

## ADMINISTRATIVE POLICY

The online version of this procedure is official. Therefore, all printed versions of this document are unofficial copies.

### HIRING AND MAINTAINING OF COMMERCIAL DRIVERS

To be considered for employment as a Commercial Driver for Clarksville-Montgomery County School System (CMCSS), individuals must meet all of the following driving record requirements:

- Pursuant to T.C.A. §55-50-302, (A) The applicant is at least twenty-five (25) years of age; or (B) The applicant is at least twenty-three (23) years of age and: (i) An honorably discharged veteran of the United States armed forces; (ii) A member of the National Guard or a reserve component of the United States armed forces; or (iii) A licensed teacher employed by an LEA. Applicants must submit a certified copy of his/her DD 214 certificate for applications pursuant to (B)(i) and appropriate letters of recommendation for applications pursuant to (B)(ii) and (B)(iii).
- No Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) convictions within the last ten years. Current employees who are charged with DUI or DWI will be suspended without pay pending the outcome of the investigation. If convicted, the employee will be subject to termination of employment. This does not include employees hired prior to the effective date of this policy.
- Interested applicants for a school bus driving position who have one DUI/DWI more than ten years prior (multiple DUI/DWI will not qualify) may apply for an exception to this policy. For employment as a school bus driver for CMCSS, individuals interested in applying for a waiver to our DUI/DWI hiring procedure must provide an exception packet consisting of the following:
  1. The details surrounding the DUI/DWI (date, location, consequences, citations, etc)
  2. A complete thirty (30) year work history.
  3. Letters of recommendation to drive a school bus.
  4. Character reference letters.
- If the Student Transportation Manager reviews the exception packet, he or she will schedule a personal review with the District Driver Safety Panel. The District Driver Safety Panel will consist of the following:
  1. Chief Operations Officer
  2. Chief Human Resources Officer
  3. Safety & Health Director
  4. Student Transportation Manager
  5. Driver Safety Supervisor
- At the conclusion of the interview by the District Driver Safety Panel, the individual will be notified if an exception will be granted. The decision of the District Driver Safety Panel is final.
- No more than one (1) serious traffic violation in the preceding twelve (12) months, or two (2) traffic violations (other than parking) in the preceding twenty-four (24) months
- No more than one (1) preventable accident or two (2) preventable incidents in the preceding twenty-four (24) months.



All CMCSS employees who operate a CMCSS commercial vehicle will complete a Certificate of Violations annually during their birth month (ref. Federal Motor Carrier Safety Regulations, 391.21 through 391.27) and the CMCSS Transportation Department will run a Motor Vehicle report annually to verify the information stated on the certificate. False information may lead to immediate dismissal.

Employees involved in an accident or incident may be subject to immediate suspension or dismissal. Any employee who tests positive for illegal drugs, illegally used legal drugs, or alcohol will be dismissed immediately.

CMCSS maintains a zero-tolerance policy for the use of a portable electronic device (i.e. mobile phone, pager, laptop, camera, iPad or tablet, etc.) for voice communications, e-mail communications, or texting communications while driving a CMCSS commercial vehicle.

The scope of this offense has been broadened for school bus drivers which not only includes zero tolerance for the use of portable electronic devices while operating a school bus with a child on board, but also applies when the bus is in motion and while student(s) are loading and unloading. This is in compliance with T.C.A. §55-8-192 which also classifies violation of this law by a bus driver as a Class A misdemeanor. T.C.A. §55-50-501 states that the bus driver's school bus endorsement shall be permanently revoked if conviction occurs. All portable electronic devices should be put away during operation. Employees in violation may be subject to immediate suspension or dismissal.

Employees involved in a serious preventable accident will not continue to operate CMCSS commercial vehicles until the Accident Review Team is able to conduct a proper review of the accident, which is time contingent on the ability to acquire all needed documentation including the appropriate police investigation report. The determination of accident preventability, whether or not a vehicle is totaled, and/or an injury that is likely more serious than treat and release will be made by appropriate accident responders such as the CMCSS Risk Manager, CMCSS Driver Safety Supervisor, or CMCSS Vehicle Maintenance Manager.

