



POLICY

Approved by: Rebecca R. Hunter, Commissioner	Policy Number: 12-056
Signature: <i>Rebecca R Hunter</i>	Supersedes: 11-001; 03-034
Application: Executive Branch Employees	Effective Date: October 3, 2012
Authority: T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-30-203, T.C.A. § 55-10-401	Rule: Chapter 1120-10

Subject:

Operation of Motor Vehicles By State Employees

State employees who are required to drive state-owned and/or personally-owned vehicles, or who elect to participate in the WeCar/Enterprise Program, in the course of their employment in order to perform official state functions shall do so legally, safely, and defensively. In addition, state-owned vehicles shall be operated in compliance with the policies of the Motor Vehicle Management Division in the Department of General Services and by any terms and conditions established by the WeCar/Enterprise Program. Employees are required at all times to comply with any and all laws when operating any motor vehicle on official state business.

It is of paramount importance that an employee who is in a position that requires a valid vehicle operator's license, or who operates a motor vehicle for state business, possess a valid driver's license. Regardless of whether a state, personal, or rental vehicle is being used in the course of state business, the state may be held liable for the actions of the employee. Therefore, all employees shall abide by the following:

- Any employee operating a state, personal, or rental vehicle for official state business is required to possess a valid driver's license from the employee's domicile state.
- When required, the license must have the appropriate commercial endorsement.
- Under no circumstances shall an employee whose license is revoked, suspended, expired, or otherwise invalidated operate a motor vehicle for official state business.
- For employees who are required to maintain a valid driver's license as part of their official duties, driving record convictions may be considered as grounds for disciplinary action, up to and including dismissal, whether the offenses and infractions occurred during or outside work hours. This includes driving under the influence as defined in Tenn. Code Ann. § 55-10-401.
- Any employee whose position requires a valid driver's license as a job qualification shall advise his or her supervisor within twenty-four (24) hours of the employee's next scheduled workday of any conviction, suspension, revocation, expiration, or invalidation of the employee's driver's

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license. Failure to notify the supervisor of any such conviction, suspension, revocation, expiration, or invalidation may be cause for disciplinary action, up to and including dismissal.

- Any state employee who is convicted of driving under the influence in violation of Tenn. Code Ann. § 55-10-401, or of any offense for which driving under the influence is an element, while driving a state, personal, or rental vehicle on official state business, is subject to discipline, up to and including dismissal.
- An employee who is not required to possess a valid driver's license in the performance of his or her job duties may be disciplined for driving under the influence while off-duty when an agency determines that the conduct adversely impacts the employee's ability to effectively perform his or her job duties or the best interest of the state.

Appointing authorities shall be responsible for ensuring all employees receive a copy of this policy. Employees are required to sign the acknowledgement below upon receipt of this policy for inclusion in the employee's personnel file. Employees who are required to maintain a valid driver's license as part of their official duties shall provide proof of a valid driver's license at the time of acknowledgement. This policy does not restrict agencies from augmenting the provisions of this policy with additional policies and procedures.

Employees are required to complete and sign an "Operation of Motor Vehicles by State Employees" Acknowledgement form (PR-0397, attached below).

Questions regarding the portion of this policy as it pertains to employee discipline may be directed to the Employee Relations Division of the Department of Human Resources. Questions pertaining to the operation of motor vehicles should be directed to the Department of General Services.

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Operation of Motor Vehicles by State Employees Acknowledgement

I certify that I have received, read, and understand the above policy regarding my conduct while operating motor vehicles. Furthermore, I understand that violation of this state policy may lead to disciplinary action, up to and including dismissal from state service.

Employee's Name (Print or Type): _____

Edison Employee ID Number: _____

Employee's Signature: _____

Date: _____

Driver's License Number: _____

State License Issued: _____ Expiration Date: _____

This form shall be completed, signed, and returned to the employee's immediate supervisor. Supervisors are responsible for forwarding all forms to the agency's human resources officer for inclusion in the employee's personnel file.

PR-0397