

STAFF EX-1

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

OHIO STATE HIGHWAY PATROL
MOTOR CARRIER ENFORCEMENT
DISTRICT 4 HEADQUARTERS
PHONE: 330-898-7598
FAX CERTIFICATION TO 614-752-9274

Report Number: OH1772003063
Inspection Date: 11/24/2021
Start: 12:50 PM ET End: 01:50 PM ET
Inspection Level: III - DriverOnly
HM Inspection Type: None

INTERNATIONAL ENTERPRISE LLC
6147 SAINT REGIS RD
BALTIMORE, MD 21206-3143
USDOT#: 03415388 Phone#: (443)468-4928
MC/MX#: 00000000 Fax#:
State#:

Driver: SPRIGGS, MARKEITH J
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]
CoDriver:
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]

Location: ROADSIDE(50)
Highway: IR 76 WB
County: MAHONING, OH

MilePost: 56 Shipper: ROUTE 21 AUTO SALES
Origin: MANHEIM, PA Bill of Lading: 19209, 19211
Destination: CANAL FULTON, OH Cargo: MOTOR VEHICLES

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	FORD	2015	MD	3EW4416		1FT8W3DT2FEC08500	14,000			
2	ST	TRLR	2013	MD	310111X		5E7W45039DR001687	11,000			

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 3

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
392.2-SLLS2	392.2	D	N	Warning	N	N	State/Local Laws - Speeding 6-10 miles per hour over the speed limit.: Driver speed checked by calibrated radar at 78 in 70 and paced at 78 while attempting to stop for over 3 miles. ORC 4511.21D4
392.2-ML	392.2	D	N	Warning	N	N	Failure to Maintain Lane: Driver was unable to maintain clearly marked lanes of travel and was observed traveling outside the lines multiple times on both sides. ORC 4511.33
395.8A-NON-ELD	395.8(a)(1)	D	Y		N	N	No record of duty status when one is required (ELD Not Required): Driver using the Keep Trucking application on his cellular phone. The app is for Electronic log book not the Electronic logging device. Driver logged in wrong acc
392.2RG	392.2	D	N	warning	N	N	State vehicle registration or License Plate violation: PLATE ON TRAILER OBSTRUCTED BY FRAMEWORK & VEHICLE ON TRAILER. (2nd offense) Inspection report PAE906119331

HazMat: No HM Transported.

Placard: No **Cargo Tank:**

Special Checks: Traffic Enforcement;

State Information:

For-Hire Carrier: Y; Driver Address: [REDACTED] Driver City: [REDACTED] Driver State: [REDACTED] Driver Zip: [REDACTED] Photos Taken (Y/N): Y; Reason Code: TRAF; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N; Driver Address Verified (Y/N): Y;

Report Prepared By:
CMV TPR J.A. LAUPER

Badge #:
1772

Copy Received By:
MARKEITH SPRIGGS

Page 1 of 2



03415388 OH OH1772003063

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X _____

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

OHIO STATE HIGHWAY PATROL
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INTERNATIONAL ENTERPRISE LLC
6147 SAINT REGIS RD
BALTIMORE, MD 21206-3143
USDOT#: 03415388 Phone#: (443)468-4928
MC/MX#: 00000000 Fax#: _____
State#: _____

Driver: SPRIGGS, MARKEITH J
License#: _____ State: _____
Date of Birth: _____
CoDriver: _____
License#: _____ State: _____
Date of Birth: _____

I hereby declare MARKEITH SPRIGGS "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 Driver OOS for 10 hours

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-JI, 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: _____

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, T ASD - 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 Motor Carrier X: _____ Title: _____ Date: _____

