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PUCO EXHIBIT FILING

	Case No. 16-11-TR-CVF	
-	PUCO Case Caption:	
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certify nd compl elivered	List of exhibits being filed:	
repr	Staff ahibits 142	
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	Reporter's Signature: Yare Sur Hibsor Date Submitted:	

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of John Coy,:

Notice of Apparent

Violation and Intent to : Case No. 16-11-TR-CVF

Assess Forfeiture.

PROCEEDINGS

before Mr. James Lynn, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-D, Columbus, Ohio, called at 10 a.m. on Thursday, March 31, 2016.

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

Public Utilities Commission of Ohio

180 East Broad Street **Transportation Department**

Columbus, OH 43215 Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH0047000033

Inspection Date: 10/23/2015 Certification Date: 11/05/2015

09:43 Time Started: Time Ended: 10:35

Inspection Level: III - Driver-Only Inspection **HM Inspection Type:** No HM Inspection

JART XPRESS INC 2535 HARRISON ROAD

Driver:

COY, JOHN A

License #: Date of Birth: RR170146 11/10/1974 State: OH

Phone #: (614)351-0000

USDOT #: 00430636 MC/MX #: 477863

COLUMBUS, OH 43204

Location: ROADSIDE

Fax #:

State #:

County:

Highway: IR70

MilePost: Origin:

210

Bill of Lading: 2002961366

PITTSBURGH, PA Destination: GROVE CITY, OH

Cargo: OTHER

BELMONT Shipper: **LENNOX INUDUSTRIES**

VEHICL	E IDEN	ITIFIC	ATIO	V:										
Unit Type	Make	Year S	State	License#		Equ	ipment ID		Unit V	IN	GVWR	CVSA#	CVSA Issued #	OOS Stkr.#
1 17	VOLV	2003	ОН	P1D8898		(03205	4V4M0	9UFX	N346676	50,000			
2 ST	UTIL	2007	IN	P334194		4	84857	1040	S24877	G110610	65,000			
BRAKE	ADJUS	STME	NTS:	No brake	mea	sureme	ents recorded.							
VIOLATI	ONS:													
Vio Code)	Se	ction		Unit	oos	State Citation Number		Crash	Violation	Descriptio	n		
395.8A		398	5.8(a)		D	Y		N	N	No log b	ook for 10	0/23/2015 to	10/16/2015	
392.2MI		392	2.2		D	N	LHP2089	N	N	Miscellan MARKED		fic Law Viola	tion, FAILURE TO DE	RIVE WITHIN
392.16		392	2.16		D	N		N	N	Failing to	use seat	belt while op	erating CMV. SEE NO	OTES

HazMat:	No HM Transported.	Placard: NA Cargo Tank:
Special Checks:	Alcohol/Controled Substance Check Conducted by Local Jurisdiction Size and Weight Enforcement EScreening	Traffic Enforcement

Inspection Notes: AS VEHICLE DROVE BY MY STATIONARY LOCATION. THE DRIVER WAS LEANING FORWARD AND TO THE RIGHT, NO SEATBELT OBSERVED. DURING INSPECTION, SEATBELT WAS FOUND TO BE ORANGE, AND DRIVER WAS WEARING A RED SWEAT SHIRT

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 Address: 59 W. COLUMBUS ST

Driver State: OH Photos Taken (Y/N): N Reason Code: TRAF

CDL Verified (Y/N): Y

Fatalities (Y/N): N

Driver City: MT. STERLING

Driver Zip: 43143 Co-Investigator #: 0111

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

I hereby declare JOHN A. COY "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:10 HOURS OFF DUTY OR SLEEPER BERTH

Report Prepared By:

D S WILCOX

Badge #: 0047

Copy Received By: COY, JOHN A

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DRIVER/VEHICLE EXAMINATION REPORT

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Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429 Fax #: (614)752-9274 Report Number: OH0047000033

Inspection Date: 10/23/2015 Certification Date: 11/05/2015

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Inspection Level: III - Driver-Only Inspection HM Inspection Type: No HM Inspection

COY, JOHN A

License #: Date of Birth: RR170146 11/10/1974 State: OH

COLUMBUS, OH 43204 USDOT #: 00430636

JART XPRESS INC

2535 HARRISON ROAD

MC/MX #: 477863 State #:

Phone #: (614)351-0000

Fax #:

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		Date:
Failure to return this report wi \$10,000.	ith the required certification can result in	n penalties up to \$1,000 per day	for each day the violation continues, up to a total of
Signature of Repairer:	X	Facility:	Date:

Report Prepared By: D S WILCOX

Badge #: 0047

Copy Received By: COY, JOHN A

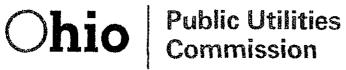
Page 2 of 2



ОНО047000033







John R. Kasich, Governor Andre Porter, Chairman Commissioners

Thomas W. Johnson Asim Z. Haque Lynn Slaby M. Beth Trombold

12/15/2015

OH0047000033D John A Coy 59 W. COLUMBUS ST MT. STERLING, OH 43143

RE: NOTICE OF PRELIMINARY
DETERMINATION

Case No. OH0047000033D

Dear Sir or Madam:

On 10/23/2015, a vehicle operated by JART XPRESS, and driven by JOHN A COY, 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 JOHN A COY (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
395.8A	1	No log book for 10/23/2015 to 10/16/2015	
392.16	4	Failing to use seat belt while operating CMV. SEE NOTES	100.00
		Total of Group 1	100.00
		Total of Group 4	100.00

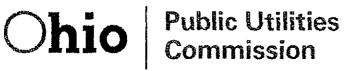
TOTAL AMOUNT DUE: \$200.00

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 JOHN A COY in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
395.8A	1	No log book for 10/23/2015 to 10/16/2015	
392.16	4	Failing to use seat belt while operating CMV. SEE NOTES	00.001
180 East Broa	ad Street hin 43215-3793		(614) 466-3016 www.PUCO.ohio.gov

An equal opportunity employer and service provider



John R. Kasich, Governor Andre Porter, Chairman Commissioners

Thomas W. Johnson Asim Z. Haque Lynn Slaby M. Beth Trombold

100.00

100.00

Total of Group 1
Total of Group 4

TOTAL AMOUNT DUE: \$200.00

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 Transportation Department

Julan debovick

Compliance Officer: Thomas Persinger