

CITY OF CHESAPEAKE, VIRGINIA

NUMBER: 1.20 (10.4)

ADMINISTRATIVE REGULATION

EFFECTIVE DATE: 05/07/07

**SUBJECT: OFFICE OF THE CITY MANAGER
CITY DRIVING STANDARDS POLICY**

SUPERSEDES: 01/05/07

I. PURPOSE

This Administrative Regulation is intended to:

- Ensure the safety of citizens, clients, and the workforce by certifying that individuals who drive on behalf of the City have an acceptable driving transcript;
- Outline City Driving Standards to be applied to prospective hires, existing employees, interns, temporary service and contract workers, and volunteers who routinely or occasionally drive in the conduct of City business;
- Provide for regular DMV driving transcript checks and license status reviews for those who routinely or occasionally drive in the conduct of City business;
- Define reporting procedures for circumstances that may detrimentally affect an employee's driving transcript or status; and
- Establish procedures for dealing with routine or occasional drivers who are found to have unacceptable driving transcripts or licensing status.

II. SCOPE OF APPLICATION

This Administrative Regulation applies to all applicants, employees, interns, temporary service workers, contract workers, and volunteers in departments under the direction of the City Manager who routinely or occasionally operate a motor vehicle in the performance of their job duties.

III. DEFINITIONS

Motor vehicle - A registered vehicle, including an individual's personal vehicle, operated in the conduct of City business.

Routine driver - An individual who operates a motor vehicle on a regular basis in the conduct of City business and/or whose class description includes a valid driver's license as a special requirement.

Occasional driver - An individual who operates a motor vehicle on an occasional basis in the conduct of City business and who has a valid driver's license.

IV. CITY DRIVING STANDARDS

- A. The City of Chesapeake's Driving Standards apply to prospective hires, existing employees, interns, temporary service workers, contract workers, and volunteers in positions requiring routine or occasional driving and include:
- Possession of a current appropriate driver's license;
 - No suspensions or revocations for other than administrative reasons (i.e. failure to pay fine, insurance monitoring, failure to pay child support) within the past 24 months;
 - No convictions of driving while intoxicated with, or under the influence of, alcohol or drugs within the past 36 months;
 - No convictions of reckless driving within the past 36 months;
 - No convictions of speeding 20 miles per hour or more within the past 12 months;
 - No declaration, determination or adjudication as Habitual Offender until two years after driving privileges have been restored; and
 - No more than two convictions involving any moving violation within the last 12 months.
- B. Applicants who fail to meet the driving standards as outlined above are ineligible for employment, internship or volunteer positions with the City which require routine or occasional driving. The date of conviction and date of application will be used when determining eligibility.
- C. Current employees, interns and volunteers who fail to meet the driving standards as outlined above will be determined ineligible to operate motor vehicles in the conduct of City business and may be separated from employment, internship or volunteer position due to the inability to meet a requirement of the position.
- D. In addition to the driving standards outlined above, special provisions may apply for certain professions based on State statutes, licensing boards, operation of emergency vehicles/equipment, etc. Departments with classifications subject to such regulations or provisions shall communicate this information to all affected employees and enforce the provisions of such regulations within their operation.

V. OBLIGATION TO REPORT

Individuals who routinely or occasionally drive in their job are required to immediately report any change in their license status to their immediate supervisor. They must also report, as soon as practicable but no later than their next immediate workday, any conviction that causes them to be in non-compliance with the City's Driving Standards. Failure to report as outlined above may subject the individual to disciplinary action, up to and including termination.

VI. DIVISION OF MOTOR VEHICLES DRIVING TRANSCRIPT AND LICENSE STATUS REVIEWS

A. Initial Procedures

1. **Prospective Hires, Interns, and Volunteers** - Finalists for routine or occasional driving positions shall be requested by the hiring supervisor to provide a current (within the last 30 days) DMV transcript at the time of interview. The HR representative shall provide final review of the selected candidate's DMV transcript to determine suitability for offer.
2. **Prospective Temporary Service and Contract Placements** - It shall be the responsibility of the temporary service and contract vendors to insure that placements are in compliance with City Driving Standards.

