

12.10.24

PLEASE KEEP THIS MANUAL WITHIN ARM'S REACH TO REVIEW AND REFERENCE REGULARLY TO ASSIST YOU IN ACHIEVING THE HIGHEST LEVEL OF PROFESSIONALISM.

Exhibit 4.FSM.001

Driving Record Review Matrix

MOVING VIOLATIONS (Last 3 years)	PREVENTABLE ACCIDENTS (Last 3 Years)			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Acceptable	Poor	Poor
3	Borderline	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor

What if the driver goes too far or works too many hours?

- If the driver cannot meet the terms of the exemption (he or she goes too far or works too many hours), the driver must complete a regular driver's log for the day as soon as the exemption no longer applies.
- If the driver has had to complete a log 8 or fewer days out of the last 30 days, the driver can use a paper log for the day.
 - + Paper Logs will be provided for all drivers but electronic logs (eLogs) are expected.
- If the driver had to complete a log more than 8 days out of the last 30 days, the driver needs to use an eLog for the day (unless one of the Electronic Logging Device (ELD) exemptions applies, such as operating a vehicle older than model year 2000).

30-minute break exemption:

- When a property-carrying driver is operating under the 150 air-mile exemption, the driver is also exempt from having to take the required 30-minute break 49 CFR §395.3(a)(3)(ii).
- If the driver began the day as a 150 air-mile driver and is more than 8 hours into the workday without a break, and something unexpected happens and the driver can no longer use the 150 air-mile exemption, the driver must stop and immediately take the 30-minute break as well as start logging.
- If the driver went outside of the 150 air-mile area before the driver had 8 hours in, the driver would be expected to take the break at the appropriate time.

**A FEW VARIATIONS:
TO BE ABLE TO USE THIS EXEMPTION, DRIVERS OPERATING READY-MIX CONCRETE VEHICLES AND DRIVERS TRANSPORTING ASPHALT MUST RETURN TO THE WORK REPORTING LOCATION FOR THE DAY WITHIN 14 HOURS.**

COMMON MYTHS:

Here are some of the common myths and misunderstandings about the 150 air-mile exemption:

- 01** The driver must have the time records in the vehicle.
Myth. The driver simply needs to explain to an officer during a roadside inspection that he/she does not have logs due to reporting under the 150 air-mile exemption and that the required time records are back at the carrier's office (just telling the officer, "I don't have any logs" will lead to a violation, so the driver needs to know to provide the full explanation).
- 02** The driver must log the previous seven days if he/she had been using the 150 air-mile exemption and suddenly can't.
Myth. If the driver cannot use the exemption on one day, that is the only day the driver must use a regular log (either paper or electronic).
- 03** Passenger-carrying drivers and drivers hauling hazardous materials cannot use this exemption.
Myth. There are no restrictions on the use of this exemption, so any commercial driver can use it.
- 04** A driver that crosses state lines cannot use this exemption.
Myth. As this exemption appears in the FMCSA regulations, it can be used by interstate drivers.
- 05** Only drivers that operate out of a "company terminal" can use the 150 air-mile exemption.
Myth. As long as the driver makes it back to the work reporting location for the day within the appropriate number of hours, the driver can use the exemption.
- 06** Drivers that move from one jobsite to another every few weeks cannot use this exemption.
Myth. If a driver that normally uses this exemption switches work reporting locations, the day the driver switches work reporting locations is the only day the driver cannot use the exemption.
- 07** Drivers covered by this exemption are also exempt from the driver qualification (licensing and medical cards), driving, and vehicle inspection requirements.
Myth. The only rules the driver is exempt from are the logging requirement in 49 CFR §395.8 and the 30-minute break requirement in 49 CFR §395.3.

- 08** The driver cannot drive more than 150 miles for the day.
Myth. The driver can drive as many miles as he/she wants to or needs to, as long as the driver stays within the 150 air-mile radius circle and gets back to the work reporting location within the appropriate number of hours.

- 09** If a 150 air-mile driver gets into a vehicle with an Electronic Logging Device (ELD), the driver must use it.
Myth. The carrier can have the driver login and have the driver entered into the system as an "exempt driver," or the carrier can request that the driver not log into the device and then attach a comment to the unassigned driving time generated by the driver's movements.

The comment would need to explain that the driver using the vehicle was a 150 air-mile driver who submitted a time record. It is up to the carrier to decide which option to use. If stopped for a roadside inspection, the driver will need to be able to explain to the inspector that he/she is an exempt driver using the 150 air-mile exemption, so using the electronic log is not required.

ELECTRONIC LOGGING DEVICE:

The Electronic Logging Device (ELD) Rule applies to most motor carriers and drivers who are required to keep Records of Duty Status (RODS). This includes commercial buses as well as trucks. It applies to drivers domiciled in Canada and Mexico, unless they qualify for an exception to the rule.

Motor carriers and drivers must choose only ELDs that are self-certified and registered on FMCSA's website. Manufacturers must self-certify that their ELDs meet technical standards in the ELD rule and they must register them with FMCSA.

The rule is intended to help create a safer work environment for drivers, and make it easier and faster to accurately track, manage, and share RODS data.

An ELD is technology that automatically records a driver's driving time and other HOS data. This allows easier, more accurate HOS recordkeeping.

An ELD monitors a vehicle's engine to capture data on whether the engine is running, whether the vehicle is moving, miles driven, and duration of engine operation (engine hours).

