

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Wayman :
Patterson Notice of Apparent : Case No.
Violation and Intent to : 17-2233-TR-CVF
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 Thursday, February 8, 2018, at 1:30
P.M.

- - -

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

- - -

1 APPEARANCES:

2 Mr. Werner L. Margard
3 Assistant Attorney General
4 30 East Broad Street, 16th Floor
5 Columbus, Ohio 43215

6 On behalf of the Staff of the
7 Public Utilities Commission
8 of Ohio.

9 Mr. Wayman Patterson
10 17630 Melvindale
11 Detroit, Michigan 48122

12 Appearing Pro se.

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Thursday Afternoon,
February 8, 2018.

- - -

ATTORNEY EXAMINER: The Public
Utilities Commission of Ohio has set for hearing
at this time and place Case No. 17-2233-TR-CVF
In the Matter of Wayman Patterson Notice of
Apparent Violation and Intent to Assess
Forfeiture.

My name is Kerry Sheets, I am the
Attorney Examiner for the Commission and I have
been assigned to hear this case.

May I now have the appearances of
the parties, please, starting with Staff.

MR. MARGARD: Thank you, Your Honor.
On behalf of the Transportation Staff of the
Public Utilities Commission of Ohio, Mike
DeWine, Ohio Attorney General, William Wright,
Section Chief Public Utilities Section, by
Assistant Attorney General Werner L. Margard, 30
East Broad Street, 16th Floor, Columbus, Ohio.

ATTORNEY EXAMINER: Thank you. Mr.
Patterson, state your name and address, please.

MR. PATTERSON: My name is Wayman
Patterson, 17630 Melvindale, Michigan 48122.

1 ATTORNEY EXAMINER: Very good. Do
2 you have any preliminary matters to take care of
3 this morning? This afternoon.

4 MR. MARGARD: No, your Honor.

5 ATTORNEY EXAMINER: Do you have
6 witnesses to call?

7 MR. MARGARD: I do. Thank you, Your
8 Honor. I would like to begin by calling Ed
9 Adkins to the stand, please.

10 (WITNESS SWORN)

11 - - -

12 INSPECTOR EDWARD ADKINS
13 called as a witness, being first duly sworn,
14 testified as follows:

15 DIRECT EXAMINATION

16 By Mr. Margard:

17 Q. Mr. Adkins, state your name,
18 please.

19 A. Edward Adkins.

20 Q. And by whom are you employed?

21 A. The Ohio State Highway Patrol, State
22 of Ohio.

23 Q. What is your position, what is your
24 role with the State Highway Patrol?

25 A. I am a Motor Carrier Enforcement

1 Inspector.

2 Q. Would I appropriately address you as
3 Inspector then?

4 A. Yes, sir.

5 Q. Thank you, sir. And out of what
6 Post do you operate?

7 A. I work out of District 3. I usually
8 work out of Post 18, 52, 77. So anywhere in
9 District 3.

10 Q. Which is located where, please?

11 A. Cleveland.

12 Q. Very good. Thank you, sir. What
13 are your job duties and responsibilities as an
14 Inspector?

15 A. To enforce the Motor Carrier
16 regulations on commercial vehicles and hazmat
17 vehicles within the State of Ohio.

18 Q. And how long have you been
19 performing that job?

20 A. A little over two years.

21 Q. Do you have any special training or
22 certifications to perform that job?

23 A. Yes. I was certified through the
24 FMCSA for inspection of trucks and hazmat
25 vehicles.

1 Q. Thank you, sir. Were you on duty in
2 that capacity on July 19th of 2017?

3 A. Yes, sir.

4 Q. And in the course of your duties did
5 you have an opportunity to inspect a vehicle
6 being operated by the Respondent, Mr. Patterson?

7 A. Yes, sir.

8 Q. And as a result of that inspection
9 did you prepare an examination report?

10 A. Yes, sir, I did.

11 (EXHIBIT MARKED FOR THE PURPOSE OF
12 IDENTIFICATION)

13 MR. MARGARD: Your Honor, I have
14 marked for purposes of identification as Staff
15 Exhibit No. 1 a copy of the Driver/Vehicle
16 Examination Report dated July 19, 2017. I have
17 provided the Bench and the reporter with a copy,
18 and I have placed a copy before the witness.

