COUNTY POLICY AND PROCEDURES **6.80**

Subject: **VEHICLE AND EQUIPMENT OPERATION** ~~—~~ **FINAL REDRAFT - YP/CM**

Date: ~~**March 28, 2018**~~ **December 1, 2024**

Pages: **1 of** ~~**7**~~**12**

Replaces Policy Dated: March 2, 2018

STATEMENT OF POLICY: ~~The~~ Pinal County is strongly committed to reducing vehicle and equipment accidents through a systematic review of driver licensure and qualification records, clarifying responsibilities of all parties, and creating procedures and protocols related to safe vehicle operations.~~programs which promote safety in the workplace and work environments. This policy is consistent with the application of good risk management practices and is compliant with federal and state laws governing motor vehicles. This policy also applies to motorized County equipment.~~

PURPOSE: This policy is designed ~~o establish a procedure; outline driver's license requirements; and set forth vehicle and motorized equipment safety rules, regulations, and protocols designed~~ to:

A. Promote ~~Assure~~Enhance ~~the welfare and~~ safety of individuals driving County vehicles or operating motorized equipment.
B. Protect citizens, residents, and visitors in the County.
C. Control the financial liability of the County related to equipment and vehicle operations.

SCOPE: This policy and these procedures apply to any County employee, County official, County Human Resources-approved volunteer, Superior Court employee, and Clerk of the Superior Court employee (collectively **"individual**") while operating motorized County equipment; operating any vehicle designed for use on public highways while working on behalf of Pinal County; or operating any vehicle owned, rented, or leased by Pinal County ("County vehicle") at any time.

POLICY:

A. GENERAL DRIVER REQUIREMENTS

1. ~~Contractors and others – who are not County employees, County officials, County volunteers who have been preapproved by County Human Resources, Superior Court employees, or Clerk of the Superior Court employees – are prohibited from~~ Only those defined in the "Scope" section are eligible to operate~~ing~~ County vehicles and motorized County equipment.

2. No person under the age of 18 is permitted to operate a County vehicle or equipment.

3. A valid ~~and appropriate~~ driver's license for the particular type and class of vehicle or equipment ~~to be driven~~ shall be required for all individuals driving a County vehicle or operating motorized County equipment.

~~4. Current employees who are promoted or re-assigned to positions requiring a CDL shall have a valid CDL and medical certificate at the time of promotion or re-assignment.~~

5.4. A Class D license shall be required of individuals to drive any vehicle that does not require a motorcycle or commercial license. This includes individuals operating a vehicle designed to carry up to fifteen passengers, which includes the driver.

6. A rating of "A" or "Acceptable," Job applicants and current employees, who have an "Unacceptable driving ratinghistory," as defined under the *Driving Record Rating Standards* in Section BG of this policy,, shall not is necessary for be considered for positions which requireing driving.

7. Individuals shall not drive a County vehicle if notified by Risk Management that a temporary driving restriction has been issued. This is to allow for a driving risk investigation. Once the Driver Review Board has deemed the individual eligible to drive again, Risk Management will issue written approval to resume driving.

5.

8.1. Individuals shall ensure proper care of any vehicle driven by them. This includes vehicle cleanliness, periodic inspection for damage, and ensuring proper tire inflation.

9. Department management must ensure that County vehicles are scheduled for regular maintenance services at least once per year or as otherwise indicated on the window sticker.

10. Individuals shall comply with all applicable federal, state, and local laws when operating, using, or in possession or control of a County vehicle or motorized County equipment.

11.6. For additional details regarding qualifications and requirements for use of a County vehicle, , see : County Owned & Take Home Vehicles Policy, PCPP 3.97;, and Calculation of Fringe Benefits on County Owned and Take Home Vehicles Policy, PCPP 3.98; and Personal Vehicle Use and Loss/Damage Reimbursement 4.80.

B. DRIVING RECORD RATING STANDARDS

1. Human Resources/ Risk Management shall request and review the driving records for all applicants prior to hire to ensure they meet the Rating Code "A" or "Acceptable" driving record rating (see chart below). This applies to full-time, part-time, temporary, or intermittent positions.

2. Human Resources/ Risk Management shall request and review the driving record for currently employed individuals recommended for promotion to a position that may require driving to ensure a Rating Code of "A" or "Acceptable".

3. Risk Management shall request and review individual driving records from the Arizona Department of Transportation Motor Vehicle Division (MVD) at least annually and rate each individual in accordance with the *Driving Record Rating Standard* below. Individuals with a DOT license, will also be subject to annual national database query.

Each individual who drives a County vehicle shall be rated at least annually on the basis of any vehicle violation points assessed against him or her by the MVD (see *Vehicle Violation Points Assessment* in Section J below).

MVD Points	Driving Record Rating	Rating Code
0 - 4	Acceptable (meets requirements)	A
5 - 7	Needs Improvement	N
8 or more	Unacceptable	U

4. Individuals~~Any individual~~ receiving a Rating Code of "N" or "Needs Improvement" ~~rating~~ shall be notified by Risk Management of the rating and review the standards listed above.~~and advised that he or she shall be subject to increased periodic monitoring of their Driving Record~~ Risk Management will also collaborate with the Appointing Authority to develop a plan which may include~~,~~ verbal coaching~~counseling~~, further policy review, additional monitoring of driving records, driver's training, and/or other ~~pro-active~~ driving improvement measures.~~ or plans~~ .

~~Any individual with an "Unacceptable" rating shall have driving privileges suspended pending review by the Driving Review Board. An individual in a driving position who receives an unfavorable status change to his or her driver's license shall be removed immediately from all driving responsibilities. Alternative employment arrangements and/or disciplinary action up to and including termination of employment, or termination of volunteer service, may occur based upon the nature and duration of the loss of driving privileges; such action will be addressed by the Department Head or Elected Official.~~

5. Individuals with an "Unacceptable" rating shall not drive a County vehicle (or personal vehicle on County business) without the approval of the Driving Review Board.

