

1. Table of Contents

1. TABLE OF CONTENTS.....1

2. INTRODUCTION.....5

 A Message From the Englands5

 C.R. England Mission Statement6

 Drive Life.....6

3. EMPLOYMENT POLICIES AND STANDARDS.....7

 Overview.....7

 At-Will Employment7

 Equal Opportunity and Freedom From Unlawful Discrimination8

 Harassment.....8

 Standards of Conduct.....9

 Unlawful Actions9

 Improper Behavior10

 Work Standards.....10

 Dress Standards and General Appearance11

 Sexual Relations On Training Trucks11

 Hiring of Relatives11

 Communications12

 Handheld Mobile Telephone Safety Policy12

 Qualcomm and Texting Devices.....13

 Property, Privacy, and Searches13

 Firearms and Controlled Substances.....13

 Pets.....13

 Parking of Personal Vehicles13

 Loss or Theft of Personal Effects.....14

 Records and Personnel Information.....14

 Resignations.....14

 Termination of Employment.....14

 Substance Abuse15

 Complaint Procedure15

 Informal Problem Solving.....15

4. EMPLOYMENT BENEFITS16

 Overview.....16

 Payroll Payment Procedures16

 Payroll Payment Procedure.....16

Mileage Rate	17
Trip Reports	17
Advances	17
Reimbursement Policy	18
Garnishments and Judgments	20
Insurance	20
Medical Benefits	21
Retirement	21
Vacation	21
Leave	22
Court Leave	22
Military Leave	22
Family Medical Leave	22
5. TRIP POLICIES	25
Overview	25
Scope of Operation	25
Load Acknowledgement	25
Hours of Service	25
11-Hour Driving Rule	25
14-Hour On Duty Rule	25
Sleeper Berth Provision	26
70-hour/8-day Limit	27
On Duty time	27
After Hours Safety	28
Fatigue Management	28
Recognizing Drowsy Driver Caution Signals	28
6. SAFETY	29
Overview	29
Guidelines	29
Speed Limit	29
Policies	30
Government Rules and Regulations	30
CSA - Compliance, Safety, Accountability	30
Comprehensive Analysis	30
Inspection Violation	31
Behavioral Analysis Safety Improvement Category	31

Company Intervention and "Driver Accountability" Policy	32
Roadside Inspection	33
Roadside Inspections Procedures	33
Roadside Inspection Results	33
Drug & Alcohol Policy	33
Regulatory Requirements	34
Non Regulatory Requirements	34
Who is Responsible	34
Definitions	34
Alcohol Prohibitions	38
Drug Prohibitions	39
Job Policies	41
Unauthorized Passengers & Authorized Riders	41
Freight Claims	42
Accidents	42
Check Calls	44
Fuel Stops	44
Purchase of Operating Permits	45
Operating Permit Books	45
Violations: Overweight, Overlength, Traffic and Log Infractions	45
Equipment	45
Driver Logs	47
Log Auditing	47
Log Auditing Procedures	47
EOBR Log Submission	47
Auditing	48
Form and Manner Violations (Paper Logs ONLY)	48
Log Violation	48
Falsification of a Log	49
Feedback and Corrective Action	49
Log Violation Tracking Program	50
7. HAZARDOUS MATERIALS SECURITY PLAN	52
Plan Overview	52
Plan Statement and Objectives	52
Scope	52

Risk Assessment	52
Personnel Security	52
Security Training	52
Suspicious Activity	53
Employee/Management Security Information Sharing	54
Driver Qualifications and Hiring Standards	54
Facility Security	55
External Premises Security Inspections	55
Visitors, Vendors, and Suppliers Security	55
Employee and Visitor Parking	56
Third-Party Guard Service	56
En Route Security	56
Point-of-Origin Driver Security Procedures	56
Shipper Load and Count	57
Driver Load and Count	57
Hazmat En Route Security Operating Procedures	58
Hijack or Cargo Theft Driver Guidelines	59
Stop Off/Destination Driver Security Procedures.....	59
8. DIVISIONAL BUSINESS UNITS.....	61
9. CONFLICT OF INTEREST.....	62
Overview.....	62
Solicitation/ Distribution.....	62
10. CONFIDENTIAL FILES AND INFORMATION.....	63
Overview.....	63
11. INDEX.....	64

2. Introduction

A Message From the Englands

On behalf of C.R. England, Inc. we would like to welcome you to our company. Our founder Chester R. England started in the trucking business in the early 1920's. From this humble beginning, our company has expanded into one of the nation's leading truckload carriers. Chester England passed away in 1989, but his legacy of hard work and superior service remains with us.

We thank you for choosing to work for our company. We are proud of the caliber of our employees. We owe our success to their efforts, and we are committed to making employment with England both a rewarding and fulfilling experience. We have a saying at England, "Our spirit lives in our people." This spirit is what motivates our people to seek excellence in every area of performance.

We have prepared this manual to help you understand C.R. England's driver policies. It also explains the benefits that you receive as an employee.

Should you have any questions concerning this manual, please direct them to your Driver Manager or Human Resources.

The contents of this manual are provided as information and guidance to C.R. England employees. It does not apply to Independent Contractors or their employees. Nothing contained in this manual or in other statements of company policies, including statements made in the course of any performance evaluation or wage review creates a contract of employment with any employee.

Management reserves the rights to amend, modify, or in any way alter or enlarge upon the contents of this manual and any other policies and procedures applicable to the employment relationship at any time and without notice to employees.

**C.R. England
Mission
Statement**

In order for C.R. England to become and be known as *the* premium carrier in the transportation industry, we must provide:

Service: Exceed the expectations of our customers by delivering exceptional service that surpasses their ever-changing transportation needs.

Safety: Operate so safely and courteously that we enhance the image of the trucking industry with the public and make safety our competitive advantage.

And

Performance: Achieve a level of financial performance that inspires the confidence of all of our customers, provides a desirable quality of life for all of us at England, and enables us to continually improve the value of our service.

The accomplishment of our mission depends entirely on the commitment of our people. Together, we must create a work environment wherein trust, mutual respect, and opportunity for personal fulfillment become a way of life for each member of the C.R. England team.

Drive Life

Drive life is a way of being.

It's about getting stuff done, reaching goals, creating opportunities, and most importantly, taking control of your destiny. It's about coming up with ideas that make your job, or even our entire company, better. It's about grabbing hold of life and driving it, instead of just being along for the ride.

Take control.

Reach goals.

Create opportunities.

Do the right thing.

Drive life.

3. Employment Policies and Standards

Overview

The purpose of this section is to present and explain the employment policies and expectations, as well as the employment standards agreed to between C. R. England and its driver employees.

If hired, employment at C.R. England, Inc. is for no definite period and can be terminated at any time, for any reason or for no reason, with or without cause and with or without notice.

This section discusses the following areas:

- At-Will Employment
- Equal Employment Opportunity and Discrimination Policy
- Harassment Prevention Policies
- Standards of Conduct
- Nepotism
- Business Communication
- Property, Privacy, and Searches
- Records and Personnel Information
- Resignations
- Compliance Procedures

At-Will Employment

C.R. England is an “at-will” employer. At-will employment means that an employee can resign at any time for any reason or for no reason, with or without cause, and with or without notice. Similarly, C.R. England may terminate the employment relationship at any time for any reason or for no reason, with or without cause and with or without notice. C.R. England may choose to utilize progressive discipline under some circumstances at its sole discretion; however its decision to do so does not create any new rights or responsibilities for the company or the employee.

C.R. England does not enter into employment contracts with its employees. We believe that only when both parties, the Company and the employee, are satisfied should the employment continue. Other than the CEO or president, no other representative of C.R. England has any authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than at-will. Only the CEO has the authority to make any such agreement and then only in writing.

C.R. England reserves the right to make judgments relative to employee misconduct.

Upon violation of any company guideline or rule, the employee may be penalized. The severity of the penalty will be in direct correlation to the severity of the violation. A severe violation could result in termination on the first offense.

Standards in the Driver Qualification and Hiring Policy apply to all company drivers, new or existing.

**Equal
Opportunity
and Freedom
From Unlawful
Discrimination**

C. R. England is an equal opportunity employer. It is the policy of the company to recruit, employ, train, and promote for all job classifications without regard to any legally protected classification of employees, including race, color, religion, disability, sex, or national origin.

C. R. England is committed to providing a working environment that is free from unlawful discrimination. In keeping with this commitment, C.R. England maintains a strict policy prohibiting any unlawful harassment.

Harassment

Our harassment policy prohibits unlawful harassment in the workplace, whether committed by supervisory or non-supervisory personnel. Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence personnel decisions regarding that employee's employment, wages, advancement, assigned duties, shifts, or other conditions of employment.

Written or graphic material that denigrates or shows hostility or aversion to a particular protected group or individual member of any such group is also prohibited. Likewise, slurs, insults, or other demeaning comments or conversations that stereotype, threaten, and intimidate, ridicule, or show hostility towards persons on the basis of age, race, national origin, color, religion, sex or disability are prohibited.

Any employee that believes they have witnessed another employee being harassed or any employee who believes he/she is being harassed should notify his/her supervisor. Where the employee believes that he/she is being harassed by their supervisor, he/she should contact the Human Resource Department at 1-800-897-1801 options 9, 5, 2.

The company will not tolerate any conduct that fails to comply with the letter and spirit of these guidelines. Employees are encouraged to come forward to discuss sexual harassment and other harassment situations.

Complaints and cases of harassment will be dealt with promptly. An employee who harasses another employee will be disciplined as in any other case of serious or illegal employee misconduct, without regard to their position or job performance.

Sexual Harassment

Other sexually harassing conduct in the workplace that may create an offensive work environment, whether it be in the form of physical or verbal harassment, and regardless of whether committed by supervisory or non-supervisory personnel, is also prohibited. This includes, but is not limited to, touching, pinching, patting, offensive or unwelcome sexual flirtations, advances, propositions, insulting or suggestive sounds, sexually orientated jokes or jokes which degrade either sex, verbal abuse of a sexual nature, graphic or verbal commentaries about an individual's body; sexually degrading words used to describe an individual; and the display in the workplace of sexually suggestive objects or pictures.

For California Employees:

In addition to notifying the Company about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing ("DFEH"), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission ("FEHC") or file a lawsuit in court. Both the FEHC and the courts have the authority to award monetary and non-monetary relief in meritorious

cases. Employees can contact the nearest DFEH office or the FEHC at the locations listed in the Company's DFEH poster or by checking the State Government listings in the local telephone directory

Standards of Conduct

The Company expects employees to observe a standard of conduct that will maintain an orderly, positive and productive workplace. Such a standard of conduct will benefit and protect both the Company and all employees.

Behavior that violates this standard of conduct will subject employees to discipline up to and including termination.

The listing of the following unlawful actions, improper actions and work standards does not limit, or alter, the right of the Company or the employee to terminate the employment relationship in compliance with the Company's "at-will" status.

The disciplinary action used to maintain the standards of conduct will be determined in light of the facts and circumstances of each individual case. Discipline may include, but is never guaranteed to include, verbal or written warnings prior to discharge. Each incident will be considered in light of a variety of factors, including:

1. The seriousness of the incident and the circumstances;
2. The employee's past conduct;
3. The nature of any previous incidents; and,
4. The general practice as it relates to the incident.

Although not exhaustive, the following list represents kinds of behavior that will be considered improper and unacceptable in the workplace, and may subject employees to the above mentioned discipline:

Unlawful Actions

- a. Stealing private or Company property;
- b. Gambling on Company property;
- c. Willful destruction or defacement of private or Company property;
- d. Possession, sale, use or being under the influence (whether arrested or not) of illegal drugs.

Improper Behavior

- a. Falsification or misrepresentation of information on any Company form, i.e., logs, application, Company and personnel records;
- b. Possession, use, or being under the influence of alcohol on Company property at any time (see Drug and Alcohol policy);
- c. Fighting on Company property;
- d. Immoral or indecent conduct on Company property;
- e. Threats or intimidation including using obscene, abusive or threatening language to any Company employee or member of the public;
- f. Carrying or bringing a weapon to work including any type of concealed weapon onto a Company property, work site, or truck (additional FMCSR guidelines may apply);
- h. Disorderly conduct such as practical jokes, horseplay, etc.;
- i. Making defamatory or false statements detrimental to the company's operation or good standing in the community.

Work Standards

- a. Disregarding instruction of supervisor or proper authority;
- b. Failure to be courteous and polite at all times to the public, other employees, and customers;
- c. Failure to observe work schedules;
- e. Failure to observe safety rules and regulations;
- f. Inefficiency, lack of productive effort or other unsatisfactory work performance;
- g. Unauthorized use of Company time, materials or equipment for personal activities;
- h. Failure to report to work;
- i. Unsuitable or improper attire in accordance with dress standards.

Dress Standards and General Appearance

How you look is a direct reflection of your attitude and professionalism. It also reflects on those around you and the reputation of C.R. England.

- **Hair.** Clean, well-groomed hair is essential to a professional appearance.
- **Beards and mustaches.** Neat and clean.
- **Dress standards:**
 - **Shirts.** Shirts should be clean and free from tears, and not display lewd or distasteful statements or pictures. Whenever possible, wear a shirt or jacket with the C.R. England logo when dealing with customers.
 - **Pants.** Wear long pants when dealing with customers. Shorts or sweats may be worn during travel time only. Any obvious tears in the fabric should be repaired.
 - **Shoes.** To avoid injury to yourself, always wear hard-soled and high-topped, ankle-covering safety shoes when loading and unloading. Athletic shoes are acceptable when heavy labor is not required.
 - **Personal hygiene.** A professional, clean appearance is expected at all times. C.R. England has one of the sharpest and best-maintained fleets in the nation. We want to have the same reputation when it comes to the appearance and personal cleanliness of our drivers.
 - **Showers.** Plan on showering daily. This is especially important when interacting with customers.
 - **Deodorant.** Use a quality deodorant each day.

Sexual Relations On Training Trucks

The training truck is classified as a classroom for the purpose of training new drivers in the trucking industry. For this reason, C.R. England has established the following policy in regards to marital relations and training.

- Sexual activity of any kind is strictly prohibited between persons, on the training truck.
- This includes, but is not limited to: Married couples in training, married couples that are Trainers, couples that are dating or involved in a casual relationship, or “sexual partners for hire.”
- Sexual activity is defined as including, but is not limited to: intercourse, regardless of sexual orientation, or any other activity that causes, or is meant to cause, sexual arousal or stimulation.
- Trainers are prohibited by company policy and federal law from engaging in sexual relations with any person on a training truck. This includes apprentices at any time during the training program, regardless of whether the activity takes place in or on company equipment or at any other location.

Hiring of Relatives

Relatives of employees may be eligible for employment with the Company in positions where a conflict of interest isn't an issue.

“Relatives” are defined to include spouses, children, siblings, parents, in-laws and step-relatives. Present employees who marry will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another

or in job positions involving conflict of interest. If such conflict does arise the Company will consider whether reasonable accommodations can be made to eliminate the actual or potential problems.

Communications All communications, written or electronic, internal or external must be conducted in a professional manner.

