



Unified Government Human Resources Guide

Effective 07-10-14

DRIVER SAFETY, ACCIDENT REPORTING and VEHICLE USE

- I. General: It is the policy of the Unified Government that all employees who drive on Unified Government business, whether a Unified Government vehicle, a personal vehicle or some other vehicle, and whether they receive a car allowance or not, with the exception of employees who are members of the Fraternal Order of Police Lodge #4, Fraternal Order of Police Lodge #40 and of the International Association of Firefighters Local #64, be subject to the Driver Safety and Accident Reporting program. Any on-the-job accidents will also be subject to the Unified Government's Drug and Alcohol Testing policy found in the appendix of this policy or in the Human Resources department.
- II. Policy
 - A. Driver's License/Proof of Insurance
 1. Applicants for employment in positions which require the operation of a vehicle will have a valid driver's license with their current permanent address.
 2. All employees who drive on Unified Government business must have a valid driver's license, with their current permanent residence listed, appropriate endorsement for the class of vehicle they are operating, and liability insurance in at least the minimum amount required by Kansas Law.
 3. The driver's license and proof of insurance must be carried with the employee at all times while on duty.
 4. The employee must provide a current copy of his/her driver's license and proof of insurance to his/her department head.
 5. It is the employee's responsibility to notify their department of any changes to their driver's license within 30 days of the change. This includes suspensions, revocations; name changes, address changes etc.
 6. As of January 30, 2014 all Unified Government employees requiring a CDL must present a Medical Self Certification form to the state of Kansas. Employees not in compliance will have their CDL downgraded to a Non-CDL.
 - B. Motor Vehicle Records
 1. As a condition of employment Human Resources will obtain the motor vehicle record (MVR) of each potential employee for job classes that require the operation of a vehicle and will forward it to the hiring department.
 - a. The MVR for each potential employee will cover the previous three year driving record.
 - b. If a potential employee does not meet the MVR criteria listed below, he or she may be excluded from further consideration for employment. If a conditional offer of employment has been made, it may be withdrawn.



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2. Human Resources will obtain at least annually an MVR on all employees who are regular drivers and will review such records, except that an MVR will be obtained at least twice a year for employees with 2 or more moving violations or more than one major moving violation on their driving record.

C. Authorized Driving

1. Only employees cleared by Human Resources and/or DRARC and those authorized by their department heads, division heads, or their designees will operate vehicles on Unified Government business. Employees will not be authorized to drive on Unified Government business if they have a poor driving record within the last three years or 36 months. In situations where a driver has a driving record marked as borderline; that driver will meet with DRARC to determine eligibility. Refer to the below chart below to determine the eligibility of a driver.

Driver Selection Motor Vehicle Reports for Three Years				
Number of Minor Violations	Number of at Fault Accidents			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Poor	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor
Major Violation	Poor	Poor	Poor	Poor

2. Under no circumstances will an employee drive on Unified Government business if the employee's driver's license has been suspended or revoked, unless a court has modified the suspension to permit driving during the course of employment and the State Division of Vehicles has accepted the modification. No employee will be permitted to drive without the proof of liability insurance in at least the minimum amount required by Kansas Law.
3. Department heads, division heads or their designees will physically inspect the driver's licenses and proof of insurance of employees who are regular drivers at least twice a year. Copies will be maintained as part of departmental records.

D. Observance of Law and Payment of Fines

1. Employees are responsible for knowing and observing all current state and local traffic laws.



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2. Employees are responsible for paying fines for traffic violations, when such fines arise from the operation of a vehicle on Unified Government business. The Unified Government will not reimburse employees for such fines.
- E. Inspection and Securing of Vehicle
1. Each day before initial use of any Unified Government vehicle, the driver of the vehicle will visually inspect the vehicle for damage, inoperable lights, loose hardware, under inflated tires, or any noticeable condition which may make the vehicle unsafe to operate.
 2. If any deficiencies are noted, the employee will report them to the supervisor. Failure to report such defect or damage will make the employee responsible for same defect or damage.
 3. No vehicle (either a Unified Government vehicle or any other vehicle operated on Unified Government business) will be operated in an unsafe condition.
 4. Except in emergency situations, Unified Government vehicles which are not stored inside a building or in a secure area will be locked with the ignition key removed.
- F. Seatbelts
1. No Unified Government employee will operate a vehicle nor ride as a passenger while on Unified Government business unless the employee is wearing a safety belt which is properly adjusted and fastened.
 2. The foregoing paragraph will not apply to
 - a. any person who is physically unable to use a safety belt if the inability is certified by a physician; or
 - b. any passenger on a Unified Government bus.
- G. Smoking: Smoking is prohibited in all vehicles owned or partly owned by the Unified Government.
- H. Accident Reporting
1. Off-duty accidents/incidents
 - a. Employees who drive a vehicle as either part or all of their job duties and/or receive a monthly car allowance must report to their supervisors no later than the first working day after the accident/incident any of the following events involving the employee and occurring off-duty:
 - (1) vehicular accident
 - (2) driving under the influence charge



