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May 13, 2024

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: Application of Rapid Care Transportation, LLC for Motor Common Carrier of  
Persons in Paratransit Service; Docket No. A-2024-\_\_\_\_\_

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Application of  
Rapid Care Transportation, LLC for Motor Common Carrier of Persons in Paratransit Service.  
The filing fee of \$350 has been paid electronically.

Thank you for your attention to this matter. If you have any questions regarding this filing,  
please do not hesitate to contact the undersigned.

Very truly yours,

Todd S. Stewart  
*Counsel for Rapid Care Transportation, LLC*

TSS/jld  
Enclosures

## Application for Motor Common Carrier of Persons in Paratransit Service

THIS APPLICATION IS TO BE USED FOR COMMON CARRIER PASSENGER SERVICE WHEN PROVIDING TRANSPORTATION ON A NONEXCLUSIVE, ADVANCE RESERVATION BASIS.

1. **Legal Name of Applicant** (Individual, Partnership or Corporation)  
Rapid Care Transportation, LLC
- 

- If you are an individual who has not formed any type of corporate entity, you should enter your name **as it will appear on your insurance documents**.
- If you are filing for a partnership, but **not a limited liability partnership**, the names of all partners must be entered on this line. Those names should be entered **as they will appear on your insurance documents**. This includes husbands and wives filing jointly.
- If you are filing for a corporate entity (corporation, limited liability company, or limited liability partnership), **even if you are the sole shareholder member**, you must enter the name **exactly as it appears on the registration papers from the Corporation Bureau of the Pennsylvania Department of State**.

2. **Trade Name** (Attach a copy of fictitious name registration if applicable)
- 

This is any name which you will be operating under which differs from the **LEGAL NAME OF APPLICANT**. A **TRADE NAME** is considered a **FICTITIOUS NAME** if the identity of the applicant cannot be readily determined. *EXAMPLE: John Doe is the applicant and wants to use the name "Johnboy Vans" as his trade name. People cannot readily determine that John Doe is the actual operator; therefore, the name is fictitious and must be registered as such. Trade names such as "John Doe Vans" or "J. Doe Vans" are not considered fictitious and would not have to be registered.*

3. **Do you currently hold PUC Authority?** \_\_\_NO **Previous Authority?** \_\_\_NO

**If YES, at PUC No. A-** 6419180

4. **Are you a business entity registered with the PA Dept. of State?** \_\_\_NO  
If NO, you must register (see checklist on how to register)

**If YES, provide your PA Corporation Bureau Entity ID Number** 0013838849  
(See checklist and indicate type of business entity registered)

5. **If either a corporation or limited liability company, please list members (LLC) or shareholders and officers (corporation).**

Ashish Desai \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. **Mailing Address**

12 Hambletonian Dr. \_\_\_\_\_  
Street Address

Colts Neck, NJ, 07722 \_\_\_\_\_  
City, State and Zip Code

Monmouth County \_\_\_\_\_  
County

732-439-3674 \_\_\_\_\_  
Telephone Number

ashishedddy@hotmail.com \_\_\_\_\_  
Email Address

*This is the email address to which the Commission will send all official documents issued by the Commission until further notice.*

7. **Physical Address** (If different than mailing address. Do not use a post office box.)

3400 N. 6th St. \_\_\_\_\_  
Street Address

Harrisburg, PA 17110 \_\_\_\_\_  
City, State and Zip Code

Dauphin County \_\_\_\_\_  
County

732-439-3674 \_\_\_\_\_  
Telephone Number

ashishedddy@hotmail.com \_\_\_\_\_  
Email Address

The address entered here should reflect the actual location of the business. This is the address the Commission needs in order to dispatch Enforcement Officers to inspect equipment. If left blank, it will be assumed that the **PHYSICAL ADDRESS** is the same as the **MAILING ADDRESS**

8. **Attorney** (if applicable)

Todd S. Stewart \_\_\_\_\_ (717) 703-0806 \_\_\_\_\_  
Attorney's Name & Telephone Number for this Filing

100 North Tenth Street, Harrisburg, PA 17101 \_\_\_\_\_  
Attorney's Address

tsstewart@hmslegal.com \_\_\_\_\_  
E-mail Address

An attorney's name should only be entered if an attorney is filing the application for a client and the application is being sent under the attorney's cover letter.

9. **Does the applicant have a USDOT Number?**

  X   No                             Yes, at No. \_\_\_\_\_

10. **Describe the service area proposed by this application.**

(Use the space below or attach additional sheet if space provided is not sufficient).

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To provide non-emergency medical transportation services by motor vehicle to people from points in the counties of Dauphin, Lebanon, Berks, Lancaster, York, Perry, Cumberland, Adams, and Franklin Counties to points in PA, and return, and to people at SAI Adult Day Care Center in Bucks County and return.

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*Examples:*

- *To transport people whose personal convictions prevent them from owning or operating motor vehicles from points in Lancaster County to points in PA, and return.*
- *To transport people from the city and county of Philadelphia to correctional facilities in PA, and return.*
- *To transport people in wheelchair and stretcher vans from points in the city of Pittsburgh to points in Allegheny County, and return.*
- *To transport people between points in Northumberland County.*

11. **Certification:**

Applicant certifies that it is not now engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Persons in Paratransit Service; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the certificate.

## Verification of Application

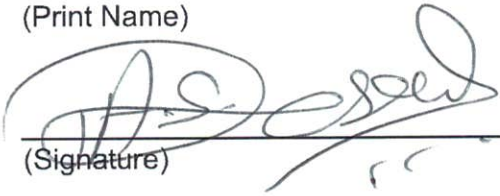
I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Ashish Desai

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(Print Name)



---

(Signature)

5/6/24

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(Date)

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Secretary (if a corporation).

# VERIFIED STATEMENT OF APPLICANT

THE FOLLOWING INFORMATION IS REQUIRED BY THE COMMISSION TO DETERMINE THE APPLICANT'S FITNESS TO OPERATE. STATEMENTS SHOULD BE TYPED OR PRINTED. ILLEGIBLE STATEMENTS WILL DELAY YOUR APPLICATION.

Rapid Care Transportation LLC

Legal Name of Applicant

Trade Name, if any

3400 N. 6th Street

Harrisburg

PA

17110

Street Address (principal place of business)

City or Municipality

State

Zip Code

The Verified Statement of the Applicant factual details about your proposed transportation service. Your Verified Statement must answer all of the items listed below and on the following pages. Provide as much information as possible to prevent delay in processing your application. If you need more space to provide your answer, please attach additional pages identifying the appropriate item number.

1. Identify the person making the Verified Statement on behalf of the applicant. If an employee/officer of applicant is making the statement, give name, title, business address and telephone number.

Asish Desai, owner of Rapid Care Transportation LLC, is authorized to speak on behalf of the business.

3400 N. 6th St. Harrisburg, PA 17110  
(732) 439-3674

2. List the applicant's affiliation (owner, manager, controls) with any other carrier, with the description of affiliation.

Rapid Care Transportation LLC has affiliations with Golden Care Transportation LLC; Ashish Desai being owner.

3. Describe the applicant's business experience, particularly any experience relating to the operation of a transportation service. If practical experience is lacking, please provide an explanation and description of any education or training that you believe may be relevant.

Asish Desai, owner of Rapid Care Transportation, has experience providing transportation services for seniors in Bucks and Philadelphia counties for the past 7 years for an adult daycare center located in Bristol, PA.

As the applicant has worked closely with a senior facility, he has experience in managing and supervising drivers in NEMT transportation services, as well as with vehicle maintenance, safety protocols, and compliance. These experiences allow the applicant to operate and provide safe transportation services with high standards of quality and care for the seniors.

