

**SECOND AMENDMENT  
TO THE  
ROAD CARRIERS – LOCAL 707 PENSION PLAN**

This SECOND AMENDMENT TO THE ROAD CARRIERS – LOCAL 707 PENSION PLAN (the “Plan”) is made on this 11 day of September, 2013, by the BOARD OF TRUSTEES of the ROAD CARRIERS – LOCAL 707 PENSION PLAN (the “Trustees”).

**WHEREAS**, the Plan was initially established effective December 1, 1950 and thereafter amended from time to time; and

**WHEREAS**, the Plan is currently maintained pursuant to an amended and restated Plan document effective January 1, 2010; and

**WHEREAS**, Article 10 of the Plan permits the Trustees to amend the Plan from time to time; and

**WHEREAS**, in connection with the submission of the Plan to the Internal Revenue Service (the “IRS”) for a letter of favorable determination as to the Plan’s qualified status, the Trustees wish to amend the Plan to incorporate an amendment requested by the IRS clarifying the plan’s provisions regarding required minimum distributions.

**NOW, THEREFORE, BE IT RESOLVED**, the Plan is hereby amended as follows:

1. Section 8.1(e) shall be amended to read as follows (new language is underlined):

**8.1(e) Latest Date of Commencement of Benefits**

Unless the Participant elects otherwise, payment of his pension benefit shall begin no later than the 60th day after the later of:

- (1) the close of the Plan Credit Year in which the Participant attains Normal Retirement Age, or
- (2) the close of the Plan Credit Year in which the Participant retires in accordance with Section 8.1(b).


A Participant may file a written election with the Trustees to receive benefits first payable for a later month; provided, however, that payment of a Participant’s pension benefits shall begin no later than April 1 of the calendar year following the later of (i) the calendar year in which the Participant attains age 70½, or (ii) the calendar year in which the employee retires (“Required Beginning Date”). If the Participant is a 5% owner as defined in Code section 416(i)(1)(i), the Required Beginning Date shall be April 1 of the calendar year following the calendar year in which the Participant attains age 70½. Such payment shall be made over the life of the Participant (or the lives of the Participant and his Beneficiary) or over a period not extending beyond the life expectancy of the Participant (or the life

expectancies of the Participant and his Beneficiary), provided that if the Participant dies before his entire benefit has been distributed to him, the remaining portion of such benefit shall be distributed at least as rapidly as under the method of distribution being used as of the date of his death. To the extent benefit payments are required to begin April 1 of the calendar year following the calendar year in which the Participant attains age 70½ or retires, such payments shall include all benefits accrued through the March 31 prior to the date payments are required to begin. The failure of a Participant to timely submit an application for payment pursuant to subsection (c) shall be deemed an election to defer payment. All distributions will meet the requirements of Treasury Regulation § 1.401(a)(9)-2 through 1.401(a)(9)-9. In addition, the Plan will meet the incidental benefit requirements of Code section 401(a)(9)(G).


IN WITNESS WHEREOF, the Trustees have caused this SECOND AMENDMENT to be executed as of the day and year first above written.


**EMPLOYER TRUSTEES**

  
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T. Ventura

  
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L. Beinhower

**UNION TRUSTEES**

  
\_\_\_\_\_  
K. McCaffrey

  
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V. Cangelosi