Report Prepared By:
CMV TPR J.A. LAUPER

Badge #:
1772

Copy Received By:
MARKEITH SPRIGGS

Page 2 of 2



03415388 OH OH1772003063

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STAFF EX-2



2021.11.24



2021.11.24



2021.11.24



2021.11.24

INTERNATIONAL ENTERPRISE, LLC
US DOT # 3415388
MC # 01102445



2021.11.24

STAFF Ex 43

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

OHIO STATE HIGHWAY PATROL
MOTOR CARRIER ENFORCEMENT
DISTRICT 3 CLEVELAND
TELEPHONE: (330) 433-6210
FAX: (614) 752-9274

Report Number: OH1865001582
Inspection Date: 11/24/2021
Start: 3:31 PM ET End: 04:40 PM ET
Inspection Level: III - DriverOnly
HM Inspection Type: None

INTERNATIONAL ENTERPRISE LLC
6147 SAINT REGIS RD
BALTIMORE, MD 21206-3143
USDOT#: 03415388 Phone#: (443)468-4928
MC/MX#: 00000000 Fax#:
State#:

Driver: SPRIGGS, MARKEITH J
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]
CoDriver:
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]

Location: ROADSIDE
Highway: IR76
County: MEDINA, OH

MilePost: 7 Shipper: N/A
Origin: CANAL FULTON, OH Bill of Lading: N/A
Destination: COLUMBIA STATION, Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	FORD	2015	MD	3EW4416		1FT8W3DT2FEC08500	14,000			
2	ST	TRLR	2013	MD	310111X		5E7W45039DR001687	11,000			

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 3

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
392.2	2-5-07D	D	Y		N	N	Operating vehicle after Driver or Vehicle declared out of service: Stopped previously on 11/24/21 (same date) and placed OOS at Love's Truck Stop on IR76 & SR225 (inspection OH1772003063)

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks:

State Information:

Photos Taken (Y/N): Y; Reason Code: OBVI; FMCSA Credentials Verified-Y/N: Y; CDL Verified (Y/N): Y; FMCSA OOS Order Issued(Y/N): N;
Driver Address Verified (Y/N): Y; For-Hire Carrier: Y; Fatalities (Y/N): N; Driver Address: [REDACTED] Driver City: [REDACTED]
Driver State: [REDACTED] Driver Zip: [REDACTED];

Report Prepared By:
TPR D. HARRISON

Badge #:
1865

Copy Received By:
MARKEITH SPRIGGS

Page 1 of 3



03415388 OH OH1865001582

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DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.4

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MOTOR CARRIER ENFORCEMENT
DISTRICT 3 CLEVELAND
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INTERNATIONAL ENTERPRISE LLC
6147 SAINT REGIS RD
BALTIMORE, MD 21206-3143
USDOT#: 03415388 Phone#: (443)468-4928
MC/MX#: 00000000 Fax#:
State#:

Driver: SPRIGGS, MARKEITH J
License#: State:
Date of Birth: CoDriver:
License#: State:
Date of Birth:

I hereby declare MARKEITH SPRIGGS "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: 10 HOURS OFF DUTY OR SLEEPER BERTH.

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).

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Signature Of Repairer X: Facility: Date:

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, 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.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By:
TPR D. HARRISON

Badge #:
1865

Copy Received By:
MARKEITH SPRIGGS

Page 2 of 3



03415388 OH OH1865001582

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DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3,4

OHIO STATE HIGHWAY PATROL
MOTOR CARRIER ENFORCEMENT
DISTRICT 3 CLEVELAND
TELEPHONE: (330) 433-6210
FAX: (614) 752-9274

Report Number: OH1865001582
Inspection Date: 11/24/2021
Start: 3:31 PM ET End: 04:40 PM ET
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HM Inspection Type: None

INTERNATIONAL ENTERPRISE LLC
6147 SAINT REGIS RD
BALTIMORE, MD 21206-3143
USDOT#: 03415388 Phone#: (443)468-4928
MC/MX#: 00000000 Fax#:
State#:

Driver: SPRIGGS, MARKEITH J
License#: [REDACTED] State: [REDACTED]
Date of Birth: [REDACTED]
CoDriver:
License#: State:
Date of Birth:

Inspection Notes

Stopped for trailer right ID lamp burned out; window tint more than 75% as well; driver stopped before my lights were even activated; driver was just stopped and he stated that the trooper allowed him to get home for Thanksgiving; previous inspection had OOS violation on it and was placed OOS at Loves on IR76 and SR225; spoke direct with trooper and he stated that he was OOS for 10hrs; truck left clearance lamp (driver-side) burned out; license plate lamp burned out; tool box on trailer had no door - loose items within it that could easily have fallen out; taken to Co-Part and put OOS again

Special Studies

No Special Study Data Recorded

Report Prepared By:
TPR D. HARRISON

Badge #:
1865

Copy Received By:
MARKEITH SPRIGGS

Page 3 of 3



03415388 OH OH1865001582

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STAFF Ex #4

△



Commissioners

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

December 7, 2021

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

RE: Notice of Apparent Violation
And Intent to Assess Forfeiture

Case No. OH1865001582D

OH1865001582

PIN #: [REDACTED]

Dear Sir or Madam:

On 11-24-2021, a vehicle operated by INTERNATIONAL ENTERPRISE LLC and driven by, SPRIGGS, MARKEITH J was inspected in the State of Ohio, resulting in the discovery of the following apparent violation(s) of the Commission's rules. The Commission intends to assess a civil forfeiture against MARKEITH J SPRIGGS in the following amount:

<u>Code</u>	<u>Group</u>	<u>Description</u>	<u>Crash</u>	<u>State Citation</u>	<u>Forfeiture</u>
2-5-07D	4	Operating vehicle after Driver or Vehicle declared out of service	N		\$ 3,174.00
<u>Total Amount Due:</u>					\$ 3,174.00

Within 30 days of this notice you must either: 1) pay the assessed civil forfeiture or, 2) submit a written Request for Conference to present mitigating circumstances. * Violations with a "Y" in the "crash" column or any text in the "State Citation" column are not assessed a civil forfeiture. Further, because these offenses are primarily under the jurisdiction of local courts, these violations are not available for a conference.

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 (CPCN) may be sanctioned as permitted by law.

Please consult the enclosed instruction sheet for additional information regarding this "Notice of Apparent Violation and Intent to Assess Forfeiture."

Sincerely,

Michael Hines
Compliance Division
6144666168

Enclosure

INSTRUCTION SHEET

NOTICE OF APPARENT VIOLATION AND INTENT TO ASSESS FORFEITURE

Please read these instruction sheets carefully. They contain 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 Intent to Assess Forfeiture" as described in 4901:2-7-09, Ohio Administrative Code (OAC). Within 30 days of this notice you must either; 1) pay the assessed civil forfeiture or, 2) submit a written request for a conference to present mitigating circumstances. 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. Additionally, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

How to pay the forfeiture

Online	https://www.puco.ohio.gov/sc/mcos/ Enter the case number and PIN located on the enclosed invoice.	Mail	Public Utilities Commission of Ohio PO BOX 715343 Cincinnati, OH 45271-5343
			Send check/money order (no foreign checks/money orders) made payable to " Public Utilities Commission of Ohio ". To ensure proper credit, write the case number on the face of the check or money order.

* Payments cannot be completed by telephone

How to make a Request for Conference

If you believe 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 OAC.

- * Violations with a "Y" in the "crash" column or any text in the "State Citation" column are not assessed a civil forfeiture. Further, because these offenses are primarily under the jurisdiction of local courts, these violations are not available for a conference.

Your "Request for Conference" must be in writing and must contain the case number found at the top of the "Notice of Alleged Violation and Intent to Assess Forfeiture." Also, please include the contact name, address, and telephone number of the person to whom further communications should be directed. Your request should indicate your desire to discuss this matter in person or by telephone and may include any additional information you wish to submit to support your position. Violations will not be removed from the inspection unless documentation supporting your claim is provided and confirmed upon a review. Also, changes to an inspection following a successful "DataQ" challenge will be reflected in our records.

