

### **3. GENERAL POLICIES**

#### **3-1. Motor Vehicle Use Policy**

(Adopted by the Board of Supervisors on February 5, 2014, unless otherwise noted.)

##### **3-1.1. Purpose**

- 3-1.1.1. To establish for operating County motor-vehicles.
- 3-1.1.2. To establish a review of driving records of applicants and of employees to whom vehicles are assigned, who operate County vehicles or whose job descriptions require driving.
- 3-1.1.3. To provide for review of motor vehicle accidents occurring during the operation of vehicles in the course of conducting County business.
- 3-1.1.4. To authorize the County Administrator, Department Heads and Constitutional Officers for their respective employees, to issue and enforce additional regulations consistent with this Policy regarding vehicle use and safety.

##### **3-1.2. Applicability**

- 3-1.2.1. This Policy applies to all employees of the Board of Supervisors, and Constitutional Officers, with the exception of the Sheriff's Office, to whom vehicles are assigned, who operate County vehicles or whose job descriptions require driving or a valid driver's license.
- 3-1.2.2. This Policy shall not apply to the Fluvanna County Public Schools.

##### **3-1.3. Driver Eligibility Criteria and Record Review**

###### **3-1.3.1. Prospective Employees**

- 3-1.3.1.a. Candidates selected for interviews for positions to which a vehicle is assigned or which require driving or the possession of a valid driver's license shall give authorization for access to their driving records from the Division of Motor Vehicles ("DMV Record").
- 3-1.3.1.b. Those prospective employees must meet the criteria set out below as reflected by the DMV Record; provided that, if the Department Head or Constitutional Officer deems it advisable to hire a candidate who does not meet the criteria, the department head or Constitutional Officer shall present a request and written statement to the County Administrator.
- 3-1.3.1.c. The statement shall detail reasons for recommending the candidate be hired and indicate how the individual's ineligibility may be accommodated on a temporary basis.
- 3-1.3.1.d. The County Administrator shall review and approve or disapprove the request.

3-1.3.2. Current Employees

- 3-1.3.2.a. Current employees to whom a vehicle is assigned, whose job descriptions require driving or possession of a valid driver's license, or who drive a County vehicle, must meet the eligibility criteria set out below, as reflected in the DMV Record.
- 3-1.3.2.b. Failure to maintain eligibility requirements for positions that require driving can result in discipline up to and including possible termination.

3-1.3.3. Criteria for Eligibility

- 3-1.3.3.a. Prospective and current employees subject to this Policy shall be required to meet the criteria set out in this Section.
- 3-1.3.3.b. Employees subject to this Policy shall have a valid driver's license appropriate for the class of vehicle operated by the employee. The privilege of being assigned a vehicle, driving a County vehicle, or operating a vehicle in a position requiring driving or a valid driver's license shall be denied in the case of applicants, or suspended or terminated in the case of current employees, for those individuals:
  - (i) With any conviction of a felony in the previous 5 years involving the operation of a motor vehicle; or,
  - (ii) With a current DMV Record reflecting accumulation of DMV demerit points in excess of (6); or,
  - (iii) Whose pattern of driving or convictions (reckless driving or DUI) or physical condition is found by the Department Head or Constitutional Officer for their respective employees to jeopardize the safe performance of County operations.
  - (iv) Who do not meet requirements of the County's vehicle insurance policy.
- 3-1.3.3.c. Additional actions may be taken regarding an employee who fails to meet this standard, as determined appropriate by the Department Head or Constitutional Officer for their respective employees in accordance with regulations and policies governing personnel management.
- 3-1.3.3.d. A Department Head or Constitutional Officer for their respective employees may suspend or terminate driving privileges of any employee charged with an offense involving operation of a motor vehicle, if the Department Head or Constitutional Officer for their respective employees; determines that continued driving would jeopardize the safe conduct of County operations.

3-1.3.4. DMV Record Reviews

- 3-1.3.4.a. The Human Resources department shall obtain and review with the Department Head or Constitutional Officer the DMV record of prospective employees subject to this Policy, and all current employees subject to this Policy every 5 years. The employee shall be notified of failure to meet the applicable criteria, and shall be provided with a copy of the DMV Record upon request.
- 3-1.3.4.b. The Human Resources department, upon request of a Department Head or Constitutional Officer, for their respective employees, shall obtain and review the DMV record of employees subject to this Policy who is involved in an accident while driving an assigned or other County vehicle, or when an employee subject to this policy is involved in an accident in the course of conducting County business.
- 3-1.3.4.c. At the time of hire, new employees subject to this Policy shall provide authorization for access to DMV records by the Human Resources department. Current employees shall also provide authorization. Employees' authorization forms shall be maintained on file by the Human Resources department.
- 3-1.3.4.d. All records obtained pursuant to this Policy are deemed confidential personnel records and shall be treated as such.

### **3-1.4. Guidelines for Maintaining Eligibility**

#### **3-1.4.1. Suspension/Revocation/Ineligibility**

- 3-1.4.1.a. Upon the suspension or revocation of an employee's license by any court or by the Division of Motor Vehicles, the privilege of the employee subject to this Policy to operate a County vehicle or to drive in the course of carrying out job duties shall be immediately suspended.
- 3-1.4.1.b. Such suspension shall last for the duration of suspension or revocation of the employee's license.
- 3-1.4.1.c. Should an employee's DMV record inaccurately reflect a license suspension or revocation, a written notice must be sent by the employee to the Department Head or Constitutional Officer for their respective employees, detailing the items that are inaccurate and the method by which the employee is seeking to have the record corrected.

