

Section 16 Brieser Construction SH&E Manual

January

2017

The purpose of this procedure is to promoting a heightened level of safety awareness and responsible driving behavior in Brieser employees. Our efforts and the commitment of our employees will prevent vehicle incidents and reduce personal injury and property loss claims. This program requires the full cooperation of each driver to operate their vehicle safely and to adhere to the responsibilities outlined in the Motor Vehicle Safety Program.

Company Vehicle Policy

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MOTOR VEHICLE SAFETY POLICY

It is the policy of Brieser Construction to provide and maintain a safe working environment to protect our employees and the citizens of the communities where we conduct business from injury and property loss. Brieser Construction is committed to promoting a heightened level of safety awareness and responsible driving behavior in its employees. This program requires the full cooperation of each driver to operate their vehicle safely and to adhere to the responsibilities outlined in the Motor Vehicle Safety Program. Elements of this program include:

- Assigning responsibilities at all levels of employment.
- Vehicle use and insurance requirements.
- Employee driver's license checks and identification of high risk drivers.
- Incident reporting and investigation.
- Company Incident Review Board.
- Vehicle selection and maintenance.
- Training standards.
- Safety regulations.

I. RESPONSIBILITY

Management is responsible for successful implementation and on-going execution of this program. Supervisors and employees are responsible for meeting and maintaining the standards set forth in this program.

II. SCOPE

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

Signature: _____ **Date:** _____

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III. ORGANIZATION AND RESPONSIBILITIES

Company President:

The President is responsible for directing an aggressive vehicle safety program.

Senior Management will:

- A. Implement the Motor Vehicle Safety Program in their areas of responsibility.
- B. Establish measurement objectives to ensure compliance with the program.
- C. Provide assistance and the resources necessary to implement and maintain the program.

Human Resources Manager will:

- A. Implement this Motor Vehicle Safety Program by:
 - a. Collecting & reviewing MVR reports, Valid driver's licenses & insurance certificates
 - b. Ensuring drivers have all DOT qualifications to meet the particular vehicle they are applying to drive.
 - c. Providing Background Checks
 - d. Alerting management of drivers who are high risk to the company

Brieser's Supervisors will:

- A. Investigate and report all incidents involving a motor vehicle used in performing company business. Forward all incident reports **within 24 hours** to the Director of Health & Safety.
- B. Be responsible for taking appropriate action to manage high risk drivers as defined by this program.
- C. Provide driver training either internally or through external means for high risk drivers.

Director of Safety & Health:

- A. Issue periodic reports of losses for the president's review.
- B. Review motor vehicle incident reports as part of the Company Incident Review Board.
- C. Revise and distribute changes to the Motor Vehicle Safety Program to managers, supervisors and drivers as necessary.
- D. Maintain appropriate records.

Brieser Employees will:

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- A. Always operate a motor vehicle in a safe manner as explained under the section titled, "Driver Safety Regulations."
- B. Maintain a valid driver's license and minimum insurance requirements on personal vehicles used in company business.
- C. Not operate vehicles that appear unsafe or appear to have discernible operating problems and will immediately report such vehicles to their supervisor.
- D. Not allow an unauthorized individual to drive a Brieser Construction or rental vehicle on their behalf.
- E. Complete a 360° walk around the vehicle every time the driver enters the vehicle/cab.
- F. Complete or verify completion of a Brieser Daily Inspection for each vehicle you operate

IV. VEHICLE USE

1. Company Owned Vehicles

a. Passenger Cars & Trucks

- i. No personal use of Brieser Owned passenger cars & trucks is allowed
- ii. Under special circumstances and through approval of Brieser upper management a Brieser employee may be allowed to use a Brieser owned passenger car or truck for personal use.

b. Commercial Motor Vehicles

- i. Employees must have an appropriate commercial driver's license and any applicable endorsements per Federal/State DOT to operate the vehicle.

2. Personal Vehicles on Company Business

- a. Brieser employees who drive their personal vehicles on company business are subject to the requirements of this program. Employees using their own vehicles for Brieser Construction use must:
 - i. Maintain auto liability insurance with minimum limits as required by State law. **It is recommended to have limits of \$250,000 in bodily injury coverage per person, \$500,000 in bodily injury coverage per accident.**
 - ii. Maintain current state vehicle inspections when required.

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iii. Maintain their vehicle in a safe operating condition when driven on company business.

