PUCO EXHIBIT FILING

RECEIVED TO THE P

2018 JUN 27 PM 2: 49

e of Hearing: 6/5/8	
se No. <u>17 - 2404 - Th - Cul</u>	PU
•	
CO Case Caption: Ply Canairos, Inc.	
•	
	
	· .
	· -
ist of exhibits being filed:	
	
MESPONDENT EX-A	
	··· ···
Staff Ex-1,23415	
•	
•	
•	
•	

This is to certify that the irrges appositing are an

accurate and caughte negrociation of a cise fille dominent delivered in the regular cause of pusings

Techaicten

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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.

> Armstrong & Okey, Inc. 222 East Town Street, 2nd Floor Columbus, Ohio 43215 (614) 224-9481 - (800) 223-9481 Fax - (614) 224-5724

ANNUAL VEHICLE INSPECTION REPORT

TR398

MESSING VEHICLE HIS	STORY RECORD # 1/2004 Miles
REPORT NUMBER	FLEET UNIT NUMBER
39131926	TR398
DATE 8/7/1	7

MOTOR CARRIER OPERATOR	INSPECTOR'S NAME (PRINT OR TYPE)
PLA Carrious INC	Norm Brown
ADDRESS	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19.
5025 Willard Rd	ETYES .
CITY, STATE, ZIP CODE	VEHICLE IDENTIFICATION (AND COMPLETE) BILIC, PLATE NO. I VIN BOTHER
Cl60 mt 48420	TR398 0052205
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☐ BUS	INSPECTION AGENCY/LOCATION (OPTIONAL)
	\$ - 1 - 3 - 1 - 3 - 1 - 1 - 1 - 1 - 1 - 1
OTHER)	

	J (OTHER)							
44 4 4 4 5 1 C	AND REPORTED FOR A BUSINESS FOR			MPONENTSANSPECTED	ie û		ALP G	
OK REPARED DATE	ITEM	OK NEUM "	PAPILID DATE	ПЕМ	OK		EPAPED DATE	ITEM.
	ST. BRAKE SYSTEM SAME AND A		369	SAFE LOADING THIS TO SE			27.8	10 TIRES 2500 TAXES SEEDE
α	 a. Service Brakes] }		a. Part(s) of vehicle or	1			a. Tires on any steering axle
	 b. Parking Brake System 			condition of loading such	OF T			of a power unit.
5 4	 c. Brake Drums or Rotors 		ľ	that the spare tire or any	94			b, All other tires.
OK	d. Brake Hose		1	part of the load or dunnage			星長	TIWHEELS AND RIMS THE
au_	e. Brake Tubing	ot-		can fall onto the roadway.	∇y	Ī.		, a. Lock or Side Ring
10	 Low Pressure Warning 			b. Protection against shifting	26+	<u>.</u>		b. Wheels and Rims
04	Device	04		cargo.	Q_{+}			c. Fasteners
Qu .	 g. Tractor Protection Valve 			c. Container securement			W-W 11	d. Welds
CK	h. Air Compressor		1	devices on intermodal	2	- G- S	de Co	M2XWINDSHIELD GLAZING
	i. Electric Brakes			equipment.	1			Requirements and exceptions
NA.	i. Hydraulic Brakes	ik.		STEERING MECHANISM AND				as stated pertaining to any
NA	k. Vacuum Systems			a. Steering Wheel Free Play		7		crack discoloration or vision
	2. COUPLING DEVICES 二氢			b. Steering Column			Ì	reduding matter (reference
a-	 a. Fifth Wheels 	1 1 1	- 1	c. Front Axle Beam and All				393.60 for exceptions).
NA L	b. Pintle Hooks			Steering Components	-			TO AWNOSHIELD WIRERS
X P	c. Drawbar/Towbar Eye	1	1	Other Than Steering	\	- }		Any power unit that has an
NH	d. Drawbar/Towbar Tongue			Column /	11		i	inoparative wiper, or missing
60	e. Safety Devices			d. Steering Gear Box	1			or damaged parts that render
or	f. Saddle-Mounts			e./Pitrhah Arm			1	it ineffective.
	ESVEXHAUST SYSTEM ARMONES			f. Power Steering	-	e e e e e e e e e e e e e e e e e e e	C. M. C.	14400HH#5250PV:1917975
	 a. Exhaust system leaking 			g. Ball and Socket Joints				/^ List any other condition(s)
	forward of or directly below			h. Tie Rods and Drag Links		- 1		which may prevent safe
N	the driver/sleeper			i. Nuts				operation of this vehicle.
14	compartment.			j. Steering System				
	 Bus exhaust system 	History		SUSPENSION式物質的高級				
A	leaking or discharging in			a. Any U-bolt(s), spring			Ì	
	violation of standard.			hanger(s), or other axle				<u> </u>
	c. Exhaust system likely to		l	positioning part(s) cracked,			Į	
.	burn, char, or damage the			broken, loose or missing			- 1	
0H H	electrical wiring, fuel supply,			resulting in shifting of an				
	or any combustible part of	<u> </u>		axle from its normal position.				
	the motor vehicle.	α		b. Spring Assembly				
	MARUEL SYSTEM CLANING SE	(m)	1	c. Torque, Radius or Tracking			1	
	a. Visible leak.	Mr.		Components		- [Į	
	 b. Fuel tank filler cap missing. 	1	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	FRAME PEANANCE BREAKS				
	 c. Fuel tank securely attached. 	EXI-		a. Frame Members				
A Company	SELIGHTING DEVICES TO BEET	04		b. Tire and Wheel Clearance				
	All lighting devices and			c. Adjustable Axle			l	
64	reflectors required by Part 393	rt l	1	Assemblies (Sliding		}		
9.	shall be operable.			Subframes)				·
INSTRUCTION	IS: MARK COLUMN ENTRIES TO VERIFY	INSPECTIO	N:	OK, X NEEDS REPAIR, NA	IF I	TEMS	S DO I	NOT APPLY, REPAIRED DATE

