

PUCO EXHIBIT FILING

Date of Hearing: 4/2/13

Case No. 12-3343-TA-CUF

PUCO Case Caption: Carl's Paving, Inc.

PUCO

RECEIVED-DOCKETING DIV
2013 APR 15 PM 2:43

List of exhibits being filed:

STAFF Exhibits

1. Driver/Vehicle Examination Report

2. Photograph

3. Photograph

4. Booklet

Carl's Paving Exhibits

A. Inspection Report

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. Date Processed: 4/15/13
Technician NA

Reporter's Signature: _____

Date Submitted: _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In Re: : Case No.
Carl's Paving, Inc. : 12-3343-TR-CVF

- - -

PROCEEDINGS

Before James M. Lynn, Attorney Examiner, held at
the offices of the Public Utilities Commission
of Ohio, 180 East Broad Street, Hearing Room
11-D, Columbus, Ohio, on Tuesday, April 2, 2013,
at 10:00 A.M.

- - -

Armstrong & Okey, Inc.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

Staff Ex. 1

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3281009710
Inspection Date: 9/5/2012 Certification Date: 09/17/2012
Time Started: 06:30 Time Ended: 08:07
Inspection Level: II - Walk-Around
HM Inspection Type: No HM Inspection

CARLS PAVING.
1730 COLUMBUS ST
NILES, OH 44446
USDOT #:
MC/MX #:
State #:

Phone #: (330)652-1299
Fax #:

Driver: SMITH, MATTHEW M
License #: RN568303 State: OH
Date of Birth: 07/23/1978

Location: ROAD PATROL
Highway: SOUTH ST & PINE ST.
County: TRUMBULL
Shipper:

MilePost:
Origin: NILES OH.
Destination: WARREN OH.

Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION:

Table with columns: Unit Type, Make, Year, State, License#, Equipment ID, Unit VIN, GVWR, CVSA #, CVSA Issued #, OOS Stkr.#. Row 1: 1 TR KW 1985 OH PHH4219 01 1NKWLBOX6FK328397 0 Y

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify*, Crash, Violation Description. Rows include violations like 391.41A-F, 396.17C, 393.30, 2-5-10, 393.75C, 393.9, 393.9T, 393.48A, 396.3A1BOS.

* N - Non-OOS or Driver OOS Violation; U - Unknown

HazMat: No HM Transported. Placard: NA Cargo Tank:

Special Checks: [] Alcohol/Controlled Substance Check [] Traffic Enforcement [] Post Crash Inspection
[] Conducted by Local Jurisdiction [] PASA Conducted Inspection [] PBTT Inspection
[] Size and Weight Enforcement [] Drug Interdiction Search Arrests:

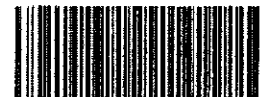
Inspection Notes: GVWR WAS MISSING ON THE TRUCK. LEVEL 1 INSPECTION WAS NOT DONE DUE TO LOCATION.

Report Prepared By:
G Maffitt

Badge #:
3281

Copy Received By:
SMITH, MATTHEW M

Page 1 of 2



OH3281009710

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Fax #:

Driver: SMITH, MATTHEW M
License #: RN568303 State: OH
Date of Birth: 07/23/1978

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: N; Driver Address: 977 CHRYSANN DR.; Driver City: NILES; Driver State: OH; Driver Zip: 44446; Photos Taken (Y/N): Y; Reason Code: OBVI; FMCSA Credentials Verified-Y/N: N; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N

I hereby declare MATTHEW M. SMITH "Out of Service". This driver MAY NOT DRIVE any commercial motor vehicle nor may any carrier permit or require this driver to drive any commercial motor vehicle until HE GETS A MEDICAL CARD.

* 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.

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. If you have any questions, please contact (614) 466-0429.

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:

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.

