


UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 1052546X	Legal: SERVICIOS REFRIGERADOS INTERNACIONALES S A DE C V Operating (DBA):
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MC/MX #: 440938	RFC #: SRI970114845	Federal Tax ID:
Review Type: Compliance Review (CR)		
Scope: Principal Office	Location of Review/Audit: Company facility in the U. S.	Territory: E

Operation Types	Interstate	Intrastate	
Carrier: Non-HM		N/A	Business: Corporation Gross Revenue: \$662,000.00 for year ending: 9/30/2008
Shipper: N/A		N/A	
Cargo Tank: N/A		N/A	

Company Physical Address:

Contact Name: ROSAURA ELIZONDO PEREZ
Phone numbers: (1) 664- 623-4760 (2) Fax 664-623-4960
E-Mail Address:

Company Mailing Address:
2498 ROLL DR 702 SAN DIEGO, CA 92154

Carrier Classification
Authorized for Hire

Cargo Classification
General Freight Fresh Produce
Does carrier transport placardable quantities of HM? No
Is an HM Permit required? N/A

Driver Information			
	Inter	Intra	Average trip leased drivers/month: 0
< 100 Miles:			Total Drivers: 6
>= 100 Miles:	6		CDL Drivers: 6

Equipment								
	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased	
Truck Tractor	5	0	0	Trailer	100	0	0	
Power units used in the U.S.:5								
Percentage of time used in the U.S.:90								





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10/16/2008

Part A

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

2297 Niels Bohr Court, Suite 204
San Diego (Otay Mesa), CA 92154
Phone: (619)710-8400 Fax:(619)710-2804

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: ROSAURA ELIZONDO PEREZ

Title: VICE PRESIDENT

Name:

Title:





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Part B Violations

1 FEDERAL	Primary: 382.301(a)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.					
Example Hire date: Driver name: Trip date: 10/01/2008					
2 FEDERAL	Primary: 391.21(a)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
Description Using a driver who has not completed and furnished an employment application.					
Example Driver name: Trip date: 03/12/2008					
3 FEDERAL	Primary: 391.23(e)(1)	Discovered 5	Checked 5	Drivers/Vehicles In Violation 5	Checked 5
Description Failing to investigate the driver's alcohol and controlled substances history for the previous 3 years.					
Example Driver name: Trip date: 03/12/2008					
4 FEDERAL	Primary: 391.51(b)(6)	Discovered 1	Checked 5	Drivers/Vehicles In Violation 1	Checked 5
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.					
Example Driver name: Trip date: 07/02/2008					
5 FEDERAL	Primary: 395.8(e)	Discovered 3	Checked 150	Drivers/Vehicles In Violation 2	Checked 5
Description False reports of records of duty status.					
Example Driver name: Trip date: 07/29/2008					
Safety Fitness Rating Information:					
Total Miles Operated		330,033	OOS Vehicle (CR): 0		
Recordable Accidents		0	Number of Vehicle Inspected (CR): 0		
Recordable Accidents/Million Miles		0.00	OOS Vehicle (MCMIS): 0		
			Number of Vehicles Inspected (MCMIS): 3		





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Part B Violations

Your proposed safety rating is :

SATISFACTORY

Rating Factors		Acute	Critical
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Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.



**Part B Requirements and/or Recommendations**

1. This review will result in a Safety Rating.
2. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
3. Each motor carrier shall, at least once every 12 months, require each driver it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he/she has forfeited bond or collateral during the preceding 12 months. Each driver shall furnish the list required in accordance with paragraph (a) of this section. If the driver has not been convicted of, or forfeited bond or collateral on account of, any violation which must be listed he/she shall so certify.
4. In addition to the investigations required by paragraph (d) of this section, the prospective motor carrier employers must investigate the information listed below in this paragraph from all previous DOT regulated employers that employed the driver within the previous three years from the date of the employment application, in a safety-sensitive function that required alcohol and controlled substance testing specified by 49 CFR part 40. Whether, within the previous three years, the driver had violated the alcohol and controlled substances prohibitions under subpart B of part 382 of this chapter, or 49 CFR part 40
5. If you have any questions regarding this report, please contact the Federal Motor Carrier Safety Administration, located at 2297 Niels Bohr Ct, Suite 204, San Diego, CA; telephone number (619) 710-8404.
6. A copy of your carrier profile can be obtained for \$20 from the SAFER website (www.safersys.org) or by calling 800-832-5660 or 703 280-4001. You can also write: Computing Technologies Inc. P.O. Box 3248, Merrifield, VA 22116-3248. Profile cost if ordered by mail or phone is \$27.50.
7. Notice: Recurring violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) that result in three enforcement actions within a six year period will cause the maximum penalties allowed by law to be assessed for the third enforcement action.
8. Prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used, unless the employer uses the exception in paragraph (b) of this section. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.
9. Failure to complete the record of duty activities of this section or §395.15, failure to preserve a record of such duty activities, or making of false reports in connection with such duty activities shall make the driver and/or the carrier liable to prosecution.
10. The following documents are to be included in a DQ file for each regularly employed driver:
 1. Application for employment (§391.21),
 2. Motor vehicle record (MVR) from states (§391.23),
 3. Previous employer information (§391.23),*
 4. Road test form and certificate (§391.31(g)), or license or certificate accepted in lieu of road test (§391.33),
 5. Medical exam certificate, original or a copy (§391.43(g)),
 6. Any letter granting a waiver of a physical disqualification,
 7. Annual motor vehicle record (§391.25),
 8. Annual review of driving record (§391.25), and
 9. Annual list of violations (§391.27),



**Part B Requirements and/or Recommendations**

11. Notice: On October 1, 2005, the FMCSA published a final rule revising the hours of service regulations for commercial motor vehicle drivers. Under the new rule, driver may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day-period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. A short haul provision was also added allowing drivers of property carrying CMV's which do not require a Commercial Driver's License for operation and who operate within a 150 air mile radius of their normal work reporting location are not required to keep records of duty status (RODS).

