



MK LUXURY COACH, LLC

DBA: MK Luxury Limo

2451 W. Grapevine Mills Circle, Ste 625, Grapevine, TX
+1 (972) 330-3739 | info@mkluxurylimo.com

DRUG AND ALCOHOL POLICY

Zero-Tolerance Program for Safety-Sensitive Personnel

1. Purpose

MK Luxury Coach, LLC (DBA MK Luxury Limo) (the “Company”) is committed to providing safe, professional luxury transportation to every client. The safety of our passengers, employees, and the public depends on the unimpaired judgment, motor skills, and conduct of every chauffeur and support team member. This Drug and Alcohol Policy (the “Policy”) establishes the Company’s zero-tolerance program for the misuse of alcohol and controlled substances and is intended to comply with applicable federal and Texas state law, including the Federal Motor Carrier Safety Administration (FMCSA) regulations at 49 CFR Part 40 and 49 CFR Part 382 to the extent applicable.

2. Scope and Coverage

This Policy applies to **all employees, contractors, and agents** of the Company, including (without limitation) chauffeurs, dispatchers, mechanics, detailers, office staff, and management. Drivers who operate any Company vehicle requiring a commercial driver’s license (CDL) or who otherwise perform safety-sensitive functions as defined in 49 CFR § 382.107 are additionally subject to the FMCSA-mandated testing program described in Section 6.

3. Definitions

Alcohol. Any substance containing ethyl alcohol, including beer, wine, distilled spirits, and any medication, food, or other product containing alcohol.

Controlled Substance / Drug. Any substance identified in Schedules I–V of the Controlled Substances Act (21 U.S.C. § 812), and any prescription or over-the-counter medication used in a manner inconsistent with its lawful prescription, label instructions, or generally accepted medical practice. Marijuana and marijuana-derived THC products are included **regardless of state-level legalization status** because federal law and FMCSA regulations continue to prohibit their use by safety-sensitive personnel.

On Duty. All time from the moment an employee begins any work-related activity (including reporting to dispatch, pre-trip inspection, training, and stand-by hours) through the completion of all work-related duties for that shift, plus any meal or rest breaks taken during the work period.

Safety-Sensitive Function. Has the meaning given in 49 CFR § 382.107 and includes, without limitation, driving a commercial motor vehicle, performing pre- or post-trip inspections, loading or unloading passengers or cargo, and performing any work on a commercial motor vehicle while on the Company’s property or a public roadway.

Reasonable Suspicion. An articulable belief, based on specific, contemporaneous, and observable behavioral, physical, or performance indicators of alcohol or drug use, made by a supervisor trained under 49 CFR § 382.603.



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4. Prohibited Conduct

The following conduct is strictly prohibited and constitutes a violation of this Policy:

- Reporting for duty, remaining on duty, or operating any Company vehicle while having an alcohol concentration of 0.02 or greater, or while under the influence of any controlled substance or impairing prescription medication.
- Consuming alcohol while on duty, while in uniform in a manner visible to passengers or the public, or within four (4) hours before reporting for duty. For CDL drivers, the FMCSA pre-duty period of 4 hours under 49 CFR § 382.205 applies; the Company adopts that minimum.
- Possessing alcohol or any unauthorized controlled substance on Company property, in any Company vehicle, or while engaged in any Company business (except for sealed, customer-provided alcohol being transported as part of a hired service).
- Using, manufacturing, distributing, dispensing, or selling any controlled substance while on duty or on Company property.
- Refusing to submit to, or attempting to adulterate or substitute, any test required under this Policy (see Section 7).
- Failing to notify the Company in writing within five (5) business days of any criminal drug-related conviction or any prescription that may impair the employee's ability to safely perform their duties.

5. Lawful Prescription Medication

Use of a medication lawfully prescribed to the employee is not a Policy violation provided that (a) the medication is used strictly in accordance with the prescribing professional's instructions; (b) the employee has confirmed in advance with the prescriber that the medication will not impair their ability to safely perform their duties; and (c) the employee has notified their supervisor of any prescription that carries a warning about operating motor vehicles or heavy machinery. The Company reserves the right, consistent with the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*) and applicable Texas law, to require a fitness-for-duty evaluation by a qualified medical professional.

