

Docket No. A-2025-3059464

Keenan Transportation Corporation

Request for Information

1. Attached are 2 signed statements from previous employers, verifying the length of time he was employed working with multiple household goods carriers. He has been licensed in NJ for 1 year, 6 months.
2. We have now contracted with TCS Company for employee background screening and compliance monitoring, which maintains compliance with the DOT & the FMCSA regulations and provides a comprehensive Driver Pre-Qualification service that will cover all necessary components mandated by the Federal Motor Carrier Safety Regulations. TCS will provide services to conduct investigation of previous employer Safety Performance History, motor vehicle reports, USDOT Federal Controlled Substance pre-employment drug screening, nationwide criminal background database check, and FMCSA pre-employment screening reports. We also obtain pre employment and random drug testing through Drug & Alcohol Clearinghouse through the FMCSA.

Criminal background checks will be obtained every 2 years from the date of the last history check. Driver's license and driving history record checks will be ordered when the potential driver is hired and completed quarterly. Drivers will be disqualified from employment if they are convicted of a felony or misdemeanor charge or if they are caught using drugs.

Richard performs off road & on road training tests with the potential drivers to verify their driving abilities, performing pre-trip and post-trip inspections. Driver training includes videos and hands-on experience to understand the basic functions of a commercial vehicle and situations that drivers need to watch out for and be aware of such as backing the vehicle and driving drowsy. Attached is the driver training manual.

3. Vehicle maintenance will be FMCSA compliant. Attached is the pre-trip vehicle inspection checklist. The checklists are reviewed and corrected within required timeframes, so as to not cause an accident or further breakdown. Every 5,000 miles, an oil change and diagnostic vehicle inspection will be performed at Huoperts in Berlin NJ. Periodic inspections are performed every 12 months, including the components listed in FMCSA minimum periodic inspection standards.

I, Richard Keenan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.s 4904 (relating to unsworn falsification to the authorities).



361 Cooper Road
West Berlin, NJ 08091
Phone: 856-753-7400
Phone: 800-282-7242
Fax: 856-753-0014

May 8, 2026

To Whom It May Concern,

Ref: - Contractor Richard Keenan

Richard Keenan has been a contractor for Sinclair Moving & Storage, Inc since February 1st, 2011. For 15 years he has been handling our shipment with care, integrity and professionalism. If further information is needed, please contact me whenever convenient at cgr@sinclairmoving.com or by phone 856-753-7400.

Thank you,

A handwritten signature in cursive script that reads "Cathy Reeves".

Cathy Reeves,
President



66 Friars
Thorofare NJ 08086
610 951 6092

5/11/2026

To whom it may concern,
Richard Keenan has been a contractor for
Olympia moving & storage since February
2019. He has done local and long distance
moves for us since he joined our company. If
you have any questions, please call or email.

A handwritten signature in black ink, appearing to read 'Julius Strickland', with a horizontal line extending to the right.

Julius Strickland
General Manager

Main: 800.222.4744 direct: 610.951.6092

Main: 800.222.4744 Mobile: 856 685 0329

jstrickland@olympiamoving.com | <http://www.olympiamoving.com>

Keenan Transportation

COMPANY SAFETY POLICIES AND PROCEDURES

To all Keenan Transportation drivers:

It is the policy of Keenan Transportation to provide every company driver with safe and healthful working conditions and to achieve the greatest practical freedom from accidents. We will, as always, comply with all applicable regulations and expect all drivers to drive safely and to obey traffic laws. Safety is a priority. Your cooperation and help are needed to make our program a success.

1. DRIVER QUALIFICATION AND TRAINING

Regulations: FMCSA 49 CFR Part 391 and 393

Keenan Transportation's driver hiring qualification procedures have been developed with the goal to select the best available drivers - drivers who share our values and goals of operating in a safe, legal and professional manner. All drivers will receive training as follows: orientation training, periodic or new equipment training and special training exposures.

2. DUI/DWI POLICY

Regulations:

No driver shall be on duty and possess, be under the influence of, or use drugs or other substances to a degree that renders the driver incapable of safely operating a motor vehicle. No driver shall use alcohol or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of a commercial motor vehicle.

3. DRUG AND ALCOHOL PROGRAM POLICY

Regulations: FMCSA 49 CFR Part 40/382

Keenan Transportation's drug and alcohol program policy gives details on when are tests administered, what substances are tested and the employer's actions when employees violate the rules.

4. ACCIDENT PREVENTION AND REPORTING POLICIES AND PROCEDURES

Regulations: FMCSA 49 CFR Part 40/392, 396

All accidents are reviewed and investigated by the safety department. All drivers are required to report accidents to their supervisor immediately or as soon as practically possible. Keenan Transportation's accident prevention and reporting policies and procedures gives details on accident scene procedures, post-accident testing, personnel injury prevention.

5. SAFE OPERATING RULES and HOURS OF SERVICE

Regulations: FMCSA 49 CFR Part 40/392, 395

The safe operating rules contains information on ill or fatigued operator, speed limits, railroad grade crossing, hazardous conditions and load securement requirements. Hours Of Service Regulations: definitions, rules of maximum driving time and determination on when timecards, paper logs or ELD are required.

6. DRIVER VEHICLE INSPECTION POLICY

Regulations: FMCSA 49 CFR Part 40/396

Our policy requires all drivers complete a Driver Vehicle Inspection Report (DVIR) (Pre-trip and Post-trip inspection regardless if a defect is discovered or not. When a driver is either unsure or believes, a discovered defect may affect the safe operation of the vehicle he/she shall contact his/her operations manager immediately.

7. SEAT BELT USE POLICY

Regulations: FMCSA 49 CFR Part 392.16

It is Keenan Transportation's policy that every operator of our equipment and all occupants of any vehicle must wear safety belts while on company business. This applies to all personally-owned, company-owned, leased and rented vehicles.

8. USING A SPOTTER WHEN BACKING COMPANY VEHICLES

It is company policy to use a spotter when backing a company vehicle. Establish hand signals with spotter and only back vehicle in accordance with traffic laws and when spotter is visible.

9. TEXTING AND CELL PHONE USE PROHIBITIONS POLICY

Regulations: FMCSA 49 CFR Part 392.80 and 392.82

CMV drivers are prohibited from texting while driving. Using a hand held device while driving is a serious traffic violation that could result in a driver disqualification.

DRIVER QUALIFICATION POLICY

Keenan Transportation believes that our employees are our most valuable assets, and that the success of the company is determined by the quality of its employees. Because of these beliefs, the personnel selections of the company are extremely important. The company is committed to hiring only the best and most qualified available drivers.

To help carry out this commitment, Keenan Transportation has implemented the following driver qualification procedures.

A. Qualification Procedures

Keenan Transportation's driver hiring qualification standards and procedures have been developed with the goal to select only the best available drivers. Drivers who share Keenan Transportation's values and goals of operating in a safe, legal and professional manner.

Hiring Standards

Driver Pool Characteristics:

Drivers will be expected to converse with other company employees, our customers and the general public. Therefore, Keenan Transportation requires all driver applicants to be able to read and speak English sufficiently to be able to perform all duties and functions of the job.

Driver applicants will also be required, because of experience, training or both, to be able to:

- Safely operate an Keenan Transportation 's vehicle
- Determine and execute proper cargo securement and/or passenger management protocol

Driver Hiring Criteria & Practices:

- Requires and documents a pre-hire drug test for CDL drivers.
- Requires and documents drug & alcohol info from previous employer.
- Obtains current, acceptable pre-hire MVRs, with a copy retained in file.
- Requests and document a new hire's accident history from previous employer.
- Obtains a written application for all new hires, with a copy retained in file.
- Requires and documents an acceptable pre-hire medical.
- Performs and documents reference checks/background verification for new hires

Application for Employment

All driver applicants shall complete an application for employment, furnished by Keenan Transportation.

