

Motor Vehicle Use By Board Employees

The Erie County Board of Developmental Disabilities (Board of DD) in keeping with its mission is committed to maintaining driving standards that help assure the safety and health of clients, employees and the general public. All motor vehicle use for Board business, either in a County owned vehicle, or a privately owned vehicle will be performed in compliance with standards recommended by the Erie County Board of Commissioners, or Board of DD standards and consistent with guidelines provided by the Board's insurance carrier.

The Superintendent is authorized to establish and revise, as needed, the procedures to be utilized in the implementation of this policy.

Board Approval: 06/17/10; 02/17/11

Implemented: 06/17/10

Revised: 02/01/11

CROSS REFERENCE

Procedures

PROCEDURE: MOTOR VEHICLE OPERATION BY BOARD EMPLOYEES

Definitions

Frequent Driver: An employee who drives a vehicle titled to, purchased or leased by or insured by or through the Board of Erie County Commissioners at least one (1) time per week. This procedure also covers employees who drive their own personal vehicles in the course of their employment with the Board of DD.

Employees: As utilized in this procedure, "employees" are defined as full or part-time employees, volunteers, students, or temporary/substitute employees who are defined as either frequent drivers or who drive a County or their own personal vehicle for Board of DD business, as per their position description.

Use of County Vehicles

It is the Board of DD's responsibility to properly maintain and repair County vehicles on a routine basis to assure safe vehicle operation. Employees operating County vehicles shall adhere to all safety regulations and laws including but not limited to the following:

1. All drivers must be at least eighteen (18) years of age.
2. All drivers must maintain a valid Ohio Driver's License that applies to the type of vehicle to be operated. (e.g. Commercial Driver's License)
3. All drivers must operate the vehicle in a safe, courteous and economical manner.
4. All drivers and all passengers in vehicles so equipped shall wear safety belts. Infant/child car seats are required to be used in accordance with the laws of the State of Ohio and manufacturers' product manuals.
5. All drivers and passengers shall comply with the motor vehicle laws of the State of Ohio.

Driver Eligibility

Pre-employment qualifications: Hiring of persons who will be required to drive as a function of his/her job duties will be in the sole discretion of the Superintendent. An

applicant may be denied employment on the basis of an unsatisfactory driving record. At the direction of the Superintendent, denial of employment may be made without regard to the number of points or violations, whether they occurred within the past thirty-six (36) months or whether they occurred within the State of Ohio.

A. Employees or applicants for employment may be considered qualified to drive when the following are met to the satisfaction of the Superintendent in conjunction with Erie County Human Resource staff:

1. A review of the Employee's Motor Vehicle Record (MVR);
2. A review of the Employee's MVR and a recommendation by CORSA, Erie County's insurer.
3. Upon request, able to produce proof of insurance or compliance with the State of Ohio's Financial Responsibility Laws.
4. Employees whose position requires a commercial driver's license (CDL) will follow the driving procedure specific to their department and position. In the event of a conflict, the department-specific procedure controls, but only if the department-specific procedure meets or exceeds the provisions of this procedure.

Proper Licensure: Employees operating a motor vehicle are required to have a proper, valid Ohio Motor Vehicle Operator's License, or such license as required by the State of Ohio to perform the duties set forth in the employee's classification specification or position description. Additionally, any employee who utilizes their own personal vehicle for business purposes must be able to produce proof of insurance.

Active Employment Qualifications: Erie County's Human Resources office shall maintain an Eligible Drivers List containing the names of all employees eligible and authorized to drive a vehicle. Motor Vehicle Records (MVR) will be obtained at least annually from the State of Ohio Bureau of Motor Vehicles on all employee drivers. The

MVRs will be reviewed and approved by the Erie County Loss Control Coordinator and/or the Director of Human Resources. Upon completion of such review, the Loss Control Coordinator will forward to the Superintendent or designee recommendations regarding continuation of eligibility, restrictions, etc.

In conjunction with the annual MVR review, Board of DD staff defined as frequent drivers shall submit a copy of his/her motor vehicle insurance coverage on an annual basis.

Board of DD employees whose driving record demonstrates that the employee cannot safely drive and/or lawfully drive may have their work-related driving privileges restricted and/or revoked, or may be subject to disciplinary action up to and including termination. In some cases, additional training and/or intervention may be required. Otherwise, the insurance coverage through the Board of DD (County Risk Sharing Authority – CORSAs) may exclude coverage for any driver.

Upon evaluation of an Employee's annual MVR and a recommendation by the Erie County Loss Control Coordinator and/or the Director of Human Resources and the Superintendent, drivers may: have their driving eligibility temporarily or permanently revoked; and/or be required to participate in driving or alcohol/controlled substance intervention programs; and/or be subject to disciplinary action up to and including termination. Any conviction of one or more of the ten violations below appearing on an Employee's MVR during the prior 36 months may result in such action:

1. Driving under the influence of alcohol or drugs;
2. Leaving the scene of an accident;
3. Vehicular homicides or manslaughter;
4. Driving during a period of suspension or revocation;
5. Reckless operation or other intentional and dangerous use of a motor vehicle;
6. Attempting to elude or flee a law enforcement officer after a traffic violation;
7. Road rage statute violations;

8. Falling asleep while driving;
9. Use of a motor vehicle in the commission of a crime;
10. Non-compliance with Ohio Financial Responsibility Law.

An arrest or conviction for one or more of the above violations on or off county time must be reported by the next working day of arrest and/or conviction to the employee's immediate supervisor.

The following list of motor vehicle-related occurrences appearing on an annual MVR for an Employee during the prior thirty-six (36) month period may result in the temporary or permanent revocation of the Employee's driving eligibility or other disciplinary action up to and including termination:

1. Three or more "At Fault" accidents;
2. Three or more moving violations;
3. A combination of 3 "At Fault" and moving violations;
4. One DUI or reckless operation conviction.

The following list of motor vehicle-related occurrences appearing on an annual MVR for an Employee during the prior thirty-six (36) month period may result in a requirement to participate in a defensive driving class offered annually by the county:

1. Two or more "At Fault" accidents;
2. Two or more moving violations;
3. A combination of 2 "At Fault" and moving violations;
4. One DUI or reckless operation conviction.

In any case where the Superintendent or CORSA has temporarily or permanently suspended/revoked the employee's driving eligibility and driving is an essential function of the employee's job, the Superintendent may take appropriate disciplinary action, up to and including termination, as permitted by department policy/procedure, laws and regulations of the State of Ohio, and any applicable collective bargaining agreement.

Driving Violations

Employees shall report all moving traffic violations of motor vehicle laws that occur on work or personal time. Such convictions shall be reported by the next working day to their supervisor whether the violations occurred in Ohio, another state, territory or Canadian Province.

Violation of any Motor Vehicle Law may be the basis for disciplinary action up to and including termination and/or limitation of an employee's duties so as to not include operation of a motor vehicle. If the operation of a motor vehicle is an essential job function of the employee's position, an employee may be terminated from employment with the Board of DD if the employee is unable to perform motor vehicle operation duties.

Any employee that is a frequent driver under this procedure and/or utilizes his/her own personal vehicle for Board of DD business and accumulates six (6) or more points under Ohio point law may be subject to disciplinary action according to Board policy and/or appropriate bargaining unit agreement.

Employees who are cited for driving under the influence (DUI, OMVI, DWI, etc.) shall not be permitted to operate a motor vehicle on behalf of the Board of DD pending disposition of the case. The Superintendent may permit accommodation of driving restrictions in some cases. Use of a substitute driver would require the substitute driver to meet the driver eligibility standards of this procedure.

If convicted, the employee may be subject to corrective action up to and including termination. The employee may be permitted to continue employment with the Board of DD in a position which does not require operation of a motor vehicle pending their participation and successful completion of an appropriate rehabilitation program. Such determination is at the sole discretion of the Superintendent.