6. Testing Program

The Company conducts the following categories of drug and alcohol testing through a qualified third-party administrator using laboratories certified by the U.S. Department of Health and Human Services and following the procedures of 49 CFR Part 40:

Pre-Employment. All candidates for safety-sensitive positions must pass a controlled-substance test as a condition of employment.

Random. Employees performing safety-sensitive functions are placed in a random selection pool and may be tested at any time without prior notice. Annual random testing rates meet or exceed the FMCSA minimums in effect (currently 50% for controlled substances and 10% for alcohol).



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Reasonable Suspicion. Testing is required when a trained supervisor observes specific, articulable indicators of prohibited substance use. Documentation will be completed within 24 hours of the observation.

Post-Accident. Following any accident involving (i) a fatality, (ii) bodily injury requiring medical attention away from the scene, or (iii) disabling damage to any motor vehicle requiring tow-away, the driver will be tested as required by 49 CFR § 382.303.

Return-to-Duty and Follow-Up. An employee returning to a safety-sensitive position after a Policy violation must complete the return-to-duty process with a qualified Substance Abuse Professional and is subject to a minimum of six (6) unannounced follow-up tests over the next twelve (12) months and additional testing for up to sixty (60) months thereafter as directed by the SAP.

7. Refusal to Test

Refusal to submit to any test required under this Policy is treated as a positive result and is grounds for immediate termination. A “refusal” includes, without limitation: (a) failing to appear at the collection site within a reasonable time after being directed; (b) failing to remain at the site until testing is complete; (c) failing to provide an adequate specimen without a valid medical explanation; (d) tampering with, adulterating, or substituting a specimen; (e) failing to cooperate with any part of the collection process; or (f) failing to undergo a required medical evaluation.

8. Consequences of a Policy Violation

Any violation of this Policy — including a verified positive test, a refusal to test, possession of prohibited substances, or being on duty while impaired — will result in **immediate removal from all safety-sensitive duties** and is grounds for **termination of employment**. The Company will not re-hire any individual terminated for a Policy violation and will report violations to subsequent prospective employers as required by 49 CFR § 382.413 and the FMCSA Drug & Alcohol Clearinghouse where applicable.

9. Confidentiality of Records

All test results and related medical information are confidential and will be maintained in a secure file separate from the employee’s general personnel file. Records are disclosed only to (a) the employee or their authorized representative, (b) the Designated Employer Representative, (c) the Medical Review Officer, (d) subsequent employers with the employee’s written consent, and (e) any government agency entitled to access under applicable law.

10. Employee Assistance and Voluntary Self-Identification

The Company encourages any employee who recognizes a problem with alcohol or drug use to seek help **before** any test is announced or any violation occurs. Voluntary self-identification, made in good faith and **prior** to being selected for testing or being involved in a triggering event, will not by itself result in discipline, provided the employee agrees to and successfully completes an evaluation and any



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recommended treatment program at their own expense. Confidential information about treatment resources, including the SAMHSA National Helpline (1-800-662-HELP), is available from management on request.

11. Inspection of Company Property

The Company reserves the right, on reasonable suspicion of a Policy violation, to inspect Company-owned vehicles, lockers, desks, and other Company property, as well as personal effects brought onto Company premises or into Company vehicles. Employees have no expectation of privacy in Company property.

12. Employee Acknowledgment

Each employee will receive a copy of this Policy at the time of hire and upon each material revision, and will be required to sign a written acknowledgment confirming receipt, understanding, and agreement to abide by its terms. Continued employment after receipt constitutes acceptance of the Policy.

13. Reservation of Rights

This Policy does not create a contract of employment, express or implied, and does not alter the at-will employment relationship recognized under Texas law. The Company reserves the right to amend, modify, or rescind this Policy at any time, with or without notice, except where prohibited by law.

Adopted and approved by:

Michael M. Kelada

Owner, MK Luxury Coach, LLC

Effective Date: June 05, 2026

Notice. This Policy is a template adopted by the Company and is not intended as, and should not be relied upon as, legal advice. The Company consulted qualified employment counsel licensed in the State of Texas before adopting this Policy in its final form.