



# Safe Driving and Accident Policy

Policy Number: PP 8-7

Effective Date: September 1, 2020

Approved By: Maurice Jones, Town Manager

## POLICY

The Town of Chapel Hill expects all employees and volunteers who drive in the course of their work to demonstrate safe, efficient driving skills and other good road safety habits at all times. The Town may require an individual to meet established guidelines before driving any vehicle for a Town purpose including, but not limited to, personal vehicles, Town-owned vehicles, or rental vehicles paid for with Town funds. The Town can revoke its approval to drive a Town-owned/rented vehicle for any individual who does not meet these guidelines. The Town may discipline an employee who has a preventable accident and/or violates applicable laws.

## PURPOSE

The Town has a responsibility to protect its employees, members of the public, and Town property. Assuring that those who drive Town vehicles have safe driving records and good driving habits supports our Town value of Safety. The Risk Manager is authorized to issue Procedures consistent with this policy.

## R.E.S.P.E.C.T. VALUES



**Safety:** We strive to maintain our own mental and physical well-being and the well-being of those around us. We are dedicated to a work environment that minimizes risk of injury or accident. We are also dedicated to an environment that provides for honest and courteous discussion of workplace issues without fear of repercussion.

## APPROVAL

Maurice Jones, Town Manager



# Safe Driving and Accident Procedures

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Approved By: Ron Allen, Risk Manager

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# Safe Driving and Accident Procedures

These procedures are issued by the Risk Manager to implement the Safe Driving and Accident Policy issued by the Chapel Hill Town Manager.

## A. General Standards

1. All Departments shall comply with these procedures unless otherwise noted.
2. These procedures apply to all full- time, part- time and program support employees, including volunteers, whose job responsibilities require a valid driver's license.
3. If your position requires a valid driver's license, you must maintain it in order to remain employed by the Town of Chapel Hill. More information about what constitutes a valid license is found in the Definitions section below.
4. These procedures will apply to all non-CDL Chapel Hill Transit employees except Section H: Investigations.
5. Chapel Hill Transit employees that hold a CDL will comply with rules and regulations administered by the Federal Transportation Administration (FTA) and other applicable Federal, and State requirements.
6. Departments may develop and implement additional guidelines or procedures to satisfy special safe driving requirements or regulatory standards.
7. Any Departmental procedures must be reviewed by the Policy Committee and Town Manager and signed off on by the Office of Risk Management then posted on the internet for easy access by employees.
8. The Town does not pay any **fines or other fees** for moving violations or citations.

## B. Types of Town Drivers

PROCEDURES  
CONT.

<b>Essential Drivers</b>	Town employees whose positions require regularly driving a Town vehicle to perform essential functions of their positions. Some examples include maintenance mechanics or landscape specialists, on-call employees assigned a vehicle, Patrol officers and positions that require a commercial driver's license (CDL). Job descriptions identify whether an employee is an essential driver. ( <a href="#">See Job Descriptions HERE</a> ).
<b>Commercial Drivers</b>	Town employees whose positions require a Commercial Driver's License (CDL), typically also classified as Essential Drivers, may be subject to additional or differing requirements and/or regulations depending on their job requirements. In all cases, the Town complies with federal and/or state regulations.

<b>Occasional Drivers of Town Owned Vehicles and Drivers of a Personal Vehicle for a Town Purpose</b>	Some employees may occasionally operate a town-owned vehicle or their personal vehicle for a Town purpose in order to fulfill work requirements. <b>Unless otherwise designated, all Town positions fall under the occasional driver guidelines.</b>
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C. Requirements for driving a Town vehicle or a personal vehicle for Town purposes

1. All Types of Drivers, including volunteers, temporary employees, and student interns, must be approved to drive a Town vehicle or to drive their own vehicle for a Town purpose before driving.
2. All new hires who drive for a Town purpose will be required to complete an on-line defensive driver safety training course within 5 days of assignment by the Office Risk Management.
3. Approval for driving has two parts:
  - a) You must complete annual Safe Driving training provided by the Office of Risk Management, and
  - b) Your Motor Vehicle Report (MVR) may be reviewed by the Town's insurance carrier as described in Section E.
4. Typically, drivers using a Town-owned vehicle or renting a vehicle with Town funds are at least 21 years old.
  - a) Some Town departments may coordinate with the Office of Risk Management to authorize younger drivers on a case-by-case basis.
  - b) Drivers under 21 must have a valid license, have an MVR review, and complete Safe Driving training approved by the Office of Risk Management.
5. All drivers must have at least one year's experience as a licensed driver.
6. All drivers must be trained by their department or division to safely operate the vehicle.

