

PUCO EXHIBIT FILING

FILE

Date of Hearing: 1-9-2013

Case No. 13-993-TR-CVF

PUCO Case Caption: _____

IN RE: JEREMY ROWE

NOTICE OF APPARENT VIOLATION

and Intent to ASSESS FORFEITURE

List of exhibits being filed:

- STAFF 1A
- 1B
- 2
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PUCO

RECEIVED-DOCKETING DIV
2014 JAN 24 PM 12:55

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Reporter's Signature: _____
Date Submitted: _____



Public Utilities Commission

John R Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners
Steven D. Lesser
Andre T. Porter
Lynn Staby

March 18, 2013

MR JEREMY ROWE
JEREMY L. ROWE
312 W BERGE RD
FORT GIBSON, OK 74434

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH0779003248C
Officer: WW

Dear MR ROWE:

On October 24, 2012, a vehicle operated by JEREMY L. ROWE, and driven by JEREMY L ROWE, 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
392.9A2	Failing to secure vehicle equipment/SPARE TIRE LOO
393.43	No or improper breakaway or emergency braking/NOT
393.87A	Warning flag required on projecting load
390.21B	Carrier name and/or USDOT Number not displayed as
392.2UCR	Failure to pay UCR fee

Total Forfeiture Assessed : \$850.00

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**

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March 18, 2013
MR JEREMY ROWE
JEREMY L. ROWE
OH0779003248C

PAGE -2

As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against JEREMY L. ROWE in the following forfeiture:

Code	Violation
392.9A2	Failing to secure vehicle equipment/SPARE TIRE LOO
393.43	No or improper breakaway or emergency braking/NOT
393.87A	Warning flag required on projecting load
390.21B	Carrier name and/or USDOT Number not displayed as
392.2UCR	Failure to pay UCR fee

Total Forfeiture Agreed : \$850.00

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

Ohio | **Public Utilities Commission**
John R Kasich, Governor
Todd A. Snitchler, Chairman

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March 18, 2013

MR JEREMY ROWE

312 W BERGE RD
FORT GIBSON, OK 74434

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH0779003248D
Officer: WW

Dear MR ROWE:

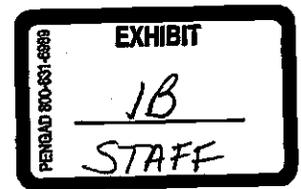
On October 24, 2012, a vehicle operated by JEREMY L. ROWE, and driven by JEREMY L ROWE, was inspected within the State of Ohio. As the result of discovery of the following apparent violations the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
395.8K2	Driver failing to retain previous 7 days records o
391.41A	No medical certificate on drivers possession

Total Forfeiture Assessed : \$200.00

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**

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March 18, 2013
MR JEREMY ROWE

OH0779003248D

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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 JEREMY L ROWE in the following forfeiture:

Code	Violation
395.8K2	Driver failing to retain previous 7 days records o
391.41A	No medical certificate on drivers possession

Total Forfeiture Agreed : \$200.00

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

Staff Exhibit 2

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH0779003248
Inspection Date: 10/24/2012 Certification Date:
Time Started: 07:30 Time Ended: 08:45
Inspection Level: II - Walk-Around
HM Inspection Type: No HM Inspection

JEREMY L. ROWE
312 W. BENGE RD.
FORT GIBSON, OK 74434
USDOT #: Phone #:
MC/MX #: Fax #:
State #:

Driver: ROWE, JEREMY L
License #: H080073740 State: OK
Date of Birth: 03/05/1980

Location: ROADSIDE MilePost: 173 W
Highway: IR 70 Origin: WHEELING, WV Bill of Lading: NA
County: GUERNSEY Destination: FORT GIBSON, OK Cargo: OILFIELD EQUIPMENT & WOOD
Shipper: CARRIER

VEHICLE IDENTIFICATION:

Table with columns: Unit Type, Make, Year, State, License#, Equipment ID, Unit VIN, GVWR, CVSA #, CVSA Issued #, OOS Stkr.#. Contains two rows of vehicle data.

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Table with columns: Vio Code, Section, Unit, OOS, Citation #, Verify*, Crash, Violation Description. Lists various traffic violations.

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

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

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

Report Prepared By: J.P. Jirles

Badge #: 0779

Copy Received By: ROWE, JEREMY L

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OH0779003248



DRIVER/VEHICLE EXAMINATION REPORT



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JEREMY L. ROWE
312 W. BENGE RD.
FORT GIBSON, OK 74434
USDOT #: Phone #:
MCMX #: Fax #:
State #:

Driver: ROWE, JEREMY L
License #: H080073740 State: OK
Date of Birth: 03/05/1980

Inspection Notes: FAILED TO ENTER OPEN SCALES

DRIVER STATES WORKS IN WHEELIING GOING BACK TO OK

VIN PLATES ON TK AND TRL UNREADABLE NOT GVWRS

ACTUAL WTS:
1: 3860
2: 7800
3/4: 10740
GROSS: 22400

TK APPEARS TO BE UTILITY VEH USED FOR WORK

MULTIPLE STORIES FROM DRIVER.....FROM FARM TO PERSONAL TO WORK??? DRIVER IS NOT REAL BELIEVEABLE

NO VEH REG. PRESENT FOR TRK OR TRL

OFFICER BELIEVES TK IS USED IN COMMERCE AS PART OF THIS SUBJECTS JOB AND IS IN COMMERCE TODAY

TPR. JIRLES

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;Fatalities (Y/N): N;Driver Address: 312 W. BENGE RD;Driver City: FORT GIBSON;Driver State: OK;Driver Zip: 74434;Photos Taken (Y/N): Y;Supplemental Report #: N;Reason Code: TRAF;Paper Report #: N;FMCSA Credentials Verified-Y/N: Y;CDL Verified (Y/N): Y;FMCSA OOS Order Issued(Y/N): N;Crash Report #: N

I hereby declare JEREMY L. ROWE "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:Record of Duty Status Made Current

* 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:
J.P. Jirles

Badge #:
0779

Copy Received By:
ROWE, JEREMY L



DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH0779003248
Inspection Date: 10/24/2012 Certification Date:
Time Started: 07:30 Time Ended: 08:45
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JEREMY L. ROWE
312 W. BERGE RD.
FORT GIBSON, OK 74434
USDOT #: Phone #:
MC/MX #: Fax #:
State #:

Driver: ROWE, JEREMY L.
License #: H080073740 State: OK
Date of Birth: 03/05/1980

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:
J.P. Jirles

Badge #:
0779

Copy Received By:
ROWE, JEREMY L

