



Medina County Policy Manual



Policy: Vehicle Operation	Section: Health & Safety	Number: 6.025
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Previous Res. 07-900

A. Scope

1. The Medina County Board of Commissioners is strongly committed to compliance with Federal Regulations and State laws governing motor vehicles. To that end, this policy is intended to establish procedures, outline driver's license requirements and vehicle fleet safety rules and regulations designed to ensure the safest practical working environment for our driving employees, protect the citizens of this County and control the financial liability of the County in driving situations.
2. Neither this policy, nor any collective bargaining agreement, preclude the County's insurer from excluding coverage for any driver or drivers on a temporary or permanent basis. If the county's insurer excludes coverage for any driver, that driver will not be permitted to operate a vehicle on behalf of the county.

B. Valid Ohio Driver's License Required to Drive County Vehicles

1. A valid Ohio's driver's license without court ordered restrictions shall be required of employees to drive any County vehicle that does not require a commercial license. This includes employees operating a vehicle designed to carry up to sixteen passengers, including the driver.
2. An employee accumulating twelve (12) points or more in the previous 36 months shall be excluded from driving a County vehicle for one (1) year from the date of the offense. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
3. A conviction of driving under the influence within the previous 36 months shall result in the employee being excluded from driving a County vehicle for one (1) year from the date of the offense. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions. This applies to an employee arrested and not yet convicted for DUI while driving on County business.

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4. An employee charged with leaving the scene of an accident shall be excluded from driving a County vehicle for one (1) year from the date of offense. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 5. An employee charged with fleeing or eluding law enforcement personnel shall be excluded from driving a County vehicle for one (1) year from the date of offense. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 6. An employee charged with vehicular homicide/manslaughter shall be excluded from driving a County vehicle from the date of offense.
 7. An employee charged with driving under a suspended or revoked license shall be excluded from driving a County vehicle for six (6) months from the date of offense. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions. EXCEPTION: Suspension for failure to provide proof of financial responsibility shall exclude the employee from driving a County vehicle until proof of financial responsibility and a valid license is provided.
 8. All aforementioned vehicular convictions and/or charges shall be reported by department heads/elected officials to the Safety Coordinator, County Administrator and Finance Director within three (3) days of notification.
 9. In cases where an employee's driving privileges have been suspended and driving is an essential function of the employee's position, the appointing authority may take appropriate disciplinary action, up to and including termination, as permitted by the appointing authority's policy, the laws and regulation of the State of Ohio, this policy and any applicable collective bargaining agreement if the operation of a vehicle is an essential portion of the employee's or volunteer's assigned duties or job description.
- C. Appointing Authorities/Dept. Heads shall be responsible for:
1. Permitting only those employees who maintain the appropriate driver's license to drive their personal vehicle or County on vehicle on County business.
 2. Maintaining an awareness of all vehicles under their control which require a CDL license and/or endorsement to operate.

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3. Annually providing the Safety Coordinator with the names of employees required to drive in their position and/or operate a County vehicle for purposes of obtaining their driving records from the Ohio Bureau of Motor Vehicles. The Safety Coordinator will review employee driving records and generate a written report to the agency or department of actions to be taken on those employees with less than acceptable driving records.
4. Forwarding the names of individuals recommended for employment to the Safety Coordinator where driving is a required function of their position prior to an offer of employment.
5. Immediately removing the driving privileges of any employee whose license is cancelled, expired, refused, revoked, suspended, or restricted. Restricted licenses will be reviewed by the Safety Coordinator and Finance Director on an individual basis and a determination will be made on whether the employee will be able to drive during this period.
6. Periodically checking employees under their direction required to drive or operate a County vehicle to verify that an appropriate license is in the employee's possession and prohibiting any employee without an appropriate driver's license from driving on County business or operating a County vehicle.
7. Reporting each DUI charge/conviction received by their subordinates to the County Administrator, Finance Director and Safety Coordinator within three (3) working days of the charge/conviction or date of notification. Information which shall be provided includes: the employee's full name, date of violation, nature and location of violation, description of vehicle driven, court of appearance, court date, and a copy of the citation/charge.

D. General Insurance Requirements

1. In Ohio, it is illegal to drive any motor vehicle without insurance or other financial responsibility (FR) proof. It is also illegal for any motor vehicle owner to allow anyone else to drive the owner's vehicle without FR proof. For County owned vehicles:
2. Each department is responsible for the deductible for vehicle damage costs up to \$2,500.

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3. For Personal Vehicles:

- a. Section 4509.101 of the Ohio Revised Code prohibits an individual from operating a motor vehicle in Ohio without maintaining proof of FR continuously throughout the registration period with respect to that vehicle, or, in the case of a driver who is not the owner, with respect to that driver's operation of that vehicle.
- b. The law requires financial responsibility in the minimum amount of \$12,500 for bodily injury to or death of one (1) individual in any one (1) accident, \$25,000 for bodily injury to or death of two (2) or more individuals in any one (1) accident, and \$7,500 for injury to the property of others in any one (1) accident.
- c. To comply with the FR requirements the employee must maintain at least a motorist liability insurance policy where the insurance card is issued by an insurer to the policy holder (the employee) for each motor vehicle insured under a motor vehicle liability insurance policy.
- d. Employees who rent or lease a vehicle to be used for County business shall elect both the physical damage and general liability insurance coverage offered by the rental or leasing company.

E. Applicants for Medina County Employment

1. Applicants for employment that require driving as a duty are required to complete a *Driving Record Check Authorization Form*. Failure or refusal to do so will end their consideration by the County for employment. The Safety Coordinator will run a driving abstract on driving applicants through the County Risk Sharing Authority (CoRSA).
2. Shall not be eligible for employment in a position requiring the operation of a vehicle or licensed motorized equipment, or a privately owned, rented or leased vehicle if their driving history reflects a conviction for Driving under the Influence (DUI) has occurred within the preceding three (3) years, regardless of the position's required driving frequency.
3. May be denied employment on the basis of an unsatisfactory driving record. At the discretion of the appointing authority, denial may be made without regard to the number of points or violations, whether they occurred within the past thirty six (36) months or not, or whether they occurred within the State of Ohio, or if they occurred outside the State of Ohio.

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4. An individual's driving record as maintained by the State of Ohio Bureau of Motor Vehicles, or record from any other state or country in which the driver or applicant has resided or operated a motor vehicle during the previous thirty six (36) months, or any other legal source, will be used as an indication of the individual's ability to responsibly operate a vehicle.

F. General Driving Provisions

1. All employees must sign a release permitting a driving and criminal record check at any time throughout their employment with Medina County. Driving checks will be administered on a regular basis. Failure or refusal to do so will end their consideration by the County for promotion or for continued driving privileges. The Safety Coordinator will run a driving abstract on driving applicants through the County Risk Sharing Authority (CORSAs).
2. Employees or volunteers, operating vehicles or licensed motorized equipment not normally assigned to them, must have the approval of the appointing authority, to which the vehicle or licensed motorized equipment is assigned.
3. No County employee under the age of 18 is permitted to operate a County vehicle.
4. No employee or volunteer shall use, or operate any county owned, leased or rented vehicle or licensed motorized equipment for any other purpose than the transaction of Medina County business. The use of a County owned, rented or leased vehicles and licensed motorized equipment for any type of personal business or errand is prohibited.
5. Non-County employees shall not operate or be transported in any County owned, rented or leased vehicle or licensed motorized equipment without the prior approval of the appointing authority to whom the vehicle or licensed motorized equipment has been assigned.
6. Contractors, volunteers - unless cleared through the Loss Control Coordinator and County Administrator - or individuals not employed by the County are generally prohibited from operating County vehicles.

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7. Applicants to be hired, or current employees subject to promotion or re-assignment to positions requiring a CDL, shall have a valid CDL and medical certificate at that time. A valid and appropriate driver's license for the type and class of a vehicle to be driven shall also be required for all employees driving vehicles at that time.
8. No employee shall drive on County business, whether utilizing their personal or County vehicle, after consuming alcoholic beverages or any other substance including prescription and/or over the counter medication that may impair driving. Any physical or mental impairment or the taking of prescription medication affecting the ability to operate a vehicle safely shall be reported immediately to the employee's supervisor.
9. Employees shall comply with all applicable federal, state, and local statutes when operating a vehicle on County business.
10. The driver and passenger(s) must use seatbelts at all times the vehicle is in motion. It is the driver's responsibility to ensure that all other occupants of the vehicle comply with this rule before the vehicle is put in motion.
11. The driver must turn on the vehicle's headlights during all periods of limited visibility, regardless of the time of day. The headlights must be on whenever the windshield wipers are in use.
12. The driver shall report any problems with a County vehicle to his/her supervisor immediately upon returning from a trip.
13. All drivers involved in an accident while on County business shall report this to their supervisor immediately upon return and complete [Traffic Violation/Accident Notice](#).
14. All employees shall report all *Driving under the Influence (DUI)* violations against them to their supervisor.
15. Drivers assigned County-owned vehicles may be subject to IRS income reporting requirements. Such employees shall comply with the County Auditor's rules and procedures governing such reporting. Failure to do so may result in the loss of vehicle assignment and usage privileges.
16. There shall be no use of tobacco in County vehicles. For the purpose of this policy, tobacco is defined as all tobacco, tobacco derived and/or substances mimicking tobacco containing products, including but not limited to: cigarettes, electronic cigarettes, vapor cigarettes, any artificial/faux cigarette, cigars,

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cigarillos, pipes, oral tobacco, or any other manner of using or consuming tobacco, tobacco derived substances and/or substances mimicking tobacco. The definition is intended to include all products that deliver nicotine for purposes other than cessation.

17. No alcoholic beverages or illegal drugs shall be transported in County vehicles.
18. No alterations are to be made Medina County-owned motor vehicles, i.e. vehicle accessories, etc.
19. Employees are prohibited from transporting, possessing and/or using a weapon, unless a necessary and approved requirement of the job, while operating a County vehicle or using a personal vehicle while conducting County business (Refer to policy 7.090, [Workplace Weapons & Violence](#));
20. All Medina County-owned motor vehicles shall have maintained in its glove box a copy of the Medina County Vehicle Operation policy, insurance identification card, and the Traffic Violation/Accident Notice.
21. All employees operating a personal motor vehicle to perform their duties of employment may request reimbursement for mileage, parking and toll fees, etc. if authorized prior to use. Such expenses shall be reported on a mileage reimbursement form and submitted to the employee's supervisor.
22. Employees who use their personal vehicles to perform the duties of employment must certify that they are in compliance with Ohio's Financial Responsibility Law by completing the [Certification of Compliance with Ohio's Financial Responsibility Law](#) form.
23. No employee shall knowingly damage a County-owned vehicle through neglect, misuse, carelessness, or failure to follow instructions.
24. Failure to comply with items listed above may result in disciplinary action, up to and including termination.

G. Training

1. All new hires for driving positions shall complete the County's defensive driving course prior to being allowed to drive on the County's behalf. Additionally, every other year thereafter, such drivers must complete a defensive driving refresher course.

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2. Operators of other licensed motorized equipment shall complete all operational training requirements before being allowed to operate such machinery on-the-job.
3. A department head may require an employee to attend a defensive driving course if he/she has observed the employee operating a vehicle in a reckless or careless manner. This can be done even though the driver has not been cited for doing so.

H. Reportable Events

1. Traffic Violations/Accidents

- a. A vehicular accident is any occurrence involving a County vehicle or their personal vehicle while on County business regardless of property damage or personal injury. When a County vehicle is involved in an accident, the following procedure shall be followed:
 - i. **Protect the accident scene:** The employee shall keep the effects of the accident from becoming worse by immediately placing warning signals or other devices.
 - ii. **Report the accident:** Immediately notify the local law enforcement agency and the employee's immediate supervisor of the accident. The employee's supervisor shall immediately notify the Safety Coordinator, their Department Director of the accident.
 - iii. **Seek Medical Attention:** If the employee needs medical attention, the employee's supervisor **SHALL** obtain the necessary medical assistance for the employee and comply with all applicable Workers Compensation reporting requirements. (Refer to [Worker's Compensation Policy, 6.030](#))
 - iv. **While still at the scene:** Get as much information as possible, filling out the accident report. Take pictures if at all possible and when the police come, be cooperative. Be factual, don't speculate. A "don't know" is acceptable, when it is the truth.
 - v. **Maintain confidentiality:** The employee shall refrain from giving information about the accident to anyone except to the employee's direct supervisor and the investigating law enforcement agency. If the employee is contacted other than by the aforementioned to give a statement, get the name of the individual, company and telephone number and refer him/her to the County Administrator. Inform the

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County Administrator of the call and give the name, company and telephone number of the individual that called.

b. Employees shall complete the [Traffic Violation/Accident Notice](#) by the next working day to notify their Supervisor if any of the following events/circumstances occur:

i. A license suspension.