C. REMOVAL OF COUNTY DRIVING PRIVILEGES

1. Risk Management shall immediately remove the County~~the~~ driving privileges of any individual, whose driver's license is cancelled, expired, refused, revoked, suspended, disqualified, or restricted by the State, upon verbal notice from the individual, supervisor, or Appointing Authority~~Department Head~~/Elected Official or through confirmation by written document.~~:~~
~~The Driving Review Board will review situations on an individual basis and make a determination whether the individual is approved to drive a County vehicle.~~
2. County driving privileges may be temporarily removed by Risk Management, with County Management approval, for refusal of a drug or alcohol test,~~,~~ or in situations that rise to the level of a serious event or an egregious nature, such as a motor vehicle accident resulting in extensive property damage, severe bodily injury or death to a third party, or a public complaint with substantiation~~, with County Management approval~~.

~~1.~~3. Individuals shall not drive a County vehicle (or a personal vehicle on County business) if notified by Risk Management that ~~a temporary~~ County driving privileges ~~restriction~~ have~~s~~ been removed for an "Unacceptable" Driving Record Rating, as defined in Section B of this policy, or with the agreement of the County Manager's Office when temporary removal of the privilege to drive has been in the best interest of the County. ~~n~~issued.

4. Once County driving privileges have been removed by Risk Management, Human Resources will collaborate with the Appointing Authority to agree on a designated resource to conduct ~~This is to allow for~~ a driving risk investigation. Result of the investigation will be shared with the ~~. Once the~~ Driving~~er~~ Review Board, who will determine whether or not to reinstate driving privileges.

~~has deemed the individual eligible to drive again, Risk Management will issue written approval to resume driving.~~

D. INDIVIDUAL DRIVER RESPONSIBILITIES

Individuals who operate a County vehicle, or motorized County equipment, represent the County and are expected to operate the vehicle or equipment in a courteous and safe manner in order to prevent harm to self and others. Drivers must comply with the following duties which represent minimum expectations:

1. Driver Safety and Training:
   a) Become familiar with vehicle or equipment prior to operation.
   b) Minimize driving distractions by setting GPS, climate and other equipment prior to driving.
   c) Wear a seatbelt at all time while driving, pursuant to ARS § 28-909, and ensure any passengers are wearing seatbelts while the vehicle is in motion.
   d) Do not use handheld devices while driving, pursuant to ARS § 29-914, unless the Appointing Authority has a policy which allows an exception and restrictions outlined in ARS § 29-914 do not apply.
   e) Attend and complete all driving-related educational classes, trainings, workshops, and webinars as directed by your Elected Official/-Department, Human Resources, or Risk Management.
   f) Maintain an acceptable driving rating as defined in Section B of this policy and fully cooperate with any written plan to improve driving behavior.
   g) Secure and lock all unoccupied County motor vehicles.

2. Compliance:
   a) Comply with all applicable federal, state, and local laws when operating, using, or in possession or control of a County vehicle or motorized County equipment.
   b) Maintain proper care of any vehicle driven ~~by them~~. This includes vehicle cleanliness, periodic inspection for damage, and ensuring proper tire inflation.
   c) Ensure that both proof of insurance and vehicle registration are present in the County vehicle glove compartment at all times. –Immediately notify Risk Management if either document is missing.
   d) Maintain the appropriate, valid driver's license and keep the license in the driver's ~~his or her~~ possession at all times while operating a County vehicle or, when required, motorized County equipment.
   e) Personally and promptly pay or address any fines imposed for a moving or non-moving traffic violation for which the individual is responsible, whether on or off duty.

3. Driver Notification Duties:
   a) Notify your supervisor immediately if :
      i) -You feel unsafe to drive. This may include fatigue, physical ability, a reaction to an over the counter or prescription medication, or other circumstances.
      ii) -Your driver's license is cancelled, expired, refused, revoked, suspended, restricted, or with any other restrictions or changes to endorsements.
      iii) -You are arrested or cited for a violation of any part of the Arizona Revised Statutes concerning driving under the influence of drugs or alcohol, regardless of whether you were driving a County or personal vehicle.

b). Notify Risk Management and your supervisor immediately if:

i) You are involved in a motor vehicle accident while operating or in possession or control of a County vehicle.

ii) You are stopped by law enforcement for a traffic infraction while driving a County vehicle, regardless of the outcome.

c.) Notify Fleet Services if a breakdown, malfunction, or other problem occurs while driving a County vehicle during or outside work hours. Fleet personnel will make the necessary arrangements to address the issue. Do not arrange a tow for the vehicle, change a flat tire or initiate commercial repairs without Fleet Services authorization.

4. Prohibited Conduct:

a) Do not operate a County vehicle or motorized County equipment after consuming alcohol or any other substance which impairs driving or operation of motorized equipment, including prescription or over the counter medication.~~, which impairs your driving or operation of motorized equipment.~~ (Refer to the Drug-Free Workplace Policy, PCPP 6.10.) Pinal County Sheriff's Office personnel may have exceptions to this policy for law enforcement purposes authorized by the Appointing Authority.

b) Do not use tobacco, tobacco-related products, chew, vapor/e-cigarettes, or marijuana, and do not engage in smoking of any kind, while in or operating a County vehicle or motorized County equipment. (See the Smoking, Vaping, and Tobacco Products Policy, PCPP 6.30.)

c) Do not drive if you are not physically and/or mentally capable of operating the vehicle or equipment safely.