4. Describe your facilities, record maintenance plan and your communication network. Please include a description of your physical location, to including office machines that will be utilized, and the facility to house vehicles. As a carrier of household goods in use, applicant should include a description of storage facilities, if applicable. Please include an explanation of your plan to maintain records required by the PUC, as well as normal business records. In regard to your communication network, please explain how you will receive customer requests for transportation, how you will dispatch the vehicles to fulfill the request, and how you will maintain continuous communication with your drivers.

Our office has locked cabinets, fax machines, printers, scanners, computers, as well as office furniture. Company vehicles will be securely housed at the business facility. All company records required by PUC, as well as normal business records including employee hiring applications, licensing, training and counseling, client personal information, trip and driver records, trip payment records and invoices, vehicle purchase documents, maintenance and inspection records, will be filed and maintained in a locked and secure area of the office.

In regard to our communication network, our dispatch team will receive client calls and record each request, which will contain all necessary trip and billing information. That information will be transferred to a daily trip log for the drivers to use to begin each day. Once a trip is complete, all the trip information will be documented by the end of the day. This information is also recorded through a Driver App via smartphone with a GPS application which allows drivers to report the trip completion for the clients. Office phones will be forwarded to the dispatcher's smartphone. Our scheduled office hours are 6:30AM to 5:30PM Monday through Saturday and any after hour calls will also be forwarded to the dispatcher's smartphone.

The Company will keep and maintain criminal record background checks for a period of three (3) years. Physical records will be kept and maintained for one (1) year after the employee's departure and then two (2) years electronically for a total period of three years in compliance with Section 29.505(a)(4) of the Commission's regulations.

Driver history records will be maintained in the same manner as criminal record background checks. Driver history records will be maintained for a period of three (3) years. Physical records will be kept and maintained for one (1) year after the employee's departure and then two (2) years electronically for a total period of three years in compliance with Section 29.504(a)(3) of the Commission's regulations.

5. Please state the number of drivers you intend to use or hire in your business and explain why that number of drivers is appropriate for the size of the territory you will be serving. In addition, please explain:
  - a. Your hiring standards for drivers;
  - b. Your system for conducting criminal background checks;
  - c. Your driver training program;
  - d. Your system for conducting driver license checks;
  - e. Your policies regarding alcohol and drug use by your drivers.

We will begin operations with two drivers starting on an hourly basis and intend to increase the number of drivers and staff based on the number of clients who request our services. For further details about our hiring process and personnel policies, see below.

- a. See attached policy Chapter 1.2: Driver Qualification Policy for our hiring standards.
- b. See attached policy Chapter 1.1: CORI Policy for our criminal background check procedures.
- c. See attached policy Chapter 1.0: Driver Training Policy for our driver training program.
- d. See attached policy Chapter 1.2: Driver Qualification Policy for our procedures for conducting license checks.
- e. See attached policy Chapter 4: Drug & Alcohol Policy for our extensive drug & alcohol policies.

6. Please state the number of vehicles you plan to use in your business and why that number is appropriate to provide reasonable and efficient service to the territory you will be serving. If you have already obtained vehicles for your business, please list them in the chart below.

YEAR	MAKE	MODEL	SEATING CAPACITY*	VEHICLE ID #	MILEAGE

\*Vehicles with seating capacity of more than 15 passengers, including driver, can't be used in paratransit service.

We plan to begin operations with two to three vehicles, which will be sufficient for our anticipated services, with the intention of increasing the number of vehicles based on client demands in the area. We will accomplish this by leasing additional vehicles.

7. Describe your vehicle safety program. Please include the following in your explanation:
- Your periodic vehicle maintenance plan
  - Your system for ensuring your vehicles will continuously comply with applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175).

For both a) a detailed outline of our vehicle maintenance plan and b) our vehicle compliance procedures, please see the attached policy Chapter 2: Maintenance Policy.

8. Please explain what steps you have taken to determine if you can obtain insurance and pay the required insurance premiums.

Rapid Care Transportation will be working with Dillion Haney Insurance, and we have estimates from National Casualty Insurance Company. Sufficient funds are set aside.

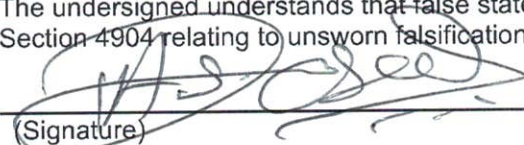
9. State whether the applicant has been convicted of a misdemeanor or felony. If applicant is partnership, limited liability partnership, corporation, or limited liability company this question applies to all members, officers, and/or shareholders. If "YES", explain.

\_\_\_\_\_ YES       X   NO

10. Financial Data. Complete the "Statement of Financial Position", which follows this page. Please feel free to also provide additional information explaining why you believe you have sufficient funds to ensure your transportation business can provide reliable service to the public in a safe manner.

### Verification of Statement

The undersigned deposes and says that he/she is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his/her knowledge, information, and belief. The undersigned understands that false statements herein are made subject to penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
(Signature)

5/6/24  
\_\_\_\_\_  
(Date)

Ashish Desai, Owner  
\_\_\_\_\_  
(Name and Title, printed or typed)

**Statement of Financial Position (Balance Sheet) As of (date) 05/01/2024  
(Must be less than 6 months old)**

ASSETS

Current Assets		
Cash	\$150,000	
Other Current Assets (specify)		
Total Current Assets		\$150,000
Tangible Assets		
Motor Vehicle Equipment		
Property (buildings, land, etc.)		
Office Equipment		\$10,000
TOTAL ASSETS		\$160,000

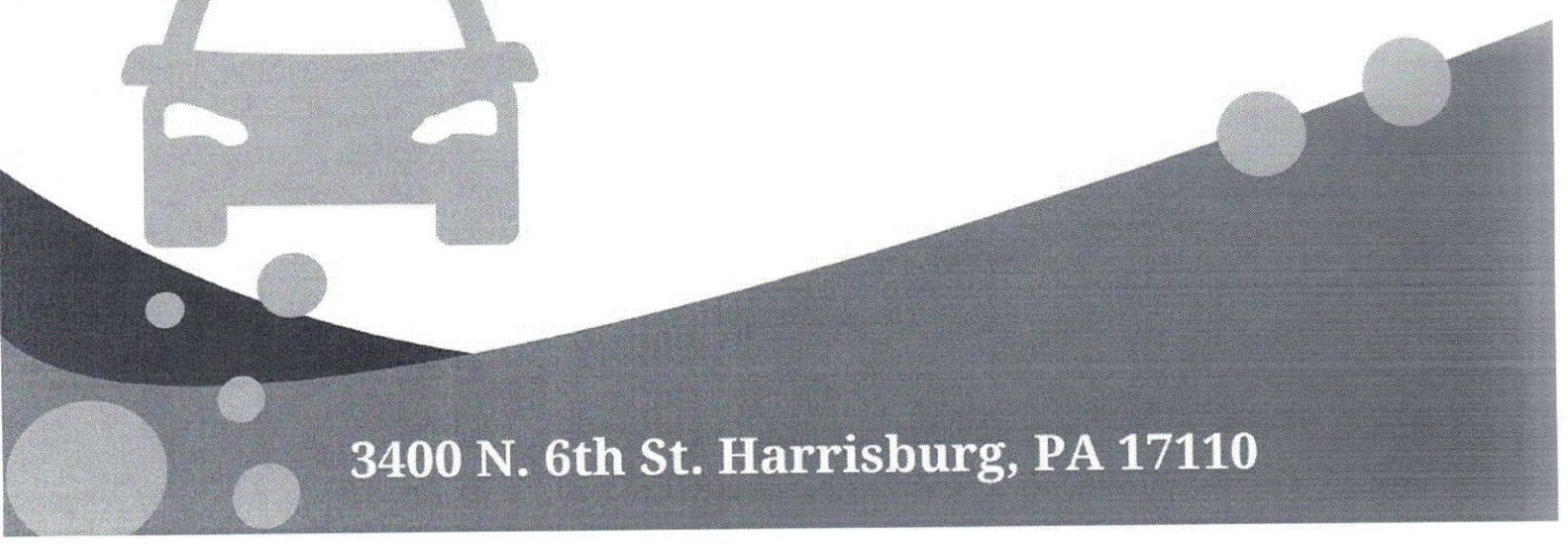
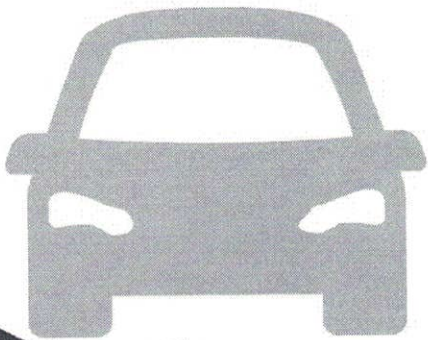