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

Mail	Public Utilities Commission of Ohio Transportation – Compliance Division 180 E. Broad Street, 4 th Floor Columbus, Ohio 43215-3793	Online	https://www.puco.ohio.gov/sc/mcos/ Register using the PIN located on the invoice.
		Fax	(614) 466-2753

Failure to submit a Request for Conference

If you do not serve a timely "Request for Conference" in one of the manners described, you will forfeit your right to further contest the violations described in the "Notice of Alleged Violation and Intent to Assess Forfeiture" and the occurrence of the violations will be conclusively established.

Such failure shall also result in the forfeiture amount being referred to the Ohio Attorney General's Office for collection. Also, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

ATTENTION DRIVER

Potential Disqualification

If the roadside inspection leading to this letter identified an alleged violation of one or more of the below noted regulations, your CDL may be disqualified. If the Public Utilities Commission of Ohio (PUCO) finds you committed a violation of any of these regulations, the violation will be treated as a conviction¹ 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 PUCO.

177.804B1	177.804(b)(1)	Failure to comply with 49 CFR Section 392.12 Complying With Safe Clearance Requirements For Highway-Rail Grade Crossings.
177.804B2	177.804(b)(2)	Failure to comply with 49 CFR Section 392.80 Texting While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding.
177.804B3	177.804(b)(3)	Failure to comply with 49 CFR Section 392.82 Using a Cell Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding.
177.804C	177.804(c)	Failure to comply with 49 CFR Section 392.82 Using a Handheld Mobile Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placard.
2-5-07D	392.2	Operating a CMV after Driver or Vehicle declared out of service.
383.23A2	383.23(a)(2)	Operating a CMV without a CDL.
383.51A	383.51(a)	Driving a CMV while disqualified from holding a CDL.
383.51A-NSIN	383.51(a)	Driving a CMV while CDL is suspended for a non-safety-related reason and in the state of driver's license issuance.
383.51A-NSOUT	383.51(a)	Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver's license issuance.
383.51A-SIN	383.51(a)	Driving a CMV while CDL is suspended for a safety-related or unknown reason and in state of driver's license issuance.
383.51A-SOUT	383.51(a)	Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance.
383.91A	383.91(a)	Operating a CMV with improper CDL group.
383.93B1	383.93(b)(1)	No double or triple trailer endorsement on CDL when required.
383.93B2	383.93(b)(2)	No passenger vehicle endorsement on CDL when required.
383.93B3	383.93(b)(3)	No tank vehicle endorsement on CDL when required.
383.93B4	383.93(b)(4)	No hazardous materials endorsement on CDL when required.
383.93B5	383.93(b)(5)	Operating a School Bus without a school bus endorsement as described in 383.93(b)(5).
391.15A	391.15(a)	Driving a CMV while disqualified.
391.15A-NSIN	391.15(a)	Driving a CMV while disqualified. Suspended for non-safety-related reason and in the state of driver's license issuance.
391.15A-NSOUT	391.15(a)	Driving a CMV while disqualified. Suspended for a non-safety-related reason and outside the state of driver's license issuance.
391.15A-SIN	391.15(a)	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of drivers license issuance.
391.15A-SOUT	391.15(a)	Driving a CMV while disqualified. Suspended for a safety-related or unknown reason and outside the driver's license state of issuance.
392.10A1	392.10(a)(1)	Failure to stop at railroad crossing - Bus transporting passengers.
392.10A2	392.10(a)(2)	Failure to stop at railroad crossing - CMV transporting Division 2.3 Chlorine.
392.10A3	392.10(a)(3)	Failure to stop at railroad crossing - CMV requiring display of HM placards.
392.10A4	392.10(a)(4)	Failure to stop at railroad crossing - HM Cargo Tank vehicle.
392.11	392.11	Commercial Vehicle failing to slow down approaching a railroad crossing.
392.12	392.12	No Driver of a Commercial Motor Vehicle Shall Drive Onto a Highway-Rail Grade Crossing Without Having Sufficient Space to Drive Completely Through the Crossing Without Stopping.
392.4A	392.4(a)	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.
392.5A2-UI	392.5(a)(2)	Operating a CMV while under the influence of an intoxicating beverage regardless of its alcohol content.
392.5C2	392.5(c)(2)	Violating OOS order pursuant to 392.5(a)/(b) - Alcohol prohibitions.
392.80A	392.80(a)	Driving a commercial motor vehicle while Texting.
392.82A1	392.82(a)(1)	Using a hand-held mobile telephone while operating a CMV.
395.13D	395.13(d)	Driving after being declared out-of-service for HOS violation(s).
396.9C2	396.9(c)(2)	Operating an out-of-service vehicle.

