



County of Henrico
Department of Emergency Management & Workplace Safety

| Verification | Originator | Revised | Issued |
|--------------|------------|------------|------------|
| Initials | EMWS | EMWS | EMWS |
| Date | 03/03/2016 | 07/28/2023 | 08/01/2023 |

Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

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| Area of Application: | County of Henrico General Government & Schools | |
| Document Location: | http://employees.henrico.us/info/safety-manual/ | |
| Revisions: | | |
| Rev. No. | Date | Description |
| 001 | 05/10/18 | Modified Exclusion section to include exclusions for demerit point standards and defensive driving courses. Removed 'daily' from the definition of 'Driving Position'. Added Public Schools Human Resources to part C of the Responsibility section. Changed to 'all persons' under part E number 2. Removed HCPS exclusion under 'Driver Training.' Removed requirement for an employee's supervisor to appear before the Board. Added statement regarding accident reporting using the Vehicle Accident Report form. |
| 002 | 07/28/2022 | Aligned EMWS titles and terminology; non-substantive changes. |
| 003 | 07/28/2023 | Removed defunct fax number |

Purpose:

This chapter outlines The County of Henrico's fleet safety and motor vehicle policies. Procedures for obtaining access to driving records for current and prospective employees, policies for current drivers and the functions of the Accident Review Board are described in this chapter. These procedures are intended to reduce accidents by employees who operate a County-owned vehicle and/ or a personal vehicle used to conduct County business.

Scope:

This chapter applies to all County of Henrico personnel who are employed in a Driving Position.

Exclusions:

- A. The Division of Police (sworn officers), Schools Pupil Transportation and Schools Human Resources will be responsible for conducting their own Virginia Department of Motor Vehicles (VADMV) driving record checks.
- B. A Division, or Department, may set a different maximum number of acceptable Department of Motor Vehicles (DMV) demerit points as long as that total meets or exceeds the requirements specified in DMV Record Checks and requirements established in this chapter.
- C. Sworn Police, Fire or Public Schools Pupil Transportation employees who have completed a departmental driving course that meets or exceeds the requirements of the Defensive Driving Course offered through the Department of Emergency Management & Workplace Safety (EMWS) are not required to take the EMWS course.

Definitions:

Accident Review Board (Board or ARB) – The Board is comprised of representatives from the Divisions of Police, Fire, General Services, Finance, Public Utilities, Public Works, Recreation and Parks, and Public Schools.



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Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

Collision – An incident that involves a moving vehicle that contacts another vehicle, other property, and/or person(s).

Defensive Driving Course – The defensive driving course for County employees is offered through EMWS. The course promotes safe driving practices and awareness when operating a motor vehicle. The course also provides an overview of County driving policy.

Driving Position – Any person whose employment with the County requires him/her to drive a County and/or personal vehicle while performing his/her official duties. This responsibility has been identified by the Department Head or his/her Designee.

Incident – An event that happens as a result of natural forces, interaction with an unforeseen object, or when the Vehicle has been properly and legally parked.

Major Violation – A VADMV six-point moving violation.

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

Vehicle – A motor vehicle that has been licensed to be driven on public streets.

Responsibility:

A. The Department of Emergency Management & Workplace Safety will:

1. Perform annual VADMV record checks on persons in driving positions (except those listed in Section B below). EMWS will maintain a database of VADMV authorization forms (Attachment 1), and the driving records of all County personnel employed in a driving position.
2. Maintain the informational use agreement with VADMV for accessing employee driving records.
3. Notify a Department Head, or his/her designee, in writing when an employee or applicant does not have an acceptable driving record.
4. Prepare a motor vehicle accident case file to present to the Board while in consultation with the County Attorney's Office, take the Board meeting minutes, provide administrative support, and maintain Board records.
5. Maintain accident history and any supporting documentation.
6. Conduct the following training programs:
 - a. Defensive Driving for County for employees within 90 days of initial hire and once every three years thereafter.
 - b. Defensive Driving for Large Vehicles.
7. Whenever an employee has displayed a pattern of preventable accidents or has been involved in a predetermined number of preventable accidents set forth by his/her department for a twelve-month period, the employee's supervisor and/or Department Head (or his/her designee) shall consult EMWS to determine whether or not the employee will maintain County driving privileges.

B. Public Schools Human Resources will:

1. Perform annual VADMV driving record checks on all persons employed in driving positions. Public Schools Human Resources will maintain a database of VADMV authorization forms (Attachment 1) and the current driving record of all affected employees.
2. Maintain the informational use agreement with VADMV.



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Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

3. Notify a Department Head, or his/her designee, when an employee does not have an acceptable driving record.

C. General Government and Public Schools Human Resources will:

1. Review the DMV driving record of every prospective new hire who will be employed in driving positions prior to extending, or at the extension, of an offer of employment.
2. Conduct a DMV driving record check for any employee who has been promoted, transferred, or demoted to a driving position.

D. All persons authorized to operate a vehicle for County business will:

1. Complete the VADMV Authorization form (see Attachment 1). This form allows the County to obtain the affected person's current DMV driving record and submit it to his/her supervisor. The supervisor will forward the document to EMWS, which will then obtain the most current driving record and inform the supervisor of the person's driving status.
2. Operate the vehicle in a safe, courteous, and lawful manner.
3. Report, in writing, to his/her immediate supervisor within one business day if the person's driver license privileges have been suspended, revoked, or restricted.
4. Disclose to his/her personal insurance company the extent to which a personally owned vehicle will be used for official County business.
5. Pay all fines, as well as all related costs, (including defensive driving costs) for parking and/or moving violations that have been issued while operating a County or personal vehicle while performing official County business.
6. Immediately notify his/her supervisor that he/she has been involved in an accident. The supervisor and employee will complete an incident report. This report shall be reviewed and signed by the Department Head, or his/her designee. Within 24 hours, or as soon as possible, the accident report shall be submitted to Risk Management. If, for any reason, the employee cannot furnish the required information to complete a written report, the employee's immediate supervisor shall record the employee's verbal statement in writing, and forward the written report as required to Risk Management. To access the accident report document, use this link: <https://employees.henrico.us/info/claims/>

E. Department Heads (or their designees) will:

1. Ensure all persons required to drive a County or personal vehicle have a valid driver's license appropriate for operating that vehicle.
2. Ensure all persons operating vehicles on official County business have completed a VADMV Authorization form (Attachment 1) to be forwarded to EMWS.
3. Notify EMWS of the actions, if any, shall be taken in response to information provided pursuant to Section A.3 and B.3 above.
4. Notify EMWS immediately when an employee in a driving position has been convicted of a major violation or a moving violation.
5. Ensure the yellow envelope with the Vehicle Accident Report form and the green card detailing reflective triangle use (for disabled vehicles) is accessible in each County vehicle at all times. Employees in driving positions, and their supervisors, shall adhere to all reporting procedures outlined on the face of the envelope.

Use of County Vehicles:



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Management
& Workplace Safety

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Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

- A. County-owned vehicles shall be used to conduct official County business only.
- B. County-owned or leased vehicles shall be operated by authorized persons with a valid driver's license only.
- C. All occupants in County vehicles, including the driver, shall wear their seatbelts at all times.
- D. All County-owned or leased vehicles shall be operated at all times in compliance with the laws of the Commonwealth of Virginia and the County of Henrico.
- E. Smoking is prohibited in all County vehicles at all times.
- F. Individuals not involved in official County business shall not be transported in a County vehicle.
- G. On January 1, 2021, it became unlawful for any person, while driving a moving motor vehicle on the highways in the Commonwealth, to hold a handheld personal communications device. The exception is whenever the driver is engaged in emergency response actions.

DMV Record Checks and Requirements:

- A. **For all Applicants** – General County Government Human Resources & Public Schools Human Resources will have direct access to the VADMV database to check any VADMV driving record. Hiring staff shall review the driving record of each top candidate being considered for a position. Applicants applying for a driving position must have a valid driver's license from their state of residence prior to beginning employment with the County.
 - 1. An applicant or employee may be disqualified from obtaining or retaining a driving position when his/her driving record reflects:
 - a. An accumulation of more than six VADMV demerit points within the last 12 months; or,
 - b. More than two moving violation convictions within the last 12 months; or,
 - c. A DUI conviction within the last 12 months.
 - 2. Applicants with driving violations out-of-state, or with an out-of-state driving record, his/her point total will be interpreted using Virginia's Motor Vehicle Code.
 - 3. An out-of-state candidate shall be responsible for obtaining an up-to-date driving record from the current state of domicile. He/she shall forward his/her official driving record to General Government Human Resources or Public Schools Human Resources.
 - 4. If a candidate's VADMV record does not span three years, General Government and/or Public Schools Human Resources may consult with EMWS for hiring guidance.
- B. **Employees** – The County is not obligated to place an employee with a suspended or revoked driving license in a non-driving position or accommodate such an employee in any way.
 - 1. All persons employed in a driving position must complete the County's defensive driving course offered through the EMWS within 90 days of initial hire or when transferred or reclassified to a driving position.
 - 2. The minimum allowable age for persons authorized to operate a motor vehicle for official County business is 18 years.
 - 3. If a VADMV record shows an employee's license is revoked, restricted, or suspended, EMWS will notify the Director, or his/her designee, in writing immediately or as soon as is feasible. The Director, or his/her designee, will ensure the employee is prohibited from operating a County Vehicle or personal Vehicle to conduct official County business until his/her driver's license has been reinstated.

VADMV Driving Record Check:

Issue Date: 08/01/2023

Page 4 of 7

This chapter is effective for one year following the Issue Date. Older versions are obsolete.