❖ **Why do we train?** *Driver safety training reviews and reinforces safe driving concepts, skills and how to avoid distracted driving. Annual defensive driver safety training aligns with the Town's values and promotes safe driving awareness.*

7. **All types of drivers** subject to this policy must complete annual Safe Driving training.

8. The Office of Risk Management will work directly with Department Heads, Supervisors, and Managers to administer and track appropriate Safe Driving training.

9. Supervisors, managers, or Department Heads should know which employees are using their personal vehicles for Town purposes. Departments must also provide those employee's names and current driver license information to the Office of Risk Management.

***Do you need preapproval?***

- ❖ If you are going to an **out-of-town conference in a Town-owned vehicle**, you need to have completed driver safety training and have your license on file.
- ❖ If you **occasionally drive your personal vehicle to meetings**, events, or conferences for a Town purpose, you need to be trained and have your license on file.
- ❖ If you are going to a **community event or a meeting in a Town-owned vehicle**, you need to be trained and have your license on file.

**Still not sure? Please ask the Office of Risk Management for guidance.**

D. What Not To Do

1. The following behaviors are not allowed when driving a Town-owned/rented vehicle **at any time**.

- a. Eating, reading, texting, smoking or other activities that distract attention and hands from driving while operating a Town-owned/rented vehicle.
- b. Talking on a cell phone while driving a Town-owned/rented vehicle, even with a hands-free device, is prohibited unless there is a direct business need or for emergency communications.
- c. Using personal listening devices, such as earbuds or earphones while driving.

- ❖ *Although these behaviors expressly apply to those who drive Town-owned or rented vehicles, the Town encourages anyone driving their own car for a Town purpose to maintain these safety standards.*

2. These behaviors constitute Detrimental Personal Conduct and Negligence in the Performance of Duties, as defined in the Town's Code of Ordinances, Sections 14-116 and 14-117 respectively and will be handled according to the Town's Disciplinary Policy, PP 5-3.

E. Motor Vehicle Record (MVR) Review

1. The Town will review a driver’s Motor Vehicle Record (MVR) according to **Figure 1**.
2. Prior to requesting an employee’s MVR, and as directed by the Federal Drivers Privacy Protection Act and N.C. General Statute 20-43.1, the Town is required to obtain an MVR Release Consent Form from the employee. Employees that are classified as Essential, Commercial or Occasional drivers of Town owned vehicles, refusal to provide the Town a signed MVR Release Consent Form could negatively impact their ability to fulfill my duties and the Town’s ability to retain the employee.

*Figure 1. Motor Vehicle Record (MVR) Review Schedule:*

	<b>How will the Town review my Motor Vehicle Record (MVR)?</b>
<b>Pre-Employment</b>	Human Resource Development (HRD) will check your Motor Vehicle Report (MVR) as part of the pre-employment process.
<b>New authorization to drive a Town vehicle</b>	When an individual, whether an employee or volunteer, receives new authorization by the Department Head to operate a Town vehicle as a part of their work.
<b>Essential Drivers</b>	Annually, and whenever you are involved in an accident while driving a Town vehicle.
<b>Commercial Drivers</b>	Annually, and whenever you are involved in an accident while driving a Town vehicle.
<b>Occasional Drivers of Town Owned Vehicles and Drivers of a Personal Vehicle for a Town Purpose</b>	All Occasional Drivers will be included in a pool for random, annual review of Motor Vehicle Records (MVR) by the Town’s insurance carrier. The insurance carrier notifies the Town if there is an issue with your MVR review.  Occasional Drivers of Town vehicles are subject to MVR review whenever an employee is involved in a vehicle accident while driving a Town vehicle.

F. What if there’s a problem with my MVR?

1. During the hiring process, if the MVR shows patterns of risky driving behavior including, but not limited to, accidents, tickets, moving violation pleas or convictions, the MVR will be flagged for further review by Human Resource Development and referred to the Office of Risk Management before an offer of employment is made.
2. When an employee’s MVR is reviewed, ORM will evaluate the employee’s Motor Vehicle Record using the Town’s **Driver Evaluation Criteria** in [Appendix A](#) to determine if an employee is **acceptable, marginal, probationary, or unacceptable** to drive a Town vehicle, in consultation HRD, the Department Head and the employee’s direct supervisor.
3. Town Drivers who are classified as **unacceptable** using the Driver Evaluation Criteria are prohibited from driving a Town vehicle.
4. Any unauthorized use of a Town vehicle may result in termination of employment.

