



DEPARTMENT OF ADMINISTRATIVE SERVICES
INTERNAL POLICIES AND PROCEDURES

400 Safety and Loss Prevention of State Vehicles

Effective: January 26, 2018

References: [Utah Administrative Code Rule R27-7](#)

Purpose:

To establish department-wide policies governing when threshold violations outlined in Utah Administrative Code Rule R27-7 “Safety and Loss Prevention of State Vehicles” become Major Threshold violations and when those violations result in disciplinary action.

Background:

This policy recognizes that it is in the best interest of the Department of Administrative Services (DAS) to comply with Rule R27-7 and to impose disciplinary action when appropriate. A department-wide policy ensures applicability and consistency across DAS.

Scope:

This policy applies to all DAS employees.

Definitions:

1. “Major Threshold violation” means a violation outlined in rule or in this policy that by itself would trigger a review before the Driver Safety Committee (DSC) or Driver Eligibility Board (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.
2. “State Vehicle” means a motor vehicle as defined in [Utah Code §63A-9-101](#) owned, operated, or in the possession of an agency. It also includes a motor vehicle provided by the state for the purposes of conducting state business like a rental vehicle if rented under the state contract for the purpose of conducting state business.
3. “Threshold violation” means a violation outlined in rule 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, as outlined in rule or a single Threshold violation may be considered a Major Threshold violation when “Aggravating Factors” are taken into consideration (see Subsection R27-7-5(8)).

Policy:

1. A DAS employee may operate a state vehicle only when the employee has a valid driver license and a valid Operator ID. Once an agency has been notified by the employee or by the Division of Fleet Operations that the employee's driver license is no longer valid, the agency may not allow the employee to operate a state vehicle. The employee may not drive a state vehicle until the employee's driver license and Operator ID are once again valid.



2. The DSC shall review Major Threshold violations and Accident Preventability monthly as required by Section R27-7-4.
3. Major Threshold violations are outlined in Section R27-7-3 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. 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).
4. In addition, DAS 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.
 - ii. Operating a state vehicle without a seat belt for two or more minutes consecutively.



- c. Operating a state vehicle 20 or more miles per hour over the posted speed limit.
5. An employee may not operate a state vehicle if the employee has been ordered by the court to use an interlock device.
6. 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 DAS up to and including termination of employment.

Procedures:

1. The DAS DSC shall meet monthly when there are Major Threshold violations to review or a Threshold violation that may be considered a Major Threshold violation.
2. The employing agency within DAS or the Executive Director's Office representative shall notify DAS DSC of any single Threshold violation that should be reviewed by the DAS DSC for consideration as a Major Threshold violation.
3. The DAS DSC shall report all Major Threshold violations reviewed and the actions taken to the Division of Fleet Operations in accordance with Rule R27-7 using the forms provided by Fleet Operations.
4. The DAS DSC shall notify the employing agency of the required action to be taken after the review has been complete.
5. The employing agency shall begin the required action within two weeks of notification from the DAS DSC.
6. The employing agency will provide an employee representative to participate on the DAS DSC for all cases involving an employee of that agency.
7. Each agency with DAS shall consult with the Executive Director's Office and the Department of Human Resource Management representative to institute the appropriate level of discipline for Major Threshold violations.