

Section 5: A Healthy Workplace

Policy #4: Fleet Safety

Effective Date: January 1, 2011

I. Purpose

Vehicle accidents are very costly and continue to be the leading cause of work-related deaths. During an average lifetime of driving, we face about a one-in-three chance of being seriously injured or killed in a motor vehicle crash.

This written Fleet Safety policy establishes guidelines to assist the Town of Mooresville in the hiring and retention of capable drivers, providing for their training and supervision, and establishing guidelines for vehicle maintenance and use. These policies are meant to control and regulate vehicle use in an attempt to promote the safe and effective use of town vehicles.

II. Scope

This policy shall apply to all persons holding a paid position as an employee of the Town, except the Town Manager, Town Attorney, a member of any appointed or volunteer board or committee, or any others that may be hired or appointed by the Town Board. For this purpose, and subject to the exceptions set out herein, Town employees shall be defined as those employees in departments and offices for which the Town Board serves as the final budget authority.

III. Background

The increasing cost of operation and maintenance requires careful planning in vehicle purchase and use. We must all be aware of our duty and obligation to the taxpayer to use the utmost care and discretion at all times. The Town will endeavor to select the most appropriate vehicle for the intended use.

IV. Definitions

None

V. Legislation

GS 20-137.1 – Child Passenger Safety
GS 20-137.4A - Texting While Driving

VI. Policy

It is the Policy of the Town of Mooresville to set forth standardized rules and regulation regarding the use of Town or personal vehicles for Town business. Only authorized drivers affiliated with the Town of Mooresville in the capacity of an employee who meet the driver selection standards or approved contractors shall be permitted to drive or operate a Town owned, rented or leased vehicle and other Town equipment. This policy also covers Town employees who drive their personal vehicle on Town business.

VII. Provisions

A. Responsibilities

Management Responsibility

The Risk Manager, his/her designee, or such person as may be appointed by the Town Manager, shall act as the Fleet Safety Program Administrator. Responsibilities include setting up and managing the program so that managers, supervisors, and employees know what is expected of them when operating a vehicle for the Town of Mooresville. Risk Management will provide the resources and information sufficient to meet those responsibilities.

Employee Responsibility

Town employees are expected to understand the requirements of the Fleet Safety Program and the Accident Reporting System so that incidents and hazards are reported and handled in a timely manner. All employees have a general obligation to work safely. The Town has an incentive program that rewards active participation in the program such as identification of hazards and suggesting corrective actions.

Duty to Report

If an employee is issued a moving violation while operating a Town vehicle or operating a vehicle on Town business, such violation must be immediately reported to the employee's Department Manager or his/her designee. Fines or costs associated with traffic and parking violations are not considered reimbursable costs. Failure to pay any fines or fees assessed because of citations or traffic violations received while driving on Town business, including parking violations, may result in disciplinary action.

Driver Responsibility

Authorized drivers of Town of Mooresville vehicles are expected to follow the following rules:

1. Operate Town motor vehicles or personal vehicles used for Town business purposes in accordance with applicable state and federal laws and Town ordinances and policies. **The use of seat belts or other available occupant restraints is required when operating a vehicle for the Town of Mooresville and drivers shall require occupants to use available restraints before moving the vehicle unless the vehicle is being used for law enforcement purposes and the use of occupant restraints for a rear seat passenger is impractical. Airbags shall not be rendered inoperable on vehicles so equipped.** Where applicable, drivers of Town vehicles or vehicles driven for Town business purposes shall abide by child passenger safety laws. (GS 20-137.1)
2. Possess a valid driver's license for the type of vehicle to be operated and keep the license with them at all times while driving.
3. Produce, or allow for production, a current motor vehicle license check at least annually or upon the request of the Town.
4. Immediately report, by the next regularly scheduled workday, any violation or change in license status (e.g. if license has been suspended or revoked or if restrictions have been placed on such license) to his/her supervisor who is to report this information to the HR Director within one (1) working day of any such change provided however that such employee must immediately comply with any change in license status. If the employee's driver's license is suspended or revoked, Town driving privileges will also be temporarily suspended or terminated while further consideration is given to future actions to be taken. The HR Director shall notify the Department Manager and the Risk Manager when an employee's Town driving privileges are suspended or terminated.
5. Use Town vehicles for authorized business only unless otherwise specified in Town policies.
6. Immediately report all accidents as outlined in the Town's accident reporting procedures.
7. Turn the vehicle ignition off, remove the keys, and lock the vehicle when it is left unattended except for emergency vehicles when applicable. Town vehicles over 1 ton shall have wheels chocked and parking brake set.
8. Not drive the Town vehicle "off road" unless it is made for that use or unless given prior approval by the Department Manager or his/her designee or such off-road driving is necessary for an employee to perform his or her job duties.
9. Operate the vehicle in a careful and prudent manner.
10. Not carry firearms or other weapons in Town vehicles unless specifically authorized by Town Manager or is necessary for the type of employment for which the vehicle is being used.

