

DRIVING AND VEHICLE POLICY

PURPOSE: This policy is written to maximize the safety of drivers, passengers, and the public when vehicles are driven on County business and to limit the County's financial risk.

SCOPE: This policy applies to County employees, volunteers, or agents who drive for County business. Employees, volunteers, or agents who drive County vehicles or who drive personal vehicles for County business on a regular basis (regular is defined as five or more times, on average, per week) must maintain an acceptable driving record and pass a pre-employment driver record check.

This policy covers only the driving of vehicles such as cars and trucks; it is not intended to cover the operation of other equipment, e.g. road maintenance equipment.

POLICY STATEMENT:

- A. Department managers are responsible for enforcing this policy, and shall ensure all employees who drive are notified of these policies, and the potential consequences of violating them.
- B. This policy defines the standards for all County departments. Requests to deviate from this policy must be submitted in writing, reviewed by the Risk Manager, and approved by the County Administrator.

Who Is Covered

Departments shall allow only drivers that meet the following eligibility criteria to drive on County business. The department is responsible to see these criteria are met before authorization to drive is granted to an individual.

1. Job Applicants. When any position on the attached list is being filled, the driving record covering the previous 5 years shall be evaluated according to the following procedure:
 - Any certification of eligible applicants sent to a department for selection processes shall contain a reminder to conduct a driving record check through DES prior to finalizing an employment offer.
 - Departments may offer employment contingent on receiving a successful driving record check. However, it is suggested that the applicant's driving record be checked prior to a contingent hiring offer whenever possible.
 - Departments shall email a request to the County's Risk Manager to conduct the driving record check. The request must state the applicant's name, position classification, and driver's license information from the application.

If the applicant being considered for hire is from outside the State of Oregon, they will be required to sign a release form allowing Clackamas County to acquire the driving record from the appropriate state. Hiring managers can obtain the appropriate release form from the Risk Management Division.

The Risk Manager will complete the driving record check according to the criteria contained in "Appendix A" and send an email to the hiring manager with the results. If the driving record does not meet County standards, the Risk Manager will make a recommendation not to hire the applicant. If the department hiring authority wishes to contest this recommendation, an appeal may be made to the County Administrator. In addition to the results of "Appendix A" a record and/or pattern of DUIIs, traffic offenses and/or accidents shall be considered in determining whether an applicant is acceptable.

2. County Employees. Any County employee must meet the following criteria in order to be allowed to drive on County business:

- a. Be at least 18 years old; and
- b. Possess a driver's license valid in the state of Oregon; and
- c. If in possession of a Washington (or other State) driver's license, sign a release form allowing the County access to his/her motor vehicle records; and
- d. If moving to the state of Oregon, acquire an Oregon State Driver License within the time frame provided for in the "Oregon Vehicle Code"; and
- e. Possess a Commercial Driver License if driving a vehicle requiring such; and
- f. Successfully complete, at County cost, a County-provided defensive driving course within three months of receiving driving privileges, and every three years thereafter. Current employees shall complete such a course as soon as possible, but no later than 1 year from the adoption of this policy, unless they have completed one within the last three years. Defensive driving courses that are available include:
 - i. Alert Driving – A web-based course that is customizable to the type of vehicle and duties assigned to individual employees, work groups, or complete departments. Training is coordinated through Risk Management. Costs vary with types of training chosen.
 - ii. Driving Simulators – 4 hour class utilizing County owned driving simulators and classroom instruction. Training is provided by Sheriff Office instructors and coordinated through Risk Management.
 - iii. Top Driver – 1-2 hour video course sponsored by the National Safety Council. Comprised of 8 modules so can be broken up. Includes workbook (approx. \$2.50 ea.) and optional open book test. Check out through County training division.
 - iv. Any other outside defensive driving course chosen by the employee's supervisor and approved by Risk Management.
 - v. Training videos provided through the County video library or obtained by the department with Risk Management approval.
- g. If charged with an at-fault accident or convicted of a traffic offense committed on County business or while in a County vehicle, an employee is required to complete a defensive driving course within two weeks of this determination.
- h. If driving their personally owned vehicle, provide proof of insurance at the inception of this policy or when driving responsibilities that are covered by this policy begin and at any time there is a change to the policy, to their department manager evidencing liability limits no less than the State required minimum. (Currently \$25,000 single occurrence/\$50,000 annual aggregate.)
- i. In addition to the above requirements, any County employee holding a position listed on "Appendix B" shall maintain an acceptable driving record (as described in Appendix A), to be determined as follows:
- j. Upon assigning driving privileges or responsibilities to an employee in a position on the attached list, the department shall provide by e-mail pertinent information, e.g. name, date