Handheld Mobile Telephone Safety Policy

The Federal Motor Carrier Safety Regulations prohibit commercial drivers from certain activities involving handheld mobile communication devices while operating a commercial motor vehicle. The regulations also require motor carriers such as C.R. England to prohibit from requiring or allowing driver to use handheld mobile devices while driving.

This policy applies equally to employee drivers, independent contractors, and drivers of independent contractors. This is because the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, places safety obligations on C.R. England regarding the safety of employee drivers, independent contractors and their drivers. We understand independent contractors operate their own business and are their own boss. The USDOT, however, requires C.R. England, as the authorized motor carrier they have contracted with, to monitor regulatory compliance of independent contractors.

The Regulation: 49 C.F.R. 392.80

The regulation is simple: “No driver shall use a handheld mobile telephone while driving a commercial motor vehicle.”

What is a handheld mobile telephone?

A mobile telephone includes any device used to talk, text, or otherwise communicate that is not a Citizens Band (“CB”) radio or two-way radio. CB radios and two-way radios are not regulated.

What does “using” a handheld mobile device include?

Holding, dialing, and reaching as defined by the regulation are prohibited while operating a commercial motor vehicle.

- Holding a handheld device in a hand to talk or text while driving is prohibited.
- Dialing or answering a handheld device using more than one button while driving is prohibited.
- Reaching for a handheld device so that the driver is no longer in his/her seat as properly restrained by a proper seat belt while driving is prohibited.

What does “driving” include?

Driving includes any time the vehicle is operated on any road, street, or way, public or private, that is open to public travel. Driving also include being temporarily stopped because of traffic; a traffic light, sign, or other traffic control device; or other momentary delay.

The following are permitted uses of a handheld mobile device while you are driving:

Talking on a hands-free mobile telephone that can be answered without touching the phone, such as by voice command, is permitted. For example, you can talk using a bluetooth earpiece that can be dialed or answered without touching the device (i.e. by voice dialing),

or by touching a single button (i.e. speed dialing).

Dialing using one button without having to reach as described above is permitted. For example, you can single button dial or answer provided that the device is close enough to you while restrained by a seat belt so that you stay properly restrained when single button dialing or answering.

The following are permitted when you are not driving:

Handheld mobile devices such as cell phones may be used when the driver is stopped in a safe location. Talking on a mobile telephone when you are not driving is permitted. Texting using a mobile telephone when you are not driving is permitted.

Violations of this policy could lead to company discipline up to and including possible employment termination or independent contractor contract cancellation. Violators could also face criminal penalties for violating this regulation, such as fines of up to \$2,750 to drivers and disqualification from operating a commercial motor vehicle for repeat offenders.

Driver should err on the side of safety. When in doubt, do not answer, dial, text, or talk. Driver safety and public safety are of utmost concern to the company, and this policy is part of this continued effort.

Qualcomm and Texting Devices

It is C.R. England's Standard and Practice that the use of any texting device (including QUALCOMM), when at the wheel and the vehicle is in motion, is prohibited.

QUALCOMM services are provided by the company for business use only.

**Property,
Privacy, and
Searches**

C.R. England vehicles, lockers, and storage areas are property of C.R. England and must be maintained according to this policy. All such areas and items must be kept clean and are to be used only for work purposes, except as provided in this policy. C.R. England reserves the right, at all times and without prior notice, to inspect and search any and all C.R. England property for the purpose of determining whether this policy or any other C.R. England policy has been violated, or whether such inspection and investigation is necessary for purposes of promoting safety or compliance with State and Federal laws. Such inspections may be conducted during or after business hours and in the presence or absence of the employee.

Firearms and Controlled Substances

No firearms, alcohol, or controlled substances without prescription are allowed in or around the company equipment or terminals.

Pets

For reasons of safety and C.R. England's commitment to a standard of presentable equipment, (see Equipment section), no pets will be allowed in or around company equipment.

C.R. England, Inc. will not accept liability or responsibility for incidents arising out of violations of this policy.

Parking of Personal Vehicles

Driver parking is available in the Salt Lake City yard. Although some security is provided, please remove your valuables and lock your vehicle. C.R. England is not responsible for

damage to or articles taken from personal vehicles parked on company property. Vehicles parked in improper locations will be towed at the owner's expense. Unregistered and abandoned vehicles will also be removed.

Loss or Theft of Personal Effects

The company is not responsible for the loss or theft of any of the driver's personal property, while in or on the equipment or property owned by the company. You should consider securing personal insurance to cover the loss of personal items due to theft, fire, and accident. Drivers are strongly encouraged to remove all such items when leaving the truck for an extended period.

Records and Personnel Information

All bills and other documentation related to the use of the Company's equipment or property are the property of C.R. England and may be reviewed and used for purposes that C.R. England considers appropriate. Personnel files are property of C.R. England. These files may be reviewed in the presence of the Human Resources department.

Resignations

"At-will" employment means that an employee is free to resign from his/her employment at any time for any reason or for no reason, with or without cause and with or without notice. Likewise, C.R. England may terminate the employment relationship at any time for any reason or for no reason, with or without cause and with or without notice.

Unless on vacation or on an approved leave of absence, any driver who is at home and not under load who does not contact their Driver Manager after three consecutive days, in conjunction with applicable formal leaves is presumed to have voluntarily terminated their employment with the company.

Termination of Employment

Notice. Whenever C.R. England offers employment to someone who is currently working, it is our policy to allow him or her to give proper notice to his or her current employer. Normally, the expected notice is one to two weeks. We certainly expect the same courtesy from any of our employees who wish to terminate.

Extended inactivity. Extended inactivity (time off without a truck and without an official leave of absence) from 5 to 30 days may be approved through your driver manager at their discretion. You are responsible for contacting your driver manager at least once a week while in extended inactivity status, or risk being terminated and losing all seniority already credited to you. In order to qualify for extended inactivity leave, you must have at least six months seniority with the company, computed from your date of hire. Your assigned truck will normally be slip-seated or reassigned to another driver during extended inactivity leave.

Automatic termination. If you do not drive any miles for a period of 30 days (unless on an authorized Family Medical Leave or because of an authorized accommodation under the Americans with Disabilities Act) you will automatically be terminated.

Re-hire. When proper notice is given and your overall performance has been satisfactory, you may be eligible for re-hire.

Substance Abuse

C.R. England is a drug-free workplace. The possession, sale, use and/or consumption of controlled substances or intoxicating beverages, regardless of duty status on company property or equipment, is strictly prohibited. Under the C.R. England Drug & Alcohol Testing Policy, any employee may be subjected to routine, random, post-accident, or probable cause testing.

C.R. England has a zero-tolerance policy toward drug and alcohol abuse. Anyone who tests positive could face disciplinary action up to and including termination of employment. Anyone appearing to be in an intoxicated state on company property or in company equipment is subject to being removed from company property or equipment and may be required to submit to probable cause drug/alcohol testing and disciplinary action. (See Drug and Alcohol Policy for more information.)

Complaint Procedure

Informal Problem Solving

C.R. England's policy is to encourage open communication downward, upward, and laterally within each organizational unit. These may take the form of instructions, questions, suggestions, announcements, complaints, or new ideas.

Our company is aware that in any business organization, dissatisfaction can develop because employees may not fully understand or agree with certain policies or decisions. An earnest effort to resolve it will be made should this occur. If an employee has a complaint, the employee should present it first to their immediate supervisor. Experience has shown that complaints can usually be settled satisfactorily after a thorough discussion and understanding between the employee and supervisor. If necessary, the employee may involve the department head or the department director. In addition, the employee may at any time contact the Corporate Human Resources Department with any questions or concerns.

Keep in mind that while every effort will be made to resolve complaints, the policy above is set forth merely as a guideline. The implementation of this policy should not be construed as preventing, limiting or delaying the Company from taking disciplinary action including immediate termination, in circumstances where the Company deems such action appropriate.

4. Employment Benefits

Overview

The purpose of this section is to present and clarify the compensation policies and company benefits agreed to between C. R. England and its driver employees.

This section discusses the following areas:

- Payroll Policies and Procedures
- Insurance
- Retirement
- Vacation
- Court Leave
- Military Leave
- Family Medical Leave
- Other Leaves

Payroll Payment Procedures

Payroll Payment Procedure

Payment schedule. It is important that you submit completed trip reports no later than 24 hours after the end of each trip. All trips are due, scanned or dropped in the appropriate box, no later than Wednesday at midnight. These will then be paid off on Tuesday of the following week. Once the driver has been paid for a trip, there will be no additional pay given for that trip, unless a processing error has been made by C.R. England.

Paycheck procedures. All paychecks are paid through Comdata. Each Tuesday, all payroll information will have been processed and transferred to the Comdata system. You can access your payroll starting at 13:00 MST.

There are several ways you can access your payroll account: (a) direct deposit to your hometown bank, (b) through an automatic teller machine (ATM) using your Comdata Payroll Card, and (c) calling Comdata directly at 1-800-741-6060 to register a Comcheck draft.

In order to get a Comcheck or use an ATM, you need a 4-digit pin number. Your payroll clerk will issue you your Comdata card. You will be asked if you want your money in your Comdata account, a hometown bank, or split between the two. Your payroll clerk will set up your account according to your instructions, but you will need to establish your pin number directly with Comdata within 72 hours. To do this, call the 800 number on the back of your card.

You have unlimited withdrawal privileges on your account. C.R. England pays for the first transaction charge each week. All other transactions will be charged to you.

On Tuesday (1:00 p.m. Salt Lake City time) you may either go to an ATM or call Comdata for funds. If you chose to deposit funds directly to your hometown bank, your money will be available by Wednesday morning in most cases.

Delays in pay. Pay for a specific trip will be delayed under the following conditions: missing bill of lading, or missing delivery receipt.

Mileage Rate

This is your primary means of compensation. You are paid for both loaded and empty miles. Miles are computed according to the Rand McNally Household Goods Guide. Mileage Rate is determined by length of haul and the run.

Trip Reports

General guidelines. Paperwork for each trip must be properly completed in order for the Payroll Department to pay you promptly. Accuracy, completeness, and legibility are essential. In most cases a trip begins when a specific driver, tractor, and trailer are assigned to a load. A trip ends for a driver when the driver, tractor, or trailer is removed from the load. Deadhead miles and layover days (if applicable) are added to the beginning of the trip.

Bills of lading and dock receipts. In your TripPak, include copies of bills of lading and dock receipts. If a load is transferred from one driver to another en route, please take a copy of the bill of lading, because the original bill of lading will remain with the load until it is delivered, at which time it will be scanned or turned in with the delivering driver's trip report.

Driver Expense Record. You must fill out the Driver Expense section on the front of the envelope with each trip report and include the receipts in order to get reimbursed for cash expenses. In addition to entering each expense item, all receipts, whether cash or charge, must be attached to the Record.

Logs. If logging on paper log: logs for each day of the trip must be enclosed in the trip report, or scanned at the completion of the trip.

Other receipts. All original toll, repair, scale, and other such receipts must be included.

Trip Envelopes. C.R. England uses TripPak scanning and the overnight mail system for submitting completed trip reports. You will find TripPak scanners and drop-off boxes at numerous truck stops nationwide. You can also purchase an in-cab scanner to scan trips right from your truck (with internet access). A separate trip envelope must be used for each trip report. Do not combine separate trips in one envelope. Please make certain you have completed all trip report information required on the cover of the trip envelope. An example in the Attachments section shows you how to correctly do this.

Scanning Procedures. Truck Stop Scanning is available to all C.R. England Drivers. C.R. England is a part of 2 Networks: TMI and Transflo, which includes Pilot, Loves, TA, Petro, Bossellmans as well as many others as they come on-line. There are also 16 scanners at C.R. England facilities across the country: 2 in Salt Lake City's corporate office, 1 in the England Logistics building at Pacific Landing, 1 in Mira Loma CA, Burlington NJ, Laredo TX, Burns Harbor IN, and 9 at Dedicated facilities across the country. Scanning your TripPak is safe, fast, reliable, and you get a receipt.

Advances

Automatic advances. For trip advance purposes, you are able to obtain \$100.00 per week with your Comdata card. Your account is reset every Saturday morning at 12:00 a.m., so if you should withdraw \$100.00 on Saturday morning, you would not be able to withdraw funds again until the following Saturday morning after 12:00 a.m. To obtain travel cash, simply give your card to the truck stop clerk when paying for fuel, and request the cash. At least 50 gallons of fuel must be purchased before cash will be approved.

One-time advances

Unexpected expenses. Unexpected expenses on the road are handled by calling Driver Payroll and requesting an advance during regular business hours Monday-Friday. Your payroll clerk will ask the reason for the advance, or request an Authorization Request number if applicable. The company will reimburse the wire charge when money is used to cover truck expenses and valid receipts are turned in. Otherwise, you must pay the charge.

Expenditures for equipment. All expenditures for the repair, maintenance, and upkeep of company equipment (over \$30) must be authorized by Road Service. If C.R. England does not have a charge account with the repair shop, you will need to give them a Comdata check, with an “express code” issued to you by Road Service. Itemized receipts for all repairs, even those costing less than \$30, must be submitted in your trip envelope so that you may be properly reimbursed. Remember that reimbursable items must be specifically for the truck, and must stay with the truck.

Evening & weekend advances. Except in the case of emergencies, advances are only given during Salt Lake City business hours, which are typically 6:00 a.m. to 6:00 p.m. (MST/MDT), Monday through Friday. For emergencies after business hours or on weekends, contact the After-hours Hotline at 1-800-897-1801, opt. 9, 2.

Reimbursement Policy

You will be reimbursed for out-of-pocket expenses for which C.R. England is responsible. These include operating permits, authorized tolls, scales, truck and trailer repairs, and fuel.

Authorization Requests (AR’s) and Request for Service (RS’s). To be reimbursed, any extraordinary non-maintenance expense requires an AR number from your Driver Manager. Maintenance expenses require that a RS number be obtained from Road Service. Valid receipts for all expenses must be in your trip envelope.

AUTHORIZATION REQUEST NUMBERS AND REQUEST FOR SERVICE NUMBERS MUST BE OBTAINED BEFORE THE EXPENSE IS INCURRED.

