

FILE

PUCO EXHIBIT FILING

17

Date of Hearing: 4/9/2013

Case No. 12-253-TR-CVF

PUCO Case Caption: In the Matter of
Victor Boata

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PUCO

List of exhibits being filed:

Staff 1-4

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Reporter's Signature: Juliana Hernandez
Date Submitted: 4/16/2013

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of :
Victor Boata, Notice : Case No. 12-3153-TR-CVF
of Apparent Violation. :

- - -

PROCEEDINGS

before Bryce McKenney, Hearing Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 10:00
a.m. on Tuesday, April 9, 2013.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

DRIVER/VEHICLE EXAMINATION REPORT

Ohio

Report Number: OH3296012993

Inspection Date: 8/27/2012

Certification Date: 09/05/2012

Time Started: 11:15

Time Ended: 12:10

Inspection Level: I - Full Inspection

HM Inspection Type: No HM Inspection

ENZO INC

11740 HOGAN HWY

CLINTON, MI 49236

USDOT #: 2299651

Phone #: (517)918-3919

MC/MX #: 785203

Fax #:

State #:

Driver: BOATA, VICTOR S

License #: B300847758911

State: MI

Date of Birth: 11/29/1944

Location: ROADSIDE

MilePost: 1

Highway: SR 2

Origin: CLINTON, MI

Bill of Lading: 67906

County: LORAIN

Destination: CLEARFIELD, PA

Cargo: LOGS, POLES, LUMBER

Shipper: HARDWOODS OF MICHIGAN INC

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	FRHT	2000	MI	RA59060	101	1FUYSSEBXPB37013	52,000			Y
2	ST	WANC	1998	MI	C158069	804	1JJF482W7WS507562	68,000			Y

BRAKE ADJUSTMENTS:

Axle #	1	2	3	4	5
Right	2 1/4	1 5/8	2	1 7/8	2 1/4
Left	1 1/8	2	2	1 3/4	1 3/4
Chamber	L-20	L-30	L-30	C-30	C-30

VIOLATIONS:

Vio Code	Section	Unit	OOS	Citation #	Verify*	Crash	Violation Description
391.11B4	391.11(b)(4)	D	Y		N	N	Driver not physically qualified NOT WEARING CORRECTIVE LENSES PER MEDICAL CERTIFICATE
393.11TL	393.11TL	1	N		N	N	Truck-Tractor lower rear mud flaps retroreflective sheeting / reflex reflective material requirements for vehicles manufactured after July 1997
393.55D1	393.55(d)(1)	1	N		N	N	ABS malf circ/signal mfg>2/97,sgl CMV mfg>2/98 LIGHT ON CONTINUOUSLY
393.47E	393.47(e)	1	N		N	N	Clamp or Roto type brake out-of-adjustment 1R 1/4 OUT
393.53B	393.53(b)	1	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
396.3A1BOS	396.3(a)(1)	1	Y		U	N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination
393.47E	393.47(e)	2	N		N	N	Clamp or Roto type brake out-of-adjustment 5R 1/4 OUT
393.53B	393.53(b)	2	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
396.3A1B	396.3A1B	2	Y		U	N	Brakes (general) NON-MANUFACTURED HOLE/CRACK IN SPRING BRAKE HOUSING SECTION OF PARKING BRAKE 4R
393.9	393.9(a)	2	N		N	N	Inoperable required lamp CLEARANCE RF

* N - Non-OOS or Driver OOS Violation; U - Unknown

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: HAD CORRECTIVE LENSES CHECKED ON MEDICAL CERTIFICATE ASKED IF HE WORE CONTACTS SAID NO ASKED WHERE HIS GLASSES WERE ON VISOR SAID HE ONLY NEEDS THEM FOR READING

Report Prepared By:
M R Lambert

Badge #:
3296

Copy Received By:
BOATA, VICTOR S

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Date of Birth: 11/29/1944

Special Study Fields:

Special Study1:

Special Study6:

Special Study2:

Special Study7:

Special Study3:

Special Study8:

Special Study4:

Special Study9:

Special Study5:

Special Study10:

Locally Defined Fields:

For-Hire Carrier: Y; Driver Address: 11740 HOGAN HWY; Driver City: CLINTON; Driver State: MI; Driver Zip: 49236; Photos Taken (Y/N): Y; Reason Code: OBVI; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N

I hereby declare VICTOR S. BOATA "Out of Service". This driver MAY NOT DRIVE any commercial motor vehicle nor may any carrier permit or require this driver to drive any commercial motor vehicle until: CORRECTIVE LENSES WORN

* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

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. If you have any questions, please contact (614) 466-0429.

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: _____

Note to carrier this section applies to self adjusting brake.

