

## PUCO EXHIBIT FILING

Date of Hearing: January 13, 2011Case No. 10-2459-TR-CVFPUCO Case Caption: In the Matter of the Request  
of FaTrack LLC for an Administrative Hearing.

PUCO

2011 JAN 31 AM 11:47

RECEIVED-DOCKETING DIV

## List of exhibits being filed:

Staff Exhibit 1 - Driver/Vehicle Examination ReportStaff Exhibit 2 - Two photographsStaff Exhibit 3 - Driver/Vehicle Examination ReportStaff Exhibit 5 - Photocopy of page 190 from  
Out of Service manual.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician                      Date Processed JAN 31 2011

Reporter's Signature: Carolyn M. BurkeDate Submitted: January 26, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the :  
Request of FaTrack LLC : Case No. 10-2459-TR-CVF  
for an Administrative :  
Hearing. :

- - -

PROCEEDINGS

before Mr. Henry H. Phillips-Gary and Ms. Mandy  
Willey, Hearing Examiners, at the Public Utilities  
Commission of Ohio, 180 East Broad Street, Room 11-D,  
Columbus, Ohio, called at 10:10 a.m. on Thursday,  
January 13, 2011.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

- - -

## DRIVER/VEHICLE EXAMINATION REPORT

Public Utilities  
Commission

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

Report Number: OH3258002245

Inspection Date: 7/9/2010 Certification Date: 07/20/2010

Time Started: 13:20 Time Ended: 14:20

Inspection Level: II - Walk-Around

HM Inspection Type: No HM Inspection

FASTRACK LLC  
8671 CRABB RD  
TEMPERANCE, MI 48182  
Phone #: (419)215-5142  
USDOT #: 1487384

Fax #:  
MC/MX #: 560135

State #:

Driver: HOFFERT, RICHARD A  
License #: RR725056 State: OH  
Date of Birth: 06/17/1972

Location: ROADSIDE

MilePost: 9.6

Highway: IR 475

Origin: TOLEDO, OH

Bill of Lading: 2019-3

County: LUCAS

Destination: NAPOLEON, OH

Cargo: GENERAL FREIGHT

Shipper: ERIE STEEL TREATING LLC

## VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Company #	Unit VIN	GVWR	Issued Decal#	Existing Decal#	OOS Stkr.#
1	TT	KW	2000	MI	RA26376	F7	1XKWDR9X3YR849599	0			Y
2	ST	STOU	2001	MI	C124318	1	1DW1A48231B488715	0			

BRAKE ADJUSTMENTS: No brake measurements recorded.

## VIOLATIONS:

Section Code	SI	Unit	OOS	Lvl	Citation #	Verify*	Crash	Violation Description
396.3(a)(1)		1	Y	N		U	N	Inspection, repair and maintenance of parts & accessories - LF tire making contact with pitman arm.
393.11RT		2	N	N		N	N	Retroreflective material not affixed as required for trailers manufactured after December 1993 - No reflective tape on lower rear of trailer.

\* U - Unknown; 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: Driver confirmed current address on DL.

Escorted truck to xpress and placed OOS.

## 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; Driver Address: 1717 TALBOT ST; Driver City: TOLEDO; Driver State: OH; Driver Zip: 43613; Photos Taken (Y/N): Y; Reason Code: ISSS; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N

\* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

Report Prepared By:  
M Kurtz

Badge #:  
3258

Copy Received By:  
HOFFERT, RICHARD A



# DRIVER/VEHICLE EXAMINATION REPORT



## Public Utilities Commission

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

Report Number: OH3258002245

Inspection Date: 7/9/2010

Certification Date: 07/20/2010

Time Started: 13:20

Time Ended: 14:20

Inspection Level: II - Walk-Around

HM Inspection Type: No HM Inspection

FASTRACK LLC  
8671 CRABB RD  
TEMPERANCE, MI 48182

Phone #: (419)215-5142

Fax #:

USDOT #: 1487384

MC/MX #: 560135

State #:

