

Municipal District of Opportunity No. 17

TRANSPORTATION POLICY

TITLE: **Driving and Traffic Violation Policy**

EFFECTIVE DATE: February 24, 2016

POLICY NUMBER: T.33

Purpose:

The Municipal District of Opportunity No. 17 (the MD) deeply values the safety and well-being of employees, elected officials and volunteers. Due to the risks to persons and property associated with the operation of motor vehicles, the MD hereby institutes this Policy as a risk-management measure.

This Policy codifies in writing the pre-existing workplace rules that apply to all employees operating MD vehicles or other vehicles for MD purposes, regardless of their date of hire.

The Municipal District of Opportunity No. 17 intends this Policy to restate and reinforce its adamant intolerance of the use of drug and alcohol in the workplace, in particular when associated with the operation of motor vehicles and equipment.

General Policy Statements:

1. Throughout this Policy, the terms “employees” and “operators” is expressly intended to include all persons driving vehicles for MD purposes including employees, volunteers, elected officials, Council appointees, and MD board and committee members.
2. Prior to an operator receiving a vehicle, a pre-trip inspection using the *Safety & Maintenance Checklist for Light Vehicles* (MD form) will be performed by trained MD staff on every passenger vehicle assigned for travel.
3. Operators will commence a *Passenger Vehicle Report* (MD form) for the trip prior to departure to ensure the vehicle is operable; the operator will:
 - a. Perform an exterior vehicle check to ensure that windows and license plates are clear, tires are fully inflated, and body parts are undamaged, secure, etc.
 - b. Perform an interior vehicle check of documentation (insurance, registration, logs), fuel level, battery charge, wipers, signals, horn, brakes, signals and headlights, etc.

4. Operators will finalize the *Passenger Vehicle Report* at the conclusion of the trip by recording any problems with the vehicle experienced during the trip (deflating tires, loose parts, broken controls, soft pedals, etc.) and returning the form with the vehicle keys.
5. Employees to whom a passenger vehicle has been permanently assigned will perform their own pre-trip inspections on their assigned vehicles and submit them daily; a *Passenger Vehicle Report* is not required on these vehicles.
6. Employees are required to refuel their assigned MD vehicle at the end of their shift or at the end of their trip, unless the yard fuel caches are unavailable.
7. Employees must never travel on MD business in any vehicle they believe is in an unsafe operating condition.
8. Operators must be physically and mentally able to safely operate a motor vehicle before doing so, and therefore must not be fatigued, impaired by drugs or alcohol, or injured in any way that impedes their driving ability.
9. Operators must abide by all traffic laws and in particular must not speed, drive aggressively, travel without a seatbelt, or engage in distracted driving as defined in the *Traffic Safety Act RSA 2000 CH T-6* as amended from time to time.
10. Operators allow additional travel time for adverse weather and road conditions and are responsible to determine if any trip must be cancelled or postponed to avoid unnecessary risk.
11. Employees are prohibited from tampering with any component of the GPS monitoring and tracking equipment installed in an MD vehicle.
12. All fleet vehicles will be stored on municipal property when not in use.
13. Employees may not use radar detectors in any MD vehicles.
14. Operators may carry passengers in MD vehicles only if the person is an employee or MD business associate; transport of any other persons must be approved in advance by the Chief Administrative Officer (CAO) in writing unless the transport addresses a public life-safety emergency.
15. Operators must secure all cargo before commencing travel and lock their vehicle doors when in travel and also when leaving the vehicle.
16. Operators driving MD vehicles must drive defensively and take every action possible to avoid harming persons or damaging property including the vehicle.

17. Operators that incur a violation ticket while driving an MD vehicle must provide a copy of the ticket plus a completed departmental incident report to the Transportation Safety Coordinator within 24 hours or by the end of the next business day.
18. Employees who drive as part of their employment duties and who experience a change in license status (suspension, renewal, medical restriction, lost or stolen license, etc.) must inform their supervisor or manager immediately and their new license must be copied into their personnel file before the employee next uses a vehicle for MD purposes.
19. Employees with a change in license status due to medical restrictions or who cannot operate a vehicle or equipment due to prescription medication effects will be accommodated with modified duties as appropriate.
20. Employees are responsible for maintaining up-to-date information about their licensing in their personnel files, and also to refrain from operating an MD vehicle for which they are not licensed or authorized.
21. Every employee using an MD vehicle is responsible to minimize damage and wear and tear, and to fully clear a vehicle upon return of all garbage, water bottles, papers, equipment, etc.

