

FILE

**PUCO EXHIBIT FILING**

RECEIVED-DOCKETING DIV  
2017 DEC 28 PM 2:30

Date of Hearing: 12/6/17

PUCO

Case No. 17-599-TA-CUF

PUCO Case Caption: Hamza Musa

List of exhibits being filed:

STAFF Ex 1 and 2

This is to certify that the images appearing are as  
submitted and complete and that the filing of a case file  
is being submitted to the proper court of law.  
Submitted AS Date Processed 12/28/17

Reporter's Signature: Michael O. Spence

Date Submitted: 12/28/17

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of :  
Hamza A. Musa, Notice of : Case No.  
Apparent Violation and : 17-599-TR-CVF  
Intent to Assess :  
Forfeiture. :

- - -

PROCEEDINGS

Before Nicholas Walstra, Attorney Examiner, held  
at the Public Utilities Commission of Ohio, 180  
East Broad Street, Hearing Room 11-C, Columbus,  
Ohio, on Wednesday, December 6, 2017, at 10:00  
A.M.

- - -

Armstrong & Okey, Inc.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
(614) 224-9481 - (800) 223-9481

- - -

## DRIVER/VEHICLE EXAMINATION REPORT

**Ohio**

Report Number: OH3263002444  
 Inspection Date: 10/19/2016 Certification Date:  
 Time Started: 10:15 Time Ended: 10:45  
 Inspection Level: II - Walk-Around  
 HM Inspection Type: No HM Inspection

GURKARAN INCORPORATION

6013 BREWER CREEK DR

BAKERSFIELD, CA 93313

USDOT #: 02310191

Phone #: (661)664-1045

MC/MX #: 788706

Fax #: (661)735-5355

State #:

Driver: MUSE, HAMZAA

License #: TH343062

State: OH

Date of Birth: 11/5/1990

Location: ROADSIDE INSPECTION

MilePost: 7

Highway: IR70 EB

Origin: INDIANAPOLIS, IN

Bill of Lading:

County: PREBLE

Destination: COLUMBUS, OH

Cargo: EMPTY

Shipper:

## VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	KW	2016	CA	WP56402	154	1XKYD49X0GJ494352	52,000			

BRAKE ADJUSTMENTS: No brake measurements recorded.

## VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
395.8A	395.8(a)	D	Y		N	N	No drivers record of duty status: No Log on 10/19/2016. No Log Book at time of inspection
392.4A	392.4(a)	D	Y		N	N	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.: The driver is in possession of Marijuana in his truck.

\* 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 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 checked="" type="checkbox"/> Drug Interdiction Search	Arrests: 0
<input type="checkbox"/> EScreening		

## 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

Fatalities (Y/N): N

Driver Address: 807 HILLVIEW CT

Driver City: COLUMBUS

Driver State: OH

Driver Zip: 43228

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 HAMZAA, MUSE "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: 24 hours off duty

Report Prepared By:

Badge #:

Copy Received By:

Page 1 of 2

D S Mowen

3263

MUSE, HAMZAA



OH3263002444

X

X

# DRIVER/VEHICLE EXAMINATION REPORT

# Ohio

Report Number: OH3263002444  
 Inspection Date: 10/19/2016 Certification Date:  
 Time Started: 10:15 Time Ended: 10:45  
 Inspection Level: II - Walk-Around  
 HM Inspection Type: No HM Inspection

GURKARAN INCORPORATION

6013 BREWER CREEK DR

BAKERSFIELD, CA 93313

USDOT #: 02310191

MC/IMX #: 788706

State #:

Phone #: (661)664-1045

Fax #: (661)735-5355

Driver: MUSE, HAMZA A

License #: TH343062

State: OH

Date of Birth: 11/5/1990

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, T ASD - 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 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:

D S Mowen

Badge #:

3263

Copy Received By:

MUSE, HAMZA A

Page 2 of 2



OH3263002444

X

X



# Public Utilities Commission

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

Commissioners

Lynn Slaby  
M. Beth Trombold  
Thomas W. Johnson

01/27/2017

OH3263002444D  
Hamza A Musa  
807 HILLVIEW CT  
COLUMBUS, OH 43228

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH3263002444D

Dear Sir or Madam:

On 10/19/2016, a vehicle operated by GURKARAN INCORPORATION, and driven by HAMZA A MUSE, 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 HAMZA A MUSE (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
395.8A	1	No drivers record of duty status	
392.4A	4	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.	500.00
		Total of Group 1	100.00
		Total of Group 4	500.00

**TOTAL AMOUNT DUE: \$600.00**

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 HAMZA A MUSE in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
------	-------	-----------	------------

180 East Broad Street  
Columbus, Ohio 43215-3793

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





## Public Utilities Commission

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

### Commissioners

Lynn Slaby  
M. Beth Trombold  
Thomas W. Johnson

395.8A	1	No drivers record of duty status	
392.4A	4	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.	500.00
		Total of Group 1	100.00
		Total of Group 4	500.00

**TOTAL AMOUNT DUE: \$600.00**

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: Thomas Persinger

