

FILE

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**PUCO EXHIBIT FILING**

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Date of Hearing: 4/18/18

Case No. 18-148-TH-CUI

PUCO

PUCO Case Caption: Clugbek Abdumazzaev

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**List of exhibits being filed:**

STAFF EXHIBITS 1-4  
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This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
technician MM Date Processed 05/10/18

Reporter's Signature: Michael O. Spence  
Date Submitted: 4/19/18

## DRIVER/VEHICLE EXAMINATION REPORT

Staff Exhibit No. 1



Public Utilities Commission of Ohio  
180 East Broad Street  
Transportation Department  
Columbus, OH 43215  
Phone #: (614)466-0429 Fax #: (614)752-9274

Report Number: OH3235004970  
Inspection Date: 10/22/2017 Certification Date:  
Time Started: 07:39 Time Ended: 09:07  
Inspection Level: II - Walk-Around  
HM Inspection Type: No HM Inspection

US POWER EXPRESS LLC

270 DICKENS FARM LN

BALLWIN, MO 63021

USDOT #: 02436826

MC/MX #: 840318

State #:

Phone #: (314)484-2715

Fax #:

Driver: ABDURAZZAKOV, ULUGBEK

License #: V200188010

State: MO

Date of Birth: 8/9/1976

Location: ROADSIDE

MilePost: 13

Highway: INTERSTATE 70 EAST/SR 42

Origin: BRIDGETON, MO

Bill of Lading:

County: MADISON

Destination: LINDEN, NJ

Cargo: MOTOR VEHICLES

Shipper: LIBERTY MUTUAL INSURANCE CO

## VEHICLE IDENTIFICATION:

Unit Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	VOLV	2008	MO	87AS0C	882	4V4NC9TG68N496824	50,350		
2	ST	WALM	2001	MO	35E3CH	47	1W9H652261H157115	68,000		3235004970

BRAKE ADJUSTMENTS: No brake measurements recorded.

## VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
393.9	393.9(a)	2	Y		U	N	Inoperable Required Lamp: Left and right stop lamps staying on
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp: Left rear side marker inoperative
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp: Right side marker lamp in operative
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp: Left top tail lamp inoperative 1 of 2
393.9	393.9(a)	2	N		N	N	Inoperable Required Lamp: Right top tail lamp inoperative 1 of 2
396.17C	396.17(c)	2	N		N	N	Operating a CMV without proof of a periodic inspection: No proof of periodic inspection
392.9A1	392.9(a)(1)	2	Y		U	N	Failing to secure cargo as specified in 49 CFR 393.100 through 393.142: 1ST car on bottom ONLY has 1strap or chain holding it down
396.17C	396.17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection
393.55E	393.55(e)	2	N		N	N	No or Defective ABS Malfunction Indicator Lamp for trailer manufactured after 03/01/1998: ABS lamp on trailer missing
395.3B2-NOM	395.3(b)(2)	D	N		N	N	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation: 10/17/2017 over 70 hours in 8 days
395.3A3II	395.3(a)(3)(ii)	D	N		N	N	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes: Driving beyond 8 hour limit since end of the last off duty period on 10/22/2017
395.3B2-NOM	395.3(b)(2)	D	N		N	N	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation: 10/18/2017 over 70 hrs in 8 days
395.3B2-NOM	395.3(b)(2)	D	N		N	N	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation: More than 70 hrs in 8 days
395.3A2-PROP	395.3(a)(2)	D	N		N	N	Driving beyond 14 hour duty period (Property carrying vehicle): Driving beyond 14 hour duty period on 10/19/2017
395.3A3-PROP	395.3(a)(3)	D	N		N	N	Driving beyond 11 hour driving limit in a 14 hour period. (Property Carrying Vehicle): Driving beyond 11 hour driving limit in a 14 hour period on 10/19/2017

\* U - Unknown; N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported.

