

SAFETY AND POLICY MANUAL

This manual formalizes our long-standing pursuit of perfection in human health and safety, and loss prevention.

Today's driving demands a new type of driver with an up-to-date attitude. The increased complexity of operating a commercial vehicle, all weather around-the-clock operations, and vast increase in traffic volume, make it absolutely essential that drivers continuously update their knowledge and ability in the operation and handling of commercial vehicles.

Overview

The safety of our employees, the general public and **Company Name** operations is paramount, and every attempt must always be made to reduce the possibility of accidents. Safety always takes precedence over expedience or short cuts. **Company Name** intends to comply with all safety laws and ordinances and requires all employees and contractors to do likewise. We are a Professional operation offering superior service to our customers, with the safest, most efficient driver's available utilizing well-maintained equipment. We expect all drivers to preserve our reputation for safe driving and prompt and courteous delivery.

Company Name has an obligation to each employee, as well as the general public, to establish and maintain an environment free of accidents and injuries to the greatest extent possible. As such, minimum standards have been established for all CDL-qualified drivers involving expectations, traffic violations/offenses, accidents and incidents.

While the items identified in this policy are not all-inclusive, they do represent the basic guidelines for corrective action involving these areas. In addition, although some references may be made to multiple occurrences of an event, depending on the severity or negligence of any single event, consideration will be given to appropriate corrective action, up to and including termination.

Job Description:

- A driver is required to be on duty for up to 14 hours, or 70 hours in 8 days in all types of weather, traffic, and highway conditions.
- Drivers are required to load and unload; this can require heavy lifting and carrying. Loads are routinely required to be secured by chains or straps which may require excessive stretching, stooping, bending, and lifting by the driver.
- Dropping trailers requires upper body strength to crank the dollies down and lift the trailer out of the fifth wheel plate.
- Sufficient agility is required for drivers to climb on trailers and crawl under the unit when performing a thorough pre-trip or post-trip inspection.

Driver Expectations

Safety Compliance, Awareness and Defensive Driving

As a general rule, all **Company Name** drivers are expected to drive accident and violation –free. They are also expected to avoid motorist complaints by driving defensively and courteously at all times. They are expected to adhere to all safety policies, procedures, and regulations. Failure to comply with such policies, procedures and regulations, observed reckless and aggressive behavior such as tailgating, excessive speeding, and other acts that are aggressive, threatening and dangerous, could result in immediate removal from service and possible termination.

Distance Interval

To prevent a negative perception of **Company Name**, separation and lane policies have been set forth in this section.

Company Name vehicles cannot risk being involved in an accident by following too closely. Company vehicles must maintain a following distance that is adequate enough to allow other motorists to safely pass and get back into their travel lane. Except to overtake and pass, **Company Name** vehicles must maintain a 15 second following distance from other vehicles (roughly one quarter mile at highway speeds).

Company Name vehicles cannot impede traffic flow by going into and staying in the passing lane or fast lane (usually the far left lane). Such actions irritate the motoring public and hurt the image of **Company Name**, as well as the image of the entire trucking industry. To avoid the dangers associated with impeding traffic and the frustration it causes other motorists, **Company Name** vehicles must not stay in the fast lane of multiple lane highways, unless directed to do so by law, ordinance, regulation, police or emergency personnel, or where not doing so would be unsafe due to conditions at the time. Where not prohibited by any regulation or law, and where it is safe to do so, **Company Name** vehicles can use the fast lane to overtake and pass.

Valid Commercial Driver's License

All drivers must possess and maintain a current, valid Commercial Driver's License (CDL) with applicable endorsements. The CDL cannot be limited in terms of when or where a driver can drive and must be usable at all times and for all driving purposes, on or off the job.

