



## FESHM 9010: TRAFFIC SAFETY

### Revision History

<b>Author</b>	<b>Description of Change</b>	<b>Revision Date</b>
Nancy L. Grossman	Summarizing changes: <ol style="list-style-type: none"><li>1. Changed number of suspension days</li><li>2. Clarified e-mails</li><li>3. Updated links in the e-mails</li><li>4. Updated the pull-down actions in the traffic citation database</li></ol>	Revision July, 2011



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## 1.0 INTRODUCTION

The driving and parking of motorized vehicles on the Fermilab campus poses a serious safety risk to motorists as well as bicyclists and pedestrians. To reduce the risk to motorists, bicyclists and pedestrians, Fermilab has adopted the applicable portions of the State of Illinois Vehicle Code and the *Rules of the Road* publication into its Work Smart Standards. These are the same standards that motorists are legally obligated to observe when operating vehicles on public roadways in Illinois. The Laboratory reserves the right to employ more stringent standards to reduce vehicle accidents. Laboratory disciplinary action can and will be taken against offenders. This chapter highlights the standards, assigns responsibilities, and defines a uniform progressive disciplinary program.

## 2.0 DEFINITIONS

**Commercial driver's license (CDL)** - means a license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR part 383, to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

**Commercial motor vehicle (CMV)** - means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle --

- (a) Has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or
- (b) Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more); or
- (c) Is designed to transport 16 or more passengers, including the driver; or
- (d) Is of any size and is used in the transportation of *hazardous materials* as defined in 49CFR383.5.

**Driving** - means operating a motor vehicle on an active roadway, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

**Driving Under the Influence (DUI)** - is defined as operating a motor vehicle while impaired by alcohol, other drugs or intoxicating compounds. In Illinois, a driver is legally considered to be under the influence if he/she has a blood-alcohol concentration (BAC) of 0.08 or more, has used any illegal substance, or is impaired by medication. A driver's BAC is based on the ratio of alcohol to blood or breath. However, an individual with a BAC between 0.05 and 0.08 may be convicted of DUI if additional evidence determines that the driver was impaired.

**Excessive Speed** – means traveling 15 mph or greater above the posted speed limit.

**Electronic Communication Device** - means an electronic device, including but not limited to a wireless telephone, personal digital assistant, or a portable or mobile computer while being used for the purpose of composing, reading, or sending an electronic message, but does not include reading



from a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle. Exclusion: A mobile (electronic/communication) device does not include audio equipment or any equipment installed in the vehicle to provide navigation or emergency information to the driver, or video entertainment exclusively to passengers in the back seat. Nor does a mobile device include two-way mobile radio transmitters or receivers used by licensees of the Federal Communications Commission in the Amateur Radio Service.

**Electronic Message** - means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. "Electronic message" includes, but is not limited to electronic mail, a text message, an instant message, or a command or request to access an Internet site.

### 3.0 RESPONSIBILITIES

**Employees, Users, Visiting Scientists, Contractors, and Guests** shall comply with the traffic safety rules contained in this FESHM Chapter, the State of Illinois Vehicle Code as well as the publications, *Illinois Rules of the Road*, *Illinois Motorcycle Operator Manual*, and *Illinois Bicycle Rules of the Road*. Failure to do so may result in the issuance of citations and possible disciplinary action, or in the case of a bicycle on loan to an individual, loss of the bicycle. All individuals in accidents involving motorized vehicles (this includes, for example, forklifts) or bicycles must report to ext. 3414 as soon as possible so that an incident investigation and report can be completed, and must report to Medical if injured or directed to do so by the Security Officer (If a medical emergency situation is involved, call ext. 3131 immediately.)