Department heads shall insure that each new hire, intern, temporary service worker, contract worker, and volunteer who has the potential to routinely or occasionally operate a vehicle in the conduct of City business is provided a copy of this Administrative Regulation upon reporting for assignment. Such individuals shall be required to sign the City Driving Standards Policy Agreement, included as an addendum to this Policy, indicating that they understand and agree to comply with the provisions of this Administrative Regulation. The signed City Driving Standards Policy Agreement shall be maintained in the employing department.

- B. **Employees Changing Jobs** (demotion, lateral transfer, promotion) – If an existing employee is being considered for a position that requires routine or occasional driving, the hiring supervisor or HR representative shall obtain a current (within the past 30 days) DMV driving transcript. The HR representative shall provide final review of the selected candidate's DMV transcript to determine suitability for offer.

C. Periodic DMV Transcript Checks

1. **Existing Employees, Interns and Volunteers** – Department heads shall periodically conduct DMV driving transcript checks on existing employees, interns and volunteers who routinely or occasionally drive in the conduct of City business. This review shall be conducted at least annually; however, the City retains the right to conduct random reviews or reviews with reasonable cause to believe non-disclosure has occurred, in accordance with Section V of this regulation, of DMV driving transcripts of routine and occasional drivers.

2. **Temporary Service and Contract Placements** – It shall be the responsibility of the temporary service and contract vendors to periodically conduct DMV driving transcript checks on placements who routinely or occasionally drive in the conduct of City business. This review shall be conducted at least annually; however, the City retains the right to request vendors to conduct random reviews or reviews with reasonable cause to believe non-disclosure has occurred, in accordance with Section V of this regulation, of DMV driving transcripts of such routine and occasional drivers.

VII. MANAGEMENT CONTROLS FOR HIGH-RISK DRIVERS

- A. Employees, interns or volunteers whose DMV driving transcript reflects that they have had their driving privileges revoked, suspended, or not renewed by the Department of Motor Vehicles or are found otherwise to not be in compliance with the provisions of the City's Driving Standards shall not be allowed to drive in the conduct of City business, and may be placed in a probationary status or separated from employment, internship or volunteer position. The department head shall determine the appropriate action to be taken, based on the nature of the driving violation, the nature of the position occupied by the employee, intern or volunteer, and in accordance with actions taken previously for similarly situated employees, interns or volunteers.
- B. In the event a department head determines it appropriate to restrict an individual from driving in the conduct of City business, the individual shall be notified in writing of the length of restriction. If the individual cannot be accommodated in his/her current position in a non-driving status, the department head shall make reasonable effort to place the individual in a vacant non-driving position for which he/she is qualified within the department. If there is no such position available, the individual may be separated from the City. A change in an employee's job status may impact his/her range assignment and will be handled in accordance with the provisions of the *Human Resources Management System and Compensation Plan*.
- C. If an individual is transferred to a non-driving position as a result of a change in driving status and later regains the right to drive, he/she may apply for driving positions as they become vacant. The decision to place the individual in such a position shall be at the discretion of the City.


Anne Odell, Acting City Manager

5-7-07
Date



OFFICE OF THE CITY MANAGER

CITY DRIVING STANDARDS POLICY AGREEMENT

I hereby acknowledge that I have been provided a copy of the City's Driving Standards Policy (Administrative Regulation # 1.20). I understand and agree to comply with the provisions of this Policy.

I further understand that compliance with this Policy is a specific condition of my continued association with the City of Chesapeake and that my failure to comply may subject me to disciplinary action, up to and including termination.

Name – Printed

Signature

Date

Department Function

Type of Worker: ___Employee ___Intern ___Temporary Service ___Contract ___Volunteer

This signed City Driving Standards Policy Agreement should be maintained in the employing department.