

XXXXX
Corporate procedure
Commercial Motor Vehicle Operations

PURPOSE

To outline definitions, qualifications, and the procedures for any employee, client, or subcontractor who drives a company vehicle on a public street or highway.

SAFETY POLICY DECLARATION

We at XXXXX recognize our responsibility to our employees, subcontractors, agents, customers and the general public to be committed to safety. Safety is our highest priority and will influence all policies and procedures governing our business.

We recognize that it is our responsibility to obey all state and federal safety rules and regulations, provide a safe work environment and establish safety policies and procedures.

XXXXX is registered with the Department of Transportation as a motor carrier and as such is subject to State and Federal Motor Carrier Safety Regulations and any order prescribed by the Federal Motor Carrier Safety Administration. XXXXX also requires all employees to comply with these provisions.

It is everyone's responsibility to work in a safe manner and follow all corporate safety policies. XXXXX expects a commitment to safety from all personnel. This commitment will reflect in the profitability of the company and the enhancement of the employee.

GENERAL

Most of the federal regulations apply only to interstate commerce (except the CDL license and Alcohol and Drug testing) but all of the states have written state laws which parallel the federal. Rather than attempt to distinguish all of our highway activity between interstate or intrastate activity and thus comply with several varying state regulations, it is the position of this policy to follow federal regulations in all of our activity unless a specific local or state law is more stringent or an operational exception has been made by management. **Unless otherwise stated, this policy as written shall apply to any person nationwide who operates a XXXXX's vehicle over 10000# GVWR/GCWR on a public street or highway.**

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General Procedures

1. Drivers and managers are required to comply with all federal, state and local laws that pertain to their operation.
2. All drivers are required to perform pre-trip, during-trip, and post-trip inspections of all vehicles operated. A written daily vehicle inspection report (DVIR) must be completed at the end of each day. Drivers must report any potential safety defects to their Driver Manager prior to the end of the day.

A safety defect is any part or accessory which “**would affect the safety of operation of the vehicle or result in a mechanical breakdown**”.

Examples may be:

- Headlights, flashers, turn signals and stop lights but not clearance lights
- Any brake comment (i.e. soft, jumps, pulls, emergency warning buzzers and lights out, etc)
- Tires (2/32” tread on drives and trailers, 4/32” on steering at the lowest tread)
- Steering (i.e pulls, clunks, shimmies, wanders, etc)
- Dash lights would not be a safety defect but need to eventually get done.
- Transmission or drive line vibrations and gears missing
- Defroster would be a safety defect but air conditioning and heater generally not unless extreme weather
- Refrigeration and trailer body work is not a safety defect.
- Windshield damage or the size of a quarter or a cracks that cross on driver’s side.

Driver managers must collect and review these DVIRs every day or at the completion of each trip. Driver Managers or his/her designee will determine if a safety defect is present and must be repaired before the truck is operated again. Safety must take precedence in these decisions and if it is determined that the defect is not a safety defect then the note “no repairs needed” must be signed on the original by the decision maker. *Generally it would be safer to error on the conservative side (more defects to be repaired) than on the liberal (no defects) side.*

A vehicle with a safety defect will not be operated until after a mechanic has certified it as road ready. *Note that for all vehicles with a defect noted on the DVIR or roadside inspection reports, there must be a work order for that repair or inspection in that vehicle’s maintenance file.*

3. All drivers are required to satisfy themselves that all permits and licenses are in order before beginning a trip. If there are any questions or apparent missing requirements the driver must notify their driver manager at XXXXX immediately before beginning the trip. Failure to follow this procedure will result in the driver being financially responsible for any fines or expenses incurred.

4. Drivers are responsible for checking all safety equipment to include at a minimum:
 - Reflective triangles in good repair
 - Spare fuses that are needed to operate required parts and accessories
 - Fire extinguisher (charged 5 or 10 B:C (depending on HM)*, fastened securely in bracket)

Any fines resulting from an inspection of safety equipment while you are on the road will be your responsibility unless they were reported to XXXXX prior to the inspection.

5. XXXXX has instituted the following **seat belt** procedures because we are concerned with the safety and welfare of our drivers and their passengers.
 - Driver must make a physical check of the vehicle to be driven to make sure properly functioning seatbelts are available for each individual who will ride in the vehicle.
 - Do not allow more people in a vehicle than there are seatbelts available.
 - Periodically remind passengers that they are required to use seatbelts while on company business or in company vehicles.
 - **Always wear your seat belt when the vehicle is in operation.**

6. XXXXX' standards regarding moving violations reflect the professionalism achieved by our drivers. Maintaining a good driving record is necessary when operating both commercial and non-commercial vehicles, therefore, if a driver is convicted of any moving violations in any vehicle within the current 36-month period, action will be taken in the following manner:

First conviction: Verbal warning
Second conviction: One week suspension and/or additional training
Third conviction: Disqualification as a driver

Depending on the violation, management may assess consequences more severe than listed above up to and including termination.

All requalifications will be dependent upon a clean driving record as a prerequisite and will be subject to the approval of the [Fleet Manager, Director of Human Resources and Senior Management](#).

Any driver must notify their immediate supervisor of any moving violations within 24 hours of the occurrence. If the driver pleads guilty or is convicted for a moving violation in a state other than his/her home state, the driver must then notify the Department of Motor Vehicles in the state that issued his/her license.

Failure to report a moving violation conviction to the carrier and state is a violation of federal regulation (Section 382.31). Any fines for moving violations are the driver's responsibility.

7. Driving with a **suspended or terminated license or required endorsement** severely compromises XXXXX' carrier profile and our ability to operate our vehicles on the highway. Any driver found operating with a suspended or terminated license or required endorsement will be immediately disqualified. **Drivers must notify the Fleet Department within 24 hours of the suspension or revocation of the driver's license.**
 - No driver may operate a XXXXX' vehicle with a restricted operator's permit that resulted from citations or code violations.
 - Current licenses must be issued by the state in which the driver resides. If a driver moves to a different state, they must obtain a license from the new State within the time period required by that state (usually 30 days of residency). A legible copy of the new license must be provided to his / her manager who then will forward it to the **Fleet Department**.
 - Driver must have only one valid license.
8. All accidents, regardless of how small, must be reported to the driver's manager as soon as possible. The Safety Committee must actively investigate all accidents, regardless of seriousness, to determine preventability and a root cause. Accidents determined to be preventable will result in counseling with the driver and may result in disciplinary action up to and including termination.
9. All paperwork must be accurate, complete and turned in on a timely basis. All drivers must turn in their paperwork upon the completion of each trip or if operating locally, at the completion of the day. At a minimum, the following paperwork is required from each driver FOR EVERY DAY:
 - Accurate and complete Log page or time sheet, or ELD download
 - Daily vehicle inspection reports
 - Roadside inspection forms (if applicable)
 - Receipts and expenses, as well as the truck keys
 - Invoices, credit memos, collections, etc.

Driver manager or their assistants will review all paperwork (especially logs, time records) for accuracy and completeness upon receipt. Deficient paperwork must be completed or corrected by the driver as soon as possible and the driver must be retrained or counseled to prevent a reoccurrence. Retraining and counseling records will be signed by both the driver and the manager then placed in the driver's personnel file for three years.

10. Any driver involved in proven acts of abuse or negligence to XXXXX' vehicles will be held financially responsible. Any costs incurred by XXXXX through the

negligent actions of a driver will be charged back to the driver responsible in addition to appropriate disciplinary action.

Any driver who is proven to have abused or neglected (i.e. not reported defects or missing equipment) will be subject to the following actions:

First offense: Written warning
Second offense: Disqualification as driver

11. **No unauthorized passengers are permitted in the equipment without prior authorization.** If unauthorized passengers are determined to be in the truck, the driver will be subject to disqualification as a driver.
12. Renewal of physicals and driver's licenses are the driver's responsibility. **Physical cards from within 2 years and an appropriate driver's license must be in the driver's possession at all times when operating the vehicle.** Copies of each renewal must be submitted to the Driver Manager within at least one week prior to expiration.

Driver Managers will not permit the driver to drive a commercial vehicle until physical renewals and new driver's licenses are received. Managers must pay particular attention to physical expiration dates, license class, endorsements and restrictions. Under no circumstances will a driver be allowed to drive without the proper license or with an expired physical card.

13. **ALCOHOL / DRUG OFFENSES:** If convicted or given probation for driving while intoxicated (DWI), driving under the influence (DUI), refusal to submit to blood/alcohol or drug testing (implied consent) or possession or illegal transportation of alcohol or drugs, the following action will be taken:

First offense: Disqualification

Driver will be immediately removed from driving position when given a citation for driving while intoxicated (DWI), driving under the influence (DUI), refusal to submit to blood/alcohol or drug testing (implied consent) or possession or illegal transportation of alcohol or drugs. Driver will be considered re-qualified if he/she is found not guilty.

Requalification will not be considered until one year after the conviction date if the offense was in a non-commercial vehicle. If the offense was in a commercial vehicle, the driver will not be requalifiable.

14. XXXXX will request a Motor Vehicle Report (MVR) for every driver in January/February, and then again in July/August. **The Driver Manager from each**

distribution center will review the driving record of each driver to determine eligibility. Upon receipt of the MVR, a driver manager will ask each driver to complete the Certificate of Violation form. The driver will then review the MVR for accuracy, proper license class, endorsements and restrictions. All known driver counseling and violations for the year must be reviewed in order to complete an Annual Review form. *Note: a driver manager must always have access to the MVR before conducting the annual review and ideally there should be no more than 3 weeks between the date on the MVR and the annual review.*

15. Radar Detectors: Use of or possession of a radar detector when operating a commercial motor vehicle is prohibited.
16. Cell Phones: Texting or the use of any cell phone (hand held or otherwise) is prohibited while operating any XXXXX commercial motor vehicle. The engagement of a driver's mind during a phone conversation has been shown to be as distracting as the use of his hands.

DRIVER QUALIFICATIONS / HIRING PROCEDURES

All drivers shall meet at least the below listed qualifications to be considered for employment, transfer or retention as a driver of any XXXXX vehicle over 10000# GVWR driven on a public street or highway. If at any time the driver can no longer satisfy these requirements he/she will be immediately disqualified as a driver for XXXXX until such time as the problem can be corrected. Reapplication for the next driving position will be accepted.

DRIVING PREREQUISITES

Individual states have different driver licensing requirements to drive the class trucks XXXXX operates. Much of XXXXX' business involves interstate commerce therefore the state driver's license cannot have an intrastate restriction. If for any reason a driver loses his/her ability to drive interstate, he/she may be subject to disqualification as a driver. It is the driver's responsibility to ensure that he/she obtains and remains qualified with the appropriate license in the state in which they reside. XXXXX will assist with regulatory advice if needed.

All drivers hired or transferred into a driver position must be 21 years old and meet one of the following requirements or a combination of the requirements.

- One year of verifiable driving experience in a commercial motor vehicle, or
- Certificate from an approved driving school requiring at least 160 hours of behind the wheel training, or
- Participate in XXXXX' "on the job" training program

All drivers hired or transferred into a driver position will be assigned to a driver trainer for at least two weeks **and** until the driver trainer certifies that he/she is capable of performing the required driving activity. Whenever a driver is in training, time sheets or logs records as appropriate must be completed, but daily vehicle inspection reports can be completed by one driver as long as both drivers agree.

All new hires must have a clean driving record for the last three years. A clean driving record for new hires is defined as: no preventable accidents, no suspensions for driving convictions, no driving while intoxicated, and no more than two moving violations on any type vehicle.

Receive no unfavorable references from any employers during the past three years.

A driver must be at least 21 years old. Drivers under 21 years of age presently assigned as drivers at the time of this policy implementation may be grandfathered but will be limited to intrastate commerce and non-placarded HM transportation.

Be able to pass a DOT physical conducted by a XXXXX assigned licensed medical practitioner.

Any non-medical detectable trace of either alcohol or drugs will invalidate the driver's application for a driver position.

Demonstrate driving ability by satisfactorily completing a XXXXX road test over a predetermined course.

HIRING PROCEDURES

Screen all driver applicants and transferees using a completed and signed **Driver's application for employment**. All application must contain minimum DOT information mandated in 391.21. Human resources managers must review the application for missing information and ensure that all gaps in employment are explained for past 3 years. Driver applicants must satisfactorily explain gaps of more than 30 days on the application in writing. CDL drivers must furnish past employers for a total of 10 years prior to the application date. Missing information on the application must be received **before** the screening process can be continued.

The name on the applicant's Driver's License must be exactly as shown on his/her application for employment. **A copy of front and back of the driver's license** must be made for future verifications. Files must be retained for the driver's period of employment plus three years.

Driving record checks (Motor Vehicle Report (MVR) or driving record from the applicable state) must be requested and reviewed on all driver's licenses held within at least the three previous years. XXXXX will accept no driver whose record reflects any accidents, suspensions, or DWI within the past 3 years. No more than two moving violations in any type of vehicle during the last three year period will be considered. Retain this initial driving record inquiry in the driver qualification files for the period of employment plus three years.

Driver DOT safety performance report (PSP) must be requested and reviewed on all driver's for at least the past last 3 years. No more than 3 roadside inspection violations or more than 1 out of service violation will be considered.

Previous employer references must be made for **all employers during the three years prior to employment**. The first attempt will be made via telephone before an offer is extended to the applicant. Additional attempts may be made within 30 days after an offer is extended. Documentation of three attempts must be filed regardless of whether anything of value was received. Retain in the driver's file for the period of employment plus three years.

The above past employer inquiry must be conducted requesting verification of **basic employment information (position and dates of employment), whether the driver had any accidents, and if the driver was subject to DOT's alcohol and drug testing requirements, did he/she ever test positive.** If so did the driver complete the require substance abuse counseling? *If the driver did complete substance abuse counseling from a SAP, a copy of the certificate showing completion of the required counseling and treatment must be retained in the driver's file.* After 10/29/05, the past employers for 3 years must respond to this request or they will be turned into the DOT.

A **road test and certificate** must be conducted to verify experience and equipment familiarity as listed. Note that a road test technically would not have to be made if the driver possesses a CDL license but XXXXX will conduct one regardless on XXXXX' equipment. This road test with the tester's certification must be filed for the period of employment plus three years.

All drivers are required to **sign a receipt for XXXXX' Alcohol and Drug testing policy** per 382.604(d). A copy of this receipt should be placed in the file with the other initial hiring paperwork.

Any driver hired with less than one year experience driving a commercial motor vehicle requiring a CDL must receive "entry level driver training" including:

- Driver qualifications
- Log and hours of service
- Driver wellness
- Whistle blowing information (OSHA's phone number)

A certification must be in their file stating that we certify they received this entry level driver training per Section 380.503.

A **physical examination for drivers (Part 391.41)** must be scheduled at pre-employment and within every two years with a pre-selected XXXXX doctor who has been briefed concerning the unique features of a DOT physical. It is possible to conduct the pre-employment drug collection at this time as well. Driver Managers or the Human Resource Manager must review the physical long forms and certificates to ensure that they have been completed in every detail and that the driver meets all DOT medical qualifications. If the forms have not been accurately completed or there is an apparent error they will be returned to the clinic and the driver will not be used as a driver until they are returned completed to XXXXX. Once reviewed, the long form may be returned to the driver for their personal files. The physical card must be carried in the driver's possession whenever he/she is driving a vehicle and a copy must be kept in the driver's file for three years.

If a pre-employment drug collection was taken at this time, the appropriate paperwork (i.e. Federal DOT chain of custody form_) must be generated and sent to XXXXX. XXXXX' doctor (MRO) will receive the drug test results back from the lab and interpret the results. If a verified positive occurs, the driver's application process will be

invalidated. These drug testing documents must be kept for five years in a confidential location (preferably in a confidential envelope in the driver's qualification file). A hard copy of a negative result for a drug test must be in hand before a driver applicant is allowed in a company controlled commercial motor vehicle.

After January 31, 2015, a MVR must be order within 15 days after a driver's physical to verify that the medical examiner was certified on the National Register of the Certified Medical Examiners

Note: Remaining to be filed in the driver's file are the **certificate of violations (top section), the annual review (bottom section) and the annual review of driving record (MVR)**, all of which will be initiated within at least within one year after hire or transfer. Drivers must list all convictions during that reporting period on the "certificate of violation" form then sign and date it. Supervisors then are to gather whatever else can be accumulated concerning the driver's safe driving practices, including at least an annual MVR, and sign and date the "annual review" form with appropriate comments concerning the driver's performance. Annual reviews will not be conducted without access to the driver's MVR and should be completed not more than 3 weeks after the receipt of the MVR. This set of forms must be scheduled within at least a year every year and will be filed in the driver's DOT qualification file for three years.

*Note: MVRs will be generated and reviewed at corporate headquarters **every six month during January/February and July/August**. Once MVRs are received by Driver Manager **every 6 months**, the above *annual* procedures outlined above will be conducted including the driver's "Certificate of Violation" and the manager's "Annual Review". All of these forms will be placed in the driver file for three years after completion.

The DOT file administrator must review all driver forms for completeness and accuracy as they are received from the recruiting department. All of the forms specifically required by the DOT in Parts 40, 380, 382, and especially 391 must be arranged and filed in the listed sequence as follows:

Left side of open file folder stapled permanently for the driver employment period plus three years thereafter:

Top form: DOT application
Initial MVR
Past employer reference checks (phone and forms)
Initial Road test **and** Certificate
Alcohol and Drug policy receipt
Entry Level training certificate (380.503)
Notification to take the pre-employment drug test

Right side of open file folder clipped in for removal after three years:

Top form: Most current medical card
Previous medical cards for past three years by date
Certificate of Violation (most recent)

MVR (most recent)
Annual review (most recent)
Remaining sets of annual review forms for 3 previous years
filed by date

The DOT administrator or the Safety Manager will purge reoccurring DOT's forms (physicals, certificate of violation, MVR, annual review) every three years. Ensure the driver qualification files are kept current and organized.

It is the Safety Director's responsibility to ensure that all drivers hired meet XXXXX standards. The above paperwork process is critical to that process. He/she will conduct periodic internal audits to ensure that the system is functioning effectively.

Alcohol and drug testing paperwork and results should be folded and stapled closed with a note stating "Confidential", test type (pre-employment, random, reasonable suspicion, post-accident, or follow-up), and the test date. These files must be either kept in a separate locked file or the driver files must be under lock and key at all times. Under no circumstances will these files be left unsecured.

ON THE JOB TRAINING

Prior to training behind the wheel of any vehicle, all of XXXXX' driver hiring and screening standards and verifications must be satisfied, including a verified negative (hard copy) for the drug test, the long form medical examination, and a copy of the drivers medical card and driver's license.

1. For driver trainees with **less than one year of verifiable experience** driving a commercial motor vehicle with a GVWR greater than 10,000 lbs and who are intended to be **assigned to a vehicle with less than a 26,000 lb GVWR**, the trainee will work at least **4 weeks** while accompanied by an XXXXX's approved driver trainer. The driver trainer will facilitate as much **behind the wheel** experience as possible during this 4 week period. The assigned driver trainer will assess and report weekly the trainee's progress on an approved progress report form. **The driver trainee will not be permitted to drive solo until the driver trainer has certified he/she is capable to perform the required driving activity.**
2. For driver trainees who are intended to be **assigned to a vehicle with a GVWR or combined GCWR of greater than 26,000 lbs** must have **at least one year of verifiable experience** driving a commercial motor vehicle and must:
 - Work at least **4 weeks** while accompanied by an XXXXX approved driver trainer or until the driver trainers certifies that the driver trainee is ready to solo. The driver trainer will facilitate as much **behind the wheel** experience as possible during this 4 week period. The assigned driver trainer will assess and report weekly the trainee's progress on an approved progress report form.
 - **Not be permitted to drive solo until the driver trainer has certified he/she is capable to perform the required driving activity and he/she has been**

issued the applicable commercial driver's license (CDL) of his/her home state for the type of vehicle to be assigned.

Driver trainers must have:

- A clean driving record (no more than one speeding conviction, no accidents within the past 5 years, no DWI, suspensions, or leaving the scene of an accident showing on the MVR record)
- At least 5 years of CMV driving experience, at least 2 of which must be with XXXXX , and
- Must have successfully completed a XXXXX' driver trainer certification course.

All new drivers will be on probation for 90 days after having been released by the driver trainer during which time he/she will be evaluated every 30 days by their Driver Manager. A driver trainee who is involved in a preventable accident or receives a citation for moving violations during this period may be subject to termination as a driver.

ACCIDENT REPORTING / PREVENTABILITY

XXXXXX has an extremely low accident ratio thanks primarily to our professional drivers. But we know that even a professional driver can have an accident. To ensure timely reporting and to control the severity of claims relating to accidents, our drivers must follow the below listed XXXXX' accident procedures.

ACCIDENT PROCEDURES

1. Stop immediately! Make the situation as safe as possible.
2. Set up warning devices (triangles, four-way flashers, etc.) within 10 minutes. Turn on flashers.
3. Notify the nearest state or local police. If a doctor or ambulance is needed, inform police.
4. Move the vehicle out of the traffic lane only if required or if the location of your vehicle may cause another accident.
5. Assist injured people as appropriate but do not attempt to move them unless absolutely necessary. Your assistance should be limited to control of bleeding and/or keeping the person warm and as quiet as possible until an ambulance, doctor, or police officer arrives to provide assistance.
6. If death, personal injury, or serious vehicle, property or cargo damage occurs, personally immediately contact the [Driver Manager](#) or [Assistant Manager](#) to receive instructions.
7. Statements should **only** be given to the police officer, company official, or your insurance carrier representative. Avoid a discussion regarding fault!
8. Keep a level head and be polite. All details are to be taken care of including a clear and complete report prior to leaving the scene.
9. Take photographs if possible of all property and vehicle damage and the accident scene if possible.
10. If you were issued a citation for a moving violation, you must immediately notify the Transportation Manager or Manager on Duty. An alcohol and drug screen will be required if the accident caused a death, or the driver received a citation for a moving violation in connection with a personal injury which required immediate medical treatment away from the accident scene or disabling damage to one or more vehicles requiring the vehicle to be transported away from the scene. You cannot use alcohol for at least 8 hours or until you are tested. You must submit to an alcohol test as soon as directed to do so. Alcohol test must be done not later than 2 hours after the accident. Drug tests must be done as soon as possible, but not later than 32 hours after the accident. Contact your Driver Manager for directions.

11. Complete the state “Police Accident Report” if provided from the responding officer. Request a copy of the Police Accident Report and submit it to the Driver Manager at the end of the trip.
12. Pick-up emergency equipment that can be reused.

FAILURE TO REPORT AN ACCIDENT

Except in certain acceptable mitigating circumstances, late reporting (24 hours) will result in the following:

First offense: Disqualification

ACCIDENT REVIEW COMMITTEE

The Safety Committee will determine the preventability of vehicular accidents.

A “preventable accident” is when the driver could have reasonably reacted in some manner to prevent an accident from occurring. Certain types of accidents, while possibly considered non-preventable in a legal sense, may have been prevented through defensive driving and therefore will be ruled as preventable by the committee.

“Defensive driving” is defined as; driving in full compliance with all applicable laws and regulations in such a manner as to avoid accident involvement despite adverse road conditions caused by weather, traffic, or errors of others.

The Safety Committee, composed of the Vice President of Operations, Human Resources Manager, and certain department managers as appropriate and hourly employees including at least one driver will review all vehicular accidents once a month or at the first possible time after the investigation is complete.

All facts, including date, time, location, weather conditions, driver and witness statements, photographs, police reports (if available), and circumstances surrounding the accident will be reviewed by the Committee. Members of the Committee will determine the accident’s preventability.

A letter regarding the decision made by the Committee will be sent to each driver after the accident review is complete.

A driver whose accident is judged preventable may appeal the Committee’s decision within 30 days by submitting to the Human Resources Manager a written statement and any appropriate additional information relative to the accident. That information will be reviewed at the next Safety Committee meeting.

PREVENTABLE ACCIDENTS

A driver who experiences recurring preventable accidents within any 36-month period will result in the following:

- One accident: Oral Warning
- Two accidents: One day suspension as a driver and mandatory training
- Three accidents: Disqualification

Any accident involving a fatality or gross or criminal negligence may be dealt with more severely - the degree of driver negligence will be a major factor in administering these standards.

HOURS OF SERVICE

MAINTAINING PROPER DUTY STATUS RECORD

Every XXXXX driver must comply fully with federal regulations regarding the maintenance of duty status records and hours of service.

Unless otherwise excepted by management or the below 100 mile radius exception, all drivers who are qualified to operate a CMV (on the drivers list) for XXXXX must prepare a paper log for every day whether on-duty or off duty. All new drivers and part time drivers must complete a record of hours used during the past 7 days prior to being assigned any work at XXXXX.

100 AIR MILE RADIUS EXCEPTION (LOG BOOK EXCEPTION)

Drivers who can meet all of the below conditions can switch to the time sheet - record of duty for any given day. There must be a start time, end time, and total hours for each day recorded. The original 7 day time sheet must be turned in with any individual applicable log sheets at the end of each week. **Note: a log page must be completed and turned in for every day for which any of these conditions are not met.**

1. The driver operates within a 100 air-mile radius of the normal work reporting location;
 2. The driver returns to his work reporting location and is released from work within 12 consecutive hours;
 3. At least 10 consecutive hours off duty separate each 12 hours on duty;
 4. The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty.
- Duty status records must be completed for *every day* of a driver's (anyone who operates a vehicle with a GVWR greater than 10,000 lbs.) life for 6 months, plus time sheets or logs must be on file for the seven previous days before he/she began to drive. Regular drivers will log every day regardless of driving time.
 - Log must be current to the last change of duty classification throughout the 24-hour log day.
 - A day consists of the 24 hours from midnight to midnight (home terminal time), one calendar day. Within those 24 hours, the time is categorized into four duty classifications:

Off Duty - Time which is not devoted to any aspect of the job is off duty time.

Sleeper Berth - Time spent resting in the sleeper berth. If not resting in a DOT qualified sleeper berth, you cannot record that time as sleeper berth time.

Driving - Time spent at the driving controls of a motor vehicle in operation.

On Duty, Not Driving - Time spent performing work-related duties and tasks other than driving, e.g., loading and unloading, attending a vehicle being loaded or unloaded, filling out paperwork, inspecting your vehicle, reporting accidents, receiving citations, waiting at a roadside for a mechanic, or any other responsibility which would be considered work.

LOG ENTRIES

Unless a driver is utilizing the 100 air miles radius exception (short haul), all of the required entries described in 395.8(d) and as shown below must be completed every day including days on and off duty.

395.8(d)

DEPARTMENT OF TRANSPORTATION DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - Submit to carrier within 13 days
DUPLICATE - Deliver to the appropriate state department

5/13/14 210 15201 T256

MONTHS (DAY) (YEAR) (TOTAL MILES DRIVING TODAY) (WEIGHT IN POUNDS - (SHOW EACH UNIT))

NATURAL GROCERS BY VITAMIN COTTAGE John Q. Davis

12612 W ALAMEDA PKWY LAKEWOOD, CO (DRIVER'S SIGNATURE) (IN FULL)

(MAIN OFFICE ADDRESS) (NAME OF CO-DRIVER)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									12.25
2: SLEEPER BERTH																									0
3: DRIVING																									3.75
4: ON DUTY (NOT DRIVING)																									5
																									24

REMARKS

Natural Grocers, Food Golden, CO Pueblo, CO Golden, CO

Date; Total miles driving today; Truck or tractor and trailer number; Name of carrier; Driver's signature/certification; 24-hour period starting time; Main office address; Remarks Name of co-driver; Total hours (far right side of grid); Shipping document number/s or Shipper and Commodity

LOG ENTRY ERRORS

Never erase or white out a log entry. If you make a mistake, neatly cross off the error and enter the correct information above the crossed out line with your initial on it. Any erasure might be interpreted by the DOT as a falsification of your record of duty status which is a chargeable violation.

11-14-60 HOURS OF SERVICE REGULATIONS (Part 395)

The DOT has established three basic rules designed to control driver fatigue.

11-Hour Driving Rule

After having **at least ten consecutive hours off duty**, a driver cannot drive more than 11 hours.

14-Hour On Duty Rule

A driver cannot continue to drive after being on duty for 14 consecutive hours after coming on-duty **following ten consecutive hours off duty** (including lunch). The driver may continue to work after 14 hours on duty, provided he does not drive again until taking ten consecutive hours off duty.

16-Hour On Duty Rule

Once every 7 consecutive days, a driver can continue to drive up to the 16th consecutive hours after coming on-duty following ten consecutive hours off duty. However, drivers still can not drive more than 11 hours during that 16 hour period.

Note: Effective July 1, 2013, drivers must include a 30 minute off duty break within the previous 8 hours each day following a 10 hour off duty break.

60-Hour Maximum On-Duty Rule

A driver cannot drive after accumulating **60** hours on duty, (combination of driving and on duty-not driving time) in any seven consecutive-day period. The driver may continue to work, but cannot drive again until having hours available within the **60**-hour rule.

The driver may reset his/her accumulated hours to zero following 34 consecutive hours off duty. ~~The 34 hour restart period can only be taken once every 168 hours (7 days) and must have a part of the restart two periods that include 1 am to 5 am.~~

Remember, the hours of service rules are used to prevent serious accidents caused by driver fatigue. Please realize that a fatigued driver threatens:

1. The driver's own life and livelihood.
2. The safety of the motoring public.
3. The safe arrival of the vehicle being transported.

ADVERSE DRIVING CONDITIONS

If *adverse* driving conditions cause a delay after you begin your trip, you may drive up to two hours over the 11-hour limit to locate a safe place to park and protect yourself and your vehicle. That “safe place” must be within an 11-hour drive from your starting point for the day under *normal* conditions. This exception does not allow you to drive after 14 hours or 70 hours in an eight day period. *Adverse* driving conditions include snow, sleet, fog, or other hazardous weather conditions.

If this adverse driving exception is applicable, the driver must first contact their manager for approval, then that time period must be noted on the log with a note indicating city, state, and the reason for the delay with as much detail as possible. (i.e. accident at mile marker ____, or tornado at the exact time , etc.)

LOG VIOLATIONS

Driver’s daily logs are a necessary tool in monitoring fatigue and help XXXXX and its drivers maintain a safe and legal operation on public roadways.

Accurate log preparation is legally required by federal and state agencies, and is monitored by XXXXX’ Driver Managers. Logs (records of duty) must exactly agree with the time sheet or activity report times (punch clock)—all on-duty time for XXXXX must be recorded on the logs including all non-driving activities.

- At the end of a day, all drivers must submit their logs to the driver manager.
- Driver Managers will consolidate and verify that all logs and supporting records are turned in. Drivers will be notified of missing, incomplete, or erroneous paperwork and are expected to respond promptly.
- Driver managers must review all noted violations with the driver and both must sign the violation report or log audit worksheet within 14 days.
- Driver Managers will forward these counseling records (signed violation reports) with the applicable logs to Human Resources so they are maintained in personnel files.

Drivers who do not maintain compliance with federal and state hours of service regulations, as well as XXXXX polices, will be subject to the following corrective actions.

CRITICAL VIOLATIONS

Hours of Service violations - Anytime a driver violates the 11, 14, or 60 hours of service rules or forms and manner errors as required by 395.8(d), a minimum of an oral counseling and retraining is mandatory for each violation.

Driver Managers must daily ensure that the driver is not scheduled on a route which would exceed these maximum hour limitations. Sufficient time in their schedules must

be planned to accommodate the mandatory daily 10 consecutive hour rest period and the weekly 34 consecutive hours off duty period.

- First offense - Training and verbal counseling
- Second offense within 6 months - Written counseling
- Third offense within 12 months – Counseling and a one day suspension
- Fourth offense within 12 months - Disqualification as a driver

Speeding violations as recorded on a log review - Drivers who exceed state speed limits as indicated on their logs will be subject the actions as listed above.

Under no circumstances will a route be scheduled for a driver that would require the driver to speed to deliver the stops on time.

Late Log Submittal -Daily logs and supporting documents must be received by XXXXX' driver manager **within 3 days** from date of log completion.

Driver Managers or their assistants will conduct a daily audit all paper logs and supporting documents as they are turned in for violations and completeness. Driver will be counseled on violations found within ten days of completing the log. These counseling records will be forwarded to the facility Human Resources Manager.

Drivers who fail to submit logs within the required **3-day time frame** will be placed out of service, be given counseling, and will not be assigned any further work involving driving a commercial motor vehicle until logs are received. Drivers whose logs are 30 days delinquent will be disqualified as a driver until further notice.

Log Falsification - Drivers who have falsified information on their daily log (one hour or 50 miles off actual) will be subject to the following actions:

- First offense - Written counseling
- Second offense within a rolling 12 months – Written counseling and a one day suspension
- Third offense within a rolling 12 months - Driver disqualified

All activity report time records (punch clock), driver reports, fuel and toll receipts, invoices, and any other supporting documents generated in course of operations must match the times recorded on the log sheets. These records must all be filed and readily available for inspection for 6 months.

VEHICLE INSPECTIONS

DOT ROADSIDE INSPECTIONS

If your vehicle is ever inspected by a federal or state inspector, you must do the following:

- Cooperate fully with the inspector, treat the inspector with respect, and represent XXXXX in a professional manner.
- Record on your log the location (city/state) and total time of the inspection in the on duty, not driving status.
- **If defects were found, have any defects corrected immediately. Mechanical defects found on the vehicle must be repaired as soon as possible.** Receipts must be obtained for all parts and labor needed to complete repair.
- **The original DOT inspection form and copies of the repair receipts must be turned in to your manager within 24 hours of the inspection.** Drivers who fail to submit the required documents may be placed out of service.
- **Roadside inspections with violations noted must be certified by the Driver Manager as corrected and returned to the issuing jurisdiction within 15 days of the inspection. A copy of the inspection report must be filed for 12 months.**
- Drivers involved in inspections with violations or out of service penalties which are listed in this policy as specific driver's responsibilities will be subject to the following actions:
 - First offense - Training and verbal counseling
 - Second offense within 12 months - Written warning
 - Third offense within 12 months – One day suspension as a driver
 - Fourth offense within 12 months - Disqualification as a driver

DAILY VEHICLE INSPECTION REQUIREMENTS

Pre-Trip Inspection

Federal Regulation 396.13 states that **before driving** a motor vehicle, the driver shall:

- **Be satisfied that the motor vehicle is in safe operating condition.**
- **Review the last vehicle inspection report (white copy original) required to be carried on the power unit.**
- **Sign the white copy of the last DVIR to acknowledge it has been reviewed it and that there is certification that the required repairs have been performed if applicable**

- Carry this last signed white copy of the DVIR during the day and turn it in at the end of the day with the other daily paperwork after the new DVIR has been completed.

During Trip Inspection

Drivers must inspect the vehicle within the first 50 miles of a trip at every change of duty status, and every 150 miles, or every three hours (whichever comes first) afterward. The driver is required to check at least the following items:

- Cargo doors and cargo securement
- Tires - enough air pressure and not overheated
- Brakes - not overheated (put back of hand near brake to test)
- Coupling devices
- Ensure that all hazardous materials are secured firmly in the truck so they cannot move or shift during transportation.
- Phone the Driver Manager immediately if any safety concerns or defects are noted.

Post-Trip Inspection

Per Federal Regulation 396.11, every motor carrier shall require its drivers to report, and **every driver shall complete a daily vehicle inspection report (DVIR) at the completion of each day's work on each vehicle operated.** The report shall cover at least the following parts and accessories:

- Service brakes including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

The report shall identify the motor vehicle and list any defect or deficiency discovered by, or reported to the driver which would affect the safety and operation of the motor vehicle or result in its mechanical breakdown.

If no defect or deficiency is discovered by, or reported to the driver, the report shall so indicate. In all instances, the driver shall sign the vehicle inspection

report and leave it on the truck. On two-driver operations, only one driver needs to sign the report, provided both drivers agree on any defects or deficiencies. If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle operated.

If there is a safety defect (one which is likely to effect the safety of the vehicle or cause a mechanical breakdown), **the signed white copy is to remain with the vehicle** and the yellow copy must be turned in to the Driver Manager as a notice to be repaired.

CORRECTIVE ACTION

Prior to operating a motor vehicle, XXXXX will insure that the repair of any items listed on the vehicle inspection reports which would be likely to affect the safe operation of the vehicle, except for minor repairs, has been accomplished. If this should occur on the road, the driver must call XXXXX and get instructions on where to get the defect repaired before continuing the trip.

- The Driver Manager or his/her designee shall certify on the white copy of the DVIR which list any defects or deficiencies (which should be on the truck) that the defects or deficiencies if it is unnecessary to correct before the vehicle is again dispatched.
- A mechanic shall certify on the white copy of the DVIR which lists the defect or deficiency (which should be on the truck) that the defects have been corrected.
- XXXXX shall retain the original copy of each vehicle inspection report and the certification of repairs for at least three months from the date the report was prepared.
- The original copy (white copy) of the last vehicle inspection report, certified if required, shall be carried on the power unit until after the next driver completes the next report.
- Drivers will turn in the original white copy of the previous daily vehicle inspection report at the end of the day.
- The driver must notify his/her driver manager of any defects noted by turning the yellow copy of the DVIR they prepared today. The Driver Manager must review every DVIR every day for possible safety defects before the vehicles are assigned.

REGULAR SYSTEMATIC MAINTENANCE

All XXXXX' vehicles owned or leased for over 30 days (over 10000# GVWR) which operate on public highways will be serviced and inspected according to the following a

regular preventative schedule. Driver managers will monitor service interval due dates and schedule the vehicle in for service when due.

- Schedule A **Once every month**, each vehicle (truck and trailer) will be inspected and serviced according to a formal “Schedule A” checklist (available from corporate admin department if needed). This inspection is focused on minor “quick fix” service and safety items such as lights, brake adjustments, tires defects and inflation, and loose nuts, bolts, and lugs.
- Schedule B Trucks--**Every 10,000 to 15,000 miles** power units will be inspected and serviced according to a formal “Schedule B” (PM) checklist (available from corporate admin department if needed). A full lube and oil change with filters is to be performed in addition to the above “Schedule A”.
- Schedule B Trailers--**Once every 3 months** the trailer inspection must at least include inspection and applicable repair of brakes (including appropriate adjustments) and hoses, lights, wheels, lugs, and tires, 5th wheel, frame and structure.

Files are retained for at least 12 months from the date of the inspection at each terminal. Each facility will maintain its own equipment list, service scheduling, and maintenance files as follows:

- 1) The equipment list will remain numerical and on the prescribed excel format. All additions and deletions of vehicles will be promptly entered on this equipment list.
- 2) The service schedule will be kept current (within one week) to the invoices received. A Schedule “B” satisfies the “A” for a power unit.
- 3) A summary of the repairs sufficient to document “systematic” repairs on safety related components will be entered on the excel document in separate worksheets for each vehicle.

Drivers who have reason to suspect that their assigned unit has not been inspected should call their supervisor **prior to leaving** on their assign trip. Defects detected by the driver during the day must be reported to his/her driver managers as soon as possible before the end of the day.

Any person who performs brake repairs or adjustments must be certified brake inspectors per sec. 396.25. Proof of these qualifications must be in the maintenance file for as long as the mechanic is performing the work plus one year thereafter. For maintenance contractors, verification of mechanics qualifications must be verified but it is not necessary to have a copy of the certificate as long as the contractor has it.

PERIODIC INSPECTION

All XXXXX owned vehicles (over 10001# GVWR) which operate on public highways must be inspected at least annually according to Sec. 396.17 and FMCSR appendix G standards. Vehicles must not be driven after one year following the date of this inspection.

A decal must be placed on each vehicle (unless otherwise specified by state law) designating the date on which the inspection was conducted and where the files are maintained. A copy of the inspection must be retained in the maintenance files for at least 14 months. Inspectors conducting this inspection must be qualified and their certification must be in the maintenance file for one year after the inspection.

HAZARDOUS MATERIALS TRANSPORTATION

Even though XXXXX does not transport hazardous materials, all XXXXX employees must be alert to prevent unsafe exposure to hazardous materials. The DOT hazardous materials regulations are designed to properly classify, communicate, and respond to hazardous materials transported outside the XXXXX property. **Any amount of hazardous materials in any motorized vehicle used on a public street is fully regulated.** In summary, the following is a brief list of HM procedures to be alert for in case an inadvertent shipment would occur.

1. Any package with colored 4 inch diamonds should be immediately targeted as DOT hazardous which by definition poses an unreasonable risk. (Note; ORM-D's are also regulated but pose a low risk)
2. When transported in any vehicle these materials **always need DOT shipping papers** unless specifically excepted. Shipping paper content is very precise and must at a minimum include the proper shipping name, hazard class, identification number, and packing group. **All inbound or outbound shipping papers must be filed for 375 days.**
3. Packages must be "UN" certified (unless specifically excepted) and be marked with the same information as the shipping papers. Consumer commodities need only strong outside containers (not certified) but must be marked with an ORM-D marking with "consumer commodity" above it.
4. Emergency response information must be immediately available wherever the material is.
5. When placed in a vehicle these materials cannot move around on the truck.
6. Placards will only be displayed on all four sides of the vehicle if the total gross weight of hazardous materials exceeds 1000 lbs. *Only drivers with an "H" endorsement on their CDL license may be assigned to a placarded load.*
7. If any hazardous materials appears to not meet the above guidelines or is even suspected of being unsafe:
STOP EVERYTHING
ISOLATE THE AREA
CALL FOR ASSISTANCE IMMEDIATELY

NOTIFICATION LETTER

I certify that I have received a copy of, and have read the above XXXXX policy. I understand that as a condition of employment, I must comply with these guidelines, and do agree that I will. If I develop a problem with during my employment with XXXXX, I will seek assistance through the XXXXX Human Resource Department.

I also understand that if I become disqualified under FMCSR driver standards, lose my driver's license for any reason, or become uninsurable, I have surrendered my employment as a driver and may be subject to termination from XXXXX.

Signed

Date