

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF CLAUST LLC, NOTICE
OF APPARENT VIOLATION AND INTENT
TO ASSESS FORFEITURE.

CASE NO. 21-512-TR-CVF
(OH3223004187C)

ENTRY

Entered in the Journal on May 18, 2022

I. SUMMARY

{¶ 1} The Commission grants Staff's motion to dismiss and finds that this case should be closed of record.

II. DISCUSSION

{¶ 2} R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property by motor carriers operating in interstate or intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-03(A), the Commission adopted the Federal Motor Carrier Safety Regulations for the purpose of governing transportation by motor vehicles in the state of Ohio. Further, R.C. 49023.99 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 March 16, 2021, a vehicle driven by Stelian Hritcu and operated by Claust LLC (Respondent) was inspected within the State of Ohio.

{¶ 4} On March 17, 2021, Staff served a Notice of Apparent Violation and Intent to Assess Forfeiture upon the Respondent, in accordance with Ohio Adm.Code 4901:2-7-07, alleging a violation of the Commission's transportation regulations and proposing a civil forfeiture of \$200.

{¶ 5} On April 29, 2021, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 6} On June 28, 2021, a prehearing conference was held in which both parties participated; however, they were unable to reach a settlement during the conference. Subsequent settlement discussions occurred on July 28, 2021.

{¶ 7} On March 16, 2022, the attorney examiner scheduled this matter for hearing to occur on May 25, 2022, at the offices of the Commission.

{¶ 8} On March 24, 2022, Staff filed a motion to terminate further proceedings. In the motion, Staff explains that Respondent paid the full amount of the forfeiture assessed, \$200, to the Commission.

{¶ 9} Ohio Adm.Code 4901:2-7-22 provides, in pertinent part, that payment of the forfeiture shall terminate all further proceedings regarding the violation.

{¶ 10} Upon review of the motion to dismiss, the Commission finds that this case should be closed, as Respondent has paid the full amount of the civil forfeiture.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That Staff's motion to dismiss be granted. It is, further,

{¶ 13} ORDERED, That the above-captioned case be closed. It is, further,

{¶ 14} ORDERED, That a copy of this Entry be served upon each party of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

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in

Case No(s). 21-0512-TR-CVF

Summary: Entry granting Staff's motion to dismiss and finding that this case should be closed of record. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio