

# Procedure: 4.7.2p. (III.Y)

## Driver Qualification

**Revised:** September 16, 2009  
**Last Reviewed:** September 16, 2009  
**Adopted:** September 16, 2009



### I. PURPOSE:

In an effort to better promote a safe work environment and potentially reduce the number of on-the-job motor vehicle accidents and traffic citations, the Technical College System of Georgia [TCSG] has established initial and continuing driving qualification standards for all System Office and technical college drivers. Included is a process for managing on-the-job traffic accidents.

### II. RELATED AUTHORITY:

State Board POLICY: 4.1.9. Background Investigations  
O.C.G.A. § 20-4-11 – Powers of the Board  
O.C.G.A. § 20-4-14 – TCSG Powers and Duties

### III. APPLICABILITY:

All work units and technical colleges associated with the Technical College System of Georgia as well as all TCSG employees who drive on State of Georgia business regardless of frequency.

### IV. DEFINITIONS:

**Applicant:** An individual seeking employment with any work unit or technical college associated with the Technical College System of Georgia. This term also includes employees of other state agencies or any college/university affiliated with the University System of Georgia, as well as current or former employees of the Technical College System of Georgia or any technical college.

**Business Day:** Weekdays that administrative offices are open.

**Conviction:** The result of a trial/judicial proceeding in which a defendant has been found guilty of an offense, including a plea bargain/agreement and a plea of nolo contendere.

**Disposition:** The result of a criminal proceeding including information disclosing that an arresting agency has elected not to refer the matter to a prosecutor or that a prosecutor elected not to commence criminal proceedings and disclosing the nature of the termination in proceedings or, information disclosing the reason for such postponement.

**Fault:** The concept whereby a driver is guilty of error (either by committing improper actions or by omitting proper actions), when the error results in a preventable accident. Determination of

“fault” is generally made in a court of law/traffic court when a driver is convicted of a traffic offense.

**Felony:** A crime which generally carries a minimum term/sentence of one year or more in a state or federal prison.

**Immediate Supervisor:** An individual charged with developing performance plans and managing and assessing the performance of employee(s) in those work unit(s) under his/her span of control.

**Misdemeanor:** A crime punishable by a fine and/or county jail time for up to one year.

**Motor Vehicle Report:** Driving history records (e.g., violations, traffic accidents, license suspension, convictions, etc.) maintained on all licensed drivers by the Georgia Department of Driver Services or comparable agency/department in another state.

**Nolo Contendere:** A plea entered by a defendant (as an alternative to a pleading of guilty or not guilty) in response to being charged with a crime/offense in which he/she neither admits to nor disputes the charge(s). A conviction arising from a *nolo* plea is subject to any and all penalties, fines, and forfeitures of a conviction from a guilty plea and can be considered as an aggravating factor in further criminal actions.

**Points:** A system administered by the Georgia Department of Driver Services or comparable agency/department in another state which attaches a numerical value to a conviction or plea of nolo contendere for a moving violation (e.g., speeding) or other traffic/driving-related offense (e.g., possessing an open container of an alcoholic beverage while driving). NOTE: Pursuant to applicable state law, a driver’s license is suspended if records or other evidence reflects that the driver has accumulated the maximum allowable points within a given time period, including violations committed in another state. The Georgia Department of Driver Services is authorized to suspend the license of any driver who accumulates fifteen (15) points within a twenty-four (24) month period. In Georgia, points remain on an individual’s driving history records for two (2) years. Standards in other states may vary in terms of point’s accumulation relative to these actions and the period of time such points remain active.

**Revocation (Mandatory):** In Georgia, a driver’s license will be revoked if the driver is convicted of one of the following offenses:

1. For any third conviction of a mandatory suspendable offense within five (5) years (i.e., a habitual violator). A revocation issued for this purpose will be for five (5) years;
2. Refusal to submit to a re-examination of driving skills or knowledge of driving rules after receiving notice giving reasonable grounds for such a request; or,
3. If there is sufficient evidence of incompetence or unfitness to drive, due to incapacities by reason of disease, mental or physical disability, or by alcohol or drug addiction.

