



Safety and Loss Prevention of State Vehicles

DGO Policy Internal 12

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Approved By: Jenney Rees

References/Authority: Utah Code Section 63A-9-101, Utah Administrative Code Rule R27-7

1 PURPOSE

This policy establishes the criteria for when threshold violations outlined in Utah Administrative Code (UAC) Rule R27-7 “Safety and Loss Prevention of State Vehicles” become major threshold violations and when those violations result in disciplinary action

2 GUIDING PRINCIPLES

This policy recognizes that it is in the best interest of the Department of Government Operations (DGO) to comply with Rule R27-7 and to impose related disciplinary action when appropriate if violations have occurred. A department-wide policy ensures applicability and consistency across DGO.

This policy applies to all DGO employees.

3 POLICY

3.1 Definitions

Aggravating Factors: The term aggravating factors includes the items listed in Section R27-7-5(8). The DGO Driver Safety Committee (DSC) or the Driver Eligibility Board (DEB) will determine whether a violation includes aggravating factors.

Major Threshold Violation: Major threshold violation means a violation, as outlined in Section R27-7 or in this policy, that by itself would trigger a review before the DSC or the DEB. As outlined in rule and this policy, a single threshold violation or an accumulation of threshold violations may be considered a major threshold violation.

Operator ID: Operator ID is a unique identifier assigned to a State employee once the employee has successfully completed the Defensive Driver Training course through the Utah Learning Portal and has supplied the employee’s agency with a certificate of completion for the course and an application for an Operator ID.

State Vehicle: State vehicle means a motor vehicle (as defined in Utah Code Section 63A-9-101) owned, operated, or in the possession of an agency. It also includes a State-provided motor vehicle, like a rental vehicle, if the vehicle is rented under the State contract for the purpose of conducting State business.



Threshold Violation: Threshold violation means a violation outlined in Rule R27-7 or in this policy that by itself would not trigger a review before the DSC or DEB. An accumulation of threshold violations may be considered a major threshold violation, or a single threshold violation may be considered a major threshold violation when aggravating factors are taken into consideration.

3.2 Standards

- A. A DGO employee may operate a state vehicle only when the employee has a valid driver license and a valid Operator ID.
 - a. Once the agency has been notified by the employee or by the Division of Fleet Operations that the employee's driver license is no longer valid, the agency may not allow the employee to operate a state vehicle.
 - i. The employee may not drive a state vehicle until the employee's driver license and Operator ID are once again valid.
- B. The DSC shall review major threshold violations and accident preventability (as described in Subsection R27-7-5(3)) monthly as required by Section R27-7-4.
- C. Major threshold violations are outlined in Subsection R27-7-3(3) and Subsection R27-7-5(5) and include the following:
 - a. three preventable accidents within a three-year period;
 - b. three or more moving violations while driving a state vehicle in a 12-month period;
 - c. one alcohol-related driving violation;
 - d. reckless, careless or negligent driving, including excessive speed violations;
 - e. a driving violation that resulted in injury or death;
 - f. a felony-related driving violation;
 - g. a hit-and-run violation;
 - h. impaired driving;
 - i. operating a moving motor vehicle while using a handheld wireless communication device;
 - j. a driving violation determined by the DSC or the DEB as posing a significant risk to the safety or loss prevention of state vehicles;
 - k. using a vehicle in an unauthorized way, or misusing, abusing or neglecting a state vehicle as validated by the driver's agency;
 - l. misusing or illegally operating a vehicle as provided in Section 63A-9-501.
 - m. violating any major threshold as defined by the Division of Fleet Operations, this policy, or the policy of the employee's agency;
 - n. validating citizen complaints as determined by the DSC or DEB by using aggravating factors outlined in Subsection R27-7-5(8);
 - o. accumulating three telematics threshold violations within a 12-month period; or
 - p. a single telematics threshold violation as determined by the DSC or DEB by using aggravating factors outlined in Section R27-7-5(8).
- D. In addition, DGO considers the following to be major threshold violations:
 - a. A citation for the use of a handheld wireless communication device, including but not limited to, a citation for texting and improperly receiving and making telephone calls;
 - b. the accumulation of three telematics threshold violations, as defined below, without any aggravated factors (Subsection R27-7-5(8)) in a 12-month period; or
 - i. operating a state vehicle 10 or more miles per hour over the posted speed limit for more than one minute; or
 - ii. operating a state vehicle without a seat belt for two or more minutes consecutively;



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- c. operating a state vehicle 20 or more miles per hour over the posted speed limit.
- E. An employee may not operate a state vehicle if the employee has been ordered by the court to use an interlock device.
- F. Every major threshold violation is subject to review by the DSC, may result in suspension of state vehicle driving privilege, and may further result in disciplinary action from DGO up to and including termination of employment.

3.3 Procedures

- A. The DGO DSC shall, except in cases when there are not items to review, meet monthly when there are the following to review:
 - a. major threshold violations, or
 - b. a threshold violation that may be considered a major threshold violation.
 - i. The Executive Director, an Executive Director's Office representative, or the employing division within DGO, shall notify DGO DSC of any single threshold violation that should be reviewed by the DGO DSC for consideration as a major threshold violation.
- B. The employing division will provide an employee representative to participate on the DGO DSC for all cases involving an employee of that division.
- C. The DGO DSC shall report all major threshold violations reviewed and the actions to be taken to the Division of Fleet Operations in accordance with Section R27-7, using the forms provided by Fleet Operations.
- D. The DGO DSC shall notify the employing division of the required action to be taken after the review has been completed.
- E. The employing division shall begin the required action within two weeks of notification from the DGO DSC.
- F. Each division with DGO shall consult with the Executive Director's Office and the Division of Human Resource Management representative to institute the appropriate level of discipline for major threshold violations if a personnel action is necessary.

4 RELATED DOCUMENTS (e.g., procedures, other policies, forms etc.)

- None



Amendment/Change Log

<Policy Name> Amendment/Change Log					
Date	Section/ Heading	Change/Edit	Additional Information (if needed)	Change Approved By	Change Approval Date