~~**STANDARD PROCEDURES FOR VEHICLE/EQUIPMENT ACCIDENT REPORTING**~~

~~A vehicular or equipment accident is any incident involving a County vehicle or motorized County equipment when property damage and/or bodily injury has occurred. Both the individual and the individual's supervisor have specific procedures to follow when an accident occurs.~~

~~Individual. The individual involved in the accident, or the individual to whom the vehicle or equipment was assigned, shall:~~

~~Protect the accident scene: Immediately engage vehicle hazard lights and other available emergency warning devices to protect the accident scene and others and to prevent further harm.~~

~~Report the accident: Immediately notify the local law enforcement agency regardless of severity or location. Promptly contact the individual's supervisor regarding the accident. The individual may also call Risk Management with questions on procedures or to ask for advice.~~

~~Seek medical attention: If the individual or others need urgent medical attention, call 9-1-1. Report any potential injuries to the individual's supervisor so the supervisor can help coordinate medical assistance.~~

~~Actions while still at the scene:~~
~~Provide law enforcement with personal contact information and County proof of insurance. Cooperate and respond to questions with facts, don't speculate. Get the incident/citation number or ticket number from the responding officer.~~
~~If law enforcement is not coming or is delayed, exchange contact information with the other driver, i.e., personal phone number, work phone number, personal address, and obtain their insurance company name, policy number, and insurance company phone number.~~
~~Obtain the name, license plate, and contact information of all witnesses.~~

~~Document as much information about the accident or incident as possible.~~

~~Photograph the accident or incident scene including, but not limited to, license plates of all vehicles, any damage to any vehicles, and any property damage, e.g., damaged street sign.~~

~~Maintain confidentiality: Refrain from giving information about the accident to anyone except to the individual's direct supervisor, Risk Management, the investigating law enforcement agency, and medical personnel responding to the accident. The individual should direct any questions from any party regarding fault, responsibility, losses, injuries, or coverage (except to exchange insurance company name, policy number, and insurance company phone number, as noted above) to Risk Management. If the individual is contacted at any time to give a statement regarding the accident, the individual should contact Risk Management.~~

~~Complete the appropriate reports: Complete the "Employee's Report of Vehicle Accident" and submit the report to Risk Management and to the individual's direct supervisor no later than one business day after the incident. Individuals who are volunteers must complete the same report.~~

E. PROHIBITED TRANSPORTS AND VEHICLE ALTERATIONS

~~County Management, Elected Officials, Presiding Judge, and individuals must adhere to the following~~The following activities are prohibited in County vehicles and motorized equipment:~~:~~

1. Transport of non-County~~Allow only County authorized and preapproved~~ or unauthorized passengers~~.~~ ~~in County vehicles and in motorized County equipment.~~ ~~Transporting family members or friends is prohibited.~~

~~2. Never t~~Transport of non-County ~~business~~ items for a third party.

2. ~~Never deactivate a driver or passenger side airbag, unless doing so is lawfully required or recommended for the safety of a driver or passenger and then only do so per manufacturer guidelines. When an airbag is deactivated to transport a passenger, e.g., an adult with a specific medical condition, reactivate the airbag immediately upon the passenger's exit.~~

~~3. Never deactivate, disable, block, disrupt, or limit the function of a GPS device that has been installed in or on a County vehicle without prior supervisory and Fleet approval.~~

~~4.~~3. ~~Never T~~transport of guns or other weapons ~~in a County vehicle~~, unless required for employment at Pinal County.~~preapproved and authorized by the individual's supervisor and for official County business only.~~

~~5.~~4. ~~Never t~~Transport of explosive or flammable material~~s in a County vehicle~~, unless the volume~~it~~ is an approved ~~small~~ quantity for ~~official~~ County use, ~~business, has been preapproved in writing by the individual's supervisor,~~ and ~~all~~ lawfully required placards are displayed on the transporting vehicle.

5. ~~Never~~ Transport or tow~~attach or pull~~ of non-County trailers, other vehicles, or any other attachable item.

6. Transport of an alcoholic beverage or non-prescription controlled substance or drug.

6. Deactivation, disabling or otherwise limiting the function of a County-installed GPS device, or deactivation of airbag, unless approved by Fleet.when using a County vehicle, unless preapproved and authorized by the individual's supervisor and for official County purposes only.

7.

Never transport an alcoholic beverage or a non-prescription controlled substance or drug in a County vehicle.

7. Necessary and appropriate exceptions to the rules above may be authorized by the Appointing Authority or designee, after notification and discussion with Risk Management.

MANAGEMENT RESPONSIBILITIES

F.

County Management, Elected Officials, and Presiding Judge shall be responsible as follows:

1. Department Heads/Elected Officials will allow only those individuals who maintain the appropriate driver's license to drive a motor vehicle for official County or Court business.

1. Department DirectorsHeads/Elected Officials will maintain a current record of all vehicles under their control which require a CDL license and/or endorsement to operate.

2. Department Directors/Elected Officials must ensure that County vehicles are scheduled for regular maintenance services as indicated on the window sticker, or at least once per year.

Department management must ensure that County vehicles are scheduled for regular maintenance services at least once per year or as otherwise indicated on the window sticker.

1.

1. Fleet will ensure that County vehicles are equipped with hazard lights and other emergency warning devices.

1.3. Fleet Services willshall maintain a schedule and log verifying regular inspections, preventive maintenance, and emissions compliance for each County vehicle.

1. Fleet Services will adhere to the County Per the Vehicle & Equipment Marking Policy, PCPP 10.4.; and in compliance with A.R.S. § 38-538, Fleet will ensure that any motor vehicle owned or leased for six months or more by the County bears, in a visible manner, the name of the County, the name of the department/agency that owns or leases the vehicle, and the designation "for official use only." Any County vehicle missing any of these markings should be promptly reported to Fleet. Pursuant to A.R.S. § 38-538.03, only limited exceptions to the vehicle marking requirement are permitted, e.g., some law enforcement vehicles, and any exception must be approved by the Board of Supervisors.

4.

1. Human Resources shall request and review the driving record for all applicants recommended for hire or individuals recommended for promotion to a position which may involve driving to ensure they meet acceptable standards defined within the policy. This applies to full-time, part-time, temporary, or intermittent positions.