LIABILITIES

Current Liabilities (Due within one year of date)		
Loans	\$0	
Credit cards/revolving credit	\$0	
Other Liabilities (Attach schedule)	\$0	
Total Current Liabilities		
Long Term Liabilities (Due after one year of date)		
Mortgage	\$0	
Long term commercial loan	\$0	
Other Liabilities (Attach Schedule)	\$0	
Total Long-Term Liabilities		
TOTAL LIABILITIES		\$0



**RAPID CARE TRANSPORTATION LLC**

**Chapter 1:  
Personnel  
Policies**



**3400 N. 6th St. Harrisburg, PA 17110**

## 1.0 Employee and Driver Training Policy

**PURPOSE:** To provide the highest quality of transportation services by ensuring that all drivers and staff are trained to clearly meet our service standards and expectations.

**POLICY:** All drivers at RAPID CARE TRANSPORTATION will be trained to have a thorough understanding of non-emergency medical transportation (NEMT) services which encompasses vehicle operation, defensive driving, forms reporting, fraud and abuse prevention, and more. All drivers will also be trained to be familiar with the geographic area in which Rapid Care will provide their services.

Prior to performing driving services for RAPID CARE TRANSPORTATION, all staff *must* undergo training regarding the following:

- **Defensive Driving Training:** All drivers must complete a mandatory defensive driving training course, which will be further outlined in *Chapter 3: Defensive Driving Policy*.
- **Driving Course:** All drivers must shadow an experienced driver for a field orientation prior to their recruitment.
- **Vehicle Operation:** All drivers will be trained in our company's vehicle operation and maintenance procedures, further outlined in *Chapter 2: Vehicle Maintenance Policy*.
- **First Aid and CPR Trainings:** All drivers must have completed and obtained First Aid & CPR Training within six months of hire.
- **Reporting Critical Incidents:** All staff must be trained in the proper procedures for reporting critical incidents.
- **Fraud, Waste, and Abuse Prevention:** All staff must undergo training to identify, intervene, and prevent incidents of fraud, waste, and abuse practices.
- **Substance Abuse Awareness:** All staff will undergo training on the consequences of substance abuse in personal health, safety, and in the work environment.
- **HIPAA Compliance Training:** All staff will annually undergo HIPAA Compliance Training to protect the security of patient information & rights.
- **Passenger Assistance Techniques Certification:** All drivers must successfully complete a course in Passenger Assistance Techniques or Mobility Assistance Technician Training which includes Wheelchair Securement Training prior to beginning operations for the company.
- **General Employee Training:** All staff will undergo training on the other general policies and procedures of the company, including but not limited to, workplace harassment policies, diversity awareness, and our provider quality management plan.

All staff required training will be thoroughly documented on site and all Certificates of Completion will be filed accordingly in the employee's respective Personnel File.

# ADMISSIONS CRITERIA

## 1.1 Criminal Offender Record Information (CORI) Policy

PURPOSE: To outline the Criminal Offender Record Information (CORI) Policy for applicants and potential employees of Rapid Care Transportation.

POLICY: All applicants of Rapid Care Transportation shall undergo a criminal background check prior to employment and cannot begin employment until CORI results have been obtained and reviewed. As CORI is mandated by state and federal regulations, all applicants must sign a consent form agreeing to criminal background testing.

### PROCEDURE:

Rapid Care Transportation is an equal opportunity employer — it is our policy to hire qualified candidates for employment without discrimination against an employee or applicant based on race, religion, gender, sexual orientation, nationality, disability, or military or political affiliation.

Rapid Care Transportation will assess job applicants on the basis of their ability to perform the job for which they are applying, without regard to non-job related criteria. The employee's opportunity to work at Rapid Care will not be jeopardized by the employee's refusal to answer a non-job related question, with the exception of a criminal record.

A criminal background check shall be conducted for all applicants which will include reviewing the applicant's criminal history record from the past 12 months from the Pennsylvania State Police. This criminal background check will subsequently be conducted on each hired driver employee every two years. Additionally, every year, a Motor Vehicle Report on every driver will be ordered and reviewed.

Information received in the report containing no "negative" findings will be filed in a separate confidential, personnel file, and the applicant will be considered for employment. Reports that have any other findings will be reviewed by the President of the company. Applicants will not be automatically rejected because of past criminal records and their application will be reviewed on a case-by-case basis. Criteria used to make a decision also includes, but is not limited to references, interviews, no history of criminal judgments for the past ten years, as well as recent work history. Reports of abusive behavior, violent criminal judgments, or incarceration are reasons to reject the applicant.

## **1.2 Driver Qualifications Policy**

**PURPOSE:** To clearly outline the admissions criteria and the company's process for recruiting new NEMT drivers for Rapid Care Transportation.

**POLICY:** All drivers will be recruited on the basis of merit with minimum eligibility standards. No preferences shall be given on the basis of race, religion, gender, sexual orientation, nationality, or language.

### **PROCEDURE:**

All drivers at Rapid Care Transportation *must* meet the following requirements outlined below for hire.

### **DRIVER RECRUITMENT CRITERIA:**

#### **AGE & EXPERIENCE:**

Applicants for driver positions must meet the following age and experience criteria:

1. Applicants must be at least 21 years old at the time of recruitment.
2. Applicants must have at least **3 years of driving experience** with a clean, satisfactory driving record and no serious violations.

#### **DISPOSITION & SKILLS:**

The applicant's personality and disposition shall be determined via interview at the time of applying. The *ideal* applicant for the driver position should possess the following skills:

1. A high aptitude for driving.
2. Proper, courteous service skills to clients and customers.
3. Responsibility and decisiveness.
4. Ability to work independently: self-reliant, and self-disciplined.
5. Aware and committed to adhering to all safety rules and regulations.

#### **HEALTH:**

All applicants must undergo a comprehensive medical examination conducted by a board-certified physician in order to ensure that the applicant is able to perform their driving duties safely and effectively. All medical reports will be filed into the driver's respective Personnel File following the completion of the hiring process.

The medical examination will assess the following:

- Vision (both eyesight and color blindness).

- Neurological or musculoskeletal deficiency which could adversely affect movement and reaction time.
- Any prior underlying conditions that could result in side effects of epilepsy, seizures, or heart attacks.
- The use of medications that could influence driving behavior.
- History of anxiety or depression.
- History of sleeping disorders, stress, or a dependence on sleeping medications or alcohol.

The medical examination will also include a mandatory pre-employment Drug and Alcohol Testing, the policies and procedures of which are outlined in more detail in Chapter 4: Drug & Alcohol Policy.

## DRIVING EXPERIENCE:

### *Practical Driving Test.*

All applicants will go through a practical driving examination prior to their recruitment. A designated monitor driver will provide a field orientation and shadow the applicant on a drive under the typical conditions. The monitor driver will confirm that the applicant is fully competent, aware of all traffic laws and violations, and is able to drive the type of vehicle that they would be using on company business.

### *Appropriate Driving License*

All applicants are required to have an appropriate and valid license in order to drive for the company. A photocopy of their license will be placed in their personnel file after the completion of the hiring process. Rapid Care will also keep a record to track the dates that each drivers' licenses will expire. Subsequently, all hired drivers are required to notify the company if there are any future changes to their driving records.

