

## Memorandum of Understanding Regarding Motor Vehicle Use Somatic Systems Institute, Inc.

This Memorandum governs the usage and authorization to use any and all vehicles owned, leased, or otherwise held by Somatic Systems Institute, Inc. ("SSI"). Authorization may be granted to persons with the status of employees, staff, executives, or directors or acting as consultants, interns, interns, or associates affiliated with SSI (any such persons – or any other parties operating an SSI vehicle – shall be herein referred to as "Personnel" for the purposes of this Memorandum). Authorization to operate, possess, or access or otherwise use any and all SSI vehicles is determined by employees, agents, executives, directors of SSI granted specific authority to do so by other SSI policies (herein referred to as "Management" for the purposes of this Memorandum). It is the responsibility of Personnel to read SSI policies to determine the identity of Management to comply with this Memorandum and other policies and procedures.

1. **Permission and Usage:** SSI vehicles may not be operated, possessed, or otherwise accessed or used by anyone without permission from Management. Furthermore...
  - a) Usage of SSI vehicles should be limited to SSI business purposes.
  - b) Personnel shall disclose to Management their intended purpose of SSI vehicles. Any time that Personnel wish to use SSI vehicles, they should directly report it to management and obtain permission to do so.
  - c) Use of SSI vehicles at any time shall not imply or guarantee any other use of any SSI vehicles in the future. Use of any specific vehicle does not imply or guarantee future use of the same vehicle. Usage of SSI vehicles, and the choice of vehicle(s) used, is determined by Management, regardless of precedent or Personnel preference.
  - d) Different Personnel and other parties may be granted different privileges and levels of vehicle usage or control. One or more party's permissions shall not imply or guarantee any permission to any other party. No party's rights or privileges are transferable. Furthermore, any set of permissions granted to any party at one time does not imply or guarantee any permission to that same party at any other time.
  - e) Some arrangements for SSI vehicle use may be one-time assignments, while some other assignments may be for more extended durations or recurring activities. All usage periods of SSI vehicles are ultimately limited, and the vehicles must then be returned to SSI. No use of any SSI vehicle implies indefinite control or usage of any vehicle.
  - f) SSI vehicle usage, be it one-time or extended, is permitted as a privilege or means by SSI in service of SSI operations. Even in the event that Personnel are scheduled to use SSI vehicle(s), that usage may be preempted or interrupted by Management in the event that other business functions for the vehicle(s) take priority, at Management's discretion.
  - g) At any time, Management reserves the right to prohibit or interrupt usage by or revoke permission of any Personnel to use any SSI vehicle, in the event that the Personnel in question is deemed or reported to be impaired or otherwise limited in their driving competency or judgment (including but not limited to intoxication, medication, injury, fatigue, illness, emotional distress, mental alteration), at Management's sole discretion. Medical testing or any other testimony or certification of the Personnel's fitness shall not compel or guarantee reverse of this loss of vehicle usage. Conversely, Management may request or require sobriety or other testing of Personnel prior to allowing use of SSI vehicles.
  - h) Personnel shall surrender any SSI vehicle to Management safely and immediately upon request or demand by Management or their duly authorized agent(s).
2. **Vehicle Maintenance:** Employees are expected to keep SSI vehicles clean, and to report any malfunction or damage to their supervisor as soon as possible, but in no case later than 24 hours. Any damage, malfunction or sign of trouble with the vehicle noticed by or reported by anyone to Personnel should be reported by Personnel to their supervisor as soon as possible, but in no case later than 24 hours. No party shall repair or otherwise perform

service on SSI vehicles, or take them to any repair or service facilities, without authorization from Management. All repairs must be reported to Management as soon as possible, but in no case later than 24 hours.

