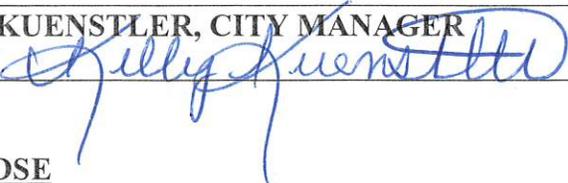




SECTION: HUMAN RESOURCES	REFERENCE NUMBER: B5
SUBJECT: CITY DRIVER POLICY	EFFECTIVE DATE: 10/28/2019
FROM: KELLY KUENSTLER, CITY MANAGER 	LAST REVISION DATE: 10/1/2012

A. **PURPOSE**

1. To establish minimum standards for the qualification of employees and applicants to operate City vehicles and motorized equipment.
2. To implement policies and procedures which are designed to promote the safety of City employees when driving vehicles on City business; and thus, reduce the City's exposure to potential liabilities.
3. To establish responsibilities and regulations regarding enforcement of this policy.

B. **SCOPE**

1. This policy shall apply to:
 - a. City employees driving a City owned, leased, or rented vehicle or motorized equipment if their driving duties are primary to their jobs, except if otherwise exempt in accordance with applicable state and/or federal laws;
 - b. Applicants for positions for which driving is considered an essential function of their job (as defined in the appropriate job description).
2. Vehicle is defined in accordance with Texas Transportation Code. However, vehicle is further defined to include off-road equipment.

C. **RESPONSIBILITIES**

1. Employees or applicants (as appropriate) who fall under Section B, Part 1 of this policy, shall be required to meet the following minimum requirements of eligibility for driving/operating requirements:
 - a. Have reached 18 (eighteen) years of age;
 - b. Have current valid Texas driver's license in the appropriate class and with the specific endorsements established on the official description for the position (or obtain a TDL within 30 (thirty) days of hire);
 - c. Be responsible for the proper care and use of vehicles or motorized equipment, including maintaining equipment interiors and exteriors, and

- reporting maintenance needs to the supervisor, and operating all vehicles or motorized equipment in a manner that conserves fuel;
- d. Report to their supervisors any time they have an invalid driver's license as soon as practical but no later than the employee's next workday after occurrence;
 - e. Report to their supervisor any accident that has occurred with a vehicle immediately following the accident or as soon as practical with extenuating circumstances;
 - f. Be responsible for taking a State Certified Defensive Driving Course once every three (3) years or more often if directed by the Department Head.
2. Each Department Head is responsible for:
- a. Ensuring departmental compliance with the provisions of this directive;
 - b. Providing qualified supervision and instruction on the use, operation, and care of City owned equipment to the personnel who use that equipment;
 - c. Ensuring that during the process of completing a Performance Evaluation on an employee who drives a City vehicle, the performance evaluation reflects the status of the employee's driving record;
 - d. Identifying positions within their department which require additional requirements other than a regular license such as a Commercial Driver's License or specific endorsements and ensuring that these additional guidelines are included in any job description, as appropriate;
 - e. Ensuring that all positions within their department are evaluated to determine if driving duties are primary to the duties of the position.

D. PROCEDURES / POLICIES

1. Employees defined under Section B, Part 1 shall be required to comply with this directive.
2. Failure to report license suspensions, or failure to maintain the required driver's license or failure to meet minimum driving record criteria will be sufficient grounds for removal from driving and may subject the employee to disciplinary action up to and including termination of employment.
3. If it is determined that an employee misrepresented information regarding their driving record, that employee may be subject to disciplinary action up to and including, termination of employment.
4. If an applicant, who is applying for a position with the City which requires driving a City vehicle, exceeds the authorized point limit on accidents or moving violations, the applicant may be disqualified from further consideration for the position. (All applicants who are applying for a position which requires more than occasional driving will be required to complete a Driver's Employment Application – Attachment A).

5. The Motor Vehicle Record (MVR) will be checked on an annual basis by the Human Resources Department for each employee, or each prospective employee, as defined in Section 2 Part 1, and will be evaluated based on the following criteria:

VIOLATIONS	POINTS
a. License suspension, revocation	10
b. Driving while intoxicated	10
c. Any serious violation involving a vehicle resulting in an arrest	10
d. Any speeding violation	3
e. Any standard moving violation	3
f. Red light Camera Violation	3
g. Any at fault accidents	3

Applicants applying for positions which require them to operate a City vehicle or motorized equipment will not be eligible for hire if the total points assigned to their driving record within the preceding 36 (thirty-six) months is 10 (ten) or more. Exceptions to this will be determined by the Accident Review Committee on a case by case basis.