Starting December 16, 2019, all carriers and drivers were subject to the rule and were required to use ELDs.

ELDs must have the capability of either telematic data transfer or local transfer.

Federal Motor Carrier Safety Administration Regulations:

- 49 CFR § 395.8(e)(2):** No driver or motor carrier may disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or otherwise tamper with an automatic on-board recording device or ELD so that the device does not accurately record and retain required data.
- 49 CFR § 395.8(e)(3):** No driver or motor carrier may permit or require another person to disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or otherwise tamper with an automatic on-board recording device or ELD so that the device does not accurately record and retain required data.

Exceptions to the ELD Rule:

- + Drivers who use paper logs no more than 8 days during any 30-day period.
- + Driveaway-towaway drivers (transporting a vehicle for sale, lease, or repair), provided the vehicle driven is part of the shipment or the vehicle being transported is a motor home or recreational vehicle trailer.
- + Drivers of vehicles manufactured before model year 2000.

ELD Device Malfunction:

A motor carrier must ensure that its drivers possess onboard a commercial motor vehicle an ELD information packet containing the following items:

- + An instruction sheet for the driver describing ELD malfunction reporting requirements and recordkeeping procedures during ELD malfunctions

IF THIS ELD DEVICE IS FOUND TO BE IN A MALFUNCTION STATE AS INDICATED IN THE CHART BELOW, THEN THE FOLLOWING MUST BE COMPLIED TO BY THE DRIVER AND THE MOTOR CARRIER OF THE CMV.

- If an ELD malfunctions, a driver must:**
- 01** Note the malfunction of the ELD and provide written notice of the malfunction to the motor carrier within 24 hours
- 02** Reconstruct the Record of Duty Status (RODS) for the current 24-hour period and the previous seven (7) consecutive days, and record the RODS on graph-grid paper logs, or electronic logging software, that comply with 49 CFR §395.8, unless the driver already has the records or retrieves them from the ELD
- 03** Continue to manually prepare RODS in accordance with 49 CFR §395.8 until the ELD is serviced and back in compliance. The recording of the driver's hours of service on a paper log, or electronic logging software, cannot continue for more than eight (8) days after the malfunction; a driver that continues to record his or her hours of service on a paper log, or electronic logging software, beyond eight (8) days risk being placed out of service.



If an ELD malfunctions, a motor carrier must:

- 01** Correct, repair, replace, or service the malfunctioning ELD within eight (8) days of discovering the condition or a driver's notification to the motor carrier - whichever occurs first.
- 02** Require the driver to maintain a paper record of duty status (RODS) until the ELD is back in service.

When to use paper logs:

A driver should only use paper logs, or electronic logging software, or other electronic means to record their HOS if the ELD malfunction hinders the accurate recording of the driver's hours-of-service data (i.e., 10/11, 14/15, 60/70 hours; or 30 minute).

ELD Diagnostics/Malfunctions

Condition	Definition	Driver Response
 Diagnostic	No Driver action is required but recommended steps to resolve the issue (if any) are outlined in the chart below.	
 Malfunction	Follow required malfunction reporting steps as stated above as well as any additional steps outlined in the following chart.	

Condition	Definition	Driver Response
Missing Data	Required data may be missing from the last ELD event that was recorded	This should resolve itself after a short while. If it does not, then please contact your administrator.
Unidentified Driver * Unidentified driving time occurs when the vehicle is moving without a Driver logged in.	When the ELD device has accumulated >30min of unidentified driving time in the past 7 days. This state is cleared when <= 15min unidentified driving time remains.	Unidentified Driving Time can be claimed and added to your Driver Log via the Review Hours screen when logging in OR selecting Driver Logs > Unidentified Driving from the Main Menu.
Power	The ELD has failed to start up within 1 minute of your engine starting. It's possible that you've missed 30 minutes of driving time due to this.	Make sure the ELD is powered on and at the login screen before turning your vehicle on. Please check or have your administrator check to make sure your logs are correct.
Engine Sync	We have not detected data from the ECM in the past 5 seconds. When an accumulated 30 minutes of time has elapsed between the creation and receipt of these engine events, we raise this as a Malfunction state.	Make sure your device USB cable is securely fastened to the ELD. Please advise your administrator/installer so further troubleshooting can be performed.
Data Transfer	The last data transfer test that was performed has failed. We've started testing more frequently and still cannot transfer data.	You may be unable to send your onboard documents to an officer - should they request them. Please contact your administrator so they can perform additional troubleshooting steps.
Timing	The time on your ELD may be incorrect.	This should resolve itself after a short while. If it does not, then please contact your administrator. If this occurs, we recommend keeping a paper log following the outline at the start of this document.
Positioning	You have been moving but we do not have a lock on your GPS location.	This should resolve itself after a short while. If it does not, then please contact your administrator. If this occurs, we recommend keeping a paper log following the outline at the start of this document.
Data Recording	There is an issue saving data on the ELD.	Please contact your administrator. If this occurs, we recommend keeping a paper log following the outline at the start of this document.

PAPER LOGS:

If a driver is required to use a paper log due to an exemption or malfunction, the following rules apply.

Code of Federal Regulations 49 CFR §395.1 Scope of rules in this part.

(a) Except for a private motor carrier of passengers (nonbusiness), every motor carrier shall require every driver used by the motor carrier to record his/her duty status for each 24-hour period using the methods prescribed in either paragraph (a)(1) or (2) of this section.