3. Rental Vehicles

- a. All rental vehicles must be approved by the Equipment & Facilities V.P.
- b. Collision damage waiver will be refused when renting vehicles in the U.S. Consult with Brieser Office Operations Manager regarding waiving collision coverage.

4. Unauthorized Use of Vehicles

- a. Assigned drivers and other authorized employees will not allow an unauthorized individual to operate a company vehicle.

5. Subcontractors and Temporary Hire Employees

- a. Subcontractors and temporary employees from a staffing agency will be treated as company employees and will comply with the requirements of this program. Failure to meet all requirements will result in the immediate loss of driving privileges.

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V. DRIVER SELECTION

1. Driver Evaluation:

- a. Brieser's employees will be evaluated and selected based on their driving ability. To evaluate employees as drivers, management will:
 - i. Review the employee's Motor Vehicle Record (MVR) annually (more frequently if fleet size and reasons warrant).
 - ii. Ensure the employee has valid driver's license.
 - iii. Ensure the employee is qualified to operate the type of vehicle he/she will drive.

2. Driver Qualification:

- a. Effective driver qualification controls are important elements of a successful motor vehicle safety program. Brieser Management developed and incorporated standards into this program, which reflect the skills necessary for satisfactory job performance while taking into consideration applicable Federal and state regulations
- b. The company has implemented three levels of driver qualification criteria. Use of any or all of these criteria is dependent upon the nature and scope of the driving requirements.
 - i. State-regulated driver qualification parameters must be met. Regulatory information will be obtained from applicable state departments of transportation and motor vehicle services.
 - ii. Where applicable, drivers will comply with DOT Commercial Driver License (CDL) regulations.
 - iii. Drivers involved in interstate or foreign commerce in vehicles with Gross Motor Vehicle Weight Rating (GMVR) of 10,001 pounds or more, designed to transport 16 or more passengers, including the driver, or used in the transportation of hazardous materials in a quantity requiring placarding under the DOT Hazardous Materials Regulations, are subject to the requirements of the DOT Federal Highway Administration's Federal Motor Carrier Safety Regulations.
 - iv. Drivers involved in intra or interstate operations with GMVR of 26,001 pounds or more must have a CDL license and be enrolled in a DOT Drug and Alcohol Testing Program.

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- c. The following criteria was established to identify high risk drivers. A driver is unacceptable if the driver's incident/violation history in the past 5 years includes one or more of the following moving violation convictions: This list is not comprehensive and may have addition's and deletions.
1. Driving under the influence of alcohol or drugs (DWI).
 2. Hit and run.
 3. Failure to report an incident.
 4. Operating during a period of suspension or revocation.
 5. Operating a motor vehicle without the owner's authority.
 6. Permitting an unlicensed person to drive.
 7. Reckless driving.
 8. Speeding (2 or more in a 1-year period).
 9. Two preventable incidents in a 12-month period.
- d. Drivers who are identified as high risk or in violation may be subject to several actions from Brieser management including, but not limited to:
- i. Driver may be required to attend a Defensive or Safety Driving course on their own time & expense.
 - ii. Driver may have their driving privileges suspended or revoked.

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VI. INCIDENT RECORDKEEPING, REPORTING AND ANALYSIS

1. This company considers elimination of motor vehicle incidents a major goal. To meet this objective, all incidents will be reported to management, investigated, documented and reviewed by the Brieser Construction Safety Department. The investigation identifies need for:
 - a. A more intensive driver training and/or remedial training.
 - b. Improved driver selection procedures.
 - c. Improve vehicle inspection and/or maintenance activities.
 - d. Changes in traffic routes.

2. Motor vehicle incident recordkeeping procedures consist of the following components:
 - a. Documentation of causes and corrective action.
 - b. Management review to expedite corrective action.
 - c. Analysis of incidents to determine trends, recurring problems and the need for further control measures.

3. Responsibility:
 - a. Implementation of these procedures remains the responsibility of both the driver and Brieser Management.
 - i. Driver
 1. Since the driver is the first person at the incident scene, he/she will initiate the information-gathering process as quickly and thoroughly as is feasible. (See Section VII)
 - ii. Management
 1. Management will obtain incident data from the driver through the BRIESER CONSTRUCTION CO. SUPERVISORS PROPERTY/EQUIPMENT INCIDENT REPORT found in Section 4, Hazard Identification & Incident Reporting of this manual. It is important for management to determine the extent of the incident, especially if it involves injury or death to the driver, passengers, or other parties.

