

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF LAMAR HOOVER, NOTICE
OF APPARENT VIOLATION AND INTENT TO
ASSESS FORFEITURE.

CASE No. 17-1584-TR-CVF
(OH3291011620C)

ENTRY

Entered in the Journal on November 8, 2017

I. SUMMARY

{¶ 1} The Commission closes this case as the Respondent has paid the assessed civil forfeiture in full.

II. DISCUSSION

{¶ 2} R.C. 4923.04(A)(1) mandates that the Commission adopt rules applicable to the transportation of persons or property by motor carriers operating in interstate and intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-03(A), the Commission adopted the Federal Motor Carrier Safety Regulations, published in the Code of Federal 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, per violation, against any person who violates the safety rules adopted by the Commission.

{¶ 3} Pursuant to Ohio Adm.Code 4901:2-7-12, Commission Staff (Staff) served a notice of preliminary determination (NPD) upon Lamar Hoover (Respondent) alleging violations of the Commission's transportation regulations.

{¶ 4} On July 13, 2017, Respondent filed a request for an administrative hearing as contemplated by Ohio Adm.Code 4091:2-7-13.

{¶ 5} Respondent and Staff participated in a prehearing conference on September 20, 2017, but did not resolve the matter. As such, the attorney examiner scheduled a hearing for October 19, 2017.

{¶ 6} On October 17, 2017, the Attorney General representing Staff filed a Letter of Notification indicating that Respondent paid the full amount of the forfeiture recommended in the NPD and requesting that the case be dismissed.

{¶ 7} Pursuant to Ohio Adm.Code 4901:2-7-22(B), full payment of the forfeiture demanded in the NPD constitutes an admission of the occurrence of the violation and shall terminate all further proceedings.

{¶ 8} Accordingly, the Commission finds that this case should be dismissed, and the related docket closed, as Respondent has paid the assessed civil forfeiture in full.

III. ORDER

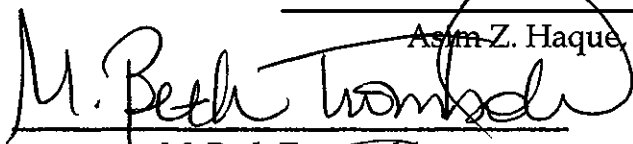
{¶ 9} It is, therefore,

{¶ 10} ORDERED, That this case be closed. It is, further,

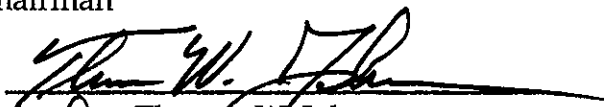
{¶ 11} ORDERED, That a copy of this Entry be served upon Respondent and all other interested parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

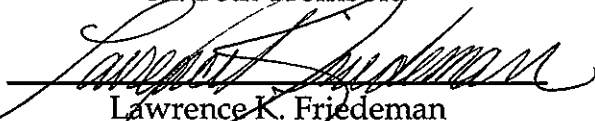
Asim Z. Haque, Chairman



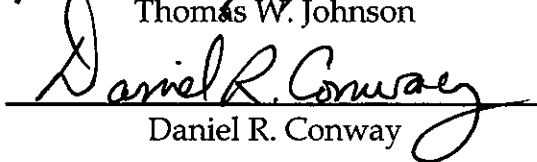
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

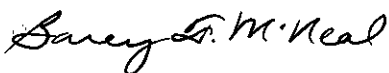


Daniel R. Conway

PAS/sc

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Barcy F. McNeal
Secretary