- + Every driver who operates a commercial motor vehicle shall record his/her duty status, in duplicate, for each 24-hour period. The duty status time shall be recorded on a specified grid, as shown in paragraph (g) of this section.
- + Every driver who operates a commercial motor vehicle shall record his/her duty status by using an automatic on-board recording device that meets the requirements of 49 CFR §395.15 of this part. The requirements of 49 CFR §395.8 shall not apply, except paragraphs (e) and (k) (1) and (2) of this section.

(b) The duty status shall be recorded as follows:

- + "Off duty" or "OFF"
- + "Sleeper berth" or "SB" (only if a sleeper berth is used)
- + "Driving" or "D"
- + "On-duty not driving" or "ON"

(c) For each change of duty status (e.g., the place of reporting for work, starting to drive, on-duty not driving; and were released from work), the name of the city, town, or village, with State abbreviation, shall be recorded.

NOTE:
IF A CHANGE OF DUTY STATUS OCCURS AT A LOCATION OTHER THAN A CITY, TOWN, OR VILLAGE, SHOW ONE OF THE FOLLOWING:

- + The highway number and nearest milepost followed by the name of the nearest city, town, or village and State abbreviation
- + The highway number and the name of the service plaza followed by the name of the nearest city, town, or village and State abbreviation
- + The highway numbers of the nearest two intersecting roadways followed by the name of the nearest city, town, or village and State abbreviation

(d) The following information must be included on the form in addition to the grid:

- + Date
- + Total miles driving today
- + Truck or tractor and trailer number
- + Name of carrier
- + Driver's signature/certification
- + 24-hour period starting time (e.g., midnight, 9:00 a.m., noon, 3:00 p.m.)
- + Main office address
- + Remarks
- + Name of co-driver
- + Total hours (far right edge of grid)
- + Shipping document number(s), or name of shipper and commodity

(e) Failure to complete the record of duty activities of this section or 49 CFR §395.15, failure to preserve a record of such duty activities, or making of false reports in connection with such duty activities shall make the driver and/or the carrier liable to prosecution.

(f) The driver's activities shall be recorded in accordance with the following provisions: **49 CFR §486**

- + Entries to be current
 - » Drivers shall keep their records of duty status current to the time shown for the last change of duty status.
- + Entries made by driver only
 - » All entries relating to driver's duty status must be legible and, in the driver's, own handwriting.

- + Date
 - » The month, day, and year for the beginning of each 24-hour period shall be shown on the form containing the driver's duty status record.
- + Total miles driving today
 - » Total mileage driven during the 24-hour period shall be recorded on the form containing the driver's duty status record.
- + Commercial motor vehicle identification
 - » The driver shall show the number assigned by the motor carrier, or the license number and licensing State of each commercial motor vehicle operated during each 24-hour period on his/her record of duty status. The driver of an articulated (combination) commercial motor vehicle shall show the number assigned by the motor carrier, or the license number and licensing State of each motor vehicle used in each commercial motor vehicle combination operated during that 24-hour period on his/her record of duty status.
- + Name of motor carrier
 - » The name(s) of the motor carrier(s) for which work is performed shall be shown on the form containing the driver's record of duty status. When work is performed for more than one motor carrier during the same 24-hour period, the beginning and finishing time, showing a.m. or p.m., worked for each motor carrier shall be shown after each motor carrier's name. Drivers of leased commercial motor vehicles shall show the name of the motor carrier performing the transportation.
- + Signature/certification
 - » The driver shall certify to the correctness of all entries by signing the form containing the driver's duty status record with his/her legal name or name of record. The driver's signature certifies that all entries required by this section made by the driver are true and correct.
- + Time base to be used
 - » The driver's duty status record shall be prepared, maintained, and submitted using the time standard in effect at the driver's home terminal, for a 24-hour period beginning with the time specified by the motor carrier for that driver's home terminal.
 - » The term "7 or 8 consecutive days" means the 7 or 8 consecutive 24-hour periods as designated by the carrier for the driver's home terminal.
 - » The 24-hour period starting time must be identified on the driver's duty status record. One-hour increments must appear on the graph, be identified, and preprinted. The words "Midnight" and "Noon" must appear above or beside the appropriate one-hour increment.
- + Main office address
 - » The motor carrier's main office address shall be shown on the form containing the driver's duty status record.
- + Recording days off duty
 - » Two or more consecutive 24-hour periods off duty may be recorded on one duty status record.
- + Total hours
 - » The total hours in each duty status: off duty other than in a sleeper berth; off duty in a sleeper berth; driving, and on duty not driving, shall be entered to the right of the grid, the total of such entries shall equal 24 hours.
- + Shipping document number(s) or name of shipper and commodity shall be shown on the driver's record of duty status

(g) **Graph grid.** The following graph grid must be incorporated into a motor carrier recordkeeping system which must also contain the information required in paragraph (d) of this section.

