

UNITED STATES DEPARTMENT OF TRANSPORTATION



Legal: MARIA ISABEL MENDIVIL VELARDE
Operating (DBA):TRANSPORTES JULIAN VILLA

MC/MX #: 575502 **RFC #:** MEVI530901DB3 **Federal Tax ID:** **Application Tracking #:** 7979

Review Type: Safety Audit - Pre-Authority (OP1)

Scope: Entire Operation **Location of Review/Audit:** Company facility in another country **Territory:**

Operation Types Interstate Intrastate

Carrier: Non-HM N/A
Shipper: N/A N/A
Cargo Tank: N/A

Business: Individual
Gross Revenue: \$630,000.00 **for year ending:** 12/31/2006

Company Physical Address:

CALLE BANAMICHI S/N
 GUAYMAS, SO 85450 MEXICO LOMAS DE MIRAMAR

Contact Name: JULIAN VILLA
Phone numbers: (1) 622-221-1201 (2) 520-940-2831 **Fax** 622-221-1201
E-Mail Address: TRANSPORTESJULIANVILLA@HOTMAIL.COM

Company Mailing Address:

CALLE BANAMICHI S/N
 GUAYMAS, SO 85450 MEXICO LOMAS DE MIRAMAR

Process Agent Address:

513 W VALLE VERDE PLACE #4
 NOGALES, AZ 85621

Contact Name: ALICIA AYALA
Phone numbers: (1) 520-281-4662 (2) **Fax** 520-281-5121
E-Mail Address:

Carrier Classification

Authorized for Hire

Cargo Classification

General Freight Other: MAQUILA PRODUCTS

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:	0	0	Total Drivers: 2
>= 100 Miles:	2	0	CDL Drivers: 2

Equipment

Owned Term Leased Trip Leased

Truck 9 0 0

Power units used in the U.S.:9

Percentage of time used in the U.S.:20



TRANSPORTES JULIAN VILLA (MARIA ISABEL MENDIVIL VE dba)

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Review Date:

10/24/2007

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:

870 W. Shell Road, Suite A
Nogales (Investigations), AZ 85621
Phone: (520)761-4419 Fax:(520)761-3093

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed

Name: MARIA ISABEL MENDIVIL VELARDE

Title: OWNER

Name: JULIAN VILLA PERALTA

Title: GENERAL MANAGER



**Part B - Questions and Answers**

Question General # 1 - Section # 387.7(a) Acute **Answer**

Does the carrier have the required minimum level of financial responsibility in effect?

Yes

Comments

Question General # 2 - Section # 387.7(d) Critical **Answer**

Does the carrier have required proof of financial responsibility?

Yes

Comments

Question General # 3 - Section # 390.15(b)(1) **Answer**

Can the carrier provide a complete accident register of recordable accidents?

N/A

Comments

Question General # 4 - Section # 390.15(b)(2) Critical **Answer**

Does the carrier have copies of all accident reports required by States or other government entities or insurers?

N/A

Comments

Question General # 5 - Section # 390.3(e) **Answer**

Is the carrier knowledgeable of the FMCSRs/HMRs?

Yes

Comments

Question General # 6 - Section # 390.21 **Answer**

Does the carrier know the commercial motor vehicles marking requirements?

Yes

Comments

Question Driver # 1 - Section # 391.51(a) Critical **Answer**

Does the carrier maintain complete driver qualification files?

Yes

Comments

Question Driver # 2 - Section # 391.11(b)(4) Acute **Answer**

Is the carrier using physically qualified drivers?

Yes

Comments

Question Driver # 3 - Section # 391.45(a), 391.45(b) Critical **Answer**

Does available evidence indicate the motor carrier has used a driver without a medical certificate or with an expired medical certificate?

No

Comments

Question Driver # 4 - Section # 391.15(a) Acute **Answer**

Is the carrier using any disqualified drivers?

No

Comments



**Part B - Questions and Answers****Question** Driver # 5 - Section # 391.51(b)(2) Critical

Does the carrier maintain driving and employment history inquiry data in driver qualification files?

Answer

N/A

Comments**Question** Driver # 6 - Section # 382.115(a) Acute

Has the carrier implemented an alcohol and/or controlled substances testing program?