**Suspension (Mandatory):** In Georgia, a driver’s license will be suspended for a conviction (in Georgia or any other state) of the following offenses:

1. Homicide by vehicle;
2. A conviction for driving under the influence of alcohol or drugs;
3. Any felony in the commission of which a motor vehicle is used;
4. Using a motor vehicle in fleeing or attempting to elude a law enforcement officer;

5. Fraudulent or fictitious use of, or application for a license;
6. Hit and run or leaving the scene of an accident;
7. Racing;
8. If a driver refuses to take a chemical test of intoxication. In such instances, the license will be suspended for twelve (12) months;
9. Operating a motor vehicle with a revoked, canceled, or suspended registration in violation of O.C.G.A. 40-6-15;
10. Conviction for driving without insurance. In such instances, the suspension is generally sixty (60) to ninety (90) days in length;
11. If convicted for driving while a license is suspended, revoked, or canceled, the license shall be further suspended for a period of six (6) months;
12. If a driver fails to appear in court or respond to a citation, his/her license may be suspended;
13. Conviction for the possession, distribution, manufacture, cultivation, sale or transfer of a controlled substance or marijuana.

## **V. ATTACHMENTS:**

Attachment: 4.7.2p.a1. Driver Acknowledgment Form

Attachment: 4.7.2p.a2. Driver Notification Form

Attachment: 4.7.2p.a3. Driver Safety Tips

Attachment: 4.7.2p.a4. Supervisor's Accident Follow Up-Checklist

Attachment: 4.7.2p.a5. Driver's History Consent Form

## **VI. PROCEDURE:**

### **a. Driver Qualifications Standards– Applicants/Candidates for Employment**

- i. As referenced in the State Board of Technical College System policy governing Background Investigations, the driving history records of all applicants for employment, including employees of other state agencies and the University System of Georgia, or individuals who were previously employed in any capacity with any work unit or technical college associated with the Technical College System of Georgia (TCSG), are subject to review.
- ii. The recommended candidate for any full- or part-time position who may be required to drive a state, rental, or personal vehicle on State of Georgia business shall, as a condition of employment, have their driving history records reviewed to ensure consistency with the driving standards referenced in this Procedure.
- iii. A recommended candidate meeting the driving requirements referenced in Paragraph VI. A. 2., and whose driving history reflects two (2) "at fault" motor vehicle accidents in the three (3) year period immediately preceding his/her application for employment, who possesses eight (8) or nine (9) violation points on his/her driving record, or who has been convicted of Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) within six (6) months of his/her application for employment may be employed provided he/she:
  1. completes a driver safety video offered by the Department of Administrative Services (DOAS);

2. successfully completes a defensive driving course offered through a Defensive Driving School certified by the Georgia Department of Driver's Services (or comparable course in his/her state of residence) within sixty (60) days of his/her date of employment. The cost of the Defensive Driving Course will be the responsibility of the applicant/employee. Any newly hired employee who fails to complete the course within the required time period shall be dismissed from employment; or, as applicable
  3. successfully completes a DUI Alcohol or Drug Use Risk Reduction Course through a provider certified by the Georgia Department of Driver Services (or comparable course in his/her state of residence) within sixty (60) days of his/her date of employment unless completion of the course was previously mandated by the court of jurisdiction as part of sentencing. The cost of the Course will be the responsibility of the applicant/employee. Any newly hired employee who fails to complete the course within the required time period shall be dismissed from employment.
- iv. Any recommended candidate not possessing a valid driver's license or whose driving history reflects three (3) or more "at fault" motor vehicle accidents in the three (3) year period immediately preceding his/her application for employment, or ten (10) or more current violation points may not be employed in any position for which driving on a frequent or infrequent basis is a condition of employment.