Carriers and commercial motor vehicle drivers are required to comply with the current hours-of-service rules through September 30, 2005. Compliance with the "new" regulations is mandatory for carriers, except passenger-carrying operations, beginning on October 1, 2005. Passenger-carrying motor carriers and drivers are not subject to the new maximum driving limits. For more information on these regulations, please access the FMCSA website at <http://www.fmcsa.dot.gov/>

12. You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to:

FMCSA, Western Service Center
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

Ensure that a CC copy of the letter is mailed to:
Manuel Dames
FMCSA, California Division
1325 J Street Suite 1540
Sacramento, CA 95814





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Part C

Reason for Review: Other PASA CARRIER
Planned Action: Prosecution CA-2009-0047-US0963
Safestat Category: H

Parts Reviewed Certification:

325 382 383 387 390 391 392 393 395 396 397 398 399 171 172 173 177 178 180
Checkmarks under 382, 383, 387, 390, 391, 392, 393, 395, 396

Prior Reviews Prior Prosecutions

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

60-Day - no Interstate Passengers or Placardable HM

Corporate Contact: ROSAURA ELIZONDO PEREZ
Corporate Contact Title: VICE PRESIDENT

Special Study Information:

Remarks:

The CR was initiated because the carrier is a participant in the FMCSA Border Demonstration program. As its vehicles are GPS installed, potential violations of hours of service were discovered thru GPS. Involved in the compliance review were Juan Chavez and Aaron Celiceo.

Drivers and vehicles were selected according to the Electronic Field Operations Training Manual.

Servicios Refrigerados Internacionales SA DE CV; is a carrier who transports mainly fresh produce from central Mexico to Salinas, Watsonville and Los Angeles, CA and vice-versa. Carrier also transports raw materials for Nestle from California to Mexico. Carrier obtained its MX-440938 Authority on September 19, 2002. Carrier has its main office located at Calle Uno Norte # 117, Tijuana, BC; its other offices are located in Leon, Gto, Mexico, DF and Obregon, Son. Carrier has a total of 75 drivers but only 5 are used in the Border Demonstration Program the rest of the drivers are used only in Mexico. There was no evidence of the drivers and vehicles used in Mexico being used in the United States. Carrier has used 6 drivers for the Border Demonstration Program since he was approved. Carrier operates 75 truck tractors with a GVWR of more than 26,000 lbs; but only 5 are used for the Border Demonstration Program the rest are used in Mexico only. Company has a sister company located in San Diego, CA called SRI Trucking LLC USDOT 1614866 MC-596975. Carrier is run by family members where Guillermo Elizondo Ramirez is the President and Rosaura Elizondo Perez is the Vice-president, she is in charge of the whole operations and is assisted by other family members on different areas of the business. For instance her husband Ignacio Cordero Barron is in charge of the sister's company SRI Trucking LLC. Carrier provided gross revenue and mileage for fiscal year ending September 30, 2008. CR was initiated on 10/14/2008 and completed on 10/16/2008 and up loaded on 10/17/2008.

Carrier is currently enrolled with RMC Testing Solutions (619) 661-0572 for drug and alcohol testing. Carrier enrollment was verified by Cindy Cunningham. Carrier is part of a big pool with 2,027 participants. Random selection is done monthly. Carrier complied with 50.0% for drugs, and 10.0% for alcohol for calendar year 2007. Carrier used 1 driver before obtained the negative results for the pre-employment drug test. Enforcement will be initiated.

CDLIS was checked for the 6 Border Demonstration Program drivers used by carrier since they began operations in the Border Demonstration Program. Nothing outstanding appeared.

Carrier provided insurance policy # PCOC 013430 and MCS-90 from Commercial Alliance Insurance Company (713) 960-1214. Insurance was verified, no claims or accidents were reported on the last 365 days. Information was provided by





Part C

Carlos Ursua.

Five driver qualification files were reviewed: employment applications were incomplete, previous employer was missing and one file was missing the driver declaration of moving violations. Samples from the Educational Technical Assistance package were provided and explained in detail to the carrier.

One hundred and fifty records of duty status were checked. False records of duty status were encountered; the amount encounter did not reach the threshold to be considered for enforcement. Six months of supporting documents were provided for this review. No enforcement will be initiated. Since we explain in detail the potential violations of hours of service that were discovered through GPS to the carrier, they embrace it and assure us that extra steps would be implemented to avoid future instances like this. Carrier would deter future violations by evaluating trip mileage and comparing time frames for each trip conducted

Carrier has a systematic maintenance program which provides for each vehicle to receive the following every 18,000 miles: oil change, filter change, check oil levels on differential and power steering were necessary, brake adjustment or change if required, lubricated and grease as needed; there were sufficient inspections on carrier profile on the last 12 months to calculate the OOS.

During the closeout of the compliance review with Company Vice-president Rosaura Elizondo Perez; it was discussed the importance of being in compliance with the Federal Motor Carrier Safety Regulations.

Hiram Osuna a representative the SCT was present during the whole investigation.

Upload Authorized:	Yes	No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date:

