

1.1 WELCOME

- 1.1.1 TERRY R PITT CONSTRUCTION is committed to having all drivers new to the organization participate in and successfully complete its driver orientation program. Our goal is to make certain that all new driver associates start their careers at TERRY R PITT CONSTRUCTION with adequate and proper training, the right tools and equipment, appropriate driver support systems, and a thorough understanding of company policies and procedures to perform all functions and duties of their job in a safe, legal, and professional manner.

1.2 ORIENTATION OVERVIEW

- 1.2.1 TERRY R PITT CONSTRUCTION has an orientation program which all new driver associates are required to complete. TERRY R PITT CONSTRUCTION's orientation program consists of comprehensive classroom training that will cover a variety of subjects. Among the topics are company policies and procedures, company safety compliance, and regulatory compliance. After the classroom portion of the orientation has been successfully completed, all new driver associates will be assigned to a driver trainer. The purpose of this time with a company driver trainer is to evaluate the new associate's overall driving skills and techniques, and to apply what has been learned in the classroom to an actual job situation. This time should also be used to familiarize the new driver with TERRY R PITT CONSTRUCTION's customers, paperwork procedures, policies, and procedures, and to answer any questions or concerns which were not addressed in the classroom training.

1.3 DRIVER QUALIFICATION AND HIRING

- 1.3.1 TERRY R PITT CONSTRUCTION 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.
- 1.3.2 To help carry out this commitment, TERRY R PITT CONSTRUCTION has implemented the following driver qualification procedures.

1.4 PROCEDURES

- 1.4.1 TERRY R PITT CONSTRUCTION's driver hiring qualification standards and procedures have been developed to achieve two goals. The first goal is for the company to meet or exceed all Federal Motor Carrier Safety Regulations (FMCSRs) concerning driver qualification. The second goal is to select only the best available drivers: Drivers who share TERRY R PITT CONSTRUCTION's values and goals of operating in a safe, legal, and professional manner.

1.5 MOTOR VEHICLE SAFETY POLICY

- 1.5.1 Many employees operate company-owned vehicles as part of their jobs. Employees are expected to operate vehicles safely to prevent accidents that may result in injuries and property loss. It is

the policy of TERRY R PITT CONSTRUCTION to provide and maintain a safe working environment to protect our employees and the citizens of the communities where we conduct business from injury and property loss. The company considers the use of automobiles as part of the working environment. The company is committed to promoting a heightened level of safety awareness and responsible driving behavior in its employees. Our efforts and the commitment of employees will prevent vehicle accidents and reduce personal injury and property loss claims. This program requires the full cooperation of each driver to operate their vehicle safely and to adhere to the responsibilities outlined in the Motor Vehicle Safety Program. Elements of this program include:

- 1.5.1.1 Assigning responsibilities at all levels of employment.
- 1.5.1.2 Vehicle use and insurance requirements.
- 1.5.1.3 Employee driver's license checks and identification of high-risk drivers.
- 1.5.1.4 Accident reporting and investigation.
- 1.5.1.5 Accident review.
- 1.5.1.6 Vehicle selection and maintenance.
- 1.5.1.7 Training standards.
- 1.5.1.8 Safety regulations.

1.6 RESPONSIBILITIES

- 1.6.1 New driver associates will be expected to review the topics presented and ask appropriate questions for areas that may need further clarification. During orientation, new drivers should feel at liberty to speak with human resources or the safety management about areas contained within this policy. Management and human resource personnel must make themselves available to new recruits to answer specific questions. This includes time in classroom presentations and one-on-one concerns aside from group settings.
- 1.6.2 All driver recruiters, safety managers, and other involved in the hiring process must be familiar with and apply all hiring standards set forth in this policy.
- 1.6.3 Each candidate must be compared against the criteria set forth with no variations. Based on this policy, each candidate must be treated equally and consistently by the parties involved in the selection and screening of driver applicants.



1.7 DUE PROCESS RIGHTS

- 1.7.1 Drivers hired after October 29, 2004, will be notified of their due process rights as specified in Sec. 391.23(i) regarding the information received as part of the background investigation. This notification will be given to the driver prior to a hiring decision in a written form, stating his/her right to review and refute erroneous information.
- 1.7.2 The written notification will appear on the driver application, requiring a signature immediately below the information by the driver applicant as acknowledgment of his or her receipt and understanding.
- 1.7.3 The written notification will be given to the driver in a form separate from the driver application. The applicant will be required to sign and date the form as acknowledgment of his or her receipt and understanding.

1.8 SCOPE

1.8.1 Application for employment

1.8.1.1 All driver applicants shall complete an application for employment, furnished by TERRY R PITT CONSTRUCTION with the application form containing all the information required under section 391.21 of the FMCSRs. TERRY R PITT CONSTRUCTION's hiring standards require that driver applicants list all former employers for the past three years. Any gaps in employment for more than a one-month period must be satisfactorily accounted for on the application.

1.8.2 License

1.8.2.1 TERRY R PITT CONSTRUCTION's Safety Department will obtain a legible copy of the license of all driver applicants. The Safety Department will conduct a review of the license to be certain it is valid, has not expired, is the appropriate class for TERRY R PITT CONSTRUCTION vehicles, has the appropriate endorsements, is issued by the applicant's current state of residence, and that the applicant possesses only one license. (Secs. 383.21, 391.23 and 391.11 (b)(7))

1.8.2.2 This policy applies to employees who operate vehicles on company business and will be reviewed by managers and supervisors to ensure full implementation and compliance.

Signed

Date

1.9 ORGANIZATION AND RESPONSIBILITIES

1.9.1 Company President: David Pitt

1.9.1.1 The company president is responsible for directing an aggressive vehicle safety program.

1.9.2 Management will:

1.9.2.1 Implement the Motor Vehicle Safety Program in their areas of responsibility.

1.9.2.2 Establish measurement objectives to ensure compliance with the program.

1.9.2.3 Provide assistance and the resources necessary to implement and maintain the program.

1.9.2.4 Investigate and report all accidents involving a motor vehicle used in performing company business. Forward all accident reports to the Safety Manager- Shoni Roundy

1.9.2.5 Be responsible for taking appropriate action to manage high-risk drivers as defined by this program.

1.9.2.6 Provide driver training either internally or through external means for high-risk drivers.

1.9.3 Safety Manager: Shoni Roundy

1.9.3.1 Issue periodic reports of losses for the president's review.

1.9.3.2 Review motor vehicle accident reports as part of the Company Review.

1.9.3.3 Revise and distribute changes to the Motor Vehicle Safety Program to managers, supervisors, and drivers, as necessary.

1.9.3.4 Maintain appropriate records.

1.9.4 Drivers will:

1.9.4.1 Always operate a motor vehicle in a safe manner as explained under the section titled "Driver Safety Regulations."

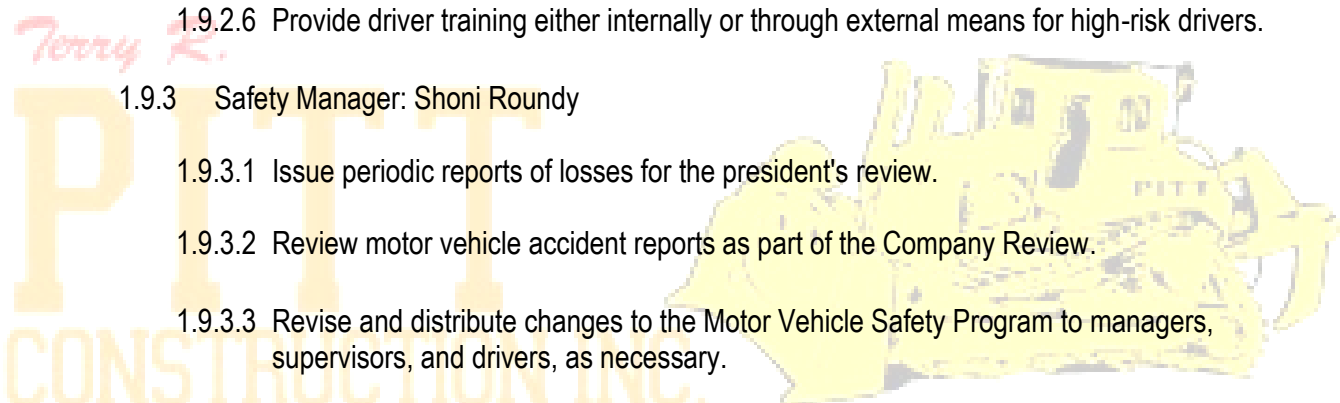
1.9.4.2 Maintain a valid driver's license and minimum insurance requirements on personal vehicles used in company business.

1.9.4.3 Maintain assigned vehicles according to established maintenance standards.

1.10 VEHICLE USE

1.10.1 Company Owned Vehicles

1.10.1.1 Passenger Cars



1.10.1.1.1 Employees authorized by their supervisors will be permitted to operate a passenger car. Passengers who are not employees of TERRY R PITT CONSTRUCTION will not be allowed to ride in the vehicle unless you have written permission and signed release of liability from Management.

1.10.1.2 Commercial Vans and Trucks

1.10.1.2.1 Employees with appropriate commercial driver's license, authorization from their supervisor, and qualified by state and Federal DOT when applicable will be permitted to operate the vehicle.