19 ATTORNEY EXAMINER: Thank you.
20 Proceed.

21 MR. MARGARD: Thank you.

22 Q. Inspector Adkins, do you have before
23 you what's been marked Staff Exhibit No. 1?

24 A. Yes, I do.

25 Q. Do you recognize that document?

1 A. Yes, I do.

2 Q. Is that a copy of the examination
3 report that you prepared following your
4 inspection of a vehicle operated by Mr.
5 Patterson?

6 A. Yes, it is.

7 Q. And if you would please just take a
8 moment to review it and let us know, if you
9 would, please, if you believe this is a true and
10 accurate copy of the report that you prepared?

11 A. Yes, it is.

12 Q. Thank you. Tell me, sir, where were
13 you stationed or where were you positioned, what
14 was your specific job assignment at the time of
15 this inspection?

16 A. This day I was at the westbound
17 scales on Interstate 76 in Medina County.

18 Q. Were you located inside the scale
19 station?

20 A. Yes, I was.

21 Q. You were not in a car then, you were
22 within side the building; is that correct?

23 A. Correct.

24 Q. Okay. When did you first notice the
25 vehicle operated by Mr. Patterson?

1 A. As he approached the building.

2 Q. And is this something you are
3 observing out the window, or were you observing
4 this on a monitor of some sort?

5 A. I was observing it through the
6 window. The whole front of the building is all
7 windows.

8 Q. Very good. And what caused you to
9 conduct an inspection?

10 A. As he was crossing the scales I
11 noticed he was not wearing a seat belt.

12 Q. And when you say he was not wearing
13 a seat belt, do you mean across his chest?

14 A. That's correct.

15 Q. Okay. And how were you able to
16 ascertain that he was not wearing a seat belt at
17 that time?

18 A. He was wearing a red shirt and the
19 seat belt was black in color.

20 Q. And when did you determine that
21 the seat belt was black?

22 A. Once I could see it up in the corner
23 past the shoulder.

24 Q. I see. When you noticed that he was
25 not wearing a seat belt what action did you

1 take?

2 A. I activated the red light which in
3 turn tells the driver because there is a sign to
4 proceed around back. I also got on the speaker
5 and advised the driver to go around back.

6 Q. And did Mr. Patterson do so?

7 A. Yes, he did.

8 Q. And I trust that you approached the
9 vehicle and conducted an examination at that
10 time?

11 A. Yes, I did.

12 Q. What was the extent of your
13 examination at that point?

14 A. Very first thing I do when there is
15 a seat belt violation is I ask why did you not
16 have your seat belt on. And his response was I
17 had just left the shipper, which was Morton
18 Salt, the last exit right before the scales.

19 Q. And approximately how far would that
20 be from the scales?

21 A. About two to three miles.

22 Q. And did you make note of that
23 conversation in your report, sir?

24 A. Yes, I did.

25 Q. Did he offer any other explanation

1 to you?

2 A. No, he didn't.

3 Q. Did you conduct any further
4 inspection, either of the driver, his records or
5 the vehicle at that time?

6 A. Yes. I went ahead and did a Level 2
7 inspection, which includes paperwork, log books,
8 and the lights, tires, outside of the vehicle.

9 Q. You noted no other violations; is
10 that correct?

11 A. No, I didn't.

12 Q. And following your inspection you
13 provided a copy of this report to Mr. Patterson?

14 A. Yes, I did.

15 Q. Is there anything else in regarding
16 this inspection that you think the Judge needs
17 to know in order to be able to make a
18 determination on this violation?

19 A. No.

20 MR. MARGARD: Thank you. Your
21 Honor, I have no further questions for this
22 witness.

23 ATTORNEY EXAMINER: Mr. Patterson,
24 do you have any questions for this witness?

25 MR. PATTERSON: No, I don't.

1 ATTORNEY EXAMINER: None?

2 MR. PATTERSON: No.

3 ATTORNEY EXAMINER: You are excused.

4 THE WITNESS: Thank you, sir.

5 MR. MARGARD: Your Honor, I will
6 call Mr. Rod Mosher.

7 (WITNESS SWORN)

8 - - -

9 ROD MOSHER

10 called as a witness, being first duly sworn,
11 testified as follows:

12 ATTORNEY EXAMINER: Be seated.

13 DIRECT EXAMINATION

14 By Mr. Margard:

15 Q. Sir, can you please state your name?

16 A. My name is Rod Mosher.

17 Q. And by whom are you employed and in
18 what capacity, please?

19 A. I am employed by the Public
20 Utilities Commission of Ohio. I am the Chief of
21 Compliance within the Transportation Department
22 for the Commission.