All licenses will be checked for the following:

- The state of issue.
- The date issued.
- The date of expiration.
- Any and all restrictions.
- Any and all violations.

## EDUCATION:

Applicants must meet the following education requirements:

- High school graduate or higher, preferably. If an applicant does not meet this education standard, then they must be literate and numerate at a level in which they are able to:
  - Follow written work instructions.
  - Fill out reporting forms, trip logs, and more.

- Read maps, safety bulletins, road signs.
- Complete and pass aforementioned training courses, first aid/CPR training, defensive driving courses, passenger assistance training, and more.
- If an applicant is not a high school graduate, however they currently hold a valid EMT-basic, EMT-intermediate, or EMT-paramedic certification from the State Board of Emergency Medical Services, then they are considered to already meet the education criteria.

### ORIENTATION PERIOD:

Accepted and newly hired applicants will undergo an induction process, considered an “orientation period” for 180 days, to assess the appropriateness of the selection of the applicant for the company, as well as to carefully monitor and ease them into their duties.

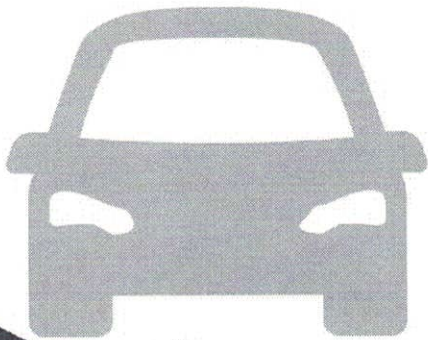
New employees will be given a Job Offer Letter along with a copy of all of Rapid Care’s Company Policies and Procedures and new hire training for guidance.

Rapid Care Transportation will also use the following process for New Driver Induction:

- For their initial duties, newly hired drivers will drive alongside an experienced monitor driver who will provide the necessary support and identify any potential skill gaps or areas for improvement. This monitor driver will make a record of their time with the newly hired driver and submit this report to the company following the orientation period.
- Newly hired drivers will be given the safest and least demanding routes for their initial duties.
- Newly hired drivers will progress from smaller, rigid vehicles to larger and more articulated vehicles in accordance with their monitored progression in training and skills.
- At the end of the new hire’s orientation period, the monitor driver shall give the company their recommendation of whether or not the driver should be accepted or rejected. Then, a Job Confirmation Letter will be subsequently issued to the driver if the monitor driver issued no negative comments in their report.

**RAPID CARE TRANSPORTATION LLC**

**Chapter 3:  
Vehicle Maintenance  
Policies**



**3400 N. 6th St. Harrisburg, PA 17110**

## **Vehicle Operation & Maintenance Policies & Procedures**

### **INTRODUCTION:**

This chapter outlines RAPID CARE TRANSPORTATION'S vehicle operation and maintenance policies & procedures for the purpose of ensuring fleet productivity and management, risk mitigation, cost effectiveness, driver/operator responsibility, and above all, for ensuring the ongoing safety of both our staff and clients. Rapid Care Transportation's motor vehicle safety program shall be ongoing and focus on continuous improvement in accordance with state and federal regulations.

This policy includes the Company's vehicle safety program, periodic maintenance plan (including annual and daily inspections), vehicle usage, sanitation policies, and more. All policies and procedures for RAPID CARE TRANSPORTATION are to ensure ongoing compliance with the PA Vehicle Equipment and Inspection Standards (67 PA. Code § 175) as well as to continuously meet our own standards of high quality care and service.

All vehicles owned and operated by Rapid Care Transportation comply with the following federal regulations for commercial motor vehicles as stated in 49 CFR Part 571 Subpart B.

### **2.0 Vehicle Use Policy**

**PURPOSE:** To outline Rapid Care Transportation's company vehicle use policy.

**POLICY:** All Rapid Care Transportation vehicles are solely intended for company use only. Personal use of company vehicles is strictly prohibited, unless prior permission is granted by a supervisor. When assigned a company vehicle, its use is restricted to the assigned driver only. Company vehicle use by family members or non-employees is not permitted.

**PROCEDURE:** If any staff or driver of Rapid Care Transportation is found to have violated this policy and used company vehicles outside of business use, they will be subject to disciplinary action. Any staff or drivers who suspect that a driver is using a company vehicle outside of company use must immediately report the incident to their supervisor.

## 2.1 Seat Belt Safety Policy

PURPOSE: To outline Rapid Care Transportation's seat belt policy for the increased safety of all drivers and passengers of company vehicles.

POLICY: Rapid Care Transportation requires the mandatory use of seat belts for all drivers and all occupants of company vehicles. Drivers must be wearing a seat belt **prior** to the operation of their vehicle and before departing on any trips.

PROCEDURE: Any driver who fails to comply with the company policy will be subject to disciplinary action, up to and including termination. Any staff or drivers who suspect that a driver of Rapid Care Transportation is not compliant with our seat belt policy must immediately report the incident to their supervisor.

## 2.2 Vehicle Registration Policy

PURPOSE: To outline Rapid Care Transportation's policy for proper registration of all company vehicles.

POLICY: All motor vehicles owned and used in operations at Rapid Care Transportation will obtain and continuously maintain all proper vehicle registrations in accordance with the state and federal regulations.

PROCEDURE: All Rapid Care Transportation vehicles registered as motor vehicles in the state of Pennsylvania shall have a valid vehicle registration card and vehicle inspection decal located within or on the vehicle, as issued by the Motor Vehicle Commission (MVC). No motor vehicles that have yet to obtain a valid vehicle registration will be authorized for service use.

Additionally, all company vehicles that possess expired or voided registration statuses will likely be unauthorized for service use. Rapid Care Transportation will bear responsibility for maintaining an accurate record of all company vehicle registration cards and keeping a timely record of all registration renewals. Only vehicles that have successfully passed all DMV motor vehicle tests and obtained valid registrations issued by the MVD will be approved for company use for transportation services.

## 2.3 Vehicle Inspection Policy

**PURPOSE:** To outline Rapid Care Transportation's periodic vehicle inspection plans and procedures.

**POLICY:** All vehicles owned and operated by Rapid Care Transportation must undergo annual inspections in accordance with state and federal vehicular regulations, as well as daily pre-trip inspections to ensure that all vehicles and intermodal equipment are properly maintained for safe operations.

**PROCEDURE:** Rapid Care Transportation's periodic inspection procedures can be divided into two categories: annual inspections and daily inspections.

### ***Annual Inspections:***

In accordance with Federal Motor Carrier Safety Regulations, all motor vehicles owned and operated by Rapid Care Transportation must be inspected at least once every 12 months by a certified inspection mechanic (49 CFR 396.19). The company will be responsible for thoroughly recording all certifications of inspections, maintaining records of inspection report sheets, keeping up to date with inspection expiration dates, and for annual inspection fees. The driver assigned to the vehicle will be responsible for taking the vehicle out for annual inspection.

All annual vehicle inspections will comply with 67 PA. Code § 175 and PennDOT PUB 45 (4-22) Vehicle Equipment and Inspection Regulations, along with other local, state, or federal inspection regulations.

### ***Daily Inspection:***

All drivers at Rapid Care Transportation must perform a **pre-trip vehicle inspection** on both the vehicle's interior and exterior in order to prevent potential maintenance issues and future safety concerns. This daily inspection shall be completed by drivers before driving the vehicle in order to ensure that the vehicle is in safe operating condition.

Drivers will be given a daily vehicle inspection checklist to fill out alongside their daily trip logs in which they will be required to make note of the following:

- Odometer - note daily mileage change.
- Hours Meter - note daily hours driven.
- Fluids - check radiator, oil, transmission, brake, steering, and wiper pump fluids and note any signs of leakage.

- Tires - check tire pressure, check tire rims for signs of damage or wear.
- Brakes - check brakes and emergency brake functionality, check for break warnings.
- Lights - check functionality of headlights, driving lights, tail lights, signal lights, and emergency hazard lights.
- Horn - check horn functionality.
- Mirrors - check interior rear view mirror and exterior side mirrors for functionality and proper adjustment.
- Windshield washers/wipers - check windshield wipers functionality and cleanliness.
- Defrost/heater - check defrost heater functionality.
- Steering - check steering wheel functionality and range of motion.
- Lift/ ramps - check wheelchair lift and ramp functionality.
- Safety - check seat belt operation, check first aid kit and fire extinguisher.
- Cleanliness - check vehicle's general condition, as well as interior & exterior cleanliness.

These inspection sheets will always include the assigned driver's name and signature, the Vehicle Identification Number (VIN), date, and time of inspection. All daily pre-trip vehicle inspection sheets will be delivered to the company management by the end of the day.

If any safety issues or concerns arise during the pre-trip inspection, the supervisor must be immediately notified prior to the operation of services.

## 2.4 Vehicle Maintenance Policy

**PURPOSE:** To establish the guidelines for Rapid Care Transportation's periodic vehicle maintenance plan and procedures.

**POLICY:** All vehicles owned and operated by Rapid Care Transportation will undergo routine scheduled maintenance procedures in order to prevent long term vehicle issues, improve fleet productivity and reliability, manage vehicle wear, and ensure the safety of all staff and clients.

**PROCEDURE:** Rapid Care Transportation's procedures for vehicle maintenance and repair can be divided into two categories: routine maintenance (preventative maintenance) and non-routine maintenance (demand and/or crisis maintenance).

### ***ROUTINE MAINTENANCE***

#### ***Preventative Maintenance:***

Rapid Care Transportation implements a preventative maintenance program in which all vehicles owned and operated by the company are systemically inspected, repaired, and maintained in order to ensure the ongoing effectiveness of the vehicle or vehicular equipment and to prevent future hazards from developing.

Preventative vehicle maintenance is essential to ensure the safety of drivers, passengers, and other road users, as well as to maintain the efficiency, reliability, and longevity of our fleet. Scheduled maintenance prevents unexpected breakdowns and ensures that vehicles remain operational when needed, minimizing disruptions to our operations and services. Additionally, proactive maintenance will assist in avoiding costly repairs that often result from neglected vehicle issues.

Routine Preventative Maintenance (PM) will be performed on a mileage or time basis and a thorough record of all scheduled maintenance checks will be kept by company management.

A Preventative Vehicle Maintenance Check will include, but is not limited to, the following:

- Oil/filter changes
- Lubrication
- Tightening belts and components
- Engine Tune-ups
- Brake work and/or replacements
- Tire rotations
- Hose inspections and/or replacements
- Radiator Maintenance

## ***NON-ROUTINE MAINTENANCE***

### ***Demand Maintenance:***

Demand maintenance is a non-routine maintenance performed only when a particular need arises. The reported vehicle issue must be assessed by the driver in order to determine the urgency and severity of the issue. Demand maintenance will be prioritized based on the criticality of the issue and its impact on vehicle safety and operations.

Demand maintenance can involve the replacement of broken parts, including: light bulbs, window glass, gauges, wiring, air lines, tires, batteries, transmissions, universal joints, and more. Vehicle equipment or components that are worn down from use should have been previously identified and replaced in the preventative maintenance program and noted in the vehicle condition report.

### ***Crisis Maintenance:***

Crisis Maintenance is a non-routine emergency maintenance situation in which a vehicle breaks down while on the road. Rapid Care Transportation aims to minimize any potential need for crisis maintenance on our vehicles through our Preventative Maintenance Program.

However, in the event of required crisis maintenance, drivers are to first and foremost ensure the safety of clients, passengers, and other road users. Drivers must then promptly notify the company management or supervisor and take immediate necessary actions to address the crisis situation and arrange for towing or roadside assistance if necessary.

For vehicles that have undergone an incident of crisis maintenance, Rapid Care Transportation will implement the emergency repairs necessary to restore vehicle functionality and the vehicle will be prohibited from use in operations until permanent repairs can be completed. Then, a thorough follow-up assessment will be conducted on the vehicle and preventative measures will be implemented in order to mitigate the risk of recurrence.

## 2.5 Vehicle Sanitation Policy (Cleaning Policy)

**PURPOSE:** To establish guidelines for maintaining motor vehicle cleanliness and sanitation standards.

**POLICY:** All vehicles owned and operated by Rapid Care Transportation will be regularly cleaned and disinfected by drivers post-trip at the end of their shifts. This policy aims to ensure the health, safety, and comfort of passengers, drivers, and other occupants by minimizing the risk of exposure to harmful pathogens and contaminants.

**PROCEDURE:** All drivers will regularly inspect and maintain their assigned vehicle's cleanliness as outlined in the **pre-trip inspection checklist**.

Sanitation guidelines are as follows:

### ***Interior Cleaning:***

All drivers will perform daily interior cleaning of vehicles to remove debris, trash, and surface contaminants. Drivers will perform surface disinfection at least once a week, using EPA-approved disinfectants to sanitize frequently-touched surfaces such as door handles, seat belts, armrests, and steering wheels. Drivers will also vacuum and spot clean carpets and upholstery regularly to eliminate dirt, stains, and odors.

### ***Exterior Cleaning:***

All company vehicles will be washed regularly to remove dirt, dust, and grime buildup. Wheels and tires will also be maintained in appearance and functionality in order to reduce the spread of contaminants onto vehicle interiors. Additionally, drivers will assess and conduct regular window cleanings in order to ensure optimal visibility for drivers and passengers.

Any vehicle sanitation-related concerns or incidents can be reported to the company management or supervisor for immediate action.

## **2.6 Non-Smoking Policy**

**PURPOSE:** To establish a smoke-free environment within all vehicles owned and operated by Rapid Care Transportation in order to promote the health and safety of drivers, passengers, and other occupants by minimizing exposure to secondhand smoke and reducing the risk of fire hazards associated with smoking.

**POLICY:** Smoking, including the use of electronic cigarettes and vaping devices, is strictly prohibited in **all** vehicles owned and operated by Rapid Care Transportation. This policy applies to all drivers, passengers, and individuals associated with the organization, including employees, contractors, clients, and guests.

**PROCEDURE:** Any driver who fails to comply with the company policy will be subject to disciplinary action, up to and including termination. Any staff or drivers who suspect that a driver of Rapid Care Transportation is not compliant with our smoking policy must report the incident to their supervisor immediately.

## **2.7 Vehicle Maintenance Documentation Policy**

**PURPOSE:** To establish guidelines for the proper maintenance of accurate and comprehensive vehicle maintenance records for all vehicles owned and operated by Rapid Care Transportation.

**POLICY:** Rapid Care Transportation will maintain proper records for all vehicle inspection, maintenance, registration, and other documentation surrounding vehicles owned and operated by the company.

**PROCEDURE:**

### **Vehicle Maintenance Recordkeeping**

A complete record on each vehicle in the company's fleet will be kept on file and securely maintained in the company's office. Each vehicle file will include basic vehicle information, detailed maintenance logs, inspection report sheets, repairs and maintenance performed, and other relevant vehicle information.

All maintenance records will be retained for at least the minimum period as required by applicable state, federal, and local regulations and will be made readily accessible for auditing purposes. Vehicle records will be regularly reviewed and audited to ensure accuracy and completeness, and in order to monitor for any discrepancies or for any upcoming inspection, registration, or maintenance dates.

Fleet Records will include, but is not limited to, the following:

- Vehicle Make and Model
- Vehicle License Plate Number
- Vehicle Mileage Records
- Vehicle Maintenance History (all records of repair/maintenance accurately showing their date and type).
- Assigned Vehicle Driver Information
- Registration Card Copy + Renewal Dates
- Inspection Report Sheets + Annual Inspection Dates
- Insurance Renewal date

**RAPID CARE TRANSPORTATION LLC**

**Chapter 4:  
Drug & Alcohol  
Policies**



**3400 N. 6th St. Harrisburg, PA 17110**

## **Drug & Alcohol Policies**

### **INTRODUCTION:**

This chapter establishes RAPID CARE TRANSPORTATION'S drug and alcohol policies and procedures in order to ensure a safe, healthy, and drug-free work environment for all employees. Rapid Care Transportation's policies aim to inform and educate all staff on the dangers of substance and alcohol abuse on personal health and safety as well as workplace safety.

This policy includes the Company's prohibited conduct surrounding drug and alcohol use, procedures for conducting testing, the consequences of positive test results and/or refusal to test, and more.

All Rapid Care Transportation Drug & Alcohol policies and procedures shall comply with federal regulations for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations (49 CFR Part 655), for Controlled Substances and Alcohol Use and Testing (49 CFR Part 382) as well as with any subsequent amendments (49 CFR Part 40). Rapid Care Transportation's drug & alcohol program shall be ongoing and remain consistent with both state/federal regulations and FMCSA's regulations. The terms and conditions in this Drug and Alcohol Policy will be periodically reviewed and revised in accordance with any provisions or amendments in state or federal regulations.

### **POLICY:**

It is the policy of RAPID CARE TRANSPORTATION that the use, sale, purchase, transfer, possession, or presence of any controlled substance (except medically prescribed drugs) by employees while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company is **strictly prohibited**.

It is the policy of RAPID CARE TRANSPORTATION that the consumption of alcohol while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company is **strictly prohibited**.

In accordance with the Federal Motor Carrier Safety Regulations (FMCSA), all staff and employees at Rapid Care Transportation who perform *safety-sensitive functions* must comply with our drug and alcohol policies.

## TERMS & DEFINITIONS

Alcohol	The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.
“Alcohol Use”	The drinking or swallowing of any beverage, liquid mixture, or preparation, including any medication, containing alcohol.
Commercial Driver’s License (CDL)	A license issued by the State or other jurisdiction, in accordance with the standards contained in 49 CFR part 383, authorizing an individual to operate a class of commercial motor vehicle (CMV). The individuals required to have a CDL under 49 CFR part 383 are subject to controlled substances and alcohol testing. Individuals who are required to possess CDLs by virtue of State or local law or by employer policy, but not by Federal regulation, are not subject to the provisions of 49 CFR parts 382 and 383.
Commercial Motor Vehicle (CMV)	A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: <ul style="list-style-type: none"><li>a. Has a gross combination weight rating (GCWR) or 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit, with a gross vehicle weight rating (GVWR) of more than 4,536 kilograms (10,000 pounds); or,</li><li>b. Has a GVWR of 11,794 kilograms or more (26,001 pounds or more); or,</li><li>c. Is designed to transport 16 or more passengers, including the driver; or,</li><li>d. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and is required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, subpart F).</li></ul>
Consortium/Third Party Administration (C/TPA)	A service agent that provides or coordinates one or more drug and/or alcohol testing services to the Department of Transportation (DOT) - regulated employers. C/TPAs typically provide or coordinate the provision of a number of such services and perform administrative tasks concerning the operation of the employer’s drug and alcohol testing programs. This term includes, but is not

	<p>limited to, groups of employers that join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g. having a combined random testing pool). C/TPAs are not employers under the rules.</p>
Controlled Substances	<p>For the purposes of these guidelines, the terms “drugs” and “controlled substances” are interchangeable and have the same meaning. The DOT is testing only for the following five controlled substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines).</p>
Designated Employer Representative (DER)	<p>An individual identified by the employer as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties to make required decisions in the testing and evaluation processes. The individual must be an employee of the company. Service agents cannot serve as DERs.</p>
Driver	<p>Any person, volunteer or paid employee, who operates a Rapid Care Transportation vehicle under FMCSA regulations. This includes, but is not limited to, full-time and part-time drivers, regularly employed drivers, leased drivers, independent owner-operator contractors (employed directly or leased), casual or intermittent or occasional drivers.</p>
Medical Review Officer (MRO)	<p>A licensed physician (Doctor of Medicine or Osteopathy) responsible for receiving laboratory results generated by an employer’s controlled substances testing program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test results together with his or her medical history and any other relevant biomedical information.</p>
Safety-Sensitive Functions	<p>All time at a Company or picking up/ dropping a passenger, waiting to be dispatched, unless the driver has been relieved from duty by the Company; all time spent inspecting, servicing, or conditioning any motor vehicle at any time; all time spent operating motor vehicle; all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.</p>
Substance Abuse Professional (SAP)	<p>A licensed physician (Doctor of Medicine or Osteopathy), or a licensed or certified psychologist, social worker, or employee assistance professional, or a drug and alcohol</p>

	<p>counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board of Certified Counselors Inc. and Affiliates/Masters Addictions Counselor (NBBC).</p>
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## 4.1 Employee Categories Subject to Testing

Rapid Care Transportation's Drug and Alcohol Policy applies to all employees, including, but not limited to, drivers, contractors, managers, and office personnel who:

- a) Requires the possession of a Commercial Driver's License (CDL);
- b) Must perform "safety-sensitive functions" (as defined in accordance with 49 CFR Part 382 in the Terms & Definitions section).

All such employees are subject to all types of drug and alcohol testing as outlined further in the "Types of Drug & Alcohol Testing" section and must strictly comply with the Company's Drug & Alcohol policies and procedures.

## 4.2 Prohibited Conduct

### Rapid Care Transportation's Prohibited Conduct Concerning Drivers' Use of Drug and Alcohol:

1. Drivers are prohibited from reporting for duty or remaining on duty when using any drugs, except when the use is pursuant to the instructions of a medical doctor who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.
2. No driver shall report for duty or remain on duty while having an alcohol concentration of 0.04 or greater. Drivers found to have an alcohol concentration of 0.02 or greater, but less than 0.04, are prohibited from performing any safety-sensitive functions for at least 24 hours from the test.
3. No driver shall perform any safety-sensitive function within 4 hours after consuming alcohol.
4. Consumption of alcohol for 8 hours after an accident unless the employee has been given a post-accident test. This applies to employees with knowledge of an accident involving a commercial motor vehicle operating on a public road in commerce for which they performed a safety-sensitive function at or near the time of the accident.
5. Sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by an employee while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company.
6. Testing positive for a controlled substance (except medically prescribed drugs).
7. Refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol test.
8. Refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up drug test.

### 4.3 Types of Drug & Alcohol Testing

All staff and drivers at Rapid Care Transportation are be subject to each of the following types of drug and alcohol tests:

#### *Pre-Employment Testing*

All employees shall be subject to a drug test prior to employment. No employee shall be permitted to perform any safety-sensitive functions, including the driving of any company vehicle, until they have received a negative drug test result.

- An applicant must inform the Company whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the applicant applied for, but did not obtain, safety-sensitive transportation work covered by the DOT agency drug and alcohol testing rules during the past two years.

#### *Post-Accident Testing*

In the event of an accident involving a commercial motor vehicle operating on a public road in commerce, the involved employee shall be subject to a drug and alcohol test in the following circumstances:

- If the accident involved the loss of a human life.
- If the employee received a citation for a moving traffic violation arising from the accident, and the accident involved either:
  - Bodily injury to any person who immediately receives medical treatment away from the scene of the accident.
  - One or more motor vehicles incurring disabling damage requiring the motor vehicle to be transported away from the scene by tow.

The alcohol test must be administered within 2 hours and the drug test must be administered within 32 hours following the accident.

In addition, employees who the Company deems to have caused or contributed to a work-related accident while on the work premises of the company, or is off-site while engaged in activities for or on behalf of the Company, or while the employee's for or on behalf of the company.

