

VAN LINES' VAN OPERATOR AND AGENCY SAFETY POLICIES

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1.0 VAN OPERATOR QUALIFICATIONS

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- 1.1. A van operator must meet the following qualifications:
 - 1.1.1. Must be a minimum of 21 years old.
 - 1.1.2. Must be able to read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make written entries on reports and records.
 - 1.1.3. Must be able, through experience, training, or both, to safely operate the type of motor vehicle driven.
 - 1.1.4. Must be able, through experience, training, or both, to determine whether the cargo being transported has been properly located, distributed, and secured in or on the motor vehicle driven.
 - 1.1.5. Must be familiar with methods and procedures for securing cargo in or on the motor vehicle driven.
 - 1.1.6. Must be physically qualified to drive a motor vehicle in accordance with Subpart E – Physical Qualifications and Examinations of Federal Motor Carrier Safety Regulations (FMCSR) 391.41.
- 1.2. If a van operator or applicant fails to meet the stated physical requirements and uses the provisions of FMCSR Section 391.49 regarding physical waivers, the following Van Lines' procedure shall apply:
 - 1.2.1. All qualification information, physical, waiver documentation, and medical records shall be submitted to the Van Lines' Safety department for review.
 - 1.2.2. If all qualification requirements other than the physical portion are met, the medical information will be forwarded to the Van Lines' Safety manager for review.

- 1.2.3. If physical documentation (including drug testing requirements), waiver documentation, and medical records are found to be complete, the documents will be forwarded to Van Lines' medical consultant.
 - 1.2.4. It shall be the responsibility of the medical consultant, after reviewing all pertinent information, to order further tests and medical examinations in St. Louis, Mo., as necessary for evaluation of the van operator applicant's physical ability to operate a commercial motor vehicle.
 - 1.2.5. All expenses regarding transportation to St. Louis, Mo., and costs for further testing and examination shall be borne by the agency sponsoring the van operator for qualification.
 - 1.2.6. The medical consultant shall submit to Van Lines, in writing, the findings of his/her evaluation and recommendation for qualification.
 - 1.2.7. The Van Lines' Safety manager will coordinate all activities regarding the waiver evaluation and will make the final qualification decision, using the medical consultant's evaluation and recommendation and discussion with division management as the basis.
- 1.3. Must complete and furnish Van Lines with an application for employment in accordance with FMCSR Part 391.21.
 - 1.4. Any material falsification or misrepresentation of the qualification information during the qualification process or after the van operator is qualified will subject the individual to immediate disqualification from Van Lines' service.
 - 1.5. Must have a current, valid commercial motor vehicle driver's license (CDL) or a valid license for the vehicle being operated issued from the state of residence.
 - 1.6. Must successfully complete a driver's road test in accordance with FMCSR Part 391.31, or has presented an operator's license or a certificate of road test, which Van Lines has accepted as equivalent to a road test in accordance with FMCSR Part 391.33.
 - 1.7. Must have 30 days' commercial driving experience indicating professional performance for the Master Lease fleet and one year for the Continental fleet.
 - 1.8. Must have 30 days' experience in household goods moving and handling or non-household goods (Third Proviso/Special Commodities) experience to be qualified for the Master Lease fleets and one year's experience for the Continental fleet.
 - 1.9. Must receive new van operator orientation and ongoing training from qualifying agent.
 - 1.10. Must prepare and furnish the motor carrier with a list of violations or a certificate as required by FMCSR 391.27.

