CITY OF SAN ANTONIO

Administrative Directive	**AD 4.8 Driver Safety Program**
Procedural Guidelines	Policy ensuring employees and potential employees are qualified, trained and authorized to operate and drive COSA equipment and personal vehicles while engaged in COSA business.
Department/Division	Finance Department/Risk Management Division
Effective Date	June 9, 1980
Revision Date	March 1, 2016
Review Date	January 8, 2016
Project Manager	Assistant Finance Director/Risk Manager

Purpose

To promote an accident-free environment and minimize the loss of property, the City of San Antonio (COSA) is committed to establishing procedures for evaluating COSA employees who operate COSA equipment, vehicles, and privately-owned vehicles (POV) while conducting COSA business. COSA is also committed to insuring that all employees who operate vehicles as primary and non-primary drivers while performing COSA business are authorized, approved and licensed to drive with appropriate classifications, restrictions, and endorsements.

Policy

This administrative directive requires that employees shall have the appropriate driver's license in his/her possession at all times and an approved driving record to drive on COSA business. Only authorized employees are allowed to operate COSA equipment, as defined in this administrative directive, or drive vehicles on COSA business. Employees are required to comply with all applicable federal, state, and local regulations and applicable administrative directives relevant to operating a motor vehicle.

This administrative directive applies to all COSA employees excluding uniform employees. Corresponding provisions in AD 4.3, Alcohol and Controlled Substance Testing, are applicable. Additional reference material is available in the City's Safety Manual. All applicable employees are required to adhere to the City's Safety Manual.

Policy Applies To

☒ External & Internal Applicants	☒ Current Temporary Employees
☒ Current Full-Time Employees	☐ Current Volunteers
☒ Current Part-Time Employees	☒ Current Grant-Funded Employees
☒ Current Paid and Unpaid Interns	☒ Police and Fire Academy Trainees
☐ Uniformed Employees Under Collective Bargaining Agreements	

Definitions

Accident Review Board (ARB)	A board comprised of management and non-management employees dedicated to reviewing all City vehicle accidents and employee workplace injuries to determine preventability. ARBs are either dedicated within a single department or City-wide.
Applicant	A person seeking or being considered for employment, re-employment, promotion, reclassification or transfer to a driving position.

Change in Driving Status	The driver's license has been lost, expired, cancelled, refused, revoked, suspended, or restricted in such a manner which affects the employee's legal privilege to drive on COSA business. This also includes a driver who may not yet have a change in license status but has a traffic-related arrest warrant pending, a DUI/DWI arrest or a court-mandated restriction. Restrictions may also include employee limitations due to physical conditions.
COSA Equipment	Any licensed or unlicensed motor or engine-powered apparatus, vehicle (see "Vehicle"), or machine other than a hand-operated tool which is: 1. Owned by, leased, rented, donated or loaned to COSA; 2. Driven, operated, or ridden or controlled by an employee; or, 3. A Privately-Owned Vehicle driven in the course and scope of conducting COSA business.
COSA Medical Provider	COSA's designated provider for drug and alcohol testing.
Class C Driver's License	Permit allowing an operator to drive a single vehicle with a gross vehicle weight rating of 26,000 pounds or less, or any such vehicle towing either a vehicle with a gross vehicle rating of 10,000 pounds or a bus with a seating capacity of less than sixteen passengers including the driver.
Collision	The intentional or unintentional act of a vehicle striking against another vehicle, person or object.
Commercial Driver's License (CDL)	License issued by the Texas Department of Public Safety to operate vehicle in accordance with Federal Commercial Motor Vehicle Safety Act of 1986.
Commercial Motor Vehicle	As defined by The Department of Transportation (DOT), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle; 1. Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or 2. Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 or more pounds), whichever is greater; or 3. Is designed to transport 16 or more passengers, including the driver; or 4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).
Conviction	A final judgment by a court of competent jurisdiction adjudicating guilt after a plea of guilty or "nolo contendere" or, upon a verdict of guilty, assessing any punishment including probation; or the payment of a fine assessed by a court of competent jurisdiction for a moving violation. Deferred adjudication is not considered a conviction under this directive.
Drivers License	A license issued by the Texas Department of Public Safety to lawfully operate a vehicle. An employee with an out-of-state license must obtain a Texas driver's license within 90 days after becoming a resident of the State of Texas. COSA does not recognize Occupational Licenses as an acceptable license to operate COSA vehicles or personal vehicles while conducting COSA business.

