# PUCO EXHIBIT FILING

ate of Hearing: <u>August</u> 25, 2016	<del></del>
ase No. 16-1233-TR-CVF	<del></del>
UCO Case Caption:	
Imeda Londaridze and	Blue
Way Transport.	
·	Parameter Comments
ist of exhibits being filed:	
Staff Exhibits 1-5	
Respondent Exhibit 4:	·
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Reporter's Signature:	
Date Submitted:	<u> </u>

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TO BUILD SHOOT SHALL SHOW

2016 SEP -7 PM 3: 05

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# BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of

Imeda Londaridze and : Case No. 16-1233-TR-CVF

Blue Way Transport

### PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, held at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 10:00 a.m. on Thursday, August 25, 2016.

> ARMSTRONG & OKEY, INC. 222 East Town Street, Second Floor Columbus, Ohio 43215-4620 (614) 224-9481 - (800) 223-9481 Fax - (614) 224-5724

	Public Utilities	Commissio		hio	CLE EX	AMIN	Report Number		51007850
Ohio	180 East Broa Transportation Columbus, Of Phone # : (61	n Departmen H 43215		ax #: (614)752-92	274		Inspection Dat Time Started: Inspection Lev HM Inspection	te: 3/21/20 12:05 /el:1 - Fuil	O16 Certification Date: 03/30/2016 Time Ended: 13:05 Inspection
BLUE WAY TRA	ANSPORT LLC	,			-	_	Driver:	LOND	DARIDZE, IMEDA
1733 ROCKWE	LL RD						License #:	29446	5901 State: PA
ABINGTON, PA							Date of Birth:	3/17/1	1986
USDOT #: 0258 MC/MX #: 9037				one #: (267)474-1 Fax #:	624				
State #:	<b>0</b> 4			· ua iii					
Location: HE	BRON			MilePost:		13	30		
Highway: IR7	o			Origin:	NEWAR	K, NJ		Bill of I	Lading: 212319
	KING	_		Destination:	COLUM	BUS, O	H	Cargo:	MOTOR VEHICLES
	RMAIN HOND								
VEHICLE IDE Unit Type Make		N: Lícense#		Equipment ID		Unit '	VIN GVW	R CVS	A# CVSA Issued # OOS Stkr.
	G 2015 PA	ZGK6744		3500	3C83		FG504126 14.00		
2 ST TRL	R 2006 PA	XJF2329		1	15XF	W5321	6L001628 20,00	00	
BRAKE ADJI	STMENTS:								
Axle#	2	3	4_						
Right N	/A N/A	N/A	N/A	•					
Left N	/A N/A	N/A	N/A						
Chamber HY	DR HYDR	ELEC	ELEC						
VIOLATIONS	:					-			
Vio Code	Section		Llnit	State Cital OOS Numbe		r* Crack	Violation Descri	ntion	
391.11B5-DNL	391.11(b)	(5)	- <del>D</del>	Y	N N	N			ralid operator's license for the CMV
		•					being operated	1.	•
390.21B	390.21(b)	<b>)</b>	1	N	N	N	no"US" in front		OT Number not displayed as required:
393.43	393.43		2	Y	U	N	No/improper be veh	reakaway	or emergency braking; fails to hold
* N - Non-OOS	or Driver OOS	Violation; U -	- Unkn	own					
HazMat:		No HM Trans	sport	ed.				Placard	; NA Cargo Tank:
Special Checl	cs:	Alcohol/Cont	roled	Substance Check	: [	Traffi	c Enforcement	<u> </u>	Post Crash Inspection
		Conducted b	y Loca	al Jurisdiction		] PAS/	Conducted Inspe	ection	PBBT Inspection
		Size and We	ight E	nforcement		Drug	Interdiction Searc	ch	Arrests:
		EScreening							
							-		
inspection No	otes: trailer ha	s 2 different i	markir	igs , 1 for total tri	gvwr, othe	r is for	per axle, tri total is	s 20000 gv	owr, axie are rated at 10000 each, max of
11950 , not to ex	ceed tire rating	)							
driver has no ifta	i, no ucr, stated	d he has bee	n opei	ating this equipm	ent for 3 y	ears an	d not had this pro	blem befor	re, reg shows a reg gywr of 11950, fed id
		lb axle with a	certa	n tire size, on the	dolly jack	frame i	s a kaufman plate	that show	vs 10000 lb axle, gvwr 11950.
Special Study	rieius:					Casatal	I Chudoc		
Special Study1:						-	Study6;		
Special Study2:							Study7;		
Special Study3; Special Study4:						-	Study8:		
Special Study4:							Study9:		
Special Study5:						Specia	Study10:		

