

PINELLAS COUNTY UNIFIED PERSONNEL SYSTEM

MOTOR VEHICLE AND DRIVER LICENSE EMPLOYMENT GUIDELINES

PURPOSE:

The intent of this policy is to prevent personal injury for our employees and citizens, and limit the financial risk for Pinellas County by creating a safe, incident-free driving environment for all road users.

SCOPE:

These guidelines establish the requirements for Pinellas County Unified Personnel System (UPS) and Pinellas County Tax Collector's Office (PCTCO) governing those that conduct Driver License examinations and those that have access to Florida Driver License Information System (FDLIS):

- (1) The appointment of new employees, the appointment of current employees, and the retention of current employees in positions that have the responsibility of operating a motor vehicle for county purposes or conducting driving tests as identified as a requirement to perform the job duties of the position as stated on their position description;
- (2) The responsibilities of employees who occasionally operate vehicles (Hiring Authority or Designee, rental, personal) to perform County business;
- (3) The responsibility of personnel operating motorized equipment to maintain an active State and County driver license, certification, designation i.e.: license type, endorsement, restrictions or any similar qualification, at the level required by the Hiring Authority or Designee, Florida Department of Highway Safety and Motor Vehicles, and Risk Management;
- (4) The legal, safe and proper use and operation of motor vehicles or proper instructions and response while conducting all aspects related to the motor vehicle or motorcycle driving tests pursuant to Florida Statutes, Chapters 119, Public Records, Section 3² (aa), Chapter 316, Motor Vehicle State Uniform Traffic Control, 322, Drivers' Licenses, 323, Wrecker Operators and 324 Financial Responsibility.
- (5) The following guidelines apply only to employees of the Pinellas County Tax Collector's office (PCTCO):
 - a. Must apply for and maintain FRVIS/FDLIS Access Authorization per Florida Department of Highway Safety Motor Vehicles Procedures TL – 57 and RS – 64;
 - b. A valid Florida Driver License, in good standing will be required for all employees whose tasks require responsibility for administering Driver License examinations;
 - c. The employees undertaking these responsibilities must have 20/40 vision with best correction for distances, and;
 - d. If assigned to conduct road examinations, must comply with Florida Statutes 322, and be at least 21 years of age.

DISCUSSION:

Loss of a required State of Florida Driver License is disruptive and can create situations that hamper the ability of providing services to the constituents of Pinellas County. Most motor vehicle accidents are the result of distractions that can be avoided by utilizing common sense. Pinellas County employees have a responsibility to contribute to a legal and safe driving environment, for their own protection and the protection of our citizens and visitors.

The PCTCO employee is responsible for verifying that;

- (1) Proof of personal injury protection insurance and valid vehicle registration must be provided on the vehicle being used for the driving test;
- (2) If the applicant does not have a valid license, PCTCO employee must verify that applicant's are accompanied by a licensed driver; and
- (3) PCTCO employee will not allow other passengers to accompany the applicant being tested while on a driving test with the exception of approved interpreters or when PCTCO employee is being monitored by PCTCO management for Quality Assurance purposes.

POLICY APPLICATION

Each Hiring Authority or Designee within the Unified Personnel System is responsible for coordinating with the Pay and Classification Division of the Personnel Department when developing and identifying position requirements regarding licensure necessary for positions within their departments. The Hiring Authority or Designees will not appoint employees who have an unacceptable driving record for those positions that require driving, as stated in the aforementioned position requirements. This policy covers criteria for appointment, as well as for addressing loss of a required driver license, certification, designation or any similar qualification, for employees required to maintain a valid driver license, in good standing, certification, designation or any similar qualification. For purposes of this policy, an unacceptable driving record is defined as any of the following:

- Any employee or potential employee whose driver's history reflects:
 - Three (3) or more moving violations for which a conviction was upheld, in the three (3) years immediately preceding appointment.
 - Any two (2) convictions of reckless driving for which a conviction was upheld, regardless of whether suspension or revocation is involved, in the three (3) years immediately preceding appointment.
 - A suspension or revocation of the driver's license, certification, designation or any similar qualification, in the three (3) years immediately preceding appointment.
 - A suspension for refusing to take a test to show if driving while under the influence of alcohol or drugs, or any revocation of the driver's license conviction of driving while under the influence of alcohol or drugs, in the four (4) years immediately preceding appointment. For those driver's with business purpose exemption, employment purposes, or interlock device restrictions on a Florida State license are not recognized for purposes of driving or conducting driver license examinations, and will make the employee or potential employee ineligible for a County Driver License.

○ **For PCTCO employees only:**

- Additional or multiple drug or alcohol related offenses will be considered as unemployable in a position that requires driving or those employees that are required to conduct driver license examinations.
- Any employee or potential employee who has or had a suspension, revocation or cancellation of a driver license, certification, designation, i.e. license type, endorsement, restrictions or any similar qualification.
- Any employee who obtains a suspension, revocation or cancellation of a driver license, must notify their immediate supervisor upon notification of these actions:
 - Will not be allowed access to FDLIS or to conduct driver license testing or processing while any of these infractions are in place.
 - Special circumstances may apply if an employee attains reinstatement of their driving privilege for Business or Employment Purposes Only at the discretion of the Tax Collector.