ITEMS NEEDING AN AR NUMBER	
<i>When \$35 or More Only</i>	<i>Regardless of Amount</i>
<ul style="list-style-type: none"> ▪ Cash fuel ▪ Shrink-wrap ▪ Trailer washouts ▪ Scales 	<ul style="list-style-type: none"> ▪ Additional help ▪ Citations ▪ Detention Pay ▪ Fuel additives ▪ Load locks ▪ Motels ▪ Pallet purchases ▪ Overtime labor ▪ Showers ▪ Truck washes ▪ Lumpers when no lumper rate is given in the load assignment

Reimbursement for toll roads. All trucks are equipped with PrePassPlus® transponders. Please note that a green light or PrePass approved does not qualify for reimbursement in all cases. Refer to the C.R. England toll and routing guide for further clarification. These transponders allow drivers to run in the PrePass EZ-pass toll lanes in the following states:

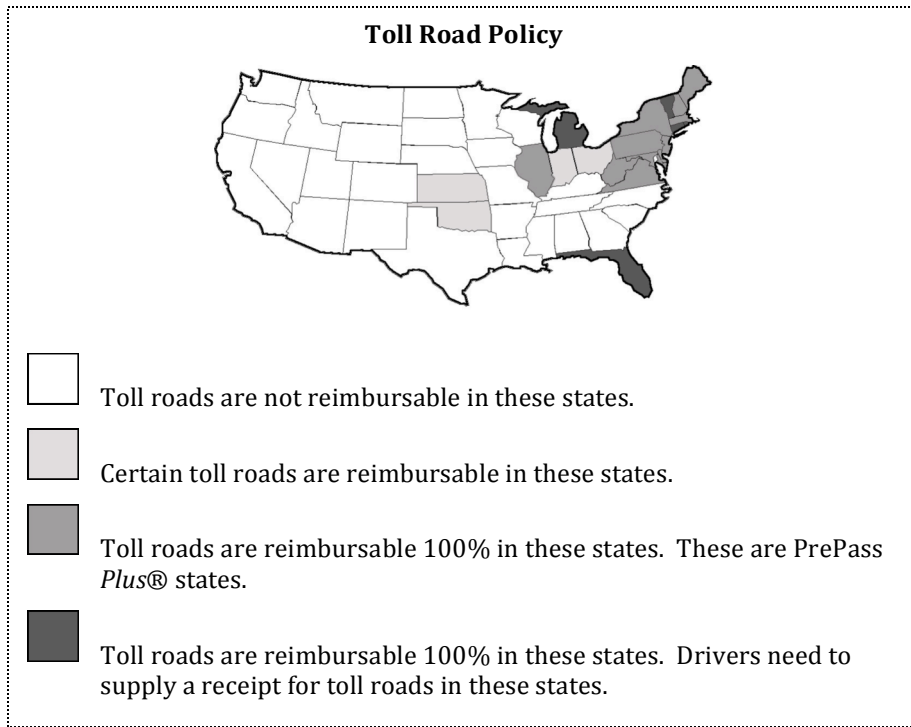
Illinois	Maine	New Hampshire
Massachusetts	New York	Pennsylvania
New Jersey	Delaware	Maryland
Virginia	West Virginia	

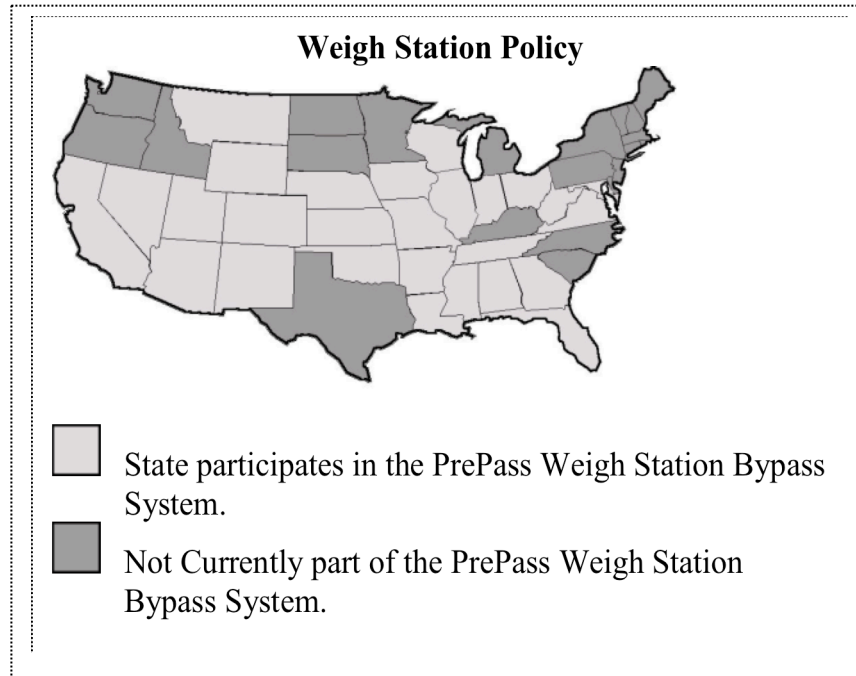
Tolls in the following states are reimbursable 100%, with a receipt:

Michigan	Connecticut	Florida
Vermont	Rhode Island	

In **Kansas** only the toll on I-70 is reimbursed. In **Oklahoma**, only the toll on I-44 is reimbursed. In **Ohio** and **Indiana** the I-80 / 90 tolls are conditional upon loads picking up or delivering west of Syracuse, **New York** and north of the Toledo / Cleveland area. Road tolls are NOT paid in any other states. Non-ferry bridge tolls are reimbursed 100%. Drivers are encouraged to avoid tolls where possible.

All unauthorized tolls driven without prior approval will be charged back to the driver. Please note, some suggested routing will include unapproved tolls. If you have questions, please contact your driver manager.





Scaling policy and scaling reimbursement. C.R. England will pay for scaling of company tractors, regardless of weight, with a scale receipt. All loads need to be scaled, regardless of weight. If a driver fails to scale these loads and an overweight fine is incurred, the driver will pay for any overweight tickets. Particular attention, regardless of overall weight, needs to be given to individual axle weights. These should be set for the STRICTEST states that you'll be traveling through. Improper load distribution can cause individual axle weight violations. Please note that the California bridge law is the most frequent violation received. Please plan accordingly when handling shipments passing to, or through the state of California.

Loads that are preloaded and picked up at a customer location, and all loads coming out of Mexico, must always be scaled.

Garnishments and Judgments

All employees of C.R. England are expected to attend to their personal financial affairs. If judgments or garnishments are received from courts of law or government agencies, the company will deduct these from your pay as required. While attachments or creditor problems will not result in termination of employment, every effort should be made to avoid such problems.

Insurance

C.R. England provides an optional group health insurance plan, including dental coverage, to all full-time employees. A life insurance policy is available at no charge for all employees after six months of employment. All information concerning eligibility for this insurance coverage is offered in the Company's Insurance department. For more information, contact the Insurance department at 1-800-897-1801, options 9, 5, and 4.

Medical Benefits

C.R. England offers a group medical package to all employees. You may choose either single or family coverage.

Eligibility. To participate in group benefits, employees must meet an eligibility period. Please refer to the summary plan description, or contact the Insurance Department regarding eligibility periods.

Premium payments. Premiums are deducted from the driver's payroll. A current schedule of rates is available in the Insurance Department.

Dental coverage. Dental coverage is available in conjunction with group medical/health coverage.

Termination of medical & dental coverage. Medical and dental coverage terminates upon the occurrence of one or more of the following:

- Termination of employment
- The employee ceases to be in a class of employees eligible for the coverage
- The Plan is discontinued with respect to the employer
- The employee fails to make any required contributions for the coverage
- The Plan is discontinued with respect to the class of employees to which such employee belongs
- The Plan terminates
- The covered person becomes an active member of the Armed Forces (see Military Leave)
- The Plan is amended to terminate coverage
- The employee provided false or misleading health statements/information
- The employee provided false dependent information

Retirement

C.R. England offers its employees participation in a 401(k) plan immediately. This plan allows you to have deducted from your weekly paycheck the lesser of 15% of your gross earnings, or a maximum of \$15,500 per year. This money will be invested and managed by a third party investment management firm. C.R. England will encourage savings by matching up to 50% of the first 3% of your gross earnings to the 401(k) Plan beginning one year from the date of hire. This is an excellent way to save, tax free, until your retirement.

Distribution. You are entitled to the funds upon your retirement, or upon termination of employment. The distribution process may take up to 10 weeks.

Vesting. The company's portion of the contribution becomes vested over a 5-year period from the date of eligibility at the rate of 20% per year. A person must work over 1000 hours in a given year before being vested for that year.

Vacation

Vacation benefits are available to full-time drivers. This benefit is available in the form of time off or compensation. A driver is considered full time if he/she averages at least 7,000 miles per month during the previous year for benefit purposes (unless salaried). The determination as to whether a driver is eligible for vacation benefits will be made each year on the employment anniversary date. The following chart illustrates the amount of vacation

time or pay to which you are entitled on each anniversary date:

1 year One week or 1/52 of previous year's pay

2 years Two weeks or 2/52 of previous year's pay

10 years Three weeks or 3/52 of previous year's pay

15 years Four weeks or 4/52 of previous year's pay

NOTE: Remember that you must call your payroll clerk at 1-800-897-1801 option 11 and request your vacation pay prior to your anniversary date.

Leave

Circumstances that qualify for a leave of absence. Formal leaves of absence up to 30 days may be requested for personal reasons. Family and Medical Leave for up to 12 weeks may be granted for medical treatment or for the birth or adoption of a baby. Leave may also be awarded for military service. Contact Human Resources with questions or concerns.

Requesting leaves of absence. You must formally request any leave of absence from both your supervisor and Human Resources. Unless on vacation or on an approved leave of absence, any driver who is at home and not under load who does not contact their Driver Manager after three consecutive days is presumed to have voluntarily terminated their employment with the company.

Conditions of leaves of absence. Except in the case of Military Leave, time accrued while on a leave of absence does not count towards seniority for purposes of qualifying for wage increases or accumulating vacation pay. When formally granted a leave of absence, you need to call your Driver Manager and Human Resources each week to advise him/her of your status and expected date of return. Without this weekly contact, you risk being terminated and losing all accrued seniority.

Automatic termination. If you do not drive any miles for a period of 30 days (unless on an authorized Family Medical Leave) you will automatically be terminated.

Court Leave

Time absent by reason of subpoena in personal litigation or by some part other than to represent C.R. England shall be taken as vacation (if available) or leave without pay.

Military Leave

C. R. England is committed to those who perform military service in active or reserve duty. Uniformed service members are required to provide official notice by submitting a request for leave of absence for extended active duty or inactive duty for training and also provide their supervisor and/or Human Resources with a written copy of drill schedules. In general, any employee who is inducted into the military for training or service, or who is activated from the Reserve or National Guard, and who leaves a position with C.R. England shall be able to return to that position or a position of similar seniority with any required testing or retraining necessary. Such employees will be entitled to participate in insurance or other benefits upon their return if enrolled prior to activation or induction. Leave may be taken as vacation or leave without pay. When released from duty, employees must report to their immediate supervisor and/or Human Resources immediately in conjunction with the Uniformed Services Employment and Reemployment Rights Act.

Family Medical Leave

Employees with 1,250 hours and twelve months of service are eligible for unpaid family or

medical leave of up to twelve work weeks during any twelve-month period. Leave is available for employees: for the birth of a child, following the acceptance of an adopted or foster child, to care for a spouse, child, or parent with a serious health condition, or because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

Employees may elect or may be required to substitute any accrued paid vacation, or sick leave for any part of the 12-week family or medical leave.

Employees are required to provide 30 days notice prior to the date leave is to begin where the need for FMLA leave is foreseeable. At least one certificate from a health care provider or appropriate official is required to support a request for leave. It may be necessary to obtain more than one certification. After notifying your supervisor of your need for Family & Medical Leave, employees should contact the Insurance department for additional information.

Group health benefits shall be maintained for employees on family or medical leave. For company insurance to continue during a leave of absence, you must arrange in advance with the Insurance Department to pay your portion of the premium during your leave.

Employees will be restored to the position they held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms or conditions of employment.

Please contact the Insurance department at 1-800-897-1801, options 9, 5, and 4, for more information.

Continuation of health benefits. The company does not automatically continue insurance benefits of any kind beyond your last day of employment. If you do not make arrangements to continue company insurance coverage beyond the first 30 days of a leave of absence, you will be afforded the opportunity for COBRA coverage. Contact the Insurance Department at 1-800-897-1801 options 9, 5, and 4 for more information.

Pregnancy Disability Leave (California Employees Only)

Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on leave.

Any female employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with Human Resources Department to discuss the following conditions:

Employees who need to take pregnancy disability must inform the Company when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees must provide notification at least 30 days before the pregnancy disability leave or transfer is to begin. Employees must consult with the Human Resources Department regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Company. Any such scheduling is subject to the approval of the employee's health care provider;

If 30 days' advance notice is not possible, notice must be given as soon as practical;

Upon the request of an employee and recommendation of the employee's physician, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child;

Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached;

Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons;

Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide the Company with a certification from a health care provider. The certification indicating disability should contain:

The date on which the employee became disabled due to pregnancy;

The probable duration of the period or periods of disability; and

A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.

Leave returns will be allowed only when the employee's physician sends a release;

An employee will be allowed to use accrued vacation or paid time off (if otherwise eligible to take the time) during a pregnancy disability leave; and

Duration of the leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.

Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of hours.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

5. Trip Policies

Overview	<p>The purpose of this section is to give C.R. England drivers a basic understanding of trip policies.</p> <p>Section 5 covers the following areas:</p> <ul style="list-style-type: none">• Scope of Operations• Load Acknowledgment• Hours of Service (HOS) Policy• After Hours Safety• Fatigue Management
Scope of Operations	<p>Because we operate in all 48 contiguous states, you should expect to be dispatched into all areas where the company serves its customers. This includes highly congested traffic areas such as New York City, Los Angeles, Chicago, Boston, Philadelphia, and Dallas.</p>
Load Acknowledgment	<p>Each dispatch requires a load assignment. It is the responsibility of the driver to acknowledge and accept all load assignments. Decline of a load by a company driver is only acceptable based on a driver not having enough hours available to move the vehicle from their current location. All company driver load declines must contact the appropriate dispatch operations driver manager for further direction.</p>
Hours of Service	<p>You must have enough hours available to legally complete the trip. Keep log and daily recap current to determine how many hours you have worked over the last seven days.</p> <p>C. R. England, Inc. is committed to following the hours of service regulations. Department of Transportation (DOT) regulations require all motor carriers and drivers to follow the hours of service requirements. Our hours of service procedures will help avoid DOT penalties.</p> <p>NOTE: The Hours of Service Rules shown below are effective as of November 2007.</p> <p>11-Hour Driving Rule</p> <p>A driver cannot drive for more than 11 hours following 10 consecutive hours off duty. All time spent at the controls of a commercial motor vehicle is considered driving time.</p> <p>14-Hour On Duty Rule</p> <p>A driver cannot drive after the 14th consecutive hour after coming on duty. After the 14th hour, a driver cannot drive again until he has 10 consecutive hours of rest. Off duty time of less than 10 hours does not extend the 14-hour day. A driver may extend the 14-hour rule <u>only</u> by using the sleeper berth provision as long as the split sleeper-berth time, on either side of the 2 driving periods, totals 10 hours and one sleeper berth time is at least 8 hours, but less than 10 hours entered on line #2 (sleeper-berth) and the other period is at least 2 hours, but less than 10 hours and entered on line #1 or #2, or any combination of both.</p> <p>Short haul exemption (Local drivers): Drivers who return to their home terminal each day may drive beyond the 14th consecutive hour after coming on duty, but not beyond the 16th hour, once per week. To use this exception, the driver must have been released from duty at his home terminal for the past five duty tours that he worked, and he must return to the terminal and be released from duty by the 16th hour after coming on duty (following 10 hours off). This exception may be used only once per seven consecutive days, unless the</p>

34-hour restart option has been used.

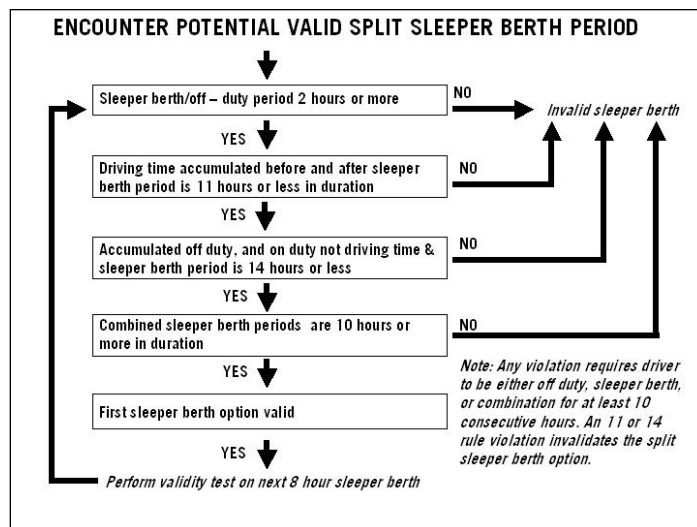
Sleeper Berth Provision

The sleeper berth provision can be used to accumulate required off duty time, as long as it is done following prescribed guidelines.

1. You may spend time in your sleeper berth to get some of, or all of, the 10 consecutive hours of off duty time. When getting your 10 consecutive hours of off duty time, what is most important is that you do not go on duty or drive during those 10 hours. At the end of the 10 consecutive hours of combined sleeper and/or off duty time, your 11-hour driving and 14-hour duty period limits would completely restart.
2. You may also use the sleeper berth to extend the 14-hour limit. Any period in the sleeper berth of at least 8 consecutive hours will not count as part of the 14 hours, and, therefore, would allow you to extend the time during which you could use your maximum 11 hours of driving.
3. You may also use the sleeper berth in a different way to get the “equivalent of at least 10 consecutive hours off duty.” To do this, two rest periods are required. You must spend at least one of the two required rest periods in your sleeper berth. The required rest period in the sleeper berth must be at least 8 consecutive hours (but less than 10 consecutive hours). This rest period will not count as part of the 14 hours. The other, separate, rest period must be at least 2 consecutive hours (but less than 10 consecutive hours). This rest period may be spent in the sleeper berth, off duty, or sleeper berth and off duty combined. It *will* count as part of the 14 hours (unless you spend at least 8 consecutive hours in the sleeper berth). It does not matter which rest period you take first. After you complete your second required rest period, you will have a new point on the clock from which to calculate your hours available. This new “calculation point” will be at the time you complete your first required rest period.

Sleeper berth provision decision chart

The chart below illustrates how to evaluate if split sleeper berth time meets the off duty requirement.



70-hour/8-day Limit

C.R. England follows the 70-hour/8-day schedule. A driver cannot drive after having been on duty for 70 hours in any 8 consecutive days.

34-hour restart: A driver may reset his 70-hour clock after 34 consecutive hours **off duty**.

On Duty time

For purposes of DOT reporting only, on duty time includes all time a driver begins to work or is required to be in readiness to work, until the time he/she is relieved from work. All work-related responsibility during this period is considered on duty time for DOT reporting purposes. The term “work” as used in the definition of on duty time in 395.2 of the Federal Motor Carrier Safety Regulations (FMCSR) is not limited to driving or other non transportation-related employment. * Work for any employer, including driving or non-driving time for a company other than C.R. England, is considered “on duty” time for these purposes only. on duty time includes the following:

- All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.
- All time at a plant, terminal, or facility 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.
- All time inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- All driving time.
- 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.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.
- All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with alcohol and drug testing requirements.
- All time training another driver, or being trained by another driver (unless it qualifies as driving time).
- All time being trained in a classroom environment by company personnel.
- Performing any other work in the capacity, employ or service of a motor carrier.
- Performing any compensated work for a person who is not a motor carrier.

*Please Note: “On Duty” in this context is not necessarily considered paid or compensable time. The FMCSR does not address questions of pay. The term “On Duty” is only used for reporting time toward “hours of service” maximums. Subject to the “Interpretations” as stated in FMCSR (part 395), the following are specifically not compensable:

- Sleeper berth time
- Off duty hours (whether company-authorized or driver-elected)

- Some driver-elected, non-driving, on duty hours

For clarification of specific pay practices, see other areas of the *Driver Employee Policy Manual*, including “Payroll Payment Procedure,” “Mileage Rate,” “Trip Reports,” “Advances,” and “Reimbursement Policy.” See also “Loading / Unloading Pay Policy Summary” and “Compensation” in the *Orientation Handouts and Paperwork* manual.

**After Hours
Safety**

Drivers should avoid, when possible, operation between midnight and 6 A.M unless required for the load and never operate beyond 11 hours of consecutive driving.

The After-Hours Safety Policy is set to protect both the driver and the company from major losses of equipment, freight, and even life that are potentially higher due to driver fatigue levels while operating during the hours of midnight to 6 A.M. or after driving for an extended period of time.

**Fatigue
Management**

It is C.R. England company policy that while the truck is moving, the upper bunk is NEVER occupied.

It is a C.R. England recommended practice that drivers use restraints while in the sleeper berth whenever the truck is moving.

Recognizing Drowsy Driver Caution Signals

If you experience two or more of these caution signals, it’s time to get off the road before you fall asleep behind the wheel:

- Obtained fewer than 8 hours sleep in previous 24 hours
- It is one of two circadian lulls of the day: 1-4 p.m. or 1-4 a.m.
- Sunrise following drive through the night
- Feelings of drowsiness; increased yawning, frequent blinking, head nodding
- Concentration is waning: wandering thoughts, reduced awareness of surroundings
- Driving judgment not as crisp, quick or effective
- Slower decision-making
- Visual scan pattern to mirrors degrading; surprised by overtaking traffic
- Sporadic variations in vehicle speed (too fast or too slow)
- Lost awareness of location on the map
- Don’t remember recent mile markers at side of road
- Unknowingly pass up planned highway exit
- Failure to follow instructions on road signs
- Following too closely
- Intermittent braking
- Gear shifting becoming more frequent, erratic, grinding gears
- Increasing desire to go to sleep
- Shaking head to stay awake
- Lane deviations; weaving
- Driving over rumble strips at shoulder of road

6. Safety

Overview

C.R. England is vitally concerned with the safety of our drivers and the motoring public. We strongly believe that safety consciousness on the part of each one of you leads to safe operations. The purpose of this section is to contribute to this safety consciousness. This information is directive in nature for C.R. England company drivers.

This section contains the following areas of discussion:

- Safety Guidelines Policy
- Safety Policies
- Roadside Inspection
- Drug and Alcohol Policy
- Job Policies
- Log Auditing
- HAZMAT

Guidelines

C.R. England is committed to maintaining a safe working environment for all its employees. C.R. England will comply with all applicable safety and security laws and regulations, such as those established by DOT, EPA, OSHA, TSA, and all other federal, state and local safety and health agencies. C.R. England will make every effort to assure that generally accepted safe practices are followed by all our employees.

Driving of vehicles

As written in the Federal Motor Carriers Safety Regulations, it is the adopted company standard and procedure for the driver to wear their seat belt restraint devices while the vehicle is in motion. In addition in many states; it is required that all front seat passengers also wear their seat belt restraint devices at all times when the vehicle is being driven. It is our practice and procedure to require the same in all situations, where the vehicle is in motion. Driver's can be stopped, cited, and inspected in every state under the federal regulation definition.

FMCSR Sec.392.16 Use of seat belt.

A commercial motor vehicle which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained himself/herself with the seat belt assembly.

Speed Limit

Your speed should be dictated by the posted limits, local weather, and road conditions existing at the time. Your tractor speed should never exceed 62 MPH. C.R. England company equipment is governed to run no faster than 62 mph. The speed limit in any truck stop, customer yard, or company facility shall not exceed 5 mph.

While in training, drivers are not to exceed 60 mph.

Speed should never be faster than a rate consistent with existing speed laws, and road, traffic, and weather conditions existing at any time. In extreme conditions a safe road speed may be zero.

Policy. C.R. England's policy concerning speed is that if a driver is involved in a major preventable accident, in which speeding too fast for conditions is a contributing factor,

the driver will be subject to severe disciplinary actions, including suspension, probation, and possible termination.

Speed on ice. Icy conditions are especially dangerous. The Safety Department recommends a maximum speed, when on ice, of no more than one-half the posted limit. Sometimes, however, even this is too fast. In some cases such as downgrades, you won't want to go faster than 5 or 10 mph. When in doubt, SLOW DOWN!

Policies

Government Rules and Regulations

C.R. England accepts and adopts as policy all existing federal, state, and local traffic regulations. It is each driver's responsibility to be familiar with the laws and ordinances in the states and localities in which he/she is operating. Below is a listing of the most pertinent parts of the Federal Motor Carrier Safety Regulations, a copy of which is given to each of you during orientation. You should familiarize yourself with these publications as soon as possible.

- Part 382- Controlled Substances and Alcohol Use and Testing
- Part 383- Commercial Drivers License Standards
- Part 390- General
- Part 391- Driver Qualifications
- Part 392- Driving of Motor Vehicles
- Part 393- Parts Necessary for Safe Operation
- Part 395- Hours of Service Regulation
- Part 396- Inspection, Repair, and Maintenance
- Part 397- Hazardous Material Rules

CSA – Compliance, Safety, Accountability

CSA, or Compliance Safety Accountability is a major Federal Motor Carrier Safety Administration (FMCSA) initiative to improve the effectiveness of FMCSA's compliance and enforcement programs. The ultimate goal is to achieve a greater reduction in truck crashes, injuries, and fatalities, while making efficient use of the resources of the FMCSA. C.R. England accepts and adopts this Federal program and expects all drivers to do so in an effort to enhance highway safety.

Comprehensive Analysis:

The program will use ALL roadside inspections and crash reports to identify safety deficiencies. This focus on "ALL" roadside inspections is a major change and one that drivers must not take lightly.

CSA focuses the efforts of regulatory agencies and by *focusing* the effort, CSA makes the most of existing resources so that regulatory agencies can accomplish more—as in more crashes avoided and more lives saved.

Both the driver and carrier's safety performance is being monitored. FMCSA has designed two Safety Measurement Systems (SMS) – one for carriers, the Carrier Safety Measurement System (CSMS) and one for the drivers, the Driver Safety Measurement

System (DSMS). The driver safety record measurement will follow the driver regardless of the company they work for or contract with. A driver's activity on the highway, i.e. All roadside inspection violations, accidents, citations, even warning tickets will have a negative impact on their personal safety record. Because what a driver does affects the company he drives for most companies will HIRE and FIRE based on a driver's safety record. It might even affect their rate of pay.

Inspection Violations:

Violations will be weighted by time and severity.

A Severity Weight of 1 (less severe) to 10 (most severe) is assigned to each applicable violation. The sum of all violation severity weights from any one inspection will not exceed a maximum of 30.

A Time Weight of 1, 2 or 3 is assigned to each applicable violation based on how long ago the violation on the inspection was recorded. This time weighting places more emphasis on recent violations compared to older violations.

All points accumulated by the driver will stay on the CSA tracking database for a period of 36 months for the driver and can only be lowered by an increase in the time since the inspection occurred. The points for each individual inspection will completely fall off the driver's score at 36 months + 1 day.

Multiple violations could trigger FMCSA and/or company intervention. Companies who have high driver violation rates could have their Safety Fitness rating negatively affected.

Behavioral Analysis Safety Improvement Category:

Any violation a driver receives will be placed into one of 7 "Behavior Analysis and Safety Improvement Category" or (BASIC). These categories correspond directly to a specific(s) section found in the Federal Motor Carrier Safety Regulations. They represent driver behavioral categories that can lead to crashes. The categories are:

- 1) Unsafe driving, found in **section 391** includes all moving violations with special emphasis on following too close, unsafe lane change, speeding 15+ MPH over the limit and railroad crossing infractions.
- 2) Fatigue, found in **section 395** involves hours of service (logbook) violations.
- 3) Driver fitness, found in **section 391** includes medical certification cards, valid CDL's and proper endorsements and driver training.
- 4) Controlled substances and alcohol, found in **section 382** deals with any infraction related to impaired driving as well as having alcohol and/or drugs on the truck. This would also include failing any drug or alcohol test during a roadside inspection.
- 5) Vehicle maintenance, found in **section 396** involves any piece of equipment that fails a DOT inspection or one with violations noted.
- 6) Improper loading/cargo securement and hazardous material violations include inspections with violations of improperly blocked and braced cargo and HAZMAT violations regarding placarding, bills of lading, routing, etc. It also includes overweight and over length. Refer to **Sections 393 & 397**.
- 7) Crash history, **section 390** involves DOT reportable accidents only. A DOT reportable is

defined as one in which there is a fatality, injury that requires treatment away from the scene and/or a vehicle involved requires a tow from the accident location. They do not include accident that occur is a driver's personal vehicle.

Drivers who are inspected resulting in violations or who are involved in a DOT reportable accident will be scored in the appropriate BASIC category. The most important of these categories include crash history, fatigue (hours of service), cargo securement and unsafe driving. Violations in any of these categories could "Red Flag" the driver for DOT and company scrutiny.

Company Intervention and "Driver Accountability" Policy:

It is important to understand what each individual driver does affects the company in some way. Not doing the things necessary to protect a driver's CSA point's assessment total hurts both the company and the driver. Because the FMCSA (DOT) expects the carrier to "intervene" with problem drivers before a crash might occur, a Driver Accountability process was developed to help ensure it is addressed.

Each month the Safety Department will monitor all driver's accidents and inspections to see how many CSA points they have accumulated. This is done from a cumulative score as well as an individual BASIC category perspective.

Drivers with less than 50 points require no intervention.

The Safety Manager will review drivers who have received between 50-89 points closely and intervention will probably be done. This intervention could include a QUALCOMM message; web based, and/or phone training. It may be broad based or focused on individual problem areas related to specific BASIC category issues.

Drivers with 90-99 total points will be brought in for formal re-training. This will require personal communication and more intense instruction, followed by a 6-month probation.

Drivers with more than 100 points accumulated will be considered for termination or disqualification.

Note: Any DOT inspection requires the driver to send a Macro 48 immediately after the inspection and the long form of the inspection must be scanned with all other trip documents at the end of the trip.

Cumulative CSA BASIC Driver Score (0-6 months)

<50	50-89	90-99	100+
No intervention required	Driver subject to SM CSA review	Driver subject to formal CSA review, 6 mo.	Driver disqualification or termination

Individual ALERT BASIC Driver Score (0-6 months)

<50	50-89	90-99	100+
No intervention required	Driver subject to SM CSA review	Driver subject to formal CSA review, 6 mo.	Driver disqualification or termination

Nothing in this section alters in any way the at-will employment status of a driver as outlined in Section 3 above.

Roadside Inspection

Roadside inspections are a fact of life for drivers of commercial motor vehicles. Department of Transportation (DOT) regulations authorize special agents to enter and perform inspections upon a motor carrier's vehicles in operations. C.R. England, Inc. expects its drivers to behave in a professional and courteous manner when asked to participate in a roadside inspection. Directions given by the inspection official should be followed. Failure to comply with the procedures set forth below may result in disciplinary action.