Placard: NA

Cargo Tank:

Report Prepared By:  
S Morgan

Badge #:  
3235

Copy Received By:  
ABDURAZZAKOV, ULUGBEK

Page 1 of 2



OH3235004970

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# 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: OH3235004970  
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US POWER EXPRESS LLC

270 DICKENS FARM LN

BALLWIN, MO 63021

USDOT #: 02436826

MC/MX #: 840318

State #:

Phone #: (314)484-2715

Fax #:

## 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:

## Inspection Notes:

### Special Study Fields:

Special Study1:

Special Study2:

Special Study3:

Special Study4:

Special Study5:

Special Study6:

Special Study7:

Special Study8:

Special Study9:

Special Study10:

### Locally Defined Fields:

For-Hire Carrier: Y;Fatalities (Y/N): N;Driver Address: 270 DICKENS FARM LN;Driver City: BALLWIN;Driver State: MO;Driver Zip: 63021;Photos Taken (Y/N): Y;Supplemental Report #: N;Reason Code: OBVI;Paper Report #: N;FMCSA Credentials Verified-Y/N: Y;CDL Verified (Y/N): Y;FMCSA OOS Order Issued(Y/N): N;Crash Report #: N

\* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 395.9, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

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:  
S Morgan

Badge #:  
3235

Copy Received By:  
ABDURAZZAKOV, ULUGBEK

Page 2 of 2



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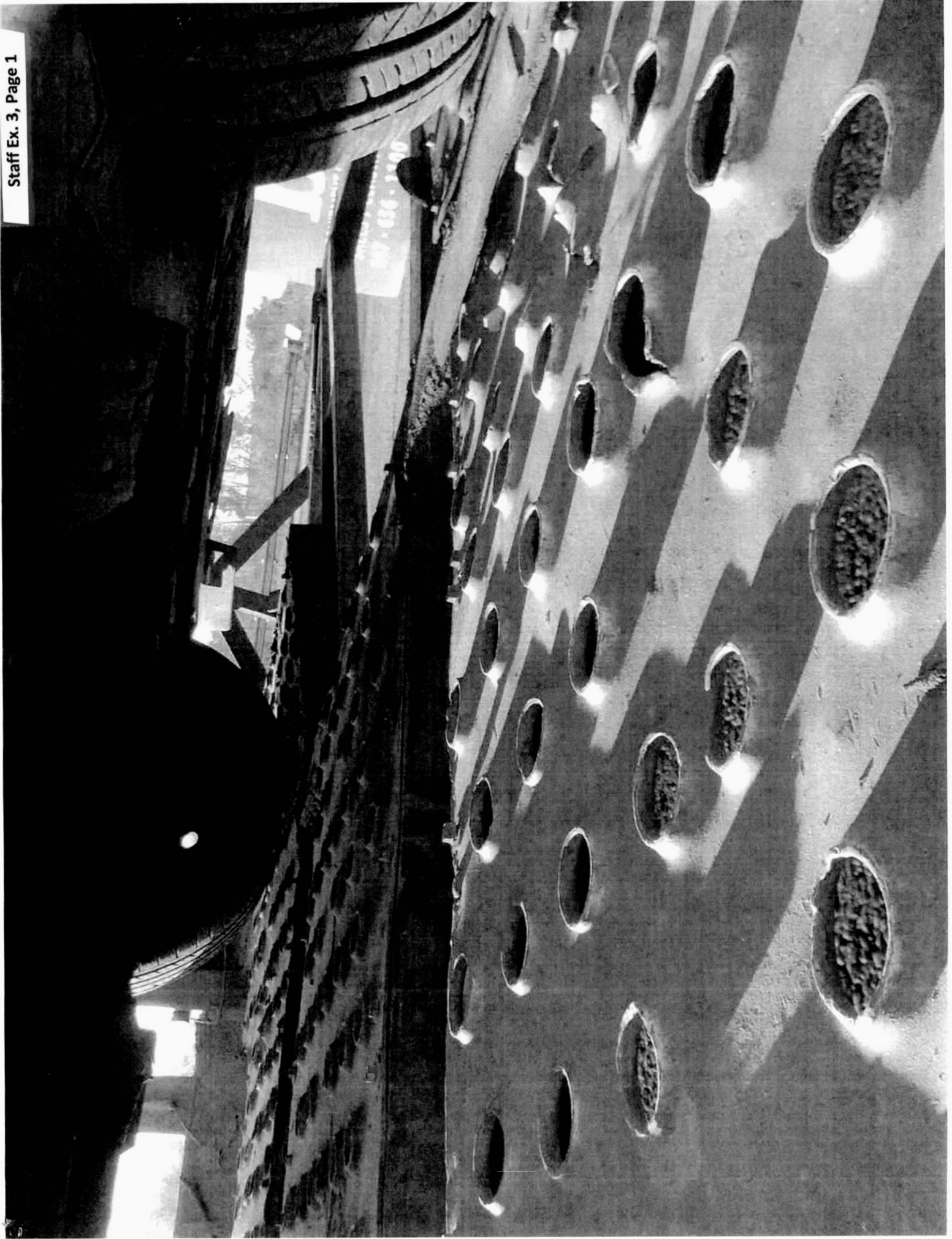
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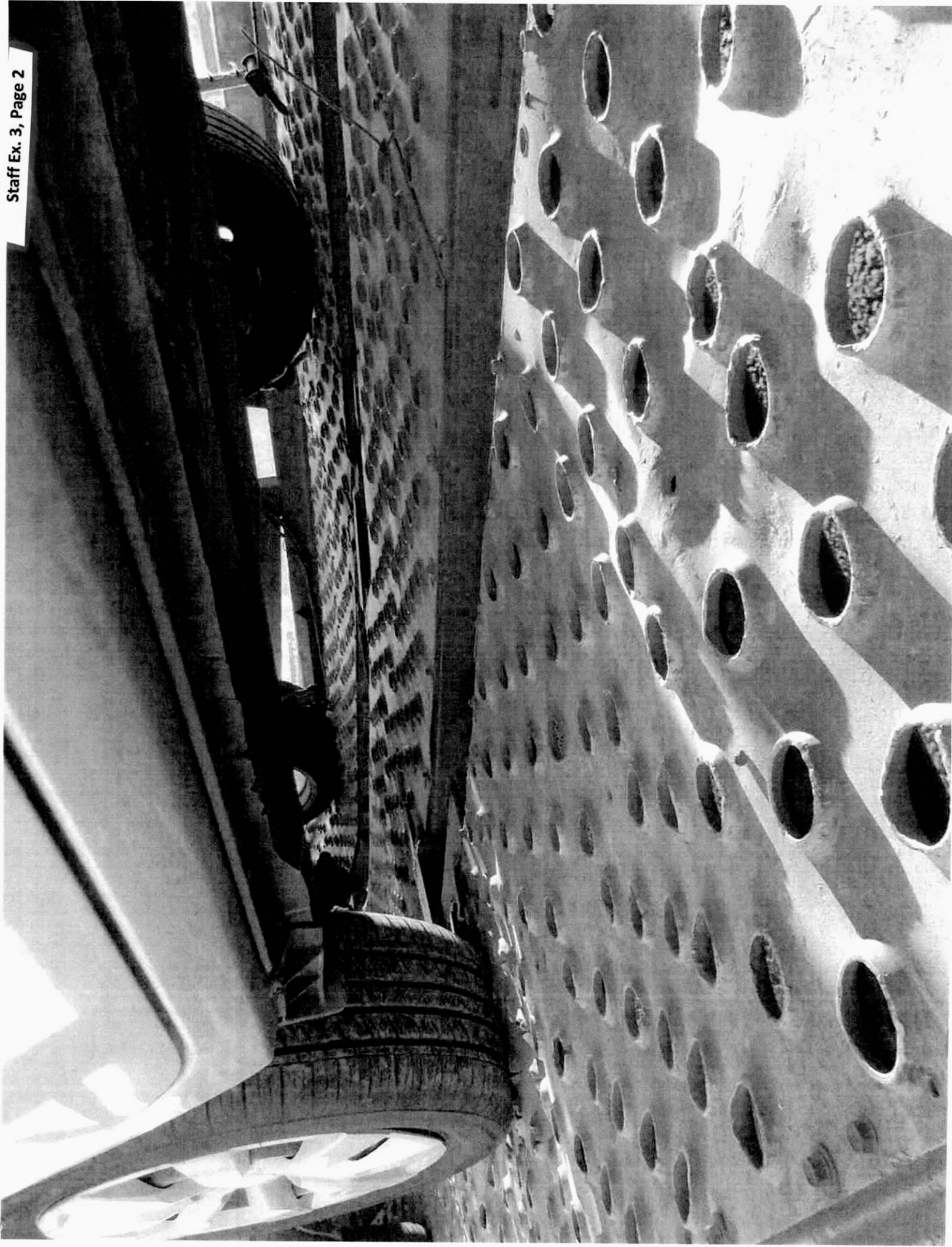
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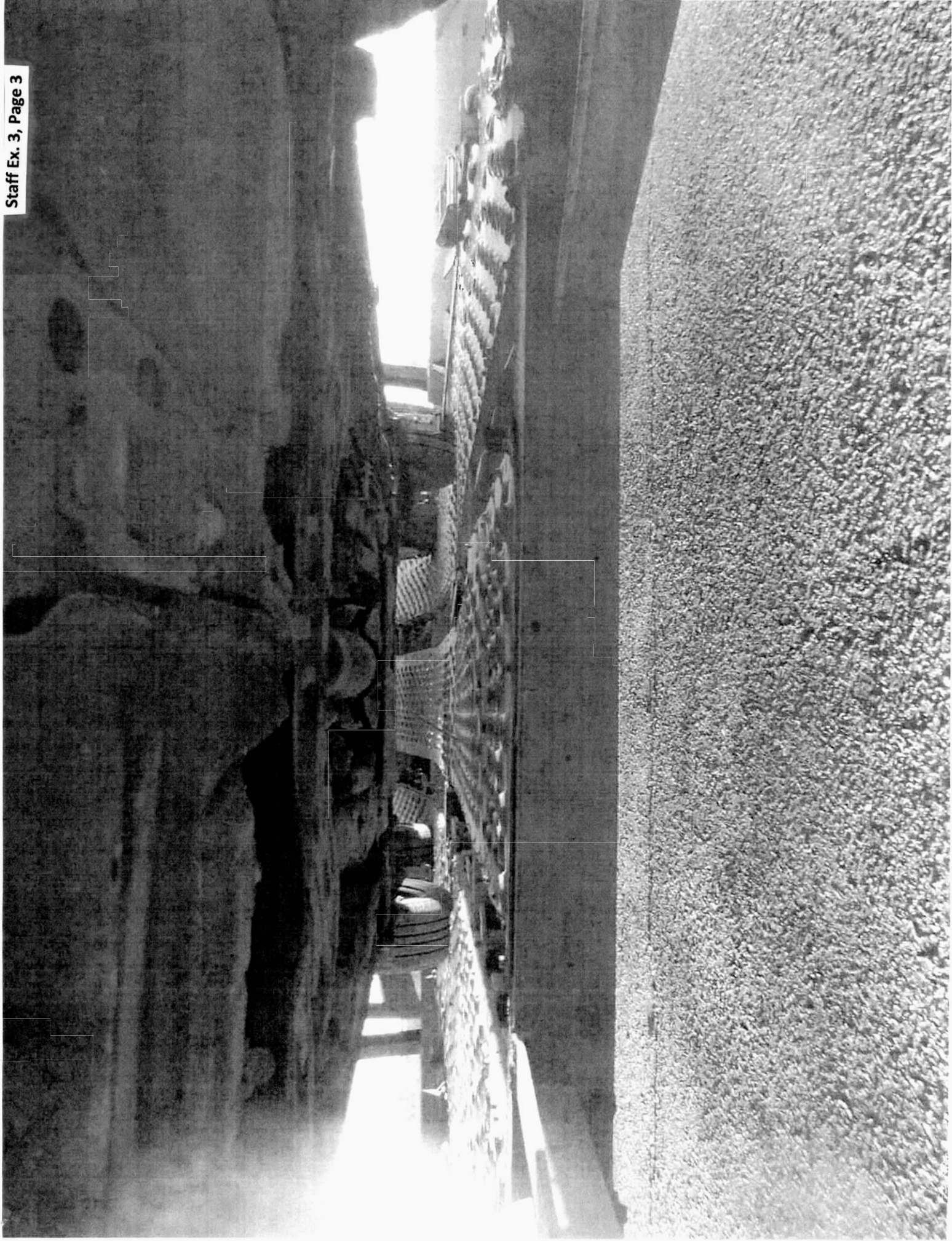