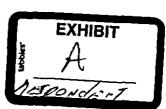
CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

◆ Copyright 2012 J. J. KELLER & ASSOCIATES, INC.

Neenah, WI • USA • (800) 327-6868

jkeller.com • Printed in the United States

ORIGINAL



3128 (Rev. 11/12)

Staff Ex 1

DRIVER/VEHICLE EXAMINATION REPORT

\triangle 1	ı
	110
	W

Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH3238012071

Inspection Date: 9/8/2017 Certification Date: 09/12/2017

Time Started: 12:18 Ti

Time Ended: 13:44

Inspection Level: If - Walk-Around
HM Inspection Type: No HM Inspection

PLH CARRIERS INC

5025 E WILLARD RD

CLIO, MI 48420

USDOT #: 02417397 MC/MX #: 832360 Phone #: (989)213-7212

Fax #:

License #: Date of Birth:

Driver:

BROWN JR, NORMAN C B650636119258

State: MI

4/1/1958

State #

County:

Shipper:

- - -

Location: ROADSIDE

Highway: IR280 NB

LUCAS

MilePost: Origin: 11.8 SOLON, OH

Destination: CLIO, MI

.

Bill of Lading:

Cargo: EMPTY

VEHIC	LE IDENTIFICATION	1-
IACUIT	LE IDEN HEIGAHON	

	Unit	Type Make Year State	License#	Equipment ID	Unit VIN	GVWR	CVSA#	CVSA Issued #	OOS Stkr.#
ł	1	TT WSTR 2004 MI	RA29809	5232	5KJJABCKX4PN04890	52,000			YES
	2	ST WANC 2007 MI	D052205		1JJV532W47L003543	68,000			YES

BRAKE ADJUSTMENTS: No brake measurements recorded.