Signature of Repairer: X Facility: Date:

Report Prepared By:
G Maffitt

Badge #:
3281

Copy Received By:
SMITH, MATTHEW M



Staff Exd



Staff Ex 3



Staff Ex 4

2012 North American Standard Out-of-Service Criteria Handbook and Pictorial



North American Standard Out-of-Service Criteria

April 1, 2012

This document replaces and
supersedes all previous North
American Standard
Out-of-Service Criteria.

*Promoting
Commercial Motor Vehicle
Safety and Security*

INTERNATIONAL ONLY 8TH # ON VIN A-M IS LESS THAN 26000
GVWR LETTERS N-Z ARE 26,001 AND UP.

NO INSURANCE OR NORTH AMERICAN STANDARD
NOT ENOUGH OUT-OF-SERVICE CRITERIA
COVERAGE NOT 005
VIOLATE UNDER 387.7. *APRIL 1, 2012

NO PROCESS AGENTS LIST IN NOTES ONLY
COMMERCIAL VEHICLE SAFETY ALLIANCE

UCR VIOLATE ON INTERSTATE, FOR HIRE, PRIVATE 392.2
NO AUTHORITY TAKE PHOTOS OF TRUCK SIDES + SHIP PAPERS (CARRIER NAME)

PART I	pages 1-13
IF PRIVATE CARRIER INS. AND PART II AUTHORITY NOT LISTED	North American Standard Driver Out-of-Service Criteria pages 15-63
DO NOT VIOLATE FOR UCR.	North American Standard Vehicle Out-of-Service Criteria pages 65-69
PART IV	North American Standard Hazardous Materials Out-of-Service Criteria pages 71-72
STRATEGIC PLAN	North American Standard Administrative Out-of-Service Criteria pages 73-77
APPENDIX	pages 79-91
CONVERSION TABLES	pages 92-95

**THIS DOCUMENT REPLACES AND SUPERSEDES
ALL PREVIOUS OUT-OF-SERVICE CRITERIA**



Promoting Commercial Motor Vehicle Safety and Security

Commercial Vehicle Safety Alliance

6303 IVY LANE, SUITE 310 • GREENBELT, MD 20770
PHONE: 301-830-6143 • FAX: 301-830-6144 • WWW.CVSA.ORG

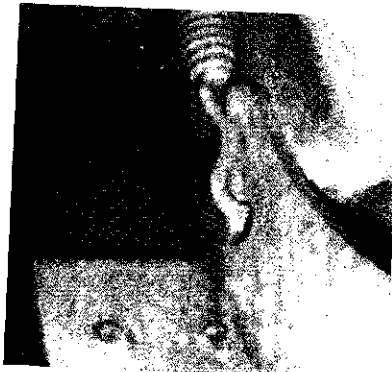
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PART II - NORTH AMERICAN STANDARD VEHICLE OUT-OF-SERVICE PICTORIAL

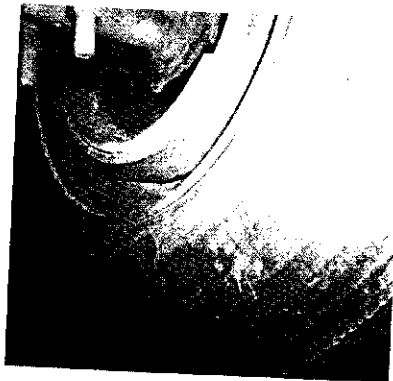
1. BRAKE SYSTEMS



a. (1) Absence of Effective Braking Action



a. (1) Absence of Effective Braking Action



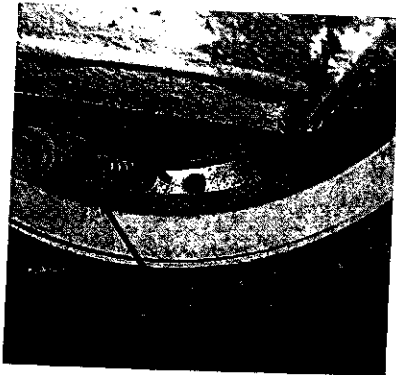
a. (1) Absence of Effective Braking Action



a. (3) Missing Brake



a. (5) (a) Broken Cam Roller



a. (5) (a) Broken Return Spring

