

Operation of motor vehicles for business, be it personal passenger cars, cargo vans, small delivery vehicles, or large trucks, presents liability to a company in the form of motor vehicle accidents resulting in physical damage and/or bodily injury. Employers have a legal responsibility to make sure that employees operating these vehicles are appropriately qualified and entrusted to safely and responsibly drive on behalf of the company. This responsibility extends beyond drivers of company **owned** or **leased** vehicles to **any employee who may drive for company business, regardless of vehicle ownership**. For example, a sales individual who operates their own car, a marketing individual renting a car, and the driver of a company van performing field service work should all be authorized by the company in the same manner.

The following guidelines are provided to assist in developing and establishing a process for qualifying and authorizing employees for driving on company business.

DRIVER AUTHORIZATION (QUALIFICATION AND SCREENINGS)

Driver Authorization

Only those employees meeting minimum qualifications established by the employer, and authorized to drive on company business may do so. This authorization may be revoked if evaluations of driver performance do not meet company standards.

An authorized driver must:

1. Be at least 21 years of age
2. Have at least one year experience driving the class of vehicle to be operated
3. Meet local/state licensing requirements
4. Within the past 36 months:
 - Not had their driver's license suspended or revoked
 - Not had automobile insurance canceled, declined, or non-renewed by a company
5. Meet the Minimum Driver Qualifications outlined in the next section.

Minimum Driver Qualification

(This is an example. Your company's can be more stringent)

In order for an employee to be authorized to operate a motor vehicle on company business, verification of the following must be completed:

1. Valid Driver's License, without suspension, from the state of their residence only.
2. Driving record (Motor Vehicle Record) free of any convictions within the past three years for:
 - Alcohol and/or drug related driving offenses.
 - Refusal to submit to a Blood Alcohol Content (BAC) test.
 - Reckless driving.
 - Leaving the scene of an accident.
 - A felony, manslaughter or homicide involving use of a motor vehicle.
 - Driving while the driver's license is under suspension or revocation.
3. Motor Vehicle Record (MVR) free of any combination of three or more "at-fault accidents" or moving violations (e.g.; speeding, failure to yield, improper turn, etc.) within the past three years. An "at-fault accident" is defined as an accident in which the driver received a moving violation ticket issued by a law enforcement officer. This is



to be determined by the person reviewing the MVR after the facts of the accident have been gathered and reviewed.

- 4. Clear background by checking with previous employers in accordance with applicable privacy laws.

MVR (MOTOR VEHICLE RECORD)

An MVR will be obtained annually on all employees for whom authorization to drive on company business is being determined. The Fair Credit Reporting Act (FCRA) requires that the company notify the employee (prior to obtaining an MVR) that a consumer report (MVR) will be obtained. Therefore, the employee must complete and sign the Disclosure and Authorization form (example attached) and forward a copy to the individual/department that maintains driver files.

MVRs will be obtained:

- When checking job application references.
- Prior to making an offer of employment.
- When a current employee transfers to a driving position.
- When a current position is revised to include driving.
- At least annually on a regular basis to ensure the ongoing safe driving record of drivers.

Company must also provide the employee with a copy of “[A Summary of Your Rights under the Fair Credit Reporting Act](#)” prior to requesting a check of the employee’s MVR. **NOTE:** Some states have their own consumer reporting laws. Contact state consumer protection agencies or the state Attorney General for state specific requirements.

DRIVER ACCEPTABILITY

The following matrix can be used as a guideline for determining driver acceptability. This format allows you to enter information gathered regarding a driver’s performance. This is a guideline only and other circumstances regarding a driver’s performance may be considered.

Driver Acceptability for Qualification						
Number of Moving Violations Within Past Three Years	Number of Accidents Within Past Three Years					Number of DUI or DWI within Past Three Years
	0	1	2	3	4	
0	Clear	Clear	Acceptable	Borderline	Prohibited	Prohibited
1	Acceptable	Acceptable	Acceptable	Borderline	Prohibited	Prohibited
2	Acceptable	Acceptable	Borderline	Prohibited	Prohibited	Prohibited
3	Borderline	Borderline	Prohibited	Prohibited	Prohibited	Prohibited
4	Borderline	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
5	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited

Borderline	Motor Vehicle Report will be checked every 6 months; acceptability subject to no deterioration in the record. Employer must prohibit driver from driving company vehicles or using personal vehicles on company business.
Prohibited	



DRIVER ACCEPTABILITY (ALTERNATE)

It is company policy and a requirement for employment that every employee position with driving duties requires a motor vehicle record (MVR) meeting the grading requirements stated below. This MVR policy applies to drivers of company owned vehicles, leased or rented vehicles, and employees using personal vehicles in the course of company business.

MVRs will be examined prior to the start of employment and at least annually thereafter. Any job offer made to an employee-candidate for a position with driving duties shall be contingent upon an MVR meeting the required standards; continued employment in a position with driving duties also requires an MVR meeting the standards outlined below.

The standards for MVRs are as follows:

1. All operators must have a valid driver's license for at least three years.
2. No new driver will be hired with a "borderline" or "poor" MVR. MVRs will be graded based on the table below, as minimum requirements.
3. Driving records must remain "acceptable" or "clear," as graded on the table below, for continued employment in positions with driving duties.

Any exceptions to these guidelines must be referred to senior management for written approval. The auto insurance carrier will be consulted on any/all MVRs not meeting the minimum criteria.

Motor Vehicle Grading Criteria (last 3 years)

Number of Minor Violations	Number of at-fault accidents			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Borderline	Poor	Poor
2	Acceptable	Poor	Poor	Poor
3	Borderline	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor
Any major violation	Poor	Poor	Poor	Poor

Minor Violation	Major Violations
<p><i>Any violation other than Major with the following exceptions:</i></p> <p>Motor vehicle equipment, load or size requirement Improper/failure to display license plates Failure to sign or display registration Failure to have driver's license in possession (if valid license exists)</p>	<p>Driving under influence of alcohol/drugs Failure to stop/report an accident Reckless driving/speeding contest Driving while impaired Making a false accident report Homicide, manslaughter or assault arising out of the use of a vehicle Driving while license is suspended/revoked Careless driving Attempting to elude a police officer</p>