

UNITED STATES DEPARTMENT OF TRANSPORTATION

	US DOT # 2208377X	Legal: TRANSPORTES DEL VALLE DE GUADALUPE SA DE CV Operating (DBA):						
	MC/MX #: 785563		RFC #: TVG0702131N9		Federal Tax ID:			
Review Type: Compliance Review (CR)								
Scope: Principal Office		Location of Review/Audit: Company facility in another country			Territory: E			
Operation Types Interstate Intrastate								
Carrier: Non-HM N/A		Business: Corporation						
Shipper: N/A N/A		Gross Revenue: \$25,400.00			for year ending: 2/27/2013			
Cargo Tank: N/A								
Company Physical Address:								
JOSEFA ORTIZ DE DOMINGUEZ # 1341-8 TIJUANA, BN 22010 MEXICO								
Contact Name: Jose Alejandro Torres Osario								
Phone numbers: (1) 664- 628-0275		(2)		Fax				
E-Mail Address: cato58prodigy.net.mx								
Company Mailing Address:								
482 W SAN YSIDRO BLVD STE 2170 SAN YSIDRO, CA 92173								
Carrier Classification								
Authorized for Hire								
Cargo Classification								
General Freight			Other: Rock, gravel, pebble					
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: 1				
>= 100 Miles:		1		CDL Drivers: 1				
Equipment								
		Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck Tractor		1	0	0	Trailer	3	0	0
Power units used in the U.S.: 1								
Percentage of time used in the U.S.: 99								





TRANSPORTES DEL VALLE DE GUADALUPE SA DE CV

U.S. DOT #: 2208377X

RFC #: TVG0702131N9

Review Date:

02/28/2013

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: Jose Alejandro Torres Osorio

Title: President

Name:

Title:





Part B Violations

1 FEDERAL	Primary: 40.47(a) Secondary: 382.105	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
--------------	---	-----------------	--------------	---------------------------------------	--------------

Description

Using a DOT custody and control form to perform non-DOT test.

Example

Employee name

Trip date, 02/01/2013

Unauthorized test description tested as other, as a Renewal test, date 11/23/2012

2 FEDERAL	Primary: 382.401(c)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 0	Checked 0
--------------	------------------------	-----------------	--------------	---------------------------------------	--------------

Description

Failing to maintain semi-annual laboratory statistical summaries of urinalysis required by 40.29(g)(6).

Example

Driver name

Months of summary. Jan - Jun 2012 and Jul - Dec 2012.

3 FEDERAL	Primary: 382.403(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
--------------	---------------------	-----------------	--------------	---------------------------------------	--------------

Description

Failing to prepare an annual calendar year summary.

Example

Trip date, 02/01/2012

Information not prepared. MIS report.

4 FEDERAL	Primary: 396.3(b)(1)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
--------------	----------------------	-----------------	--------------	---------------------------------------	--------------

Description

Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size.

Example

Company number CA-9E30178 fail to keep a maintenance record which identifies the tire size.

Safety Fitness Rating Information:		OOS Vehicle (CR): 0	
Total Miles Operated	37,600	Number of Vehicle Inspected (CR):	0
Recordable Accidents	0	OOS Vehicle (MCMIS):	0
Recordable Accidents/Million Miles	0.00	Number of Vehicles Inspected (MCMIS):	3

Your proposed safety rating is : SATISFACTORY	Rating Factors			Acute	Critical
	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.





Safety Fitness Rating Explanation

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1	General (CFR Parts 387, 390)	√ 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	√ 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 3	Operational/Driving (CFR Parts 392, 395)	√ 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 = SATISFACTORY		

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	Out-of-Service (OOS) Percentage: 0.0
VIOLATIONS AFFECTING RATING	POINTS	
NONE	-----	
TOTAL POINTS: 0 & 0.0% OOS = SATISFACTORY (see chart)		

Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	√ Satisfactory	Conditional
	Conditional	Unsatisfactory
	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation

FACTOR 5	Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)
Not Applicable - Not a carrier of Hazardous Material	
NONE	

FACTOR 6	Accident (Recordable Accident Rate)
$((\text{Recordable Accidents}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$ $(0 \times 1,000,000) \div 37,600 = 0 = \text{SATISFACTORY}$	
ACCIDENT RATE	FACTOR RATING
√ 0.000 - 1.500	= Satisfactory
>1.500	= Unsatisfactory

OVERALL SAFETY FITNESS RATING		
Number of Factors (1-6) shown above as less than satisfactory		
Unsatisfactory	Conditional	
0	0	= SATISFACTORY