Roadside Inspections Procedures

When a driver is approached to undergo a roadside inspection, he/she must pull off immediately to the area designated by the inspection officer. If the driver believes that the designated area is unsafe for the driver and/or the inspection officer, the driver shall state his/her concern to the inspection officer in a courteous and professional manner. Once the inspection is underway, the driver shall follow the directions given by the officer and act appropriately.

Roadside Inspection Results

The driver must report the results of the roadside inspection to C.R. England, Inc. at the conclusion of the inspection by sending a Macro 48 via QUALCOMM.

The driver must turn in the inspection report to C.R. England, Inc. upon arrival. If the driver is not scheduled to arrive at a terminal location within the next 24 hours, the report must be scanned with other trip documents and then included in a Trippak envelope and deposited within 24 hours of the inspection.

If the vehicle or driver is placed "out of service," the driver must call in immediately so C.R. England can notify the customer of any delays that may result. Both the Driver Manager and the Safety Manager should be alerted to the "out of service" situation.

A vehicle that is placed "out of service" cannot be operated until all repairs required by the out of service notice have been completed. A driver may be placed "out of service" if the driver does not meet qualification requirements or has violated the hours of service rules. Drivers who are placed out of service will be placed on a 12-month probation. If a second out of service order occurs, the driver will be brought back to S.L.C., or other company locations for mandatory retraining. A third out of service order during the probationary period will result in the driver being reviewed for disqualification. A driver placed out of service must not resume driving until the out of service condition is rectified. To violate an out of service order is a direct violation of federal regulations and C.R. England policy and could result in a 180 day CDL suspension and fine for a 1st offense. Any driver violating an out of service order will be terminated and said violation will be placed in their record.

Drug & Alcohol Policy

C.R. England has a zero-tolerance policy toward drug and alcohol abuse. The possession, sale, use, and/or consumption of controlled substances, regardless of duty status, is strictly prohibited. Consumption of intoxicating beverages in a C.R. England vehicle or on company premises, or in a commercial motor vehicle, is prohibited. England's drug and alcohol policy calls for testing for use of controlled substances and alcohol under the following circumstances:

Random testing. On a periodic basis a number of drivers will be selected at random to be tested for alcohol and drugs.

Probable cause testing. A driver may be tested for involvement in a preventable accident, or receipt of a verifiable report of violation of C.R. England's alcohol and

drug policy. Individuals appearing intoxicated while in C.R. England equipment or on C.R. England property may be subject to probable cause drug/alcohol testing.

Post-accident testing. C.R. England drivers will be scheduled for a drug screen within 32 hours and an alcohol test within 8 hours after being involved in a DOT reportable accident in which the driver is cited as a result of the accident and any accident resulting in a fatality.

It is the policy of C.R. England, Inc. that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except approved medically prescribed drugs) by any driver while on the company premises, engaged in company business, operating company equipment, or while under the authority of C.R. England, Inc. is strictly prohibited. Disciplinary action will be taken as necessary.

Regulatory Requirements

All drivers who operate commercial motor vehicles that require a commercial driver's license under 49 CFR Part 383 are subject to the FMCSA's drug and alcohol regulations, 49 CFR Part 382.

Non Regulatory Requirements

The Federal Motor Carrier Safety Regulations (FMCSR) set the minimum requirements for testing. The company's policy in certain instances may be more stringent.

Who is Responsible

It is the company's responsibility to provide testing for the driver that is in compliance with all federal and state laws and regulations, and within the provisions of this policy. The company will retain all records related to testing and the testing process in a secure and confidential manner.

C.R. England, Inc.'s alcohol and drug program administrator who is designated to monitor, facilitate, and answer questions pertaining to these procedures is:

Dustin England
Vice President/Safety Compliance
4701 West 2100 South
Salt Lake City, Utah 84120
801-972-2712

The driver is responsible for complying with the requirements set forth in this policy. The driver will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance in excess of regulation established threshold levels while on duty. The driver will not use alcohol within 8 hours prior to performing a "safety-sensitive" function, while performing a "safety-sensitive" function, or immediately after performing a "safety-sensitive" function.

All supervisors are trained in drug and alcohol awareness in accordance with 382.603 and must make reasonable efforts to be aware of a driver's condition when he/she is in the service of the company. The supervisor must be able to make reasonable suspicion observations to determine if the driver is impaired in some way, and be prepared to implement the requirements of this policy if necessary.

Definitions

When implementing and interpreting the drug and alcohol policies and procedures required by the FMCSA as well as the policies and procedures required by the company, the

following definitions apply:

- **Actual knowledge** means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the driver, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or a controlled substance, or a driver's admission of alcohol or controlled substance use under the provisions of Sec. 382.121. Direct observation as used in this definition means observation of alcohol or controlled substance use and does not include observation of driver behavior or physical characteristics sufficient to warrant reasonable suspicion testing under Sec. 382.307
- **Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- **Alcohol concentration** (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- **Alcohol screening device** (ASD). A breath or saliva device, other than an evidential breath testing device (EBT), which is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.
- **Alcohol use** means the consumption of any beverage, liquid mixture, or preparation, including any medication, containing alcohol.
- **Breath Alcohol Technician** (or BAT). An individual who instructs and assists individuals in the alcohol testing process, and operates an evidential breath testing device (EBT).
- **CFR** means Code of Federal Regulations.
- **Collection site**. A place designated by the company, where individuals present themselves for the purpose of providing a urine specimen for a drug test, or breath test for an alcohol test.
- **Commercial motor vehicle** means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
 1. Has a gross combination weight rating of 26,001 or more pounds (11,794 or more kilograms) inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds (4,536 kilograms); or
 2. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); or
 3. Is designed to transport 16 or more passengers, including the driver; or
 4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, subpart F).
- **Confirmation** (or confirmatory) **drug test** means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.
- **Confirmation** (or confirmatory) **validity test** means a second test performed on a

urine specimen to further support a validity test result.

- **Confirmed drug test** means a confirmation test result received by an MRO from a laboratory.
- **Controlled substances** mean those substances identified in 49 CFR, Section 40.85.

In accordance with FMCSA rules, urinalyses will be conducted to detect the presence of the following substances:

1. Marijuana
2. Cocaine
3. Opiates
4. Amphetamines
5. Phencyclidine (PCP)

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the FMCSA in accordance with the requirements established in 49 CFR, Section 40.87.

- **Designated employer representative (DER)** is an individual identified by the employer as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove drivers from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the company. Service agents cannot serve as DERs.
- **Disabling damage** means damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.
 1. Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
 2. Exclusions.

Damage which can be remedied temporarily at the scene of the accident without special tools or parts.

Tire disablement without other damage even if no spare tire is available.

Headlight or taillight damage.

Damage to turn signals, horn, or windshield wipers, which make them inoperative.

- **Driver** means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers.
- **Drug** means any substance (other than alcohol) that is a controlled substance as defined in this policy and 49 CFR Part 40.
- **Evidential Breath Testing device (EBT)**. A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.
- **FMCSA** means Federal Motor Carrier Safety Administration, U.S. Department of

Transportation.

- **Licensed medical practitioner** means a person who is licensed, certified, and/or registered, in accordance with applicable federal, state, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
- **Medical Review Officer (MRO)**. A person who is a licensed physician (Doctor of Medicine or Osteopathy) and who is responsible for receiving and reviewing laboratory results generated by the company's drug testing program and evaluating medical explanations for certain drug test results.
- **Performing (a safety-sensitive function)** means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.
- **Prescription Medications** means the use (by a driver) of legally prescribed medications issued by a licensed health care professional familiar with the driver's work related responsibilities.
- **Refuse to submit** (to an alcohol or controlled substances test) means that a driver:
 1. Fails to appear for any test (except pre-employment) within a reasonable time, as determined by the company, consistent with applicable DOT regulations, after being directed to do so by the company. This includes the failure of a driver (including an owner-operator) to appear for a test as directed.
 2. Fails to remain at the testing site until the testing is complete (except pre-employment if the driver leaves before the testing process begins).
 3. Fails to provide a urine specimen for any DOT required drug test (except pre-employment if the driver leaves before the testing process begins).
 4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of the specimen.
 5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
 6. Fails or declines to take a second test the employer or collector has directed the driver to take.
 7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER (In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment).
 8. Fails to cooperate with any part of the testing process.
 9. Is reported by the MRO as having a verified adulterated or substituted test result.
- **Safety-sensitive function** means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

Safety-sensitive functions include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on public property, waiting to be dispatched, unless the driver has been

relieved from duty by the company.

2. All time inspecting equipment as required by Sec. 392.7 and 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
3. All time spent at the driving controls of a commercial motor vehicle in operation.
4. All time, other than driving time, in or upon any commercial motor vehicle.
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6. All time repairing, obtaining assistance, remaining in attendance upon a disabled vehicle.

▪ **Screening test** (or initial test) means:

1. In drug testing, a test to eliminate “negative” urine specimens from further analysis or to identify a specimen that requires additional testing for the presence of drugs.
2. In alcohol testing, an analytical procedure to determine whether a driver may have prohibited concentration of alcohol in a breath or saliva specimen.

▪ **Screening test technician (STT)**. A person who instructs and assists employees in the alcohol testing process and operates an alcohol-screening device (ASD).

▪ **Stand-down** means the practice of temporarily removing a driver from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive drug test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test results.

▪ **Substance abuse professional (SAP)**. A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. A SAP must be:

1. A licensed physician (Doctor of Medicine or Osteopathy);
2. A licensed or certified social worker;
3. A licensed or certified psychologist;
4. A licensed or certified employee assistance professional; or
5. A drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC).

Alcohol Prohibitions

Part 382, Subpart B, prohibits any alcohol misuse that could affect performance of safety-sensitive functions.

This alcohol prohibition includes:

- Use while performing safety-sensitive functions;
- Use during the 4 hours before performing safety-sensitive functions; C.R. England’s

policy prohibits use during the 8 hours before performing a safety sensitive function;

- Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater; C.R. England's policy prohibits reporting for or remaining on duty with any level of alcohol concentration;
- Use of alcohol for up to 8 hours following an accident or until the driver undergoes a post-accident test; or
- Refusal to take a required test.

NOTE: Per FMCSA regulation (Sec. 382.505), a driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

C.R. England strictly forbids the use of alcohol on company grounds or in company vehicles regardless of duty status.

Drug Prohibitions

Part 382, Subpart B, prohibits any drug use that could affect the performance of safety-sensitive functions. This drug prohibition includes:

- Use of any drug, except when 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 commercial motor vehicle. Medical or recreational use of marijuana or other Schedule I drugs: "The Department of Transportation's drug and alcohol testing regulation – 49 CFR Part 40 – does not authorize the use of Schedule I drugs, including marijuana, for any reason." DOT Compliance Notice, December 3, 2012.
- Testing positive for drugs; or
- Refusing to take a required test.

C.R. England's policy forbids the use of any controlled substance on company grounds or in company vehicles regardless of duty status.

Any driver using a therapeutic drug must notify their Safety Manager regarding the type of drug, dosage, and frequency of use. A copy of the prescription must be submitted. He/she may be required to present written evidence from a health care professional describing the effects such medications may have on the driver's ability to perform his/her tasks.

An employee of C.R. England, Inc. transferring to a driving position is also subject to and must pass a urine drug test as a condition of the transfer.

Reasonable Suspicion Testing (Sec. 382.307)

If the driver's supervisor or another company official designated to supervise drivers believes a driver is under the influence of alcohol or drugs, the driver will be required to undergo a drug and/or alcohol test.

The basis for this decision will be specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver.

The driver's supervisor or another company official will immediately remove the driver from any and all safety-sensitive functions and take the driver or make arrangements for the driver to be taken to a testing facility.

The person who makes the determination that reasonable suspicion exists to conduct an alcohol test may not administer the alcohol test.

Per FMCSA regulation, reasonable suspicion alcohol testing is only authorized if the observations are made before, during, or after the driver is performing a safety sensitive function.

Per FMCSA regulation, if the driver tests 0.02 or greater, but less than 0.04, for alcohol the driver will be removed from all safety-sensitive functions, including driving a commercial motor vehicle for at least 24 hours.

C.R. England has a zero tolerance policy for both drugs and alcohol. A positive result of any level of alcohol is grounds for termination. Any positive drug test result meeting FMCSR testing policies is grounds for termination.

If an alcohol test is not administered within two hours following a reasonable suspicion determination, the program administrator will prepare and maintain a record stating the reasons why the test was not administered within 2 hours.

If the test was not administered within 8 hours after a reasonable suspicion determination, all attempts to administer the test shall cease. A record of why the test was not administered must be prepared and maintained.

A written record of the observations leading to an alcohol or controlled substance reasonable suspicion test, signed by the supervisor or company official who made the observation, will be completed within 24 hours of the observed behavior or before the results of the alcohol or controlled substances test are released, whichever is first.

A driver awaiting the results of a reasonable suspicion drug test will be suspended from driving.

Post-Accident Testing (Sec. 382.303)

Drivers are to notify Safety and Compliance Manager as soon as possible if they are involved in an accident.

According to FMCSA regulations (Sec. 382.303), if the accident involved:

- A fatality,
- Bodily injury with immediate medical treatment away from the scene *and* the driver received a citation, or
- Disabling damage to any motor vehicle requiring tow away *and* the driver received a citation

The driver will be tested for drugs and alcohol as soon as possible following the accident. The driver must remain readily available for testing. If the driver isn't readily available for alcohol and drug testing, he/she may be deemed as refusing to submit to testing. A driver involved in an accident may not consume alcohol for 8 hours or until testing is completed.

If the alcohol test is not administered within 8 hours following the accident, all attempts to administer the test will cease. A report and record of why the test was not administered will be prepared and maintained.

The drug test must be administered within 32 hours of the accident. If the test could not be administered within 32 hours, all attempts to test the driver will cease. A Safety and Compliance Manager will prepare and maintain a record stating the reasons why

the test was not administered within the allotted time frame.

A driver can contact a Safety and Compliance Manager through the Driver Service line at 800-897-1801 or if after hours contact Road Service for assistance.

Random Testing (Sec. 382.305)

C.R. England, Inc. will conduct random testing for all drivers as follows:

- C.R. England, Inc. will use a company wide driver selection process based on a scientifically valid method, prescribed by FMCSA regulations.
- All random alcohol and drug tests will be unannounced, with each driver having an equal chance of being tested each time selections are made.
- The random testing will be spread reasonably throughout the calendar year.

A driver may only be tested for alcohol while he/she is performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function.

Once notified that he/she has been randomly selected for testing, the driver must proceed immediately to the assigned collection site.

Job Policies

This section refers to those policies dealing directly with the operation of the vehicle. In this section you will find information concerning:

- Unauthorized Passengers & Authorized Riders
- Freight Claims
- Accidents
- Check Calls
- Fuel Stops
- Purchase of Operating Permits
- Operating Permit Books
- Violations: Overweight, Overlength, Traffic and Log Infractions
- Equipment

Unauthorized Passengers & Authorized Riders

A. **Unauthorized riders.** At no time shall a person be transported in a commercial motor vehicle without written authorization. The unauthorized list includes but is not limited to lumpers, hitchhikers, friends, relatives, or others not specifically authorized as provided below.

B. **Authorized riders.** Upon meeting the following qualifications, a driver may receive authorization by the Safety Department to carry a passenger.

