

76

FILE

**PUCO EXHIBIT FILING**

Date of Hearing: 4/4/2019

Case No. 18-946-TR-CVF

PUCO Case Caption: In the Matter of the Gregory D.  
Willet, Notice of Apparent Violation and Intent  
to Assess Forfeiture

**List of exhibits being filed:**

Staff 1, 2, & 3

PUCO

2019 APR 22 PM 2:00

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Reporter's Signature: Karen Sue Gibson  
Date Submitted: 4-18-2019

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Technician KM Date Processed APR 22 2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of Gregory :  
D. Willet, Notice of :  
Apparent Violation and : Case No. 18-946-TR-CVF  
Intent to Assess :  
Forfeiture. :

- - -

PROCEEDINGS

before Ms. Lauren Augostini and Mr. Nick Walstra,  
Attorney Examiners, at the Public Utilities  
Commission of Ohio, 180 East Broad Street, Room 11-D,  
Columbus, Ohio, called at 10:00 a.m. on Thursday,  
April 4, 2019.

- - -

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2019 APR 22 PM 2:00

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ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481

- - -

## DRIVER/VEHICLE EXAMINATION REPORT



Public Utilities Commission of Ohio  
180 East Broad Street  
Transportation Department  
Columbus, OH 43215  
Phone #: (614)466-0429 Fax #: (614)752-9274

Report Number: OH1575000626  
Inspection Date: 2/7/2018 Certification Date: 02/23/2018  
Time Started: 16:04 Time Ended: 16:25  
Inspection Level: III - Driver-Only Inspection  
HM Inspection Type: No HM Inspection

CONTAINERPORT GROUP INC

1340 DEPOT STREET

CLEVELAND, OH 44116

USDOT #: 00232734

MC/MX #: 152125

State #:

Phone #: (440)895-8113

Fax #:

Driver: WILLET, GREGORY D  
License #: RL778072 State: OH  
Date of Birth: 10/12/1979

Location: ROADSIDE

MilePost: 44

Highway: IR270

Origin: HILLIARD, OH

Bill of Lading: 101066

County: FRANKLIN

Destination: GROVEPORT, OH

Cargo: GENERAL FREIGHT

Shipper: YOKOHAMA

## VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	FRHT	2000	OH	PIX4350		1FUYSYB51454	52,000			
2	ST	CHAT	2007	TN	U691142	DCLZ700823	5EF2GC5337B772330	48,000			

BRAKE ADJUSTMENTS: No brake measurements recorded.

## VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
392.16	392.16(a)	D	N		N	N	Failing to use seat belt while operating a CMV

\* N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported.

Placard: NA Cargo Tank:

## Special Checks:

- ☐ Alcohol/Controlled Substance Check  
☐ Conducted by Local Jurisdiction  
☐ Size and Weight Enforcement  
☐ E Screening

- ☐ Traffic Enforcement  
☐ PASA Conducted Inspection  
☐ Drug Interdiction Search

- ☐ Post Crash Inspection  
☐ PBBT Inspection  
Arrests:

Inspection Notes: ISS- 97/ OBVI= sba. No ORC violation for hp7

## 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; Driver Address: 2039 W FAIR AVE; Driver City: LANCASTER; Driver State: OH; Driver Zip: 43130; 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

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Report Prepared By:  
T J MULARCIK

Badge #:  
1575

Copy Received By:  
WILLET, GREGORY D

Page 1 of 2



OH1575000626

X

X

**DRIVER/VEHICLE EXAMINATION REPORT**

Public Utilities Commission of Ohio  
180 East Broad Street  
Transportation Department  
Columbus, OH 43215  
Phone #: (614)466-0429 Fax #: (614)752-9274

Report Number: OH1575000626  
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**CONTAINERPORT GROUP INC**

1340 DEPOT STREET  
CLEVELAND, OH 44116

USDOT #: 00232734

MC/MX #: 152125

State #:

Phone #: (440)895-8113

Fax #:

Driver: WILLET, GREGORY D  
License #: RL778072 State: OH  
Date of Birth: 10/12/1979

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:  
T J MULARCIK

Badge #:  
1575

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WILLET, GREGORY D

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OH1575000626

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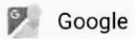
X

Google Maps Alum Creek Dr



Image capture: Jun 2018 © 2019 Google

Obetz, Ohio



Street View - Jun 2018



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# Public Utilities Commission

Asim Z. Haque, Chairman

## Commissioners

M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedman  
Daniel R. Conway

05/01/2018

OH1575000626D  
Mr. Gregory D. Willet  
2039 W FAIR AVE  
LANCASTER, OH 43130

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH1575000626D

Dear Sir or Madam:

On 02/07/2018, a vehicle operated by CONTAINERPORT GROUP INC, and driven by GREGORY D WILLET, 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 GREGORY D WILLET (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
392.16	4	Failing to use seat belt while operating a CMV	100.00
		Total of Group 4	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 civil forfeiture against GREGORY D WILLET in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.16	4	Failing to use seat belt while operating a CMV	100.00
		Total of Group 4	100.00

180 East Broad Street  
Columbus, Ohio 43215-3793

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



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## Public Utilities Commission

Asim Z. Haque, Chairman

### Commissioners

M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedman  
Daniel R. Conway

**TOTAL AMOUNT DUE: \$100.00**

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,

Rod Moser, Chief of Compliance  
Transportation Department

Compliance Officer: Cheryl Streets

