



Court of Appeals

Memorandum

To: William L. Martin, III
From: H. Sparrow *HS*
Subject: Personnel Policy - Use of Car for Court Business
Date: February 23, 2009

Attached is a draft Vehicle Use Policy. I have based it loosely on the more extensive DOAS policy which follows my draft. Our Court Vehicle Use Form would be similar to the DOA Motor Vehicle Use Program Driver Acknowledgment Form.

I will put all the recent personnel policy additions and drafts in the Personnel Policy Committee notebook, but I am giving you the Car Use Policy now so you have a chance to review it before it is added to the committee notebook.

Motor Vehicle Use for Court Business

Employees are authorized to use the Court Car and Van only in accordance with the following requirements. In advance of driving a Court Vehicle or personal vehicle on Court business, an employee shall provide the Fiscal Office a copy of his or her Georgia driver's license and complete a Court Vehicle Use Form. Thereafter, each time in advance of traveling on court business, an employee shall provide the Fiscal Office a newly completed Court Vehicle Use form if the form on file has become outdated or inaccurate and/or a copy of his or her driver's license if it has been renewed since he or she last traveled on Court business. An employee is not authorized to drive on state business if an employee did not provide a accurate Court Vehicle Use form and a copy of his or her current driver's license to the Fiscal Office in advance of the trip.

An employee shall also view an approved Driver Safety video prior to driving on state business and every ___ years thereafter. The employee must sign an acknowledgment that he or she has seen the video and file the acknowledgment with the Fiscal Office.

A Court employee shall report any moving traffic citations or accidents while on state business whether using a Court Vehicle or his or her personal vehicle. The report shall be made within ___ hours by calling the Fiscal Office and calling 1-877-656-7475.???

An employee may not operate a vehicle on state business without a valid Georgia driver's license in his or her possession and having provided a copy of the license to the Fiscal Office. An employee may not drive on state business with an expired, suspended or revoked driver's license.

An employee who has more than 10 points on his or her driving record, has had an "at Fault" motor vehicle accident within the last 6 months and/or was convicted of one of the following offenses within the last 6 months, does not meet the Court's safety standard. The employee cannot drive on state business unless the Court determines to give its permission upon the employee's successful completion of either one or both of the following tasks: (1) review of an approved driver safety video and/or (2) successful completion of an approved defensive driving course. The employee rather than the Court shall pay any fees associated with the approved defensive driving course. If the points were accumulated or the offense(s) or accident occurred while on the Court's business, the Court may also discipline the employee in accordance with any other section of the employee handbook based on his or her driving conduct.

An applicant for a job with the Court that requires driving on the Court's business, may be required as a part of the application process to provide a copy of his or her driver's license and to complete the Driver Use Form.

XXIII. POLICY FOR COURT CAR

- A. The Court of Appeals of Georgia shall provide a court car for the use of the chief judge and the Court. The court car shall be for the primary use of the Chief Judge. Other judges and court personnel may have use of the court car with the authorization of the Chief Judge or his/her designee.
- B. The Court Fiscal Officer shall purchase a court car consistent with state law and such court car shall be operated in accordance with state law.
- C. Any tax consequences occasioned by the use of the court car shall be the responsibility of the user.
- D. The Court shall provide liability insurance and such other insurance as may be required by state law and state regulations for the use and operation of state vehicles.
- E. The court car shall be titled in the Court of Appeals of Georgia or the State of Georgia, as may be required by state law or regulations. In no event shall the court car be titled in the name of any individual.
- F. The court car shall be maintained as required by state law and, when appropriate, shall be disposed of according to state law or regulations.
- G. The court car shall be a Ford Crown Victoria or such other car typically furnished to the Chief Justice or other agency heads. (Source: Minutes April 2001 Banc Meeting.)



Department of Administrative Services Policies & Procedures

Published: [date]

Approved by: Brad Douglas, Commissioner

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RMS101 – Motor Vehicle Use Program

OVERVIEW

DOAS employees may have work assignments that involve driving a vehicle to accomplish state business. In an effort to promote a safe work environment and reduce the number of motor vehicle accidents that occur on-the-job, DOAS has a Motor Vehicle Use Program which sets driving qualification standards for DOAS drivers and requires training and other appropriate action for employees who fall outside those standards.

REFERENCES

- Department of Driver Services rules and regulations

POLICY

Applicability This policy applies to all DOAS employees who drive on State of Georgia business regardless of frequency of driving.

Driver Qualifications

1. Before driving on state business, DOAS employees must certify that they can safely operate the vehicle by completing RMS101 Form-1, *Driver Acknowledgement*.

- 1.1. Supervisors are to review completed forms and allow employees to drive only if they initialed next to every safety standard.

NOTE: If an employee could not meet a safety standard because of points, accidents, or convictions, the employee can be permitted to drive on state business only after viewing a driver safety video and successfully completing an approved defensive driving course.

- 1.2. Employees who drive on state business on a weekly or more frequent basis must complete a new form on a reasonable basis, at least every 6 months.

**Driver
Disqualifications**

- 1.3. Employees who drive on state business *infrequently* must complete a new form before each trip.
- 1.4. Supervisors retain original forms and provide copies to their employees.
2. DOAS employees must have a valid license in their possession while operating a vehicle on state business.
3. Drivers must review the *Driver Safety Tips* before driving on state business.
1. Employees will not be permitted to drive on state business until they have viewed a driver safety video and may have to successfully complete an approved defensive driving course if any of the following events occur:
 - 1.1. Accumulating more than 10 points on their driving record,
 - 1.2. Receiving a citation (ticket or warning) while driving on state business,
 - 1.3. Has an “at fault” motor vehicle accident within the 6 months preceding an assignment to drive on state business, or
 - 1.4. Has been convicted of one of the following offenses within the 6 months preceding an assignment to drive on state business:
 - 1.4.1. Driving Under the Influence (DUI)
 - 1.4.2. Driving While Intoxicated
 - 1.4.3. Leaving the scene of an accident
 - 1.4.4. Refusal to take a chemical test for intoxication

NOTE: Information regarding safety videos and approved courses is available in the Risk Management Services Division.

2. Subject to availability of funds, DOAS may pay for the first defensive driving course required by this policy. Second and subsequent required courses are at the expense of the employee.

3. Employees with a driver's license that is expired, suspended, or revoked, are not permitted to drive on state business until the license is reinstated. Employees who drive on state business are to disclose any license expiration, suspension, or revocation by submitting RMS101 Form-2, *Driver Notification*, no later than the work day following the license action.
4. Employees charged with the following offenses are not permitted to drive on state business until disposition of the charges:
 - Driving Under the Influence
 - Driving While Intoxicated
 - Leaving the scene of an accident
 - Refusal to take a chemical test for intoxication
 - Aggressive Driving (only if a conviction would result in more than 10 points accumulated on driving record)
 - Exceeding speed limit by more than 19 mph (only if a conviction would result in more than 10 points accumulated on driving record)
- 4.1. Employees who drive on state business are to disclose receipt of the above charges by submitting RMS101 Form-2 no later than the workday following the charges.
- 4.2. Employees who meet all *Driver Qualifications* following disposition of the charges are permitted to resume driving on state business.
- 4.3. If an employee does not meet all *Driver Qualifications* following disposition of the charges, the employee will not be permitted to drive on state business until the employee has a valid driver's license and has viewed a driver safety video and successfully completed an approved defensive driving course.

On-the-Job Citations

1. Employees who receive traffic citations (tickets or warnings) while driving on state business must notify their supervisor using Form-2 immediately upon returning to work.

2. Employees will not be permitted to drive on state business until they have viewed a driver safety video and may have to successfully complete an approved defensive driving course. The decision to require such a course will be made by the employee's supervisor, in consultation with Risk Management Services, based on the specific citation.
3. If an on-the-job citation results in *Driver Disqualification*, as noted in item #4., above, the employee will also be prohibited from driving on state business until disposition of the charges and until the employee has a valid driver's license.
4. Supervisors are responsible for initiating any other action determined appropriate in accordance with DOAS policy.

On-the-Job Accidents

1. Employees who are involved in motor vehicle accidents while driving on state business are expected to obtain the following information at the scene of the accident:
 - 1.1. The other driver's name, address, and phone number
 - 1.2. The name of the responding police department
2. Employees are to report accidents involving bodily injury or property damage within 48 hours of the occurrence by calling 1-877-656-7475 (for accidents involving a personal or rented vehicle), or by contacting Automotive Resources International (ARI) at 1-800-CAR-CARE (for accidents involving a DOAS fleet vehicle).
3. Employees must notify their supervisor of motor vehicle accidents that occur while driving on state business using RMS101 Form-2. Notification is due immediately upon returning to work, or within 48 hours of the accident, whichever is sooner.
4. Upon receiving Form-2, supervisors are to discuss the accident with the employee to complete RMS101 Form-3, *Supervisor's Accident Follow-Up Checklist Report*, and forward it to DOAS RMS within 2 work days following the meeting.
5. Employees who are cited for an on-the-job accident will not be permitted to drive on state business until they have viewed a driver safety video and successfully completed an approved defensive driving course.

6. The DOAS Accident Review Panel will review all on-the-job motor vehicle accidents and make recommendations for additional action, as appropriate.

**Accident
Review
Panel**

1. DOAS will maintain an Accident Review Panel that will review all on-the-job motor vehicle accidents and complaints against DOAS drivers and make recommendations for appropriate action.
2. The panel will have at least 3 members, chaired by a program manager within the Risk Management Services Division. Other panel members must be DOAS managers approved by the Panel chair.