Personal Vehicle Use for MD Purposes:

1. Employees may elect to use personal vehicles for MD purposes subject to prior approval from their supervisor or manager per trip.
2. Employees who elect to use a personal vehicle for MD purposes must supply a copy of the vehicle's insurance and registration to their supervisor or manager at least once per year which confirms the vehicle is appropriately insured.
3. Prior to departure, employees are advised to perform the same checks of a personal vehicle used for MD purposes as they would of an assigned MD vehicle, and are free to use the Passenger Vehicle Report Form for that purpose.
4. Employees will be compensated for personal vehicles used for MD purposes with a per kilometer standard rate established by Council from time to time.

Collisions:

1. Operator(s) involved in a work-related collision, whether in an MD vehicle or in a personal vehicle in use for MD purposes, must undergo a mandatory drug and alcohol test if so ordered by their manager or other authorized person in accordance with MD policy.

2. Employee(s) involved in a work-related collision not ordered to undergo a mandatory drug and alcohol test are encouraged to take a voluntary test arranged by their manager or other authorized person.
3. Every employee involved in a collision is required to complete an *Incident Reporting Form* which they must submit to their manager or supervisor on the same day as the incident unless prevented by injury or trauma.
4. Employees involved in collisions are encouraged to access the Employee Assistance Program (EAP) for post-incident counseling, and/or to review the incident with Human Resources or safety personnel as needed.
5. Supervisors and managers will investigate incidents according to procedures in the MD's *Health and Safety Program* with the primary goal of determining what can be done to reduce the risk of the incident re-occurring.

Driver's Abstract Standards:

1. Driver's Abstract standards apply to all employees from the date this policy is adopted by Council.
2. Managers are responsible for maintaining an *Inventory of Authorized Operators and Personal Vehicles* (MD form) for their departments by documenting licenses, reviewing abstracts, and filing personal vehicle insurance documentation.
3. At least once per annum managers will re-assess the driver's abstract of employees whose employment duties include driving a vehicle for MD purposes, to determine if their driving record remains "satisfactory" and if the manager can renew the employee's authorization to drive for MD purposes.
4. If any of the following are present in an employee's Drivers Abstract, the MD may deem the employee's driving record "unsatisfactory" and temporarily disallow the employee from driving for MD purposes:
 - a. **A criminal conviction** for an offense involving a motor vehicle in the previous five (5) years, for example:
 - s. 219 C.C. - Criminal Negligence (involving vehicle);
 - s. 249 C.C. - Dangerous Operation of Vehicle (racing);
 - s. 249 C.C. - Flight (vehicle pursuit);
 - s. 252 C.C. - Failure to Stop at Scene (hit & run);
 - s. 253 C.C. - Impaired Operation of Motor Vehicle;
 - s. 255 C.C. - Failure / Refusal to Provide Breath Sample.
 - b. **More than three (3) convictions** for violations of the *Traffic Safety Act RSA 2000 CH T-6* in the previous three (3) years, for example:
 - s. 51 TSA - Operate motor vehicle without license;
 - s. 69 TSA - Fail to remain at scene of accident;
 - s. 94(2) TSA - Drive while suspended/disqualified;

- s. 115 TSA - Drive carelessly (distracted, seatbelt, etc.);
 - s. 115(2) TSA – Speeding related offenses;
 - s. 166(2) TSA - Fail to Stop for Peace Officer;
 - s. 71 & 72(REG)- Passing School Bus and related offences.
5. In the case of employees temporarily disallowed from driving a vehicle for MD purposes, if their employment duties include driving the MD may, at its sole discretion, offer the employee one or more of the following:
 - a. remedial driving training
 - b. alternate employment if a position is available and the employee is suitable for it
 - c. removal of select position duties related to driving, with a corresponding reduction in pay until their abstract becomes satisfactory.
 6. If at any time an employee's driving record includes **more than one (1) conviction for an alcohol-related driving offense** the MD may permanently disallow that employee from driving a vehicle for MD purposes.
 7. When driving is the employee's primary duty and the employee is temporarily or permanently disallowed from driving, if:
 - a. remedial training is refused or not applicable, or
 - b. alternative employment is not available or is refused by the employee,
 the MD may exercise its discretion to terminate the employee.

