

FILE

PUCO EXHIBIT FILING

Date of Hearing: 5/2/2017

Case No. 17-119-TR-CVF

PUCO Case Caption: In the Matter of Cecily
Williams, Notice of Apparent Violation and
Intent to Assess Forfeiture

List of exhibits being filed:

Staff Exhibits 1 & 2

Respondent's Exhibits A-D

Reporter's Signature: Sharon Sue Gibson

Date Submitted: _____

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PUCO

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technician SM Date Processed MAY 08 2017

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of Cecilval :
Williams, Notice of :
Apparent Violation and : Case No. 17-119-TR-CVF
Intent to 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 10:00
a.m. on Tuesday, May 2, 2017.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481

- - -

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: OH3291011328
Inspection Date: 9/7/2016 Certification Date: 09/23/2016
Time Started: 07:34 Time Ended: 08:05
Inspection Level: III - Driver-Only Inspection
HM Inspection Type: No HM Inspection

SCHNEIDER NATIONAL CARRIERS INC
PO BOX 2545
GREEN BAY, WI 54306-2545
USDOT #: 00264184
MC/MX #: 133655
State #:

Phone #: (800)558-6767
Fax #:

Driver: WILLIAMS, CECILVAL
License #: 168947099 State: CT
Date of Birth: 4/27/1974

Location: ROADSIDE
Highway: IR 71
County: RICHLAND
Shipper: KICHLER HOME CENTER

MilePost: 176
Origin: EAST HARTFORD, CT
Destination: NORTH VERNON, IN
Bill of Lading: 80007099
Cargo: OTHER

VEHICLE IDENTIFICATION:

Unit Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	FRHT	2016	IN	2347963	70138	3AKJGLD55GSGUJ7722	52,000		
2	ST	WANC	2015	IN	P366785	TA145962	NA	68,000		

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
392.82A1	392.82(a)(1)	D	N		N	N	Using a hand-held mobile telephone while operating a CMV: Driver using / talking on a hand held cell phone while operating a CMV. (OBVI)

* 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: DRIVER PASSED ME IN THE CENTER LANE TRAVELING SOUTH BOUND ON I-71 MILE POST 178, DRIVER HAD A LARGE SMART PHONE IN HIS RIGHT HAND TALKING ON IT AS HE PASSED ME. UPON CONTACT WITH DRIVER, HE STATED HE WASN'T ON HIS PHONE AT FIRST, THEN HE STATED HE HAD A BLUE TOOTH IN HIS EAR, I ASKED HIM WHERE IS THE BLUE TOOTH (IT WAS NOT ON HIS PERSON) HE GOT IT OUT OF HIS OVERHEAD COMPARTMENT. I ASKED DRIVER TO SHOW ME HIS CALL HISTORY ON HIS CELL PHONE, HE HAD A CALL AT 7:25AM AND IT ENDED AT 7:34AM (TIME OF INSPECTION).

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 Address: 124 ADAMS ST UNIT
Driver City: HARTFORD	Driver State: CT
Driver Zip: 06112	Reason Code: OBVI
FMCSA Credentials Verified-Y/N: Y	CDL Verified (Y/N): Y
FMCSA OOS Order Issued(Y/N): N	

Report Prepared By:
J M Holzworth

Badge #:
3291

Copy Received By:
WILLIAMS, CECILVAL

Page 1 of 2



OH3291011328

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DRIVER/VEHICLE EXAMINATION REPORT

Public Utilities Commission of Ohio
180 East Broad Street
Transportation Department
Columbus, OH 43215
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SCHNEIDER NATIONAL CARRIERS INC

PO BOX 2545

GREEN BAY, WI 54306-2545

USDOT #: 00264184

Phone #: (800)558-6767

MCMX #: 133665

Fax #:

State #:

Driver: WILLIAMS, CECILVAL
License #: 168947099 State: CT
Date of Birth: 4/27/1974

All violations of the FHRM 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, TAD - 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 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: _____

Report Prepared By:
J M Holzworth

Badge #:
3291

Copy Received By:
WILLIAMS, CECILVAL

Page 2 of 2



OH3291011328

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Ohio | Public Utilities Commission

John R. Kasich, Governor
Asim Z. Haque, Chairman

Commissioners

Lynn Slaby
M. Beth Trombold
Thomas W. Johnson
M. Howard Petricoff

11/02/2016

OH3291011328D
Mr. Michael J. Yemc, Jr., Attorney
PO Box 468
Delaware, OH 43015

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH3291011328D

Dear Sir or Madam:

On 09/07/2016, a vehicle operated by SCHNEIDER NATIONAL CARRIERS INC, and driven by CECILVAL WILLIAMS, 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 CECILVAL WILLIAMS (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
392.82A1	4	Using a hand-held mobile telephone while operating a CMV	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 CECILVAL WILLIAMS in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.82A1	4	Using a hand-held mobile telephone while operating a CMV	250.00
		Total of Group 4	250.00

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 468-3018
www.PUCO.ohio.gov





Public Utilities Commission

John R. Kasich, Governor
Asim Z. Haque, Chairman

Commissioners

Lynn Slaby
M. Beth Trombold
Thomas W. Johnson
M. Howard Petricoff

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,

Milan Orbovich, Director
Transportation Department

Compliance Officer: Cheryl Streets



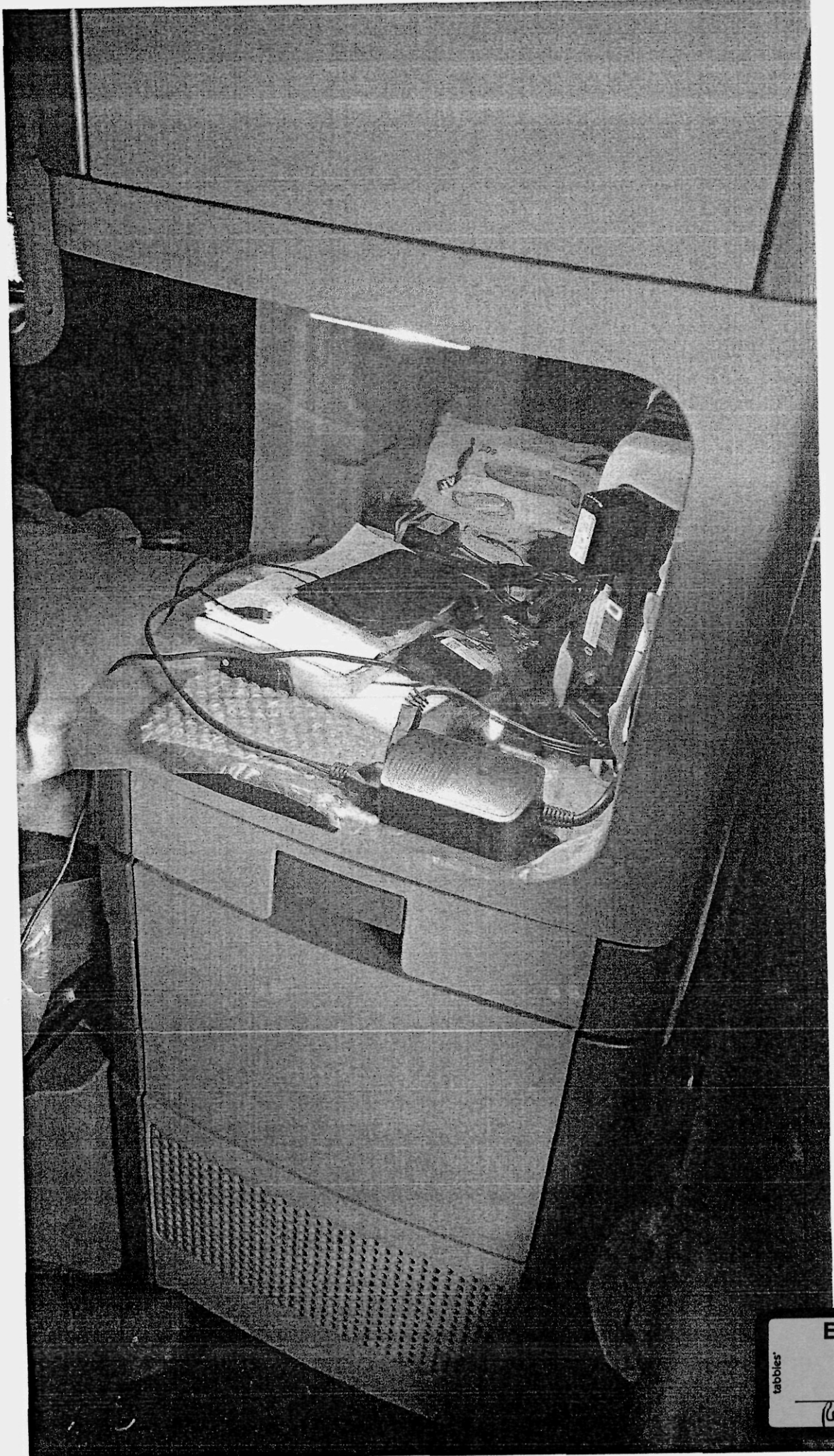
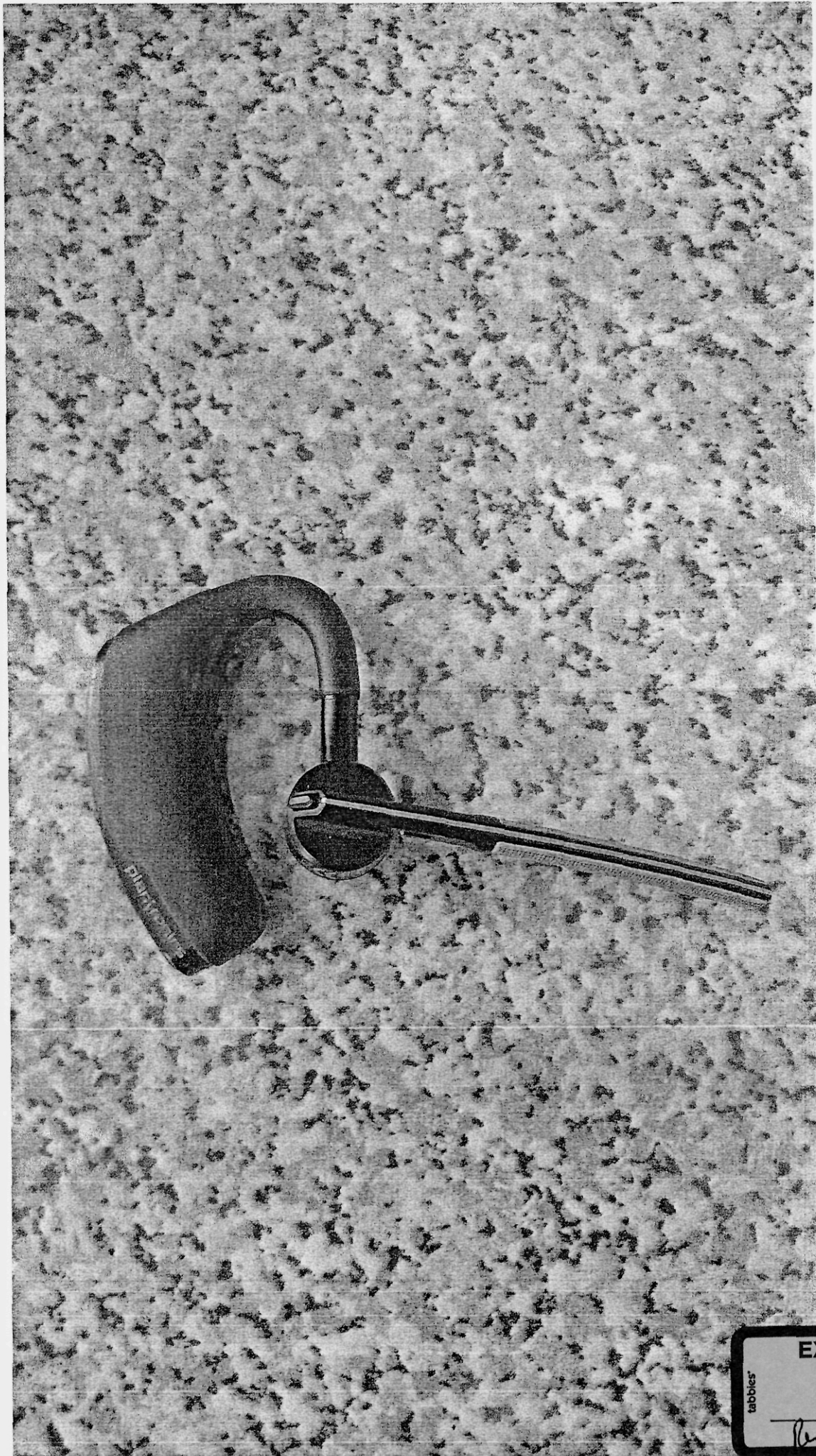


