

Forsyth County: Vehicle Operator's Policy

Purpose

Operating a Forsyth County vehicle or a personal vehicle for Forsyth County business is both a privilege and a responsibility. This policy is intended to ensure maximum safety of the general public, drivers operating a Forsyth County vehicle or personal vehicle on Forsyth County business, and clients of Forsyth County by ensuring only qualified drivers operate vehicles on behalf of the County. Operating motor vehicles creates substantial risk. A best practice for reducing vehicle risk is to provide only safe and responsible drivers to operate vehicles for Forsyth County business. This policy aims to identify and monitor drivers who pose a higher risk to Forsyth County, themselves, or the public because of their driving history. Forsyth County is committed to creating and maintaining a safe environment for our employees and the general public. In keeping with this commitment, the Forsyth County Vehicle Operator's Policy sets forth minimum standards for operating all vehicles used for county business.

The Forsyth County Vehicle Operator's Policy applies to all Forsyth County employees who operate a motor vehicle (whether the vehicle is county-owned or personally owned, leased, borrowed, or rented) to conduct county business. This policy applies to any motor vehicle including motorized vehicles and/or mobile equipment as defined by North Carolina State Law. This policy applies regardless of how frequently a motor vehicle is used to conduct county business. County Management has the authority to approve an exception for extraordinary circumstances.

Use of County-Owned Vehicles

1. **Only Forsyth County employees can operate county-owned vehicles.** County-owned vehicles are to be used only for official County business. County-owned vehicles will not leave the county except for official business or as authorized by the Department Head.
2. No tobacco products, vaping, or e-cigarette products may be used in county vehicles.
3. Employees who are on a twenty-four hour call or are subject to call during off hours are required to follow their department guidelines and policies with regard to vehicle use.
4. Forsyth County vehicles shall not be used to transport any persons other than on-duty county employees unless the persons are being transported in connection with official county business, or as authorized by the County Manager.

No Private Use

1. The use of a county vehicle is governed by North Carolina General Statute 14-247 Private Use of Publicly-owned Vehicles which states, "It shall be unlawful for any officer, agent, or employee of the State of North Carolina, or of any county or of any institution or agency of the State, to use for any private purpose whatsoever any motor vehicle of any type or description whatsoever belonging to the State, or to any county, or to any institution or agency of the State". The statute clarifies it is not a "private purpose" to drive a state or county-owned vehicle from the employee's home to work as provided in NCGS 143-341(8)i7a.
2. Forsyth County may assign employees the use of vehicles for commuting purposes between work and home when it is necessary for the essential performance of work duties.
3. Employees who are assigned vehicles on a 24-hour basis are permitted to use County vehicles assigned to them for travel between work and home and to obtain meals and other work-related necessities while on duty.

4. Employees who are assigned vehicles on a 24-hour basis will drive such vehicles directly home or to a designated parking location within Forsyth County limits, unless authorized by the County Manager, and leave the vehicle parked until needed for county business.
5. Employees who are assigned vehicles on a 24-hour basis are expected to use the shortest, most direct route between their assigned work location and home and may not use the county vehicle for personal business of any type between work and home.

No Right of Privacy

County vehicles are the property of Forsyth County, and as such, are subject to inspection, audit, search, and monitoring by County Officials. Without advance notice, the County reserves the right to inspect, audit, and search County vehicles. This includes the right to place telematic tracking devices on County vehicles that monitor and record vehicle whereabouts and driving habits.

Personal Vehicles Used on Official County Business

Employees using their personal vehicle for county business are required to obtain and carry, at minimum, the North Carolina statutory automobile bodily injury and property damage insurance coverage for their vehicle. The employee's insurance is primary at all times, including when the vehicle is used on county business.

Purchase of additional coverage such as comprehensive and collision coverage, towing, cost of rental vehicle, etc. for personal vehicles is determined solely by the employee. It is the responsibility of the employee to have adequate insurance coverage in the event of an automobile accident involving their personal automobile. It is the sole responsibility of the vehicle owner to pay any applicable deductibles under their insurance policy.

It is the responsibility of the vehicle owner to maintain their vehicle in a safe operating condition and to maintain the vehicle with a current state inspection.

Inclement Weather

In the event of inclement weather, when it is unsafe to operate a county vehicle due to snow, ice, sleet, high winds, etc., county vehicles may be grounded at the direction of the General Services Director.

County vehicles should never be driven through flood waters or flooded roads. An alternate route should always be taken to avoid driving through flood waters or flooded roads.

Cell Phone Use & Other Electronic Equipment

Drivers of county vehicles or drivers of personal vehicles for county business shall not use cell phones, laptops or tablets while driving. Do not dial, take notes, make video recordings or look up numbers while driving. **Should there be a need to make or receive a call while operating a motor vehicle; the employee must pull off the road into a parking area to avoid distractions.**

It is unlawful under North Carolina General Statute 20-137.4A to use a cell phone for email or text while operating a vehicle.

Drivers of county vehicles or drivers of personal vehicles for county business are prohibited from sending or receiving text or email messages while operating a motor vehicle. Doing so is a violation of N.C.G.S. 20-137.4A.

Mobile phones are not allowed to be in use while pumping gasoline.

Use of Navigation/GPS systems

On-screen keying activities of navigation/GPS units should only be performed when the vehicle is NOT in motion.

Navigation units with audible turn-by-turn directions are preferred to minimize the need to view the screen while driving.

Exercise caution when viewing the Navigation/GPS screen to make only short glances when the vehicle is moving.

Increased following distance is recommended whenever viewing the screen or looking for street signs, addresses, etc.

Distracted Driving

Distracted driving is doing another activity that takes your attention away from driving and can increase the chance of a vehicle crash. Inattentive drivers respond slower and fail to recognize potential hazards in the roadway. County drivers shall not engage in any activity that can divert the person's attention from the primary task of driving.

Drug Testing

Any employee who will drive a county vehicle or personal vehicle on county business may be subject to drug-testing upon hire, and for cause. CDL drivers will be subjected to random drug testing. The drug testing procedure will follow the county's policy.

Defensive Driver Training

Employees who drive a motor vehicle in the course and scope of their duties may be required to participate in a Defensive Driver training program offered by the County as determined by the Risk Manager.

Responsibilities of County Drivers

1. Regardless of the employee classification and whether the vehicle is county-owned or personally owned and driven for county business, all drivers are required to know and adhere to all North Carolina traffic laws, rules, and regulations for operating a motor vehicle including signs and pavement markings.
2. The possession of firearms or weapons concealed or otherwise, is prohibited in county vehicles unless provided by law.
3. All operators of county-owned vehicles are responsible for the proper care, safe operation, and security of the assigned vehicle.
4. All drivers conducting county business will use appropriate traffic signals and will exercise caution at all times when operating the vehicle.
5. Possession, transportation, or consumption of alcohol or illegal drugs by anyone in a county vehicle is strictly forbidden.
6. Operating a vehicle for county business while under the influence of alcohol or drugs is strictly prohibited. This does not apply to the use of prescription drugs unless the prescription drug

states it is unsafe to operate a motor vehicle while taking the specified drug. The employee is responsible for notifying Human Resources if they are taking a medication that impairs their ability to drive.

7. Read and abide by the Forsyth County Vehicle Operator's Policy.

Responsibilities of County Emergency Response Vehicle Drivers

1. The driver of an emergency response vehicle may exercise privileges set forth in this policy when:
 - Responding to an emergency call
2. The driver of an emergency vehicle may:
 - Proceed past a red signal light or stop sign BUT only after slowing down or stopping to ensure the vehicle can continue forward in a safe manner.
 - Exceed the maximum speed limit as long as the driver does not endanger life or property.
3. The exceptions granted herein to the driver of an emergency vehicle shall apply only when such vehicle is making use of audible and visual emergency signal equipment sufficient to warn motorists and pedestrians of their approach.
4. The driver of an emergency response vehicle is responsible for complying with all operating guidelines established by the department to which the vehicle is assigned.
5. The law does not prevent an authorized emergency vehicle operator from using emergency speeds during response, but it does hold the driver liable for his/her actions. The operator of an emergency vehicle must exercise sound judgment and must consider the consequences of his/her actions and the safety of the general public at all times. The provisions of this section will not protect the driver from the consequences of his/her actions or behavior with regard to the safety of others.

Driver Qualifications

1. A valid driver's license of the appropriate class for the vehicle being operated must be in the possession of the county employee when operating a motor vehicle for county business. A new resident of NC must obtain a valid NC driver's license within 60 days of establishing residence.
2. If an employee does not have a valid driver's license for the type of vehicle being operated, the employee is not permitted to operate the motor vehicle to conduct county business. An employee whose job requires him/her to operate a motor vehicle for county business may have his/her employment terminated in the event the driver's license is revoked or suspended by a court of law.
3. Employees operating motor vehicles to conduct county business are **required** to notify their supervisor within 1 business day of any citation, violation or change in their driver's license status. See Violation Reporting Requirements.

Motor Vehicle Record Review

County employees who operate any type of motor vehicle (including a motorized vehicle or mobile equipment not intended for use on the roadway) for county business must maintain a good driving record. Motor Vehicle Records (MVR) will be examined prior to employment and periodically thereafter. As a condition of operating a county-owned vehicle or a personal vehicle for county business, all drivers must consent to a review of their MVR at any time. The MVR review will include out-of-state convictions.

The ordering of MVRs and determining a driver's eligibility to drive a vehicle for county business shall be the responsibility of the Forsyth County Human Resources Department. MVR's will be obtained for all employees who will operate either a county vehicle or their personal vehicle to conduct county business at anytime. An employee who is not willing to sign a release allowing Forsyth County to obtain their MVR will not be allowed to operate a county vehicle for any reason and will not be allowed to operate their personal vehicle for county business. If the employee is required to operate a motor vehicle as part of their job duties and declines to sign the release, the employee may be subject to disciplinary action up to and including dismissal.

Certain driving behaviors are considered extremely dangerous and such convictions will result in immediate termination of driving privileges. Employees who drive a county vehicle or operate their personal vehicle for county business are not permitted to operate the motor vehicle for county business if their MVR contains traffic convictions of seven (7) or more points within the previous two (2) year period. If the employee accumulates seven (7) or more traffic violation points or meets the criteria for an unacceptable driving record, Human Resources will notify the appropriate Department Head to suspend the employee's authorization to drive on county business. If the employee is required to operate a motor vehicle as part of their job duties, the employee may be subject to disciplinary action up to and including dismissal.

Unacceptable Driving Record

An unacceptable driving record is determined as either a driver with seven (7) or more points within the previous two (2) years as determined by the NC Traffic Violation Point System or a driver who has been convicted of one or more Unacceptable Driving Behaviors. If either applies to a county employee, the employee is not permitted to drive a county vehicle or operate their personal vehicle for county business in any manner. The employee will lose access to a county vehicle in the motor pool.

The employee is responsible for informing their supervisor within 1 business day of any incidents that could potentially change his/her driver's license status. Any employee who fails to report incidents that affect their driving status will be subject to disciplinary action up to and including dismissal. See Violation Reporting Requirements.

Unacceptable Driving Behaviors

Any of the following circumstances occurring within the previous five (5) years are considered unacceptable and the employee may not drive a county vehicle or operate their personal vehicle on county business:

- Refusing to submit to any test of intoxication/impairment conducted by law enforcement officials.
- Conviction of driving while intoxicated (DWI) or under the influence (DUI) involving any drug or alcohol use.
- Conviction of Hit and Run or leaving the scene of an accident.
- Conviction of homicide, manslaughter, or assault from the operation of a motor vehicle.
- Conviction of attempting to elude a law enforcement official while operating a vehicle.

Motor Vehicle Record Grading Criteria

An employee may not drive a county vehicle or operate their personal vehicle for county business if the employee has seven (7) or more points for moving violations in the previous 2 years.

Point values for conviction of violations for employees:

Conviction	Point Value
Passing a stopped school bus	7
Aggressive driving	7
Reckless driving	7
Driving on wrong side of road	7
Speeding in excess of 15 mph over the posted speed limit	7
No driver license or licensed expired more than one year	7
Following too closely	4
Illegal passing	4
Failure to yield right of way to pedestrian pursuant to G.S. 20-158 (b) (2) b.	4
Failure to yield right of way to bicycle, motor scooter or motorcycle	4
At-fault Accident	4
Speeding in excess of 55 mph	3
Speeding in a school zone in excess of the posted school zone speed limit	3
Running through stop sign	3
Failure to yield right of way	3
Running through red light	3
Improper equipment	3
Failure to stop for siren	3
Failure to wear seatbelt	3
Driving through safety zone	3
No liability insurance	3
Failure to report accident where such report is required	3
Failure to properly restrain a child in a restraint or seat belt	2
All other moving violations not specifically listed	2
Littering pursuant to G.S. 14-399 when the littering involves the use of a motor vehicle	1

Violation Reporting Requirements

All County employees are required to report any traffic violations, citations (other than parking citations), convictions, accidents, change in driver’s license status, and any other motor vehicle violations (whether on or off duty), to their immediate supervisor within one (1) business day. The supervisor must immediately notify the Human Resources Department for appropriate action. Failure to report motor vehicle violations will be considered a violation of County policy and may result in disciplinary action up to and including termination of employment.

In the event of any Driving While Impaired (DWI) arrest, or any other drug or alcohol-related arrest while driving, whether on or off-duty, the employee’s driving privileges will be suspended until final disposition by the courts.

Fines imposed on a county employee for a traffic offense or a parking offense committed while on or off-duty are imposed on the employee personally and payment is solely the employee’s personal responsibility, including attorney fees.

Employees who receive traffic citations while operating a County vehicle may be disciplined according to the County's policy regarding General Rules of Conduct.

Vehicle Care and Maintenance

1. Eating or drinking while driving a county vehicle is prohibited.
2. No decals, other than the county insignia and the fleet bumper sticker may be affixed to any county-owned vehicle.
3. Each driver assigned to a county vehicle or issued a county vehicle for use is responsible for the care and maintenance of the vehicle and insuring that the vehicle is clean. At the end of each work day, any accumulated trash or debris must be removed from the vehicle and disposed of.
4. If an employee reserves a vehicle that is not clean, they should report the condition in the Fleet Commander system.
5. All employees assigned a take-home vehicle must adhere to the policies and/or procedures for the use of a take-home vehicle.

Seat Belts and Child Safety Seats

1. All occupants of a motor vehicle shall wear a seat belt properly fastened about his or her body at all times when the vehicle is in motion.
2. No more than 3 people shall ride in the front seat of a vehicle at one time and only when there is a seat belt for the driver and each passenger.
3. Each passenger under the age of 16 must be secured in an age and weight appropriate restraint.
4. A child under 8 years of age and under 80 pounds of weight must be properly secured in a weight and age appropriate child restraint system.
5. Infants and small children must be placed in a safety seat specifically designed for them. All manufacturer instructions must be read and followed for use of safety seats.
6. Infants in rear-facing child safety seats should never ride in the front seat.
7. If the vehicle is equipped with an active passenger-side front air bag and the vehicle has a rear seat, a child 5 years of age or younger and weighing 40 pounds or less must be properly secured in the rear seat.