Advisory: This vehicle has been identified to have brake adjustment violations. 49CFR Section 393.53 requires that a self-adjusting brake system be equipped on this vehicle. A qualified service technician needs to determine why the defective brake has excessive stroke and make the appropriate repairs. Simply re-adjusting a self-adjusting brake adjuster, or replacing it, does not guarantee that the problem is corrected. The problem may exist in the foundation brake system. By certifying this inspection report you have indicated that this vehicle now has a properly functioning self-adjusting brake adjustment system.

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.

Signature of Repairer: X Facility: _____ Date: _____

Report Prepared By:

M R Lambert

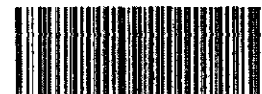
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BOATA, VICTOR S

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OH3296012993

COMPLIANCE DIVISION

EFFECTIVE OCTOBER 4, 2007

**FINE SCHEDULE
OUT OF SERVICE VIOLATIONS**

GROUP 1

VIOLATIONS		FINE
Braking Action Absent	Steering Gear Box	1 Violation = \$100
Missing or Broken Brake Component	Steering Modification	2 Violations = \$250
Air Drop Test	Steering Wheel Play	
Safety Devices-Chains or Hooks	Coupling, Towing Devices	3 Violations = \$400*
Tires, Retreads – on Buses	Frame	
Steering Column	Tire, Front Axle	
Other Steering Components	Safe Loading	
Record of Duty Status-		
11 Hour Violation		
14 Hour Violation		
60 in 7, or 70 in 8		
None in Possession/Not Current		

GROUP 2

VIOLATIONS		FINE
Braking Pad	Lamps on the Rear	1 Violation = \$50
Brake Hose, Tube	Lamps on Projecting Load	2 Violations = \$150
Parking Brake	Turn Signal-Rear	
Low Air Warning Device	Fuel Tank Not Secure	3 Violations = \$250*
Air Reservoir	Adjustable Axle	
Brake Adjustment	Wheels and Rims	
Headlamp Inoperative	Front End Structure	
Stop Lamp Inoperative	Suspension	
Note: Fines will only be issued for a combination of two or more Violations from Group 2 or Group 3.		

GROUP 3

VIOLATIONS		FINES
Fuel Tank Cap Missing	Audible Air Leak	1 Violation = \$40
Fuel System	Exhaust System	
Windshield Glazing	Tires, Other Axles	2 Violations = \$90
Windshield Wipers	Waiver of Physical	
Radio Active Material – Training Certificate		3 Violations = \$150*
Note: Fines will only be issued for a combination of two or more Violations from Group 2 or Group 3.		

GROUP 4

VIOLATIONS	FINES
No Operating Authority	\$500
Medical Waiver	\$100
Age Under 21 (Interstate)	\$250
Intoxicants – Under the Influence	\$500
Intoxicants – Possession	\$100
Insurance Violations	\$500
Failure to Display Correct Ohio-Cab Card Stamp (ICC Exempt)	\$100
Failure to Display Tax Decal on Vehicle	\$100
Not Using Seat Belt	\$100
Radar Detectors	\$100
Medical Certificate (Driver)	\$100
Disqualifying Offenses	\$500
Drugs – Under the Influence	\$500
Drugs – Possessing	\$100
Violation of Out of Service Notice (Each Notice, Not Each Offense)	\$1,000

* Over three violations in any group will result in a review by Commission Staff to determine additional fine amount.

