

## **DEPARTMENT OF NATURAL RESOURCES**

**HUMAN RESOURCES POLICY NO: 9**

**EFFECTIVE DATE: JULY 1, 2015**

**SUBJECT: VEHICLE OPERATIONS/SAFETY**

**AUTHORIZATION: STEPHEN CHUSTZ, SECRETARY**

### **I. POLICY**

This policy serves to apprise employees of the Department of Natural Resources (DNR) of the vehicle operation requirements and prohibitions which must be satisfied while operating a vehicle on DNR business. Compliance will assist DNR in maintaining its vehicles, reducing the risk of injury to employees and the traveling public and minimizing the loss resulting from property damage claims.

### **II. APPLICABILITY**

This policy applies to all employees operating vehicles on DNR business, whether in a personally owned vehicle or a vehicle owned, leased or rented by DNR.

### **III. GENERAL REQUIREMENTS**

- 1) DNR owned, leased or rented vehicles are to be operated only on official business. Use of such vehicles for personal business is strictly prohibited.
- 2) Only individuals on official DNR business are permitted to operate or ride in DNR owned, leased or rented vehicles or personal vehicles being operated on DNR business.
- 3) Drivers operating a vehicle on DNR business must possess a valid, properly classed driver's license.
- 4) Personal vehicles operated on DNR business must satisfy Louisiana's compulsory liability insurance requirements.
- 5) Seatbelts must be worn at all times. Drivers are responsible for ensuring that all passengers likewise comply with the state's seatbelt law.
- 6) DNR strictly prohibits the use, possession or presence of alcohol, controlled dangerous drugs or other prohibited substances within a DNR owned, leased or rented vehicle.

- 7) DNR strictly prohibits the operation of a DNR owned, leased or rented vehicle or personal vehicle driven on DNR business by any employee who has used or has within his/her system alcohol, a controlled dangerous drug or any other substance, regardless of quantity, which causes drowsiness or impairs the employee's ability to safely operate a vehicle.
- 8) In compliance with the Office of Risk Management's Driver Safety Program, unless the vehicle is lawfully parked, use of a wireless telecommunications device while operating a DNR owned, leased or rented vehicle or personal vehicle driven on DNR business is strictly prohibited. This includes writing, sending or reading a text-based message or e-mail; reading or posting to social media; taking photographs or video recordings; and engaging in a call (on both hand-held and hands-free devices).

**Exceptions:** Reporting traffic accidents, medical emergencies, serious road hazards, situations in which the employee believes his/her personal safety is in jeopardy and use of such a device is necessary to avert the perpetration of a criminal act.

**NOTE:** Texting and e-mailing while driving can be charged by law enforcement as a moving violation. Any such violation is reportable under Section VI of this policy.

- 9) Smoking is strictly prohibited within DNR owned, leased or rented vehicles by both drivers and passengers.
- 10) DNR vehicles must be maintained in compliance with law (lights, mirrors, horns, etc.) and display current safety inspection stickers and license plates.
- 11) DNR vehicle operation must be in compliance with applicable state and local traffic laws and ordinances.
- 12) Drivers are personally responsible for traffic and parking ticket fines, except those due to the condition of a DNR vehicle (such as expired inspection sticker).
- 13) DNR vehicles are to remain locked and parked in the designated area within the LaSalle Parking Garage when not in use.
- 14) Drivers are responsible for removing all trash and personal belongings from DNR vehicles after use. Vehicles shall remain clean and be washed on a regular basis.

- 15) Drivers are responsible for maintaining at least a quarter tank of gas in DNR vehicles at all times. Vehicles are not to be turned in after use with less than one-half tank of gas.
- 16) DNR vehicle keys and credit cards are to be returned immediately after use to the designated fleet liaison.
- 17) Maintenance problems or concerns regarding DNR vehicles are to be documented and reported immediately to the designated fleet liaison. In the event of a vehicle breakdown or required emergency repairs, the designated fleet liaison is to immediately be contacted for guidance.
- 18) DNR vehicles shall timely undergo scheduled and regular maintenance (oil, fluid, inspections, tire checks, etc.) as recommended by the manufacturer. Each Office within DNR is responsible for designating a fleet liaison for this purpose.
- 19) DNR vehicles generally will be used for business travel. If unavailable, the next preferred option is a rental vehicle. Prior supervisory approval is required for an employee to use a personal vehicle to conduct DNR business. In accordance with the Division of Administration guidelines, reimbursement for use of a personal vehicle is limited to 99 miles.
- 20) Non-state employees scheduled to ride as a passenger in a DNR owned, leased or rented vehicle are required to complete the Hold Harmless Agreement required by the Office of Risk Management.
- 21) On a monthly basis, the designated fleet liaison for each Office is required to ensure that a Vehicle Checklist is completed on each DNR owned vehicle.
- 22) Student employees are prohibited from driving personal vehicles in the performance of DNR business.

#### **IV. DRIVING RECORDS/DRIVER'S LICENSE CHECK**

During orientation, all new employees are required to complete a Driver Authorization Form (DA 2054) which serves to permit DNR's Transportation Coordinator to secure a copy of the employee's Official Driving Record (ODR) from the Office of Motor Vehicles. Such records will be obtained at the time of hire and on an annual basis to ensure all requirements are met to be authorized to drive.

Employees also are required to provide to Human Resources a copy of their Louisiana driver's license. Employees possessing an out-of-state driver's license at the time of hire will be required to complete an authorization allowing motor vehicle officials in their home state of residency to provide such information. Such employees will also be

required to transfer their driver's license from their home state to Louisiana within 30 days of establishing a domicile in Louisiana.

