

# Spectrum Strategies LLC.

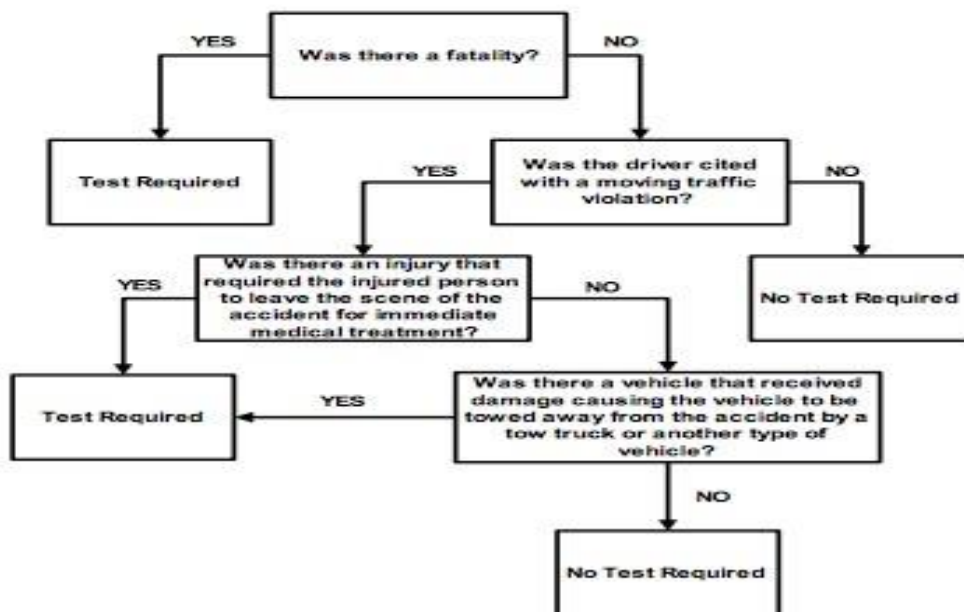
DOT: 4254878

## Accident SOP Policy

### DOT-CDL Post-Accident Testing Summary of Requirements - 49 CFR Part 382.303

The FMCSA requires the employer to test as soon as practicable following an accident involving a commercial motor vehicle on a public road in commerce, each of its surviving drivers. -Who was performing safety sensitive functions if the accident involved the loss of human life (fatality); or

#### POST-ACCIDENT DECISION TREE



-Who receives a citation within 32 hours of the accident under State or local law for a moving violation arising from an accident, if the accident involved either:

1. An injury of any person requiring medical treatment away from the accident scene.
2. A vehicle has to be towed from the accident scene.

**IMPORTANT: FMCSA/DOT DOES NOT** authorize or allow a post-accident test to be conducted under their authority for any other reason. Any other testing an employer would conduct would have to fall under their company/corporation policy apart from the DOT accident.

**REMINDERS:**

Only select DOT for test type in the eScheduling process if the accident meets the DOT definition for an accident.

-If a required alcohol test could not be completed within 2 hours, prepare and maintain on file a record stating the reasons the test was not promptly administered.

-If a required alcohol test could not be completed within 8 hours, cease attempts to administer the test and prepare and maintain the same record described above.

-If a required drug test could not be completed within 32 hours, prepare and maintain on file a record stating the reasons the test was not promptly administered.

Employers may be required to submit post-accident records to FMCSA if requested.

Drivers must remain readily available for testing until it is concluded whether testing will be required. This shall not be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain emergency medical care.

Employers are required to provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating a CMV.

### Vehicle Accident Reporting and Investigation Plan

This vehicle accident reporting and investigating plan prescribes methods and practices for reporting and investigating accidents. Near miss accidents or incidents must be reported as well, i.e., when a driver nearly has a vehicle accident but is able to avoid injury or damage.

Vehicle Accidents. The following steps will be followed in the event of a vehicle accident/incident.

- Stop the vehicle, turn off the engine, and protect the scene by activating the four-way emergency flashers and posting orange emergency triangles to prevent a secondary accident (one near the scene and one marker 100 feet in each direction from the scene and one marker near curves or hill crests, but no more than 500 feet away)
- Call for medical assistance and assist any injured people if necessary but do not move the person unless absolutely necessary to prevent further injury
- If possible, prevent waterways, storm drains, etc. from hazardous materials if spilled
- Call the police
- Call the company's Program Administrator within 12 hours
- Locate witnesses and get important information from them including names, addresses and phone numbers
- Exchange pertinent information with other drivers
- Take photos of the accident
- Make detailed sketches/drawings of the accident scene noting the direction of travel for each vehicle involved
- Fill out the vehicle accident report
- Note: Every company motor vehicle is required to have a vehicle accident reporting kit in the glove box. This kit should be used by the driver to record accident facts after the accident as soon as feasible.

Post-Accident Actions. Drivers involved in an accident are to comply fully with the following:

- Never admit fault or apologize. Apologies can be interpreted as an admission of fault
- Be polite and never argue with other drivers or witnesses
- Be polite and never argue with the police
- Never make a statement to the media. Refer them to the company's media contact
- Never discuss details of the incident with anyone but a Skymile Logistic INC. representative
- Always report the accident/incident to the Program Administrator, regardless of severity  
Vehicle Accident Involving Employee Injury Reporting. Our vehicle accident involving employee injury reporting procedures include the following:
- Employees injured on the job are to report the injury to the Program Administrator or Safety Director as soon as possible.

- The Program Administrator or Safety Director is to follow the established employee injury or accident investigation program.

The goal of this reporting and investigation process is not to find fault, but to determine the root cause so that corrective actions can be made in order to eliminate future accidents or incidents.

Vehicle Accident Report Retention. Vehicle accident reports and associated information will be maintained by the Program Administrator for three years after the date of the vehicle accident.

The following information will be retained:

- Date of accident
- City and state in which the accident occurred
- Driver name
- Number of injuries
- Number of fatalities
- Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicles involved in the accident, were released
- Copy of vehicle accident report
- Copies of all accident reports required by state or other governmental entities or insurers

Post-Accident Corrective Action Procedure. The Program Administrator will evaluate driver performance after an accident. The corrective actions below will apply if a driver experiences an accident that is judged to be preventable. Accidents will be judged on a case-by-case basis before the corrective action program is initiated.

A driver who is involved in one preventable accident in six months will be placed on probation for 90 days. If the driver successfully completes that period of probation without any further accidents, the driver will be taken off the probation list. However, if the driver is involved in another preventable accident while still on probation, the driver will be terminated.

**Spectrum Strategies LLC.** also reserves the right to impose more stringent consequences based on the circumstances and/or severity of a preventable accident.

Evidenced by my signature below, I understand and agree to the above statements.

**EMPLOYEE NAME (PRINT)** \_\_\_\_\_

**EMPLOYEE SIGNATURE** \_\_\_\_\_

**DATE** \_\_\_\_\_