

NC  
**FILE**

09-66-TR-CVF

Michael J. Hazel  
2692 Radcliff Ave. NW  
Massillon, OH 44646

01/24/09

The Public Utilities Commission of Ohio  
Attn: Docketing Division  
180 E. Broad St., 13<sup>th</sup> Floor  
Columbus, OH 43215-3793

To whom it may concern:

This is my official "Request for Administrative Hearing" in response to "Notice of Preliminary Determination" dated Jan. 7, 2009 concerning case number OH3256007D. The D.O.T. officer who inspected my truck I was operating on Jan. 9, 2008 was mistaken when he charged me with not wearing a safety belt. As I stated in my phone conference, I had my safety belt on and was also wearing a black Heartland Express shirt. I really do not see how the officer could have seen my safety belt from the median strip where he was parked while I was doing 55 mph in the far right lane. Please note he found no violations in my logbook or my truck. I consider myself a professional who always obeys state and local laws. Thank you for your time and attention to this matter. If you need to contact me, please call my cell phone 330-232-3471.



Michael J. Hazel

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## The Public Utilities Commission of Ohio

*Monitoring marketplaces and enforcing rules to assure safe,  
adequate and reliable utility services.*

Ted Strickland, Governor  
Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus  
Valerie A. Lemmie  
Paul A. Centolella  
Cheryl Roberto

January 7, 2009

MR MICHAEL HAZEL

2692 RADCLIFF AVE NW  
MASSILLON, OH 44646

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. OH3256005007D

Officer: CS

Dear MR HAZEL:

On January 9, 2008, a vehicle operated by HEARTLAND EXPRESS INC OF IOWA, and driven by MICHAEL J HAZEL, was inspected within the State of Ohio. As the result of discovery of the following apparent violation the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
392.16	Failing to use seat belt while operating CMV - dri

Total Forfeiture Assessed : \$100.00

A conference was conducted pursuant to Rule 4901:2-7-10(B), 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.

(continued)



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January 7, 2009  
MR MICHAEL HAZEL

OH3256005007D

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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against MICHAEL J HAZEL in the following forfeiture:

Code	Violation
392.16	Failing to use seat belt while operating CMV - dri

Total Forfeiture Agreed : \$100.00

Please include a certified check or money order for the total forfeiture Agreed, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 13th floor, Cols. OH 43215-3793. FOR PROPER CREDIT, BE SURE TO PUT THE CASE NUMBER ON THE FACE OF THE CHECK.

Please consult the enclosed additional information concerning this Notice of Preliminary Determination.

Robert E. Marvin, Director  
Transportation Department  
Public Utilities Commission of Ohio