1. Risk Management shall request and review individual driving records from the Arizona Department of Transportation Motor Vehicle Division (MVD) at least annually and rate each individual in accordance with the *Driving Record Standards* in Section G of this policy.

2. Supervisors shall periodically check with each individual who drives a County vehicle to verify that an appropriate license is in the individual's possession and to prohibit an individual without an appropriate driver's license in his or her possession from driving a County vehicle.

Supervisors shall prepare a written performance improvement plan for each individual with a "Needs Improvement" rating per the *Driving Record Standards* in Section G.

5. No one should operate a County vehicle or motorized County equipment after consuming alcohol or any other substance, including prescription or over the counter medication, which may impair driving or operation of motorized equipment. An individual who feels impaired, or anyone who is concerned that an individual may be impaired, is direct to promptly report this to the individual's supervisor. Supervisors who receive notification of a driver's inability to drive safely by the driver or another personsuch a report must immediately contact Risk Management or Human Resources to discuss next steps.

3. (Refer to the Drug-Free Workplace Policy, PCPP 6.10, for testing protocols.)

6. Supervisors shall report each employee DUI (driving under the influence) citation, pending charge, and conviction to Risk Management promptly, as soon as possible, but no later than three working days, after obtaining knowledge of the citation, pending charge, or conviction.

3. Supervisors shall complete a "*Supervisor's Report of Industrial Injury*" report for an injury to a County driver[MES1][DS2], and send it to Risk Management within one business day of a vehicle accident. Contact Risk Management immediately to report serious injuries or fatalities.Information provided to Risk Management must include the following: the individual's full name, date of violation, nature and location of violation, description of vehicle driven, court of appearance, court date, and a copy of the citation/charge. Reporting is required whether or not the individual was driving a County vehicle at the time. Driving privileges may be suspended by Risk Management, pending review by the Driving Review Board.[DS3]

7.

3. Supervisors shall adhere to and enforce the *Standard Procedures for Vehicle/Equipment Accident Reporting* found in Section H of this policy.

3.1. Risk Management shall immediately remove the driving privileges of any individual whose driver's license is cancelled, expired, refused, revoked, suspended, disqualified, or restricted by the State, upon notice from the individual, supervisor, or Department Head/Elected Official. The Driving Review Board will review situations on an individual basis and make a determination whether the individual is approved to drive a County vehicle.

G. VEHICLE INSURANCE REQUIREMENTS

1. County-owned vehicles: Evidence of insurance must be present in all County vehicles. Documentation, and will be sent to Departments annually, when each time vehicle insurance is renewed. Contact Risk Management ifIf proof of insurance is needed, contact Risk Management. Each department and elected office is responsible for vehicle damage repairs, and the replacement of a County-owned vehicle, if damaged or totaled as the result of an accident.

2. Rented or leased vehicles: Each individual driver must fFollow Budget and Finance Department policies and procedures for passenger vehicle rental. s, including ensuring proper selection of

~~insurance coverage for physical damage and for general liability insurance coverage.~~ Contact Risk Management prior to renting or leasing ~~for rented or leased commercial~~ vehicles to discuss insurance coverage and required proof of insurance. [YP4]

Personal vehicle use~~s~~ for County~~official~~ business ~~purposes~~: Individuals who ~~choose to~~ use their personal vehicle for~~for~~ County ~~official~~ business~~s purposes~~ must maintain proper insurance as required by state law and have proof of coverage in the vehicle~~while driving~~.

~~**D.** INDIVIDUAL DRIVER RESPONSIBILITIES~~

~~An individual who operates a County vehicle or motorized County equipment is representing the County. Therefore, the individual must act with integrity, show respect for the vehicle or equipment, and strive to operate the vehicle or equipment in a safe manner to prevent harm to self and others. Individuals shall comply with the following requirements and likewise adhere to the *Safe Driving* standards in Section E:~~

~~Individuals shall ensure proper care of any vehicle driven by them. This includes vehicle cleanliness, periodic inspection for damage, and ensuring proper tire inflation.~~

~~Administrative Duties~~

~~0. Ensure that both an insurance certificate and vehicle registration are present in the County vehicle glove compartment at all times. The individual should immediately notify his or her supervisor if either document is missing.~~

~~0. Maintain the appropriate, valid driver's license and keep the license in his or her possession at all times while operating a County vehicle or, when required, motorized County equipment.~~

~~0. Personally and promptly pay or address any fines imposed for a moving or non-moving traffic violation for which the individual is responsible.~~

~~0. Maintain an acceptable driving rating as defined in Section G of this policy and fully cooperate with any written plan to improve driving behavior.~~

~~0. Attend and complete all driving related educational classes, trainings, workshops, and webinars as directed by the Department, Human Resources, or Risk Management.~~

~~0. Secure and lock all unoccupied County vehicles.~~

~~Driver Notification Duties~~

~~0. Notify Risk Management and the individual's supervisor immediately when a motor vehicle accident occurs while operating or in possession or control of a County vehicle. Adhere to the *Standard Procedures for Vehicle/Equipment Accident Reporting* in Section H of this policy.~~

~~0. Contact Fleet Services if a breakdown, malfunction, or other problem occurs while driving a County vehicle during or outside work hours. Fleet personnel will make the necessary arrangements to address the issue. Do not arrange a tow for the vehicle or initiate commercial repairs without Fleet authorization.~~

~~0. Notify the individual's supervisor and Risk Management immediately if the individual's driver's license is cancelled, expired, refused, revoked, suspended, restricted, or if there is~~

any other change in status to the individual's driver's license, such as the addition or deletion of endorsements or restrictions. Driving privileges will be placed on a temporary restriction, and the individual shall not operate a County vehicle or motorized County equipment until Risk Management or the Driver Review Board issues approval to drive.

1. Notify Risk Management and the individual's supervisor immediately if the individual is arrested or cited for a violation of any part of the Arizona Revised Statutes concerning driving under the influence of drugs or alcohol, whether or not the individual was driving a County vehicle at the time.

