

FILE

PUCO EXHIBIT FILING

10

Date of Hearing: 8/12/13

Case No. 13-818-TR-CVF and 13-844-TR-CVF

PUCO Case Caption: IMO JKS TRUCKING, INC

PUCO

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2013 AUG 26 PM 3:13

List of exhibits being filed:

STAFF EX. 1 - DRIVER/VEHICLE EXAMINATION
REPORT

EX 2 - DRIVER/VEHICLE EXAMINATION
REPORT

EX 3 - NOTICE OF PRELIMINARY
DETERMINATION

EX 4 - NOTICE OF PRELIMINARY
DETERMINATION

Reporter's Signature: [Signature]

Date Submitted: 8/26/13

I hereby certify that the foregoing is a true and accurate and complete reproduction of a case file document delivered in the regular course of business
Technician SW Date Processed AUG 26 2013

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of JKS
Trucking, LLC, Notices :
of Apparent Violation : Case Nos. 13-818-TR-CVF
and Intent to Assess : 13-844-TR-CVF
Forfeiture. :

- - -

PROCEEDINGS

before Mr. Scott Farkas, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 10:00
a.m. on Monday, August 12, 2013.

- - -

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

- - -

DRIVER/VEHICLE EXAMINATION REPORT

Ohio

Report Number: OH3242008196

Inspection Date: 11/18/2012 Certification Date: 11/27/2012

Time Started: 11:36 Time Ended: 12:54

Inspection Level: I - Full Inspection

HM Inspection Type: No HM Inspection

JKS TRUCKING LLC

PO BOX 1410

GROVE CITY, OH 43123

USDOT #: 2127895

Phone #: (614)439-2342

MC/MX #: 779274

Fax #:

State #:

Driver: SEYMOUR, ROBERT O

License #: RT460770

State: OH

Date of Birth: 12/01/1972

Location: ROADSIDE

MilePost: 70

Highway: IR 70

Origin: COLUMBUS, OH

Bill of Lading: 119031407

County: MADISON

Destination: MARION, IN

Cargo: GENERAL FREIGHT

Shipper: ODWLOGISTICS

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr #
1	TT	FRHT	1994	OH	PVT4358	001	2FUVDZYBXRA429402	52,000			
2	ST	TRLR	1987	OH	TPZ6009	102	1NNVF5324HM111171	0			

BRAKE ADJUSTMENTS:

Axle #	1	2	3	4	5
Right	1 1/4	1 1/2	1 1/2	1 1/4	1 1/2
Left	1 1/4	1 1/2	1 1/2	2 1/4	1 1/2
Chamber	C-20	C-30	C-30	C-30	C-30

VIOLATIONS :

Vio Code	Section	Unit	OOS	Citation #	Verify*	Crash	Violation Description
393.75A3	393.75(a)(3)	2	Y		U	N	Tire-flat - axle #5 right outside,blowout
396.3A1	396.3(a)(1)	2	Y		U	N	Inspection, repair and maintenance of parts & accessories - right rear mud flap bent into inner wheel
393.75C	393.75(c)	2	N		N	N	Tire-other tread depth less than 2/32 of inch - axle #4 left inside
393.47E	393.47(e)	2	N		N	N	Clamp or Roto type brake out-of-adjustment - axle #4 left
393.51	393.51	1	N		N	N	No or defective brake warning device - no audible
393.45	393.45	1	Y		U	N	Brake tubing and hose adequacy - service hose to trailer cracked,leaking air

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

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☐ PBBT Inspection☐ Size and Weight Enforcement☐ Drug Interdiction Search

Arrests:

Inspection Notes:

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: 175 BINNS BLVD;Driver City: COLUMBUS;Driver State: OH;Driver Zip: 43204;Photos Taken (Y/N): N;Supplemental Report #: N;Co-Investigator #: N;Reason Code: OBVI;Paper Report #: N;FMCSA Credentials Verified-Y/N: Y;CDL Verified (Y/N): Y;FMCSA OOS Order Issued(Y/N): N;Crash Report #: N;Orig Seal Placed by(C/D/S/U): N

Report Prepared By:

M Irmischer

Badge #:

3242

Copy Received By:

SEYMOUR, ROBERT O

Page 1 of 2



OH3242008196

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3242008196
 Inspection Date: 11/16/2012 Certification Date: 11/27/2012
 Time Started: 11:36 Time Ended: 12:54
 Inspection Level: I - Full Inspection
 HM Inspection Type: No HM Inspection

JKS TRUCKING LLC
 PO BOX 1410
 GROVE CITY, OH 43123
 USDOT #: 2127895 Phone #: (614)439-2342
 MC/MX #: 779274 Fax #:
 State #:

Driver: SEYMOUR, ROBERT O
 License #: RT460770 State: OH
 Date of Birth: 12/01/1972

* 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, T ASD - 4th floor, 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: _____



DRIVER/VEHICLE EXAMINATION REPORT

Ohio

Report Number: OH3293005555

Inspection Date: 10/23/2012 Certification Date: 10/29/2012

Time Started: 12:52 Time Ended: 14:11

Inspection Level: I - Full Inspection

HM Inspection Type: No HM Inspection

JKS TRUCKING LLC

PO BOX 1410

GROVE CITY, OH 43123

USDOT #: 2127895

Phone #: (614)439-2342

MC/MX #: 779274

Fax #:

State #:

Driver: SEYMOUR, ROBERT O

License #: RT460770

State: OH

Date of Birth: 12/01/1972

Location: LONDON REST AREA

MilePost: 70

Highway: IS 70

Origin: HOWELL, MI

Bill of Lading: 13672

County: MADISON

Destination: COLUMBUS, OH

Cargo: GENERAL FREIGHT

Shipper: FIVE LEAKS MFG

VEHICLE IDENTIFICATION:

Unit Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Str.#
1	TT	FRHT	1994	OH	PVT4358	001	2FUYDZYBXRA429402	0		3293005555
2	ST	MONO	1987	OH	TPZ6010	103	1NNVF5329HM111179	68,000		3293005555

BRAKE ADJUSTMENTS:

Axle #	1	2	3	4	5
Right	1 7/8	1 1/2	1 1/2	1 1/2	2 1/8
Left	2	1 1/2	1 1/2	INOP	2
Chamber	C-20	C-30	C-30	C-30	C-30

VIOLATIONS :

Vio Code	Section	Unit	OOS	Citation #	Verify*	Crash	Violation Description
393.25F	393.25(f)	1	N		N	N	Stop lamp violations- left brake light on rear of tractor.
393.9TS	393.9TS	1	N		N	N	Inoperative turn signal- left rear of tractor.
393.11	393.11	1	N		N	N	No or defective lighting devices or reflective material as required- 1 of 3 (left) ID lamps on top of tractor.
393.83G	393.83(g)	1	N		N	N	Exhaust leak near truck cab and/or sleeper- leaking at back side of cab
393.11	393.11	2	N		N	N	No or defective lighting devices or reflective material as required- 0 of 3 ID lamps on rear of trailer.
393.207A	393.207(a)	2	Y		U	N	Axle positioning parts defective/missing- torque rod rusted in half and is disconnected.
393.47E	393.47(e)	1	N		N	N	Clamp or Roto type brake out-of-adjustment- 1st axle left side.
393.53B	393.53(b)	1	N		N	N	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear
393.47E	393.47(e)	1	N		N	N	Clamp or Roto type brake out-of-adjustment- 1st axle right side.
393.47E	393.47(e)	1	N		N	N	Clamp or Roto type brake out-of-adjustment- 5th axle right side.
393.48A	393.48(a)	2	Y		U	N	Inoperative/defective brakes- no movement at pushrod and shoes do not contact drum.
396.3A1BOS	396.3(a)(1)	1	Y		U	N	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination
395.8	395.8	D	N		N	N	Record of Duty Status violation (general/form and manner)- did not log city and state at last stop. would not give me log book when stopped and catching up.

