

<b>The City of Mobile</b>	<b>VEHICLE OPERATIONS POLICY</b>	Policy Number: AS-003.2-98 Effective Date: 15 July 2003
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**Purpose**

To establish a policy designed to reduce risks and losses associated with the operation of City of Mobile vehicles.

**Definitions**

City Vehicle – any motor vehicle: (e.g. truck, automobile, car, tractor, or motorcycle) owned or leased by the City of Mobile.

Operation – the process of driving, operating or maneuvering a vehicle in a forward, backward, or sideward motion.

Vehicle Accident – any event where a City Vehicle, or other vehicle or property is damaged during the operation or as a result of the operation of the City Vehicle. For example: Damage to the mirror on a City Vehicle caused by hitting a fixed object would be a vehicle accident if the City Vehicle was in operation at the time of the damage, as would any damage to the fixed object. Damage caused by debris falling from a moving City truck is a vehicle accident because the City Vehicle is in operation and the driver is responsible for ensuring that the vehicle is safe and the load is properly secured.

Property Damage – any damage to property or a vehicle that did not occur during the operation of a City Vehicle. For example: Damage caused by debris falling off a parked truck while loading would generally be considered Property Damage because the vehicle was not in operation. Damage to a vehicle caused by a rock thrown from a trimmer would be Property Damage because the damage was not caused by the operation of a City Vehicle.

Avoidable/Non-Avoidable – if the driver did everything reasonably possible to avoid an accident and it still happened, the accident would be considered Non-Avoidable; if the driver failed to do everything possible to prevent the accident, irrespective of who was at fault, the accident would be judged Avoidable.

Minor/Incident – an event where there are no injuries and only minor cosmetic damage to a City Vehicle or City Property, and where there is no likelihood of a claim against the City. Incidents may, at the discretion of the department head, be recorded on a department incident form and handled within the department.

Recommended by: George E. Krietemeyer Organizational Development  Date:	Reviewed by: Chris Lee Executive Director, Administrative Services  Date:	Approved by: Michael C. Dow Mayor  Date:
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At-Fault – a determination of who was responsible for the accident. This will normally be determined by police responding to an accident and indicated on the police accident report as primary contributing unit.

### **Driver Conduct**

Every operator of a City vehicle is a representative of the City of Mobile who is expected to conduct him/herself accordingly. Every time a City vehicle is moved, the driver has a duty to drive in a safe and courteous manner that will reflect favorably on the City of Mobile. Drivers are expected to take extra precautions and drive defensively; this includes driving with the headlights on, day or night, in vehicles without daytime running lights, and using a spotter whenever practicable when backing a truck. Every accident, whether the City is at fault or not, is a waste of taxpayer resources.

### **Driver License Requirements**

- 1) Prospective and current City employees whose duties include the operation of a City Vehicle must be 18 years of age or older and be in possession of a valid and current Alabama driver license or other appropriate driver license to include a Commercial Driver License for the class of vehicle driven. Under no circumstances shall a City employee whose driver license is expired, cancelled, suspended, or revoked operate a vehicle around or about a public roadway.
- 2) During the hiring, promotion or transfer of a current or prospective employee whose duties will include the operation of a City Vehicle, said individual shall produce a valid current Alabama driver license or other appropriate driver license to include a Commercial Driver License for the class of vehicle driven.
- 3) An employee whose job duties involves the operation of a City Vehicle shall:
  - a) Immediately notify his/her department head of changes in the status of her/his driver license. Notification may be made using the attached notification form.
  - b) Within 48 hours after returning to work, notify her/his department head if convicted of a moving violation or involved in an accident as operator, whether on or off the job. Notification may be made using the attached notification form.
  - c) Failure to immediately report a driver license expiration, cancellation, revocation, or suspension to the department head could result in disciplinary action.
- 4) Each department shall maintain a list of all employees who are authorized to drive City Vehicles. This list must include the employees' current driver license numbers and the expiration date on the licenses. This information is to be kept current and shall be subject to periodic review as to status and violations.

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- 5) An employee whose job requires the operation of a City Vehicle may be subject to termination of employment or demotion if her/his driver license is cancelled, revoked, or suspended; or s/he becomes otherwise unqualified to operate a City Vehicle.

**Accident Review Committee (ARC)**

- 1) Each department shall create and maintain an Accident Review Committee (ARC) to determine whether or not each motor vehicle accident occurring within its fleet was Avoidable or Non-Avoidable, who was At-Fault, and make disciplinary recommendations, as mandated in this policy, to the appropriate department head. Department heads shall take disciplinary action based on the recommendations of the ARC and the best interest of the City of Mobile.
- 2) The departmental ARC shall operate consistently with written statements of procedures.
- 3) Any action taken by the departmental ARC shall be documented and a copy sent to the City of Mobile Safety Manager.
- 4) Departmental ARC's shall adhere to the following guidelines:
  - a) The ARC membership shall include at least one individual who is in the upper management of the department and that member shall serve as committee chair.
  - b) The chair shall ensure the ARC's consistent implementation of City policy to include documentation of the committee's actions, written notification to the involved employees and proper due process.
  - c) The departmental ARC's decision as to whether an accident was Avoidable or Non-Avoidable, and who was At-Fault should be based on the following information:
    - i) A description of the physical area and conditions in which the accident occurred (accident report). The police report indicating which vehicle was responsible for the accident will be the primary determination of At-Fault or not At-Fault. If a traffic ticket is issued for the accident, the driver receiving the ticket will be determined to be At-Fault unless the ticket is overturned by a court.
    - ii) A statement by the operator(s) as to what happened, and
    - iii) The seriousness of the accident. "Minor" accidents or incidents, such as a scrape of a mirror or cosmetic damage to paint may, at the discretion of the department head, be handled on a case-by-case basis and not counted as At-Fault accidents for the purpose of this instruction.
- 5) Disciplinary action shall be taken in accordance with the following guidelines, however, Departments Heads may impose more severe discipline if, in their judgment, it is warranted because of the nature of the accident or damage resulting from the accident:

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- a) First finding of an Avoidable, At-Fault accident in a City Vehicle within a three (3) year period immediately preceding the accident will result in:
  - i) A letter of reprimand and verbal counseling, and/or
  - ii) Requirement for that employee to attend a nationally recognized defensive driving course (e.g. National Safety Council or Alabama Safety Institute), normally at his/her own expense. If a City of Mobile or Mobile County Personnel Board sponsored Defensive Driving class is being offered and seats are available, the employee may, at the discretion of his/her department head, attend at no cost on a space available basis.
  
- b) Second finding of an Avoidable, At-Fault accident in a City Vehicle within a three (3) year period immediately preceding the accident OR scoring in the Medium Risk category on the Driver Rating Criteria Form (form 015 SA 003 June 2003) as a result of the accident being reviewed will result in:
  - i) Employee being placed on probationary driving status for 12 months. While on probation the employee's driving will be closely monitored and driving may be limited at the discretion of the department head. Any employee on driving probation who is involved in a vehicle accident (unless clearly and convincingly the accident was Non-Avoidable and the employee was not At-Fault), or receives a motor vehicle violation, whether involving a City Vehicle or private motor vehicle, will not be authorized to operate City Vehicles. Appropriate action will be taken to remove the employee from a position that requires driving, and
  - ii) A letter of reprimand and verbal counseling, and/or
  - iii) Suspension without pay for a period not to exceed 15 days, and/or
  - iv) Requirement for that employee to attend a nationally recognized defensive driving course under the same conditions as section (5) (a) (ii) above. An employee may receive credit for only one defensive driving class in any three-year period.
  
- c) Third or greater finding of an Avoidable, At-Fault accident in a City Vehicle within a three (3) year period immediately preceding the accident OR scoring in the High Risk category on the Driver Rating Criteria Form as a result of the accident being reviewed will result in:
  - i) Suspension without pay not to exceed 29 days, and/or
  - ii) Suspension of driving privileges and transfer/demotion to a job not requiring the ability to drive, or
  - iii) Termination of employment.
  
- 6) Departments who lack the number of driving employees necessary to conduct an effective accident review committee may request to be included in a joint committee comprised of several departments. Such request should be made in writing to the City of Mobile Safety Manager.