**Division/Section/Center Heads** shall enforce the progressive disciplinary measures identified in this chapter; unless the citation is invalidated through the Appeals Process (see Appendix A). It is the responsibility of each Division/Section/Center Head to ensure that only authorized personnel use government-supplied vehicles and that these drivers are reminded to wear seat belts and obey traffic rules whether driving on or off the Fermilab campus. Finally, it is the responsibility of each Division/Section/Center Head initiating an activity that presents a temporary obstruction of roadway traffic to see that the special safety provisions identified in Appendix C are carried out.

**Security Officers** of the Contractor Protective Force are authorized to enforce the traffic safety rules by issuing citations to violators. In stopping motorists for moving violations, the officers shall not engage in any high-speed pursuits or attempt any maneuver that places themselves or any other motorist, bicyclist, or pedestrian in danger. Under all circumstances, the security officers shall be expected to remain calm and courteous in their interactions with operators of motorized vehicles or bicycles when they are investigating accidents or issuing citations. Concerns or issues regarding the qualifications, competency or professional conduct of security officers should be brought to the immediate attention of the Security Chief <sup>1</sup>.

The **Security Department** of the Business Services Section will maintain a database of citations.

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<sup>1</sup> The Security Chief can be reached 24x7 through the Security Dispatcher (x-3414) or during normal work hour via the Security Admin number (x-4949).



The **Roads and Grounds Department** of the Facilities Engineering Services Section is responsible for determining the appropriateness of traffic safety signs and controls as well as their placement, or replacement when damaged, on the Fermilab campus. They are also responsible for the maintenance of roads and pedestrian/bike paths and shall in particular make every effort to keep them in a serviceable and safe condition.

The **Traffic Safety Subcommittee** shall recommend solutions to the Directorate through the Fermilab ES&H Committee, to enhance and improve safety for pedestrians, cyclists and motorists on the Fermilab Site.

#### 4.0 PROCEDURES

1. Operators of motorized vehicles and bicycles shall abide by the traffic safety rules contained in the State of Illinois Vehicle Code as well as the publication, *Rules of the Road*. Copies of these standards, which are contained in Fermilab's Work Smart Set, can be found in the Fermilab Library as well as any Illinois Secretary of State Driver Services Facility.  
[http://www.cyberdriveillinois.com/publications/rules\\_of\\_the\\_road/rrtoc.html](http://www.cyberdriveillinois.com/publications/rules_of_the_road/rrtoc.html)
2. Employees who operate a CMV must hold a Commercial Driver's License and comply with the applicable requirements of 49 CFR 382-399.
3. Traffic signals and signs on the Fermilab campus shall conform to the State of Illinois' standards for type, size, shape and placement.
4. Motorists must remain on established roadways unless specific authorization is given or is otherwise required for the performance of assigned tasks. Further, motorized vehicles shall only be parked in authorized parking spaces or in safe, graveled, roadside locations that do not impede the flow of traffic or endanger pedestrians.
5. Some parking spaces are reserved (i.e., handicapped, NTF patients, emergency vehicle, etc.) and shall not be used by others. Further, many parking spaces have time limits imposed upon them which shall not be exceeded.
6. Bicyclists are permitted to use either roadways or bicycle/pedestrian paths in accordance with the Illinois Rules of the Road, and are required to follow the same traffic safety rules as the motorists. Individuals who ride a bicycle on loan from Fermilab, or ride a personal bicycle in the performance of their work duties, are required to wear a helmet certified by either CPSC (Consumer Product Safety Commission) or ASTM (American Society of Testing and Materials). Therefore when an individual is using a bicycle on loan from the Lab or using a bicycle of any ownership for official duties they are required to wear a helmet as described above and it is the responsibility of the individual's supervisor or point of contact to ensure that helmets are acquired and worn. (Note: The helmet may be purchased with a ProCard, but will require prior approval from a Division/Section ES&H representative since a bicycle helmet is considered personal protective equipment, and as such, is an ES&H sensitive item.)