11. Not carry hazardous or flammable materials in Town vehicles, except in approved containers in small quantities, unless the vehicle is specially equipped for such materials.
12. Comply with all applicable State laws governing the use of wireless devices for texting, making calls, or receiving calls. Except in cases of emergency, wireless phones shall not be used during vehicle operation. Texting or emailing while driving is prohibited while driving a Town vehicle (GS 20-137.4A). If an employee has a preventable accident while utilizing a wireless device, the employee may be restricted from using a wireless device while operating a Town vehicle.
13. Not permit any unauthorized person to drive a Town vehicle or transport unauthorized passengers such as family members, friends or hitchhikers unless approved under the "Vehicle Guidelines for Use."
14. Assume all responsibility for any fines or traffic violations and citations associated with his/her use of a Town vehicle or personal vehicle used on Town business.
15. Not operate a motor vehicle on Town business while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the motor vehicle.
16. Not be on duty and possess or have in or on his or her body, be under the influence of, or use any substance that renders the driver incapable of safely operating a motor vehicle while on Town business. This does not apply to any substance administered or prescribed by a physician that does not affect the driver's ability to safely operate a motor vehicle.
17. Participate in driver-training programs as required by Risk Management and/or the drivers Department Manager.
18. Be subject to applicable Town disciplinary procedures for violations of Town policies or rules.
19. Not carry sharp objects in back pockets that can damage vehicle seats in Town vehicles.
20. Maintain all Town vehicles in a good clean condition. (Exterior washes may be restricted under the Town of Mooresville Water Conservation Policy).
21. Conserve fuel where possible.
22. Complete vehicle inspections as follows: All drivers of regulated Town vehicles (greater than 26,001 lbs. GVW) are required to complete a documented pre-trip maintenance inspection that will be filed. Drivers of passenger vehicles should inspect at a minimum the vehicle's tires, safety equipment (wipers, lights) and a check for vehicle body damage. This will be accomplished by a "walk-around" of the vehicle prior to it being driven. Any defects found with Town vehicles shall be reported immediately to the Town's Fleet Maintenance division to determine if the vehicle is safe to operate. Any damage or malfunction of a Town vehicle should be reported to the individual's Department Manager or his/her designee and a report

should also be filed with Risk Management for any new vehicle body damage. If there appears to be any significant malfunctioning, do not operate the vehicle, and call Fleet Maintenance to have the vehicle towed.

23. In the event of severe weather conditions, avoid or minimize operation of Town vehicles unless needed to perform a job function as directed by the individual's Department Manager.
24. Keep safety and accident prevention foremost at all times.
25. If driving a vehicle on Town business that is capable of carrying 15 or more passengers, participate in training specific to such vehicles.

26. 15 Passenger Vans

Anyone driving 15 passenger vans shall:

- a. Complete a Defensive Driver Course and pass a road test.
- b. Load forward seats first at all times.
- c. Require passengers to wear seat belts whenever the vehicle is in motion.
- d. Limit capacity to ten (10) persons (nine passengers and the driver).
- e. Not store heavy gear or cargo in rear or on top of van.
- f. Check safety items before operating (fire extinguisher, first aid kit).
- g. Keep tires properly inflated.

Supervisor Responsibility

All Department Managers or their designees are responsible for the vehicles in their departments and shall periodically check employees and determine if they are qualified drivers in accordance with this policy. The manager or his/her designee is responsible for the following:

1. Allow only authorized employees to operate Town vehicles. This includes verifying that drivers have the proper license and credentials and ensuring employees abide by the Driver Responsibility rules.
2. Arrange for review of the Fleet Safety Program and applicable responsibilities prior to a new employee operating a Town vehicle and schedule retraining for existing employees who have not demonstrated the knowledge and skills needed to operate a motor vehicle safely.
3. Arrange for the proper registration and State inspection of the vehicle.
4. Schedule and arrange periodic maintenance checks and inspection(s) per vehicle specifications in conjunction with the Fleet Supervisor.
5. Immediately remove from service any vehicle with any safety defect.
6. Authorize vehicle usage to include ensuring that drivers complete the Drivers Registration Form.
7. Ensure all vehicle accidents are reported to Risk Management

Evaluation

Department supervisors shall evaluate each driver of a town vehicle in their department to verify that the employee retains and uses the knowledge and skills needed to operate a motor vehicle safely (e.g., reviewing accident records and application of driver's responsibilities). If the evaluation shows that the employee is lacking the appropriate skills and knowledge, the employee will be retrained using the methods included in this policy's training section. After an employee has completed the re-training program, the Department Manager or his/her designee, after obtaining information from the instructor relating to successful completion of the program, will determine whether the employee can safely operate a motor vehicle. If the employee passes, the Department Manager or his/her designee shall ensure the training record is placed in the employee's training record file.

Authorization to Drive

Before operating a town vehicle, an employee will be required to sign a Driver Registration Form. By signing such form, the driver will be asked to acknowledge awareness and understanding of the Town's Fleet Safety Program, its policies and procedures, expectations regarding driver performance, vehicle maintenance, and reporting of moving violations. Refusal or failure to sign such statement will be grounds for denial of the right to operate a town vehicle.

Only authorized drivers affiliated with the Town of Mooresville in the capacity of an employee who meet the driver selection standards or approved contractors shall be permitted to drive or operate a Town vehicle and other Town equipment. Use of a Town vehicle is restricted to authorized Town related activities. The authorized driver shall continuously display sufficient knowledge of proper procedures, operation, and maintenance of the vehicle or equipment to which they are assigned. Loss of driving privileges and/or disciplinary action may occur if proper operation, maintenance and procedures are not followed.

Non-Town personnel who are performing work for the Town may also operate Town vehicles if authorized by the respective Department Manager or his/her designee in cases of emergency (e.g., volunteer fireman at an incident).

Any liability arising out of the unauthorized use of a Town owned, rented or leased vehicle is the sole responsibility of the driver and his or her personal auto insurance. In such cases, the driver will be expected to indemnify and defend the Town of Mooresville against all claims arising out of the unauthorized use of the vehicle.