Enforcement:

1. Employees are expected to abide by the vehicle use provisions contained in all MD policies including but not limited to this Policy and the *Personnel Policy*.
2. Employees who fail to abide by policy provisions may be subjected to disciplinary action up to and including termination for cause.

Appendix A: MD Forms Attached for Reference

1. MD Form: *Passenger Vehicle Report*
2. MD Information Sheet: *Personal Vehicle Insurance Requirements*
3. MD Information Sheet: *Letter to Personal Insurer*
4. MD Form: *Inventory of Authorized Operators and Personal Vehicles*

The MD Form: *Safety & Maintenance Checklist for Light Vehicles* is a Transportation Department form not specific to this Policy.

ADOPTED BY COUNCIL:

February 24, 2016

PASSENGER VEHICLE REPORT FORM		
Unit No.	Make/Model	Date
<u>CHECK YOUR VEHICLE BEFORE DEPARTURE AND</u> REPORT PROBLEMS USING THIS FORM. RETURN THIS FORM WITH THE VEHICLE KEY		

ENGINE		STEERING		ELECTRICAL		EQUIPMENT	
<input type="checkbox"/>	KNOCKING	<input type="checkbox"/>	WANDERS	<input type="checkbox"/>	PLUGS & IGN.	<input type="checkbox"/>	DOORS
<input type="checkbox"/>	OVER HEATING	<input type="checkbox"/>	SHIMMY	<input type="checkbox"/>	LIGHTS	<input type="checkbox"/>	BODY DAMAGE
<input type="checkbox"/>	NOISY	<input type="checkbox"/>	HARD	<input type="checkbox"/>	HORN	<input type="checkbox"/>	WIPERS
<input type="checkbox"/>	NO POWER	<input type="checkbox"/>	FREE PLAY	<input type="checkbox"/>	BATTERY	<input type="checkbox"/>	WASHER/FLUID
<input type="checkbox"/>	LEAKS OIL	<input type="checkbox"/>	FUEL	<input type="checkbox"/>	ALTERNATOR	<input type="checkbox"/>	DASH GAUGES
<input type="checkbox"/>	OIL PRESSURE	<input type="checkbox"/>	LEAKS	<input type="checkbox"/>	STARTER	<input type="checkbox"/>	GLASS
<input type="checkbox"/>	OTHER	<input type="checkbox"/>	OTHER	<input type="checkbox"/>	OTHER	<input type="checkbox"/>	OTHER
<input type="checkbox"/>	TRANSMISSION	<input type="checkbox"/>	PUMP	<input type="checkbox"/>	WIRING	<input type="checkbox"/>	MIRRORS
<input type="checkbox"/>	NOISY	<input type="checkbox"/>	GUAGES	<input type="checkbox"/>	COOLING	<input type="checkbox"/>	CLEANNESS
<input type="checkbox"/>	DISENGAGES	<input type="checkbox"/>	TANKS	<input type="checkbox"/>	LEAKS	<input type="checkbox"/>	SAFETY EQUIP.
<input type="checkbox"/>	OTHER	<input type="checkbox"/>	OTHER	<input type="checkbox"/>	NOISE	<input type="checkbox"/>	SPARE TIRE
<input type="checkbox"/>	LEAKS OIL	<input type="checkbox"/>	PM SERVICE	<input type="checkbox"/>	FAN	<input type="checkbox"/>	REGISTRATION
<input type="checkbox"/>	WHEELS	<input type="checkbox"/>	SERVICE DUE	<input type="checkbox"/>	FAN BELTS	<input type="checkbox"/>	INSURANCE
<input type="checkbox"/>	TIRE PRESSURE	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	EXTINGUISHER
<input type="checkbox"/>	HUBS	<input type="checkbox"/>		<input type="checkbox"/>	EXHAUST	<input type="checkbox"/>	JACK MISSING
<input type="checkbox"/>	BEARINGS	<input type="checkbox"/>		<input type="checkbox"/>	MUFFLER	<input type="checkbox"/>	MATS
<input type="checkbox"/>	TREAD	<input type="checkbox"/>		<input type="checkbox"/>	TAIL PIPE	<input type="checkbox"/>	
<input type="checkbox"/>	BRAKES	<input type="checkbox"/>		<input type="checkbox"/>	RATTLE	<input type="checkbox"/>	
<input type="checkbox"/>	GRABBING	OPERATOR PRE-CHECK: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">EXTERIOR:</div> <div style="width: 50%;">Check for clear headlights, windows & license plate; dents, missing or loose body parts, cracked glass, etc.</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;">INTERIOR:</div> <div style="width: 50%;">Check for insurance, registration, fuel log; signal & lights working; fuel and battery levels; loads are secure; broken, missing & loose parts, etc.</div> </div>					
<input type="checkbox"/>	SQUEALING						
<input type="checkbox"/>	PEDAL SOFT						
<input type="checkbox"/>	PARK BRAKE						
<input type="checkbox"/>	OTHER						