1.10.2 Unauthorized Use of Vehicles

1.10.2.1 Assigned drivers and other authorized employees will not allow an unauthorized individual to operate a company vehicle. No exceptions! Disciplinary action may be taken. Additionally, if unauthorized use results in an accident, the responsible employee will be required to make restitution for the damages.

1.10.3 Contractors and Temporary Employees

1.10.3.1 Contractors and contract employees will be treated as company employees and will comply with the requirements of this program. Failure to meet all requirements will result in the immediate loss of driving privileges.

1.11 DRIVER SELECTION

1.11.1 Driver Evaluation

1.11.1.1 Employees will be evaluated and selected based on their driving ability. To evaluate employees as drivers, management will:

1.11.1.1.1 Review past driving performance and work experience through previous employers' reference checks. All new employees and current employees recently assigned to driving duties will be required to complete the "Application Addendum for Employment Requiring Driving."

1.11.1.1.2 Review the employee's Motor Vehicle Record (MVR) annually (more frequently if reasons warrant).

1.11.1.1.3 Ensure the employee has a valid driver's license.

1.11.1.1.4 Ensure the employee is qualified to operate the type of vehicle he/she will drive.

1.11.2 Driver Qualification

1.11.2.1 Effective driver qualification controls are important elements of a successful motor vehicle safety program. Management developed and incorporated standards into this program which reflect the skills necessary for satisfactory job performance, while taking into consideration applicable federal and state regulations.

1.11.2.2 The company has implemented three levels of driver qualification criteria. Use of any or all the criteria is dependent upon the nature and scope of the driving requirements.

1.11.2.2.1 State-regulated driver qualification parameters must be met. Regulatory information will be obtained from applicable state departments of transportation and motor vehicle services.

1.11.2.2.2 Where applicable, drivers will comply with DOT Commercial Driver License (CDL) regulations.

1.11.2.2.3 Drivers involved in interstate or foreign commerce in vehicles with Gross Motor Vehicle Weight Rating (GVWR) of 10,001 pounds or more, designed to transport 16 or more passengers, including the driver, are subject to the requirements of the DOT Federal Highway Administration's Federal Motor Carrier Safety Regulations. These drivers must have a medical card to drive vehicles over 10,000 pounds.

1.11.2.2.4 Drivers involved in intra or interstate operations with GVWR of 26,001 pounds or more must have a CDL license and be enrolled in a DOT Drug and Alcohol Testing Program.

1.11.2.3 The following criteria were established to identify high-risk drivers. A driver is unacceptable if the driver's accident/violation history in the past year includes one or more of the following moving violation convictions:

1.11.2.3.1 Driving under the influence of alcohol or drugs (DUI).

1.11.2.3.2 Hit and run.

1.11.2.3.3 Failure to report an accident.

1.11.2.3.4 Negligent homicide arising out of the use of a motor vehicle.

1.11.2.3.5 Operating during a period of suspension or revocation.

1.11.2.3.6 Using a motor vehicle for the commission of a felony.

1.11.2.3.7 Operating a motor vehicle without the owner's authority.

1.11.2.3.8 Permitting an unlicensed person to drive.

1.11.2.3.9 Reckless driving.

1.11.2.3.10 Speeding (three or more in a 3-year period).

1.11.2.3.11 Two preventable accidents in a 12-month period.

1.11.2.4 Drivers who are identified as high risk or in violation may be subject to several actions from management including, but not limited to:

1.11.2.4.1 Driver will have their driving privileges suspended or revoked.

1.12 ACCIDENT RECORDKEEPING AND REPORTING

1.12.1 This company considers elimination of motor vehicle accidents as a major goal. To meet this objective, all accidents will be reported to management, investigated, documented, and reviewed by the safety manager and the superintendents. The following will help obtain this goal:

1.12.1.1 More intensive driver training and/or remedial training.

1.12.1.2 Improved vehicle inspection and/or maintenance activities.

1.12.1.3 Changes in traffic routes.

1.12.2 Motor vehicle accident recordkeeping procedures consist of the following components:

1.12.2.1 Documentation of causes and corrective action.

1.12.2.2 Management reviews to expedite corrective action.

1.12.2.3 Analysis of accidents to determine trends, recurring problems, and the need for further control measures.

1.12.3 Responsibility

1.12.3.1 Implementation of these procedures remains the responsibility of both the driver and manager.

1.12.3.2 Driver

1.12.3.2.1 Since the driver is the first person at the accident scene, he/she will initiate the information-gathering process as quickly and thoroughly as is feasible.

1.12.3.3 Management

- 1.12.3.3.1 Management will obtain accident data from the driver through the Transportation Accident Report form and/or by verbal communication. It is important for management to determine the extent of the accident, especially if it involves injury or death to the driver, passengers, or other parties.
- 1.12.3.3.2 Management will immediately proceed with a formal investigation to determine the underlying causes and what can be done to prevent similar occurrences. The accident report will be forwarded to the insurance claims office along with any additional support data (e.g., witness statements, photographs, police reports, etc.)

1.12.4 Preventable/Non-Preventable Accidents

1.12.4.1 The following definitions relate to motor vehicle accidents:

1.12.4.1.1 A motor vehicle accident is defined in §390.5T

1.12.4.1.2 Except as provided in paragraph (2) of this definition, an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

1.12.4.1.2.1 A fatality.

1.12.4.1.2.2 Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

1.12.4.1.2.3 One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle(s) to be transported away from the scene by a tow truck or other motor vehicle.

1.12.4.1.3 The term accident does not include:

1.12.4.1.3.1 An occurrence involving only boarding and alighting from a stationary motor vehicle; or

1.12.4.1.3.2 An occurrence involving only the loading or unloading of cargo.

1.12.4.1.4 A preventable accident is defined as "any accident involving the vehicle, unless properly parked, which results in property damage or personal injury, and in which the driver failed to do everything he/she reasonably could have done to prevent or avoid the accident."

1.12.5 Note 1: A properly parked motor vehicle is one that is completely stopped and parked where it is legal and prudent to park such a vehicle or to stop to load/unload property. Vehicles stopped to load/unload passengers are not considered parked.

1.12.6 Note 2: Parking on private property will be governed by the same regulations that apply on public streets and highways. A vehicle stopped in traffic in response to a sign, traffic signal, or the police are not considered parked.

1.12.6.1 The determination of preventability of an accident is the function of the Company Managers.

1.12.7 Note 3: See attached "Guide for Preventable and Nonpreventable Accidents" in the appendix.

1.13 EMPLOYEE ACCIDENT REPORTING PROCEDURE

1.13.1 Employees will take the following actions when there are injuries to persons and/or damage to other vehicles or property:

1.13.1.1 If possible, move the vehicle to a safe location out of the way of traffic. Call for medical attention if anyone is hurt.

1.13.1.2 Secure the names and addresses of drivers and occupants of any vehicles involved, their operator's license numbers, insurance company names and policy numbers, as well as the names and addresses of injured persons and witnesses. Record this information on the Accident Report Form (in the reporting packet). Do not discuss fault with, or sign anything for anyone except an authorized representative of TERRY R PITT CONSTRUCTION, a police officer, or a representative of Mountain West Insurance.

1.13.1.3 Immediately notify the Vehicle Safety Manager, Shoni Roundy 307-362-8077. If any injuries were involved and the Vehicle Safety Coordinator is not available, contact your supervisor immediately.

1.13.2 When there is theft of or damage to your vehicle only:

1.13.2.1 If you did not witness the damage to the vehicle, you must notify the local police department immediately.

1.13.2.2 Immediately notify Vehicle Manager, Shoni Roundy 307-362-8077.

1.13.2.3 Send a copy of the police report along with a memo outlining any additional information to the Vehicle Safety Manager.

1.13.2.4 Note: Accident reporting kits: Every company vehicle should have an accident reporting kit in the glove box. This should include an accident report form, pen, or pencil. Take pictures with your cell phone.

1.14 COMPANY REVIEW

1.14.1 All vehicle collisions should be analyzed, and a written report submitted to management for review. A determination of accident preventability should be made. Where the collision was

preventable by the company driver, the driver should be counseled, given additional training, given time off without pay, placed on probation, transferred to non-driving duties, disciplined in other ways, or employment (or services for contractors) terminated according to governmental guidelines.

- 1.14.2 However, this does not absolve management from improving safety of the work and driving environment. The Vehicle Safety Manager, drivers, and management personnel should each participate in the analysis. Management deficiencies and/or lack of management action should also be part of the accident review. Management has the legal obligation not only for driver safety but the safety of the motoring public. To determine preventability an accident review has been established. The main charge of the review is to determine whether the fleet accident was preventable or nonpreventable and whether it is chargeable to the driver.
- 1.14.3 The attached "Guide for Preventable and Nonpreventable Accidents" will be used as a guide for this determination. Majority vote rules.
- 1.14.4 The committee will report the results of their review to the Vehicle Safety Coordinator within three (3) working days. The Vehicle Safety Coordinator will take the appropriate steps and communicate the results to the affected driver and supervisor.

1.15 VEHICLE SELECTION, INSPECTION, AND MAINTENANCE

1.15.1 Introduction:

- 1.15.1.1 Proper selection and maintenance of equipment are important aspects of this program. Reduced operational costs and accidents from vehicle defects are the direct result of a well-implemented maintenance policy.