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### **Failure to Report Change in Driving Status**

- 1) An employee who fails to report a change in the status of his/her driver license shall be subject to the following:
  - a) Letter of reprimand and verbal counseling, and/or
  - b) Suspension without pay for a period not to exceed 29 days, and/or
  - c) Suspension of driving privileges and transfer/demotion to a job not requiring the ability to drive, or
  - d) Termination of employment

### **Motor Vehicle Record (MVR)**

- 1) Motor vehicle records reflect driving behaviors both on and off the job, and are useful in evaluating driver risk. The Motor Vehicle Record (MVR) of every City of Mobile employee who is eligible to drive a City vehicle will be subject to periodic checks or whenever considered necessary to ensure safe vehicle operations. All employees with Commercial Driver Licenses (CDL) will be checked annually as mandated by Department of Transportation requirements.
- 2) Applicants for a position with the City of Mobile, whose job duties include driving a motor vehicle, will have their current MVR reviewed by the hiring authority or designated official prior to being offered employment.
- 3) Any prospective employee who falls within the medium risk category as noted on the City of Mobile Driver Rating Criteria Form, will be required to complete and show proof of completion of a nationally recognized defensive driving course before s/he will be eligible to operate a City vehicle. The defensive driving course will be at the expense of the prospective employee. If hired, the employee will be placed on probationary driving status for one year, conditional upon him/her maintaining a clean Motor Vehicle Record during that period.
- 4) Any prospective employee who falls within the high risk category as noted on the City of Mobile Driver Rating Criteria Form will be automatically disqualified for employment in a position that requires the operation of a City vehicle.
- 5) Any current employee whose MVR places him/her within the medium risk category of the City of Mobile Driver Rating Criteria Form will be counseled by management and placed on probationary driving status for one year, conditional upon maintaining a clean Motor Vehicle Record during that period. Additionally, the employee will be required to attend and complete a nationally recognized defensive driving course within 30 days of notification at his/her own expense. If a City of Mobile or Mobile County Personnel Board sponsored Defensive Driving class is being offered and seats are available, the employee may, at the discretion of his/her department head, attend at no cost on a space available basis.
- 6) Any current employee whose MVR places her/him within the high risk category of the City of Mobile Driver Rating Criteria Form will not be authorized to operate City vehicles. Employees in

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the high-risk category may be issued a written reprimand and may be subject to suspension, transfer/demotion to a job not requiring the ability to drive, or termination of employment.

### Seat Belts

- 1) Alabama Law requires that front seat occupants of a motor vehicle properly wear their seat belts while operating or riding in a motor vehicle on a public roadway. City of Mobile policy mandates proper wearing of seat belts by ALL occupants in any City vehicle whenever that vehicle is in motion, even in a parking lot.
- 2) Exception:
  - a. When required for maintenance troubleshooting, a vehicle mechanic may ride in the vehicle without a seatbelt provided the driver is properly wearing a seat belt, the vehicle does not leave City of Mobile property, and authorization by a supervisor is obtained for each maintenance drive.
  - b. Solid Waste Trucks: Workers are permitted to ride on the outside riding steps on solid waste trucks while moving forward for short distances (0.2 mile or less) at slow speeds (10 miles per hour or less). Workers are not permitted on the riding steps anytime the truck is backing. The driver must keep all workers in sight and immediately stop backing if any worker cannot be seen. Workers MUST ride in the cab when transiting outside of the neighborhood where they are working. If adequate seating is not available inside the cab, workers should be transported by a separate vehicle.
  - c. Water trucks, pesticide trucks and other vehicles including tractors where operation requires the employee to work out of the truck bed or operate the vehicle where the seat belt would hinder the ability to safely perform the job may work without a seat belt, provided that the operation is approved by the department head and the vehicle speed does not exceed 10 miles per hour. Careful consideration shall be given by each department head to weigh the risk vs. benefits prior to permitting operations without occupant restraints.
- 3) Anyone riding in a City vehicle without properly wearing a seat belt **AND** drivers of City vehicles permitting anyone to ride in a City vehicle without properly wearing a seat belt are violating City of Mobile policy and are breaking the law which may result in the following disciplinary action:
  - a. First offense within a two-year (2) period will be a letter of reprimand and verbal counseling.
  - b. Second offense within a two-year (2) period may result in suspension without pay for a period of not more than ten (10) working days.
  - c. Third or greater offense within a two-year (2) period will be considered as willful disobedience of City policy and that individual may be recommended for termination of employment due to insubordination.