7. Citations issued to operators of motor vehicles and bicycles will result in progressive discipline (Appendix A). Individuals riding Fermilab provided bicycles or personal bicycles in the performance of their work activities without a helmet will not be issued citations. It is the responsibility of the individual's supervisor or point of contact to enforce Fermilab's bicycle helmet policy.
8. All accidents involving motorized vehicles or bicyclists must be reported to ext. 3414 as soon as possible so that an incident investigation and report can be made. (If a medical emergency situation is involved, ext. 3131 should be called.)
9. Special traffic safety provisions have been established for temporary construction and maintenance activities (see Appendix C).



## 5.0 TECHNICAL APPENDIX A – Violations, Progressive Discipline and Appeals Process

For Fermilab employees, the corrective action process herein will be in place under the Traffic Safety Program for both parking and moving violations; however, Fermilab reserves the right in its sole discretion to impose different disciplinary measures in given cases. Sanctions for non-employees will be determined on a case-by-case basis by Fermilab management, but could include restricted parking permission, limited access to the site, or banishment from the site, including cancellation of contracts for subcontractors or termination of an assignment for temporary staff.

### 5.1 Parking Violations

Some parking violations have serious safety consequences associated with them. For these parking violations, such as parking in marked fire lanes or next to fire hydrants, Fermilab reserves the right to bypass any of the steps identified below and to take more aggressive disciplinary action. For every citation that is written, the violator will automatically receive an e-mail after the 5 day appeal period has passed. If they appeal early enough in the 5 day period, the automatic e-mail will be stopped.

1. One citation in any 90-day period: Issuance of a printed citation by a Fermilab Security Officer regarding the offense. This action is considered a verbal warning. A copy of the citation information will be provided to the employee's supervisor. After the 5 day appeal period has passed, an automatic e-mail (or letter if the employee does not have e-mail) will be sent to the employee stating the discipline policy and appeals process in FESHM 9010, with a link to FESHM 9010.
2. Two citations in any 90-day period: Issuance of a printed citation by a Fermilab Security Officer regarding the offense. This action is considered to be a second verbal warning. A copy of the citation information will be provided to the employee's supervisor. After the 5 day appeal period has passed, an automatic e-mail (or letter if the employee does not have e-mail) will be sent to the employee stating the discipline policy and appeals process in FESHM 9010, with a link to FESHM 9010.
3. Three citations within any 90 day period: During a meeting with the employee and his/her supervisor, a written warning will be given to the employee, signed by the employee, acknowledging receipt, and placed in the employee's personnel file. The employee will be informed that if a fourth parking violation occurs in the 90 day period, they will be subject to taking a minimum one day suspension without pay on day(s) prescribed by their Division/Section/Center Head.
4. Four citations within any 90 day period: A written letter will be issued and the employee will be required to take a minimum one day suspension without pay on day(s) prescribed by their Division/Section/Center Head. A copy of the letter including a statement of the circumstances will be placed in the employee's personnel file.



5. Five citations within any 90 period: The employee will be subject to severe disciplinary action up to and including termination for failure to follow Fermilab rules and regulations.

## 5.2 Moving Violations:

The following are examples of common moving violations, but the list is not intended to be inclusive of all moving violations for which citations may be issued.

- Driving at unsafe speeds in pedestrian areas such as parking lots.
- Exceeding the posted speed limit on Fermilab roadways.
- Not coming to a complete stop at posted stop signs.
- Failure to yield right-of-way to pedestrians in or approaching a marked crosswalk.
- Crossing a double yellow line to pass any vehicle except for slow moving equipment and vehicles after being signaled by the driver or operator that it is safe to pass.
- Operating any vehicle after sundown or before sunrise without lights, or without lighted escort vehicles or persons.
- Operating any vehicle off of the existing road network (including fence line roads) on the Fermilab Site without specific permission of the Facilities Engineering Services Section.
- Operating any vehicle in an inherently unsafe manner that would endanger the life or health of any person, or the property of any person, or of Fermilab or any other organization, company, or university, or the property of the U.S. Department of Energy.
- Operating any vehicle while under the influence of alcohol or other drugs.
- Use of Electronic Communication Devices: Personnel may not drive any motor vehicle on the Fermilab site while using an electronic communication device. Fermilab's standard is stricter than the Illinois Rules of the Road in that hands-free mode and built in devices are not exempt. Exceptions include operators of emergency vehicles while performing official duties, two-way radios provided by the Laboratory for official business, and two-way mobile radio transmitters or receivers used by licensees of the Federal Communications Commission in the Amateur Radio Service.

