

# **SOUTHEAST AREA COOPERATIVE**



## **MOTOR VEHICLE SAFETY POLICY**

## **Southeast Area Cooperative Motor Vehicle Safety Policy**

Southeast Area Cooperative is dedicated to protecting all employee drivers, their passengers, and the general public from injury arising out of the use of motor vehicles for Cooperative business. Our Motor Vehicle Safety Policy establishes minimum procedures and requirements that must be followed by management and staff when using motor vehicles for Cooperative purposes.

### **Management Policy Statement**

Southeast Area Cooperative considers the safety and health of staff and the general public to be of prime importance. Safety contributes to the successful pursuit of our mutual goals and objectives. By implementing the following Motor Vehicle Safety Policy, our goal is to protect and preserve our vital resources.

The operation of vehicles is a daily part of conducting our Cooperative business and providing student services. However useful as an everyday tool of supporting our services, motor vehicles expose us to accidents, injuries, property damage, and direct/indirect costs. We have responded to these hazards with an aggressive Motor Vehicle Safety Policy designed to reduce our potential for accidents as much as possible. In order to achieve these goals, the policy mandates the active participation and support of us all.

Vehicle accidents are a waste of our time, equipment, and human resources, in addition to potentially causing human pain and suffering. As such, all staff, no matter what status or position, must play an active role in eliminating and controlling accidents. We have a moral obligation to each other and ourselves to support the aims of this Motor Vehicle Safety Policy.

Director and Board of Directors of Southeast Area Cooperative

## Responsibilities and Expectations

Staff selected and given authorization to drive Cooperative vehicles will display a commitment to safe vehicle operation. It is our expectation that everyone work toward our common goal of **zero accidents** by taking individual responsibility for the safe Cooperative use of motor vehicles.

### **Director and Business Manager are responsible for:**

1. Implementing and managing the Motor Vehicle Safety Policy.
2. Designating staff authorized to drive Cooperative vehicles.
3. Ensuring that designated drivers meet minimum driver qualifications outlined in this program.
4. Ensuring that staff provides proof of insurance on all personal vehicles used for Cooperative business.
5. Coordinating investigation of all accidents resulting from Cooperative or personal use of Cooperative vehicles.
6. Coordinating driver training, as needed.
7. Ensuring that all designated drivers sign our "Vehicle Use Agreement" appendix I, prior to driving on Cooperative business, and that a copy of the signed form is kept on file in the Business Office.
8. Notifying the Director and/or Business Manager of all accidents involving the Cooperative use of motor vehicles.

### **Drivers are responsible for:**

1. Following and cooperating with the requirements of this program.
2. Maintaining a valid driver's license and following any license restrictions.
3. Informing the Director and/or Business Manager of any driver's license revocations, restrictions, or suspensions.
4. Driving at all times in a safe, defensive manner.
5. Assuring the safety of passengers and cargo.
6. Providing auto insurance on all personal vehicles used for Cooperative business; and providing proof of insurance to the Business Manager.
7. Reporting all accidents and incidents to the Director and/or Business Manager and cooperating with investigations.
8. Attending and participating in all Cooperative sponsored drivers training.
9. Wearing their seat belts when driving vehicles on Cooperative business and ensuring passengers in such vehicles also wear their seat belts.
10. Signing and adhering to our "Vehicle Use Agreement" (appendix I).

It is our hope that these driver responsibilities carry over to your personal vehicle use and driving habits. The need to be safe does not stop at the end of the work day. Driver authorization to include qualifications and screening.

## Driver Authorization (qualifications and screening)

### Driver Authorization

Only those staff meeting the minimum qualifications of this program, and authorized to drive on Cooperative business may do so. This authorization may be revoked if evaluations of driver performance are not to Cooperative standards.

### Minimum Driver Qualifications

The first step in receiving authorization to operate a motor vehicle on Cooperative business will be to make certain a staff member has a:

1. Valid driver's license, without suspension, from the state of their residence only.
2. Driving record (MVR) free of any convictions within the past three years for:
  - a. Alcohol and/or drug related driving offenses
  - b. Refusal to submit to a Blood Alcohol Content (BAC) test
  - c. Reckless driving
  - d. Leaving the scene of an accident
  - e. A felony, manslaughter or homicide involving the use of a motor vehicle.
  - f. Driving while the driver's license is under suspension or revoked.
3. Driving record (MVR) free of any combination of three or more "at fault accidents" or moving violations (e. g. speeding, failure to yield, improper turn, etc.) within the past three years. An "at fault accident" is defined as an accident in which the driver may have prevented the accident by operating the vehicle in a reasonable and prudent fashion. This is to be determined by the person reviewing the MVR after the facts of the accident have been gathered from the accident and reviewed.
4. Clean background by checking with previous employers in accordance with applicable privacy laws.

