

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Ronnie L. Hunt, Notice of)
Apparent Violation and Intent to Assess) Case No. 13-1596-TR-CVF
Forfeiture.) (OH0619000799D)

FINDING AND ORDER

The Commission finds:

- (1) On April 18, 2013, a vehicle driven by Ronnie L. Hunt (respondent) was inspected within the state of Ohio. The inspection resulted in the discovery of an apparent violation of the Code of Federal Regulations (C.F.R.): failing to use seat belt while operating a commercial motor vehicle, in violation of 49 C.F.R. 392.16.
- (2) Respondent was timely served with a notice of preliminary determination in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.). A civil forfeiture of \$100.00 was assessed against respondent.
- (3) On July 8, 2013, respondent filed a request for an administrative hearing, pursuant to Rule 4901:2-7-13, O.A.C. Thereafter, a prehearing conference was held on the matter.
- (4) On August 21, 2013, Commission Staff (Staff) and respondent filed a settlement agreement, which, in the parties' opinion, resolves all of the issues raised in the notice of preliminary determination.
- (5) In the settlement agreement, the parties agree and recommend that the Commission find:
 - (a) For purposes of settlement only, and not as an admission that the violation occurred as alleged, respondent agrees to pay the forfeiture amount of \$100.00 and agrees that the violation may be included in respondent's Safety-Net record and history of violations, insofar as it may be relevant for purposes of determining future penalty actions.

- (b) Respondent will pay the civil forfeiture of \$100.00 in four consecutive monthly payments of \$25.00 commencing within 30 days of the Commission's order approving the settlement agreement. The payments shall be made by certified check or money order payable to "Treasurer, State of Ohio," and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. The case number (OH0619000799D) should appear on the face of each check.
- (c) The settlement agreement shall not become effective until adopted by the Commission. The date of the entry or order of the Commission adopting the settlement agreement shall be considered the effective date of the settlement agreement.
- (d) The settlement agreement is intended to resolve only factual or legal issues raised in this case. It is not intended to have any effect whatsoever in any other case or proceeding.
- (6) The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement should be approved and adopted in its entirety.

It is, therefore,

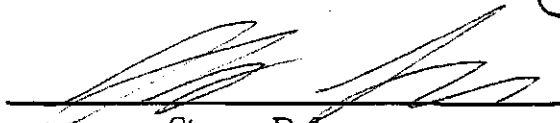
ORDERED, That the settlement agreement submitted in this case be approved and adopted in its entirety. It is, further,

ORDERED, That respondent pay a total civil forfeiture of \$100.00 in accordance with the settlement agreement. Payments shall be made by check or money order made payable to "Treasurer, State of Ohio," and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. In order to assure proper credit, respondent is directed to write the inspection number (OH0619000799D) on the face of each check or money order. It is, further,

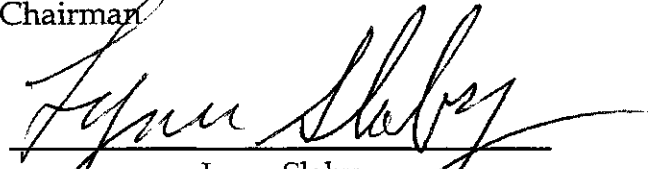
ORDERED, That a copy of this finding and order be served on each party of record.

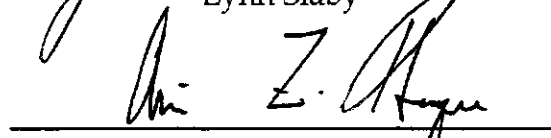
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


M. Beth Trombold

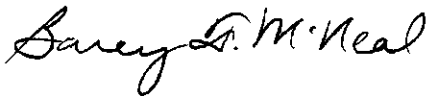

Lynn Slaby


Asim Z. Haque

SJP/sc

Entered in the Journal

SEP 04 2013



Barcy F. McNeal
Secretary