



Medina County Policy Manual



Policy: Vehicle Safety Policy	Section: Health & Safety	Number: 6.025
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Previous Res. 07-900, 13-0957

A. Scope: Medina County’s goal in regard to driver and vehicle safety is to protect employees and others from harm and give them the tools and resources needed to be able to perform their work in a safe manner. It’s important that employees know and follow the rules in this policy, which will help guide and protect them while at work. This policy applies to any employee who drives a Medina County vehicle, rents a vehicle for Medina County business purposes, or drives their personal vehicle to conduct Medina County business. Parts of this policy also apply to applicants seeking employment at Medina County in a position in which driving is part of their job duties.

B. GUIDELINES

Driver Eligibility

Employees who have driving responsibilities at Medina County must:

- be at least 18 years’ old
- have a valid driver’s license (DL); a copy of the DL must be presented at time of hire and upon request thereafter
- maintain a driving record satisfactory to both Medina County and Medina County’s insurance carrier
- Sign the “Certification of Compliance with Ohio’s Financial Responsibility Law” form and maintain adequate insurance according to this policy for your personal vehicle if used for Medina County business.

Motor Vehicle Reports (MVR) are run upon hire, annually, and following any vehicle accident or receipt of information causing concern of driving eligibility. If it is determined that an employee’s driving record is not satisfactory, Medina County may document, suspend, or terminate driving privileges and take further disciplinary action, up to and including termination of employment.

Driver License Suspensions

Employees with a suspended or revoked license may not drive to conduct Medina County business, or knowingly drive a Medina County vehicle while their license is suspended. Employees are required to report any suspension or revocation of their driver's license to their immediate supervisor within 24 hours of the occurrence. If an employee’s license is suspended or revoked, an

employee's future driving and employment status at Medina County will depend on several factors including, but not limited to, driving record and insurability of the employee. Medina County Management reserves the right to review each occurrence and take appropriate action based on the findings and the seriousness of the incident.

Flagrant Violations

A flagrant violation may have a serious impact on eligibility of employment at Medina County and may include, but is not limited to, driving while intoxicated or under the influence of alcohol or drugs, fleeing the scene of an accident, a hit and run accident, reckless operation, or a vehicular homicide.

- If a flagrant violation conviction is discovered on a job applicant's MVR record, the applicant may not be considered for employment. If employment eligibility of the applicant is jeopardized based on their driving record or insurability, he or she will be contacted in writing by the Human Resource Department.
- If a Medina County employee is convicted of a flagrant violation while employed, their future driving and employment status at Medina County will be compromised and they will be subject to disciplinary action up to and including termination of employment. If an employee is charged with a flagrant violation whether occurring during work hours or non-work hours, they must immediately communicate it to their supervisor.

DOT Eligibility

Some Medina County vehicles weigh over 10,001 lbs gross vehicle weight and as a result, employees driving these vehicles are required to follow these Department of Transportation (DOT) regulations:

- be at least twenty-one (21) years of age;
- be able to read, write, understand and speak the English language;
- be authorized to work in the United States; and,
- have an valid state-issued Commercial Driver's License
- have to pass a DOT or occupational health physical exam completed by a Certified Medical Examiner, other than a chiropractor, listed on the National Registry of Certified Medical Examiners
- pass a DOT regulated pre-employment drug test
- complete pre-trip training
- follow all DOT regulations regarding roadside inspections
- submit all annual violation reports to the Safety and Compliance Manager
- be able to pass a Medina County road-test

Driver Safety Training

Each new employee or employee transferred/promoted into a position in which driving is a responsibility of the job must successfully complete a Defensive Driving course, and refresher Defensive Driving courses thereafter as directed.

Driver Safety Responsibilities

All employees whose job responsibilities at Medina County require them to drive are accountable for the safety of the vehicle, Medina County's equipment, passengers, pedestrians, and other motorists. The employee is responsible for operating the vehicle he or she is driving in a safe, courteous, and responsible manner, whether it is a Medina County vehicle or a personal vehicle being used for work-related purposes. All employees are required to report any citations, accidents, or violations even if they occur in a personal or in a county vehicle to their supervisor and fill out an incident report form and submit to HR, with applicable documentation.