All moving violations occurring on the Fermilab Site are possible life-threatening situations. Based on the severity of the violation, Fermilab reserves the right to forego any or all of the below listed steps in the disciplinary process and initiate immediate action up to and including termination for gross misconduct. For every citation that is written, the violator will automatically receive an e-mail after the 5 day appeal period has passed. If they appeal early enough in the 5 day period, the automatic e-mail will be stopped.

1. One citation in any 180 day period: Issuance of a printed citation by a Fermilab Security Officer regarding the offense. This action is considered a verbal warning. A copy of the citation information will be provided to the employee's supervisor. After the 5 day appeal period has passed, an automatic e-mail (or letter if the employee does not have e-mail) will be sent to the employee stating the discipline policy and appeals process in FESHM 9010, with a link to FESHM 9010.



2. Two citations within any 180 day period: During a meeting with the employee and his/her supervisor, a written warning will be given to the employee, signed by the employee, acknowledging receipt, and will be placed in the employee's personnel file. The employee will be informed that if a third moving violation occurs in the 180 day period, they will be subject to taking a minimum of 2 days suspension without pay on day(s) prescribed by their Division/Section/Center Head.
3. Three citations within any 180 day period: A written letter will be issued and the employee will be required to take a minimum of two days suspension without pay on days to be prescribed by their Division/Section/Center Head. A copy of the letter including a statement of the circumstances will be placed in the employee's personnel file.
4. Four citations within any 180 day period: The employee will be subject to severe disciplinary action up to and including termination for failure to follow Fermilab rules and regulations.
5. Excessive Speed citation: During a meeting with the employee and his/her supervisor, a written warning will be given to the employee and will be placed in the employee's personnel file. Users, Visiting Scientists and Guests who receive an excessive speeding violation will receive a written warning from the Laboratory Director or his/her designee. Contractors will receive a written warning from their Organization leader.
6. DUI Arrest on Site: Users, Visiting Scientists, Contractors and Guests who are arrested by a person with police authority, for DUI on the Fermilab Site will have their access to the site revoked for a minimum of 30 days, up to indefinitely, depending on the circumstances of the incident.

Employees who are arrested for DUI on the Fermilab Site will be required to take five days suspension without pay on days to be prescribed by their Division/Section/Center Head. Depending on the circumstances of the incident, the employee may be placed on unpaid disciplinary suspension beyond the five days pending results of an investigation which may lead to disciplinary action up to and including termination.

The employee will also be required to attend an initial consultation with the Fermilab Employee Assistance Program (EAP) provider and follow the recommended treatment plan (if applicable) in order to receive a return to work authorization.

Employees who hold a CDL due to job requirements will be subject to the terms of applicable policies and state and federal regulations for CDL holders.

### 5.3 Appeals Process

It is expected that the security officers will be professional and fair in the issuance of citations, but it is recognized that there can be honest differences of opinion regarding a situation. For this reason, an appeals process has been developed so a cited person can have his/her disagreement reviewed.



If an employee wishes to appeal a citation, they have five business days to do so. Citations will not be posted for disciplinary action for 5 business days.

A Traffic Citation Review Committee has been established. It is comprised of two standing members selected from the Traffic Safety Subcommittee, a temporary third member selected by the appealing person and one ex-officio member of the Employee Relations staff. This Committee will review the facts of the citation, talk with appropriate people, and do what it considers necessary to determine the facts. The Committee will rule on the validity of the citation by taking a majority vote and its decision will be final. If the citation is considered invalid, the record will be purged; if it is considered valid, the appropriate sanction will be imposed.

