

Vehicle Safety
Program (VSP)
CFR Title 49
Transportation

August 24

2020

Policy Statement

A & L Cesspool Service Corp

A & L Vehicular Safety Program

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Technical Material

OSHA Vehicle Safety Standards <http://www.osha.gov/SLTC/motorvehiclesafety/index.html#standards>
OSHA Safe Driving Practices http://www.osha.gov/Publications/Safe_Driving_Practices.pdf
OSHA Motor Vehicle Safety Facts http://www.osha.gov/OshDoc/data_Vehiclesafe/vehiclesafefactsheet.pdf
OSHA Guidelines for Reducing Motor Crashes http://www.osha.gov/Publications/motor_vehicle_guide.html
Federal Motor Carrier Safety Administration (FMCSA) <https://www.fmcsa.dot.gov/regulations/title49/b/5/3>

A & L Vehicular Safety Program

Policy Statement

It shall be the policy of the company to attempt to provide a safe environment for our workers and the community to which we all belong.

Vehicular Safety Program (VSP)

The company VSP is designed to address the company policy by:

- 1) Creating a program that conforms to regulatory standards;
- 2) Educating all personnel about the program;
- 3) Enforcing the program and compliance standards.

Vision

An accident and incident free environment.

Mission

Make safety a habit.

Objectives

- 1) Deploy a training program;
- 2) Monitor, record and report program compliance;
- 3) Evaluate performance;
- 4) Correct any deficiencies.

James Forte

Date

Principal

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Program Statement

Program Overview

The Department of Transportation and OSHA administer federal rules and regulations regarding vehicular safety. These regulations require the company to incorporate the following:

- 1) A Vehicular Safety Program (VSP);
- 2) Determine the affected employees;
- 3) Determine hazards related to vehicle safety;
- 4) Acquire the appropriate safety equipment;
- 5) Ensure the affected employees are trained and certified;
- 6) Monitor VSP compliance;
- 7) Maintain VSP records.

Affected Personnel

Affected personnel are all drivers or any contractor, person or employee engaged in any of the processes or tasks outlined in **Table 1: Work Assignments:**

VEHICLE	JOB ASSIGNMENT	SUBJECT TO VSP ENROLLMENT
Van or Box Truck over 10,000 Lbs.	Driver/Mechanic/Helper	Yes
Grease and Pump Truck Over 10,000 Lbs.	Driver/Mechanic/Helper	Yes
Orange Peeler	Driver/Mechanic/Helper	Yes
Jet-Vac	Driver/Mechanic/Helper	Yes
Any other vehicle over 10,000 Lbs.	Driver/Mechanic/Helper	Yes

Non-trained, non-affected, non-certified or non-enrolled personnel “shall not” operate a vehicle. No supervisor may incentivize, reward or coerce a non-trained, non-affected, non-certified or non-enrolled person to operate a vehicle. No supervisor may discipline a non-trained, non-affected, non-certified or non-enrolled person for refusing to operate a vehicle.

Personnel participating in the VSP do so at no cost to themselves. Covered costs of participation include such things as the vehicle, some required training, certain equipment and normal expenses such as insurance, maintenance and fuel.

VSP covered expenses do not include any costs of state or federal driver licensing or CDL licensing, personal tickets for parking or moving violations, fines for failing to comply with state, federal or company rules and regulations, expenses related to substance abuse rehabilitation, lost or stolen personal items, program non-compliance or any personal liability the enrolled may incur.

Program Implementation

Program Management

To evaluate the effectiveness of the program and to monitor compliance, a Program Committee shall be established.

The program committee shall be appointed by the President of the company or the President of the Safety Committee.

The program committee shall consist of the following personnel:

- 1) The Program Manager (PM) (a principal of the company);
- 2) The Program Supervisor (PS) (a principal of the company);

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- 3) The Program Coordinator (PC) (the safety coordinator).

Management Responsibilities

The Program Manager (PM)

- 1) Understand applicable federal, state, and municipal regulations pertaining to the assigned program;
- 2) Designate program priorities using regulatory standards and job-related safety concerns;
- 3) Evaluate the program statement for its compliance with regulatory standards and its applicability to job related safety concerns;
- 4) Monitor compliance with the program, enforce the program standards, sanction those not in compliance and evaluate program effectiveness;
- 5) Assign the PS;
- 6) Ensure the appropriate resources are available to implement the program effectively;
- 7) Select and monitor VSP equipment use to ensure proper deployment, maintenance, cleanliness, warranties;
- 8) Ensure selected employees are available for VSP training;
- 9) Monitor VSP certifications;
- 10) Ensure the PC has the appropriate resources to coordinate the program;
- 11) Participate in employee training;
- 12) Review contractor credentials and ensure contractor compliance with program standards;
- 13) Audit program record keeping.