EXHIBIT
A
Respondent

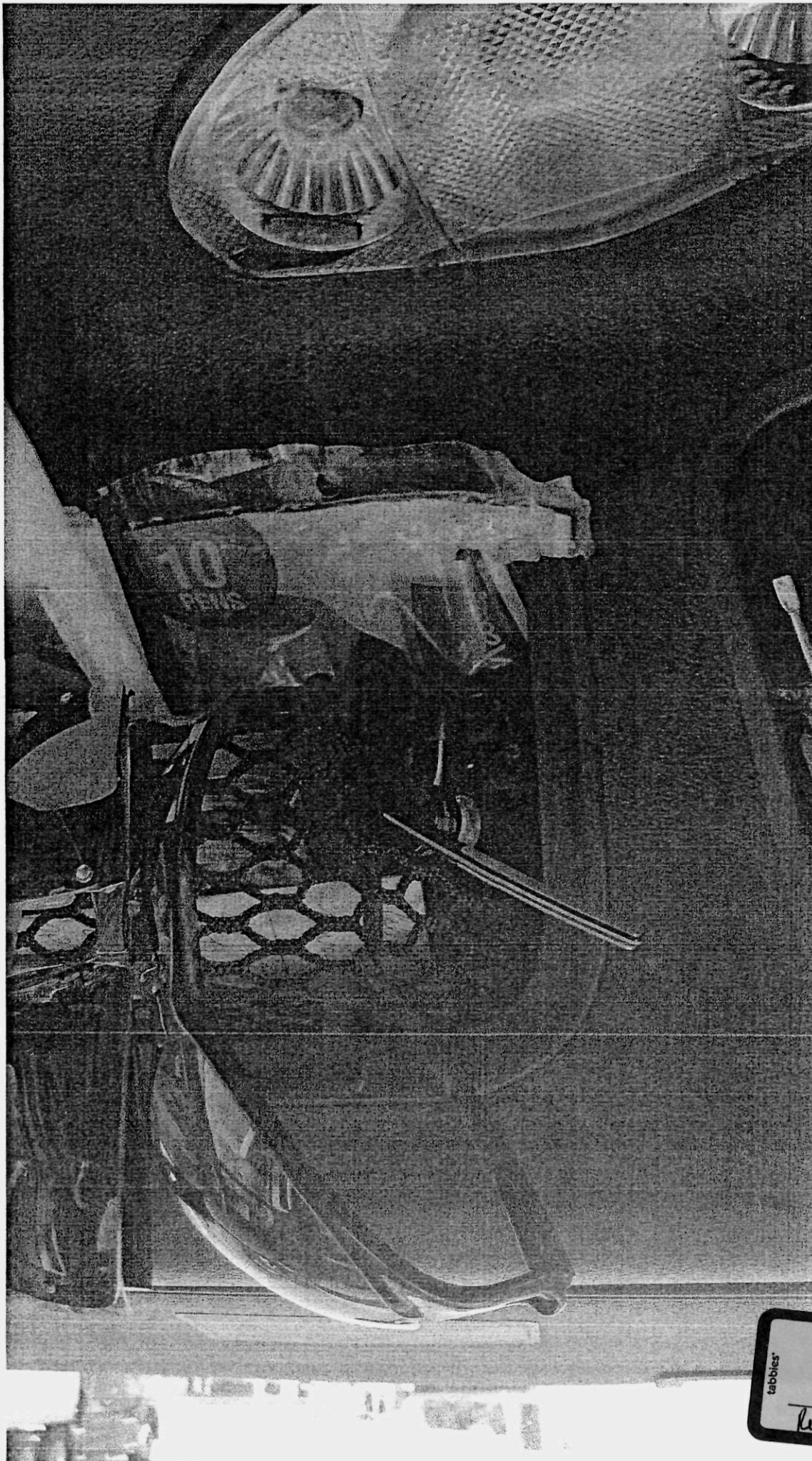


EXHIBIT

tabbies

B

Respondent

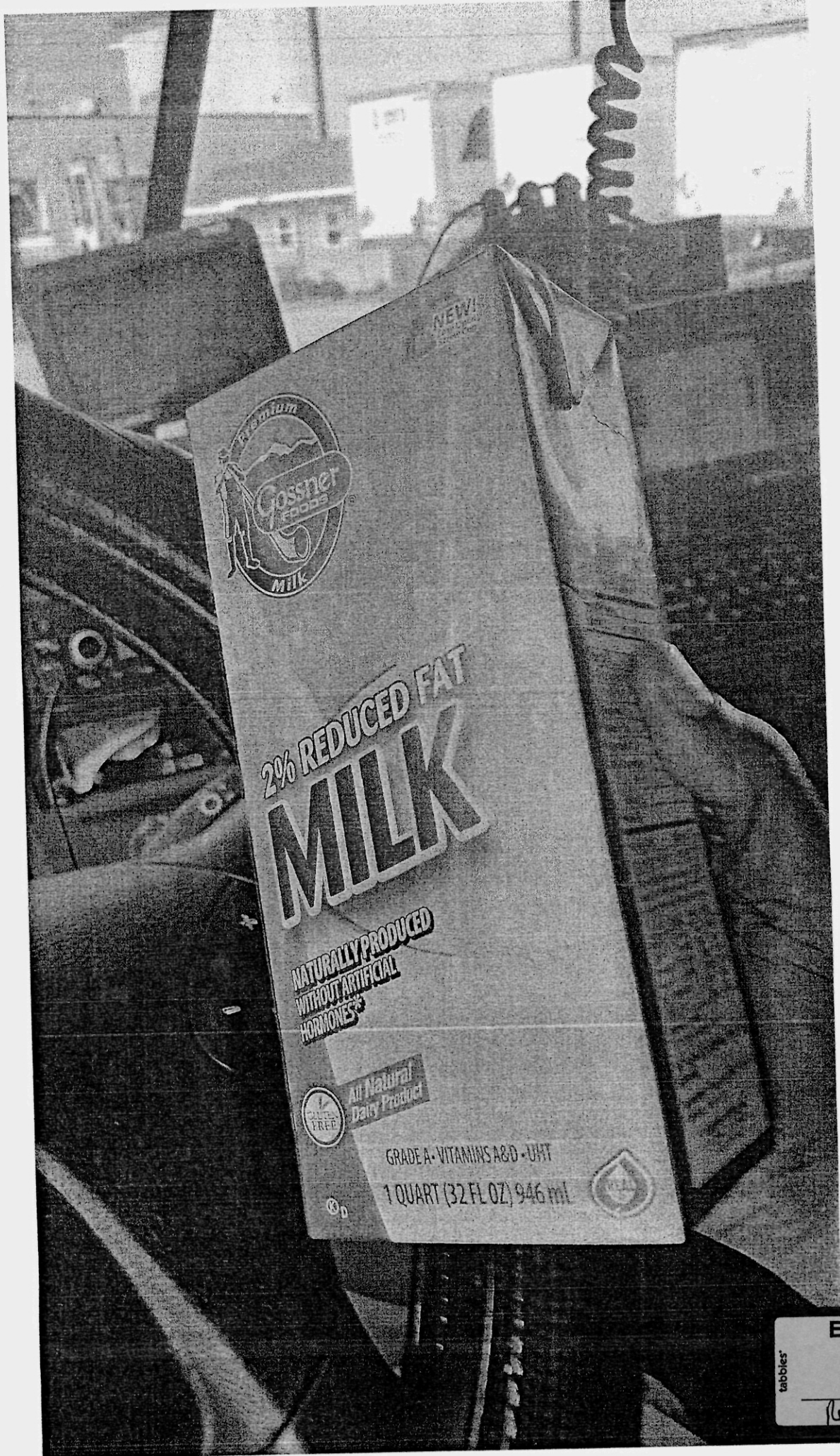


EXHIBIT

C

Respondent

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NEW!
Only One

2% REDUCED FAT
MILK

NATURALLY PRODUCED
WITHOUT ARTIFICIAL
HORMONES*

All Natural
Daily Product



GRADE A • VITAMINS A&D • UHT

1 QUART (32 FL OZ) 946 ml



EXHIBIT

tabbies

D

Respondent