

**UNITED STATES DEPARTMENT OF TRANSPORTATION**



**Legal:** TRINITY INDUSTRIES DE MEXICO S DE R L DE CV  
**Operating (DBA):**

**MC/MX #:** 468284      **RFC #:** TIM9112096J4      **Federal Tax ID:**      **Application Tracking #:** 7434

**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:** Corporation  
**Gross Revenue:** \$1,715,812.00      **for year ending:** 12/31/2006

**Company Physical Address:**

CALZADA DE LAS MARISOLES LOTE 1  
 HUEHUETOCA, MX 54680 MEXICO

**Contact Name:**

**Phone numbers:** (1) (593) 918-026      (2)      **Fax**

**E-Mail Address:**

**Company Mailing Address:**

3490 HIGHWAY 277 NORTH  
 EAGLE PASS, TX 78852

**Process Agent Address:**

3490 HIGHWAY 277 NORTH  
 EAGLE PASS, TX 78852

**Contact Name:** Ruben Lara

**Phone numbers:** (1) (830) 773 091      (2)      **Fax**

**E-Mail Address:**

**Carrier Classification**

Private Property      Private Property

**Cargo Classification**

General Freight      Metal: Sheets, Coils, Rolls      General Freight  
 Metal: Sheets, Coils, Rolls

**Equipment**

**Owned    Term Leased    Trip Leased**

**Owned    Term Leased    Trip Leased**

Truck Tractor	16	0	0	Truck Tractor	16	0	0
Trailer	9	0	0	Trailer	9	0	0

Power units used in the U.S.: 16

Percentage of time used in the U.S.: 100

**Does carrier transport placardable quantities of HM?**    No

**Is an HM Permit required?**      N/A

**Driver Information**

	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0
< 100 Miles:	0	0	<b>Total Drivers:</b> 14
>= 100 Miles:	14	0	<b>CDL Drivers:</b> 14





TRINITY INDUSTRIES DE MEXICO S DE R L DE CV

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Review Date:

09/13/2007

**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:

P.O. Box 45069C  
Laredo, TX 78045-0016  
Phone: (956)729-1063 Fax:(956)729-0948

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

**Person(s) Interviewed**

**Name:** Francisco Laget Mera

**Title:** General Manager

**Name:** Ruben Lara

**Title:** Export Manager



**Part B - Questions and Answers****Question General # 1 - Section # 387.7(a) Acute**

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

**Answer**

Yes

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

Does the carrier have required proof of financial responsibility?

**Answer**

Yes

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

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

**Answer**

N/A

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

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

**Answer**

N/A

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

Is the carrier knowledgeable of the FMCSRs/HMRs?

**Answer**

Yes

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

Does the carrier know the commercial motor vehicles marking requirements?

**Answer**

Yes

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

Does the carrier maintain complete driver qualification files?

**Answer**

Yes

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

Is the carrier using physically qualified drivers?

**Answer**

Yes

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

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

**Answer**

No

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

Is the carrier using any disqualified drivers?

**Answer**

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**

Yes

**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**

N/A

**Comments**

**Part B - Questions and Answers**

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

**Comments**

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

**Comments**

**Question** Operation #4 - Section # 395.3(a)(1) Critical **Answer**  
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property) No

**Comments**

**Question** Operation #5 - Section # 395.3(a)(2) Critical **Answer**  
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property) No

**Comments**

**Question** Operation #6 - Section # 395.3(b)(1) Critical **Answer**  
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property) No

**Comments**

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

**Comments**

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

**Comments**

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

**Comments**

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

**Comments**

**Question** Operation #11 - Section # 395.5(b)(2) Critical **Answer**  
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger) 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**  
 Yes  
**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 **Answer**  
 Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles? Yes  
**Comments**

**Question** Maintenance # 3 - Section # 396.11(a) Critical **Answer**  
 Does the motor carrier require drivers to complete vehicle inspection reports daily? No  
**Comments**  
 Carrier does not require drivers to complete daily vehicle inspection  
 Driver Name:  
 Trip Date: 08/29/07  
 VIN #: 1FU YDCXB7YPA51090

**Question** Maintenance # 4 - Section # 396.11(c) Acute **Answer**  
 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? N/A  
**Comments**

**Question** Maintenance # 5 - Section # 396.9(c)(2) Acute **Answer**  
 Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made? Yes  
**Comments**

**Question** Maintenance # 6 - Section # 396.19 **Answer**  
 Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications? Yes  
**Comments**

**Question** Maintenance # 7 - Section # 396.3 **Answer**  
 Can the carrier explain its systematic, periodic maintenance program? Yes  
**Comments**

**Question** Other # 1 - Section # 375.211 **Answer**  
 Does the carrier participate in an Arbitration Program? N/A  
**Comments**

**Question** Other # 2 - Section # 13702 **Answer**  
 Does the carrier assess shipper freight charges based upon published tariffs? N/A  
**Comments**

**Question** Other # 3 - Section # 375.401(c) **Answer**  
 Does the carrier provide reasonably accurate estimates of moving charges? N/A  
**Comments**

**Question** Other # 4 - Section # 375.407(a), 375.703(b) **Answer**  
 Has the carrier avoided "hostage freight" or other predatory practices? N/A  
**Comments**





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**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

**Comments**

**Question** Other # 6 - Section # 13901

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

**Answer**

Yes

**Comments**

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 el portafolio de su documento del Auto transportista puede ser obtenida por \$ 20.00 dólares en la siguiente página de seguridad de el Internet ([www.safersys.org](http://www.safersys.org)) o por teléfono llamando al 1-800-832-5660 o 703-280-4001. Ud. también puede escribir 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. Mantener en archivo una copia completa y actualizada de su forma de responsabilidad de endoso financiero MCS-90 (Administración Federal de Seguridad-90).
3. La Administración Federal de Seguridad de Auto transportista tiene una versión en Español en la siguiente página del Internet:  
[www.fmcsa.dot.gov/spanish](http://www.fmcsa.dot.gov/spanish)





Part B

Your Proposed Safety Audit Result is: **PASS**

Explanation of Scoring Methodology

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	0	0	-	0	PASS
2. Driver	0	0	-	0	PASS
3. Operations	0	0	-	0	PASS
4. Maintenance	1	0	PASS - 4.9%	1	PASS
5. Hazardous Materials	-	-	-	-	-
6. Accidents	-	-	PASS - 0.00	-	PASS
<b>SUM</b>	<b>1</b>	<b>0</b>		<b>1</b>	<b>PASS</b>

Result: Carrier has adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE SA IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked &quot;FAILED&quot;.

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is &quot;FAILED&quot; if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more &quot;FAILED&quot; factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.