EXHIBIT 4.FSM.002
Graph Grid

Graph Grid – Vertically	<table border="1"> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">OFF DUTY</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">SLEEPER BERTH</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">DRIVING</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">ON DUTY (Not Driving)</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">REMARKS</td> <td></td> </tr> </table>	OFF DUTY		SLEEPER BERTH		DRIVING		ON DUTY (Not Driving)		REMARKS	
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Graph Grid – Horizontally	<table border="1"> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">OFF DUTY</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">SLEEPER BERTH</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">DRIVING</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">ON DUTY (Not Driving)</td> <td></td> </tr> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">REMARKS</td> <td></td> </tr> </table>	OFF DUTY		SLEEPER BERTH		DRIVING		ON DUTY (Not Driving)		REMARKS	
OFF DUTY											
SLEEPER BERTH											
DRIVING											
ON DUTY (Not Driving)											
REMARKS											

- (h) **Graph grid preparation**
- + Off duty
 - » Except for time spent resting in a sleeper berth, a continuous line shall be drawn between the appropriate time markers to record the period(s) of time when the driver is not on duty, is not required to be in readiness to work, or is not under any responsibility for performing work.
 - + Sleeper berth
 - » A continuous line shall be drawn between the appropriate time markers to record the period(s) of time off duty resting in a sleeper berth, as defined in 49 CFR§395.2. (If a non-sleeper berth operation, sleeper berth need not be shown on the grid).
 - + Driving
 - » A continuous line shall be drawn between the appropriate time markers to record the period(s) of driving time, as defined in 49 CFR§395.2.
 - + On duty not driving
 - » A continuous line shall be drawn between the appropriate time markers to record the period(s) of time on duty not driving specified in 49 CFR§395.2. Does not include any time resting in a parked vehicle. In a moving property carrying CMV, does not include up to 2 hours in the passenger seat immediately before or after 8 consecutive hours in sleeper berth.
 - + Location—remarks
 - » The name of the city, town, or village, with State abbreviation where each change of duty status occurs shall be recorded.
 - » Filing driver's record of duty status. The driver shall submit or forward by mail the original driver's record of duty status to the regular employing motor carrier within 13 days following the completion of the form.
- (i) **Drivers used by more than one motor carrier**
- + When the services of a driver are used by more than one motor carrier during any 24-hour period in effect at the driver's home terminal, the driver shall submit a copy of the record of duty status to each motor carrier.
 - + The record shall include:
 - » All duty time for the entire 24-hour period
 - » The name of each motor carrier served by the driver during that period
 - » The beginning and finishing time, including a.m. or p.m., worked for each carrier
 - + Motor carriers, when using a driver for the first time or intermittently, shall obtain from the driver a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which the driver was last relieved from duty prior to beginning work for the motor carriers.
- (j) **Retention of driver's record of duty status**
- + Each motor carrier shall maintain records of duty status and all supporting documents for each driver it employs for a period of six months from the date of receipt.
 - + The driver shall retain a copy of each record of duty status for the previous 7 consecutive days which shall be in his/her possession and available for inspection while on duty.

16 Hour Rule Exemption:

The 16-hour rule is a special exemption that allows certain drivers to remain on-duty for 16 hours instead of 14, but **WITHOUT** extending the allowed 11 hours per day of driving.

THIS EXEMPTION APPLIES TO DRIVERS THAT HAVE STARTED AND STOPPED THEIR WORKDAYS AT THE SAME LOCATION FOR THE PREVIOUS FIVE WORKDAYS.

Personal Conveyance:

- The movement of a commercial motor vehicle (CMV) for personal use while off-duty.
- A driver may record time operating a CMV for personal conveyance as off-duty only when the driver is relieved from work and all responsibility for performing work by the motor carrier.
- The CMV may be used for personal conveyance even if it is laden, since the load is not being transported for the commercial benefit of the motor carrier at that time.
- Personal conveyance does not reduce a driver's or motor carrier's responsibility to operate a CMV safely.

The following are examples of Appropriate Uses of a CMV while off-duty for personal conveyance include, but are not limited to:

- 01** Time spent traveling from a driver's en-route lodging (such as a motel or truck stop) to restaurants and entertainment facilities.
 - 02** Commuting between the driver's terminal and his or her residence, between trailer-drop lots and the driver's residence, and between work sites and his or her residence. In these scenarios, the commuting distance combined with the release from work and start to work times must allow the driver enough time to obtain the required restorative rest as to ensure the driver is not fatigued.
 - 03** Time spent traveling to a nearby, reasonable, safe location to obtain required rest after loading or unloading. The time driving under personal conveyance must allow the driver adequate time to obtain the required rest in accordance with minimum off-duty periods under 49 CFR §395.3(a)(1) (property-carrying vehicles) or 395.5(a) (passenger-carrying vehicles) before returning to on-duty driving, and the resting location must be the first such location reasonably available.
 - 04** Moving a CMV at the request of a safety official during the driver's off-duty time.
- The following are examples of uses of a CMV that Would Not Qualify as personal conveyance include, but are not limited to, the following:
- 01** The movement of a CMV in order to enhance the operational readiness of a motor carrier. For example, bypassing available resting locations in order to get closer to the next loading or unloading point or other scheduled motor carrier destination.
 - 02** Continuation of a CMV trip in interstate commerce in order to fulfill a business purpose, including bobtailing or operating with an empty trailer in order to retrieve another load or repositioning a CMV (tractor or trailer) at the direction of the motor carrier.
 - 03** Time spent transporting a CMV to a facility to have vehicle maintenance performed.
 - 04** After being placed out of service for exceeding the maximum periods permitted under 49 CFR §395, time spent driving to a location to obtain required rest, unless so directed by an enforcement officer at the scene.
 - 05** Time spent traveling to a motor carrier's terminal after loading or unloading from a shipper or a receiver.