#### **3-1.4.2. Accommodation**

- 3-1.4.2.a. In consultation with the Human Resources department, the Department Head or Constitutional Officer for their respective employees may take disciplinary action or may elect to alter an employee's responsibilities or otherwise accommodate the employee during the period of a suspension or other ineligibility for failure to meet the criteria established by this Policy.

3-1.4.2.b. Prior to the end of any suspension or period of ineligibility, the employee must complete any training required by Department Head or Constitutional Officer for their respective employees at his/her own expense. The employee must provide proof of successful completion to the Department Head or Constitutional Officer.

3-1.4.3. Further Action

3-1.4.3.a. If the employee's eligibility to operate a motor vehicle is suspended or revoked or if he/she becomes ineligible to drive pursuant to this Policy and the employee's restrictions cannot be accommodated within his/her responsibilities, the Department Head or Constitutional Officer, after consultation with the Human Resources department will determine whether further disciplinary action up to and including termination is appropriate.

**3-1.5. Responsibility for Compliance; Reporting Requirements**

3-1.5.1. All employees subject to this Policy shall be responsible for conducting themselves in accordance with the Policy and any Regulations adopted pursuant to the Policy.

3-1.5.2. All employees subject to this Policy shall immediately report all accidents involving a County vehicle or occurring during the course of County business, to their supervisor.

3-1.5.3. Each employee subject to this Policy shall immediately report his/her Department Head or Constitutional Officer any license suspensions or revocations, or moving violation.

**3-1.6. Accident Investigation**

3-1.6.1. When an accident occurs involving an employee subject to this Policy, while the employee is carrying out County business or driving a County vehicle, his/her Department Head or Constitutional Officer shall investigate, which may include obtaining information from an investigating officer and other appropriate sources,.

3-1.6.2. Vehicle accidents shall be generally reviewed by the Safety Committee, which will classify each accident as either preventable or non-preventable. The Safety Committee may make recommendations, including that a particular preventable accidents result in action such as counseling, driver training, and/or discipline.

3-1.6.3. Upon request of a Department Head or Constitutional Officer for their respective employees, the Human Resources department shall obtain the current DMV record and convey to the Department Head or Constitutional Officer.

3-1.6.4. The Department Head or Constitutional Officer for their respective

employees,—shall review the circumstances of the accident, and take any actions, as appropriate, in accordance with regulations and policies governing personnel management.

- 3-1.6.5. In consultation with Finance department, Human Resources department, and the Safety Committee, the Director of Public Works shall develop a vehicle accident reporting form and routing process.

### **3-1.7. Regulations**

- 3-1.7.1. The County Administrator, or Department head or Constitutional Officer for their respective employees may promulgate and enforce rules and procedures—governing implementation of this Policy and prescribing additional requirements for the purpose of promoting vehicle safety.
- 3-1.7.2. This Motor Vehicle Use Policy shall not be construed to supersede or limit the regulations governing personnel management, nor the authority of the County to take all actions necessary, including termination of employees, to promote the safe conduct of County business.

### **3-1.8. Other-Requirements**

- 3-1.8.1. County operations shall be conducted in accordance with all federal, State and local laws and regulations pertaining to motor vehicles, including those applicable to employees possessing commercial driver's licenses.
- 3-1.8.2. All drivers of County vehicles shall wear lap and shoulder safety belts, and all passengers shall be required by the driver to wear lap and shoulder safety belts.
- 3-1.8.3. County vehicles shall only be used for County business.
- 3-1.8.4. Smoking in County vehicles is prohibited.
- 3-1.8.5. Department Heads and Constitutional Officers shall include in all current and future position descriptions a requirement for a valid driver's license for every position that is required to drive a County vehicle, may drive a County vehicle, or could be asked or directed or expected to drive a County vehicle.
- 3-1.8.6. The Director of Public Works serves as County Vehicle Fleet Manager and shall manage the assignment, maintenance, inspection, repair, acquisition, retirement, and replacement of County vehicles.
- 3-1.8.7. In a format provided by the Director of Public Works, each Department Head and Constitutional Officer shall annually confirm that each driving employee possesses a valid driver's license.

### **3-1.9. Authorized Drivers**

#### **3-1.9.1. Commuting**

- 3-1.9.1.a. In order for an employee to be authorized to commute daily to and from work in a County vehicle, the County Administrator

must determine that the employee's duties are essential to operations on a 24-hour/day, 7-day/week basis, and that it is expected that such employee may reasonably be called in to work on more than an occasional basis at any hour day or night to address an emergency.

- 3-1.9.1.b. Occasionally, a Department Head, or Constitutional Officer for their respective employees, may need to allow or require an employee not otherwise authorized to commute daily in a County vehicle to take a County vehicle home overnight. Such instances shall be limited to—when it is—necessary or the alternative would be inefficient.

### **3-1.10. Employee Tax Implications**

#### **3-1.10.1. Department Head or Constitutional Officer Responsibilities**

- 3-1.10.1.a. The Department Head, or Constitutional Officer for their respective employees, must keep a record of each day that each employee takes a County vehicle home overnight.
- 3-1.10.1.b. This record must be submitted to the Finance Department on or before January 7, of each year.

#### **3-1.10.2. IRS form**

- 3-1.10.2.a. Each employee that takes a County vehicle home overnight any time during the calendar year shall be assessed the applicable IRS rate and shall receive the appropriate tax form for that year.
- 3-1.10.2.b. The form shall be issued by the Finance Department upon receipt of the record (described in 3-1.10.1) from the Department Head, or Constitutional Officer for their respective employees.