If an employee is disciplined as a result of the citation, he/she can file a grievance under the appropriate grievance procedures of the Laboratory:  
(<http://wdrs.fnal.gov/policies/policy/internalcomplaint.html>).

A non-employee will have to abide by the sanctions imposed.

The [Traffic Citation Appeal Form](#) (<http://esh-docdb.fnal.gov/cgi-bin/RetrieveFile?docid=1403>) should be used when appealing a traffic violation.



## 6.0 TECHNICAL APPENDIX B – System Generated Letters

**Letters Generated by the Traffic Violation Database when Traffic Points of Contact (POCs) take action on a violation.**

**IMPORTANT:**

**Letters Which Include Suspension Need to be developed with WDRS.**

**SAMPLE FINAL WRITTEN WARNING (Employee, Parking Violation Letter)**

DATE: xxx

TO: Employee Name

FROM: Division/Section/Center Head Name

SUBJECT: Violation of Traffic Safety Rules

Despite prior verbal warnings, you have recently received a third parking violation within the last 90 days.

Ticket #	Date	Location	Offense
P00xxx	19-Nov-2030 12:10	EAST WILSON HALL PARKING	Overtime
P00xxx	04-Nov-0929 12:22	EAST WILSON HALL PARKING	Overtime
P0xxxx	22-Sep-2000 13:35	EAST WILSON HALL PARKING	Overtime

If you receive four parking violations in 90 days, you will be required to take a minimum of one day suspension without pay on days to be prescribed by me in accordance with Appendix A of the FESHM Chapter 9010 Traffic Safety.

When you receive a citation, you have 5 working days to appeal it if you feel it was in error. The appeals process is found in FESHM Chapter 9010.

This disciplinary action will be placed in your Employee Personnel Folder. I hope it will correct your unacceptable conduct. However, you are warned that more severe disciplinary action, up to and including termination, may be taken to address future occurrences of inappropriate conduct.

I acknowledge receipt of this memorandum.

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Signature

Date

After acknowledgement signature is obtained, distribute confidentially as follows:

cc: Bruce L. Chrisman, Chief Operating Officer  
Insert employee's supervisor name, Div, MS# here  
Employee Personnel File



**SAMPLE FINAL WRITTEN WARNING (Employee, Moving Violation Letter)**

DATE: xxx

TO: Employee Name

FROM: Division/Section/Center Head Name

SUBJECT: Violation of Traffic Safety Rules

Despite prior verbal warnings, you have recently received a second moving violation within the last 180 days.

Ticket #	Date	Location	Offense
P00xxx	19-Nov-2030 12:10	EAST WILSON HALL PARKING	Overtime
P00xxx	04-Nov-0929 12:22	EAST WILSON HALL PARKING	Overtime

If you receive 3 moving violations in 180 days, you will be required to take a minimum of two days suspension without pay on days to be prescribed by me in accordance with Appendix A of the FESHM Chapter 9010 Traffic Safety.

When you receive a citation, you have 5 working days to appeal it if you feel it was in error. The appeals process is found in FESHM Chapter 9010.

This disciplinary action will be placed in your Employee Personnel Folder. I hope it will correct your unacceptable conduct. However, you are warned that more severe disciplinary action, up to and including termination, may be taken to address future occurrences of inappropriate conduct.

The Laboratory is committed to providing a safe environment. Your driving conduct is counter to our goals and must be corrected. I hope that this notice will increase your commitment to safe driving. Your cooperation in the adherence to the Fermilab traffic safety rules is needed for the safety of both you and others.

