



County of Henrico Human Resources

Verification	Originator	Revised	Issued
Initials	Risk Management		Risk Management
Date	03/03/2016		03/03/2016

Safety/Loss Prevention Manual Chapter 6 Fleet Safety

Area of Application:	Henrico County General Government & Schools
Document Location:	http://employees.henrico.us/info/safety-manual/
Revisions	
Rev. No.	Date Description
001	
002	

Purpose:

This policy provides guidelines which are intended to reduce accidents involving the operation of County-owned Vehicles and personal Vehicles being used on County business. These standards apply to persons with Driving Positions (as defined below).

Scope:

This policy applies to all Henrico County employees with a Driving Position.

Exclusions:

DMV record reviews do not apply to Division of Police employees who operate emergency, law enforcement, or other county or personal Vehicles; and the Public Schools Pupil Transportation Department.

Definitions:

Collision – An incident that involves a Vehicle in motion coming in contact with another vehicle, other property or person(s).

County Accident Review Board (“Board”) – A Board with representation from the Henrico County Divisions of Police and Fire, General Services, Human Resources, Public Utilities, Public Works, Recreation and Parks, and Public Schools.

Defensive Driving Courses – Driving courses offered through the General Government Human Resources Division of Risk Management (“Risk Management”) that promote safety awareness and train employees regarding county procedures related to operating a Vehicle.

Driving Position – Any persons who is required to drive a county or personal Vehicle in the performance of their daily duties and responsibilities and/or has been identified by the director of a County department or division (the “Directors”) as filling a position that requires driving on County business in the performance of their duties and responsibilities.

Incident – An event resulting from natural forces, from a non-perceivable object, or while the Vehicle is properly parked.

Major Violation – A Virginia Department of Motor Vehicles (“VADMV”) six point moving violation.

Moving Violation – A VADMV three or four point moving violation.

Vehicle – A motor vehicle licensed to be used on public streets.



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Responsibility:

A. Risk Management will be responsible for:

1. Performing annual VADMV record checks on persons in Driving Positions and maintaining a file of VADMV authorization forms (Attachment 1), and driving records.
2. Maintaining the informational use agreement with VADMV.
3. Notifying a Director or their designee when an employee does not have an acceptable DMV record.
4. Preparing motor vehicle accident case files for presentation to the Board in consultation with the County Attorney's Office, taking Board meeting minutes, providing administrative support and maintaining Board records.
5. Maintaining accident history and documentation.
6. Conducting the following training programs:
 - a. Defensive Driving for Government Employees upon employment and every 3 years thereafter.
 - b. Defensive Driving Large Vehicle Course.

B. Henrico County General Government Human Resources will be responsible for:

1. Reviewing the DMV record of prospective new hires in Driving Positions prior to extending or at extension of an offer.
2. Conducting DMV record checks for employees that are promoted, transferred, or demoted to a Driving Position.

C. All persons authorized to operate vehicles for county business will be responsible for:

1. Operating these vehicles in a safe, courteous, and lawful manner.
2. Completing Authorization forms (Attachment 1) to allow the county to obtain the employee's motor vehicle record and submitting it to their supervisor who will forward it to Risk Management.
3. Reporting in writing to their immediate supervisor within one business day if their license privileges have been suspended, revoked, or restricted.
4. Disclosing to their personal insurance company the extent of the use of their personally owned vehicle for county business.
5. Paying for any fines and all related costs, including defense costs, for any parking and moving violations received while operating a county vehicle or personal vehicle while on county business.

D. Directors (or a designee) will be responsible for:

1. Ensuring that all persons required to drive a Vehicle have a valid driver's license that is appropriate for that Vehicle.
2. Ensuring that all new hires who transfer or change into a Driving Position, complete a VADMV Authorization form (Attachment 1) and forward the form promptly to Risk Management and General Government Human Resources.
3. Making an employee's immediate supervisor available in an action before the Board.
4. Notifying Risk Management of what actions, if any, are taken in response to information provided pursuant to Section A.3. above.



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5. Notifying Risk Management when aware that an employee in a Driving Position has been convicted of a Major Violation or a Moving Violation.

Use of County Vehicles:

- A. County owned Vehicles will be used only for official County business
- B. County owned or leased Vehicles shall only be operated by authorized persons with a valid driver's license.
- C. All occupants, including the driver, shall wear seatbelts in County vehicles.
- D. All County owned or leased Vehicles will be operated in such a manner as to comply with all laws of the Commonwealth of Virginia and ordinances of the County of Henrico.
- E. Smoking is not authorized in County vehicles.
- F. Individuals not on County business shall not be transported in a County vehicle.

DMV Record Checks and Requirements

- A. **Applicants** – General Government & Public Schools Human Resources will have direct access to the DMV database for checking driving records. Human Resources staff may review the driving record of top candidates being considered for a position. Applicants that are applying for a Driving Position must have a valid driver's license from their state of residence prior to starting employment.
 1. An applicant may be disqualified from obtaining or retaining a position requiring the operation of a vehicle for county business whose driving record reflects:
 - a. A total accumulation of more than six DMV demerit points within the last 12 months; or,
 - b. More than 2 moving violation convictions within the last 12 months; or,
 - c. A DUI conviction within the last 12 months.
 2. For applicants with driving violations out of state or with out of state driving records, points will be based on the Virginia Motor Vehicle Code.
 3. Out-of-state candidates will be responsible for obtaining a current and up-to-date driving record and forwarding the driving record to Human Resources.
 4. If a candidate's Virginia DMV record does not go back three years, General Government & Public Schools Human Resources may consult with the Risk Management.
- B. **Employees** – Henrico County is not obligated to place an employee with a suspended or revoked driving license into a non-driving position or otherwise to accommodate such an employee.
 1. All persons in a Driving Position must complete a defensive driving course offered by Risk Management within ninety (90) days of employment or reclassifying into a Driving Position.
 2. All persons authorized to operate a motor vehicle for County business shall be a minimum of 18 years of age.
 3. If a DMV record shows an employee's license is revoked, restricted, or suspended, Risk Management will immediately notify the Director or their designee. The Director or their designee will prohibit the employee from operating a County vehicle or personal vehicle to conduct official county business.



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C. DMV Records Check

1. When any employee, volunteer or intern's DMV record point total exceeds the maximum allowable limit of (-6), notification will be sent to the appropriate Director and General Government or Public Schools Human Resources that the employee's County owned vehicle driving privileges have been suspended. The employee may attend a DMV approved Defensive Driving Course for positive points as long as they haven't done so when within the last 2 years. Upon completion, normal driving privileges may be reinstated as long as the modified point total is at least -6.
2. Prior to returning to a Driving Position, an employee convicted of more than two (2) moving violations in 12 months will be required to complete a Defensive Driving course offered by Risk Management.
3. Employees convicted of driving under the influence shall have their County operating privileges suspended for the duration of the court restrictions. The employee will be required to successfully complete a DMV approved driving improvement class.
4. This Administrative policy does not supersede any departmental policies that mandate more severe punishment or driving restrictions.

Driver Training:

All employees in a Driving Position will be trained through Defensive Driving Courses offered by Risk Management. This requirement does not apply to HCPS. Non-probationary drivers must complete refresher course on defensive driving or large vehicle safety every three years. The training can be arranged by contacting Risk Management or by reviewing the training schedule on the HR Employee Portal.

County Accident Review Board Procedures:

- A. The County Accident Review Board meets monthly to review all automotive accidents of the previous month involving County vehicles. The Board does not decide the guilt or innocence of the County driver, but determines whether or not the driver did everything reasonable to prevent the accident. The decision of preventable, therefore, does not mean the driver is guilty of a violation of the law but does state that the accident could have been prevented by the County driver. The driver can make a one-time appeal through the Division of Risk Management by way of the Director or their designee within thirty (30) days of receiving the decision of the Board. The Board's Appeal decision is final and the appeal process is exhausted. The Board shall determine if Defensive Driving training is necessary for individuals involved in preventable accidents based on the nature and severity of the accident. Failure to attend may result in recommendation to revoke County driving privileges. Any employee having three (3) or more preventable accidents within any twelve-month period shall be required to appear before the Board along with their supervisor at which time a recommendation could be made to the County Manager or Superintendent of Schools by the Board concerning the continued use of a County vehicle by the employee.