Keenan Transportation's hiring standards require that driver applicants list all former employers for the past three years (3) for Non-CDL positions or ten years (10) for CDL positions. Any gaps in employment for more than a one-month period must be satisfactorily accounted for on the application.

License

Keenan Transportation's safety team obtains a legible copy of the license of all driver applicants.

Motor Vehicle Record (MVR)

Keenan Transportation requests an MVR for driver applicants being considered for employment after the company has received the completed and signed employment application. An MVR is requested from every state the applicant has lived in during the past five years.

Keenan Transportation's safety team will review all MVR information to determine if driver applicant meets company hiring standards regarding driving records, and will compare the MVR against the employment application to check for completeness and accuracy.

Background Investigation of Non-DOT/ DOT-regulated Employers

Keenan Transportation will contact all former and current non-DOT/DOT-regulated employers of the driver applicant for the previous three years / ten years to verify as much of the following as possible:

- Employment verification including:
 - Driver identifying data: date of birth and Social Security Number
 - Dates of employment
 - Type of work performed
- Attendance and reliability
- Overall work history and performance
- Record of misconduct regarding employment policies

In the event a former or current employer refuses to release information, a note stating this will be placed in the file.

Road Test and Certificate

Keenan Transportation requires all driver applicants operating vehicles other than standard passenger vehicles to successfully complete a road test examination prior to employment. The road test examination shall be performed in the type of vehicle the driver will operate for the company.

Upon successful completion of the road test examination, the Keenan Transportation official who administered the test will complete a certificate of road test.

Driver Record Acceptability:

- 1. No major violations within last 3 years; applies to commercial and private passenger vehicles.**
- 2. Any violations listed below that have occurred at any point in time constitute an unacceptable driver:**
 - Any felony conviction, which involved the use of a commercial vehicle
 - Any conviction, or guilty plea, of murder, rape, physical violence, or any offense involving moral turpitude.
 - Homicide, manslaughter or assault arising out of the use of a vehicle
- 3. MVR Categories**
 - **Clear** - No points
 - **Acceptable** - 1 at-fault accident and 0-1 minor violation in last 36 months ORO at-fault and 1-2 minor violations in the last 36 months

- **Borderline** - 0 at-fault accidents and up to 4 minor violations OR 1 at-fault accident and 2 minor Violations
- **Unacceptable** - 1 or more major violations within last 5 years. 1 at-fault accident and 3 or more minor violations within last 36 months. More than 2 at-fault accidents within the last 36 months OR 2 accidents plus any violations.

Driver Eligibility Matrix	0 At-Fault Accidents	1 At-Fault Accidents	2 At-Fault Accidents
0 Minor Violations	Clear	Acceptable	Borderline
1 Minor Violations	Acceptable	Acceptable	Unacceptable
2 Minor Violations	Acceptable	Borderline	Unacceptable
3 Minor Violations	Borderline	Unacceptable	Unacceptable
4 Minor Violations	Borderline	Unacceptable	Unacceptable

An applicant who has incurred violations beyond the above defined limits has demonstrated a pattern of unsafe driving behavior which could potentially be construed to demonstrate a willful or wanton disregard for the safety of persons or property.

As a result, Keenan Transportation finds this kind of behavior to be unacceptable in any prospective driver associate.

Description of Violations {Convictions}:

Minor Violations:

Any moving violation (other than the major violations listed below) that have occurred within the last 36 months. The following moving violations are excluded:

- Motor vehicle equipment, load or size requirement
- Improper/failure to display license plate (if they exist)
- Failure to sign or display registration
- Failure to have driver's license in possession {if valid license exists}

Major Violations {Convictions}:

Any violations listed below that have occurred within the last 3 years.

- Driving under the influence of alcohol or drugs
- Felonies
- Hit and Run Accidents
- Open Container
- Possession of a Controlled Substance
- Failure to stop/report an accident
- Reckless driving/speed contest
- Driving while impaired
- Making a false accident report
- Driving while license suspended or revoked due to excessive moving violations
- Careless driving
- Attempting to elude a peace officer

B. Driver Qualification Files

Keenan Transportation will maintain a driver qualification file for each driver it employs. The file must include:

- Driver's application for employment
- Inquiry to previous employers - driving record for last 3 years;
- Annual inquiry and review of driving record;
- Annual driver's certification of violations and annual review;
- Driver's road test and certificate, or the equivalent to the road test;
- Medical examiner's certificate; and
- If granted, a waiver of physical disqualification for a person with a loss or impairment of limbs as specified in § 391.49.

Refer to § 391.51 for a complete list of required driver qualification file documents.

Disqualification of drivers - § 391.15

A driver who is disqualified shall not drive a CMV. The types of disqualifications are:

- Disqualification for loss of driving privileges.
- Disqualification for certain criminal and other offenses.
- Disqualification for violation of out-of-service orders.

C. Driver Training

Orientation Training

All new drivers must receive fleet orientation training to help ensure new hires:

- Understand our policies
- Are familiar with the type of vehicles and equipment they will be using
- Any route peculiarities they may encounter
- Defensive driving
- Distracted driving
- Cargo considerations

Periodic or New Equipment Training

To address accident/incident trends, new equipment or changes in fleet operations, we will require drivers to attend periodic training offerings.

Special Training Exposures

The following are special exposures found in our fleet. Drivers will complete training based on the type of vehicle they drive, the cargo they transport and any conditions they must operate under.

- Night time driving
- Extreme driving conditions

DUI/DWI POLICY

A. DRUGS and OTHER SUBSTANCES

No driver shall be on duty and possess, be under the influence of, or use, any of the following drugs or other substances:

- An amphetamine or any formulation thereof (including, but not limited, to "pep pills," and "bennies")
- A narcotic drug or any derivative thereof; or
- Any other substance, to a degree which renders the driver incapable of safely operating a motor vehicle.

No motor carrier shall require or permit a driver to violate this section.

This does not apply to the possession or use of a substance administered to a driver by or under the instructions of a licensed medical practitioner, who has advised the driver that the substance will not affect the driver's ability to safely operate a motor vehicle.

B. ALCOHOL PROHIBITION

No driver shall -

- Use alcohol or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of, a commercial motor vehicle; or
- Use alcohol, be under the influence of alcohol, or have any measured alcohol concentration or detected presence of alcohol, while on duty, or operating, or in physical control of a commercial motor vehicle; or
- No motor carrier shall require or permit a driver to-

To be on duty or operate a commercial motor vehicle if, by the driver's general appearance or conduct or by other substantiating evidence, the driver appears to have used alcohol within the preceding four hours.

Any driver who is found to be under the influence shall be placed out-of-service immediately for a period of 24 hours.

The 24-hour out-of-service period will commence upon issuance of an out-of-service order.

Any driver who is issued an out-of-service order under this section shall report such issuance to his/her employer within 24 hours.

DRUG AND ALCOHOL PROGRAM POLICY

A. DOT drug and alcohol testing program

A.1. When are tests administered

- a. **Pre-employment** – The company must receive a negative drug test result before permitting a CDL driver to operate a CMV (§382.301).

This requirement also applies when a current employee is transferring from a non-safety sensitive position to a safety sensitive job for the first time.

The company will check the person's DOT drug and alcohol testing history before employment. The company will obtain the person's written consent to seek the information from other employers. The person must list all previous and current employers within the last two, three, or five years, as appropriate. If the person does not do so, or refuses to sign the consent form, you cannot allow the person to perform safety-sensitive functions.

- b. **Post-accident** - Drug and alcohol tests may be required after crashes according to the following chart (§382.303):

Type of Accident Involved	Citation Issued to the CMV Driver	Test Must Be Performed by Employer
Human Fatality	Yes	Yes
Human Fatality	No	Yes
Bodily Injury With Immediate Medical Treatment Away From the Scene	Yes	Yes
Bodily Injury With Immediate Medical Treatment Away From the Scene	No	No
Disabling Damage to Any Motor Vehicle Requiring Tow Away	Yes	Yes
Disabling Damage to Any Motor Vehicle Requiring Tow Away	No	No

The following table summarizes post-accident timeframes and specimens that must be collected:

Specimen Type	Time frame collection
Urine for drug testing.	Up to 32 hours from time of event.
Saliva or breath for alcohol screening; breath for	Within 2 hours, But cannot exceed 8 hours from time of event.

c. **Random** - CDL drivers will be randomly tested throughout the year (§382.305). The random selection of drivers for DOT drug & alcohol testing will be made quarterly at the following rates (DOT Random rate): 25% random drug and 10% alcohol.

- **Reasonable suspicion** - Drivers who appear to be under the influence of drugs or alcohol can be immediately tested (§382.307, §382.603). If a trained supervisor or trained company official believes or suspects an employee is under the influence of drugs or alcohol [or both]. The supervisor or company official must have been trained to recognize the signs and symptoms of drug and alcohol use. Testing cannot be required based solely on a guess or hunch or complaint from another person or phone call tip. The suspicion must be based on specific observations by the supervisor or company official concerning the employee's current appearance, behavior, speech, and smell that are usually associated with drug or alcohol use.
- **Return-to-duty** - Required for drivers who tested positive, refused, or otherwise violated the prohibitions of 49 CFR Part 382 Subpart B; and who have completed the return-to-duty process with a DOT-qualified substance abuse professional. This test is directly observed, and a negative result is required before resuming driving duties (§382.309 and §40.305).

When an employee tests positive or refuses a test or violates other provisions of FMCSA testing regulations, that employee cannot work again in DOT safety-sensitive positions until successfully completing the return-to-duty requirements.

After successfully completing the requirements, the employee may be eligible to return to work. The employee must have a return-to-duty test and the test result must be negative.

- **Follow-up** - Required for drivers who tested positive, refused, or otherwise violated the prohibitions of 49 CFR Part 382 Subpart B; and who have completed the return-to-duty process with a DOT-qualified substance abuse professional, and have tested negative for a return-to-duty test. This testing is prescribed by the substance abuse professional for a minimum of 6 directly observed tests in 12 months, but can be extended an additional four years (§382.311 and §40.307).

TCS will develop the employee's follow-up testing plan - outlining for the employer the number and frequency of follow-up testing that will take place. These tests are the employer's responsibility to conduct. Follow-up tests must be unannounced (the employee will not know anything about the TCS's plan for follow-up testing).

Return-to-duty and follow-up drug testing must be under direct observation.

A.2. What Substances Are Tested

DOT drug tests require laboratory testing (49 CFR Part 40 Subpart F) for the following five classes of drugs:

- Marijuana
- Cocaine
- Opiates - opium and codeine derivatives
- Amphetamines and methamphetamines
- Phencyclidine - PCP

Drug cutoff concentrations can be found on the Substance Abuse and Mental Health Services Administration Web site. DOT alcohol tests identify alcohol concentration of 0.02 and greater.

B. Non DOT drug and alcohol testing program

This testing program is in addition to, and distinct from, the required DOT testing program.

DOT regulations at §382.601 provide that employer materials supplied to drivers may include information on additional employer policies with respect to the use of alcohol or controlled substances, including any consequences for a driver found to have a specified alcohol or controlled substances level, that are based on the employer's authority independent of this part. Any such additional policies or consequences must be clearly and obviously described as being based on the employer's independent authority.

C. Employer Actions When Employees Violate the Rules

Immediately remove the employee from safety-sensitive functions. No one who violates a rule can perform safety-sensitive functions again until successfully completing the TCS return-to-duty process.

The company is not required to provide treatment services to employees, but must ensure that the employee received a TCS evaluation and the employee successfully complied with the TCS's evaluation recommendations, if the employee is offered the opportunity to return to a DOT safety-sensitive duty

D. Refusal to test

A refusal to test has the same consequences as a positive drug test. List of refusals and the DOT regulation instructions for handling them:

Event	Instructions
Fail to appear at a urine collection site when directed to report	If the employee did not get to the site or spent too much time getting there, it is a refusal.
Fail to remain at the urine collection site	If the collector reports that the employee left the collection site before the testing process was complete, it is a refusal
Fail to provide a urine	the collector reports that the employee left the collection site before providing a required specimen, it is a refusal
Fail to permit a monitored or observed urine collection	If the employer ordered an observed collection or if the collector required the collection to be monitored or observed, it is a refusal if the employee does not permit it to occur.
Fail or decline to take an additional drug test the employer or collector has directed	If the employer or collector directs the employee to take an additional test, as required or permitted by the DOT, and the employee does not, it is a refusal.
Fail to cooperate with any part of the urine collection process	Some examples of failure to cooperate are when the employee: <ol style="list-style-type: none"> 1. Refuses to empty pockets when directed; 2. Behaves in a confrontational manner that disrupts the collection process; 3. Refuses to remove hat, coat, gloves, coveralls when directed; or 4. Fails to wash hands when directed.
For an observed collection, fail to follow the instructions to raise and lower clothing and turn around	If the employee does not follow these instructions so that the observer can check for prosthetic or other devices that could be used to interfere with the collection process, it is a refusal.
Possess or wear a prosthetic or other device that could be used to interfere with the collection process	If the employee is found to have or wear a prosthetic or other device designed to carry clean urine or a urine substitute, it is a refusal.
Admit to the collector to having adulterated or substituted the specimen	If the employee, during the collection process, admits to having tampered with his or her specimen, it is a refusal
Fail to appear for an alcohol test when directed to report	If the employee did not get to the alcohol test site or spent too much time getting there, it is a refusal.
Fail to remain at the alcohol test site	If the employee left the collection site before the testing process was complete, it is a refusal
Fail to provide an adequate amount of saliva or breath	If the employee left the alcohol testing site before providing a required amount of saliva or breath, it is a refusal.
Fail to undergo a medical examination or evaluation as the employer has	If the employee does not go in for a medical evaluation or does not permit it to occur, it is a refusal.
Fail to sign the certification statement at Step 2 of the ATF	If the employee does not agree to have a test accomplished by signing Step 2 of the ATF, it is a refusal.
Fail to cooperate with any part of the alcohol testing process	One example of failing to cooperate is when the employee behaves in a confrontational manner that disrupts the alcohol testing process

E. Record Keeping and Data Collection Requirements

□ Schedule	Type of records (TCS)
5 years	Records of alcohol test results indicating an alcohol concentration of 0.02 or greater; Records of verified positive drug test results; Documentation of refusals to take required alcohol and drug tests (including substituted or adulterated drug test results); TCS reports; and All follow-up tests and schedules for follow-up tests
3 years	Information obtained from previous employers under §40.25 concerning drug and alcohol test results of employees.
2 years	Records related to the alcohol and drug collection process. These include, documents related to random selections, reasonable suspicion determinations, and post-accident determinations; medical evaluations for insufficient amounts of urine and breath; and supervisor and employee education and training records.
1 year	Records of negative and cancelled drug test results and alcohol test results with a concentration of less than 0.02

ACCIDENT PREVENTION AND REPORTING POLICIES AND PROCEDURES

A. ACCIDENT PREVENTION COUNTERMEASURES

Accident Investigation

All accidents are reviewed and investigated by the safety department to establish whether accidents are preventable or non-preventable. Non-Preventable accidents shall not be counted against drivers for the purpose of the program. If the driver of the vehicle was at fault, the finding will be documented and disciplinary proceedings initiated, investigate reported incidents or near misses, reckless driving and failure to wear seatbelts will also for appropriate disciplinary action.

