

Chapter 130. Vehicle and Equipment Safety Policy¹

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130.001 Purpose

The intent of this policy is to increase the likelihood of preventing vehicle accidents that cause damage to property or injury to people.

130.002 Coordination with Commercial Driver's License (CDL) Policy

Employees who are required to maintain commercial driver's licenses ("CDLs") to perform their jobs are subject to both this policy and Chapter 115, Commercial Driver's License (CDL) Drug and Alcohol Policy.

[130.003 - 130.010 Reserved for Expansion]

130.011 Scope

- (a) "County Vehicle" means any motor vehicle or equipment that is owned, leased, or rented by County.
- (b) "Covered Driver" means
 - (1) All current employees and prospective employees who
 - (A) Drive County Vehicles, and

¹ Chapter 30 was adopted by Travis County Commissioners Court on 11/09/1999, Item #7. Chapter 30 was renumbered Chapter 130 on June 1, 2018 (approved May 15, 2018 Item 7). Phone number and county executive title was corrected May 29, 2018, Item 8.

- (B) Are or will be employees of
 - (i) Commissioners Court or
 - (ii) Elected and appointed officials who adopt this policy, and
 - (2) All non-employees who drive County Vehicles including County Extension Office employees.
- (c) All Covered Drivers must drive safely, observe all federal and state vehicle laws, and observe this policy.

130.012 Effective Date

The effective date of this policy is January 1, 2000. For Covered Drivers who are employees of elected and appointed officials who adopt this policy, the effective date of this policy is the date on which the elected or appointed official adopts this policy.

130.013 Acquisition of Driving Records

- (a) "MVR" means Motor Vehicle Reports that list convictions for traffic offenses that have occurred within 24 months before the evaluation.
- (b) The driving record for prospective employees is the MVRs from all states where they have held a driver's license during the two years before applying for employment. Prospective employees who must operate a County Vehicle in the course and scope of their jobs are required to provide a certified copy of a current MVR from each state where they have held driver's licenses during the two years before applying for employment. These MVRs are evaluated based on the points in Risk Assessment Table assigned to On Duty Convictions.
- (c) "County Incident" means a collision
 - (1) Which involves a County Vehicle,
 - (2) For which the Covered Driver does not receive a citation from a law enforcement agency,
 - (3) In which the Covered Driver is negligent or at fault, and
 - (4) Where there is injury, property damage or both.
- (d) "Injury" means that someone is transported from the site of the collision for emergency treatment on the day of the collision.
- (e) The driving record for employees and non-employees who drive County Vehicles in their employment is the MVRs from all states where they have held a driver's license during the two years before the evaluation and the record of their County Incidents. For employees on County payroll on the effective date of this policy, convictions on the MVR and County Incidents that occurred before the effective date are not included in the evaluation of their driving record. Risk Management obtains MVRs from each state where an employee and non-employee has held a driver's license during the two years

before the evaluation. A copy of each MVR is kept in the employee's driving file. Risk Management maintains a record of County Incidents for each employee and non-employee who operates a County Vehicle. Only the appropriate supervisory personnel and the employee review driving records.

130.014 Criteria for Evaluation of Driving Records

- (a) Before hire, the department assigns points to each prospective employee based on the convictions shown on the MVR and point values shown in the Risk Assessment Table.
- (b) At the annual performance evaluation or more often as required by this policy, the Department assigns points to each employee and non-employee based on the following:
 - (1) For convictions shown on the MVRs, the point values shown in the Risk Assessment Table and
 - (2) For County Incidents, the point values shown in the County Incident Table.

130.015 Risk Assessment Table

<i>Convictions for Offenses</i>	<i>On Duty Conviction</i>	<i>Off Duty Conviction</i>
Criminally Negligent Homicide	10 points	5 points
Vehicular Manslaughter	10 points	5 points
Duty Driving While Intoxicated (DWI)	10 points	5 points
Driving Under the Influence (DUI)	10 points	5 points
Driving without a valid license	10 points	5 points
Leaving the scene of an accident	8 points	4 points
Negligent Homicide	8 points	4 points
Reckless Driving	5 points	2.5 points
Negligent Collision	4 points	2.5 points
Speeding in a School Zone	4 points	2 points
Failure to yield to a school bus	4 points	2 points
Pedestrian Violations	4 points	2 points
Maintaining an unsafe speed	2 points	2 points
Failure to yield	2 points	1 point
Running a stop sign	2 points	1 point
Improper turning	2 points	1 point
Improper backing	2 points	1 point
Failure to control vehicle	2 points	1 point
Driving in an improper lane	2 points	1 point
Seat Belt Violation	2 points	1 point
Illegal passing	2 points	1 point
Speeding	2 points	1 point

130.016 County Incidents Table

With Injury, with or without property damage	5 points
With Property Damage Only:	
Value: Damage Greater than \$5,000	4 points
Damage From \$2,000.01 to \$4,999.99	3 points
Damage From \$500 to \$2,000	2 points

130.017 Application of Evaluation

- (a) If the evaluation of the MVR of a prospective employee results in a total of 8 or more points, the Department shall not hire that person for a position that requires the operation of a County Vehicle within the course and scope of the job.