- The driver must have at least 30 days accident-free driving after completing Phase II. For experienced driver hires, the driver must have at least 30-days accident-free driving after hire or completing short-term training, where applicable. If a driver has a preventable accident or incident, the driver may not take a passenger until 30 days after retraining is documented for that accident or incident.
- The passenger must be at least 8 years of age for company drivers and 6 years of age

for Independent Contractors.

- A company driver must obtain accident insurance for the passenger through the Safety department. Insurance cost is determined by the length of time the passenger will be on the truck.
- The driver and passenger must sign a release prior to the commencement of the trip. Arrangements must be made at least 24 hours prior to the need for authorization. Release for a minor must be signed by the child's parents or legal guardians.
- Only one passenger at a time will be authorized.

Freight Claims

Commodity damages, overages, shortages, spoilage, or any exceptions to the bill of lading must be reported immediately to the Claims Department at 1-800-897-1801 option 6 then 2. This should always be done before you leave the customer's dock or wherever the incident occurred.

Claims review procedures. Upon the occurrence of any loss where there is a question regarding preventability, the Claims Manager will determine whether the loss was preventable. Every loss shall be considered preventable unless it is established by investigation and review that there was no action that the driver could have reasonably taken to avoid the loss and that his/her actions in no way contributed to the occurrence of the loss.

Preventable, non-preventable, gross negligence, and intentional damage claims. If the loss is determined to be non-preventable, it is recorded in the driver's personnel file and will only be reviewed again if the driver leaves the company and attempts to rehire, or applies for a driver trainer position. In the case of intentional and gross negligence claims, C.R. England can charge for full amount of damage caused. In other kinds of claims incidents where the loss is determined to be preventable, one or more of the following actions will be taken:

Performance bonus. The driver will lose 1/2 cent per mile of the performance bonus for a period of 17 weeks, or the value of the claim, whichever is less.

Review board. In the event a driver disagrees with the decision of the claims manager, a review board may be convened to determine whether the driver will be charged and retained or terminated. The review board will consist of the claims manager, an operations representative, and the driver in question. In considering this matter, the review board will take into account the following:

- Length of employment
- Seriousness of the loss
- Prior claims record
- General performance

Accidents

Accident Reporting Procedures. ALL accidents must be reported to C.R. England. In case of an accident, follow these five steps:

1. Secure the scene. Put out triangles to prevent another accident.
2. Attend to the injured and make them comfortable.

3. Call the police (the first call you will make).
4. Document the scene. Write down all other equipment and parties involved. Obtain names and addresses of all witnesses, including the first person to arrive. If names are refused, get the license plate number of their vehicle. Have witness cards completed if possible. Obtain a written statement from the witness(es).
5. Notify C.R. England before leaving the scene.
 - a. CALL: (800) 897-1836 day or night
 - b. Send a Macro 50 with accident information

Provide the Following information to C.R. England Accident Investigator

- Date and location of accident
- Name(s) of other driver(s) involved
- Address and telephone number of the other vehicle(s) involved
- Year, make, model, and license number of other vehicle(s) involved
- Description of damages to all vehicles
- The name of the law enforcement agency involved in the accident investigation
- If appropriate, take pictures of the scene and all vehicle involved.

Send Macro 21 to Road Service if equipment is disabled or unsafe.

Be courteous: Discuss the accident with only the Police, the C.R. England accident investigator and when instructed, an adjuster. The accident is considered under investigation, therefore do not admit responsibility, agree to pay for anything, or sign anything.

Day Cab Drivers: Must turn all accident documents into local office within 24 hours.

Accident Review Procedures.

In the event a driver disagrees with initial determination regarding chargeability, a review board consisting of the driver's Safety Manager, a training representative, an impartial experienced company driver, and the driver in question may be convened to determine whether the accident was chargeable. Every accident shall be considered chargeable unless it is established by investigation and review that there was no action that the driver could have reasonably taken to avoid the accident and that his/her actions in no way contributed to the occurrence of the accident. A chargeable accident is determined by the drivers conduct. If the conduct of driver directly causes the accident, it is chargeable. This standard is specifically not intended to be a "negligence" standard found in the various state's civil law.

Chargeable Accident Evaluation Form (Point System)

If an accident is determined to be non-chargeable, it is recorded in the driver's personnel file and no further action is taken. When an accident is determined to be chargeable the driver will either receive retraining or be terminated. England reserves the right to take any action it, in its sole discretion, deems appropriate under the circumstances. The point system is designed to assess the risk of a driver who has had a chargeable accident. The driver will receive points based on several categories, including but not limited to: accident type, accident cost, accident injuries, tenure with C.R. England, previous accidents,

citations, probations, etc. Accident retraining can include but is not limited to: road evaluation, range evaluation, safety meetings, defensive driving class, computer based training, etc.

Safety Incentive

As part of the current driver compensation package, drivers receive 1-cent per mile as a safety incentive. Any driver involved in an accident that is determined to be chargeable, will lose ½ cent per mile for a period of 17-pay periods. Any driver not in attendance, or fails to watch a safety video, in a given months Safety Meeting will lose ½ cent per mile for their miles for that month.

Incentive Potential: 1 cent per mile

Accident Free: ½ cent per mile is awarded to drivers each month that do not have a chargeable accident. If a driver has an accident charged to them, they will lose ½ penny per mile for a period of 17 weeks.

Online Safety Meeting Attendance: ½ cent per mile is awarded to drivers each month that attend an online Safety Meeting or watch a Safety Meeting DVD and complete the associated paper quiz.

Attendance and Incentive Payment: The driver has a 2-month cushion to attend or watch each Safety Meeting. For example, a driver can watch the January Safety Meeting through the end of February and still get credit. Because of this provision, the Incentive Payment is given to the driver after the fact. For example, if a driver attends the January Meeting on the last day of February, they would receive their incentive for January the first pay period in March.

Online Safety Meeting Attendance

A new safety related topic is discussed each month in the Safety Meeting to assist drivers in staying current with industry and company standards. Drivers attending these online meetings are required to complete the associated quiz. DVDs are also distributed to all of our outside locations including all dedicated areas. Drivers that elect to watch DVDs are required to complete the associated one page quiz and deliver it to the site manager to receive credit. The online Safety Meetings are available at E-Tools on C.R. England's website (www.crengland.com).

Nothing contained in this section creates a contract of employment nor does the discretionary review board procedure, following an accident, guarantee any specific action by C.R. England.

Check Calls

It is each driver's responsibility to make contact with his/her Driver Manager each day between 12:00 midnight and 11:30 a.m. MST/MDT while on the road. On Saturdays the check call should be sent between the hours of 8:00 a.m. and 11:00 a.m. MST/MDT. No check call is required on Sundays. Use satellite Macro 4, "Check Call."

Fuel Stops

Each load assignment will include a list of fuel stops generated by C.R. England's "fuel optimizer" system. This list designates those stops that are compliant. Any other fuel stops will be designated non-compliant unless approved by the Fuel Department. These optimal fuel stops will provide the lowest "net" fuel cost along the route. It is possible to generate a new fuel route, or re-optimize, once every 12 hours by sending a Macro 51.

Purchase of Operating Permits

Drivers are responsible for the purchase (at company expense) of all required operating permits. You will be informed in the specific load dispatch message when a permit is needed. You must then stop and purchase the permit at the first available permit station upon entering the state or country requiring the permit. You may then request reimbursement as explained in the Reimbursement policy.

Operating Permit Books

Drivers are responsible for the tractor and trailer permit books that are kept in the equipment to which he/she is assigned. If you have any questions about permits, call the Licensing Department at 1-800-897-1801, option 9, option 4.

Violations: Overweight, Overlength, Traffic and Log Infractions

Driver responsibility. As a professional driver you are responsible for operating your vehicle in a safe and prudent manner, and obeying all federal, state, and local traffic regulations. You must know the weight (gross and axle) and length of the tractor-trailer to which you are assigned. As soon after loading as is practical, your equipment may need to be weighed. If a weight problem exists, you need to report it as soon as possible to your Driver Manager. Drivers operating company equipment are responsible for payment of all fines in connection with traffic citations, so long as the fine is not the result of faulty equipment or some other reason for which the company is responsible.

Hours of Service. C.R. England, along with federal, state, and local law enforcement officials, stringently enforce hours of service and log book requirements. It is your responsibility to know these regulations and comply with them. See Section 4, "Trip Policies and Procedures," for more information on this important subject.

Roadside Inspections. C.R. England expects drivers to ensure their equipment, permits, licenses, physicals, logs and all other items subject to inspection and scrutiny by regulatory officials, to be in order at all times. Failing a roadside inspection due to driver oversight or negligence with any of these items could result in an out of service order being issued. Any driver who receives a written DOT inspection form must immediately send a Macro 48 and scan the original long form inspection to the company with their trip pack documents. Failing a roadside inspection will result in the driver being placed on 12-month probation for the 1st offense. A second failed roadside inspection during this 12-month probationary period could result in driver disqualification.

Equipment

Tractor Assignments. C.R. England's policy is to assign a specific tractor to each driver. Assignments are normally prioritized on seniority and performance, though deviations may be dictated by operational requirements existing at the time of placement. If a driver averages less than 10,000 miles per month, he/she is in jeopardy of losing his/her tractor assignment.

Mobileye. Mobileye Advanced Warning monitor is installed in all vehicles in the effort to assist the driver with recognition of multiple advance warning in areas of forward collision warning, lane departure, and headway monitoring. Through this monitoring process a driver is made more aware of their own habits and therefore are in tune to the potential risks in their immediate surroundings. This helps develop excellent driving habits by increasing headway awareness regarding how many seconds their vehicle is from potential risks and therefore being proactive before risks become collisions. With

lane position related warnings of potential collisions, such as stopped or slow-moving vehicles, helps to notify, prepare and condition drivers for the use of brakes and turn signals. When information on warning devices are sent to the Safety Managers they will contact and coach drivers, as necessary, on safer driving techniques.

Device Tampering. Anyone found to have tampered, disabled, interfered, restricted, blocked, or removed any safety device utilized by the company in the daily operations of the vehicle may result in the termination of an employee and or the cancellation of the Independent Contractors Operating Agreement, (I.C.O.A.)

Cleanliness. The company is responsible for the cleanliness of the exterior of the tractor. External truck washes are normally allowed only in the Salt Lake City yard. The driver is responsible for the interior. If it is determined that the tractor's interior does not meet C.R. England standards, the expense of cleaning it may be charged to the driver. It is important to keep this in mind when you are turning in your tractor and being assigned to a new tractor or upon leaving the company.

Inspection and maintenance of equipment. Drivers are responsible for inspecting company equipment on a daily basis as required by the Department of Transportation. Drivers using paper logs must complete the bottom portion of their logs designed for this purpose at the completion of their driving day. Drivers using Electronic Logs must complete the inspection by sending a Macro 1 at the completion of their driving day. Any deficiencies that affect the safe operation of your assigned equipment must be reported immediately to Maintenance (contact Road Service via satellite Macro 21 if you are outside of the Salt Lake City yard) and your Driver Manager. You must make periodic inspections of tractor and trailer brakes and adjust them as necessary. Any fines resulting from the driver's failure to adjust trailer brakes are his/her responsibility to pay.

Expenditures for equipment repairs, maintenance, and upkeep. All driver expenditures for the repair, maintenance, and upkeep of company equipment may be reimbursed, but all maintenance expenses over \$30 must be authorized by Road Service. Authorization is received by sending satellite Macro 21 to the Road Service department. See Reimbursement policy and Advances for more information about how to be reimbursed for company expenses and one-time advances for equipment expenditures.

Personal equipment use and bobtailing

Authorized routes. Without specific authorization from your Driver Manager or other appropriate individuals, you may not use company vehicles and equipment for any private or non-company purpose. Drivers are generally prohibited from departing from assigned routes to attend to personal matters in company equipment. Any exception to these rules must be cleared in advance by your Driver Manager. Also, running unauthorized toll roads is not acceptable under any circumstance, unless otherwise directed by your Driver Manager.

Bobtailing. Bobtailing (driving the tractor without a trailer) must be approved in advance by your Driver Manager. This will normally be allowed only for medical reasons. He/she will give you authorization to bobtail through a satellite message to your truck. When in Salt Lake City, the gate guard will confirm receipt of this message before you may bobtail from the yard.

Abandonment. The abandonment of equipment is one of the most serious offenses a driver can commit. C.R. England will hold the driver of an abandoned vehicle financially responsible for the loss of any equipment and/or cargo. For your own sake, avoid

abandoning equipment. If you are so distressed that the thought enters your mind, call your Driver Manager immediately. It may be that you will be advised to leave the truck in an agreed location, but you will not have abandoned it, and you will not have a negative response on your work history.

Tires, tire chains, wheels, and other assigned items. Drivers are responsible for spare tires, tire chains, wheels, load locks, and other items that are assigned to their equipment.

Alteration of equipment. Drivers must not alter, in any material respect, any tractor, trailer, or any other equipment owned by the company. An alteration is construed as any change in, addition to, or removal of any part or accessory of any tractor or trailer. With the approval of the Maintenance department, you may attach or apply certain distinctive features such as your name or nickname stenciled on the door, etc., if in good taste and not distracting from the general detailing of the truck. Invertors are not permitted in company trucks unless they can be plugged into the accessory outlets provided in the bunk area.

Driver Logs

C.R. England, Inc. is strongly committed to full compliance with the current federal hours of service regulations, as well as any additional local regulations that may apply. The hours of service (logging) regulations are part of the Federal Motor Carrier Safety Regulations, specifically contained in Part 395 of the FMCSR.

C.R. England, Inc. requires use of EOBRs (Electronic On Board Recorders). Following you will find guidelines on what C.R. England, Inc. expects in completion of the required documents.

Log Auditing

C.R. England is committed to operating in a safe and legal manner at all times. The company will audit driver's logs to ensure compliance with the Federal Motor Carrier Safety Regulations, Part 395. Continual noncompliance with hours of service regulations will not be tolerated at C.R. England.

Log Auditing Procedures

C.R. England's log auditing procedures consist of three steps.

1. All drivers are expected to submit accurate and true daily logs, and approve them by noon the following day.
2. Daily logs, if done on paper (due to QUALCOMM outage), will be forwarded to C.R. England's Safety Department by scanning them with the drivers other related trip documents for audit and review.
3. Drivers will be given feedback and/or corrective action will be suggested based on results of log audits.
4. Recognition will be given to drivers who submit zero defect logs.

EOBR Log Submission

C.R. England requires all drivers to approve daily logs before noon the following day (see Driver Logs Policy).

Before submission of logs, drivers are expected to check them for completeness and

accuracy and make all edits before approving them.

Auditing

After submission by drivers, logs will be forwarded to C.R. England's Safety and Compliance Department for auditing. Logs will be audited for hours of service violations, fuel violations, on duty violations, DVIR violations, off duty driving violations, unconfirmed log violations, unassigned driving violations and log falsification. All drivers' logs will be retained by the company for a period of six months (FMCSR, Sec. 395.8(k)).

