

**Motor Carrier Group Chairman's Factual Report
HWY-05-MH035**

Attachment #9: Pre-Fire Compliance Review
(7 Pages)



Part B - Violations

1 FEDERAL	Primary: 382.601(a)	Discovered 5	Checked 5	Drivers/Vehicles	
				In Violation	Checked
				5	5

Description

Failing to provide educational materials explaining requirements of part 382 and employer's policies.

Example

Driver Valintin Villarreal drove on 10-03-03 to Corpus Christi, Tx. from Pharr, Tx. (none provided)

Driver Joel Quinones drove on 12-03-03 to Odesa, Tx. from Pharr, Tx. (none provided)

Driver George Ramirez drove on 12-11-03 to San Antoino, Tx. from Pharr, Tx. (none provided)

Diver Thomas Reyes drove on 01-03-04 to Aranses Pass from Pharr, Tx. (none provided)

Diver Honorio Soto drove on 10-05-03 to Dallas, Tx. from Pharr, Tx. (none provided)

2 FEDERAL	Primary: 382.603	Discovered 1	Checked 1	Drivers/Vehicles	
				In Violation	Checked
				1	1

Description

Failing to ensure persons designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.

Example

Driver Valintin Villarreal drove on 10-03-03 to Corpus Christi, Tx. from Pharr, Tx.

James Maples Supervisor/President

3 FEDERAL	Primary: 391.25(c)(1)	Discovered 1	Checked 5	Drivers/Vehicles	
				In Violation	Checked
				1	5

Description

Failing to maintain a copy of the response from each State agency in the driver qualification file.

Example

Driver Gerardo Alvarado drove on 01-10-2003

4 FEDERAL	Primary: 391.51(b)(5)	Discovered 1	Checked 5	Drivers/Vehicles	
				In Violation	Checked
				1	5

Description

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

Example

Driver George Ramirez drove on 12-11-03 to San Antoino, Tx. from Pharr, Tx.

5 FEDERAL	Primary: 391.63(a)	Discovered 1	Checked 5	Drivers/Vehicles	
				In Violation	Checked
				1	5

Description

Failing to maintain medical examiner's certificate in driver's qualification file.

Example

Driver Gerardo Alvarado drove on 01-10-2003

6 FEDERAL	Primary: 395.8(e)	Discovered 1	Checked 18	Drivers/Vehicles	
				In Violation	Checked
				1	18

Description

False reports of records of duty status.

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Part B - Violations

Example

Driver George Ramirez logged from Pharr, Tx to Lake Charles La. on 12/27/03 both Expense Report, spot time for 19:00hrs and a Fuel Ticket from Shell @ 21:45hrs on Hwy. 77 Robstown, Tx. are shown for 12/26/03.

7 FEDERAL	Primary: 396.3(b)(2)	Discovered 3	Checked 5	Drivers/Vehicles In Violation	Checked 5
				3	5

Description

Failing to have a means of indicating the nature and due date of the various inspection and maintenance operations to be performed.

Example

Buses #797,716, & 715 do not have any means of indicating the nature and due date of the various inspection and maintenance operations to be performed.

Safety Fitness Rating Information:		OOS Vehicles (CR): 0	
Total Miles Operated	600,000	Number of Vehicles Inspected (CR):	0
Recordable Accidents	0	OOS Vehicles (MCMIS):	0
Recordable Accidents/ Million Miles	0.000	Number of Vehicles Inspected (MCMIS):	0
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.

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Requirements and/or Recommendations

- 1 A copy of your carrier profile can be obtained for \$20 from the SAFER website (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.
- 2 Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
- 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 Obtain a copy of each driver's driving record and review it annually.
- 5 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.
- 6 Ensure that drivers provide a 10-year employment history on their employment application.
- 7 Ensure that each laboratory used in your drug-testing program provides a quarterly statistical summary of urinalysis testing of your drivers.
- 8 Establish a system to control passenger-carrying drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15, and 60/70-hour limits.
- 9 Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
- 10 Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is re-dispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.
- 11 Ensure that all vehicles are systematically repaired and maintained. Establish a complete file for each vehicle, and record all inspection, maintenance, and repair operations performed. Consider keeping records pertaining to each individual unit in its own folder.
- 12 Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
- 13 Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.

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Requirements and/or Recommendations

- 14 Within 15 days, send a letter to the FMCSA describing what actions you have taken in response to this review to ensure that you are complying with the Federal Motor Carrier Safety Regulations.
- 15 This review will result in a Safety Rating.
- 16 This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.

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Part C

GLOBAL LIMO INC
U.S. DOT #: 01031282

Review Date: 02/06/2004

Tracking #:

Reason for Review: Priority List
Planned Action: Compliance Monitoring
Safestat Category: H

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177
	✓	✓	✓	✓	✓	✓	✓	✓	✓							

Prior Reviews:

Review Date	Prosecution
4/10/2002	
4/10/2002	

Who should conduct follow-up review: Federal

Reason not Rated:

Special Study Codes:

Gross Revenue:

For Year Ending: 12/31/2003

Unsat/Unfit Information

Does passenger vehicle transport more than 15 passengers, including driver? Yes - Interstate

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule: 45-Day - Interstate Passenger

This company is controlled by James H. Maples, President of Global Limo Inc., U.S. DOT #1031282 based in Pharr, Texas. This carrier is an authorized for-hire interstate Motor Coach Carrier that transports Passengers on interstate commerce. Global Limo Inc. has a terminal in Pharr, Texas at 1708 N. Jackson. Carrier annual gross income as reported on 12-31-2003 was \$1,361,257.00. Their fleet mileage was 600,000 miles as of 12-31-2003. This carrier operates with 6 Motor Coachs with Greater than 16 passengers.

This compliance review was conducted as a result of the carrier being identified on the safestat B list. This company has had prior compliance reviews. According to the company's insurance agent there were no claims against the carriers insurance policy for the past 365 days.

The carrier has contacted other sources to assist them to come into compliance. All violations discovered during this review were discussed sequence-by-sequence with James H. Maples, President. This motor carrier was very accommodating and did take some time to write down information about the programs they needed to implement and he was also given several Web Sites to include the ETA info. Additional time was taken in order to explain detailed portions of the FMCSR. The carrier overall safety rating is satisfactory; their crash rate is 0% recordable accidents; and their OOS rate is 0%.

The company official was hospitable and friendly. This carrier is very concerned with being in compliance with the FMCSR. The carrier indicated that the company would continue to improve and follow the FMCSR/HMR and maintain acceptable standards of operations. All carrier documents obtained in this investigation were obtained from James H. Maples, President & Juan Jauregui Safety Consultant. The carrier is going to implement the violation found within the CR. Carrier was also given numbers and addresses of places that were available for him to receive help to become familiar with the FMCSR.

Principal/Reviewer Signature	US0840	Upload Authorized: <input checked="" type="radio"/> Yes <input type="radio"/> No	Date:
	Assistant Reviewers Signature(s)	Authorized by: <i>[Signature]</i>	Failure Code:
		Uploaded: <input checked="" type="radio"/> Yes <input type="radio"/> No	Date:
		Verified by: <i>Oscar.</i>	Date: