



Motor Vehicle Record Guidelines

Selection of Drivers

Driver selection should go beyond checking that an individual has a valid license. Having a license may make it legal for one to drive, but it does not necessarily mean (s)he is suitable to represent your organization behind the wheel. Driver selection should be based on written, road tests, a Motor Vehicle Record (MVR) review, and other similar driver skill assessment tools.

It is essential to assess MVRs when hiring new drivers and when doing yearly evaluations for current drivers. An applicant's driving history is one of the best clues as to his/her future performance as a safe, dependable driver. By making MVR reviews part of the yearly evaluation, the organization can be certain of maintaining the high standards in effect when the individual was hired. While some drivers use company vehicles, others use their own vehicles on company business. The organization should acquire Motor Vehicle Records for all company drivers whether they use personal or company vehicles.

Your organization's management is responsible for establishing and enforcing the driver selection criteria. We recommend that you consult with your attorney to establish that criteria.

Recommended Acceptability Criteria

The following recommended guidelines indicate those drivers who would be deemed unacceptable to drive a company vehicle or to drive a personal vehicle on company business.

One or more Type A Violations in the past three (3) years.

Type A Violations (Major Violations) include:

- DWI/DUI/OWI/OUI - Drugs or Alcohol
- Cell Phone/Texting Violations
- Refusing to take a substance test
- Driving with an open container (alcohol)
- Manslaughter or Negligent homicide using a motor vehicle
- Driving while license is suspended or revoked
- Operating a motor vehicle for the commission of a felony
- Aggravated assault with a motor vehicle
- Permitting an unlicensed person to drive
- Reckless Driving
- Fleeing or evading police or roadblock
- Resisting arrest
- Speed contest (racing)
- Hit and run (Bodily injury or property damage)
- Failure to report an accident
- Illegal passing of a school bus
- Speeding violation over 20 mph
- Other violation considered serious by state law

Any three or more Type B Violations in the past three (3) years.

Type B Violations (Minor Violations) include:

- Having a license suspended in the past related to moving violations
- Moving violations, including:
 - Speeding
 - Improper lane change
 - Failure to obey traffic signal or sign
 - Failure to yield
 - Careless driving
 - At Fault accidents



Eligible Drivers - Minimum Standards

- No employee drivers under the age of 21.
- No drivers who have been licensed for less than three (3) years, regardless of age.
- No drivers who have only an international or foreign license.
- No drivers who are not licensed in the state where (s)he resides within the time required by the state. This applies to those states that require drivers to be re-licensed within a certain time period.

Five Important Issues Relating to Motor Vehicle Records

1. Motor Vehicle Records are available from the state in which a driver holds his/her license. Agencies can also purchase Motor Vehicle Records from online vendors or require that employees provide copies of their MVR.
2. At the least, the company should review every driver's MVR at the time of hire and yearly thereafter. This applies to all drivers, including those who driver personal vehicles on company business. A driver's Motor Vehicle Record may become unacceptable during the course of employment.
3. The Fair Credit Reporting Act required employers to take certain steps before obtaining and using Motor Vehicle Records for employment decisions. The employer must get the candidate's written authorization to request their MVR and other records, as well as, provide the candidate with written notice of your intention to do so. The employer must also inform the candidate of the possible consequences of having an unfavorable MVR.
4. For drivers who have been involved in a preventable accident, Motor Vehicle Records should be reviewed at a minimum of every six (6) months.
5. Drivers who become "unacceptable" should be relieved from driving responsibilities until the MVR reflects an acceptable status.

Commercially Licensed Drivers

You may need to add additional criteria in order to meet qualifications for commercially licensed drivers under various state and federal regulations.

Questions

For additional information on Motor Vehicle Records, Fleet Safety Programs, or any other questions, please contact our Risk Management Division.

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