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Date of Hearing: 3 5 2015	
Case No. 14-2180-TK-CVF	*
PUCO Case Caption: FMT Trucking, LLC	
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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of FMT :
Trucking, LLC, Notice of :

Apparent Violation and : Case No. 14-2180-TR-CVF

Intent to Assess
Forfeiture.

_ _ _

PROCEEDINGS

before Mr. Kerry K. Sheets, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 10 a.m. on Thursday, March 5, 2015.

_ _ _

ARMSTRONG & OKEY, INC.

222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3215005402

Inspection Date: 8/22/2014

Time Started: 08:56 **Certification Date:** Time Ended: 09:50

Inspection Level: I - Full Inspection HM Inspection Type: No HM Inspection

FMT TRUCKING LLC

3196 HEATHROWE CT

COLUMBUS, OH 43219

USDOT #: 02478087

Driver:

ABDI, JAMALA

License #:

A130366029086

State: MD

Date of Birth:

2/1/1980

Phone #: (614)317-5849

MC/MX #: 857431

Fax #:

State #:

Location: ROADSIDE

MilePost:

172

Highway: 1R 70

Origin:

PHILADELPHIA, PA Destination: COLUMBUS, OH

Bill of Lading: 006564268

Cargo: GENERAL FREIGHT/AIR FREIG

County: **GUERNSEY** Shipper: MULTIPLE SHIPPERS

VEHICLE IDENTIF	CATION	:								
Unit Type Make Yea	ar State	License#		Equipment ID	Unit VIN		GVWR	CVSA#	CVSA Issued #	OOS Stkr
1 TT INTL 200	10 OH	PVY5542		103	2HSFHASR0YC05	5967	52,000			
2 ST WANC 200	11 OH	TQD6360		876704	1JJV532W21L736	326	68,000			
BRAKE ADJUSTN	MENTS:									
Axle # 1	2	3	4_	5						
Right 1	1	1 1/4	1 1/4	1 3/4						
Left 1	1	1 1/4	1 1/2	1 3/4						
Chamber L-20	L-30	L-30	L-30	L-30						
VIOLATIONS :										
				State Citatio	n					
Vio Code	Section		Unit	OOS Number	Verify* Crash Viola	ation [Descriptio	n		
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393.55E	393.55(e)		2	N					ator Lamp for trailer	manufacture
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Report Prepared By:

M R Frye

Badge #: 3215

Copy Received By: ABDI, JAMAL A

Page 1 of 2



DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3215005402

Inspection Date: 8/22/2014

Time Started: 08:56 Certification Date: Time Ended: 09:50

Inspection Level: I - Full Inspection HM Inspection Type: No HM Inspection

Driver: License #: ABDI, JAMAL A

A130366029086

2/1/1980

State: MD

3196 HEATHROWE CT COLUMBUS, OH 43219

USDOT #: 02478087

FMT TRUCKING LLC

Phone #: (614)317-5849

MC/MX #: 857431

Fax #:

State #:

Reason Code: OBVI CDL Verified (Y/N): Y FMCSA Credentials Verified-Y/N: Y

Date of Birth:

FMCSA OOS Order Issued(Y/N): N

I hereby declare JAMALA. ABDI "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: EIGHT HOUR BREAK IS TAKEN

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 - 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.