Section	Group	Description
2-5-07D	4D	OUT OF SERVICE, OPERATING \$1000
2-5-10	4C	MARKINGS,COMPANY INTRASTATE \$100
383.23A1	4D	DRIVING A CMV WITHOUT A CDL \$250
383.23A2	4D	OPERATING WITHOUT CDL \$250
383.23C	4D	OPERATING ON LEARNER'S PERMIT W/O CDL HOLDER \$250
383.23C2	4D	OPER ON LEARNER'S PERMIT W/O VALID DRV LIC \$250
383.51A	4D	DRIVING CMV (CDL) WHILE DISQUALIFIED \$250
383.91A	4D	OPERATING CMV WITH IMPROPER CDL GROUP \$250
383.93B1	4D	NO DOUBLE/TRIPLE TRAILER ENDORSEMENT ON CDL \$250
383.93B3	4D	NO TANK VEH ENDORSEMENT ON CDL \$250
383.93B4	4D	NO HM ENDORSEMENT ON CDL \$250
383.95A	4D	VIOLATING AIRBRAKE RESTRICTION \$100
386.72B	4C	FAIL COMPLY IMM. HAZARAD OOS ORDER \$1000
387.31B3II	4C	NO INS. ID CARD-MEXICAN PSGR CARRIER \$500
387.301A	4C	NO PROOF FINANCIAL RESP. – FRT \$500
390.21A	4C	DOT NUM MARKING,NM,CITY,STATE \$100
390.21B	4C	CARR NM AND/OR USDOT NOT DISPLAY \$100
391.11	4D	DRIVER QUALIFICATION \$250
391.11(b)(1)	4D	INTERSTATE DRIVER UNDER 21 YEARS OLD \$250
391.11(b)(7)	4D	NO OR INVALID DRIVER'S LICENSE CMV \$250
391.11B1	4D	AGE UNDER 21 (INTERSTATE) \$250
391.11B4	4D	OPERATING CMV W/O CORRECTIVE LENSES\$250
391.11B5	4D	NOT LICENSED FOR TYPE VEH. BEING OPERATED \$250
391.11B6	4D	OPERATING VEH. W/PHYS UNQUALIFIED DRIVER \$250
391.11B7	4D	OPERATORS LICENSE, NO VALID \$250
391.15	4D	DISQUALIFIED DRIVER \$500
391.15(a)	4D	DRIVING A CMV WHILE DISQUALIFIED \$500
391.15A	4D	DRIVING A CMV WHILE DISQUALIFIED \$500
391.41	4D	MEDICAL CERTIFICATE, NO VALID \$100
391.41(a)	4D	NO MEDICAL CERTIFICATE ON DRIVER'S POSS \$100
391.41A	4D	NO MEDICAL CERT. ON DRIVER'S POSS. \$100
391.43H	4D	IMPROPER MEDICAL EX. CERT. FORM \$100
391.45B	4D	EXPIRED MED. EXAMINERS CERT \$100
391.49	4D	MEDICAL WAIVER, NOT IN POSSESSION \$100
391.49(j)	4D	NO VALID MED. WAIVER IN DRIVER'S POSS. \$100
391.49J	4D	NO VALID MEDICAL WAIVER IN POSS. \$100
392.16	4D	NOT WEARING SEATBELT \$100
392.3	4D	ILL OR FATIGUED DRIVER \$100
392.4	4D	DRUGS,USING OR POSSESSING THOSE SPECIFIED \$100
392.4(a)	4D	DRIVER USES OR IS IN POSSESSION OF DRUGS \$100
392.4A	4D	Operating while under the influence of drugs \$500
392.5	4D	INTOXICATING BEVERAGES, USING OR POSSESSING \$100
392.5(a)	4D	USE/UNDER INFLUENCE OF ALCOHOL-4 HRS PRIO DUTY \$500
392.5A	4D	DRIVER USES OR IS IN POSS. OF ALCOHOL \$100

392.5A2	4D	Operating while under influence of an intox. bev. \$500
392.5A3	4D	Operating a veh while in possession of intox bev. \$100
392.62	1C	UNSAFE BUS OPERATIONS
392.71	4D	RADAR DETECTOR, USE/POSSESSION \$100
392.71(a)	4D	USING OR EQUIPING A CMV WITH RADAR DETECTOR \$100
392.71A	4D	RADAR DETECTOR, USE/POSSESSION \$100
392.9	1C	INSECURE TAILGATE/BOARD,DOORS,ETC
392.9(a)(1)	1C	FAILING TO SECURE CARGO/393.100-393.106
392.9(a)(2)	1C	FAILING TO SECURE VEHICLE EQUIPMENT
392.9A1	1C	INSECURE CARGO
392.9A2	1C	INSECURE PARTS & ACCESSORIES
392.9AA1	4C	OPER. W/O REQUIRED AUTHORITY \$500
392.9AA2	4C	OPER BEY. SCOPE OPER. AUTHORITY \$500
392.9AA	2/H	4CHHG-OP. BEY SCOPE OP. AUTH.14901D3 \$500
392.9AAR	4C	OPERATING W/O REGISTRATION(49 USC 13902) \$500
392.9AAS	4C	OPERATING BEYOND REG SCOPE(49 USC 13902) \$500
393.100	1C	CARGO SHIFTING OR FALLING LOADING TO PREVENT
393.100A	1C	NO OR IMPROPER LOAD SECUREMENT
393.100B	1C	LEAK/SPILL/BLOWING/FALLING CARGO
393.100C	1C	FAIL TO PREVENT CARGO SHIFTING
393.100E	1C	IMPROPER SECUREMENT OF INTERMODAL CONT
393.102	1C	SECUREMENT SYSTEMS
393.102A	1C	IMP. SECUREMENT SYST(TIEDOWN ASSEMBLIES)
393.102A1	1C	INSUFF MEANS PREVENT LONG MOVEMENT
393.102A2	1C	INSUFF MEANS TO PREVENT REARW MOVEMENT
393.102A3	1C	INSUFF MEANS PREVENT LAT MOVEMENT
393.102B	1C	INSUFF MEANS PREVENT VERT MOVEMENT
393.102C	1C	EXCEED WORK LD LIMIT FOR TIEDOWNS
393.104	1C	IMPROPER BLOCKING/BRACING
393.104(a)	1C	IMPROPER BLOCKING AND/OR BRACING-LONGITUDINAL
393.104(b)	1C	IMPROPER BLOCKING AND/OR BRACING-LATERAL
393.104C	1C	DAMAGED VEH STRUCTURES/ANCHOR PTS
393.104D	1C	DAMAGED DUNN/BARS/BLOCKING-BRACING
393.104F1	1C	KNOTTED TIEDOWN
393.104F2	1C	USE TIEDOWN W/IMPROPER REPAIR
393.104F3	1C	LOOSE/UNFASTENED TIEDOWN
393.104F4	1C	TIEDOWNS OUTSIDE RUBRAILS
393.104F4/R	1C	NO EDGE PROT. FOR TIEDOWNS
393.104F5	1C	NO EDGE PROTECTION FOR TIEDOWNS
393.106	1C	HEADERBOARD OR SIMILAR-DEVICE
393.106(a)	1C	NO/IMPROPER FRONT END STRUCTURE/HEADERBOARD
393.106A	1C	NO/IMPROPER FRONT END STRUCT/HEADER
393.106B	1C	CARGO NOT IMMOBILIZED/SECURED
393.106C1	1C	NO MEANS PREVENT CARGO FROM ROLLING
393.106C2	1C	CARGO W/O DIRECT CONTACT/PREV SHIFT
393.106D	1C	INSUFF. AGGREGATE WORKING LOAD LIMIT

393.110	1C	FAIL MEET MINIMUM TIE DOWN REQUIREMENTS
393.110B	1C	INSUFF TIEDN W/O HEADERBOARD/BLOCKING
393.110C	1C	INSUFF TIEDNS W/HEADERBOARD/BLOCKING
393.112	1C	TIEDOWN NOT ADJUSTABLE BY DRIVER
393.114	1C	NO/IMPROPER FRONT END STRUCTURE
393.114B2	1C	INSUFF WIDTH FOR FRONT-END STRUCTURE
393.114D	1C	FRONT-END STRUCTURE W/LARGE OPENING
393.116	1C	NO/IMPROPER SECUREMENT OF LOGS
393.116D1	1C	SHORT;OVER 1/3 LENGTH PAST STRUCTURE
393.116D2	1C	SHORT,INSUFF/NO TIEDOWNS
393.116E	1C	SHORT,LENGTH; IMPROPER SECUREMENT
393.118	1C	NO/IMPROPER LUMBER/BLDING MATL SECURE
393.118B	1C	IMPROPER PLACEMENT OF BUNDLES
393.118D	1C	INSUFF PROTECTION AGAINST LATERAL MOV
393.118D3	1C	INSUFF/IMPR ARRANGEMENT OF TIEDOWNS
393.11PL	2C	PROJECTING LOAD, LAMP ON MISSING ETC.
393.11S	2C	STOP LIGHT MISSING ETC.
393.11T	2C	TAIL LIGHT MISSING ETC.
393.11TS	2C	TURN SIGNAL MISSING ETC.
393.120	1C	NO/IMPROPER SECUREMENT METAL COILS
393.120B1	1C	COIL/VERTICAL IMPROPER SECUREMENT
393.120B2	1C	COILS,ROWS,EYES VERTICAL,IMPR. SECURE
393.120C1	1C	COIL/EYE CROSSWISE IMP. SECUREMENT
393.120C2	1C	X PATTERN ON COIL(S) W/EYES CROSSWISE
393.120D1	1C	COIL W/EYE LNGTHWISE,IMPROPER SECURE
393.120D4	1C	COILS,ROWS,EYES LNGTH, IMPR SECURE
393.120E	1C	NO PROTECT AGAINST SHIFTING/TIPPING
393.122	1C	NO/IMPROPER SECUREMENT PAPER ROLLS
393.122B	1C	ROLLS VERT; IMPROPER SECUREMENT
393.122C	1C	ROLLS VERT/SPLIT;IMPROPER SECUREMENT
393.122D	1C	ROLLS VERT/STACKED; IMPROPER SECURE
393.122F	1C	ROLLS CROSS/STACKED LOAD, IMPR SECURE
393.122G	1C	ROLLS LENGTH, IMPROPER SECUREMENT
393.122H	1C	ROLLS LNGTH/STACKED IMP. SECURE
393.124	1C	NO/IMPROPER SECUREMENT CONCRETE PIPE
393.124D	1C	IMPROPER ARRANGEMENT CONCRETE PIPE
393.124E	2C	IMP. SECURE UP TO 45 IN. DIA.
393.124F	1C	IMPROP SECURE >45 IN. DIAMETER
393.126	1C	NO/IMPROPER INTERMODAL CONTAINER SECUREMENT
393.126B	1C	DAMAGED/MISS TIEDN/SECURE DEVICE
393.126C1	1C	LOWER CORNERS NOT ON VEH/STRUCTURE
393.126C2	1C	ALLCORNERS OF CHASIS NOT SECURED
393.126C3	1C	FRONT/REAR NOT SECURED INDEPENDENTLY
393.126D1	1C	EMPTY CONTAINER NOT PROPERLY POS.
393.126D2	1C	EMPTY CONTAINER NOT PROP. SECURE
393.126D4	1C	EMPTY CONTAINER NOT PROPERLY SECURED

