

FILE

PUCO EXHIBIT FILING

6

Date of Hearing: 4/15/15

Case No. 15-111-TR-CVF

PUCO Case Caption: Chad Harra

List of exhibits being filed:

Staff exh 1
Staff exh 2

PUCO

Reporter's Signature: Val Slag
Date Submitted: 4/24/15

2015 APR 24 PM 1:58

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of :
Chad Harra, Notice of : Case No. 15-111-TR-CVF
Apparent Violation and :
Intent to Assess Forfeiture :

- - -

PROCEEDINGS

Before James M. Lynn, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 8:53
a.m. on Wednesday, April 15, 2015.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-4620
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3269010761
 Inspection Date: 10/22/2014 Certification Date:
 Time Started: 12:44 Time Ended: 13:15
 Inspection Level: II - Walk-Around
 HM Inspection Type: No HM Inspection

RICHARD GESSEL TRUCKING INC

P O BOX 482

HOLLAND, OH 43528

USDOT #: 00463081

MC/MX #: 827864

State #:

Phone #: (740)783-4004

Fax #:

Driver: HARRA, CHAD A

License #: SD540806

State: OH

Date of Birth: 4/10/1985

Location: ROAD SIDE

MilePost: 1

Highway: ST RT 32

Origin: BELPRE/OH

Bill of Lading:

County: VINTON

Destination: BEAVER/OH

Cargo: EMPTY

Shipper:

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Str.#
1	TT	INTL	1998	OH	PVU3576	2041	2HSFMAERXWC060422	52,000			
2	ST	EADU	1989	OH	TQA7154	3C	1E1D2P283KRM10090	80,000			

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS:

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
393.45D	393.45(d)	1	N		N	N	Brake connections with leaks or constrictions-Minor air leak at emergency line connection left side behind hydr tank.
393.55C1	393.55(c)(1)	1	N		N	N	ABS trouble code set on tractor.
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp-Right front marker light inop.
391.11B4	391.11(b)(4)	D	Y		N	N	Driver not physically qualified-Driver not using corrective lenses as required on License and medical card.Medical expires 8/9/15. See notes.

* 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: Drivers glasses was found in floor board of sleeper compartment inside a black case.

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 City: WATERFORD

Driver Zip: 45786

FMCSA Credentials Verified-Y/N: Y

FMCSA OOS Order Issued(Y/N): N

Driver Address: 310 SHOT LANE

Driver State: OH

Reason Code: USSP

CDL Verified (Y/N): Y

I hereby declare CHAD A. HARRA "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: Obtains and uses corrective lenses

Report Prepared By:

A R Lester

Badge #:

3269

Copy Received By:

HARRA, CHAD A

Page 1 of 2



OH3269010761

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RICHARD GESSEL TRUCKING INC

P O BOX 482

HOLLAND, OH 43528

USDOT #: 00463081

MC/MX #: 827864

State #:

Phone #: (740)783-4004

Fax #:

Driver: HARRA, CHAD A

License #: SD540806

State: OH

Date of Birth: 4/10/1985

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: _____





Public Utilities Commission

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

Commissioners

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

12/30/2014

OH3269010761D
Chad Harra
310 SHOT LANE
WATERFORD, OH 45786

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH3269010761D

Dear Sir or Madam:

On 10/22/2014, a vehicle operated by RICHARD GESSEL TRUCKING INC, and driven by CHAD A HARRA, 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 CHAD A HARRA (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
391.11B4	4	Driver not physically qualified-Driver not using corrective lenses as required on License and medical card.Medical expires 8/9/15. See notes.	250.00
		Total of Group 4	250.00

TOTAL AMOUNT DUE: \$250.00

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 CHAD A HARRA in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
391.11B4	4	Driver not physically qualified-Driver not using corrective lenses as required on License and medical card.Medical expires 8/9/15. See notes.	250.00
		Total of Group 4	250.00

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 466-3016
www.PUCO.ohio.gov

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Public Utilities Commission

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Thomas W. Johnson, Chairman

Commissioners

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TOTAL AMOUNT DUE: \$250.00

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,

A handwritten signature in cursive script that reads "Milan Orbovich".

Milan Orbovich, Director
Transportation Department

Compliance Officer: Wanda Williams