1. Notify Risk Management and the individual's supervisor immediately if the individual is stopped by law enforcement for a traffic infraction while driving a County vehicle, regardless of the outcome.

Prohibited Conduct

1. Do not operate a County vehicle or motorized County equipment after consuming alcohol or any other substance, including prescription or over the counter medication, which may impair driving or operation of motorized equipment. Any individual who feels impaired, or anyone who is concerned that an individual may be impaired, should immediately report this to the individual's supervisor. (Refer to the Drug Free Workplace Policy, PCPP 6.10, regarding zero tolerance for the use, possession, or distribution of drugs and alcohol in the workplace and for post-accident testing procedures.)
. Specific exceptions to the prohibition on consuming alcohol, or having alcohol present in the body or on County property, are authorized for Sheriff's Department personnel who are working in an officially designated undercover or covert investigative capacity.

. Any exception under this policy which authorizes a Sheriff's Department employee to consume alcohol or to have alcohol present in the body or on County property must be specifically authorized by the affected employee's immediate supervisor and must relate specifically to the employee's current duties in an undercover or covert investigative capacity.

1. Do not use tobacco, tobacco-related products, chew, vapor/e-cigarettes, or marijuana, and do not engage in smoking of any kind, while in or operating a County vehicle or motorized County equipment. (See the Smoking, Vaping, and Tobacco Products Policy, PCPP 6.30.)

1. Do not idle a County vehicle for more than five minutes, unless the vehicle is engaged in a work function or idling is required for safety reasons. A County vehicle should never be left idling unattended or while being fueled.

1. Avoid storage of personal property in a County vehicle. The County will not reimburse any individual for lost or stolen personal property.

3.

D. SAFE DRIVING

Pinal County is committed to protecting the health, welfare, and safety of individuals by encouraging safe driving behavior. As a result, Pinal County prohibits or restricts drivers from undertaking activities that distract their focus from driving responsibilities while operating a County vehicle or operating any vehicle in the course of their work. Nothing in this policy supersedes state or federal regulations.

0. **Definitions**

- Distracted driving: the diversion of attention from driving as a result of a driver focusing on a non-driving object, activity, event, or person. Diversion reduces cognitive awareness, decision making, and driver performance, which leads to an increased risk of driver error, near crashes, and crashes.

- Handheld mobile device or portable electronic device: a wireless communication device that is designed to engage in calls; receive and transmit text messages, images, and data; and requires the individual to hold the device in one hand. Examples include, but are not limited to, handheld mobile telephone, personal digital assistant, MP3 or other handheld music player, electronic reading device, global positioning system or navigation system, laptop computer, pager, electronic game device, or portable computing device.

0. **Application**

This policy section applies to all individuals when:

a. Operating a County vehicle
b. Operating a personal vehicle* while conducting official business
c. Using a cell phone supplied by the County
d. Using a personal phone for County business

*Personal Vehicle Use and Loss/Damage Reimbursement Policy, PCPP 4.80: A personal vehicle is considered authorized to use for approved business purposes if the individual has met the requirements both in PCPP 4.80 and this policy. Individuals found to be in violation of this policy are ineligible for County reimbursement under PCPP 4.80.

0. **Safe Driving Activities**

Individuals are required to:

- Adjust mirrors and become familiar with the vehicle or equipment prior to operation.
- Wear a seat belt at all times while driving a County vehicle pursuant to A.R.S. § 28-909 and ensure that all passengers are wearing seat belts while the vehicle is in motion.
- Manage the driving environment to minimize distractions.
- Never drive when overly fatigued.
- At all times, remain physically and mentally capable of operating a motor vehicle defensively and safely.

0. **Prohibited Acts**

Individuals are prohibited from using a handheld mobile device or portable electronic device while operating a County vehicle or while operating a personal vehicle while conducting official business and must comply with all applicable state and local laws, including A.R.S. § 28-914. While a vehicle is in motion or in traffic, individuals are prohibited from holding and/or touching the device, to include:

- Dialing or accepting a phone call.
- Speaking or listening to a conversation on a device.
- Viewing, talking, or transmitting electronic images.
- Composing, sending, viewing, accessing, retrieving or saving text messages, emails, or other electronic data.

Individuals are prohibited from listening to music or other forms of entertainment on headphones or earbuds while driving.

Activities conducted pursuant to Sheriff's Office, Animal Control, Public Works, and Medical Examiner's Office policies, procedures, and protocols, and as permitted by law, are excluded from these prohibitions.

Restricted Acts

Individuals are restricted from engaging in activities that would distract them from safely operating a County vehicle or operating a personal vehicle while conducting official business. Individuals may only engage in the following activities if the activity does not reduce the individual's focus, attentiveness, and ability to drive defensively:

a. Speaking with passengers.
b. Adjusting the radio, climate controls, or other accessories that are integrated into the vehicle.
c. Eating and drinking.
d. Pursuant to Sheriff's Office, Animal Care, Public Works, or Medical Examiner's Office policies, procedures, or protocols, and as permitted by law, operating a two-way radio or other device as necessary for road communication.

1. **Exceptions**

Use of a handheld mobile device or portable electronic device must comply with A.R.S. § 28-914 and may be used under the following circumstances:

- While the vehicle is parked.
- The device is affixed to the vehicle and is used only as a global positioning or navigation system while the vehicle is in motion or in traffic.
- The device is being used in the hands-fee position at all times while the vehicle is in motion or in traffic (e.g., Bluetooth, speaker phone).

E.A. INSURANCE REQUIREMENTS

0.1. County-owned vehicles: Evidence of insurance must be present in all County vehicles, and will be sent to Departments each time insurance is renewed. If proof of insurance is needed, contact Risk Management. Each department and elected office is responsible for vehicle damage repairs, and the replacement of a County-owned vehicle, if damaged or totaled as the result of an accident.

0.1. Rented or leased vehicles: Each individual driver must follow Budget and Finance Department policies and procedures for passenger vehicle rentals, including ensuring proper selection of insurance coverage for physical damage and for general liability insurance coverage. Contact Risk Management for rented or leased commercial vehicles to discuss insurance coverage and required proof of insurance.

0.1. Personal vehicles for official business purposes: Individuals who choose to use their personal vehicle for official business purposes must maintain proper insurance as required by state law and have proof of coverage while driving.

E.A. DRIVING RECORD STANDARDS

Each individual who drives a County vehicle shall be rated at least annually on the basis of any vehicle violation points assessed against him or her by the MVD (see *Vehicle Violation Points Assessment* in Section J below).

MVD Points	Driving Record Rating	Rating Code
0 – 4	Acceptable (meets requirements)	A
5 – 7	Needs Improvement	N
8 or more	Unacceptable	U

- Any individual receiving a "Needs Improvement" rating shall be notified and advised that he or she shall be subject to increased periodic monitoring of their Driving Record, verbal counseling, policy review, driver's training, and/or other pro-active driving improvement measures or plans.

1. Any individual with an "Unacceptable" rating shall have driving privileges suspended pending review by the Driving Review Board. An individual in a driving position who receives an unfavorable status change to his or her driver's license shall be removed immediately from all driving responsibilities. Alternative employment arrangements and/or disciplinary action up to and including termination of employment, or termination of volunteer service, may occur based upon the nature and duration of the loss of driving privileges; such action will be addressed by the Department Head or Elected Official.

F.A. STANDARD PROCEDURES FOR VEHICLE/EQUIPMENT ACCIDENT REPORTING

A vehicular or equipment accident is any incident involving a County vehicle or motorized County equipment when property damage and/or bodily injury has occurred. Both the individual and the individual's supervisor have specific procedures to follow when an accident occurs.

.A. Individual. The individual involved in the accident, or the individual to whom the vehicle or equipment was assigned, shall:

0.1. Protect the accident scene: Immediately engage vehicle hazard lights and other available emergency warning devices to protect the accident scene and others and to prevent further harm.

0.1. Report the accident: Immediately notify the local law enforcement agency regardless of severity or location. Promptly contact the individual's supervisor regarding the accident. The individual may also call Risk Management with questions on procedures or to ask for advice.

0.1. Seek medical attention: If the individual or others need urgent medical attention, call 9-1-1. Report any potential injuries to the individual's supervisor so the supervisor can help coordinate medical assistance.

0.1. Actions while still at the scene:

.a. Provide law enforcement with personal contact information and County proof of insurance. Cooperate and respond to questions with facts, don't speculate. Get the incident/citation number or ticket number from the responding officer.

.a. If law enforcement is not coming or is delayed, exchange contact information with the other driver, i.e., personal phone number, work phone number, personal address, and obtain their insurance company name, policy number, and insurance company phone number.

.a. Obtain the name, license plate, and contact information of all witnesses.

.a. Document as much information about the accident or incident as possible.

.a. Photograph the accident or incident scene including, but not limited to, license plates of all vehicles, any damage to any vehicles, and any property damage, e.g., damaged street sign.

1. Maintain confidentiality: Refrain from giving information about the accident to anyone except to the individual's direct supervisor, Risk Management, the investigating law enforcement agency, and medical personnel responding to the accident. The individual should direct any questions from any party regarding fault, responsibility, losses, injuries, or coverage (except to exchange insurance company name, policy number, and insurance company phone number, as noted above) to Risk Management. If the individual is contacted at any time to give a statement regarding the accident, the individual should contact Risk Management.

1. Complete the appropriate reports: Complete the "Employee's Report of Vehicle Accident" and submit the report to Risk Management and to the individual's direct supervisor no later than one business day after the incident. Individuals who are volunteers must complete the same report.

. Supervisor. When the supervisor becomes aware of an accident involving a County vehicle and/or equipment, the supervisor shall:

0. Report the accident: Immediately notify Risk Management of the incident. Risk Management can guide the supervisor regarding what action to take regarding the steps below and answer any questions.

0. Coordinate medical attention: Assist the individual in obtaining or coordinating medical care, as needed. (Additional information for directing medical care is attached as a cover sheet to the "Supervisor's Report of Industrial Injury.")

0. Travel to the accident location: Take detailed photos, including but not limited to, the accident scene, the County vehicle damage, the County vehicle number and license plate, all vehicles damaged, the license plates of other vehicles, and any property damage. If unable to be onsite, contact Risk Management to discuss the best alternative.

0. Complete the appropriate reports: Complete the Pinal County "Supervisor's Investigation Report." If the individual driver or any employee who was a passenger in the County vehicle was injured, the supervisor also must complete the required Arizona State form "Supervisor's Report of Industrial Injury." (See On The job Injuries and Illnesses/Worker's Compensation Policy, PCPP 6.40) Risk Management can direct the supervisor to the location of each form and answer any questions regarding completion and submittal of the forms.

H. STANDARD PROCEDURES FOR VEHICLE/-EQUIPMENT ACCIDENT REPORTING

A vehicular or equipment accident is aAn accident is considered to be -aAny incident involving physical damage to a County vehicle or motorized County equipment, when which includes damage to another vehicle, property of a third party, or bodily injury to any party. is considered an accident. has occurredWhen an accident occurs, the County driver shall follow the procedure below. Some departments may have additional procedures for drivers or supervisors.

If an individual is driving a personal vehicle on County business, procedures from this section also apply. RThe responsibility for repairs of physical damage to a personal vehicle would be on the -party who is "at fault." party. Direct any questions to Risk Management. Both the individual and the individual's supervisor have specific procedures to follow when an accident occurs.

Individual. The individual involved in the accident, or the individual to whom the vehicle or equipment was assigned, shall:

Following an accident, the County driver shall:

1. Protect the accident scene: Take reasonable action to prevent further harm. Immediately engage an emergency warning device, such as vehicle hazard lights and other reasonable means ~~and other available emergency warning devices~~ to protect the accident scene. Pull out of traffic lanes if possible.