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2. Management will immediately proceed with a formal investigation to determine the underlying causes as well as what can be done to prevent similar occurrences. The BRIESER CONSTRUCTION CO. SUPERVISORS PROPERTY/EQUIPMENT INCIDENT REPORT will be forwarded to the insurance claims office along with any additional support data (e.g., witness statements, photographs, police report, etc.).

4. **Preventable/Non-Preventable Incidents:**

- a. The following definitions relate to motor vehicle incidents:
 - i. A motor vehicle incident is defined as "any occurrence involving a motor vehicle which results in death, injury or property damage, unless such vehicle is properly parked. Who was injured, what property was damaged and to what extent, where the incident occurred, or who was responsible, are not relative factors".
 - ii. A preventable incident is defined as "any incident involving the vehicle, unless properly parked, which results in property damage or personal injury and in which the driver failed to do everything he/she reasonably could have done to prevent or avoid the incident".
 1. A properly parked motor vehicle is one that is completely stopped and parked where it is legal and prudent to park such a vehicle or to stop to load/unload property. Vehicles stopped to load/unload passengers is not considered parked.
 2. Parking on private property will be governed by the same regulations that apply on public streets and highways. A vehicle stopped in traffic in response to a sign, traffic signal or the police is not considered parked.
 - iii. The determination of preventability of an incident is the function of the Brieser Construction Incident Review Board consisting of Equipment & Facilities V.P., Field Operations V.P. & the Director of Health & Safety.

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VII. EMPLOYEE INCIDENT REPORTING PROCEDURE

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

1. If possible, move the vehicle to a safe location out of the way of traffic. Call for medical attention if anyone is hurt.
2. Secure the names and addresses of drivers and occupants of any vehicles involved, their operator's license numbers, insurance company names and policy numbers, as well as the names and addresses of injured persons and witnesses. Record this information on the Incident Report form (in the reporting packet). Do not discuss fault with, or sign anything for anyone except an authorized representative of **Brieser Construction**, or a police officer.
3. Take photos of all damage to other vehicles as well as company vehicles
4. Immediately notify **Sean Erlenbeck @ (815)-679-8152** Brieser's Director of Safety & Health. If any injuries were involved and the Director of Safety & Health is not available, contact your supervisor immediately.
5. You will be contacted by Brieser's Equipment Manager to advise you how to arrange for repairs to the vehicle. Do not have the vehicle repaired until you receive authorization from the Equipment Manager.

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

1. If you did not witness the damage to the vehicle, you must notify the local police department immediately.
2. Immediately notify Brieser's Director of Safety & Health.

You will be contacted by the Brieser's Equipment Manager to advise you how to arrange for repairs or replacement of the vehicle. Do not have the vehicle repaired until you receive authorization from the Equipment Manager.

3. Send a copy of the police report along with a memo outlining any additional information to the Safety Director.

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VIII. BRIESER'S INCIDENT REVIEW BOARD

All vehicle collisions should be analyzed, and a written report submitted to management for review. A determination of incident preventability should be made. Where the collision was preventable by the company driver, the driver will be subject to Brieser Constructions Disciplinary Policy found in Section 3 of the Brieser SH&E manual.

However, this does not absolve Brieser's management from improving safety of the work and driving environment. The determination of preventability of an incident is the function of the Brieser Construction Incident Review Board consisting of Equipment & Facilities V.P., Field Operations V.P. & the Director of Health & Safety. Management deficiencies and/or lack of management action should also be part of the incident review. Management has the legal obligation not only for driver safety but the safety of the general public as well.

To determine preventability an incident review board has been established. Members consists of both management and field personnel. Their main charge, of the review board, is to determine whether the fleet/vehicle incident was preventable or nonpreventable and whether or not it is chargeable to the driver.

The attached material, "Guide for Preventable and No Preventable Incidents", will be used as a guide for this determination. Majority vote rules.

The committee will report to the Brieser Construction President, Brent Southall within 3 working days the results of their review. The Director of Safety & Health will take the appropriate steps and communicate the results to the affected driver and supervisor.

