

FILE  
NC

March 24, 2013

P. U. C. C.  
HAZ. MAT. COMPLIANCE

2013 APR 30 PM 12:40

13-1101-TR-CVF

To Whom It May Concern,

I, Robert Radcliffe, am requesting an Administrative Hearing regarding case #OH1191008645D. I have been traveling through Ohio for well over a year every week and have always worn a seat belt. It is not only the law but also EQ Northeast policy to wear them. Any seat belt violation a driver gets also has to deal with EQ policy such as time off and points assessed to C.S.A. score.

My dispute with this ticket is that I find it somewhat difficult to see someone traveling at 70 MPH in the right lane while the trooper is parked in the center median. The trooper was looking across three lanes of traffic and determined that I was not wearing a seat belt. I was traveling east in the morning when the sun was still coming up. Company policy is not to dispute with trooper on road side inspections.

The trooper stated he was not going to give me a citation for seat belt so I saw no reason to discuss it any further with him at that point. I didn't know if he needed a reason to pull me over or not to do a Level III Vehicle Inspection. With all due respect, it comes down to the trooper's word against mine. He stated that I had on an orange shirt and a dark seat belt when I actually had on an orange and black shirt.

If it is decided that I am able to have the hearing, I am hoping that the hearing is in the county where I was pulled over. Since going to Columbus would really be out of the way for me to travel. I would appreciate it greatly for the fact that I would not have to miss any work for the hearing. The county that I was pulled over in is on my way to Detroit (where I am headed weekly).

Thank you for the opportunity to tell my side of what happened. I look forward to hearing from you soon.

Sincerely,



Robert Radcliffe

RECEIVED-DOCKETING DIV  
2013 APR 30 PM 3:10  
PUCO

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**Public Utilities  
Commission**

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

Commissioners  
Steven D. Lesser  
Andre T. Porter  
Lynn Slaby

March 25, 2013

MR ROBERT RADCLIFFE

24 CLEARVIEW DRIVE  
WALLINGTON, CT 06492

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH1191008645D

Officer: WW

Dear MR RADCLIFFE:

On November 28, 2012, a vehicle operated by EQ NORTHEAST INC, and driven by ROBERT J RADCLIFFE, 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, did n

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

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

### Commissioners

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Andre T. Porter  
Lynn Slaby

March 25, 2013  
MR ROBERT RADCLIFFE

OH1191008645D

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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 ROBERT J RADCLIFFE in the following forfeiture:

Code	Violation
392.16	Failing to use seat belt while operating CMV, did n

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, 4th 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.

Milan Orbovich, Director  
Transportation Department  
Public Utilities Commission of Ohio