

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF MARK B KONZELMAN)
NOTICE OF APPARENT VIOLATION)
AND INTENT TO ASSESS FORFEITURE.)

Case No. 17-2407-TR-CVF

NOTICE OF DISMISSAL

All of the violations and forfeitures against Mark B Konzelman relevant to the above-captioned case before the PUCO have been dropped. (See Attachment A, Inspection Notes on page 1). Specifically, the original violation cited for 49 CFR 392.16 (failure to use seat belt while operating CMV) was deleted. *Id.* This case is, therefore, moot and need be dismissed. The PUCO staff hereby files this Notice of Dismissal.

Respectfully submitted,

/s/Robert Eubanks

Robert Eubanks

Assistant Attorneys General

Public Utilities Section

30 East Broad Street, 16th Floor

Columbus, OH 43215-3793

614.466.4395 (telephone)

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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Notice of Dismissal** was served by regular U.S. mail, postage prepaid, or electronically, upon the following, this 27th day of March, 2018.

/s/Robert Eubanks

Robert Eubanks

Assistant Attorney General

Parties of Record:

MARK B KONZELMAN
6720 VANDEMARK RD
MEDINA, OH 44256

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: OH0519000424
Inspection Date: 9/18/2017 Certification Date:
Time Started: 17:38 Time Ended: 18:00
Inspection Level: III - Driver-Only Inspection
HM Inspection Type: No HM Inspection

CASSENS TRANSPORT COMPANY

145 N KANSAS STREET
EDWARDSVILLE, IL 62025

USDOT #: 00124358

MC/MX #: 042537

State #:

Phone #: (618)655-2750

Fax #:

Driver: KONZELMAN, MARK B

License #: RS928866

State: OH

Date of Birth: 9/15/1958

Location: ROADSIDE

Highway: IR 80

County: MAHONING

Shipper:

MilePost: 220

Origin: GETZVILLE, NY

Destination: WARREN, OH

Bill of Lading: NONE

Cargo: EMPTY

VEHICLE IDENTIFICATION:

Unit Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	INTL	2003	IN	2456900	18827	1HSHNAHR93H562179	53,560		
2	ST	COTT	2018	IL	614479ST	18828	5E0AA1648JG013704	47,000		

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIOLATIONS : No violations were discovered.

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"/> ESscreening | | |

Inspection Notes: Deleted violation 392.16 on 2/01/2018 by dfe per rm

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: 6720 VANDEMARK RD; Driver City: MEDINA; Driver State: OH; Driver Zip: 44256; 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

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.

Report Prepared By:

B L HARTLEY

Badge #:

0519

Copy Received By:

KONZELMAN, MARK B

Page 1 of 2



OH0519000424

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USDOT #: 00124358

MC/MX #: 042537

State #:

Phone #: (618)655-2750

Fax #:

Driver: KONZELMAN, MARK B
License #: RS928866 State: OH
Date of Birth: 9/15/1958

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:

B L HARTLEY

Badge #:

0519

Copy Received By:

KONZELMAN, MARK B

Page 2 of 2



OH0519000424

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/27/2018 10:04:11 AM

in

Case No(s). 17-2407-TR-CVF

Summary: Notice of Dismissal electronically filed by Mrs. Tonnetta Y Scott on behalf of PUCO