1.15.2 Vehicle Selection:

- 1.15.2.1 Selection of vehicles begins with understanding that wrong equipment can result in excessive breakdowns, create hazards to personnel, incur costly delays, and contribute to poor service and customer complaints. The company will purchase vehicles designed for their intended uses.

1.15.3 Vehicle Inspection:

- 1.15.3.1 The employee responsible for the vehicle will inspect the vehicle daily using the Vehicle Inspection Report form (see appendix) and forward the report to the Safety Manager and Truck Mechanic. More frequent inspections and reports may be required based on heavy use.

1.15.4 Vehicle Maintenance:

- 1.15.4.1 Vehicle maintenance can take the form of three distinct programs: preventive maintenance, demand maintenance, and crisis maintenance. While all three types have their role in the

Motor Vehicle Safety Program, the most cost-effective control is preventive maintenance. The groundwork for a good preventive maintenance program starts with management. A review of manufacturers' specifications and recommendations for periodic preventive maintenance should be integrated with the actual experience of the vehicles.

1.15.4.2 Preventive maintenance (PM) is performed on a mileage or time basis. Typical PM includes oil/filter changes, lubrication, tightening belts and components, engine tune-ups, brake work, tire rotation, hose inspection/replacement, and radiator maintenance.

1.15.4.3 Demand maintenance is performed only when the need arises. Some vehicle parts are replaced only when they fail. These include light bulbs, window glass, gauges, wiring, air lines, etc. Other "demand maintenance" items involve vehicle components that are worn based on information from the vehicle condition report. These include tires, engines, transmissions, universal joints, bushings, batteries, etc. Since these situations are identified through periodic vehicle inspection, they can be classified within the PM program.

1.15.4.4 Crisis maintenance involves a vehicle breakdown while on the road. While situations of this type may happen regardless of the quality of the PM program, it is an expensive alternative to not having an effective preventive maintenance program at all. Crisis maintenance situations should be minimized through proper PM procedures.

1.15.5 Recordkeeping:

1.15.5.1 This company's vehicle selection, inspection, and maintenance program is only as good as its recordkeeping procedures. Employees will forward all vehicle maintenance records for maintenance performed at the end of shift for the Safety Manager and Truck Mechanic.

1.16 DRIVER TRAINING

1.16.1 Drivers hired by this company to operate a commercial motor vehicle will have the basic skills and credentials necessary to perform this function as confirmed through the driver selection process.

1.16.2 New employees and contractors will receive a copy of this program as part of their initial orientation. A formal orientation program is established to help assure all drivers are presented with the company policy, understand their responsibilities, and are familiarized with their vehicles. Areas that must be addressed with the driver include:

1.16.2.1 Understand, review, and be given a copy of the Fleet Safety Program.

1.16.2.2 Understand and sign the Vehicle Assignment Agreement.

1.16.2.3 Review individual Motor Vehicle Report (MVR).

1.16.2.4 Understand accident reporting and emergency procedures.

1.16.2.5 Review operation and controls of vehicle being assigned.

1.16.2.6 Inspect vehicle using Vehicle Inspection Form.

1.16.2.7 A copy of this program will be kept in the vehicle.

1.16.3 License Suspension:

1.16.3.1 Drivers must notify the Safety Manager if their license is suspended or revoked.

1.16.4 Remedial Training:

1.16.4.1 Drivers may be required to attend a safe driving school on their own time and at their own expense if a review of the driver's MVR indicates:

1.16.4.1.1 Two or more violations/convictions within a one-year period, or

1.16.4.1.2 A conviction for driving while under the influence of alcohol or drugs.

1.16.4.2 Also, depending on the severity of the conviction, the employee's driving privileges may be revoked and/or may result in employment termination.

1.17 DRIVER SAFETY REGULATIONS

1.17.1 Safety Belts:

1.17.1.1 The driver and all occupants are required to wear safety belts when the vehicle is in operation or while riding in a vehicle. The driver is responsible for ensuring passengers wear their safety belts.

1.17.2 Impaired Driving:

1.17.2.1 The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, or influenced by alcohol, illegal drugs, prescribed or over-the-counter medication, illness, fatigue, or injury.

1.17.3 Traffic Laws:

1.17.3.1 Drivers must abide by the federal, state, and local motor vehicle regulations, laws, and ordinances.

1.17.4 Vehicle Condition:

1.17.4.1 Drivers are responsible for ensuring the vehicle is maintained in safe driving condition.

1.17.5 Cellular Telephones, Radios, etc.

1.17.5.1 Company policy is no cell phone while driving a company vehicle. There is NO EXCEPTION. Pull over at a safe location and make the call.

1.17.6 General Safety Rules:

1.17.6.1 Employees are not permitted to:

1.17.6.1.1 Pick up hitchhikers.

1.17.6.1.2 Accept payment for carrying passengers or materials.

1.17.6.1.3 Use any radar detector, laser detector, or similar devices.

1.17.6.1.4 Push or pull another vehicle or tow a trailer.

1.17.6.1.5 Use of burning flares will not be permitted. The preferred method is the use of reflective triangles.

1.17.6.1.6 Assist disabled motorists or accident victims beyond their level of medical expertise. If a driver is unable to provide the proper medical care, he/she must restrict his/her assistance to calling the proper authorities. Your safety and well-being is to be protected at all times.

1.17.7 Company and Personal Property:

1.17.7.1 Employees are responsible for company property such as company cell phones, work papers, and equipment under their control.

1.18 APPENDIX

1.18.1 Forms/Attachments

1.18.1.1 Vehicle Assignment Agreement

1.18.1.2 Application Addendum for Employment Requiring Driving

1.18.1.3 Guide for Preventable and Nonpreventable Accidents

1.18.1.4 Vehicle Inspection Report

1.18.1.5 DOT Compliance

1.19 VEHICLE ASSIGNMENT AGREEMENT

1.19.1 The undersigned hereby acknowledges receipt of a company-owned truck, van, or commercial motor vehicle. I understand this vehicle is to be regularly maintained and serviced according to

the service schedule outlined in the Owner's Manual or the instructions issued by the mechanic, whichever is appropriate.

1.19.2 Further, it is agreed this vehicle will be operated in a safe manner. I agree to wear my seat belt whenever the vehicle is in motion and will require other occupants to do so. I understand that there is a "NO Cell Phone" use policy while the motor vehicle is in motion. I agree to be responsible for all traffic and parking violations that occur while the vehicle is assigned to me.

1.19.3 I understand articles of this agreement apply regardless of who is operating this vehicle. I may authorize others to drive this vehicle according to the following guidelines:

1.19.3.1 Licensed employees of TERRY R PITT CONSTRUCTION

1.19.3.2 Other licensed drivers as I so designate in emergency situations only.

1.19.4 I agree to promptly report all accidents, traffic violations, or incidents resulting in injury or damage to the vehicle or other property, no matter how slight.

1.19.5 I understand I am required to maintain a valid driver's license. Further, I grant TERRY R PITT CONSTRUCTION the right to investigate my motor vehicle driving record at any time. My current driver's license is issued from the State of _____ (STATE NAME) and is No. _____ EMPLOYEE NAME HERE: _____.

1.19.6 If my driving record contains two moving violations within a one-year period, my record will be brought up before the Safety Manager for consideration of remedial training and/or loss of driving privileges.

1.19.7 I understand I am not to modify the vehicle in any way without written permission. This specifically applies to the installation of cellular telephones, radios, CBs, speakers, etc.

1.19.8 I understand the operation of this vehicle in a safe operating condition is my responsibility. If this vehicle becomes unsafe, it is my responsibility to notify my supervisor immediately.

1.19.9 I read and agree to the provisions of this Vehicle Assignment Agreement and the requirements of the Motor Vehicle Safety Program.

SIGNATURE

DATE

VEHICLE ASSIGNED: _____

VIN NUMBER: _____

PLATE NUMBER: _____

MILEAGE: _____

1.20 GUIDE FOR PREVENTABLE OR NONPREVENTABLE ACCIDENTS

- 1.20.1 An accident is preventable if the driver could have done something to avoid it. Drivers are expected to drive defensively. Which driver was primarily at fault, which received a traffic citation, or whether a claim was paid has absolutely no bearing on preventability. If there was anything the driver could have done to avoid the collision, then the accident was preventable.
- 1.20.2 An accident is nonpreventable when the vehicle was legally and properly parked, or when properly stopped because of a law enforcement officer, a traffic signal, stop sign, or traffic condition.
- 1.20.3 If a stationary object is struck, then it is usually a preventable incident. It should be noted there are exceptions to any rule, but they are just that – exceptions.
- 1.20.4 It should be the objective of any person discussing or judging accidents to obtain as many facts as possible and to consider all conceivable conditions. Adverse weather conditions, actions of other drivers, or other such excuses must not influence the judgment of preventability. If procedures, scheduling, dispatching, or maintenance procedures out of the control of the driver were found to be factors, that should be considered. The company must take responsibility for the work environment and recognize that drivers cannot control some aspects. It is critical that drivers can refuse to operate an unsafe vehicle without reprisal from management.
- 1.20.5 Professional drivers are expected to drive in a manner which allows them to avoid conflicts when they arise. Whether a driver has a 25-year safe driving record or started driving the day before has no bearing on whether an accident is or is not preventable. Taking a fair attitude does not mean leniency. If an accident is judged nonpreventable and the drivers know the accident could have been avoided, they will lose respect for the safety program.
- 1.20.6 Questions to Consider-General
- 1.20.6.1 When judging or discussing preventable accidents, these are some questions to consider:
- 1.20.6.1.1 Does the report indicate that the driver considers the rights of others, or is there evidence of poor driving habits that need to be changed?
- 1.20.6.1.2 Does the report indicate good judgment? Such phrases as "I did not see," "I didn't think," "I didn't expect," or "I thought" are signals indicating there is something wrong. An aware driver should think, expect, and see hazardous situations in time to avoid collisions.
- 1.20.6.1.3 Was the driver under any physical handicap which could have been contributory? Did the accident happen near the end of a long and/or hard run? Did the driver get sufficient sleep before the trip? When did the driver last have their vision checked?

