



Procedure for Driver Motor Vehicle Record Checks

Initial Motor Vehicle Record (MVR) Checks

Required for employees of Paul Smith's College and of any vendors and subcontractors who drive on either regular or intermittent basis Paul Smith's College vehicles, as well as for any individuals (Paul Smith's College employee, vendor or subcontractor employee) who drive their personal vehicle for Paul Smith's College business and/or receive travel mileage reimbursement for work-related travel on behalf of Paul Smith's College.

1. EMPLOYEE APPLICANTS:

If an employee-applicant is to be an approved driver, the Compliance Coordinator, or Human Resources will obtain a photocopy of the valid driver's license from the applicant and use it to obtain a MVR for evaluation. In the event an employee-applicant is hired and must begin driving on college business prior to receipt of the MVR, the Compliance Coordinator/Human Resources must, as a minimum, carefully review the applicant's Driver History Record before granting driving privileges. Also, each employee-applicant should be informed in writing by Human Resources that employment for any position for which having a "valid driver's license satisfactory to the College's insurer" is required, is conditional upon receipt of a satisfactory MVR; that is, an MVR not meeting the definition of a "High Risk Driver".

If the information on the MVR or Driver History Form indicates that the new employee is a "High Risk Driver", the Compliance Coordinator may, after careful consideration, grant driving privileges, but only on a probationary basis. Employees whose driving records are not accessible on line (New York, another state or country) are responsible to secure their records and provide them to the Compliance Office for evaluation prior to being authorized to drive on behalf of the College.

EVERY ATTEMPT SHOULD BE MADE TO SECURE AND EVALUATE A MVR ON EACH NEW "DRIVER" BEFORE DRIVING PRIVILEGES ARE GRANTED.

2. CURRENT EMPLOYEES:

If a current employee is changing from a non-driving position to a position requiring driving on college business, the employee must provide a photocopy of a valid driver's license to the Compliance Coordinator/Human Resources, who will secure an MVR, and evaluate it prior to

the change in position. It is strongly recommended that all employees who will be operating college-owned vehicles complete a six-hour defensive driving course.

A. Periodic MVR Checks

The Compliance Coordinator/Human Resources will obtain MVRs every two years for all existing approved drivers. In addition, the College maintains the right to conduct periodic and random review of MVRs at its discretion.

B. Distribution of MVRs

The Compliance Coordinator/Human Resources is responsible for maintaining the database and information on the MVR and treating all pertinent information in the most confidential manner.

3. STUDENTS:

The Compliance Coordinator/Human Resources will obtain a photocopy of the valid driver's license from any student applicant and use it to obtain a MVR for evaluation. Only students with clean driving record (no moving violations or accidents), a completed van course by Campus Safety and certificate of completion of a Six-Hour Defensive Driving Course will be authorized to drive College-owned vehicles.

If the information on the MVR indicates that the student applicant has any moving violations or accidents on record, that student will not be permitted to drive College-owned vehicles. The Compliance Coordinator/Human Resources will inform the student if he/she will not become an authorized student driver. Students may appeal this decision. This appeal must be in writing, addressed to the Provost, and state clearly the justification of the appeal. The Provost may ask for documentation or interview the student prior to judging on the appeal. The Provost's decision is final.

Students whose driving records are not accessible online (New York, another state or country) are responsible to secure their records and provide them to the Compliance Coordinator/Human Resources for evaluation. Granting and withdrawing driving privileges for students is strictly the prerogative of the College. Especially in the case of students with pending criminal, civil, or College disciplinary actions, or with an established record of such, the College may, at its sole discretion, refuse to allow a student to operate motor vehicles which it owns.

IDENTIFICATION OF HIGH RISK DRIVERS

A "Driver" will be classified as a "High Risk Driver" if the MVR check so indicates, or if it is otherwise determined that the driver has one or more of the following violations within the past 10 years:

1. Conviction for an alcohol and/or drug related driving offense;
2. Refusal to submit to a Blood Alcohol Content (BAC) test;
3. Conviction for reckless driving;

4. Any combination of three or more moving violations, "At Fault Accidents", or "Preventable Accidents" within the most recent three years;
5. Suspension, revocation or administrative restriction within the last three years;
6. Leaving the scene of an accident as defined by state laws;
7. At fault in a fatal accident;
8. Felony committed involving a vehicle;
9. Three or more "Company Vehicle" physical damage claims in any 36-month period;
10. Following too close.

MANAGEMENT CONTROLS FOR HIGH RISK DRIVERS

If an employee is identified as a "High Risk Driver", the Compliance Coordinator, in collaboration with the Director of Human Resources, will choose either Option 1 or Option 2:

Option 1: Probation

The Compliance Coordinator must do all of the following:

1. Place the "High Risk Driver" on probation (up to two years from the date of notification);
2. Obtain a MVR every six months for the duration of the probationary period;
3. Immediately suspend driving privileges if any single repeat violation or an additional violation occurs while on probation as described OR if any terms of probation are violated;
4. Confer with the Provost on any stipulations, operating limitations, or other conditions, such as:
 - a. Loss of all "Company Vehicle" driving privileges;
 - b. Loss of "Company Vehicle" driving privileges between work and home;
 - c. Loss of personal use privileges;
 - d. Referral of the "Driver" to the Employee Assistance Program;
 - e. Transfer of the "Driver" to a non-driving position;
 - f. Additional driver training.
5. The terms of the probation are to be made to the employee in writing. The employee will be required by signature to signify that he/she has been informed of the probation terms and duration. The signed terms of probation should be kept in the Compliance files.
6. If the probationary period has been served and if reinstatement of driving privileges is warranted, the Compliance Coordinator should notify the employee in writing.

Option Two: Suspension of Driving Privileges

The Compliance Coordinator/Human Resources must suspend all company driving privileges. The "High Risk Driver" will NOT be authorized to drive a motor vehicle at any time on company business.

This action may result in Human Resources either arranging a transfer of the employee to a non-driving position, if such a position exists and is vacant for which the employee is qualified,

or the employee may be subject to dismissal procedures. The employee may reapply for driving privileges after one year of suspension. Application should be made to the Compliance Coordinator/Human Resources. If approved, the employee's driving status will change from suspension to probation. However, reinstatement of driving privileges by the Compliance Coordinator/Human Resources does not constitute an offer of employment by the College for any "Driver" position. Normal hiring procedures will be followed.

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