Driver: HOFFERT, RICHARD A

License #: RR725056

State: OH

Date of Birth: 06/17/1972

All violations of the FHMR 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:

Signature of Repairer: X

Facility:

Date:

Report Prepared By:

M Kurtz

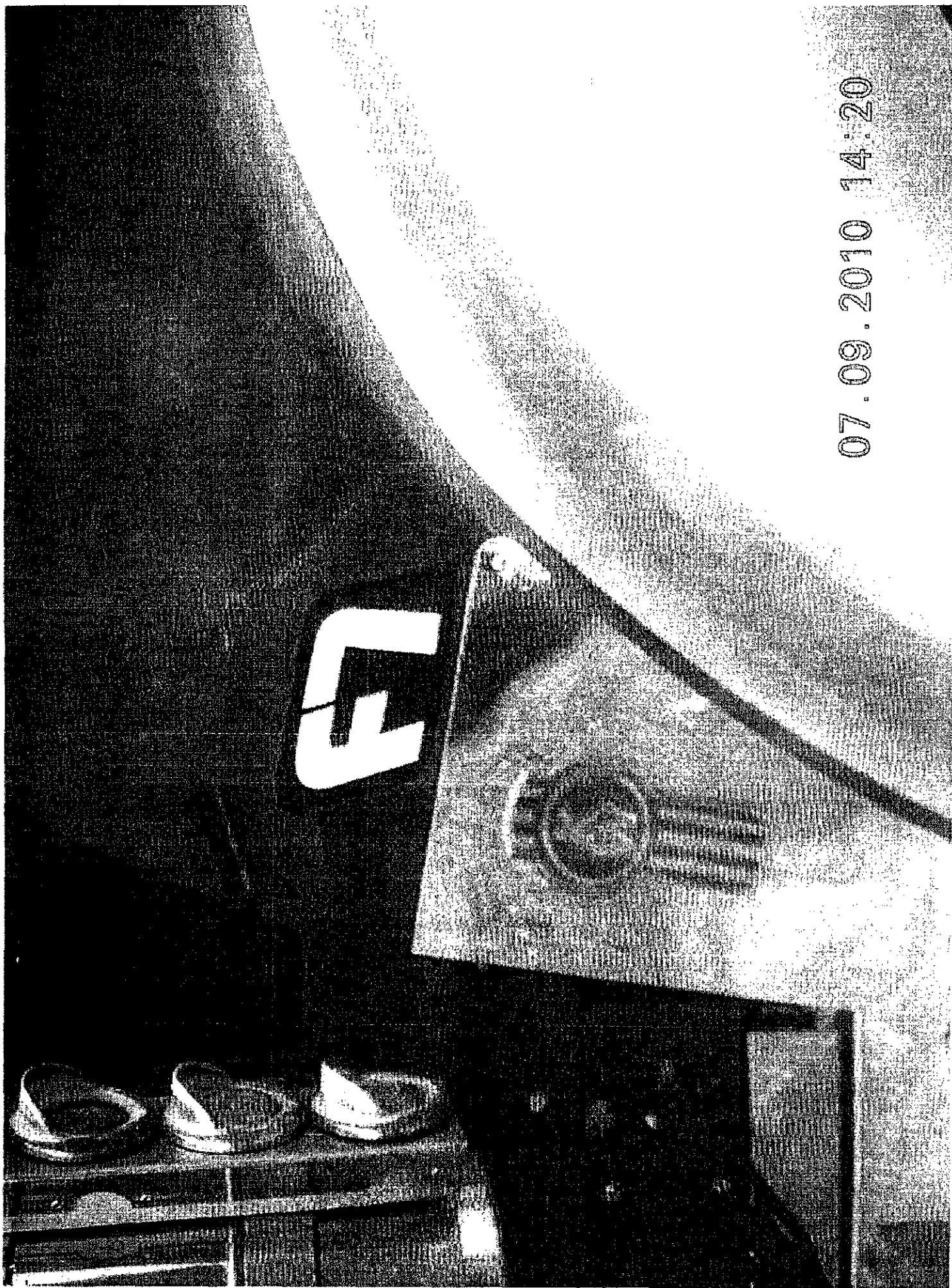
Badge #:

3258

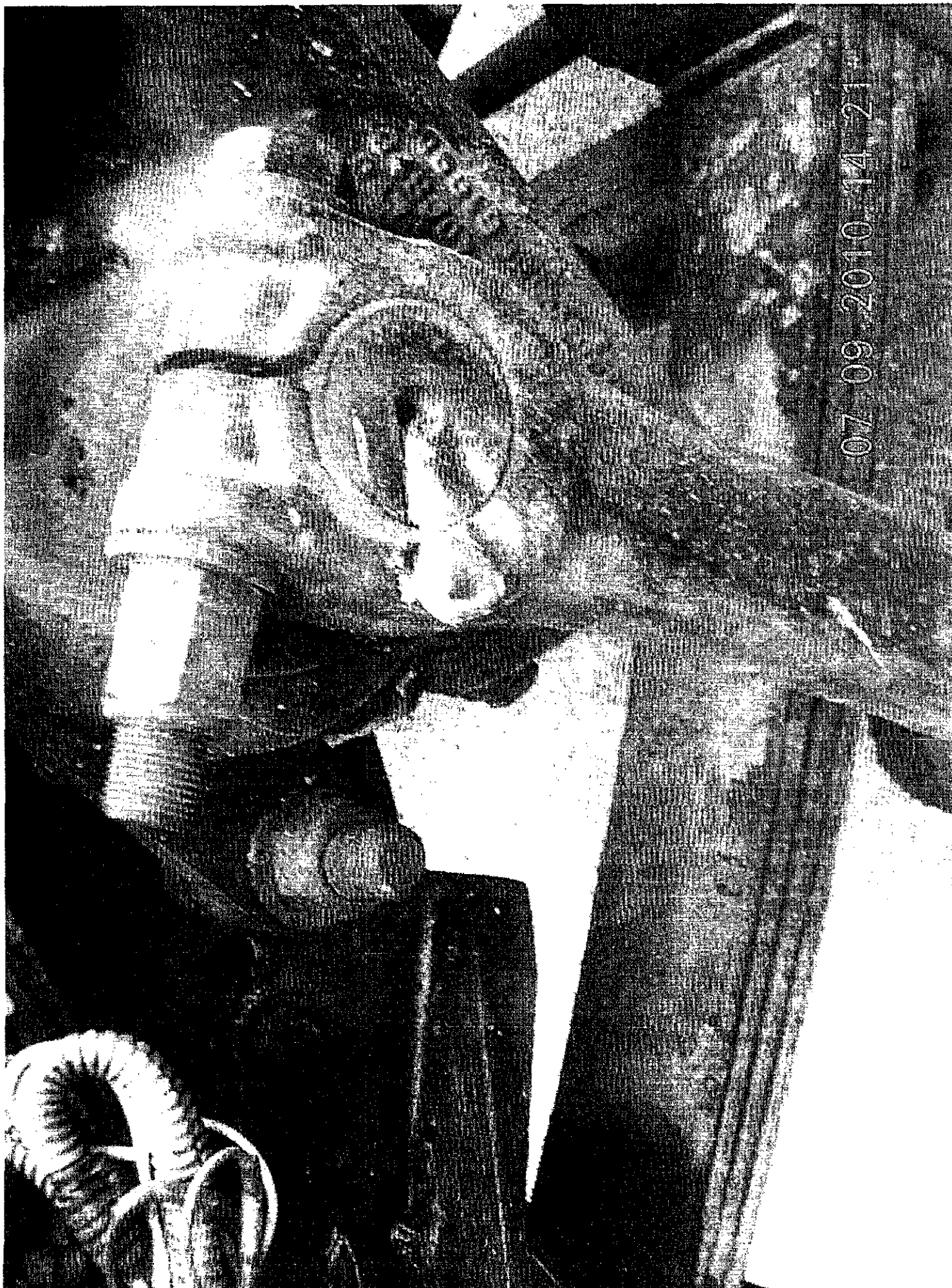
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HOFFERT, RICHARD A