## G. Reporting Incidents and Violations

Figure 2. Requirements for reporting an incident or violation:

<b>If it happens while you are driving a Town Vehicle or Personal Vehicle on Town Business during business hours</b>	You are required to immediately notify your supervisor or department
<b>If it happens while you are driving a Town vehicle or Personal Vehicle on Town Business after normal business hours</b>	You are required to report it to your supervisor, department, and Office of Risk Management immediately, and no later than the next business day.
<b>If it happens while driving a Personal Vehicle on your personal time.</b>	You are required to notify your supervisor or department within 1 business day of any traffic incident or violation that could: <ul style="list-style-type: none"><li>• change your driving classification,</li><li>• change your ability to legally operate a motor vehicle</li><li>• change you CDL license or endorsement</li><li>• impact your TOCH driving record by receiving any Type B Violation listed in Appendix A.</li></ul>
<b>Supervisors</b>	Must report changes to the Office of Risk Management once they are aware that an employee's driving classification or their ability to legally operate a motor vehicle, could or has changed.

PROCEDURES  
CONT.

- ❖ *See also Ordinance Sec. 14-97: Failure to obtain or maintain a required license, certificate, or registration.*
- ❖ *See also Ordinance Sec. 14-88: Town Vehicles*
- ❖ *For more information about renting a vehicle and using Town vehicles for out-of-town travel, refer to the Town's travel policy.*

1. Any employee who is involved in a preventable or non-preventable vehicle accident or incident while driving a Town-owned vehicle must take Safe Driving training.
2. If an employee is placed on administrative leave (paid or unpaid) following a vehicle accident or incident, they must take Driver Safety training if/when they return and before driving a Town-owned vehicle again.

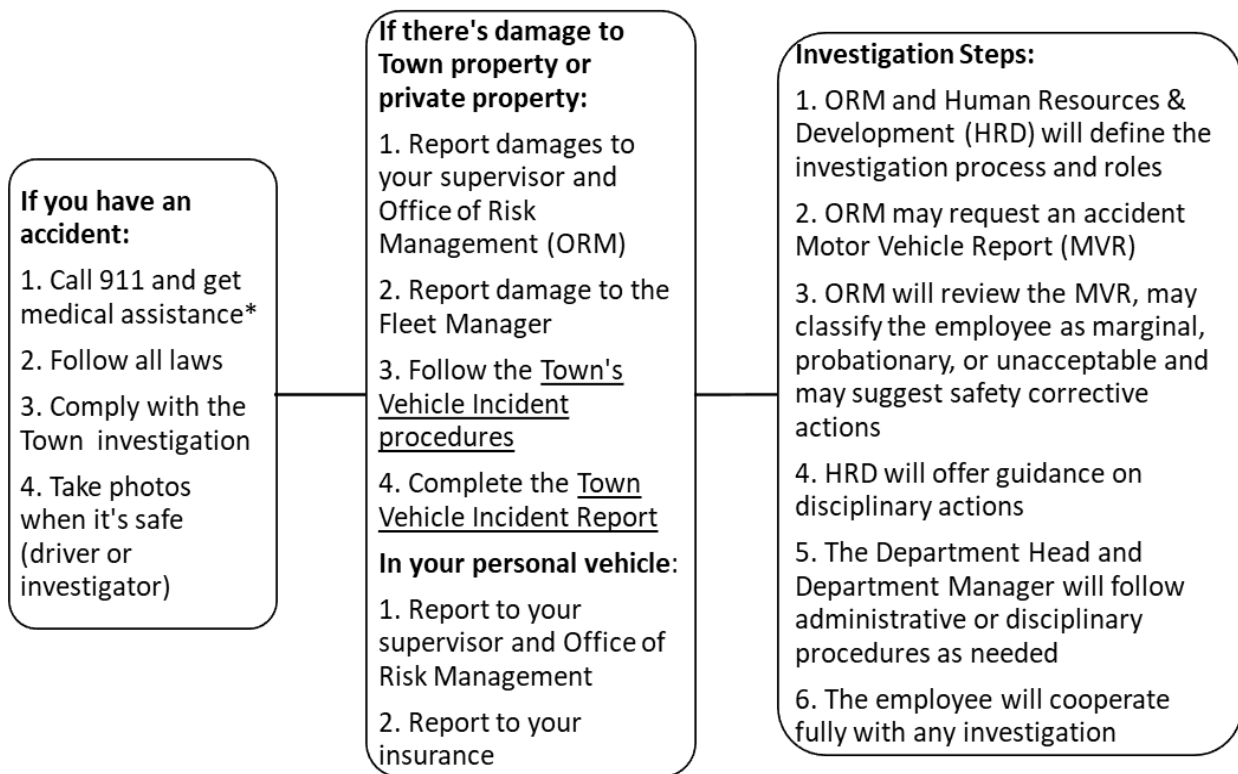
## H. Investigations

1. If you have a collision while driving a Town vehicle, the Town will investigate to determine if any disciplinary action is appropriate. During this time, driving privileges may be suspended and/or you may be placed on administrative leave, pending the outcome of the investigation. See the Town's Disciplinary Policy, PP 5-3, for more information.