This section shall not apply to elected officials using a town-owned vehicle for town-business.

B. Guidelines for Use

Permitted Use of Town Vehicles

1. The Town may assign a vehicle to an employee when, in the opinion of the Town Manager or his designee, such vehicle assignment is essential to the proper execution of official responsibilities. Before a vehicle is assigned on a permanent basis and allowed to be taken home regularly, the Department Manager to which the vehicle is assigned must submit a written justification including an outline of the duties performed and showing the need for such assignment. The Town Manager will render a decision on each request and authorize the vehicle assignment.
2. An employee who is not assigned a town vehicle on a permanent basis may drive a vehicle home on a temporary basis when approved by such employee's department manager and such use is necessary for the employee to perform a function of his or her job or is being used for travel purposes for town-related business or travel.
3. No employee living outside Iredell County will be authorized to drive a Town vehicle home, except on a temporary basis as stated in Item 2, unless authorized by the Town Manager.
4. The vehicle assignment may be of a permanent nature or for a specified time period such as 24 hour call out or frequent call out after normal work hours. Town vehicles are assigned to an individual by his or her Department Manager or his/her designee at the start of their work period and are the employee's responsibility until the completion of the assigned duty. Employees cannot change vehicles without permission of their respective Department Manager or his/her designee except in cases of emergency.
5. Department Managers or his/her designee may permit certain employees to use Town owned vehicles for emergency night and weekend duty with the approval of the Town Manager. Such use is justified only when special duties are required and occur on an infrequent basis. Department Managers or his/her designee are responsible for authorizing and controlling such use.
6. An employee's title or position will not be regarded as justification for taking a Town vehicle home. Justification will be based on the above criteria without regard to official capacity.
7. During extended leaves of absence (i.e. illness or other), an employee who is assigned a vehicle will turn the vehicle and all keys in to their Department Manager or his/her designee. In the event an employee is unable to return the vehicle, they must notify their Department Manager or his/her designee

- and make arrangements for someone from the department to pick up the vehicle at the employee's home.
8. Town owned vehicles shall be assigned and used only in the performance of official duties for the Town. Employees shall not operate Town vehicles for the purpose of conducting a private business or enterprise or any other personal use.
 9. It is recognized that a minimal amount of personal use of a Town vehicle may be required for those employees who:
 - a. Are assigned a take home vehicle and, therefore, commute to and from work in the Town vehicle;
 - b. Conduct their daily work in or from a Town vehicle or
 - c. Are on Town authorized travel
 10. Minimal personal use shall be limited to:
 - a. Commuting to and from work;
 - b. Driving to and from a restaurant to eat during an approved meal break provided the employees job requires the use of a Town vehicle and no personal vehicle is readily available to the employee;
 - c. Personal emergencies if no personal vehicle is available and the Department Manager or his/her designee grants approval; or
 - d. Minor stops and incidental trips while traveling to and from work which do not create additional expense for the Town and for which the employee is not compensated.
 11. The use of assigned vehicles to transport other Town employees to and from work is permissible provided the person lives on the route normally taken by the person to whom the vehicle is assigned or in the event of an emergency. Town vehicles will not be used to transport non-Town personnel except as necessary to conduct Town business or when the vehicle is used by a Town employee for an approved, out-of-town business trip. On an approved business trip, the spouse or family may ride if approved by the Department Manager or his/her designee.
 12. Personal trailers, including boats and recreational vehicles, are not to be pulled or towed with a Town vehicle.
 13. Each Town owned vehicle shall display the official Town seal and vehicle number for identification purposes. The only exceptions are vehicles assigned to the Town Manager, Assistant Town Manager, or Police Department and specifically designated by the Town Manager as "unmarked vehicles."
 14. Possession, transportation or consumption of alcohol or illegal drugs by anyone in the vehicle is not allowed unless possession or transportation is required in the performance of job duties.
 15. Each department will maintain a current list of all permanent vehicle assignments under their supervision. The list shall include and identify the name of the employee, the employee's position / job title, date of assignment, and identification of assigned vehicle.

Note: The Town Manager and Police Chief may establish separate regulations for the Police Department take home vehicle program in addition to the regulations contained herein.

Motor Pool

1. Employees who do not have a Town vehicle assigned, but occasionally have need for transportation in the performance of official Town business, will have access to a motor pool vehicle as long as the employee has a valid North Carolina driver's license for the vehicle to be operated. An employee may obtain one of the motor pool vehicles by checking out the key from the Town Clerk's office or a Department Manager in charge of a pool vehicle.
2. The vehicle keys must be turned in to the Town Clerk or Department Manager in charge of a pool vehicle at the conclusion of the business.
3. The employee shall report any mechanical failure or damage to the vehicle to the Town's Fleet Maintenance division and the vehicle shall be returned with a full tank of gas. A damage report shall be filed with Risk Management.