Form and Manner Violations (Paper Logs ONLY)

Form and manner violations indicate carelessness on the driver's part. This kind of violation can easily be avoided by following C.R. England's log submission procedure of checking each log for completeness before submission. Form and manner violations include:

- Date Missing/Duplicate Logs: Each log must be dated and there must be only one log for each day.
- Miles Driven Missing: Total actual miles driven in the 24-hour period must be entered.
- Name of Carrier Missing/In Error: C.R. England must be entered.
- Vehicle/Trailer Numbers Missing: Unit numbers of all C.R. England vehicles operated in the 24-hour period must be entered.
- Driver's Signature Missing/In Error: The driver must sign his/her full legal name on each daily log sheet.
- Co-Driver Name Missing: The driver must enter first name, initial and complete last name of his/her co-driver if operating as a team.
- Main Office Address: Enter full city and state abbreviation.
- Missing Shipping Document/In Error: The driver must show a shipping document number or trip number for each trip in the 24-hour period.
- Pre-Trip Inspection/Tire Check Improperly Noted: Drivers shall identify locations when a change in duty status occurs.
- Different Log for Same Day: Each log graph can carry only one set of information.

Log Violation

Log violations, specifically violations of the Egregious Penalty, 11-, 14-, or 70-hour rules, fuel violations, on duty violations, DVIR violations, off duty driving violations, unconfirmed log violations, unassigned driving violations and log falsification are very serious violations. Hours of service abuse may contribute to fatigue, which jeopardizes the safety of the driver and the general motoring public. Log violations include:

- Egregious Penalty: Driving 3 or more hours beyond the drive-time limit (11-hour rule) will be considered an egregious violation by the Federal Motor Carrier Safety Administration (FMCSA) (in other words, driving 14 or more hours during a shift) Since the FMCSA and C.R. England both consider this to be a very serious violation, any driver who violates this rule will could be disqualified. This is in addition to the possible civil penalty of \$2750 that the DOT officer could also impose.
- Log Missing: If completing paper logs (due to QUALCOMM outage) drivers shall submit a log for each day, except that two or more consecutive off duty days may be on one sheet if they are all within the same calendar month.
- 11-Hour Violation: After 10 consecutive hours off duty, a driver may not drive more

than 11 hours.

- 14-Hour Violation: A driver must not drive after being on duty for 14 hours.
- Violation of 70 Hour Rule: Drivers may not drive after being on duty for 70 hours in any 8 consecutive day period.
- DVIR Violation: Drivers must complete a DVIR (Macro 1) everyday they are on a truck.
- Off Duty Driving Violation: Drivers must NOT off duty drive while laden.
- Unconfirmed Log Violation: Drivers must approve their logs by noon the following log day.
- Unassigned Driving Violation: Drivers must not drive while in any other log status than on duty driving or off duty driving.

Falsification of a Log

Falsification of a log shows disregard for C.R. England policy and federal regulations.

The company and the DOT look at this type of violation very seriously. As such, drivers who falsify their logs face disqualification. Log falsification can occur when the times and locations on a log do not agree with supporting documentation, such as scale tickets, toll receipts, loading and unloading times as noted on shipping papers, etc. This can be caused when a driver purposely logs off the QUALCOMM or stays in an inactive status (in the login screen) when on duty time must be recorded. Log falsification can also occur when a driver uses another drivers logs for the purpose of extending their driving / duty hours.

Feedback and Corrective Action

All violations will be brought to a driver's attention as soon as possible, normally within 3 days after the violation occurs. These notifications will be sent via satellite communication and will advise drivers of any "Log Violation." Each driver's Driver Manager will have record of the violation warning level of all drivers in their fleet. This information is updated daily. Drivers may contact a Log Auditor anytime to review logging procedures or check for any new violations issued.

Log Auditors will be responsible for reviewing the violation(s) with the driver. This review will consist of an explanation of any violations and how to prevent reoccurrence.

The driver can request, or the Driver Manager or Log Auditor can recommend, hours of service and logging remedial training at any time. In addition to the two online EOBR training videos, drivers in need of additional hours of service or logging training will be referred to a Logs Compliance Safety Manager or the C.R. England's Safety Department for scheduling.

C.R. England has a 4 step Violation Tracking Program. This program is based on violation warning levels received by drivers for repeated log violations. Log violations are used to determine the current violation warning level. These Log violations are broken into three types:

Type 1: 11-Hour: 14-Hour: 70-Hour

Essentially, these rules state that further driving is prohibited once these limits are reached. These violations occur when drivers log that they are continuing to drive

beyond these limits.

Type 2: EOBR Violations

These violations include DVIR violations, off duty driving violations, unconfirmed log violations, and unassigned driving violations.

Type 3: FALSE LOGS

- A. Driving time isn't recorded due to driver not logged onto QUALCOMM or not active in login screen.
- B. DOT roadside inspections and/or accidents are not logged as on duty not driving.
- C. Pre-Trip (VI) or Post-Trip (PTI) inspections are not recorded properly.
- D. Fueling time isn't logged as on duty not driving.
- E. Arrival times at customer pick-ups and deliveries aren't logged as on duty not driving.

Log Violation Tracking Program

With the use of electronic logs (EOBR), log violations have become fairly rare for most drivers. However, for those drivers who do not pay attention to their hours availability and trip plan correctly, log violations can, and will happen. The QUALCOMM unit with EOBR logging allows for automatic auditing of every log created as the truck moves and drivers log in and out of the unit. There is real time web based driver monitoring available for all Driver Managers and Log Auditors that shows where the driver is at each minute, how many hours there is available, and the drivers current duty status. This program also tracks 11-, 14-, and 70-hour rules and warns the driver of potential violations in these categories BEFORE they actually occur. The program also matches arrivals at customers and fueling information to the program to compare with a driver's duty status changes. Drivers must also confirm their logs and complete a DVIR daily. The last thing looked at is off duty driving and if a driver is trying to use that status against regulation. If so, the driver will be given a violation.

Any violation given will have points assessed to it. These points will trigger violation levels to go up or down as they are accumulated. A decrease in points will allow the violation level to go down but it is based on a rolling 30-day period.

As violations occur, they are tracked and drivers will be notified via a QUALCOMM message approximately 3 days after the log has been created and audited.

Any driver who receives a violation will be encouraged to seek training on the C.R. England web page.

Log Violations Have Point Values:

*The program will identify log violations and assign a point value corresponding to the severity of the violation. An example would be that the point value of a falsification violation would be greater than the point value of an unconfirmed logs violation.

The program log level increases are real time. It is possible to increase more than one log

level within a 30-day period. A driver will go up 1 log level with each set of 4 points. An example would be if a driver receives 8 points, he would actually go up 2 log levels, one level for the first set of 4 points and another level for the second set of 4 points. The maximum log level a driver can reach is log level 4.

***If a driver has logging issues causing an increase, the following actions will take place:**

- At log level 1 the Logs Department recommends drivers call a log auditor to discuss their issues and view the EOBR Advanced training.
- At log level 2 the driver will be advised of the same recommended actions as level 1; however, they will also be reviewed for disqualification by the logs department.
- At log level 3 the driver will be advised of the same recommended actions as level 1; however, they now face a possible disqualification.
- At log level 4 the driver will be advised of the same recommended actions as level 1; however, they will now probably be disqualified.

Four Level Tracking System

- **Log Level 1 = Recommend Driver Call Log Auditor & View Advanced Training**
- **Log Level 2 = Recommend Driver Call Log Auditor & View Advanced Training – Review for DQ**
- **Log Level 3 = Recommend Driver Call Log Auditor & View Advanced Training – Possible DQ**
- **Log Level 4 = Recommend Driver Call Log Auditor & View Advanced Training – Probable DQ**

7. Hazardous Materials Security Plan

Plan Overview *Plan Statement and Objectives*

C.R. England is committed to the safe and secure handling and transporting of hazardous materials products. C.R. England is also committed to ensuring the physical safety of all hazmat drivers, our customers, and the general public and to reduce or prevent hazardous materials cargo theft opportunities.

Scope

C.R. England 's written Hazardous Materials Security Plan contains information as it relates to general security, Hazardous Materials security, Bio-terrorism security and CTPAT requirements. The plan is divided into the following three basic areas:

- Personnel security;
- Physical facilities; and
- En route security.

Risk Assessment

At C.R. England, Inc., we are affected by the recent Department of Transportation's Final Rule under 49 CFR Part 172 (Research and Special Programs Administration HM-232) for the following reason: C.R. England, Inc. offers for transportation, a quantity of hazardous materials that requires placarding under the provisions of subpart F of 172.800.

C.R. England's Security Committee has completed our Hazmat Transportation Risk Assessment as required. The committee, which consists of the V.P. Operations Support, V.P. Safety, V.P. Safe Driving, Director NAD Operations, Director Dedicated Operations, Director of Maintenance, Director Facility/Security, and the Director Cargo Claims.

C.R. England freight mix includes approximately 1%-2% hazardous materials. The class of materials is limited to Table II type hazardous materials only. There are only a few Table I exceptions per year which are in LTL quantities, not truckload. As primarily a food hauler, we don't believe C.R. England to be the kind of target that would appeal to a terrorist group as providing opportunity towards their efforts of destruction. However, the threat of theft and the possibility of using equipment to transport materials obtained from another source is still real and warrants our efforts to eliminate as much risk as possible. We will accomplish this end through compliance with our security plan, monitoring of our efforts and the training of our employees and drivers.

Personnel Security

Security Training

C.R. England will ensure that employees are provided security training. Hazardous Materials employees will be trained in, and are expected to be familiar with, the company's security plans and procedures. At a minimum, this training will include detailed instruction regarding our:

- Overall security objectives;
- Individual employee security responsibilities;
- Specific security procedures; and
- The organization's security structure.

Suspicious Activity

All employees are expected to understand and adhere to the following corporate suspicious activity reporting procedures. They are intended for all employees to follow in the event any unusual or suspicious activity that poses a threat to the safety of the general public, our employees, and the security of our equipment, facilities, or hazardous materials cargo is observed.

Employer responsibility statement. C.R. England will provide a work environment that is reasonably free of hazards and threats of violence that may cause damage to property or harm to others. It is also our policy to establish an effective and continuous safety and security program that incorporates educational and monitoring procedures. All supervisors and managers are responsible for ensuring that their employees are trained in appropriate security and suspicious activity reporting procedures.

Employee responsibility statement. All employees have a responsibility to themselves and to C.R. England to observe and report any suspicious or unusual activity that threatens safety or security.

Reporting procedures. Employees are expected to use common sense and good judgment when assessing the threat potential of any suspicious activity. Depending on the given situation, employees will be expected to report any observed suspicious activity to the Cargo Claims Department (Mark Stapley) at extension 3233, or 801-974-3233 or the watts number listed below. This is the primary contact for any such suspicious activity. Drivers should also notify their Driver Manager and/or Safety Manager. A driver should use cell phones or QUALCOMM in case of emergency.

C.R. England defines suspicious activity to include (but not limited to) any of the following situations:

- Unidentified person(s) attempting to gain access to property, equipment, or facilities.
- Any person (employee or otherwise) who appears to be hiding something or is acting nervous, anxious, or secretive.
- Any employee or visitor making unusual or repeated requests for sensitive or important company documents or information.
- Any person asking an employee to make any unauthorized movement (pick-up and delivery) for cash (motor carrier specific).
- Any person or group loitering outside a company facility or premises.
- Any person claiming to be a representative of a utility (gas, water, electric) but cannot produce valid company identification.
- Any person carrying a weapon such as a gun or knife.
- After hours, any vehicle driving by a company facility with the lights off.
- Any occupied vehicle parked outside a company facility for a long period or after normal work hours.
- An unfamiliar vehicle that appears to be abandoned near a company building or parking lot.
- Persons watching truck and trailer at customer facilities or truck stops for long periods of time.
- Vehicles following you with 3 or more people in the vehicle.

- Unauthorized persons asking questions regarding product, destination, or routing or other trip specifics.

The above list is not all-inclusive. It is meant to provide possible examples of suspicious activities. Once, and if, a suspicious activity is identified, the next step is to act. Employees not only need to be able to identify suspicious activity, they also need to know what to do about it.

Depending on the nature of suspicious activity encountered contact telephone numbers are listed below. QUALCOMM message on Macro 21 to road service or free form message to Driver Manager are also options if a telephone is not readily available.

Cargo Claims Department		Police Department West Valley, Utah		Emergency in any area
Phone:	800-897-1801 Follow prompts	Phone:	801-840-4000	911

Employee/Management Security Information Sharing

Security information and updates shall be included in employee communication on a regular basis including:

- New and current security measures and procedures;
- General security awareness; and
- An update on our security efforts and results.

Managers and supervisors are responsible to communicate all relevant corporate security-related information, news, facts, and trends to their employees in a timely and accurate manner. This information can be made available using a variety of company communication options including employee memos, department meetings, and QUALCOMM messaging, and other means that may be effectively used.

Driver Qualifications and Hiring Standards

C.R. England's driver qualification and hiring procedures shall be in compliance with all applicable state and federal regulations, and meet the organization's security standards.

Applicants shall not be considered for driving positions by C.R. England unless they meet the C.R. England's requirements.

All applicants applying for the position of CDL driver with C.R. England shall submit to a pre-employment drug screen as required by §382.301, and no driver applicant shall perform any driving activity for the company until a verified negative test result has been obtained for the applicant.

All applicants applying for the position of driver with C.R. England shall be medically examined and certified as physically qualified to operate a commercial motor vehicle by a licensed medical examiner of our choosing.

Criminal Background Investigations. A criminal background check shall be made on all applicants for the position of Hazardous Material driver. The criminal background investigation will be completed as required, and as part of, the CDL hazardous materials endorsements security check. All other driver applicants will be screened through a criminal data check.

Information Security

All information (electronic and hard copy) relating to the storage and/or transporting of hazardous material shall be restricted to employees on a need-to-know basis.

Dispatch security procedures (motor carrier specific): Access to hazardous materials load information shall be limited to only personnel authorized, including dispatchers, the customer service managers, and other employees with a specific need to know.

When providing load information to drivers, dispatchers shall review the load information to ensure that it is complete and accurate. For security purposes, it is extremely important that:

1. The load assignment number is clearly communicated;
2. Trailer numbers on all work assignments are verified; and
3. Shipper pick up number(s) are checked and verified.

Facility Security

C.R. England is committed to providing its employees a safe and secure work environment. We shall take reasonable measures to provide adequate security for the safety of our employees, equipment, facilities, hazardous materials, and the general public. The following security guidelines cover safety and security issues related to external and internal security inspection procedures.

External Premises Security Inspections

The site manager is responsible for general security and record keeping at each facility location.

Fences, Gates, and Exterior Doors.

At facilities where perimeter fencing is in place, facilities maintenance personnel will be responsible for establishing and following a schedule for regular inspection of the fence and associated gate(s). All necessary repairs shall be performed as needed.

Facilities maintenance personnel will be responsible for ensuring areas adjacent to both sides (inside and outside) of the fence are properly maintained and fence lines shall be kept free of debris or other objects (such as trees, pallets, or skids) that could be used to allow entry over the fence.

Hazardous Materials Storage Security. All hazardous materials are stored in a locked and secured area with limited and controlled access. Authorized employees only shall be allowed access to hazardous materials storage areas, and will be required to sign in and out.

