

FILE

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Dan, Teea and Daniel Linn
2848 Lemert Rd
Bucyrus, Ohio 44820
419-563-1151

11-16-19

Case No. OH3249009759C

Daniel J. Linn
2848 Lemert Rd
Bucyrus, OH
44820
419-563-1151

I am hereby Requesting a
Administrative Hearing
Daniel J. Linn-owner

2019 NOV 20 PM 2:23

PUCO

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**Public Utilities
Commission**

Sam Randazzo, Chairman

19-2078-TR-CVF

Commissioners

M. Beth Trombold
Lawrence K. Friedeman
Dennis P. Deters
Daniel R. Conway

October 24, 2019

Daniel J. Linn
2848 Lemert Road
Bucyrus, OH 44820

PUCO

2019 NOV 20 PM 2:23

19-2078-TR-CVF

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. OH3249009759C

Dear Sir or Madam:

On 09/03/2019, a vehicle operated by DANIEL J LINN, and driven by, LINN, DANIEL J was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified DANIEL J LINN pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against DANIEL J LINN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
393.11L R	Group 0	No Lower rear retroreflective sheeting or reflex reflective materials as required for vehicles manufactured after December 1993	\$ 0.00
393.11 UR	Group 0	Upper Rear retroreflective sheeting or reflex reflecting material requirements for vehicles manufactured after December 1993	\$ 0.00
393.75 A	Group 2	Flat tire or fabric exposed	\$ 0.00
393.75 A	Group 2	Flat tire or fabric exposed	\$ 0.00
393.205 A	Group 1	Wheel/rim cracked or broken	\$ 0.00
396.5B- HWSLO W	Group 0	Hubs - Wheel seal leaking - outer wheel	\$ 0.00
396.3A 1	Group 3	Inspection, repair and maintenance of parts & accessories	\$ 0.00

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 466-3016
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396.3A Group 3 Inspection, repair and maintenance of parts & accessories \$ 0.00
1

Original Amount Due: \$0.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which DANIEL J LINN had a full opportunity to present reasons why the violation(s) 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 the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against DANIEL J LINN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
393.11L R	Group 0	No Lower rear retroreflective sheeting or reflex reflective materials as required for vehicles manufactured after December 1993	\$ 0.00
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396.5B- HWSLO W	Group 0	Hubs - Wheel seal leaking - outer wheel	\$ 0.00
396.3A 1	Group 3	Inspection, repair and maintenance of parts & accessories	\$ 0.00
396.3A 1	Group 3	Inspection, repair and maintenance of parts & accessories	\$ 0.00

New Amount Due: \$0.00

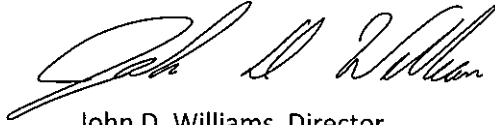
Within 30 days of this notice you must either; 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.



Please consult the enclosed instruction sheet for additional information regarding this "Notice of Preliminary Determination."

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Williams". The signature is fluid and cursive, with the first name "John" being the most prominent.

John D. Williams, Director
Transportation Department

cc: Thomas Persinger

