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PUCO EXHIBIT FILING

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of :

William H. Hughes : Case No.

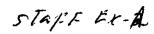
Notice of Apparent : 16-1467-TR-CVF

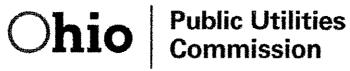
Violation and Intent to : Assess Forfeiture. :

PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, held at the Public Utilities Commission of Ohio, 180
East Broad Street, Hearing Room 11-C, Columbus, Ohio, on Tuesday, December 6, 2016, 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





John R. Kasich, Governor Asim Z. Haque, Chairman Commissioners

Lynn Slaby M Beth Trombold Thomas W. Johnson

06/05/2016

OH3235003382D William Hughes 8221 CRUMWELL DR AVON, IN 46123

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3235003382D

Dear Sir or Madam:

On 04/22/2016, a vehicle operated by MANHEIM INDIANAPOLIS, and driven by WILLIAM H HUGHES, 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 WILLIAM H HUGHES (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

395.8K2 1 Driver failing to retain previous 7 days records of duty status

Total of Group 1 100.00

TOTAL AMOUNT DUE: \$100.00

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 WILLIAM H HUGHES in the following amount:

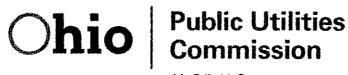
CODE GROUP VIOLATION FORFEITURE

395.8K2 | Driver failing to retain previous 7 days records of duty status

Total of Group 1 100.00

TOTAL AMOUNT DUE: \$100.00

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



Commissioners

Lynn Slaby M. Beth Trombold Thomas W. Johnson

Asim Z. Haque, Chairman

Within 30 days of this notice, you must <u>either</u>: (1) pay the assessed civil forfeiture <u>or</u> (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

Julan debouch

Compliance Officer: Thomas Persinger

DRIVER/VEHICLE EXAMINATION REPORT

Ohio

Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH3235003382

Inspection Date: 4/22/2016

Time Started: 13:06

Certification Date: Time Ended: 14:12

Inspection Level: I - Full Inspection

					ĺ			HM Inspection Type: No HM Inspection									
MANHEIM I 3110 SOUT INDIANAPO USDOT #: MC/MX #: State #:	H POST	RD			ne #: (=ax #;	317)862-8	622			Driver: License : Date of E		HUGH 891597 7/28/19	77512	ILLIAM F		ate: IN	
Location:	INTERS MADIS	STATE 70 W		TION	Orig	ePost: gin: stination:	COLU		•	1	***************************************	Bill of L Cargo:	_)39 / TOWAW	/A Y	
VEHICLE Unit Type I		ear State	: License# 31381E		Equí	pment ID	1G		Unit V	'IN 'F900884	GVWR 25,950	CVSA	#	CVSAI	ssued #	oos	Stkr.#
BRAKE AI Axie # Right Left Chamber	1 N/A N/A DISC	MENIS: 2 N/A N/A DISC															
VIOLATIO Vio Code 393.83E 395.8K2	NS:	Section 393.83(e) 395.8(k)(2)		Unit 1 D	oos N	State Cita Numbe		<u></u>	Crash N N	mulfler	exhaust	discharge	•		ab): no tail	, ,	
* N - Non-O	OS or D	, , , ,								No Log/							
HazMat:		N	o HM Tran	sporte	d.							Placard:	NΑ	Cargo	Tank:		
Special Ch	necks:	o s	ilcohol/Cont conducted b lize and We Screening	y Loca	i Juriso	diction			PASA	Enforcen Conducte Interdiction	d Inspec	tion	<u></u>	BBT Insp	h Inspection pection	on .	
Inspection	Notes	:		***													
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Special Stud	•								-	Study9:							
Special Stud								S	pecial	Study10:							
Locally De For-Hite Car Oriver City: A	mer: N	ields:							er Add	ress: 822	1 CRUMV	VELL DR					

Report Prepared By:

Driver Zip: 46123

FMCSA Credentials Verified-Y/N: N

FMCSA OOS Order Issued(Y/N): N

Badge #:

Copy Received By:

Page 1 of 2

S Morgan

3235

HUGHES, WILLIAM H



x _____

Reason Code: USSP

CDL Verified (Y/N): Y

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DRIVER/VEHICLE EXAMINATION REPORT

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MANHEIM INDIANAPOLIS

INDIANAPOLIS, IN 46239

3110 SOUTH POST RD

Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH3235003382

Inspection Date: 4/22/2016

13:06

Certification Date: Time Ended: 14:12

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

Driver: License #:

Date of Birth:

Time Started:

HUGHES, WILLIAM H

8915977512 7/28/1970 State: IN

USDOT#:

Phone #: (317)862-8622

MC/MX#:

Fax #:

State #:

I hereby declare WILLIAM H. HUGHES "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:10 HOURS FROM END OF INSPECTION.

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 & Hazerdous 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 wit \$10,000.	th the required certification can result in penalti	es up to \$1,000 per day for each day the viol	ation continues, up to a total of
Signature of Repairer:	X	Facility:	Date:

Report Prepared By: S Morgan Badge #: 3235 Copy Received By: HUGHES, WILLIAM H

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