

FILE

PUCO EXHIBIT FILING

6

Date of Hearing: 8/12/14

Case No. 14-882-TA-CUI

PUCO Case Caption: True: Hand Driver
Express, Inc.

List of exhibits being filed:

STAFF Exhibits 1 and 2

PUCO

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Technician SW Date Processed AUG 28 2014

Reporter's Signature: Michael C. Jones
Date Submitted: 8/28/14

THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of Hard Drive : Case No.
Express, Inc. : 14-882-TR-CVF

- - -

PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, held at
the offices of the Public Utilities Commission
of Ohio, 180 East Broad Street, Hearing Room
11-C, Columbus, Ohio, on Tuesday, August 12,
2014, at 10:00 A.M.

- - -

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: OH0616002069
 Inspection Date: 2/14/2014 Certification Date: 02/21/2014
 Time Started: 13:50 Time Ended: 14:10
 Inspection Level: III - Driver-Only Inspection
 HM Inspection Type: No HM Inspection

HARD DRIVE EXPRESS INC
 21055 WEST RD SUITE 22
 WOODHAVEN, MI 48183
 USDOT #: 1725976 Phone #: (734)561-3286
 MC/MX #: 632520 Fax #:
 State #:

Driver: OSULLIVAN, KELLY J
 License #: 27726744 State: PA
 Date of Birth: 08/25/1959

Location: ROADSIDE
 Highway: IR680
 County: MAHONING
 Shipper:

MilePost: 3
 Origin: AKRON, OH
 Destination: DERRY, PA

Bill of Lading:
 Cargo: EMPTY

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Str.#
1	TT	VOLV	2013	MI	RA65387	564720	4V4NC9EJ2DN564720	54,000			
2	ST	VANR	2013	IL	T485468	32058	5V8VC532XDM307209	68,000			

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS:

Vio Code	Section	Unit	OOS	Citation #	Verify*	Crash	Violation Description
392.2-SLLS4	392.2	D	N	warning	N	N	State/Local Laws - Speeding 15 or more miles per hour over the speed limit.=68mph in a 50mph zone

* N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported. **Placard:** NA **Cargo Tank:**

Special Checks:

<input type="checkbox"/> Alcohol/Controlled Substance Check	<input checked="" type="checkbox"/> Traffic Enforcement	<input type="checkbox"/> Post Crash Inspection
<input type="checkbox"/> Conducted by Local Jurisdiction	<input type="checkbox"/> PASA Conducted Inspection	<input type="checkbox"/> PBBT Inspection
<input type="checkbox"/> Size and Weight Enforcement	<input type="checkbox"/> Drug Interdiction Search	Arrests:

Inspection Notes:**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: 160 PITTSBURGH ST
Driver City: DERRY	Driver State: PA
Driver Zip: 15627	Photos Taken (Y/N): N
Reason Code: TRAF	FMCSA Credentials Verified-Y/N: Y
CDL Verified (Y/N): Y	FMCSA OOS Order Issued(Y/N): N

Report Prepared By:
 J.D HUGHES

Badge #:
 0616

Copy Received By:
 OSULLIVAN, KELLY J

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OH0616002069

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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 - 4th floor, 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: _____

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: _____



Public Utilities Commission

John R. Kasich, Governor
Thomas W. Johnson, Chairman

Commissioners

Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

04/22/2014

OH0616002069C
Karl Pawlos
33232 LOONEY DR
ROCKWOOD, MI 48173

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH0616002069C

Dear Sir or Madam:

On 02/14/2014, a vehicle operated by HARD DRIVE EXPRESS INC, and driven by KELLY J OSULLIVAN, was inspected within the State of Ohio. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified HARD DRIVE EXPRESS INC (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.2-SLLS4	0	State/Local Laws - Speeding 15 or more miles per hour over the speed limit.=68mph in a 50mph zone	
		Total of Group 0	0.00

TOTAL AMOUNT DUE: \$0.00

A conference was conducted pursuant to rule 4901:2-7-10, 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.

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against HARD DRIVE EXPRESS INC in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.2-SLLS4	0	State/Local Laws - Speeding 15 or more miles per hour over the speed limit.=68mph in a 50mph zone	
		Total of Group 0	

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 466-3016
www.PUCO.ohio.gov

An equal opportunity employer and service provider

Staff Ex. 2



Public Utilities Commission

John R. Kasich, Governor
Thomas W. Johnson, Chairman

Commissioners

Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

TOTAL AMOUNT DUE: \$0.00

Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

Sincerely,

Milan Orbovich, Director
Transportation Department

Compliance Officer: Cheryl Streets