1.20.6.1.4 Was the vehicle defective without the driver's knowledge? A gradual brake failure, a car that pulls to the left or right when the driver applies the brakes, faulty windshield wipers, and similar items are excuses, and a driver using them is trying to evade responsibility. Sudden brake failure, loss of steering, or a blowout may be considered defects beyond the driver's knowledge; however, the inspection and maintenance program should work to prevent these hazards.

1.20.6.1.5 Would taking a route through less congested areas reduce the hazardous situations encountered?

1.20.7 Questions to Consider-Specific Types of Accidents

1.20.7.1 Intersection Collisions

1.20.7.1.1 Failure to yield the right-of-way, regardless of stop signs or lights, is preventable. The only exception to this is when the driver is properly proceeding at an intersection protected by lights or stop signs and the driver's vehicle is struck in the rear, side, or back.

1.20.7.1.2 Regardless of stop signs, stop lights, or right-of-way, a professional driver should recognize that the right-of-way belongs to anyone who assumes it and should yield accordingly. In addition, a professional driver is expected to know the turning radius of the vehicle and be able to avoid damaging others. These accidents are normally considered preventable.

1.20.7.1.2.1 Did the driver approach the intersection at a speed safe for conditions?

1.20.7.1.2.2 Was the driver prepared to stop before entering the intersection?

1.20.7.1.2.3 At a blind corner, did the driver pull out slowly, ready to apply the brakes?

1.20.7.1.2.4 Did the driver operate the vehicle correctly to keep from skidding?

1.20.7.1.2.5 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.20.7.2 Sideswipes

1.20.7.2.1 Sideswipes are often preventable since drivers should not get into a position where they can be forced into trouble. A driver should pass another vehicle cautiously and pull back into the lane only when he or she can see the other vehicle in the rearview mirror. A driver should also be ready to slow down and let a passing vehicle into the lane. A driver should not make a sudden move that may force another vehicle to swerve. Unless the driver is swerving to avoid another car or a pedestrian, sideswiping a stationary object is preventable.

- 1.20.7.2.2 Drivers are expected to be able to gauge distances properly when leaving a parking place and enter traffic smoothly.
- 1.20.7.2.3 A driver is expected, whenever possible, to anticipate the actions of an oncoming vehicle. Sideswiping an oncoming vehicle is often preventable.
- 1.20.7.2.4 The doors of a vehicle should never be opened when it is in motion and should not be opened on the traffic side, unless clear of traffic, when it is parked.
- 1.20.7.2.5 A parked vehicle can be seen from a sufficient distance; therefore, the operator of an approaching vehicle should be prepared in case the doors of the parked vehicle are opened. This type of accident is nonpreventable only when the door is opened after the driver has passed it.

1.20.7.2.5.1 Did the driver look to the front and rear for approaching and overtaking traffic immediately before starting to pull away from the curb?

1.20.7.2.5.2 Did the driver signal before pulling away from the curb?

1.20.7.2.5.3 Did the driver look back rather than depend only upon rearview mirrors?

1.20.7.2.5.4 Did the driver start into traffic only when this action would not require traffic to change its speed or direction to avoid his or her vehicle?

1.20.7.2.5.5 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.20.8 Skidding

1.20.8.1 Many skidding conditions are caused by rain, freezing rain, fog, and snow, which all increase the hazards of travel. Oily road film, which builds up during a period of good weather, causes an especially treacherous condition during the first minutes of a rainfall.

1.20.8.2 Loss of traction on a grade can be anticipated, and these accidents usually are preventable. Chains or other suitable traction devices should be used if they are available.

1.20.8.2.1 Was the driver operating at a safe speed considering weather and road conditions?

1.20.8.2.2 During inclement weather, was the driver keeping at least twice the safe following distance used for dry pavement?

1.20.8.2.3 Were all actions gradual?

1.20.8.2.4 Was the driver anticipating ice on bridges, gutters, ruts, and near the curb?

1.20.8.2.5 Was the driver alert for water, ice, or snow in shaded areas, loose gravel, sand, ruts, etc.?

1.20.8.2.6 Did the driver keep out of other vehicle tracks or cross them at wide angles?

1.20.8.2.7 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.20.9 Pedestrian and Animal Collision

1.20.9.1 All types of pedestrian accidents, including collision with pedestrians coming from between parked cars are usually considered preventable. There are few instances where the action of pedestrians is so unreasonable that the operator could not be expected to anticipate such an occurrence.

1.20.9.2 Collisions with animals are normally preventable, unless the movement on the part of an animal was unusual and unexpected. This is also taking into consideration the fact that the driver was aware of animals in the vicinity.

1.20.9.2.1 Did the driver go through congested sections expecting that pedestrians might step in front of the vehicle?

1.20.9.2.2 Was the driver prepared to stop?

1.20.9.2.3 Did the driver keep as much clearance between his or her vehicle and parked vehicles, as safety permitted?

1.20.9.2.4 Did the driver stop when other vehicles had stopped to allow pedestrians to cross?

1.20.9.2.5 Did the driver wait for the green light or stop for the caution light?

1.20.9.2.6 Was the driver aware of children and prepared to stop if one ran into the street?

1.20.9.2.7 Did the driver give all pedestrians the right-of-way?

1.20.9.2.8 Did the driver stop for a school bus, which was stopped, and properly signal that passengers were loading or unloading?

1.20.9.2.9 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.20.10 Parked or Stopped

1.20.10.1 Accidents occurring when vehicles are properly and legally parked are considered nonpreventable. Accidents occurring while the vehicle was double-parked or in a "No Parking" zone are preventable.

1.20.10.1.1 Was the vehicle parked on the proper side of the road?

1.20.10.1.2 Was it necessary to park near the intersection?

1.20.10.1.3 Did the driver have to park on the traveled part of the highway, on a curve, or on a hill?

1.20.10.1.4 When required, did the driver warn traffic by emergency warning devices?

1.20.10.1.5 Did the driver park parallel to the curb?

1.20.10.1.6 Was it necessary to park so close to an alley or directly across from a driveway?

1.20.10.1.7 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.20.11 Non-collision Vehicle Damage, Mechanical Failure, and Miscellaneous Problems

1.20.11.1 The accident should be considered preventable if the investigation shows a mechanical defect of which the driver was aware, a defect the driver should have found by inspecting the vehicle, or the driver caused by rough and abusive handling.

1.20.11.2 When a mechanical failure is sudden or unexpected, not resulting from abuse or ordinary wear, it may be considered nonpreventable. Bad brakes should not be considered a mechanical failure unless the failure was sudden, and the driver could have had no previous knowledge of the condition. However, this type of failure cannot excuse a driver who does not know how to properly pre-trip inspect the vehicle or fails to do the inspection correctly.

1.20.11.3 It is a driver's responsibility to keep the cargo in mind and be aware of any sudden vehicle movements that may cause damage to the cargo. Driving off the highway to avoid a collision may be preventable. Drivers should try not to place themselves in such a position. U-turns are a monkey wrench in the smooth flow of traffic. Accidents that occur while this maneuver is attempted are considered preventable.

1.20.11.3.1 Could the driver have done anything to avoid the accident?

1.20.11.3.2 Was the driver's speed safe for conditions?

1.20.11.3.3 Did the driver obey all traffic signals?

1.20.11.3.4 Was the driver's vehicle under control?

1.20.11.3.5 Did the driver follow the routing and delivery instructions?

1.20.11.3.6 IF THE ANSWER TO ANY QUESTION IS NO, THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.

1.21 DOT COMPLIANCE

1.21.1 DOT REGULATIONS CHANGE FREQUENTLY AND MUST BE VERIFIED AT <https://www.fmcsa.dot.gov/regulations>

1.21.2 Introduction to DOT Regulations

1.21.2.1 The Federal Highway Administration (FHA) regulates interstate trucking operations through the U.S. Department of Transportation. DOT developed the Federal Motor Carrier Safety Administration regulations (FMCSA) as the standards for compliance by any trucking operation under their jurisdiction. The FMCSA is a series of regulations divided into "parts" as follows:

Terry R.

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CONSTRUCTION INC.

<u>Part #</u>	<u>Subject</u>
383	Commercial Driver's License Standards
390	General Applicability
391	Qualifications of Drivers
392	Driving of Motor Vehicles
393	Parts and Accessories for Safe Operations
395	Hours of Service of Drivers
396	Inspection and Maintenance
399	Employee Safety and Health Standards

1.21.3 References will be made throughout this manual to the FMCSA and various parts by number to indicate actual DOT regulations rather than Company policy.