Non-Owned (Personal)

1. An employee, who uses his or her own vehicle for business purposes, is strongly encouraged to carry limits of at least \$100,000/300,000 for bodily injury and property damage and the same limits for underinsured and uninsured motorist coverage. Any personal vehicle used to conduct Town business must, at a minimum, have personal automobile coverage consistent with North Carolina law.
2. An employee who uses his or her own personal vehicle on Town business must:
 - a. Be licensed under North Carolina law for the vehicle to be operated.
 - b. Have no convictions or active charges for any offense that might result in the suspension or revocation of the person's driving privilege under North Carolina law.
3. Employees are encouraged to use Town vehicles (pool cars) when conducting Town business unless his/her supervisor has granted a specific exemption. Exceptions to this may be:
 - a. Whenever there are no Town vehicles available; or
 - b. When traveling on an approved, out-of-town business trip.
4. If an employee uses his or her own personal vehicle to conduct Town business, the Town, depending on which method is in the best interest of the Town may:
 - a. Reimburse the employee for Town business miles driven; or

- b. Assign a Town vehicle to the employee.
5. Authorized employees who use their private vehicles for conducting Town business (e.g. on an approved, out-of-town business trip) shall be reimbursed at the prevailing mileage rate (current rate allowable by IRS multiplied by the number of miles driven).
6. An employee who uses his or her own personal vehicle for local travel without prior approval by his/her Department Manager will not be reimbursed for mileage.
7. Authorized driver rules will apply for all employees who use their personal vehicle for Town business and those employees must observe the driver responsibility policies outlined in this Fleet policy.
8. When employees use their personal vehicles on Town business, the individual's personal auto insurance is primarily responsible for any claims arising out of such use. If the individual's liability coverage limits are exceeded and the Town's insurance coverage so permits, subject to the approval of the Town's insurance carrier, the Town's insurance may act as excess insurance.
9. Mileage reimbursement is outlined in the Town's Travel Policy. This reimbursement is intended to cover the costs to operate the vehicle, including insurance costs.
10. Under no circumstances will the Town reimburse an employee for damage to such employee's personal vehicle.

Renting a Vehicle

Should you need to rent a vehicle for Town business, you should use the Town of Mooresville purchasing card issued to you. By using this card, a collision damage waiver is included and there is no need to purchase it separately from the rental agency. This provides coverage for the rented vehicle in the event of theft or an accident.

Reasonable and customary towing charges, due to a covered loss, to the nearest qualified repair facility, are also covered. If you do not have a Town of Mooresville purchasing card, you **MUST** purchase the collision damage insurance as offered by the rental company. If you fail to purchase this coverage, you or your Department may be held responsible for any related expenses.

Use of Outside Contractors

If you hire a transportation service, such as a bus company, you must obtain a certificate of insurance from the carrier prior to service. The certificate of insurance must evidence auto liability and excess liability of not less than \$5 million per occurrence and name the Town of Mooresville as an additional insured.

Tobacco Products Prohibition

Smoking and other tobacco products in Town vehicles shall be governed by the Town's tobacco use policy.

Cargo

Whether or not you load and secure the cargo yourself, you the driver are responsible for:

1. Inspecting your cargo
2. Recognizing overloads and poorly balanced weight
3. Knowing your cargo is properly secured.

All cargo in open bed trucks or that may cause hazardous driving conditions shall be secured and/or covered or as required by law.

Winter Driving

Department Managers or his/her designee shall determine if Town vehicles will be operated during inclement weather. The Town's Fleet Maintenance division shall assist in selection and installation of appropriate safety equipment. Please see the attachment on preparation and driving under winter conditions. (Appendix 15)

C. Vehicle Selection, Repair and Maintenance

Selecting, properly maintaining, and routinely inspecting Town vehicles is an important part of preventing motor vehicle incidents and related losses.

Selection

The increasing cost of operation and maintenance requires careful planning in vehicle purchase and use. We must all be aware of our duty and obligation to the taxpayer to use the utmost care and discretion at all times. The Town will endeavor to select the most appropriate vehicle for the intended use. Before use, Department Managers or his/her designee shall ensure that all vehicles are supplied with at a minimum the following equipment:

1. First Aid Kits and Fire Extinguishers.
2. All Town vehicles will be issued license plates before driving except:
 - a) Public Safety Investigatory work or
 - b) Those approved by the Town Manager

Note: Fleet Maintenance will install First Aid Kits and Fire Extinguishers on all new vehicles received. It is the department's responsibility to which the vehicle is assigned to conduct a documented check of this equipment at least monthly to ensure it is available and ready for use.

Breakdown and Road Repair

To ensure the safety of our drivers and the motoring public, and to ensure expedient vehicle repair, all drivers of Town vehicles are expected to follow these procedures in the event of a breakdown that requires road repair assistance:

1. Safely stop and secure the vehicle. No Town vehicle should be left unattended until the parking brake has been properly set, and the driver is confident the vehicle is secure from moving. If a breakdown occurs while the vehicle is in motion, the driver should activate the emergency hazard warning signal flashers, and park as far out of traffic as possible.
2. Safely place any warning devices as required by Federal or State standards.
3. After the vehicle has been secured and the warning devices put in place, the driver should communicate the Town vehicle's breakdown to their Department Manager and then to the Town's Fleet Maintenance Division. When requesting assistance, the driver should give the exact location information of the vehicle, including road or highway route number and direction of travel. The driver should be as specific as possible and should also provide a suggested diagnosis of the cause of the breakdown.
4. Once the breakdown has been reported the Fleet Maintenance division will determine the appropriate course of action. If a road service call is necessary, the Fleet Maintenance division will come out or call for a tow truck.
5. Once repairs have been made, the driver shall safely remove any warning devices.
6. All paperwork for the repairs will be forwarded to the Fleet Maintenance division where those records will be on file in that vehicle's maintenance file for such period as required by North Carolina law.