3. **Safe Care:** Personnel (whether using the SSI vehicle one-time, regularly, or for commuting purposes) are expected to park SSI vehicles in safe locations. Personnel are responsible for locking vehicles whenever leaving them unattended and not leaving running vehicles unattended. Personnel shall not allow unauthorized parties to operate, control, access, or otherwise use SSI vehicles; and shall not leave SSI vehicles in the care of unauthorized parties. A party may be held responsible for damage that party does, enables, or allows to SSI vehicle, be it from accident, misuse, or in the course of regular use. Theft, towing, or any disappearance of SSI vehicles must be reported to Management immediately; in the event of theft or other disappearance, when Management can not be notified immediately, Personnel should immediately contact the proper authorities such as the local Police department.
4. **Safe Operation:** Personnel...
  - a) Must wear seatbelts during operation of the vehicle.
  - b) May not operate SSI vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications that may interfere with effective and safe operation.
  - c) May not speed or drive recklessly or otherwise in violation of either driving laws or common sense.
5. **Personal Use:** Any liability arising out of the personal use of an SSI vehicle is the sole responsibility of the driver. SSI will expect the driver and the driver's personal auto insurance to respond in the event of an accident arising out of personal use.
6. **Valid License:** Personnel who operate SSI vehicles must have a valid motor vehicle license ("VMVL") issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months. To begin use of SSI vehicles, Personnel may be required to present a "VMVL", to be copied and filed at SSI offices. Upon any pending use of a SSI vehicle, Personnel may be required to present a VMVL to Management.
7. **Law Observance:** Personnel driving SSI vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws. It is the responsibility of Personnel to familiarize themselves with the traffic and other motor vehicle related laws of the regions in which they will be operating SSI vehicles, as well as any other local, State, and Federal regulations and laws.
8. **Violation, Fine, and Surcharge Responsibility:** Personnel who incur parking, traffic, or other fines or charges in SSI vehicles will be personally responsible for...
  - a) Payment of any fines;
  - b) Defense of, response to, and court and other appearances for any charges, summonses, or subpoenas.
9. **Violation & Fine Reporting:** Personnel who are incur parking, traffic, or other fines, charges, or citations for any offense while using an SSI vehicle must notify their Supervisor immediately when practical, but in no case later than 24 hours. Failure to provide such notice may be grounds for disciplinary action.
  - a) An employee who is assigned an SSI vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in an SSI vehicle, must notify his or her supervisor as soon as possible, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of SSI vehicle privileges and/or further disciplinary action.
10. **Driving and Criminal History:** Anyone charged or convicted of the following violations within the last five years may not drive an SSI vehicle:
  - Driving While Intoxicated or Driving Under the Influence ("DWI" or "DUI")
  - Driving under the influence
  - Negligent homicide

- Operating with a suspended license
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's consent
- Permitting an unlicensed driver to operate a vehicle
- Reckless driving
- Hit and Run

11. **Misrepresentation/Fraud:** Personnel shall not conceal from Management the status of their motor vehicle licenses, vehicle registrations, insurance status, driving record, or criminal record. Personnel shall not knowingly misrepresent that their motor vehicle license(s) are valid or that they have not been charged or convicted as described above. Any such concealment or misrepresentation may result in loss of driving privileges, disciplinary action, or loss of employment status.

12. **Out-of-State Use:** No employee may use an SSI vehicle for out-of-state use without advance approval of a Management.

13. **Compliance:** Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including loss of SSI vehicle privileges, suspension, and/or termination.

There may be additional policies and procedures in place which further limit or govern vehicle use. No policies or guidelines provided by SSI supercede or provide defense for disregard of local, State, or Federal regulations and laws; and awareness of and compliance with changes in regulations and laws are the sole responsibility of Personnel. These and other SSI policies may change at any time.

All applicable personnel will receive a copy of this policy and will be required to sign a receipt of acknowledgement.

Any vehicle use or access shall not be granted to an individual unless a copy of this Memorandum signed by that individual is provided to SSI along with presentation of the individual's driver's license so that a photocopy may be made and stored at SSI.

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Signature Date

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Print Name

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Witness Signature Date

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Witness Print Name