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

Hazard: 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:

Report Prepared By:

B G Walker

Badge #:

3293

Copy Received By:

SEYMOUR, ROBERT O

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OH3293005555

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3293005555
 Inspection Date: 10/23/2012 Certification Date: 10/29/2012
 Time Started: 12:52 Time Ended: 14:11
 Inspection Level: I - Full Inspection
 HM Inspection Type: No HM Inspection

JKS TRUCKING LLC
 PO BOX 1410
 GROVE CITY, OH 43123
 USDOT #: 2127895 Phone #: (614)439-2342
 MC/MX #: 779274 Fax #:
 State #:

Driver: SEYMOUR, ROBERT O
 License #: RT460770 State: OH
 Date of Birth: 12/01/1972

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: 175 BINNS BLVD; Driver City: COLUMBUS; Driver State: OH; Driver Zip: 43204; 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.

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: _____

Note to carrier this section applies to self adjusting brake.

Advisory: This vehicle has been identified to have brake adjustment violations. 49CFR Section 393.53 requires that a self-adjusting brake system be equipped on this vehicle. A qualified service technician needs to determine why the defective brake has excessive stroke and make the appropriate repairs. Simply re-adjusting a self-adjusting brake adjuster, or replacing it, does not guarantee that the problem is corrected. The problem may exist in the foundation brake system. By certifying this inspection report you have indicated that this vehicle now has a properly functioning self-adjusting brake adjustment system.

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:
 B G Walker

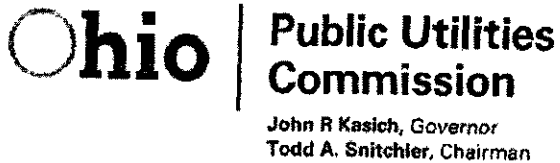
Badge #:
 3293

Copy Received By:
 SEYMOUR, ROBERT O

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OH3293005555



Commissioners
Steven D. Lesser
Andre T. Porter
Lynn Slaby

March 25, 2013

MR CLAUDE SEYMOUR JR
PRESIDENT JKS TRUCKING LLC
1929 LONE EAGLE STREET
COLUMBUS, OH 43228

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH3242008196C
Officer: WW

Dear MR SEYMOUR JR:

On November 16, 2012, a vehicle operated by JKS TRUCKING LLC, and driven by ROBERT O SEYMOUR, was inspected within the State of Ohio. As the result of discovery of the following apparent violations 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
396.3A1	Inspection, repair and maintenance of parts & acc
393.45	Brake tubing and hose adequacy - service hose to t
393.75A3	Tire-flat - axle #5 right outside,blowout

Total Forfeiture Assessed : \$190.00

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 violations 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

Steven D. Lesser
Andre T. Porter
Lynn Sieby

March 25, 2013
MR CLAUDE SEYMOUR JR
PRESIDENT JKS TRUCKING LLC
OH3242008196C

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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 JKS TRUCKING LLC in the following forfeiture:

Code	Violation
396.3A1	Inspection, repair and maintenance of parts & acc
393.45	Brake tubing and hose adequacy - service hose to t
393.75A3	Tire-flat - axle #5 right outside, blowout

Total Forfeiture Agreed : \$190.00

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

April 1, 2013

MR CLAUDE SEYMOUR JR
JKS TRUCKING LLC
1929 LONE EAGLE STREET
COLUMBUS, OH 43228

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH3293005555C
Officer: WW

Dear MR SEYMOUR JR:

On October 23, 2012, a vehicle operated by JKS TRUCKING LLC, and driven by ROBERT O SEYMOUR, was inspected within the State of Ohio. As the result of discovery of the following apparent violations 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
393.48A	Inoperative/defective brakes- no movement at pushr
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defective bra
393.207A	Axle positioning parts defective/missing- torque r

Total Forfeiture Assessed : \$300.00

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 violations 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)

April 1, 2013
MR CLAUDE SEYMOUR JR
JKS TRUCKING LLC
OH3293005555C

PAGE -2

As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against JKS TRUCKING LLC in the following forfeiture:

Code	Violation
393.48A	Inoperative/defective brakes- no movement at pushr
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defective bra
393.207A	Axle positioning parts defective/missing- torque r

Total Forfeiture Agreed : \$300.00

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