Answer

Yes

Comments**Question** Driver # 7 - Section # 382.213(b) Acute

Has the carrier used drivers who have used controlled substances?

Answer

No

Comments**Question** Driver # 8 - Section # 382.215 Acute

Has the carrier used a driver who has tested positive for a controlled substance?

Answer

No

Comments**Question** Driver # 9 - Section # 382.201 Acute

Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?

Answer

No

Comments**Question** Driver # 10 - Section # 382.505(a) Acute

Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?

Answer

No

Comments**Question** Driver # 11 - Section # 382.301(a) Critical

Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?

Answer

Yes

Comments**Question** Driver # 12 - Section # 382.303(a) Critical

Has the carrier conducted post accident testing on drivers for alcohol and/or controlled substances?

Answer

N/A

Comments**Question** Driver # 13 - Section # 382.305 Acute

Has the carrier implemented random testing program?

Answer

Yes

Comments**Question** Driver # 14 - Section # 382.305(b)(1) Critical

Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions?

Answer

Yes

Comments



Part B - Questions and Answers

Question Driver # 15 - Section # 382.305(b)(2) Critical
Has the carrier conducted controlled substance testing at an annual rate of not less than the applicable annual rate of the average number of driver positions?
Answer
Yes
Comments

Question Driver # 16 - Section # 40.305(a)
Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?
Answer
N/A
Comments

Question Driver # 17 - Section # 40.309(a)
Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?
Answer
N/A
Comments

Question Driver # 18 - Section # 382.211 Acute
Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?
Answer
No
Comments

Question Driver # 19 - Section # 382.503 Critical
Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?
Answer
N/A
Comments

Question Driver # 20 - Section # 383.23(a) Critical
Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?
Answer
No
Comments

Question Driver # 21 - Section # 383.37(a) Acute
Has the motor carrier allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?
Answer
No
Comments

Question Driver # 22 - Section # 383.51(a) Acute
Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?
Answer
No
Comments

Question Operation #1 - Section # 395.8(a) Critical
Does the carrier require drivers to make a record of duty status?
Answer
Yes
Comments



**Part B - Questions and Answers**

Question Operation #2 - Section # 395.8(i) Critical
Does the carrier require drivers to submit records of duty status within 13 days?

Answer

Yes

Comments

Question Operation #3 - Section # 395.8(k)(1) Critical
Can the carrier produce records of duty status and supporting documents for selected drivers?

Answer

Yes

Comments

Question Operation #4 - Section # 395.3(a)(1) Critical
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)

Answer

No

Comments

Question Operation #5 - Section # 395.3(a)(2) Critical
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)

Answer

Yes

Comments

On September 18, 2007 driver transported general freight from Guaymas, Sonora, Mexico into the commercial zone in Nogales, Arizona. Carrier was found to be driving in violation of the 14 hours.

Question Operation #6 - Section # 395.3(b)(1) Critical
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)

Answer

N/A

Comments

Question Operation #7 - Section # 395.3(b)(2) Critical
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)

Answer

No

Comments

Question Operation #8 - Section # 395.5(a)(1) Critical
Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)

Answer

N/A

Comments

Question Operation #9 - Section # 395.5(a)(2) Critical
Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)

Answer

N/A

Comments

Question Operation #10 - Section # 395.5(b)(1) Critical
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)

Answer

N/A

Comments

Question Operation #11 - Section # 395.5(b)(2) Critical
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)

Answer

N/A

Comments



Part B - Questions and Answers

Question Operation #12 - Section # 395.8(e) Critical

Does available evidence indicate a selected driver has prepared a false record of duty status?

Answer

No

Comments

Question Operation #13 - Section #

Does the carrier adhere to a disciplinary policy for noncompliance with Part 395?

Answer

Yes

Comments

Question Operation #14 - Section # 395.1(e)

Does the carrier have a system for recording hours of duty status on 100- mile radius drivers, and are they properly utilizing the 100 air-mile radius exemption?

Answer

N/A

Comments

Question Operation #15 - Section # 392.2 Critical

Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?

Answer

Yes

Comments

Question Operation #16 - Section # 392.9(a)(1) Critical

Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?