Accident Reporting

All drivers are required to report accidents to their supervisor immediately or as soon as practically possible. Prepare a written statement regarding the circumstances of the incident as soon as possible following an accident.

Identifying high risk driving behavior and drivers who engage in Unsafe driving acts will result in immediate action to intervene quickly to mitigate and correct these risk factors and activities including;

- Unsafe driving behavior.
- Use SMS data enables us to track and identify repeat offenders; those drivers that are most likely to get into trouble and cause an at-fault crash.
- Supervisors and managers shall take appropriate action against drivers who represent high risk behavior.
- Enforce company safety policies and procedures.

Any applicant or employee who is required to operate a company motor vehicle shall be required to show evidence of qualification to operate such vehicle or vehicles, including of qualification to operate commercial type vehicles if so required and shall possess the appropriate Driver's License (DL) or Commercial Driver License (CDL) as required by the appropriate authority.

Accident Scene Procedures

Safely stop at the scene. Call or have someone call the local police, then call dispatch immediately. All accidents must be reported to the local police, no matter how minor. (Set out red triangle reflectors if applicable). Make certain that police are informed and if there are, injuries get medical assistance. Keep the injured warm and still. Never move a person who has or is complaining of neck or back pain unless otherwise threatening conditions command.

Be as calm and courteous as possible. Do not discuss the accident with anyone other than the police or other law enforcement officials except to obtain driver, vehicle, and insurance carrier and witness information.

At the scene of your car accident, be careful what you say... especially when talking to the other driver about the cause of the accident. DO not accept responsibility or say, "sorry."

Only talk to the police officer about how the accident happened and stick to the facts. In addition to the risk that statements made at the scene could be wrong, there is also a chance that correct statements can be misunderstood or misinterpreted.

Vehicles that are damaged are to be towed to a repair facility at the direction of our management team (if practical). In some cases, the vehicle in question may be towed at the direction of Law Enforcement Officials in regards to public safety.

Under no condition should a driver attempt to **"limp"** a damaged vehicle back to their facility. Be sure to notify your manager and provide your written accident report when you return from your route. Failure to notify our management team of damage or an accident involving a fleet vehicle may result in disciplinary action up to termination and/or revocation of contractor agreement.

Driver Bodily Injury Procedures

If you, the driver, are injured, do not attempt to drive your vehicle.

Contact your dispatch office or supervisor. Seek medical treatment as appropriate, **"it is better to be safe than sorry."** If you are unsure, go to hospital for medical evaluation.

POST ACCIDENT DRUG AND ALCOHOL TESTING

Drivers operating a CMV requiring a CDL

As soon as practicable following an accident to be tested for alcohol and controlled substances for each of its surviving drivers when:

- A Fatality

As soon as practicable following an accident all drivers will be required to be tested for alcohol and controlled substances for each of its surviving drivers when:

- Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident,

- o One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or another motor vehicle.

NON-COL DRIVERS

As soon as practicable following an accident all drivers must follow' company written post-crash drug and alcohol testing procedures.

B. ACCIDENT PREVENTION COUNTERMEASURES - Personnel Injury Prevention

The most common injuries that drivers suffer are strained or pulled muscles. These are sport type injuries caused by improper lifting, pulling or pushing techniques. Muscles that have not been properly stretched or warmed up prior to shift start can be easily strained. To prevent this type of injury it is important that we use preventive stretching each day.

Many back problems can be prevented or cured with exercise, weight control, and proper use of the back. The stresses placed on the back during manual lifting are due to a combination of the weight of the object being lifted and the lifting technique.

There are 10 rules for safe lifting which have been developed over the years:

- ▶ Stretch out before you get started. Stretching increases the flow of blood to your muscles.
- ▶ Clear your pathway before moving an object.
- ▶ Check weight of the object before lifting.
- ▶ Take a stance with your feet about shoulder-width apart; One foot can be behind the object and the other next to it.
- ▶ Squat down to lift the object keeping your back straight. Keeping your head up and looking straight ahead will help you maintain this position.
- ▶ Grasp the item by opposite corners to get a secure grip on the object Make sure you -will be able to maintain a hold on the object without switching your grip on it later.
- ▶ Tighten your stomach muscles and lift smoothly without jerking, keeping the object close to your body, while lifting with your legs.
- ▶ Once standing, if changing directions is necessary, change directions by pivoting your feet, not twisting.
- ▶ When you lower the object, keep the object dose to your body and bend knees
- ▶ Never reach for objects around or above you

C. ACCIDENT SCENE PROCEDURES

Step 1. STAY CALM and BE SAFE

- Stop safely set emergency triangles if necessary
- Turn on emergency flashers on
- Don't put yourself and your crew in danger
- Watch out for traffic and hazards
- Take necessary steps to avoid further damage and injury

Step 2. CONTACT LAW ENFORCEMENT

- If there are injuries call for an ambulance

Step 3. DON'T APOLOGIZE

- Do not admit fault or responsibility
- Be careful of what you say. It may be used against you later

Step 4. CONTACT YOUR SAFETY DEPARTMENT

Step 5. FOLLOW ACCIDENT REPORTING PROCEDURES

SAFE OPERATING RULES and HOURS OF SERVICE

SAFE OPERATING RULES

A. Ill Or Fatigued Operator

No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle.

However, in a case of grave emergency where the hazard to occupants of the commercial motor vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the commercial motor vehicle to the nearest place at which that hazard is removed.

8. Schedules To Conform with Speed Limits

No motor carrier shall schedule a run nor permit or require the operation of any commercial motor vehicle between points in such period of time that would necessitate the commercial motor vehicle being operated at speeds greater than those prescribed by the jurisdictions in or through which the commercial motor vehicle is being operated.

C. Railroad Grade Crossing

Every commercial motor vehicle shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit the driver of the commercial motor vehicle to ascertain that the course is clear.

D. Hazardous Conditions Extreme Caution

Extreme caution in the operation of a commercial motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions become sufficiently dangerous, the operation of the commercial motor vehicle shall be discontinued and shall not be resumed until the commercial motor vehicle can be safely operated. Whenever compliance with the foregoing provisions of this rule increases hazard to passengers, the commercial motor vehicle may be operated to the nearest point at which the safety of passengers is assured.

E. Load Securement Requirements

Drivers are responsible for the proper loading and securement of loaded cargo against shifting forward and aft and laterally while in transportation

Inspection of cargo, cargo securement devices and systems

A driver may not operate a commercial motor vehicle and a motor carrier may not require or permit a driver to operate a commercial motor vehicle unless the commercial motor vehicle's cargo is properly distributed and adequately secured.

Prevention against Shifting of Load.

Cargo must be contained, immobilized or secured to prevent shifting within the vehicle to such an extent that the vehicle's stability or maneuverability is adversely affected.

HOURS OF SERVICE REGULATIONS

A. On Duty Time

On-duty time: means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

On-duty time shall include:

1. All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
2. All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
3. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time.
4. All driving time as defined in the term driving time - Driving time means all time spent at the driving controls of a commercial motor vehicle in operation.
5. All time in or on a commercial motor vehicle,
6. All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or
7. unloaded;
8. All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle;
9. All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, to comply with the random, reasonable suspicion, post-crash, or follow-up testing required by part 382 of this subchapter when directed by a motor carrier;

B. Maximum Driving Time

No motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle, regardless of the

number of motor carriers using the driver's services, unless the driver complies with the following requirements:

10 HOUR RULE

Start of work shift. A driver may not drive without first taking 10 consecutive hours off duty.