23 Q. And what are your duties and
24 responsibilities as the Chief of Compliance?

25 A. My job is to basically oversee the

1 civil forfeiture process for the transportation
2 section.

3 Q. And can you briefly describe your
4 background and experience for us, please, sir?

5 A. Yes. I spent nearly 30 years with
6 the Ohio State Highway Patrol. Most of that
7 time working in the area of commercial
8 enforcement.

9 When I retired from the Patrol I
10 came here. I have been here roughly a year in
11 this capacity.

12 Q. Did you have the opportunity to
13 conduct motor vehicle inspections in your
14 previous capacity or previous job?

15 A. Yes.

16 Q. And do you still conduct inspections
17 from time to time?

18 A. I do, yes.

19 Q. Prior to testifying today have you
20 had an opportunity to review the file maintained
21 by the Commission with respect to this
22 violation?

23 A. Yes, sir, I have.

24 Q. You had an opportunity then to
25 review what's been marked as Staff Exhibit No.

1 1?

2 A. I have No. 2, No. 3.

3 Q. I am sorry. The inspection report
4 that was marked as Exhibit 1.

5 A. I do, yes.

6 Q. Thank you.

7 A. I have it here.

8 Q. I will get to the other ones. Thank
9 you, sir.

10 A. Okay

11 Q. Before we do I would like you to
12 explain, if you would, please, briefly for us,
13 how a civil forfeiture is calculated for
14 violations of motor carrier safety regulations.

15 A. Okay. All the way back to the
16 beginning, once the inspector uploads the
17 inspection it goes into a federal database and
18 from the database it comes to the Public
19 Utilities Commission.

20 If there are violations on the
21 inspection then it comes into a database or a
22 program called OMSAS. Depending on those
23 violations, what they are, we may assess
24 forfeiture amounts. The way we determine
25 whether or not to assess is what group

1 the violations are in. All violations are one
2 of five groups. Group 0, 1, 2, 3 and 4.

3 Those groups are basically
4 determined by their risk for causing a crash and
5 the general overall safety of the vehicle and
6 motoring public. In this particular case a
7 safety belt is a Group 4 violation.

8 Q. Are these groups part of a schedule
9 or some kind of a standardized fee schedule that
10 is maintained by the Commission?

11 A. The schedule that we use, or the
12 format that we use was initially adopted by the
13 Commercial Vehicle Safety Alliance and we use
14 that as a model.

15 Q. And are the dollar amounts contained
16 in the Commission's schedule consistent with the
17 recommended fines or penalties recommended by
18 the Commercial Vehicle Safety Alliance?

19 A. They are, yes.

20 Q. And this procedure is the same
21 procedure you use for all motor carrier safety
22 violations; is that correct?

23 A. The procedure is automated. So all
24 inspections are treated the same.

25 Q. Okay. Thank you, sir.

1 Following the determination of whether or not a
2 forfeiture assessment is to be made what occurs
3 next?

4 A. We will send the Respondent one of
5 two letters. If there is no fine amount or
6 forfeiture amount attached they will get a
7 letter that we generally call an NAV which is
8 stating the violations, but no associated
9 forfeiture.

10 If there are forfeiture amounts
11 attached they get a Notice of Intent to Assess
12 Forfeiture letter, we call an NIF.

13 MR. MARGARD: Thank you. Your
14 Honor, I have marked for purposes of
15 identification as Staff Exhibit No. 2 a Notice
16 of Apparent Violation and Intent to Assess
17 Forfeiture dated July 20, 2017.

18 I have provided a copy of that to
19 the court reporter, to the Bench, and to the
20 witness.

21 (EXHIBIT MARKED FOR THE PURPOSE OF
22 IDENTIFICATION)

23 ATTORNEY EXAMINER: Thank you.

24 Q. Mr. Mosher, do you have before you
25 what's been marked as Staff Exhibit No. 2?

1 A. I do.

2 Q. And is this a copy of the Notice of
3 Intent to Assess Forfeiture that was sent to Mr.
4 Patterson in this case?

5 A. Yes, sir.

6 Q. Can you tell us what happens
7 following the mailing of this notice?

8 A. The Respondent has a couple options.
9 One is to just pay the forfeiture. The other is
10 to contest it by requesting a conference.

11 Mr. Patterson did do that in this
12 case. He requested a phone conference and that
13 was held with him by one of my employees, Mr.
14 Tom Persinger.