Answer

Yes

Comments

Question Operation #17 - Section # 392.4(b) Acute

Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?

Answer

No

Comments

Question Operation #18 - Section # 392.5(b)(1) Acute

Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?

Answer

No

Comments

Question Operation #19 - Section # 392.5(b)(2) Acute

Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?

Answer

No

Comments

Question Maintenance # 1 - Section # 396.3(b) Critical

Can the carrier produce maintenance files for requested vehicle(s)?

Answer

Yes

Comments





Part B - Questions and Answers

Question Maintenance # 2 - Section # 396.17(a) Critical

Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?

Comments

Answer

Yes

Question Maintenance # 3 - Section # 396.11(a) Critical

Does the motor carrier require drivers to complete vehicle inspection reports daily?

Comments

Answer

Yes

Question Maintenance # 4 - Section # 396.11(c) Acute

Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?

Comments

Answer

Yes

Question Maintenance # 5 - Section # 396.9(c)(2) Acute

Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?

Comments

Answer

Yes

Question Maintenance # 6 - Section # 396.19

Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?

Comments

Answer

Yes

Question Maintenance # 7 - Section # 396.3

Can the carrier explain its systematic, periodic maintenance program?

Comments

Answer

Yes

Question Other # 1 - Section # 375.211

Does the carrier participate in an Arbitration Program?

Comments

Answer

N/A

Question Other # 2 - Section # 13702

Does the carrier assess shipper freight charges based upon published tariffs?

Comments

Answer

N/A

Question Other # 3 - Section # 375.401(c)

Does the carrier provide reasonably accurate estimates of moving charges?

Comments

Answer

N/A

Question Other # 4 - Section # 375.407(a), 375.703(b)

Has the carrier avoided "hostage freight" or other predatory practices?

Comments

Answer

N/A





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10/24/2007

Part B - Questions and Answers

Question Other # 5 - Section # 387.301(a), 387.301(b)

Does the HHG carrier have sufficient levels of public liability and cargo insurance?

Answer

N/A

Question Other # 6 - Section # 13901

Is the motor carrier authorized to conduct interstate operations in the United States?

Answer

Yes

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.



**Part B Requirements and/or Recommendations**

1. Una copia de nuestro archivo sobre su empresa puede ser obtenido por US\$20.00 en la siguiente página de internet (www.safersys.org) o por teléfono llamando al 1-800-832-5660 o 703-280-4001. Puede, además, solicitarlo por escrito a:

Computing Technologies, Inc
P O Box 3248
Merrifield, VA 22116-3248.
El costo del documento si es ordenado por teléfono o correo es de \$27.50 dólares.
2. Copias de las regulaciones, formas, interpretaciones y manuales están disponibles en varias fuentes. Ud. puede visitar nuestra pagina de internet para obtener una lista actual de proveedores.
www.fmcsa.dot.gov/factsfigs/eta/forms.html
3. Contramedidas de Accidentes es un grupo de estrategias defensivas designadas para reducir accidentes prevenibles. Estas estrategias y formas son necesarias, para aplicarlas pueden ser encontradas en la página de: FMCSA (Administración Federal de Seguridad de Auto transporte).
www.fmcsa.dot.gov/factsfigs/eta/counter.html.
4. Asegure que los registros de asignaciones de trabajo de todos los conductores sean correctos. Verifique estos contra la evidencia existente para verificar su exactitud. Prohiba falsificaciones en las bitacoras de los operadores. Revise las reglas de los documentos de soporte. Tome acciones apropiadas contra los conductores que falsifiquen el plan diario.
5. Copias de los reglamentos, formas, interpretaciones y manuales están disponibles en varias fuentes. Ud. puede visitar nuestra pagina de internet para obtener una lista actual de proveedores.
www.fmcsa.dot.gov/factsfigs/eta/forms.html
6. Si Ud. tiene alguna preguntas referente a este reporte, por favor llame al Federal Motor Carrier Safety Administration (Administración Federal de Seguridad de Auto transporte) con el Sr. Marco Astorga, Supervisor Fronterizo de Investigadores o con el Sr. Jose Rivas, Auditor de Seguridad, llamando al telefono (520) 761-4419.
7. Establezca un sistema para controlar las horas de servicio de operadores de mercancia que no sea pasajeros. No despache conductores que no tengan las horas disponibles para completar viajes asignados legalmente. No permita que los conductores excedan 11, 14 y 60/70 horas límite.
8. Los nuevos y conductores eventuales deben proveer una declaración firmada mostrando el total del tiempo trabajado los utlimos 7 días antes de cualquier viaje. Estas informaciones deben mantenerse en archivo por 6 meses.
9. Asegúrese que el oficial de Revisión Medica utilizado en su programa de examen de droga tenga conocimiento que los resultados y reportes llenen los requisitos del Código 49 de Regulaciones Federales 40.33.
10. Todos los empleados del Departamento de Transporte deben someterse a los siguientes exámenes de drogas: marihuana, cocaína, opios, anfetaminas u fenciclidinas (PCP).
11. Asegurese que todos los conductores sujeto a PRE-empleo, causa razonable, seleccionados al azar, después de un accidente, retorno al trabajo y /o seguimiento de control de sustancias son tomados como es requerido por el reglamento P. 382 de el FMCSR (Reglamento de la Administración Federal para la Seguridad en el Autotransporte).
12. Un documento completo de Asistencia Técnica y Educacional titulado "Guía de el Auto transportista para mejorar la seguridad en la autopista," es disponible gratis en la página FMCSA (Administración Federal para la Seguridad en el Autotransporte) para asistirlo a Ud. con el cumplimiento de los reglamentos de seguridad. La guía contiene muchas





