

FILE

**PUCO EXHIBIT FILING**

Date of Hearing: 8/13/19

Case No. 19-458-TN-CUF

PUCO Case Caption: Raymond Richmond

PUCO

2019 AUG 30 AM 8:39

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**List of exhibits being filed:**

STAFFEX-1-5

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Technician: WDA Date Processed: 8/30/19

Reporter's Signature: Michael O. Spencer

Date Submitted: 8/29/19

PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of Raymond :  
Richmond Notice of Apparent : Case No  
Violation and Intent to : 19-458-TR-CVF  
Assess Forfeiture. :  
- - -

PROCEEDINGS

Before Anna Sanyal, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East  
Broad Street, Hearing Room 11-D, Columbus, Ohio,  
on Tuesday, August 13, 2019, at 10:00 A.M.

- - -

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

- - -

## 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: OH9444300167  
Inspection Date: 10/14/2018 Certification Date:  
Time Started: 11:45 Time Ended: 12:45  
Inspection Level: II - Walk-Around  
HM Inspection Type: No HM Inspection

LAKEFRONT LINES INC  
PO BOX 81172  
CLEVELAND, OH 44181  
USDOT #: 00034379  
MC/MX #: 125057  
State #:

Phone #: (216)267-8810  
Fax #:

Driver: RICHMOND, RAYMOND E  
License #: ~~XXXXXXXXXX~~ State: OH  
Date of Birth: 6/5/1961

Location: PAUL BROWN STADIUM  
Highway: MEIRING WAT  
County: HAMILTON  
Shipper: CARRIER

MilePost:  
Origin: COLUMBUS, OH  
Destination: CINCINNATI, OH

Bill of Lading: N/A  
Cargo: PASSENGER

## VEHICLE IDENTIFICATION:

Unit Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Strk.#
1	MC	MCIN	2008	IL	P797207	156342	2M93JMEA38W064732	54,003		

**BRAKE ADJUSTMENTS:** No brake measurements recorded.

## VIOLATIONS :

Vio Code	Section	Unit	OOS	State Citation Number	Verify*	Crash	Violation Description
390.21B	390.21(b)	1	N		N	N	Carrier name and/or USDOT Number not displayed as required: USDOT NUMBER NOT DISPLAYED ON DRIVERS SIDE OF MOTORCOACH
383.23A2	383.23(a)(2)	D	Y		N	N	Operating a CMV without a CDL: DRIVER OPERATING A PASSENGER CARRYING MOTORCOACH IN VIOLATION OF CORRECTIVE LENSES RESTRICTION. NOT WEARING GLASSES OR CONTACTS, NONE IN DRIVERS POSSESSION.

\* N - Non-OOS or, Driver OOS Violation

**HazMat:** No HM Transported.

Placard: NA Cargo Tank:

## 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: 3685 CLEVELAND AVE; Driver City: COLUMBUS; Driver State: OH; Driver Zip: 43224; Photos Taken (Y/N): Y; Supplemental Report #: N/A; Co-Investigator #: N/A; Reason Code: PASS; Paper Report #: N/A; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued (Y/N): N; Crash Report #: N/A; Orig Seal Placed by (C/D/S/U): N

I hereby declare RAYMOND E. RICHMOND "Out of Service". This driver MAY NOT DRIVE any commercial motor vehicle nor may any carrier permit or require this driver to drive any commercial motor vehicle until: NOT IN VIOLATION OF RESTRICTIONS

Report Prepared By:  
A Holscher

Badge #:  
9444

Copy Received By:  
RICHMOND, RAYMOND E

Page 1 of 2



OH9444300167

X

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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: OH9444300167  
Inspection Date: 10/14/2018 Certification Date:  
Time Started: 11:45 Time Ended: 12:45  
Inspection Level: II - Walk-Around  
HM Inspection Type: No HM Inspection

LAKEFRONT LINES INC  
PO BOX 81172  
CLEVELAND, OH 44181  
USDOT #: 00034379  
MC/MX #: 125057  
State #:

Phone #: (216)267-8810  
Fax #:

Driver: RICHMOND, RAYMOND E  
License #: [REDACTED] State: OH  
Date of Birth: 6/5/1961

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 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, TAD - 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.

Signature of Carrier Official: X

Date: \_\_\_\_\_

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.