COMPANY POLICY

Using personal conveyance in violation of the rule will be treated as an hours of service violation and the progressive discipline program will be applied.

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Department of Transportation Roadside Inspections

Department of Transportation (DOT) inspections are a very important part of our Company's operation, both real time and long term.

Any violations can be unsafe, and our goal at the Company is to run safely.

- DOT inspections must be returned to the inspecting state within 15 days. All repairs that are noted and do not put the unit out of service must be made within this 15-day period.
- Drivers must inform the Safety Department and Supervisor as soon as an inspection has been performed.
- All inspections must be submitted within 24 hours of occurrence to the Safety Department/supervisor, by the driver.

NOTE:

DOT INSPECTIONS MAKE UP THE COMPANY'S AND DRIVER'S CSA/PSP SCORECARDS. THEY ARE MORE IMPORTANT NOW THAN EVER BEFORE.

Driver Vehicle Inspection Reports

Driver Inspection Regulation 49 CFR §396.13:

Before driving a motor vehicle, the driver shall:

- Be satisfied that the motor vehicle is in safe operating condition.
- Review the last driver vehicle inspection report.
- Sign the report.
 - + Only if defects or deficiencies were noted by the driver who prepared the report.
 - + To acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been performed.

**Note: The signature requirement does not apply to listed defects on a towed unit which is no longer part of the vehicle combination.*

POLICIES

Controlled Substance and Alcohol Policy

All drivers who drive Commercial Motor Vehicles (CMV) which require a Commercial Driver's License (CDL) are subject to controlled substances and alcohol testing.

- The circumstances in which the driver will be tested are incorporated and found in 49 CFR §382 Subpart C of the Federal Motor Carrier Safety Regulations handbook.
 - + '382.301 Pre-employment and/or lease testing
 - + '382.307 Reasonable Suspicion testing
 - + '382.303 Post Accident testing
 - + '382.309 Return to duty testing
 - + '382.305 Random testing, per the prevailing rate as required by U.S. DOT
 - + '382.311 Follow up testing
- Under the Random Testing Program, carriers are required to test annually:
 - + 50% of their fleet for controlled substances
 - + 10% of their fleet for alcohol

THE COMPANY

PULLS THEIR LIST OF RANDOM DRIVERS' NAMES ON A QUARTERLY BASIS.

The Company has a Zero Tolerance Policy

- Any driver that violates 49 CFR §382 Subpart B shall have his/her employment/lease terminated for cause.
- Any driver found to have any drugs, alcohol or related containers and/or paraphernalia, on Company equipment or property, shall have his/her employment/lease terminated for cause.

[See the Company's Drug and Alcohol-Free Workplace and Substance Abuse Policy in Volume II: General Safety Requirements](#)

Security Plan

>> [SAMPLE ONLY - A site specific security plan may be needed based on client requirements](#)

Company Name: Emery Sapp & Sons

Plan Developer: Matthew J. Cowell

Title: Director of Environmental Safety & Health

Effective Date: July 1, 2022

Objective:

The Company is committed to the safe and efficient handling and transportation of cargo.

We are also committed to ensuring the physical safety of all Employee-owners/Independent Contractors and to reduce or prevent cargo theft along with other security related opportunities.

Our goals are to ensure the safety of our Employees-owners/Independent Contractors and the security of cargo from point of origin to the final destination.

Purpose:

To clearly communicate general en-route security procedures and guidelines to all driving and non-driving personnel.

To provide the means and methods of protecting our Employees-owners/Independent Contractors equipment, cargo, and the general public while preparing for transport.

To establish consistent security guidelines and procedures that shall be observed by all responsible personnel.

Scope:

The following security guidelines and procedures apply to all work/load assignments. All Employee-owners will be expected to be knowledgeable of, and adhere to these guidelines and procedures when performing activity for the Company.

Security:

1.0 Points-Of-Origin Driver Security Procedures

1.1 Upon arrival at the point of origin, all drivers shall check in with the responsible shipping personnel to notify them of arrival and to provide picture proof of identity (if necessary).

Drivers will also be expected to produce their current operator's or CDL. While at the shipper,

drivers shall follow the loading instructions and obey all customer safety and security rules and procedures.

1.2 At the designated loading location (assigned dock door), the driver shall secure the vehicle. No Company vehicle will be left unattended until the driver is confident the vehicle is secured from moving.

2.0 Shipper Load & Count

2.1 In the event a driver is scheduled to pick up a trailer pre-loaded he/she shall verify:

- + The load's shipping papers
- + Seal numbers
- + Trailer number

Under no circumstances shall a driver be allowed or permitted to break a seal on a pre-loaded trailer or a trailer moving under a shipper's load and count provision. These guidelines apply to outbound loads as well as loads being picked up and returned to a terminal or spotting/staging area.

2.2 In the event of a live load, drivers are expected to supervise the entire loading process. Drivers are responsible for making sure no unauthorized or unscheduled cargo is loaded on any trailer.

2.3 When all loading activity has been completed, drivers are responsible for making sure the cargo is secure and to check the bill of lading or the delivery manifest to ensure cargo count is accurate.