Driving on COSA Business	The use of a vehicle to carry out the duties of an employee's position. Driving on COSA business includes driving a vehicle owned by, leased, rented, or loaned to the COSA. This also includes the use of a personal vehicle by an employee on COSA business.
Distracted Driving	Any visual, cognitive or manual distraction that takes a driver's attention away from the primary task of safely operating a motor vehicle. Physical Distraction: Any distraction that takes a driver's hands off the wheel. Visual Distraction: Any distraction that takes a driver's eyes off the road. Cognitive Distraction: Any distraction or thought that absorbs one's attention to the point where actions and responses necessary for driving are impaired.
DUI/DWI Arrest	Driving Under the Influence or Driving While Intoxicated. A DUI or DWI arrest and/or citation may be made by a Certified Peace Officer when it is determined by the Certified Peace Officer that the employee is operating a vehicle while impaired to the degree that it is a violation of state law. The DUI or DWI determination and arrest may be made as a result of a field sobriety test, breath test, blood alcohol test, refusing to test, or other mechanism practiced by the State of Texas.
Essential Job Function	Fundamental duties required to fulfill the requirements of an individual position.
Motor Vehicle Record (MVR) Check	A driver's record check requested from the Texas Department of Public Safety. Records check reports for Class C licenses will report the status of driver's license for the preceding three (3) years while CDL licenses include the past five years nationwide.
Moving Violation	Any violation of the law of the State, an ordinance of COSA, or safety regulation in which a driver is operating a vehicle, whether a citation was issued or not.
Non-Primary Drivers	Employees who operate COSA equipment as an incidental or occasional part of their job. These employees may occasionally operate COSA or personal vehicles on COSA business even though driving is not an essential function of their job. A department director may require non-primary drivers to meet additional requirements to meet the operational needs of the department.
Off-duty	All hours outside the regularly scheduled or assigned work day, week or shift of the employee.
On-duty	All hours within the regularly scheduled or assigned work day, week or shift of the employee.
Primary Drivers	Employees whose essential job functions require the operation of COSA equipment or routinely driving an average of 150 miles per week. This also includes drivers required to maintain a CDL in order to perform their duties, or employees authorized to take home COSA vehicles regardless of miles driven.
Physical Examination	An opinion rendered by a licensed physician indicating a health condition or change in the health of a driver, which may require monitoring or may not allow the safe operation of COSA equipment

Qualified Person	A person who, by possession of knowledge, training and experience, has successfully demonstrated the ability and competency to operate equipment and vehicles similar to those used by COSA. If the vehicle requires a driver's license the qualified person must also possess a license for that type of vehicle, as well as an acceptable driving record.
Road Test	For the purpose of this policy, a "behind the wheel" observation and evaluation of operating skills. Road tests shall be conducted by a qualified person on each type of vehicle or equipment to be used.
Root Cause Determination	An analysis in which the primary contributing cause of an incident, accident or collision is determined and corrective actions are developed.
Vehicle	Any motor-driven or self-propelled vehicle with two or more wheels operated on streets, highways or COSA property, whether or not required to be registered under the laws of Texas.

Policy Guidelines

Two methods used to ensure safe drivers are the driver's license evaluation and the Accident and Injury Review Board (ARB).

The driver's license evaluation is the process of evaluating an employee's motor vehicle report (MVR) through DPS.

An applicant or employee may be disqualified from driving if their DPS motor vehicle report (MVR) has the following entries:

1. Has operated or driven, or is found operating or driving a COSA-owned vehicle while intoxicated or under the influence of any alcohol or any illegal substance.
2. License is suspended or revoked or has a state-issued occupational or temporary driver's license prohibiting an employee from performing essential job functions.
3. Has a traffic-related arrest warrant.
4. Is under court-mandated restrictions such as a vehicle breathalyzer lock, Safety Responsibility (SR) 22, log book, etc.
5. Received citations for three (3) or more moving violations, including seatbelts, over a one (1) year period regardless of disposition, including dismissal pursuant to completion of probation or a plea bargain, except when adjudicated 'not guilty'.
6. Has 3 or more "at fault" accidents in past (2) years.
7. Has a DUI or DWI or controlled substance act offense conviction within the past three (3) years when the DUI/DWI convictions occurred after the effective date of this AD.
8. Any combination of moving violations or "at fault" vehicle accidents that equals seven (7) or more in previous three (3) years.
9. A physical or mental limitation which may interfere with the ability to safely operate COSA vehicles.
10. A failed or refused alcohol or drug test.

Any City driver having an arrest warrant for moving violations, revoked and/or suspended license will not be eligible to drive on COSA business until written proof is provided to Risk Management that the adverse information has been cleared.