VIO	LA'	TIO	NS	:
	_	,,,	110	

Vio Code	Section	Unit	oos	State Citation Number	Verify*	Crash	Violation Description
393.205C	393.205(c)	1	Y		U	N	Wheel fasteners loose and/or missing: L axle 2 wheel: 2 adjacent fasteners (out of 10 total) are loose.
393.9	393.9(a)	2	Y		U	N	Inoperable Required Lamp: L turn signal lamp is inoperableOBVIOUS VIOLATION-
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp: L tail lamp is inoperable.
393.9	393.9(a)	1	N		N	N	Inoperable Required Lamp: L turn signal lamp is inoperable. Lamp also serves as a stop lamp and hazard warning lamp - all inoperable.
396.17C	396.17(c)	2	N		N	N	Operating a CMV without proof of a periodic inspection: Decal at the R front of the trailer is dated 08/2016. Most recent paperwork shows last inspection 02/15/11. No other decal/paperwork proving otherwise.
"U - Unknown;	N - Non-OOS or Driver	OOS Viola	tion				

			-	
HazMat:	No HM Transported.	Pla	card: NA	Cargo Tank:

Special Checks:

Alcohol/Controled Substance Check
Conducted by Local Jurisdiction
Size and Weight Enforcement

EScreening

PASA Conducted Inspection
Drug Interdiction Search

Traffic Enforcement

Post Crash Inspection
PBBT Inspection

Arrests:

inspection Notes: Placed Out-of-Service at Freightliner of Toledo, 6003 Benore Rd, Toledo, OH

ADDENDUM

Trailer's left turn signal lamp failed to illuminate when the CMV changed lanes from the center lane to the left lane on NB IR 280/MP 10 (on the Veterans' Glass City Skyway bridge),

The driver was shown/was a witness to all the inoperable lamp violations. He corrected the tractor's inoperable left turn signal lamp and left tail lamp by replacing a blown bulb.

Last delivery was at RH Cleveland in Solon, OH. Driver was enroute to the yard when stopped for inspection.

Report Prepared By: M Byrne Badge #: 3238 Copy Received By: BROWN JR. NORMAN C Page 1 of 2



x

Х

OH3238012071

DRIVER/VEHICLE EXAMINATION REPORT

1	1		
(1	11	Λ
ſ	Л	11	V

Public Utilities Commission of Ohio

180 East Broad Street Transportation Department Columbus, OH 43215

Phone #: (614)466-0429

Fax #: (614)752-9274

Report Number: OH3238012071

Inspection Date: 9/8/2017

Time Ended: 13:44

Certification Date: 09/12/2017

State: MI

12:18 Time Started:

BROWN JR. NORMAN C

B650636119258

4/1/1958

Inspection Level: II - Walk-Around HM Inspection Type: No HM Inspection

PLH CARRIERS INC

5025 E WILLARD RD

CLIO, MI 48420 USDOT #: 02417397 MC/MX #: 832360

Phone #: (989)213-7212

Fax #:

State #:

Special Study Fields:

Special Study1:

Special Study2: Special Study3:

Special Study4: Special Study5: Special Study6:

Driver:

License #:

Date of Birth:

Special Study7:

Special Study8: Special Study9: Special Study 10:

Locally Defined Fields:

For-Hire Carrier: Y;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.

Signature of Carrier Official:	X		Date:			
Failure to return this report wit \$10,000.	th the required certification car	n result in penalties up to \$1,000 per day fo	r each day the violation continues, up to a total	of		
Signature of Repairer:	<u>X</u>	Facility:	Date:			

Report Prepared By:

M Byrne

Badge #:

Copy Received By:

Page 2 of 2

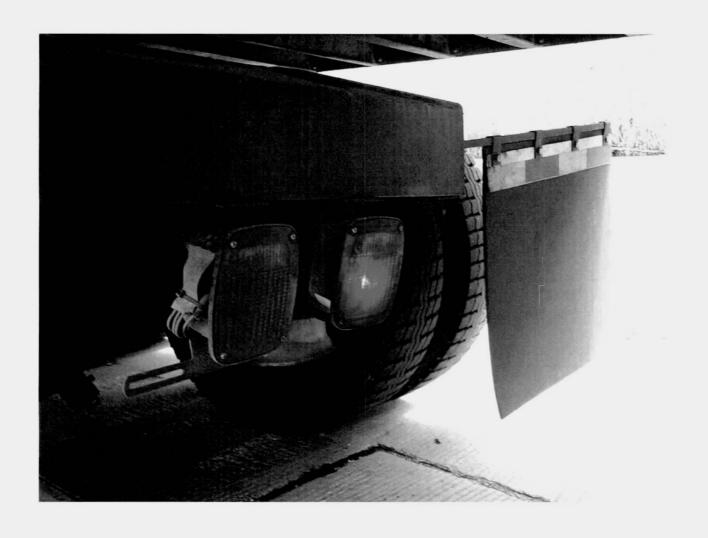
BROWN JR, NORMAN C



OH3238012071

Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9, 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





Slaff Ex. 4



Commissioners

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

09/12/2017

OH3238012071C PLH CARRIERS INC 5025 E WILLARD RD CLIO, MI 48420

RE: NOTICE OF APPARENT VIOLATION
AND INTENT TO ASSESS FORFEITURE

Case No. OH3238012071C

Dear Sir or Madam:

On 09/08/2017, a vehicle operated by PLH CARRIERS INC and driven by NORMAN C BROWN JR was inspected in the State of Ohio. As the result of discovery of the following violations of the Commission's rules, the Commission intends to assess a civil forfeiture against PLH CARRIERS INC in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
393.9	0	Inoperable Required Lamp	
393.9	0	Inoperable Required Lamp	
396.17C	0	Operating a CMV without proof of a periodic inspection	
393.205C	2	Wheel fasteners loose and/or missing	
393.9	2	Inoperable Required Lamp	
		Total of Group 0	0.00
		Total of Group 2	150.00

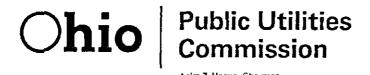
TOTAL AMOUNT DUE: \$150.00

Within 30 days of this notice, you must <u>either</u>: (1) pay the assessed civil forfeiture <u>or</u> (2) submit a written request for a conference. Failure to submit a written request for a conference 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 Apparent Violation and Intent to Assess Forfeiture.

180 East Broad Street Columbus, Ohio 43215-3793 (614) 466-3016 www.PUCO.ohio.gov





Commissioners

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

Sincerely, Cheryl Streets Compliance Division (614) 466-0351



ROADSIDE INSPECTION INSTRUCTION SHEET NOTICE OF APPARENT VIOLATION AND INTENT TO ASSESS FORFEITURE

Please read this instruction sheet carefully. It contains information about your rights and responsibilities in regard to this Notice of Apparent Violation and Intent to Assess Forfeiture.

You have received a combined "Notice of Apparent Violation" and "Notice of Intent to Assess Forfeiture" as described in Rule 4901:2-7-09, Ohio Administrative Code (O.A.C.). Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (2) submit a written request for a conference. If you do not pay the forfeiture or request a conference within 30 days of this notice, your case will be placed in our default process. Both procedures are described below.

1. How to Pay the Forfeiture

You may make payment of the civil forfeiture indicated in this notice via one of the following methods:

Online at https://omcis.puc.state.oh.us/homc.aspx. You will need your case number and PIN located on the enclosed voucher.

Mail: send a check or money order (no Canadian postal money orders) made payable to "Treasurer, State of Ohio." In order to assure proper credit, you must write the case number on the face of the check or money order. Please send payment to the following address:

Public Utilities Commission of Ohio Attn: CF Processing 180 East Broad Street, 4th Floor Columbus, OH 43215-3793

2. How to Make a Request for Conference

If you believe that any of the violations described in this notice did not occur as alleged, that any of the occurrences described did not constitute a violation of the Commission's rules, that you were not responsible for the violations, or if you wish to present mitigating circumstances regarding the amount of the forfeiture, you should submit a "Request for Conference" as described in rule 4901:2-7-10, O.A.C. Your "Request for Conference" must be in writing and must contain the case number which can be found at the top of this notice. Also, please include the contact name, address, and telephone number of the person to whom further communications regarding this matter should be directed. Your request should indicate your preference whether this matter be discussed by telephone or in person and may include any additional information you wish to submit at this time to support your position.

