

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF JASON VESTAL,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 17-1488-TR-CVF
(OH1175001228D)

ENTRY

Entered in the Journal on January 31, 2018

I. SUMMARY

{¶ 1} The Commission dismisses this case, as the respondent has paid the assessed civil forfeiture in full.

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 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 June 23, 2017, Jason Vestal (Respondent) filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} A prehearing conference was conducted on August 7, 2017, but the parties did not resolve the matter. Subsequently, a September 12, 2017 hearing was scheduled, but was continued at Respondent's request and rescheduled for January 11, 2018.

{¶ 5} On January 10, 2018, Staff filed a letter indicating that Respondent had paid the full amount of the forfeiture. Staff notes that, pursuant to Ohio Adm.Code 4901:2-7-22, full payment terminates further proceedings regarding violations.

{¶ 6} Pursuant to Ohio Adm.Code 4901:2-7-22, full payment of the forfeiture prior to any final Commission order constitutes an admission of occurrence of the violation and shall terminate all further proceedings.

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

III. ORDER

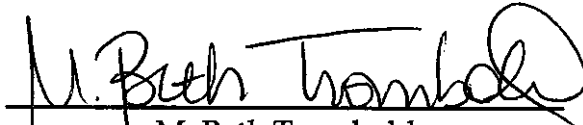
{¶ 8} It is, therefore,

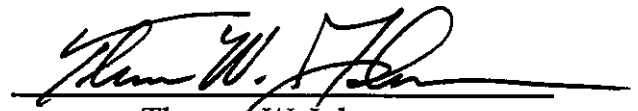
{¶ 9} ORDERED, That this case be dismissed. It is, further,

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

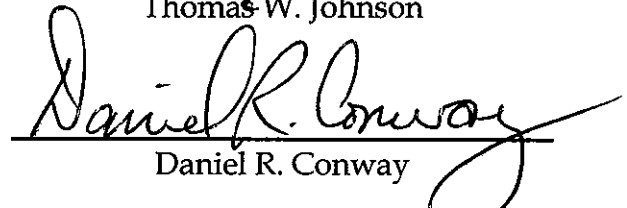
THE PUBLIC UTILITIES COMMISSION OF OHIO


Asim Z. Haque, Chairman


M. Beth Trombold

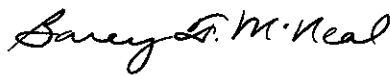

Thomas W. Johnson


Lawrence K. Friedeman


Daniel R. Conway

JML/sc

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JAN 31 2018


Barcy F. McNeal
Secretary