2. Call 9-1-1 for any party needing urgent medical attention.

3. Report the accident:
   a. Immediately notify the local law enforcement agency regardless of severity or location.
   b. Promptly contact your ~~the individual's~~ supervisor to report ~~regarding~~ the accident and any driver injuries. Your supervisor must complete a *Supervisor's Report of Industrial Injury* and will coordinate any non-emergency medical assistance.
   c. ~~The individual may also call~~Drivers and supervisors are encouraged to contact Risk Management for support or questions.
   ~~Seek medical attention: If the individual or others need urgent medical attention, call 9-1-1. Report any potential injuries to the individual's supervisor so the supervisor can help coordinate medical assistance.~~

4. Actions while ~~still~~ at the scene:
   a. Cooperate with law enforcement. Provide them with County proof of insurance information, ~~personal~~ your name and contact information. ~~and County proof of insurance~~ Respond to questions with facts, do not ~~n't~~ speculate. Obtain the agency and incident or citation number from the responding officer.
   b. If law enforcement is not coming or is delayed, do not discuss details of the accident with the other party or take responsibility. The County d~~D~~rivers ~~should~~:
      i) Provide County proof of insurance and driver name.
      ii) ~~exchange contact information with the other driver, i.e.,~~ Obtain the other driver's ~~personal~~ phone number(s), ~~work phone numberperso~~ address, and ~~and obtain their~~ insurance company information (company name, policy number, and ~~insurance company~~ phone number).
      iii) Obtain the name, license plate, and contact information of ~~any~~all witnesses who stop at the scene.
   c. Record the date, time of day, location, license plate numbers of all vehicles involved, and any other information t~~w~~hat will assist in preparing a County vehicle accident report. ~~Document as much rmation about the accident or incident as possible~~
   d. Photograph damage to the County vehicle, including the County vehicle number and ~~the accident or incident scene including, but not limited to~~license plate ~~in some of the photos~~number. Photograph any damage to property such as street signs or guardrails. ~~s of all vehicles, any damage to any vehicles, and any property damage, e.g., damaged street sign.~~ If you feel comfortable taking photos of the damage to the other vehicle, ask permission to do so.

5. Maintain confidentiality: Refrain from giving accident details to anyone except ~~to~~ your ~~the individual's~~ direct supervisor, Risk Management, or the investigating law enforcement agency. ~~The individual should d~~Direct questions from any party regarding fault, responsibility, losses, injuries, or coverage to Risk Management. If you are contacted by the other party's insurance company to give a statement regarding the accident, contact Risk Management first. ~~., the individual should contact Risk Manageme~~

6. Complete the required reports: ~~Complete the~~ Contact Risk Management to advise them ~~them~~ of the accident, if you have not ~~already~~ done so already. Complete the ~~"~~*Employee's Report of Vehicle Accident*~~"~~ and submit the report to Risk Management and your~~to the individual's~~ direct supervisor within ~~no later than~~ one business day. ~~after the incident. Individuals who are v~~Volunteers must complete the same report. Request that your supervisor complete a ~~"~~*Supervisor's Report of Industrial Injury*~~"~~ ~~report~~ if you are injured.

~~G.~~I. DRIVING REVIEW BOARD

The purpose of the Pinal County Driving Review Board ~~is committed to reducing vehicle and equipment accidents through systematic review of driver qualifications,~~is to review ~~the~~ documents and information related to~~facts of~~ each at-fault accident~~, and any resultant accident damage or injury~~ in order to determine the cause, to identify ways in which the accident could have been avoided, and to initiate preventive measures for the future. The Board also reviews driving privileges of individuals who have been restricted from driving on County business under Section C of this policy.

1. **Definitions**

~~a.~~ Appointing Authority: Department head or elected official, or designee.

a.

~~—~~Bodily Injury: Physical injury to any person which requires treatment by a medical professional.

b.

c. Driving Review Board: A board established to review ~~and investigate~~ vehicle and equipment accidents~~incidents~~ and to make determinations on driving privileges.

~~c.~~ Equipment Abuse: Damage done to any motorized equipment which is caused by deliberate or negligent actions involving operation, misuse, or placement of the equipment.

d.

~~c.~~ Vehicular or Equipment Accident: An~~y~~ unplanned occurrence involving County equipment or a County vehicle which resulted in damage to ~~involving~~ a County vehicle or motorized ~~County~~ equipment~~, in which~~ damage ~~or injury occurred to a vehicle or equipment (belonging to the County or not),~~ to a third party's vehicle or property~~private or public property, ,~~or injury to ~~and/or~~ a person or animal.

e.

~~d.~~f. Property Damage: ~~–~~Tangible physical damage to a vehicle, equipment, or other property belonging to the County, any person, or any entity.

2. **Driving Review Board Structure**

The Board shall consist of up to five voting members. Three members will be~~have~~ permanent members who vote ~~status~~. To establish a quorum, a total of three voting members must be present. The Board will~~can~~ be~~is~~ comprised of members as follows:

a. County Manager or designee; voting member (permanent member~~ship status~~)
b. Human Resources Director or designee; voting member (permanent member~~ship status~~)

c. A person selected by the Executive Director of the Arizona Counties Insurance Pool (ACIP) having education, training, or experience in accident investigations; voting member (permanent membership status)

d. One member appointed by Risk Management on a case-by-case basis as their expertise is needed. This member; must be employed by Pinal County on a full-time basis for more than one year,; and may be selected from any department within the County; voting member

e. One member appointed by the Appointing Authority or elected office, when that is a supervisor from the same department that employs or oversees the individual whose driving privileges of an individual areaccident is under review; the member will be selected by the Appointing Authority of the respective department or elected office; voting member

f. Risk Manager or designee; non-voting member

3. Risk Management Duties

a. Review all vehicle accidents to determine whether the situation was preventable.

b. Collect information from the Appointing Authority on the investigation of the accident, any determination made by their safety committee, and any corrective action taken.

c. Notify the Appointing Authority of any vehicle or equipment accident that will be reviewed by the Driving Review Board.

d. Relay Driving Review Board recommendations or comments to the Appointing Authority.

e. Report further actions taken by the Appointing Authority in response to a specific accident, or in general, to the Driving Review Board at the next meeting.

f. Notify the Appointing Authority and driver in writing of Board determinations on driving privileges, such as reinstatement or failure to reinstate.

g. Compile periodic statistics for the County Manager or other communications at the request of the Driving Review Board.