Employees with the total points assigned to their driving record within a 36 (thirty-six) month period of 10 (ten) or more, will be ineligible to operate a City vehicle. Recommended exceptions to this policy will be determined by the Accident Review Committee on a case by case basis and forwarded to the City Manager.

Employees involved in an accident while on duty must report the accident as directed by Procedural Directive B7.

If an employee is involved in an accident which is not initially reviewed by the Accident Review Committee, they may request that the circumstances of the accident be reviewed by the Committee. Based on the information presented, the committee may recommend to the City Manager that no points be assigned to the employee because of the accident.

6. The MVR will be obtained on an annual basis in conjunction with the annual evaluation and reevaluated according to these standards or more frequently if required by the Department Head. The status of an employee's driving record shall be considered as criteria in evaluating the overall job performance of the employee. The City Safety Officer is responsible for obtaining the MVR of the employee. The appropriate department head will be notified in writing of the status of the employee.
7. An employee who is found to exceed the allowable number of points (to include off-duty accidents) will have the circumstances of the accident(s) reviewed by the Accident Review Committee. The employee will be required to provide a certified copy of all police reports which pertain to the accident(s).

8. The Accident Review Committee will make a recommendation in accordance with Section 9 below, to the City Manager concerning any employee(s) who has been determined to be ineligible for driving privileges.
9. Employees who have been ruled ineligible for driving due to their driving record may, at the City's sole discretion be:
 - a. Assigned non-driving responsibilities within their current department, if available (this may result in a loss of pay if the classification for the new position is different);
 - b. Transferred to another department and assigned non-driving responsibilities, if available (this may result in a loss of pay if the classification for the new position is different);
 - c. Terminated from the City, specifically when driving is an essential function of the employee's job as outlined in their job description;
 - d. Given administrative leave without pay for a period of up to 30 (thirty) days, if there is a foreseeable probability of a non-driving opportunity arising during that time period;
 - e. Other at the recommendation of the Accident Review Committee and at the complete discretion of the City Manager.

E. **SPECIAL REQUIREMENTS**

In order to ensure that all City drivers are aware of the importance of maintaining a good driving record, and the major points of this directive, Human Resources Director will ensure that a signed copy of the Certificate of Acknowledgement shown in Attachment B is on file in each driver's personnel file.

F. **ATTACHMENTS**

A - Driver's Employment Application

B - Certificate of Acknowledgement

ATTACHMENT B
CERTIFICATE OF ACKNOWLEDGEMENT

I, _____, hereby acknowledge that while operating City vehicles or off-road equipment on City business, I must do so in a safe and prudent manner in order to avoid accidents, property damage or injuries, and that to do otherwise may result in disciplinary action(s), including transfer, demotion, denial of promotion, and / or termination of employment.

I further acknowledge that in accordance with the provisions of City policy, the City conducts annual (and other) driver evaluations on City drivers through the Texas Department of Public Safety, and that the results of my evaluation could result in my being placed on probation, transfer, demotion, denial of promotion, termination of employment, and / or other actions.

I am aware that the following standards will be utilized to evaluate my driving record:

VIOLATIONS	POINTS
a. License suspension, revocation	10
b. Driving while intoxicated	10
c. Any serious violation involving a vehicle resulting in an arrest	10
d. Any speeding violation	3
e. Any standard moving violation	3
f. Red light Camera Violation	3
g. Any at fault accidents	3

I understand that I will not be eligible to drive a City vehicle or motorized equipment if the total points assigned to my driving record is 10 (ten) or more.

I understand that I am required to immediately report to my supervisor any driver license suspensions and revocations and that accidents must be reported as soon as practical in accordance with Procedural Directive No. B7.

I am also aware that:

1. The driver evaluation includes both on-the-job and off-the-job accidents and traffic violations; and
2. It is my responsibility to remain eligible to drive for the city, and that failure to remain eligible may result in one or more of the above actions.

Employee's Signature