PROCEDURES  
CONT.

2. Investigations involving traffic incidents or volitions which occurred during an adverse event when the employee was expected to report to work and drive in adverse weather, will take into consideration the overall driving conditions and environment.
3. An investigation is not required to revoke a volunteer's driving privileges or remove them from an assignment.
4. Failure to report an accident involving a Town-owned or rented vehicle is a violation of our Town value of ethics and is considered "detrimental personal conduct" under the Town's Disciplinary Policy, PP 5-3, and may result in disciplinary action, up to and including termination.
5. Human Resource Development (HRD) staff will participate in the accident review and investigation as needed. HRD staff will guide Departments and the Office of Risk Management on administrative and disciplinary procedures.
6. Disciplinary Action may be taken after an investigation is complete in accordance with the Town's disciplinary policies and procedures. Disciplinary Policy, PP 5-3.

Figure 3: Town Vehicle Incident Investigation Procedures:



*\*In extenuating circumstances (missing phone, injury) notify a supervisor as soon as possible*

❖ For more information about the Town's substance abuse policy and related post-accident procedures, [Click Here](#)



PROCEDURES  
CONT.

I. Using Your Personal Vehicle at Work

1. When you drive a personal vehicle for Town purposes, you must follow all applicable state, local or federal motor vehicle and driving laws.
2. You are responsible for maintenance, insurance, registration, and any fines associated with the operation of your personal vehicle.
3. Whenever you use a personal vehicle for Town purposes, your personal auto insurance policy is the primary insurance coverage and any auto insurance deductibles are your responsibility.
  - a. The Town maintains a business auto liability policy that provides excess liability coverage for third party claims. This insurance coverage is only triggered after limits are exhausted under your personal auto insurance policy and is not intended to cover damages to an employee's personal vehicle.
4. Driving a personal vehicle to and from work or while on a break is not considered to be driving on official Town business.

FORMS/  
INSTRUCTIONS

1. [TOCH Vehicle Incident Report](#) (PDF Active Form)
2. [TOCH Procedure for Reporting Vehicle Damage and Incidents](#)
3. [Motor Vehicle Records Release Consent Form](#)

PROCEDURES  
APPROVED BY

Ron Allen, Risk Manager



ADDITIONAL  
CONTACTS

Claims Administrator: 919-968-2748 [HR@townofchapelhill.org](mailto:HR@townofchapelhill.org)  
Fleet Manager: 919-969-5143  
Human Resource Development: 919-968-2700 or [HR@townofchapelhill.org](mailto:HR@townofchapelhill.org)  
Ombuds office: 919-265-0806 or [Ombuds@townofchapelhill.org](mailto:Ombuds@townofchapelhill.org)  
Risk Manager: 919-969-5035 [HR@townofchapelhill.org](mailto:HR@townofchapelhill.org)  
Safety Officer Fire: 919-928-0116  
Safety Officer Police: 919-968-2863  
Safety Officer Transit: 919-969-4938  
Safety Officer Public Works: 919-969-5118

## DEFINITIONS

A. **Accident:** For the purposes of this policy, an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury.

B. **Individual:** For the purposes of this policy, an individual is anyone who is authorized to drive on official Town business. All Town employees and volunteers are included in this definition.

C. **Incident:** In the context of occupational health and safety, an unplanned undesired event that adversely affects completion of a task and can range in severity from near misses to severe accidents.

D. **Moving Violation:** a breach of traffic law that occurs when the driver's vehicle is in motion. Some examples include speeding tickets, running a stop sign, or passing a stopped school bus.

E. **Pre-Approval:** Pre-approval consists of receiving annual driver training and having a valid driver's license number in the Town's records for random or annual review, depending on the type of driver. Pre-approval is valid for 12 months.