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Management
& Workplace Safety

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Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

- A. When an employee, volunteer or intern has a driving record point total that exceeds the maximum allowable limit of negative 6, EMWS shall notify the Department Head, or his/her designee, and the affected employee's Department in writing that the employee's County-owned Vehicle driving privileges have been suspended. The employee may complete an approved DMV Defensive Driving Course to obtain positive points if he/she has not done so when within the last two years. Upon completion, official driving privileges may be reinstated as long as the modified point total is negative 6 or higher.
- B. Prior to being reinstated to a driving position, an employee convicted of more than two (2) moving violations in a 12-month period shall be required to complete the EMWS Defensive Driving course.
- C. Employees convicted of driving under the influence shall have County operating privileges suspended for the duration of the court restrictions. The employee shall be required to complete a DMV approved driver improvement class.
- D. County policy does not supersede any departmental policies that mandate more severe punishment or driving restrictions.

Driver Training:

All persons employed in a driving position shall attend EMWS's Defensive Driving Course within 90 days of initial hire. Non-probationary drivers must attend the County Defensive Driving course every three years after the initial session. To schedule training, contact EMWS. Course information may be accessed through this link: <http://employees.henrico.us/info/defensive-driving/>

Employee refresher training is available through the County's Webnet Training platform. The two required defensive driving modules are: "Driver Safety" and "Henrico County -Defensive Driving Course 2021". Departments may choose to assign refresher training through these Webnet modules, or they can require employees to take their refresher training via the classroom sessions, especially if computer access is an issue for certain employees. It is recommended that all new hires attend Defensive Driving in person.

Accident Review Board:

- 1. The Accident Review Board meets on the third Thursday of each month. The Board reviews police reports from the previous month where County vehicles were involved in an accident. The Board does not decide the guilt or innocence of the County driver. Instead, the Board determines whether or not the County driver did everything reasonable to prevent the accident. The decision that the accident was "preventable" does not indicate guilt; rather a majority of the ARB determined the driver should have been able to prevent the accident. If the driver disagrees with the Board's initial decision, he/she may submit in writing within thirty (30) days a one-time appeal. The written appeal may be submitted to EMWS by inter-departmental mail, e-mail to henricosafety@henrico.us or delivery in person to the EMWS office, 8604 Staples Mill Road, Henrico, VA 23228.

The Board may decide whether or not an individual involved an accident deemed preventable should attend a defensive driving course. This requirement will be based upon the nature and the severity of the accident. Failure to attend a defensive driving course may result in a recommendation to revoke the employee's driving privileges.

A. Rules Governing the Accident Review Board:



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& Workplace Safety

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Safety Manual

Chapter 6 Fleet Safety and County Motor Vehicle Policy

1. Members of the Accident Review Board are appointed by Department Heads, or their designees, from the following: Police, Fire, General Services, Finance, Public Utilities, Public Works, Recreation and Parks, and Public Schools.
2. A representative from EMWS serves as the meeting coordinator /facilitator for the Board. The EMWS representative votes only when necessary to break a tie vote among Board members.
3. Members of the Accident Review Board are appointed based on their driving skills and experience, management expertise, and knowledge of County fleet policies.
4. Department Heads, or their designees, shall review every accident involving a County vehicle to determine if the accident occurred by violating County rules or regulations. Punitive action may be taken, but such action may also be reviewed by Human Resources and Employee Relations.
5. If the Accident Review Board determines that an accident was preventable, the Department Head, or his/her designee, will be notified. Appropriate corrective action, including but not limited to, training or retraining, will be determined on a case-by-case basis by departments.
6. Accident Review Board decisions shall be forwarded to EMWS Environmental Health and Safety Officers, and to the Department Head, or his/her designee, within ten business days to inform the employee(s) involved in the accident of the Board's decision.
7. During an employee's appeal hearing, the Board will consider any mitigating or extenuating circumstances. The Board will re-evaluate its previous decision based upon the employee's new information, as well as with any pertinent information from his/her supervisor, and/or any other person having information regarding the accident. After consideration, if the Board affirms its previous decision, the employee will be notified the first decision stands. If the Board concurs with the employee, the employee's record will be amended accordingly. The Board's decision regarding an appeal is final.

Disclaimer:

Although every effort has been made to ensure this Chapter addresses all applicable regulations, it is the responsibility of each department to maintain compliance.

COUNTY OF HENRICO
AUTHORIZATION TO OBTAIN DRIVING RECORD
FOR INSURANCE MONITORING PURPOSES
FROM
COMMONWEALTH OF VIRGINIA, DEPARTMENT 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 that requires the operation of a county-owned motor vehicle 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 operation of a county-owned motor vehicle 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 its Department of Emergency Management & Workplace Safety and the Commonwealth of Virginia, Department of Motor Vehicles. This information is necessary to monitor the driving records of employees/interns/volunteers who 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.