15 Q. And if the matter is not resolved at
16 that stage what is the next step in the process?

17 A. The next step is to send the
18 Respondent a letter that we call an NPD, or
19 Notice of Preliminary Determination, which just
20 basically says we had this conference, we were
21 unable to resolve it and here is what the
22 Commission intends to do as a result.

23 MR. MARGARD: Your Honor, I have
24 marked for purposes of identification as Staff
25 Exhibit No. 3 a Notice of Preliminary

1 Determination dated October 5th, 2017 addressed
2 to Mr. Patterson.

3 (EXHIBIT MARKED FOR PURPOSES OF
4 IDENTIFICATION)

5 Q. Mr. Mosher, do you have before you
6 what's been marked Staff Exhibit No. 3?

7 A. Yes, sir, I do.

8 Q. Is that a copy of the Notice of
9 Preliminary Determination served upon
10 the Respondent in this case?

11 A. Yes, sir, it is.

12 Q. Now, in looking at Staff Exhibit No.
13 2 and 3 I note the Group 4 designation that you
14 described earlier. Have you had an opportunity
15 to review these notices?

16 A. Yes, sir.

17 Q. And are the forfeiture amounts that
18 are proposed here correct and accurately
19 determined based on the process that you
20 described earlier?

21 A. Yes. Safety belt is a Group 4
22 violation and it is \$100.

23 Q. In your opinion did the Respondent
24 receive all of the notices that he was entitled
25 to receive pursuant to Commission procedures?

1 A. Yes, he did.

2 MR. MARGARD: Thank you. Your
3 Honor, I have no further questions for this
4 witness. Thank you.

5 ATTORNEY EXAMINER: Mr. Patterson,
6 do you have any questions for this witness?

7 MR. PATTERSON: No, sir.

8 ATTORNEY EXAMINER: You are excused.

9 MR. MARGARD: Your Honor, I have no
10 further witnesses. That concludes my case in
11 chief. And I would respectfully move the
12 admission of Staff Exhibits 1, 2 and 3.

13 ATTORNEY EXAMINER: Very well. I
14 will admit those exhibits into evidence at this
15 time.

16 (EXHIBITS ADMITTED INTO EVIDENCE)

17 ATTORNEY EXAMINER: Mr. Patterson,
18 do you have testimony you wish to present?

19 MR. PATTERSON: I do.

20 ATTORNEY EXAMINER: Do you want to
21 say something up here? Come forward

22 (WITNESS SWORN)

23 - - -

24 WAYMAN PATTERSON

25 called as a witness, being first duly sworn,

1 testified as follows:

2 ATTORNEY EXAMINER: Be stated. Go
3 ahead and present your testimony in a narrative
4 style. And speak up for the reporter.

5 MR. PATTERSON: Okay. I had just
6 left Morton Salt, had 45,000 plus pounds in my
7 truck. As a DOT regulation we are all required
8 a commercial driver's license, commercial
9 drivers are required to make sure that we put
10 our seat belts on before we even start the
11 truck. This is what I did when I left Morton
12 Salt.

13 As I approached the weigh station,
14 they have signals, green, red and an X. For you
15 to stop, X is stop and green is to go. And
16 the lanes split.

17 As I approached the scale before I
18 even got on the scale the light read X for me to
19 stop. I immediately stopped when the X was
20 shown and I seen the X when I stopped. I didn't
21 know what was going on.

22 So, my first impression was I may
23 have to get out or exit the truck for an issue.
24 So, what I did was at that moment my truck was
25 stopped, I didn't move anywhere. So what I did

1 was I took my seat belt off because I thought I
2 had to exit the vehicle.

3 The officer came around to the truck
4 while I was still on the scale. I apologize,
5 before I got to the scale. He came around to my
6 side of the truck door. And I asked him was
7 there a problem. He specifically stated that
8 you took your seat belt off. I said, well, I
9 thought I had to get out of the vehicle.

10 He told me, well, I need you to pull
11 around back, back of the building. So, I said
12 okay.

13 So I followed the instructions.
14 I pulled around to the back of the building.
15 And I explained to him this is my first time
16 entering the weigh station, when I had to be
17 stopped. And I don't have any reason why I was
18 stopped. So I am asking him please give me a
19 reason why I was stopped. He didn't give me a
20 reason at all.

