## [Insert name of Tribe or Tribal Enterprise]

# Fleet Safety Program Guidelines for

# Private Passenger and Business Fleet Operations

**Non-Commercial Vehicles**

|  |  |
| --- | --- |
| **Fleet Safety Program Guidelines, Private Passenger and Business Fleet Operations (non-CDL)** | **Revision Date**: 04-2022 |
| **Purpose**: To aid with administering policies to prevent accidents and injury to employees/third parties. | **Topics Covered**   * Driver selection, training and monitoring * Authorized drivers/eligibility * General safety rules * Vehicle inspection/maintenance * Accident/incident procedures |

### RESPONSIBILITY

**Management** is responsible for successful implementation and on-going executive of this program.

The [**insert responsible department**] is responsible for administering [insert name of Tribe or Tribal Enterprise] accident prevention and safety program. Their responsibilities include:

* Directing and coordinating the vehicle risk control program.
* Reviewing each driving applicant's reference and driving record and reviewing the driver’s driving record annually thereafter.
* Researching, developing, and distributing training materials and setting up standards for the teaching and testing of drivers.
* Periodically inspecting vehicular equipment.
* Developing and distributing safety material.
* Investigating accidents, determining preventability and instituting corrective action.
* Maintaining appropriate records, reviewing, and analyzing such records to determine accident causes, trends and/or responsibilities.
* Taking appropriate disciplinary action when risk control program directives and procedures are not followed.

**Supervisors** of drivers including those on assigned routes, health services, or other transportation will be responsible for:

* Conducting accident investigations, recommending corrective action and ensuring training to all drivers on lessons learned.
* Reviewing all pre and post trip vehicle inspection reports on a daily basis and ensuring vehicles that are not safe for driving are removed from service and repaired.
* Conduct documented monthly safety training for all drivers addressing topics such as backing, passenger safety, checking around vehicle, vehicle inspections, and distractions.
* Perform documented driver evaluations on a [*quarterly or semi-annual*] basis.

### DRIVER SELECTION

If a driver’s job duty requires that he or she operate a motor vehicle, the following “prospective driver” procedures shall be met satisfactorily prior to that driver operating such vehicle:

* A review of the applicant's past driving history and background. This includes:
* ***Pre-Employment Screening***: As a condition of employment with driving privileges, Motor Vehicle Reports will be obtained and will be carefully reviewed to assure that the prospective employee's driving record meets [insert name of Tribe or Tribal Enterprise] acceptable rating and Underwriting requirements.
* This MVR review process will be repeated as described below under Ongoing Monitoring.
* Motor vehicle driver medical fitness assessment (for all commercial vehicle drivers). Drug testing for commercial drivers (if applicable) will also meet established guidelines.
* Depending on the vehicle and prospective driving role, the applicant driver may be required to demonstrate their proficiency in operating the vehicle in question.

**DRIVER MINIMUM AGE AND LICENSES REQUIREMENTS:**

* To operate specific type of vehicles, regardless of state law age requirements, the following will apply:

|  |  |
| --- | --- |
| **Cars and light duty trucks** | Minimum age 18yrs |
| **Vehicles requiring CDL including shuttles** | Minimum age 21yrs + proper endorsements |
| **Vans** | Minimum age 21yrs |
| **Vans to transport people or goods** | Minimum age 21yrs + Chauffer’s license |
| **School buses** | Minimum age 25yrs + proper endorsements |

* Driver’s information placed on the [insert name of Tribe or Tribal Enterprise Approved Drivers List.

### DRIVER SAFETY TRAINING

Every authorized driver is required to attend, and pass, the [insert name of Tribe or Tribal Enterprise] Defensive driving course offered by [insert responsible department] ***prior*** to driving for business purposes or driving a company vehicle.

*Refresher Training:*

* Each authorized driver is required to attend a minimum of two driver refresher trainings each year.
* Drivers are expected to attend safety talks/meetings (5 to 15 minute sessions reviewing topics including safe backing, vehicle inspections, safe driving among others). All missed safety meetings must be made up. It is the responsibility of the driver to contact his/her supervisor to review content. *Failure to attend/make up 2 or more consecutive meetings will result in loss of driver privileges*.
* Any driver found to have violated the Tribe’s driver’s policy or observed driving unsafely (as described under “Ongoing Monitoring”) may be required to attend a refresher training course before being allowed to operate any vehicle for Tribal business.
* Written documentation will be kept in the employee’s personnel file.