B. Rules Governing the Operation of the County Accident Review Board

1. Members of the County Accident Review Board are appointed by the Directors of the following departments/divisions: Police and Fire, General Services, Human Resources, Public Utilities, Public Works, Recreation and Parks, and Public Schools.



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2. The Chairman or Acting Chairman of the Board votes only when a tie vote occurs among the other members of the Board. The Loss Prevention Officer does not vote but serves as a coordinator to the Board.
3. Members of the County Accident Review Board receive their appointment to the Board based on their knowledge of driving techniques, management expertise, knowledge of County policies, and driving experience.
4. Each employee involved in a vehicular accident shall immediately notify his/her supervisor. The supervisor should complete a supervisor incident report. This report shall be reviewed and signed by the Director and then forwarded to Risk Management within 24 hours or as soon as possible. If, for any reason, the employee operator cannot furnish the required written report, the employee's immediate supervisor shall reduce the employee's verbal statement to writing and forward the report as required.
5. Each Agency shall review each accident involving a vehicle assigned to that agency to determine if the accident occurred as a result of a violation under any County or agency rules or regulations. Punitive action can be taken but shall be reviewed with Human Resources, Employee relations.
6. If the County Accident Review Board determines that a vehicular accident was preventable, the Director will be notified and required to initiate appropriate corrective action, including but not limited to training or retraining if it has not already been initiated as the result of independent Agency action.
7. Decisions of the County Accident Review Board shall be transmitted from the Loss Prevention Officer to the Director within ten business days of the meeting for distribution to the employee involved.

C. Appeals and Reviews

1. **Time Requirement for Appeal** – An employee may request an appeal of the decision within 30 days after the decision is communicated to the employee by notifying Risk Management in writing to schedule an appeal hearing. Risk Management will schedule the employee's hearing at the next available meeting of the Board. The employee must appear in person with supporting documentation or witnesses.
2. **Reconsideration** – The Board will hear the employee's appeal and consider any mitigating or extenuating circumstances. The Board will review its previous decision based upon the information provided and any other person having pertinent information from his or her supervisor, and any other person having pertinent information concerning the accident. If after consideration, the Board affirms its previous decision, it will notify the employee and the Board will carry out its original decision. If the Board concurs with the employee, it will adjust the employee's record accordingly.

Disclaimer:

Although every effort has been made to ensure this Policy addresses all applicable regulations, it is the operational manager's responsibility to ensure all rules and regulations are identified and followed.



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AUTHORIZATION TO OBTAIN DRIVING RECORD FOR INSURANCE MONITORING PURPOSES FROM COMMONWEALTH OF VIRGINIA, DIVISION OF MOTOR VEHICLES

EMPLOYEE/INTERN/VOLUNTEER NAME: _____

DRIVER'S LICENSE NUMBER: _____

DEPARTMENT/AGENCY: _____

I am an employee/intern/volunteer of Henrico County or Henrico County Public Schools in a position which requires the routine operation of a county-owned motor vehicle in order to perform the responsibilities of the position.

I authorize Henrico County or Henrico County Public Schools to obtain information pertaining to my driving record from the Commonwealth of Virginia, Department of Motor Vehicles, during the period of my employment in a position that requires the routine operation of a county-owned motor vehicle in order to perform the responsibilities of the position.

EMPLOYEE/INTERN/VOLUNTEER SIGNATURE: _____

DATE: _____

Information is furnished in accordance with the provisions of the Information Use Agreement and Extranet User Memorandum of Understanding and Agreement between Henrico County on behalf of Risk Management and the Commonwealth of Virginia, Department of Motor Vehicles. This information is necessary to monitor the driving records of employees/interns/volunteers who routinely drive a County/School vehicle to perform their duties; to meet reporting requirements for state and federal laws; for insurance purposes; and/or for statistical reports. To the extent permitted by law, this information will be kept confidential by the County and its vendors.

Attachment 1