

## PROCEDURE

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**Series:** Human Resources COA: HR 5.02, RPM 4.03, ASE 6.03, FIN 7.09  
CFOP:

**Procedure Name:** Driving on Company Business and Related Requirements  
**Procedure Number:** HR 2211  
**Reviewed Date:**  
**Revision #/Date:** 2) 2/2009; (3) 2/2012; (4) 8/11/2014; (5) 5/2/2016; (6) 1/17/2019  
**Effective Date:** September 2004

**Applicable to:** All BFP & Brevard CARES Staff

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**PURPOSE:** To set minimum guidelines for employees who drive on Agency business or operate any vehicle on Agency business or property and to comply with Florida Statutes 409.993 and 324.021.

Related BFP Procedures: HR 2301 - Employee Code of Conduct

This procedure supersedes AP446 – Vehicle Insurance Allowance and RQ503 – POV Insurance

### PROCEDURE:

#### **Definition**

Driving on Agency business is defined as operation of a motor vehicle for any purpose related to employment with BFP or its related agencies, and which is subject to a travel reimbursement whether the reimbursement is requested or not. Examples would include but are not limited to driving to staffings, meetings, Agency events, court hearings, to the home of a client, etc.

#### **Requirements**

1. The Agency seeks to protect the safety of its employees and clients. Potential and existing employees who drive on Agency business or operate any vehicle on Agency business:
  - a) Must be 21 years of age or older, and
  - b) Have a current, appropriately classed, valid Florida driver's license, and
  - c) Provide required proof of automobile liability insurance and current vehicle registration as prescribed in Florida Statutes 409.993 and 324.021.

The Agency is a state funded organization designed to protect and serve at risk children and their families of Brevard County referred by the Department of Children and Families. The Agency is governed by numerous regulations, state and federal statutes; and it is incumbent on all employees of the Agency to ensure compliance as well as demonstrate behavior and judgment that is above reproach as BFP employees are representatives of this Agency. Annually staff signs an "Affidavit of Good Moral Character" to attest that the employee is in compliance with Florida Law.

Employment in a position that requires driving will be offered conditionally pending documentation of required insurance coverage and a valid vehicle registration. Employees will be prohibited from driving on behalf of the Agency until verification of the driving record and required insurance coverage and registration is received at new hire orientation.

All employees must submit annually (January of each year) to the Human Resources Manager or designee, a copy of their vehicle registration and their insurance declaration page documenting their coverage to be recorded. Failure to submit this documentation will result in the revocation of driving privileges for Agency business and where applicable, could result in disciplinary action.

All employees whose positions require transporting children and families must complete annually (January of each year) the “**Acknowledgement for Transporting Children and/or Families & Insurance Coverage**” and return to the Chief Financial Officer or designee for recording of receipt of form. It is the employee’s responsibility to report any change in the status of their transportation duties immediately and complete a new form. Failure to do so may result in disciplinary action leading up to and including termination of employment. A failure on the part of an employee to report such a change involving new responsibilities of transporting clients would result in a violation of Florida Statute 409.1671 (h) if the insurance threshold is not sufficient for these responsibilities.

2. DMV reports are obtained on all employees annually (January of each year) and based on the driving history an employee may face disciplinary action up to and including termination.
3. Once hired, an employee will be subject to a warning, required to attend a safety driving course, and/or be disqualified from driving an Agency vehicle or driving on Agency business if a Motor Vehicle Report (MVR) should contain any of the following whether these violations occur during regular business hours or on non-work hours:
  - a) Suspension or revocation of a driver’s license by any state within the past three (3) years for any reason;
    - a. If an employee’s driver’s license is suspended or revoked, the employee must make arrangements for transportation to and from work as it is illegal to drive without a valid driver’s license. This directive ensures that the Agency is demonstrating its compliance with all laws, whether state or federal.
  - b) Commission of a “major violation” in the past three (3) years, including but not limited to, DUI, vehicular homicide, drag racing or attempting to elude an officer of the law;
  - c) Three (3) or more moving violations in the past three (3) years;
  - d) Any pattern of motor vehicle violations, accidents or other behavior sufficient to be considered by the Agency to present an undue safety risk or to the extent that the insurance carrier refuses to cover the employee due to the driving record.
4. An employee disqualified from driving for the Agency shall be required to obtain a motor vehicle report indicating that his/her driving record has been remedied to meet these guidelines. Once these conditions are met, The Chief Executive Officer (CEO) is required to approve an employee to drive an Agency vehicle or drive on Agency business.



5. If driving is an essential function of the employee’s job, and (s)he is disqualified under these guidelines, (s)he is no longer qualified for that position and is subject to termination. (Employees affected by this policy may be transferred to another temporary or regular position for which (s)he is qualified depending on the availability of such position, the employee’s past performance and the needs of the Agency at the time).
6. All employees who drive Agency vehicles or personal vehicles on Agency business must report all traffic citations to their supervisor, whether challenged or not regardless of when these occur. Failure to report citations will result in disciplinary action, leading up to and including termination of employment. The employee shall notify his or her supervisor of any notice received of suspension of a license or a cancellation of insurance within one (1) business day of such notice.
7. At NO TIME while driving on Agency business, shall any employee text message. Evidence of this will result in disciplinary action leading up to and including termination of employment. Employees are strongly discouraged from cell phone conversations while driving. It is best practice and requested that if a call is urgent the employee place the call prior to driving or if driving, pull off the road and park to take an urgent call.
8. Any employee driving a motorcycle on Agency business must wear a helmet at all times.
9. Under no circumstances is an employee permitted to transport clients on a motorcycle. Any violation to this mandate with result in corrective action, up to and including immediate termination.

**Coverage**

An insurance rubric (attached) has been developed for the purposes of determining the level of driving exposure according to position requirements within the family of agencies. Each position is categorized as a level 1, level 2, or level 3. Levels are defined as noted below:

1: Generally, this position involves coming and going to one agency location. The position also requires attendance at offsite quarterly training and rarely may be asked to go to another agency location for a meeting or training. The position requires a minimum \$10/20K liability insurance.

2: Generally, this position involves occasional driving between agencies and non-agency sites for business meetings and is not scheduled to drive on a weekly basis to non-agency sites for business. The recommended insurance is a minimum of \$50/100K liability insurance. Must report to insurance agency that vehicle is used for business purposes.

3: This position requires daily and/or weekly driving between consumer locations and non-agency sites. This includes transporting clients. Requires \$100/300 minimum liability insurance and business endorsement. Must report to insurance agency that vehicle is used for business purposes.

1. POV Insurance Coverage – When a personal vehicle is used on Agency business, the individual’s insurance is primary to any Agency coverage. The individual employee is protected while driving his/her personal vehicle under his or her insurance policy. The



Agency's auto insurance policy is secondary. All employees whose positions fall within categories 2 or 3 on the insurance requirement rubric must report to their insurance companies that they use their vehicles for business purposes.

2. Per Florida Statute 409.993 the employee's personal auto insurance coverage for bodily injury must be in an amount not less than \$100k/\$300k if transporting children or families in their personal vehicles
3. Per Florida Statute 324.021 anyone owning/operating a motor vehicle with a State of Florida vehicle registration must have the following minimum coverage: bodily injury liability of \$10k/\$20k, and property damage of \$10k. Personal injury protection of \$10k is also a minimum coverage requirement in Florida. Therefore, no employee will be allowed to drive on ANY Agency business or property if this minimum is not met.

DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

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MR. PHILIP J SCARPELLI  
 Chief Executive Officer  
 Brevard Family Partnership Family of Agencies

APPROVAL DATE: 1/21/2020