

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF MELVIN SCRUGGS,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

**CASE NO. 18-304-TR-CVF
(OH3202306562D)**

ENTRY

Entered in the Journal on June 6, 2018

I. SUMMARY

{¶ 1} The Commission dismisses this case, as the respondent has paid the assessed civil forfeiture in full.

II. DISCUSSION

{¶ 2} R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property motor carriers operating in interstate and intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-03(A), the Commission adopted the Federal Motor Carrier Safety Regulations for the purpose of governing transportation by motor vehicle in the state of Ohio. Further, R.C. 4923.99 authorizes the Commission to assess a civil forfeiture of up to \$25,000 per day against any person who violates the safety rules adopted by the Commission.

{¶ 3} On February 21, 2018, Melvin Scruggs (Respondent) filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} A prehearing conference was conducted on April 12, 2018, but the parties did not resolve the matter, and a May 21, 2018, hearing was scheduled.

{¶ 5} On May 16, 2018, Staff filed a status update indicating that Respondent had paid the full amount of the forfeiture.

{¶ 6} Pursuant to Ohio Adm.Code 4901:2-7-22, full payment of the forfeiture prior to any final Commission order constitutes an admission of occurrence of the violation and shall terminate all further proceedings.

{¶ 7} Accordingly, the Commission finds that this case should be dismissed, as Respondent has paid the assessed civil forfeiture in full.

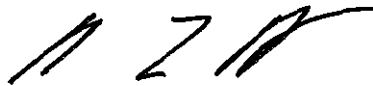
III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That this case be dismissed. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon Melvin Scruggs and all other interested parties of record.

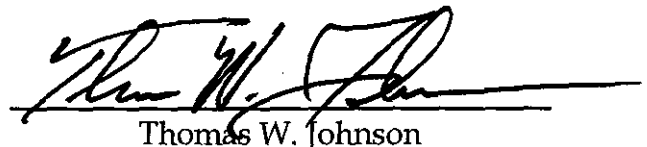
THE PUBLIC UTILITIES COMMISSION OF OHIO



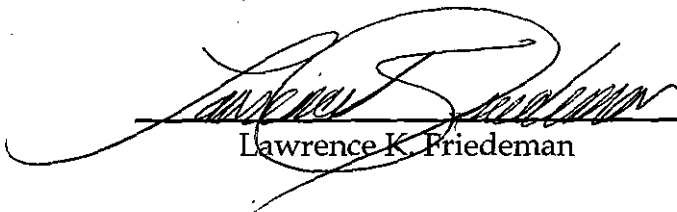
Asim Z. Haque, Chairman



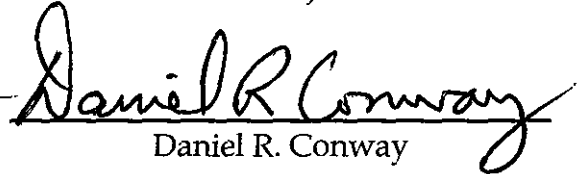
M. Beth Tromboli



Thomas W. Johnson



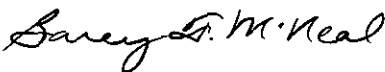
Lawrence K. Friedeman



Daniel R. Conway

JML/sc

Entered in the Journal
JUN 06 2018



Barcy F. McNeal
Secretary