### MVR (Motor Vehicle Record)

An MVR may be obtained on all staff for whom authorization to drive on Cooperative business is being determined. The Fair Credit Reporting Act (FCRA) requires that we notify the staff member (prior to obtaining the MVR) that a consumer report (MVR) will be obtained. Therefore, **the employee must complete and sign the Disclosure and Authorization form (Appendix III) and forward a copy to the Business Office.**

### MVRs will be obtained:

- When checking job application references.
- Prior to making an offer of employment.
- When a current staff member transfers to a driving position.
- When a current position is revised to include driving.
- At least once a year on a regular basis to ensure the ongoing safety of drivers.

Manager must also provide the staff member with a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act" (appendix IV) prior to requesting a check of the staff member's MVR.

## **Vehicle Use Agreement**

A "Vehicle Use Agreement" (appendix I) serves as a means of authorizing staff members to drive on Cooperative business. A "Vehicle Use Agreement" will be completed by all staff members, including those who drive their own vehicles for Cooperative services. No staff member is permitted to drive on Cooperative business until this form has been completed and signed by the staff member. Authorization to drive on Cooperative business may be terminated at any time in which the Director and/or Business Manager become aware of a driver's failure to abide by this policy or to meet the minimum driver qualifications.

## **Personal Use**

Personal use of Cooperative provided vehicles are only allowed when driving to and from work locations. Personal miles will be tracked once each year and taxes will be calculated on those personal miles on an annual basis and deducted from the staff payroll monthly.

## **COMMUNICATIONS**

### **Accident Reporting**

Minor incidents and accidents should be reported regardless of damage or cost. Motor Vehicle Incident Reporting procedures (see appendix VI) should be located in each Cooperative vehicle and to anyone driving their personal vehicle on Cooperative business.

### **Employees involved in motor vehicle accidents while driving on company business should:**

1. Immediately contact and report the accident to the authorities (Police, Highway Patrol, Sheriff) and ask that they provide you with a written report of the accident.
2. Exchange driver information (driver's license numbers, company telephone number and address, and the names of insurance companies). Do not make any statements or comments about the details of the accident or your contribution to its occurrence to the other driver, witnesses or passengers in the other vehicle. **Never admit fault in an accident that will be determined by the law and the insurance claims department.**
3. Report all accidents promptly to the Director and/or Business Manager, providing detail of the accident, name/address/telephone number/drivers license number for the other driver and name of their insurance company, names/phone numbers of all witnesses (See appendix V – Telephone Report of Vehicle Accidents).

### **Investigation**

All motor vehicle incidents and accidents will be investigated immediately by the Director and/or Business Manager, as well as any other people deemed appropriate, and the driver/staff member (if able). Any pertinent supporting data such as witness statements, descriptions, and suggestions for correction must be obtained at this time. The use of appendix V will be the start of your documentation and investigation.

## Specific Vehicle and Driver Safety Rules

- Be familiar with the vehicle and equipment before operating/driving.
- Conduct regular vehicle safety inspections, keep the vehicle in good operating condition, and report any mechanical problems to the Director and/or Business Manager.
- Practice defensive driving and courtesy to prevent accidents and traffic violations.
- Observe all the rules of the road, including the use of turn signals, yielding the right of way, adhering to speed limits, and maintaining safe following distances.
- Use headlights (not parking lights) during times of reduced visibility, such as snow, rain, drizzle, fog, and twilight.
- Allow only authorized persons to operate or ride in vehicles.
- Use the vehicle only for authorized purposes (no personal use unless authorized in advance).
- Never pick up hitchhikers.
- Never leave the vehicle unattended with the key in the ignition and/or the motor running.
- Always lock the vehicle when unattended.
- Use seat belts at all times and ensure that passengers do as well.
- Report to the Director and/or Business Manager immediately any moving violations, accidents, or changes in license status
- Never drive under the influence of alcohol or drugs. If medication is prescribed, the doctor or pharmacist should confirm that it will not affect the ability to drive. The same is true of over-the-counter medications, such as cold remedies containing antihistamine, which can cause drowsiness.
- Eliminate or reduce distractions which could cause accidents to include:
  - Cell phone use
  - Eating or drinking while driving
  - Grooming
  - Reading
  - Use of technology devices while driving
- Smoking is not allowed in any Cooperative owned vehicle.
- Do not operate the vehicle in an aggressive manner to include:
  - Speeding
  - Tailgating
  - Failure to signal a lane change
  - Running red lights and stop signs
  - Weaving in traffic
  - Yelling
  - Making obscene gestures
  - Excessive use of the horn
- Firearms or offensive weapons are not allowed in Cooperative vehicles at any time.
- Other rules as deemed prudent by the Director, Business Manager, and/or Board of Directors.

