

TITLE	POLICY NUMBER	
Fleet Driver Safety Program	DCS 04-43	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Human Resources	March 20, 2017	6

This policy does not create a contract for employment between any employee and the Department. Nothing in this policy changes the fact that all uncovered employees of the Department are at-will employees and serve at the pleasure of the appointing authority.

I. POLICY STATEMENT

The safety of authorized drivers is paramount to the Department of Child Safety (DCS). DCS has established this Fleet Driver Safety Program policy to ensure that authorized drivers who operate a state-owned, state-leased, or privately-owned vehicle for work-related activities do so in a safe and responsible manner in compliance with Arizona Department of Administration (ADOA) rules and the Code of Federal Regulations (CFR). This policy is designed to prevent or minimize motor vehicle incidents/collisions involving state vehicles, injury to state authorized drivers, and the potential for third party liability claims arising out of vehicle operations.

II. APPLICABILITY

This policy shall apply to all authorized drivers engaged in work-related activity who operate a state-owned, state-leased, or private vehicle for work-related activities.

III. AUTHORITY

[A.R.S. 28-914](#)

Use of portable wireless communication device while driving; prohibition; civil penalty; state preemption; definitions

[A.A.C. R2-10-207 \(11\)](#)

Agency Loss Prevention Program Elements

[A.A.C. R2-15-202](#)

Vehicles, Operators, and Uses

IV. DEFINITIONS

Arizona State Employee Driver Record Application (ASEDRA): An automated system that gathers and stores a thirty-nine (39) month driving history for State managed authorized drivers. Twice monthly, ASEDRA gathers information including driving points from ADOT-MVD and makes the information available for agency representative review.

ASEDRA Representative: The Department's designated Arizona State Employee Driver Record Application liaison responsible for continual review of driver license compliance and concerns.

Authorized Driver: An individual that possesses a valid class appropriate driver's license for the vehicle to be operated on State business, who has completed all required training, and who has successfully passed all necessary personal record documentation checks. An authorized driver also meets one of the following criteria:

- An employee, working within the course and scope of employment or assigned duties, operates a vehicle in the performance of State business, that is not prohibited to drive in accordance with A.R.S. § 23-231 (Prohibited employment of persons under the age of eighteen);
- A non-State employee acting within the course and scope of authorized or contracted responsibilities who has been allowed to drive a State-owned vehicle because the agency head has determined that it is necessary and in the best interest of the State.

Conditional Driver: A driver who has accumulated six (6) to seven (7) driving points within the last thirty-nine (39) months.

Conditional Driving Record: A driving record indicating an authorized driver has: 1) an accumulation of six or more points on a current driver license; 2) had an "at fault" accident with \$2,000 or more in damages to a Department vehicle within the past three years; or 3) had two or more "at fault" accidents within the past three years.

DCS Business: Any duty, responsibility, or act undertaken by any authorized driver in relation to DCS duties in [A.R.S. § 8-801](#) et. seq. and [A.R.S. § 8-451](#) et. seq.

DCS-Sponsored Activity: A specifically named or supported activity of limited duration that is conducted by DCS or permitted to be conducted on DCS-owned or DCS-leased property.

Distracted Driving: Engaging in any activity prohibited under A.R.S. § 28-914(C), which, among other things, prohibits the use of a cell phone or stand-alone device unless the device is in a hands-free mode.

Driver Points: Points assessed against an individual's driver record when the driver is convicted of or forfeits bail for a moving violation.

Employee: Full-time and part-time individuals being compensated, for, or under the authority of any payroll system of the Government of the State of Arizona or any public officer, deputy, board, or commission member that receives compensation, as well as volunteers, interns, or contractors who perform work on behalf of DCS.

Essential Job Function: A task necessary to complete the primary responsibilities of the position according to the job's position description (PD).

Non-State Employee: An individual who performs services for the State of Arizona but are not State employees paid under the authority of any payroll system of Arizona State Government, (e.g., appointed members of boards or commissions that are reimbursed for travel expenses, and exclusively operate personally owned vehicles to commute to meetings; contractors; volunteers; interns; correctional inmates or wards of the State; etc.).

Review Period: Most recent 39-month history of a driver's license record.