1.21.4 General Provisions of the Federal Motor Carrier Safety Administration (FMCSA) Part 390 (COMMERCIAL VEHICLES WITH A GROSS VEHICLE WEIGHT RATING (GVWR) OR GROSS COMBINATION RATING (GCWR) OF 10,001 POUNDS OR MORE PER THE MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999 EFFECTIVE 12/9/99.

1.21.5 Generally, all private motor carriers of property, and for-hire motor carriers, operating in interstate, must comply with the FMCSA. Additionally, state, and local laws must be obeyed.

1.21.6 Section 390.3(a) reads: "The rules in subchapter B (the entire FMCSA), are applicable to all employers, employees, and commercial motor vehicles which transport property in interstate commerce." This means that any person who requires or permits a violation is subject to the same penalty provisions as the person who commits the offense".

- 1.21.7 Section 390.21 requires that every self-propelled commercial motor vehicle operated by a private carrier of property shall be identified with the company name, location, and DOT identification number on both sides of the power unit. The DOT number must be preceded by the letter "USDOT".
- 1.21.8 DOT definitions are found in several places in the FMCSA regulations. A list of applicable definitions is shown in Appendix A 375.
- 1.21.9 DOT Record Retention Requirements.
- 1.21.9.1 All records relating to the administration of the Drug/Alcohol Abuse Policy must be kept for five (5) years. Individual negative results must be kept for one (1) year for drugs and five (5) years for alcohol concentration of 0.02 or greater.
- 1.21.9.2 Driver qualification files must be kept for three (3) years after a driver leaves the carrier's employment or control (Section 391.51).
- 1.21.9.3 Driver qualification file records on current employees that may be removed after they are three (3) years old are: medical certificates, annual reviews, list of violations, and SPE waiver letter (Section 391.51).
- 1.21.9.4 Accident reports must be retained for three (3) years (Section 390.15(b)).
- 1.21.9.5 Driver logs must be retained for six (6) months (Section 395.8(k)).
- 1.21.9.6 Inspection, maintenance, and repair records must be retained where the vehicle is either housed or maintained for a period of one (1) year and for six (6) months after the vehicle leaves the motor carrier's control (Section 396.3(c)).
- 1.21.9.7 Drivers' daily vehicle condition reports must be maintained for three (3) months (Section 396.11 (3)).

1.22 DRIVER QUALIFICATION STANDARDS

1.22.1 Selection Standards for All Drivers

1.22.1.1 It is of the highest priority that all drivers operating TERRY R PITT CONSTRUCTION vehicles are fully qualified in accordance with both company and DOT requirements. Briefly stated, a driver must meet the following requirements:

1.22.1.1.1 Be in good health and pass a DOT physical (391.41).

1.22.1.1.2 Have the experience and training to safely drive (391.11):

- 1.22.1.1.3 (Optional) Have at least one (1) year of commercial driving experience or be a graduate of an accredited and company approved truck driver training school.
- 1.22.1.1.4 Not have more than one (1) accident or two (2) driving traffic violations over the most recent 3-year period.
- 1.22.1.1.5 Not have been involved in a preventable type of accident within the past two (2) years.
- 1.22.1.1.6 Not have a D.U.I. conviction within the past three (3) years, regardless of the type of vehicle operated (company or private).
- 1.22.1.1.7 Has not had their driver's license suspended for traffic violations within the past three (3) years. Insurance/overweight tickets are excluded.
- 1.22.1.1.8 Has not been terminated by a previous employer for failure to comply with safety regulations or for accident involvement.
- 1.22.1.1.9 Have no more than one valid commercial driver's license issued by their state of legal residence (391.11).
- 1.22.1.1.10 Be able to determine whether the vehicle is safely loaded (391.11).
- 1.22.1.1.11 Pass a driver's road test (391.31). A "Certificate of Driver's Road Test" from a previous employer is not an acceptable substitute at TERRY R PITT CONSTRUCTION.
- 1.22.1.1.12 Read and speak English well enough to perform their job (391.11).
- 1.22.1.1.13 Pass a controlled substance abuse-screening test.
- 1.22.1.1.14 Not be disqualified to drive a commercial motor vehicle (391.15).
- 1.22.1.1.15 Not have a felony conviction within the past five (5) years (391.15)
- 1.22.1.1.16 Completed an approved application for employment (391,21).

1.22.2 Qualification Standards for "Regular" Drivers

1.22.2.1 TERRY R PITT CONSTRUCTION requires that all drivers, including temporary and leased drivers, meet all qualifications and complete the same hiring process as regular drivers.

1.22.2.2 Application for employment (391.21):

1.22.2.2.1 The standard TERRY R PITT CONSTRUCTION employment application must be completed by driver applicants. The I-9 Employment Eligibility Form must also be completed by all applicants.

1.22.2.3 Commercial Driver's License (CDL) (383)

1.22.2.3.1 The requirements for a CDL are shown in Appendix B. The applicant must show the CDL to the hiring manager and enter the license number on each form where it is required.

1.22.2.3.2 A copy of the CDL, Social Security Card, and the Physical Card must be placed in the qualification file.

1.22.2.3.3 The driver applicant must also sign a Certification of Compliance with the Commercial Motor Vehicle Safety Act of 1986.

1.22.2.3.4 As of January 1, 1995, the Written Exam is no longer required by DOT.

1.22.2.4 Drivers Road Test (391.3 1)

1.22.2.4.1 The Road Test is a particularly important element of the qualification process. A driver may "look good on paper," but the Road Test proves their skills. This is the time to note the applicant's driving ability for the employment decision or for additional training if they are hired.

1.22.2.4.2 Three items must be completed because of the Road Test. The "Record of Road Test" form and the "Certificate of Road Test" form must be completed and placed in the driver's file.

1.22.2.4.3 A "Certificate of Driver's Road Test" showing the applicant has a substitute certification acceptable to DOT is not an acceptable substitute for TERRY R PITT CONSTRUCTION.

1.22.2.5 Reference Checks (391.23)

1.22.2.5.1 In making a thorough background check, an inquiry must be made into the applicant's past three (3) years of employment. However, it may be necessary to go beyond the three years to get enough data to decide. While three years is the DOT standard for references, it is the minimum requirement for TERRY R PITT CONSTRUCTION. If it is necessary, the hiring manager must go back for 10 years or more to develop the history of the applicant.

1.22.2.5.2 Effective January 1, 1995, employers must obtain written verification from previous employer(s) for any controlled substance test results for the past two (2) years. The company must have a written record of the employment reference.

1.22.2.6 Motor Vehicle Record (MVR) Check (391.23)

- 1.22.2.6.1 The DOT also requires that the MVR must be checked for the past three (3) years for every state where the applicant had a license.
- 1.22.2.6.2 The MVR check must be complete before the applicant is hired; however, DOT requires the check to be completed within 30 days after the driver is employed.

1.22.2.7 Physical Examination (391.43) and Drug Screen (391.81)

- 1.22.2.7.1 All drivers of commercial vehicles and applicants must pass a DOT physical and drug screen. Unless certain medical problems become evident, the medical certificate is good for a 2-year period.
- 1.22.2.7.2 Driver applicants are given the Drug/Alcohol Abuse Policy. They are also asked to sign an authorization and release of information from their physical examination and drug screen prior to having an appointment arranged with the company designated physician.

- 1.22.2.7.3 The examination and screen must be completed by a licensed physician who is familiar with DOT regulations covering both procedures. Two certificates are issued by the doctor:

- 1.22.2.7.3.1 A signed Medical Examiners Certificate for the driver's file and a Doctor's Examination Form.

1.22.2.8 Other Qualification Standards and Procedures

- 1.22.2.8.1 The Safety Manager's review of the driver applicant file must be completed before a job offer is extended. All forms listed on the Driver Qualification File Summary must be completed and included.
- 1.22.2.8.2 Authorization to log off-duty for meal stops must be issued to all drivers who operate a TERRY R PITT CONSTRUCTION vehicle. A copy is placed in the qualification file.
- 1.22.2.8.3 Driver's data sheet (391.8) certifies the driver's duty time for the seven (7) days immediately preceding their work for TERRY R PITT CONSTRUCTION. A copy of this form is placed in the qualification file.
- 1.22.2.8.4 Certificate of Violations (391.27) must be completed by every driver applicant certifying a list of traffic violations for the past 12 months. This list is updated annually by TERRY R PITT CONSTRUCTION. A copy of this form is to be placed in the qualification file.

1.23 DRIVER QUALIFICATIONS FOR CONTINUED EMPLOYMENT

1.23.1 Commercial Driver's License (CDL) (Part 383)

1.23.1.1 Every driver must have a CDL in his or her resident state only. There is a form (Returned Driver's License) to assist drivers in returning any out-of-state traffic violations. TERRY R PITT CONSTRUCTION requires this notice within 30 days after the violation (383.31).

1.23.2 Medical Examination (391.45)

1.23.2.1 Drivers must be medically examined and certified at least every 24 months. If there is cause to believe that the driver may not be physically fit for duty, the company may require an earlier examination. Any earlier examination must have the prior approval of the Vehicle Safety Manager.