Employees driving for Medina County must comply with all vehicle and traffic regulations at all times. Seat belts must be worn by drivers and passengers at all times. Medina County's cell phone policy must be strictly followed while driving. Employees shall refrain from using their phone while driving and are responsible for following all state and city cell phone laws. It is Medina County's policy that employees are not permitted to text or email, manipulate any type of navigation system such as a GPS, or engage in any other distracting behaviors while driving.

Failure to adhere to Medina County's no electronics / emailing while driving policy, or any other safety policies or procedures while driving will result in disciplinary action, up to and including termination of employment. Operating a vehicle during business hours and/or while conducting work-related business and while under the influence of alcohol, illegal drugs or any other drug that may affect an employee's driving ability may result in immediate termination. This also applies to operating a Medina County vehicle, personal vehicle, or Medina County Rental vehicle during non-business hours.

Medina County Vehicle Use

Employees in various roles are authorized to drive Medina County vehicles. All other employees must have permission from an authorized manager prior to using a Medina County vehicle. Medina County vehicles are not to be driven or used by friends, family members, or anyone other than authorized Medina County employees.

Medina County vehicles are for business purposes only, however, Medina County recognizes that during the course of the business day there may be an occasion when an authorized employee may need to use a Medina County vehicle for limited personal use. Medina County strictly prohibits the personal

use of a county vehicle beyond what would be considered necessary or reasonable during the business day. The employee is responsible for ensuring the vehicle is parked and locked in a safe and secure location at all times. Unauthorized personal use of a county vehicle or failure to secure it safely may result in loss of vehicle privileges, or more serious consequences, including termination.

Insurance Coverage

Medina County Insurance coverage and requirements are as follows:

- Medina County Vehicles. Accident insurance and liability coverage are provided by Medina County while driving a Medina County vehicle. Current Medina County insurance cards and vehicle registration documents must be maintained inside Medina County vehicles at all times.
- Personal Vehicles. Employees who drive their own personal vehicle to conduct their primary responsibilities are required to provide Medina County with a certificate of sufficient liability insurance upon hire and upon request thereafter. You must meet the minimum Ohio State Insurance Coverages. This includes that in Ohio the required minimum for Bodily Injury Liability Coverage is currently \$25,000 per person injured in any one accident and \$50,000 for all persons injured in any one accident. The required minimum for Property Damage Liability Coverage is \$25,000 for injury to or destruction of property of others in any one accident. Any additional coverages or limits are optional. Any additional costs will be on the employee.
- Rental Vehicle. When renting a vehicle for business purposes, employees must list Medina County as the employer on rental agreements and accept the offered insurance coverage.

Medina County is not responsible for loss or damage to personal items in personal, County or rental vehicles. If involved in a vehicle accident while driving for business purposes, the employee must present the insurance card which covers the vehicle they were driving. If you are in your personal vehicle when driving on county business, you will need to present your personal insurance information. Each department is responsible for the deductible for personal vehicle damages up to \$1,000.

Maintenance and Repairs of Medina County Vehicles

All expenses for Medina County vehicles, including gas, maintenance, and repairs, are the responsibility of Medina County. Employees are prohibited from using county-issued gas cards for personal use. Where applicable, an employee should ensure the vehicle he or she is driving is properly maintained, following the Medina County's guidelines.

C. SAFE DRIVING ACCOUNTABILITY

Medina County's Point Based Accountability Program serves to reinforce the consistent need for employees, who drive as part of their job responsibilities, to demonstrate safe driving behaviors. If any violations occur as described in the ***Point Based Accountability Program – Table A*** set forth within this policy, accountability points will be assigned to the employee based on the type of violation, and actions will be taken in an effort to reinforce future safe behaviors.

