



BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of :  
Hamza A. Musa, Notice of : Case No.  
Apparent Violation and : 17-599-TR-CVF  
Intent to Assess :  
Forfeiture. :

- - -

PROCEEDINGS

Before Nicholas Walstra, Attorney Examiner, held  
at the Public Utilities Commission of Ohio, 180  
East Broad Street, Hearing Room 11-C, Columbus,  
Ohio, on Wednesday, December 6, 2017, at 10:00  
A.M.

- - -

Armstrong & Okey, Inc.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
(614) 224-9481 - (800) 223-9481

- - -

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3263002444
Inspection Date: 10/19/2016 Certification Date:
Time Started: 10:15 Time Ended: 10:45
Inspection Level: II - Walk-Around
HM Inspection Type: No HM Inspection

GURKARAN INCORPORATION
6013 BREWER CREEK DR
BAKERSFIELD, CA 93313
USDOT #: 02310191
MC/MX #: 788706
State #:

Phone #: (661)664-1045
Fax #: (661)735-5355

Driver: MUSE, HAMZAA
License #: TH343062 State: OH
Date of Birth: 11/5/1990

Location: ROADSIDE INSPECTION
Highway: IR70 EB
County: PREBLE
Shipper:

MilePost: 7
Origin: INDIANAPOLIS,IN
Destination: COLUMBUS,OH

Bill of Lading:
Cargo: EMPTY

VEHICLE IDENTIFICATION:

Table with columns: Unit Type, Make, Year, State, License#, Equipment ID, Unit VIN, GVWR, CVSA #, CVSA Issued #, OOS Stkr.#. Row 1: 1, TT, KW, 2016, CA, WP56402, 154, 1XKYD49X0GJ494352, 52,000

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS :

Table with columns: Vio Code, Section, Unit, OOS, State Citation Number, Verify\*, Crash, Violation Description. Rows include 395.8A and 392.4A with descriptions of duty status and drug possession.

\* N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported. Placard: NA Cargo Tank:

Special Checks:
Alcohol/Controlled Substance Check
Conducted by Local Jurisdiction
Size and Weight Enforcement
EScreening
Traffic Enforcement
PASA Conducted Inspection
Drug Interdiction Search
Post Crash Inspection
PBBT Inspection
Arrests: 0

Inspection Notes:

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: 807 HILLVIEW CT
Driver State: OH
Photos Taken (Y/N): Y
FMCSA Credentials Verified-Y/N: Y
FMCSA OOS Order Issued(Y/N): N
Fatalities (Y/N): N
Driver City: COLUMBUS
Driver Zip: 43228
Reason Code: OBV1
CDL Verified (Y/N): Y

I hereby declare HAMZAA, MUSE "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:24 hours off duty

Report Prepared By:
D S Mowen

Badge #:
3263

Copy Received By:
MUSE, HAMZAA



X

X

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Driver: MUSE, HAMZA A

License #: TH343062

State: OH

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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 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:

D S Mowen

Badge #:

3263

Copy Received By:

MUSE, HAMZA A

Page 2 of 2



X

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OH3263002444



# Public Utilities Commission

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

Commissioners

Lynn Slaby  
M. Beth Trombold  
Thomas W. Johnson

01/27/2017

OH3263002444D  
Hamza A Musa  
807 HILLVIEW CT  
COLUMBUS, OH 43228

RE: **NOTICE OF PRELIMINARY DETERMINATION**  
Case No. OH3263002444D

Dear Sir or Madam:

On 10/19/2016, a vehicle operated by GURKARAN INCORPORATION, and driven by HAMZA A MUSE, 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 HAMZA A MUSE (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
395.8A	1	No drivers record of duty status	
392.4A	4	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.	500.00
		Total of Group 1	100.00
		Total of Group 4	500.00

**TOTAL AMOUNT DUE: \$600.00**

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 HAMZA A MUSE in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
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180 East Broad Street  
Columbus, Ohio 43215-3793

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





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John R. Kasich, Governor  
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Lynn Slaby  
M. Beth Trombald  
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		Total of Group 1	100.00
		Total of Group 4	500.00

**TOTAL AMOUNT DUE: \$600.00**

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: Thomas Persinger