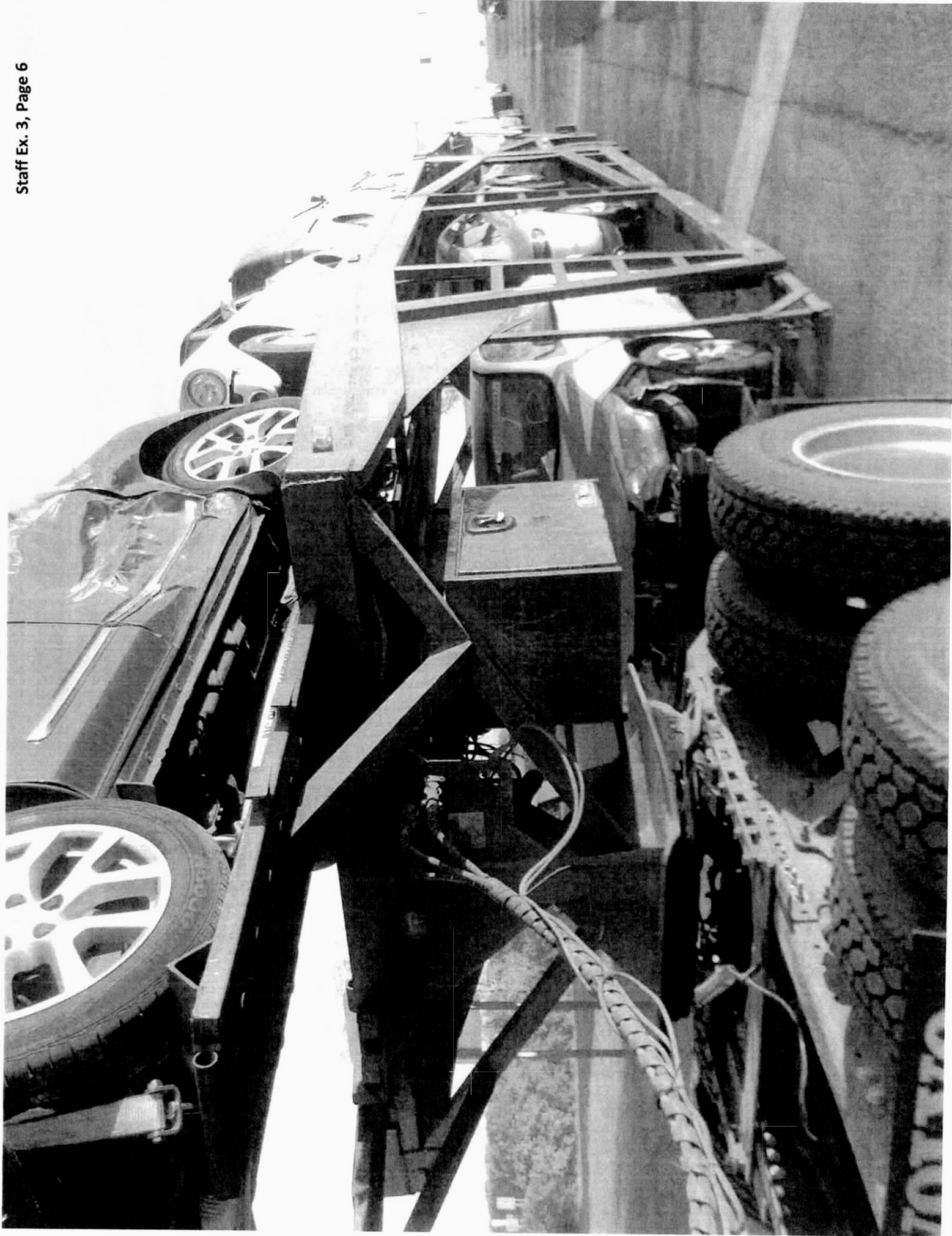


**US POWER EXPRESS LLC**

*Ballwin, MO 63021*

US DOT 2436826

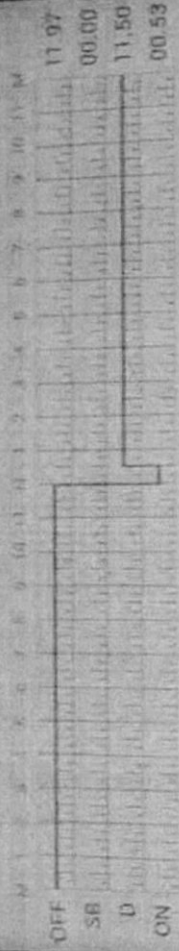
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TUE OCT 17

