



**Motor Carrier Attachment – NYDOT NOV / Order after Hearing**

**Louisville, NY**

**HWY23FH005**

(4 pages)



# NOTICE OF VIOLATION

NO. J00022

**Carrier:** LBFNY, LLC  
16 Drumlin  
Weedsport, NY 13166  
**USDOT** 3773075

**Based on**

DVER  
NYSPB0400582 (inspection date:  
01/12/2022)

**Registrant:** LBFNY, LLC  
16  
Cato, NY 13033

**Responsible Party:**  
Carrier

**Vehicle Identification No.** 4UZAAXDC04CM35096  
**Make** FRHT  
**Type** Bus  
**Plate** 13611BT - OMR

**Driver:** JESUS GONZALEZ RAZO  
[REDACTED]  
EXMORE, VA 23350-4147  
**DOB** [REDACTED]  
**DL#** [REDACTED] VA  
**Exp** 08 [REDACTED] 2022

You are hereby charged with failing to comply with the following sections of the New York Transportation Law and/or sections of 17 NYCRR:

| Violation Code   | Violation Description   | Additional Information  |
|------------------|---|---|
| 140.9A, Not set  | Operating a passenger CMV and/or utilizing a driver with a Safety Violation |   |
| 820.7, 396.17(a) | Using a CMV not periodically inspected                                      | 40 passenger bus cited for no periodic inspection. Inspector cited CFR 49 part 392.2 for lack of periodic inspection. Transfers to CFR Part 396.17 lack of periodic inspection trigger violation. |



# NOTICE OF VIOLATION

NO. J00022

Carrier: LBFNY, LLC

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This action is being taken against you to recover a civil penalty pursuant to New York Transportation Law Section 145.

A hearing is to be scheduled for the above violations. The Notice to Appear will be mailed.

*AFFIRMED UNDER PENALTY OF PERJURY*

ISSUED BY Mark Fox

SIGNATURE *Mark Fox*

TITLE Motor Carrier Investigator

DATE: 1/19/2022

TIME: 03:30 PM

FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION AS DIRECTED ON THE REVERSE, OR FAILURE TO APPEAR AT THE HEARING MAY RESULT IN SUSPENSION OF YOUR VEHICLE(S) REGISTRATIONS AND THE IMPOSITION OF A PENALTY UP TO \$10,000.

SUSPENSION REQUEST IS GRANTED

DEFAULT



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION

### ORDER AFTER HEARING

TO: LBFNY, LLC

NOV# J00022

Civil Penalty:

At a hearing held on this date pursuant to Section 145 of the Transportation Law, you were found guilty of violating:  
17NYCRR Section(s): 820.7

**You are hereby ordered to pay a civil penalty of \$10,000.00**

Payment must be made by certified check or money order made payable to "NYSDOT" within 15 days of the date of this Order. Failure to pay within 15 days may result in the suspension or revocation of your operating authority and/or vehicle registration(s) without further notice of hearing. In addition, a judgement may be filed with the County Clerk affecting your credit history and may result in the seizure of assets.

Payments and a copy of this Order are to be mailed to:

NYSDOT  
OMSS-Motor Carrier Compliance Bureau  
50 Wolf Road, Pod 53  
Albany, New York 12232

SO ORDERED:

By: *ALJ Alicia McNally*  
ALJ Alicia McNally  
Administrative Law Judge

Date: 02/17/2022

This Order is conditioned upon your satisfaction of the attached terms (if unchecked, no conditions apply).