Definitions

The following definitions describe some of the key items within the Point Based Accountability Program – Table A:

- 1) Electronic Ticket: Local municipalities may record unsafe behavior by way of use of an electronic traffic monitoring device and may issue an electronic ticket for motor vehicle offenses. Upon receipt of an Electronic Ticket, the Loss Control/Risk Manager will contact the local manager and the employee for follow-up.
- 2) MVR-Reported Accident: In general, for an accident to be noted on a driving record there has to be a police record of it. It might be in the form of a police report that is forwarded to the Department of Motor Vehicles (DMV) or a ticket that was written to an employee for their part in an accident that ends up on their MVR.
- 3) Reckless Driving Call: A driver on the road reports an observation of an employee's unsafe driving behavior while driving a Medina County vehicle. Details with regard to the vehicle identity and the driver's behavior are documented. The local manager is contacted to confirm which employee is responsible and for follow-up with that employee.
- 4) Standard Moving Violations: An employee is found to have committed a general traffic offense and receives a citation or ticket. Such offenses include but are not limited to failure to signal for turns or lane changes, failing to drive within a single lane, driving in a carpool, bus or another designated lane illegally, failure to stop for a school bus when children are boarding or exiting, etc.
- 5) Texting Violation: An employee is found to have been texting while driving a Medina County vehicle.
- 6) Texting / Vehicle Accident: An employee is found to have been texting while driving at the time of a vehicle accident.
- 7) Time on Record: The length of time the accountability points will remain on an employee's Medina County record.
- 8) Serious Moving Violations: Driving recklessly as defined by state or local law regulation, making improper or erratic traffic lane changes, following a

vehicle too closely, violating state or local law relating to motor vehicle traffic control (FTO).

Classification of Vehicle Accidents

Vehicle accidents that take place while driving on county business will be classified as either *avoidable or unavoidable*. Each accident will be judged individually by the Medina County Loss Control/Risk Manager and Medina County management. Accidents will generally fall in the avoidable category, as it is Medina County's belief that most vehicle accidents can be avoided. In specific instances, after evaluating extenuating circumstances and conditions, or the employee can provide proof of a not at fault, accidents may fall in the unavoidable category. The types of accidents listed below are not all-inclusive and do not cover every accident that may occur, but they are intended to provide general guidance to assist in determining whether the accident was avoidable or unavoidable.

- 1) **Avoidable Vehicle Accident.** An avoidable vehicle accident is defined as an accident in which the driver was, in whole or in part, at fault, including situations when the employee did not exercise all defensive driving techniques (as defended in the third party Defensive Driving courses) that he or she reasonably could have in order to avoid a collision. When determining if an accident was avoidable, Medina County will also consider the following:
 - a) Whether the vehicle was driven in a way to make due allowance for the conditions of the road, weather, and/or traffic.
 - b) Whether the vehicle was driven in a way to avoid the mistakes of other drivers.
 - c) The activities of the driver at the time of the accident.
- 2) **Unavoidable Vehicle Accident.** An unavoidable vehicle accident is defined as an accident in which defensive driving techniques most likely could not have prevented a collision. Examples of unavoidable accidents:
 - a) Struck in the rear by another driver while Medina County driver was proceeding in his / her own lane of traffic at a safe and lawful speed.
 - b) Struck by another driver while Medina County driver was legally and properly parked.
 - c) Struck by another driver while Medina County driver was stopped in the proper lane waiting to make the turn.
 - d) Struck by another driver while Medina County driver was stopped in traffic due to existing conditions, in compliance with traffic sign or signal, or at the direction of a police officer or other person legitimately controlling traffic.

When determining if an accident was avoidable or unavoidable, Medina County focuses on whether defensive driving measures were used. The fact that an employee who is involved in a vehicle accident may not receive a citation or legal charge does not mean that the employee could not have avoided a collision.

The following are some examples of unsafe behaviors that could be contributing factors to avoidable accidents and that will be assessed in determining whether defense driving measures were used:

- Following too closely
- Driving too fast for conditions
- Failure to observe clearances
- Failure to obey signs, traffic signals or directions
- Failure to observe signals from other drivers
- Exceeding posted speed limits
- Excessive speeding
- Texting/use of electronics while driving
- Failure to reduce speed
- Improper backing
- Improper parking
- Improper passing
- Failure to yield
- Improper turns
- Distracted driving

Risk Categories & Points

Each type of violation identified in the Point Based Accountability Program, falls within a designated Risk Category. The Risk Category determines the number of points an employee will incur under the program – a higher Risk Category results in more points. The Risk Category is also a factor in determining how long the points remain on an employee’s record. The lower the Risk Category, the sooner the points are removed from the employee’s record. The higher the Risk Category, the longer the points remain. Employees who incur a flagrant violation receive the highest amount of points, driving privileges are revoked, and disciplinary action, up to and including termination, may occur.