¹ Federal regulations define "conviction" as, "... a determination that a person has violated or failed to comply with the law ... by an authorized administrative tribunal, ... the payment of a fine or court cost, ... regardless of whether or not the penalty is rebated, suspended, or probated." 49 CFR 383



**Public Utilities
Commission**

Jenifer French, Chair, Chairman

Commissioners

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

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

Invoice #: 21-00077308
Date: 12/07/2021
Due Date: 01/06/2022
PIN #: XXXXXXXXXX
Case #: OH1865001582D

2021

Item #	Type	Description	Amount Due
INVD-0194836	Civil Forfeiture Non HazMat	Operating vehicle after Driver or Vehicle declared out of service	\$ 3,174.00
Payments Received			\$ 0.00
Total Amount Due			\$ 3,174.00

Please visit <https://www.puco.ohio.gov/sc/mcos/> to make your online payments.

Questions concerning this invoice should be addressed to our call center at 1-800-686-7826.

(Remittance for mailed check payment)

Please make checks payable to:

Public Utilities Commission of Ohio
PO BOX 715343
Cincinnati, OH 45271-5343

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

Invoice #: 21-00077308
Date: 12/07/2021
Due Date: 01/06/2022





Public Utilities
Commission

Jenifer French, Chair

STAFF EX #5



Commissioners

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

February 2, 2022

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH1865001582D

Dear Sir or Madam:

On 11/24/2021, a vehicle operated by INTERNATIONAL ENTERPRISE LLC, and driven by, SPRIGGS, MARKEITH J 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 MARKEITH J SPRIGGS pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against MARKEITH J SPRIGGS in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
2-5-07D	Group 4	Operating vehicle after Driver or Vehicle declared out of service	\$ 3,174.00
<u>Original Amount Due:</u>			\$3,174.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which MARKEITH J SPRIGGS 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 MARKEITH J SPRIGGS in the following amount:

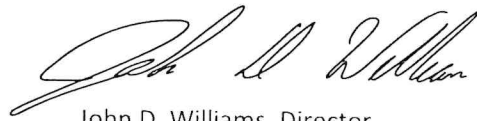
<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
2-5-07D	Group 4	Operating vehicle after Driver or Vehicle declared out of service	\$ 3,174.00
<u>New Amount Due:</u>			\$3,174.00

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

INSTRUCTION SHEET

NOTICE OF PRELIMINARY DETERMINATION

Please read these instruction sheets carefully. They contain information about your rights and responsibilities in regard to this "Notice of Preliminary Determination."

You have received a "Notice of Preliminary Determination" as described in 4901:2-7-12, Ohio Administrative Code (OAC). 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. If you do not pay the forfeiture or request a hearing within 30 days of this notice, your case will be placed in our default process. Additionally, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

How to pay the forfeiture

Online	https://www.puco.ohio.gov/sc/mcos/ Enter the case number and PIN located on the enclosed invoice.	Mail	Public Utilities Commission of Ohio Attn: Fiscal Section 180 E. Broad Street, 4 th Floor Columbus, Ohio 43215-3793
Send check/money order (no foreign checks/money orders) made payable to "Public Utilities Commission of Ohio". To ensure proper credit, write the case number on the face of the check or money order.			

* Payments cannot be completed by telephone

How to make a Request for an Administrative Hearing

If you wish to further contest the violations described in this notice, you should file a "Request for an Administrative Hearing" with the Commission's Docketing Division as described in Rule 4901:2-7-13, OAC.