- 1.11. Is not disqualified to drive a motor vehicle under the rules set forth in section 391.15 (FMCSR); this includes multiple driving/criminal violations (e.g., felony use of a vehicle, driving under the influence of drugs/alcohol, leaving the scene of an accident).
- 1.12. An applicant shall not have more than two moving traffic citations in the 12 months preceding the application and no more than four citations in the 36 months preceding the application.
- 1.13. An applicant:
 - 1.13.1. must not have pled guilty to, or been convicted of, operating a noncommercial motor vehicle while under the influence of alcohol or a controlled substance during the 36-month period prior to the date of the application, and an applicant may have no more than one such conviction on his/her entire record; or
 - 1.13.2. must not have pled guilty to, or been convicted of, operating a commercial motor vehicle while under the influence of alcohol during the 60-month period prior to the date of the application, except that if the offense was in connection with an accident or the offense occurred during the time the applicant was previously qualified to operate for Van Lines, the applicant will not be eligible for qualification to operate for Van Lines; or
 - 1.13.3. who has pled guilty to, or been convicted of, operating either a commercial motor vehicle or noncommercial motor vehicle while under the influence of alcohol on more than one such occasion will not be eligible for qualification to operate for Van Lines; or
 - 1.13.4. who has pled guilty to, or been convicted of, operating a commercial motor vehicle while under the influence of a controlled substance will not be eligible for qualification to operate for Van Lines.
- 1.14. Cannot have more than one preventable accident while operating a commercial vehicle in the 12 months preceding application and no more than two preventable accidents in the 36 months preceding application.
- 1.15. An applicant shall not be eligible for qualification if he/she has been convicted of one of the following felonies; hereafter referenced as Type 1 Felonies:
 - a. a felony which resulted in taking of a life including but not limited to capital murder, first degree murder, second degree murder, homicide and manslaughter.
 - b. a felony which resulted in serious physical injury including but not limited to assault or battery causing serious physical injury.
 - c. a felony involving a sexual offense including but not limited to rape, sexual assault, sodomy, deviate sexual assault and child molestation.
 - d. a felony involving organized criminal activity including but not limited to extortion, racketeering, and drug distribution.
 - e. a felony involving the use of weapons including but not limited to armed criminal action, burglary and robbery.

- f. a felony involving a hate crime.
 - g. a felony involving kidnapping.
 - h. a felony involving terrorist activity.
- 1.15.1. An applicant shall not be eligible for qualification if he/she has pled guilty or has been convicted of a felony within thirty-six (36) months of the date of the application and the applicant may not have two (2) or more felony convictions on his/her entire record.
- 1.15.2. An applicant shall not be eligible for qualification if he/she has pled guilty or been convicted of a misdemeanor (excluding non-alcoholic and/or non-drug driving/traffic-related violations) within twenty-four (24) months of the date of the application, and the applicant may not have three (3) or more misdemeanor convictions within the last ten (10) years.
- 1.15.3. If an applicant has a felony conviction (other than a Type 1 Felony) within the last ten (10) years, then he/she may not have more than one misdemeanor in the last ten (10) years.
- 1.15.4. An applicant shall not be eligible for qualification if he/she has been incarcerated for a non-traffic misdemeanor or felony conviction within twelve (12) months of the date of the application.
- 1.16. A guilty finding entered by a court shall be deemed under these standards to be a conviction.
- 1.17. An applicant shall not be eligible for qualification if he/she is on court probation/parole for any criminal misdemeanor or felony or if the applicant has criminal misdemeanor (excluding non-alcoholic and/or non-drug driving/traffic-related violations) or felony charges pending.
- 1.18. Any van operator in violation of the driver qualification regulations as set forth in the Federal Motor Carrier Safety Regulations (FMCSR) will be assessed a \$100 fine for each violation. Multiple violations within a 24-month period will result in further disciplinary action up to and including suspension or permanent disqualification.
- 1.19. Any van operator operating a Commercial Motor Vehicle (CMV) with a revoked, suspended, cancelled license/Commercial Drivers License (CDL), or medically unqualified to operate a CMV or operating a CMV without the proper license/CDL will be permanently disqualified.

2.0 BACKGROUND CHECK

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- 2.1. Prior to qualification, a background check will be performed on all drivers, and the cost of such background check shall be borne by the agent.

3.0 DRUG AND ALCOHOL

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- 3.1. Drug and alcohol program includes all van operators and second van operators, regardless of their license.

- 3.2. Van Lines prohibits the use, possession, transportation, or distribution of illegal or unauthorized drugs, illegal drug paraphernalia, and alcohol throughout the Van Lines' system.
- 3.3. Van operators and other personnel involved with vehicles are prohibited from reporting for duty or being on duty after having used or ingested illegal drugs; having abused, used, or ingested unauthorized drugs; having abused, used, or ingested other prohibited drugs, including alcohol.
- 3.4. Such personnel are further prohibited from reporting for duty or being on duty under the influence of such drugs or alcohol.
- 3.5. The prohibited drugs shall include:
 - 3.5.1. those prohibited by federal, state, or local laws;
 - 3.5.2. those drugs described in and/or referred to in the Federal Motor Carrier Safety Regulations;
 - 3.5.3. prescription drugs not properly prescribed for bona fide medical use;
 - 3.5.4. possession of drug paraphernalia to the extent that it violates state or local law; and
 - 3.5.5. any other abused drug or substance, including alcohol.
- 3.6. Such personnel are further prohibited from reporting for duty or being on duty while taking legally prescribed drugs that impair their ability to operate a commercial motor vehicle. Any van operator who tests positive for a legally prescribed drug that carries a warning prohibiting the taking of the drug while operating a motor vehicle will be deemed to have violated this Drug and Alcohol Testing section. The first violation will result in suspension for up to 30 days. A second violation within a 36-month period will subject the van operator to an 18-month suspension from Van Lines' service.
- 3.7. As a condition for qualification as a van operator in Van Lines' service, and as a condition for continued requalification as a van operator in Van Lines' service, all applicants for qualification or requalification (if there is a break in Van Lines' service) shall take a drug screening test. These tests shall be administered prior to qualification or requalification. If the final test results are positive, qualification or requalification shall be denied. If the applicant chooses not to take the tests, qualification or requalification shall be denied.
- 3.8. Applicants who test positive for drugs will not be considered for qualification for 18 months.
- 3.9. Any applicant or van operator will not be reconsidered for qualification with two of the following:
 - 3.9.1. positive drug or alcohol results;
 - 3.9.2. refusal to be drug and alcohol tested;

