

22-570-TR-CVF

06/03/2022

Columbus, OH 43215-3793

360-980-0949

POCO

2022 JUN -6 PM 3:35
VH

RECEIVED-SOCKETING DIV

Re: Case No. OH3223005287D

My phone number where I can be reached at is 360-980-0949.

Sincerely,

Vivian

Victor Kutsar

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician AN Date Processed JUN 06 2022



Public Utilities Commission

Jenifer French, Chair

Commissioners

M. Beth Trombold
Lawrence K. Friedeman
Dennis P. Deters
Daniel R. Conway

May 11, 2022

KUTSAR, VICTOR
758 GRAYTON RD
BEREA, OH 44017

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. OH3223005287D

Dear Sir or Madam:

On 03/15/2022, a vehicle operated by EMERSON TRUCKING LLC, and driven by, KUTSAR, VICTOR was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified VICTOR KUTSAR pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against VICTOR KUTSAR in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
392.80 A	Group 4	Driving a commercial motor vehicle while Texting	\$ 250.00
<u>Original Amount Due:</u>			\$250.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which VICTOR KUTSAR had a full opportunity to present reasons why the violation(s) 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 the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against VICTOR KUTSAR in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
392.80 A	Group 4	Driving a commercial motor vehicle while Texting	\$ 250.00
<u>New Amount Due:</u>			\$250.00

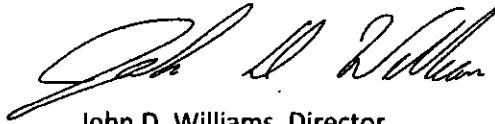
Within 30 days of this notice you must either: 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.



Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

Please consult the enclosed instruction sheet for additional information regarding this "Notice of Preliminary Determination."

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Williams", written in a cursive style.

John D. Williams, Director
Transportation Department

cc: Michael Hines

