

**COUNTY OF ORANGE, VIRGINIA  
PERSONNEL POLICIES MANUAL**

**USE OF COUNTY VEHICLES**

**POLICY NO.: 3.4**

**EFFECTIVE: 11/01/96  
REVISED 05/11/10**

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**OVERVIEW:** When available, the County will provide for the use of County vehicles in accomplishing job duties. This policy defines the minimum qualifications and expectations for operating a County Vehicle.

**SCOPE:** This policy applies to all County Employees who will operate a County vehicle on a regular or occasional basis. Failure to comply with any provision of this policy will be grounds for disciplinary action up to and including termination of employment.

**DEFINITIONS:**

1. Accident: Means any incident in which:
  - a. There is the loss of human life: or
  - b. The driver receives a citation under State or local law for a moving violation arising from the accident.
  - c. There is physical damage to a vehicle or other property

Refer to Policy 3.3 Drug and Alcohol Use for more information.

2. Commercial Motor Vehicle: A motor vehicle or combination of motor vehicles use to transport passengers or property if the motor vehicle:
  - a. Has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or ,
  - b. Is designed to transport 16 or more passengers, including the driver; or
  - c. Is of any size and is used in the transportation of hazardous materials requiring placards.

## **PROVISIONS:**

### **A. License and Use:**

1. Any person operating a County vehicle is required to have a valid driver's license. If the vehicle or activity requires additional licensure endorsements or certifications (i.e. Commercial Driver's license, hazardous material transport, etc.) the operator must have obtained the appropriate licenses/endorsements prior to operating the vehicle, and maintain said license during all operations of County vehicles.

Employees will only be permitted to use County vehicles when conducting official County business.

Occupants of the vehicle shall be limited to other County employees or persons engaged in advising or assisting in matters related to County business.

2. Drivers Required to Possess a Commercial Drivers License (CDL) to operate a County vehicle:

A CDL is required for drivers operating commercial motor vehicles (CMV) as defined in this policy.

### **B. Care and Condition:**

It is expected that all employees exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

All damages, defects, accidents, and need for repairs must be reported immediately.

Smoking is also prohibited in all County vehicles.

The improper, careless, negligent, or unsafe use or operation of County vehicles, as well as excessive or unavoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

C. Driver Information and Training

1. Information Dissemination

Each employee covered by this policy shall be provided a Driver's Alcohol and Controlled Substances Testing Program Summary Sheet, which complies with Title 49 CFR Part 382, and shall be required to sign a receipt that they received these materials.

Every employee is expected to be aware of the regulation and its requirements and to abide by the requirements. Program managers and department directors have the responsibility to ensure that all employees are made aware of this regulation. In addition, program managers should schedule a meeting with their respective staffs on an annual basis to review the provisions and requirements of this regulation.

2. Training

All supervisors of employees covered by this policy shall receive training on alcohol misuse and controlled substances use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

D. Driving Record

All employees who are authorized to operate County vehicles agree that the County may check the employee's driving record on an annual basis, or anytime that the employee has been involved in an accident.

E. Reporting Requirements

1. Moving Violation

All employees who drive a County vehicle on an occasional or regular basis must report any conviction for a moving violation, whether on or off the job and/or any action that affects the status of a valid driver's license within three (3) business days of the conviction or other action to their immediate supervisor. Failure to report such information may result in disciplinary action.

One of the following actions must occur if an employee is convicted of a single six (6) point driving violation, accumulates six (6) or more demerit points on their driving record within a 12 month period, or if any action is taken that affects the status of a valid driver's license:

- a. He/she is immediately reassigned to a non-driving position, or
- b. He/she is immediately relieved of job duties that require driving, or
- c. He/she is terminated if neither of the first two options is feasible.

Two key factors shall be assessed in making the determination as to the action that will occur: (1) the business needs of the department and (2) the extent to which driving is a significant part of the effected employee's job duties. To be significant, driving shall be required on a daily or weekly basis.

## 2. DUI

All employees who drive a County vehicle on an occasional or regular basis who are charged with Driving Under the Influence (DUI) must immediately report such a charge to their supervisor and are immediately relieved of job duties that require driving. All County driving privileges shall be suspended until disposition of the charge. The employee shall be retained in his/her position and shall perform non-driving duties until a decision is rendered regarding the DUI.

Once there is a disposition of the charge, then a determination regarding driving privileges will be made in accordance with this policy.

If the employee is convicted of DUI, then one of the three actions described in section 1, above, must occur.

All employees who have been reassigned to a non-driving position or relieved of their driving responsibilities as provided above and who can successfully reduce the number of demerit points accumulated within a 12 month period on their driving record to fewer than six (6) points may have their driving privileges restored.

Any employee, who is convicted of DUI, if not terminated, will be removed from all driving duties for a period of not less than 12 months, regardless of points balance or the status of their driver's license.

The final determination regarding whether an employee may have his/her driving privileges restored under section 1 or 2 will be made by the County Administrator or his designee.

The restoration of driving privileges shall be based on the employee's driving record and the total demerit points on the employee's driving record.