of birth, driver's license number, to Risk Management for "flagging" purposes. Risk Management shall establish an account with DMV and monitor the employee's driving record by reviewing any "flagged records". If a traffic offense occurs on work time falls into the categories noted in Appendix A, Risk Management will inform the department director. Traffic offenses falling into the categories noted in Appendix A, as well as a pattern of traffic offenses, along with other factors, if relevant, will be used to determine if the employee has an acceptable driving record. On-the-job traffic offenses and/or misconduct involving vehicles may be grounds for disciplinary action. Traffic offenses that occur in a County vehicle during non-work time may result in the employee's loss of the County-provided vehicle. It is the intent of this policy that unsafe behavior be corrected and, should discipline become necessary, that it follow the County Personnel Ordinance and union contracts, as applicable. (Departments with a current process to do this, e.g. Public Safety, CDL drivers, etc., shall continue and are exempted from this process.)

3. Other Drivers

In addition to County employees, the following people can be allowed to drive vehicles on County business:

- a. An officer or agent representing the County.
- b. A volunteer or other person acting on behalf of the County.

Drivers who are not County employees must meet the following criteria in order to be allowed to drive on County business:

- a. Be at least 18 years old; and
- b. Possess a driver's license valid in the state of Oregon; and
- c. Possess a Commercial Driver License, if driving a vehicle requiring such,
- d. If driving their personally owned vehicle, provide proof of insurance to the department manager of the department within which they work evidencing liability limits no less than the State required minimum. (Currently \$25,000 single occurrence/\$50,000 annual aggregate.)
- e. Obtain permission from Department Director within the area they are assigned.

Driver Responsibilities

The following responsibilities apply to anyone who drives any vehicle on County business:

1. Drivers shall inspect vehicles at the beginning of each shift or prior to each trip to ensure that the vehicles are in safe operating condition prior to their use. This should include tires properly inflated (i.e. not visibly deflated), windows (cleanliness), mirrors properly cleaned and positioned, all lights in working order, fluid levels in the proper range, no obvious fluid leaks, and overall condition of the vehicle's exterior and interior.
2. Drivers shall comply with all applicable state and local driving laws, parking regulations, and all County and departmental safety policies and rules. All drivers and passengers shall wear safety belts when the vehicle is in motion.
3. Drivers shall be held personally responsible and liable for any parking tickets received while driving a vehicle on County business. Parking fines received on County vehicles shall be paid or otherwise resolved promptly by the driver. Drivers shall notify their supervisor within 48 hours of receiving a parking citation on a County vehicle.
4. Drivers shall be held personally responsible and liable for any failure to comply with the rules of the road for drivers while driving a vehicle on County business. Drivers shall notify their supervisors by the beginning of the next work shift after receiving a citation or being arrested for failure to comply with the rules of the road for drivers while driving a vehicle on County business.
5. For photo radar or other citations issued against the vehicle's registration, the employee's department will complete the "Affidavit of Non-Liability" or similar document issued with the citation to identify the driver. The driver shall be personally responsible and liable for promptly paying the fine or otherwise resolving the citation.
6. In the event of an accident on County business, drivers shall immediately contact their supervisor, and, if driving a County vehicle, follow all instructions placed in each vehicle for that purpose.
7. A driver whose driver's license has been suspended or revoked shall immediately notify his or her supervisor.
8. Drivers shall ensure that any passengers who ride with them in a County vehicle or in any vehicle while on County business, other than those defined in the "Passenger" section on Page 6, are authorized by their supervisor. Drivers shall not transport passengers unless the passengers are wearing safety belts in accordance with Oregon Revised Statutes.
9. In the event of a citizen emergency that requires the use of a County vehicle, Department Directors can grant prior authorization under specific circumstances they establish. If an employee on County business encounters a stranded motorist, please be aware: a.) There is no obligation to stop and render assistance, b.) You should consider all objective circumstances regarding your own personal safety before choosing to stop, c.) the only authorized action is to help connect the motorist with appropriate roadside assistance.
10. Drivers shall not drive County vehicles or private vehicles for County business when they are required to take medication that may impair their ability to safely operate a moving vehicle. If in doubt, the employee should first obtain approval from his/her physician that it is safe to drive while taking the medication.
11. When operating a vehicle, driving is the first responsibility. If a call must be made or taken while driving on County time or conducting County business, only a hands-free phone (a phone that does not require the user to hold it while talking – dialing should only be done when stopped) shall be used. Concentration on driving should be the highest priority. Just as in any other activity while driving (e.g. adjusting the radio, writing a note, drinking coffee, etc.), if the content of a call will make it difficult to concentrate on driving, postpone the call until you can stop.