Your "Request for an Administrative Hearing" must be in writing and must contain the case number found at the top of the "Notice of Preliminary Determination." Also, please include the contact name, address, and telephone number of the person to whom further communications should be directed. The request shall be signed by the Respondent or the Respondent's authorized representative. A copy of the "Notice of Preliminary Determination" must be attached to your request.

Your "Request for an Administrative Hearing" must be mailed or hand-delivered within 30 days of this notice to the following address:

Public Utilities Commission of Ohio
ATTN: Docketing Division
180 E. Broad Street, 11th Floor
Columbus, Ohio 43215-3793

Failure to submit a Request for Administrative Hearing

If you do not serve a timely "Request for an Administrative Hearing" 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. Also, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

Codes, Violation Groups, and Forfeiture Amounts

"Code" in this notice identifies the rule 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 (CFR). Some section numbers may have suffixes beyond those appearing in the CFR. These are used for internal data collections purposes. Codes in other formats refer to violations of Ohio's statutes or regulations.

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

ATTENTION DRIVER

Potential Disqualification

If the roadside inspection leading to this letter identified an alleged violation of one or more of the below noted regulations, your CDL may be disqualified. If the Public Utilities Commission of Ohio (PUCO) finds you committed a violation of any of these regulations, the violation will be treated as a conviction¹ 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 PUCO.

177.804B1	177.804(b)(1)	Failure to comply with 49 CFR Section 392.12 Complying With Safe Clearance Requirements For Highway-Rail Grade Crossings.
177.804B2	177.804(b)(2)	Failure to comply with 49 CFR Section 392.80 Texting While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding.
177.804B3	177.804(b)(3)	Failure to comply with 49 CFR Section 392.82 Using a Cell Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding.
177.804C	177.804(c)	Failure to comply with 49 CFR Section 392.82 Using a Handheld Mobile Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placard.
2-5-07D	392.2	Operating a CMV after Driver or Vehicle declared out of service.
383.23A2	383.23(a)(2)	Operating a CMV without a CDL.
383.51A	383.51(a)	Driving a CMV while disqualified from holding a CDL.
383.51A-NSIN	383.51(a)	Driving a CMV while CDL is suspended for a non-safety-related reason and in the state of driver's license issuance.
383.51A-NSOUT	383.51(a)	Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver's license issuance.
383.51A-SIN	383.51(a)	Driving a CMV while CDL is suspended for a safety-related or unknown reason and in state of driver's license issuance.
383.51A-SOUT	383.51(a)	Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance.
383.91A	383.91(a)	Operating a CMV with improper CDL group.
383.93B1	383.93(b)(1)	No double or triple trailer endorsement on CDL when required.
383.93B2	383.93(b)(2)	No passenger vehicle endorsement on CDL when required.
383.93B3	383.93(b)(3)	No tank vehicle endorsement on CDL when required.
383.93B4	383.93(b)(4)	No hazardous materials endorsement on CDL when required.
383.93B5	383.93(b)(5)	Operating a School Bus without a school bus endorsement as described in 383.93(b)(5).
391.15A	391.15(a)	Driving a CMV while disqualified.
391.15A-NSIN	391.15(a)	Driving a CMV while disqualified. Suspended for non-safety-related reason and in the state of driver's license issuance.
391.15A-NSOUT	391.15(a)	Driving a CMV while disqualified. Suspended for a non-safety-related reason and outside the state of driver's license issuance.
391.15A-SIN	391.15(a)	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of drivers license issuance.
391.15A-SOUT	391.15(a)	Driving a CMV while disqualified. Suspended for a safety-related or unknown reason and outside the driver's license state of issuance.
392.10A1	392.10(a)(1)	Failure to stop at railroad crossing - Bus transporting passengers.
392.10A2	392.10(a)(2)	Failure to stop at railroad crossing - CMV transporting Division 2.3 Chlorine.
392.10A3	392.10(a)(3)	Failure to stop at railroad crossing - CMV requiring display of HM placards.
392.10A4	392.10(a)(4)	Failure to stop at railroad crossing - HM Cargo Tank vehicle.
392.11	392.11	Commercial Vehicle failing to slow down approaching a railroad crossing.
392.12	392.12	No Driver of a Commercial Motor Vehicle Shall Drive Onto a Highway-Rail Grade Crossing Without Having Sufficient Space to Drive Completely Through the Crossing Without Stopping.
392.4A	392.4(a)	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.
392.5A2-UI	392.5(a)(2)	Operating a CMV while under the influence of an intoxicating beverage regardless of its alcohol content.
392.5C2	392.5(c)(2)	Violating OOS order pursuant to 392.5(a)/(b) - Alcohol prohibitions.
392.80A	392.80(a)	Driving a commercial motor vehicle while Texting.
392.82A1	392.82(a)(1)	Using a hand-held mobile telephone while operating a CMV.
395.13D	395.13(d)	Driving after being declared out-of-service for HOS violation(s).
396.9C2	396.9(c)(2)	Operating an out-of-service vehicle.