14 HOUR RULE

A driver may drive only during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty. The driver may not drive after the end of the 14- consecutive-hour period without first taking 10 consecutive hours off duty.

11 HOUR RULE

Driving time. A driver may drive a total of 11 hours during the 14-hour period.

8 HOUR REST BREAK RULE

Rest Breaks. Driving is not permitted if more than 8 hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes. Except for drivers who qualify for either of the short-haul exceptions.

70 HOUR RULE

No motor carrier shall permit or require a driver of a property-carrying commercial motor vehicle to drive, nor shall any driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, for any period after having been on duty 70 hours in any period of 8 consecutive days.

A driver may not take an off-duty period to restart the calculation of 70 hours in 8 consecutive days until 168 or more consecutive hours have passed since the beginning of the last such off-duty period.

When a driver takes more than one off-duty period of 34 or more consecutive hours within a period of 168 consecutive hours, he or she must indicate in the Remarks section of the record of duty status which such off-duty period is being used to restart the calculation of 70 hours in 8 consecutive days.

C. ELD - Electronic Logging Devices (49 CFR 395 Subpart B.)

The ELD Rule applies to motor carriers and drivers who are currently required to maintain records of duty status (RODS), unless they qualify for one of the exceptions to the ELD rule.

Short Haul Exceptions

Every driver must record his/her duty status for each 24-hour period using specific methods outlined by regulation. Logs/Records of Duty Status (RODs) must be kept current.

Under both exceptions, the motor carrier must keep time records of the times the drivers report for and are released from work each day, and the total hours on duty each day.

- 100 air-mile radius drivers if:
 - The driver operates within a 100 air-mile radius of the normal work reporting location AND

- o The driver returns to the work reporting location and is released from work within 12 consecutive hours
- o The driver operates a Property-carrying CMV and has at least 10 consecutive hours off duty separating each 12 hours on duty
- o AND the motor carrier that employs the driver maintains, and retains for a period of 6 months, accurate and true time records.
- Non-COL Short Haul - 395.1(e)(2), which is defined as:
 - o Drive a truck that does not require a CDL
 - o Work within a 150 air-mile radius of your normal work reporting location and return there each day
 - o Follow the 10-hour off duty and 11-hour driving requirements
 - o Do not drive after the 14th hour after coming on duty on 5 days of any period of 7 consecutive days
 - o Do not drive after the 16th hour after coming on duty on 2 days of any period of 7 consecutive days

ELD Rule Exceptions

The following are not required to use ELDs (but carriers may choose to use ELDs even if they are not required):

- Drivers who use paper logs no more than 8 days during any 30-day period.
- Drive away-tow away drivers (were the vehicle driven is the commodity) or the vehicle being transported is a motor home or a recreation vehicle trailer (at least one set of wheels of the vehicle being transported must be on the surface while being transported)
- Drivers of vehicles manufactured before model year 2000.

Supporting Documents

The ELD Rule streamlines record keeping, but still requires drivers and carriers to retain supporting documents (in paper or digital format) to verify HOS compliance.

Drivers must submit all their supporting documents to their motor carriers, and motor carriers must retain not more than eight supporting documents for each 24-hour period that a driver is on duty.

Drivers must submit their RODS and supporting documents to the motor carrier no later than 13 days after receiving them.

Five Categories of Documents

- Bills of lading, itineraries, schedules, or equivalent documents that show the starting and ending location for each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts (meals, lodging, fuel, etc.);
- Fleet management system communication records;
- Payroll records, settlement sheets, or equivalent documents showing payment to a driver.

- Drivers using paper RODS must also keep toll receipts - which don't count toward the eight-document cap.

Required Information

Each supporting document must contain the following information:

- Driver name (or a carrier-assigned identification number) on the document or on another document that allows the carrier to link the first document to the driver. The vehicle unit number can be used, if that number can be linked to the driver.
- Date.
- Location (including the name of the nearest city, town, or village).
- Time.

If a driver has fewer than eight documents with all four information elements, a document that does not include time can also serve as a supporting document.

Editing and Annotating Records of Duty Status

Limited editing is allowed to correct mistakes, enter missing information, and provide notes or explanations (annotation) for ELD records. Driving time and other information that is automatically captured cannot be edited. Driver edits must be accompanied by an annotation. The ELD prompts the driver to annotate edits.

A carrier can suggest or request edits for accuracy - but the driver must confirm these changes, and then recertify and resubmit the RODS.

All edits, whether made by the driver, or suggested by the carrier, must be annotated (include notes to explain the reason for the change).

Driver Certification of RODS

The driver must certify each RODS. A driver must certify any edits he/she makes; and should certify carrier edits if they are accurate. Certification is intended to protect drivers from unilateral changes to the RODS.

Displaying and Transferring Data

Starting on the compliance date, enforcement officials may request access to RODS through by data transfer.

An ELD must be able to either:

- Transmit data using wireless Web services and email, or
- Transfer data locally using a thumb or flash drive (USB2.0) and Bluetooth®.

DRIVER VEHICLE INSPECTION POLICY

A. DRIVER VEHICLE INSPECTIONS REQUIREMENTS

The Federal Motor Carrier Safety Administration Regulations require that every carrier require its drivers to perform a daily pre-trip inspection prior to operating a commercial motor vehicle on a public highway. Drivers are also required to perform a post trip inspection and the end of their shift. FMCSA regulations require that a written Driver Vehicle Inspection be completed noting defects or no discovered during the pre-trip or post trip inspection.

NOTICE: Our policy requires all drivers complete a Driver Vehicle Inspection Report (DVIR) regardless if a defect is discovered or not. When a driver is either unsure or believes, a discovered defect may affect the safe operation of the vehicle he/she shall contact his/her operations manager immediately. Keenan Transportation currently uses the Whip around application to record DVIRs. It is the driver's responsibility to download and use this application.

If required a qualified mechanic shall make the determination if repairs are necessary or are not necessary for the safe operation of the vehicle.

All no time shall any vehicle operated in behalf of our company be operated in such a condition as to likely cause an accident or a breakdown of the vehicle.

8. DRIVER VEHICLE INSPECTION

Any motor vehicle operated by in behalf of our company, including company owned, term leased, or trip leased, shall not be driven unless the driver is satisfied that the vehicle is in good working order. This will be accomplished by performing a pre-trip inspection prior to operating the vehicle. The driver shall also perform a post trip inspection at the end of his/her day identifying any abnormalities observed while operating the vehicle.

Drivers shall prepare a written report documenting any defects discovered before each operating a commercial motor vehicle and report to the safety department or maintenance of any defects that you discover. Drivers shall review the previous days DVIR to determine if the previous driver cited any defects that need to be verified as completed. The reviewing driver shall sign the previous days DVIR certifying the cited defects have been repaired.

Report any defects to the maintenance to determine if repairs are required for safe operation and/or take corrective action.

C. THE NEED FOR DVIR

As a motor carrier, we have to perform DVIRs on all vehicles for DOT compliance reasons. We have to make sure that all trucks are in working order and by filling in daily DVIRs we are receiving this information. Proper functioning equipment mirrors the company's image and brand and makes sure that all drivers are safe.

As a commercial driver, it is your responsibility that the truck is in working condition.

D. DAILY VEHICLE INSPECTIONS - Driver obligations

- ▶ Perform and submit inspection at the beginning of job {before leaving yard};
- ▶ Immediately inform Operations Manager/ Dispatch if the vehicle is in an inoperable condition or at risk of an OOS (Out Of Service) violation
 - OOS violations: inoperative head lamp, stop lamp, turn signal, tail lamp, defective brakes, dripping leak at the fuel system, tires with less than 2/32 inch tread, tire with visually observable bump or noticeable leak (inflation), inoperative wiper blades in inclement weather, etc.
- ▶ Collaborate with Operations Managers to take one of the following measures:
 - Correct defects before leaving the yard or
 - Replace truck with a functional one;
- ▶ If a vehicle defect appears during the job, perform DVIR to document it;
- ▶ Perform DVIR at the end of the day/ job.