### ONGOING MONITORING

* Motor vehicle record checks will be conducted at least annually and more frequently based on [insert name of Tribe or Tribal Enterprise] rating criteria of all drivers for the Tribe including but not limited to, employees, sub-contractors, contract employees, Tribal representatives, all who are bound by the Tribe’s drivers policy. Driving privileges will be suspended for drivers who fail to meet the established criteria. Depending on the circumstances, additional management action may be taken.
* [insert name of Tribe or Tribal Enterprise] reserves the right to perform random observations of driving while the driver is operating a company vehicle. This may be announced or unannounced, and may be dependent on the type of driving or vehicle operated. These observations will be used as an ongoing evaluation of driver performance.
* [insert name of Tribe or Tribal Enterprise] reserves the right to use telematics in some or all or its vehicles to record driving tendencies. This data may be used for future training purposes or even subsequent disciplinary action.

### NON-OWNED VEHICLE EXPOSURE (Personal Vehicles)

[Insert name of Tribe or Tribal Enterprise] coverage applies as excess liability coverage only to each driver's personal automobile policy. [insert name of Tribe or Tribal Enterprise] will determine the quality of all drivers and hold them to the same performance standard as those employees who drive company vehicles. Each driver who drives their personal vehicle for Tribal business will be required to provide proof of insurance with following limits:

Bodily Injury of $100,000 per person, $300,000 per occurrence and property damage of $100,000, or, Combined single limit of $300,000 bodily injury and property damage. See suggested additional insurance coverage below.

Drivers using their personal vehicles are expected to adhere to established fleet management policies while operating their vehicles for company business including accident reporting, distracted driving, and other safe operating rules. Vehicle owners are expected to maintain their vehicles in safe operating condition.

### (*SUGGESTED*) ADDITIONAL COVERAGE

In addition to the required insurance coverage, it is recommended the driver protect their own interests by considering purchasing the following additional insurance coverage to serve as coverage and/or expense reimbursement. These coverages are not provided by the Tribe or its insurance policies for drivers using personal vehicles:

1. Medical payment
2. Underinsured/uninsured motorists liability coverage in the form of bodily injury and property damage (or deductible waiver)
3. Physical Damage coverage (comprehensive and collision)
4. Towing and labor

5. Rental reimbursement

### EMPLOYEE DRIVER RESPONSIBILITY

1. All drivers shall have and carry with them a valid license from the state in which they reside.
2. Citations for traffic violations, illegal parking, towing due to illegal parking, etc., are solely the responsibility of the driver and shall be handled promptly, any associated cost are not eligible for reimbursement.
3. To comply with [insert name of Tribe or Tribal Enterprise] operating procedures and policies.
4. To comply at all times with the rules, regulations, and laws of all regulatory agencies having jurisdiction.
5. To report all accidents, vehicle damage and/or injuries immediately to your supervisor and the [insert responsible department] before the end of your shift on the same day of occurrence.
6. To conduct a pre-trip vehicle inspection and immediately report any new found damages to [insert responsible department].
7. Use of seat belts is mandatory.
8. No texting while operating a vehicle is allowed.
9. Never operate a motor vehicle under the influence of any substance or alcohol. Prescription medications which could impair driving ability should not be taken when operating a vehicle.
10. Never operate a vehicle in which you are not licensed and/or trained to operate.
11. Never operate a motor vehicle with a suspended or revoked driving license.
12. Management reserves the right to revoke a driver’s privilege to drive for Tribal business because of but not limited to, excessive moving violations, driving under the influence of drugs or alcohol, involvement in what may be considered avoidable accidents, and excessive damage to vehicle due to driver neglect or misuse. In the event an employee terminates or is terminated from the company, the company-provided vehicle must be returned immediately. It is the responsibility of the employee's immediate supervisor to ensure the vehicle is returned or retrieved immediately.
13. Employee must immediately notify supervisor (and other applicable department):

* Upon change in name or address.
* Any accident, traffic violation or conviction, revocation, restricted or suspension of license.
* Any illness, injury, physical condition, or use of medication that may impair or affect your ability to operate a vehicle safely.

