

FILE

PUCO EXHIBIT FILING

14

Date of Hearing: 3/5/2015

Case No. 14-2180-TR-CVF

PUCO Case Caption: FMT Trucking, LLC

List of exhibits being filed:

Staff

1

2A

2B

2C

2D

2E

2F

2G

2H

3

Reporter's Signature:

Karen Sue Gibson

Date Submitted:

3/16/15

RECEIVED-DOCKETING DIV
2015 MAR 19 PM 2:10
PUCO

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Technician [Signature] Date Processed MAR 19 2015

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

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 Certification Date:
 Time Started: 08:56 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
 MC/MX #: 857431
 State #:

Phone #: (614)317-5849
 Fax #:

Driver: ABDI, JAMAL A
 License #: A130366029086 State: MD
 Date of Birth: 2/1/1980

Location: ROADSIDE
 Highway: I R 70
 County: GUERNSEY
 Shipper: MULTIPLE SHIPPERS

MilePost: 172
 Origin: PHILADELPHIA, PA
 Destination: COLUMBUS, OH

Bill of Lading: 006564268
 Cargo: GENERAL FREIGHT/AIR FREIG

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Strk.#
1	TT	INTL	2000	OH	PVY5542	103	2HSFHASR0YC055967	52,000			
2	ST	WANC	2001	OH	TQD6360	876704	1JJV532W21L736326	68,000			

BRAKE ADJUSTMENTS:

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 :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
393.9H	393.9H	1	N		N	N	Inoperable head lamps/ LEFT HIGH BEAM
393.55E	393.55(e)	2	N		N	N	Defective ABS Malfunction Indicator Lamp for trailer manufactured after 03/01/1998 / ABS LIGHT INOP
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp/ RIGHT ID LIGHT, TRAILER
395.3A2-PROP	395.3(a)(2)	D	Y		N	N	Driving beyond 14 hour duty period (Property carrying vehicle) / ON 8/22/14 FROM 8:30 AM TO TIME OF STOP

* N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported.

Placard: NA Cargo Tank:

Special Checks:

- | | | |
|---|--|--|
| <input type="checkbox"/> Alcohol/Controlled Substance Check | <input type="checkbox"/> Traffic Enforcement | <input type="checkbox"/> Post Crash Inspection |
| <input type="checkbox"/> Conducted by Local Jurisdiction | <input type="checkbox"/> PASA Conducted Inspection | <input type="checkbox"/> PBBT Inspection |
| <input type="checkbox"/> Size and Weight Enforcement | <input type="checkbox"/> Drug Interdiction Search | Arrests: |
| <input type="checkbox"/> EScreening | | |

Inspection Notes:

Special Study Fields:

Special Study1:
 Special Study2:
 Special Study3:
 Special Study4:
 Special Study5:

Special Study6:
 Special Study7:
 Special Study8:
 Special Study9:
 Special Study10:

Locally Defined Fields:

For-Hire Carrier: Y
 Driver City: BALTIMORE
 Driver Zip: 21214

Driver Address: 6676 PIONEER DR
 Driver State: MD
 Photos Taken (Y/N): Y

Report Prepared By:
 M R Frye

Badge #:
 3215

Copy Received By:
 ABDI, JAMAL A

Page 1 of 2



OH3215005402

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3215005402
 Inspection Date: 8/22/2014 Certification Date:
 Time Started: 08:56 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
 MC/MX #: 857431
 State #:

Phone #: (614)317-5849
 Fax #:

Driver: ABDI, JAMAL A
 License #: A130366029086 State: MD
 Date of Birth: 2/1/1980

Reason Code: OBVI
 CDL Verified (Y/N): Y

FMCSA Credentials Verified-Y/N: Y
 FMCSA OOS Order Issued(Y/N): N

I hereby declare JAMAL A. 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, 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'S DAILY LOG

(24 HOURS)

220
Total Miles Driving Today

Total Mileage Today

103/876704
Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

8/15/14
(Month) (Day) (Year)
Name of Carrier or Carriers
3916 HEATHROW CT
Main Office Address
COLUMBUS, OH
Home Terminal Address
N/A