E. Notes on DVIR

- ▶ Sign on previous inspection - DOT compliance - acknowledge previous inspection;
- ▶ Trucks at Ryder or Garage:
 - When picking up a truck - perform DVIR before leaving the shop;
 - The previous inspection should tell you what were the truck's defects;
- ▶ Inspecting the vehicle is a legal matter, a safety matter and a driver obligation

SEAT BELT USE POLICY

SEAT BELT USE IS MANDATORY!

It is Keenan Transportation policy that every operator of our equipment and all occupants of any vehicle must wear safety belts while on company business. This applies to all personally-owned, company-owned, leased, and rented vehicles.

The rule states that:

- No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, that has a seat belt assembly installed at the driver's seat unless the driver is properly restrained by the seat belt assembly.
- No driver shall operate a property-carrying commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a property-carrying commercial motor vehicle, that has seat belt assemblies installed at the seats for other occupants of the vehicle unless all other occupants are properly restrained by such seat belt assemblies.

It is the policy of our company, and a condition of employment, that all employees who operate or ride in company vehicles or operate or ride in personal vehicles on company business, wear properly fastened and adjusted seat belts, shoulder harnesses, and other such similar equipment when provided in the vehicle they are operating or riding in.

Employees are required to report any malfunction of seat/shoulder belts and to have this equipment repaired or replaced as soon as possible after its discovery.

Any employee found operating or riding in a company vehicle, or personal vehicle on company business without seat belts/shoulder harnesses fastened will be subject to disciplinary action, up to and including termination. "Operating" and "riding in" are to be defined as occupying a moving vehicle.

Lap and Shoulder Belts

- Drivers must wear lap and shoulder belts when operating a motor vehicle. (FMCSR, Part 392.16)

Sleeper Berth Restraints

- For sleeper berths, occupant restraint systems installed by the manufacturer must be used, whether the system is at the entry point of the berth or incorporated as a belt-type restraint within the berth itself.

TEXTING AND CELL PHONE USE PROHIBITION POLICY

Definition. For the purpose of this section only, driving means operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle with or without the motor running when the driver moved the vehicle to the side of, or off, a highway, as defined in 49 CFR 390.5, and halted in a location where the vehicle can safely remain stationary.

What You Need to Know - No texting while driving

CMV drivers are prohibited from texting while driving.

So what qualifies as texting?

Texting means manually entering alphanumeric text into, or reading text from, an electronic device. This includes, but is not limited to, short message service, e-mailing, instant messaging, a command or request to access a Web page, or pressing more than a single button to initiate or terminate a voice communication using a mobile phone or engaging in any other form of electronic text retrieval or entry, for present or future communication.

Do not type or read a text message while driving a CMV!

Use of mobile phones is restricted for CMV drivers

This rule restricts a CMV driver from reaching for or holding a mobile phone to conduct a voice communication, as well as dialing by pressing more than a single button. CMV drivers who use a mobile phone while driving can only operate a hands-free phone located in close proximity. In short, the rule prohibits unsafely reaching for a device, holding a mobile phone, or pressing multiple buttons.

Part 392 of the Federal Motor Carrier Safety Regulations contains restrictions on texting and the use of hand-held mobile telephones while driving a commercial motor vehicle (CMV), including the following:

1. Texting ban (392.80): You may not manually enter text into or read text from an electronic device while driving a CMV. This includes e-mailing, text messaging, using the internet, pressing more than one button to start or end a phone call, or any other formal text retrieval or entry for communication purposes.
2. Hand-held cell-phone ban (392.82): You are prohibited from using a hand-held cell phone while driving a CMV. This includes talking on a phone while holding it in your hand (including push-to-talk), pressing more than a single button to dial or answer a cell phone, or leaving your normal, seated driving position to reach for a cell phone.

How can drivers use a mobile phone and still obey the rules?

- Locate the mobile phone so it is operable by the driver while restrained by properly adjusted safety belts.
- Utilize an earpiece or the speaker phone function.
- Use voice-activated or one-button touch features to initiate, answer, or terminate a call.

What happens if a driver is caught using a hand-held phone or texting while driving?

The **rule imposes sanctions** for driver offenses (383.51, 391.15), including civil penalties up to \$2,750 and driver disqualification for 60 up to 120 days for multiple offenses . Motor carriers are also prohibited from requiring or allowing their drivers to text or use a hand-held mobile phone while driving and may be subject to civil penalties up to \$11,000. Violations will impact SMS results.

What are the risks?

Besides penalties and possible driver disqualification, recent research shows that the odds of being involved in a safety-critical event (e.g., crash, near-crash, unintentional lane deviation) are 23.2 times greater for CMV drivers who text while driving than for those who do not. Texting drivers took their eyes off the road for an average of 4.6 seconds. At 55 mph, this equates to a driver traveling the approximate length of a football field - without looking at the roadway! For CMV drivers who dial a mobile phone while driving, the odds of being involved in a safety-critical event are six times greater than for those who do not. Why take chances?

Bottom Line: Using a hand held device while driving is a serious traffic violation that could result in a driver disqualification.

No call, no text, no ticket!

DRIVER TRAINING GUIDE

DRIVERS RESPONSIBILITY TO COMPLY WITH SAFETY REGULATIONS

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9. USE OF SEAT BELTS
10. LOAD SECUREMENT REQUIRMENTS

1. SAFE OPERATING RULES

Every driver is responsible for the safe operation of commercial motor vehicles. Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.

However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.

1.1. ILL or FATIGUED OPERATOR

No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle. However, in a case of grave emergency where the hazard to occupants of the commercial motor vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the commercial motor vehicle to the nearest place at which that hazard is removed.

1.2. DRUGS and OTHER SUBSTANCES

No driver shall be on duty and possess, be under the influence of, or use, any of the following drugs or other substances:

An amphetamine or any formulation thereof (including, but not limited, to "pep pills," and "bennies")

A narcotic drug or any derivative thereof; or

Any other substance, to a degree which renders the driver incapable of safely operating a motor vehicle.

No motor carrier shall require or permit a driver to violate this section.

This does not apply to the possession or use of a substance administered to a driver by or under the instructions of a licensed medical practitioner, who has advised the driver that the substance will not affect the driver's ability to safely operate a motor vehicle.

1.3. ALCOHOL PROHIBITION

No driver shall-

- Use alcohol or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of, a commercial motor vehicle; or
- Use alcohol, be under the influence of alcohol, or have any measured alcohol concentration or detected presence of alcohol, while on duty, or operating, or in physical control of a commercial motor vehicle; or

No motor carrier shall require or permit a driver to-

- To be on duty or operate a commercial motor vehicle if, by the driver's general appearance or conduct or by other substantiating evidence, the driver appears to have used alcohol within the preceding four hours.

Any driver who is found to be under the influence shall be placed out-of-service immediately for a period of 24 hours.

The 24-hour out-of-service period will commence upon issuance of an out-of-service order. Any driver who is issued an out-of-service order under this section shall:

- Report such issuance to his/her employer within 24 hours

1.4. SCHEDULES TO CONFORM WITH SPEED LIMITS

No motor carrier shall schedule a run nor permit nor require the operation of any commercial motor vehicle between points in such period of time that would necessitate the commercial motor vehicle being operated at speeds greater than those prescribed by the jurisdictions in or through which the commercial motor vehicle is being operated.

1.5. RAILROAD GRADE CROSSING

Every commercial motor vehicle shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit the driver of the commercial motor vehicle to ascertain that the course is clear.