## **Vehicles Specifications, Inspection, and Maintenance**

Vehicles will be assigned to drivers. Vehicles modifications should be made only at the discretion of the Director and/or Business Manager. Examples of such modifications could include:

- Stereo equipment
- Trailer hitches
- Window tinting
- Navigation systems
- Security systems
- Accessibility aids
- Cargo containment means or racks
- Material handling means
- Mobile telephone attachments
- Changing tire or rim size
- Changing body configuration
- Increasing the carrying/hauling capacity of the vehicle

Vehicles and equipment will be inspected and serviced on a regular basis, but at a minimum per the vehicle manufacturer's recommendations, promptly after notice of a manufacturer recall, and in accordance with regulatory requirements and recognized standard practices.

Visual checks will be made by drivers on a daily basis to include:

- Gauges
- Fuel and fluids
- Wheels and tires
- Mirrors and mirror adjustment
- Windshield, including wipers
- Lights, including headlights, directional's, and brakes

## **Disciplinary Action for Inappropriate Operation of a Motor Vehicle**

In an effort to improve our driver performance, we have developed a strategy which will determine a course of action after the occurrence of a moving violation and/or "preventable" accident/incident. The system will provide for progressive discipline of a driver if the driver begins to develop a pattern of repeated traffic violations and/or "preventable" accidents/incidents. Motor Vehicle Records (MVRs) will be reviewed annually to determine the suitability of the driver to continue driving a Cooperative vehicle, and to establish remedial training needs. The following criteria will be utilized, which includes both personal and Cooperative driving:

1. No more than 2 minor violations\* in any one year.
2. No more than 4 minor violations\* in three years.
3. No more than 1 serious violation\*\* in the past five years.
4. No DUI or DWI in the past 5 years.
5. No suspensions or multiple licenses in five years.

\*Minor violations include, but are not limited to: speeding and minor equipment problems.

\*\*Serious violations include, but are not limited to: Stoplight/stop sign, 10+ mph over the speed limit, vehicular homicide, hit and run, or filing a false accident report.

The frequency of vehicle accidents should also be considered when evaluation driver experience and suitability. Criteria regarding accidents is no more than 2 “preventable” accidents/incidents in 36 months.

If the above driver performance criteria is exceeded, action will be taken ranging from revoking of driving privileges to remedial driver training. This may include, but not be limited to, defensive driver training, behind the wheel training observations, classroom video, or other training methods. At any time prior to exceeding the criteria, management may put a driver on notice with a warning letter regarding a particular violation(s) or “preventable” accident/incident. At the discretion of the Director and/or Business Manager, this may also include the revoking of driving privileges.

# APPENDIX I

## SOUTHEAST AREA COOPERATIVE VEHICLE USE AGREEMENT

Employee Name \_\_\_\_\_

Drivers License Number \_\_\_\_\_

To be authorized to operate a motor vehicle on Cooperative business, I agree to the following conditions. I will:

1. Maintain a valid driver's license and remain fully insurable.
2. Operate the vehicle in a safe, defensive manner, and obey all traffic laws.
3. Wear my seat belt and require passengers to wear their seat belts.
4. Limit the use of cell phones while operating the vehicle, except by use of a hands free device. Texting while driving is not allowed.
5. Promptly report all vehicle accidents to the Business Office.
6. Assume full responsibility for any traffic violations and fines arising out of use of the vehicle. Serious violations can result in the loss of the use of a Cooperative vehicle.
7. Not use the gas card or Cooperative charge account for gas for my personal vehicle.
8. Not use the vehicle for personal use, other than activities with prior authorization by the Director or Business Office.
9. Not allow the Cooperative vehicle to be driven by anyone that has not received authorization by the Director or Business Manager.
10. Not alter the Cooperative vehicle, unless authorized by the Director or Business Manager.

Examples include:

- Installation of stereos, amplifiers, radar detectors
- Installation of trailer hitches
- Aftermarket accessories such as bug deflectors, window tinting, etc.
- Personalized or vanity plates

11. Items number 1 through 7 of the Vehicle Use Agreement shall also apply to the use of my personal vehicle for Cooperative business.

I have read and understand the Vehicle Use Agreement. I agree to abide by the provisions of this policy. I understand that a violation of this policy will result in disciplinary action, up to and including termination of employment.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix II

### Driver Owned Vehicles Used for Cooperative Purposes Policy

There are situations where drivers use their personal vehicles for Cooperative purposes. This may occur on a regular or irregular basis; however, there are policies and expectations that must be followed in these circumstances.

