

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of PLH :
Carriers, Inc., Notice of : Case No.
Apparent Violation and : 17-2404-TR-CVF
Intent to Assess Forfeiture.:

- - -

PROCEEDINGS

Before Stacie Cathcart, Attorney Examiner, held
at the offices of the Public Utilities
Commission of Ohio, 180 East Broad Street,
Hearing Room 11-C, Columbus, Ohio, on Tuesday,
June 5, 2018, at 10:00 A.M.

- - -

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APPEARANCES:

Ms. Jodi J. Bair
Assistant Attorney General
30 East Broad Street
16th Floor
Columbus, Ohio 43215

On behalf of the Staff
of the Public Utilities
Commission of Ohio.

Mr. Michael J. Yemc, Jr.
600 South High Street
Columbus, Ohio 43215

On behalf of the Respondent.

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1 Thursday Morning,
2 June 5, 2018.

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4 ATTORNEY EXAMINER: The Public
5 Utilities Commission of Ohio has assigning for
6 hearing at this time and place Case No.
7 17-2404-TR-CVF being in the matter of PLH
8 Carriers, Inc. Notice of Apparent Violation and
9 Intend to Assess Forfeiture.

10 My name is Stacie Cathcart, and I am
11 the Attorney Examiner assigned by the Commission
12 to hear this case.

13 At this time I would like to take
14 appearances of the parties beginning with
15 the Staff.

16 MS. BAIR: Thank you, Your Honor.
17 On behalf of the Staff of the Public Utilities
18 Commission of Ohio, Jodi Bair, Assistant
19 Attorney General, 30 East Broad Street,
20 Columbus, Ohio 43215.

21 MR. YEMC: Good morning. Michael
22 Yemc, on behalf of the Respondent, 600 South
23 High Street.

24 ATTORNEY EXAMINER: Ms. Bair, are
25 you ready to proceed with your first witness?

1 MS. BAIR: Yes, Your Honor. Thank
2 you. Staff would like to call Inspector Byrne
3 to the stand, please.

4 (WITNESS SWORN)

5 - - -

6 INSPECTOR MICHAEL BYRNE
7 called as a witness, being first duly sworn,
8 testified as follows:

9 ATTORNEY EXAMINER: You may be
10 seated. And would you please state your name
11 and spell it for the record and give your
12 business address, please.

13 THE WITNESS: My name is Michael J.
14 Byrne, B-Y-R-N-E. Business address is 3201
15 North Main Street, Findlay, Ohio 45840.

16 ATTORNEY EXAMINER: Thank you. You
17 may be seated.

18 DIRECT EXAMINATION

19 By Ms. Bair:

20 Q. Inspector Byrne, what is your
21 position?

22 A. Motor Carrier Enforcement Inspector
23 with the Ohio State Highway Patrol.

24 Q. By whom are you employed?

25 A. The Ohio State Highway Patrol.

1 Q. How long have you been in this
2 position as an inspector?

3 A. 14 years.

4 Q. And what training do you have in
5 that area?

6 A. We have our initial training with
7 the CVS for American Standards Level 1
8 inspection, plus we have yearly training at our
9 academy. I have also done a couple
10 competitions. There is continuous training
11 including roll call meetings, and so forth.

12 Q. Okay. Are motor carrier inspections
13 conducted in Ohio to protect the safety of the
14 traveling public?

15 A. Yes.

16 MS. BAIR: Your Honor, may I
17 approach the witness?

18 ATTORNEY EXAMINER: You may.

19 Q. Inspector Byrne, do you recognize
20 that document?

21 A. Yes.

22 Q. Is this a document of the Patrol
23 that is regularly kept in the course of
24 business, regular course of business?