1.6. HAZARDOUS CONDITIONS EXTREME CAUTION

Extreme caution in the operation of a commercial motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions become sufficiently dangerous, the operation of the commercial motor vehicle shall be discontinued and shall not be resumed until the commercial motor vehicle can be safely operated. Whenever compliance with the foregoing provisions of this rule increases hazard to passengers, the commercial motor vehicle may be operated to the nearest point at which the safety of passengers is assured.

2. HOURS OF SERVICE REGULATIONS

2.1. ON DUTY TIME

On-duty time: means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

On-duty time shall include:

- (1) All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
- (2) All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public

- property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
- (3) All time inspecting, servicing, or conditioning any commercial motor vehicle at any time.
 - (4) All driving time as defined in the term driving time
 - ▶ Driving time means all time spent at the driving controls of a commercial motor vehicle in operation.
 - (5) All time in or on a commercial motor vehicle,
 - (6) All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
 - (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle;
 - (8) All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, to comply with the random, reasonable suspicion, post-crash, or follow-up testing required by part 382 of this subchapter when directed by a motor carrier;

2.2. MAXIMUM DRIVING TIME

No motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, unless the driver complies with the following requirements:

▶ 10 HOUR RULE

Start of work shift. A driver may not drive without first taking 10 consecutive hours off duty.

▶ 14 HOUR RULE

A driver may drive only during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty. The driver may not drive after the end of the 14- consecutive-hour period without first taking 10 consecutive hours off duty.

▶ 11 HOUR RULE

Driving time. A driver may drive a total of 11 hours during the 14-hour period.

▶ 8 HOUR REST BREAK RULE

Rest Breaks. Driving is not permitted if more than 8 hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes. Except for drivers who qualify for either of the short-haul exceptions.

▶ 70 HOUR RULE

No motor carrier shall permit or require a driver of a property-carrying commercial motor vehicle to drive, nor shall any driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, for any period after having been on duty 70 hours in any period of 8 consecutive days.

A driver may not take an off-duty period to restart the calculation of 70 hours in 8 consecutive days until 168 or more consecutive hours have passed since the beginning of the last such off-duty period.

When a driver takes more than one off-duty period of 34 or more consecutive hours within a period of 168 consecutive hours, he or she must indicate in the Remarks section of the record of duty status which such off-duty period is being used to restart the calculation of 70 hours in 8 consecutive days.

3. ELD - ELECTRONIC LOGGING DEVICES

The ELD Rule applies to motor carriers and drivers who are currently required to maintain records of duty status (RODS), unless they qualify for one of the exceptions to the ELD rule.

3.1. MOTOR CARRIER RESPONSIBILITIES

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

- (1) A user's manual for the driver describing how to operate the ELD;
- (2) An instruction sheet for the driver describing the data transfer mechanisms supported by the ELD and step-by-step instructions for the driver to produce and transfer the driver's hours-of-service records to an authorized safety official;
- (3) An instruction sheet for the driver describing ELD malfunction reporting requirements and recordkeeping procedures during ELD malfunctions; and
- (4) A supply of blank driver's records of duty status graph-grids sufficient to record the driver's duty status and other related information for a minimum of 8 days.

3.2. ELD RULE EXCEPTIONS

The following are not required to use ELDs (but carriers may choose to use ELDs even if they are not required):

- Drivers who use paper logs no more than 8 days during any 30-day period.
- Driveaway-towaway drivers (were the vehicle driven is the commodity) or the vehicle being transported is a motor home or a recreation vehicle trailer (at least one set of wheels of the vehicle being transported must be on the surface while being transported)
- Drivers of vehicles manufactured before model year 2000.

4. SUPPORTING DOCUMENTS

The ELD Rule streamlines record keeping, but still requires drivers and carriers to retain supporting documents (in paper or digital format) to verify HOS compliance.

Drivers must submit all their supporting documents to their motor carriers, and motor carriers must retain not more than eight supporting documents for each 24-hour period that a driver is on duty

Drivers must submit their RODS and supporting documents to the motor carrier no later than 13 days after receiving them.

4.1. FIVE CATEGORIES OF DOCUMENTS

- Bills of lading, itineraries, schedules, or equivalent documents that show the starting and ending location for each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts (meals, lodging, fuel, etc.);
- Fleet management system communication records;
- Payroll records, settlement sheets, or equivalent documents showing payment to a driver.
- Drivers using paper RODS must also keep toll receipts - which don't count toward the eight-document cap.

4.2. REQUIRED INFORMATION

Each supporting document must contain the following information:

- Driver name (or a carrier-assigned identification number) on the document or on another document that allows the carrier to link the first document to the driver. The vehicle unit number can be used, if that number can be linked to the driver.
- Date.
- Location (including the name of the nearest city, town, or village).
- Time.

If a driver has fewer than eight documents with all four information elements, a document that does not include time can also serve as a supporting document.

S. EDITING AND ANNOTATING RECORDS OF DUTY STATUS

Limited editing is allowed to correct mistakes, enter missing information, and provide notes or explanations (annotation) for ELD records. Driving time and other information that is automatically captured cannot be edited.

Driver edits must be accompanied by an annotation. The ELD prompts the driver to annotate edits.

A carrier can suggest or request edits for accuracy - but the driver must confirm these changes, and then recertify and resubmit the RODS.

All edits, whether made by the driver, or suggested by the carrier, must be annotated (include notes to explain the reason for the change).

5.1. DRIVER CERTIFICATION OF RODS

The driver must certify each RODS. A driver must certify any edits he/she makes; and should certify carrier edits if they are accurate. Certification is intended to protect drivers from unilateral changes to the RODS.

5.2. CARRIER RETENTION OF ELD INFORMATION

Carriers must retain original ELD information (on the device, or on a separate back-up system) for at least six months, along with the associated required supporting documents. Paper copies of documents do not need to be retained if they have been scanned. Carriers must ensure ELD information is stored with appropriate security, to protect driver privacy. Carriers must also provide drivers with access to the records, on request, for a period of six months.

6. DISPLAYING AND TRANSFERRING DATA

Starting on the compliance date, enforcement officials may request access to RODS through data transfer. An ELD must be able to either:

- Transmit data using wireless Web services and email, or
- Transfer data locally using a USB drive and Bluetooth.

Malfunctions and compliance alerts chart

Alert	When does it occur?
Data Recording Compliance Malfunction	Occurs when an ELD can no longer record or retain required data or retrieve recorded logs.
Missing Required Data Elements Data Diagnostic	Occurs when any required data element is missing at the time of its recording.
Power Data Diagnostic	Occurs when an ELD is not powered and fully functional within one minute of the vehicle engine power up, and the ELD does not remain powered while the vehicle engine is powered.
Power Compliance Malfunction	Occurs when the ELD is not powered on while the vehicle is in motion for longer than 30 minutes during the 24-hour period. ECM data or ECM connectivity data must be captured when the engine is powered, but the ELD is not prohibited from recording information when the engine is off.
Engine Synchronization Data Diagnostic	Occurs when an ELD loses connection to the ECM and cannot obtain any required data sources (engine power, vehicle motion, miles driven, and engine hours) and their updated values within 5 seconds.
Engine Synchronization Compliance Malfunction	Occurs when an ELD loses connection to the ECM and cannot obtain any required data sources (engine power, vehicle motion, miles driven, and engine hours) for more than 30 minutes during a 24-hour period.

