

**STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

ASPHALT PAVING SYSTEMS, INC.,

Petitioner,

vs.

DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES,

Respondent.

HSMV Case No.: MS-20-400

DOAH Case No.: 21-0382

Audit No.: 19-2116

IFTA Account No.: 223787755-01

IFTA Audit Period: 7/1/2016–6/30/2017

IRP Account No.: 360970-01

IRP Audit Period: 2019

**FINAL ORDER NO. : FLHSMV 2021**

**HSMV-21-0121-AS-MS**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

**FINAL ORDER**

This matter comes before the Department of Highway Safety and Motor Vehicles for entry of a final order upon submission of the Order Closing Files and Relinquishing Jurisdiction<sup>1</sup> issued May 21, 2021, by the Honorable Andrew D. Manko, Administrative Law Judge of the Division of Administrative Hearings, based on Respondent’s unopposed Motion to Relinquish Jurisdiction, filed May 20, 2021, and the parties’ Settlement Agreement, executed May 20, 2021, copies of which are attached and incorporated by reference in this order.


Upon consideration of the Settlement Agreement, and being fully advised in the premises, it is **ORDERED AND ADJUDGED:**

1. The Settlement Agreement as submitted is approved, adopted, and incorporated herein by reference.
2. The parties shall adhere to and abide by all terms and conditions of the Settlement Agreement.
3. Pursuant to the Settlement Agreement, Petitioner, Asphalt Paving Systems, Inc., no later than June 21, 2021, shall pay \$30,827.89 in full satisfaction of the International Fuel Tax Agreement (IFTA) and International Registration Plan (IRP) assessments. Failure to timely pay this amount will result in suspension of IFTA registration privileges. § 207.007(3)(c), Fla. Stat.
4. Pursuant to the Settlement Agreement, Petitioner, Asphalt Paving Systems, Inc., waives any and all appeal rights upon entry of this final order.

<sup>1</sup> A related rule challenge, *Asphalt Paving Systems, Inc. v. DHSMV*, DOAH Case No. 21-1481RU, which had been consolidated with this matter and for which the Division of Administrative Hearings has final order authority, was dismissed by Order of Dismissal issued May 21, 2021.

5. This final order shall take effect upon filing with the Department's Agency Clerk, and the case is **CLOSED**.

**DONE AND ORDERED** this 24th day of May, 2021, at Tallahassee, Leon County, Florida.



Robert Kynoch, Director of Motorist Services  
Department of Highway Safety and Motor Vehicles  
2900 Apalachee Parkway  
Tallahassee, Florida 32399

**FILED FLHSMV AGENCY CLERK**  
**MAY 24 2021**  
**MS-20-400**

**COPIES FURNISHED** this 24th day of May, 2021, to:

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