### ***Random Testing***

Employees shall be subject to random drug and alcohol testing. Random testing will be conducted without notice to randomly selected employees. Employees may be grouped into drug and alcohol testing pools based on job function, safety sensitive drivers must be in a separate pool and could include. All employees within each pool have an equal chance of testing.

All random tests will be unannounced and the dates for administering the tests will be spread reasonably throughout the calendar year. The dates of random testing, locations and names of those to be tested are kept in the strictest confidence by the Program Administrator and the specimen collector.

When the employee is notified of selection for random drug and/or alcohol testing, they must proceed to the test site immediately. If the employee does not proceed to the test site immediately upon notification of the test, it may be considered as a refusal to submit to the test.

### ***Reasonable Suspicion Testing***

Employees shall be subject to reasonable suspicion of drug & alcohol testing if a trained supervisor or trained company official believes or suspects that the employee is under the influence of drugs and/or alcohol.

### ***Return-to-Duty & Follow-Up***

Employees retained by the Company after a positive test result or a rest refusal shall be subject to a return-to-duty drug and alcohol testing. No employee shall be permitted to perform any safety sensitive function until they have received a verified negative drug and alcohol test result. Thereafter, such employees will be subject to certain follow-up drug and alcohol testing as established by a Substance Abuse Professional (SAP).

## 4.4 Drug & Alcohol Testing Procedures

Drug and/or alcohol testing shall be conducted at a facility designated by the Company. Specimen collection, analysis and reporting shall be conducted in accordance with the procedures outlined below which are consistent with the federal regulations enumerated in 49 CFR Part 40 and all applicable guidance and state laws. These collection procedures are designed to protect the employee and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct employee.

### Drug Testing Procedures

- A DOT drug testing Chain of Custody Form (CCF) will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested in the laboratory.
- A collection of the specimen must be conducted in a suitable location and must contain all necessary personnel, materials, equipment, facilities, and supervision to provide for collection, security, and temporary storage and transportation of the specimen to a certified laboratory.
- The employee should have and present positive identification to the collector. The employee may also request positive identification of the collection site employee.
- The employee must provide a specimen meeting the specified volume and temperature requirements.
- All identifying information must be entered on the CCF by the collection site person. The CCF will be signed by the collector, certifying collection was accomplished in accordance with the instructions provided. The employee must also sign the CCF indicating the specimen was his or hers.
- A urinalysis will be performed by a laboratory certified by the Department of Health and Human Services (DHHS) that has been retained by the Company. The laboratory will be required to maintain strict compliance with federally-approved chain-of-custody procedures, quality control, maintenance, and scientific analytical methodologies.
- The laboratory must report all test results directly to the Company's designated medical review officer (MRO). The MRO is responsible for reviewing and interpreting all confirmed positive, adulterated, substituted, or invalid drug test results. The MRO must determine whether alternative medical explanations could account for the test results. The MRO must also give the employee who has a positive, adulterated, substituted, or invalid drug test an opportunity to discuss the results prior to making a final determination. After the decision is made, the MRO must notify the Company's designated employer representation (DER).
- An employee who receives a positive, adulterated, or substituted drug test result has 72 hours to request the test of the split specimen (which is provided at the time of the original collection). If the employee requests the testing of the split, the MRO must direct (in writing) the lab to provide the split specimen to another certified laboratory for analysis. The employee will pay for the testing of the split specimen.

## **Alcohol Testing Procedures**

Alcohol testing may be conducted by a qualified Screening Test Technician (STT) or Breath Alcohol Technician (BAT). STTs are only permitted to conduct the first test given to an employee by using either a breath or saliva test (Screening Test). A BAT is authorized to conduct a Screening Test, but, unlike a STT, is also authorized to conduct the second test given to an employee whose test result is **0.02** or above (Confirmation Test). For a Screening Test, the STT or BAT may use an approved Alcohol Screening Device (ASD) or an Evidential Breath Testing device (EBT). For a Confirmation Test, the BAT is required to use an EBT.

### ***Screening Tests:***

- The DOT Alcohol Testing Form (ATF) will be used to document the results of an alcohol screening test.
- The testing will be performed in a private setting. Only authorized personnel will have access and are the only individuals who can see or hear the test results.
- The employee should have and present positive identification to the STT or BAT at the test site. The employee may also request positive identification from the STT or BAT.
- When an ASD is used, the STT or BAT must check the device's expiration date and show it to the employee. A device may not be used after its expiration date.
- The STT or BAT will open an individually wrapped or sealed package containing the device in front of the employee and he or she will be asked to place the device in his or her mouth and use it in the manner described by the device's manufacturer.
- The employee must work with the STT or BAT to perform the test, which includes the insertion of the device mouthpiece in the employee's mouth and the exhalation (breathing out) must be performed in the manner described by the device's manufacturer.
- The STT or BAT should wear single-use examination gloves and must change the gloves following each test.
- When the device is removed from the employee's mouth, the STT or BAT must follow the manufacturer's instructions to ensure the device is activated.
- If the procedures listed above cannot be successfully completed, the device must be discarded and a new test must be conducted using a new device. The employee will be offered the choice of using the new device or having the STT or BAT use the new device for the test.
- If the new test cannot be successfully completed, the employee will be directed to immediately take a screening test using an EBT.
- When an EBT is used, the mouthpiece of the breath testing device must be sealed before use and opening in the employee's presence. The mouthpiece is then inserted into the breath testing device.
- The employee must blow forcefully into the mouthpiece of the testing device for at least 6 seconds or until an adequate amount of breath has been obtained.

- Once the test is completed, the BAT must show the employee the results. The result displayed on the device must be read within 15 minutes of the test. The STT or BAT must show the employee the device and its reading and enter the result on the ATF.
- If the reading on the ASD or EBT is less than 0.02, both the employee and the STT or BAT must sign and date the result form. The form will then be confidentially forwarded to the Company's DER. No further testing is authorized.
- If the reading on the ASD or EBT is 0.02 or more, a confirmation test must be performed.

### ***Confirmation Tests***

- If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed. If a different BAT will conduct the confirmation test, the BAT who conducts the screening test will complete and sign Step 3 or the ATF. The BAT will provide the employee with Copy 2 of the form.
- In the presence of the employee, the BAT will conduct an "air blank" to ensure that the device is working correctly. The BAT must show the reading to the employee. The air blank result must be .00. If the reading is greater than .00, the BAT will conduct one more air blank. If the reading is greater than .00, the testing will not proceed using the instrument. However, testing may proceed on another instrument.
- The BAT will instruct the employee not to eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during a waiting period before the confirmation test. This time period begins with the completion of the screening test and will not be less than 15 minutes. The BAT will explain to the employee the reason for this requirement (i.e. to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT will also explain that the test will be conducted at the end of the waiting period. If the employee has disregarded the instruction, the BAT will note so in the "Remarks" section of the ATF.
- If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT will initiate a new breath alcohol testing form. The BAT will complete Step 1 on the form. The employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test. The BAT will note this in the "Remarks" section of the form that a different BAT conducted the screening process.
- If the employee does not sign the certification in Step 4 of the form, it will not be considered a refusal to be tested. In this event, the BAT will note the failure to sign in the "Remarks" section of the form.

### **A Breath Alcohol Test is invalid under the following circumstances:**

- The EBT does not pass its next external calibration check (invalidates all test results of 0.02 or greater on tests conducted since the last valid external calibration test); this does not invalidate negative tests.
- The BAT does not observe the minimum 15-minute waiting period prior to the confirmation test.

- The BAT does not perform an air blank on the EBT before a confirmation test or such an air blank does not result in a reading of 0.00.
- The BAT does not sign the form.
- An EBT fails to print a confirmation test result.
- The sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number or alcohol concentration on the printed result.

#### **4.5 Notification of the Test Results**

All applicants will be notified of the results of their pre-employment drug test if the applicant requests his or her test results within 60 days of being notified of the disposition of the employment application.

