



## **DRIVER POLICY**

### **General Statement of Policy**

It is expected that persons who drive a vehicle on behalf of Washoe County will operate vehicles in a safe and lawful manner and maintain a good driving record.

The operation of vehicles is indispensable in conducting County business. The manner in which each vehicle is used directly affects Washoe County. Lives are at stake, and vehicle collisions are potentially the most costly losses we can incur when property damage, injuries, fatalities, and liability suits are taken into consideration.

Any persons, whether an employee, volunteer, contracted driver, or other BCC approved driver, who may at any time be charged with driving a County vehicle, or their own organizations vehicle, or their personal vehicle to conduct County business, are required to abide by this Policy. They will hereafter be referred to as "County Drivers". Sworn officers of the Washoe County Sheriff's Office, and their Volunteer affiliates, are subject to the procedures established by the Sheriff's Office.

The term "vehicles" for purposes of this document are defined as any motorized device, of any size and class, that are used for transporting people or goods and will include, but not be limited to, cars, vans, busses, trucks, off road vehicles, watercraft, two wheeled motorized transports, powered industrial trucks, and equipment used for the maintenance of roads, grounds, and facilities. Drivers are to receive training for the type of vehicle they will be operating. Personally owned vehicles used for work are not inspected by Washoe County or covered under Washoe County insurance but are expected to meet standard safety requirements.

County Drivers with Class A or Class B licenses who operate County vehicles within those categories are to abide by the requirements of this Policy as well as Department of Transportation regulations and any other requirements for Commercial Drivers established by law, Washoe County, or their department. County Drivers who drive equipment, either on or off recognized roadways, are covered under this policy.

Although it is legal in Nevada to use a hands-free communication device while driving, County Drivers are prohibited from talking on a cell phone (Hands Free or Not) or using other communication or electronic devices while driving. The directive is to make or take calls and manipulate controls of electronic devices when the vehicle is stopped and out of a lane of traffic. Communication devices include cell phones, two way radios, satellite radios, etc. Other electronic devices that may lead to distraction include, but are not limited to, radio/CD players, iPods, MP3, GPS devices, laptop or other computers, etc.

Departments may make exceptions to allow the use of radios or hands free devices under certain circumstances (i.e. emergency response). Department Heads must establish the criteria when communication or other electronic devices may be used and notify those affected County Drivers through written documentation when the exception(s) may be made. Completion of the



COMMUNICATION / ELECTRONIC DEVICE USE form to document the departments exceptions and instructions is required.

Any exceptions given by departments will NOT include texting while driving, which is against Nevada law and strictly prohibited at all times and under all circumstances.

Consumption of alcohol or a controlled substance anytime immediately prior to, or during the workday, is unacceptable whether the individual is impaired or not.

## PURPOSE

This policy was created to:

- Notify County Drivers of the standards required to be allowed to operate a vehicle while conducting County business and inform County Drivers that action(s) may be taken for failure to maintain acceptable driving standards
- Notify County Drivers that driving records will be obtained, reviewed, and retained
- Specify responsibilities

## SECTION 1. Responsibility

This policy shall be the joint responsibility of the Board of County Commissioners, County Manager, Department Heads, County Drivers, Safety Committee, Human Resources, and Risk Management.

The Board of County Commissioners will:

- Provide authorization to the responsible parties to perform actions under this policy

The County Manager is responsible for:

- The leadership of this County Policy
- Initiating and directing actions to be taken by County employees

Department Management (or designee) will:

- ensure that documentation is submitted to Risk Management in order to request driving records of County Drivers within their area
- ensure that contracted drivers or BCC approved drivers are addressed in contracts, agreements, or other documentation in order to properly convey liability for any accidents or incidents
- arrange for all employees, volunteers, contracted drivers and BCC approved drivers within their areas to complete Defensive Driving training
- take prompt, appropriate action whenever County Drivers are not in compliance with the provisions of this policy or when they are notified of circumstances which may affect a person's ability to be a County Driver

County Drivers will:



- adhere to the Driver Policy and the Communication / Electronic Device Use directives
- immediately notify the Department Head whenever there is a situation which may affect their ability to operate a vehicle or be a County Driver, which includes, but is not limited to; a citation, or other administrative action, either during or off work hours that results in a suspension, cancellation or revocation of license, or a medical condition or use of a prescription or over the counter medication which could impair the County Drivers ability to safely operate a vehicle

Risk Management will:

- Conduct, or arrange for, Defensive Driving courses
- Request and review driving records from the Nevada Department of Motor Vehicles (DMV)
- Provide information to other responsible parties as indicated within this Policy

Human Resources will:

- Identify driving activities as essential functions
- Assist department management with employment issues as needed

The Safety Committee will:

- establish standards for County Drivers
- review accident reports and related information and provide recommendations as requested
- Review the Driver Policy and referenced forms regularly and update as needed

## **SECTION 2. Drivers Training**

County Drivers are required to participate in a County Defensive Driving class

- As part of their New Employee Orientation training,
  - within three (3) months of their hire date into a position where they will be a County Driver,
- every three (3) years
- following an at-fault incident, and
  - when directed by their Department Management.

Alternative Defensive Driving classes, may be approved by Risk Management in place of the County's Defensive Driving class.