Once drivers are satisfied that the cargo matches the shipping papers, they shall:

- + Close the trailer doors and witness the shipper sealing the trailer
- + Record the seal number on the shipping paper(s)
- + Have the shipping papers signed by the responsible shipper personnel before leaving
- + Contact their fleet manager to verify all pertinent load related information and that the loading process has been completed

2.4 If a discrepancy is found between the cargo and bill of lading or shipping manifest, drivers shall contact their supervisor immediately for instructions

2.5 In the event the shipper fails to supply a seal, drivers may be required to use a Company issued seal. If required, seals can be obtained from your fleet managers.

2.6 Before leaving any shipper, drivers shall make a thorough visual observation of their immediate surroundings and report any unusual or suspicious activity to their fleet manager immediately.

3.0 Standard Security Operating Procedures

3.1 Drivers, together with their fleet manager, shall request and follow trip plans for all movements that list: Routings that avoid highly populated areas, bridges, and tunnels when possible; Fueling and break locations; Dates and times of daily/routine; check calls; and estimated times of arrival to stop offs and final destination. These trip plans shall also include potential alternate routes and acceptable deviations.

3.2 For all movements, drivers shall minimize stops en-route. Proper use of thorough trip plans will help reduce the need for unnecessary or unplanned stops.

3.3 In the event a load needs to be staged at a company facility while en- route, it shall be stored in a secured-staging area with limited and controlled access. The designated-staging area will be assigned on an as needed basis.

3.4 When deemed necessary, the Company will consider either the use of a team driver operation, or an escort service.

4.0 Driver Security Guidelines and Procedures

4.1 Dispatch/Operations shall make every effort, such as working with consignee, to arrange delivery schedules that minimize in-transit down time. In most cases, this means that operations will schedule loads for delivery as early as possible based on drivers' available hours and the consignee's receiving hours of operations.

4.2 While in transit, drivers are prohibited from discussing information related to their load, route or delivery schedule with any person other than authorized Company officials.

Drivers failing to abide by this policy are subject to disciplinary action up to and including termination of employment/lease. Drivers are to report any suspicious activity (including load related inquiries from strangers) to their fleet manager immediately.

4.3 Drivers are expected to take all reasonable and responsible precautions to prevent damage to Company vehicles and theft of cargo while in transit.

4.4 For personal protection and safety, and the security of the cargo, drivers are expected to drive in safe, well lit, designated truck parking locations only (such as reputable truck stops or high traffic major rest areas).

When possible, loaded trailers should be parked against a wall, fence, or other stationary/ fixed object to enhance cargo security.

4.5 In all cases, drivers are required to inspect their vehicle and trailer for evidence of tampering after each stop.

4.6 Drivers shall lock their vehicles and have all windows in the closed position at all times while in transit – especially during time spent in urban areas and parked at truck stops and rest areas.

4.7 When possible, operations shall contact receivers for the purpose of arranging secure overnight or after-hours parking for drivers who can safely and legally arrive at their destinations ahead of schedule.

4.8 Drivers are prohibited from parking loaded trailers in any unsecured area. Drivers failing to abide by this policy are subject to disciplinary action up to and including termination of employment/lease.

4.9 Drivers are expected to maintain regular communication with the Company while in transit. Any incident of drivers failing to check in when required, shall be assumed by the Company to be suspicious and highly irregular. Immediate action shall be taken in such situations. Drivers are expected to fully understand this procedure and make every effort to maintain regular contact and communication with dispatch.

5.0 Hijack or Cargo Theft Driver Guidelines

5.1 In the event of an attempted vehicle hijacking or cargo theft situation while the vehicle is in motion, the Company has adopted a NO STOP policy. Drivers who believe a vehicle hijacking is, or may be, in progress, are instructed to keep the vehicle moving as safely and responsibly as possible until the attempt has ceased and/or the authorities have been notified. However, in any hijacking situation, drivers should use their own good judgment (whether to stop or keep moving) based on the degree to which they feel their personal safety is at risk. Nothing is worth getting hurt over.

5.2 Drivers who do fall victim to vehicle hijackers or cargo thieves are instructed to notify local authorities as soon as possible. Once the proper authorities have been notified, drivers are required to contact an appropriate company official and follow all subsequent instructions.

5.3 Drivers are prohibited from picking up and transporting any unauthorized person.

6.0 Stop Off/Destination Security Procedures

6.1 Upon arrival at the destination or stop off, drivers shall check in with the responsible receiving person to notify them of arrival (show proof of identity if required) and receive unloading instructions. Drivers shall follow receiver's unloading and security instructions and obey all customer plant safety and security rules and procedures.

6.2 Once permission to unload has been given, the driver shall proceed to the unloading location (assigned receiving dock door) and secure the vehicle. No Company vehicle shall be left unattended until the driver is satisfied that the vehicle is secure from moving.

6.3 The driver, along with a responsible receiving Employee-owners/Independent Contractor, shall verify delivery, inspect the trailer seal, match the seal number with the shipping papers, break the seal, open and secure the doors, and inspect the cargo. Once both the driver and receiver are satisfied, the driver shall back to the dock and secure the vehicle.

6.4 Drivers that are required to supervise the unloading process must, in the event of cargo damage, damage, shortage, or any other discrepancy contact their supervisor immediately for instructions and to report the cargo claim incident.

6.5 After the unloading process has been completed, the driver shall get the appropriate paperwork signed by the responsible receiving Employee-owners/Independent Contractor and contact dispatch for the next assignment or instructions.

