

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of James Hedges Notice)
of Apparent Violation and Intent to)
Assess Forfeiture.) Case No. 17-0050-TR-CVF

NOTICE OF DISMISSAL

All of the violations and forfeitures against James Hedges relevant to the above-captioned case before the PUCO have been dropped. (See Attachment A, highlighted language on page 3). The hearing set for Wednesday, February 22, 2017, is no longer necessary. The PUCO staff hereby files this Notice of Dismissal.

Respectfully submitted,

/s/Robert Eubanks

Robert Eubanks

Assistant Attorneys General

Public Utilities Section

30 East Broad Street, 16th Floor

Columbus, OH 43215-3793

614.466.4395 (telephone)

614.644.8764 (fax)

robert.eubanks@puc.state.oh.us

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Notice of Dismissal** was served by regular U.S. mail, postage prepaid, or electronically, upon the following, this 21st day of February, 2016.

/s/Robert Eubanks

Robert Eubanks

Assistant Attorney General

Parties of Record:

James Hedges
2974 Carmek Bathamia Rd.
Thurman, OH 45685

and

Clinton Miller
69 Center Street
Wellston, Ohio 45692

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

OHIO STATE HIGHWAY PATROL
Motor Carrier Enforcement
Jackson District 9 Headquarters
Phone 740-286-9845 Fax 614-752-9274
Mail or Fax certification to agency listed below

Report Number: OH0955003333
Inspection Date: 09/15/2016
Start: 8:52 AM ET **End:** 10:26 AM ET
Inspection Level: II - Walk-Around
HM Inspection Type: None

CLINTON MILLER
69 CENTER STREET
WELLSTON, OH 45692
USDOT#: 02803804 **Phone#:** (740)395-4922
MC/MX#: **Fax#:**
State#:

Driver: HEDGES, JAMES R
License#: QF407418 **State:** OH
Date of Birth: 09/20/1962
CoDriver:
License#: **State:**
Date of Birth:

Location: ROADSIDE **MilePost:** 26 **Shipper:** GLADFELTER
Highway: US 50 **Origin:** JACKSON, OH **Bill of Lading:**
County: **Destination:** CHILLICOTHE, OH **Cargo:** LOGS, POLES, LUMBER

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TT	PTRB	1989	OH	PJK9145		1XPD5DB9X4KD28063	52,000			0955003333
2	ST	UNK	2006	OH	TQQ7244		5JYLT42256P061876	80,000			

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
393.9	393.9	1	N		N	N	Inoperable Required Lamp: three front id lights inoperable
393.9	393.9	2	N		N	N	Inoperable Required Lamp: left rear id light inoperable
393.205C	393.205C	2	N		N	N	Wheel fasteners loose and/or missing: 1 stud bolt out of 10 broke off.
393.75A	393.75A	1	Y		U	N	Flat tire or fabric exposed: third axle right side cord exposed all the way around inside tire outside tire 1/3 way around cord exposed.
392.2DL	392.2DL	D	Y	161016	N	N	Miscellaneous Drivers License Violation: driver license suspended 8-26-16 from vinton county court case bmv suspension.
393.75A	393.75A	1	N		N	N	Flat tire or fabric exposed: 2nd axle right side inside tire cord exposed patch 10 inches by 4 inches and a strip continuing around tire.

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks:

State Information:

CDL Verified (Y/N): Y; Driver Address: 2974 CARMEL BATHAMIA RD; Driver City: THURMAN; Driver State: OH; Driver Zip: 45685; FMCSA Credentials Verified-Y/N: Y; FMCSA OOS Order Issued(Y/N): N; For-Hire Carrier: Y; Photos Taken (Y/N): Y; Reason Code: ISSS;

Report Prepared By:
R A Wells

Badge #:
0955

Copy Received By:
JAMES HEDGES

Page 1 of 3



02803804 OH OH0955003333

X_____

X_____

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State#:

Driver: HEDGES, JAMES R
License#: QF407418 **State:** OH
Date of Birth: 09/20/1962
CoDriver:
License#: **State:**
Date of Birth:

I hereby declare JAMES HEDGES "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: Driver has Proper CDL Endorsement

* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

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: _____

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 Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:
R A Wells

Badge #:
0955

Copy Received By:
JAMES HEDGES

Page 2 of 3



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02803804 OH OH0955003333

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Fax#:

Driver: HEDGES, JAMES R

License#: QF407418

Date of Birth: 09/20/1962

CoDriver:

License#:

Date of Birth:

State: OH

State:

Inspection Notes

Driver for the truck arrived and was escorted to gladfelters for repairs. Driver was stopped by this officer on 8-24-16 and inspected in was placed oos at the jackson county rest area for the same tire violations. Photos were taken of bpth inspections. Drivers license was suspended on 8-26-16 from vinton county court.added 393.75a on 11/02/2016 by dfe per jrf. Deleted violation 2-5-07d on 02/17/2017 by dfe per jrf.

Special Studies No Special Study Data Recorded

Report Prepared By:
R A Wells

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Page 3 of 3



02803804 OH OH0955003333

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/21/2017 12:03:22 PM

in

Case No(s). 17-0050-TR-CVF

Summary: Notice of Dismissal electronically filed by Ms. Tonnetta Scott on behalf of PUC