\*\*\*\*\* POSSIBLE CDL DISQUALIFICATION \*\*\*\*\*

If this roadside inspection identified an alleged violation of one or more of the below noted regulations, your CDL may be disqualified. If the PUCO finds you committed a violation of any of these regulations, the violation will be treated as a conviction for the purposes of federal and state law and notice of such conviction will be forwarded to the Ohio Bureau of Motor Vehicles (BMV). The BMV may disqualify you from operating a commercial motor vehicle for a minimum of 60 days. Any BMV sanction is in addition to sanctions imposed by the Public Utilities Commission of Ohio (PUCO). 177.804(b)(1), 177.804(b)(2), 177.804(b)(3), 177.804(c), 4901.2-5-07D, 383.23(a)(2), 383.51(a), 383.51A-NSIN, 383.51A-NSOUT, 383.51A-SIN, 383.51A-SOUT, 383.91(a), 383.93(b)(1), 383.93(b)(2), 383.93(b)(3), 383.93(b)(4), 383.93(b)(5), 391.15(a), 391.15A-NSIN, 391.15A-NSOUT, 391.15A-SIN, 391.15A-SOUT, 392.10(a)(1), 392.10(a)(2), 392.10(a)(3), 392.10(a)(4), 392.11, 392.12, 392.4(a), 392.5(a)(2), 392.5A2-UI, 392.5(c)(2), 392.80(a), 392.82(a)(1), 395.13(d), 396.9(c)(2).

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 Repairer: X

Facility: \_\_\_\_\_

Date: \_\_\_\_\_

Report Prepared By:

A Holscher

Badge #:

9444

Copy Received By:

