



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

SERVICE DATE: March 4, 2013

Jorge Luis Cardenas Romo, Owner
Transportes Mor SA de CV
Carr Monterrey Laredo KM 26
8 Cienega de Flores
Monterrey, Nuevo Laredo 65550
MEXICO

In reply, refer to:

USDOT Number: 555687
MX Number: 228295

Mailing Address:
5912 San Bernardo Street, PMB 150
Laredo, TX 78045

**ORDER REJECTING APPLICATION FOR
AUTHORITY TO OPERATE IN THE U.S.-MEXICO CROSS-BORDER
LONG-HAUL PILOT PROGRAM**

BASIS FOR ORDER

This Order rejecting the application for motor carrier operating authority in the U.S.-Mexico Cross-Border Long-Haul Pilot Program ("Pilot Program") is issued by the United States Department of Transportation (USDOT), Federal Motor Carrier Safety Administration (FMCSA). This Order is based upon FMCSA's determination that Transportes Mor SA de CV has not made a *prima facie* showing that its application is materially complete and that it is fit, willing, and able to comply with applicable Federal requirements.

The standards by which FMCSA grants applications for operating authority are established by statute and regulations. In accordance with 49 U.S.C. § 13902(a)(1), FMCSA will grant a request for authority to operate in the Pilot Program if FMCSA finds that the applicant is willing and able to comply with: 1) the statutory and regulatory registration requirements; 2) applicable safety regulations including the FMCSRs (49 CFR Parts 390 through 399); 3) the commercial motor vehicle safety requirements of employers and employees set forth in 49 U.S.C. § 31135; 4) the safety fitness requirements set forth in 49 U.S.C. § 31144; and minimum financial responsibility requirements established under 49 U.S.C. §§ 13906 and 31138.

By this Order FMCSA finds that:

1. Transportes Mor SA de CV is a Mexico-domiciled motor carrier with OP-2 registration that that permits it to provide transportation of property within the municipalities and commercial along the U.S.-Mexico border. Transportes Mor SA de CV has filed a Form OP-1(MX) "Application to Register Mexican Carriers for

Motor Carrier Authority to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border”.

2. Pursuant to 49 CFR. § 365.507(c), as a Mexico-domiciled motor carrier, Transportes Mor SA de CV is required to successfully complete a Pre-Authorization Safety Audit (PASA) in accordance with Appendix A of Part 365 of Title 49 of the CFR in order to operate beyond U.S. municipalities and their commercial zones on the U.S.-Mexico border.
3. Sec. 382.115(b) of Title 49 of the CFR requires that “[A]ll foreign-domiciled employers must implement the requirements [for a testing program for alcohol and controlled substances] on the date the employer begins commercial motor vehicle operations in the United States.”
4. On July 23, 2012, FMCSA began a PASA on Transportes Mor SA de CV. During the PASA, FMCSA determined that Transportes Mor SA de CV did not have, or was not able to provide, documentation allowing verification of a company controlled substance and alcohol testing program consistent with 49 CFR Part 40 and supporting its contention of a company implementation of a controlled substance and alcohol testing program.

ORDER

It is therefore ORDERED that the above-captioned application for operating authority to transport property in the United States beyond the commercial zones along the United States-Mexico border in the U.S.-Mexico Cross-Border Long-Haul Pilot Program is rejected.

RIGHT TO APPEAL

Transportes Mor SA de CV has the right to appeal this rejection of its application for authority under the Pilot Program to conduct long-haul transportation of property in the U.S. beyond the municipalities and commercial zones along the U.S.-Mexico border. In accordance with 49 CFR § 365.111(a), a written appeal of this ORDER of rejection must be filed with FMCSA no later than 10 calendar days after the date of this ORDER. Any written appeal must be filed with FMCSA at the following address:

Office Director Information Technology
[MC-R]
1200 New Jersey Avenue, SE
Washington, DC 20590

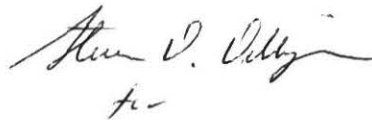
Pursuant to 49 CFR § 365.111(b), if an appeal is successful and the filing is found to be proper, the application shall be deemed to have been properly filed as of the decision date of the appeal.

Absent a timely appeal of this dismissal notice under 49 C.F.R. § 365.111, your application for OP-1MX operating authority will be dismissed within 20 days of the date of this notice. If you have any questions, please contact the North American Borders Division at (202) 366-4553.

SUBMISSION OF NEW APPLICATION

A motor carrier whose application for authority to operate in the Pilot Program has been rejected by FMCSA may reapply by submitting a new application to participate in the Pilot Program. If Transportes Mor SA de CV elects to submit a new application for participation in the Pilot Program, it must submit evidence to make an initial showing that it has corrected the deficiencies that resulted in FMCSA rejecting its application, and that it is fit, and willing, and able to comply with applicable Federal requirements. To apply to participate in the Pilot Program, Transportes Mor SA de CV must submit a new Form OP-1(MX) "Application to Register Mexican Carriers for Motor Carrier Authority to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border", and a Form MCS-150, the "Motor Carrier Identification Report." Transportes Mor SA de CV must also satisfactorily complete a PASA.

Sincerely,



Dr. G. Kelly Leone
Associate Administrator for Research and
Information Technology/Chief Information
Officer