Towing

The Town contracts with towing companies in our area in order to obtain the most value for taxpayer dollars. The Fleet Maintenance division will be responsible for arranging towing services for Town vehicles. When traveling out of the Mooresville area in a Town vehicle or if using a personal vehicle for Town business, use the most appropriate method to secure these services.

Vehicle Maintenance

The Town's Fleet Maintenance division ensures that vehicles meet or exceed the manufacturer's specified routine preventive maintenance schedule for servicing and checking of safety-related equipment. Where no manufacturer recommendation is made or where legal or best practices provide more stringent maintenance frequencies, we follow the appropriate legal requirement or best practice. Additionally, Fleet Maintenance ensures that vehicles are serviced immediately after being notified of a recall. Fleet Maintenance also ensures that a thorough inspection of each vehicle is performed at each service. The Fleet Maintenance Supervisor ensures the results of the inspection are placed in the vehicle's file. However, vehicle drivers shall also perform a visual inspection of any vehicle before operating it.

The Public Works Manager is responsible for determining that Fleet Maintenance is qualified for performing such maintenance and repair.

All drivers of Town owned vehicles shall ensure that vehicles assigned to them receive all scheduled preventive maintenance. Employees may be responsible for damages to any vehicle or equipment assigned to them which results from improper or careless operation on their part. All Town vehicles will be maintained in accordance with the manufacturer's recommended warranty schedule and/or the Fleet Maintenance division's preventive maintenance schedule.

1. Vehicles: Every 3000 miles or 6 months (whichever comes first)
2. Equipment: Every 100 hours

Personal vehicles used for Town business are not necessarily subject to the same criteria and are generally the responsibility of the owner. However, personal vehicles used for Town business should be maintained in a manner that provides the employee with maximum safety and reflects positively on the Town.

Recordkeeping

All vehicle records shall be maintained per DOT and Town standards. Vehicle maintenance record files shall be maintained by the Town's Fleet Maintenance Supervisor.

Vehicle Turnover

Vehicles will be cleaned and all records completed before a vehicle is transferred to another employee or surplus.

Vehicle Modification

Should a vehicle need to be modified, the Fleet Maintenance Supervisor will ensure that the modification does not in itself create a hazard. Town vehicles will not be altered in any way without first obtaining written approval of the appropriate Department Manager, the Town Manager, or his/her designee or the manufacturer where appropriate. No Town vehicles shall have any stickers, posters, signs or any other attachment placed on or affixed to them unless previous approval or directive has been issued by the Town Manager.

Vehicle Storage/Parking

Employees are responsible for safeguarding Town issued equipment associated with their assigned vehicles. This includes, but is not limited to, issued equipment which is normally left in the assigned vehicles (such as computers, radios, etc.). If any equipment is stolen or becomes missing, this may be considered as evidence that the employee failed to safeguard the equipment and the employee may be required to pay for replacement of the equipment and/or appropriate disciplinary action may be taken.

Security

The Town of Mooresville is committed to ensuring the physical safety of our motor vehicle drivers and to reduce or prevent vehicle and cargo theft and damage opportunities. All employees shall report any unusual or suspicious activity that poses a threat to the safety of employees and the security of vehicles, facilities, or cargo to the Police.

D. Driver Recruitment, Selection and Training

In order to ensure that drivers have the proper licensing, education and ability to operate our motor vehicles, Human Resources ensures that the job description specifies these required qualifications. Our job application requests information about licensing and education to help the Town select a candidate qualified to operate a motor vehicle. Completed applications of those we hire are kept in the employee's personnel file. The Town of Mooresville will follow all Americans with Disabilities Act requirements for considering and accommodating those with disabilities.

In order to screen out drivers who have poor driving records, Human Resources checks the motor vehicle records of all applicants and employees who will drive a Town owned, leased or rented vehicle or personal vehicle to be used for Town business. If an employee's status changes where driving on Town business is required, the employee

and supervisor should ensure the Human Resources department is aware of this change and a motor vehicle record check is completed prior to the employee driving any vehicle for Town business purposes. Certifications of these checks are kept in the person's personnel file.

Motor vehicle records will also be reviewed in conjunction with any other work related preventable collisions to determine an employee's eligibility to operate a vehicle on Town business.

1. An EMPLOYEE whose job responsibilities require the operation of a Town owned, leased, or rented vehicle is subject to disciplinary action if such employee:
 - a) Fails to possess a current and valid North Carolina's Drivers License with the appropriate endorsements for the type of Town vehicle to be operated, or equivalent license or permit, allowing for operation of the vehicle to be operated by such employee.
 - b) Fails to consent to a motor vehicle record check upon the request of the Town.
 - c) Has an accident or series of accidents that negatively impacts such employee's ability or suitability to operate a town-owned or town-controlled vehicle.
 - d) Is charged or convicted of a criminal offense involving the possession, sale, delivery, or use of a controlled substance or counterfeit controlled substance as those terms are defined in Chapter 90 of the North Carolina General Statutes.
 - e) Has a physical or mental defect or condition that renders the employee unable or incapable of operating a motor vehicle.
 - f) Is taking a medication, whether prescribed or not, that could impair, by the very nature of such medication, the employee's ability to operate a motor vehicle.
 - g) Fails a drug or alcohol test as required by the town or refuses to submit to such a test upon the request of an employee's supervisor or the Director of Human Resources.

