

FILE

PUCO EXHIBIT FILING

Date of Hearing: 10-26-16

Case No. 10-601-TR-QVF

PUCO Case Caption: _____

In re: Forfeiture of
Tony Nelson

PUCO

2010 NOV 12 AM 11:12

RECEIVED-BOOKING DIV

List of exhibits being filed:

STAFF 8

① DRIVER/VEHICLE Examination Report

② Notice of Preliminary Determination

This is to certify that the above information are all accurate and complete reproduction of the original document delivered in the regular course of business.
Technician _____ Date Processed _____

Reporter's Signature: _____

Date Submitted: 11-9-16

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of: :
 Tony Nelsen. : Case No. 10-601-TR-CVF
 :
 Notice of Apparent :
 Violation and Intent to :
 Assess Forfeiture. :

- - -

PROCEEDINGS

before Ms. Katie Stenman, Attorney Examiner, at the
 Public Utilities Commission of Ohio, 180 East Broad
 Street, Room 11-D, Columbus, Ohio, called at 10:20
 a.m. on Tuesday, October 26, 2010.

- - -

ARMSTRONG & OKEY, INC.
 222 East Town Street, Second Floor
 Columbus, Ohio 43215-5201
 (614) 224-9481 - (800) 223-9481
 Fax - (614) 224-5724

- - -

DRIVER/VEHICLE EXAMINATION REPORT

STAFF EX. 2



Public Utilities Commission

Transportation Department
Phone: (614) 466-0429
Fax: (614) 752-9274

Report Number: OH0573004244

Inspection Date: 10/15/2009 Certification Date: 10/23/2009

Time Started: 09:20 Time Ended: 09:56

Inspection Level: II - Walk-Around

HM Inspection Type: No HM Inspection

STAN KOCH & SONS TRUCKING INC

4200 DAHLBERG DRIVE

GOLDEN VALLEY, MN 55422-4208

Phone #: (763)302-5400

Fax #:

USDOT #: 146060

MC/MX #: 146869

State #:

Driver: NELSEN, TONY J

License #: Q687169548621

State: MN

Date of Birth: 05/11/1951

Location: ROADSIDE

MilePost: 49

Highway: 80

Origin: FREMONT, IN

Bill of Lading: 3458059

County: LUCAS

Destination: ROCHESTER, NY

Cargo: GENERAL FREIGHT

Shipper: CONWAY

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Company #	Unit VIN	GVWR	Issued Decal#	Existing Decal#	OOS Str.#
1	TT	VOLV	2008	OK	2LV874	81301	4V4NC9TH38N265435	0			
2	ST	VANR	2009	OK	3101GS	941302	3V8VC53279M033966	0			

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Section Code	St	Unit	OOS	Lvl 6	Citation #	Verify*	Crash	Violation Description
392.16		D	N	N		N	N	Failing to use seat belt while operating 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

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

- ☐ Post Crash Inspection
☐ PBBT Inspection
Arrests:

Inspection Notes: While operating his CMV in the passing lane the driver drove past my stationary patrol car and he wasn't wearing his seat belt. He was wearing a plain white crew neck T-shirt. I caught up to him about 2 miles later as he was moving back into the right lane. I watched him through his side mirror put on his dark colored seat belt after he changed lanes. The driver said he had taken it off to get something out of his cooler.

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; Fatalities (Y/N): N; Driver Address: 8678 HAMLET AVE S; Driver City: COTTAGE GROVE; Driver State: MN; Driver Zip: 55016; Photos Taken (Y/N): N; Reason Code: OBT; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N

Report Prepared By:

B A Mealer

Badge #:

0573

Copy Received By:

NELSEN, TONY J



DRIVER/VEHICLE EXAMINATION REPORT



Public Utilities Commission

Transportation Department
Phone: (614) 466-0429
Fax: (614) 752-9274

Report Number: OH0573004244
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STAN KOCH & SONS TRUCKING INC

4200 DAHLBERG DRIVE

GOLDEN VALLEY, MN 55422-4208

Phone #: (763)302-5400

Fax #:

USDOT #: 148080

MC/MX #: 146969

State #:

Driver: NELSEN, TONY J

License #: Q687169548621

State: MN

Date of Birth: 05/11/1951

All violations of the FHM 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-TASD; 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.

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

Title:

Date:

Report Prepared By:

B A Mealer

Badge #:

0573

Copy Received By:

NELSEN, TONY J





Public Utilities Commission

Ted Strickland, Governor
Alan R. Schriber, Chairman

Staff EX.2

Commissioners

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

April 5, 2010

MR. TONY NELSEN

8678 HAMLET AVENUE
COTTAGE GROVE, OH 55016

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH0573004244D

Officer: CS

Dear MR. NELSEN:

On October 15, 2009, a vehicle operated by STAN KOCH & SONS TRUCKING INC, and driven by TONY J NELSEN, 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

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)





Public Utilities Commission

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

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

April 5, 2010
MR. TONY NELSEN

OH0573004244D

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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 TONY J NELSEN in the following forfeiture:

Code	Violation
392.16	Failing to use seat belt while operating CMV

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

