

NEWS RELEASE

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KDOT begins removing equipment from Miami County salvage yard

The Kansas Department of Transportation began removing old, inoperative vehicles and salvage materials today from a Miami County salvage/junkyard whose owner has been operating his business in violation of Kansas law since 2001.

The action follows seven years of legal efforts by KDOT and Miami County to have Danny Lambeth, owner of Truck Wholesale Inc., comply with laws governing the operation of salvage and junk yards. Since 2001, Lambeth has appealed salvage certificate revocation and county conditional use restrictions on many different levels, from state district court to federal court and ultimately the Kansas Supreme Court. In every case, the courts have ruled in favor of KDOT and Miami County.

Hundreds of salvage vehicles on the 20-acre site have long been visible to travelers on Interstate 35 south of Gardner.

“Mr. Lambeth has rejected numerous efforts of both KDOT and Miami County to resolve the issues amicably,” said KDOT Deputy Secretary for Finance and Administration Joe Erskine. “He was provided a list of reasonable conditions to meet in

order to maintain his operation but chose to summarily reject each and every one. The state has no other choice than to compel him to comply with the law.”

In 2001, KDOT, which issues permits allowing individuals to store 10 or more inoperative vehicles on private property, revoked Truck Wholesale’s salvage certificate of compliance for failure to abide by the Junkyard and Salvage Control Act.

In 2002, Miami County took action that required Truck Wholesale to develop a plan to ensure that oil wouldn’t run into a nearby water source, to remove trucks and debris from public right of way, and to operate within the boundaries of the property. The county also ordered the business to comply with state law regarding junkyards and to create a safe passage for emergency vehicles onto the property. In addition, Truck Wholesale was required to develop a landscape plan and to screen the operation from public view. Lambeth has failed to comply with any of the orders. His appeals of the county’s orders were rejected by the courts.

“Since Mr. Lambeth has shown no intent to operate his business within the law, the state regrettably has been forced to take steps that will result in the removal of all materials in the salvage yard,” Erskine said.

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This information can be made available in alternative accessible formats upon request. For information about obtaining an alternative format, contact the Bureau of Transportation Information, 700 SW Harrison St., 2nd Fl West, Topeka, KS 66603-3754 or phone 785-296-3585 (Voice) (TTY).