4. Appointing Authority or Elected Official Duties

a. Investigate each vehicle or equipment accident and determine whether it was preventable. (Contact Risk Management if knowledgeable staff is not available or qualified to complete the investigation, and assistance will be provided.)

b. Provide Risk Management with the outcome of the investigation and indicate specific corrective action taken.

c. Notify an individual driver if the Board is reviewing their driving privileges.

d. Consult with Human Resources if the Board determines an individual's driving privileges will not be reinstated. The Appointing Authority may offer alternative employment arrangements, terminate the individual's employment or volunteer service, or take other action based upon County Merit Rules and the nature and duration of the loss of driving privileges.

e. Consider Driving Review Board recommendations and communicate with Risk Management on any feedback or further actions taken.

3.5. Board Duties and Authority

The Driving Review Board is empowered to:

~~b.~~a. Review vehicle and equipment accidents~~incidents~~, as referred by Risk Management.

~~c.~~b. Select accidents~~incidents~~ to be presented at the Driving Review Board meeting.~~to it for further review.~~

~~d.~~c. Make recommendations to an Appointing Authority regarding procedural changes, training, ~~procedural changes, corrective measures,~~ policy revisions, or equipment modifications to minimize a repeat of similar accidents ~~or incidents~~.

~~e.~~ Make decisions regarding the removal or reinstatement of driving privileges ~~Determine driving privileges~~ for individuals whose ability to drive has been removed~~"restricted"~~ by Risk Management or whose driving record has been designated as "Unacceptable" according to Section B of this policy;~~" make decisions regarding the removal or reinstatement of driving privileges~~.

d.

~~f.~~e. ~~Make d~~Decisions on the Driving Review Board ~~on driving privileges which~~ are final and are not appealable to the Pinal County Employee Merit System Commission, the Pinal County Law Enforcement Officers Merit System Council, or any similar ~~Court~~ Judicial Branch merit system commission or council.

~~g. Compile information to provide to the Appointing Authority and/or County Manager.~~

~~**Appointing Authority Obligations and Board Determination**~~

~~. The Appointing Authority will be notified by Risk Management of any vehicular or equipment incident that will be reported to the Board. The Appointing Authority must investigate each incident and determine if any corrective action should be taken. The Appointing Authority must provide Risk Management with a report that summarizes the outcome of the investigation and any corrective action taken.~~

~~. The Appointing Authority must notify an individual if the Board is reviewing the individual's driving privileges.~~

~~. Risk Management is responsible for notifying the Appointing Authority and the individual of the Board's determination regarding the individual's driving privileges.~~

~~5.~~6. **Board Limitations**

The Driving Review Board may not impose or make recommendations to an Appointing Authority regarding ~~individual~~ discipline of individual drivers. ~~However, if an individual has had his or her driving privileges suspended or removed by the Board, the Appointing Authority should terminate or remove the individual from the position if driving is categorized as an essential function of the position. If driving is not an essential function of the individual's position, the Appointing Authority will determine the appropriate level of discipline and/or whether to remove the individual from the position or eliminate the driving function.~~

~~H. VIOLATION POINTS ASSESSMENT~~ [DS5]

~~**Arizona Administrative Code R17-4-404**~~ ~~**Department of Transportation - Title, Registration, and Driver Licenses**~~

~~If a driver accumulates eight or more points in a twelve-month period, MVD shall order the individual to successfully complete the curriculum of a licensed traffic survival school or suspend the individual's Arizona driver license. If the individual is not licensed in Arizona, MVD will suspend the individual's Arizona driving privileges. MVD shall assign points to an individual driver as follows:~~

~~1. Conviction for violating A.R.S. § 28-1381, driving or actual physical control of a vehicle while under the influence of intoxicating liquor or drugs~~	~~8~~
~~2. Conviction for violating A.R.S. § 28-1382, driving or actual physical control of a vehicle while under extreme influence of intoxicating liquor or drugs~~	~~8~~
~~3. Conviction for violating A.R.S. § 28-693, reckless driving~~	~~8~~
~~4. Conviction for violating A.R.S. § 28-708, racing on highways~~	~~8~~
~~5. Conviction for violating A.R.S. § 28-695, aggressive driving~~	~~8~~
~~6. Conviction or judgment for violating A.R.S. §§ 28-662, 28-663, 28-664, 28-665, relating to a driver's duties after an accident~~	~~6~~
~~7. Conviction or judgment for violating A.R.S. § 28-672(A), failure to comply with red traffic control signal, failure to yield the right of way when turning left at an intersection, or failure to comply with a stop sign, and that failure results in an accident causing death to another person~~	~~6~~
~~8. Conviction or judgment for violating A.R.S. § 28-672(A), failure to comply with a red traffic control signal, failure to yield the right of way when turning left at an intersection, or failure to comply with a stop sign, and that failure results in an accident causing serious physical injury to another person~~	~~4~~
~~9. Conviction or judgment for violating A.R.S. § 28-701, speeding~~	~~3~~
~~10. Conviction or judgment for violating A.R.S. § 28-644(A)(2), driving over or across, or parking in any part of, a gore area~~	~~3~~
~~11. Conviction or judgment for violating any other traffic regulation that governs a vehicle moving under its own power~~	~~2~~