

## DELAWARE COUNTY MOTOR VEHICLE USE POLICY

Subject Motor Vehicle Use Policy	Effective July 24, 2023	Supersedes March 12, 2020	This Sheet 1	Total 8
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This policy is applicable to all elected officials, full or part-time employees, summer workers, co-op students, volunteers, interns and contract employees of Delaware County, Ohio who are required to drive a motor vehicle in the course of their employment or activities on behalf of Delaware County, Ohio. (For purposes of this Policy, the above-listed categories of persons are referred to as “Employees.”) This policy applies to vehicles titled to, purchased or leased by, or insured by or through the Delaware County Board of Commissioners and also applies to privately-owned vehicles operated by Delaware County Employees in the course of their employment or activities on behalf of Delaware County, Ohio and vehicles rented by Employees for travel in and out of Delaware County for authorized reasons. (For purposes of this Policy, the above-listed categories are referred to as “Vehicles” and “Operating a Vehicle” and “Operate a Vehicle.”)

Employees are responsible to ensure safe Vehicle operation. It is the responsibility of every employee who drives a Vehicle to comply with the following:

1. All drivers must be at least eighteen (18) years of age.
2. All drivers must maintain a valid 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 at all times. 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 or any other applicable State if the Employee is required to drive out of the State of Ohio for business related purposes.

## DRIVER ELIGIBILITY

- I. PRE-EMPLOYMENT QUALIFICATIONS. Hiring of persons who will be required to drive as a function of their assigned job duties will be in the sole discretion of Delaware County. An applicant may be denied employment on the basis of an unsatisfactory driving record. At the direction of the appointing authority, 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 on County related business when the following are met to the satisfaction of Delaware County:
    1. A review of the Employee's Motor Vehicle Record (MVR).
    2. A review of the Employee's MVR and a recommendation by the County Risk Sharing Authority (CORSa).
    3. Proof of insurance, see the Delaware County Self Insurance Policy.
    4. Employees whose position requires a commercial driver's license (CDL) will follow the driving policy specific to their department and position. In the event of a conflict, the department-specific policy controls, but only if the department-specific policy meets or exceeds the provisions of this policy.
  - B. Employees, as defined above, who, in the sole discretion of Delaware County, have an MVR record that demonstrates poor driving habits shall not drive any Vehicle on behalf of Delaware County without receiving additional training and/or intervention and/or discipline and/or until otherwise exhibiting to the appointing authority's satisfaction that there has been substantial improvement in driving abilities, performance and skills. CORSa may exclude coverage for any driver or drivers on a temporary or permanent basis.
  - C. Unless extenuating circumstances exist, an applicant with one of the following in the past thirty-six (36) months will not be considered for employment with Delaware County for positions that require driving for employment:

1. OVI or any other alcohol/drug offense occurring while operating a motor vehicle appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
2. Leaving the scene of an accident appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
3. Fleeing and eluding appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
4. Suspended or revoked license appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
5. Vehicular homicide/manslaughter appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
6. Four (4) or more moving violations within the last three (3) years appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
7. Three (3) or more at fault accidents in last three years appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.
8. Reckless operation appearing on current Motor Vehicle Report provided by the Ohio Bureau of Motor Vehicles.

II. ACTIVE EMPLOYMENT QUALIFICATIONS. Delaware County's Human Resources office shall maintain an Eligible Drivers List containing the names of all employees eligible under this policy and authorized to drive a Vehicle on County related business. Each year, Delaware County Human Resources shall send to each office or department their portion of the list to update for the annual MVR review. Delaware County Human Resources shall maintain any additional information needed, such as a driver's license number, to conduct reviews. Motor vehicle records of drivers will be submitted annually for review and approval by CORSA. Upon completion of such review, CORSA will forward to the employer recommendations regarding continuation of eligibility restrictions, etc.

- A. Upon evaluation by Delaware County of an Employee's MVR and potentially a recommendation by CORSA, drivers may have their driving eligibility temporarily or permanently revoked and/or be required to participate in driving or

alcohol/controlled substance intervention programs. 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 within 24 hours of arrest/conviction to the employee's immediate supervisor.**

B. The following list of motor vehicle-related occurrences, the appearance of which on the MVR of an Employee during the prior thirty-six (36) month period may result in the training outlines in section X or a temporary or permanent revocation of the Employee's driving eligibility or other disciplinary action as:

1. Two or more "At Fault" accidents
2. Two or more moving violations
3. One "At Fault" and one moving violation.

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

- III. CONTINUED ELIGIBILITY. Each Employee's eligibility to operate a Vehicle is within the discretion of the appointing authority and extends only so long as the Employee is in compliance with this Policy.
- IV. VIOLATION REPORTING. Any Employee eligible to operate a Vehicle must notify their immediate supervisor in any case when the employee's license has expired or is suspended or revoked. The Employee further must report any and all accidents, arrests, violations, and citations issued to their immediate supervisor. Failure to do so may result in disciplinary action.
- V. ALCOHOLIC BEVERAGES OR CONTROLLED SUBSTANCES
  - A. 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.
  - B. No Alcoholic beverages or illegal drugs are permitted to be transported in or on a Vehicle except as a function of law enforcement.
  - C. No employee shall operate a Vehicle under the influence of alcohol or illegal drugs or illegal use of prescription drugs.
- VI. FIREARMS. Employees, other than law enforcement officers or other persons specifically authorized to carry a firearm, are prohibited from carrying firearms in any Vehicle.
- VII. ACCIDENTS AND TRAFFIC CITATIONS. In the event of a traffic accident or damage to a vehicle while in the course of employment, see the Delaware County Self Insurance Policy for actions.
- VIII. For a citation while in the course of employment, Employees shall:
  - A. Report the citation to a supervisor immediately.
  - B. Employee's Supervisor shall record on the Delaware County Incident Report, secure all appropriate information, and forward through the chain-of-command

