



SISC Safety and Loss

Risk Management Bulletin

Driver Evaluation Program

August 2002

In the past, a few school districts have elected to utilize the Department of Motor Vehicles (DMV) Employers' Pull Notice (EPN) program to ensure that employees who are assigned to drive district vehicles have a valid drivers license. Many districts have a large number of positions that require a valid license as a condition of employment. Therefore, ensuring such drivers are qualified to drive becomes very important. The EPN program was established to provide employers with a means of promoting driver safety through the ongoing review of driver records.

The EPN program automatically provides a driver's record to the school district, free of charge, when any of the following actions/activities occur:

1. When the driver is enrolled into the program
2. Annually from the date of enrollment or 12 months from the last action/activity printout
3. When a driver has any of the following actions/activities added to his/her driving record:
 - Convictions
 - Failures to Appear
 - Accidents
 - License Suspensions or Revocations
 - Any other actions taken against the driving privilege

Although typically districts monitor the license activity of their bus drivers, the EPN program can be used for all employees who may drive to conduct district business (whether in their personal vehicle or a district owned vehicle).

Districts not currently using the EPN program can easily enroll, free of charge. Simply call (916) 657-6346 and request a fax of the EPN paperwork for governmental agencies. The same number may also be used to request assistance in filling out the forms, interpreting the driver record, or general inquires.

Districts may implement standards that outline acceptable drivers based on the status of a driver's license. For example, the most basic program would simply involve enrolling drivers in the EPN program and then obtaining the printouts to ensure that designated drivers have a valid license. Many districts do not have even this basic program in place and should move toward achieving this goal.

For those districts already using the EPN program, a more comprehensive approach may be considered. A point system can be utilized that is based on the type of violation indicated in the license printout.

If a driver exceeds the maximum points for a given period, he/she may become ineligible to operate a vehicle to conduct district business (whether in their personal vehicle or a district owned vehicle).

The following information provides a framework for a *Recommended Driver Points Program* that can be used with the EPN program to determine a driver's eligibility to operate vehicles. The EPN program can be used as is or modified to fit the district's policy.

The first step in implementing a program is to define/confirm the parameters of unacceptable drivers. The following information may be used for that purpose.

Unacceptable Drivers

1. Drivers under 21 and over 70 years of age operating any commercial vehicle larger than 10,001 GVW.
2. Lack of appropriate license for vehicle being driven.
3. Drivers with three **(3)** accidents in the past thirty-six **(36)** months, regardless of fault.
4. Drivers with two **(2)** or more chargeable accidents in the past thirty-six **(36)** months
5. Drivers with more than nine **(9)** driving record points in the past twelve **(12)** months.
6. Drivers with more than eleven **(11)** driving record points in the past thirty-six **(36)** months.
7. Drivers with two **(2)** or more major violations in the past thirty-six **(36)** months.
8. Suspended or revoked drivers license for any reason.

The next step involves assigning points for specific violations.

Beginning with the most recent occurrence, count all moving violations and chargeable accidents (including those received while operating private passenger vehicles and motor cycles) for the past three-year period. In cases where multiple points are charged for one occurrence, use only the highest point value charged.

Types of Violations

Major violations

Charge three **(3)** points for the first violation and six **(6)** points for each additional major violation.

- Driving under the influence of alcohol, drugs, or narcotics.
- Refusal of alcohol test (implied consent law).
- Exhibition of speed (except normal speeding).
- Felony involving a motor vehicle.
- Operating a motor vehicle without consent (violation of anti-theft laws).
- Driving the wrong way upon an on-ramp.
- Failure to yield to approaching vehicles.
- Unsafe turn.
- Unlawful use of drivers license.

Minor violations

Charge two **(2)** points each for the first and second violation and three **(3)** points for each additional violation.

- Open alcohol container.
- Driving under license suspension or revocation.
- Excessive speed over 100 miles per hour.
- Driving left of center.
- Passing on right.

- Passing a school bus while the red lights are flashing.
- Throwing a substance at a vehicle.
- Driver/passenger under the age of 21 carrying alcoholic beverages.
- Crossing double lines.
- Failure to drive on the right-half of the roadway.
- Crossing, turning, or driving the wrong way on a divided highway.
- Driving the wrong way on a one-way street.
- Following too closely.
- Failure to yield to traffic signals or stop signs.

Other/Miscellaneous Violations

All other moving and minor violations, charge one **(1)** point for the first and second violation and three **(3)** points for each additional violation.

If a driver's record shows a Failure to Appear (FTA), the driver should be notified and requested to correct the outstanding citation issue. The district should suspend the driving privileges of any individual whose driving record reflects three **(3)** or more FTAs, regardless of the date of issuance.

The DMV pull notices typically identify violations by code number and do not include a description of the violation. A list of violations by vehicle code is available at the State of California's DMV web site www.dmv.ca.gov/pubs/vctop/vcpdfoc.htm.

Scroll down to the bottom of the page and click on Vehicle Code Appendix B

School districts face the same high liability regarding vehicle use as any other employer. Ensuring that employees who drive to conduct district business have acceptable driving records goes a long way in helping mitigate liability.

Confidentiality

It is important that districts ensure confidentiality of information provided to them by the DMV. For this reason, the district should ensure that the individual selected to review these documents is in a position that allows for the disclosure of confidential employee information.

The following are minimum guidelines that will assist districts in complying with security requirements for the DMV pull notice program:

- DMV information may only be used for the purpose for which it was approved by the department. It may not be combined with any other information.
- DMV information must be destroyed when it is no longer needed for the reason for which it was originally requested. The method of destruction must be in a manner that it cannot be reproduced or identified in any physical or electronic form.
- Security measures must be in place to prevent unauthorized access to any DMV data.
- Requester codes are confidential and must be protected from unauthorized use or disclosure.
- AN EPN contact person should be appointed and placed in charge of maintaining the security of department record information.
- Any changes in information contained in your application/contract (INF 1105) must be made to the DMV within ten days of the occurrence.

For additional information, clarifications, or assistance, contact Hal Gounder (661-636-4606) or your SISC Safety and Loss Control representative.