- h) Is charged with or convicted of a criminal offense involving the use of a motor vehicle that is considered a felony under North Carolina law or any other state or federal jurisdiction.
 - i) Has any convictions or active charges for an offense that might result in the suspension or revocation of the employee's driving privileges under North Carolina law, whether or not such convictions or charges are for an offense committed while operating a town owned or controlled motor vehicle. Offenses which can impact the employee's Town driving privileges include, but are not limited to, the following:
 - i. Charge or conviction of driving while impaired, subject to any further restriction as set out herein.
 - ii. Charge or conviction of an offense involving the careless or reckless driving or operation of a motor vehicle.
 - iii. Charge or conviction of a speeding violation where the speed involved was fifteen or more miles per hour over the speed limit.
 - iv. Charge or conviction of fleeing or attempting to elude a police officer.
 - v. Refusal to submit to a chemical test after a lawful arrest for impaired driving.
 - vi. Charge or conviction of leaving the scene of an accident.
 - vii. Charge or conviction of operating a motor vehicle after suspension or revocation of an operator's license.
 - viii. Charge or conviction of passing a stopped school bus.
 - ix. Charge or conviction of any felony associated with the operation, use, or possession of a motor vehicle.
 - x. Charge of conviction of any offense in which a vehicle is used to inflict bodily injury.
2. Without limiting any of the foregoing requirements or restrictions, an employee who has been charged or convicted of an impaired driving offense is also subject to the following:

Such employee will be placed in a conditional employment status for a period of twelve (12) months, subject to the following conditions:

- a) Such employee will be suspended from driving a town vehicle for a minimum of thirty days and assigned work in a non-driving capacity if such work is available for which the employee is qualified and able to perform the essential functions of the job.
 - a) Such employee will be required to participate in a Town approved alcohol or drug treatment program.
 - b) Such employee must attend and successfully complete a drug and alcohol driving education training school as approved by the Town.
 - c) During the period of conditional employment, such employee must submit to, and cooperate with, drug and alcohol testing at a frequency of no less than 6 tests in a 12 month period. Such testing is to be conducted during the employee's normal working hours and such employee will immediately proceed to the collection site upon notification of selection for testing.
3. An EMPLOYEE whose job responsibilities require a Commercial Drivers License (CDL) is subject to the following disciplinary action upon being charged or convicted of an offense that may impact their future status as a CDL holder.
- a) Such employee will be suspended from driving a town vehicle for a minimum of thirty days and assigned work in a non-driving capacity if such work is available for which the employee is qualified and able to perform the essential functions of the job.
 - b) If at the end of such thirty day period, the employee's CDL privileges have been revoked or restricted such that the employee cannot operate a town vehicle, then such employee is subject to either (a) discipline up to and including termination or (b) placement in an available non-driving position if a position is available for which the employee is qualified and able to perform the essential functions of the job.
4. The following qualifications must be met by an APPLICANT for employment whose essential job duties include operating a Town owned, leased or rented motor vehicle, even occasionally, for Town business:

- a) The applicant must possess a current, valid North Carolina Driver's License with the appropriate endorsements. See CDL License Requirements discussed herein.
 - b) The applicant must be at least 18 years of age,
 - c) The applicant must, at a minimum, consent, if hired, to an annual motor vehicle record check;
 - d) The applicant must not have any accidents or a motor vehicle violation that negatively impacts such applicant's ability or suitability to operate a town owned or controlled motor vehicle.
 - e) The applicant must not have any pending charges for an offense involving the operation of a motor vehicle while impaired or a conviction of any offense involving the operation of a motor vehicle while impaired in the past three years,
 - f) The applicant must not have any pending charges involving the careless or reckless driving of a motor vehicle or any convictions involving the careless or reckless driving of a motor vehicle within the past three years,
 - g) The applicant must not have any pending charges or convictions of a criminal offense other than a minor traffic violation, involving a motor vehicle, including operating a vehicle while under the influence of a controlled substance, transporting a controlled substance, or a felony involving the use of a motor vehicle
 - h) The applicant must be able to read and speak English sufficiently to be able to perform all duties and functions of the job;
 - i) The applicant must be willing to consent to and pass a pre-employment drug and alcohol test and a pre-employment physical examination.
 - j) The applicant must not have a physical or mental condition that would affect the ability of such applicant to operate a Town vehicle
 - k) The applicant must not be taking medication that might impair such applicant's ability, if hired, to operate a motor vehicle.
- l) The applicant has not within the three (3) years preceding the date of the intended driving of a town vehicle committed one or more of the following offenses:

- a) Speeding over 15 mph over the speed limit
- b) Reckless Driving
- c) Fleeing or attempting to elude a police officer
- d) Refusing to submit to a chemical test
- e) Leaving the scene of an accident
- f) Operating a motor vehicle after suspension or revocation of an operator's license
- g) Passing a stopped school bus

The applicant must have a driving record that does not preclude the Town's insurance carrier from providing coverage to such employee under the town's automobile liability insurance policy.

CDL License Requirements

A CDL is required for drivers, paid or volunteer, who drive the following types of vehicles that are designed or used to transport passengers or property.

Class A: Required to operate a vehicle that has a combined gross vehicle weight rating (GVWR) of at least 26,001 lbs and includes as part of the combination a towed unit that has a GVWR of at least 10,001 lbs.

Class B: Required to operate:

- A single motor vehicle that has a GVWR of at least 26,001 lbs.
- A combination of motor vehicles that includes as part of the combination a towing unit that has a GVWR of at least 26,001 lbs and a towed unit that has a GVWR of less than 10,001 lbs.