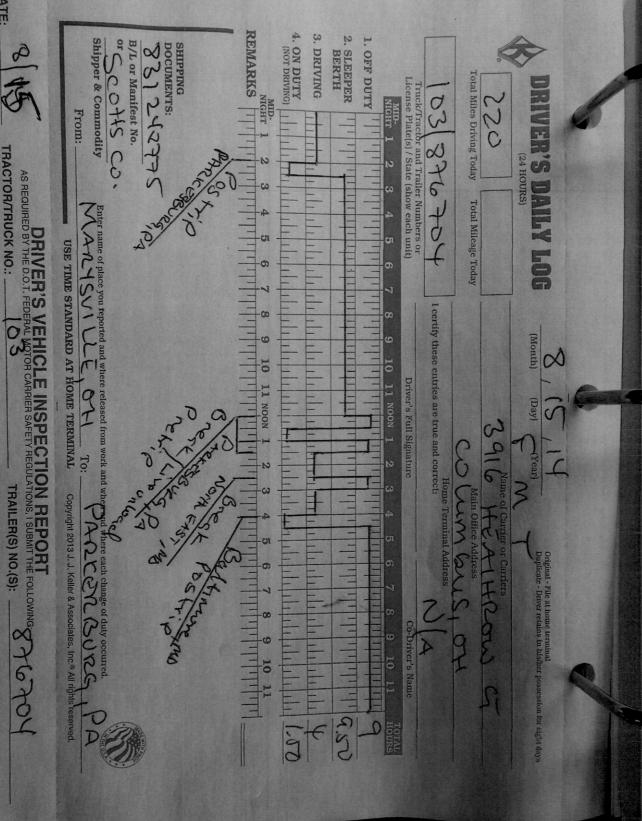
Signature of Carrier Official:	X	Title:	Date:
Failure to return this report wit \$10,000.	th the required certification	n can result in penalties up to \$1,000 per day for	each day the violation continues, up to a total of

Signature of Repairer:

Facility

Date





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DETECT NO DEFECT OR DEFICIENCY IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN. TRACTOR/TRUCK NO .: _

DETECT THE FOLLOWING DEFECTS OR DEFICIENCIES IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

INDICATE WHETHER DEFECTS ARE ON TRACTOR/TRUCK OR TRAILER - DESCRIBE DEFECT IN DETAIL, USE BACK SIDE IF NECESSARY

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DRIVER!	SHIPPING DOCUMENTS: 382695 B/L or Manifest No. oC NSaldeted Cont. Shipper & Commodity From: USE TIME S	S	Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit) MID. 1. OFF DUTY	DRIVER'S DAILY LOG (24 HOURS) Total Miles Driving Today Total Miles Today
AS REQUIRED BY THE D.O.T. FEDERAL MOTORS AFFETY REGULATIONS, I SUBMIT THE FOLLOWING TO TRAILER (S) NO.(S): TRAILER(S) NO.(S):	To: USE TIME STANDARD AT HOME TERMINAL Copyright 2013 J. J. Keller & Associates, inc. All rights reserved.	2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 24	I certify these entries are true and correct: Thome Terminal Address Home Terminal Address A Co-Driver's Name TOTAL HOURS TOTAL HOURS TOTAL HOURS TOTAL HOURS	(Month) (Day) (Year) Original - File at home terminal Duplicate - Driver retains in his/her possession for eight days Anne of Carrier or Carriers Main Office Address