Unusual Incident: An unforeseen event that involves the death, personal injury, or property loss of an authorized driver or client that will impact DCS staff or clients, including but not limited to: a workplace injury or illness of an authorized driver or client; property damage or theft and/or incidents that involve workplace violence, such as any threats, verbal or physical assaults; and any incident that may be considered newsworthy by the media and/or incur liability to DCS or the State of Arizona.

Vehicle: Any state-owned, state-leased, or private motor vehicle used for work-related activities or to transport one or more persons on work-related business.

Vehicle Incident Review Committee: An internal DCS team assigned to assess each incident that involves damage to determine the cause and preventability of the incident and recommend any corrective action to prevent recurrence.

Weapon: Includes, but is not limited to, any of the following: firearms; knives; clubs; bombs; bomb-making materials; grenades; missiles; rockets; fireworks; explosives; stun guns;

incendiary devices; poison; poison gas; a device that is designed, made or adapted to muffle the report of a firearm; and martial arts weapons.

Work-related: Any activity performed by an authorized driver for DCS business or DCS sponsored purposes as part of an authorized driver's job responsibilities.

V. POLICY

- A. This policy shall comply with the ADOA Motor Vehicle Use and Safety Policy;
- B. Only authorized drivers as defined in this policy are allowed to drive state vehicles for work-related activities;
- C. Authorized drivers who operate a vehicle for work-related activities possess a valid driver license appropriate for the class of vehicle driven and complete the training required by DCS;
- D. Authorized drivers shall e-mail any changes that affect their driving record to their supervisor within one business day of the change;
- E. Authorized drivers are expected to operate vehicles in such a manner as to prevent incidents, property damage, or injuries by driving defensively and in compliance with the laws, statutes, ordinances of the State of Arizona and all jurisdictions in which they drive;
- F. Authorized drivers shall refrain from distracted driving or performing an activity that could distract the driver from the primary task of operating a vehicle;
 - 1. in Arizona it is illegal to talk, text, send/read a message, scroll social media, or watch/record videos with a device physically held or supported with any part of a person's body unless if used with an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication;
 - 2. as identified in [A.R.S. § 28-914](#), operators of vehicles with electronic equipment installed for the performance of official State duties should make every effort to not use the devices while driving.
- F. Authorized drivers shall ensure the proper use of State fuel cards in compliance with the Management and Operation of State Vehicles Policy (DCS 02-18), section VI.A.3.

They shall not lend their Employee Identification Number (EIN) to other drivers for any other purpose, including purchasing fuel for vehicles;

- G. Authorized drivers' driving privileges will be terminated, and they shall be disqualified from operating any vehicle for work-related purposes for any of the following reasons, unless an exception is granted in accordance with other provisions of this policy:
1. an authorized driver has a suspended, revoked, expired, or otherwise invalid driver license;
 2. an authorized driver has an accumulation of eight (8) or more points in the most recent 39-month review period;
 3. an authorized driver has been convicted of driving under the influence ([A.R.S. §§ 28-1381-1383](#)) within the review period;
 4. an authorized driver's driving privileges are restricted by a driving permit that requires the installation of an ignition interlock device;
 5. an authorized driver has had two or more "at fault" collisions in the past 12 months.
- H. Authorized drivers with a conditional driving record are subject to driving restrictions and/or corrective or disciplinary action, including but not limited to being required to attend defensive driving training, and up to and including dismissal.
- I. Authorized drivers who drive a state-owned, state-leased, or private vehicle for work-related activities while the authorized driver has a suspended, revoked, expired or invalid driver license or while the authorized driver's driving privileges have been terminated by the Department are subject to discipline, up to and including dismissal.
- J. Authorized drivers with an accumulation of eight (8) or more points within the 39-month review period shall not drive a state-owned, state-leased, or private vehicle for work-related activities unless the appropriate Deputy Director provides authorization to drive on state business. Such authorization shall include applicable limitations and duration of the authorization to drive ([A.A.C. R2-10-207](#)).
1. This privilege must be authorized by the Deputy Director or his/her designee. Privileges to drive may be granted on a case-by-case basis.
 2. To ensure consistency and uniformity across the Department, the Deputy Director or his/her designee shall consult with the DCS Human Resources (HR)

and other entities (e.g., Arizona Department of Administration Risk Management and Fleet Services) as appropriate.

- K. When driving is an essential function of the authorized driver's position and the authorized driver's driving privileges have been terminated for a reason specified in Section V.F, the authorized driver will be subject to appropriate corrective or disciplinary action, up to and including dismissal. Information regarding a disqualification and any corrective or disciplinary action shall be handled in a confidential manner.

- L. Weapons are prohibited in any state-owned, state-leased, privately-owned, or privately leased vehicle during the time vehicle is used by a DCS authorized driver, vendor for DCS business, or a DCS-sponsored activity that includes the transport of a DCS contractor, client, consumer, other authorized driver, or other DCS-related third party.
 - 1. Government-issued concealed weapon permits do not allow the holder to violate this policy.

 - 2. DCS employees assigned to law enforcement positions in the Department, and who are a certified Arizona law enforcement officer, a certified law enforcement officer from another state, or a certified federal law enforcement officer, may possess a firearm or other deadly instrument in the workplace (includes vehicles) or while engaged in the course of DCS business or DCS-sponsored activities as permitted by [A.R.S. § 13-3102](#).

- M. All drivers and passengers traveling in vehicles for work-related activities shall wear lap and shoulder belts at all times.

- N. Authorized drivers operating private vehicles for work-related activities shall maintain the minimum vehicle insurance required by Arizona state law.

- O. Authorized drivers operating a vehicle for work-related activities who are involved in an automobile accident shall:
 - 1. immediately contact law enforcement to report the accident and comply as directed by law enforcement personnel;

 - 2. immediately notify their supervisor that they have been involved in an automobile accident;

3. if another driver is involved and uninjured, request that the other driver fill out the witness information card located in the accident reporting packet, and obtain the name and telephone number of any witnesses;
4. stop and render reasonable assistance to a person injured in the accident, when able to do so. This includes arranging transportation for the injured person to a medical facility and may include allowing the injured person to sit in a state vehicle while awaiting medical treatment ([A.R.S. § 28-663](#)). Driving an injured person in the state vehicle is not allowed as it is considered nonessential to accomplishing the purpose for which the vehicle was dispatched;
5. complete an Unusual Incident Report (UIR) by the next business day. If the vehicle involved is a state-owned or state-leased vehicle, an additional [ADOA Risk Management Automobile Loss Report](#) shall be completed;
6. if an injury was sustained, submit a notice of injury through the 24/7 Nurse Triage Line within twenty-four (24) hours after the accident;
7. submit to reasonable suspicion drug testing in accordance with the Department's policies and procedures.

VI. PROCEDURES

A. Eligibility Requirements

1. Upon hire, Human Resources or designee verifies that an employee possesses a valid driver license and has completed the required training and a Vehicle Operation Affirmation prior to authorizing an employee to operate any vehicle for work-related activities.
 - a. The Vehicle Operation Affirmation form is forwarded to DCS Human Resources and maintained in the employee's official personnel file.
 - b. For volunteers, interns, contractors and others who are not part of the Human Resources Information Solution (HRIS) database, the DCS ASEDRA Representative shall add those individuals to ASEDRA using a formatted spreadsheet referenced in the [ASEDRA User Guide](#). Individuals who are not part of the HRIS database must submit a [State Driver Authorization Form](#).

- c. Additionally, prior to using a privately-owned vehicle for DCS business, all employees, volunteers, interns, contractors and others who are not part of the HRIS database shall complete a [Privately-Owned Vehicle Authorization](#) form if a State vehicle is unavailable.

B. Continued Eligibility

1. All authorized drivers are required to:
 - a. complete RM 29 State Employee Driver Training and acknowledge compliance with the Vehicle Operation Affirmation annually;
 - b. maintain a valid state driver license in order to operate a private vehicle and/or state-owned or state-leased vehicles for work-related activities;
 - c. maintain a valid Arizona vehicle registration on any private vehicle used for work-related activities;
 - d. maintain the minimum vehicle insurance required by Arizona state law on their private vehicle, if used for work-related activities;
 - e. provide written notification via email of any changes in their record to their immediate supervisor within one business day.

Authorized drivers who reside outside of the state of Arizona, but who work in Arizona, provide a certified driving record from the state in which they reside at least annually.

Successful completion of Computer-Based Training (CBT) course RM29, State Employee Driver Training, and electronic acknowledgement of the Vehicle Operation Affirmation indicates that the authorized driver is aware of these requirements and agrees to comply.

2. Proof of insurance is maintained in the operated vehicle at all times.
 - a. All authorized drivers carry proof of private insurance while operating a private vehicle for work-related activities;
 - b. Proof of private insurance may be requested from the authorized driver any time the authorized driver is involved in a vehicle accident while driving for work-related activities;

- c. Each state-owned or state-leased vehicle contains a “State of Arizona Certificate of Automobile Liability Insurance” within the vehicle to show proof of insurance by the state.
3. Each authorized driver who operates a vehicle for work-related activities is responsible for reporting in writing to their supervisor any changes in their driving record within one business day.
4. The Department ASEDRA representative provides a list to authorized drivers' supervisors or designees identifying authorized drivers within the Department who meet any of the disqualification reasons (Section V.F, 1-5).
 - a. If an authorized driver meets any of these disqualification reasons, Department management or designees, in coordination with DCS HR, will take appropriate action to ensure that an authorized driver does not operate a vehicle for work-related activities. This may include desk duty, temporary reassignment, suspension without pay, permanent transfer, or demotion;
 - b. If driving is an essential function of the authorized driver's job and an authorized driver meets any of these disqualification reasons, the authorized driver will be subject to appropriate disciplinary action up to and including dismissal.
5. Supervisors are responsible for ensuring authorized drivers who have conditional driving records, restrictions, or terminated driving privileges comply with policy.
6. Any authorized driver who fails to adhere to this policy may be subject to corrective or disciplinary action up to and including dismissal.

C. Training Requirements

1. All DCS authorized drivers complete online Defensive Driving training at the time of hire or when an authorized driver's license becomes "conditional".
 - a. To enroll in this training, authorized drivers complete the following:
 - i. for authorized drivers with computer access: enroll in the online Defensive Driving CBT (RM29) through the Your Employee Services (Y.E.S.) website.

- ii. for authorized drivers without computer access: enroll in the paper-based training by contacting Learning and Development to obtain a copy of this course.
 - b. New authorized drivers complete this training within 30 days of their initial hire date or appointment to a position requiring the operation of a vehicle.
- 2. Authorized drivers who have a conditional driving record complete additional identified required training. The authorized driver submits proof of completion of training along with a proof of insurance, valid Arizona driver license, and updated Vehicle Operation Affirmation to the ASEDRA representative.
- 3. Authorized drivers who operate a cargo and/or eight-or-more passenger van complete Van Driver Training and are evaluated through a behind-the-wheel assessment offered through Learning and Development. The behind-the-wheel assessment must be completed prior to operating a cargo and/or eight-or-more passenger van for work-related activities.
 - a. Complete the following prior to taking the behind-the-wheel portion of the requirement:
 - i. the online Van Dynamics CBT (VAN101INTR) through the Y.E.S. Web site;
 - ii. for authorized drivers without computer access, the paper-based training by contacting Learning and Development to obtain a copy of this course.
 - b. Learning and Development can provide a list of available resources that are authorized to conduct the behind-the-wheel assessments for DCS authorized drivers.
- 4. Authorized drivers who drive vehicles including but not limited to, golf carts, riding mowers, and forklifts must take training in the use of the specialty vehicles. This training must be obtained by the Department or program through a vendor or other authorized instructor.