07.09.2010 14:20



07 09 2010 14 21

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## DRIVER/VEHICLE EXAMINATION REPORT

OHIO STATE HIGHWAY PATROL  
MOTOR CARRIER ENFORCEMENT  
DISTRICT 1 HEADQUARTERS  
TELEPHONE: (419) 423-1414

2010 JUL 20 AM 10:39

Report Number: OH3258002245  
Inspection Date: 07/09/2010  
Start Time: 01:20 PM End Time: 02:20 PM  
Inspection Level: II - Walk-Around  
HM Inspection Type: None

FASTRACK LLC  
8671 CRABB RD  
TEMPERANCE, MI 48182  
USDOT#: 01487384  
MC/MX#: 550135  
State#:

Phone#: (419) 215-5142  
Fax#:

Location: ROADSIDE  
Highway: IR 475  
County: LUCAS, OH

MilePost: 9.6  
Origin: TOLEDO, OH  
Destination: NAPOLEON, OH

Driver: HOFFERT, RICHARD A  
License#: RR725058 State: OH  
Date of Birth: 06/17/1972  
CoDriver:  
License#: State:  
Date of Birth:

Shipper: ERIE STEEL TREATING LLC  
Bill of Lading: 2019-3  
Cargo: GENERAL FREIGHT

## VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Company #	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TT	KW	2000	MI	RA26976	F7	1XKWDR9X3YR849599				Y
2	ST	STOU	2001	MI	C124318	1	1DW1A48231B488715				

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

## VIOLATIONS

Section Code	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
386.3(A)(1)	F	1	Y		U	N	Inspection, repair and maintenance of parts & accessories - LF tire making contact with pitman arm.
393.11RT	F	2	N		N	N	Retroreflective material not affixed as required for trailers manufactured after December 1993 - No reflective tape on lower rear of trailer.

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

## State Information:

FMCSA Credentials Verified: Y/N: Y. CDL Verified (Y/N): Y. FMCSA OOS Order Issued (Y/N): N. For-Hire Carrier: Y. Reason Code: 18SS.  
Driver Address: 1717 TALBOT ST; Driver City: TOLEDO; Driver State: OH; Driver Zip: 43613; Photos Taken (Y/N): N.

\* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.3, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles or operate such vehicle until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

Signature Of Reporter: *[Signature]*

Facility: AUTO &amp; TRUCK SERVICE, INC.

PS 80X97

Date: 7/9/10

All violations of the FHMR and FMCSA or Title 49 of the Ohio Revised Code will be reviewed by the PUCC's Transportation Division. If a violation is determined to be a civil offense, a notice by mail. Those penalties may be assessed to motor carriers, shippers, and/or drivers.

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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 subject to be prosecuted with penalties up to \$10,000.

Signature Of Motor Carrier X:

*[Signature]*

Title: Officer

Date: 7/15/10

Report Prepared By:

M.B. KURTZ

Badge #

3258

Copy Received By:

RICHARD HOFFERT

Page 1 of 1



OH3258002245



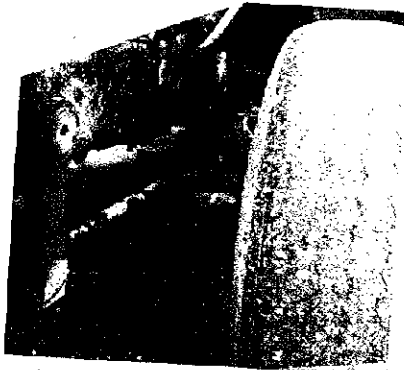
# 10. TIRES



a. (1) Less Than 2/32 Inch (1.6mm) Tread Measured Any Two Adjacent Grooves



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a. (1) Less Than 2/32 Inch (1.6mm) Tread Measured Any Two Adjacent Grooves



a. (2) Exposed Cord in Tire



a. (2) Exposed Cord in Tire



a. (7) Tire in Contact With Any Part of the Vehicle