I certify these entries are true and correct:

Driver's Full Signature

Co-Driver's Name

	Driver's Full Signature												TOTAL HOURS
	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	
1. OFF DUTY													9
2. SLEEPER BERTH													9.50
3. DRIVING													4
4. ON DUTY (NOT DRIVING)													1.00

REMARKS

POST TRIP
ARRIVED 8/15/14
Buckeye
North East, OH
Buckeye
Post Trip
Buckeye
Post Trip
Buckeye
Post Trip

SHIPPING DOCUMENTS:
831242775
B/L or Manifest No.
or
Scots Co.
Shipper & Commodity

Enter name of place you reported and where released from work and where each change of duty occurred.
From: MARYSVILLE, OH To: PARCENBURG, PA
USE TIME STANDARD AT HOME TERMINAL

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T., FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING:

DATE: 8/15/14 TRACTOR/TRUCK NO.: 103 TRAILER(S) NO.(S): 876704

- ☒ I 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
 - ☐ I 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.



DRIVER'S DAILY LOG

(24 HOURS)

8/16/14
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

Total Miles Driving Today

Total Mileage Today

103/876204

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

Name of Carrier or Carriers

Main Office Address

3916 ITCAIRROAD CA
COLUMBUS OH

I certify these entries are true and correct:

Home Terminal Address

Driver's Full Signature

Co-Driver's Name

N/A

	MID-NIGHT																								TOTAL HOURS
	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11		
1. OFF DUTY	<div></div>																								22
2. SLEEPER BERTH	<div></div>																								0
3. DRIVING	<div></div>																								1
4. ON DUTY (NOT DRIVING)	<div></div>																								1
REMARKS	<div></div>																								24

SHIPPING DOCUMENTS:

3826955

B/L or Manifest No.

Consolidated Container Co.

Shipper & Commodity

From:

Baltimore MD

To:

Carrollton OH

USE TIME STANDARD AT HOME TERMINAL

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING:

DATE: 8/16

TRACTOR/TRUCK NO.:

103

TRAILER(S) NO.(S):

876204

☒ 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

☐ I 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.

(24 HOURS)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

98

Total Mileage Today

Name of Carrier or Carriers

Main Office Address

Warren

Main Office Address
Columbus, OH

5

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

103 / 876704

I certify these entries are true and correct:

Home Terminal Address

Driver's Full Signature

Co-Driver's Name

[illegible]

TOTAL HOURS

1. OFF DUTY

2. SLEEPER BERTH

3. DRIVING

4. ON DUTY
[NOT DRIVING]

REMARKS

[illegible]

24

SHIPPING
DOCUMENTS:
3826959

B/L or Manifest No.

Shipper & Commodity

From: -

USE TIME STANDARD AT HOME TERMINAL

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING

TRAILER(S) NO.(S):

DATE:

$$\frac{8}{17}$$

TRACTOR/TRUCK NO.:

10

TRAILER(S) NO.(S):

Hotels

☒ I DETECT NO DEFECT OR DEFICIENCY IN
RESULT IN ITS MECHANICAL BREAKDOWN

DEFECTS IN MECHANICAL BREAKDOWN OPERATION

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

RAIVER'S SIGNATURE:

[Handwritten signature]

22



DRIVER'S DAILY LOG

(24 HOURS)

8 / 18 / 14
(Month) (Day) (Year)

Original - File at Home Terminal
Duplicate - Driver retains for filing possession for 60 days

648
Total Miles Driving Today

Total Mileage Today

Name of Carrier or Carriers

3916 HEATHROW CT

Main Office Address

COLUMBUS, OH

Home Terminal Address

103 / 876704
Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

I certify these entries are true and correct:

Driver's Full Signature

Co-Driver's Name

MD- NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 TOTAL HOURS

1. OFF DUTY

2. SLEEPER BERTH

3. DRIVING

4. ON DUTY (NOT DRIVING)

REMARKS

MD- NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 TOTAL HOURS

SHIPPING DOCUMENTS:

00960189606426422

B/L or Manifest No.