Vehicles

1. County-Supplied Vehicles. The County provides vehicles for use by qualified drivers only to conduct official County business, and to maintain the ability to respond to County business outside the employee's normal work hours when special equipment or tools are available in or on the vehicle. County vehicles shall not be used for personal business. Use of County vehicles to commute to and from work, except as stated above, is prohibited, unless approved in advance by the Department Head.
2. Privately Owned Motor Vehicles. The County allows use of privately owned motor vehicles to conduct official County business. A privately-owned motor vehicle used for County business must be a conventional, at least four-wheel vehicle, and be in safe mechanical condition and adequate to provide safe transport. Vehicle equipment must conform to State of Oregon requirements. A motor pool vehicle shall be used when a personally owned vehicle does not meet these standards. Registration must be current.
3. Insurance Requirements.
 - a. The driver of a privately owned motor vehicle used to conduct official County business must be insured against liability (person and property) in an amount not less than the minimum requirements of the State of Oregon. The driver's insurance is primary with respect to bodily injury and property damage; the County's self-insurance shall apply only as excess of statutory bodily injury and property damage limits of liability, or the aggregate (total) of all other applicable insurance limits, whichever is greater. The County will defend or investigate any claim(s) or action(s) against the County or its employees on behalf of such driver(s) unless any claim arising out of an alleged act or omission occurring in the performance of County duties results from malfeasance in office, or willful or wanton neglect of duty, and when all applicable underlying coverages have been exhausted by payment of settlements or judgments.

Use of privately-owned motor vehicles for official County business in violation of the automobile financial responsibility laws (i.e. not having legal insurance coverage limits) would be considered an exclusion under the tort statute as a wanton and willful disregard for statutory requirements and thus be excluded from the County's self-insured program.

Mileage reimbursement for the use of a privately owned motor vehicle is considered full payment (includes depreciation, insurance, maintenance, and operating costs) for its use.
 - b. The vehicle owner is responsible for any comprehensive and collision coverage the owner may elect to carry.
4. Out-of-town rental vehicles. The County provides excess liability coverage to supplement the coverage automatically provided by car rental companies. Therefore, purchase of supplemental insurance from the rental company is unnecessary. Excess liability coverage, collision coverage deductibles, and other charges not covered by the car rental company insurance will not be paid by the County if an accident occurs when the vehicle is used outside the scope of County business. (e.g. on an out-of-town trip, a rental vehicle is used for a non job-related side trip.) Travelers are required to apply the criteria of common sense, propriety, and relationship to business purpose, to the use of rental vehicles for County business.

Incidental Use of County Owned Vehicles for Non-Business Purposes

Clackamas County owns, maintains, and operates multiple types of vehicles, some specially outfitted and others for general transportation. These vehicles are designated for official use only, to be operated while conducting business benefiting the citizens of Clackamas County.

Clackamas County employees and elected officials (and occasionally volunteers) are perceived by the public as on duty while operating such vehicles. Unless they are unmarked vehicles designated for public safety work, most County owned vehicles have either a County logo, the logo of one of the County's affiliated agencies, or a state issued license plate beginning with a capital E as identifying marks.

It is of high importance that the trust of the public vested in Clackamas County be protected and enhanced by appropriate behavior by any person who is authorized to drive a County vehicle. This includes safe and courteous driving and avoiding the perception of misconduct while using the vehicle.