Definitions:

- **Serious Traffic Violation:** Violations when operating a commercial motor vehicle involving excessive speeding (15 mph or more above posted speed limit), reckless driving, improper or erratic traffic lane changes, following the vehicle ahead too closely, and a violation arising in connection with a fatal accident.
- **Traffic Violation:** All moving violations including those listed above while operating any type of motor vehicle.
- **Accident:** A crash involving fatal injuries, injuries involving medical treatment away from the scene, a vehicle has to be towed away from the scene, or property damage in excess of \$500.00.
- **Incident:** A crash involving contact with another vehicle, an individual, an animal, or any fixed object. Damage need not be incurred.
- **Preventable Incident/Accident:** An incident/accident in which there was an action or actions that the CMCSS commercial driver could have taken to avoid the accident as determined by the accident review team. **This has nothing to do with cause.**



- Serious Property Damage Accident: Any preventable accident in which a vehicle is determined to have sustained damages in excess of \$5,000.00.
- Serious Injury Accident: An accident involving injuries that require stitches, injuries that include broken bones, or injuries requiring hospitalization.

**Implementing Procedures:**

OPS-P004 - Determining Preventability of School System Commercial Vehicle Accidents

**Associated Documents:** T.C.A. §55-8-192  
T.C.A. §55-50-501  
T.C.A. §55-50-302

**REVISION HISTORY:**

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
3/28/05	IR	Initial Release
4/13/09	A	Add illegal use of legal drugs, CMCSS Fleet Safety Officer, Serious Preventable Accident and the review to be conducted by the Accident Review Team
4/19/10	B	Add information (paragraph 4) regarding zero-tolerance for cell phone use.
3/30/15	C	Update logo and formatting. Change Shop Foreman to Vehicle Maintenance Manager, updated driving record requirements, and added Serious Injury Accident to definitions, added Preventable Incident/Accident explanation.
3/1/16	D	Changed Fleet Safety Manager to Driver Safety Manager throughout.
9/19/16	E	Removed "cell phone/texting" from 1st sentence 4 <sup>th</sup> paragraph and replaced with "portable electronic device (i.e. mobile phone, pager, laptop, camera, iPad or tablet, etc.) for voice communications, email communications, or text communications while driving". Inserted 5 <sup>th</sup> paragraph stating "The scope of this offense has been broadened for school bus drivers which not only includes zero tolerance for the use of portable electronic devices while operating a school bus with a child on board, but also applies while the bus is in motion and while student(s) are loading and unloading. This is in compliance with TCA 55-8-192 which also classifies violation of this law by a bus driver as a Class A misdemeanor. TCA 55-50-501 states that the bus driver's school bus endorsement shall be permanently revoked if conviction occurs". Removed "cell phones" from 3 <sup>rd</sup> sentence in 4 <sup>th</sup> paragraph and replaced with "All portable electronic devices". Added Associated Documents.
10/1/19	F	Added "Pursuant to T.C.A. §55-50-302 (A) The applicant is at least twenty-five (25) years of age; or (B) The applicant is at least twenty-three (23) years of age and: (i) An honorably discharged veteran of the United States armed forces; (ii) A

- member of the National Guard or a reserve component of the United States armed forces; or (iii) A licensed teacher employed by an LEA.”; Bullet point three added “twelve”, added (2), added “twenty-four”; Bullet point four added “twenty-four”; Added “§” to all referenced state laws.
- 2/7/20 G Added “within the last ten years” to the second bullet. Added additional bullets on first page “Interested applicants for a school bus driving position who have one DUI/DWI more than ten years prior (multiple DUI/DWI will not qualify) may apply for an exception to this policy should they choose to. For employment as a school bus driver for CMCSS, individuals interested in applying for a waiver to our DUI/DWI hiring procedure must provide an exception packet consisting of the following: The details surrounding the DUI/DWI (date, location, consequences, citations, etc.). 1. A complete thirty (30) year work history., 2. Letters of recommendation to drive a school bus., 3. Character reference letters.; If the Student Transportation Manager reviews the exception packet, he or she will schedule a personal interview with the District Driver Safety Panel. The District Driver Safety Panel will consist of the following: 1. Chief Operations Officer, 2. Chief Human Resources Officer, 3. Safety & Health Director, 4. Student Transportation Manager, 5. Driver Safety Supervisor; At the conclusion of the interview by the District Driver Safety Panel, the individual will be notified if an exception will be granted. The decision of the District Driver Safety Panel is final.”
- 8/16/21 H Fourth bullet point changed “interview” to “review”; Third bullet point listed under “Definitions” titled “Accident” changed “An accident involves” to “A crash involving”; Fourth bullet point listed under “Definitions” titled “Incident” changed “An accident” to “A crash”; Seventh paragraph changed “Manager” to “Supervisor”; Moved “Applicants must submit a certified copy of his/her DD 214 certificate for applications pursuant to (B)(i) and appropriate letters of recommendation for applications pursuant to (B)(ii) and (B)(iii)” from first paragraph after bullet points to first bullet point.

**\*\*\* End of Policy \*\*\***