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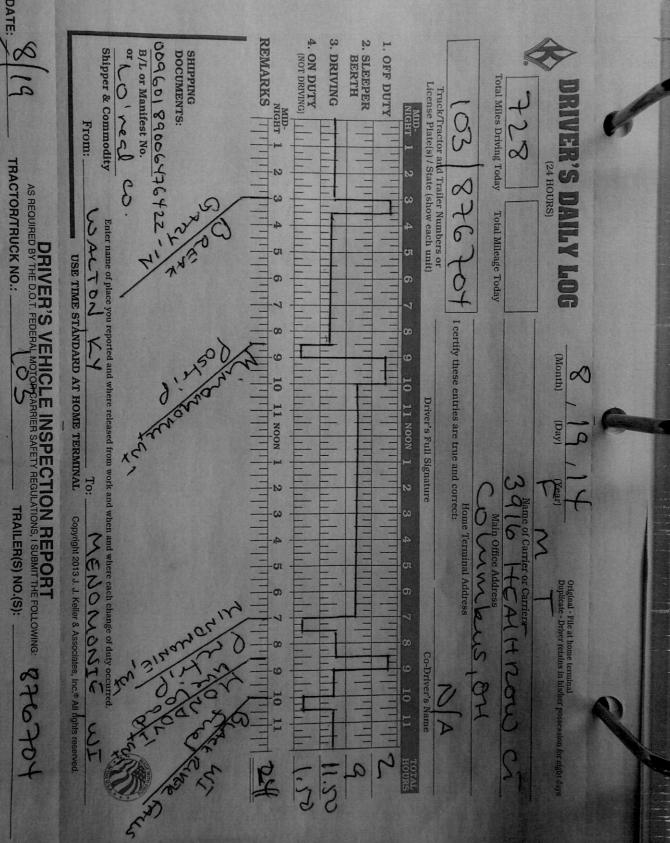
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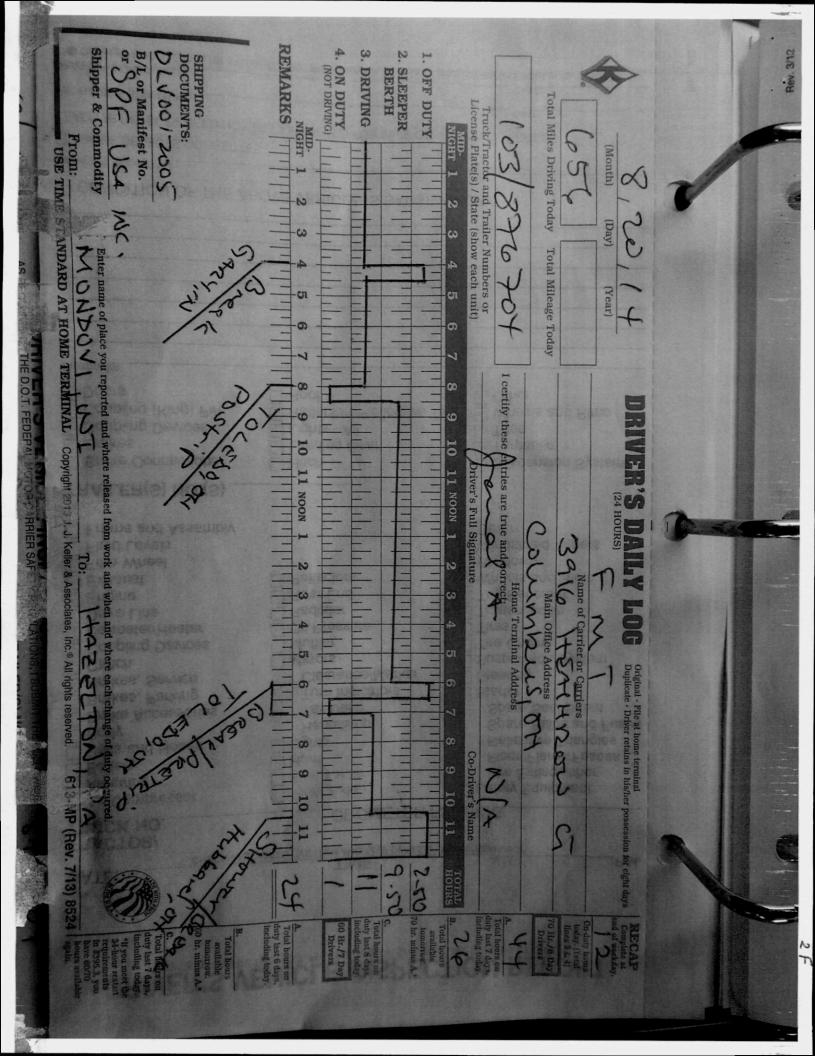