- 3.9.3. or any combination of a positive drug and alcohol test results and/or refusal to be tested.
- 3.10. Van Lines shall have the right to drug screen and alcohol test immediately any van operator when there is any evidence, suspicion, or behavior indicating that the person may be under the influence of drugs or alcohol. In addition, Van Lines will, as required by federal requirements, select van operators at random for periodic drug screening and alcohol testing. If the person does not take the test, he/she will be disqualified from Van Lines' service for 18 months.
- 3.11. Van operators will be notified of a random drug/alcohol test in compliance with the Federal Motor Carrier Safety Regulations.
- 3.12. When notified of a random drug/alcohol test, the van operator is to report immediately to the collection facility with no more than four hours to elapse between the notification and actual testing. If the van operator fails to report for testing within four hours or refuses to be tested, this will result in disqualification for 18 months from Van Lines' service.
- 3.13. Any van operator who tests positive for drugs or for alcohol under the random drug and alcohol testing program will be disqualified from Van Lines' service for 18 months.
- 3.14. A refusal or failure to submit to a prequalified, random, unscheduled or reasonable suspicion drug or alcohol test will result in an 18-month disqualification. Refusal to submit to a post-accident drug or alcohol test or a positive post-accident drug or alcohol test will result in permanent disqualification. For purposes of this policy, a van operator shall be deemed to have refused a test when he/she fails to provide an appropriate sample when a laboratory (clinic) is ready, willing and available for testing and the van operator has the reasonable opportunity to present himself/herself to a laboratory (clinic) for testing.
- 3.15. A blatant refusal to submit to a drug or alcohol test will result in a 24-month disqualification. Blatant is defined as an overt and obvious refusal to submit to a test.
- 3.16. All costs associated with the drug and alcohol program will be billed to the agency with which the van operator is affiliated.
- 3.17. Any van operator consuming alcohol within four hours prior to operating a CMV will be permanently disqualified.
- 3.18. Any van operator operating a CMV and found to be in possession of alcohol or a controlled substance will be permanently disqualified.

- 3.19. Van operators operating a commercial motor vehicle who have tested 0.02% or greater breath alcohol content will be permanently disqualified on the first offense.

4.0 VAN OPERATOR LOGS

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- 4.1. A \$10 fine will be assessed against any Van Lines' van operator for each log that is received by the Home Office Safety department more than 21 days after the date of the log.
- 4.2. The van operator shall submit or forward by mail the original record of duty status (log) to the Home Office Safety department within 13 days following the completion of the form. All logs will be considered missing if not received by the Home Office Safety department within 21 days from the date of the log. Fourteen individual days of missing logs may result in the van operator being suspended from operating in Van Lines' service until the logs are completed and received by the Van Lines' Home Office Safety department.
- 4.3. Any van operator in violation of the hours-of-service or record-of-duty status rules as set forth in the FMCSR will be assessed a \$100 fine for each violation. Multiple violations within a 24-month period will result in further disciplinary action up to and including suspension or permanent disqualification. In all such infractions, appropriate safety infraction points will be assessed.
- 4.4. Intentional and willful violations will be subject to more severe penalties up to and including permanent disqualification.

5.0 OUT-OF-SERVICE

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- 5.1. Any van operator who has been placed out of service at a roadside inspection for violating the hours-of-service regulations or for a controlled substance or alcohol violation must report the incident immediately by calling the Home Office Safety department before returning to duty.
- 5.2. Any van operator who has been placed out of service at a roadside inspection for any other reason must report the incident to the Home Office within 24 hours of the violation.
- 5.3. Any van operator who fails to notify the Safety department as required by policy shall be subject to a 30-day suspension.
- 5.4. Any van operator who has an out-of-service violation for being in possession of a controlled substance will be permanently disqualified.
- 5.5. Any van operator found to be in violation of an out-of-service violation by leaving before the designated time period specified in the out-of-service order or leaving prior to having required repairs as designated by the out-of-service order and at the direction of the law enforcement officer may be permanently disqualified.