Although **Company Name** will attempt to advise drivers of impending CDL expiration dates, it is the driver's ultimate responsibility to know when their CDL expires, and to renew their CDL prior to expiration. **Drivers must renew and submit a legible copy of their CDL to the Safety Department at least one week prior to expiration.**

Medical Examination

All drivers must possess and maintain a current, valid medical certification. It must meet the current DOT regulations regarding physical fitness for commercial drivers. All drivers must have a current self-certification form on file with the state of issue of their CDL. As with the CDL expiration dates, **Company Name** will attempt to advise its drivers of impending medical certification expiration, but it is the driver's ultimate responsibility to know when their medical certification expires. **Drivers must renew and submit their Medical Examination Report to the Safety Department at least one week prior to expiration.**

Appropriate Rest

It is the responsibility of each driver to report for work well-rested and alert. **Company Name** does not permit any driver who is ill or fatigued to operate a vehicle when there is danger to the driver or the public. A driver who becomes ill or fatigued while driving should pull off of the roadway at the nearest safe point and await assistance. Drivers are not to continue to drive when their ability is impaired in any way.

Traffic Violations/ Offenses

Definition

A traffic violation is defined as being cited by a law enforcement officer or the equivalent, and convicted of a moving traffic violation regardless of whether the offense occurred on or off duty. This would include pleading guilty, no contest, nolo contendere or any similar pleas, which allows the court to assess punishment. These criteria also apply to non-moving traffic convictions, if the original citation was for a moving traffic violation. In such cases, the original charge will be used when applying these criteria.

For purposes of applying these criteria, the date the traffic violation occurred will be used, not the date of conviction

Traffic Violations/ Revocations Reporting

Federal Motor Carrier Safety Regulations require commercial drivers to report all traffic violations, revocations or suspensions to their employer. Although the regulations require reporting of violations after being convicted, **Company Name** policy requires that traffic violations be reported after the driver is initially cited. **Company Name** specific policy regarding reporting of violations is as follows.

All drivers must strictly adhere to this policy:

- Drivers must report all traffic violations in writing, including safety belt violations, no later than the next business day after being cited for the violation.
- Drivers must immediately report any traffic violation arising from an accident while on duty. These violations must be reported by the driver as soon as the accident is reported.
- If a driver has not yet been charged for a traffic violation at the time he/ she initially reports the accident, but is charged with a traffic violation after the accident is reported, the driver must report the traffic violation immediately after being made aware that they are being charged.
- Drivers must report, in person or by telephone, any revocation or suspension of their license or required endorsements immediately upon learning of the suspension or revocation. Drivers must also report if they are unable to renew an endorsement.
- Drivers cannot operate **Company Name** vehicles while their license is suspended, revoked or expired, regardless of the reason for the suspension or revocation.

FAILURE TO REPORT A CITATION WILL RESULT IN APPROPRIATE CORRECTIVE ACTION UP TO AND INCLUDING DISCHARGE.

Multiple Offenses

Disqualifying events include:

- Three or more moving traffic violations (including seat belt violations) within a 12 month period while on duty or off duty;
- Six or more moving traffic violations (including seat belt violations) within a three-year period while on or off duty;
- Excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
- Improper or erratic traffic lane changes;
- Following a vehicle too closely; or,
- A violation, arising in connection with a fatal accident, of state or local law relating to motor traffic control;
- A railroad crossing violation as defined under "Single Offense."
- A third occurrence of receiving a warning/suspension notice or citation for speeding through a toll plaza within a 12-month period while on duty.

A Disqualifying Single Offense Include:

- A conviction of DUI/DWI, or other alcohol or drug-related offense involving the consumption of either alcohol or drugs while operating any motor vehicle, as defined by state law. Conviction includes a finding of guilt, a guilty plea, and an acceptance of deferred adjudication, a plea of no contest or nolo contendere, or failure to contest the facts supporting the DUI/DWI, alcohol or drug charge when convicted of a lesser charge.

Note: Upon being charged for DUI/DWI or other alcohol or drug-related offense while operating any motor vehicle as defined by state law, the driver will be removed from driving responsibilities until the charge is favorably resolved in accordance with policy. A driver will be given 180 days to favorably resolve the charge and retain their driver status. If the charge is favorably resolved within 180 days, a driver will be placed back into a driving position as an opening becomes available. If not resolved by then, they will no longer meet driver qualification criteria.

- Fleeing/ leaving the scene of an accident.
- Knowingly operating a commercial vehicle while license is suspended or revoked.
- Suspension or revocation of license relating to any single traffic violation or combination of traffic violations, regardless of whether convicted of such violations(s). Administrative suspensions for such things as failure to renew insurance, failure to appear, surcharge violations, etc., will be reviewed on an individual basis.
- Violation of an out-of-service order (continuing a trip prior to out-of-service defects being corrected. This violation will not be based on conviction. It need only be based on the fact that the violation did occur.)
- Driving a commercial vehicle without the proper class of CDL and/or endorsements for the specific vehicle group being operated.
- Using any motor vehicle to commit a felony.
- Driving a commercial vehicle without a CDL in the driver's possession.

Note: If a driver provides proof to the enforcement authority that issued the citation, by the date the individual must appear in court or pay any fine for such violation, that the individual held a valid CDL on the date the citation was issued, the driver will not be found guilty of the offense and will not face disqualification.

In addition to the above violations, single offenses while operating a commercial motor vehicle for the following railroad crossing violations are also disqualifying events.

Note: Disqualification for one of the following rail crossing offenses will be for a minimum of 60 days from the date of conviction, and will require education on safe rail crossing procedures prior to returning to duty. During the 60 days of suspension, a driver may be eligible for alternate non-driving work, if available. If a driver is able to engage in non-driving work, their pay will be adjusted according to the wage level of the job involved. After the 60 day revocation period, whereby a driver has undergone required education, they can return to their former driving position.

- For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train.
- For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear.
- For drivers who are not always required to stop, failing to stop before driving onto the crossing.
- For all drivers, failing to have sufficient space to drive completely through the crossing without stopping.
- For all drivers, failing to obey traffic control device or the directions of an enforcement official at the crossing.
- For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

Non-Moving Violations

- Equipment fines/citations, Hazardous Material fines/citations and roadside inspections write-ups (clear or otherwise) are handled by the Safety Department. Forward these types of citations/write-ups immediately. Fines for any citation will be the responsibility of the driver. All applicable attachments must be included with the **ORIGINAL** citation/write-up received by the driver. **NO PHOTOCOPIES.**

Overweight citations must be communicated to the Safety Department when a driver is cited. Overweight citations cannot be photocopied. The original received by the driver must be forwarded to the Safety Department. **All citations must be sent in immediately.**

Hours of Service Violations

Driver hours of service violations will be dealt with in accordance with **Company Name** existing policy. Willful falsification of records can result in immediate disqualification.

Parking Violations

Company Name vehicles are to be legally parked and secured at all times. Improperly parking a company vehicle and leaving it unattended and not secured places the company and its driver or employee at risk. All drivers and employees are responsible for the security of the vehicle they are operating. Violations of this policy are subject to corrective action.

Accidents

Unless stated otherwise in this policy, an accident is defined as any event involving the operation of a commercial or company vehicle that results in any property damage, regardless of severity (note: trailer breakaways and equipment roll-a-ways will be considered accidents regardless of damage), or injury or death. Drivers have the right to appeal accident judgments, as well as corrective actions, as outlined in other policies.

Accident Definition and Reporting Requirements

All accidents and incidents must be reported immediately by any driver or employee involved. This includes those instances when any motorized vehicle or motorized equipment the employee is driving or operating, comes in contact with any person, animal, other vehicle or other inanimate object. For those events that do not result in any damage requiring repair, with the exception of trailer breakaways and equipment roll-a-ways, or otherwise meet the definition of an incident as defined in this policy, they will not be counted as accidents against a driver. However, all such events must still be immediately reported by the driver or employee involved.

Failure to report an accident or incident in accordance with these procedures may result in corrective action up to and including discharge.

Multiple Accidents

Disqualifying events include:

- Within a three year period, two preventable rear-end collisions and/ or accidents resulting from evasive action to avoid a rear-end collision. The first offense will result in a three day suspension with final warning, along with education on how to avoid rear-end collisions.

Note: A serious rear-end collision (serious injury or death) may result in disqualification after the first event.

- Within a three year period, two roll away accidents resulting from a driver's failure to properly secure the unit. The first offense will result in a three day suspension with final warning, along with review of proper procedures for securing equipment.
- Within a three-year period, two instances where a bobtail or trailer is pulled away while loading or unloading are still in progress. The first incident will result in a three-day suspension with a final warning, along with review of proper procedures for ensuring that loading or unloading has ceased.
- Three preventable accidents within a 12-month period.
- Six preventable accidents within a three-year period.
- Two preventable DOT recordable accidents within a three-year period.
- Three preventable DOT recordable accidents within a five-year period.

NOTE: Very minor accidents will be reviewed on a case by case basis. In cases where very minor accidents make up all or part of the history, a driver may or may not face disqualification, but may be required to undergo additional remedial education.

The definition of a DOT recordable accident is an occurrence involving a commercial motor vehicle which results in:

- A fatality:
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident:
- One or more motor vehicles incurring disabling damaged as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Single Accident

Depending on the severity of any one preventable accident, action up to and including termination may be deemed to be appropriate. Violation history and motorist complaints and observed aggressive driving behavior may also be considered.

Some examples might include:

- A single, extremely serious preventable accident resulting in death, serious injury or extensive property damage.
- Any accident resulting from a reckless disregard for safe operating policies and procedures.

NOTE: A single accident presents a possible termination situation: however before termination action is taken, the accident itself, the seriousness of the accident, and circumstances surrounding the accident will be reviewed by the Safety Department, and Operations, as appropriate.

Accident/Traffic Violation Combinations

Disqualifying events include:

- Five total events within a three-year period consisting of moving traffic violations (including seat belt violations), preventable accidents, or combinations thereof.

Post-Accident Education / Corrective Action

When dealing with the above outlined accident scenarios, all **Company Name** facilities must adhere to accident handling procedures as outlined in the **Company Policy**. These policies are designed to protect the interests of the company, and reduce the chances of an unfit driver being allowed to drive. The policies below, on the other hand, describe the re-education and corrective action process.

At the discretion of the Safety Director and the Operations Manager, and based on the severity of the accident, education and corrective action may be required after one accident.

- After any DOT recordable preventable accidents:
 - Education Requirements – Education will be required after the first accident prior to returning to duty, based on the nature of the accident.
- Corrective Action – Written notice of corrective action and three (3) day suspension.
 - Education Requirements – None, unless directed by the Safety Department.

Corrective Action – Written notice of corrective action. Corrective action may include suspension, depending on the nature of the accident. An example might be a rear end collision, as opposed to a minor yard accident.

- After the second non-DOT preventable accident within a twelve-month period:
 - Education Requirements – Re-education will be required prior to returning to duty as recommended by the Safety Department, based on the nature of the accident.
 - Corrective Action – Written notice of corrective action. Corrective action may include suspension, depending on the nature of the accident.

NOTE: Third non-DOT preventable accident within a twelve (12) month period is a Disqualifying event.

- Failure to report an accident as described in the ‘Reporting of Accidents’ section is grounds for termination.
- Deliberate misrepresentation or falsification of the facts surrounding an accident as described in the ‘Reporting of Accidents’ section is grounds for termination.

CELLULAR TELEPHONE USE POLICY

Employees operating **Company Name** vehicles are prohibited from using cellular telephones except in the hands-free mode using a blue tooth device. This includes holding the device to dial or operate the cellular phone, text or e-mail messaging device. The use of these devices must be 100% hands-free. Cellular telephones and text or e-mail messaging devices may only be used when the vehicle is safely parked in a suitable and lawful location.

All **Company Name** employees are responsible for complying with applicable state and local ordinances and regulations regarding the use of radios and other wireless or electronic devices while operating a vehicle. Please ensure that at all times the use of any such device, whether employee-owned or company-provided, does not create a safety hazard. All employees must comply with this policy.

Driving in Bad Weather

There are several things to consider if you must drive under these poor conditions.

Slippery roads (wet or icy)...

- Stay below posted speed limits.
- To avoid hydroplaning on wet roads, try to drive in the tracks of the car in front of you.
- Avoid braking heavily on wet or icy roads.
- Watch for icy patches on bridges and in the shade.
- If you skid, take your foot off the gas and turn in the direction you want the car to go. Don't use the brake.

Poor visibility...

- Reduce your speed so you can stop in whatever distance you can see ahead. Pull over if it's dangerous to drive and turn on your emergency flashers.
- Make sure the wiper blades are in good condition and use them
- Use low beams when visibility is a problem, both day and night.
- Wear sunglasses when there's glare from snow.
- If snow or ice builds up on your windshield, stop and clean it off.

Rain hazards...

- If possible, stay out of puddles. They can hide potholes and flood your brakes. If your brakes do get flooded, dry them by driving with the brake pedal down until they start working again.
- If spray from an oncoming vehicle blinds you, grip the wheel firmly, stay off the brake and be ready to brake when the view clears.

Before you start...

- Check the weather forecast and postpone your trip if necessary. Check with the local TV and radio stations to help determine driving conditions. If conditions are bad, check with your supervisor to see if staying put is the best and safe options.
- Make sure your car is well maintained: wipers in good condition, fluid levels full, and make sure tires are properly inflated and worn tires replaced.

Tired or fatigued

- If you find yourself tired or fatigued before you start your trip, get some rest
- If you start nodding or zoning out while driving, stop and get some rest. Don't risk falling asleep at the wheel.

PRE-TRIP INSPECTION

392.7 Equipment, Inspection and Use states that:

No commercial motor vehicle shall be driven unless the driver is satisfied that the following parts and accessories are in good working order, nor shall any driver fail to use or make use of such parts and accessories when as needed:

- **Service brakes, including trailer brake connections**
- **Parking (hand) brake**
- **Steering mechanism**
- **Lighting devices and reflectors**
- **Tires**
- **Horn**
- **Windshield wiper or wipers, windshield washing fluid**
- **Rear-vision mirror or mirrors**
- **Coupling devices**
- **DOT inspection for the tractor and trailer**

All drivers must perform a pre-trip inspection prior to beginning their trip assuring the overall condition of the tractor and trailer. As part of the pre-trip inspections, all drivers must assure that they have all of the required paperwork (registration receipts, bills of lading, emergency response guide book, and etc.). Every driver must be in possession of their commercial driver license and medical certificate at all times while operating a commercial motor vehicle. By doing this we will remain in compliance with the regulations and safely operate our vehicles at all times. When a driver takes control of the commercial motor vehicle, he has assumed the responsibility for safe operation and has met the requirements of this regulation.

POST-TRIP INSPECTION

396.11 Driver Vehicle Inspection Report states:

Every motor carrier shall require its drivers to report and every driver shall prepare a report in writing at the completion of each day's work on each vehicle and trailer operated. The report shall cover at least the following parts and accessories:

- **Service brakes including trailer brake connections**
- **Parking brake**
- **Steering Mechanism**
- **Lighting devices and reflectors**
- **Tires**
- **Horn**
- **Windshield wipers and windshield washing fluid**
- **Rear vision mirrors**
- **Coupling devices**
- **Wheels and rims**
- **Emergency equipment**

Report Content:

The report shall identify the vehicle and list any defects or deficiencies discovered by or reported to the driver, which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If no defect or deficiency is discovered or reported to the driver, the report shall so indicate. In all instances, the driver shall sign the report. If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle operated.

The driver has read and understood the above requirements. Sign Below.

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