F. **Valid Driver's License:** A Driver's license that grants full driving privileges and has not been restricted due to anything related to the driver's conduct; or any type of moving violation, vehicle collision, felony, misdemeanor, or absence of insurance. Some types of licenses issued by the state of North Carolina or other states are not considered valid licenses for the purposes of this policy. Some examples of licenses that the Town DOES NOT CONSIDER as valid for the purposes of this policy include, but are not limited to, the following:

- a) A learners permit
- b) A license which restricts the number or types of passengers in a vehicle
- c) A license issued after a DWI or other traffic stop while a court date is pending
- d) A limited driving privileges

G. **Random Review of Motor Vehicle Report (MVR):** The Town's insurance company randomly selects names from the pool of records and checks MVR's once a year for consistency with the Town's Driver Evaluation Criteria (Appendix A).

## POLICY HISTORY

This policy incorporates provisions of the previously issued Distracted Driving Policy Guidance, issued in 2010. It replaces and supersedes this guidance, as well as any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. In the event of any disparity between this policy and the Town's Code of Ordinances and/or applicable local, state, or federal laws, the Town's Ordinance and/or applicable laws shall prevail.

Policy Updated 12/11/2020: Updated evaluation year for #2 and #4 of Appendix A to be consistent, removed verbiage in G1, and added traffic violation to Town Driver Evaluation Criteria.

APPENDICES

[Appendix A Town Driver Evaluation Criteria](#)

FAQ

[See Appendix B](#)

SCOPE

This policy applies to all employees and volunteers.

RELATED  
INFORMATION

[PP 5-3 Disciplinary Policy](#)

Appendix A: Town Driver Evaluation Criteria for All Town Drivers

**Town Driver Evaluation Criteria**

1. All existing Town Drivers will begin with 0 points on the date these procedures are implemented.
2. Driver classifications will be calculated on a five-year rolling basis.
3. Two (2) points will be removed from each employee’s point accumulation for every 12 months they drive without a violation. After 12 months violation-free an “unacceptable” classification could become a “probationary” classification, in which case driving privileges would be restored. When an employee is reclassified, all of the new classification criteria will apply.
4. Driver Classifications are used to evaluate Occasional Drivers of Town vehicles, Essential Drivers, and Commercial Drivers. Classification is based on the driver’s most recent five-year driving record.
5. New hires should be Acceptable or Marginal, not Unacceptable.
6. Non-moving violations such as improper equipment, parking tickets and failure to wear seatbelts are not included in the Town Driver Evaluation.

Table 1. Driver Classifications

Classification	New Hires	Existing Drivers
Acceptable	0 to 2 Points	0 to 4 Points
Marginal	3 to 4 Points	5 Points
Probationary	<i>not applicable</i>	6 to 7 Points
Unacceptable	5 points or more	8 Points or more

Table 2: Points System for Town Driver Evaluation

Violation Type	Description	Points
Type A Violations	These are <sup>1</sup> DWI, DUI, OUI, OWI, refusing a substance test, driving with an open container of alcohol, hit and run, fleeing a police officer, racing, driving while license is revoked or suspended, manslaughter or vehicular homicide. <b>Note:</b> Any driver with a Type A violation within the prior five years is not acceptable.	8 Points for all Type A Violations

<sup>1</sup> States use different acronyms to describe a charge of driving while under the influence of mind-altering substances. Some of these include: DWI: Driving while impaired; DUI: Driving under the influence; OWI: Operating While Impaired

Violation Type	Description	Points
Type B Violation		
	Speeding ( $\leq$ 10 m.p.h. over limit)	2 points
	Speeding ( $\geq$ 11 m.p.h. over limit)	3 points
	Reckless Driving	4 points
	Following too close	3 points
	Passing a stopped School bus	3 points
	Failure to yield the right of way, traffic signal or sign; or to emergency vehicles	2 points
	Failure to stop for red light or stop sign	2 points
	Failure to yield right-of-way to bicycle, motor scooter, or motorcycle	2 points
	Failure to yield right-of-way to pedestrian	2 points
	Speeding in a school zone in excess of posted speed limit	2 points
	Failure to report accident involving a moving violation	2 points
	Improper lane change	2 points
	License suspension	2 points
	At-fault accident	2 points

### Driver Classification Outcomes

**Acceptable** Employee may drive without qualification. At 2 to 4 points and based on type of violations, counseling and a plan for MVR improvement may be recommended and developed for the employee.

**Marginal:** Employee may drive but, remedial training is required at this level and their updated MVR will be re-evaluated every three (3) months by the Office of Risk Management. Any increase in points will result in being placed on probation or removed from their driving position. Counseling and a plan for MVR improvement will be recommended and developed for the employee.

Drivers who reach the “marginal” classification will be required to take a mandatory online Defensive Driving Course. Based on the severity of the violation or outcome of Town’s internal investigation, they may also be subject to disciplinary action in accordance with the Town’s Disciplinary Policy, PP 5-3.