25 A. Yes.

1 Q. Is it the practice of the Patrol to
2 make such reports?

3 A. Yes.

4 Q. Did you report on matters observed
5 pursuant to a duty imposed by the laws that
6 created this report?

7 A. Yes.

8 Q. Is this document that you are
9 looking at substantially in the same condition
10 when you prepared it?

11 A. Yes.

12 Q. And was the reason for producing
13 this report an inspection of a PLH motor carrier
14 vehicle?

15 A. Yes.

16 Q. Do you remember the inspection?

17 A. Yes.

18 MS. BAIR: I would like to have this
19 marked as Staff Exhibit 1.

20 ATTORNEY EXAMINER: So marked.

21 (EXHIBIT HEREBY MARKED FOR
22 IDENTIFICATION PURPOSES)

23 Q. And who is the driver listed in this
24 report?

25 A. A Norman Brown, Jr.

1 Q. Is Mr. Brown here today?

2 A. Yes, he is.

3 Q. Okay. Does the driver get a copy of
4 the report at the stop?

5 A. Yes, he does.

6 Q. What is the initial -- let's go
7 through the report itself and we will go through
8 the violations as they are listed in Staff
9 Exhibit 1.

10 And what is the initial violation?

11 A. The first violation for Unit 1,
12 namely the tractor, is for wheel fasteners. The
13 left axle two-wheel, there were two fasteners
14 out of 10 of them which were loose.

15 MS. BAIR: Your Honor, may I
16 approach the witness?

17 ATTORNEY EXAMINER: You may.

18 Q. Do you recognize this photograph?

19 A. Yes.

20 Q. Did you take this photograph during
21 the inspection?

22 A. Yes.

23 Q. And could you please explain to us
24 what the photograph shows?

25 A. This shows two of the wheel

1 fasteners loose on the left axle 2, the left
2 axle 2 wheel.

3 Q. And is that what constituted the
4 violation that is noted in the report?

5 A. Yes.

6 Q. Okay. What is the second violation
7 noted in the report?

8 A. That is the left turn signal lamp,
9 it's on the trailer, was inoperable.

10 Q. And how did you make that
11 determination?

12 A. During the inspection, and also
13 prior to the inspection that was the reason for
14 the stop.

15 Q. Was that remedied when you pulled
16 the vehicle over, or did you place the vehicle
17 out service for that violation?

18 A. The vehicle was placed out of
19 service for that violation.

20 Q. And there is a third violation noted
21 that is also an inoperable lamp. Could you tell
22 me about that violation and how you noted that
23 that was a violation?

24 A. That is the left tail lamp, the left
25 tail lamp, which is at the rear of the tractor

1 was inoperable. It was determined during the
2 inspection.

3 Q. Did you take photographs of that?

4 A. Yes.

5 (EXHIBIT HEREBY MARKED FOR
6 IDENTIFICATION PURPOSES)

7 MS. BAIR: Your Honor, may I
8 approach the witness?

9 ATTORNEY EXAMINER: You may.

10 MS. BAIR: Your Honor, I would like
11 to have this marked Staff Exhibit 3.

12 Q. And do you recognize this?

13 A. Yes.

14 Q. Could you tell me when that picture
15 was taken?

16 A. This was taken during the inspection
17 after conducting my walk-around.

18 Q. And could you explain to us how this
19 demonstrates that there is a violation?

20 A. Well, this substantiates the
21 violation. This is at the rear of the tractor.
22 The two lamps, left and right, if you notice the
23 left one is not illuminated as opposed to the
24 right tail lamp.

25 Q. So you would expect both tail lights

1 to be illuminated?

2 A. That's correct.

3 Q. Thank you. And moving on in the
4 inspection report to the 4th violation, could
5 you please explain to me how you determined that
6 that was a violation?

7 A. That was also determined as a
8 violation during the walk-around of the
9 inspection. That would typically involve the
10 driver activating the left turn signal switch.

11 And in addition the second sentence
12 indicates the lamp which also serves as a stop
13 lamp and hazard warning light was also
14 inoperable. It's basically the same lamp.

15 Q. Was this repaired by the driver?

16 A. Yes. After conducting the
17 walk-around inspection.

18 Q. As opposed to the other two
19 inoperable lamps, this one was repaired on the
20 spot by the driver?

21 A. The tail lamp and the left turn
22 signal lamp was repaired by the driver.

23 Q. And due to the vehicle placed out of
24 service, what happened next with the vehicle and
25 the violations?

1 A. Well, after conducting the
2 walk-around we were able to determine a safe
3 place to escort the vehicle in Toledo where the
4 two out of service violations could be remedied.

5 Q. And where was that location?

6 A. That was at the Freightliner in
7 Toledo at 6003 Benore Road.

8 Q. And that is a truck service center
9 that can fix mechanical problems?

10 A. Correct. Freightliner dealership.

11 Q. So you in your vehicle followed
12 behind the PLH Carriers?

13 A. Yes.

14 Q. And there is also another violation
15 noted in the report. 396.17 C. Could you
16 describe how you detected that that was a
17 violation?

18 A. During the walk-around inspection
19 what I am typically looking at for both the
20 truck and trailer is to make sure that they have
21 a current periodic inspection. That periodic
22 inspection is typically part of their paperwork
23 and/or decal or sicker.

24 Now, the tractor did have one, it
25 was current, however, the trailer did not.

1 There were several stickers as well as paperwork
2 on board the trailer that indicated that it did
3 not have a current periodic inspection.

4 I will read what I have here as a
5 violation? "Decal at the right front of the
6 trailer is dated 8-20-16. Most recent paperwork
7 shows the last inspection 2-15 of '11. There
8 was no other decal/paperwork proving otherwise."

9 Q. So in other words the sticker or
10 decal on the trailer itself would have been
11 valid up to what point?

12 A. Well, being that the sticker was
13 dated 8 of '16 and there was no specific day we
14 would allow that, we would assume, if you will,
15 we would assume that it's good until 8 of 2017.

16 Q. When did you write this report?

17 A. This report was done on 9-8 of '17.

18 Q. So the decal has clearly expired at
19 that point?

20 A. Correct.

21 Q. And as you are writing up these
22 violations, this is a violation 49396.17 C?

23 A. Correct.

24 Q. And according to 396.17 C --

25 MS. BAIR: May I approach the

1 witness?

2 ATTORNEY EXAMINER: You may.

3 Q. Is the company, the driver, required
4 to provide proof of an annual inspection on the
5 vehicle or with the driver?

6 A. Yes.

7 Q. And what provision are you reading
8 from there?

9 A. I am looking at 396.17, paragraph C.

10 Q. Was does it say?

11 A. Motor carrier must not use
12 commercial motor vehicle, so on, until it has
13 passed inspection with the terms of the section
14 at least once during the preceding 12 months,
15 and documentation of such inspection is on
16 the vehicle.

17 Q. Thank you. In addition to the decal
18 you discussed was there any additional paperwork
19 that was produced regarding annual vehicle or
20 tractor or trailer inspections?

21 A. Other what was on the trailer, no.

22 Q. The driver didn't produce any
23 other --

24 A. No. He did not produce any other --
25 any evidence showing that this had any other

1 current inspection.

2 MS. BAIR: Okay. Your Honor, I
3 would like to move Staff Exhibits 1 through 3
4 into evidence subject to cross-examination.

5 I have no further questions.

6 MR. YEMC: No objection.

7 ATTORNEY EXAMINER: So moved.

8 (EXHIBITS ADMITTED INTO EVIDENCE)

9 ATTORNEY EXAMINER: You may be
10 excused. Mr. Yemc, do you have any
11 cross-examination?

12 MR. YEMC: Yes, I do, just a few.
13 Thank you very much, Your Honor.

14 CROSS-EXAMINATION

15 By Mr. Yemc:

16 Q. Now, inspector, I am looking at
17 violations 3 and 4, dealing with the inoperable
18 wired lamp on the left side of the tractor.