¹ Federal regulations define "conviction" as, "... a determination that a person has violated or failed to comply with the law ... by an authorized administrative tribunal, ... the payment of a fine or court cost, ... regardless of whether or not the penalty is rebated, suspended, or probated." 49 CFR 383




Public Utilities Commission

Jenifer French, Chair, Chairman

Commissioners

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

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

Invoice #: 22-00080705
Date: 02/01/2022
Due Date: 03/03/2022
PIN #: 
Case #: OH1865001582D

2022

Item #	Type	Description	Amount Due
INVD-0204022	Civil Forfeiture Non HazMat	Operating vehicle after Driver or Vehicle declared out of service	\$ 3,174.00
Payments Received			\$ 0.00
Total Amount Due			\$ 3,174.00

Please visit <https://www.puco.ohio.gov/sc/mcos/> to make your online payments.

Questions concerning this invoice should be addressed to our call center at 1-800-686-7826.

(Remittance for mailed check payment)

Please make checks payable to: Public Utilities Commission of Ohio
PO BOX 715343
Cincinnati, OH 45271-5343

SPRIGGS, MARKEITH J
6147 SAINT REGIS ROAD
BALTIMORE, MD 21206

Invoice #: 22-00080705
Date: 02/01/2022
Due Date: 03/03/2022



Star Ex #6

🛒 Invoices (/... ✓ ✕

0008070... ✓ ✕


Generate Invoice

Generate Past Due Notice

Generate AR Civil Forfeiture

Invoice Number ⓘ

22-00080707

Account 

MARKEITH J SPRIGGS

[illegible]

Invoice Amount ⓘ

\$100.00

Payments Received

\$100.00

Write Off Amount

\$0.00


Balance Due

\$0.00

Assessment Type

Civil Forfeiture Non HazMat

Application

Status 

Closed - Paid

Account Name

MARKEITH J SPRIGGS

Status Date ⓘ

2/28/2022

Invoice Date 

2/1/2022

Due Date ⓘ

3/3/2022

Late Notice Due Date Publish 

Yes



Current Invoice Count

✓ Paper Check Information

Applied Paper Check Number

✓ Civil Forfeiture Information

CFA-00046037 (/l...

 Invoices (/... 0008070...

Account Pin

4WNYSMAR

Invoice Letter Type

Settlement

Repayment Periods

0

CFA Repayment Periods

0

Invoice # of Total

0 of 0

CFA Invoice # of Total

of 0

Delinquent Payment Plan 

CF Settlement?



✓ Primary Billing Contact Information

Billing Contact Billing Street 1 

6147 SAINT REGIS ROAD

Billing Street 2 

Case

Civil Forfeiture Assessment

CFA-00046037

(/lightning/r/Civil_Forfeiture_Assessment__c/a1J8y000000BUtEEAW/view)

CF Number Formula

OH1772003063D

CFA Inspection Date

11/24/2021

Respondent Type

Driver

USDOT Number 

CF Respondent

SPRIGGS, MARKEITH J

Legacy Invoice Id

Contact Title

Billing City ⓘ
BALTIMORE

Billing State ⓘ

☰ CME00046037 (/I...