### PERSONAL USE OF A COMPANY VEHICLE

[Insert name of Tribe or Tribal Enterprise] may furnish vehicles to employees to facilitate [insert name of Tribe or Tribal Enterprise] business in a manner that allows for safety, economy, and a positive business image. All vehicles are to be returned at the end of the workday to the area designated by the department head responsible for the vehicle(s).

Unless prior authorized in writing by the [insert appropriate Tribal authority], these vehicles are not to be used for personal driving. When properly authorized for personal driving, such personal driving is restricted to driving to and from home only. If a company vehicle is to be taken home overnight for business purposes, the [insert responsible department] must be notified and approved in advance.

**AUTHORIZED DRIVERS**

* Drivers who meet the [insert name of Tribe or Tribal Enterprise] driver requirements and have been approved by [insert responsible department] may be assigned a vehicle to drive for a specific purpose, job duty, and/or time. [Insert name of Tribe or Tribal Enterprise] vehicles are to be driven only by the assigned/approved driver.
* Any other person driving the car, except parking lot attendants or maintenance and repair shop employees, is considered an unauthorized driver.

1. A copy of the policy shall be forwarded to the [insert responsible department] as evidence of these insurance requirements.
2. Use of a motorcycle for company business is strictly prohibited.
3. INCIDENTAL USE: Employees who use their personal vehicles for company business on occasion are expected to follow the same driver requirements as outlined herein.

### TOWING AND PUSHING

The use of [insert name of Tribe or Tribal Enterprise] vehicles to pull a trailer or other object shall not be permitted unless the vehicle is specifically designed for this purpose. Towing, pushing, or jump starting another vehicle may result in damage to the vehicle. The repair expense will be yours.

### GENERAL SAFETY RULES

1. Do not pick up hitchhikers.
2. Do not carry unauthorized passengers or materials.
3. Use of radar detector, laser detector, or similar devices is not permitted.
4. Use of a cellular phone (unless hands-free) while driving is not permitted.
5. Texting and driving is not permitted.
6. Operating a motor vehicle while under the influence and/or impairment of any substance is not permitted.
7. Do not transport flammable liquids and gases unless a DOT or UL approved container is utilized and only then when properly secured in the vehicle, in limited quantities, and only when necessary and authorized and according to governing transport regulations.
8. Do not use ignition or burning flares. Use reflective triangles placed behind the vehicle to divert or alert traffic.
9. Do not jump from a vehicle when exiting (for commercial vehicles).

### MVR GUIDELINES TO DETERMINE DRIVER ELIGIBILITY

Whenever a driver's job responsibilities will or can involve use of a company vehicle or their own personal vehicle on company business, a Motor Vehicle Record (MVR) check and approval will first be conducted.

All existing worker whose job responsibilities are to be changed to include driving responsibilities must first have an acceptable MVR before a change in job/work status is granted.

1. Pre-employment Conditions – Applicable to employees who are hired into positions that require driving as a part of their normal duties.
2. Possess a valid state issued Driver’s License without any restrictions (excluding vision correction restrictions),
3. Have an acceptable driving record according to the company’s insurance provider/underwriter requirements.
4. Have proof of valid [insert applicable state] Liability Insurance.
5. Continued Employment Conditions – Applicable to all employees who drive company vehicles, personal vehicles in the course of employment, and rental vehicles when traveling during the course of employment.
6. Maintain and carry a valid state issued Driver’s License for the class of vehicle operated without any restrictions (excluding vision correction restrictions),
7. Maintain [insert applicable state] Liability Insurance and provide proof of such coverage when requested by management.
8. **Periodic Record Checks**

Annual motor vehicle records will be checked for those employees operating motor vehicles in the course and scope of their employment to ensure compliance with this policy:

1. Employees who have failed to report any accident or traffic violation/conviction will be subject to disciplinary action up to and including termination of employment.
2. Employees who have failed to maintain the minimum standards for continued employment (section B) would be subject to loss of driving privileges (in the course and scope of employment), reassignment, and/or release from employment.
3. [Insert responsible department] will maintain records of all motor vehicle record checks with copies being made available to an employee’s manager when corrective action may need to be taken.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **DRIVER PROFILE CHART** | | | | | |
| **Number in Three Years** | | **At-Fault Accidents \*** | | | |
| **0** | **1** | **2** | **3+** |
| **Minor Violations** | **0** | Acceptable | Acceptable | Acceptable | Non-Qualified |
| **1** | Acceptable | Acceptable | Acceptable | Non-Qualified |
| **2** | Acceptable | Acceptable | Non-Qualified | Non-Qualified |
| **3** | Acceptable | Non-Qualified | Non-Qualified | Non-Qualified |
| **4+** | Non-Qualified | Non-Qualified | Non-Qualified | Non-Qualified |

### VEHICLE INSPECTION AND MAINTENANCE PROGRAM

All tribal owned vehicles are on a maintenance program. Maintenance shall be determined by [mileage/hours]. A maintenance schedule is below:

|  |  |
| --- | --- |
| VEHICLE TYPE | PREVENTATIVE MAINTENANCE |
| Passenger/auto | Every [#] miles |
| Passenger/light duty truck | Every [#] miles |
| Vans (8-15 passenger) | Every [#] miles |
| Box Trucks (non-CMV) | Every [#] miles |
| Commercial Motor Vehicles | Every [#] hours/miles |
|  |  |

[Insert name of Tribe or Tribal Enterprise] is responsible for all expenses connected with the operation of the company vehicle such as repairs (excluding traffic/parking citations). Management is responsible for regularly inspecting all company vehicles assigned to their departments, investigating and reporting any new found damage.

Drivers are responsible for performing pre and post trip visual inspections of their vehicles. All reports are to be submitted daily to [title or name of person] for review and repair. *Any severe deficiencies should be reported to their manager immediately and vehicle removed from service*. Vehicles that need attention, please contact your manager and take the vehicle for service at the end of the shift.

### INSURANCE

As soon as a newly purchased vehicle is delivered, the [insert responsible department] shall be contacted to ensure that it has been insured under the [insert name of Tribe or Tribal Enterprise] Commercial Automobile Policy. The identification card is to be kept in the vehicle glove box at all times. The department manager is responsible to assure a valid proof of insurance is in each vehicle under their supervision.

### RENTAL CAR USAGE

When traveling on [insert name of Tribe or Tribal Enterprise] business from time to time, there may be need for a rental vehicle. Prior written approval must be obtained per the Tribal Travel Policy.

Rental vehicles are governed under the Tribe’s driver policy the same as if it were a Tribally owned vehicle and drive in the same safe and prudent manner. All driver safety policies and requirements are the same for rental vehicles as though they are Tribal vehicles.

### EMERGENCY/ACCIDENT PROCEDURES

WHAT TO DO IN THE EVENT OF AN ACCIDENT:

Every driver of a motor vehicle involved in an accident from which there is an injury to or death of any person or persons or property damage shall:

1. Stop immediately or as soon as is safe to do so
2. Stay calm and collected.
3. If safe to do so, exit the vehicle. Watch for fire, spilled materials, traffic flow, etc. Take all necessary precautions to prevent further accidents at the scene.
4. Render all possible assistance to any injured person(s). Movement of any injured person(s) should not be undertaken if likely to cause further injury.]
5. Immediately report the accident, including parking lot accidents, to the local police department, and call for emergency medical services if anyone is injured.
6. Immediately contact your supervisor.
7. Record the names and address of all involved persons and witnesses.
8. Record the facts of the incident, including whom, when, and where the accident took place. Complete the accident report notice. Deliver this report (fax/email) immediately to the [insert responsible department]. All written accident reports and photos are to be submitted to [insert responsible department] within 24 hours of the incident.
9. Obtain the police report number, and submit with written accident report.

If you are involved in an accident remember the following:

* Be polite. Do not discuss the details of the accident with anyone except the police, your department manager, and [insert responsible department].
* Do not make any verbal or written commitments as to who was at fault or pertaining to claim payments.
* Complete the employee accident form, including using the diagram to note details, along with photos (if taken).
* Above all, **do not promise anything or discuss fault with anyone prior to discussing the incident with your department manager and [insert responsible department].**

Failure to do any of the above in the event that you are involved in an accident will result on disciplinary action dependent upon the severity of the accident.