D. Accident Reporting Requirements

- 1. An authorized driver driving a vehicle that is involved in an accident resulting in injury to a person, death of a person, or damage to a vehicle must:

- a. provide the authorized driver's name and address and the registration number of the vehicle the authorized driver is driving to law enforcement personnel when requested;
 - b. show the authorized driver's driver license to the person whose vehicle was struck, to the driver or occupants of the vehicle, or to the person attending the vehicle with which the authorized driver collided;
 - c. render reasonable assistance to a person injured in the accident. This includes making arrangements to transport the person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that treatment is necessary, or if transport is requested by the injured person;
 - d. allow the injured person to sit in a state vehicle while awaiting medical treatment; however, driving the injured person in the state vehicle is not permitted.
2. An authorized driver reports immediately, and not later than within one (1) day of the incident, to the authorized driver's supervisor any physical injury sustained in the accident either orally, in writing, or by electronic means.
 3. An authorized driver reports immediately, and not later than within one (1) day of the incident, to the authorized driver's supervisor any property damage incurred as a result of the accident.
 4. DCS operates a Vehicle Incident Review Committee (VIRC) that conducts a review of each incident that involves damage to determine the cause and preventability of the incident and recommend any corrective action to prevent recurrence. For more information, see the Management and Operations of State Vehicles Policy, [DCS 02-18](#).

E. Traffic Citations

Authorized drivers who receive a traffic citation for any moving or nonmoving traffic violation while driving a state-owned or leased vehicle complete the following:

- a. with the exception of citations resulting from SOV mechanical failure, personally pay any fine imposed for the infraction within the prescribed time frame;
- b. e-mail their supervisor within one (1) business day disclosing the traffic citation. NOTE: Photo radar citations will be delivered to the work unit

vehicle steward. The identified authorized driver is responsible for paying for the photo radar citation;

- c. file an Unusual Incident Report (UIR) and send to DCS Risk Management within one business day of the citation;
- d. if an authorized driver receives a traffic citation that results in cancellation, revocation, or suspension of their driving privileges, the driver must provide verification of license reinstatement prior to driving a state or personal vehicle for work-related activities.
- e. authorized drivers who receive a citation may be subject to discipline, up to and including dismissal.

Authorized drivers who receive complaints from the public regarding their driving may be subject to discipline, up to and including dismissal.

F. DCS Human Resources Responsibilities

- 1. Recommend corrective action, including driver training, to the authorized driver's supervisor.
- 2. Perform driver license checks as needed with the Arizona Department of Transportation, Motor Vehicle Division, of all DCS vehicle operators to determine if an authorized driver is operating a vehicle while meeting any of the disqualification reasons identified in this policy.
 - a. ASEDRA representative conducts driving record audits biweekly.
 - b. ASEDRA representative provides the match list of authorized drivers meeting any of the disqualification reasons to Department management or designees for authorized drivers within their division within two weeks of receipt of the report. The authorized driver's supervisor takes appropriate action to ensure that these authorized drivers do not operate a vehicle for work-related activities.
 - c. ASEDRA representative handles disqualification information in a confidential manner.

VII. FORMS INDEX

Vehicle Operation Affirmation (DCS-1130)

Unusual Incident Report (DCS-1125A)

ADOA Risk Management Automobile Loss Report

State Driver Authorization Form (RMD 16-001-1F)

Exhibit A

Persons Authorized to Drive a State Vehicle

Persons	Driving for Work-Related Activities	Riding in DCS Vehicle	Examples of Work Related Activities/DCS business
DCS employee	Y	Y	General DCS business
DCS volunteer or intern	Y*	Y	General DCS business
DCS Committee/ Panel Member	N	Y, if conducting DCS business	a) Riding with an authorized DCS driver to attend a DCS-sponsored Committee/ Panel meeting. b) Riding with an authorized DCS driver to attend a community meeting.
DCS contractor	Y*	Y, if conducting DCS business, unless excluded in their contract	a) Riding with an authorized DCS driver from one DCS-authorized work site to another. b) Riding with an authorized DCS driver to do field work. c) Foster parent transported to attend a visit or hearing.
DCS Client	N	Y, if for DCS business purposes only	a) A child in Department custody. b) A child not in Department custody but who is accompanied by a parent. c) A parent or sibling of a child in Department custody (a sibling not in Department custody must be accompanied by a parent, guardian, or custodian).
General Public	N	Y, if for DCS business purposes only	a) Media ride-along with a DCS authorized driver.

* If authorized by the Director or the Director's designee and necessary to accomplish the mission of the Department and in the best interests of the State. The driver must complete the State Driver Authorization Form referenced in the Forms Index.