

## Catawba County Emergency Medical Services

### ARTICLE X. OPERATIONS STANDARDS FOR DRIVERS OF VEHICLES USED FOR COUNTY BUSINESS

#### **Sec. 28-331 -- Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*County drug testing policy.* The policy of the County is to maintain a workplace free of substance abuse and to work toward a drug-free community. The County shall comply with the requirements of the Federal Drug-Free Workplace Act of 1988, and any amendments or subsequent legislation affecting operations of vehicles, since sufficient evidence has concluded that the use of controlled substances and other forms of drug abuse shall seriously impair an employee's physical and mental health and, thus, job performance. This policy shall not conflict with the existing law enforcement policy as it applies to employees of the Sheriff's Department.

*Defensive driving course* means a course approved by the Risk Manager to teach drivers, as defined in this article, defensive driving skills.

*Driver* means as follows:

- 1) *Designated driver/employee* means an employee that has received the express approval of the Department Head or designee to carry out official business of the County in a County-owned or privately owned vehicle used for conducting County business. See section 28-332
- 2) *Designated volunteer* means a volunteer who has received the express approval of the Department Head to carry out official business of the County in a County vehicle or a privately owned vehicle.

*Risk Manager* means the employee responsible for identifying and analyzing risks that would cause major financial loss to the County and/or any potential injury to an employee or citizen, and implementing and monitoring policies and procedures to reduce these risks.

(Ord. No. 2006-10, 8-21-2006)

**Cross references:** Definitions generally, § 1-2.

#### **Sec. 28-332. Responsibilities of Risk Manager.**

- 1) The frequency of accidents and the damage to County and private property calls for careful attention to developing defensive-driving measures. The Risk Manager shall implement and carry out the measures in subsection 2) to address satisfactory driving standards and determine the preventability of all accidents that occur in the operation of vehicles, as defined in this article.
- 2) The Risk Manager shall:
  - a) Carry out the official actions of this article.
  - b) Increase the awareness level of appropriate vehicular safety by:
    - i. Developing appropriate defensive-driving courses for drivers, volunteers or other designated personnel;

## Catawba County Emergency Medical Services

- ii. Developing guidelines for authorized use of privately owned vehicles authorized for County business and functions;
  - iii. Providing periodic reports, articles, and programs for enhanced vehicular safety; and
  - iv. Enhancing awareness of proper vehicular maintenance and ensuring the establishment of a regularly scheduled maintenance program.
- c) Determine accident trends in terms of number, type, and frequency, patterns of recurrence and vulnerability and implement appropriate corrective action.
  - d) Review vehicle accidents incurred by drivers where property damage, personal injury, or death occurs; determine the preventability and severity of the infraction; and recommend the necessary corrective action.

### **Sec. 28-333. -- Authorization.**

- 1) This article applies to all County vehicles, heavy equipment/machinery and private vehicles used for and in the scope of County business.
- 2) Only employees may operate County-owned vehicles with the exception of approved contract maintenance personnel, reserve deputy sheriffs, and designated volunteers.
- 3) Drivers shall not operate a County-owned vehicle except upon the express direction and authorization of the Department Head, or designee, who supervises regular work activities.
- 4) A County vehicle may only be used for official County business. Reports of private use of a County vehicle will be received and investigated by the Department Head, or designee, and appropriate action shall be taken.
- 5) The Risk Manager shall annually review driving records of current employees to ensure the employee meets County guidelines for drivers as stated in the County's Motor Vehicle Record Policy.
- 6) Finalists for all positions which require driving shall agree to a Department of Motor Vehicles (DMV) driving record master check as a condition of employment. Such driving checks shall be the responsibility of the Human Resources Director. The Human Resources Director shall be responsible for determining the relevance of the information obtained to the position for which the applicant has applied. Finalists for positions which require driving as described in this article shall not be recommended for hire by the Human Resources Director if a driving record from the Department of Motor Vehicles indicates the applicant has received more than four points within the last three years and/or the overall driving record is deemed unsatisfactory.
- 7) In the employee orientation session conducted by the Human Resources Department, employees subject to this article shall be informed by the Risk Manager of this article and of their obligation to function according to its provisions. Designated volunteers shall be made aware of their responsibilities under this article by the respective Department Head or designee.
- 8) It shall be the policy of the County to assign vehicles to a particular department for the general conduct of its business. This is not meant to restrict the use solely to that department. Vehicles, other than emergency response vehicles, at any time may be subject to use outside of the regular department functions.

(Ord. No. 2006-10, 8-21-2006)

### **Sec. 28-334. -- Maintenance.**

- 1) Maintenance standards applying to a driver operating a County-owned vehicle are as follows:

## Catawba County Emergency Medical Services

- a) Preventive maintenance and service of County-owned vehicles shall be the function of the County garage. Scheduling required maintenance is the responsibility of each department, or when a vehicle is assigned to an employee, the employee is responsible.
  - b) A notice of regularly scheduled preventive maintenance shall be provided to the Department Head or designee for each County vehicle in the form of a vehicle sticker. Each operator of a County-owned vehicle is also responsible for the North Carolina emissions inspection/safety inspection. Any fine incurred for failing to maintain the appropriate state inspections shall be the responsibility of the department.
  - c) The Facilities/Fleet Manager shall possess the authority to confiscate any vehicle that has not received the regularly scheduled maintenance check or if he deems the vehicle not roadworthy. The Facilities/Fleet Manager shall coordinate and maintain temporary alternate vehicles.
  - d) Upon request, the Facilities/Fleet Manager shall provide to the Department Head or designee and/or the Risk Manager an analysis of vehicle-operation costs.
  - e) Each driver shall be responsible for ensuring that his vehicle is in good working condition at all times. A driver is responsible for reporting through a maintenance request form, immediately, all defects appropriate maintenance personnel.
- 2) Drivers operating privately owned vehicles under this article shall be responsible for the proper maintenance and safety of their vehicles, and maintaining insurance as required by state law and County policy.

