

FILE

7

PUCO EXHIBIT FILING

Date of Hearing: 9/21/17

Case No. 17-1373-7A-CUF

PUCO Case Caption: Ronald Hogan

List of exhibits being filed:

STAFF Exs 1 and 2

Respondent Ex-1

Reporter's Signature: Michael O. Spence

Date Submitted: 10/6/17

PUCO

2017 OCT -5 PM 3:20

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business. 11/5/17 Date Processed Technician re

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of Ronald Hogan :
Notice of Apparent Violation : Case No.
and Intent to Assess : 17-1373-TR-CVF
Forfeiture. :

- - -

PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, held at
the Public Utilities Commission of Ohio, 180
East Broad Street, Hearing Room 11-C, Columbus,
Ohio, on Thursday, September 21, 2017, at 1:30
P.M.

- - -

Armstrong & Okey, Inc.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215
(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: OH0969000137
Inspection Date: 3/29/2017 Certification Date: 03/30/2017
Time Started: 12:09 Time Ended: 13:00
Inspection Level: II - Walk-Around
HM Inspection Type: No HM Inspection

PSI PACKAGING SERVICES INC
2245 INDUSTRIAL DR
CONNELLSVILLE, PA 15425-9726
USDOT #: 00339409
MC/MX #:
State #:

Phone #: (724)626-0100
Fax #:

Driver: HOGAN, RONALD A
License #: 21 064 516 State: PA
Date of Birth: 7/2/1966

Location: ROADSIDE
Highway: IR 80 EB
County: TRUMBULL
Shipper: PSI PACKAGING SERVICES INC.

MilePost: 212
Origin: BROOKLYN HEIGHTS, OH
Destination: CONNELLSVILLE, PA
Bill of Lading: 202877
Cargo: OTHER

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Str.#
1	TT	MACK	2012	PA	AF96872	42	1M1AW01Y4CM004508	54,000			
2	ST	GDAN	2000	ME	2089437	A-49	1GTAA962X1B164933	68,000			

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
392.16	392.16	D	N		N	N	Failing to use seat belt while operating CMV

* 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: Sitting stationary in crossover facing east bound traffic. Observed day cab drive by with driver clearly visible. Wearing a neon yellow hoodie. Upon approach to driver seat belt was still not on. Dark gray seat belt observed hanging. Driver admitted violation stating he usually wears it but took it for for a second when he stopped.

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: N;Fatalities (Y/N): N;Driver Address: 257 GAULT SCHOOL ROAD;Driver City: CONNELLSVILLE;Driver State: PA;Driver Zip: 15425;Photos Taken (Y/N): N;Reason Code: OBVI;FMCSA Credentials Verified-Y/N: Y;CDL Verified (Y/N): Y;FMCSA OOS Order Issued(Y/N): N

Report Prepared By:
Lauren Merz

Badge #:
0969

Copy Received By:
HOGAN, RONALD A

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DRIVER/VEHICLE EXAMINATION REPORT



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Phone #: (724)626-0100

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Fax #:

State #:

Driver: HOGAN, RONALD A
License #: 21 064 516 State: PA
Date of Birth: 7/2/1966

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, 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:
Lauren Merz

Badge #:
0969

Copy Received By:
HOGAN, RONALD A

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OH0969000137

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Ohio | Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

M. Beth Trombold
Thomas W. Johnson
Lawrence K. Friedman
Daniel R. Conway

05/12/2017

OH0969000137D
RONALD HOGAN
257 GAULT SCHOOL ROAD
CONNELLSVILLE, PA 15425

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH0969000137D

Dear Sir or Madam:

On 03/29/2017, a vehicle operated by PSI PACKAGING SERVICES INC, and driven by RONALD A HOGAN, 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 RONALD A HOGAN (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
392.16	4	Failing to use seat belt while operating CMV	100.00
		Total of Group 4	100.00

TOTAL AMOUNT DUE: \$100.00

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 RONALD A HOGAN in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.16	4	Failing to use seat belt while operating CMV	100.00
		Total of Group 4	100.00

180 East Broad Street
Columbus, Ohio 43215-3793

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





Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

M. Beth Trombold
Thomas W. Johnson
Lawrence K. Friedeman
Daniel R. Conway

TOTAL AMOUNT DUE: \$100.00

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: Michael Hines