**Probationary:** Employee may drive in most cases. Remedial training is required and their updated MVR will be re-evaluated every month by the Office of Risk Management. Counseling and a plan for MVR will be recommended and developed for the employee. Any increase in points will result in their immediate removal from their driving position.

Drivers who reach the “probationary” classification may be subject to disciplinary action in accordance with the Town’s Disciplinary Policy, PP 5-3.

**Unacceptable:** Employee is not permitted to operate a Town vehicle or drive for Town purposes under any circumstance. New hires that have over 4 points would be classified as unacceptable and would not be authorized to drive a Town vehicle or drive for any Town purposes.

## Appendix B: Frequently Asked Questions (FAQs)

### Safe Driving and Accident Policy and Procedures

1. [Why does the Town have a Safe Driving and Accident Policy?](#)

**Answer:** The Town has a responsibility to protect its employees, members of the public and Town property. Making sure our drivers have safe driving records and good driving habits supports the Town's values of Safety and Responsibility. The Town is also required to meet our insurer's loss control and safety standards.

2. [Why is there a different driver classification and evaluation criteria for new hires than existing employee drivers?](#)

**Answer:** Currently, all new hires receive a background review which includes a Motor Vehicle Records (MVR) check of their driving history. During the hiring process, it is important for the Town to evaluate new Town drivers at a slightly higher degree. It is not in the Town's best interest to hire new drivers at a probationary classification.

3. [Who provides Safe Driver Training to current and new Town drivers?](#)

**Answer:** The Office of Risk Management provides annual Safe Driver training for all current employees and coordinates with HRD to provide online Safe Driver Training for new Town drivers within three business days after they're hired.

4. [Why is Safe Driver training required for all types of Town drivers and incidents involving Town vehicles?](#)

**Answer:** Training reviews and reinforces safe driving concepts, skills and how to avoid distracted driving. After an accident in a Town vehicle (preventable or non-preventable) an employee must take Safe Driver training.

5. [Do these procedures apply to all Town employees?](#)

**Answer:** No, these procedures apply to those employees who are identified as Commercial Drivers (CDL), Essential Drivers, or Occasional Drivers of Town owned vehicles and drivers of a personal vehicle for Town purposes. Chapel Hill Transit employees that hold a CDL will comply with rules and regulation overseen by the Federal Transportation Administration (FTA) and other applicable Federal and State requirements. These procedures will apply to all non-CDL Chapel Hill Transit.

6. [How do I know if I am classified as an Essential, CDL or Occasional driver for the Town?](#)

**Answer:** Your job description says whether you are an Essential or CDL driver. Department Leaders, Supervisors, and Managers should know how each of their employees are classified and whether they drive a Town-owned vehicle or personal vehicle for a Town purpose.

7. If I am an Essential, CDL, or Occasional driver of a Town vehicle, why am I required to report moving violations or a suspended license to my supervisor?

**Answer:** Certain types of moving or Type (A) violations could change your driving status, which could affect your ability to legally operate a Town vehicle. Failure to report more serious Type (A) violations and any traffic incident or violation that could change your driving status, or that could alter your ability to legally operate a motor vehicle, could result in disciplinary action. In addition, all moving violations or collisions in a Town vehicle must be reported to your supervisor.

8. If I am an Essential and CDL driver for the Town and receive a ticket for a moving violation while driving my personal vehicle after work hours, am I required to report that violation to my supervisor?

**Answer:** Yes. Because you have been classified as an Essential or CDL driver for the Town, you must meet the minimum driving standards that are identified in the Town's Safe Driver and Accident Procedures in order to drive for the Town. Failure to alert your supervisor about more serious Type (A) violations and any traffic incident or other traffic violations that could potentially change your driving status, or that could alter your ability to legally operate a motor vehicle, could result in disciplinary action.

9. If I am an Essential or CDL driver and receive a ticket for a moving violation while driving my personal vehicle after work hours, and I'm in the process of appealing the moving violation through the legal system and have not been convicted yet, will the Town still assign points for the reported moving violation or ticket? If yes, why?

**Answer:** Yes. Town ordinance violations are not contingent upon what happens in a criminal court of law. To establish an ordinance violation only requires a preponderance of the evidence (evidence that shows more likely than not the incident occurred); whereas, criminal violations are governed by the higher burden of proof beyond a reasonable doubt).

10. If I am an Essential or CDL driver and I accumulate 8 points within a 5-year period, I would be classified as an unacceptable driver under the Town's evaluation and classification system. In this case, will I be demoted, or will I lose my job?