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### **Distracted Driving**

- 1) Distracted driving is a significant factor in vehicle accidents. When a driver's attention is diverted from driving, even momentarily, the chances of a crash increase significantly. Distractions can be caused by cell phones, two-way radio, changing radio stations, reading, eating, or conversations with passengers as well as external distractions such as emergency vehicles or traffic. Driving while distracted puts the City of Mobile at financial risk from potentially injured persons, and is an unacceptable risk.
- 2) Employees shall refrain from engaging in activities that may distract them from their primary task of safe driving while operating City Vehicles.

### **Reckless Driving**

- 1) Any employee convicted of reckless driving, or driving under the influence of drugs or alcohol, will immediately be placed in the Medium Risk category if previously in the Low risk category, and put on probationary driving status for one year following conviction or reinstatement of his/her driver license, whichever occurs later. Employees who previously were classified as Medium Risk drivers will be placed in the High Risk category and will not be authorized to operate City vehicles or equipment.
- 2) Any employee convicted of reckless driving, or driving under the influence of drugs or alcohol in a City of Mobile vehicle will immediately be prohibited from operating any City of Mobile vehicle or equipment for a minimum of three (3) years and is subject to termination of employment.

### **Responsibilities**

- 3) Department Heads shall be responsible for ensuring that their employees maintain the driver license requirements, that an accident review committee is established and conducted in an effective manner, and that their employees are notified as to the Motor Vehicle Record requirements.
- 4) Failure to comply with this policy will be interpreted as willful violation of City policy and that individual may be subject to disciplinary action.
- 5) No employee shall operate or be required to operate an unsafe City vehicle. If there is a question or conflict to whether a vehicle is safe to operate, the responsible party should contact the supervisor at the City Garage for a mechanical/safety inspection prior to operating the vehicle. If the conflict cannot be satisfactorily resolved, contact the City Safety Manager for his/her opinion. The City Safety Manager's decision as to the safeness of that vehicle will govern.

# CITY OF MOBILE DRIVER RATING CRITERIA FORM

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Employee No.:

DL State and No.:

Length of Employment (years)	Age	Moving Violations (3 years)	Recorded <u>At-Fault</u> Accidents (3 years)
< 1 = 20 points 1 to 2 = 15 points > 2 = 10 points	18-24 = 30 points 25-29 = 15 points 30-65 = 10 points > 65 = 15 points	> 3 = 80 points 3 = 60 points 2 = 30 points 1 = 20 points 0 = 10 points	≥ 3 = 80 points 2 = 60 points 1 = 30 points 0 = 10 points
<b>Total:</b>	<b>Risk Category:</b>		

Low Risk < 100

Medium Risk 100-129

High Risk ≥ 130

A moving violation issued in conjunction with an accident shall be counted only once as an accident unless the violation involves drugs or alcohol.

Note: At-fault will be determined by the City Safety Manager after reviewing the details of the accident as noted on police reports pertaining to the accident in question. Employees or prospective employees may need to provide additional information including police reports in order for an at-fault determination to be made. A not-at fault determination will not be made until adequate documentation is provided.

- ◆ Conviction for reckless driving or DUI, increase driver risk rating to next higher risk category.
- ◆ Employees in the high-risk category will not be authorized to operate City of Mobile owned or leased vehicles. In accordance the City of Mobile Vehicle Operations Policy, appropriate action will be taken to remove an employee from a position that requires driving.
- ◆ Drivers who score in the medium risk category will be counseled by management and placed on probationary driving status for one year, conditional upon their maintaining a clean Motor Vehicle Record during that period.

In addition to driver ratings described above, the following requirements will reinforce our ability to provide safe drivers:

1. Any City employee who drives a City vehicle and who is convicted of a moving violation or involved in an accident as the operator, whether on or off the job, must report details of it to their department head within 48 hours after returning to work. Failure to do so may result in disciplinary action, up to and including termination of employment.
2. Drivers must be 18 years of age or older to operate a City vehicle.