WHEELER CO.

Shipper & Commodity

From:

USE TIME STANDARD AT HOME TERMINAL

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING:

DATE:

8 / 18

TRACTOR/TRUCK NO.:

103

TRAILER(S) NO.(S):

876704

☒ 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

☐ I 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.

DRIVER'S SIGNATURE:

8/18/14



DRIVER'S DAILY LOG

(24 HOURS)

8 / 19 / 14
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

Total Miles Driving Today

Total Mileage Today

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

103 / 826704

I certify these entries are true and correct.

Driver's Full Signature

Co-Driver's Name

N/A

Name of Carrier or Carriers

Main Office Address

Home Terminal Address

3916 HEATHROW CT
COLUMBUS, OH

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									2
2. SLEEPER BERTH																									9
3. DRIVING																									11.50
4. ON DUTY (NOT DRIVING)																									1.50

REMARKS

SHIPPING DOCUMENTS:
00960189006476422-11
B/L or Manifest No.
or
LO' need co.
Shipper & Commodity

From:

WATSON KY

To:

MENOMONIE WI

USE TIME STANDARD AT HOME TERMINAL

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS, I SUBMIT THE FOLLOWING:

DATE:

8/19

TRACTOR/TRUCK NO.:

103

TRAILER(S) NO.(S):

826704

☒ 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

☐ 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



MINOR DAMAGE TO
RIGHT SIDE
REAR FENDER
GREAT W/



Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

RECAP
Complete at
end of workday.

652

Total Miles Driving Today	Total Mileage Today
100	100
200	200
300	300
400	400
500	500
600	600
700	700
800	800
900	900
1000	1000
1100	1100
1200	1200
1300	1300
1400	1400
1500	1500
1600	1600
1700	1700
1800	1800
1900	1900
2000	2000
2100	2100
2200	2200
2300	2300
2400	2400
2500	2500
2600	2600
2700	2700
2800	2800
2900	2900
3000	3000
3100	3100
3200	3200
3300	3300
3400	3400
3500	3500
3600	3600
3700	3700
3800	3800
3900	3900
4000	4000
4100	4100
4200	4200
4300	4300
4400	4400
4500	4500
4600	4600
4700	4700
4800	4800
4900	4900
5000	5000
5100	5100
5200	5200
5300	5300
5400	5400
5500	5500
5600	5600
5700	5700
5800	5800
5900	5900
6000	6000
6100	6100
6200	6200
6300	6300
6400	6400
6500	6500
6600	6600
6700	6700
6800	6800
6900	6900
7000	7000
7100	7100
7200	7200
7300	7300
7400	7400
7500	7500
7600	7600
7700	7700
7800	7800
7900	7900
8000	8000
8100	8100
8200	8200
8300	8300
8400	8400
8500	8500
8600	8600
8700	8700
8800	8800
8900	8900
9000	9000
9100	9100
9200	9200
9300	9300
9400	9400
9500	9500
9600	9600
9700	9700
9800	9800
9900	9900
10000	10000

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

I certify these entries are true and correct.

Driver's Full Signature

Home Terminal Address

Name of Carrier or Carriers	Main Office Address
3916 15th St NW	Columbus, OH

Co-Driver's Name

[illegible]

TOTAL HOURS

CP

1. OFF DUTY

2. SLEEPER BERTH

3. DRIVING

4. ON DUTY [NOT DRIVING]

REMARKS

SHIPPING
DOCUMENTS:

DLV0012005

B/L or Manifest No.

or
SDE 1154 1154

Shipper & Commodity

From:

USE TIME STANDARD AT HOME TERMINAL

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To:

1 + 2 = 3

613-MP (Rev. 7/13) 8524

Total hours on duty last 8 days including today

Total hours on duty last 6 days including today

60 hr. minus A.	Total hours available tomorrow.
-----------------	---------------------------------------

X Total hours on duty last 7 days, including today.

*If you meet the 34-hour restart requirements in 8395.3, you have 60/70 hours available again.



