

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Family Tradition Trucking,)
Inc., Notice of Apparent Violation and) Case No. 03-1012-TR-CVF
Intent to Assess Forfeiture.) (CR02S299)

ENTRY

The Commission finds:

- (1) Family Tradition Trucking, Inc. (respondent) was timely served with a notice of preliminary determination in accordance with Rule 4901:2-7-12, Ohio Administrative Code. This notice indicated staff's intention to assess civil forfeitures totaling \$6,790.00 for the following violation of the Code of Federal Regulations (C.F.R.): 49 C.F.R. §395.8(k)(1) (failure to preserve drivers' records of duty status).
- (2) On April 17, 2003, respondent requested an administrative hearing, thereby initiating this case.
- (3) The parties filed a settlement agreement under which respondent agreed to make payment of the civil forfeiture. In the settlement agreement, staff and respondent agree, in pertinent part, as follows:
 - (a) In light of information presented by respondent to staff's satisfaction, respondent and the staff agree that no civil forfeiture shall be pursued for the alleged violation of 49 C.F.R. §395.8(k)(1).
 - (b) This settlement agreement shall not become effective until adopted by an order of the Commission. The date of the entry of the Commission order adopting the settlement agreement shall be considered the effective date of the settlement agreement.
 - (c) This settlement agreement is made in settlement of all factual or legal issues in this case. It is not intended to have any affect whatsoever in any other case or proceeding.

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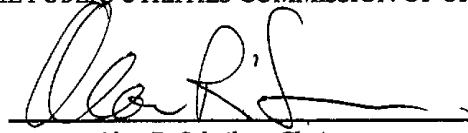


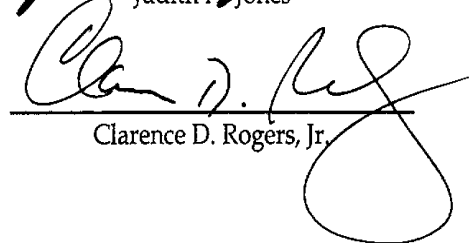
- (4) The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement should be approved and adopted in its entirety.

It is, therefore,

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


ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman
Ronda Hartman Fergus
Donald L. Mason
Judith A. Jones
Clarence D. Rogers, Jr.

KKS/vrm

Entered in the Journal
OCT 28 2003



Renee J. Jenkins
Secretary