19 You indicated and testified that the
20 driver seated to my right here fixed it on the
21 spot; is that correct?

22 A. That is correct.

23 Q. And how did he make that repair?

24 A. He replaced a blown bulb.

25 Q. And that blown bulb fixed both

1 problems?

2 A. That's correct.

3 Q. Okay. So it's the same light bulb?

4 A. Same light bulb, two different
5 filaments.

6 Q. But the same exact light bulb?

7 A. Same light bulb.

8 Q. Now, the Assistant Attorney General
9 had you read Code of Federal Regulations 49 CFR
10 396.17 dealing with proof of annual inspection.

11 Now, that section, that just
12 indicates that the documentation shall be on the
13 vehicle; is that correct?

14 A. Correct.

15 Q. Either by sticker or some paperwork
16 documentation?

17 A. Correct.

18 MR. YEMC: Okay. I have nothing
19 further. Thank you.

20 ATTORNEY EXAMINER: Do you have any
21 redirect?

22 MS. BAIR: No, thank you.

23 ATTORNEY EXAMINER: Thank you. You
24 may now be excused. Ms. Bair, you may call your
25 next witness.

1 MS. BAIR: Thank you, Your Honor. I
2 call Rod Moser to the stand, please.

3 (WITNESS SWORN)

4 - - -

5 ROD MOSER

6 called as a witness, being first duly sworn,
7 testified as follows:

8 DIRECT EXAMINATION

9 By Ms. Bair:

10 Q. Could you please state your name and
11 spell it for the record?

12 A. My name is Rob Moser, M-O-S-E-R.

13 Q. By whom are you employed and in what
14 capacity?

15 A. I am employed by the Public
16 Utilities Commission of Ohio. I am the chief of
17 the compliance section within the Commission's
18 Transportation Department.

19 Q. How long have you been in this
20 position?

21 A. About 14 months.

22 Q. Before that what position did you
23 hold?

24 A. I was just shy of 30 years with
25 the Ohio State Highway Patrol.

1 Q. In what capacity did you work for
2 the Patrol?

3 A. When I retired I was the District 6
4 Commercial Enforcement Coordinator.

5 Q. And what are your duties here at the
6 Commission?

7 A. My duties are basically to oversee
8 the administration of the inspections,
9 conferences, appeals and the hearings regarding
10 roadside inspections and inspections and audits
11 at the facilities.

12 Q. What training have you completed
13 that qualifies you for this job?

14 A. I have done North American Standards
15 Part A and B, Motor Coach Inspection
16 certification, general hazmat certification,
17 tank trailer certification and other bulk.

18 Q. And you are responsible for
19 determining the amount of the forfeiture; is
20 that correct?

21 A. Ultimately, yes.

22 Q. Can you explain how the amount is
23 determined?

24 A. The fines are established based
25 originally upon a model created by the

1 Commercial Vehicle Safety Alliance. We have not
2 changed that.

3 Our fines are set up since it was
4 initiated in 1995 based upon that CVSA model.

5 Q. And does the Commission apply this
6 process uniformly to everyone?

7 A. Yes. On roadside inspections the --
8 actually the software that we use, that we use,
9 applies the fine itself. We don't -- there is
10 no human intervention there.

11 MS. BAIR: Your Honor, may I
12 approach the witness?

13 ATTORNEY EXAMINER: You may.

14 Q. Do you recognize this document?
15 Could you, please, identify it?

16 A. I do it. Is a copy of the notice
17 that we informally call the NIF letter, notice
18 of intend to assess forfeiture, sent to PLH
19 Carriers following that inspection.