Any revocations or suspensions on an employees or potential employees driving record in Florida or any jurisdiction that were active within the last five (5) years will be reviewed and appointment will be made at the discretion of Risk Management, Hiring Authority or Designee. The severity of the infraction may result in automatic denial of appointment. This will be determined on a case-by-case basis by Risk Management, the Hiring Authority or Designee.

Personnel Rule XXIV, Paragraph J, Item (43) provides for disciplinary action from demotion to dismissal for those employees who have "...failed to qualify on the examination or any process by which the employee successfully renews the required license, certification, designation or any similar qualification, required for the held job classification." Loss of license or certification at the required level shall be considered a violation of this provision and shall require action at a minimum as follows:

- Employees who occupy positions that require driving or the conducting of driver license examinations as stated in their position description, whose driver's license, certification, designation or any similar qualification, is cancelled, suspended or revoked, inactive, lapsed or in any status that precludes the employee from legally operating a motor vehicle, are required to report the said cancellation, suspension or revocation, inactivity, lapse, or any status that precludes the employee from legally operating a motor vehicle to his or her immediate supervisor the next business day following the occurrence. The employee will immediately be prevented from performing driving duties until further notice by the supervisor. This is mandatory even though the employee may have his or her driving privilege restored on a restricted basis under a hardship provision.
- The Hiring Authority or Designee shall schedule and hold a pre-disciplinary hearing to review the situation and its impact on the work unit. As with other disciplinary infractions, the totality of the employee's work record and any mitigating circumstances should always be considered. When warranted, the Hiring Authority or Designee shall make an effort to sustain the employee's employment on the first loss of driver's license, certification, and designation or any similar qualification, and/or failure to renew their license through action consistent with Rule XXIV (Counseling, Demotion, and Reduction in Pay), Rule XIII

(Transfer), or Rule XVI B (Leave of Absence without Pay). Hiring Authority or Designee will use the above rules to effectively remove the employee from performing duties for which a driver's license, certification, designation or any similar qualification is required. If an employee is probationary, actions will be determined at the discretion of the Hiring Authority or Designee.

- First time offenses where a driver's license, certification, designation or any similar qualification may be renewed within a six month period following the driver's license, certification, designation or any similar qualification expiration and/or reinstatement. The Hiring Authority or Designee has the discretion to approve and/or take one of the following actions:
 - For those employees who have put into action the means to obtain certification and/or proof of reinstatement within a two-week period following the date of the loss or lapse, written counseling statement and:
 - Approve the employee's use of annual leave or an unpaid leave of absence during this period. This option requires the employee to produce written validation of their actions.
 - Transfer the employee to a vacant position within the county that does not require the driver's license, certification, designation or any similar qualification.
 - For those employees whose recertification or reinstatement will require longer than two weeks to obtain certification or proof of reinstatement following the date of the loss, lapse or cancellation, suspension or revocation of their driving privilege could result in (these circumstances apply only to those types of suspensions, cancellations or revocations with undesignated time periods):
 - Temporary demotion or pay reduction of the employee for a period up to six months, to a vacant position for which a driver license is not required. The Hiring Authority or Designee may extend the temporary demotion or pay reduction up to a maximum of twelve months.
 - If the employee receives the required unrestricted driver's license, certification, designation or similar qualification within the designated six months or up to twelve-month period, the Hiring Authority or Designee may restore the employee to the previous position and pay rate.
 - If the employee fails to receive the required unrestricted driver's license, certification, designation or any similar qualification within the designated six or twelve-month period, the Hiring Authority or Designee may make the demotion permanent, if there is a permanent position to which the employee may appropriately be demoted. If there is no permanent position to which the employee may appropriately be demoted, the employee may be subject to dismissal.
- Second offenses of loss of a required driver's license, certification, designation or any similar qualification may result in the Hiring Authority or Designee utilizing the disciplinary process to permanently demote or dismiss the employee.

In the cases described above where the employee is retained, the employee's failure to maintain the qualifications to perform the essential functions of their job will also be reflected on the performance appraisal as well as further disciplinary action during the subject period.

Regardless of the disciplinary status, employees who do not maintain a driver's license, certification, designation or any similar qualification, will not be allowed to drive any county vehicle including golf carts, utility vehicle, or drive for any county purposes utilizing their personal vehicle or conduct driver license examinations.

RULES AND SAFETY REQUIREMENTS:

Seat belts or seat belt/shoulder harness shall be worn at all times when conducting County business in any County vehicle or personal vehicle, pursuant to FL Statutes.

County employees need to be aware of their environment and be mindful of the increasing trends of road rage. While operating a motor vehicle, whether a county vehicle or your own personal vehicle for county business, employees must never challenge another motorist or engage in any activity that may be viewed as engaging another motorist. Employees are encouraged to pull over and allow irate or aggressive motorists to pass.

Regardless of whether the employee is using a hand-held or hands-free unit cellular phone, PDA, two-way radio, compact disc player, radio, map, or any other distraction, the first responsibility is to pay attention to the road. Distractions should be kept to a minimum.

NOTE: Suspensions, revocations and cancellations each may have specific designated time periods that apply or have no specific time periods that apply with the exception that the reinstatement date closes the infraction.