RICHMOND, RAYMOND E

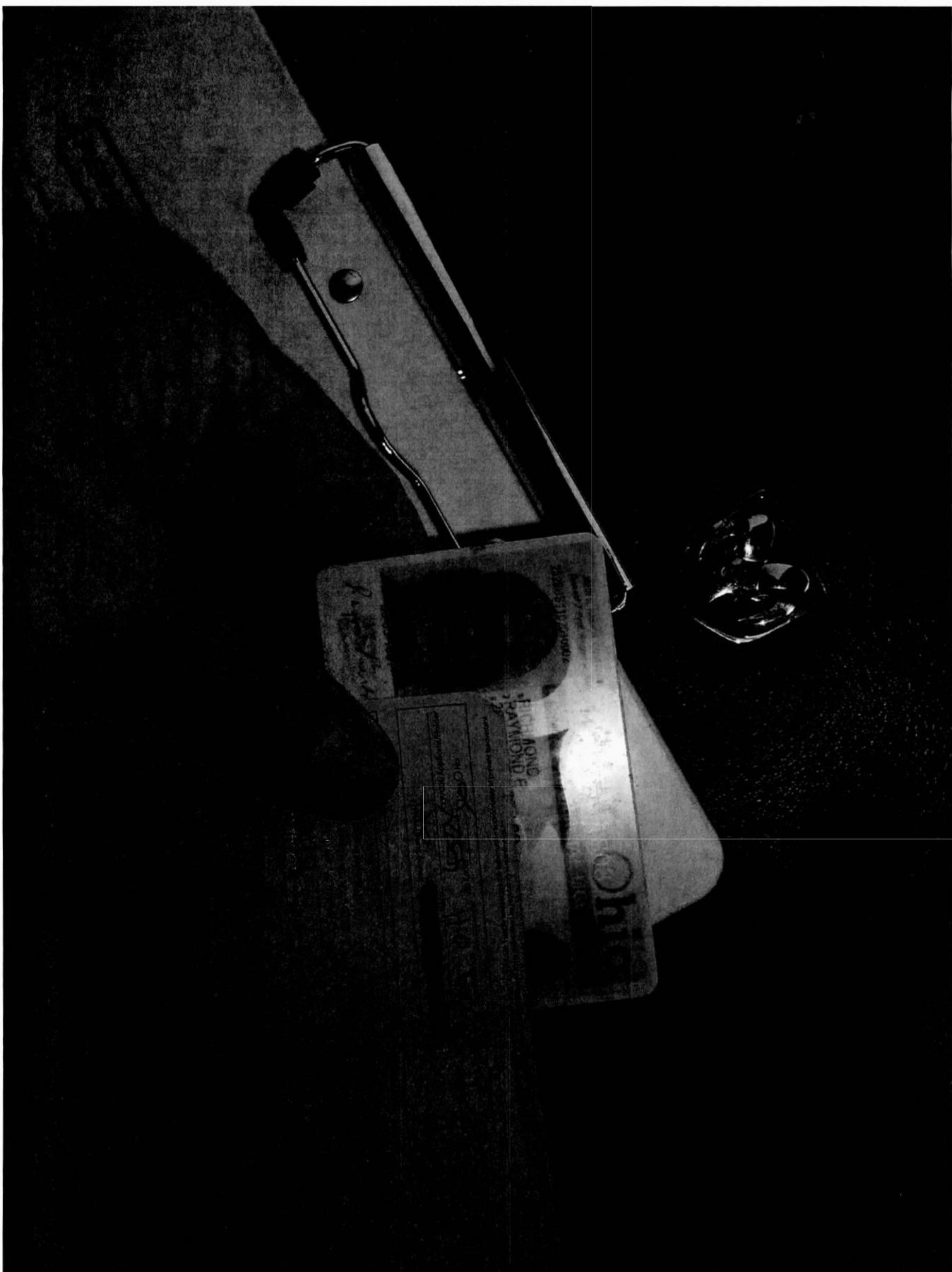
Page 2 of 2



OH9444300167

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# Public Utilities Commission

Asim Z. Haque, Chairman

Staff Ex. 3

Commissioners

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

10/16/2018

OH9444300167D  
RAYMOND E RICHMOND  
3685 CLEVELAND AVE  
COLUMBUS, OH 43224

RE: **NOTICE OF APPARENT VIOLATION  
AND INTENT TO ASSESS FORFEITURE**  
Case No. OH9444300167D

Dear Sir or Madam:

On 10/14/2018, a vehicle operated by LAKEFRONT LINES INC and driven by RAYMOND E RICHMOND 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 RAYMOND E RICHMOND in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
383.23A2	4	Operating a CMV without a CDL	250.00
		Total of Group 4	250.00

**TOTAL AMOUNT DUE: \$250.00**

Within 30 days of this notice, you must **either**: (1) pay the assessed civil forfeiture **or** (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.

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

180 East Broad Street  
Columbus, Ohio 43215-3793

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





# Public Utilities Commission

Asim Z. Haque, Chairman

Staff Ex. 4

Commissioners

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

11/27/2018

OH9444300167D SEC  
RAYMOND E RICHMOND  
3685 CLEVELAND AVE  
COLUMBUS, OH 43224

## SECOND NOTICE

RE: NOTICE OF APPARENT VIOLATION  
AND INTENT TO ASSESS FORFEITURE  
Case No. OH9444300167D

Dear Sir or Madam:

On 10/14/2018, a vehicle operated by LAKEFRONT LINES INC and driven by RAYMOND E RICHMOND 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 RAYMOND E RICHMOND in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
383.23A2	4	Operating a CMV without a CDL	250.00
		Total of Group 4	250.00

TOTAL AMOUNT DUE: \$250.00

Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (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.

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

180 East Broad Street  
Columbus, Ohio 43215-3793

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

*An equal opportunity employer and service provider*







# Public Utilities Commission

Asim Z. Haque, Chairman

Staff Ex. 5

Commissioners

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

01/25/2019

OH9444300167D  
Mr. Raymond Richmond  
3685 CLEVELAND AVE  
COLUMBUS, OH 43224

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH9444300167D

Dear Sir or Madam:

On 10/14/2018, a vehicle operated by LAKEFRONT LINES INC, and driven by RAYMOND E RICHMOND, 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 RAYMOND E RICHMOND (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
383.23A2	4	Operating a CMV without a CDL	250.00
		Total of Group 4	250.00

**TOTAL AMOUNT DUE: \$250.00**

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 RAYMOND E RICHMOND in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
383.23A2	4	Operating a CMV without a CDL	250.00
		Total of Group 4	250.00

180 East Broad Street  
Columbus, Ohio 43215-3793

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





# Public Utilities Commission

Asim Z. Haque, Chairman

## Commissioners

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

TOTAL AMOUNT DUE: \$250.00

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,

Rod Moser, Chief of Compliance  
Transportation Department

Compliance Officer: Cheryl Streets

