

Anthony Independent School District

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2009 Driving Policy

Purpose: This policy is implemented in an effort to improve compliance with statutory requirements and to minimize legal liability and risks by ensuring that the District's guidelines are in effect and are applied on a consistent and comparable basis. It shall be the policy of the Anthony Independent School District [AISD] to review at least annually the driving records of all required and authorized drivers as defined below. Any employee who does not have a valid driver's license, is not insurable or is otherwise not eligible to drive pursuant to this policy will be prohibited from driving a District vehicle at any time for any purpose and will be prohibited from driving a personal vehicle for District business. The driving record review will include assessment of compliance with state and federal driving requirements; review of state motor vehicle records, including all violations regardless of whether they occurred in privately or District owned vehicles, on or off duty; and/or review of District motor vehicle accident records. Any employee who is required to drive a vehicle for District business in the performance of job duties but who is not eligible to drive as determined by the District may be reassigned, the employee's wages may be adjusted commensurate with the duties to be performed, and/or the employee may be subject to disciplinary action up to and including termination of employment.

Policy Statement: It is the Anthony Independent School District's policy requirement that drivers of all district vehicles must possess a valid driver's license issued in the state of residence for the class of vehicle being operated before being authorized by the Anthony I.S.D. Transportation Department to operate a district owned vehicle. This authorization applies to all district owned vehicles.

Policy Implementation [Employee]: In order to implement this policy the following actions must take place before an employee is authorized to operate a district vehicle:

1. All district employees who are required to use a district vehicle as part of their job responsibilities will be required to complete and forward to the Anthony I.S.D. Transportation Department a Texas DPS application for Copy of Driver Record [Motor Vehicle Records or MVR] approved by their campus principal or director. New Mexico Drivers will be checked with the New Mexico DPS. A PDF copy of the TX DPS and NM DPS forms are included as part of these guidelines.
2. Applicants must notify the Transportation Director of any driving violations that have been issued to them. The Transportation and Risk Manager must make a determination on whether to suspend, remove or allow the employee to continue driving AISD vehicles. The documentation for the decision made must be kept in each respective employee file. Failure to comply with this requirement will result in administrative action that could include termination.
3. An employee who receives any moving citation or conviction shall notify the site principal or director in writing within seven working days of receiving the citation or conviction. An employee whose driver's license has been suspended, revoked, or canceled, or who in any other way becomes disqualified from driving shall notify the site principal or director in writing before the end of the working day following the day the employee receives notice thereof. An employee who fails to comply with this section shall be subject to disciplinary action up to and including termination of employment.

4. Employees that have a change in vehicle class [type of vehicle they drive] must notify the Director of Transportation immediately of any requests to change vehicle class. The Transportation Director will make a determination on whether to [a] initiate another MVR search, and/or [2] approve the change in vehicle class. Under no circumstances is an employee authorized to drive a vehicle that is not in the vehicle class for which he/she has approval for. Failure to comply with this requirement will result in administrative action that could include termination.
5. At no time will an employee drive a District or personal vehicle for District use, or report for duty, under the influence of alcohol or drugs. Failure to comply with this requirement shall result in disciplinary action up to and including termination of employment.
6. An employee is personally responsible for any traffic violations said employee is charged with.
7. All traffic accidents must be reported to the Transportation Department immediately!

Policy Implementation [District – Transportation Department and Risk Management]

1. Upon receipt of the Texas DPS application for Copy of Driver Record, the Anthony I.S.D. the Transportation Department will [a] determine whether the application is in the District's best interests, [b] advise the applicant if the District will not move forward with the application, and/or [c] process the application. The district will pay the fee for those applications that are processed.
2. The Transportation Department shall maintain the driving records of all employees who are required or authorized to drive a vehicle for District business. The driving records shall be reviewed at least annually. The Transportation Department and Risk Management Section will determine an employee's driving eligibility based on insurability as determined by the District in conjunction with the District's insurance carrier, Department of Transportation (D.O.T.) correspondence, state motor vehicle records and/or District driving records. The District standard for driving eligibility is as follows:
 - a. An employee who is not insurable is not eligible to drive
 - b. An employee with an alcohol or drug-related conviction appearing on the State Motor Vehicle Record will not be eligible to drive.
 - c. An employee with an alcohol or drug-related citation will not be eligible to drive until such time as the citation results in a dismissal or a finding of not guilty. It is the responsibility of the employee to provide written documentation to the District verifying that a citation has resulted in a finding of not guilty or a dismissal.
 - d. An employee responsible for any vehicle accident occurring on District property which is not subject to police jurisdiction that results in bodily injury or property damage shall have recorded on his/her District driving record the equivalent of a motor vehicle record moving violation.
 - e. An employee with a total of three or more moving violations appearing on the state motor vehicle record or the District driving record in any combination within a three year period of time will not be eligible to drive.
3. The Transportation Department shall maintain a separate file for all Department of Transportation Certified Driver's License (D.O.T./C.D.L.) records of employees under the Texas jurisdiction. The Transportation Department shall notify Risk Management of any change in an employee's D.O.T. status.
4. The Transportation Department shall maintain a file for all employees who are authorized to drive that includes but is not limited to: [a] all correspondence, documents and records received; [b] all

employee vehicle accidents occurring on private or District property which are not subject to the jurisdiction of the police, [c] any other records deemed important. These records must be kept in accordance with the Records Retention Schedule. NOTE: A file on applicants that have not been approved will also be maintained [to include documentation on why application was denied.]

5. The employment status of an employee, who is required to drive and is determined to be ineligible to drive, will be determined on a case-by-case basis according to the needs of the District. Such determination will be made by the Superintendent in conjunction with advice from the CFO and Transportation Director.
6. An employee who is authorized to drive and is determined to be ineligible to drive will lose the privilege to drive. Reauthorization of driving privileges will be determined on a case-by-case basis in accordance with the provisions of this policy.
7. This policy applies to rentals [in those cases where students are being transported] and to employees driving non-street worthy vehicles [Example: Gator].

Authorizing or permitting the operation of a motor vehicle by another: This policy is written so that only those employees who have been cleared through the MVR process can drive AISD vehicles. No person or employee, including administration, shall authorize or permit a motor vehicle owned by the district or under that person's control to be driven by any other person knowing that said person has no legal right to do so. Failure to comply with this requirement will result in administrative action that could include termination.

Use of district-owned vehicles: Employees are not authorized to drive an Anthony ISD owned vehicle before or after the prescribed working hours of that employee. No motor vehicle owned by Anthony ISD shall be driven when not on official district business. If said employee is found in violation of above regulations, the employee will lose driving privileges for a time frame determined by the Transportation Director and will be subject to written disciplinary action up to and including termination of employment.

Employee Affidavit:

These guidelines were presented and copy provided to me on _____.

I understand and agree to comply with these guidelines. I will direct my questions to the Transportation Director.

Employee Signature/Date: _____

Transportation Director/Date: _____

Risk Manager/Date: _____