7.0 Seal Policy

7.1 Do not break any seal without prior authorization from the receiver and/or your fleet manager.

7.2 When picking up a trailer that is loaded with a customer seal on it, do not break the seal.

7.3 Driver is responsible to always have "seal intact" noted on the Bill of Lading at delivery.

Defensive Driving

Analysis has shown that accidents are caused by **NOT** practicing defensive driving skills such as:

- + Driving while fatigued.
- + Driving too fast for road and weather conditions.
- + Not clearing the lane before making a lane change.
- + Not getting out and looking before backing.
- + And simply not paying attention to your surroundings, can cause accidents to happen.

PROTECT

YOURSELF, OTHERS, YOUR JOB, AND YOUR FUTURE BY PAYING ATTENTION, PLANNING YOUR TRIPS AND YOUR MOVES.

.....

The Company provides **Smith System Driver Training** to all employee-owners that drive or have the potential to drive for the Company. Utilize the skills that as a professional driver you have been taught.

Safe Following Distance

[Always maintain a safe following distance between your vehicle and the vehicle ahead of you.](#)

- + Do you know what the safe following distance is?
- + Do you know how to calculate the safe following distance?
Well, we're about to tell ya!

"Six-Second Rule"

When driving in normal highway conditions this is how you apply the Six-Second Rule:

01 When the vehicle ahead passes an object, such as a tar strip or shadow on the road.

02 Start counting 1001, 1002, 1003, 1004, 1005, 1006.

03 If you cross the spot on the road before 1006, you are following too close.

When operating in urban areas where traffic is congested it is often impossible to follow the Six-Second Rule. In those circumstances, you must:

- 01** Reduce your speed to manage space
- 02** Extend your following distance the best you can

***Note:** This also applies to "adverse weather conditions" or poor road conditions.

>> If you are fatigued, pull off the road immediately and get some rest in a safe location.

VIOLATIONS OF THIS POLICY AND BECOMING INVOLVED IN A PREVENTABLE REAR-END CRASH WILL RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

Cell Phone Policy

Using a cell phone while driving leads to an increased risk of having an accident through a lack of attention to driving.

Commercial motor vehicle drivers are banned from using hand-held mobile phones and push to talk cell phones while driving.

The ban is being implemented by the FMCSA and the Pipeline and Hazardous Materials Safety Administration after research indicated drivers distracted by hand-held phones pose a safety risk to themselves and other motorists.

Specifically, the rule prohibits drivers from reaching for, holding or dialing a mobile phone while driving and applies to commercial motor vehicle truck and bus drivers and those driving vehicles designed to carry nine to 15 passengers are included.

The ban applies when:

- The vehicle is in operation on the highway
- Temporarily stopped on the highway for traffic
- Waiting at a stoplight, stop sign or other traffic control device

Drivers can use a hand-held cell phone only if:

- The vehicle is stopped in an area safe for parking a commercial vehicle
- Communicating with law enforcement or other emergency services to report emergencies

The rule affects all commercial motor vehicles operated in interstate commerce with a gross vehicle weight rating of 10,001 lbs or more or a vehicle transporting any amount of hazardous materials requiring a placard.

Also affected are drivers of vehicles operated solely in intrastate commerce with a gross vehicle weight rating of 26,001 lbs. or more or a vehicle with gross vehicle weight rating of 10,001 lbs. or more carrying any amount of hazardous material.

The use of hands-free devices is allowed; however, a driver can only use hands-free phones and headset if the phone is in their reach while being restrained by a seat belt in the driver seat. Dialing a hands-free phone while in motion is allowed only if it can be done by striking a single button.

The use of CB radios, other two-way radio communication or electronic devices are not included in the ban.

Our Company's policy is as follows:

- + Cellular/mobile phones should not be used while operating a vehicle.
- + Allow voicemail to handle your calls and return them at your safe convenience.
- + However, if you use a cellular device to make calls, you must follow the FMCSA regulation above.
- + If you need to place or receive a call pull off the road to a safe location.
- + Keep your hands on the wheel and your eyes and mind on the road while driving.
- + Refer to above regulation for use of hands-free devices.

Three Points of Contact

I understand that every employee entering or exiting a vehicle must use the Three Points of Contact System.

I understand this means that three limbs are in contact with the vehicle at all times.

- + Either two hands and one foot
- + Two feet and one hand

This allows maximum stability and support, thereby reducing the chance of slipping and falling.

I also understand that:

- 01** Proper footwear must be worn
- 02** I must know my equipment
- 03** I look before exiting
- 04** I exit in the right direction
- 05** I keep my hands free of objects

Worker's Compensation

Employee-owners of the Company are covered by worker's compensation benefits for injuries related to accidents occurring while performing duties associated with your job responsibilities.



Independent Contractors/Lease Drivers are not employees of the Company and therefore are not eligible for worker's compensation benefits under the Company's worker's compensation policy.

With that said, we want you to be proactive when it comes to injury.

Here are some suggestions:

- Proper footwear. For example, wear slip resistant shoes
- 3-point exit and entrance of your vehicle
- Wear proper safety equipment

>> Do not put yourself into a situation where you may get hurt.

Incident Review

It is the responsibility of any Employee-owner/Independent Contractor assigned or authorized to use a company-owned or leased vehicle to notify the **SAFETY DEPARTMENT** of any accident as soon as possible.

