

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Schneider National Bulk Carriers, Inc., Notice of Apparent Violation and Intent to Assess Forfeiture.) Case No. 14-935-TR-CVF (OH3252010954C)

FINDING AND ORDER

The Commission finds:

- (1) On February 11, 2014, a commercial motor vehicle operated by Schneider National Bulk Carriers, Inc. (Schneider) was inspected by Staff. The inspection resulted in the discovery of the following violation: 49 C.F.R. 177.823(a) (vehicle not properly placarded).
- (2) Schneider was served with a Notice of Preliminary Determination (NPD), pursuant to Ohio Adm.Code 4901:2-7-12, which contained a total civil forfeiture assessment of \$840.00 for the violation.
- (3) On May 22, 2014, Schneider requested an administrative hearing pursuant to Ohio Adm.Code 4901:2-7-13.
- (4) On August 8, 2014, Staff and Schneider filed a settlement agreement which, in the parties' opinion, resolves all of the issues raised in the NPD.
- (5) The following is a summary of the conditions agreed to by the parties and is not intended to replace or supersede the settlement agreement.
 - (a) For purposes of settlement only, Staff agrees to reduce the civil forfeiture from \$840.00 to \$588.00. The 30 percent reduction is based on information given to Staff showing that Schneider has taken corrective actions and instructed its drivers on the proper placarding requirements associated with hazardous materials loads.

- (b) Schneider will pay the \$588.00 civil forfeiture within 30 days of the Commission order approving this settlement agreement. The payment shall be made by certified check or money order payable to "Treasurer of State of Ohio" and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. Inspection number OH3252010954C should be written on the face of the check.
 - (c) The settlement agreement shall not become effective until adopted by the Commission. The date of the Commission order adopting the settlement agreement shall be considered as the effective date of the settlement agreement.
 - (d) The settlement agreement is made in settlement of all factual and legal issues in this case. It is not intended to have any effect whatsoever in any other case or proceeding.
- (6) The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement shall be approved and adopted in its entirety.


It is, therefore,

ORDERED, That the settlement agreement submitted in this case be approved and adopted in its entirety. It is, further,


ORDERED, That Schneider pay a civil forfeiture of \$588.00 in accordance with the settlement agreement. Payment shall be made by check or money order payable to "Treasurer, State of Ohio," and mailed to PUCO, Attn: CF Processing, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. In order to assure proper credit, Schneider is directed to write the inspection number (OH3252010954C) on the face of the check or money order. It is, further,

ORDERED, That a copy of this Finding and Order be served upon Schneider and all other interested parties of record.


THE PUBLIC UTILITIES COMMISSION OF OHIO


Thomas W. Johnson, Chairman


Steven D. Lesser


Lynn Slaby

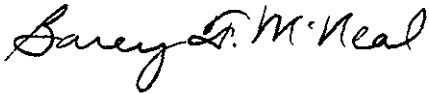

M. Beth Trombold


Asim Z. Haque

JML/sc

Entered in the Journal

AUG 27 2014



Barcy F. McNeal
Secretary