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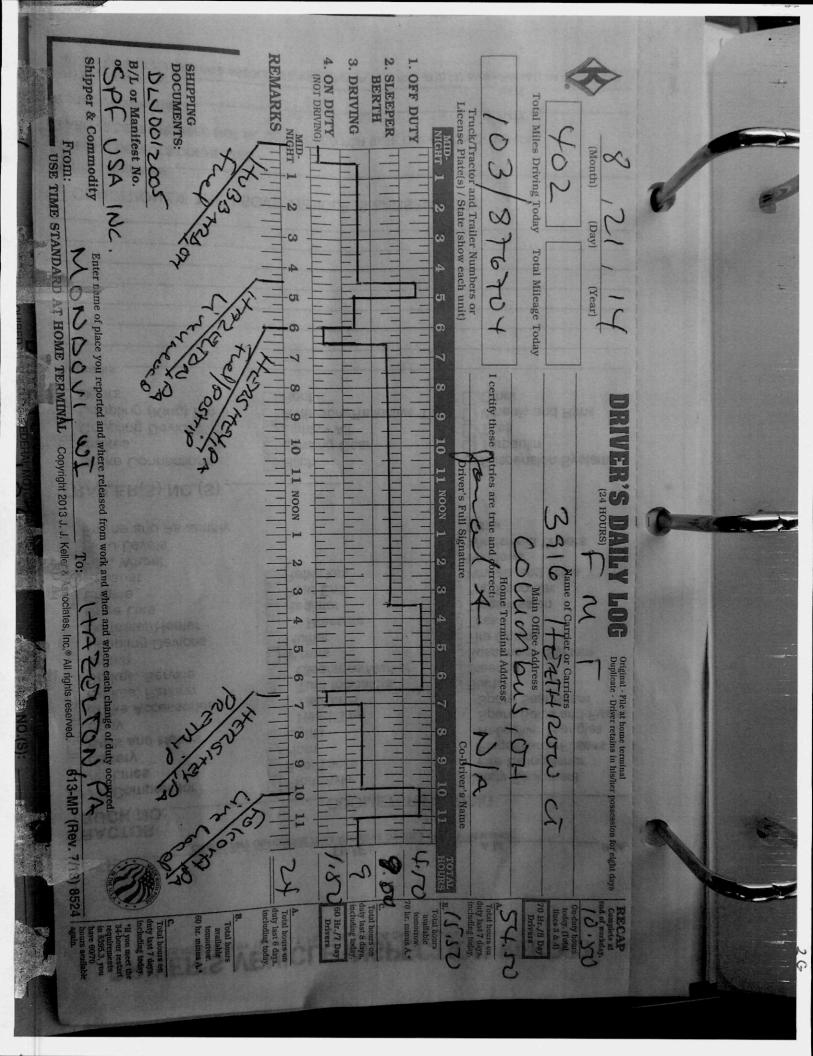
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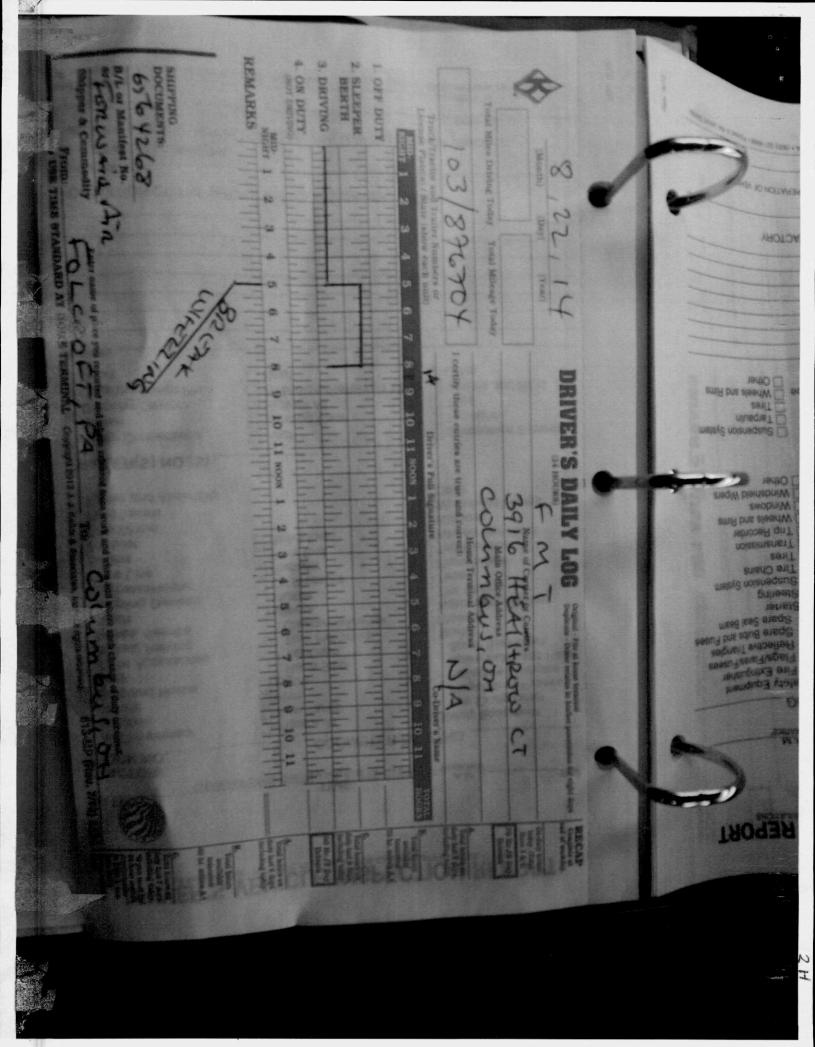