1.23.3 Drug Screen (382 subpart C)

1.23.3.1 A driver may be required to take a controlled substance/alcohol test for any of five reasons. More information regarding controlled substances (i.e., testing) is presented in the Drug and Alcohol Testing Policy).

1.23.3.1.1 Pre-employment

1.23.3.1.2 Reasonable suspicion: Drivers will be required to take a test when the company requests it with good cause.

1.23.3.1.3 Random: The company program must randomly test at least half of the drivers each year for drugs and 50% for alcohol.

1.23.3.1.4 Post-accident: Drivers involved in reportable accidents must be tested within 32 hours of the accident for drugs and two (2) hours for alcohol.

1.23.3.1.5 Return-to-duty and follow-up: Drivers who are returned to work after successfully completing a TERRY R PITT CONSTRUCTION and storage approved rehabilitation program are subject to continued testing.

1.23.4 Certificate of Violations (391.27)

1.23.4.1 This document is to be completed by each driver every 12 months as required by DOT.

1.23.5 Motor Vehicle Record (MVR) check (391.23)

1.23.5.1 An MVR will be obtained for each driver every 12 months. See Section 4 for criteria (DOT requires annual checks).

1.23.6 Annual Review of Driver Safety Compliance (391-25)

1.23.6.1 At least once each 12 months, TERRY R PITT CONSTRUCTION is required to determine whether drivers meet minimum standards for safe driving.

1.23.6.2 In reviewing a driving record, the motor carrier must consider any evidence that the driver has violated applicable provisions of the Federal Motor Carrier Safety Regulations, state, or local traffic laws.

1.23.6.3 The review will include, as a minimum:

1.23.6.3.1 The most recent MVR.

1.23.6.3.2 The most recent biennial physical examination.

1.23.6.3.3 The driver's attendance record.

1.23.6.3.4 Performance improvement actions and correspondence.

1.23.6.4 A form must be in the driver's file to show that the review was completed.

1.24 RECRUITING GUIDELINES FOR DRIVERS

1.24.1 One of the most important elements in an effective Fleet Safety Program is to select drivers from a pool of qualified applicants. This allows the hiring manager to be highly selective for both TERRY R PITT CONSTRUCTION and DOT standards. When a tight labor market does not allow for a large pool of qualified applicants, additional recruiting techniques must be used to expand the driver applicant pool rather than relaxing hiring standards.

1.25 TRANSPORTATION SAFETY PROGRAM

1.25.1 Safety Rules

1.25.1.1 DOT specifies many safety rules in the FMCSR (part 392). Drivers must be familiar with this part of the FMCSR and managers must inform them of the rules that affect them. Several of the key rules are.

1.25.1.1.1 Emergency stops: After making an emergency stop (4-way flashers already activated), a driver must have the reflective triangles properly displayed within ten (10) minutes (DOT requires 10 minutes). The parking brake must be set when the driver leaves the vehicle.

1.25.1.1.2 Reduced speed for weather: Drivers must use extreme caution when faced with hazardous weather conditions.

1.25.1.1.3 Requirements for lights: All lights and reflectors are to be clean. Headlights are required half-hour before sunset to half-hour after sunrise; when it is raining; OR when there is not enough light to see clearly 500 feet.

1.25.2 Driver's Vehicle Inspection Report (DVIR) (396.11)

1.25.2.1 Drivers must complete a DVIR for their vehicle at the end of each day even on overnight trips. TERRY R PITT CONSTRUCTION tractors must also have a DVIR for each shift it is used within a 24-hour period. More DVIR information is included in the next section.

1.25.3 Pre-trip Inspection (392.7 and 396.13)

1.25.3.1 Drivers must sign the copy of the previous DVIR, which is left in the vehicle by the previous driver. They also must complete an inspection of the vehicle to be satisfied that it is in safe operating condition.

1.26 ACCIDENT REPORTS AND RECORDS

1.26.1 Reporting of Accidents (Part 394)

1.26.1.1 Reportable accidents: An occurrence involving a vehicle engaged in interstate, foreign, or intrastate operation of a motor carrier resulting in any one of the following:

1.26.1.1.1 The death of a person.

1.26.1.1.2 Bodily injury to a person who, as a result of the accident, received immediate treatment away from the scene of the accident.

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

1.26.1.2 Report all accidents to the Vehicle Safety Manager. Fill out the vehicle accident reporting kit maintained in each vehicle.

1.26.1.3 Driver Accident Reporting Procedure

1.26.1.3.1 Stop immediately.

1.26.1.3.2 Take steps to prevent more accidents at the scene.

1.26.1.3.3 Assist injured persons.

- 1.26.1.3.4 Upon request, provide your name and address, TERRY R PITT CONSTRUCTION's name and address, and tag number of the vehicle.
- 1.26.1.3.5 Do not volunteer unnecessary information:
 - 1.26.1.3.5.1 Do not discuss the accident with anyone except police officers.
 - 1.26.1.3.5.2 Do not make derogatory comments.
 - 1.26.1.3.5.3 Do not admit fault or mechanical failure.
- 1.26.1.3.6 Record the names and license plate numbers of all witnesses.
- 1.26.1.3.7 Protect your vehicle and cargo. Unless injured, or instructed to do so by your supervisor, do not leave the accident scene.

1.27 ACCIDENT INVESTIGATION

- 1.27.1 All vehicle accidents must be investigated by management regardless of the extent of injury or amount of damage.
- 1.27.2 The Vehicle Accident Investigation Report is used by management to complete their investigation.
- 1.27.3 Accidents should be investigated at the scene whenever possible. All DOT reportable accidents must have on-site investigation.
- 1.27.4 Driver Injuries: When a TERRY R PITT CONSTRUCTION driver is injured in a vehicle accident requiring hospital admission or resulting in an incapacity to return home unassisted, a member of management will take the fastest transportation available to be with the driver and ensure that the best medical attention is given and that the driver's family is notified.
- 1.27.5 Hours of Service Requirements (49CFR – parts 385) Last Change -01/30/2020
- 1.27.6 Hours Limitations (HOURS OF SERVICE REQUIREMENTS MAY NEED TO BE UPDATED as the law changes <http://www.fmcsa.dot.gov/regulations/title49/section/395.1>)
- 1.27.7 A motor carrier must not require or permit a driver to drive:
 - 1.27.7.1 More than 11 hours within a 14-hour, non-extendable window from the start of the workday, following at least 10 consecutive hours off-duty. This is known as the 11-Hour driving rule. This means that after drivers have taken 10 consecutive hours (or more) off-duty, they are eligible for another 11-hour driving period, provided there is not a violation of the "60/70 hours in 7/8 days" limitation. Rest breaks: After June 30, 2013, driving is not permitted if more than eight (8) hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes.

- 1.27.7.1.1 May not drive after 60/70 hours on duty in 7/8 consecutive days.
- 1.27.7.1.2 A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off.
- 1.27.8 Most States have adopted the federal Hours of Service regulations –Drivers may not drive after 70 hours on duty in seven (7) consecutive days if the motor carrier does not operate CMVs every day of the week. If the motor carrier operates CMVs every day of the week, drivers may not drive after 80 hours on duty in eight (8) consecutive days. Drivers who have been off duty for 24 or more hours may reset their calculation of the 70 hour/7day or 80 hour/8-day weekly on-duty aggregate totals.
- 1.27.9 There are also non-CDL Short Haul exceptions. See 395.1(o) for details. You may not be required to keep a log, but the company will be required to keep a time record for six (6) months showing the times your duty period began and ended and your total hours on duty for the day.
- 1.27.10 Preparing a Driver's Log – you are exempt if you drive under a 100-mile radius.
 - 1.27.10.1 The log is an hour-by-hour graph of the driver's activity for each day.
 - 1.27.10.2 The log must be kept current and turned in to management upon completion of each trip.
 - 1.27.10.3 All entries must be made by the driver.
 - 1.27.10.4 All required entries must be made on each log.
 - 1.27.10.5 The trip information numbers (load number or manifest number) must be put on logs daily.
 - 1.27.10.6 If an hour's violation occurs, it must be explained in the "Remarks" section of the log. This does not excuse the violation; however, it is required by DOT. The violation must not be resolved by falsifying the log.
 - 1.27.10.7 All entries must be true and correct.
- 1.27.11 Other Hours of Service Requirements
 - 1.27.11.1 100-Mile Radius Driver
 - 1.27.11.1.1 Under certain conditions drivers who normally operate within a 100-air mile radius of the work reporting location are exempt from making a daily log according to DOT regulations.

1.28 INSPECTION, REPAIR, AND MAINTENANCE (PART 396)

1.28.1 Inspection, Repair, and Maintenance Records

1.28.1.1 Generally, motor carriers must see that maintenance reports are kept on each commercial motor vehicle. Records must include:

- 1.28.1.1.1 An identification of the vehicle including company number, make, serial number, year, and tire size. Also, if the carrier does not own the vehicle, the records must show the name of the person providing the vehicle.
- 1.28.1.1.2 A systematic method to show the type and due date of the various inspections and maintenance operations to be performed.
- 1.28.1.1.3 A record of inspection, repairs, and maintenance showing date and type.