Alcoholic Beverages or Controlled Substances

No Alcoholic beverages, illegal drugs or controlled substances are permitted in or on a vehicle except as a function of law enforcement or medical emergency vehicles. No employee shall operate a vehicle under the influence of alcohol or illegal drugs or illegal use of prescription drugs.

Firearms

Employees, other than law enforcement officers or other persons specifically authorized to carry a firearm, are prohibited from carrying firearms in any Vehicle.

Accidents and Traffic Citations

In the event of a traffic accident or traffic stop for a violation while in the course of employment, employees shall:

1. Stop, no matter how minor the accident. Report all collisions involving vehicles to the law enforcement agency having jurisdiction.
2. Any damage caused to a county vehicle or by a county board employee shall require a police report.
3. Contact the transportation supervisor and your immediate supervisor for direction.
 - a. The transportation department will arrange for towing if needed.
 - b. Your immediate supervisor will ensure that drug and alcohol testing is completed immediately following the accident.
4. Take precautions to avoid further damage or injury to persons or property.
5. Make no statements admitting responsibility.
6. Do not advise other parties involved on any matter, especially that the County will pay for the damage resulting from said accident.

7. If collision is with an unattended vehicle or other object, try to locate the owner. Call law enforcement agency. If this cannot be done, leave a written notice with your name, department name, address, and telephone number.
8. The driver of a vehicle is responsible for the vehicle until it has been returned to the garage or collected by the towing service. Unsafe vehicles should not be driven from the scene of an accident.
9. Within twenty-four (24) hours, the CORSA report and Record of Occupational Accident, Illness or Injury Report will be completed by the supervisor and submitted to the transportation supervisor.
10. The transportation supervisor will forward all required documentation to the County Loss Control Coordinator.
 - a. Required documentation includes a copy of all law enforcement reports including all statements made at the scene or afterwards to law enforcement;
 - b. Repair estimates, when appropriate, in due course.
11. The County Loss Control Coordinator shall file all accident damage reports with CORSA.
12. Vehicle accidents occurring while conducting Board of DD business will result in drug/alcohol testing of the employee immediately following the accident.
13. The Superintendent may take such disciplinary action as permitted by policy/procedure, laws and regulations of the State of Ohio, or any applicable collective bargaining agreement.

Use of Personal Vehicles on Official Board of DD Business

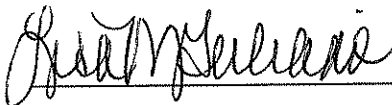
1. This procedure applies in all respects to employees who use personal vehicles while on Board of DD business.

2. Use of personal vehicles by employees traveling out of county for Board of DD business is discouraged unless a County owned vehicle is not available, or if the use of a county vehicle would cause serious inconvenience, or extreme hardship.
3. Employees who use personal vehicles while on Board of DD business shall abide by all policy/procedures, and the laws and regulations of the State of Ohio.
4. Insurance coverage for personal vehicles used on Board of DD business shall be the responsibility of the owner of the vehicle.
5. All employees who use their own vehicle on Board of DD business are recommended to have minimum insurance limits of at least \$100,000 per person for bodily injury; \$300,000 per occurrence for bodily injury; and \$100,000 property damage per occurrence; or a combined single limit of not less than \$300,000.
6. Employee's supervisor must approve use of personal vehicles on out of county Board of DD business in advance of any such use.
7. Employees who are authorized and required to use their personal vehicles on Board of DD business will be reimbursed per mile at the authorized county rate.

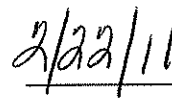
Miscellaneous

1. Parking tickets, moving violations, and other fines received while operating a vehicle are the responsibility of the driver.
2. Report theft of or from a vehicle to the law enforcement agency with jurisdiction for investigation.
3. For personal safety and county liability, employees and passengers shall comply with the state statute on seatbelt usage.

4. The use of tobacco products is prohibited in all County-owned or leased vehicles.
5. Texting while driving on Board of DD business is prohibited.
6. Talking on a cell phone while driving on Board of DD business is subject to the following limitations:
 - a. Use of hands free device is permitted;
 - b. Pull off and park in a safe location to conduct phone call.



Superintendent



Date