Part B Requirements and/or Recommendations

formas y documentos útiles para mejorar la seguridad de sus operaciones, visite nuestra pagina:
www.fmcsa.dot.gov/factsfiqs/eta/index.html.

13. La Administración Federal para la Seguridad en el Autotransporte tiene una versión en español en la siguiente página del Internet: www.fmcsa.dot.gov/spanish.
14. Asegure que todos los vehículos sean reparados y sujetos a mantenimiento mecanico periódicamente. Establezca un archivo para cada vehículo, anotando todas las inspecciones y mantenimientos realizados. Considere mantener todos los registros de cada unidad individualmente en su propio folder.
15. Asegúrese que todos los registros de evidencia de viajes (tales como peaje, combustible, reparación y otros recibos de gastos como facturas, cobros registros de despacho, etc.) sean mantenidos en archivo por un periodo minimo de 6 meses.
16. Los recibos de peaje y otros recibos de gastos en el camino, facturas, conocimientos de embarque, despacho de documentos y otros "documentos de apoyo" tienen que ser archivados por un periodo no menor a seis (6) meses. Este requisito también aplica a los documentos generados por el uso del dueño-operador. Puede guardar fotocopias legibles en lugar de las originales.
17. Contrate únicamente laboratorios certificados por el Departamento de Salud Mental y abusos de Substancias para los análisis de muestra de orina. Para una lista de los laboratorios visite nuestra página de internet: www.drugfreeworkplace.gov o llame al (301) 443-6014.
18. Asegurese que todos los conductores esten sujetos a exámenes antidoping de PRE-empleo, sospecha razonable, seleccionados al azar, después de un accidente, retorno al trabajo y/o seguimiento de control de sustancias sujetos al reglamento P. 382 de los FMCSRs (Reglamentos de la Administración Federal para la Seguridad en el Autotransporte).
19. Asegure que los registros de asignaciones de trabajo de todos los conductores sean correctos, verifique estos contra la evidencia existente para verificar su exactitud. Prohiba falsificaciones en las bitacoras de los operadores. Revise las reglas de los documentos de soporte. Tome acciones apropiadas contra los conductores que falsifiquen el plan diario.
20. En caso de resultar positivo en algun examen antidoping/alcohol, asegúrese que el oficial de Revisión Medica utilizado en su programa de examen de droga tenga conocimiento que los resultados y reportes llenen los requisitos del Código 49 de Regulaciones Federales 40.33.
21. Los nuevos y conductores eventuales deben proveer una declaración firmada mostrando el total del tiempo trabajado los ultimos 7 días antes de cualquier viaje. Esta informacion debe mantenerse en archivo por un minimo periodo de 6 meses.