1.28.2 Periodic Inspection

1.28.2.1 Every commercial motor vehicle must have an annual inspection (396.17).

- 1.28.2.1.1 The annual inspection requirement can be met through a periodic inspection program of a state (provided DOT accepts the state inspection methods), by a motor carrier's self-inspection, by a roadside inspection, and by inspection performed by a commercial garage or a similar commercial business.
- 1.28.2.1.2 TERRY R PITT CONSTRUCTION must assure that the inspection of its vehicles is comparable to the federal standards. Our inspectors must be qualified by virtue of training and/or experience, as specified by DOT, to conduct commercial vehicle inspections. Since our vehicles will be inspected by company employees, we must have evidence of the inspector's qualifications on file.
- 1.28.2.1.3 The original of the inspection record must be kept on file for one (1) year and four (4) months, and a copy of the inspection must be carried in the vehicle.

1.28.3 Driver's Vehicle Inspection Reports (DVIR)

1.28.3.1 This written report must be completed at the end of each day's work on each vehicle operated. The report must be prepared, signed, and dated by the driver. If two drivers are on the vehicle, only one needs to sign the report. The following must be accomplished:

- 1.28.3.1.1 The original DVIR is turned in with their paperwork at the end of the day.
- 1.28.3.1.2 If defects that would affect safe operation are reported, the person making the repairs must sign the original and the truck copy of the inspection report. The next driver must sign the truck copy of the report to verify that the repairs were accomplished.

1.28.3.1.3 A copy of the latest DVIR must be kept in the vehicle and the next driver must sign the vehicle copy during their pre-trip inspection.

1.28.4 Parts and Accessories Required (Part 393)

1.28.4.1 Every motor carrier, its officers, agents, drivers, representatives, and employees involved with the maintenance of equipment must understand and obey the rules of Part 393. A motor carrier must assure that a vehicle is properly equipped prior to operation. Any vehicle purchased must be equipped in accordance with these requirements and the DOT manufacturing standards for vehicles as prescribed in 49 CFR, Chapter V, National Highway Traffic Safety Administration.

1.28.4.2 Specific requirements for the following equipment are contained in the subparts of 393:

1.28.4.2.1 Lighting devices, reflectors, and electrical equipment.

1.28.4.2.2 Brakes (including equipment, performance, parking brake).

1.28.4.2.3 Glazing and window construction.

1.28.4.2.4 Fuel system.

1.28.4.2.5 Coupling devices and towing methods.

1.28.4.2.6 Miscellaneous parts and accessories.

1.28.4.2.7 Emergency equipment, i.e., fire extinguisher, reflective triangles, etc.

1.28.4.2.8 Protection against shifting or falling cargo.

1.29 OTHER DOT REQUIREMENTS

1.29.1 DOT Audits

1.29.1.1 One of the Fleet Safety objectives is to meet or exceed the compliance requirements of DOT. Even if TERRY R PITT CONSTRUCTION exceeds DOT requirements, it is possible to have an audit for any of these reasons:

1.29.1.1.1 A carrier without a DOT safety rating.

1.29.1.1.2 A written complaint (DOT is required not only to investigate the complaint, but they must report their findings to the complainant).

1.29.1.1.3 A serious preventable accident.

1.29.1.1.4 A less than satisfactory safety rating,

1.29.1.1.5 An excessive number of accidents.

1.29.2 Insurance (part 387)

1.29.2.1 This section prescribes the minimum levels of financial responsibility (insurance) required to be maintained by motor carriers of property that operate motor vehicles in interstate, foreign, or intrastate commerce.

1.29.2.2 Section 387.7(e) reads as follows: "The proof of minimum levels of financial responsibility required by this section shall be considered public information and be produced for review upon reasonable request by a member of the public."

1.29.3 Commercial Driver's License (CDL):

1.29.3.1 A license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR Part 383, to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

1.29.4 Commercial Motor Vehicle:

1.29.4.1 Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

1.29.4.1.1 The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds.

1.29.4.1.2 The vehicle is designed to transport more than 15 passengers, including the driver.

1.29.4.1.3 The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813).

1.29.5 Conviction:

1.29.5.1 An unvacated adjudication of guilt, or a determination that a person has violated the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail deposited to secure the person's appearance in court, a plea of guilt or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

1.29.6 Driver:

1.29.6.1 Any person who operates any commercial motor vehicle.

1.29.7 Employee:

1.29.7.1 Any driver of a TERRY R PITT CONSTRUCTION commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle).

1.29.7.2A mechanic:

1.29.7.2.1 Any individual, other than an employer, who is employed by an employer and who in the course of his or her employment directly affects commercial motor vehicle safety. Such term includes a driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle), a mechanic, and a freight handler. Such term does not include an employee of the United States, any State, any political subdivision of a State, or any agency established under a compact between States and approved by the Congress of the United States who is acting within the course of such employment.

1.29.8 Employer:

1.29.8.1 *Employer* means any person engaged in a business affecting interstate commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such terms do not include the United States, any State, any political subdivision of a State, or an agency established under a compact between States approved by the Congress of the United States.

1.29.9 Gross Combination Weight Rating (GCWR):

1.29.9.1 A value specified by the manufacturer of the power unit, if such value is displayed on the Federal Motor Vehicle Safety Standard (FMVSS) certification label required by the National Highway Traffic Safety Administration; or

1.29.9.2 The sum of the gross vehicle weight ratings (GVWRs) or the gross vehicle weights (GVWs) of the power unit and the towed unit(s), or any combination thereof, that produces the highest value. Exception: The GCWR of the power unit will not be used to define a commercial motor vehicle when the power unit is not towing another vehicle.

1.29.10 Gross Vehicle Weight Rating (GVWR):

1.29.10.1 Means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

1.30 HOURS OF SERVICE TERMS

1.30.1 On Duty Time:

1.30.1.1 All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. The term "on-duty" time shall include:

1.30.1.1.1 All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.

1.30.1.1.2 All time inspecting equipment as required by FMCSR or otherwise inspecting, servicing, or conditioning any motor vehicle at any time.

1.30.1.1.3 All driving time as defined in paragraph (b) of this section.

1.30.1.1.4 All time, other than driving time, in or upon any motor vehicle, except time spent resting in a sleeper berth as defined in this section.

1.30.1.1.5 All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, or in giving or receiving receipts for shipments loaded or unloaded.

1.30.1.1.6 All time spent performing the driver requirements of FMCSR relating to accidents.

1.30.1.1.7 All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

1.30.1.1.8 Performing any other work in the capacity of or in the employ or service of, a common, contract, or private motor carrier.

1.30.1.1.9 Performing any compensated work for any non-motor carrier entity.

1.30.2 Driving Time

1.30.2.1 The term "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation.

1.30.3 Seven Consecutive Days

1.30.3.1 The period of seven consecutive days beginning on any day at the time designated by the motor carrier for a 24-hour period.

1.30.4 Eight Consecutive Days

1.30.4.1 The period of eight consecutive days beginning on any day at the time designated by the motor carrier for a 24-hour period.

1.30.5 Twenty-Four (24) Hour Period

1.30.5.1 Any 24 consecutive hour period beginning at the time designated by the motor carrier for the terminal from which the driver is normally dispatched.

1.30.6 Sleeper Berth

1.30.6.1 A berth conforming to the requirements of 393.76.

1.30.7 Driver-Salesman

1.30.7.1 Any employee who is employed solely as such by a private carrier for property by motor vehicle, which is engaged both in selling goods, services, or the use of the goods, and in delivering by motor vehicle the goods sold or provided or upon which the services are performed, who does so entirely within a radius of 100 miles of the point at which he reports for duty, who devotes not more than 50 percent of his hours on duty to driving time. The term "selling goods" for purposes of this subsection shall include in all cases solicitation or obtaining of reorders or new accounts and may also include other selling or merchandising activities designed to retain the customer or to increase the sale of goods or services in addition to solicitation or obtaining of reorders or new accounts.

1.30.8 Multiple Stops

1.30.8.1 All stops made in any one village, town, or city, may be computed as one. Note: Driving time between the multiple stops in one city or village must be shown even though all stops can be logged as one on the bottom line.

1.30.9 Intermittent, Casual, or Occasional Driver

1.30.9.1 A driver who in any period of seven-consecutive days is employed or used as a driver by more than a single motor carrier. The qualification of such a driver shall be determined and recorded in accordance with the provisions of FMCSR.

1.30.10 Interstate Commerce

1.30.10.1 Between a place in a State and a place outside of such State (including a place outside of the United States);

1.30.10.2 Between two places in a State through another State or a place outside of the United States; or

1.30.10.3 Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.

1.30.11 Intrastate Commerce

1.30.11.1 Means any trade, traffic, or transportation in any State which is not described in the term "interstate commerce."

1.30.12 Motor Carrier

1.30.12.1 Motor carrier means a for-hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers, and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of this subchapter, this definition includes the terms employer, and exempt motor carrier.

1.30.12.2 Subchapter B, the definition of "motor carrier" includes terms "employer" and "exempt motor carrier."

1.30.13 Motor Vehicle

1.30.13.1 Motor vehicle means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Motor Carrier Safety Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.

1.30.14 Person

1.30.14.1 Person means any individual, partnership, association, corporation, business trust, or any other organized group of individuals.

