

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF JAHONGIR BOZAROV,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.

CASE NO. 18-1750-TR-CVF  
(OH3202306699C)

## FINDING AND ORDER

Entered in the Journal on May 1, 2019

### I. SUMMARY

{¶ 1} The Commission approves the settlement agreement filed between Staff and Jahongir Bozarov regarding violations of the Commission's transportation rules

### II. DISCUSSION

{¶ 2} R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property by 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, per violation, against any person who violates the safety rules adopted by the Commission.

{¶ 3} On September 26, 2018, a vehicle operated by Federal Carriers, Inc., and driven by Jahongir Bazarov (Respondent) was inspected within the state of Ohio. The inspector discovered a violation of 49 C.F.R. 172.600(C), 177.834(A), and 387.301(A).

{¶ 4} On November 11, 2018, Staff served a notice of preliminary determination (NPD) upon Respondent in accordance with Ohio Adm.Code 4901:2-7-12, alleging three violations of the Commission's transportation regulations. The NPD notified Respondent that Staff intended to assess a civil forfeiture in the amount totaling \$1,550 for violations of 49 C.F.R. 172.600(C), transporting hazardous material without the proper emergency information; 49 C.F.R. 177.834(A), hazardous material packages not secured in vehicle; and 49 C.F.R. 387.301(A), lacking evidence of proper liability and property damage insurance.

{¶ 5} On November 29, 2018, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 6} A prehearing conference was conducted on January 29, 2019.

{¶ 7} On February 13, 2019, Staff and Respondent filed a settlement agreement that, in the parties' opinion, resolves all of the issues raised in this case. The parties state that the settlement agreement is based on the parties' desire to arrive at a reasonable result considering the law, facts, and circumstances. The following is a summary of the conditions agreed to by the parties and is not intended to replace or supersede the settlement agreement.

- (a) Respondent admits to the violations listed in the NPD and agrees that the violations may be included in its history of violations, insofar as it may be relevant for purposes of determining future penalty actions.
- (b) Respondent shall pay a \$625 civil forfeiture in 30 days after the Commission's order approving the settlement agreement. The payment shall be made payable to "Treasurer State of Ohio," and it shall be mailed to PUCO, Attn: CF Processing, 180 East Broad Street, 4th floor, Columbus, Ohio 43215-3793. The Case Number 18-1750-TR-CVF and inspection number OH3202306699C should appear on the face of each check.
- (c) The settlement agreement is intended to resolve only factual or legal issues raised in this case, and it is not intended to have any effect whatsoever in any other case or proceeding.

{¶ 8} The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement shall be approved and adopted in its entirety.

**III. ORDER**

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the settlement agreement submitted in this case be approved and adopted in its entirety. It is, further,

{¶ 11} ORDERED, That Respondent pay the \$625 civil forfeiture in accordance with the settlement agreement. Payment shall be made by check or money order payable to "Treasurer State of Ohio," and it shall be mailed to PUCO, Attn: CF Processing, 180 East Broad Street, 4th floor, Columbus, Ohio 43215-3793. In order to ensure proper credit, Respondent is directed to write the Case No. 18-1750-TR-CVF and inspection number OH3202306699C should appear on the face of each check or money order.

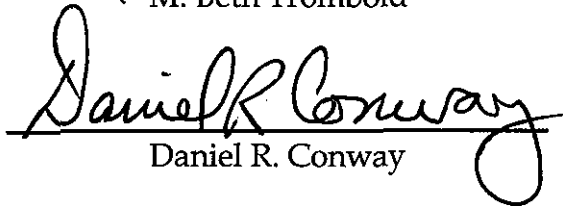
{¶ 12} ORDERED, That a copy of this Finding and Order be served upon Respondent and all other interested parties of record.

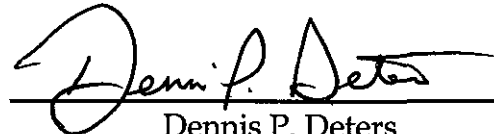
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
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Sam Randazzo, Chairman

  
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M. Beth Trombold

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Lawrence K. Friedeman

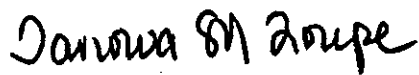
  
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Daniel R. Conway

  
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Tanowa M. Troupe  
Secretary