When operating the County's vehicles, County employees, elected officials and volunteers may:

- make stops for lunch or other meals if appropriate to the time of day
- occasionally and for short duration make a stop for a personal errand while en route directly to or from the office
- make stops for restroom breaks as needed
- drive the vehicle home if authorized under County departmental policy.
(specific approval from Department Head required per County Driving Policy)

Stops or other uses of County vehicle equipment are prohibited in all instances if they would reasonably expose the County to public perception of misuse or abuse of the driving privilege. Such uses are not limited to but may include stops at a liquor store, a bar or tavern, an adult bookstore, a gambling establishment, or any other business or location that the public may reasonably find to constitute misuse of County vehicles. County employees may not purchase or transport alcoholic beverages at any time, nor transport unauthorized passengers (as defined in the following section) at any time, while using a County vehicle.

Passengers

Only authorized passengers are allowed to ride in County vehicles and other vehicles while in use for County business. Authorized passengers are:

1. County employees conducting County business;
2. Officer and agents representing the County;
3. Volunteers acting on behalf of the County;
4. Vendors and contractors working on behalf of the County;
5. Participants in official County business and programs;
6. Representatives of other governmental agencies working with the County;
7. Anyone with prior authorization by the department manager or with specific authorization by the County administrator, elected officials or department directors.

APPENDIX A

**Clackamas County
Driver License Record Evaluation**

Department/Contact _____

Applicant Name _____

Date of driving record _____ (must be within 30 days of evaluation)

Complete following information or attach driving record

Driver License Number & State _____

Is driver license current and valid: **Yes** **No**

Is license clear of citations & suspensions: **Yes** (Skip to bottom) **No** (Complete next section)

Type of Offense & Examples	Number of Convictions	Points per conviction	Total Points
Felony or Misdemeanor Convictions within previous 60 months		35	
License suspension, revocation or diversion agreement Entries within previous 60 months (ending date)		35	
Class "A" conviction Convictions within previous 36 months		35	
Convictions within previous 36 - 60 months		20	
Class "B" conviction Convictions within previous 12 months		20	
Convictions within previous 12 - 36 months		10	
Class "C" conviction Convictions within previous 12 months		12	
Convictions within previous 12 - 36 months		10	
Class "D" conviction Convictions within previous 12 months		12	
Convictions within previous 12 - 36 months		10	
Total Points of All Categories: (May not exceed 34 points or applicant does not meet criteria)			
Notes/Comments:			

As of the date of this evaluation, the applicant

_____ Meets Clackamas County driving standards

_____ **Does not** meet Clackamas County driving standards

Evaluation completed by: _____

Date: _____

Examples of Violations Listed by Classification

Felony or Misdemeanor

Hit & Run, DUII, Driving While Suspended/Revoked
Attempting to Elude, Providing False Information, Failure to Perform Duties of a Driver

Class "A" conviction

Speeding (30+ mph over), Reckless Driving, Speed Racing, Careless Driving (with accident), Failure to Stop for School Bus, Failure to Obey Traffic Flagger

Class "B" conviction

Speeding (21-29 mph over limit), Driving Uninsured, Careless Driving (no accident), Crossing the Center Line, Dangerous Left Turn, No Operators License, Failure to Obey Traffic Control Device, Following too Close, Failure to Carry Proof of Insurance

Class "C" conviction

Speeding (11-20 mph over limit), Illegal U-turn, Failure to Yield to Pedestrian, Defective Head-lights, Failure to Yield Right of Way within Roundabout

Class "D" conviction

Speeding (1-10 mph over limit), Failure to use Safety Belt, Failure to Signal, Failure to Renew Vehicle Registration, Unsafe Lane Change, Failure to Display Registration Plates, Failure to Notify DMV of Address Change

APPENDIX B

The positions on this list include employees who drive on a regular basis or whose job cannot be accomplished without driving. For financial and administrative reasons, "regular" is defined as five or more trips on average per week.