	Note: When the engine is not powered, the ELD does not have to capture data. The 30 minutes verifies that additional miles and movement has not taken place in the 24-hour period. The ECM data or ECM connectivity data must only be captured when the engine is powered, but the ELD is not prohibited from recording information, if desired, when the engine is off.
Timing Compliance Malfunction	Occurs when the ELD time is not properly synchronized with Coordinated Universal Time (UTC), so that the time is inaccurate by 10 minutes or more at any time.
Positioning Compliance Malfunction	Occurs when an ELD doesn't acquire a valid position measurement within 5 miles of the vehicle's movement during a cumulative 60 -minute or greater period over 24 hours. Note: If this malfunction is due to a change in driver duty status, the ELD will prompt the driver to <input type="checkbox"/> enter a location. If the driver does not enter the location, and the vehicle is moving, the ELD will record a "missing required data element" diagnostic event for the driver
Unidentified Driving Records Data Diagnostic	Occurs when an unidentified driver record has been recorded on the ELD for more than 30 minutes of driving in a 24-hour period.

7.0 DRIVER VEHICLE INSPECTION POLICY

7.1 DRIVER VEHICLE INSPECTIONS REQUIREMENTS

The Federal Motor Carrier Safety Administration Regulations require that every carrier require its drivers to perform a daily pre-trip inspection prior to operating a commercial motor vehicle on a public highway. Drivers are also required to perform a post trip inspection and the end of their shift. FMCSA regulations require that a written Driver Vehicle Inspection be completed noting defects not discovered during the pre-trip or post trip inspection.

NOTICE: Our policy requires all drivers complete a Driver Vehicle Inspection Report (DVIR) regardless if a defect is discovered or not. When a driver is either unsure or believes, a discovered defect may affect the safe operation of the vehicle he/she shall contact his/her operations manager immediately.

If required a qualified mechanic shall make the determination if repairs are necessary or are not necessary for the safe operation of the vehicle.

At no time shall any vehicle operated in behalf of our company be operated in such a condition as to likely cause an accident or a breakdown of the vehicle.

7.2 DRIVER VEHICLE INSPECTION

Any motor vehicle operated by in behalf of our company, including company owned, term leased, or trip leased, shall not be driven unless the driver is satisfied that the vehicle is in good working order. This will be accomplished by performing a pre-trip inspection prior to operating the vehicle. The driver shall also perform a post trip inspection at the end of his/her day identifying any abnormalities observed while operating the vehicle.

Drivers shall prepare a written report documenting any defects discovered before each operating a commercial motor vehicle and report to the safety department or maintenance of any defects that you

discover. Drivers shall review the previous days DVIR to determine if the previous driver cited any defects that need to be verified as completed. The reviewing driver shall sign the previous days DVIR certifying the cited defects have been repaired.

Report any defects to the maintenance to determine if repairs are required for safe operation and/or take corrective action. They must include, at a minimum the following parts and accessories:

Service Brake Systems	Lighting devices and reflectors
Steering Mechanism	Horn
Tires/Wheels/Lugs	Rear-vision mirror or mirrors
Windshield Wipers	Emergency Equipment
Spare Fuses	Current Annual Inspection
Turn Signals	Tail Lights
Excessive Leaks	Emergency Equipment
Fluid Levels	Electric Wiring Chaffing/Cracking/Exposed
Load Securement	Current Annual Inspection
Parking Brake	

Driver vehicle inspection procedures must be conducted on the type of commercial motor vehicle the driver will be operating.

8.0 USING A HAND-HELD MOBILE TELEPHONE

No driver shall use a hand-held mobile telephone while driving a CMV.

No motor carrier shall allow or require its drivers to use a hand-held mobile telephone while driving a CMV. This includes, operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays.

Driving does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

Emergency Exception. Using a hand-held mobile telephone is permissible by drivers of a CMV when necessary to communicate with law enforcement officials or other emergency services.

8.1 PROHIBITION AGAINST TEXTING

Prohibition. No driver shall engage in texting while driving.

Motor carriers. No motor carrier shall allow or require its drivers to engage in texting while driving.

Definition. For the purpose of this section only, **driving** means operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle with or without the

motor running when the driver moved the vehicle to the side of, or off, a highway, as defined in 49 CFR 390.5, and halted in a location where the vehicle can safely remain stationary.

Emergency Exception. Texting while driving is permissible by drivers of a commercial motor vehicle when necessary to communicate with law enforcement officials or other emergency services.

9.0 USE OF SEAT BELTS

Drivers. No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, that has a seat belt assembly installed at the driver's seat unless the driver is properly restrained by the seat belt assembly.

Passengers. No driver shall operate a property-carrying commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a property-carrying commercial motor vehicle, that has seat belt assemblies installed at the seats for other occupants of the vehicle unless all other occupants are properly restrained by such seat belt assemblies.

10.0 LOAD SECUREMENT REQUIREMENTS

Drivers are responsible for the proper loading and securement of loaded cargo against shifting forward and aft and laterally while in transportation.

10.1 INSPECTION OF CARGO, CARGO SECUREMENT DEVICES AND SYSTEMS

A driver may not operate a commercial motor vehicle and a motor carrier may not require or permit a driver to operate a commercial motor vehicle unless **the commercial motor vehicle's cargo is properly distributed and adequately secured.**

10.2 PREVENTION AGAINST SHIFTING OF LOAD

Cargo must be contained, immobilized or secured to prevent shifting within the vehicle to such an extent that the vehicle's stability or maneuverability is adversely affected.

VEHICLE INSPECTION CHECK LIST

Year _____ Make _____ Model _____

Mileage _____ Inspection date _____

GENERAL ITEMS			NOTES/RECOMMENDATIONS		
Wiper blades	L	R	REAR		
Mirrors	L	R	INSIDE		
Horn					
LIGHTS					
Dash Indicators/Gauges					
Headlights	L	R	Hi/Low		
Park/Tail lights	LF/RF	LR/RR			
Brake Lights	L	R			
Back-up Lights	L	R			
Turn Signals	LF/RF	LR/RR			
Side Markers	LF/RF	LR/RR			
License Plate lights					
LUBRICANT/FLUIDS					
Engine Oil	LEVEL	COND	LEAKS		
Transmission Fluid	LEVEL	COND	LEAKS		
Power Steering	LEVEL	COND	LEAKS		
Brake Fluid	LEVEL	COND	LEAKS		
Clutch Fluid	LEVEL	COND	LEAKS		
Washer Fluid	LEVEL	COND	LEAKS		
Coolant	LEVEL	COND	LEAKS Antifreeze protection to *F/*C		
BATTERY					
Carrier/Hold-Down	MISSING	LOOSE	CORRODED		
Cables/Clamps/Terminals	MISSING	LOOSE	CORRODED		
Charge Indicator	GREEN	DARK	CLEAR/YELLOW Fluid Level		
BELT/PULLEY					
Alternator	WORN	LOOSE	PULLEY		
Air Conditioning	WORN	LOOSE	PULLEY		
Power Steering	WORN	LOOSE	PULLEY		
Water Pump	WORN	LOOSE	PULLEY		
Air Pump	WORN	LOOSE	PULLEY		
Belt Tensioner	WORN	LOOSE	PULLEY		
HOSES					
Radiator	UPPER	LOWER	LEAKS		
Heater	INLET	OUTLET	LEAKS		
Bypass/Other		COND	LEAKS		
Power Steering	LO-PRESS	HI-PRESS	LEAKS		
Trans Cooler	INLET	OUTLET	LEAKS		
Vacuum hoses		COND	LEAKS		
Fuel (Underhood only)		COND	LEAKS		
OTHER UNDERHOOD					
Air Filter	DIRTY	MISSING			
PCV Filter	DIRTY	MISSING			
Intake Preheat Duct	UNHOOKED	MISSING			
Radiator Cooling Fan(s)	MECHANICAL	ELECTRIC			
TIRES					
Pressure (psi)	LF	RF	LR	RR	SPARE
Tread (/32")	LF	RF	LR	RR	SPARE
DATE CODE					Minimum Safe Depth 3/32"