The ARB process will promote consistency in the review of vehicle accidents and workplace injuries. For vehicle accidents, the ARB will review all accidents, determine preventability and assign points based on the severity of a vehicle accident. The department director, at his or her discretion, may adjust points based on the particular facts of an accident (e.g. aircraft damaged by ground equipment). Based on the employee's

cumulative points total for the previous 24 months, the director will administer discipline for preventable vehicle accidents according to the below table. Furthermore, nothing in this AD precludes the department director from administering discipline up to and including termination for repeated preventable accidents in multiple reporting periods.

Preventable Vehicle Accidents Coaching and Discipline Table:

Points	
1 Point Each	**2 Points**
• Preventable Collision • Unsafe Backing • Unsafe Operations • Cell Phone Use Violation • Citation at Collision Site • Total Damage to all Property > $1,500 but <$5,000 • Bodily Injury (beyond first-aid to any person)	Damage to All Property > $5,000 or CoSA Vehicle Deemed Total

Coaching and Discipline			
Points	**Non Exempt Employees**	**Points**	**Exempt Employees**
1-2 Pts	Driver Safety Refresher and Employee Discussion Worksheet	1-2 Pts	Driver Safety Refresher and Employee Discussion Worksheet
3-4 Pts	Written Reprimand	3-4 Pts	Written Reprimand
5-7 Pts	2-day Suspension	5-7 Pts	2nd Written Reprimand
8-9 Pts	One Week Suspension	8-9 Pts	One Week Suspension
10+ Pts	Termination	10+ Pts	Termination

Accidents resulting in loss of life, gross negligence or property damage exceeding $10,000 may also be subject to termination.

The ARB will review workplace injuries and rule on the preventability of the injury. The director will follow progressive disciplinary steps as outlined in AD 4.11 Coaching and Discipline, with consideration given to the employee's previous safety violations as defined by the department or City safety policies.

Disciplinary Action

Primary drivers and employees in CDL positions who are arrested for DUI/DWI, whether on-duty or off-duty may be subject to discipline in the form of employee termination for arrests occurring after the effective date of this AD.

Violations of this administrative directive will subject the employee to disciplinary action, up to and including termination.

A COSA driver who has a change in driving status shall be removed immediately from all driving duties. During this period the employee's department and the Human Resources Department will attempt to resolve the non-driving status.

No employee should be displaced to accommodate an employee who can no longer remain in a driving position because of a change in status of his/her driver's license or because his/her driving record is unacceptable to the job requirements.

If an employee's non driving status precludes him from performing essential function(s) of the job, he may be subject to termination.

In accordance with DOT regulations, an Occupational License does not replace the requirements of a Commercial Driver License. Additionally, COSA does not recognize an Occupational License or any other court-order restrictions of a license to be a valid drivers' license. Individuals with these types of licenses shall not be authorized to drive on COSA business.

CDL drivers and primary drivers who, due to the provisions of this AD, are ineligible to drive for a period exceeding 30 days will be subject to termination.	
Roles & Responsibilities	
Employees	Be at least eighteen years of age, possess and maintain a current, valid Texas driver's license appropriate for the type of vehicle to be operated. CDL drivers transferring or promoting into a driving position or employed as a driver after effective date of this administrative directive, will be required to pass a DOT physical examination conducted by the COSA medical provider as a condition of employment and will be required to pass a DOT physical examination conducted by the COSA medical provider every two years or as often as may be directed by the medical provider. Any employee who is subject to a DOT physical and does not successfully pass will not be eligible to continue in a CDL position or be hired/transferred to a CDL position. All City drivers designated as CDL or Primary Drivers shall attend a driving safety training course once every three (3) years or sooner. New employees and recently-promoted employees with driving responsibilities shall attend the driving safety training course within thirty (30) days of hire date before being allowed to drive on City business. All COSA employees will report all vehicle accidents and injuries in accordance with the COSA Safety Manual. An occupational drivers' license received after the effective date of this AD will not be acceptable to operate any COSA vehicle or personal vehicle while driving on COSA business. Immediately report to their supervisor and Risk Management a suspension, cancellation, revocation, restriction, conviction, lost privilege, disqualification, medical condition, a traffic citation incurred while driving on COSA business, name changes, endorsement, or drug use that affects the employee's driving ability or license status. Comply with all traffic laws, applicable COSA policies and directives, and demonstrate the ability to operate COSA vehicles safely. Wear safety belts or other restraint devices (when available) if occupying COSA equipment that is in motion. Any employee authorized to drive for COSA understands that he/she must pay all traffic fines and appear for any and all court dates. Employees who drive personal vehicles must maintain state minimum proof of financial responsibility (auto liability insurance). City employees designated as Non-Primary Drivers will attend a driver safety course as deemed necessary by their department. In accordance with the COSA Safety Manual, drivers must immediately report all accidents and/or collisions to their supervisors. Employees are not permitted to leave the scene of the accident unless cleared by law enforcement and their supervisor. Employees should not make any statements of liability to any parties involved in the accident or their representatives.

