Adopted: 02/28/23
Revised:

404.1 AUTHORIZED DRIVERS

I. PURPOSE

The purpose of this policy is to promote student and staff safety during authorized travel and to educate employees on safety issues and the responsibilities of operating a vehicle on behalf of Meeker and Wright Special Education Cooperative (MAWSECO).

II. GENERAL STATEMENT OF POLICY

A. MAWSECO will perform a background check, including a driving record check, consistent with the MAWSECO Policy 404 and applicable law, on all applicants for Authorized Driver positions who receive an offer of employment with MAWSECO.

B. MAWSECO will, consistent with applicable laws, obtain and review driving records for all Authorized Drivers.

C. MAWSECO specifically reserves any and all rights it may have to conduct background checks, including driving records checks, regarding current employees or applicants without the consent of such individuals.

D. Adherence to this policy by MAWSECO shall in no way limit MAWSECO's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information, including driving records, concerning employees, applicants, volunteers, independent contractors, and student employees.

III. DEFINITIONS

For the purposes of this policy, the following terms have the means given to them herein:

A. An "active," "valid," and "appropriate" driver's license means a current motor vehicle operator's license issued under the laws of the state of issuance and used as intended under the law.

B. An "Authorized Driver" means any MAWSECO employee who is required or authorized by MAWSECO to operate a motor vehicle owned or leased by MAWSECO or his or her personal motor vehicle as part of his or her job duties.

C. A "driver's license loss" means the historical record maintained on each driver by the applicable state department of public safety.

IV. DRIVER'S LICENSE REQUIREMENTS FOR AUTHORIZED DRIVERS

All Authorized Drivers must hold an active, valid, and appropriate license to operate any motor vehicle owned or leased by MAWSECO. Operating a motor vehicle owned or leased by MAWSECO or operating a personal motor vehicle as part of an Authorized Driver's job duties without an active, valid, and appropriate license is violation of this policy and may be grounds for discipline, including, but not limited to, immediate discharge.

V. REVIEW OF DRIVING RECORD

A. Prior to hiring an individual to fill an Authorized Driver position, an applicant will be required to complete a background check in accordance with MAWSECO Policy 404. The background check will include a Department of Motor Vehicle Record Check, consistent with MAWSECO policies and applicable law.

B. Upon receipt of driving records, MAWSECO will determine whether candidates who may be denied employment because of their driving record are eligible for notice and an opportunity to respond pursuant to Minnesota Statutes, Chapter 364.

C. Each Authorized Driver shall complete, as necessary, a form to permit MAWSECO to obtain a driving record from each state motor vehicle department in which he/she has held a driver's license in the past five years. On an annual basis, MAWSECO will review Authorized Drivers' driving records, pursuant to written authorization when required, to identify any unsafe driving incidents, accidents, or other unacceptable driving behavior. Serious accidents, incidents, or accumulation of a number of unacceptable driving behaviors, will result in referral of the Authorized Driver to MAWSECO Human Resources for appropriate action. Appropriate action may include, but is not limited to: driver safety training; disqualification as an Authorized Driver; disciplinary action, up to and including termination from a position or employment.

D. Information obtained about Authorized Drivers pursuant to this policy shall be maintained in accordance with the Minnesota Government Data Practices Act. Supervisors and other MAWSECO employees shall use such information as needed to determine whether an individual has an acceptable driving record before permitting the use of a motor vehicle owned or leased by MAWSECO or a personal vehicle used for official MAWSECO business.

VI. DRUG AND ALCOHOL TESTING FOR AUTHORIZED DRIVERS

All Authorized Drivers shall be subject to drug and alcohol testing consistent with MAWSECO Policy 404.1. In addition to other potential consequences set forth in 404.1. A confirmed positive test may be the basis for loss of status as an Authorized Driver.

VII. LOSS OF DRIVER'S LICENSE

An Authorized Driver shall immediately inform his or her supervisor of the loss of a driver's license that affects his or her ability to perform assigned work. Upon receipt of such report, the supervisor shall obtain a written release sufficient to obtain a copy of Authorized Driver's driving record. Failure to report a loss of a driver's license constitutes a violation of this policy. An Authorized Driver who has lost his or her driver's license may be permitted to drive for work purposes only if consistent with the Minnesota Department of Public Safety's driver's license restrictions or other applicable state department of public safety. Supervisors shall consult with the Human Resources Coordinator if an Authorized Driver is not permitted to drive for work purposes and driving is an essential function of the employee's position.

VIII. GENERAL RESPONSIBILITIES OF AUTHORIZED DRIVERS

A. All Authorized Drivers shall:

1. Abide by the terms of this policy and all other applicable MAWSECO policies and federal, state, and local laws, rules, regulations, and ordinances regarding the operation of a motor vehicle.

2. To the extent required by this policy, obtain and maintain an active, valid, and appropriate driver's license.

3. Drive motor vehicles owned or leased by MAWSECO only for authorized purposes and limit passengers to those authorized by MAWSECO.

4. Obtain permission from their supervisor before transporting any student.

5. Operate motor vehicles owned or leased by MAWSECO or personal vehicles used for official MAWSECO business in a safe, responsible manner.

6. Report any and all collisions, accidents, and personal injury arising out of the operation of a motor vehicle when traveling for official MAWSECO business to his or her supervisor immediately, or within twenty-four (24) hours of occurrence, if an immediate report is not possible. If driving a vehicle owned or leased by MAWSECO, notify the Business Office of all collisions, accidents, and personal injury as soon as possible.

7. Report any and all tickets, citations, and arrests arising out of the operation of a motor vehicle to his or her supervisor immediately, or within twenty-four (24) hours of occurrence, if an immediate report is not possible.

8. Lock all vehicles owned or leased by MAWSECO when not in use.

9. Remove all garbage from motor vehicles owned or leased by MAWSECO after each use.

10. Keep all owner's manuals, insurance certificates, and other documents designated by MAWSECO in the motor vehicle owned or leased by the MAWSECO.

11. Repairs for damages to vehicles owned or leased by MAWSECO needing attention should be immediately reported to the Business Office. Miscellaneous expenses, such as parking fees and toll charges, must be paid by the Authorized Driver and submitted for reimbursement consistent with MAWSECO policies and procedures. Mileage will be paid to Authorized Drivers for the actual number of miles driven for official business in their personal vehicle that is beyond the normal round trip mileage incurred from the employee's home to their designated office location and back home again based on the current federal rate. Authorized Drivers shall be responsible and accountable for all tickets or citations incurred while operating a motor vehicle owned or leased by MAWSECO or a personal vehicle used in official MAWSECO business.

12. Ensure that seat belts shall be worn by all occupants. Children shall be restrained in an approved car seat, as required by applicable law.

13. Abide by MAWSECO policies prohibiting the use or possession of alcohol and drugs in motor vehicles owned or leased by MAWSECO or personal vehicles when used for official MAWSECO business.

14. Ensure that no smoking occurs in motor vehicles owned or leased by the MAWSECO.

15. Authorized Drivers shall not read or send text messages or e-mail messages while operating a motor vehicle owned or leased by MAWSECO. All cell phone calls made or received while operating a vehicle owned or leased by MAWSECO must use a hands free device or be done while the vehicle is parked. Notwithstanding the foregoing, compliance with state cell phone policies applicable to your area of travel is required.

16. In the event of a collision or other accident, Authorized Drivers must:

(1) gather all loss data, witness information, names of injured parties and passengers, vehicle information, and driver's license numbers; and
(2) not admit fault or liability.

17. Authorized Drivers operating a personal vehicle for official MAWSECO business shall maintain the personal vehicle in a safe and proper operating condition and compliant with all applicable laws and regulations.

18. Authorized Drivers operating a personal vehicle shall maintain an appropriate level of liability insurance coverage and provide MAWSECO with proof of current insurance coverage.

19. MAWSECO carries property insurance to cover MAWSECO contents in vehicles, however, personal items are not covered and therefore should be kept to a minimum.

Legal References: Minn. Stat. Ch. 13(Minnesota Government Data Practices Act)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. Ch. 169. (Drug and Alcohol Testing)
Minn. Stat. § 168.346 (Privacy of Personal Information)
Minn. Stat. § 171.12 (Driving Record; Filing; Private Data)
Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 364 (Criminal Rehabilitation Act)
18 U.S.C. §2721, et. seq., (Driver Privacy Protection Act)

Cross References: Policy 403 (Discipline, Suspension and Dismissal of Employees)
Policy 404 (Employment Background Checks)
Policy 406 (Public and Private Personnel Data)
Policy 412 (Expense Reimbursement)
Policy 416 (Drug and Alcohol Testing)
Policy 418 (Drug Free Workplace/Drug Free School)
Policy 419 (Tobacco Free Environment)