TABLE OF CONTENTS

I. Purpose 2

II. Scope 2

III. References 2

A. Federal Regulations 2

B. State Regulations 2

C. Federal Employment Laws 3

D. State Employment Laws 3

IV. Non-Regulatory Requirements 3

A. Insurance Carrier 3

B. Union Organizations 3

C. Customer Requirements 3

V. Definitions 3

VI. Responsibilities 5

A. Drivers 5

B. Driver Managers/Supervisors 5

C. Operations 5

D. Human Resources 5

E. Safety Department 5

VII. Policy Procedures 5

A. Driver Recruiting 5

B. Driver Qualification 6

C. Driver Compliance/Retention Standards 16

VIII. Compliance Audits 19

A. Safety Department 19

B. Third Party Audit 19

IX. Consequences of Non-Compliance 19

A. Driver Recruiting 19

B. Driver Qualification 19

In2vate Training

Driver Qualification Program

# Purpose

The in2vate depends greatly upon its commercial vehicle drivers to operate our equipment in a safe and efficient manner. It is imperative that each and every driver possess the skills and attitude to operate the in2vate’s vehicles in a manner that ensures the safety of the driver, his/her passengers, the motoring public and any cargo that may be present. Facility Managers will be responsible for recruiting and qualifying only those drivers who adequately meet the quality expectations of the in2vate. Once hired, drivers must make every effort possible to prevent any occurrences of damage to institution vehicles, property, and any third party vehicles or property. With the in2vate’s name and logo proudly displayed on our vehicles, it will be equally important for drivers to drive in a professional and courteous manner at all times in order to promote a positive image for the in2vate as our vehicles travel amidst the public and our customers.

# Scope

To meet the objectives stated above, the in2vate will carefully review all information submitted by applicants seeking a driving position, and only hire those individuals that meet the hiring standards established by the in2vate and the standards established by the DOT. Drivers who are hired will be expected to maintain an acceptable level of performance in all aspects of his/her job including their driving record, safety record, customer service, cargo damage/loss, and cooperation with other in2vate associates.

# References

## Federal Regulations

Drivers who transport property or passengers in interstate commerce must be qualified per the guidelines of Part 391 (Driver Qualification) of the Federal Motor Carrier Safety Regulations (FMCSR). These regulations apply to drivers who operate any one of the following types of vehicles:

#### Motor vehicles with a gross vehicle weight rating (GVWR) of 10,001 or more pounds;

#### Vehicles transporting more than 15 passengers including the driver;

#### Any size vehicle transporting hazardous materials which require placarding of the transport vehicle.

## State Regulations

Drivers who transport property or passengers in intrastate commerce must comply with state regulations. Nearly all states have substantially adopted the federal regulations or have less stringent requirements for driver qualification than those mandated by the federal regulations. For the purposes of risk management and administrative simplicity, the Institution will require all drivers to comply with the federal regulations. If a state has a particular regulatory requirement that is more stringent than the federal guidelines, the driver and institution must adhere to the state requirement.

## Federal Employment Laws

When hiring and terminating drivers, federal employment laws such as Equal Employment Opportunity (E.E.O.) and American Disabilities Act (A.D.A.) must be complied with.

## State Employment Laws

Institution managers and supervisors responsible for the hiring and the termination of drivers must consult with the Human Resources Department to become familiar with any unique employment laws required by the state in which the driver is employed.

# Non-Regulatory Requirements

## Insurance Carrier

If the insurance carrier that handles the in2vate’s third party liability insurance and vehicle insurance has established standards regarding a driver’s driving record, these standards must be complied with. These standards will be used to determine when a driver has exhibited an unacceptable level of unsafe driving behavior and, therefore, is a high risk and no longer eligible for insurance coverage under the in2vate’s policy.

## Union Organizations

The teamster’s union or other involved organizations have established policies for its members regarding work conditions and the actions to be taken for drivers who violate in2vate policies.

## Customer Requirements

(Security clearance, criminal checks, code of conduct, etc.) As specified by that customer.

# Definitions

**Commercial motor vehicle (CMV)** - Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

#### The vehicle has a gross vehicle weight rating or gross combination weight rating of 4,537 or more kilograms (10,001 or more pounds); or

#### The vehicle is designed to transport more than 15 passengers, including the driver; or

#### The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Materials Transportation Act.

**Driver** - Any person who operates any commercial motor vehicle, this would include mechanics, supervisors, drivers or any other person who would operate a CMV on a public highway at the in2vate’s direction.

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

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

**Intermittent, Casual, or Occasional Driver** - A driver who in any period of 7 consecutive days is employed or used as a driver by more than a single motor carrier. The qualifications of such a driver shall be determined and recorded in accordance with the provisions of 49 CFR §391.63 or §391.65, as applicable.

**Medical Examiner -** A person who is licensed, certified, and/or registered, in accordance with applicable State laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

**Medical Review Officer (MRO)** – A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history and any other relevant biomedical information.

# Responsibilities

## Drivers

Once a driver has been successfully qualified by the Safety Department, the driver will be responsible for complying with all regulatory and in2vate requirements. Drivers must also renew all qualification items which are subject to expiration prior to actual date of expiration. Such items will include driver’s license, DOT physical exam, and annual certificate of violations.

## Driver Managers/Supervisors

in2vate managers and supervisors will ensure that drivers comply with the requirements of this policy. Any suspected violations must be immediately reported to the Safety Department.

## Operations

Operations and dispatch personnel must not permit nor require drivers to operate in commerce if the driver is in violation of any of the policies in this section. Any driver who is suspected or known to be in violation of these policies must be immediately reported to the Safety Department.

## Human Resources

The Human Resources will be responsible for maintaining driver qualification documents that are considered to be a medical record containing confidential information (i.e., DOT physical examination form).

## Safety Department

The Safety Department will be responsible for maintaining all driver qualification documents. The department must also monitor drivers and in2vate personnel for compliance with these policies, investigate any reported violations, and administer the appropriate disciplinary action with confirmed violators.

# Policy Procedures

## Driver Recruiting

Drivers are an integral part of the in2vate’s operation and bear a great deal of responsibility as they ensure the safe and on time delivery of our vehicles. It is crucial that our drivers possess the skills, knowledge and attitude necessary to meet the demands of our customers, dispatch, fleet maintenance and safety. Hiring qualified drivers is critical to the in2vate’s success, and can save substantial dollars and headaches when the driver is capable and motivated to perform his/her job responsibilities in a quality manner. When hiring new drivers, every effort should be made to attract only those drivers who will meet in2vate standards**.**

1. **Methods for Recruiting**
2. Newspaper advertisements
3. Radio advertisements
4. Brochures
5. Incentive program for referrals

 **2) Screening Applicants**

Applicants who express an interest in a driving position with the in2vate must be carefully screened to determine if they are a legitimate candidate and will meet the in2vate’s standards and expectations.

* Recruiters will ask applicants all of the questions listed on the in2vate’s “Driver Recruiting Questionnaire” form (see Exhibit 1.2-A).
* Drivers who successfully pass the screening process and still express a strong interest in a driving position will be asked to complete all forms contained in the in2vate’s “Driver Qualification Packet” (Exhibit 1.2-B).
* Completed forms will be forwarded as soon as possible, but within 30 days, to the Safety Department for review and approval.

**3) Tracking Results**

The in2vate invests substantial dollars in the recruiting of drivers, and must track the effectiveness of current recruiting methods so that adjustments can be made when optimum results are not achieved.

* The Safety Department will maintain statistics regarding the number of applicants who approached the in2vate, the source of the applicants’ information about the in2vate and job openings, the number of applicants actually interviewed, number of applicants who submitted a qualification packet, number of applicants hired, longevity of hired applicants, and reasons for leaving the in2vate.
* Statistics will be presented during quarterly management staff meetings.

## Driver Qualification

Applicants who successfully pass the screening process will be required to provide the Institution with detailed information regarding the driver’s work history and driving record. The information submitted must be carefully reviewed and verified to ensure that the driver meets the in2vate’s hiring standards.

**1) Hiring Standards**

AGE – It is the in2vate’s belief that a driver’s knowledge and expertise increases with the driver’s age. Therefore, the Institution should mandate a more stringent age standard than what is required by federal regulation (21 years old) and state regulation (18 years old for Wisconsin, Illinois, etc.).

* in2vate policy – 25 years or older

 **2) Driver’s License**

In order to operate any type of motor vehicle under the in2vate’s direction, the driver must possess a legal license of the proper class as required by state licensing standards. Each applicant’s license must be reviewed to ensure it meets the following standards:

1. Valid license (not currently suspended, revoked, or canceled).
2. Possess only one valid license.
3. License issued by state in which person resides.
4. Correct class of license for vehicle(s) to be operated.
5. Appropriate endorsements, when applicable (H-hazardous materials, N-tank vehicle, X-hazardous material and tank vehicle, T-double/triple trailer, P-passengers).

**3) Driving Experience**

Applicant must have verifiable driving experience in the type of vehicle(s) or equivalent vehicle to the type he/she will be operating for the in2vate. The minimum amount of experience required will be as follows:

1. Tractor-trailer
	* Over 500 miles from home facility – 100,000 miles
	* Within 500 mile radius of facility – 50,000 miles
	* Within 100 mile radius of facility – 10,000 miles
	* Driver trainee – Minimum of 30 hours road time while participating in a certified truck driver training school

*Note: If driver will be transporting a tanker trailer, driver must have the number of miles experience listed above while transporting a tanker trailer.*

1. Straight-truck (over 26,000 lbs. GVWR)
	* Over 500 miles from home facility – 50,000 miles
	* Within 500 mile radius of facility – 25,000 miles
	* Within 100 mile radius of facility – 10,000 miles
2. Straight-truck (less than 26,001 lbs. GVWR)
	* Over 500 miles from home terminal – 25,000 miles
	* Within 500 mile radius of terminal – 15,000 miles
	* Within 100 mile radius of terminal – 7,500 miles
3. Step van (greater than 10,001 lbs. GVWR)
	* Over 500 miles from home facility – 20,000 miles
	* Within 500 mile radius of facility – 10,000 miles
	* Within 100 mile radius of facility – 7,500 miles
4. Any vehicle less than 10,001 lbs. GVWR
	* Any distance – Must have 4 years or more driving experience in similar type vehicle.

**4) Work Experience**

The applicant’s employers for the preceding 3 years will be contacted to verify the period of employment at the previous institution, and obtain information about the applicant’s driving record, work performance, and general attitude. To be considered for a driving position, the applicant must meet the following general standards:

1. Acceptable driving record (see hiring standards).
2. Performed competently at previous driving positions.
3. No record of misconduct regarding employment policies.

**5) Special Skills**

1. Flatbed Trailers – Drivers who will be assigned to transport flatbed trailers must be familiar with the load securing device requirements found in Part 393, Subpart I (Protection Against Shifting or Falling Cargo). Driver applicants must pass a knowledge/skills test on proper securement techniques and recognition of defective securing devices prior to being assigned a load requiring transportation by flatbed.
2. Tanker Trailers – Drivers who will be assigned to transport tanker type trailers must be familiar with proper filling and purging procedures, and knowledgeable of emergency response procedures. Driver applicants must pass a knowledge/skills test prior to transporting any loaded tanker trailer.
3. Cargo Handling – In order to minimize cargo damage due to mishandling by the driver, applicants must have previous cargo handling experience. Applicants who will be hired for a position involving handling of cargo must meet the following requirement:
	* Have a minimum of one year of experience in loading and unloading cargo of the same type they will handle for the in2vate.

*Note: In most cases, in2vate drivers would only be required to operate vehicles that are not attached to a trailer; however, if the customer requires trailers to remain attached, the above mentioned items would require attention.*

**6) Criminal Record**

On occasion, drivers will be required to transport shipments to facilities where a high level of security is required (Example: Department of Defense). These customers require that the driver have no criminal background which might indicate a possible threat to security. Driver applicants must meet the following standards:

1. Felony – none within past 20 years.
2. Misdemeanor – no more than one in the past 5 years.

**7) Driving Record**

One of the in2vate’s responsibilities is to ensure the safety of the motoring public by authorizing only safe drivers to operate commercial motor vehicles on public roads. An indicator of unsafe driving habits is the driver’s recent history of moving traffic violations and vehicle accidents. Drivers who have an unacceptable driving record could weaken the in2vate’s defense in a liability lawsuit if the driver would become involved in a vehicle accident resulting in personal injuries or fatalities. To be qualified for a driving position, driver applicants must meet the following standards.

*Note: All of the following standards apply to violations for which the driver was convicted while operating any type of motor vehicle (unless stated otherwise).*

1. **Vehicle Accidents** (Chargeable or preventable accidents) – Drivers who establish a pattern of causing accidents which could have been reasonably prevented (referred to as a “chargeable” or “preventable”) will more than likely become accident prone to the point that they will become careless and cause a serious accident resulting in fatalities, personal injuries, and/or extensive property damage. In order to minimize the likelihood of such accidents, driver applicants must meet the following standards:
	* Past 12 months – no preventable accidents
	* Past 24 months – no more than one preventable accident
	* Past 36 months – no more than two preventable accidents
2. **Traffic Violations** - Drivers who are convicted for violating traffic laws on an ongoing basis have indicated, through their pattern of negative behavior, that they are not the safe driver they need to be to ensure the safety of themselves, their passengers, and the motoring public. These drivers must drive in a professional manner at all times in order to avoid traffic violations such as speeding, improper lane change, following too closely, failing to yield the right of way, etc. Driver applicants must meet the following standards (Note: does not include parking violations):
	* Past 12 months – no more than one violation
	* Past 24 months – no more than two violations
	* Past 36 months – no more than three violations
3. **Driving Under the Influence of Alcohol** – Operating a motor vehicle while impaired by alcohol is extremely unsafe and highly prohibited. Any driver who is convicted for “driving under the influence” (DUI), “operating under the influence” (OUI), refusal to submit to an alcohol test, or possession of alcohol, has incurred a serious black mark on his/her driving record, jeopardizing his/her ability to obtain vehicle insurance, and will be subject to close scrutiny by employers and insurers. Driver applicants must meet the following standards:
	* Non-commercial vehicle – none within past 3 years
	* Commercial vehicle – none within past 5 years
	* Multiple offenses – no more than one in any type of vehicle within past 15 years
4. **Careless or Reckless Driving** – Drivers found guilty of operating a motor vehicle in willful or wanton disregard for the safety of persons or property are considered by the Institution to be unsafe drivers. Driver applicants must meet the following standard:
	* Past 36 months – none
5. **Serious Traffic Violations** – Drivers who are convicted of serious traffic violations while operating a vehicle requiring a CDL license, will temporarily lose their CDL (see section 383.51 of the FMCSR). Serious traffic violations include: 1) speeding 15 MPH or more above the posted speed limit, 2) reckless driving, 3) improper or erratic lane changes, 4) following the vehicle ahead too closely, and 5) motor vehicle traffic violation (other than parking) arising from an accident involving a fatality. Driver applicants must not have these violations as follows:
	* Past 36 months – no more than one
6. **Criminal Offense Involving a Commercial Motor Vehicle** – Under sections 383.51 and 391.15 of the FMCSR, drivers who are convicted or forfeit bond or collateral for certain types of offenses while operating a commercial motor vehicle (10,001 lbs. or more GVWR or GCWR) will be disqualified from operating in commerce for one to three years. Due to the serious nature of these offenses, the Institution will take a stricter stand regarding driver applicants who were convicted for these violations while operating a commercial motor vehicle.
	* Operating while under the influence of a controlled substance – none ever
	* Transportation of a controlled substance while on duty – none ever
	* Leaving the scene of an accident – none ever
	* A felony involving the use of a commercial motor vehicle – none ever
7. **Driver License Suspension/Revocation/Cancellation** – Drivers who have had a license privilege suspended, revoked or canceled due to moving traffic violations (does not include parking violations) in the recent past are considered by the Institution to be irresponsible and not respective in their operation of motor vehicles on public roads. This attitude would be difficult to defend if the driver should involve the Institution in a liability lawsuit resulting from a serious accident. Driver applicants must not have a record of this type of violation as follows:
	* Past 36 months – no violation

**8) Driver Qualification Procedures**

1. Driver Applicants – Driver applicants must submit to the in2vate the required driver qualification paperwork (see the in2vate “Driver Qualification Packet,” Exhibit 1.5-A), and follow all qualification procedures. Driver applicants must be approved by the Safety Department prior to operating any commercial motor vehicle for the in2vate in any capacity (local, intrastate, or interstate).
2. Safety Department – All qualification documents submitted by driver applicants will be reviewed by the Safety Department for completeness and assessed to determine if the applicant meets the in2vate’s hiring standards.
3. **Qualification Documents** – Part 391 of the FMCSR requires that the Institution obtain/maintain certain documents used to qualify drivers. The documents listed below which are required by the regulations will have the regulation reference number after the document name. A sample of each form can be found at the end of this section (see Exhibits 1.5-C1 through 1.5-C10). Any document submitted past 30 days from date of completion will have to be redone so that the Institution receives current information from the applicant. The following documents must be obtained for each applicant and maintained in the driver’s driver qualification file:
	* + - 1. **Application for Employment (391.21)**

Use a “driver” application form supplied by the in2vate (see Exhibit 1.5-C1).

Application form must contain all of the information required under Section 391.21 of the FMCSR.

in2vate policy requires that the applicant list all past employers for the past 10 years, regardless of whether or not the driver was operating commercial motor vehicles for the previous employer(s). Any gaps in employment for more than a one month period must be accounted for and listed on the application (i.e., unemployed, attending school, etc.).

Review information listed on the form to determine if the driver meets in2vate hiring standards regarding age, experience, and driving record.

* + - * 1. **Copy of Driver’s License**

Obtain legible copy of license.

Review license to ensure it has not expired, is the appropriate class for the vehicle the applicant will be operating for the in2vate, has appropriate endorsements when applicable (i.e., X – hazardous materials), is issued by the state in which the driver currently resides.

* + - * 1. **Motor Vehicle Record (MVR) (391.23)**

An MVR must be requested as soon as a completed driver application form is received from driver.

Request MVR from every state in which the applicant has lived during the past 3 years. Previous states of residency can be found on the driver application form. If an MVR requested from a former state of residency indicates “no record found,” the MVR must be placed in the driver qualification file as verification that the in2vate attempted to obtain that information.

Review information to determine if applicant meets in2vate hiring standard regarding driving record.

* + - * 1. **Investigation of Previous Employers (391.23)**

All employers during the previous 3 years must be contacted in order to verify the dates of employment, type of work performed for the employer, extent of driving experience for each type vehicle operated, vehicle accident record, and driver’s general work performance and attitude.

Previous employers may be contacted by telephone or by mail using a “Previous Employer Information Request” form (see Exhibit 1.5-C4) which must be sent via registered mail, return receipt requested.

The results of each inquiry must be in written form and retained in the qualification file. If a previous employer refuses to release information, a note shall be placed in the file stating such.

Review information to determine if applicant was truthful about the information they listed on the application, and that the applicant meets in2vate hiring standards regarding work experience, driving experience, driving record and attitude.

* + - * 1. **Drug & Alcohol Test Information from Previous Employers (382.413)**

Applicants must provide written consent to the in2vate for each previous employer during the preceding 2 years. A in2vate consent form (see Exhibit 1.5-C5) must be used which authorizes the in2vate to obtain drug and alcohol test information only for testing conducted by the previous employer under Part 382 of the FMCSR. Consent forms must be sent via registered mail, return receipt requested, prior to the applicant being hired for a driving position.

The results of each inquiry must be in writing and retained in the separate drug and alcohol testing records file for the driver. If no response is received from the previous employer or the employer is not regulated by Part 382, a note to that effect must be placed in the driver’s drug and alcohol testing file.

If a response reveals that the driver had tested positive or refused to be tested, we must obtain from the previous employer the name of the Substance Abuse Professional (SAP) that evaluated the driver, and contact the SAP to determine the status of the driver’s compliance with Section 382.605 of the FMCSR. Refer to in2vate hiring standards for further action.

* + - * 1. **Physical Examination & Certificate (391.41, 391.43, 391.45)**

Physical examination must be performed by a qualified medical examiner (see Section 390.5, “Medical Examiner” in the FMCSR) who is designated by the in2vate. Physicals conducted by the applicant’s personal doctor or Medical Certificates issued by another motor carrier will not be accepted.

The in2vate will pay for all pre-employment DOT physicals.

Examination must be conducted in accordance with the guidelines listed in Sections 391.41, 391.43, and 391.45 of the FMCSR.

Results of physical examinations must be recorded on a in2vate exam form (see Exhibit 1.5-C6.1). Examiner will complete a Medical Examiner’s Certification card (see Exhibit 1.5-C6.2) for those drivers who successfully pass the physical. The original certification card will not be given to the applicant, but instead forwarded directly to the Safety Department. The applicant will be given the card once DOT qualification has been approved by the Safety Department.

Drivers must have the Medical Examiner’s Certification card in their possession at all times when they are operating a in2vate vehicle. Drivers will be responsible for the payment of any DOT fines issued for failure to have this card in their possession.

The physical exam form and a copy of the Medical Examiner’s Certificate will be forwarded to the Safety Department who will carefully review each form to ensure that they have been properly completed, and verify that the driver meets the DOT criteria for items such as Vision, Hearing, Blood Pressure, etc.

In the case of missing or incorrect information, the examiner must be contacted and correct documentation obtained.

* + - * 1. **Pre-Employment Drug Test**

Applicant must submit to a DOT pre-employment drug screen to be conducted at a collection site designated by the in2vate.

Applicant will not be offered employment with the in2vate until a negative test result has been reported by the in2vate’s Medical Review Officer (MRO).

*Note: See also Section 2 “Alcohol & Controlled Substances Testing” of the in2vate policy.*

* + - * 1. **Road Test & Certificate**

Applicant must pass a road test examination conducted in the type of vehicle the applicant will operate for the in2vate or a customer of the in2vate.

Road test must consist of a minimum of 15 miles of driving and include operation of the vehicle in a variety of traffic conditions sufficient to properly evaluate the driver.

Road test examiners must be approved by the Safety Department prior to conducting any DOT road test. Examiners must be a institution supervisor or management level person unless otherwise authorized by the Safety Department. Any person seeking approval to be a road test examiner must first submit to the Safety Department a “Driver Employment Application” form (see Exhibit 1.5-C1) which will indicate the person’s experience and qualifications to conduct road tests. An M.V.R. will also be requested to determine if the person has an acceptable driving record.

Results of the examination must be recorded on a in2vate Road Test form (see Exhibit 1.5-C8). If applicant passes the test, the test examiner will complete the Certificate of Road Test portion of the road test form and also a Certificate of Road Test card. Road test form and certificate card will be forwarded to the Safety Department.

Road test form will be retained in the driver’s qualification file. The certification card will be given to the driver when approved for a driving position.

* + - * 1. **Certificate of Compliance**

A “Certificate of Compliance” form (see Exhibit 1.5-C10) will be completed by the applicant and retained in the driver qualification file.

* + - * 1. **Statement of On Duty Hours – Previous 7 Days & Statement** Regarding Compensated Work for Other Employers

On the day the applicant is approved for a driving position by the Safety Department, the new driver will complete a “Statement of On Duty Hours” form (see Exhibit 1.5-C11) prior to being dispatched that day.

**9) Record Keeping**

Per Section 391.51 of the FMCSR, driver qualification documents must be retained by the Institution and available for audit when requested by DOT officials. Driver qualification documents will be retained as follows:

* Maintained at the Institution’s principal place of business.
* Documents will be maintained in the driver’s driver qualification file, not in his/her personnel file.
* Each file will be retained for as long as the driver is employed by the in2vate, and for an additional 3 years once the driver is no longer employed by in2vate.
* The following documents may be purged from the files after 3 years from date of execution: 1) Certificate of Violations (391.27), 2) Annual Review of Driving Record (391.25), 3) Medical Examiner’s Certificate (391.43), and 4) Waiver of a physical disqualification (391.49).

## Driver Compliance/Retention Standards

**1) Expiring Driver Qualification Documents**

There are a few driver qualification documents that must be renewed on an ongoing basis. If these documents are allowed to expire, the driver will be unqualified to drive until a current document has been obtained by the in2vate.

The Safety Department has the responsibility of monitoring the expiration of these documents for each driver, and must send notices of expiration to all appropriate parties in a timely manner.

* Once notified, drivers will be expected to renew the document before the current document expires.
* When new documents are received, the Safety Department must carefully review the documents to ensure that it has been properly completed.
* The expiration date of newly received documents will be updated on the expiration tickler system to be maintained by the Safety Department.
	1. Per Section 391.27 of the FMCSR, drivers must submit to the in2vate, at least once every 12 months, a statement regarding their accumulation of convictions for moving violations during the preceding 12 month period. in2vate management must react to any convictions listed by the driver.
		+ Driver must properly and truthfully complete a institution “Certificate of Violations” form (see Exhibit 1.7-A) to the Safety Department before the previous form expires (forms valid for 12 months).
		+ Safety Department will review the form to ensure it has been properly completed, and will update the document’s expiration date on the expiration tickler system. An MVR will be requested and, once received, reviewed to verify the accuracy of the driver’s statement regarding moving violations.
		+ If any moving violation convictions are noted, this information will be reviewed as part of the “Annual Review of Driving Record” process.
	2. ANNUAL REVIEW OF DRIVING RECORD - FMCSR, the in2vate is required to review, at least once every 12 months, the overall driving record for each driver during the preceding 12 month period. If the driver has exhibited a disregard for the safety of the public, the in2vate must take appropriate action with the driver to ensure the negative driving behavior does not persist.
		+ The Safety Department will review the driver’s Certificate of Violations, current MVR, vehicle accident record, motorists complaints, and any other information reflecting the driver’s driving performance and attitude.
		+ The driver’s performance will be evaluated to see if the driver has met the in2vate’s compliance/retention standards. Drivers who do not satisfy institution expectations for safe driving will be disciplined according to the terms of this policy.
		+ Once the review is completed, the Safety Department will complete the “Annual Review of Driving Record” form and place the form in the driver’s qualification file.
	3. **DOT Physical Exam** – Drivers must be medically examined on a periodic basis to verify that they are still physically fit to safely operate a commercial motor vehicle. Physical qualification requirements are listed in sections 391.41, 391.43, and 391.45 of the FMCSR.
		+ Drivers must obtain a new DOT physical at least every 2 years unless the driver has been determined to have a problem with high blood pressure, in which case the driver will be required to be recertified on a more frequent basis. The specific procedures for high blood pressure are listed in the Medical Evaluation Criteria published by the DOT (see Appendix 1.7-C3).
		+ Physicals must be conducted by a in2vate approved medical examiner who meets the credentials defined in Section 390.5 – “Medical Examiner” of the FMCSR.
		+ The in2vate will pay for all in2vate required DOT physical exams for in2vate employees.
		+ The results of the examination must be recorded on a in2vate “Physical Examination” form (see Appendix 1.7-C1).
		+ A “Certificate of Medical Examination” card (see Exhibit 1.7-C2) will be issued to drivers who successfully pass the examination. Drivers must have the Medical Examiner’s Certification card in their possession at all times they are operating a in2vate vehicle. Drivers will be responsible for the payment of any DOT fines issued for failure to have this card in their possession.
		+ The physical exam form and a copy of the Medical Examiner’s Certificate will be forwarded to the Safety Department which will carefully review the forms to ensure all entries are complete and meet DOT standards.
		+ Once the physical form is reviewed and approved by the Safety Department, it will be forwarded to the Human Resources which will maintain the form in a confidential medical record file.
		+ For this process to work, the driver must be scheduled for the new physical at least thirty days prior to the expiration of the current physical.
	4. **Driver’s License** – Drivers must possess a current license in order to operate in2vate vehicles on public roads.
		+ Drivers must renew their license before it expires.
		+ Once renewed, the driver must submit a legible copy of the new license to the Safety Department before the expiration date of the old license.