Accidents can be caused by NOT practicing defensive driving skills such as:

- Driving while fatigued
- Driving too fast for road and weather conditions
- Not clearing the lane before making a lane change
- Not getting out and looking before backing
- And simply not paying attention to your surroundings

Procedures

At the scene:

- Stop
- Notify the Authorities
- Contact police, request medical assistance if needed
- Contact the office by phone only after the scene has been secured by law enforcement and you are able to call
- Be polite and courteous
- Gather any witness names and information
- Take photographs of the vehicles involved if it can be done safely and without interfering with traffic

Document the accident:

- Fill out the accident report if requested by supervisor
- Take as many pictures as possible

Once released from the scene:

- Go immediately to a phone and call the Safety Team and/or your direct supervisor if not done so already.

Accident Review:

- Come into the Safety Department as soon as possible to deliver the photographs, complete paperwork, and set up a time to review this accident
- The Company reviews accidents by committee
- The safety review board gives the driver the opportunity to make a statement and tell the specifics of the accident

The board then takes this information and will make recommendations regarding:

- Counseling and continued education needed if any
- Progressive discipline required if any

Citations

Safe driving is associated with professionalism and practicing proper operating behaviors within the parameters of the law and all FMCSA's regulations.

It is the responsibility of any Employee-owner/Independent Contractor assigned or authorized to use a company-owned or leased vehicle to notify the **SAFETY DEPARTMENT** of any moving violation, suspension and/or revocation of their driver's license at the time of their occurrence.

This includes moving violations that occur while the driver is using his/her personal vehicles as well.

Once the Company is notified of any citation, counseling and education for the driver is offered to help improve their performance.

If performance does not improve and multiple citations occur, disciplinary procedures will incur and may include disqualification of the driver and termination of employment.

Disciplinary Policy

This policy relates to the following classifications:

- Accidents/Incidents
- Citations
- Unsatisfactory DOT Inspections

After the **first report** under any of the classifications:

- The driver will meet with a supervisor and complete training on the appropriate subject
- The driver will receive a Verbal Warning

Upon the **second report** within a period of six months, in any one or combination of three classifications:

- The driver will meet with a supervisor and will complete additional training
- The driver will receive a 1st Written Warning

If there are **three or more separate reports** over a period of 18 months, in any one or combination of the three classifications:

- The driver will receive a 2nd Written Warning
- Suspension is mandatory for a period of two or more days without pay
- Possible termination upon review

The Company will review all reports and incidents and if necessary will apply the appropriate disciplinary action up to and including termination.

NOTE:

SUSPENSION WILL OCCUR WITHIN 10 DAYS AFTER THE THIRD REPORT.

Seat Belt Policy

[FMCSA Regulation Section 49 CFR §392.16](#)

Seat Belt usage is a federal requirement for commercial drivers. We value the lives and safety of our Employee-owners/Independent Contractors. Seatbelts are proven to greatly reduce the risk of dying or being seriously injured in a motor vehicle crash.

Our Company Policy is as follows:

Seat belt use is mandatory for drivers and occupants of vehicles being used for Company business whether company-owned, employee-owner owned, or independent contractor owned.

Safety Meetings/Educational Opportunities

We have Safety Meetings at least once a year. At that time the required annual review will be performed with the drivers.

These meetings provide an opportunity to discuss

- Timely industry issues
- Updates regarding compliance rules
- New programs and policies
- Guest speakers are invited

An interactive agenda allows for participation by all drivers, staff and management for maximum retention of the material.

For more information, please contact the Safety Department. We look forward to talking with you.

Safety Incentive Programs

[DOT Roadside Inspection Incentive](#)

In order to promote safety, drivers will be incentivized for clean inspections.

Each clean inspection will be compensated within one month of date of occurrence according to the following schedule below:

Level 3	Clean Inspection	\$50.00
Level 2	Clean Inspection	\$100.00
Level 1	Clean Inspection	\$150.00

After an unsatisfactory inspection, drivers must receive one clean inspection before being eligible for the incentive as stated above.

POLICY ACKNOWLEDGEMENT

I, _____ have received a copy of the Fleet Safety Manual (Manual).

This Manual has information on:

- Accident Reporting Procedures
- Annual Reviews
- Cell Phone Use Policy
- Citations
- Controlled Substance and Alcohol use testing Policy
- Defensive Driving
- Department of Transportation Roadside Inspections
- Discipline Policy
- Driver Vehicle Inspections Reports
- Drug and Alcohol Clearinghouse
- Drug and Alcohol Program
- General Company Fleet Requirements
- Hours of service Security Plan
- Safe Following Distance
- Safety Incentive Programs
- Safety Meetings /Educational Opportunities
- Safety Policy
- Seat Belt Usage Policy
- Three Point Enter and Exit
- Workplace Injury

As a Company driver, I understand that I am required to comply with all Department of Transportation Regulations and Company policies and procedures outlined in this Manual.

As an Independent Contractor, I understand that I am required to comply with all Department of Transportation Regulations and that the policies and procedures outlined in this Manual are a tool for me for continued success at the Company.

I understand that disciplinary action will be taken if I knowingly disregard Company safety rules or work practices. This disciplinary action could be verbal counseling, a written warning or suspension of my position here at the Company. I acknowledge that the Company reserves the right to immediately discharge me/terminate my lease for committing flagrant safety practice violations and/or endangering myself, co-workers, and/or the motoring public.

Employee-owner/Independent Contractor Name

Date