Log ⓘ Form ⓘ Sign ⓘ DVIR



ⓘ 30 Minute Break Required

ⓘ 70 Hour Cycle Limit

ⓘ 11 Hour Driving Limit

OFF 12:00 AM CDT | 11 hr 58 min

📍 Pittsboro, IN

ON 11:58 AM CDT | 32 min

📍 Ballwin, MO

🔧 Pre-Trip Inspection





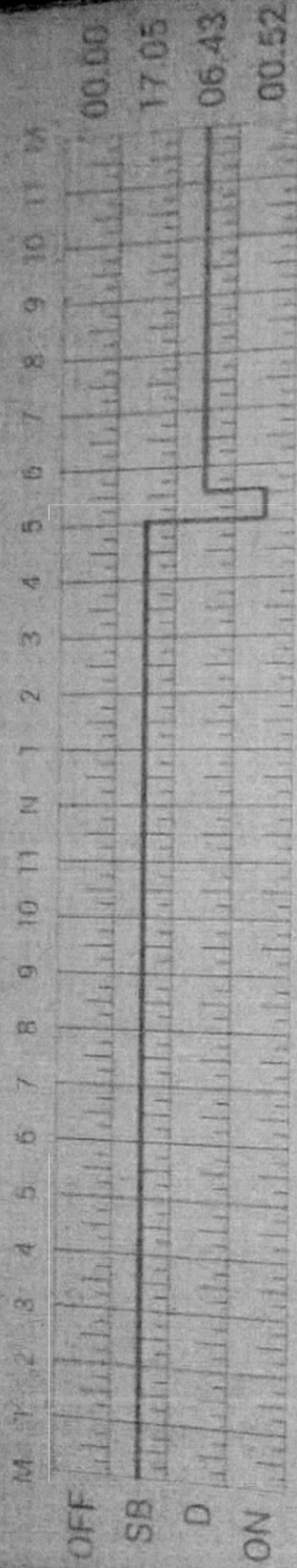
WED | OCT 18

Log ⓘ

Form ⓘ

Sign ⓘ

DVIR



ⓘ 70 Hour Cycle Limit

SB 12:00 AM CDT | 17 hr 3 min

ON 5:03 PM CDT | 31 min

- ① 70 Hour Cycle Limit
- ① 30 Minute Break Required
- ① 11 Hour Driving Limit
- ① 14 Hour Shift Limit



# Public Utilities Commission

Asim Z. Haque, Chairman

Staff Exhibit No. 4

Commissioners

M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedman  
Daniel R. Conway

12/24/2017

OH3235004970C

Ulugbek Abdurazzakov

270 DICKENS FARM LANE

BALLWIN, MO 63021

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH3235004970C

Dear Sir or Madam:

On 10/22/2017, a vehicle operated by US POWER EXPRESS LLC, and driven by ULUGBEK ABDURAZZAKOV, 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 US POWER EXPRESS LLC (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
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
395.3A2-PROI0		Driving beyond 14 hour duty period (Property carrying vehicle)	
395.3A3-PROI0		Driving beyond 11 hour driving limit in a 14 hour period. (Property Carrying Vehicle)	
396.17C	0	Operating a CMV without proof of a periodic inspection	
396.17C	0	Operating a CMV without proof of a periodic inspection	
395.3A3II	0	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	
395.3B2-NOM0		Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	
395.3B2-NOM0		Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	

180 East Broad Street  
Columbus, Ohio 43215-3793

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





# Public Utilities Commission

Asim Z. Haque, Chairman

## Commissioners

M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedeman  
Daniel R. Conway

395.3B2-NOM0		Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	
393.55E	0	No or Defective ABS Malfunction Indicator Lamp for trailer manufactured after 03/01/1998	
392.9A1	1	Failing to secure cargo as specified in 49 CFR 393.100 through 393.142	
393.9	2	Inoperable Required Lamp	
Total of Group 0			0.00
Total of Group 1			100.00
Total of Group 2			50.00

**TOTAL AMOUNT DUE: \$150.00**

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 US POWER EXPRESS LLC in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
395.3A2-PROI0		Driving beyond 14 hour duty period (Property carrying vehicle)	
395.3A3-PROI0		Driving beyond 11 hour driving limit in a 14 hour period. (Property Carrying Vehicle)	
396.17C	0	Operating a CMV without proof of a periodic inspection	
396.17C	0	Operating a CMV without proof of a periodic inspection	
395.3A3II	0	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	





# Public Utilities Commission

Asim Z. Haque, Chairman

## Commissioners

M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedeman  
Daniel R. Conway

395.3B2-NOM 0		Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	
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393.55E	0	No or Defective ABS Malfunction Indicator Lamp for trailer manufactured after 03/01/1998	
392.9A1	1	Failing to secure cargo as specified in 49 CFR 393.100 through 393.142	
393.9	2	Inoperable Required Lamp	
		Total of Group 0	
		Total of Group 1	100.00
		Total of Group 2	50.00

**TOTAL AMOUNT DUE: \$150.00**

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

180 East Broad Street  
Columbus, Ohio 43215-3793

(614) 466-3016  
[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)