## **SECTION 3. Standards for County Drivers**

County Drivers are required to meet the following criteria:

- Possess a valid Nevada drivers license for the proper class vehicle(s) they are operating, or in the case of an employee who resides in an adjoining state, a valid drivers license of the proper class from that state. Note: New Nevada residents must obtain their driver license within 30 days. Contact Nevada DMV for additional information.



- Pass valid eye tests and physical examinations when a question of fitness to drive arises.
- Remain current with required Defensive Driving training.
- Demonstrate familiarity and safe driving actions with the type of vehicles assigned. Supervisors, or their designee, may conduct a ride along in order to assess the County Drivers ability to correctly and safely perform tasks.
- Demonstrate their ability to safely and lawfully operate vehicles. Information to determine their ability to safely and lawfully operate vehicles may be obtained from their own admission, doctor reports, notice of accidents/incidents/citations, driving record reports, and/or witnessed driving actions. Violations as identified in Section 5 of this policy may lead to an employee being removed as a County Driver.
- Washoe County follows Internal Revenue Service (IRS) guidelines for the appropriate recognition of a possible taxable event associated with employees taking County vehicles home. The IRS lists the criteria necessary to be exempt from this reporting. If the criteria aren't met, employees may be taxed appropriately.

#### **SECTION 4. Driving Records**

County Drivers must complete an AUTHORIZATION TO REQUEST DRIVING RECORD Form after being offered a position where they would drive, and every three (3) years while continuing to drive on behalf of the County, and upon the Department Head, Risk Management, or the Safety Committee's request.

Should a person possess a drivers license from a state other than Nevada, or possess a Nevada drivers license for less than three (3) years, that person will obtain and present a copy of their three (3) year driving record from the state(s) of licensure to their Department Head, or designee, within the first thirty (30) days of being in a position where they would drive.

The department will ensure the AUTHORIZATION TO REQUEST DRIVING RECORD forms are completed at least every three years and will review the information provided by the employee, as well as any out-of-state driving records, to ensure they meet the standards for County Drivers prior to forwarding the form to Risk Management. Departments may allow new employees to drive on behalf of the County prior to receipt of the driving record report from DMV.

Risk Management will request drivers record reports from Nevada DMV and review the report when received. Findings on the report showing violations that are identified within this Policy will be forwarded to the Department Head.

The department will compare the form and report with the standards established in this Policy and the Department Head will take appropriate hiring action or employment action as needed.



Completed AUTHORIZATION TO REQUEST DRIVING RECORD forms and the DMV driving record reports will be maintained by Risk Management for three (3) years from the report date.

## **SECTION 5. Driving Record Review & Appropriate County Action**

Unsafe or unlawful actions, as may be found on driving record reports, may be grounds for denying employment to a prospective employee or for counseling, training, or other corrective measures to established County Drivers.

No person will be allowed to drive as a County Driver if they have a currently suspended, canceled, or revoked license. Proof of license reinstatement must be provided to the Department Head and Risk Management. County Drivers will not drive on County business until the Department Head authorizes, in writing, that the employee may operate a vehicle on County business.

County Drivers shall inform their Department Head before their next scheduled working shift of any citations or convictions for offenses which may result in revocation or suspension of their license per Nevada DMV, or an accumulation of eight (8) demerit points within the past twelve (12) month period.

Department Heads will take appropriate action when advised of citations or convictions, including but not limited to, any of the following, whether as a result of personal activities or while driving on County business:

Suspended, canceled or revoked license;

Manslaughter as a result of operating a vehicle;

Driving under the influence of, or impaired by alcohol, a controlled substance, or other drug;

Failure to stop, failure to give information or failure to render assistance in the event of an accident;

Reckless, aggressive, careless or imprudent driving;

Passing a school bus while loading or unloading passengers;

Speed contest, drag racing or exhibition of speed;

Accumulation of demerit points as defined by Nevada laws totaling 8 or more points in the past 12 month period; or,

Failure to have a valid license for the class of vehicle operated



Department Heads will counsel County Drivers upon notification that the following have occurred within the past 12 months determined by the date on the DMV report:

Three or more moving violations

Two or more moving violations, in combination with an at-fault accident

Two or more at-fault or preventable accidents

Sustained complaints on driver activities due to separate incidents

Any moving violation that occurs while on County business

Cell phone use or other distracted driving

## **SECTION 6. Accident Review**

Risk Management investigates each incident involving a County vehicle to determine if the incident was preventable or non-preventable. The goal is to provide recommendations on how to prevent similar incidents. Department management is requested to investigate and take appropriate action following each preventable incident. It would be recommended that employees re-do a Washoe County driving course and/or have a supervisor conduct a “ride-along” evaluation of their driving abilities following a preventable incident.

“Preventable” means any incident where the County Driver’s actions, or failure to act, contributed to the incident.

“Non-Preventable” means any incident where the County Driver operated the vehicle as safely as possible under the conditions existing at the time of the incident, whose actions or inactions were not the cause of the incident, and the driver did not violate any law or ordinance which contributed to the incident.

At Risk Management’s discretion, reports of significant preventable incidents may be made available to the County Safety Committee for review. Based on the facts of the incident, and/or the employee’s driving record, the Safety Committee may make recommendations for counseling, training, or corrective measures to the Department or Division Head that shall be recorded in the employee’s personnel file.

Should an accident investigation result in the determination that an employee was involved in an accident while using a County vehicle for personal use; the employee may be responsible for all costs associated with an accident.