**Answer:** These situations will be addressed in accordance with Town's disciplinary policy, PP 5-3. Pursuant to that policy, if an employee cannot perform the functions of their position, they could be subject to disciplinary action up to and including termination.

11. Regarding the Towns' disciplinary policy, PP 5-3, what happens between the time I receive and report a moving violation to my supervisor and any appeal resolution or outcome with the state?

**Answer:** If the employee is categorized as an essential driving employee, then the employee will be placed on administrative leave, pending the outcome of an administrative investigation, and any necessary pre-disciplinary conference, to determine if any disciplinary action will be appropriate.



12. Who is subject to an annual Motor Vehicle Records (MVR) review?

**Answer:** All Town drivers are subject to an MVR review if they are involved in a vehicle accident or incident while driving a Town vehicle. All CDL and Essential drivers are required to have an annual MVR review. All occasional drivers, including those that drive their personal vehicle for a Town purpose, are subject to a random annual MVR review by the Town's insurance carrier.

13. If I am identified as an Occasional driver, am I required to report moving or other type violations to my supervisor while driving my personal vehicle during or after work hours?

**Answer:** Yes. Refer to Procedures Page 8. G. Figure 3. If you are driving a personal vehicle on Town business you are required to immediately, and no later than the next business day, report any traffic incident or moving violation to your supervisor or division manager, Department Head, and ORM. While not on Town business, but while driving on personal time or after work hours, you are only required to report if the incident or violation could change your driver's license status, impact your TOCH driving record (by receiving any Type B Violations indicated in the chart on page 13 of the procedures), or alter your ability to legally operate a motor vehicle.

14. When am I required to complete and sign a Motor Vehicle Records (MVR) Release Consent Form?

**Answer:** Before the Town can request and obtain an employee's Motor Vehicle Record from the NC Division of Motor Vehicles, a Motor Vehicle Records Release Consent Form is required by law and as outlined in the Federal Drivers Privacy Protection Act and N.C. General Statute 20-43.1. Based on the employee's driver classification and annual MVR review requirement, employees will be required to complete and sign a Motor Vehicle Records Release Consent Form before the Town can request and review a Motor Vehicle Record. All new hires will complete and sign Town MVR Release Consent Form during the HRD onboarding process. See Sections E and F for more information.

15. If my position requires me to be called into work during adverse weather or events, and while traveling to or from work I have an accident for which I receive a ticket or violation, will the Town still assign points to my driving record?

**Answer:** During the Town's accident investigation process and review, driving conditions or environment will be taken into consideration. The Town will investigate the accident or traffic incident and based on the investigation results, HRD, Risk Management and the Department Head will determine whether points are appropriate. This is part of the Town's vehicle accident or incident investigation and review process.

16. If I have an accident while driving a Town vehicle at work and I am placed on administrative leave pending the outcome of an internal investigation, it is considered paid or unpaid?

**Answer:** Employees involved in accidents will be placed on Administrative Leave after an accident. Whether the leave is paid or unpaid will depend on the circumstances of the accident.

17. What if I am a CDL or Essential driver and I receive a ticket for a moving violation while driving on personal time and don't report it to my supervisor? What will be the consequence?

**Answer:** If the employee is an essential driving employee, then the employee will be placed on Administrative Leave, pending the outcome of an administrative investigation, and any necessary pre-disciplinary conference, to determine if, disciplinary action will be appropriate.

18. Why are not all types of Town drivers required to have a Motor Vehicle Record review annually?

**Answer:** The Town's insurance carrier requires that all CDL and Essential drivers have a MVR review annually. This is because CDL and Essential drivers drive more frequently than occasional Town drivers and it is essential to their ability to safely perform their job. All Occasional drivers are included in the pool of random annual MVR reviews.

19. Where did the Safe Driver and Accident procedures come from?

**Answer:** These procedures were drafted and developed by the Town's Policy Review Team, which includes representatives from the Managers' Office, HRD, Office of Risk Management, BMD and Legal. During the drafting of these procedures, the team received internal input and recommendations from department leaders, employees, and supervisors. Representatives from the Town's insurance carrier, including their senior risk and loss control consultant, also provided recommendations.

20. How does the Town check the Motor Vehicle Record?

**Answer:** For existing employees, the Town will conduct all MVR reviews through the North Carolina Division of Motor Vehicles Driver License Section or by an approved third-party provider. The Town is required to obtain consent from the employee before requesting and reviewing the employee's MVR. The employee is requested to provide consent to the Town by completing and signing a Motor Vehicle Records Release Consent Form.

