Use of Wireless Communication Devices While Operating Motor Vehicles

The following applies only to drivers of passenger vehicles (cars and pick-up trucks). Separate Safety policies with respect to cell phones and other wireless communication devices apply to drivers of ready-mix trucks, haul trucks or other vehicles requiring a CDL.

Operating a motor vehicle is the single most hazardous thing we require our people to do on a continuing basis. For some of us it is the job, for others it is a necessary adjunct. Whether operating a company owned or leased vehicle, rental car or your own personal vehicle on company business, we are all held to the same standards. The safety of all vehicle occupants and the public comes first and foremost. On top of that is the required adherence to all federal, state and local laws/ordinances. Vehicle operators are expected to be aware of these laws and ordinances. Ignorance of the law is no excuse. Finally, total and complete observation of best practices and due diligence are the operator’s total responsibility.

Titan America is aware that many employees have used their cell phone, BlackBerry, smart phone or similar device for company or personal business while driving. The purpose of this policy is to establish standards by which, under very limited circumstances and prescribed conditions, such devices can safely be used while operating a vehicle on public or private roads. This applies whether operating a company owned/leased vehicle at any time, a vehicle rented for company business purposes or an employee’s own personal vehicle while on company business. It applies to all Titan America LLC employees and to contractors or others (e.g. spouses) who may operate a Titan America owned/leased vehicle with permission from the company.

Use of cell phones or other wireless communication devices while operating a motor vehicle is strictly limited to the following circumstances:

- **Emergency situations where it is impossible or unsafe to pull off the road.** Emergencies may include medical needs, accidents, the reporting of immediate safety hazards, or where damage to property or key supportive processes may exist. In such cases, the operator should first determine that it is safe to use the cell phone; and must take immediate steps to communicate quickly, succinctly, and safely, removing the vehicle to a safe location to continue any communication as quickly as practicable.
- **Brief conversations** to 1) accept a call, make the caller aware that you are driving and, if it is important, you will find a safe place to pull off the roadway to return the call; 2) accept a call and briefly address the reason for the call; or 3) place a call to communicate a brief message. Acceptance of incoming calls and making allowed calls is limited to hands-free devices and careful consideration must always be given to traffic, weather, or other conditions that affect safe operation of the vehicle. Accepting or making a call must only be done when doing so is safe.

Unless covered by the above exceptions, the use of wireless communications devices is prohibited for i) company or personal business while operating a company motor vehicle; ii) company business while using a personal motor vehicle; and iii) personal business while using a motor vehicle on company business. Under no circumstances should vehicle operators send or open text messages or e-mails while driving.
Distracted Driving Training

Proper, safe operation of a vehicle requires that drivers at all times keep their eyes on the road, hands on the wheel and minds on driving. There are many other distractions faced by drivers. For instance, GPS devices can be a valuable aid, especially when contrasted to reading maps or written directions. However, drivers should always pull over to a safe location to find, look up or change a destination. Eating or drinking while operating a company vehicle should be limited to items that are not likely to cause distractions if spilled (e.g. drinks in closed containers, energy bars, etc.) Items that should be avoided include anything that may cause distractions, such as sandwiches, open container drinks, etc.

All drivers with assigned company vehicles, receiving a car allowance or who frequently drive their own personal vehicle, company pool car or rental car on company business are required annually to take and pass a distracted driving training course. More information to follow soon so that non CDL drivers will be able to complete course by end of first quarter 2013.

Traffic Violations and Accidents

Employees who are charged with traffic violations resulting from the use of their cell phone while driving will be solely responsible for all liabilities that result from such actions.

If an employee is found to be at fault for an accident while driving a company owned or leased vehicle at any time, or while driving a personal or rental vehicle on company business and his or her use of a cell phone is determined to be a contributing factor to the accident, the employee will be subject to disciplinary action at the company’s sole discretion.