5.6. A van operator and agent shall have the right to appeal any sanction imposed for an out-of-service violation. The appeal must be made in writing to the Van Lines' Safety Manager, describing the mitigating circumstances that warrant a formal review by the Van Lines' Safety Review Committee.

6.0 MOVING VIOLATIONS

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- 6.1. Any van operator who is qualified to operate in Van Lines' service, and who pleads guilty to or is convicted of an offense involving:
- 6.1.1. leaving the scene of an accident involving a commercial motor vehicle;
 - 6.1.2. driving a commercial motor vehicle while under the influence of a controlled substance;
 - 6.1.3. use of a commercial motor vehicle in the commission of a felony; or
 - 6.1.4. a DUI, DWI, OWI while in a commercial motor vehicle
- will be permanently disqualified from Van Lines' service.
- 6.2. Any van operator who is qualified to operate in Van Lines' service and who pleads guilty to or is convicted of a DUI, DWI, OWI or operating a motor vehicle under the influence of a controlled substance which does not involve a commercial motor vehicle will be disqualified from Van Lines' service for a period of 18 months from the date of conviction or when the Safety department learns of the conviction, whichever is later.
- 6.3. Any van operator in violation of a moving or traffic regulation as set forth in the FMCSR will be assessed a \$100 fine for each violation. Multiple violations within a 24-month period will result in further disciplinary action up to and including suspension or permanent disqualification.
- 6.4. Any van operator who fails to notify the Home Office Safety department when their license has been suspended, revoked, canceled or disqualified may be subject to disciplinary action including but not limited to disqualification from Van Lines' service. The notification must be made before the end of the business day following the day the van operator received notice.
- 6.5. Intentional and willful violations will be subject to more severe penalties up to and including permanent disqualification.

7.0 ACCIDENTS

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- 7.1. Any van operator or van operator's agent who fails to report any accident by telephone immediately (no later than the first workday) to the Van Lines' Safety department and fails to submit a written report within 24 hours of the accident will result in the van operator being suspended from Van Lines' service until such time as all requirements are met, the incident examined and appropriate point(s) assessed.
- 7.2. Any van operator who fails to report an accident or attempts to conceal facts relating to an accident will be subject to disqualification from Van Lines' service.

- 7.3. In case of a serious accident, Van Lines' reserves the right to suspend the van operator from service pending investigation, regardless of fault.
- 7.4. Any van operator who has two preventable accidents within a 12-month period will be monitored for 12 months after the second accident. A third preventable accident within the ensuing 12-month period will result in the van operator being disqualified from Van Lines' service. A van operator will remain disqualified until such time as the guidelines are met.
- 7.5. Any van operator who has three preventable accidents during any consecutive 36-month period will be monitored for 12 months. Any subsequent preventable accident during this period will result in the van operator being disqualified from Van Lines' service. A van operator will remain disqualified until such time as the guidelines are met.
- 7.6. Any van operator involved in an accident determined to be the result of gross negligence or willful carelessness will be subject to immediate disqualification.
- 7.7. For the purpose of this policy, an accident is defined as an incident if it:
 - 7.7.1. is deemed DOT recordable pursuant to the Federal Motor Carrier Safety Regulations (FMCSR), or
 - 7.7.2. results in damage to the cargo being transported, or
 - 7.7.3. results in death or injury, or
 - 7.7.4. results in property damage greater than \$1,000.

8.0 UNQUALIFIED VAN OPERATOR/CONTRACT TRUCKMEN /EQUIPMENT

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- 8.1. A van operator is defined as unauthorized when:
 - 8.1.1. qualification records do not exist;
 - 8.1.2. the van operator has been deleted from Van Lines' service; or
 - 8.1.3. van operator is disqualified or suspended.
- 8.2. For the purposes of this policy, unauthorized equipment is defined as any equipment that:
 - 8.2.1. is not registered with the Fleet Registration department;
 - 8.2.2. does not have an assigned Van Lines' equipment number;
 - 8.2.3. has been deleted from the registration system.This excludes equipment such as tractors, trailers, straight trucks, and pack vans that are leased or rented on a short term/emergency basis, as long as the equipment is in compliance with all the Federal Motor Carrier Safety Regulations.
- 8.3. Any agent who uses unauthorized equipment or van operators (which includes contract truckmen) in Van Lines' service will be subject to:
 - 8.3.1. a \$2,000 fine for the first offense.
 - 8.3.2. A second offense within 24 months of the first offense will result in a \$5,000 penalty, and the agent could be subject to more severe penalties

up to and including termination for subsequent violations within a 36-month period.