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- (3) driving under the influence or moving violation conviction, guilty plea, no contest plea, or diversion agreement
 - (4) driver's license suspension or revocation for any reason, including but not limited to failure to maintain liability insurance as required by law.
 - b. Supervisors will notify their respective division heads.
 - c. The division will notify the chairman of its respective Driving Records and Accident Review Committee in writing of any of the above-referenced incidents by any employee in the division who drives on Unified Government business.
2. On-duty accidents
 - a. Any employee involved in an accident while driving on Unified Government business will report the accident to supervision immediately after the accident. Unless the employee is injured and unable to do so, all forms associated with the accident, including the injury report must be completed prior to leaving the workplace. Employees may be required to submit to a drug and alcohol test as required by the Unified Government's Drug and Alcohol Testing Policy.
 - b. The driver's supervisor will file a written report with his/her division.
 - c. The supervisor will report serious accidents by telephone to the Safety Officer or Worker's Compensation Coordinator immediately. "Serious" is defined as involving either
 - (1) vehicular damage in an amount greater than \$2,000 or
 - (2) any disabling personal injury, whether temporary or permanent or
 - (3) any motor vehicle accident that requires a vehicle involved to be towed from the scene of the accident
 - d. The division will complete the insurance form (Acord) and forward it to Legal and Human Resources no later than the next working day following the accident.
 - e. The supervisor will forward a copy of the police report to Legal and Human Resources as soon as it becomes available.
 - f. The department head has the right to place an employee on administrative leave with pay pending the outcome of the department's investigation of the accident.
 - g. When an employee is driving their personal vehicle for business purposes, and is involved in an accident, the employee's insurance will be the primary insurance to pay for any damages. The Unified Government's



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insurance will cover any losses above the limits of the employees insurance.

3. Winter Driving Policy
 - a. During inclement winter weather; the following rules will apply to those driving vehicles for Unified Government business.
 1. Accidents will still be reported if or when they occur.
 2. Post-accident drug testing may be suspended if snow packed; icy road conditions or other weather related phenomenon caused the accident.
 3. Post-accident drug testing will be required if the UG employee is involved in an accident in which a citation was issued to the employee, if there is significant damage to the Unified Government vehicle, or if there were any fatalities involved in the accident.

I. Driving Records and Accident Review Committees

1. Each department will establish a Driving Records and Accident Review Committee to review employees' driving records and to make recommendations to department heads.
2. The Committee will have the authority to require employees to appear before the Committee and to answer questions.
3. Employees have the right to file a written response or appear in person before the Committee to explain any mitigating circumstances surrounding an accident or an incident being reviewed by the Committee or surrounding an employee's motor vehicle record which may serve as the basis for assessment of points under this policy. The Committee will consider such information and will forward it to the department head in the Committee's report.
4. Duties
 - a. The Committee will review every accident involving employees' driving on Unified Government business and will make a determination as to whether an accident was avoidable.
 - b. The Committee will make a written report of its findings containing a recommendation as to corrective action to be taken, if any (e.g., temporary suspension of driving privileges, special training, physical examination), and will send a copy to the department head and to Human Resources.
 - c. At least twice a year, the Committee will review its employees' driving records and will review the Motor Vehicle Report (MVR) and determine if driver's meet the criteria listed above and will forward that information to the department head.



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- J. Definitions: For purposes of this policy, the following terms will have the following meanings:
1. **Accident:** Any incident in which the vehicle comes in contact with another vehicle, person, object, or animal, which results in death, personal injury, or property damage, regardless of who was injured, what was damaged, the extent of the damage or injury, the location of the accident, or who was responsible.
 2. **Avoidable accident:** An accident in which the employee driving failed to exercise reasonable precautions to prevent the accident.
 3. **Serious accident:** Any motor vehicle accident involving either: (a) vehicular damage in an amount greater than \$2,000 (b) disabling personal injury, whether temporary or permanent, or (c) requires a vehicle to be towed from the accident.
 4. **At fault accident:** Any accident in which it was determined that the driver in question was determined to be the cause of an accident.
 5. **Minor accident:** Any motor vehicle accident which is not a serious accident.
 6. **Moving violation:** Any violation in which the operator of the vehicle is given a citation for violating a traffic law regardless of the jurisdiction the citation occurred.
 7. **Minor violation:** Minor moving violations are defined as citations issued for speeding no more than 15 mph above the posted speed limit, failure to yield, failure to obey posted stop sign and illegal turns.
 8. **Major violation:** Major violations would include speeding in excess of 20 mph of the posted speed limit, reckless driving, driving under the influence of drugs or alcohol, attempting to elude law enforcement and leaving the scene of an accident.
 9. **Non-owned Vehicles:**
Non-owned vehicles include any personal or rented vehicle that is used for Unified Government business and is not owned in part by the Unified Government.
 10. **Fleet vehicle:**
A fleet vehicle is any vehicle that is in part owned by the Unified Government.
- K. Discipline
1. An employee will receive the appropriate discipline from their department if they fall into one of the following categories during a consecutive 36 month period.



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Discipline for moving violations in a consecutive 36 month period				
Number of Minor Violations	Number of at Fault Accidents			
	0	1	2	3
0	None	Warning Letter	Second Warning Letter	Three-day suspension without pay and defensive driving course
1	Warning Letter	Second Warning Letter	Three-day suspension without pay and defensive driving course	Loss of business driving privilege; possible termination
2	Second Warning Letter	Three-day suspension without pay and defensive driving course	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination
3	Three-day suspension without pay and defensive driving course	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination
Major Violation	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination	Loss of business driving privilege; possible termination

- The foregoing chart will not preclude the imposition of more severe discipline for a particular infraction if circumstances warrant it or if a contrary provision is contained in any contract with a bargaining unit.



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- L. Vehicle Use: The following section is to apply to all vehicles being used for Unified Government business. This will include Unified Government owned vehicles, non-owned vehicles and rented vehicles. Excluded from this list are unmarked “Take Home Vehicles”.
1. No Rider policy- under no circumstances shall there be outside riders with the exception of emergency vehicles, public transit vehicles, and individuals with a business interest with the Unified Government.
 2. Unified Government owned vehicles are to be used for business purposes only. Personal trailers to haul materials or equipment including but not limited to boats, dirt bikes and ATVs is prohibited.

Appendix I. Acord Form