For those drivers utilizing their personal vehicles on Cooperative business, the following requirements apply:

- Must have a valid driver's license in their state of residence, and meet the same MVR and accident criteria as drivers of Cooperative owned vehicles
- Automobile liability and property damage insurance coverage must be maintained by the driver. The Director and/or Business Manager should be provided with evidence of insurance coverage, which clearly lists policy declarations and coverage limits.
- In case of accident and subsequent claim, the coverage provided by the staff member's personal insurance will apply first.
- The vehicle must be maintained in accordance with the same requirements as Cooperative vehicles.
- Drivers must comply with all state laws and regulations.
- Motor vehicle records will be checked initially, and periodically thereafter. The driver's authorization to operate their personal vehicle for Cooperative purposes may be revoked by management if the motor vehicle record discloses the following:
  - The state motor vehicle driver license is revoked, suspended, withdrawn, or denied.
  - Operating outside the limitations of a restricted license.
  - Driver refuses to undergo drug or alcohol testing in accordance with Cooperative policies or as required by applicable state or jurisdiction.
  - A conviction for driving a motor vehicle while under the influence of alcohol or illegal drugs.

The company reserves the right to withdraw this privilege at any time.

I, \_\_\_\_\_, have read and understand the Driver Owned Vehicles Used for Southeast Area Cooperative Purposes Policy adopted by the Board of Directors on November 19, 2012. I agree to abide by the provisions of this policy. I understand that violation of this policy will result in disciplinary action, up to and including termination of employment.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix III

### Disclosure

In connection with your application for employment, we may procure a consumer report which may contain public record information such as your driving record on you as part of the process of considering your candidacy for employment and/or in your continued employment with our Cooperative. In the event that information from the report is utilized in whole or in part of making an adverse decision with regard to your potential or continued employment, before making the adverse decision, we will provide you with a copy of the consumer report and a description in writing of your rights under the Federal Fair Credit Reporting Act.

The Fair Credit Reporting Act gives you specific rights in dealing with consumer reporting agencies. You will be given a summary of these rights together with this document.

### Authorization

By my signature below, I hereby authorize you or your representative to obtain a consumer report (s) in order to be considered for employment or continued employment with Southeast Area Cooperative. If hired, this authorization will remain on file and shall serve as an ongoing authorization for Southeast Area Cooperative or its representatives to procure consumer reports at anytime during my employment.

(Please print)

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

## Appendix IV

### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness, and privacy of information in the files of every “consumer reporting agency” (CRA). Most CRA’s are credit bureaus that gather and sell information about you—such as if you pay your bills on time or have filed bankruptcy—to creditors, employers, landlords, and other businesses. You can find the complete text of the FCRA, 15 U. S. C. 1681-1681u, at the Federal Trade Commission’s web site (<http://ftc.gov>). The FCRA gives you specific rights, as outlined below. You may have additional rights under state law. You may contact a state or local consumer protection agency or a state attorney general to learn those rights.

- **You must be told if information in your file has been used against you.** Anyone who uses information from a CRA to take action against you—such as denying an application for credit, insurance, or employment—must tell you, and give you the name, address, and phone number for the CRA that provided the consumer report.
- **You can find out what is in your file.** At your request, a CRA must give you the information in your file, and a list of everyone who has requested it recently. There is no charge for the report if a person has taken action against you because of information supplied by the CRA, if you request the report within 60 days of receiving notification of the action. You also are entitled to one free report every twelve months upon request if you certify that (1) you are unemployed and plan to seek employment within 60 days, (2) you are on welfare, or (3) your report is inaccurate due to fraud. Otherwise, a CRA may charge you up to eight dollars.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must investigate the items (usually within 30 days) by presenting to its information source all relevant evidence you submit, unless your dispute is frivolous. The source must review your evidence and report its findings to the CRA. (The source also must advise national CRAs—to which it has provided data—of any error.) The CRA must give you a written report of the investigation and a copy of your report if the investigation results in any change. If the CRA’s investigation does not resolve the dispute, you may add a brief statement to your file. The CRA must normally include a summary of your statement in future reports. If an item is deleted or in a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.
- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files, usually within 30 days after you dispute it. However, the CRA is not required to remove accurate data from your file unless it is outdated (as described below) or cannot be verified. If you dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the name, address, and phone number of the information source.
- **You can dispute inaccurate items with the source of the information.** If you tell anyone—such as a creditor who reports to a CRA—that you dispute an item, they may not then report the information to a CRA without including a notice of your dispute. In addition, once you’ve notified the source of the error in writing, it may not continue to report the information if it is, in fact, an error.
- **Outdated information may not be reported.** In most cases, a CRA may not report negative information that is more than seven years old; ten years for bankruptcies.