393.128	1C	NO/IMPROPER SECUREMENT OF VEHICLES
393.128B1	1C	VEHICLE NOT SECURED, FRONT & REAR
393.128B2	1C	TIEDNS(S) NOT AFFIXED TO MOUNTING PTS
393.128B3	1C	TIEDOWN(S) NOT OVER/AROUND WHEELS
393.130	1C	NO/IMPROPER HVY VEH/MACHINE SECUREMENT
393.130B	1C	ITEM NOT PROPERLY PREPARED TRANSPORT
393.130C	1C	IMPROPER RESTRAINT/SECURE OF ITEM
393.132	1C	NO/IMPROPER SECUREMENT CRUSHED VEHICLES
393.132B	1C	PROHIBITED USE SYNTHETIC WEBBING
393.132C	1C	INSUFF TIEDOWNS PER STACK CARS
393.132C5	1C	INSUFF MEANS RETAIN LOOSE PARTS
393.134	1C	NO/IMPROPER SECUREMENT ROLL/HOOK CONTAINER
393.134B1	1C	NO BLOCKING FORWARD MOVEMENT
393.134B2	1C	CONTAINER NOT SECURE FRONT VEHICLE
393.134B3	1C	REAR OF CONTAINER NOT PROPERLY SECURE
393.136	1C	NO/IMPROPER SECUREMENT LARGE BOULDERS
393.136B	1C	IMP PLACEMENT/POS FOR BOULDER
393.136D	1C	IMP. SECURE; CUBIC BOULDER
393.136E	1C	IMP SEC. NON-CUBIC BOULDER W/BASE
393.136F	1C	IMPR. SECURE NON CUBIC W/O BASE
393.19	2C	TURN SIGNAL/HAZARD LIGHT
393.201	1C	FRAME VIOLATIONS, ALL
393.201(a)	1C	FRAME CRACKED/BROKEN/BENT/LOOSE
393.201A	1C	FRAME CRACKED/BROKEN/BENT/LOOSE
393.203	1C	CAB AND BODY COMPONENTS
393.205(a)	2C	WHEEL/RIM CRACKED OR BROKEN
393.205(b)	2C	STUD/BOLT HOLES ELONGATED ON WHEELS
393.205(c)	2C	WHEEL FASTENERS LOOSE AND/OR MISSING
393.205A	2C	CRACKED OR BROKEN WHEEL OR RIM
393.205B	2C	BOLT HOLE ELONGATED, WHEELS
393.205C	2C	NUT OR BOLT LOOSE OR MISSING, WHEEL
393.207(a)	2C	AXLE POSITIONING PARTS DEFECTIVE/MISSING
393.207(b)	2C	ADJ AXLE LOCKING PIN MISSING/DISENGAGED
393.207(c)	2C	LEAF SPRING ASSEMBLY DEFECTIVE/MISSING
393.207(d)	2C	COIL SPRING CRACKED AND/OR BROKEN
393.207(e)	2C	TORSION BAR CRACKED AND/OR BROKEN
393.207(f)	2C	AIR SUSPENSION PRESSURE LOSS
393.207A	2C	AXLES-POSITIONING PART CRACKED,BROKEN,ETC.
393.207B	2C	ADJUSTABLE AXLE-SLIDER PIN MISSING/DISENGAGED
393.207C	2C	SPRING,LEAF-CRACKED,BROKEN,MISSING,OR SHIFTED
393.207D	2C	SPRING,COIL-CRACKED OR BROKEN
393.207E	2C	TORSION BAR-CRACKED OR BROKEN
393.207F	2C	AIR SUSPENSION_DEFECTIVE
393.207G	2C	NO/DEF AIR SUSPENSXN EXH CONTROL
393.209(a)	1C	STEERING WHEEL NOT SECURED/BROKEN
393.209(b)	1C	EXCESSIVE STEERING WHEEL LASH

