not have a doctor's excuse to do so.

### Special Study Fields:

Special Study1:  
Special Study2:  
Special Study3:  
Special Study4:  
Special Study5:

Special Study6:  
Special Study7:  
Special Study8:  
Special Study9:  
Special Study10:

### Locally Defined Fields:

For-Hire Carrier: Y; Fatalities (Y/N): N; Driver Address: 75 APPLEVIEW COURT; Driver City: HOWARD; Driver State: OH; Driver Zip: 43028; Photos Taken (Y/N): N; Supplemental Report #: N; Reason Code: OBVI; Paper Report #: N; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N; Crash Report #: N

Staff Ex. 2

Report Prepared By:  
D W Hostetler

Badge #:  
3256

Copy Received By:  
RIFFLE, JEFFREY L



# DRIVER/VEHICLE EXAMINATION REPORT



## Public Utilities Commission

Transportation Department  
Phone: (614) 466-0429  
Fax: (614) 752-9274

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C L RICHERT TRUCKING CO INC

PO BOX 482

HOLLAND, OH 43528

Phone #: (740)397-4500

USDOT #: 623131

State #:

Fax #:

MC/MX #: 297584

Driver: RIFFLE, JEFFREY L

License #: RN343994

State: OH

Date of Birth: 04/18/1955

All violations of the FHMR and FMCSR or Title 49 of the Ohio Revised Code will be reviewed by the PUCO's Transportation Department to determine whether civil forfeitures should be assessed against any responsible parties in accordance with the penalty provisions of Title 49 of the Ohio Revised Code. If civil forfeitures are assessed, you will receive a separate notice by mail. These penalties may be assessed to motor carriers, shippers, and/or drivers.

**ATTENTION DRIVER:** This report must be sent to the motor carrier whose name appears at the top of this inspection report within 24 hours. If the inspection report cannot be delivered within 24 hours the driver must mail or fax the inspection report to the motor carrier.

**ATTENTION MOTOR CARRIER:** The motor carrier must examine this report and repair all the vehicle defects/violations noted above -AND- The motor carrier must sign the Certification of Repairs below and return the signed form to: Public Utilities Commission of Ohio-TASD; 180 E. Broad St.; Columbus, Oh; 43215-3793 -OR- Fax (614) 752-9274 within 15 days of the inspection. If "No Violations Were Discovered" then you do not need to return this report. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

**MOTOR CARRIER CERTIFICATION OF COMPLETED REPAIRS:** The undersigned certifies that all violations noted on this report have been corrected and action taken to assure compliance with the Federal Motor Carrier Safety & Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. A false certification of repairs is required to be prosecuted with penalties up to \$10,000.

Signature of Carrier Official: X

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Report Prepared By:

D W Hostetler

Badge #:

3256

Copy Received By:

RIFFLE, JEFFREY L

