

PHOENIX FIRE DEPARTMENT

VOLUME 1 – Operations Manual

DRIVER’S LICENSE

MP102.07 12/11 - R

PURPOSE:

The purpose of this policy is to emphasize to members the need to comply fully with the stipulations outlined in City Administrative Regulation 2.96, and to clarify for members when it is necessary to notify the Fire Department of certain issues that either change, or may change, the status of his/her driver’s license.

INTRODUCTION:

A.R. 2.96 states that employees must have the appropriate valid license in their physical possession to drive on City business, and only authorized employees are allowed to drive vehicles on City business. Employees are required to comply with all applicable federal, state, and local laws and regulations, and City policies.

All employees must have at least a valid Class D Operator’s License to operate any City vehicle, or to use their personal vehicle for City business.

Each employee assigned to operate any Fire Department vehicle, or who is in a position to operate one at any time, must have their driver’s license number, classification, and expiration date recorded with the Fire Department. Prior to promotion or assignment to a position requiring the driving of Fire Department vehicles, employees will be required to have at least a valid Class D Operator’s License.

Any employee who is in a driving position, or who is asked to drive a City vehicle or private vehicle on City business, and who **does not** have a current, valid Arizona driver’s license, will immediately notify his/her supervisor, and shall not be permitted to drive. Additionally, the employee is required to notify the Fire Department’s Personnel Chief that he/she does not have a current, valid Arizona driver’s license.

A.R. 2.96 also states that Fire Department management will make certain the driving record of all employees in driving positions are checked, and that those employees not possessing a current, valid license will not operate vehicles on City business, and will not drive City vehicles.

DEFINITIONS:

Driving Position: Means a job which requires operating a vehicle on City business or operating a City vehicle as part of its range of duties.

Driver's License: Means a valid license to drive, appropriate for the class of vehicle operated as prescribed by the provisions of Arizona Revised Statutes, Title 28, Chapter 4.

Acceptable Driving Record: Means that the driving record of the employee has seven (7) points or less for the previous twelve (12) months. Points are as shown in the current Motor Vehicle Division (MVD) Acceptable Violation Code Table. In addition, the following shall also be considered in determining an acceptable driving record; any cancellation, expiration, refusal, revocation, suspension, or restriction affecting the employee's ability to drive on City business. Work related accidents, or other related factors, such as zero point violations or a pending DUI charge shall also be considered.

Change in Status: Means that an individual's previously valid driver's license is subsequently expired, refused, cancelled, revoked, suspended, or restricted by MVD.

DUI Charge: Means any arrest or citation received by an employee as a result of his/her alleged violation of any of the A.R.S. Title 28 "Driving Under the Influence" statutes, or for any out-of-state arrest or citation received for a similar infraction.

EMPLOYEE RESPONSIBILITIES:

An employee in a driving position is required to:

1. Possess a valid, appropriate driver's license at all times while operating a vehicle on City business or while operating a City vehicle. (License must be carried **on the person**, when operating a vehicle on City business or while operating a City vehicle.)
2. Maintain current registration and current insurance, in accordance with A.R.S. Title 28, on any personal vehicle he/she may be asked to drive on City business.
3. Comply with any and all restrictions placed on his/her driver's license by MVD at all times while operating a vehicle on City business or while operating a City vehicle.
4. Maintain an acceptable driving record.
5. Notify his/her supervisor, and the Fire Department's Personnel Chief, of a change in status of his/her driver's license, of a DUI conviction, or of an arrest or citation for any DUI charge. This includes any out-of-state DUI conviction, arrest, or citation received. Such notifications must be made before the start of the employee's next shift.
6. Refrain from operating a vehicle on City business, or operating any City vehicle, without a valid, appropriate driver's license.

An employee in a non-driving position is required to:

1. Immediately notify his/her supervisor if the employee does not have a valid driver's license, or does not have a valid driver's license in his/her possession at

the time he/she is requested to operate a vehicle on City business or operate a City vehicle.

2. Maintain current registration and current insurance, in accordance with A.R.S. Title 28, on any personal vehicle he/she may be asked to drive on City business.
3. Comply with any and all restrictions placed on his/her driver's license by MVD at all times while operating a vehicle on City business or while operating a City vehicle.

MANAGEMENT RESPONSIBILITIES:

All current City employees in driving positions will have their driving records reviewed annually. This review will be conducted at the time of each employee's annual performance review. The "Driving Record" section of the employee's Performance Management Guide (PMG) will be marked "Met" or "Not Met" in accordance with the criteria outlined in A.R. 2.96.

In the event there is a change of status of the driver's license of an employee in a driving position, action will be taken to insure the employee does not operate a vehicle on City business, or operate a City vehicle. In addition, A.R. 2.96 outlines the procedures by which an employee's absence will be handled in the event he/she cannot fill his/her driving position due to his/her driver's license being suspended.

An employee in a driving position who has a status change in his/her driver's license for a period not exceeding thirty (30) days will be removed immediately from all driving responsibilities, and will be placed on a leave of absence (unpaid leave or previously accrued vacation or comp time). If approved by management, the employee may be placed temporarily in a non-driving assignment if one is available within the department.

If the change of status is for a period of thirty-one (31) days or more, the employee will be removed immediately from all driving responsibilities, and will be placed on a leave of absence (unpaid leave or previously accrued vacation or comp time) for up to sixty (60) working days, during which time the employee may seek a transfer to a non-driving position. All such leaves are subject to management approval. If a leave of absence is not approved, the employee shall be terminated. If a transfer occurs, the employee will not be terminated from City employment based solely on the loss of his/her license which gave rise to the transfer. If such a transfer does not occur, the employee shall be terminated.