Vehicle Inspection Before Driving

1. Before operation, the driver will check the county vehicle for any damage to the body or interior. Note and report any such damage in the Fleet Commander system.
2. The driver shall also check the following items to determine they are in proper working order:
 - Parking brake
 - Turn signal lights
 - Front, rear, and brake lights
 - Horn
 - Windshield wipers
 - Tire pressure and tread
 - Steering mechanism
 - All mirrors including the rear-view mirror
3. If a county vehicle is found to have any defects that would prevent the safe operation of the vehicle, the vehicle may not be driven. The driver is required to promptly report such defects in the Fleet Commander system or to their supervisor. The vehicle must be checked and approved for use by the County Garage before it is placed back into service.

General Safety Guidance

1. When equipment, property, or supplies are being transported, the driver will assure that all items are properly secured or tied in place to prevent them from shifting or falling from the vehicle.
2. No one shall operate a vehicle for county business when the vehicle is loaded in such a way as to obstruct the view of the driver in any direction or interfere with the control of the vehicle.
3. Any vehicle having a load which extends more than four feet beyond the rear of the vehicle shall have the end of the load marked with a red flag at least 12 inches square.
4. No person is allowed to ride on a running board, fender, hood, tail-gate, and truck-bed or rear rack of any county vehicle or other vehicle being used to conduct county business.
5. A driver whose vehicle is towing a trailer or other equipment will assure that the trailer hitch is securely latched and that safety chains are properly attached.

Parked Vehicles

1. Before leaving a parked vehicle, the driver will set the emergency brake and remove the keys from the ignition.
2. The driver shall lock the vehicle and shall maintain possession of the vehicle keys at all times.
3. The employee shall not leave county equipment inside the vehicle if possible. The employee shall remove and safely store equipment that can be easily removed to prevent theft of equipment.
4. Laptops, tablets, smart phones and other electronic devices must be brought inside the workplace or residence and shall never be left unattended in the vehicle. Theft of such equipment is costly and could compromise confidential information that may be accessible through the device.

Obstructing Traffic for Work Requirements

1. Whenever work requirements make it necessary for a county-owned vehicle to obstruct traffic, the driver shall create a temporary traffic control zone in compliance with the US Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUCDT), Part 6; Temporary Traffic Control.
2. Advance warning signs and/or traffic cones to warn oncoming motorists of the obstruction shall be placed far enough from the work zone to give oncoming motorists adequate advance warning to allow for appropriate response action.
3. Distance of the warning signs should be determined by:
 - Street and weather conditions
 - Speed limit in the area
 - Whether the vehicle is on a straight or curved road.
4. Vehicles equipped with flashing or revolving warning lights shall use same as additional warning devices when blocking or obstructing traffic.
5. Exceptions shall be made for emergency vehicles that are in compliance with their department operating procedures.

Roadside Assistance – Flat tire or vehicle breakdown

1. If a county vehicle needs to be towed at anytime, please contact Automotive Services during business hours at 336-703-2243 or 743-217-2193 after hours or on weekends for towing service.
2. If the vehicle is towed to the county garage during business hours, Automotive Services may provide another vehicle for the employee to drive if one is available.
3. If the vehicle is towed to the county garage after hours, the employee is responsible for securing alternative transportation.

Driving Complaints and Concerns

Forsyth County encourages citizens and employees to report driving related issues by notifying Forsyth County Automotive Services at 336-703-2243. If a complaint is received regarding unsafe or improper use of a county vehicle, the complaints shall be reviewed by the General Services Fleet Manager by the following process.

1. Automotive Services will identify the vehicle from the tag number or vehicle number given by the complainant to determine the department the vehicle is assigned to.
2. Once the department is identified, the complaint will be forwarded to the Department Head.
3. It is the responsibility of the Department Head to follow-up with the employee, the employee’s supervisor and the citizen, if the citizen requested contact. The complaint will be documented with any finding or actions taken in the employee’s personnel file.
4. The seriousness of the complaint and subsequent investigation may lead to suspension of driving authorization and may result in disciplinary action according to the County’s personnel policy.

DocuSigned by:

Shontell Robinson

5852DF4A04694DD...

Approved by:

Shontell A. Robinson

County Manager, Forsyth County

11/5/2024

Date