

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF STEPHEN MILLER,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 21-1076-TR-CVF
(OH1575002555D)

ENTRY

Entered in the Journal on January 26, 2022

I. SUMMARY

{¶ 1} The Commission grants Staff's motion to dismiss due to the Respondent's payment in full of the demanded forfeiture.

II. DISCUSSION

{¶ 2} R.C. 4923.04(A)(1) mandates that the Commission adopt rules applicable to the transportation of persons or property by motor carriers operating in interstate and intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-03(A), the Commission adopted the Federal Motor Carrier Safety Regulations, published in the Code of Federal Regulations, for the purpose of governing transportation by motor vehicle in the state of Ohio. Further, R.C. 4923.99 authorizes the Commission to assess a civil forfeiture of up to \$25,000 per day, per violation, against any person who violates the safety rules adopted by the Commission.

{¶ 3} On October 22, 2021, Stephen Miller (Respondent) requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} On November 22, 2021, Staff filed a motion to dismiss the case, based on Respondent's payment in full of the forfeiture demanded. Under Ohio Adm.Code 4901:2-7-22, full payment constitutes an admission of the occurrence of the violation and terminates further proceedings regarding the violations. Accordingly, Staff asserts further prosecution of this matter is unnecessary.

{¶ 5} For the reason outlined in the motion to dismiss, the Commission finds that this case should be dismissed, and the related docket should be closed.

III. ORDER

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That this case be dismissed and closed of record. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon all parties of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

MJS/IMM/kck

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1/26/2022 2:25:13 PM

in

Case No(s). 21-1076-TR-CVF

Summary: Entry granting Staff's motion to dismiss due to the Respondent's payment in full of the demanded forfeiture. electronically filed by Kelli C. King on behalf of The Public Utilities Commission of Ohio