## **V. DRIVER'S TRAINING COURSE**

All drivers must satisfactorily complete the defensive driving course required by ORM within 90 days of employment by DNR and every three years thereafter.

## **VI. REPORTABLE EVENTS**

The following events, when occurring in a vehicle owned, leased or rented by DNR or while operating a personal vehicle on DNR business must be reported to the appointing authority. Reporting is required regardless of fault, injury or damage.

- 1) All traffic accidents – includes any incident in which the vehicle comes in contact with another vehicle, person, object or animal.
- 2) Receipt of a citation or arrest for any moving violation.
- 3) Notification that the employee's driver's license is restricted, suspended, revoked or under threat of same for any reason, including but not limited to failure to meet insurance requirements, failure to pay traffic tickets and/or failure to pay court ordered child or spousal support.
- 4) Diagnosis of any physical, mental or other medical condition which impairs the employee's ability to safely operate a vehicle or which could result in suspension of driving privileges for any period of time (i.e. seizure disorder, sight impairment, immobility). The appointing authority shall report this information to the Human Resources Director. This information will be handled with appropriate concern for confidentiality and in compliance with prevailing law.
- 5) Use of medications which cause drowsiness or impair the employee's ability to safely operate a motor vehicle. The appointing authority shall report this information to the Human Resources Director. This information will be handled with appropriate concern for confidentiality and in compliance with prevailing law.

**NOTE:** Any employee arrested and/or convicted for driving while intoxicated or under the influence of any substance, whether on or off duty, must report the arrest/conviction to his/her appointing authority.

## **VII. REPORTING REQUIREMENTS**

- 1) Accidents
  - a) All accidents occurring during regular work hours in a DNR vehicle or personal vehicle while on DNR business must be immediately reported. Accidents occurring after normal business hours must be reported at the commencement of the next business day.
  - b) All accidents occurring in a DNR vehicle or a personal vehicle while on DNR business shall be immediately reported to law enforcement.
- 2) All other reportable events as defined in Section VI of this policy must be reported to the appointing authority before close of business on the day of the event or the next business morning following the occurrence.

## **VIII. POST-ACCIDENT DRUG TESTING**

Any employee involved in a vehicle accident while operating a DNR vehicle or a personal vehicle on DNR business shall be required to submit to drug and alcohol testing if:

- 1) The accident involves circumstances giving rise to a reasonable suspicion that the accident may have involved the employee's drug or alcohol use and the employee's action or inaction may have been a causative factor.
  - a) "Reasonable suspicion" is a belief, based upon reliable, objective and articulable facts derived from direct observation of specific physical and behavioral characteristics (behavior, speech, appearance, odor), which causes a prudent person to suspect that the employee has engaged in drug or alcohol use.
  - b) Only the appointing authority or authorized designee shall require an employee to submit to post-accident testing. Generally, this decision will be based upon the recommendation of supervisory personnel who have objectively and thoroughly reviewed the circumstances of the accident. The supervisor will fully document the facts upon which the recommendation for testing is made.
  - c) When post-accident testing is required, a DNR representative shall transport the employee being tested to and from the testing site. Under no circumstance shall an employee who is reasonably believed to be impaired or under the influence of any drug or alcohol be permitted to operate a motor vehicle.

- 2) The accident meets the criteria of paragraph "A" and results in or causes the release of hazardous waste as defined by La. R.S. 30:2173(2) or hazardous materials as defined by La. R.s. 32:1502(5); or
- 3) The accident results in a fatality or serious bodily injury.

#### **IX. "HIGH RISK" DRIVERS**

Employees who drive or may be required to drive on official business must maintain safe driving records. Generally, high risk drivers will not be allowed to drive on DNR business.

- 1) High Risk Drivers are:
  - a) Individuals having a single conviction, guilty plea or plea of *nolo contendere* for operating a vehicle while intoxicated or under the influence of any substance, hit and run driving, vehicular homicide, negligent homicide or reckless driving within the twelve month period immediately preceding the application for employment, check of driving record or latest conviction or plea;
  - b) Individuals who have three or more convictions, guilty pleas or pleas of *nolo contendere* for moving violations within any twelve month period. The twelve month period is the twelve months immediately preceding the latest occurrence; and
  - c) Individuals determined by the appointing authority to be high risk drivers based upon information available from the employee, witnesses, records, reports and/or law enforcement officials following a reportable event as described above.

#### **X. AUTOMATIC DISQUALIFICATION FROM DRIVING**

If an event automatically disqualifies an employee from driving (i.e. suspension or revocation of driver's license), the appointing authority shall immediately terminate the employee's driving privileges until the reason for the disqualification is rectified.

#### **XI. VIOLATION OF POLICY**

Since the primary purpose of this policy is to enhance employee and public safety, all failures to comply with the requirements of this policy will be viewed as serious safety violations. As such, any employee failing to comply with this policy will be subject to disciplinary action, including the possibility of termination.

**XII. LOSS OF DRIVING PRIVILEGES**

Any employee who is unable to perform the routine job functions of his/her position due to the temporary or permanent loss of driving privileges may be removed from the classified service. Where possible, and in furtherance of the overall interests of DNR, job restructuring or employee reassignment to a position which does not require driving may be available.

**XIII. EXCEPTIONS**

Exceptions within the law to this policy may be approved by the Secretary if determined to be in the best interest of DNR.

**XIV. QUESTIONS**

Questions concerning this policy should be addressed to the Human Resources Division, DNR's Safety Coordinator or DNR's Transportation Coordinator.

  
STEPHEN CHUSTZ, SECRETARY

  
DATE

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**INITIAL ISSUANCE DATE: 02/99**

**REVISION DATES: 08/00; 06/01; 06/03; 11/07; 06/08; 11/10; 07/15**