21. Who approves me to drive my personal vehicle for a Town purpose?

**Answer:** Your supervisor must approve you to drive your personal vehicle for a Town purpose and ensure that your driver license information is on file with their department or division. Other than notifying their supervisor and having a valid driver's license, there is no other special approval process required.

22. If I drive my personal vehicle for a Town purpose, am I responsible for traffic tickets, accidents and liability insurance while driving?

**Answer:** Yes. In all cases, the employee is responsible for maintenance, insurance, registration, and any fines associated with the operation of a personal vehicle. See section I: Using Your Personal Vehicle at Work for more information.

23. What if a CDL, Essential, or Occasional Town driver declines to sign a Town Motor Vehicle Records Release Consent Form?

**Answer:** Refusing to sign prevents an employee from driving a Town vehicle. If driving is essential to the employee's job, then they would not be able to perform their job. If an employee cannot perform the functions of their position, they could be subject to disciplinary action up to and

including termination. These situations will be addressed in accordance with the Town's Disciplinary Policy 5-3

24. If a CDL, Essential or Occasional Town driver does not have any driving violations why are they required to have annual driver safety training?

**Answer:** The number one cause of workplace deaths is motor vehicle crashes. Annual driver safety training reviews and reinforces safe driving concepts, skills and how to avoid distracted driving.

25. When conducting a Motor Vehicle Review (MVR) and applying the Driver Evaluation Criteria, how far back will the Town evaluate the employee's driving history?

**Answer:** The MVR and Driver Evaluation Criteria process will start on the effective date of these procedures. All employees subject to the Driver Evaluation Criteria review will start with a total point value of "0" on the effective date of these procedures. Points will not be assigned for any infractions or violations that occurred prior to the effective date of these procedures.



Town of Chapel Hill  
Human Resource Development  
**New Policy Acknowledgement**

I hereby acknowledge that I have been provided access to the new Drivers and Town Vehicle Policy. I was made aware of this and other Town Personnel Policies, Procedures and Policy Guidance documents. I have been provided with the location of all policies on the Town's web site: <https://www.townofchapelhill.org/policies> and the instructions so that I may access the policies and download copies for my use at any time.

I understand and acknowledge that the purpose of these policies manual is to help me to better understand the responsibilities and benefits of serving as an employee with the Town of Chapel Hill. It does not include all of the information that I will need to know during the course of my employment; nor does it constitute a contract guaranteeing any rights or benefits for me as an employee. I further acknowledge and understand that the information in these policies and procedures will change periodically, and I will be advised as necessary of any corresponding changes.

I also understand and acknowledge that it is my responsibility to read and become familiar with the provisions outlined in these policies and procedures and to abide by these provisions, as they may be modified periodically. I also understand that my supervisor and my HRD Partner are available to answer questions concerning Departmental and Town policies, procedures, and work rules.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Department

**Town Policy Portal Located at:**

<http://www.townofchapelhill.org/policies>



Town of Chapel Hill

**MOTOR VEHICLE RECORDS RELEASE CONSENT FORM**

I hereby authorize and consent to the release of my motor vehicle records to the Town of Chapel Hill, and/or its agents, for the purpose of determining my suitability to drive a vehicle as part of my employment with the Town of Chapel Hill and in accordance with Human Resource Development Policy; 8-7, *Safe Driving and Accident Policy and Procedures*. I understand that the Town of Chapel Hill, pursuant to the Federal Drivers Privacy Protection Act and N.C. General Statute 20-43.1, has an interest in retaining and utilizing employees with safe driving habits to operate motor vehicles on behalf of the Town. In accordance with the Town's value of Safety, the Town will use these records to evaluate my suitability to fulfill driving duties related to my current job position and while employed with the Town of Chapel Hill. This consent is applicable on a continuing basis and will remain in effect during the duration of my employment.

This consent satisfies the requirements outlined in the "Federal Drivers Privacy Protection Act," and is intended to constitute written consent as required by this Act. This consent may only be revoked in writing and submitted to my immediate supervisor or Human Resource Development. I also understand that failure to consent to this release could negatively impact my ability to fulfill my duties and the Town's ability to retain me as employee.

Employee Name: (First, Middle, Last) \_\_\_\_\_

TOCH Employee Number: \_\_\_\_\_

Full Name of Supervisor: \_\_\_\_\_

Department: \_\_\_\_\_ Division: \_\_\_\_\_

Current Job Title: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

State Driver's License was issued: \_\_\_\_\_

Driver's License Class (Class A, Class B, Class C, etc.):

CDL? (Circle Yes or No) Yes No

List any Driver's License Endorsements You Have: \_\_\_\_\_

List any Driver's License Restrictions You Have: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_