8.4. Any van operator who allows an unqualified/unauthorized person to drive his vehicle while in Van Lines' service shall be subject to disqualification from Van Lines' service and subjects the agent to the appropriate fine indicated above.

8.5. A van operator that is qualified to operate on behalf of Van Lines Van Lines must notify the Van Lines' Safety department if felony or misdemeanor criminal charges are filed against the van operator. The Van Lines' Safety department needs to be notified to ensure the van operator can be qualified and can continue to operate on Van Lines' authority within DOT's rules and procedural regulations. Any van operator that fails to notify the Van Lines' Safety department within thirty (30) days of such filing of criminal charges may be subject to disciplinary action, including but not limited to disqualification from Van Lines' service.

9.0 UNAUTHORIZED PASSENGER

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9.1. Any van operator found to be transporting an unauthorized passenger:

9.1.1. Shall immediately remove the passenger from the unit.

9.1.2. Any expense incurred by such action shall be borne solely by the van operator or his/her agent.

9.1.3. In addition, any van operator who transports an unauthorized passenger shall be subject to a fine of \$100.

10.0 VEHICLE MAINTENANCE/INSPECTION

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10.1. All vehicles qualified to operate in Van Lines' service are required to have an inspection two times a year. Required dates for continental units to be inspected are April 10 and October 10. Regional vehicle inspections are required every 180 days. Management will exercise the discretion and prerogative to require quarterly inspections of an agent with a poor record indicating such action is warranted.

10.2. Agent to retain vehicle maintenance records as required by the FMCSR.

10.3. Any equipment, inspection, repair, maintenance, or cargo securement violations set forth in the FMCSR will be assessed a \$100 fine for each violation. Multiple violations within a 24-month period will result in further disciplinary action up to and including suspension or permanent disqualification.

10.4. Intentional and willful violations will be subject to more severe penalties up to and including the van operator being permanently disqualified.

11.0 SAFETY REVIEW COMMITTEE

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11.1. The Safety Review Committee will notify the van operator and the agency at least 21 days prior to the van operator's appearance before the Safety Review

Committee. The notice shall advise the agency that should a representative of senior management from the agency fail to attend the van operator review, the van operator will be suspended until both the agency's senior management representative and the van operator can appear before the Safety Review Committee.

11.2. An agent with a van operator who is suspended or disqualified under these safety policies shall have a right to appeal.

11.3. The appeal shall be made in writing to the Van Lines' Safety Manager, setting forth all reasons that warrant a formal review by the Van Lines' Safety Review Committee.

11.4. The Van Lines' Safety Review Committee membership will be comprised of management from the Safety, Agency Development, Legal, Operations and Loss Control departments.

12.0 HAZARDOUS MATERIALS

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12.1. Van Lines is not an authorized hazardous materials carrier. Van Lines will not allow handling of hazardous materials by its agents or van operators. No material classified as hazardous by the Department of Transportation (DOT) shall be transported in Van Lines' service. The DOT hazardous material classification can be determined by referencing the product's Material Safety Data Sheet (MSDS). The MSDS is available from the product manufacturer. If a violation is found, disciplinary action will be taken, up to and including suspension or termination.

13.0 FLEET SAFETY POLICY

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13.1. Any agent with a Safety Performance Rating (SPR) less than Van Lines' standard on June 30 of each year will be ineligible for an additional unit in the Continental Fleet for the following calendar year.

13.2. An agent who fails to achieve the quality safety standard for two years in any three-year period will:

13.2.1. lose an existing unit in the Continental Fleet. An agent losing a Continental unit under this provision will have this unit reallocated in the calendar year following attainment of a Safety Performance Rating meeting or exceeding Van Lines' standard;

13.2.2. be "locked-out" of the DTON feature;

13.2.3. be required upon notification by the Van Lines' Safety department to submit to the Van Lines' Home Office a written, detailed safety improvement plan for the agency. An agency that remains in noncompliance after review and acceptance of a safety improvement plan will be required to send a representative from its senior management to appear before the Van Lines' Safety Review Committee.

13.2.4. be referred to Agency Development for review and final disposition.

13.3. Any van operator who exceeds Van Lines' standard for CSA points will be subject to disciplinary action up to and including suspension or permanent disqualification.