**b. Driver Qualification Standards – Current Employees**

- i. When the Motor Vehicle Use Procedure is formally adopted, all current TCSG employees whose job may require the operation of a vehicle on state business will, as a condition of continued employment, be required to provide written authorization (i.e., Attachment: 4.7.2p.a5., Driver's History Consent Form) to permit the System Office or respective Technical College to request a Georgia Motor Vehicle Report (MVR) through the Georgia Department of Driver Services or a comparable report through the agency/department responsible for these services/activities in the employee's state of residence. Any employee who fails to provide authorization will be subject to disciplinary action consistent with applicable State Board of TCSG policy.
- ii. Any employee whose initial MVR reflects activity/content consistent with that outlined in Paragraph VI. D. (Driver Disqualification) will be subject to the same penalties/loss of driving privileges as would any individual employed after the Procedure's effective date.
- iii. If an employee does not initially meet established safety standards due either to the accumulation of violation points, the number of "at fault" traffic accident(s), and/or one or more conviction(s) or pending charge(s) for referenced offense(s), the employee will not be permitted to drive on state business until he/she completes a driver safety video, successfully completes a Defensive Driving Course, or, as applicable, successfully completes a DUI Alcohol or Drug Use Risk Reduction Course.

The cost of the Course will be the responsibility of the employee and must be completed within sixty (60) days after providing notification to his/her immediate supervisor or upon notification of the results of the MVR.

- iv. If it is determined that an employee does not currently possess a valid driver's license, the employee will not be permitted to continue driving on state business and other appropriate action may be initiated consistent with applicable State Board of TCSG policy.

**c. General Provisions**

- i. To operate a state, rental, or personal vehicle on state business, an employee must possess a valid driver's license appropriate to the type of vehicle operated.
- ii. A MVR will be requested on all frequent and infrequent drivers at least yearly or in response to information provided in a submitted Driver Acknowledgment Form (Attachment: 4.7.2p.a1.) or Driver Notification Form (Attachment: 4.7.2p.a2.). Technical College Presidents may require MVR's to be run more frequently on college drivers.
- iii. An employee who operates a vehicle on state business on a weekly or more frequent basis must complete a Driver Acknowledgment Form (Attachment: 4.7.2p.a1.) every six (6) months.
- iv. An employee who operates a vehicle on state business infrequently must complete a Driver Acknowledgment Form before each trip.
- v. The completed Form should be returned to the employee's immediate supervisor or other official as determined by the Commissioner, Technical College President or his/her designee. Only employees who have initialed every referenced safety standard will be permitted to drive on state business. The employee should retain a copy of the Form for his/her records.
- vi. A newly hired TCSG employee who has recently relocated to Georgia to accept employment in the System Office or an associated technical college may operate a vehicle on state business using a valid driver's license from his/her former State for a period up to thirty (30) days after becoming a Georgia resident. The employee must apply for a Georgia driver's license before the thirty (30) day period elapses and provide his/her immediate supervisor with proof of such application.
- vii. A TCSG employee who permanently resides in another State may operate a vehicle on state business using a valid driver's license from his/her State of residence. This provision also pertains to the employed spouse or dependent of active duty military personnel stationed in Georgia.
- viii. All drivers should review Attachment: 4.7.2p.a3. Drivers Safety Tips, before driving on state business
- ix. **Driver Disqualification**

- i. Following the adoption of this Procedure, an employee will not be permitted to operate a vehicle on state business until he/she completes a driver safety video, successfully completes a Defensive Driving course or, as applicable, a DUI Alcohol or Drug Use Risk Reduction Course through a provider certified by the Georgia Department of Driver Services (or comparable course in his/her state of residence) within sixty (60) days if one of the following events occurs:

1. he/she has accumulated ten (10) or more violation points on his/her driving record; or,
2. he/she has been convicted of Driving Under the Influence (DUI); Driving While Intoxicated (DWI); Leaving the Scene of an Accident; or Refusal to take a Chemical Test for Intoxication within the six (6) month period immediately preceding an assignment to drive on state business.

The cost of the Defensive Driving or DUI Alcohol or Drug Use Risk Reduction Course will be the responsibility of the employee and the Course must be completed no later than sixty (60) days after notifying his/her supervisor of the event. NOTE: if completion of a DUI Alcohol or Drug Use Risk Reduction Course was previously mandated by the court of jurisdiction as part of sentencing and the employee can show proof of completion, the requirements of Paragraph VI. D. 1. will have been satisfied.

- ii. An employee will not be permitted to operate a vehicle on state business until he/she has first completed a driver safety video if either of the following event(s) occur:

1. he/she receives a citation, ticket, or warning while driving on state business; or,
2. he/she has an "at fault" motor vehicle accident within the six (6) month period immediately preceding an assignment to drive on state business.

In addition, the employee may be required to successfully complete a Defensive Driving course. This determination will be made by the Commissioner or Technical College President (or their designee) in consultation with the employee's immediate supervisor and the official responsible for System Office/Technical College Fleet/Risk management. If mandated, the cost of the Defensive Driving Course will be responsibility of the employee and must be completed within sixty (60) days.

- iii. An employee whose driver's license is expired, suspended, or revoked is not permitted to operate a vehicle on state business until his/her license is reinstated. Any employee who may possibly drive on state business must disclose any license expiration, suspension, or revocation to his/her immediate supervisor no later than the business day following the formal notification of the license action by the Georgia Department of Driver Services or comparable agency/department in his/her State of residence.

This information should be provided using a Driver Notification Form, Attachment: 4.7.2p.a2.

- iv. If, at any time, an employee is charged with/receives a citation for one of the following offenses, he/she will not be permitted to operate a vehicle on state business until formal disposition of the charge(s):
  - 1. Driving Under the Influence (DUI);
  - 2. Driving While Intoxicated (DWI);
  - 3. Leaving the scene of an accident;
  - 4. Refusal to take a chemical test for intoxication;
  - 5. Aggressive Driving (only if conviction would result in ten (10) or more violation points accumulated on his/her driving record);  
and
  - 6. Exceeding the Speed Limit by more than nineteen (19) mph (only if conviction would result in ten (10) or more violation points accumulated on his/her driving record).
- v. An employee who operates a vehicle either frequently or infrequently on state business and is charged with an offense referenced in Paragraph VI. 4. must disclose this information to his/her immediate supervisor no later than the business day following the citation/charge using the Driver Notification Form (Attachment: 4.7.2p.a2.).
- vi. An employee who meets all Driver Qualifications following disposition of the charge(s) outlined in Paragraph VI. D. 4. and other administrative requirements referenced in this Procedure, is permitted to resume driving on state business.
- vii. The Commissioner or Technical College President may, in addition to any of the sanctions referenced in Paragraph VI. D., propose disciplinary action consistent with applicable State Board of TCSG policy.

**e. On-the-Job Citations**

- i. An employee who receives a traffic citation, ticket, or warning for any offense while operating a vehicle on state business must notify his/her immediate supervisor no later than the next business day using the Driver Notification Form, (Attachment: 4.7.2p.a2.).
- ii. In these instances, the employee will not be permitted to drive again on state business until he/she has completed a driver safety video and may, depending upon disposition, be required to successfully complete a Defensive Driving Course or a DUI Alcohol or Drug Use Risk Reduction Course. A decision to require the completion of either Course within the stipulated time period will be made consistent with the provisions of Paragraph VI. D.
- iii. If the citation or ticket is for a charge referenced in Paragraph VI. 4., the employee will be prohibited from driving on state business until formal disposition of the charge(s), to include other administrative requirements referenced in the Procedure.

- iv. Any fine associated with a citation or ticket issued while traveling on state business will be paid by the employee/driver.

**f. On-the Job Accidents**

- i. An employee involved in a motor vehicle accident while driving on state business should obtain the following information at the scene of the accident:
  - 1. The other driver's name, address, and telephone number; and,
  - 2. The name of the responding police department or law enforcement agency.
- ii. An employee must report any accident involving bodily injury and/or property damage within twenty-four (24) hours of the occurrence either by calling 1-877-656-7475 involving a personal, rental, or a TCSG System Office or Technical College fleet vehicle.
- iii. An employee must notify their immediate supervisor of a motor vehicle accident that occurs while driving on state business using the Driver Notification Form, Attachment: 4.7.2p.a2. Notification must be made upon returning to work or the following business day, whichever is sooner.
- iv. Upon receipt, the immediate supervisor should discuss the accident with the affected employee and complete the Supervisor's Accident Follow-Up Checklist Report. The completed document should be forwarded to the Chair of the System Office/Technical College Accident Review Panel within two (2) business days following the meeting.
- v. An employee cited for an on-the-job accident will not be permitted to operate a vehicle on state business until he/she has viewed a driver safety video and successfully completes an approved defensive driving course, the cost of which will be the responsibility of the employee. As provided in Paragraph VI. G., the employee may be subject to other actions as recommended by the Accident Review Panel.

