

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of MIA Express, Inc., Notice)
of Apparent Violation and Intent to Assess) Case No. 15-1794-TR-CVF
Forfeiture.) (OH3262004721C)

ENTRY

The Commission finds:

- (1) R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property by motor carriers operating in interstate and intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-02(A), the Commission adopted the Federal Motor Carrier Safety Regulations for the purpose of governing transportation by motor vehicle in the state of Ohio. Further, R.C. 4923.99 authorizes the Commission to assess a civil forfeiture of up to \$25,000 per day against any person who violates the safety rules adopted by the Commission.
- (2) MIA Express, Inc. (Respondent) was served with a Notice of Preliminary Determination (NPD), pursuant to Ohio Adm.Code 4901:2-7-12. The NPD assessed a \$100 civil forfeiture against the Respondent for the violation of not having the carrier's name and United States Department of Transportation number displayed as required. On October 23, 2015, Respondent requested an administrative hearing, thereby initiating this case.
- (3) On October 27, 2015, Staff filed a motion to dismiss in this matter. In the motion, Staff states that, after further investigation and discussions with the Ohio State Highway Patrol, it agrees with the Patrol that the inspection report in this case should be amended to reflect a different entity as being responsible for the alleged violations. Staff states that, consequently, further prosecution of the alleged violations against the Respondent is not warranted. Accordingly, Staff requests that the Commission dismiss the alleged violations in this case and order them deleted from the Respondent's record.

- (4) In view of Staff's decision not to prosecute this matter, this case should be dismissed and closed of record. Further, the alleged violations should be deleted from the Respondent's record.

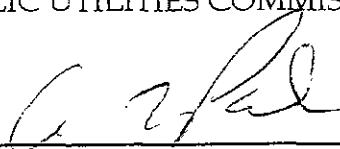
It is, therefore,

ORDERED, That the above-captioned case be dismissed and the case closed of record. It is, further,


ORDERED, That the alleged violations in this case be deleted from the Respondent's record. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

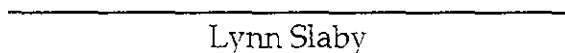
THE PUBLIC UTILITIES COMMISSION OF OHIO



Andre T. Porter, Chairman



M. Beth Trombold



Lynn Slaby



Asim Z. Haque

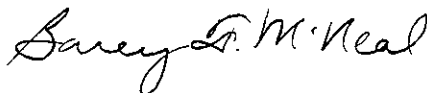


Thomas W. Johnson

KKS/vrm

Entered in the Journal

DEC 09 2015



Barcy F. McNeal
Secretary