- **Access to your file is limited.** A CRA may provide information about you only to people with a need recognized by the FCRA—usually to consider an application with a creditor, insurer, employer, landlord, or other business.
- **Your consent is required for reports that are provided to employers, or reports that contain medical information.** A CRA may not give out information about you to your employer, or prospective employer, without your written consent. A CRA may not report medical information about you to creditors, insurers, or employers without your permission.
- **You may choose to exclude your name from CRA lists for unsolicited credit and insurance offers.** Creditors and insurers may use file information as the basis for sending you unsolicited offers of credit or insurance. Such offers must include a toll-free phone number for you to call if you want your name and address removed from future lists. If you call, you must be kept off the list for two years. If you request, complete, and return the CRA form provided for this purpose, you must be taken off the list indefinitely.
- **You may seek damages from violators.** If a CRA, a user or (in some cases) a provider of CRA data, violates the FRA, you may sue them in state or federal court.

**Appendix V**

**Telephone Report of Vehicle Accident**

(For use by Director or Business Manager who receives the call from the driver)

Employee's Name \_\_\_\_\_

Are you all right? (If not, describe your injuries) \_\_\_\_\_

Date of Accident \_\_\_\_\_

Exact Location of Accident \_\_\_\_\_

Time of Accident \_\_\_\_\_

Description of Accident (What happened?) \_\_\_\_\_

\_\_\_\_\_

Phone number where you can be called back \_\_\_\_\_

Address where you can be reached in the next several hours \_\_\_\_\_

Did you get the other driver's name, address, license number, and insurance company? \_\_\_\_\_

\_\_\_\_\_

Was anyone injured? (Names) \_\_\_\_\_

Were there any fatalities? (Names) \_\_\_\_\_

Were the injured given medical assistance? \_\_\_\_\_

If so, give name and address of hospital or doctor \_\_\_\_\_

\_\_\_\_\_

Were the police called? \_\_\_\_\_

If so, did you get their names? \_\_\_\_\_

Were there any witnesses to the accident? \_\_\_\_\_

Did you get the names, addresses, and phone numbers of the witnesses? \_\_\_\_\_

\_\_\_\_\_

Can your vehicle proceed safely in its present condition? \_\_\_\_\_

What is the extent of the damage? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What assistance do you need? \_\_\_\_\_

\_\_\_\_\_

Time \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

(Signature of Person Notified)

## Appendix VI

### Motor Vehicle Incident Reporting: Instructions for Drivers and Incident Information

**Instructions for Drivers:** In the event of an accident/incident, the on-scene instructions to be placed in the vehicle should include the following:

- ✓ Phone number(s) to which incidents are to be reported.
  - ✓ Insurance carrier information that can be provided to other involved parties.
  - ✓ Instructions for contacting law enforcement and emergency personnel; and instructions for contacting roadside assistance services, if available.
  - ✓ Instructions for leaving the incident scene intact, securing the scene against further collisions or injuries until emergency personnel arrive, and meeting regulatory requirements (if any) for blood alcohol testing.
  - ✓ A reminder to the driver that he or she should not admit fault for the accident.
- Materials to be placed in the vehicle may include a witness card for recording initial comments and contact data from potential witnesses.

**Incident Information:** Recommended data elements to be collected in the event of a motor vehicle incident are as follows:

- ✓ Name
  - ✓ Address
  - ✓ Phone Number(s)
  - ✓ Driver's license number
  - ✓ License plate number
  - ✓ Name of insurance carrier
  - ✓ Insurance policy number
  - ✓ Name, address, and phone number(s) of all parties involved in the incident, including passengers in each vehicle
  - ✓ Name, address, and phone number (s) of all witnesses
  - ✓ Date and time of the incident
  - ✓ Location of the incident (intersection or milepost)
  - ✓ The party to whom the driver's vehicle was registered (e.g., the organization the driver, another individual, or a rental agency)
  - ✓ Name and phone number(s) of the investigating law enforcement officer on the scene, if any as well as any citations issued.
  - ✓ Any other entities responding at the scene (e.g., fire department, ambulance, hazardous materials unit)
  - ✓ A detailed narrative of the incident
  - ✓ Space to allow the driver to make a sketch or diagram of the incident scene
- Note: Vehicles involved in the incident should be denoted by numbers in both the narrative and the corresponding diagram. Position of the witnesses should be noted in the same way.