8/21/14
(Month) (Day) (Year)

Total Miles Driving Today Total Mileage Today

402

103/876704

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit)

DRIVER'S DAILY LOG

(24 HOURS)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

3916 HENSHAW RD
Name of Carrier or Carriers

Main Office Address

COLUMBUS, OH
Home Terminal Address

I certify these entries are true and correct:

Driver's Full Signature

Co-Driver's Name

MID-NIGHT 1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11 TOTAL HOURS

1. OFF DUTY
2. SLEEPER BERTH
3. DRIVING
4. ON DUTY (NOT DRIVING)

REMARKS

SHIPPING DOCUMENTS:

DLV0012005

B/L or Manifest No.

SPC USA INC.

Shipper & Commodity

Enter name of place you reported and where released from work and when and where each change of duty occurred.

From:

USE TIME STANDARD AT HOME TERMINAL

To:

MONDOVI WI

613-MP (Rev. 7/13) 8524



RECAP

Complete at end of week.

10.50

On-duty hours today (Total lines 3 & 4)

70 Hr./8 Day Drivers

54.50

Total hours on duty last 7 days, including today.

15.50

Total hours available tomorrow, 70 hr. minus A.*

9.50

Total hours on duty last 8 days, including today.

9

60 Hr./7 Day Drivers

1.80

Total hours on duty last 6 days, including today.

24

Total hours available tomorrow, 60 hr. minus A.*

9

Total hours on duty last 7 days, including today.

24

*If you meet the 34-hour restart requirements in 8585.3, you have 60/70 hours available again.

HENSHAW RD
COLUMBUS, OH
HENSLEY RD
LINE LCA
HENSLEY RD
COLUMBUS, OH

HENSHAW RD
COLUMBUS, OH
HENSLEY RD
COLUMBUS, OH

HENSHAW RD
COLUMBUS, OH
HENSLEY RD
COLUMBUS, OH

REPORT

- ☐ Other
- ☐ Wheels and Rims
- ☐ Tires
- ☐ Tail-pipe
- ☐ Suspension System
- ☐ Other
- ☐ Windshield Wipers
- ☐ Windows
- ☐ Wheels and Rims
- ☐ Trip Recorder
- ☐ Transmission
- ☐ Tires
- ☐ Tire Chains
- ☐ Suspension System
- ☐ Steering
- ☐ Starter
- ☐ Spare Seal Beam
- ☐ Spare Bulbs and Fuses
- ☐ Protective Tangles
- ☐ Flares/Fire Extinguishers
- ☐ Fire Extinguisher
- ☐ Safety Equipment



8/22/14
 (Month) (Day) (Year)

DRIVER'S DAILY LOG

Original - For at least 100 miles
 Duplicate - For at least 100 miles in further possession for eight days

Total Miles Driven Today

Total Mileage Today

103/876704

Truck/Tractor and Trailer Numbers or
 License Plates / State (above each unit)

Driver's Full Signature

Co-Driver's Name

TOTAL MILES

I certify these entries are true and correct:

NAME OF DRIVER
 3916 HEATH RD CT
 COLUMBUS, OH
 HOME OFFICE ADDRESS
 HOME TELEPHONE ADDRESS
 N/A

1. OFF DUTY
2. SLEEPER BERTH
3. DRIVING
4. ON DUTY (NOT DRIVING)

TIME	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11
NIGHT																							
REMARKS																							

BIG TRUCK
 WHEELING

SHIPPING DOCUMENTS:

6564268

B/L or Manifest No.

for Fennia Air

Dispatch & Commodity

FROM:

USDA, TIER STANDARD AT

TO:

TERMINAL

DATE:

8/22/14

TIME:

6:15 PM

DATE:

8/22/14

TIME:

6:15 PM

DATE:

8/22/14

TIME:

6:15 PM

DATE:

8/22/14

TIME:

6:15 PM

DATE:

8/22/14

TIME:

6:15 PM



Public Utilities Commission

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

Staff Ex. 3

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-PRO11		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

An equal opportunity employer and service provider



Public Utilities Commission

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 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-PRO11		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 either: (1) pay the assessed civil forfeiture or (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
Transportation Department

Compliance Officer: Wanda Williams