🛒 Invoices (/...

🛒 0008070...

Billing Zip ⓘ
21206

Billing Country ⓘ
US

Billing County ⓘ

✓ Invoice Contacts & Notification Preferences

Additional Billing Contact ⓘ

Suspend Notifications? ⓘ

None

Invoice Notification 1 ⓘ

Invoice Notification 2 ⓘ

✓ Other Information

Total Intrastate Gross Revenue ⓘ

\$0.00

Days Past Due ⓘ

0

Days Open ⓘ

Non-Payment Fine ⓘ

\$0.00

AG Collection Reason ⓘ

Date Certified for Collections ⓘ

Date AG Paid ⓘ

Manual Invoice Information

Manually Created Invoice? ⓘ

Reason for Manual Invoice Creation ⓘ
CFA-00046037 (/lightning/r/Invoice_c/a038y000000zwpFAAQ/view)

0008070...

System Information

Created By

Bradley Long (/lightning/r/User/005t0000003gTVAAA2/view),
2/1/2022 2:44 PM

Last Modified By

CBOSS Site Guest User
(/lightning/r/User/005t0000001KZs3AAG/view)
2/28/2022 1:18 PM

Old Invoice Number ⓘ

Old Billing in Care of ⓘ

Invoice Details (2) (/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/Invoice_Details_r/view)INVD-0204024 (/lightning/r/a048y000001M0LNAA0/view)

Item Date: 2/1/2022
Type: Civil Forfeiture Non HazMat
Description: No record of duty status when one is required (ELD Not Required)

INVD-0204025 (/lightning/r/a048y000001M0LOAA0/view)

Item Date: 2/1/2022
Type: Civil Forfeiture Non HazMat
Description: Group 1 Violations

[View All](#)[\(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/Invoice_Details_r/view\)](#)**Open Activities (0) (/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/OpenActivities/view)**https://puco.lightning.force.com/lightning/r/Invoice__c/a038y000000zwpFAAQ/view?ws=%2Flightning%2Fr%2FCivil_Forfeiture_Assessment__c%2Fa1J8y000000BUtEEAW%2Fview

[Open Activities \(0\) \(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/OpenActivities/view\)](#)

[Activity History \(0\) \(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/ActivityHistories/view\)](#)

CFA-00046037 (/l...  Invoices (/...  0008070...

[Notes & Attachments \(0\) \(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/CombinedAttachments/view\)](#)

 Upload Files




[Files \(0\) \(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/AttachedContentDocuments/view\)](#)

 Upload Files

[Invoice History \(3+\) \(/lightning/r/Invoice_c/a038y000000zwpFAAQ/related/Histories/view\)](#)

Date:	2/28/2022 1:18 PM
Field:	Status
User:	CBOSS Site Guest User (/lightning/r/005t0000001KZs3AAG/view)
Original Value:	Pending
New Value:	Closed - Paid
Date:	2/28/2022 1:17 PM
Field:	Status
User:	PUCO-Public Site Guest User (/lightning/r/005t0000001H1UXAA0/view)
Original Value:	Open
New Value:	Pending
Date:	2/28/2022 1:17 PM
Field:	Status Date

User: [PUCO-Public Site Guest User \(/lightning/r/005t0000001H1UXAA0/view\)](#)
Original Value: 2/1/2022
New Value: 2/28/2022

 [CFA-00046037 \(/l...](#)  [Invoices \(/...](#)  [0008070...](#) [View All](#)
[\(/lightning/r/Invoice__c/a038y000000zwpFAAQ/related/Histories/view\)](#)

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

5/9/2023 10:13:51 AM

in

Case No(s). 22-0136-TR-CVF, 22-0931-TR-CVF

Summary: Exhibit Staff Exhibits electronically filed by Mr. Ken Spencer on behalf of
Armstrong & Okey, Inc. and Spencer, Michael O. Mr..