and file with Human Resources within 24 hours of the incident. Depending on the severity of the citation and possible media coverage/pictures/videos, the County Administrator or Deputy Administrator should be notified who in turn will notify the appropriate appointing authority.

- C. The Employee's appointing authority may take such disciplinary action as permitted by department policy, laws and regulations of the State of Ohio, or any applicable collective bargaining agreement.

IX. VEHICLE PROBLEMS. In the event of a Vehicle breakdown Employees should:

- A. Contact a supervisor immediately. The supervisor or employee shall contact the Delaware County Service Center first and if not available 9-1-1 for assistance if needed.
- B. If the Vehicle cannot or should not move, the employee should stay in the safest location, this may be in the vehicle on a busy road with nothing around (interstate) or in a local establishment if nearby. 9-1-1 can dispatch law enforcement to your location to assist with road safety. Ensure the Vehicle is safe if leaving it, and locked or unlocked pending guidance via the 9-1-1 Center or Delaware County Service Center if the tow company will meet you and request the vehicle either be locked or unlocked.
- C. Unless you have been trained, do not attempt to change a tire or repair the vehicle.
- D. If a "low tire pressure" light appears, slow down and as soon as possible pull into a safe location to visually check the tires. If one visually looks low, verify pressure if possible. If you cannot verify the tire pressure or if the tire pressure is extremely low (below 15psig), contact help outlined above as driving on low tire pressure can lead to an accident. Low tire pressure can also be caused by a change in outside temperature as colder temperatures will cause pressure to decrease. Often, a low tire pressure light will be displayed if off slightly, but still safe to drive. In fact, once the tire warms due to operation the light may cease to be displayed. In the case of slight deviation of pressure, as soon as practical fill with

air to the recommended setting or allow the Delaware County Service Center to perform this function.

X. USE OF PERSONAL VEHICLES ON OFFICIAL COUNTY BUSINESS

- A. Use of personal vehicles by Employees on county business is discouraged unless a county vehicle is not available, the use of a county vehicle would cause serious inconvenience, extreme hardship or the use of personal vehicles is otherwise authorized by the department supervisor or designee.
- B. Employees who use personal Vehicles while on County business shall abide by all County rules, policies and guidelines including all applicable department rules and / or a collective bargaining agreement.
- C. Insurance coverage for personal vehicles used on County business shall be the responsibility of the owner of the vehicle as outlined in the Delaware County Self Insurance Policy.
- D. Employee's supervisor must approve use of personal Vehicles on County business in advance of any such use and after the Employee has met the requirements of the Self Insurance Policy.
- E. Employees who are authorized and required to use their personal vehicles on County business will utilize the Employee Travel and Expense Reimbursement Policy.

- XI. DRIVING POLICY IMPLEMENTATION. The MVR of all Delaware County employees holding a position in which driving is a function of their position will be reviewed annually or more frequently as necessary. Any employee with 4 or more accumulated points or 2 or more occurrences on the MVR shall be required to attend a Defensive Driving Course. The Defensive Driving Course will be scheduled during working hours. The severity of the violations or circumstance will determine the type and timing of the defensive driving course. Documentation of course completion will be maintained by the Delaware County Human Resources Department.

XII. MISCELLANEOUS.

- A. Inspect the Vehicle prior to use.
- B. Keep the cab of the vehicle clean as objects can become projectiles during an accident.
- C. Parking tickets, moving violations, and other fines received while operating a Vehicle are the responsibility of the driver.
- D. Report all theft's to the local law enforcement in the jurisdiction where the theft occurred. If needed 9-1-1 can assist in finding the contact information for the local authorities.
- E. Cell phone usage while operating a county-owned or leased vehicle or a personal vehicle while on county related business shall be limited to hands free devices.
- F. The use of tobacco products is prohibited in all county-owned or leased vehicles.
- G. Do not operate the vehicle with employees riding on the steps, lift-gate, fender, sidewall, bed, or other improper location unless designed and operated as stated by the manufacturer.
- H. When parking on an incline/decline, turn the wheels to allow the berm/curb to stop the vehicle in case of movement. Use the parking brake on un-level surfaces.
- I. Observe the surface when you are leaving the Vehicle and stepping onto for slip and trip hazards.
- J. Unless needed to disengage for a specific reason, keep safety devices turned on such as traction control or side collision alarms.
- K. If equipped with a back-up camera, be sure to also check the surroundings away from the camera to prevent collisions.