**2) Driver’s License**

* Possess only one valid license at all times.
* License must be issued from the state in which driver resides. (If the driver changes the state in which he/she resides, the driver must obtain a new license in the new state and provide the in2vate with a copy of the new driver’s license, plus documentation that the previous state’s license has been surrendered.) The license change and notification to the in2vate must be completed within 10 days from the date residency is established.
* Operate only those vehicles for which the driver possesses the appropriate class of license, plus have appropriate license endorsements as required by the Commercial Driver’s License standards of the state issuing the license.
* If a driver has his/her license suspended, canceled, or revoked for any reason, the driver must report such event to the Safety Department within 24 hours. Drivers whose license is not valid must not operate any in2vate vehicle until approved by the Safety Department.

**3) Motor Vehicle Record (M.V.R.)**

The in2vate expects all of its drivers to operate vehicles in a safe, legal, and professional manner at all times. Drivers who begin to develop a record of convictions for moving traffic violations begin to jeopardize the in2vate’s ability to defend itself in liability lawsuits should the driver become involved in a serious accident resulting in personal injuries and/or fatalities.

Also, drivers must adhere to all standards set forth in Parts 383 and 391 of the Federal Motor Carrier Safety Regulations. Therefore, drivers will be required to maintain an acceptable driving record as part of their driving responsibilities in accordance with the following guidelines:

1. **Moving Violations** – Includes violations such as speeding, improper lane change, following too close, failure to yield, etc. Does not include parking or equipment violations.
	* 12 months – no more than 1 violation
	* 24 months – no more than 2 violations
	* 36 months – no more than 3 violations
2. **Driving Under the Influence of Alcohol**
	* Commercial vehicle (10,001 lbs. or more GVWR) – no violations in 7 years
	* Personal vehicle – no violations in 5 years
3. **Careless or Reckless Driving**
	* 24 months – no violations

**4) Disqualifying Offenses**

* See Sections 383.51 and 391.15 of the FMCSR.

# Compliance Audits

## Safety Department

The Safety Supervisor will conduct random audits of driver qualification files to ensure that the files are being reviewed and maintained in accordance with regulatory and in2vate standards. At least two files (1 – new driver when possible, 1 – existing driver) will be audited every 2 months.

## Third Party Audit

Every year the in2vate will contract a third party DOT compliance consulting service to conduct an on-site audit of the in2vate’s records and procedures relating to driver qualification. A written report will be provided to the Safety Manager regarding the results of the audit. Any deficiencies discovered during the audit will be corrected in an appropriate time frame.

# Consequences of Non-Compliance

## Driver Recruiting

Human Resources personnel who fail to follow the in2vate’s driver recruiting procedures will be considered to not meet job performance requirements, and will therefore be subject to progressive disciplinary action as determined by the in2vate’s employment policy.

## Driver Qualification

DRIVERS – Any driver who, at any time, fails to meet the minimum qualification standards mandated by federal or state regulation, shall be disqualified from operating any motor vehicle for the in2vate until such driver again meets all qualification standards.

Drivers who no longer meet a standard established by the Institution, above and beyond regulatory requirements, will be carefully reviewed by management who will determine the driver’s future eligibility for operation of in2vate vehicles.

OPERATIONS/DISPATCH PERSONNEL – Any associate who knowingly and willfully authorizes an unqualified or disqualified (includes temporarily out of service) driver will be subject to termination for a first offense.

*NOTE: In extremely rare circumstances, management has the authority to permit an out of service driver to operate a vehicle under controlled conditions.*

SAFETY PERSONNEL – Any associate who knowingly and willfully authorizes an unqualified or disqualified (includes temporarily out of service) driver will be subject to termination for a first offense.

*NOTE: In extremely rare circumstances, management has the authority to permit an out of service driver to operate a vehicle under controlled conditions.*

Associates responsible for tracking, review, and maintenance of driver qualification records, who fail to perform such tasks in accordance with institution guidelines, will be subject to progressive disciplinary action per the in2vate’s employment policies.