

UNITED STATES DEPARTMENT OF TRANSPORTATION



Legal: MOISES ALVAREZ PEREZ
Operating (DBA): DISTRIBUIDORA MARINA EL PESCADOR

MC/MX #: 313931 **RFC #:** AAPM5508271H4 **Federal Tax ID:** **Application Tracking #:** 10970

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: \$85,000.00 **for year ending:** 12/31/2010

Company Physical Address:

CALLE 6TA #2224
 TIJUANA, BN 22000 MEXICO

Contact Name: Moises Alvarez Perez
Phone numbers: (1) 664- 973-2187 (2) 619-791-9109 **Fax** 664-215-4119
E-Mail Address: COMERPESCA@HOTMAIL.COM

Company Mailing Address:

1311 EAST VAQUERO CT
 CHULA VISTA, CA 91910

Process Agent Address:

9765 MARCONI DR STE 105
 San Diego, CA 92154

Contact Name: ROSARIO I TORRES
Phone numbers: (1) 619-726-6958 (2) 619-710-0451 **Fax**
E-Mail Address:

Carrier Classification

Private Property

Cargo Classification

Refrigerated Foods

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
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Truck	1	0	0	:			
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Power units used in the U.S.: 1
 Percentage of time used in the U.S.: 10





DISTRIBUIDORA MARINA EL PESCADOR (MOISES ALVAREZ P dba)

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10/05/2011

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 SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed

Name: Moises Alvarez Perez

Title: Owner

Name:

Title:





DISTRIBUIDORA MARINA EL PESCADOR (MOISES ALVAREZ P dba)

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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





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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





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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

N/A

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





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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? Yes

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? Yes

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? No
(Property)

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? N/A
(Property)

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? N/A
(Passenger)

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? N/A
(Passenger)

Comments





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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





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Part B - Questions and Answers

<p>Question Maintenance # 2 - Section # 396.17(a) Critical Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?</p> <p>Comments</p>	<p>Answer Yes</p>
<p>Question Maintenance # 3 - Section # 396.11(a) Critical Does the motor carrier require drivers to complete vehicle inspection reports daily?</p> <p>Comments</p>	<p>Answer N/A</p>
<p>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?</p> <p>Comments</p>	<p>Answer N/A</p>
<p>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?</p> <p>Comments</p>	<p>Answer Yes</p>
<p>Question Maintenance # 6 - Section # 396.19 Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?</p> <p>Comments</p>	<p>Answer Yes</p>
<p>Question Maintenance # 7 - Section # 396.3 Can the carrier explain its systematic, periodic maintenance program?</p> <p>Comments</p>	<p>Answer Yes</p>
<p>Question Other # 1 - Section # 375.211 Does the carrier participate in an Arbitration Program?</p> <p>Comments</p>	<p>Answer N/A</p>
<p>Question Other # 2 - Section # 13702 Does the carrier assess shipper freight charges based upon published tariffs?</p> <p>Comments</p>	<p>Answer N/A</p>
<p>Question Other # 3 - Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges?</p> <p>Comments</p>	<p>Answer N/A</p>
<p>Question Other # 4 - Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices?</p> <p>Comments</p>	<p>Answer N/A</p>





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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.





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Part B Requirements and/or Recommendations

1. 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.
2. The Federal Motor Carrier Safety Administration has a Spanish language version of its website at: www.fmcsa.dot.gov/spanish/.
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. The DataQs system is an electronic means for filing concerns about Federal and State data released to the public by the Federal Motor Carrier Safety Administration (FMCSA). Through this system, data concerns are automatically forwarded to the appropriate office for resolution. The system also allows filers to monitor the status of each filing.
Check and update records
 1. Motor Carrier Census (Form MCS -150)
 2. Routinely monitor and review inspection and crash data
 3. Question potentially incorrect data (DataQs: <https://dataqs.fmcsa.dot.gov>)