20 MS. BAIR: Your Honor, I would like
21 to mark this Staff Exhibit 4.

22 ATTORNEY EXAMINER: So Marked

23 (EXHIBIT MARKED FOR IDENTIFICATION)

24 Q. And is this document sent to the
25 Respondent, PLH Carriers?

1 A. Yes, it was.

2 Q. Is this a Commission record?

3 A. Yes, it is.

4 Q. And is this kept in the regular
5 course of business by the Commission?

6 A. Yes, it is.

7 Q. Could you explain how the civil
8 forfeiture in this case was derived?

9 A. Sure. All of our violations for
10 roadside inspection is divided into groups,
11 there is five different groups.

12 Group zero, group 1, 2, 3 and 4.
13 Group zero violations have no fine.

14 And then Group 1, 2 and 3 have
15 fines, if they are considered out of receive
16 violations.

17 And Group 4 violation always have
18 fines.

19 In this case there was three Group
20 zero violations, no fine assessed for those.

21 And two separate Group 2 violations.
22 Group 2 for the initial violation is \$50. And
23 subsequent violations is \$100 each.

24 So a total of \$150 in this case.

25 Q. Is the penalty consistent with

1 the recommended fine schedule adopted by
2 the Commercial Motor Vehicle Alliance?

3 A. It is, yes.

4 Q. And you stated this, but what is the
5 forfeiture amount in this case?

6 A. The total in this case is \$150.

7 Q. And is that the correct forfeiture
8 amount?

9 A. Yes, it is.

10 Q. Would you recommend this forfeiture
11 amount to the Commission?

12 A. I would, yes.

13 MS. BAIR: I would like to move
14 Staff Exhibit 4 into evidence subject
15 cross-examination.

16 MR. YEMC: No objection. And no
17 cross-examination.

18 ATTORNEY EXAMINER: Okay. Thank
19 you. You may be excused.

20 THE WITNESS: Thank you.

21 ATTORNEY EXAMINER; Ms. Bair, does
22 that conclude the presentation?

23 MS. BAIR: Yes. Thank you, Your
24 Honor. That concludes the presentation of
25 Staff's case.

1 ATTORNEY EXAMINER: Thank you. Mr.
2 Yemc, would you like to call your first witness?

3 MR. YEMC: Yes, I would. Thank you
4 very much.

5 (WITNESS SWORN)

6 - - -

7 NORMAN C. BROWN, JR.
8 called as a witness, being first duly sworn,
9 testified as follows:

10 ATTORNEY EXAMINER: You may be
11 seated. Please state your name and spell it
12 along with your address, please.

13 THE WITNESS: Norman Brown, Jr.
14 Address 5025 Wilard Road, Clio, Michigan.

15 DIRECT EXAMINATION

16 By Mr. Yemc:

17 Q. Good morning, Mr. Brown. What is
18 your occupation?

19 A. I am owner of the company. I also
20 drive and work on trucks. I do everything. So
21 anything to do with trucking I am pretty much in
22 on it.

23 Q. How long have you been doing this?

24 A. 38 years plus.

25 Q. And on September 8th last year were

1 you operating a commercial motor vehicle in
2 the State of Ohio and ultimately got stopped?

3 A. Yes, I did.

4 Q. Okay. Could you describe what
5 happened that day?

6 A. I was in the middle lane and I was
7 getting ready to move to the left-hand lane. He
8 pulled out and he was behind me.

9 I at that point, I was in the middle
10 lane and I moved over to the left-hand lane. I
11 didn't think anything about him. I didn't
12 really no he was back there. He had his lights
13 on but I couldn't see. He was too close to me.

14 He went over to the left shoulder of
15 the road. I saw him move over to the left
16 shoulder. I thought that was what he wanted me
17 to do, pull over to the left shoulder of
18 the road.

19 When I did so he got mad at me,
20 yelling at me. And went across to 280, went to
21 the shoulder of the road and pulled me on the
22 ramp, the last ramp on 280.

23 Q. That is where the inspection
24 occurred, on the ramp?

25 A. That is where the inspection

1 occurred, yes.

2 Q. Okay. Now, you heard the testimony
3 here today with regards to a couple lamps being
4 out on your tractor as well as the trailer.
5 Let's talk first about the tractor lamps. Was
6 that the left side lamp?

7 A. Yes. Driver's side.

8 Q. And is that visible with the trailer
9 being attached?

10 A. Not really. It serves no purpose.
11 The light was out. The filament in that
12 particular bulb stuck together on the side.
13 It's one -- should be like one violation as far
14 as I am concerned. But you can't actually see
15 it. It serves no purpose on the back of the
16 tractor. They are there in case you drop your
17 trailer and want to bobtail, which we never do.

18 Q. But at the time you had the trailer
19 attached?

20 A. Yes.

21 Q. Okay. I want to go to the -- well,
22 there was a fasteners violation was the first
23 violation. And the wheel fasteners were loose.
24 What happened there?

25 A. The night before, and I tried to

1 tell him that too, but I know that was what kind
2 of like made him a little mad because he thought
3 that I was changing lanes not using my turn
4 signal basically when he pulled me over. That
5 is what he told me.

6 But the night before when I was at a
7 rest area I had \$100 worth of chrome stolen off
8 my truck that included one of the chrome covers
9 on the wheel lug nuts and hub caps. They
10 probably were trying to steal the tires off and
11 two tires that were loose were like brand new
12 recaps. They were in good shape.

13 So that is what I think happened to
14 that, I really do believe that. The pigtail
15 that runs the light on the back of the trailer
16 on the driver's side again on back of the
17 trailer, I did an inspection that morning on the
18 tractor and trailer and when I left there
19 everything was working. But when pulling out I
20 did a u-turn kind of sharp which probably
21 stretched that cord. It wasn't broke on either
22 end of that cord. I pulled it apart while he
23 was there. He was witness to that.

24 It was broke inside of the cord and,
25 of course, you can't see that going down the

1 road. You can't see it.

2 Q. When did you figure out that the
3 cord was broken inside?

4 A. I found out when I went -- found out
5 when he was inspecting me. I pulled it off, I
6 had a light tester and put it in there and
7 the power was not going through. And both ends
8 of the pigtail were attached, okay, which lead
9 me to believe that it's a good pigtail, but
10 checked on the back of my trailer with
11 everything unplugged and I had power on the back
12 of the tractor. So that's telling me it's not
13 going through the pigtail.

14 And I used a -- I had a wire tester
15 for that. And so I went up to the Freightliner
16 and I bought a pigtail, and you have the receipt
17 for it, plugged it in, and everything was fine.
18 It's been fine ever since.

19 Q. All right. Now, with regards to the
20 final violation, that was operating a CMV
21 without an inspection that was on the trailer.
22 You heard the testimony with regard to that.

23 I will hand you what is going to be
24 marked Respondent's Exhibit A.

25 (EXHIBIT MARKED FOR THE PURPOSE OF

1 IDENTIFICATION)

2 Q. Could you describe what that is?

3 A. It's an inspection for the trailer.

4 Q. When was that inspection done?

5 A. 8-7-17.

6 Q. And you heard testimony from the
7 inspector that there has to be some sort of
8 documentation or sticker on the trailer
9 indicating that the trailer had been inspected;
10 is that correct?

11 A. Correct. And actually I had tractor
12 inspection and the trailer inspection and I had
13 the stickers because they stay together. Hardly
14 ever split them up once they are, you know, that
15 is the same thing, have them day in and day out.
16 And I had -- they were in the truck, okay? But
17 when I got pulled over he was really kind of
18 upset a little bit with me. I couldn't find it
19 at the second. They were laying with all my
20 stuff. I just couldn't at that point find it.

21 And trying also to work on my truck
22 and keep it from being -- setting on the side of
23 the road.

24 Q. So the inspection for the trailer
25 was on the vehicle, but at that time you

1 couldn't find it; is that correct?