Locally Defined Fields:

Report Prepared By: A Philabaum

Badge #: 3261

Copy Received By: LONDARIDZE, IMEDA

<u>X</u>

Page 1 of 2



OH3261007850

### DRIVER/VEHICLE EXAMINATION REPORT

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Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH3261007850

Inspection Date: 3/21/2016 Certification Date: 03/30/2016

LONDARIDZE, IMEDA

Time Started: 12:05 Time Ended: 13:05

Inspection Level: I - Full Inspection HM Inspection Type: No HM Inspection

**BLUE WAY TRANSPORT LLC** 

1733 ROCKWELL RD ABINGTON, PA 19001

Phone #: (267)474-1624

MC/MX #: 903794

Fax #:

29446901 3/17/1986 State: PA

USDOT #: 02581172

State #:

For-Hire Carrier: Y

Driver City: ABINGTON

Driver Zip: 19001 Reason Code: ISSS CDL Verified (Y/N): Y Driver Address: 1733 ROCKWELL RD

Driver State: PA Photos Taken (Y/N): Y

Driver:

License #:

Date of Birth:

FMCSA Credentials Verified-Y/N: Y FMCSA OOS Order Issued(Y/N): N

I hereby declare IMEDA LONDARIDZE "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: Obtains a Valid CDL

\* 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

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	Date:		
Failure to return this report was \$10,000.	ith the required certification can result in pen	alties up to \$1,000 per day for each day the vi	olation continues, up to a total of	
Signature of Repairer:	<u>X</u>	Facility:	Date:	

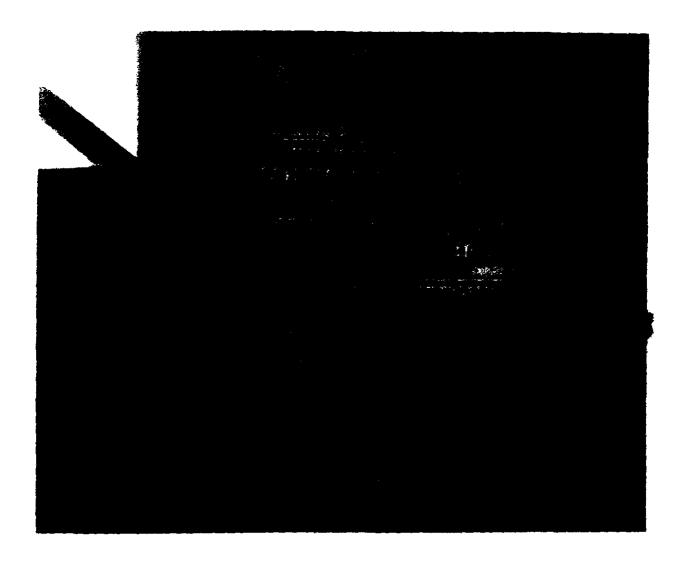
Report Prepared By: A Philabaum

Badge #: 3261

Copy Received By: LONDARIDZE, IMEDA Page 2 of 2



OH3261007850





John R. Kasich, Governor Andre Porter, Chairman Commissioners

Thomas W. Johnson Asim Z. Haque Lynn Slaby M. Beth Trombold

05/08/2016

OH3261007850D Imeda Londaridze 1733 ROCKWELL RD ABINGTON, PA 19001

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3261007850D

#### Dear Sir or Madam:

On 03/21/2016, a vehicle operated by BLUE WAY TRANSPORT LLC, and driven by IMEDA LONDARIDZE, 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 IMEDA LONDARIDZE (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
391.11B5-DN14 Driver does not have a valid operator's license for the CMV being operated. 250.00
Total of Group 4 250.00