393.209(c)	1C	LOOSE STEERING COLUMN
393.209(d)	1C	STEERING SYSTEM COMPONENTS WORN/WELDED/MISSING
393.209(e)	1C	POWER STEERING VIOLATIONS
393.209A	1C	WHEEL,STEERING-INSECURE;SPOKES CRACKED/MISSING
393.209B	1C	LASH,STEERING-EXCEEDS STANDARDS
393.209C	1C	COLUMN,STEERING INSECURE
393.209D	1C	SYSTEM COMPONENT,STEERING LOOSE OR DEF.
393.209E	1C	POWER COMPONENT,STEERING DEFECTIVE
393.23	3C	REQ LAMP NOT POWERED BY VEH ELEC
393.24A	2C	NON COMPLIANCE HEADLAMP REQ
393.24B/R	3C	NON COMPLIANT FOG DRIVING LAMPS
393.24C	3C	IMPROPER HEAD LAMP MOUNTING
393.24D	3C	IMP HEAD/AUXILIARY/FOG LAMP AIMING
393.25A	2C	IMPROPER LAMP MOUNTING
393.25F	2C	STOP LAMP VIOLATIONS
393.41	2C	PARKING BRAKE SYSTEM INOPERATIVE
393.42	1C	NO BRAKE WHEN REQUIRED
393.42B1	1C	FRONT WHEEL BRAKE, NONE
393.43	2C	TRACTOR PROTECTION VALVE,MISSING OR INOP.
393.43D	2C	NO OR DEF. AUTOMATIC TRAILER BRAKE
393.45	2C	HOSE OR TUBING NOT SECURED
393.45A4	2C	BRAKE HOSE/TUBING CHAF AND/OR KINKING
393.45B2	2C	BRAKE HOSE/TUBING CHAFFING/KINKING
393.45B3	2C	BRAKE HOSE/TUBING CONTACT EXH SYS
393.45D	2C	BRAKE CONN WITH LEAKS/CONSTRICTIONS
393.46	2C	HOSE OR TUBING LEAK AND DEFECT AT CONNECTION
393.46(b)	2C	BRAKE CONNECTIONS WITH LEAKS/CONSTRICTIONS
393.46B	2C	Brake hoses improperly joined
393.47	2C	BRAKE LINING OR PAD INADEQUATE
393.47A	2C	INADEQUATE BRAKES FOR SAFE STOPPING
393.47B	2C	MIS MATCHED BRAKE CHAMBERS SAME AXLE
393.47C	2C	MIS MATCHED SLACK ADJ EFF LENGTH
393.47D	2C	INSUFFICIENT BRAKE LININGS
393.47E	2C	CLAMP/ROTO TYPE BRAKE(S) OUT OF ADJ
393.47F	2C	WEDGE TYPE BRAKE(S) OUT OF ADJ
393.47G	2C	INSUFF DRUM/ROTOR THICKNESS
393.48(a)	1C	INOPERATIVE/DEFECTIVE BRAKES
393.48A	1C	INOPERATIVE BRAKE
393.50	2C	VACUUM SYSTEM,DEFECT IN BRAKE
393.50A	2C	BRAKE AIR TANK RESERVOIR DEFECT
393.50D	2C	NO/DEF AIR RESERVOIR DRAIN VALVE
393.51	2C	LOW AIR PRESSURE WARNING DEVICE
393.52A1	2C	INSUFF. BRAKING FORCE AS % OF GVW/GCW
393.61	1C	WINDOW,PUSH-OUT,CONSTRUCTION AND OPERATION
393.61(a)	1C	INADDEQUATE OR MISSING TRUCK SIDE WINDOWS
393.61(b)	1C	BUSES-WINDOW ESCAPE INOPERATIVE/OBSTRUCTED