Class C: A single or combination of motor vehicles not included in Class A or B but meets any of the following descriptions:

- is designed to transport 16 or more passengers, including the driver.
- Is transporting hazardous materials and is required to be placarded.

You do not need a CDL to drive recreational vehicles, military equipment, fire and/ or emergency equipment or certain farm vehicles. However, a regular license of the appropriate class is always required.

A special CDL endorsement is required to haul hazardous materials, transport passengers, pull double trailers, drive tank vehicles or drive school buses or school activity buses. Additional information about the CDL is in the [North Carolina Commercial Driver License Handbook](#).

Driver Training

Under no circumstances may an employee operate a Town vehicle or operate a vehicle on Town business until he/she has successfully completed a driver orientation. Orientation will include, at a minimum, the policies outlined in this Fleet Safety Program. Department Managers will ensure new drivers understand the requirements of the Fleet Safety Policy, will make arrangements with Risk Management to schedule additional training as required and will also identify those existing employees who need retraining.

All Town drivers shall complete a defensive driver-training course. CDL drivers and drivers of 15 passenger vans are required to complete the training each year and employees who regularly operate Town owned vehicles or drive on Town business are required to complete the training every three years. Department Managers or his/her designee may develop additional training as they deem necessary, based on the needs of their department.

Where deemed necessary by the Town Manager, Risk Manager, the Department Manager or his/her designee, drivers shall receive an orientation of the vehicle that they will be driving. The vehicle orientation may include but is not limited to:

- vehicle operation
- familiarization of the equipment
- location of safety equipment such as flashers and first aid kits
- safety considerations such as those associated with 15-passenger vans
- explanation of the routes to be driven
- pre-trip inspection procedures
- location of insurance information and Accident packets

Training is done either in-house by a certified instructor or by a certified outside source. Orientation may be conducted by the Department Manager or his or her designee, a competent manufacturer representative or other competent person. The Department Manager and/or Risk Manager is responsible for organizing ongoing training and retraining with the exception of public safety departments. Public Safety training officers will ensure department employees meet the required training.

The Town's training program may include but is not limited to: lecture, discussion, video material and/or practical, on-the-road instruction. Subjects may include: impaired, fatigued, aggressive, distracted, and defensive driving; seat belt use;

vehicle inspection; security; motor vehicle incident procedures; cargo securement; safety features and emergency equipment.

Title 29, Section 1926.601(b)(4), of the Code of Federal Regulations states that no employer may use any motor vehicle equipment having an obstructed view to the rear unless the vehicle has a reverse signal alarm audible above the surrounding noise level OR the vehicle is backed up only when an observer signals that it is safe to do so. If the observer method is used, drivers should be trained in this back up method.

Also, Title 29, Section 1926.601(b)(7), of the Code of Federal Regulations states that tools and material must be secured to prevent movement when transported in the same compartment with employees.

Driver Qualification File

A driver's qualification file shall be kept in the Human Resources department.

The qualification file for a driver shall include:

1. The driver's application for employment.
2. A copy of certifications that the driver's driving record has been reviewed at initial employment and at least annually thereafter.
3. A copy of the license or (for CDL) certificate accepted as equivalent to the driver's road test.
4. For CDL drivers, a letter from the Field Administrator, Division Administrator, or State Director granting a waiver of a physical disqualification, if a waiver was issued.

Each driver's qualification file shall be retained as required by North Carolina law.

E. INCIDENT REPORTING

Incident Reporting and Investigation

A motor vehicle incident is an occurrence that involves a Town vehicle, Town equipment or a vehicle driven while on Town business and that caused or could have caused injury, illness, or property damage. Vehicle incidents include, but are not limited to:

1. Single-/Multiple-vehicle accidents resulting in injury, illness, or property damage;
2. Vehicle fires;
3. Loose vehicle cargo;
4. Objects impacting the vehicle;

5. Disaster-related damage/injury;
6. Near misses;
7. Impaired driving;
8. Aggressive driving;
9. Fatigued driving;
10. Distracted driving;
11. Failure to wear a seat belt;
12. Any traffic violation for which law enforcement issues a warning or citation;
13. Carbon monoxide-related illness caused by a motor vehicle;
14. Suspicious activity or security threats related to a covered motor vehicle(s);
and/or
15. On-the-road vehicle breakdown.

Reporting

Motor vehicle incident reporting procedures are kept in each vehicle. If you are involved in an auto accident involving a Town vehicle or driving your personal car on Town business, if able, you should:

1. Call 911. If someone is injured, request medical assistance. If fire is involved, request fire department aid.
2. Take precautions necessary to protect the scene of the accident from further accidents if able. This may include placing emergency warning devices, turning on flashers, etc. Ensure your vehicle is turned off and the parking brake set.
3. If able, assist any injured person, however, **never** move an injured person unless they are in imminent danger.
4. Never leave the scene of an accident except in extreme emergency situations.
5. An accident report should be filed with the appropriate local police department.
6. Contact your Department Manager or his/her designee, Fleet Maintenance and/or Risk Management.
7. Get names, addresses and insurance information of person(s) involved. Get names and addresses of witnesses. Take pictures.

8. Do not admit liability or make any statements except to police officers or an identified representative of the Town of Mooresville. **Be Courteous**
9. Ensure a preliminary accident report is completed and turned in to your Department Manager or his/her designee and Risk Management.
10. All vehicle damage and repair records shall be kept by the Fleet Maintenance division.

The above incident reporting procedures will be enforced. Failure to meet incident reporting procedures can lead to disciplinary action up to and including dismissal.

Post Accident Drug Testing

If any employee, while operating a Town vehicle or equipment, or a vehicle or equipment that is contracted or leased to the Town, is involved in an accident that:

1. Involves a fatality;
2. Is issued a citation under state or local law for a moving traffic violation arising from the accident;
3. An accident causing bodily injury which requires medical treatment, on or away from the scene of the accident for anyone involved;
4. Any vehicle is towed or rendered inoperative;
5. An accident causing total aggregated property damage of at least \$2,500;
6. The employee operating the vehicle or equipment has had 3 accidents within a 12 month period; and/or
7. The employee operating the vehicle or equipment has an accident with an immovable object (i.e. buildings, street lights, street signs or barriers, unattended parked vehicles, etc.)

The employee will be subject to drug and alcohol testing as outlined in the Town's Drug and Alcohol Policy.

Investigation

All incidents involving Town vehicles or vehicles driven while on Town business will be investigated to determine their causes and whether or not the incidents were preventable. Understanding the root causes of incidents and why they are happening, regardless of fault, forms the basis for eliminating them in the future. Here are the Town of Mooresville vehicle incident investigation procedures:

1. All information relating to an incident (accident report, police report, pictures, witness statements, etc.) will be collected by the reporting

department and forwarded to Risk Management. The vehicle accident report or equivalent shall be reported within 24 hours. All other documents should be forwarded within 48 hours.

2. Based on certain selection criteria, such as whether citations were issued or the severity of the incident, etc., the Safety Analysis Team will review the incident with the employee and their supervisor(s) within 30 days. The accident report filed by the Police Department or the judgment of the Department Manager or his/her designee may be used in determining whether the employee is responsible for an accident.
3. The Safety Analysis Team will determine if the incident is preventable or not preventable and forward the information to the Department Manager or his/her designee who may take further disciplinary action. The Safety Analysis Team may recommend re-evaluating the operating skills of the vehicle driver, re-evaluating vehicle maintenance and inspection procedures, developing and implementing a timely corrective/preventive response, documenting and tracking the response, and revising the Fleet Safety program if necessary.
4. If the incident was correctable or preventable, the following steps may be taken:
 - a) An employee responsible for more than two preventable accidents while driving a Town-owned vehicle or while driving a vehicle on Town business within a two year period may have Town driving privileges revoked and be subject to disciplinary action up to and including dismissal.
 - b) At the first preventable accident, the Department Manager or his/her designee shall issue a written warning with copies to the employee and their personnel file. Other disciplinary action taken will depend on the circumstances and will be determined by the Department Manager or his/her designee. In addition, the Safety Analysis Team may recommend that the employee receive additional training.
 - c) At the second preventable accident, the employee may be suspended, demoted or terminated. Disciplinary action taken will depend on the circumstances of the accident.
 - d) The two year period shall be determined by counting back from the date of the last accident to include the preceding twenty four months.
 - e) In determining the number of preventable accidents, those

occurring on Town property (town yard, police parking lot, garage, etc.) shall be included.

- f) All motor vehicle accident records shall be kept in Risk Management and available to Department Managers for consideration during the employee's evaluation.
- g) A Department Manager or his/her designee may make a written request to Human Resources to check the motor vehicle driving record of any employee in his Department. If such a check reveals that the employee is developing a history of traffic violations or accidents off the job, the Department Manager or his/her designee may take positive action to ensure the safe operation of the departmental vehicles. This action can include, but not be restricted to, demotion, transfer, training, or other such reasonable measures as deemed appropriate.
- h) If the incident was not correctable or preventable, the employee will not receive any penalty and the incident report and all supporting documentation including investigation result records will be kept on file by Risk Management for a period of at least five years.

Safety Analysis Team

The purpose of the Safety Analysis Team is not to find fault but to review accidents to determine their root cause and make recommendations for preventing future occurrences. Causes may include but are not limited to; policy and/or procedure, preventive maintenance, training and equipment. The Safety Analysis Team will consist of, at a minimum, a representative from:

1. Risk Management
2. Town of Mooresville Police Department
3. Town of Mooresville Fleet Maintenance Division
4. Town of Mooresville Fire Department

Program Evaluation

It is inherent that problems may occasionally arise in this Fleet Safety Program. The Fleet Safety Program Administrator will thoroughly evaluate the program annually and as necessary, promptly take action to correct any deficiencies in the program. Program Evaluation may include but is not limited to: interviewing vehicle drivers and maintenance personnel; monitoring compliance with legal requirements and the Fleet Safety Program; reviewing vehicle use, motor vehicle

types, vehicle mileage, numbers of passengers, and incident severity; reviewing incident data, rates, and historical trends; and comparing the Town rates to others in the Public Sector. Note: The occurrence of a motor vehicle incident does not in itself mean that the program is ineffective.

VIII. Authorization

Approved by:

Steve Husemann
Town Manager

December 23, 2010
Date

APPENDICES

1. Rules and Regulations for Commercial Driver's License drivers
2. Rules and Regulations for 15 Passenger Vans
3. Aggressive Drivers
4. Backing Techniques
5. Distracted Driving
6. Drive Defensively
7. Driving Emergencies
8. Emergency Warning Devices
9. In Vehicle Behaviors
10. Operation Lifesaver
11. Parking Lot Hazards
12. Pedestrian Accidents
13. Right and Left Turns
14. Reducing the Risk – 15 passenger vans
15. Winter Driving