



**DMA Policy: 3-0016**

**Name: Vehicle Use Policy**

**Reference: Risk Management & Tort Defense Rule**

**Approval Signature: \_\_\_\_\_**

**Effective Date: July 15, 2015**

**Last Revised:**

## Vehicle Use Policy

Montana Department of Military Affairs (DMA) employees are subject to the Risk Management and Tort Defense (RMTD), State Vehicle Use Administrative Rules (ARM) which is located at: [http://rmtd.mt.gov/Portals/62/aboutus/files/vehicle\\_use.pdf](http://rmtd.mt.gov/Portals/62/aboutus/files/vehicle_use.pdf)

DMA establishes the following internal policy, in addition to the ARM. The provisions apply to all DMA employees, unless otherwise noted. All DMA employees shall wear a seatbelt at all times while driving or as a passenger in a state or personal vehicle being used for state business.

DMA employees must possess either a valid Montana drivers' license or Montana Commercial Driver's License (CDL), as required for his or her position.

### **Employee responsibilities**

DMA employees required to drive as part of the employee's job shall report any single driving infraction of five (5) or more conviction points received while driving a state vehicle or a personal vehicle, for any purpose, to the employee's supervisor within ten (10) days of conviction. This exceeds the State Vehicle Use Policy in order to ensure that DMA employees have not exceeded twelve (12) or more conviction points and are no longer allowed to drive state vehicles or personal vehicles for state business. DMA employees required to drive as part of the employee's job whose driver license or operation authority is revoked, suspended, or confiscated shall immediately report the loss of driving privilege to their supervisor. Failure to report may result in progressive discipline up to and including termination.

### **Cellular device use**

DMA employees shall not initiate a DMA business or personal related call on a cell phone while driving without the use of a hands free device. This prohibition applies to any DMA business or personal related text messaging or call, whether placed on a state-provided or employee owned cellular device, and whether driving a state vehicle or a personal vehicle for state business. All employees shall pull off the road and come to a complete stop before initiating a cell phone call or text messaging.

Employees who receive an incoming call on a cell phone while driving are encouraged to ask a passenger in the vehicle to take the call or let the call go to voicemail.

The only authorized exception to this policy is that an employee may initiate or receive and continue a cell phone call when urgent communication is essential to address an emergency or law enforcement response. Routine communication between law enforcement personnel is **not** exempt from this policy.

**Driving under the influence on the job**

A DMA employee who has been caught and/or convicted of driving under the influence on the job will be subject to disciplinary action up to and including termination.

**Other infractions**

A DMA employee whose driver license or operating authority is revoked, suspended, or confiscated off the job will be allowed 30 calendar days to obtain a provisional, temporary, or conditional license which authorizes vehicle or equipment operation for employment. If a temporary, provisional, or conditional license is not obtained by the end of the 30-calendar day period and the employee will have the license reinstated within a year, the department may attempt to locate meaningful work for the employee. The department does not guarantee work during this period of time or work at the same level. If work is not available, the employee may be terminated.

There is no right of privacy covering employees' driving records. The Human Resources Officer may check employee's driving records at any time to verify or determine that an employee is licensed and/or to check the number of conviction points.