I acknowledge receipt of this memorandum.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

After acknowledgement signature is obtained, distribute confidentially as follows:

cc: Bruce L. Chrisman, Chief Operating Officer  
Insert employee's supervisor name, Div, MS# here  
Employee Personnel File

**SAMPLE WRITTEN WARNING – Excessive Speeding (Employee)**DATE: **xxxx**TO: **Employee Name**FROM: **Division/Section/Center Head Name**SUBJECT: **Violation of Traffic Safety Rules – Excessive Speeding**

It has come to my attention that you have received an Excessive Speed (15 mph or greater above the posted speed) moving violation. Such violations endanger you and others on site.

<b>Ticket #</b>	<b>Date</b>	<b>Location</b>	<b>Offense</b>
2xxx	29-Nov-2133 12:49	MAIN RING	Excessive Speed 15 mph over 37 mph in a 20 mph zone.

If you receive three moving violations in 180 days, you will be required to take a minimum of 2 days suspension without pay on days to be prescribed by me in accordance with Appendix A of the FESHM Chapter 9010 Traffic Safety.

When you receive a citation, you have 5 working days to appeal it if you feel it was in error. The appeals process is found in FESHM Chapter 9010.

The Laboratory is committed to providing a safe environment. Your driving conduct is counter to our goals and must be corrected. I hope that this notice will increase your commitment to safe driving. Your cooperation in the adherence to the Fermilab traffic safety rules is needed for the safety of both you and others.

This letter will serve as notice that further disciplinary action will follow if you continue to disobey the traffic safety rules in Chapter 9010 of the Fermilab ES&H Manual (<http://esh-docdb.fnal.gov/cgi-bin/ShowDocument?docid=432>).

cc: **Employee's Supervisor**  
**Employee Personnel File**

**SAMPLE WRITTEN WARNING – Excessive Speeding (User)**

Date:            xxxx

To:              *NAME, ID#, MAIL STATION HERE*

From:            Laboratory Director or his/her Designee

Subject:         Violation of Fermilab Traffic Safety Rules

It has come to my attention that you have received the following serious moving violation exceeding 15 mph:

***CUT-&-PASTE VIOLATION NOTICE HERE***

<b>Ticket #</b>	<b>Date</b>	<b>Location</b>	<b>Offense</b>
2xxx	29-Nov-2133 12:49	MAIN RING	Excessive Speed 15 mph over 37 mph in a 20 mph zone.

Such violations endanger you and others on site. Any Fermilab employee receiving two moving violations would be disciplined for their failure to abide by traffic safety rules.

While you are not an employee of Fermilab, we cannot discipline you in this manner, but we can remove your privileges and access to our facilities. I am informing you that if you continue to disobey the traffic safety rules on our site, such measures will be taken and the Director's office will inform your home institution of this matter.

Your cooperation in the adherence to the Fermilab traffic safety rules is needed for the safety of both you and others.

cc: Bruce L. Chrisman, Chief Operating Officer

File: Moving Violations



## 7.0 APPENDIX C – Safeguards for Construction and Maintenance Activities

The following safeguards shall be taken during construction or maintenance activities that may affect the flow of traffic on campus roads.

1. Signs shall be posted indicating road work in progress. Reflective signs and/or flashing lights are required for night visibility.
2. Traffic cones shall be set up to divert traffic safely away from or through the work area.
3. A flag person shall be assigned to the area if the work is to be performed in any area where driver visibility is obstructed, e.g., by heavy equipment. The flag person shall wear a hard hat, an orange reflective vest and use an orange flag or hand-held stop/slow sign to direct traffic. In some circumstances, two flag persons may be necessary.
4. The Business Services Section shall be notified in advance so that fire and security crews are aware of the temporary road conditions.

For impaired roadways (totally blocked):

1. The Business Services Section shall be notified at least three days in advance so that appropriate notifications and emergency arrangements can be made for fire and security emergency services.
2. “Road Closed” and “Detour” signs shall be posted. Reflective signs and/or flashing lights are required for night visibility.
3. The area shall be fully barricaded to prevent inadvertent access.