1.30.15 Principal Place of Business

1.30.15.1 Principal place of business means the single location designated by the motor carrier, normally its headquarters, for purposes of identification under this subchapter. The motor carrier must make records required by parts 382, 387, 390, 391, 395, 396, and 397 of this subchapter available for inspection at this location within 48 hours (Saturdays, Sundays, and Federal holidays excluded) after a request has been made by a special agent or authorized representative of the Federal Motor Carrier Safety Administration.

1.30.16 Private Motor Carrier of Property

1.30.16.1 Private motor carrier means a person who provides transportation of property or passengers, by commercial motor vehicle, and is not a for-hire motor carrier.

1.30.17 Regional Director

1.30.17.1 Regional Director of Motor Carriers means the Field Administrator, Federal Motor Carrier Safety Administration, for a given geographical area of the United States.

1.30.18 Regularly Employed Driver

1.30.18.1 A driver who, in any period of seven consecutive days, is employed or used as a driver solely by a single motor carrier.

1.30.19 Serious Traffic Violation

1.30.19.1 When operating a commercial motor vehicle, a conviction for:

1.30.19.1.1 Speeding excessively, involving any speed of (15 mph) or more above the posted speed limit.

1.30.19.1.2 Driving recklessly, as defined by State or local law or regulation, including but not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.

1.30.19.1.3 Making improper or erratic traffic lane changes.

1.30.19.1.4 Following the vehicle ahead too closely.

1.30.19.1.5 Violating State or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

1.30.19.1.6 Driving a CMV without obtaining a CDL.

1.30.19.1.7 Driving a CMV without a CDL in the driver's possession.

1.30.19.1.8 Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.

1.30.20 State

1.30.20.1 The 50 States and the District of Columbia.

1.30.21 State of Domicile

1.30.21.1 State where a person has his/her true, fixed, and permanent home.

1.30.22 Temporary Drivers

1.30.22.1 Any drivers employed for less than 7 days.

1.31 APPENDIX B – COMMERCIAL DRIVER'S LICENSE STANDARDS (PART 383)

1.31.1 Drivers have been required to have a commercial driver's license (CDL) in order to drive certain commercial motor vehicles (CMVs) since April 1, 1992. The types of vehicles and operations requiring a CDL are outlined below. The Federal Motor Carrier Safety Administration (FMCSA) has developed and issued standards for State testing and licensing of CDL holders. These standards require States to issue CDLs to certain CMV drivers only after the driver passes knowledge and skills tests administered by the State and related to the type of vehicle the driver expects to operate. Drivers are required to obtain and hold a CDL if they operate in interstate, intrastate, or foreign commerce and drive a vehicle that meets one or more of the classifications of a CMV described below. Restrictions are placed on a CDL when a driver takes the Skills Test in a vehicle which lacks critical equipment present in particular types of CMVs.

1.31.2 Applicability:

1.31.2.1 Effective April 1, 1992, all commercial vehicle drivers subject to the requirements must be licensed in accordance with the standards.

1.31.2.2 Drivers Affected:

1.31.2.2.1 Any TERRY R PITT CONSTRUCTION employee driver, contract driver (over 90 days/year), transportation maintenance employee, supervisor, or other employee who may be required to drive a commercial motor vehicle as described below will be required to maintain a CDL.

1.31.2.2.2 A single motor vehicle with a manufacturer's Gross Vehicle Weight Rating of 26,000 or more.

1.31.2.2.3 A trailer with a GVWR of more than 10,000 pounds if the Gross Combination Weight Rating is more than 26,000 pounds. (requiring medical card)

1.31.2.2.4 Any size vehicle which requires hazardous materials placards.

1.31.2.3 Vehicle Groups:

1.31.2.3.1 Pursuant to Federal standards, States issue CDLs and CLPs to drivers according to the following license classifications:

1.31.2.3.1.1 **Class A:** Any combination of vehicles which has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more) whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds) whichever is greater.

1.31.2.3.1.2 **Class B:** Any single vehicle which has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), or any such vehicle towing a vehicle with a gross vehicle weight rating or gross vehicle weight that does not exceed 4,536 kilograms (10,000 pounds).

1.31.2.3.1.3 **Class C:** Any single vehicle, or combination of vehicles, that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is transporting material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR Part 172 or is transporting any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

1.31.3 Endorsements:

1.31.3.1 Drivers who operate special types of CMVs must pass additional tests to obtain any of the following endorsements placed on their CDL:

Endorsement code	Description
T	Double/Triple Trailers (Knowledge test only)
P	Passenger (Knowledge and Skills Tests)
N	Tank vehicle (Knowledge test only)
H	Hazardous materials (Knowledge test only)
X	Combination of tank vehicle and hazardous materials endorsements (Knowledge test only)
S	School Bus (Knowledge and Skills Tests)
CLP Endorsements - Only 3 endorsements are allowed on the CLP	
P	Passenger, A CLP holder with a "P" endorsement is prohibited from operating a CMV carrying passengers, other than Federal/state auditors and inspectors, test examiners, other trainees, and the CDL holder accompanying the CLP holder as prescribed by 49CFR383.25(a)(1).
S	School Bus, A CLP holder with an "S" endorsement is prohibited from operating a school bus with passengers, other than Federal/state auditors and inspectors, test examiners, other trainees, and the CDL holder accompanying the CLP holder as prescribed by 49CFR383.25(a)(1).
N	Tank Endorsement, A CLP holder with an "N" endorsement may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous materials that have not been purged of any residue.

1.31.4 Restrictions

Restriction code	Description
L	If the driver does not pass the Air Brakes Knowledge Test, does not correctly identify the air brake system components, does not properly conduct an air brake systems check, or does not take the Skills test in a vehicle with a full air brake system, the driver must have an "L" no full air brake restriction placed on their license.
Z	If the driver takes the test in a vehicle with an air over hydraulic brake system, then they will have a "Z" no full air brake restriction placed on their license. In either case the driver is not authorized to operate a CMV equipped with full air brakes.
E	If the driver takes the Skills Test in a vehicle that has an automatic transmission, then an "E" no manual transmission restriction is placed on their license.
O	If the driver takes the Skills Test in a Class A vehicle that has a pintle hook or other non-fifth wheel connection, they will have an "O" restriction placed on their license restricting them from driving any Class A vehicle with a fifth wheel connection.
M	If a driver possesses a Class A CDL but obtains his or her passenger or school bus endorsement in a Class B vehicle the State must place an "M" restriction indicating that the driver can only operate Class B and C passenger vehicle or school buses.
N	If a driver possesses a Class B CDL but obtains his or her passenger or school bus endorsement in a Class C vehicle; the State must place an "N" restriction indicating that the driver can only operate Class C passenger vehicle or school buses.
V	If the State is notified by the FMCSA that a medical variance has been issued to the driver, the State must indicate the existence of such a medical variance on the CDLIS driving record and the CDL document using a restriction code "V" to indicate that there is information about the medical variance on the CDLIS record.

1.31.5 Testing:

1.31.5.1 Getting Started

- 1.31.5.1.1 Getting a CDL involves several steps. There are medical requirements and residency requirements besides knowledge and skills requirements.
- 1.31.5.1.2 The first step is to get a copy of your state's Commercial Driver's Licensing (CDL) Manual. The manual is available in their field locations, downloaded from their website and printed. Each state has its own processes to getting the CDL.
- 1.31.5.1.3 The second step is to decide which type of vehicle and what kind of driving you want to get the license for.
- 1.31.5.1.4 There are 3 classes of CDLs with endorsements for specialized qualifications for vehicles like school buses, tank trucks, tractor trailers, etc. Each type of CDL and endorsement requires you pass a skills test and, in some cases, a written test. It is

important to make sure you pass all the required tests or risk having restrictions on your license.

1.31.5.1.5 Once you have finished getting informed and making decisions, there are two basic steps to getting a CDL:

1.31.5.1.5.1 Step 1: Get the Commercial Learners Permit (CLP). A Commercial Learners Permit (CLP) is a permit that only authorizes you to practice on public roads with a qualified CDL holder sitting next to you. Getting the permit involves more than just passing all the knowledge tests for the type of driving you want to do. To make sure that you are eligible your driving record is checked for the last 10 years in all 50 states and the District of Columbia. You need to bring in the proof that your state accepts to show that you are medically qualified. Most types of commercial driving require a DOT medical card, requiring a DOT physical. Your state may require specific documents it wants to see to prove your name and proof of residency. There are fees for getting the CLP. Reading and following the instructions in your states CDL Manual streamlines the process.

1.31.5.1.5.2 Step 2: Get the Commercial Driver's License (CDL). You are required to possess the CLP for 14 days before taking the Skills Test. Some states require the successful completion of CDL training prior to testing. Regardless it is highly recommended that you practice the inspection tests and maneuvers in the CDL Manual that you will be tested on with a qualified individual before showing up for the test. You must pass all 3 parts of the Skills Test: The Vehicle Inspection Test, the Basic Controls Test, and the Road Test. Your state may even allow you to use their "training aid" to help you remember items on the vehicle inspection checklist. Taking the Skills test is no guarantee that you will pass.

1.31.5.1.6 Once you have passed the Skills Test you need to take the documentation to the counter for processing. Some states will give you the CDL that same day, while others send it to you in the mail. Regardless make sure that everything is correct before you leave the counter. It can be costly and embarrassing if you find a mistake later.