Visitors, Vendors, and Suppliers Security

Vendors and suppliers needing to make deliveries or pick ups shall be directed to the appropriate pick up/delivery. Vendors or suppliers are allowed access to secure office or secure parking areas they will be logged in and logged out by the receptionist or guard. Certain trusted and pre-approved vendors or suppliers that require frequent access to the facility may be given special authorized access. This access is approved and re-evaluated periodically by the site manager.

Guidelines for main entrance into secured office or secured parking yard.

Limited points of entry shall be designated for all general traffic to the office or yard.

All general visitors and customers shall be required to register with the on duty receptionist or guard upon arriving. A written log shall be maintained for all general visitors to C.R.

England. The written log shall include:

1. The name of the visitor and company he or she represents;
2. The date and time of arrival;
3. Who approved or arranged the visit;
4. The purpose for the visit; and
5. The date and time of departure.

The written log shall be maintained for 12 months.

General office visitor guidelines.

After registering, and depending on the reason for the visit, the visitor shall be either:

1. Escorted to the appropriate area of C.R. England by the responsible company employee (a copier repair person being escorted to the broken copier in operations for example); or
2. Met by the company employee who arranged the visit in the reception area, and escorted to his or her office or workstation.

The visitor is instructed to immediately leave the secured area upon completion of business.

Employee and Visitor Parking

Employees and visitors shall park only in areas specifically designated Employee/Visitor Parking. Unauthorized parking near or in a loading/unloading dock or platform is strictly prohibited.

C.R. England shall be responsible to ensure employee-parking areas are adequately lighted, safe, and secure.

Third-Party Guard Service

In some cases managers shall have the responsibility for the employment of adequate security guard service protection (when deemed necessary).

In the event that a third-party guard service is used, the site manager or responsible representative will ensure that the guard service has received all security instructions, procedures, and responsibilities. It is also the responsibility of the site manager or responsible representative to assess the performance of the guard service and ensure that the security procedures are being followed.

**En Route
Security**

Point-of-Origin Driver Security Procedures

Upon arrival at the hazmat load's point of origin, all drivers shall check in with the responsible shipping personnel to notify them of arrival and to provide picture proof of identity. Drivers will also be expected to produce their current operator's or commercial driver's license (CDL). While at the shipper, drivers shall follow the loading instructions and obey all customer safety and security rules and procedures.

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

Shipper Load and Count

In the event a driver is scheduled to pick up a trailer pre-loaded with hazardous material(s), he or she shall verify:

- The load's shipping papers;
- Seal is in place;
- Seal number(s) is noted on the Bill of Lading;
- Sign the “SLC” (Shipper Load and Count) on the Bill of Lading;
- Trailer number is correct; and
- Install padlock for transport.

Under no circumstances shall a driver be allowed or permitted to break a seal on a pre-loaded trailer or a trailer moving under a shipper's load and count provision without the express consent from the cargo claims department or under the direction of a law enforcement officer.

Driver Load and Count

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

When all loading activity has been completed, drivers are responsible for making sure the load is safe to ride, the cargo is secure, and to check the bill of lading or the delivery manifest to ensure cargo count is accurate. Once drivers are satisfied that the cargo matches the shipping papers, they shall:

1. Close the trailer doors and witness the shipper sealing the trailer;
2. Record the seal number(s) on the shipping paper; and
3. Have the shipping papers signed by the responsible shipping personnel before leaving.
4. Notify operations through proper “Bill-call” to verify all pertinent load-related information and the loading process has been completed.

If a discrepancy is found between the cargo and bill of lading or shipping manifest, drivers shall contact Claims department and their Driver Manager for instructions.

In the event the shipper fails to supply a seal, drivers are required to use a company-issued seal. Seals can be obtained from C.R. England guard shack.

Whether shipper or driver load and count, drivers are required to use their padlocks to provide additional cargo security for all loads containing hazardous materials. Before leaving any shipper, drivers shall make a thorough visual observation of their immediate surroundings and report any unusual or suspicious activity to their Driver Manager immediately.

A C.R. England driver should not accept or sign for any hazardous materials shipment unless it is in complete compliance with the HMR governing such shipments. C.R. England drivers must call the Safety Department (1-800-897-1801, option 6, option 3, then 1) before leaving any shipper tendering HAZMAT.

Hazmat En Route Security Operating Procedures

Drivers shall prepare and execute trip plans for all hazardous materials movements that list:

1. Routing schedules avoiding highly populated areas, bridges, and tunnels when practical;
2. Fueling and break locations (including approximate dates and times for same);
3. Estimated times of arrival to stop offs and final destination.

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

Each driver should complete a thorough daily vehicle inspection to ensure the vehicle is safe and no tampering has taken place. The QUALCOMM unit should be checked to ensure it is messaging and tracking. If the QUALCOMM unit is not operating properly, inform your Driver Manager and road-service immediately.

Perform a quick walk-around inspection of the truck and trailer at each stop to check for foreign objects or tampering.

In the event a load containing hazardous materials of a high-risk nature needs to be parked at a company terminal or facility while en route, it shall be stored in a secured location with limited and controlled access. Under no circumstance should a driver leave a high-risk load unattended at any location without prior notification and approval from their Driver Manager. Loads considered to be a high risk or threat are listed below:

- | | |
|------------------------------|-------------------------------|
| Radioactive 7, Yellow III | Poison Gas 2 |
| Explosives 1.1, 1.2 & 1.3 | Dangerous When Wet 4.3 |
| Infectious Materials 6.2 | Spontaneously Combustible 4.2 |
| Poison Inhalation Hazard 6.1 | |

These products are seldom (if ever) transported by C.R. England, but their risk should be treated seriously and dropped only in a secured yard. Any location, other than a C.R. England terminal, would require prior permission from a Driver Manager before leaving the load unattended.

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

While in transit, drivers are **prohibited** from discussing information related to their load, route, or delivery schedule with any person(s) other than authorized company officials. Drivers failing to abide by this policy are subject to disciplinary action up to and including termination of employment. Drivers are to report any suspicious activity (including load-related inquiries from strangers) to the Claims Department immediately.

Drivers are expected to take all reasonable and responsible precautions to prevent damage to company vehicles and theft of hazardous material(s) cargo while in transit.

For personal protection and safety, and the security of the cargo, drivers are expected to park in safe, well lit, designated truck parking locations only (such as reputable truck stops or major rest areas). When possible, trailers loaded with hazardous materials should be parked

against a wall, fence, or other stationary/fixed object to enhance cargo security.

While the truck is parked and unattended, drivers shall lock their vehicles and have all windows in the closed position at all times while in urban areas, at truck stops, and rest areas.

Drivers are prohibited from taking their equipment (loaded or empty) to, or through, home without specific authorization from their Driver Manager. Parking in any unsecured area is prohibited. Drivers failing to abide by this policy are subject to disciplinary action up to and including termination of employment.

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

Hijack or Cargo Theft Driver Guidelines

Drivers who fall victim to vehicle hijackers or cargo thieves are instructed to notify local police as soon as possible. Once the proper authorities have been notified, drivers are required to contact the Claims Department and follow all subsequent instructions.

Drivers are prohibited from picking up hitchhikers or allowing any unauthorized personnel in the truck cab or trailer in conjunction with the passenger policy and FMCSR.

Drivers with the desire to assist disabled vehicles or motorists are encouraged to contact authorities if such an event presents itself.

Requests for changes in delivery schedules or location should not be honored unless and until such changes have been verified through the Driver Manager.

When asked to pull over by an unmarked vehicle, a driver should only do so with proper identification, sirens and lights. Load documents are not to be given nor entry into truck or trailer allowed. Because you are transporting hazardous materials it is appropriate in this case to request a marked vehicle with uniform officers be called to the scene before information is exchanged or entry is allowed.

In the event of an attempted vehicle hijacking or cargo theft situation while the vehicle is in motion, C.R. England has adopted a NO STOP policy. Drivers who believe a vehicle hijacking is, or may be, in progress, are instructed to keep the vehicle moving as safely and responsibly as possible until the attempt has ceased and/or the authorities have been notified. However, in any hijack situation, drivers should use their own good judgment (whether to stop or keep moving) based on the degree to which they feel their personal safety is at risk.

Stop Off/Destination Driver Security Procedures

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

The driver, along with a responsible receiving employee, shall inspect the trailer seal(s), match the seal number(s) with those on the shipping papers, the receiver should then sign the "seal intact" on the Bill of Lading before breaking the seal(s), then break the seal(s), open and secure the trailer doors, and inspect the cargo. Once both the driver and receiver are satisfied, the driver shall back the trailer and secure the vehicle. After unloading, the receiver must sign the bill of lading.

Drivers shall supervise the unloading process. In the event of cargo damage, overage, shortage, or any other discrepancy, drivers shall contact the Claims department immediately for instructions and report the incident to the Claims department.

8. Divisional Business Units

Additional Policies and Procedures

Due to the diversity of C.R. England, and the different divisions available to you, our drivers and contractors, there may be additional policies, procedures, and practices that are required by the customers of those divisions. Should you choose to be a part of one of these divisions you must recognize that you are responsible to obtain the necessary manuals and information. More information can be obtained by contacting people in these specific divisions.

DEDICATED- Please call (801) 972-2712, and ask the operator to connect you to the Dedicated Recruiting Manager.

INTERMODAL/TEMP-STACK- Please contact your Driver Manager/Account Manager.

ENGLAND LOGISTICS- Please call (801) 656-4500 and ask for the Operations Support Manager – Container Division.

MEXICO- Please call the Laredo office at (956) 717-0991.

REGIONAL- Please call (801) 972-2712, and ask the operator to connect you to the Regional Operations Manager.

9. Conflict of Interest

Overview C.R. England demands all employees maintain the highest level of integrity and objectivity in performing their job duties. Employees are expected to conduct their business dealings with suppliers, vendors, and customers in a manner that will avoid any conflict of interest, or appearances of a conflict of interest between the employee's interests and the interest of the Company.

**Solicitation/
Distribution** The non-solicitation, no-distribution policy is intended to protect the interests of both C.R. England and its employees.

It is the policy of C.R. England that solicitation of or by employees during working time is prohibited. Distribution of literature by employees during working time is also prohibited, as is distribution of literature in working areas.

Violations of the non-solicitation/distribution policy should be reported at once to the proper authority or Human Resources department.

10. Confidential Files and Information

Overview

Employees of C.R. England represent the Company to those contacted on both personal and business levels. Therefore, conduct should be such that will reflect favorably on the employee and the organization.

Careful custody and handling of C.R. England documents or materials containing confidential information are of critical importance to the well being of C.R. England. Each employee is responsible for safeguarding against theft, loss, unauthorized use or disclosure of this information. Therefore, if in the course of an employees work they have access to such material, the employee must take whatever steps are necessary to assure the material is handled, stored, transmitted or destroyed in a manner which will preclude loss or misuse. Such material may not be copied without the express consent of the originator.

Some common confidential matters are:

- Employee names, addresses and telephone numbers.
- Company expenses and financial data.
- New service developments.
- Company client information.
- Anything marked “Confidential,” “Company Private,” etc. Such private and confidential information should be given only to those persons in C.R. England with need and authority to know in order to function in their jobs.

The Driver Employee Policy Manual is updated from time to time to reflect changes in policy and circumstances of employment. You will be advised, in writing, of these changes. The company will make every effort to notify you prior to their implementation whenever possible.

11. Index

11-hour rule.....	25	Driver load and count.....	57
14-hour rule.....	25	Driver logs.....	17, 47, 48, 49, 50, 51
Abandonment.....	46	Driver Manager .	14, 18, 22, 25, 33, 44, 45, 46, 47, 49, 50, 53, 54, 57, 58, 59
Accident review procedures.....	43	Driver qualifications	30, 54
Accidents.....	31, 32, 33, 34, 42, 43, 44	Drug test	35, 36, 37, 38, 39, 40, 41
Advances.....	17, 18	EBT	35
Alcohol.....	10, 13, 15, 31, 33, 34, 35, 37, 38, 39, 40	En route security	52, 56, 57
Alteration of equipment	47	Equal opportunity.....	8
Amphetamines	36	Expenditures.....	46
ASD	35	Equipment maintenance	31, 46
Auditing	48	Equipment repairs	33, 36, 46
Authorization Requests (AR's).....	18	Equipment upkeep.....	46
Authorized routes.....	46	Facility security	55
Bills of lading.....	16, 17, 31, 42, 57, 59	Family and medical leave	22
Bobtailing.....	46	Firearms	13
Brakes	46	Freight claims.....	42
Cargo Claims Department.....	53, 54, 57	Fuel stops	44
Check calls	44	Garnishments	20
Citations	43	Hazardous materials	35, 52, 53, 54, 55, 57, 58
Claims review procedures.....	42	Hijackers	59
Cleanliness	46	Hours of Service (HOS).....	25, 30, 31, 45, 47, 48, 49
Cocaine	36	Human Resources	5, 8, 14, 15, 22, 23, 62
Comdata	16, 17, 18	Information security	55
Commodity damages	42	Inspection of equipment.....	43
Controlled substances	13, 15, 30, 31, 33, 36, 37	Insurance premiums	19
Criminal Background Investigations	54	Intentional damage claims	42
Dental benefits	20, 21	Judgments.....	20
Department of Transportation...12, 25, 33, 36, 39, 46, 52		Load assignment	25, 55
Discipline	7, 8, 9, 13	Load Acknowledgment	25
discrimination	8	Log infractions	45
Dock receipts	17	Marijuana	36, 39
Driver Expense Record.....	17	Medical benefits	21

Misconduct.....	7, 8	Scope of Operations	25
Mission Statement.....	6	Screening test	38
MRO	37	Security Plan	52
NHTSA	36	sexual harassment	8
Non-preventable damage claims.....	42	Sexual relations	11
On duty time	27	Shipper load and count.....	57
Operating permits.....	41, 45	Shortages	42
Opiates	36	Sleeper berth	25, 26, 27, 28
Overages	42	Speed.....	29, 30, 31
Overlength.....	45	Spoilage.....	42
Overweight.....	20, 41, 45	Stand-down	38
Pallets.....	55	Substance abuse	15
Parking	55, 56, 58, 59	Suppliers.....	55
Parking of personal vehicles	13	Suspension	30, 33
Paycheck	16	Suspicious activity	53, 54, 57, 58
Payroll.....	16, 18	Telephone Policy.....	12, 13
PCP	36	Termination	7, 9, 14, 15, 20, 21, 22, 30, 32, 40, 46, 58, 59
Performance bonus.....	42	Theft.....	14
Personal effects	14	Toll roads	19
Personal equipment use.....	46	Tractor Assignments	45
Personal vehicles.....	13	Training trucks	11
Pets.....	13	Trip envelopes.....	17, 18
Prescription Medications	37	Trip reports.....	17
Reasonable suspicion	34, 39, 40	Vacations.....	21, 22
Request for Service (RS's).....	18	Validity test	35
Review board	42	Vendors	55
Roadside inspections.....	30, 33, 45, 50	Vesting	21
Routing.....	54, 58	Violations	7, 13, 20, 31, 32, 33, 41, 45, 48, 49, 50
Safety Guidelines	29	Violence	53
Safety policies.....	30	Visitors	55, 56
Scaling.....	20		