

**GRANT COUNTY
RESOLUTION NO. R-13-23**

**REVISIONS TO SECTIONS 3.3 AND 3.5 OF GRANT COUNTY VEHICLE ACCIDENT
PREVENTION POLICY (NOVEMBER 2008, as amended)**

WHEREAS, the Grant County Board of Commissioners (“Commission”) desires to revise and clarify sections 3.3 and 3.5 of the Grant County Vehicle Accident Prevention Policy (November 2008, as amended); and

WHEREAS, the intent of the vehicle policy is to protect the county’s human, capital, and financial resources from accidental and intentional loss; and

WHEREAS, the Commission, however, recognizes that county personnel policies must be functional, and the current vehicle policy is too limiting in relation to its definition of an “Unacceptable Driver Record”; and

WHEREAS, the New Mexico Motor Vehicle Division (“MVD”) has a system in place that causes a New Mexico driver to have his or her license suspended upon the conviction of a certain number of traffic violations within a year, pursuant to NMSA (1978) § 66-5-30 and NMAC 18.19.5.50-57; and

WHEREAS, the Commission desires to yield to, and not recreate, the MVD’s system for driver’s license suspension and/or revocation system.

NOW THEREFORE, BE IT HEREBY RESOLVED that in light of the interests described herein, the Commission adopts the following revisions to the current Grant County Vehicle Accident Prevention Policy (November 2008, as amended):

3.3 VALID LICENSE (revised August 2010; revised June 2013)

All drivers (current and prospective) shall have a valid driver’s license for the type of vehicle(s) operated on the job. The county will retain a photocopy of all licenses in a driver or individual personnel file. Under this policy, a valid driver’s license does not include a revoked or suspended license, an “I.D.” card, or a license with restrictions (except for a corrective lenses restriction).

A Commercial Drivers License (CDL) is a legal requirement for certain vehicles. If a CDL or other license type is not required at hiring, the individual shall obtain proper licensing prior to operating such vehicles or equipment. The department head or director is responsible for timely reporting of license classification changes or changes in driving record of his or her employees to the County Manager or the Human Resource Specialist.

3.5 MOTOR VEHICLE RECORD (MVR) REVIEWS (revised January 2012; revised June 2013)

MVR reviews shall be conducted on new hires applying for any position involving fleet operations prior to a final job offer being extended. New and existing employees’ MVR will be reviewed at least semi-annually. The MVR Review form is attached as Appendix C.

Applicants with an acceptable record will be considered for employment; however, applicants with an unacceptable record will not be considered for employment in positions that require regular or frequent driving.

Employees having an unacceptable driving record shall automatically lose county driving privileges. Employees who are regular or frequent drivers and who have an unacceptable driving record will be discharged from employment or, at the county's discretion, be reclassified or reassigned to a comparable non-driving position, if available and if such reassignment does not burden the department in which the employee is reassigned. Positions will not be created for reassignment. Unacceptable driving records and possible reassessments will be evaluated on a case by case basis.

The following guidelines will be used:

A. Unacceptable Driving Record (on or off duty):

- The conviction or occurrence of a major violation within the past three years;
- A suspended, revoked, or restricted license (except for a corrective lenses restriction); or
- Any other serious traffic violation.

B. Major Violations (on or off duty):

- Reckless Driving;
- Speed Contests (Street Racing);
- Leaving the scene of an accident;
- Failure to report an accident;
- Conviction of a DWI (alcohol or drugs), and/or refusal to take a blood alcohol content test;
- Fleeing or attempting to elude police in a motor vehicle;
- Homicide, manslaughter, or assault arising out of use of a vehicle; or
- License suspended, revoked, or restricted due to moving violation convictions.

All regular or frequent drivers are required to immediately report any major violation arrests or convictions, or license suspensions, revocations, or restrictions to their immediate supervisor. All drivers are required to report any vehicle accidents that occurred while on duty or any accidents that involved a county vehicle or county equipment to their immediate supervisor. Failure to make such notification is a violation of this policy and is subject to disciplinary action up to and including termination from employment.

DONE this 13th day of June 2013, in Silver City, New Mexico.

BOARD OF GRANT COUNTY COMMISSIONERS:

Brett Kasten
BRETT KASTEN, CHAIRPERSON

Gabriel Ramos
GABRIEL RAMOS, MEMBER

Ron Hall
RON HALL, MEMBER

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ATTEST:

Robert
ROBERT ZAMARRIPA,
GRANT COUNTY CLERK