

	City of Cedar Park		
	Human Resources Policy Manual		
	City Vehicle Operator Standards		
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			Pages: 3

1.0 Policy

It is the policy of the City to encourage safe use of vehicles and equipment and establish minimum standards for the qualification of employees and applicants to operate City vehicles or motorized equipment.

2.0 Procedure/Rule

2.1 Conviction. “Conviction” or “convicted” in this policy means an adjudication of guilt, a conviction, a plea of guilty or *nolo contendere* (no contest), probation, deferred adjudication, pretrial intervention, or any other imposition of sentence for an alleged criminal offense.

2.2 This policy applies to:

- a. An employee who drives a City vehicle or his/her private vehicle (being reimbursed for mileage) for City business;
- b. An employee receiving a monthly car allowance;
- c. An applicant for a position that requires the operation of a City vehicle or equipment; and
- d. An applicant or employee subject to the performance of any driving duties as assigned.

2.3 An employee or applicant shall meet the following minimum criteria to be considered for the privilege of driving on City-related business, including driving a City or personal vehicle:

- a. Have a current and valid Texas driver’s license in the appropriate class as related to the position;
- b. Be at least eighteen (18) years of age; and
- c. Provide to the department, evidence of liability insurance as required by State law if he/she is required by his/her department to drive a personal vehicle on City business.

2.4 Applicant. A prospective employee is not eligible to be hired to operate a City vehicle or drive a personal vehicle for City business if he/she:

- a. Has a license that is currently under suspension or revocation;

- b. Has been convicted of four or more moving traffic violations within the preceding three years;
- c. Has been involved in two or more traffic accidents where he/she has been determined to be at fault within the preceding three years;
- d. Has been convicted of or involved in some combination of four or more moving traffic violations and at fault accidents within the preceding three years;
- e. Is not able to obtain a Texas driver's license;
- f. Has been convicted of a driving while intoxicated (DWI) or driving under the influence (DUI) within the preceding three years;
- g. Has been cited to appear and answer in an administrative hearing as a habitual violator of traffic laws; or
- h. Has refused to take a breath or blood alcohol level test within the last three years, depending on the circumstances of the refusal.

2.5 Current Employee. Because of the serious liability implications for the City, if an employee who is required to drive for purposes of City business is convicted of DWI or another alcohol or drug-related offense and/or it is found that the employee is convicted of traffic violations, the following policy guidelines are established.

2.5.1 A current employee may have his/her privilege to drive a City vehicle, personal vehicle for City business or operate motorized equipment suspended or terminated, **and** is subject to disciplinary action, up to and including termination of employment, if it is found that the employee:

- a. Has a driver's license that is currently under suspension or revocation;
- b. Has been convicted of four or more moving traffic violations within the preceding three years;
- c. Has been involved in two or more traffic accidents where he/she has been determined to be at fault within the preceding three years;
- d. Has been convicted of or involved in some combination of four or more moving traffic violations and at fault accidents within the preceding three years;
- e. Is not able to obtain a Texas driver's license;
- f. Has been cited to appear and answer in an administrative hearing as a habitual violator of traffic laws;
- g. Has refused to take a breath or blood alcohol level test within the last three years, depending on the circumstances of the refusal; or

- h. Has been convicted of a driving while intoxicated (DWI) or driving under the influence (DUI) or another alcohol or drug-related offense within the past three years.

2.5.2 Driving Privileges Upon Charge. An employee arrested for or otherwise charged with DWI or DUI shall have his/her driving privileges immediately suspended pending the outcome of the charge.

2.5.3 Conviction. If an employee who is required to drive for City business is convicted of a DWI or DUI offense, he/she is subject to disciplinary action, up to and including termination of employment. In most cases termination shall result. Limited exceptions may occur when driving is not a central duty to the employee's job, and removing the driving duty for an extended period of time will not cause hardship or disruption to City operations. Should an employee not be terminated from employment, his/her driving privileges shall be suspended for one year from the date the City is made aware of the conviction, as a minimum. The employee's driving record shall be reviewed prior to the end of the suspension to determine whether driving privileges should be reinstated. The City may require completion of a specified accident/citation-free period of time and completion of an appropriate defensive driving course at the expense of the employee.

2.6 Notification to Supervisor. An employee is required to **immediately** advise his/her supervisor or designee of any DWI, DUI or alcohol or drug-related arrest, charge or conviction and within 24 hours of being arrested or otherwise charged or convicted.

An employee shall notify his/her supervisor of any moving traffic violations, at fault accidents, or driver's license suspension or revocation during the employee's next duty shift.