**g. Accident Review Panel**

- i. The System Office and each Technical College will establish an Accident Review Panel comprised of at least three (3) members and chaired by the System Office/Technical College official responsible for Fleet/Risk Management activities. The remaining Panel members will be selected by Commissioner or Technical College President, or his/her designee.
- ii. The Panel will be charged with reviewing all on-the-job motor vehicle accidents, reported traffic citations, and complaints registered against a System Office or Technical College employee and making recommendation(s) to the Commissioner or Technical College President for any additional action, as appropriate, consistent with State Board of TCSG policies and procedures.

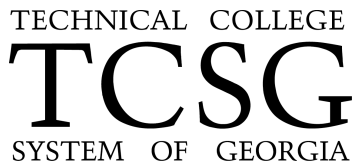
**VII.RECORD RETENTION:**

All documents and forms associated the Motor Vehicle Use Program will be retained throughout a driver's employment and for an additional three years after his/her employment ends.





Attachment: 4.7.2p.a2.



## DRIVER QUALIFICATION PROCEDURE DRIVER NOTIFICATION

*Employees are to use this form to notify their immediate 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: <input type="checkbox"/> Weekly or more often <input type="checkbox"/> Infrequently	
REPORTED ACTIVITY (select all that apply)			
<input type="checkbox"/> <i>I received a traffic citation while driving on state business</i>			
Date received			
For what charge?			
<input type="checkbox"/> <i>I was involved in an on-the-job accident while driving on state business</i>			
Date of accident			
Any injuries?		<input type="checkbox"/> Yes <input type="checkbox"/> No	Property damage? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> <i>My driver's license has been (select one)</i>			
<input type="checkbox"/> Suspended		<input type="checkbox"/> Revoked	<input type="checkbox"/> Expired
		Date of action:	
<input type="checkbox"/> <i>I was charged with the following (select all that apply)</i>			Date of Charge
<input type="checkbox"/> Driving under the influence			
<input type="checkbox"/> Driving while intoxicated			
<input type="checkbox"/> Leaving the scene of an accident			
<input type="checkbox"/> Refusal to take a chemical test for intoxication			
<input type="checkbox"/> Aggressive driving*			
<input type="checkbox"/> Exceeding the speed limit by more than 19 mph*			
* Only if conviction will result in 10 or more 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 video and successfully complete a defensive driving course, and I may be subject to other appropriate action.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## DRIVER QUALIFICATION PROCEDURE DRIVER SAFETY TIPS

- ✓ **Observe Speed Limits and Traffic Laws** – Allow sufficient time to reach your destination without violating speed limits or traffic laws.
- ✓ **Drivers License** – Employees who drive state, rental, or privately owned vehicles on state business must possess and carry on their person a current valid Operator’s or CDL license and must present it upon request to any authorized person.
- ✓ **Insurance** – Employees who operate their privately owned vehicles on state business shall carry proof of financial responsibility at all times the vehicle is in operation and must present evidence of current insurance coverage upon request to any authorized person. It is suggested all employees driving on state business have a copy of the state’s insurance card to present to the law enforcement officer in the event of an accident.
- ✓ **Seat Belts** – Each driver and front seat passenger in any motor vehicle operated on a street or highway in the State of Georgia is required by law to wear a properly adjusted and fastened seat belt.
- ✓ **Cargo** – Drivers hauling any type of cargo should ensure the cargo is properly secured, and the height of the cargo is such that it shall safely pass under obstructions such as under/overpasses along the intended route before placing the vehicle in motion.
- ✓ **Electronic Devices** – The use, operation, and manipulation of electronic devices such as cellular phones, Blackberries, or PDAs by the driver while the vehicle is in motion is strongly discouraged. Even with “hands free” equipment, conversing on the phone takes attention away from driving making it less likely the driver will notice hazardous situations. Employees are neither required nor expected to use electronic devices for work-related reasons while driving.
- ✓ **Reversing** – Whenever possible, park the vehicle where backing up is not required. Know what is beside and behind the vehicle before beginning to back up. Back up slowly, and check both sides as well as the rear while backing. Continue to look to the rear until the vehicle has come to a complete stop.
- ✓ **Intersections** – When approaching and entering intersections, be prepared to avoid crashes other drivers may cause. Take precautions to allow for the lack of skill or improper driving habits of other drivers. Potentially dangerous acts include speeding, improper turn movements, and failure to yield the right of way.
- ✓ **Weather Related Hazards** – Rain, snow, fog, sleet, or icy pavement increase the hazards of driving. Slow down and be especially alert when driving in adverse conditions.
- ✓ **Passing** – When you pass another vehicle, look in all directions, check your blind spots, and use your signal. As a general rule, only pass one vehicle at a time.
- ✓ **Front End Collisions** – By maintaining a safe following distance at all times, the driver can prevent front-end collisions in spite of abrupt or unexpected stops of the vehicle ahead. Observe the “two second rule” by following the vehicle ahead at a distance that spans at least two seconds. The following distance should be increased when driving in adverse conditions.
- ✓ **Security** – State vehicles should be locked whenever they are unoccupied.
- ✓ **Engines** – The engine of a state vehicle should always be turned off before the driver exits the vehicle.