21 But the only thing he kept
22 telling me was my seat belt wasn't on. And I
23 said, well, sir, I took the seat belt off when I
24 stopped at the X. I said is there any reason,
25 is there any way you can bypass this because

1 this is not something that is a real clear
2 violation because as long as my vehicle is not
3 mobile, not moving, I am not required to have my
4 seat belt on.

5 Now, when I start moving, yes, I am
6 required to put my seat belt on, which is what I
7 did when I left the weigh station I put my seat
8 belt back on.

9 He set in his vehicle for 20, 25
10 minutes afterwards and he started writing up a
11 report. He brought me the report afterwards
12 while I was sitting in the truck in the back of
13 the building.

14 When he brought me the report he
15 told me that it was just a warning. That was
16 it. And I said do I have to pay any type of
17 fine or anything? He said, no, it's just a
18 warning. I said okay. That was it, I left.

19 I took the report back to my
20 company, which is where I was working, I was
21 working Falcon Transport. I took that report
22 back to my company. They said the same thing to
23 me. It was just a warning because there was no
24 citation number on it for a case.

25 So I said, okay, this is my first

1 time reviewing a DOT ticket report because I
2 never got one before.

3 So, afterwards, a week or so later
4 they told me that -- the company told me that
5 they had received 21 points for this report. I
6 was fired for that.

7 I said 21 points, that is a lot of
8 points for a safety belt. And the company was
9 not very happy with it. I explained to them
10 what happened at the Ohio weigh station because
11 I immediately got on the phone with my driver
12 manager about it.

13 And they told me the company
14 received 21 points for this violation. I said
15 it's not really a violation because I was not
16 mobile. And DOT regulations required that I be
17 mobile for me to be in violation if I did not
18 have my seat belt on, and I was not, I was
19 stationary.

20 I took the seat belt off before I
21 got onto the scales because I was stopped. I
22 thought I had to exit the vehicle. I told them
23 the same thing I explained to him, the officer.

24 I thought it was just a warning.
25 So when they sent me these notices in the mail I

1 thought it was games being played. They said I
2 had to pay a \$100 fine for this violation, but
3 the officer told me it was just a warning
4 citation.

5 And I was told by the Commission in
6 the conference that they didn't issue warring
7 citations. And I was kind of confused. That is
8 why I asked for a hearing, go all the way with
9 it.

10 So, the officer was not being very
11 honest here at all period. He said Level 2
12 inspection. On the paper it says Level 3. He
13 never gave me an inspection, he just basically
14 pulled me over and gave me a citation for
15 the seat belt that I took off before I entered
16 the scales.

17 That was it. That situation lasted
18 about 30, 40 minutes. He sat in his vehicle
19 while I sat in the back in the truck.
20 Afterwards I left.

21 I can't remember the DOT regulations
22 for that seat belt situation where the vehicle
23 has to be mobile before a ticket can be issued
24 for not wearing a seat belt. And I was
25 stationed so I wasn't required to wear my seat

1 belt while I was stationary in the truck. I
2 can't remember -- I was studying it before I got
3 here, but I can't remember the citation for it.

4 But, I was stationary when I took
5 that seat belt off.

6 ATTORNEY EXAMINER: Does that
7 complete your testimony?

8 MR. PATTERSON: Yes, sir, it does.

9 ATTORNEY EXAMINER: Do you have any
10 questions?

11 MR. MARGARD: Just a few. Thank
12 you, your Honor.

13 CROSS-EXAMINATION

14 By Mr. Margard:

15 Q. Mr. Patterson, how long have you
16 been a commercial vehicle driver? How long have
17 you had your license?

18 A. I got my driver's license for a
19 commercial vehicle exactly May 15, 2017.

20 Q. So you had only had it for a couple
21 of months at the time of this inspection; is
22 that right?

23 A. Right.

24 Q. Had you ever been inspected for any
25 reason prior to this incident?

1 A. No, I hadn't.

2 Q. Have you ever had occasion to pull
3 into a weigh station prior?

4 A. Yes. I have pulled into a weigh
5 station.

6 Q. Had you had occasion to pull into
7 this specific weigh station before?

8 A. First time.

9 Q. This was the first time?

10 A. That was the first time.

11 MR. MARGARD: Okay. That is all I
12 have for the witness. Thank you, Your Honor.

13 ATTORNEY EXAMINER: No more
14 questions?

15 MR. MARGARD: Not for this witness,
16 no, sir.

17 ATTORNEY EXAMINER: You are excused.

18 MR. PATTERSON: Thanks.

19 MR. MARGARD: I would, however, Your
20 Honor, like to recall Inspector Adkins.

21 ATTORNEY EXAMINER: Very good. You
22 are still under oath.

23 INSPECTOR ADKINS: Okay.

24 - - -

25 INSPECTOR EDWARD ADKINS

1 recalled as a witness, being previously duly
2 sworn, testified as follows:

3 FURTHER DIRECT EXAMINATION

4 By Mr. Margard:

5 Q. Inspector Adkins, you were present
6 during Mr. Patterson's testimony; is that
7 correct?

8 A. Yes.

9 Q. Before I get to specifics, how
10 frequently are you assigned to work at this
11 weigh station?

12 A. Pretty frequently.

13 Q. And had that been the case prior to
14 this inspection?

15 A. Yes.

16 Q. So you are very familiar with that
17 weigh station and how it operates; is that
18 correct?

19 A. Yes, sir.

20 Q. You heard Mr. Patterson describe the
21 weigh station as he approached it. Do you
22 recall that description?

23 A. Yes, sir.

24 Q. Does that accurately reflect how the
25 weigh station is configured?

1 A. No, sir.

2 Q. And how is it different, please?

3 A. There is only one lane. When you
4 cross the scales you cannot split off until you
5 pass the scales. There is no X, there is no
6 arrow, green X, just a green light. Once you go
7 over the scales if you went around back the
8 green light will turn red. There is no X, and
9 we get on the speaker and advise them to go in
10 back.

11 Q. And any time the red light is
12 activated, I presume that is activated from
13 inside the station?

14 A. Yes, it is.

15 Q. Do you always use the speaker to
16 speak to the driver?

17 A. Yes, we do.

18 Q. Do you ever approach the driver
19 while they are on the scale?

20 A. Yes.

21 Q. Do you recall whether you did so in
22 this instance?

23 A. I can't recall if I did or not.
24 I have done it before in the past.

25 Q. It's possible that you may have?

1 A. Yes.

2 Q. Would you have seen or do you
3 recall, let me ask you that, do you specifically
4 recall seeing Mr. Patterson pull on to the weigh
5 station, pull up to the scale?

6 A. Specifically him?

7 Q. Yes.

8 A. I do not.

9 Q. Do you recall with respect to this
10 inspection ever seeing him take off the belt
11 while he was on the scale?

12 A. No. We see them from probably 20 to
13 30 feet before they approach the building. We
14 are always looking out the window. We will see
15 that someone doesn't have their seat belt on, we
16 will watch them cross the scales and they will
17 cross the scales before they are stopped.

18 This was an instance where I stopped
19 him, went past the scales, right on top of
20 the scales, stopped and then I walked out
21 immediately and asked him why he didn't have his
22 seat belt on when he was crossing the scales.

23 Q. And while moving; is that correct?

24 A. That's correct.

25 Q. While operating; is that correct?

1 A. Correct.

2 Q. Okay. Mr. Patterson also noted that
3 the inspection report indicates that this was a
4 Level 3 inspection as opposed to a Level 2
5 inspection. What is the difference between
6 those?

7 A. Level 3 is a driver only inspection,
8 where we inspect the driver and their paperwork.

9 Q. And at least with respect to your
10 inspection of the driver from the time that you
11 first noticed him he was not wearing a seat belt
12 while operating the truck; is that correct?

13 A. That's correct.

14 MR. MARGARD: Thank you. Your
15 Honor, I have no further questions.

16 ATTORNEY EXAMINER: Mr. Patterson,
17 do you have any questions for this witnesses?

18 MR. PATTERSON: No, sir.

19 ATTORNEY EXAMINER: Anything more?

20 MR. MARGARD: Thank you, Your Honor.
21 I have nothing further.

22 ATTORNEY EXAMINER: You are excused.

23 MR. PATTERSON: Thank you, sir.

24 ATTORNEY EXAMINER: If there is
25 nothing more today I will consider this case

submitted on the record. I thank you all for
coming.

MR. MARGARD: Thank you, your Honor.

- - -

(At 2:00 P.M. the hearing was
concluded)

CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on
February 8, 2018, and carefully compared with my
original stenographic notes.

Michael O. Spencer
Michael O. Spencer,
Registered Professional
Reporter.

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Case No(s). 17-2233-TR-CVF

Summary: Transcript In the Matter of Wayman Patterson Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on February 8, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.