- (b) If an employee or non-employee accumulates 8 or more points within any 24-month period, that employee or non-employee may not drive any County Vehicle

130.018 Rating of Driving Record of Employee and Non-Employee Drivers

When the evaluation of the driving record of an employee results in the number of points assigned to a category, the supervisor shall take the action indicated for that category and perform subsequent driving record evaluations in the frequency indicated for that category for that employee or non-employee.

Category Points	Actions	MVR Checks
Outstanding 0 points	Covered Driver should receive recognition	Annually
Below Standard 2 - 4 points	Covered Driver should receive verbal counseling on accident prevention by the supervisor	Annually
Probation 5 – 7 points	<p>Covered Driver</p> <p>(1) Should receive a written warning from the Department or Division Director about accident prevention and</p> <p>(2) Must complete driver improvement training in a state certified driver's education program acceptable to the County and</p> <p>(3) Provide a certificate of completion of the training to the supervisor within 60 days after notice of the requirement.</p> <p>Failure to complete a required course or provide documentation may result in termination of employment.</p>	Quarterly
Unsatisfactory 8 or more points	<p>Covered Driver</p> <p>(1) Should receive a pre-deprivation hearing and</p> <p>(2) Must complete driver improvement training in a state certified driver's education program acceptable to the county, and</p> <p>(3) Provide a certificate of completion of the training to the supervisor within 60 days after notice of the requirement and</p> <p>(4) Shall not be allowed to operate a County Vehicle and</p> <p>(5) Must attend and complete counseling offered through the County's Employment Assistance Program, or another certified drug and alcohol counseling program if DWI or DUI is involved.</p> <p>If the employee is unable to perform the essential job duties without driving a County Vehicle, the employee may be terminated or demoted to a position that does not require driving.</p> <p>If the Covered Driver has a DWI or DUI conviction, and the employee is not terminated, that employee may consent in writing to be randomly tested for drugs and alcohol for two years as a condition for being allowed to continue driving a County Vehicle. Drug and alcohol testing is done on a</p>	Before reinstatement to a position requiring driving and quarterly after reinstatement

	<p>schedule determined by the Department and at a laboratory selected by the Department.</p> <p>Failure to complete a required course, complete counseling, or provide documentation may result in termination of employment.</p>	
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130.019 Appeal of Unfavorable Rating of Driving Record

- (a) A Covered Driver may inspect any of their personnel records, including the rating of the Covered Driver’s driving record.
- (b) A Covered Driver has 30 days from the date of the evaluation of the driving record to correct any errors in the MVR. Covered Drivers may request a reconsideration of County Incidents within five days of receiving notice of the rating of the County Incident from the Department. If a Covered Driver appeals a County Incident, a second County Safety Officer reviews the findings about the County Incident when requested by the Department.

130.020 Supervisor’s Responsibilities

The Supervisor plays an important role in the reduction of vehicle accidents and the promotion of this policy. Specifically, the Supervisor’s responsibilities include:

- (1) Conducting new driver orientation,
- (2) Conducting on-going training,
- (3) Recommending any action deemed appropriate as a result of any section of this policy to the Department Director and the County Executive,
- (4) Implementing a vehicle accident prevention plan with the Department’s Safety Officer,
- (5) Making sure that all safe driving rules are followed,
- (6) Making sure that all Covered Drivers are aware of what steps to take if there is a collision,
- (7) Making sure that County Vehicles have appropriate safety equipment,
- (8) Making sure that County Vehicles are in good working order,
- (9) Reviewing and implementing all recommendations, and
- (10) Taking appropriate disciplinary action.

130.021 County Safety Officer’s Responsibilities

The County Safety Officer is an employee of the Human Resources Management Department. The County Safety Officer’s responsibilities include:

- (1) Reviewing MVRs and overall safety records to evaluate driving performance;
- (2) Reviewing all collisions involving County Vehicles;
- (3) Investigating collisions involving County Vehicles that have not been cited by a law enforcement agency to determine fault;
- (4) Determining the type of County Incident based on the facts; and
- (5) Reporting findings to the appropriate person designated by the Covered Driver's Department for all reviews, determinations, and investigations.

130.022 Employee's Responsibilities

- (a) Individual accountability and responsibility is a key element to the success of the Vehicle and Equipment Safety Policy. An employee's responsibilities when operating a County vehicle include:
- (1) Accepting and acknowledging receipt of the Vehicle and Equipment Safety Policy;
 - (2) Maintaining an acceptable driving record based on County standards;
 - (3) Complying with all federal and state traffic laws, safety rules and procedures;
 - (4) Immediately reporting all convictions for offences related to moving violations to the supervisor;
 - (5) Attending all scheduled safety meetings and safety training classes;
 - (6) Completing the Department's approved driver improvement training at least once every two years;
 - (7) Immediately reporting all unsafe conditions to the supervisor;
 - (8) Performing and documenting vehicle preventive maintenance checks;
 - (9) Evaluating vehicle safety conditions and equipment and reporting faults or failures before use;
 - (10) Immediately reporting all collisions involving County Vehicles in compliance with section 130.024 to the supervisor;
 - (11) Reviewing their MVR for any inaccuracies and correcting errors with the appropriate state department of public safety and
 - (12) If driver improvement training is required as due to an evaluation of the driving record, scheduling and attending driver improvement training at their own expense on their own time.
- (b) An employee's responsibilities when operating a personal vehicle include:
- (1) Maintaining an acceptable driving record based on County standards, and

- (2) Complying with all traffic laws, safety rules and procedures.

