

## CITY OF LAKELAND – RISK MANAGEMENT MANUAL

Subject: Licensing Criteria to Obtain Maintain City Vehicle Driving Privileges

**Purpose:** To establish a policy regarding minimum standards that would have to be met by a prospective or current employee who would or does operate a City vehicle.

### Definitions:

**Driving Under the Influence (DUI):** driving (or being in the actual physical control) of a motor vehicle while under the influence of alcoholic beverages, chemical substances, or controlled substances.

- a) “Substance”-is considered to be any drug, which when taken into the human body, can impair ability of a person to operate a motor vehicle safely. It can be chemical/controlled and legal/illegal.

**Habitual Violator:** having been convicted of more than five traffic citations within a five-year period; or having license suspended or revoked two or more times within a two-year period.

**Vehicle:** automobile, motorcycle, truck, piece of equipment, or any other similar devise.

### Policy:

- A. Criteria necessary to obtain the privilege of operating a City vehicle.
  1. Have a current Florida license of the proper class.
  2. Reached the age of 18 or older.
  3. Have a license that is not under suspension or revocation.
  4. Not have an alcohol or substance abuse problem.
  5. Not be mentally or physically unable to drive safely.
  
- B. Prospective employees are not eligible to be hired in a position requiring a current Florida License of the proper class if:
  1. License currently under suspension or revocation.
  2. Accumulation of 9 or more points within the last 3 calendar years.
  3. Charged with or convicted of DUI within the past 12 months.
  4. Not able to obtain a valid Florida driver’s license.
  5. Habitual violator of traffic laws.

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- C. Current employees driving privileges will be suspended if one of the following occurs. Termination of employment may occur if driving privileges are suspended for long duration, subject to departmental discretion.
1. License found to be or have been suspended or revoked.
  2. Accumulation of 9 or more points within the last 3 calendar years.
  3. Charged with or convicted of DUI.
  4. Not able to obtain a valid Florida driver's license.
  5. Habitual violation of traffic laws.
  6. Involved in two preventable City motor vehicle accidents within a 12-month period.

For all DUI offenses the following will apply:

### **IF WHILE ON DUTY:**

Blood or breath alcohol results are .02-.039, the employee will be considered to be "impaired" and will be sent home for 24 hours without pay. Upon return, the employee will be required to take a "Return to Duty" blood or breath alcohol test and mandatorily referred to the Employee Assistance Program (EAP).

Blood or breath alcohol results are .04-.079, the employee will be considered to be "under the influence," and will be sent home for 24 hours without pay. Upon return, the employee will be required to take a "Return to Duty" blood or breath alcohol test, subject to a one year random, no-notice blood or breath alcohol test, and mandatorily referred to the Employee Assistance Program (EAP). If any additional occurrence of such alcohol or substance abuse is identified, employee will be terminated.

Blood or breath alcohol results are .08 or above, or fail to pass drug urine test for chemical or controlled substances, employee will be terminated.

### **WHILE OFF DUTY:**

Employee is required to inform his/her supervisor immediately on the next workday of an off the job DUI charge. Upon receipt of this notification, and until DUI charge is upheld or withdrawn, employee will not be permitted to operate a City vehicle. If convicted, employee will not be permitted to operate a City vehicle until such time his/her license is fully reinstated.

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**Note:** A no contest plea is considered the same as a guilty plea and shall apply to on or off the job DUI related to prospective or current employees.

While operating a City vehicle on or off of the job, termination of employment shall be implemented for employees who refuse to be tested either at the request of the City of Lakeland, as their employer, or a law enforcement agency during the course of an investigation for DUI.