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IX. VEHICLE SELECTION, INSPECTION AND MAINTENANCE

1. Introduction:

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

2. Vehicle Selection:

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

3. Vehicle Inspection:

- a. The employee responsible for the vehicle will inspect the vehicle once per shift using the Daily Equipment/Vehicle Inspection Report booklets and forward the report to Brieser's Main Office. More frequent inspections and reports may be required based on heavy use. DOT regulations require an after shift inspection for Commercial Motor Vehicles.

4. Vehicle Maintenance:

- a. Vehicle maintenance can take the form of three distinct programs: preventive maintenance, demand maintenance, and crisis maintenance. While all three types have their role in the Motor Vehicle Safety Program, the most cost effective control is preventive maintenance. The groundwork for a good preventive maintenance program starts with management. A review of manufacturer's specifications and recommendations for periodic preventive maintenance should be integrated with the actual experience of the vehicles.
- b. Preventive maintenance (PM) is performed on a mileage or time basis. Typical PM includes oil/filter changes, lubrication, tightening belts and components, engine tune-ups, brake work, tire rotation, hose inspection/replacement and radiator maintenance.
- c. Demand maintenance is performed only when the need arises. Some vehicle parts are replaced only when they actually fail. These include light bulbs window glass, gauges, wiring, air lines, etc. Other "demand maintenance" items involve vehicle components that are worn based on information from the vehicle condition report. These include tires, engines, transmissions, universal joints,

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bushings, batteries, etc. Since these situations are identified through periodic vehicle inspection, they can actually be classified within the PM program.

- d. Crisis maintenance involves a vehicle breakdown while on the road. While situations of this type may happen regardless of the quality of the PM program, it is an expensive alternative to not having an effective preventive maintenance program at all. Crisis maintenance situations should be minimized through proper PM procedures.
5. Recordkeeping:
- a. This company's vehicle selection, inspection and maintenance program is only as good as its recordkeeping procedures. Employees will forward all vehicle maintenance records for maintenance performed each quarter to the Equipment & Facilities V.P.

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X. DRIVER TRAINING

1. Drivers hired by this company to operate a motor vehicle will have the basic skills and credentials necessary to perform this function as confirmed through the driver selection process.
2. New Brieser's employees, Subcontractors, and temporary hires such as from a staffing agency will receive a copy of this program as part of their initial orientation. A formal orientation program is established to help assure all drivers are presented with the company policy, understand their responsibilities and are familiarized with their vehicle. Areas that must be addressed, with the driver, include:
 - a. Understand, review and given a copy of this policy.
 - b. Understand and sign the Vehicle Assignment Agreement.
 - c. Review individual Motor Vehicle Report (MVR).
 - d. Understand incident reporting & emergency procedures.
 - e. Review operation and controls of vehicle being assigned.
 - f. Inspect vehicle using Vehicle Inspection Form.
3. License Suspension:
 - a. Drivers must notify Sean Erlenbeck, Brieser's Director of Health & Safety if their license is suspended or revoked.
4. Remedial Training:
 - a. Drivers may be required to attend a safe driving school (National Safety Council Defensive Driving course of equivalent) or an alcohol/drug abuse program on their own time and at their own expense if a review of the driver's MVR indicates:
 - i. One or more violation convictions within any one-year period, or
 - ii. A conviction for driving while under the influence of alcohol or drugs.
 - iii. Also, depending on the severity of the conviction, the employee's driving privileges may be revoked and/or may result in employment termination.

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XI. DRIVER SAFETY REGULATIONS

1. Safety Belts:

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

2. Impaired Driving:

- a. The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, influenced by alcohol, illegal drugs, prescribed or over-the-counter medication, illness, fatigue or injury.
- b. No driver shall operate a Brieser Construction vehicle within 4 hours of having consumed alcohol.
- c. Brieser Construction adheres to a zero tolerance for violations of impaired driving.

3. Traffic Laws:

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

4. Vehicle Condition:

- a. Drivers are responsible for ensuring the vehicle is maintained in safe driving condition. Drivers of daily rentals should check for obvious defects before leaving the rental office/lot and, if necessary, request another vehicle if the first vehicle is deemed unsafe by the employee. Drivers are encouraged to rent vehicles equipped with air bags and ABS brakes, where available.
- b. Vehicle shall be kept clean and organized at all times, periodic inspections will be made by management and your driving privileges may be suspended if vehicle does not pass inspection.
- c. Only approved items shall be stored in the passenger compartment of any Brieser Construction vehicle.

