

**UNITED STATES DEPARTMENT OF TRANSPORTATION**



**Legal:** ALVAREZ MOISESQ  
**Operating (DBA):** DISTRIBUIDORA MARINA EL PESCADOR

**MC/MX #:** 313931    **RFC #:** AAPM5508271H4    **Federal Tax ID:**    **Application Tracking #:** 6820

**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:** \$18,000.00    **for year ending:** 12/31/2006

**Company Physical Address:**

CALLE 6TA # 8724  
 TIJUANA, BN 22000 MEXICO ZONA CENTRO

**Contact Name:**

**Phone numbers:** (1) 664- 973-2187    (2) 619 571 0145    **Fax** 664-973 2187  
**E-Mail Address:**

**Company Mailing Address:**

1311 EAST VAQUERO  
 CHULA VISTA, CA 91910

**Process Agent Address:**

1311 EAST VAQUERO  
 CHULA VISTA, CA 91910

**Contact Name:**

ELIZABETH ALVAREZ  
**Phone numbers:** (1) 619 571 0237    (2)    **Fax**  
**E-Mail Address:**

**Carrier Classification**

Authorized for Hire    Private Property

**Cargo Classification**

General Freight    Other: Frozen Sea Food

**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
<b>&lt; 100 Miles:</b>			<b>Total Drivers:</b> 1
<b>&gt;= 100 Miles:</b>	1		<b>CDL Drivers:</b> 1

**Equipment**

**Owned    Term Leased    Trip Leased**

Truck    1    0    0

Power units used in the U.S.: 1

Percentage of time used in the U.S.: 10





DISTRIBUIDORA MARINA EL PESCADOR (ALVAREZ MOISESQ dba)

Application Tracking #: 6820

RFC #: AAPM5508271H4

Review Date:

08/21/2007

### 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

**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. 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/factsfigs/eta/forms.html](http://www.fmcsa.dot.gov/factsfigs/eta/forms.html).
2. A copy of your carrier profile can be obtained for \$20 from the SAFER website ([www.safersys.org](http://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.
3. The Federal Motor Carrier Safety Administration has a Spanish language version of its website at: [www.fmcsa.dot.gov/spanish/](http://www.fmcsa.dot.gov/spanish/).
4. 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](http://www.fmcsa.dot.gov/factsfigs/eta/index.html).
5. If you have any questions concerning this report,, please contact the Federal Motor Carrier Safety Administration, (US DOT/FMCSA, 2297 Niels Bohr Court Suite 204, San Diego Ca. 92154, (619) 710 8404)
6. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.



**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 **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? N/A  
**Comments**  
Carrier only operates one CMV.

**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? N/A  
**Comments**

**Question** Maintenance # 6 - Section # 396.19 **Answer**  
Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications? N/A  
**Comments**  
Motor carrier uses an outside independent vendor to complete the periodic/annual inspections, or state certified periodic inspection program.

**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**





**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**

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**



**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**

No

**Comments**

**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**

No

**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**

N/A

**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** 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**

No

**Comments**

Driver: b6, b7c,

Trip date: 7/11/2007,

Information not maintained: Previous employer history and annual review of driving record.

**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**

No

**Comments**Driver: b6, b7c  
Trip date: 7/11/2007.**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**



**DISTRIBUIDORA MARINA EL PESCADOR (ALVAREZ MOISESQ dba)**

Application Tracking #:6820

RFC #: AAPM5508271H4

Review Date:

08/21/2007

**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:

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

**Title:** OWNER

**Name:**

**Title:**