The Program Supervisor (PS)

- 1) Evaluate and determine the standards necessary for any function;
- 2) If necessary, conduct a pre-employment “driving test” with prospective employee;
- 3) Identifying specific hazards;
- 4) Monitor the affected workforce for compliance.

The Program Coordinator (PC)

- 1) Draft and publish the program statement and update accordingly;
- 2) Coordinate employee training;
- 3) Monitor compliance with the program, enforce the program standards, report non-compliance, and evaluate program effectiveness;
- 4) Keep program records and arrange for compliance reporting to regulators.

Program Compliance

Compliance Statement

Compliance with this program is a requirement of employment.

Compliance Responsibilities (All Personnel)

- 1) Keep all operational and licensing credentials up to date and valid;
- 2) Immediately report to a committee member if operational or licensing credentials are not valid or suspended;
- 3) When asked, present operations or licensing credentials;
- 4) Immediately report any injury or property damage that could possibly be related to a company vehicle;
- 5) Report any program non-compliance;
- 6) Cooperate fully and truthfully with all safety investigations.

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IDLH (Immediate Danger to Life and Health) Alerts and Prohibitions

At no time, shall any person:

- 1) Under the age of 18 or under the legal age requirement (whichever is applicable to the license or vehicle) operate a privately owned or company vehicle;
- 2) Knowingly operate an unsafe or un-inspected vehicle or employ any unsafe action or behavior;
- 3) Employ any unsafe or unlawful driving action or create any unsafe driving condition;
- 4) Engage in any road-rage incident;
- 5) Start, move, or otherwise operate a vehicle when impaired;
- 6) Smoke or ignite a heat source in or within 100 feet of a vehicle;
- 7) Authorize any non-enrolled or non-authorized person to ride-in, ride-on, or operate a vehicle;
- 8) Start, move, or otherwise operate a vehicle while being distracted (such as eating, texting, talking, calling, daydreaming, rubbernecking or people watching);
- 9) Allow any other person to be on or in the vehicle unless the vehicle has passed inspection and is safely operational and the person is legally and properly seated and secured inside the vehicle;
- 10) Be impaired in any way;
- 11) Perform any maintenance with the proper authorization or training, nor shall any person perform any maintenance or fix (commonly referred to as a "work-around") if a manufacturer issued or dealer provided part is unavailable;
- 12) Tow another vehicle;
- 13) Exit the vehicle unless the vehicle is at a complete stop;
- 14) Exit the vehicle without wearing the issued reflective vest and insuring it is visible to oncoming traffic;
- 15) Back-up a vehicle without a rear ground guide;
- 16) Use a vehicle for anything not expressly authorized by the president of the company. No operator may use a vehicle for personal reasons;
- 17) Disengage any GPS or tracking device nor shall any person install or use any device that defeats or renders inoperable a tracking or speed detection device, or any other device employed to monitor operational use of the vehicle;
- 18) When leaving the vehicle, leave it unsecured, un-chocked or capable of being operated by another individual.;
- 19) Turn-on, deploy or otherwise operate any device attached to the vehicle (example: Pump or extend hoses from the vehicle) without the appropriate issued barricades, warning lights, flare lights and signage being correctly deployed.

Dress Code

It is the policy of the company that all personnel dress appropriately to perform functions of their job safely. Not including any assigned Personal Protective Equipment (PPE), personnel are required to dress in the following manner:

All driver personnel are required minimally to wear: Work Boots (steel toe optional), Long Pants which extend from the waist to the ankle, a shirt with sleeves (prohibiting "tank tops" or shirts with sleeves shorter than normal short-sleeves).

No type of clothing may be worn that hinders, obstructs or distracts the driver from operating the vehicle in a safe manner.

Accidents, Incidents, Tickets and Reporting Procedures

When involved in an accident, incident or when receiving a ticket, all personnel are required to follow these procedures:

- 1) If safe, stop immediately. If not, stop as soon as possible and place the vehicle in a safe position or location so as not to cause any hazard; then
- 2) Immediately check any passenger in the company vehicle for injuries. If injured, treat the person immediately; then
- 3) Secure the area from danger so that no other person or vehicle can become injured; then, each employee must call 911. NOTE: When any employee is involved in any accident or incident, additional reporting requirements require

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each employee involved in the incident or accident to immediately contact civilian law enforcement, then each employee must call the company. Employees will have been considered to have satisfactorily reported a safety related incident or when reporting having received a ticket only when contacting the President of the company, or the Safety Coordinator of the company, or the Dispatcher of the company. Reporting an incident to anyone else in the company is insufficient to meet the reporting requirement of any safety program, then

- 4) Collect the data from the other party involved; Name, License Plate, Insurance. Use your smart phone to take pictures of this information; then the employee driver
- 5) Get the contact information of any witnesses; then the employee driver
- 6) Complete the accident report at the scene while the events are still fresh in your mind; then the employee driver
- 7) When leaving the scene, report directly back to the company. Be prepared to go directly to a testing site for a drug and alcohol evaluation.

DO NOT:

- 1) **AUTHORIZE ANY REPAIRS** or any towing of any vehicle or property;
- 2) **LEAVE THE SCENE OF THE ACCIDENT** until all details have been recorded and all injured parties have been properly treated and removed from the scene or until you have the permission of a law enforcement person to leave.
- 3) **CONSUME ANY ALCOHOL OR ANY DRUGS** at the scene or after leaving the scene until you've been cleared to do so by law enforcement and the company.

Personally Owned Vehicles (POV's) and Personal Use

At times, the company may authorize the use of a company vehicle for personal use or a POV for company operations. In either circumstance, the use must be approved in writing and the vehicle and operator are always bound to the same terms and conditions of this VSP.

Hazard Assessment

The PM and PS will identify vehicular hazards, for each operation to which all persons are exposed to and shall enact such policies, training and compliance procedures to mitigate or eliminate these hazards.

The evaluation will include:

- 1) A list of hazards which shall be identified by site, job or operation;
- 2) A review of work processes to determine where potential exposures to these hazards may occur;
- 3) The implementation of previous safeguards and their effectiveness.

Table 2: Hazard Assessment

TYPE OF VEHICLE	FUNCTION	HAZARD	MANDATORY CONTROL
ANY	MOVING	BACKING UP	WHEN 2 OR MORE PERSONNEL ARE PRESENT; THE NON-DRIVER MUST EXIT THE VEHILCE AND BE USED AS A "REAR" GROUND GUIDE.
ANY	EXITING A VEHILCE	BEING HIT	ALL PERSONNEL MUST WEAR THEIR REFLECTIVE SAFETY VEST AT ALL TIMES.
ANY	WEARING PPE	INABILITY TO CONTROL THE VEHICLE	AT NO TIME SHALL A PERSON OPERATING A VEHICLE WEAR ANY PPE THAT INTERFERES

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			WITH THE SAFE OPERATION OF A VEHICLE. IF EXPOSED TO CHEMICAL AGENTS, DO NOT OPERATE A VEHICLE WITH A GAS MASK. EITHER; TAKE THE VEHICLE OUT OF OPERATION AND DON THE MASK AND CLEAR THE AFFECTED AREA FIRST OR MOVE THE VEHICLE OUT OF THE AFFECTED AREA AND DON THE MASK WHEN THE VEHICLE IS NOT IN OPERATION.
ANY	COMMUNICATIONS	DISTRACTED	ALL COMMUNICATIONS MUST BE HANDS FREE. HEADPHONES OR OTHER DEVICES THAT HINDER SENSORY PERCEPTION (EXCEPT EAR PLUGS) ARE STRICTLY PROHIBITED. TEXTING WHILE DRIVING IS STRICTLY PROHIBITED. PROGRAMMING GPS WHILE MOVING IS STRICTLY PROHIBITED.
ANY	MOVING	LOOSE EQUIPMENT	SECURE ALL EQUIPMENT IN AND AROUND THE VEHICLE. REMEMBER THAT A COMMERCIAL VEHICLE IS HEAVIER THAN A CIVILIAN VEHICLE AND CARRIES UNBALANCED LOADS AND WEIGHT. MOVE SLOWER-KEEP MORE DISTANCE BETWEEN YOU AND ANOTHER VEHICLE-BRAKE SOONER.
ANY	PUMPING	SLIP AND FALLS-FLYING OBJECTS-SPILLS	WHEN PUMPING, THE VEHICLE OPERATOR MUST PERSONALLY DEPLOY BARRICADES, SINAGE AND LIGHTING TO WORN ONCOMING TRAFFIC AND PEDESTRIANS TO THE HAZARD. THE OPERATOR MAY NOT ORDER OR RELY ON THE HELPER TO DEPLOY ANY SAFETY RELATED DEVICE. ALWAYS WEAR PPE WHEN CONDUCTING PUMPING OPERATIONS. ALWAYS HAVE A SPILL KIT READILY AVAILABLE WHEN PUMPING.

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Vehicle Operational Procedures

Pre-Operation (SEE ADDENDUM A.)

Before placing the vehicle into operation, use the **DAILY VEHCILE INSPECTION REPORT BOOK**:

a) Review the last form filled out in the book. Ensure the last driver did not note any deficiencies that need repair.

IF YES (deficiencies are noted on the previous report), then notify an office supervisor.

IF REQUIRED TO DRIVE, then bring the report book to the supervisor and have the supervisor physically sign the form with the deficiencies authorizing the vehicle to be operated without repair.

IF NOT ALLOWED TO DRIVE, then bring the vehicle directly to the mechanic shop and give the book to the mechanic.

IF NO (deficiencies are not noted), then use the next page of the book to conduct a pre-operational inspection.

b) When filling out a new report, note any deficiencies that need repair.

IF YES (deficiencies are noted on the new report), then notify an office supervisor.

IF REQUIRED TO DRIVE, then bring the report book to the supervisor and have the supervisor physically sign the form with the deficiencies authorizing the vehicle to be operated without repair.

IF NOT ALLOWED TO DRIVE, then bring the vehicle directly to the mechanic shop and give the book to the mechanic.

IF NO (deficiencies are not noted), then you may place the vehicle into operation.

Placing the Vehicle into Operation

- 1) Review the route you are expected to travel. Look for accidents or other hazards. Program your route accordingly;
- 2) Conduct an inspection of the load you are about to carry. Ensure the tank is not leaking, is serviceable and secure;
- 3) Ensure all safety equipment is present and serviceable;
- 4) Perform a visual 360-degree of the area to ensure no hazards;
- 5) Notify all affected personnel that the vehicle is about to move.

Post Operation (SEE ADDENDUM A.)

Before placing the vehicle out of operation, use the **DAILY VEHCILE INSPECTION REPORT BOOK**:

a) Review the Pre-Operational form that you filled out at the beginning of your shift. List any deficiencies you find at the end of your shift.

IF YES (deficiencies are noted on the post operation report), then notify an office supervisor. If the supervisor instructs you to bring the book to him or her for review, then do so else leave the book in the vehicle for the next driver to read.

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Program Training, Certification and Re-training

Training and Certification

The PC will arrange the VSP training for personnel. Training or re-training shall be conducted when hazardous conditions or work assignments change or NLT annually.

All training shall cover the following basics:

- 1) A & L VSP; and
- 2) OSHA and DOT VSP Guidelines; and
- 3) VSP hazards and their locations; and
- 4) Proper selection and use of VSP equipment; and
- 5) Pumping techniques.

Jet Vac or Orange Peeler training will require personnel to be trained prior to using the Orange-Peeler or Jet Vac by Sr. operator with at least 2,000 hours of operational Jet Vac time and 20 hours of operational Orange Peeler time.

Re-training and Certification

Covered and affected employees shall receive retraining when:

- 1) There is a change in Job assignment(s) that exposes an affected employee to new VSP hazards; or
- 2) Machines, equipment, or processes that present a new hazard or require modified VSP procedures; or
- 3) VSP procedures or Regulatory Policy changes; or
- 4) It becomes known that an employee incorrectly performs VSP procedures; or
- 5) When an employee voluntarily requests refresher training.

Any training will be certified by the Safety Coordinator.

Record Keeping

A written copy of this program and the OSHA VSP Standard and the DOT Title 49 are kept in the Coordinator's office and each is available to all personnel who wish to review it.

Also maintained by the Coordinator and Office Manager are the VSP training, testing, certifications, inspection, and reports records.

Actual daily inspection and maintenance and repair records are to be kept for at least 3 months and any inspection records or investigations for a minimum of 1 year.

ADDENDUM A. DRIVER VEHICLE INSPECTION REPORT

§ 396.11: Driver vehicle inspection report(s).

(a) **Equipment provided by motor carrier.** (1) **Report required.** Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated, except for intermodal equipment tendered by an intermodal equipment provider. The report shall cover at least the following parts and accessories:

- (i) Service brakes including trailer brake connections;
- (ii) Parking brake;
- (iii) Steering mechanism;
- (iv) Lighting devices and reflectors;
- (v) Tires;
- (vi) Horn;
- (vii) Windshield wipers;
- (viii) Rear vision mirrors;
- (ix) Coupling devices;
- (x) Wheels and rims;
- (xi) Emergency equipment.

(2) **Report content.** (i) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. The driver of a passenger-carrying CMV subject to this regulation must prepare and submit a report even if no defect or deficiency is discovered by or reported to the driver; the drivers of all other commercial motor vehicles are not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver. (ii) The driver must sign the report. On two-driver

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operations, only one driver needs to sign the driver vehicle inspection report, provided both drivers agree as to the defects or deficiencies identified.

(3) **Corrective action.** (i) Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect or deficiency listed on the driver vehicle inspection report which would be likely to affect the safety of operation of the vehicle.

(ii) Every motor carrier or its agent shall certify on the original driver vehicle inspection report which lists any defect or deficiency that the defect or deficiency has been repaired or that repair is unnecessary before the vehicle is operated again.

(4) **Retention period for reports.** Every motor carrier shall maintain the original driver vehicle inspection report, the certification of repairs, and the certification of the driver's review for three months from the date the written report was prepared.

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DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS

CARRIER: _____

ADDRESS: _____

DATE: _____ TIME: _____ A.M. _____ P.M.

CHECK ANY DEFECTIVE ITEM AND GIVE DETAILS UNDER "REMARKS"

TRACTOR/ TRUCK NO. _____ ODOMETER READING _____

<input type="checkbox"/> Air Compressor	<input type="checkbox"/> Front Axle	<input type="checkbox"/> Safety Equipment
<input type="checkbox"/> Air Lines	<input type="checkbox"/> Fuel Tanks	<input type="checkbox"/> Fire Extinguisher
<input type="checkbox"/> Battery	<input type="checkbox"/> Horn	<input type="checkbox"/> Flags/Flares/Fusees
<input type="checkbox"/> Belts and Hoses	<input type="checkbox"/> Lights	<input type="checkbox"/> Reflective Triangles
<input type="checkbox"/> Body	<input type="checkbox"/> Head/Stop	<input type="checkbox"/> Spare Bulbs and Fuses
<input type="checkbox"/> Brake Accessories	<input type="checkbox"/> Tail/Dash	<input type="checkbox"/> Spare Seal Beam
<input type="checkbox"/> Brakes, Parking	<input type="checkbox"/> Turn Indicators	<input type="checkbox"/> Starter
<input type="checkbox"/> Brakes, Service	<input type="checkbox"/> Clearance/Marker	<input type="checkbox"/> Steering
<input type="checkbox"/> Clutch	<input type="checkbox"/> Mirrors	<input type="checkbox"/> Suspension System
<input type="checkbox"/> Coupling Devices	<input type="checkbox"/> Muffler	<input type="checkbox"/> Tire Chains
<input type="checkbox"/> Defroster/Heater	<input type="checkbox"/> Oil Pressure	<input type="checkbox"/> Tires
<input type="checkbox"/> Drive Line	<input type="checkbox"/> Radiator	<input type="checkbox"/> Transmission
<input type="checkbox"/> Engine	<input type="checkbox"/> Rear End	<input type="checkbox"/> Trip Recorder
<input type="checkbox"/> Exhaust	<input type="checkbox"/> Reflectors	<input type="checkbox"/> Wheels and Rims
<input type="checkbox"/> Fifth Wheel		<input type="checkbox"/> Windows
<input type="checkbox"/> Fluid Levels		<input type="checkbox"/> Windshield Wipers
<input type="checkbox"/> Frame and Assembly		<input type="checkbox"/> Other

TRAILER(S) NO.(S) _____

<input type="checkbox"/> Brake Connections	<input type="checkbox"/> Hitch	<input type="checkbox"/> Suspension System
<input type="checkbox"/> Brakes	<input type="checkbox"/> Landing Gear	<input type="checkbox"/> Tarpaulin
<input type="checkbox"/> Coupling Devices	<input type="checkbox"/> Lights - All	<input type="checkbox"/> Tires
<input type="checkbox"/> Coupling (King) Pin	<input type="checkbox"/> Reflectors/Reflective Tape	<input type="checkbox"/> Wheels and Rims
<input type="checkbox"/> Doors	<input type="checkbox"/> Roof	<input type="checkbox"/> Other

Remarks: _____

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE: _____

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: _____

DATE: _____

EMERGENCY SIGNATURE: _____

DATE: _____

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YOU MUST HAVE THE FOLLOWING EQUIPMENT ON THE VEHICLE:

- 1 SPILL KIT
- 1 FIRST AID KIT
- 1 WARNING TRIANGLE KIT
- 1 FIRE EXTINGUISHER
- 2 BARRICADES WITH LIGHTS

IF ANY OF THE ABOVE IS MISSING OR IS UNSERVICEABLE, THEN YOU MUST REPORT IT IMMEDIATELY.

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ADDENDUM B. ENHANCED MONITORING OF VEHICLE ACTIVITY

The company has a legal obligation to provide a safe work environment for its employees, clients and the public.

To meet this obligation and to comply with federal, state and municipal regulations, the company creates safety programs which all affected employees are required to enroll in and comply with.

To ensure compliance, the company employs training and inspection guidelines and employs various mechanical and electronic monitoring devices on its vehicles and property.

To monitor compliance, the company has employed GPS (Global Positioning Systems) on its vehicles. GPS allows the company to track the location (past and present) and speed of its vehicles.

To enhance its ability to monitor compliance with safety programs, the company is now adding "Video Monitoring" (VM) on selected vehicles.

Selected vehicles will have multiple 2-way cameras mounted inside and outside the vehicle affording constant video monitoring of the vehicle cab, the occupants, the road and the area surrounding the vehicle. The equipment can also track and provide enhanced vehicle GPS data.

The VM equipment will be installed and maintained by a third-party vendor. Unauthorized persons, company employees, vehicle occupants or contractors shall not:

- 1) Install, maintain, reposition, turn-off, unplug, disconnect or otherwise touch any VM equipment;
- 2) In any way, interfere with any power source, signal, wire, button, knob, light, lens or mount connecting to or used in the operation of the VM equipment;
- 3) Employ any method, procedure, process or device to block the view of the camera or to defeat the ability of the equipment to monitor its intended areas;
- 4) Employ any method, procedure, process or device to block or interfere with the recording or transmission of the data created by the VM equipment;
- 5) Employ any method, procedure, process or device to circumvent the intended purpose of the monitoring or recording of equipment data.

Employees that engage in any of the above referenced activities may be charged to repair or replace the equipment and will be disciplined and may have their employment terminated.

The equipment has both video and audio recording capabilities. The company has elected, at this time, to employ "only" video monitoring. The company, at this time, will not engage in audio monitoring and has instructed the vendor to disable this feature. The company reserves the right to legally employ the audio monitoring feature when it deems necessary to do so.

The data created by the monitoring will be kept for an undetermined time, shall be reviewed and will be used by the company to ensure safety program compliance. The data created is company property. The company shall disclose or disseminate the data at its sole discretion or when legally required to do so.

Employees should be aware that they have no expectation of privacy during video monitoring and that activities which are illegal, unsafe or non-compliant and are captured during monitoring may be reported to authorities and may be used against the employee for disciplinary action.

Compliance with this addendum is a requirement of employment.

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ADDENDUM C. NYC IDLING LAW

The New York City Administrative Code, Title 24, Section 24-163 establishes that no person should allow the engine of a motor vehicle to idle for longer than three minutes while parking, standing, or stopping. However, there are two exceptions to this rule. The exceptions apply to the following:

1. Legally authorized emergency motor vehicles, and
2. Vehicles whose engine is used to operate a loading, unloading, or processing device.

In addition, the legal idling time is reduced from three minutes to one minute around public and private school facilities as set forth in the Local Law of the City of New York Number 5 for the year 2009.

Businesses in the construction industry, and commercial, cultural, and manufacturing establishments that own, rent, and/or use motor vehicles should become familiar with the Idling Regulations. Failure to comply with Idling Regulations might result in significant financial penalties, as set forth in the Rules of the City of New York (RCNY) Title 15, Air Code Penalty Schedule. Please refer to the links below under Additional Information to download the Air Code Penalty Schedule.

Employees shall not idle unless actively engaged in loading or unloading.

Employees will be personally responsible for idling summonses and any penalties that apply.

Compliance with NYC traffic, Parking, and Idling laws are a condition of employment.

Employees that fail to comply are subject to disciplinary action which includes employment termination.