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2013 MAY -9 PM 12:13

PUCO

PUBLIC UTILITIES COMMISSION of OHIO-TASD  
180 BROAD STREET  
COLUMBUS, OH 43215-3793

1/18/2013

13-1168-TR-CVF

REPORT NUMBER: OH3268010628C

After talking to the driver Larry Aynes, he said the officer checking the load told the driver that he did not have the right binders to secure the load. Though, he was talking about the securements in the floor not the binders. So the driver put on another chain and the officer was satisfied and said he would check the load and he barely checked them from the ground not getting up on the trailer.

We then inspected the chains and binders and the weight rating on each one them. First the binders are rated at 6,600 lbs. the size doesn't matter. Second we checked the chains and knew the chains were 3/8 and are also rated at 6,000 lbs. So having four chains securing the load is within the load bearing weight of 26,400 lbs. The load, was 44,600 lbs. and to secure the load you must have enough chains to secure half the weight which is 22,300 lbs. and the four chains secure 26,400 lbs. thus having plenty of chains to properly secure the load.

As a company we assure that each driver knows how to secure any load he is hauling. We have been in business for 40 years we have a knowledge and the no how to secure each load safely and properly. We follow the Fleet Safety Compliance Manual reading and knowing the safe and proper way to secure a load, especially steel coils or anything related to the steel business. The driver Larry Aynes has been working for us for over 22 years and has one of the best safety ratings of all are drivers. Safety is one of our top priorities. Don Carpenter also dispatched the load personally and was the President of the Pennsylvania Motor Truck Association.

I have checked and calculated several different ways to see how the officer came up with his findings. And still can't figure out how he came up with his deductions. If I could, I would like an explanation of how he came up with what he came up with. We are a small company so any misunderstandings that are on our safety report can make us look worse than what is true.

I would like a hearing to straighten out any misunderstandings and to hopefully avoid this incident to be put on Trux Transportation, Inc. Safety Report.

Thanks,

Donald M. Carpenter  
President

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 SMA Date Processed MAY 09 2013



**Trux Transportation, Inc.** 580 Mayer Street Bridgeville, PA 15017  
phone# 412-440-0450 fax# 412-440-0407

THE PUBLIC UTILITIES COMMISSION OF OHIO  
ATTENTION: DOCKETING DIVISION  
180 EAST BROAD STREET, 11<sup>th</sup> FLOOR  
COLUMBUS, OH 43215-3793

5/6/2013

REQUEST FOR ADMINISTRATIVE HEARING

ON JANUARY 7, 2013 A VEHICLE OPERATED BY TRUX TRANSPORTATION, INC. DRIVEN BY LARRY AYNES WAS INSPECTED BY THE STATE OF OHIO. I SENT IN A WRITTEN REQUEST FOR A ADMINISTRATIVE HEARING ON JANUARY 18, 2013 IN WHICH WE EXPLAINED THAT THE LOAD WAS PROPERLY SECURED. NOW WE RECEIVED A FORFEITURE ASSESSMENT FOR \$100.00 SO AGAIN TRUX IS REQUESTING FOR ADMINISTATIVE HEARING.

CASE NO. OH3268010628C

DON OR SHANE CARPENTER  
P.O. BOX 765  
BRIDGEVILLE, PA 15017  
(412)440-0450

THANKS,

A handwritten signature in black ink, appearing to read "Shane", with a long, sweeping horizontal stroke extending to the right.

SHANE CARPENTER  
COMPTROLLER.



# Public Utilities Commission

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

## Commissioners

Steven D. Lesser  
Andre T. Porter  
Lynn Slaby  
M. Beth Trombold

April 29, 2013

MR DONALD CARPENTER  
PRESIDENT TRUX TRANSPORTATION INC  
PO BOX 765  
BRIDGEVILLE, PA 15017

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3268010628C

Officer: CS

Dear MR CARPENTER:

On January 7, 2013, a vehicle operated by TRUX TRANSPORTATION INC, and driven by LARRY D AYNES, 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
392.9A1	TRAILER-TRANSPORT A METAL COIL WEIGHING 44530 LBS,

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

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April 29, 2013  
MR DONALD CARPENTER  
PRESIDENT TRUX TRANSPORTATION INC  
OH3268010628C

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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 TRUX TRANSPORTATION INC in the following forfeiture:

Code	Violation
392.9A1	TRAILER-TRANSPORT A METAL COIL WEIGHING 44530 LBS,

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