393.61A	1C	INADEQUATE OR MISSING TRUCK SIDE WINDOWS
393.61B	1C	BUSES-WINDOW ESCAPE INOPERATIVE/OBSTRUCTED
393.62	1C	WINDOW,PUSH-OUT,OBSTRUCTING
393.62A	1C	NO/DEFECTIVE BUS EMERGENCY EXITS
393.62C	1C	NO/DEFECTIVE BUS EMERG EXIT WINDOWS
393.62D	1C	NO/DEF. SAFETY GLASS/P-O WINDOW
393.62E	1C	NO/INADEQUAT BUS EMERG EXIT MARKINGS
393.65	2C	FUEL TANK NOT SECURE
393.65C	2C	FUEL TANK SECUREMENT
393.67	2C	FUEL LEAK
393.67C7	3C	FUEL TANK FILL PIPE CAP MISSING
393.70	1C	FIFTH WHEEL DEFECT
393.70B2	1C	DEFECTIVE FIFTH WHEEL LOCKING MECH
393.70C	1C	CHAIN DEF., CABLE OR OTH SAFETY DEVICE
393.70D	1C	SAFETY CHAINS/CABLES
393.70D8	1C	IMP SAFETY CHAIN ATTACHMENT
393.71	1C	COUPL. DEV. IN DRIVEWAY TOWAWAY OPER.,DEF. OF
393.75(a)	3C	FLAT TIRE OR FABRIC EXPOSED
393.75(a)(1)	3C	TIRE-PLY OR BELT MATERIAL EXPOSED
393.75(a)(2)	3C	TIRE-TREAD AND/OR SIDEWALL SEPARATION
393.75(a)(3)	3C	TIRE-FLAT AND/OR AUDIBLE LEAK
393.75(a)(4)	3C	TIRE-CUT EXPOSING PLY AND/OR BELT MATERIAL
393.75(b)	1C	TIRE-FRONT TREAD DEPTH LESS THAN 4/32 OF INCH
393.75(c)	3C	TIRE-OTHER TREAD DEPTH LESS THAN 2/32 OF INCH
393.75(d)	1C	TIRE-BUS REGROOVED/RECAP ON FRONT WHEEL
393.75(f)	3C	TIRE-LOAD WEIGHT RATING/UNDER INFLATED
393.75A	3C	FAB./CORDS EXPOS. THRU TIRE TREAD OR SIDEWALL
393.75A1	3C	EXPOSED FABRIC/CORDS THRU TREAD OR SIDEWALL
393.75A2	3C	SEPARATION OF ANY TREAD OR SIDEWALL
393.75A3	3C	FLAT TIRE OR AUDIBLE LEAK
393.75A4	3C	CUT IN TREAD/SIDEWALL EXPOSING FABRIC/CORDS
393.75B	1C	TREAD ON STEERING AXLE TIRE LESSTHAN 4/32 INC
393.75C	3C	TREAD ON TIRE LESSTHAN 2/32 INCH
393.75D	1C	BUS TIRE,RECAP ON STEERING AXLE
393.75F	3C	LOAD LIMIT,WEIGHT CARRIED EXCEEDS TIRE
393.75F1	3C	WEIGHT CARRIED EXCEEDS TIRE LOAD LIMIT
393.78	3C	WIPER,WINDSHIELD
393.83(b)	3C	EXHAUST DISCHARGE FUEL TANK/FILLER TUBE
393.83(c)	3C	IMPROPER EXHAUST-BUS(GASOLINE)
393.83(d)	3C	IMPROPER EXHAUST-BUS(DIESEL)
393.83B	3C	EXHAUST,IMPROPER (BUS)
393.83C	3C	EXHAUST SYSTEM
393.83G	3C	EXHAUST LEAK UNDER TRUCK CAB/SLEEPER
393.87A	2C	WARNING FLAG REQ. PROJECTING LOAD
393.87B	3C	IMPROPER WARNING FLAG PLACEMENT
393.9	3C	OP. VEH W/OUT 1 LAMP LOW BEAM

393.95B	3C	NO SPARE FUSES AS REQUIRED
393.9H	2C	INOPERABLE HEAD LAMP
393.9T	3C	TAIL LAMP
395.13(d)	4D	DRIVING AFTER BEING DECLARED OUT-OF-SERVICE \$1000
395.13C	4D	OUT-OF-SERV DRIVER OPERATING CMV \$1000
395.13D	4D	DRIVING AFTER DECLARED OOS \$1000
395.13D1	4D	DRIVING AFTER BEING DECLARED OOS \$1000
395.15F	1D	ON BRD RCDING DEV FAIL RECONSTR INFO
395.15I5	1C	ONBOARD RCDING DEVC NOT DISPLAY
395.1H1	1C	15,20,70/80 HOS VIOLS(AK-PROPERTY)
395.1O	1D	16HR RULE VIOL(PROPERTY)
395.3(a)(1)	1D	10 HOUR RULE VIOLATION
395.3(a)(2)	1D	15 HOUR RULE VIOLATION
395.3(b)	1C	60/70 HOUR RULE VIOLATION
395.3A1	1C	DRIVING MORE THAN 10 HOURS
395.3A1/R	1C	11 HOUR RULE VIOL (PROPERTY)
395.3A2	1C	DRIVING AFTER HAVING BEEN ON DUTY 15 HOURS
395.3A2/R	1C	14 HOUR RULE VIOL (PROPERTY)
395.3B	1C	DRIV. AFTER ON DUTY 60/70 HRS IN 7/8 DAYS
395.3B/R	1C	60/70 HR RULE VIOL (PROPERTY)
395.5A1	1C	10 HR RULE VIOLATION(PASSENGER)
395.5A2	1C	15 HR RULE VIOLATION(PASSENGER)
395.5B	1C	60/70 HR RULE VIOL (PASSENGER)
395.8	1D	LOG BOOK OTHER VIOLATION
395.8(a)	1D	NO DRIVERS RECORD OF DUTY STATUS
395.8(e)	1D	FALSE REPORT OF DRIVERS RECORD OF DUTY STATUS
395.8(f)(1)	1D	DRIVERS RECORD OF DUTY STATUS NOT CURRENT
395.8(k)(2)	1D	DRIVERS FAILING TO RETAIN PREVIOUS 7 DAYS LOGS
395.8A	1D	LOG BOOK, NONE IN DRIVERS POSSESSION
395.8A1	1D	NO DUTY STATUS RECORD
395.8A2	1D	FAIL TO MAINTAIN DUTY STATUS IN PROPER FORM
395.8E	1D	LOG BOOK, FALSE ENTRIES
395.8F	1D	DUTY STATUS NOT CURRENT TO MOST RECENT CHANGE
395.8F1	1D	LOG BOOK NOT CURR. TIME LAST CHNG OF DUTY
395.8K2	1D	FAILING TO RETAIN PRIOR 7 DAYS
395.8K3	1D	LOG BOOK NOT POSS. RECORD FOR PRIOR 7 DAYS
396.3A1	2C	OPERATING VEH. W/CRACKED BRAKE DRUM
396.3A1B	2C	AIR RESERVOIR LOOSE
396.3A1BA	2C	ADJUSTMENT,BRAKE OUT OF (PUSH ROD)
396.3A1BC	2C	AIR COMPRESSOR,VIOLATIONS
396.3A1BD	1C	DRUM OR DISK VIOLATIONS
396.3A1BH	2C	HOSE OR TUBING DAMAGED/LEAKING
396.3A1BL	2C	LEAK AIR RESULTING IN RESERVOIR PRESSURE LOSS
396.3A1H	2C	HYDRAULIC SYSTEM, DEFECTS IN
396.3A1T	3C	OTHER TIRE VIOLATION
396.3A1W	2C	OTHER WHEEL VIOLATION