Points are determined by Medina County’s Loss Control/Safety Manager and are assigned:

- as soon as a violation is recorded
- during MVR checks of existing employees
- during MVR checks of newly hired employees, for a designated period of the MVR history

- during any reported incidents throughout the year.

Any occurrences not defined on Table A will be discussed with Management and/or the Medina County Safety Committee and a determination will be made as to the action that will be taken.

Department Heads will receive an annual report of their department's points. Employees or Department Heads can request in writing or email their total points, so they are always aware of their status. These points are outlined in "Point Accumulations-Table B".

Point-Based Accountability Program – Table A

Risk Category	Types of Violation	Accountability Points Assigned per Violation	Time on Record	Medina County Action
Low Risk	<ul style="list-style-type: none"> • Reckless Driving Call • 1-10 mph over the speed limit 	1	1 year	None
Moderate Risk	<ul style="list-style-type: none"> • Standard Moving Violation • License Suspension • MVR-Reported Accident • 11-15 mph over the speed limit 	3	3 years	<ul style="list-style-type: none"> • Written Counseling
Borderline Risk	<ul style="list-style-type: none"> • Avoidable Vehicle Accident • Texting Violation (1st offense) • 16 - 20 mph or more over the speed limit • Serious Moving Violation 	4	3 years	<ul style="list-style-type: none"> • Written Counseling • Refresher Training course (specific to the type of violation)
High Risk	<ul style="list-style-type: none"> • 21 mph or more over the speed limit • Avoidable Vehicle Accident (2nd offense) 	4	3 years	<ul style="list-style-type: none"> • Written Counseling • Defensive Driving Refresher course
Flagrant	<ul style="list-style-type: none"> • Operating a vehicle under the influence of drugs or alcohol (DWI / DUIN / OVI) • Texting Violation (2nd offense) • Fleeing the scene • Hit and run • Reckless operation • Suspended / Revoked License • Vehicular homicide • Texting / Vehicle Accident • Multiple repeat violations or extreme unsafe behavior(s) as determined by Medina County 	10	Perm	<ul style="list-style-type: none"> • County driving privileges revoked • The driver may be subject to discipline, including immediate termination

Disciplinary & Corrective Actions

The disciplinary and/or corrective actions associated with each type of violation are meant to deter future unsafe driving behavior and reinforce acceptable standards. Department Heads are responsible for the timely completion of these actions. In the event an employee's total number of accumulated points is 10 or more, the employee may not be eligible for corrective action and instead may lose Medina County driving privileges and be subject to disciplinary action, up to and including termination. If an employee has also violated other county policies or performance expectations, they may be subject to disciplinary action outside of or in addition to the Vehicle Safety Policy. At the time an infraction is identified, based on the severity, the employee may be subject to one or more of the following disciplinary actions:

- Written Counseling – Department Head discusses record and required improvement with the employee and delivers written documentation to employee
- Refresher Training – Employee is required to complete a course applicable to the specific type of violation

Other driving offenses or incidents involving Medina County employees can and will be reviewed for Medina County action based on the circumstances of the incident. Therefore, nothing in this program precludes accelerated disciplinary action, up to and including termination: (1) where the circumstances are warranted, or (2) if MVR record is considered high risk by Medina County's insurance carrier.

Moving Violations & Fines

Employees are responsible for any driving infractions and the payment of any fines incurred while on Medina County business. This includes Electronic Tickets and is applicable whether driving a Medina County vehicle, rental vehicle or driving your own vehicle for business purposes.

Point Accumulations – Table B

Accumulated Points	Impact to Employee
1-5 (Yellow Level)	At this level, an employee has demonstrated some unsafe driving behaviors, resulting in violations. This should be taken as an opportunity to refocus and recommit to exercising safe driving behaviors moving forward.
6-9 (Orange Level)	<p>At this level, an employee is at risk of losing his or her county driving privileges, and Medina County's goal is to help the employee strengthen his or her defensive driving knowledge. The employee has an opportunity to remove 2 points from his or her accumulated total by successfully completing the designated Defensive Driving course.</p> <p><i><u>NOTE:</u> This option may only be exercised ONCE during a three-year cycle. Points will NOT be reduced, if required Defensive Driving course results from Medina County Action, as defined in Table A.</i></p>
10 or more (Red Level)	If an employee accumulates 10 or more points, he or she will have their Medina Country Vehicle driving privileges revoked, and will be subject to disciplinary action, up to and including termination. If an employee is driving their personal vehicle for Medina County Business, Medina County will not pay for their deductible.