Safety Fitness Rating Explanation

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

	Unsatisfactory	Conditional	OVERALL RATING
√	0	2 or fewer	Satisfactory
	0	3 or more	Conditional
	1	2 or fewer	Conditional
	1	3 or more	Unsatisfactory
	2	0 or more	Unsatisfactory



**Part B Requirements and/or Recommendations**

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
2. A copy of your carrier profile can be obtained for \$20 from the SAFER website (<http://safer.fmcsa.dot.gov>) 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.
3. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
4. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
For questions about licensing, authority or MC numbers: 202-366-9805
For questions about insurance: 202-385-2423
For household goods complaints: 888-DOT-SAFT (888-368-7238)
5. For all Investigations:
 - Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
 - This review will result in a Safety Rating.
 - Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
 - NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period. 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.
 - NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.
The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>
 - All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official.





TRANSPORTES DEL VALLE DE GUADALUPE SA DE CV

U.S. DOT #: 2208377X

RFC #: TVG0702131N9

Review Date:

02/28/2013

Part B Requirements and/or Recommendations

Motor carriers should visit the following website for more information:

<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

For all Investigations that could result in a Notice of Claim:

- PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

Attached to this report is Table 1, which identifies all the documented violations which were discovered during the course of this review.

For all Investigations resulting in serious violations:

Serious violations were recorded on this investigation report. These violations will impact your safety record.

Furthermore, these violations may result in a follow-up investigation at a later date unless adequate evidence of corrective action is forwarded to our office:

Division Administrator/State Director

1325 J Street Suite 1540

Sacramento, CA. 95814

For all Investigations where the carrier has been involved in 2 or more recordable crashes:

The Division Administrator/State Director will continue to consider preventability when a motor carrier contests a proposed safety fitness rating. The motor carrier may deem that the recordable accident rate is not a fair means of evaluating its accident factor (Factor 6) on the CR report. If so, the motor carrier must submit the compelling evidence within seven calendar days if the proposed rating is Unsatisfactory and 10 calendar days if the proposed rating is Conditional to:

Division Administrator/State Director

1325 J Street Suite 1540

Sacramento, CA. 95814

Compelling evidence must be limited to official police accident reports and official insurance accident investigation reports.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer

Federal Motor Carrier Safety Administration

1200 New Jersey Avenue SE,

Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

Field Administrator

Federal Motor Carrier Safety Administration



**Part B Requirements and/or Recommendations**

12600 W.Colfax Ave. Suite B-300
Lakewood, CO 80215

Ensure that a CC copy of the letter is mailed to:

Division Administrator/State Director
1325 J Street Suite 1540
Sacramento, CA. 95814

This letter should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be submitted prior to the effective date of your Unsatisfactory or Conditional Rating.

For all Investigations resulting in a proposed unsatisfactory rating:

- **Passenger & Placardable HM Carriers:** This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an unsatisfactory level of safety compliance. A written notice of proposed unsatisfactory rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 45 days of the date that notice is sent, the unsatisfactory rating will become final and you must cease interstate operations.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

- **All Other Motor Carriers:** This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an unsatisfactory level of safety compliance. A written notice of proposed unsatisfactory rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 60 days of the date that notice is sent, the unsatisfactory rating will become final and you must cease interstate operations.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

For all Investigations that did not result in a Cooperative Safety Plan:

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:

Division Administrator/State Director
1325 J Street Suite 1540
Sacramento, CA. 95814

- 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/>.





TRANSPORTES DEL VALLE DE GUADALUPE SA DE CV

U.S. DOT #: 2208377X

RFC #: TVG0702131N9

Review Date:

02/28/2013

Part B Requirements and/or Recommendations

6. Laboratory must transmit aggregate statistical summary on semi-annual basis
7. Maintain all required alcohol and controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR .
8. For vehicles controlled for 30 consecutive days or more, the motor carriers shall maintain, or cause to be maintained, the following record for each vehicle.

An identification of the vehicle including company number, if so marked, make, serial number, year, and tire size. In addition, if the motor vehicle is not owned by the motor carrier, the record shall identify the name of the person furnishing the vehicle;

9. You are prohibited from using the CCF for non-Federal urine collections. You are also prohibited from using non-Federal forms for DOT urine collections. Doing either subjects you to enforcement action under DOT agency regulations.
In the rare case where the collector, either by mistake or as the only means to conduct a test under difficult circumstances (e.g., post-accident or reasonable suspicion test with insufficient time to obtain the CCF), uses a non-Federal form for a DOT collection, the use of a non-Federal form does not present a reason for the laboratory to reject the specimen for testing or for an MRO to cancel the result.

