

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

In the Matter of:

**RISING SUN TRANSPORT, LLC
USDOT# 1933207**

Respondent

**Docket No. FMCSA-2013-0432¹
(Eastern Service Center)**

ORDER APPROVING SETTLEMENT

On August 19, 2013, the Virginia Division of the Federal Motor Carrier Safety Administration (FMCSA) served a Notice of Claim (NOC) against Rising Sun Transport, LLC (Respondent). The NOC alleged that Respondent committed one count of violating 49 CFR 382.305(b)(1) – failing to conduct random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions; one count of violating 49 CFR 395.8(e) – false reports of records of duty status; and one count of violating 49 CFR 396.3(b) – failing to keep minimum records of inspection and vehicle maintenance. The NOC proposed a civil penalty of \$20,360.

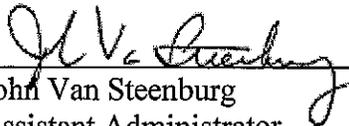
On October 28, 2013, the Regional Field Administrator for FMCSA's Eastern Service Center (Claimant) filed his consent to Respondent's request for binding arbitration. On December 24, 2013, before this matter had been referred to binding arbitration, Claimant filed a Notification of Settlement and Motion to Close Docket. Claimant attached a copy of the fully executed settlement agreement (Agreement) to his Motion.

The Agreement requires Respondent to pay \$20,360 in twelve (12) installments

¹ The prior case number of this matter was VA-2013-0162-US1436.

beginning on January 3, 2014. The Agreement sets forth the consequences for failure to comply with the terms and conditions of the Agreement. I conclude that the terms of the Agreement are in the public interest and the Agreement is accepted.²

It is therefore ORDERED, that the Settlement Agreement is the Final Order in this matter, the proceedings are dismissed, and the docket is closed.



John Van Steenburg
Assistant Administrator
Federal Motor Carrier Safety Administration

1/29/14
Date

² Under 49 CFR 386.22(c), a settlement agreement does not become a final agency order in a proceeding until the Assistant Administrator enters an order accepting the settlement agreement.

CERTIFICATE OF SERVICE

This is to certify that on this 30th day of January, 2014, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

Kalbir Sandhu, President Rising Sun Transport, LLC 3142 Salem Turnpike Roanoke, VA 24017 <i>Respondent</i>	One Copy U.S. Mail
Cynthia Campise Trial Attorney FMCSA Office of Chief Counsel 802 Cromwell Park Drive, Suite N Glen Burnie, MD 21061 <i>Claimant's Attorney</i>	One Copy U.S. Mail
U.S. Department of Transportation Docket Operations, M-30 West Building Ground Floor Room W12-140 1200 New Jersey Avenue, S.E. Washington, D.C. 20590	Original Personal Delivery