D. REPORTING VEHICLE ACCIDENTS

If an employee who drives for Medina County has a vehicle accident or is in an accident in a non-county vehicle while on county business, he or she must report it to his / her immediate Department Head and to the Loss Control/Risk Manager as soon as the accident occurs. The employee is responsible for making sure these steps occur timely and accurately.

1. Seek medical attention if anyone is injured. Your health and wellbeing are of utmost importance to us, and we want to ensure you are well.
2. Make calls and notifications.
 - a. Call the police to report the accident and let them know if medical attention is needed. The police will inform whether they will respond to the scene or not. Note that in some states it is a requirement to not leave the scene of an accident until the police arrive.
 - b. Call your immediate supervisor to inform him/her of the accident then ask him/her to call the Loss Control/Risk Manager.
 - c. If the immediate supervisor is unavailable then call the, HR Director.
3. Gather facts at the scene. Recollection is more accurate while events are fresh. This information will assist with the accident investigation.
 - a. Remain calm, courteous and consistent when describing events.
 - b. Do not accept responsibility at the scene of the accident.
 - c. Note any names, phone numbers, addresses of any drivers, witnesses, injured persons.
 - d. Exchange insurance information with the other party.
 - e. Take photographs of damaged vehicles or property (include angles which capture the full scope of the damage).
4. Within 24 hours of the accident, complete an Incident Report. This helps Medina County present your documented version of events to our insurance carrier.
5. Complete a post-accident testing.
 - a. Go to Medina County's testing facility. A list of approved facilities will be issued to all department heads. Ask them to use their lab, invoice Medina County, and fax the results to 330-342-8406 ATTN: Loss Control/Risk Manager. Our billing address is
Medina County Medical, Inc.
144 N Broadway St Medina, OH 44256
 - b. Medina County employees are required to complete a DOT regulated post-accident drug test within 24 hours of the accident.

- c. Medina County employees that are subject to D.O.T. regulations are required to complete:
 - i. A D.O.T. regulated post-accident drug screen within 24 hours of the accident.
 - ii. A Breath Alcohol Test (BAT) must be completed within 8 hours of the accident if any of the following occur as a result of the accident: you are ticketed, towed, or the accident involves in a fatality.
 - iii. For information on D.O.T testing guidelines, you can contact the Safety and Compliance Manager or refer to 49CFR Section 40 of D.O.T. regulations.

CERTIFICATION OF COMPLIANCE

WITH OHIO'S FINANCIAL RESPONSIBILITY LAW

I, _____, an employee of _____
(Employee Name) (Office/Department)

under the Medina Ohio County Board of Commissioners do hereby certify that when using my personal vehicle(s) for County business that I am in compliance with Ohio's Financial Responsibility Law. If at any time my insurance is canceled or lapses I will immediately notify my department head. Proof of insurance shall be presented upon request by a department head or by County Administration. I understand that I have a responsibility to report any and all accidents, arrests, violations, license suspensions or revocations to my supervisor and to the Loss Control/Risk Manager using the *Traffic Violation/Accident Notice* form. Failure to do so could result in disciplinary action.

Employee Signature

Date

I, _____, hereby attest that I have explained the above
(Immediate Supervisor Name)

conditions to the above named employee and (s)he attests that (s)he understands and is in compliance as stated.

Immediate Supervisor Signature

Office/Department ***Date***

cc: Loss Control/Risk Manager

TRAFFIC VIOLATION/ACCIDENT NOTICE

I am hereby submitting a notice of a reportable event as per the Medina County Vehicle Operation policy.

Employee Name: _____

Office/Department: _____

Date Violation/Accident Occurred: _____

Violation/Accident Occurred During Work Time: Yes No

Court Date (If applicable): _____

Conviction Date: _____

Points Applied (If applicable): _____

Description of Violation/Accident:

A copy of the violation/accident citation (if issued) must be attached.

Employee Signature **Date**

Department Director/Department Supervisor **Date**

cc: Loss Control/Risk Manager