130.023 Risk Management's Responsibilities

(a) Risk Management's responsibilities include:

- (1) Coordinating claim investigation with the Department and Third Party Administrator;
- (2) Comparing and analyzing claims with statistics from comparable governments, with County claims from prior years and with any other generally accepted benchmarks used to evaluate claim frequency and severity;
- (3) Obtaining MVRs and records of County Incidents and forwarding them to the Department on a timetable agreed upon with the Department;
- (4) Providing safety training, as needed;
- (5) Providing a cumulative loss run to the Department on a monthly basis that provides the following information on all County Vehicle losses:
 - (A) Date,
 - (B) Name of employee(s) involved,
 - (C) Description,
 - (D) Status: open or closed,
 - (E) Claim cost, including expenses
- (6) Providing an annual report on the impact of the implementation of this policy on vehicle and equipment safety in with County Vehicles.

130.024 Reporting County Collisions

(a) All collisions involving County Vehicles must be reported to the Covered Driver's supervisor or dispatch immediately unless the Covered Driver is injured and unable to do so.

(b) If a Covered Driver is involved in a collision, the following procedures apply:

- (1) Contact Department dispatch or call 911 to report the accident. Request EMS if anyone has been injured.
- (2) Wait for the emergency responders.
- (3) Do not attempt to assist any injured parties except under the direction of a law enforcement officer or a medical responder unless conditions exist that will cause further injury or death if immediate actions are not taken (i.e. drowning, proximity to fire).
- (4) Get the names, addresses, and phone numbers of all witnesses to the accident.
- (5) Note the location, time of day, weather, and road conditions.

- (6) Provide only your name, Department, and the Human Resources Management phone number to others involved in the accident.
- (7) Answer any questions asked by the responding law enforcement officer.
- (8) Do not admit any guilt or liability.
- (9) Contact the Covered Driver's supervisor to report this collision as soon as possible.
- (10) Request that the supervisor notify the Human Resources Management Department immediately at 512-854-9165.

130.025 Collision Investigation and Data Analysis

- (a) The County Safety Officer investigates all collisions involving County Vehicles and reports findings to the Elected or Appointed Department Head or their designated person. In investigations, the County Safety Officer shall determine Facts and whether the Covered Driver was at fault.
- (b) When the facts are known, the supervisor, the Safety Officers, and the Risk Manager determine the best strategy to prevent a reoccurrence of this type of collision. The Department Head reviews the findings and recommendations and is responsible for implementing corrective action.

130.026 Claims Payment

- (a) The Department Head must document corrective actions for prevention that are taken or planned for processing of any internal claim payment request. Failure to provide concise collision prevention recommendations and tangible evidence of prompt implementation of corrective action delays handling internal claims and may result in rejection of the claim by the Commissioners Court.
- (b) The Risk Manager reviews all vehicle collision claims and recommendations for corrective action. The Risk Manager forwards Notice of Acceptance of the prevention plan and corrective actions to the submitting Department. The Risk Manager does not process internal claim payment until the Department implements collision prevention recommendations or outlines a plan of action that is certified by the supervisor

130.027 Safety Awards

- (a) The Human Resources Management Department recognizes safe drivers and safe operators to provide a vigorous vehicle accident prevention program through recognition of Covered Drivers whose performance is free of convictions and County Incidents. There are three awards: the Gold Seal Award of Honor, the Award of Honor and the Award of Merit.
- (b) The criteria for these awards are as follows:

- (1) Gold Seal Award of Honor is awarded for 10 years of vehicle operation that is free of convictions and County Incidents.
- (2) Award of Honor is awarded for five years of vehicle operation that is free of convictions and County Incidents.
- (3) Award of Merit is awarded for three years of vehicle operation that is free of convictions and County Incidents.

130.029 Program Evaluation

The effectiveness of this policy is assessed annually by determining the following and comparing the results with the similar statistics for the County in prior years and similar statistics for other governments:

- (1) Analysis of motor vehicle accident data using standard report forms;
- (2) Total number of on-the-job and off-the-job employee vehicle collisions;
- (3) Total number of injury or fatality incidents; and
- (4) Property damage costs.

130.030 Construction, Precedents, and Interpretation

- (a) This chapter shall be construed liberally to accomplish their purpose.
- (b) The Commissioners Court shall resolve any question regarding any interpretation of this policy.
- (c) The masculine, feminine, and neuter genders shall be construed to include the other genders as required. The singular and plural shall be construed to include the other number as required.
- (d) If any provision of this chapter or the application of it to any person or circumstances is held invalid, the validity of the remainder of this chapter and the application of it to other persons and circumstances shall not be affected.