396.7	1C	UNSAFE OPERATIONS FORBIDDEN
396.9C2	4D	DRIVING A VEHICLE DECLARED OOS \$1000
398.4	4D	OPERATING CMV WHILE ILL/FATIGUED \$100
4919.81	4C	INTERSTATE-ICC –LIABILITY INSURANCE \$500
4919.82	4C	INTERSTATE-ICC-CARGO INSURANCE \$500
4921.07	4C	OPERATING WITH NO PUCO INTRA AUTHORITY \$500
4921.11	4C	INTRASTATE INSURANCE \$500
4921.14	4C	OPERATING BEYOND THE SCOPE OF PUCO AUTHORITY \$500
4923.04	4C	OPERATING WITH NO PUCO INTRA AUTHORITY \$500
4923.08	4C	INTRASTATE INSURANCE \$500
4923.14	4C	OPERATING BEYOND THE SCOPE OF PUCO AUTHORITY \$500
172.303A	4C	PROHIBITED MARKINGS \$100
172.502A1	4C	PROHIBITED PLACARDING \$100
172.502A2	4C	SIGN/DEVICE CONFUSED FOR PLACARD \$100

Any questions in regards to this fine schedule please contact:
Public Utilities Commission of Ohio
Compliance Division
180 East Broad St.
Columbus, Ohio 43215
(614) 466-0351



**Public Utilities
Commission**

John R. Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

Cheryl Roberto
Steven D. Lesser
Andre T. Porter
Lynn Slaby

November 19, 2012

MR VICTOR BOATA

11740 HOGAN HWY
CLINTON, MI 49236

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3296012993D

Officer: WW

Dear MR BOATA:

On AUGUST 27, 2012, a vehicle operated by ENZO INC, and driven by VICTOR S BOATA, was inspected within the State of Ohio. As the result of discovery of the following apparent violation the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
391.11B4	Driver not physically qualified NOT WEARING CORREC

Total Forfeiture Assessed : \$250.00

A conference was conducted pursuant to Rule 4901:2-7-10(B), O.A.C., at which the Respondent had a full opportunity to present any reasons why the violation did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by Staff.

(continued)



**Public Utilities
Commission**

John R. Kasich, Governor
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November 19, 2012
MR VICTOR BOATA

OH3296012993D

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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against VICTOR S BOATA in the following forfeiture:

Code	Violation
391.11B4	Driver not physically qualified NOT WEARING CORREC

Total Forfeiture Agreed : \$250.00

Please include a certified check or money order for the total forfeiture Agreed, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 4th floor, Cols. OH 43215-3793. FOR PROPER CREDIT, BE SURE TO PUT THE CASE NUMBER ON THE FACE OF THE CHECK.

Please consult the enclosed additional information concerning this Notice of Preliminary Determination.

Robert E. Marvin, Director
Transportation Department
Public Utilities Commission of Ohio

Request for Conference

From: VICTOR BOATA
11740 Hogan Hwy
Clinton, MI 49236
Ph: 517-918-3919

CASE NO:
OH3296012993D

I would like this matter be discussed by telephone

Short statement:

2012 SEP 21

On August 27-12 I was driving my truck eastbound on Route -2 in OHIO and I was prepared to pull into the rest area to use the bathroom and I saw the lights from police car behind the trailer. I stopped and I parked the truck in rest area. Police came to my door ask for papers, medical card, he said will do the inspection. He gave the medical card back to me. At the end of inspection he asked again for medical card, he went back to his car, then came to me with the report.

I would like to make mention: When I stopped the truck, I took eyeglasses from my face to wipe up my face, when officer saw me without glasses, I was not driving, the truck was parked in the rest area. I would like you to review this situation and disregard it

Thank you

Victor Boata

Sept. 21. 2012

ww
9/27/12