(Ord. No. 2006-10, 8-21-2006)

### **Sec. 28-335. -- Accident prevention.**

- 1) It shall be the responsibility of all employees, volunteers and any other person driving in the scope of employment or on behalf of the County to drive defensively to prevent accidents in spite of the incorrect actions of others and regardless of adverse conditions, and to comply with all driving rules and regulations. The Risk Manager shall develop measures to improve driving safety, which includes the defensive-driving course. Such courses, designed both for regular driving and for those driving emergency-response vehicles, shall be scheduled on a regular basis by the Risk Manager, and drivers shall be required to take the course as set forth in this article.
- 2) An employee assigned a County-owned vehicle as a regular function of the employee's position with the County shall be required to complete the applicable defensive-driving course within six months of being assigned to a designated driving position. Employees of the Sheriff's Department shall be allowed to substitute basic law enforcement training (BLET) and/or the State's 40-hour driving school for the County's defensive-driving course. However, if an employee of the Sheriff's Department is involved in an avoidable accident, the employee must complete the County's next available defensive-driving course or a special training application, which addresses specific driving needs as set forth by the Risk Manager.
- 3) Designated volunteers responsible for driving a County-owned vehicle or driving a privately owned vehicle for County business must:
  - a) Possess a valid driver's license issued by this state;
  - b) Agree to a driving record master check from the Department of Motor Vehicles; and
  - c) Complete the next available applicable defensive driving course.
- 4) Other employees are subject to the following:

## Catawba County Emergency Medical Services

- a) Employees subject to this article who have the responsibility of transporting clients in their privately owned vehicles shall be required to complete the defensive driving course within six months of hire or reassignment.
- b) Any employee who may have occasion to operate a County vehicle must take the defensive driving course.
- 5) The Department Head, or division manager, in consultation with the Human Resources Director, may require pre-employment and/or periodic physical or vision examinations to determine an employee's fitness to perform the essential functions of the job. The Department Head, in consultation with the Risk Manager, may also require these examinations for designated volunteers.
- 6) All drivers shall be instructed on precautionary procedures to take should an accident occur and should obtain the following:
  - a) The name of other drivers, passengers and/or pedestrians involved;
  - b) The insurance carrier, agent, and policy number of any other driver, if possible;
  - c) The names of witnesses; and
  - d) The investigating officer's report.
- 7) Employees subject to Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations are required to attend training, as addressed in the County drug testing policy.
- 8) Basic safety equipment and supplies for vehicles shall be established by the Risk Manager (e.g., fire extinguisher, flares, signs, blood borne pathogens kits, and the like). It shall be the employee's responsibility to ensure vehicles are appropriately supplied.
- 9) Employees' driving records shall be updated by the Risk Manager on an annual basis or as needed according to County policy. Employees are required to attend the County defensive driving course every three years from the original date of training, or employment/assignment. If an employee has not been in a preventable accident or has not incurred any points on his/her driving record, the driver shall be exempt from taking the defensive driving course for another three years. No employee shall exceed more than six years without taking the defensive driving course.
- 10) Department Heads or division managers requiring additional driving instruction outside the scope of this article must have the instruction approved by the Risk Manager.
- 11) Safe driver award incentive programs will be administered within the respective driver's department.

(Ord. No. 2006-10, 8-21-2006)

### **Sec. 28-336 -- Accident reporting and review.**

- 1) *Reporting.* When any driver, as defined in this article, is involved in an accident, he shall:
  - a) Immediately notify proper law enforcement officials;
  - b) Immediately notify the Department Head or division manager;
  - c) Immediately notify the Facilities/Fleet manager; and
  - d) Notify the Risk Manager within one working day of the accident.

Safety sensitive employees, as defined by the Federal Transit Administration, and commercial driver's license (CDL) drivers subject to the Federal Highway Administration are required to follow the County drug testing policy requirements for post-accident testing.

## Catawba County Emergency Medical Services

- 2) *Accident review.* Accidents shall be reviewed as follows:
  - a) The Risk Manager shall review each accident where property damage, personal injury, or death occurs and determine the preventability and severity of the infraction and determine the necessary corrective action. The Risk Manager shall provide a written report within 30 days to the Department Head or division manager.
  - b) The review and consideration of a case by the Risk Manager may include, but is not limited to:
    - i. The past driving record of the driver.
    - ii. The report of the investigating officer.
    - iii. The driver's report pursuant to County policy.
    - iv. Oral presentation by the driver, if needed or requested.
    - v. Supporting materials or the testimony of witnesses, if warranted.
    - vi. The Department Head's or the designated representative's report of the accident pursuant to County policy.
- 3) *Supporting material or witnesses.* A driver may present supporting material or witnesses to the Risk Manager to assist in the interpretation of the accident.
- 4) *Suspension of driving duties.* Drivers subject to this article may be suspended by the Department Head or designee or Risk Manager from driving duties, pending an investigation of each incident/accident.
- 5) *Penalty.* Upon finding that a driver, who is an employee, is involved in a preventable accident, the Risk Manager shall discuss the findings with the Human Resources Director. The Human Resources Director shall recommend to the Department Head or designee the appropriate disciplinary action based on section 28-162. If a designated volunteer is involved in a preventable accident, the Risk Manger shall make recommendations for appropriate action to the Department Head or division manager.
- 6) *Drug testing.* Certain County drivers are subject to the requirements of the County drug testing policy. Nothing in this policy shall alter any employee's responsibilities under the County drug testing policy.

(Ord. No. 2006-10, 8-21-2006)