2 A. Correct. Correct.

3 MR. YEMC: Okay. I have no further
4 questions.

5 ATTORNEY EXAMINER: Thank you.

6 CROSS-EXAMINATION

7 By Ms. Bair:

8 Q. First of all I just want to
9 clarify, you said that you spent the night in a
10 rest area?

11 A. Yes, ma'am.

12 Q. And got up immediately and drove
13 your vehicle?

14 A. I got up, and, yes. Well, no,
15 didn't just -- I looked around. All the stuff
16 was stolen off, trying to figure out what to do
17 at that point in time. I can't do anything.
18 It's useless.

19 It would take six hour to come -- I
20 don't have that kind of time, and not going to
21 burn the logbook up. Nothing is going to happen
22 to it anyway. Nothing he can do for me, nothing
23 I can do. It's gone.

24 Do I like it? No, I don't like it,
25 but also creates a problem because when we are

1 in rest areas some do have stuff that is stolen.
2 We -- I have seen people take tires off trucks
3 sitting there overnight.

4 They put a block on the outside
5 tire, take it right off. Don't wake up. He is
6 gone.

7 Q. So did you see the loose lug nuts
8 when you did the inspection you were discussing?

9 A. I did not see loose, nothing loose.
10 When he pulled me over they are right up, turned
11 right up, you couldn't miss them, that is for
12 sure. Must have been turned down because I
13 didn't see them, no.

14 Q. Thank you. Did you produce any
15 paperwork to show that your vehicle had been
16 expected? Do you recall paperwork that you
17 produced and gave to Inspector Byrne?

18 A. I could not find it.

19 MS. BAIR: May I approach the
20 witness?

21 ATTORNEY EXAMINER: You may.

22 (EXHIBIT HEREBY MARKED FOR
23 IDENTIFICATION PURPOSES)

24 Q. Mr. Brown do you recognize that?

25 A. Yes, I do.

1 Q. Does that jog your recollection a
2 little bit that was what you produced or gave to
3 Inspector Byrne?

4 A. Well, that was produced out of
5 the pile of paperwork. That wasn't what I call
6 really current. Sometimes stuff gets left in
7 the packet that is like old. Like old permits
8 and old stuff in because sometimes just don't
9 get pulled out. And that is a problem because
10 it gets in with the rest of the stuff and it
11 gets confusing.

12 Q. So this was on the vehicle and you
13 produced it that day to the officer in response
14 to the vehicle inspection request; right?

15 A. I was looking through all
16 the paperwork and came up with this paper. I
17 was looking at everything I could give this guy.
18 I tried to give anything. I was trying to
19 comply with him as much as I could. I didn't
20 try to hide nothing, you know. I just am not
21 that person.

22 MS. BAIR: I have no further
23 cross.

24 ATTORNEY EXAMINER: Any redirect?

25 MR. YEMC: Yes, for clarification.

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REDIRECT EXAMINATION

By Mr. Yemc:

Q. A copy of Respondent's Exhibit A,
did you have that on the vehicle that day?

A. Yes, I had that on the vehicle. I
didn't produce it, couldn't find it at the time.
But I was kind of upset and I was trying to --
also trying to work on my truck.

MR. YEMC: Thank you. I have no
further questions for the witness. And just
move to have Respondent's Exhibit A admitted
into evidence.

MS. BAIR: No objections.

ATTORNEY EXAMINER: So moved.

(EXHIBIT ADMITTED INTO EVIDENCE)

MR. YEMC: I have no further
witnesses.

ATTORNEY EXAMINER: Okay. Anything
further?

MS. BAIR: Nothing further.

MR. YEMC: Nothing further, Your
Honor.

ATTORNEY EXAMINER: This case is
submitted on the record, and this hearing is
adjourned.

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MR. YEMC: Thank you.

MS. BAIR: Thank you.

(At 10:30 A.M. the hearing was
concluded)

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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on June
5, 2018, and carefully compared with my original
stenographic notes.

Michael O. Spencer

Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 17-2404-TR-CVF

Summary: Transcript In the Matter of PLH Carriers, Inc., Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on June 5th, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.