Your "Request for Conference" must be submitted within 30 days of this notice via one of the following methods:

Online at https://omcis.puc.state.oh.us/home.aspx. You will need your case number and PIN located on the enclosed voucher.

E-mail: conferencerequest@puc.state.oh.us

(614) 466-2753 Fax:

Public Utilities Commission of Ohio Mail: Transportation - Compliance Division 180 East Broad Street, 4th Floor

Columbus, OH 43215-3793



3. Failure to Submit a Request for Conference

If you do not serve a timely "Request for Conference" in the manner described above, you will forfeit your right to further contest the violations described in this notice and the occurrence of the violations will be conclusively established. 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 this notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

4. Codes, Violation Groups, and Forfeiture Amounts

"Code" in this notice identifies the rule that was violated. Numbers in a 100 or 300 series refer to specific sections of the Hazardous Materials Regulations or the Federal Motor Carrier Safety Regulations located in Title 49 of the Code of Federal Regulations (C.F.R.). Some section numbers may have suffixes beyond those which appear in the C.F.R. These are used for internal data collection purposes. Codes in other formats refer to violations of Ohio's statutes or regulations.

"Violation Group" identifies the numerical group (1-4) of the violation for purposes of calculating the civil forfeiture. Section 4923.99, Ohio Revised Code, authorizes the Public Utilities Commission of Ohio to assess a civil forfeiture of up to \$25,000 for each day of each violation. The amount of any forfeiture depends upon the nature, gravity, circumstances, and extent of the violation, the offender's degree of culpability for the violation, and the offender's history of violations. "Total Amount Due" is the total amount of the civil forfeiture assessed for all violations described in this notice.

For additional information regarding the civil forfeiture program, please contact the Compliance Division.

5. Violations of 49 C.F.B. 383.51, 391.15, 392.5(c)(2), 392.10, 392.80(a), 392.82(a), 395.13(d), 396.9(c)(2), and rule 4901:2-5-07(D) of the Ohio Administrative Code

If you are "convicted" of violating any of the following: 49 C.F.R. 383.51, 391.15, 392.5(c)(2), 392.10, 392.80(a), 392.82(a), 395.13(d), 396.9(c)(2), or rule 4901:2-5-07(D) of the Ohio Administrative Code, you may be disqualified from operating a commercial motor vehicle for a minimum of 60 days. The federal regulations defines conviction as, "An unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated."

6. Violation of 4901:2-6 - Failure to File Uniform Hazmat Application

If this violation appears on this notice, you are required to **immediately** file a Uniform Program Registration and Permit application for the transportation of hazardous materials/hazardous wastes. Instructions are enclosed. **Do not** combine your forfeiture payment with your registration fee.

7. Copies of Inspection Reports

A copy of the inspection report for the violations described in this notice was given to the driver at the time of inspection. You may request additional copies of inspection reports.

Obtain copies at this web site:

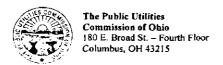
https://www.puc.state.gh.us/securc/OMCIS/public/searchcarrierreports.aspx

Or you may email your request to:

cmvrcports@puc.state.oh.us. Please provide the inspection number and inspection date in your request.



OMCIS VOUCHER



Date:

9/12/2017

Legal Name:

PLH CARRIERS INC

Address:

5025 E WILLARD RD

City:

CLIO

State:

MI

Zip:

48420

Case Number: OH3238012071C

PIN:

1J54

item	DueDate	Amount
1	10/27/2017	\$150.00
	Total	\$150.00

Pay online at https://omcis.puc.state.oh.us/home.aspx or enclose this voucher with your check or money order if paying by mail.



OH3238012071C