Employees cont'd	Never engage in any distracted driving activity that takes one's physical, visual or cognitive focus away from operating the vehicle in a safe manner. This includes but is not limited to the use of electronic communication devices or programming GPS devices. Be responsible for paying all citations and/or civil fines received while operating COSA equipment (COSA drivers are not exempt from photo enforcement citations). Employees involved in vehicle accidents while driving their personal vehicles while conducting COSA business will be required to file their claim for damages on their personal auto policy.
Human Resources	Will inform applicants for employment that an official offer of employment cannot be confirmed until the MVR check has been completed and approval to drive has been granted. Shall conduct a MVR check for applicants and employees being considered for promotion and employees transferring into driving positions. Will be responsible for advising department directors of appropriate levels of discipline.
Risk Management	Will review and either recommend approval or disapproval of applicants and current employees to drive on COSA business, including use of COSA vehicles and/or personal vehicles. Drivers' evaluations will occur at the time of application, annually, and upon notification of a moving citation or conviction, an arrest, change in driving status or an accident. Will administer and monitor compliance with the Driver Safety Program and provide periodic reports to management regarding the effectiveness of the driver safety program. Provide or coordinate training to departments on injury and vehicle collision investigation, classification and root cause determination. Provide training for and support the departments' Accident Review Board (ARB) process. Provide city-wide driving safety training and will give attendance credit to an employee who has attended a non-City driver safety course at least equal to training provided by the City.
Departments	Ensure compliance with all provisions of this Administrative Directive, other applicable directives and procedures outlined in the COSA Safety Manual. Coordinate with the Human Resources Department and identify and classify all positions and departmental employees as CDL Driver, Primary Driver and Non-Primary Driver and notify them of their designation. Maintain and provide to Risk Management the list of all drivers and their classifications. Ensure that applicants, new-hires, transfers and existing drivers whether CDL, Primary or Non-Primary, meet the required licensing standards and have been approved by Risk Management prior to driving for COSA. Ensure CDL and Primary drivers complete COSA Defensive Driving Course (DDC) training, and powered industrial truck operators, COSA forklift training course, within 30 days of their hire or transfer date and every three years thereafter;

Departments cont'd	Departments shall ensure training of employees on the safe use of each type of COSA equipment or vehicle that they will be required to operate and administer a road test before allowing the employee to operate a COSA vehicle. Prohibit employees, outside agencies and volunteers who have not been authorized or have been removed from driving status by Risk Management from operating COSA vehicles and personal vehicles for COSA business. Require prompt payment of photo enforcement citations/civil fines and parking tickets issued to COSA vehicles, and all citations or warrants for moving violations issued to COSA employees. Cited employees may be subject to disciplinary action. Submit annual requests for MVR checks to the Risk Management Division in accordance with department's scheduled MVR evaluations. Ensure that all CDL drivers hired or transferred into a driving position after effective date of this AD receive DOT physical examinations at least every two years with the COSA medical provider. Departments shall incorporate the employee's annual driving history record check as a routine part of the employee's annual performance evaluation and potential recommendation for awards. Establish and participate in the Accident Review Board (ARB) process in accordance with the COSA Safety Manual.
Police Department	Respond to all service requests involving vehicles used for COSA business and provide to the Department designee a completed copy of the Accident Report, Accident Investigator's Report or Miscellaneous Incident Report. Provide the Division of Risk Management a completed copy of reports for each collision involving COSA equipment. The police report number or 911 service number shall be included on the form.

This directive supersedes all previous correspondence on this subject, including, Administrative Directive 4.8 "COSA Driver Evaluation" dated June 9, 1980, and any conflicting responsibilities listed in Administrative Directive 1.8 "Vehicle Use" dated June 15, 2002. Information and/or clarification may be obtained by contacting the Finance Department, Risk Management Division.

COSA OF SAN ANTONIO

EMPLOYEE ACKNOWLEDGMENT FORM
FOR

ADMINISTRATIVE DIRECTIVE 4.8
Driver Safety Program

Employee:

I acknowledge that on _____, 20____, I received a copy of Administrative Directive 4.8 Driver Safety Program. I understand if I should have any questions I should contact my Human Resources Representative.

_____	_____
Employee Name (Print)	Department
_____	_____
Employee Signature	SAP ID #