All hired drivers will be advised of the drug test results that are verified positive and the drug(s) for which a positive result was verified. Drivers will be notified of the results of their alcohol tests immediately after the administration of the screening test and if necessary, the confirmatory test.

#### **4.6 Testing Expenses and Compensation for Testing**

Rapid Care Transportation will pay for all drug and alcohol tests and related expenses for the company's employees and applicants.

In addition, all time spent by the employees or applicants providing a specimen required under this policy, including travel time to and from the collection site, will be considered by the Company as on-duty time.

#### **4.7 Refusal to Submit to a Drug and/or Alcohol Test**

Rapid Care Transportation will consider an employee as having refused to take a drug and/or alcohol test if they commit any of the following.

##### Drug Test:

1. Failure to appear at a collection site for any test (except a pre-employment test) within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company. This includes the failure of the employee to appear for a test when called by the Company's third party administrator.
2. Failure to remain at the collection site until the testing process is complete. Provided that a person who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
3. Failure to provide a specimen
4. Failure to permit a monitored or observed collection if the Company ordered or if the collector required the collection to be monitored or observed.
5. Failure to provide a sufficient amount of urine specimen, provided the Medical Review Officer (MRO) finds there was no medical reason for the employee to provide an insufficient amount of urine.
6. Failure or refusal to take an additional drug test that the Company or collector has directed
7. Failure to undergo a medical examination or evaluation the MRO or the Company has directed.
8. Failure to cooperate with any part of the specimen collection process.
9. Failure, for an observed collection, to follow the instructions to raise or lower clothing and turn around.
10. Is found possessing or wearing a prosthetic or other device that could be used to interfere with the collection process or designed to carry clean urine substitute.
11. Admission to the collector to having adulterate or substituted the specimen
12. Adulteration or substitution of the urine specimen.
13. Admission to the MRO to having adulterated or substituted the specimen.

##### Alcohol Test:

1. Failure to appear at an alcohol testing site for any test within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company. This includes the failure of the employee to appear for a test when called by the Company's third party administrator.
2. Failure to remain at the alcohol test site until the testing process is complete.
3. Failure to provide an adequate amount of saliva or breath.
4. Failure to provide a sufficient breath specimen, provided the physician finds there was no medical reason for the employee to provide an insufficient amount of breath.

5. Failure to undergo a medical examination or evaluation as the Company has directed as part of the insufficient breath procedures.
6. Failure to sign the certification statement at Step 2 of the Alcohol Testing Form (ATF)
7. Failure to cooperate with any part of the testing process.

## **4.8 Consequences of Drugs and/or Alcohol Usage**

### Consequences of Using Drugs or Alcohol While Performing Safety Sensitive Functions

A covered employee who has engaged in prohibited drug or alcohol use during the performance of a safety-sensitive function will be immediately removed from performing safety-sensitive functions. Further, the employee will be subject to disciplinary action, up to and including termination.

### Consequences of a Verified Positive Drug Test

A covered employee who receives one (1) verified positive drug test result on a DOT required test will be immediately removed from safety-sensitive duties. An employee who has a positive DOT drug test cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee that receives one (1) verified positive drug test will be subject to disciplinary action, up to and including termination.

### Consequences of an Alcohol Test with a Concentration Greater than 0.04

A covered employee who received one(1) alcohol test with a result indicating an alcohol concentration of 0.04 or greater will be immediately removed from safety-sensitive duties. An employee who has a positive alcohol test cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee whose test results indicate an alcohol concentration greater than 0.04 will be subject to disciplinary action, up to and including termination.

### Consequences of an Alcohol Test with a Concentration Greater than 0.02 but Less than 0.04

A covered employee who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 will be immediately removed from safety-sensitive duties until the employee is retested with a result below 0.02 or until the start of the employee's next regularly scheduled duty period, if it occurs at least 8 hours following administration of the test. Notwithstanding the foregoing, an employee whose test results indicate an alcohol concentration greater than 0.02 will be subject to disciplinary action, up to and including termination.

### Consequences of Refusing to Submit to a Required Drug and/or Alcohol Test

A covered employee who refuses to submit to a required drug and/or alcohol test or who receives a verified adulterated or substituted drug test result will be immediately removed from safety-sensitive duties. The employee cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee that refuses to submit to a required drug and/or alcohol test will be subject to disciplinary action, up to and including termination.

## 4.9 Confidentiality & Recordkeeping

**PURPOSE:** To outline Rapid Care Transportation's confidentiality policy regarding drug and alcohol testing results in accordance with all privacy laws and regulations.

**POLICY:** All employee drug and alcohol test records are considered confidential information and will be maintained in a secure manner, whether physically or digitally, accessible only to designated employees.

**PROCEDURE:** All drug and alcohol test results will be secured at the Company's principal place of business and regarded as highly confidential employee information. Employee alcohol and controlled substance test records will only be released in the following situations:

1. To an active employee, upon their request.
2. Upon written consent by the employee authorizing the release to a specified individual.
3. Upon request of a DOT agency with regulatory authority over the Company.
4. Upon request of state or local officials with regulatory authority over the Company.
5. Upon request of the United States Secretary of Transportation.
6. Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation.
7. In a lawsuit, grievance, or other proceeding when legally applicable.
8. Upon request by subsequent employers upon receipt of a written request by an employee.
9. To the DOT recognized National Drug & Alcohol Clearinghouse for truck and bus drivers.

## 4.10 Information on Drug Abuse and Alcoholism & Substance Abuse Training

As indicated in the introduction, drug use and alcohol abuse can have a serious impact on everyone. Either can negatively impact your health, work, personal life, and the lives of others. The following information should assist you in identifying individuals at risk and establishing a track to recovery either for yourself or for someone you know.

### *Effects of drug and alcohol on a person's health, work, and personal life.*

The following represent some of the potential effects that drug and alcohol use may have on the user:

#### Workplace

- May cause the employee to feel capable of handling tasks that are too much or too dangerous.
- May cause lateness and absenteeism, increasing the workload of others.
- May cause a crime on the job, including theft of Company and personal property.
- May cause major errors in the work performed, risking harm to the employee, coworkers and customers.

#### Health

- Neurological problems, including dementia, anxiety, and suicide.
- Cardiovascular problems including hypertension.
- Increased cancer risk.
- Liver diseases, including alcoholic hepatitis and cirrhosis.
- Sexual dysfunction.

#### Personal Life

- Alcohol can also destroy relationships, lead to serious problems with the law (e.g. drunk driving, and even cause harm to the people you love.
- If drinking affects your work life, it could lead to job loss and all of the financial problems that would follow.

#### Signs and Symptoms of drug and/or alcohol problems:

- Appears fearful, anxious, or paranoid for no reason.
- Blackouts or the inability to remember what has happened.
- Cold, sweaty palms or shaking hands.
- Lack of motivation; appears lethargic or "spaced out."
- Pattern of absenteeism with vague excuses
- Red, watery eyes; pupils larger or smaller than usual; blank stare
- Regular (or daily) use or consumption
- Secretive or suspicious behavior.

- Sudden mood swings; irritability or angry outbursts
- Unexplained need for money; stealing money or items.

***Intervening when a drug or alcohol problem is suspected:***

Rapid Care Transportation recognizes that drug abuse, alcoholism, and alcohol misuse are problems throughout America.

There are several good reasons why employees should be concerned if any of their coworkers are using drugs or alcohol on the job:

1. The employee and their co-workers' health and safety may be at risk.
2. Misuse by one employee may negatively impact the income of another.
3. Creates a negative work environment.

No matter what the employee's position is in the organization, there are things that can be done to ensure that drug and alcohol abuse on the job never becomes a problem at the Company. Acceptance of any misuse puts the employee, the Company, and the public at risk.

Accordingly, the Company requests that any signs or symptoms of drug use and alcohol abuse be reported to the employee's immediate supervisor. Alternatively, employees may report any signs or symptoms to the Company DER.