Job Code	Classification		
	EA		EA CON'T
1025	Administrative Assistant	1560	Human Services Coordinator 1
1043	Media and Business Relations Coordinator	1563	Human Services Coordinator 2
1047	Records & Information Technician	1590	Mental Health Associate
1069	A&T Clerk 3	1591,1592,1594	Mental Health Specialist I, II, III
1187	Human Services Assistant	1673	Microcomputer Specialist 2
1202	Juvenile Counselor 1	1674	Microcomputer Specialist, Senior
1203	Juvenile Counselor 2	1678	Microcomputer Specialist 1
1205	Juvenile Counselor Coordinator	1690	Microcomputer Analyst
1219	Cook	1691	Microcomputer Specialist
1220	Cook, Senior	1717	Community Health Nurse 2
1237	Case Manager Aide	1721	Community Health Nurse Senior
1238	Case Manager	1720	Pre-Admission Screening Nurse
1241	AFC Licensing Assistant	1722,1723	Sanitarian 1, 2 (Environmental Health)
1242	AFC Licensing Specialist	909012	Interpreter
1243	Protective Services Specialist	909021	Transportation Shuttle Driver
1266	Housing Rehabilitation Specialist	EAT and STT	Selected Temps and Special Titles
1282	Employment & Training Specialist	NCT	Selected NCPRD Temps
1284	Weatherization Specialist 1		
1285	Weatherization Specialist 2	3035	DTD Business and Economic Development Coordinator
1286	Weatherization Specialist, Senior		Buyer
1289	Mediation Coordinator	3071	Traffic Safety Officer
1293	Courier	3100	Weighmaster (Temp)
1302	Engineering Technician 1	3163	Motor Carrier Program Coordinator
1303	Engineering Technician 2	3325	Dog Control Officer 1
1304	Engineering Technician 3	3169	Natural Resources Coordinator
1305	Engineering Technician 4	3199	Service District Specialist
1307	Citizen Involvement Specialist	3295	Construction & Development Review Coordinator
1310	Land Surveyor	3296	Civil Engineer, Senior
1331	Property Appraiser 1		Civil Engineer, Associate
1332	Property Appraiser 2	3298	Civil Engineer
1334	Property Appraiser, Senior	3299	Engineering Aide
1349	Electronics Technician 1	3300	Engineering Technician 1
1350	Electronics Technician 2	3301	Engineering Technician 2
1360	Telecommunications Specialist	3302	Engineering Technician 3
1437	Inventory Stores Specialist	3303	Engineering Technician 4
1453	Park Maintenance Assistant	3304	Land Surveyor
1455	Park Maintenance Specialist	3305	Planner 1
1470	Building Maintenance Specialist Sr.	3310	Development Agency Program Coordinator
1471	Building Maintenance Specialist	3311	Development Agency Project Planner, Sr.
1472	Building Maintenance Assistant	3338	Development Agency Project Planner
1473	Building Maintenance Coordinator	3339	Parks Maintenance Coordinator
1479	Building Construction Project Coordinator	3341	Pavement Management Tech. (May require CDL)
1480	Building Systems Coordinator	3387	Pavement Management Tech., Sr. (May require CDL)
1488	Corrections Counselor	3407	Safety and Loss Control Coordinator
1489, 1486	Community Corrections Officer 1, 2		
1516	Nurse Practitioner	3408	
1522	Public Health Physician		
1527	Health Educator	3423	
1540	Health Assistant		
1545	Nutritionist		

Job Code	Classification	Job Code	Classification
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20599	Mental Health Director
20655	Geographic Information Systems Manager
20670	Computer Services Manager, Senior
20671	Personnel Analyst, Senior
20718	Public Health Nursing Supervisor
20730	Personnel Analyst
20757	Director, Department of WES
20768	Victim's Assistance Manager
20769	Victim's Assistance Coordinator
20771	Community Corrections Manager
20783	Director, DTD
20790	Wastewater Treatment Services Manager
20791	Wastewater Collections System Manager
20793	Wastewater Analysis Manager
20798	Wastewater Operations Supervisor
20802	Capital Program Manager
20816	Safety and Regulatory Compliance Supervisor
20817	Surface Water Program Manager
20869	Computer Services Manager
28102	Chief Deputy Sheriff
28109	Lieutenant
28110	Captain
28600	Sheriff's Executive Secretary
29750	County Assessor
29751	County Clerk
29752	County Commissioner
29753	County District Attorney
29754	County Sheriff
29755	County Surveyor
29756	County Treasurer