5. Mobile Devices

- a. The use of cellular phones, computers, messaging devices, or any mobile electronic device while operating a motor vehicle is prohibited. The intent of this policy is to control the circumstances under which an employee can use a cell

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phone or other electronic device while operating a motor vehicle on company business (either in a company-owned, client-owned, or employee-owned vehicle).

- b. Adherence to the following items is mandatory:
 - i. Employees must comply with federal, state and local laws that exist to control the usage of mobile devices while operating a motor vehicle.
 - 1. Employees will not operate any mobile device while the vehicle is in operation.
 - 2. If the employee finds it necessary to make a phone call at any time while operating a motor vehicle, he/she must proceed to a safe off-road location to place the call.
 - 3. A vehicle equipped with eyes-free operation may be used while driving. Eyes-free means that the driver does not have to take their eyes off the road to place or accept a call. This is typically accomplished by pressing one button on the steering wheel and placing or accepting a call via voice prompts or commands.
 - 4. Employees will not send or review text messages while operating a motor vehicle.
 - 5. Employees will not operate any other mobile device while driving, including but not limited to a personal digital assistant (PDA), pocket PC, binaural headset based audio device, such as an MP3 player or laptop computer.
 - 6. Navigation systems will be programmed before the trip is started, not while the motor vehicle is in operation.
6. Motorcycles:
- a. Use of A Motorcycle for Company Business Is Prohibited
7. General Safety Rules:
- a. Employees are not permitted to:
 - i. Pick up hitchhikers.
 - ii. Accept payment for carrying passengers or materials.
 - iii. Use any radar detector, laser detector or similar devices.
 - iv. Push or pull another vehicle or tow a trailer without prior approval from the Equipment & Facilities V.P.
 - v. Transport flammable liquids or gases unless a DOT or Underwriters' Laboratories approved container is used, and only then in limited quantities.

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- vi. Use of burning flares will be discouraged. The preferred method is the use of reflective triangles.
- vii. Assist disabled motorists or incident victims beyond their level of medical expertise. If a driver is unable to provide the proper medical care, he/she must restrict his/her assistance to calling the proper authorities. Your safety and well-being is to be protected at all times.
- viii. **Never work on or perform preventative maintenance on a Brieser Construction vehicle without approval from Equipment and Facilities V.P.**

8. Company and Personal Property:

- a. Employees are responsible for company property such as computers, work papers and equipment under their control. The company will not reimburse the employee for stolen personal property.

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XI. APPENDIX

1. Forms/Attachments

- a. Vehicle Assignment Agreement

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XII. VEHICLE ASSIGNMENT AGREEMENT

The undersigned hereby acknowledges receipt of a Brieser Construction Company-owned or leased automobile. I understand this vehicle is to be regularly maintained and serviced, according to the service schedule outlined in the Owner's Manual.

Further, it is agreed this vehicle will be operated in a safe manner. I agree to wear my seat belt whenever the vehicle is in motion and will require other occupants to do so. I agree to be responsible for all traffic and parking violations that occur while the vehicle is assigned to me. I will never smoke in the vehicle.

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

- Licensed employees of Brieser Construction.
- Other licensed drivers as I so designate in emergency situations only.

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

I understand I am required to maintain a valid driver's license. Further, I herewith grant Brieser Construction the right to investigate my motor vehicle driving record any time. My current driver's license is issued from the State of Illinois and is No. _____

If my driving record contains two moving violations within one-year period, my record will be brought up before Brieser Construction Incident Review Board for consideration of remedial training and/or loss of driving privileges.

I will be required to attend a safe driving class on my own time and at my expense, and to provide the Director of Safety & Health with confirmation of attendance within thirty days of notification if decided by the review board.

I understand I am not to modify the vehicle in any way without written permission. This specifically applies to the installation of cellular telephones, radios, CBs, speakers, etc. Further, trailer hitches and towing trailers are specifically prohibited. Further, I will not take this vehicle out of the United States without written permission from the Equipment & Facilities V.P.

I understand the operation of this vehicle in a safe operating condition is my responsibility. If this vehicle becomes unsafe, it is my responsibility to notify my supervisor immediately. **I will keep my vehicle clean & orderly**

I agree to sign our Motor Vehicle Report policy that authorizes Brieser Construction, Co. to acquire your driving records.

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

SIGNATURE	DATE
VEHICLE ASSIGNED (If known)	
VIN NUMBER	
PLATE NUMBER	
MILEAGE:	