

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF SCS LOGISTICS,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE No. 17-1623-TR-CVF

ENTRY

Entered in the Journal on December 20, 2017

I. SUMMARY

{¶ 1} The Commission closes this case, as all violations and forfeitures against SCS Logistics have been deleted.

II. DISCUSSION

{¶ 2} R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property 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 (FMCSR) 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 against any person who violates the safety rules adopted by the Commission.

{¶ 3} On July 19, 2017, SCS Logistics (SCS) filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} A prehearing conference was conducted on September 26, 2017. Thereafter, SCS sent documents to Staff that were relevant to the alleged FMCSR violation.

{¶ 5} Staff filed a motion to dismiss on November 22, 2017. In the motion, Staff states that on June 7, 2017, SCS was initially cited for a violation of 49 C.F.R. 390.21(b). Staff adds that the violation was later changed to 49 C.F.R. 390.21(e), and on November 8, 2017, the violation was deleted. With all violations and forfeitures against SCS dropped, concludes Staff, this case should be dismissed.

{¶ 6} The Commission finds Staff’s request to dismiss the case to be reasonable. Accordingly, the motion to dismiss should be granted.

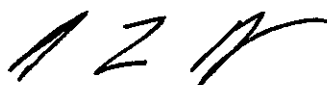
III. ORDER

{¶ 7} It is, therefore,

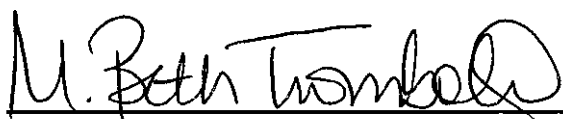
{¶ 8} ORDERED, That this case be dismissed. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon counsel for SCS and all other interested parties of record.

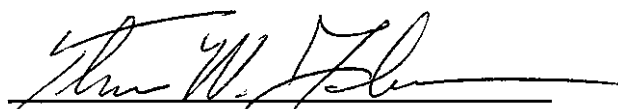
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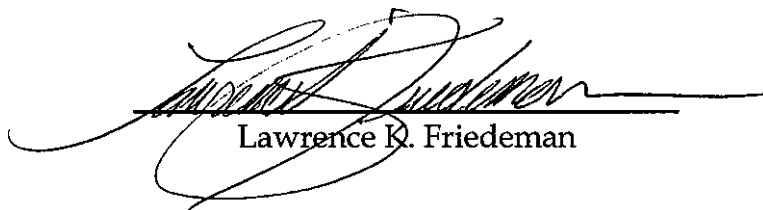
Asim Z. Haque, Chairman



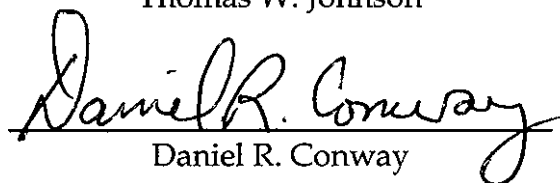
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

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DEC 20 2017



Barcy F. McNeal
Secretary