TOTAL AMOUNT DUE: \$250.00

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 IMEDA LONDARIDZE in the following amount:

CODE GROUP VIOLATION FORFEITURE
391.11B5-DN14 Driver does not have a valid operator's license for the CMV being operated. 250.00
Total of Group 4 250.00

TOTAL AMOUNT DUE: \$250.00

180 East Broad Street Columbus, Ohio 43215-3793 (614) 466-3016 www.PUCO.ohio.gov

An equal opportunity employer and service provider



John R. Kasich, Governor Andre Porter, Chairman

#### Commissioners

Thomas W. Johnson Asim Z. Haque Lynn Slaby M. Beth Trombold

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

melan debouick

Compliance Officer: Thomas Persinger



John R. Kesick, Governor Andre Porter, Chairman Commissioners

Thomas W. Johnson Asım Z. Haque Lynn Slaby M. Beth Trombold

05/16/2016

OH3261007850C Imeda Londaridze 1733 ROCKWELL RD ABINGTON, PA 19001

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3261007850C

### Dear Sir or Madam:

On 03/21/2016, a vehicle operated by BLUE WAY TRANSPORT LLC, and driven by IMEDA LONDARIDZE, 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 BLUE WAY TRANSPORT LLC (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
393.43	2	No/improper breakaway or emergency braking	
390.21B	4	Carrier name and/or USDOT Number not displayed as required	00.001
		Total of Group 2	50.00
		Total of Group 4	100.00

## **TOTAL AMOUNT DUE: \$150.00**

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 BLUE WAY TRANSPORT LLC in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
393.43	2	No/improper breakaway or emergency braking	
390.21B	4	Carrier name and/or USDOT Number not displayed as required	100.00
180 East Broa Columbus, O	ad Street hio 43215-3793		(614) 466-3016 www.PUCO.ohio.gov

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Thomas W. Johnson
Asim Z. Haque
Lyan Slaby
M. Beth Trombold

Total of Group 2

Total of Group 4

50.00

100.00

**TOTAL AMOUNT DUE: \$150.00** 

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.

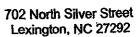
Sincerely.

Milan Orbovich, Director

Julan delovich

Transportation Department

Compliance Officer: Thomas Persinger





Phone: 336-790-6800

Fax: 336-859-1847 www.kaufmantrailers.com

# HOLD HARMLESS AGREEMENT

# for REQUEST FOR DUPLICATE CERTIFICATE OF ORIGIN OR TRAILER TAG

The state of the s
I/We, hereby request a duplicate Trailer VIN Tag / Certificate of Origin for the following trailer:
SERIAL # / VIN 15XFW 53216200 1628 SO#
DATE OF MANUFACTURE 2006 AXLES / GAWR 10 K
ORIGINAL / CURRENT GVWR 20,000 CHANGE GVWR to 11,950
I/We, certify that I am a registered owner or authorized agent of the aforementioned trailer and have the authority to make this request. I understand the fee for this request will be \$40.00 to be paid in advance
Duplicate or Change VIN Thermal Tag (Late 2006 Trailer and Newer)
Duplicate or Change VIN Metal Plate (Early 2006 Trailer and Older)
Duplicate or Change Manufacturer Certificate of Origin *
* IMPORTANT: Duplicate MCO requests require proof from your state DMV that the trailer has never been registered, and will take up to 5 business days to be processed.
For reasons stated below, I do hereby agree to hold the manufacturer, Kaufman Trailers and all associated entities and employees, harmless from any lawsuit, litigation, legal action or liability which may arise from this request:
Reason for requesting duplicate
Signature of Owner or Agent: 1. 1005 Date: 2.12-2015
Printed Name: I medo Londaride Titled As: OWNEY
Address: 1733 Rockwell Rd Phone: 287 474-1624
Abington PA 19001 Fax:

Please allow 24 to 48 hours for VIN Tag/Plate processing and up to 5 business days for MCO processing. All requests will be sent by Regular US Mail unless the customer agrees to pay for Express Delivery (prices vary, ask for quote). Note "Next Day" and "Second Day" mail refers to after processing period.