UNITED STATES DEPARTMENT OF TRANSPORTATION



Legal: MOISES ALVAREZ PEREZ
Operating (DBA): DISTRIBUIDORA MARINA EL PESCADOR

MC/MX #: 313931 **RFC #:** AAPM5508271H4 **Federal Tax ID:** **Application Tracking #:** 10970

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

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: \$85,000.00 **for year ending:** 12/31/2010

Company Physical Address:

CALLE 6TA #2224
 TIJUANA, BN 22000 MEXICO

Contact Name: Moises Alvarez Perez
Phone numbers: (1) 664- 973-2187 (2) 619-791-9109 **Fax** 664-215-4119
E-Mail Address: COMERPESCA@HOTMAIL.COM

Company Mailing Address:

1311 EAST VAQUERO CT
 CHULA VISTA, CA 91910

Report Summary

Report	# of Pages
Part A - General	2
Part B - Questions & Answers	7
Part B - Recommendations	1
Review/Audit Receipt Page	1
Total Pages	11

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

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 SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed

Name: Moises Alvarez Perez **Title:** Owner
Name: **Title:**

Reported By: **Title:** **Code:** US1216 **Date:** 10/5/2011

Received By: **Title:**



DRIVER/VEHICLE EXAMINATION REPORT

Aspen 2.13.2.4



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
OTAY MESA DIVISION FIELD OFFICE
2297 NIELS BOHR COURT SUITE 204
SAN DIEGO, CALIFORNIA USA 92154

Report Number: US1414120414
Inspection Date: 10/04/2011
Start: 11:07:00 AM PT End: 11:44:22 AM PT
Inspection Level: I - Full
HM Inspection Type: None

MOISES ALVAREZ PEREZ
CALLE 6TA #2224
TIJUANA, BN 22000
USDOT#: 00677516
MC/MX#: 313931
State#:
Phone#: (664)973-2187
Fax#:

Driver: b6, b7c
License#: b6, b7c
Date of Birth: b6, b7c
CoDriver:
License#:
Date of Birth:
State: MX
State:

Location: CHP INSP FACILITY, OTAY MESA
Highway: US 905
County: SAN DIEGO, CA
MilePost:
Origin: TIJUANA, BC, MX
Destination: SAN DIEGO, CA, US
Shipper: NOT APPLICABLE
Bill of Lading: NONE
Cargo: EMPTY

VEHICLE IDENTIFICATION

Table with columns: Unit, Type, Make, Year, State, Plate #, Equipment ID, VIN, GVWR, CVSA #, CVSA Issued #, OOS Sticker. Row 1: 1, TR, INTL, 2002, CA, 7W43249, UNIT CP-01, 3HTMMAAR22N514843, 35,000, 13989497, 16012326

BRAKE ADJUSTMENTS

Table with columns: Axle #, Right, Left, Chamber. Row 1: 1, 1 1/8, 1, C-20. Row 2: 2, 1 3/8, 1 3/8, C-30

VIOLATIONS

Table with columns: Section, Type, Unit, OOS, Citation #, Verify, Crash, Violations Discovered. Rows include citations 393.9(a), 393.11, 393.95(b), and 396.9(d)(2) with descriptions of violations like 'Inoperable required lamps' and 'No spare fuses as required'.

HazMat: No HM Transported. Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X: Facility: Date:

NOTE TO DRIVER: This report must be furnished to the motor carrier whose name appears at the top of this report. [49 CFR 396.9(d)(1)]

NOTE TO MOTOR CARRIERS: Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9(d)(3), within 15 days of the inspection sign below certifying all violations noted on this report have been corrected. Return the completed form to the address indicated on the upper left corner of the form. AND retain a copy at the principal place of business or where the vehicle is housed for 12 months from the date of the inspection. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

Signature Of Motor Carrier X: Title: Date:

Report Prepared By: RAYVA SORRELLS

Badge #: US1414

Copy Received By:

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