COMMENTS:

Operator: _____ Signature: _____

CORRECTIVE ACTION TAKEN:

Corrected by:

Date:

Information Sheet: Insurance Requirements for Employees Using Personal Vehicles on MD Business

It is MD policy to require that an employee's personal vehicle insurance is appropriate for the employee to use the vehicle on MD business. The purpose of the requirement is to better protect you and the MD from a potential coverage gap caused by the addition of occasional business use to the use of your personal vehicle after your insurance is in place.

The attached letter to your insurer can be used to start the process.

Personal vehicle insurance policies are based on the use you describe when applying for coverage. If you add different uses and your insurer is not informed, you may not be covered in case of a claim.

The insurer's response to your change notification depends on circumstances, and sometimes an additional premium is charged. The MD's per-kilometer payment for own-vehicle use is intended to cover insurance premiums, in addition to fuel and maintenance.

MD Department managers review vehicle insurance certificates and registrations, the employee's current operator's license, and his or her driver's abstract. These documents must be copied for MD records.

Only your manager can approve you to drive for MD business and/or approve the use of your vehicle for MD business. These records and your managerial approval must be refreshed at least one per year.

****Sample Letter to Insurer, may be printed on MD letterhead****

[date]

[insurance company or broker]
[address, etc]

Sir/Madam:

Re: Auto Policy # _____

This letter is to notify you that in the course of my employment I occasionally need to utilize my personal vehicle for my employer's business purposes, specifically [list representative examples e.g., attend meetings, seminars, training, conferences, or alternate municipal locations to perform work duties, etc.] The frequency of such use is approximately [estimate number] days per year requiring approximately [estimate number] kilometers per year of travel with my vehicle.

Please advise me in writing as soon as possible if any additional coverage or premium required and a written estimate of the annual cost of this added coverage/premium.

I can be reached at the above address or phone number and at [cell/home number] should you require any clarification of the information contained in this letter.

Sincerely,

[employee name]
[employment title]

cc personnel/driver file

**INVENTORY OF
AUTHORIZED OPERATORS AND PERSONAL VEHICLES**



Records Maintained By : Department Managers

No.	OPERATOR					VEHICLE				DRIVERS ABSTRACT	
	NAME	License No.	Class	Expiry	Copy Date	Year	Make	Model	Insured For MD Use?	REVIEWED	AUTH INT
	SAMPLE, JANE	999 789	5	JAN 31/17	JAN 1/16	02	ACURA	RSX	Y	Feb 2/15	JB
02	SAMPLE, JOHN	999 008	5	DEC 24/18	JAN 2/16	N/A	N/A	N/A	N/A	Jun 3/15	JB
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