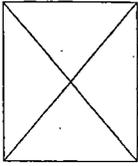
**Driver
Assessment**

1. Upon publication of this policy, a Georgia Motor Vehicle Report will be reviewed on all DOAS employees who are required to drive on state business on a weekly or more frequent basis.
 - 1.1. Appropriate action, as indicated in the *Driver Disqualifications* section of this policy, will be initiated for employees whose Motor Vehicle Report shows that they do not meet all *Driver Qualifications*.
 - 1.2. If it is determined that an employee does not currently have a valid driver's license, the employee will not be permitted to continue driving on state business, and other appropriate action will be initiated in accordance with DOAS policy.
2. A Motor Vehicle Report will be reviewed before hiring an applicant into a position that requires weekly, or more frequent, driving on state business.
 - 2.1. Applicants who do not meet *Driver Qualifications* will not be hired.
 - 2.2. If two or more applicants for a job that requires weekly, or more frequent, driving on state business are otherwise equally qualified for the job, then preference may be given to the applicant with the safer driving record. The determination of "safer" will be left to DOAS.
3. Motor Vehicle Reports may be reviewed as otherwise determined appropriate.

Document Retention Forms associated with the Motor Vehicle Use Program will be retained throughout a driver's employment plus three years.

RELATED DOCUMENTS

- RMS101 Form-1, Driver Acknowledgement
- RMS101 Form-2, Driver Notification
- RMS101 Form-3, Supervisor's Accident Follow-up Checklist
- DOAS Driver Safety Tips
- Georgia Liability Insurance Card



MOTOR VEHICLE USE PROGRAM DRIVER ACKNOWLEDGEMENT

Before operating a vehicle for state of Georgia business, employees must use this form to certify that they are qualified to safely operate the vehicle. Employees who infrequently operate a vehicle for state business may be required to certify before each trip. Employees who routinely operate a vehicle for state business at least weekly will be required to recertify on a reasonable basis, at least every 6 months.

By signing this form, I certify that I am qualified to safely operate a vehicle for state business. I specifically certify the following: *(Please initial on each line.)*

_____ I have a valid license for operating the vehicle.

_____ I do not currently have more than 10 points on my driver's license.

_____ I agree to use vision correction measures while operating the vehicle, if required by my driver's license.

_____ I agree to report any ticket or warning that I receive while operating the vehicle on state business.

_____ I have not had an "at fault" motor vehicle accident in the past 6 months.

_____ I do not have pending charges, or a conviction within the past 6 months, for any of the following offenses, and I agree to immediately notify my supervisor using RMS101 Form-2 should I be charged with one or more of these offenses: Driving Under the Influence, Driving While Intoxicated, Leaving the Scene of an Accident, Refusal to take a Chemical Test for Intoxication, Aggressive Driving* or Exceeding the speed limit by more than 19 mph*.

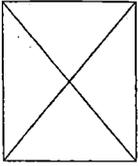
_____ I agree to notify my supervisor of any changes involving the above initialed items before I operate a vehicle for state business.

_____ I agree to notify my supervisor using RMS101 Form-2 immediately upon License Suspension, Revocation, or Expiration.

Signature

Printed Name

* Only if conviction would result in more than 10 points accumulated on the driving record.



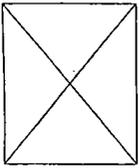
**MOTOR VEHICLE USE PROGRAM
DRIVER ACKNOWLEDGEMENT**

Date

* Only if conviction would result in more than 10 points accumulated on the driving record.

3/2008

RMS101 Form-1



MOTOR VEHICLE USE PROGRAM DRIVER NOTIFICATION

Employees are to use this form to notify their supervisor of activities that may affect their eligibility to operate a motor vehicle for state business.

Employee Information			
Employee Name		Employee ID	
Work Unit		Frequency of driving on state business Weekly or more often Infrequently	
Reported Activity (Select all that apply)			
I received a traffic citation while driving on state business			
Date Received			
Charge			
I was involved in an on-the-job accident while driving on state business			
Date of accident			
Any injuries?	Yes No	Any property damage?	Yes No
My driver's license has been (select one)			
Suspended	Revoked	Expired	Date of Action
I was charged with the following (select all that apply)			
Driving Under the Influence		Driving While Intoxicated	Date of Charge
Leaving the Scene of an Accident			
Refusal to take a Chemical Test for Intoxication			
Aggressive Driving*			
Exceeding the Speed Limit by more than 19 mph*			
* Only if conviction would result in more than 10 points accumulated on the driving record.			

I understand that this notification may affect my eligibility to drive on state business.
I may be required to view a driver safety video and successfully complete a defensive driving course, and I may be subject to other appropriate action.

Signature

Date