**ATTACHMENT: 4.7.2p.a4.**



**DRIVER QUALIFICATION PROCEDURE  
SUPERVISOR'S ACCIDENT FOLLOW-UP CHECKLIST**

*Supervisors are to complete this checklist and forward it to the designated System office/technical college Fleet/Risk Management official who, in turn, will forward all documentation to DOAS Risk Management within two (2) business days after being advised of an on-the-job accident that occurred while driving on state business.*

DRIVER INFORMATION	
<b>Name:</b>	<b>Work Unit:</b>
<b>Date of Accident:</b>	<b>Frequency of driving on state business:</b> <input type="checkbox"/> Weekly or more often <input type="checkbox"/> Infrequently

CHECKLIST	
<input type="checkbox"/> <i>Meet with the Driver to discuss the details of the accident.</i>	
<input type="checkbox"/> <i>Did the Driver meet the following requirements?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Requirement</b>	<b>Date</b>
Obtain all necessary information at the scene.	
Call loss into 1-877-656-7475 within 24 hours.	
Respond to any acknowledgements or requests sent by DOAS RMS	
Obtain the police report, if requested.	
<input type="checkbox"/> <i>Discuss the appropriate corrective action depending on whether the Driver was cited for accident.</i>	
<b>Recommendation</b>	<b>Date</b>
<input type="checkbox"/> Defensive driving course at employee's expense.	
<input type="checkbox"/> View an appropriate driver safety video	
<input type="checkbox"/> No further action warranted	
<input type="checkbox"/> <i>Forward to Chair, System Office/Technical College Accident Review Panel for the following determination(s):</i>	
<input type="checkbox"/> Preventable	
<input type="checkbox"/> Non-preventable	
<input type="checkbox"/> Additional recommendation(s), if any	
<input type="checkbox"/> <i>Forward copy to Human Resources for placement in employee's personnel file.</i>	

SUPERVISOR INFORMATION	
<b>Printed Name</b>	<b>Work Unit</b>
<b>Signature</b>	<b>Date</b>



**Technical College System of Georgia**

**Driver's History Consent Form**

I hereby authorize the System Office of the Technical College System of Georgia (TCSG) or \_\_\_\_\_ Technical College to receive a copy of my Georgia driver's history information (i.e., a Motor Vehicle Report) from the Georgia Department of Driver Services or comparable agency/department in my state of residence in conjunction with my application for employment or, if employed, for use relative to the performance of my official duties. I understand that my authorization shall remain in effect throughout my employment with the TCSG System Office or any associated technical college and shall permit System Office/technical college to obtain this information at any time for any valid business reason or pursuant to an applicable State Board of Technical College System of Georgia policy or procedure.

**Print Full Name:** \_\_\_\_\_

\_\_\_\_\_  
Sex

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Driver's License Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date