*DETECT NO DEFECT OR DEFICIENCY IN THIS MOTOR VEHICLE AS WOULD BE LIKELY TO AFFECT THE SAFETY OF ITS OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN

OPERATION OR RESULT IN ITS MECHANICAL BREAKDOWN INDICATE WHETHER DEFECTS ARE ON TRACTOR/TBUCK OR TRAILER - DESCRIBE DEFECT IN DETAIL, USE BACK SIDE IF NECESSANDER









Public Utilities Commission

John R. Kasich, Governor Thomas W. Johnson, Chairman sport a.

Commissioners

Steven D. Lesser Asim Z. Haque Lynn Slaby M. Beth Trombold

11/04/2014

OH3215005402C KEVIN CONNELL 1 SOUTH MAIN ST SUITE 1800 DAYTON, OH 45402-2017

RE:

NOTICE OF PRELIMINARY

DETERMINATION

Case No. OH3215005402C

Dear Sir or Madam:

On 08/22/2014, a vehicle operated by FMT TRUCKING LLC, and driven by JAMAL A ABDI, was inspected within the State of Ohio. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified FMT TRUCKING LLC (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

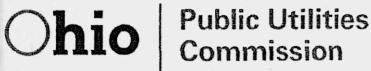
CODE	GROUP	VIOLATION	FORFEITURE
393.55E	0	Defective ABS Malfunction Indicator Lamp for trailer manufactured after	
		03/01/1998 / ABS LIGHT INOP	
393.9	0	Inoperable Required Lamp/ RIGHT ID LIGHT, TRAILER	
393.9H	0	Inoperable head lamps/ LEFT HIGH BEAM	
395.3A2-P	ROI I	Driving beyond 14 hour duty period (Property carrying vehicle) / ON 8/22/14 FROM 8:30 AM TO TIME OF STOP	
		Total of Group 0	0.00
		Total of Group 1	100.00

TOTAL AMOUNT DUE: \$100.00

A conference was conducted pursuant to rule 4901:2-7-10, 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.

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against FMT TRUCKING LLC in the following amount:

180 East Broad Street Columbus, Ohio 43215-3793 (614) 466-3016 www.PUCO.ohio gov



John R. Kasich, Governor Thomas W. Johnson, Chairman Commissioners

Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

CODE	GROUP	VIOLATION	FORFEITURE
393.55E	0	Defective ABS Malfunction Indicator Lamp for trailer manufactured after	
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393.9	0	Inoperable Required Lamp/ RIGHT ID LIGHT, TRAILER	
393.9H	0	Inoperable head lamps/ LEFT HIGH BEAM	
395.3A2-I	PROI1	Driving beyond 14 hour duty period (Property carrying vehicle) / ON 8/22/14 FROM 8:30 AM TO TIME OF STOP Total of Group 0	
		Total of Group 1	100.00

TOTAL AMOUNT DUE: \$100.00

Within 30 days of this notice, you must <u>either</u>: (1) pay the assessed civil forfeiture <u>or</u> (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

Sincerely,

Milan Orbovich, Director

mulau debovich

Transportation Department

Compliance Officer: Wanda Williams