ii. An accumulation of more than four (4) points for traffic citations within the last three (3) years, including, but not limited to one of the following: speeding, reckless operation, traffic control devices, assured cleared distance, etc., without regard to whether the employee was employed during the entire three (3) year period.

iii. Three (3) or more accidents, regardless of fault or dollar amount, within the last three (3) years without regard to whether the employee was employed during the entire three (3) year period.

iv. A major six (6) point violation within the last three (3) years, i.e. DUI, driving under suspension, fleeing, vehicular homicide without regard to whether the employee was employed during the entire three (3) year period.

c. The Supervisor shall forward the [Traffic Violation/Accident Notice](#) upon receipt to the County Administrator and to the Finance Department for insurance related purposes.

2. Driving Under the Influence (DUI)

a. An employee convicted of a DUI offense shall not operate a Medina County motor vehicle or his/her own motor vehicle on Medina County business until he/she has completed the requirements listed below. This section also applies to an employee arrested and not yet convicted for DUI while driving on County business.

b. The employee must undergo at his/her own expense an acceptable alcohol dependency assessment within two weeks of conviction or other time period determined by the court.

c. The employee shall release the results of the drug/alcohol assessment in writing within five working days to his/her respective Department Head who shall forward copies to the County Administrator and Finance Director for insurance related purposes.

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- d. The individual must complete any recommended treatment as outlined in the assessment. The employee shall provide written documentation of the completion of treatment within five working days of completing treatment to his/her respective Department Head who shall forward copies to the County Administrator and Finance Director for insurance related purposes.
 - e. Upon written certification of the completion of all assessment recommendations and if the court allows, the individual may drive his/her own vehicle while working for Medina County. Thereafter, he/she may not operate a Medina County motor vehicle for a minimum of a one (1) year period.
 - f. Following the original DUI conviction, a second conviction of any major violation including another DUI or any other six (6) point violation or a suspension of license in the three (3) year period immediately following the initial conviction will result in permanent termination of driving privileges of the employee. Employment termination may result.
3. Required Reports - All vehicle accidents and incidents shall be reported
- a. Employee's Report of [Traffic Violation/Accident Notice](#) (Non-Injury)
 - i. The employee shall complete the [Traffic Violation/Accident Notice](#) by the next working day, unless medically incapable.
 - ii. This report shall be completed and forwarded by the department head to the Safety Coordinator and Finance Director within 24 hours of the accident.
 - b. Supervisor's Investigation Report (Non-Injury)
 - i. The employee's immediate supervisor shall complete the [Traffic Violation/Accident Notice](#). The report shall be forwarded to the Safety Coordinator and Finance Director within 48 hours of the accident.
 - ii. The supervisor is responsible for obtaining the law enforcement agency's report of the accident and forwarding it to the Safety Coordinator and Finance Director within seven (7) days.
 - c. If the employee is injured in the vehicle accident, the supervisor shall follow the *Workers' Compensation* policy (Refer to [policy 6.030](#))

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4. Driving Privileges and Insurability Following Traffic Violation/Accident

- a. Upon the County Administrator's receipt of a [Traffic Violation/Accident Notice](#) the County Administrator, in consultation with the Finance Director and County's insurance carrier, will review the facts to determine whether the employee should continue to drive any motor vehicle as part of his/her employment responsibilities. In making this decision, the Employer shall consider the following:
 - i. Any appropriate court determination.
 - ii. Whether the employee can perform the required job duties.
 - iii. In the event the employee cannot perform the required job duties, the employer will determine the employee's employability.
- b. Driving privileges will be reviewed by the County's insurance carrier on an annual basis for up to three (3) years.
- c. The employer may suspend the employee from operating a motor vehicle as part of his/her employment for one year periods, not to exceed three (3) years.
- d. During a time with court-ordered driving privileges, after a suspension has terminated, or following a DUI conviction and required treatment, employees must comply with the following when driving a personal vehicle on County business:
 - i. Individuals who drive their own vehicle on County business must produce a personal automobile liability policy with limits of \$500,000 combined single limit, bodily injury and property damage and that will cover the County from any additional liability. This policy must be with a carrier acceptable to the County's insurance carrier.
 - ii. If the employee transports clients, the limit in Section VII (5) (a) above must be increased to \$1,000,000.
 - iii. The employee must provide a certificate of insurance and full copy of the policy to the employer for review by the County's insurance carrier upon each period of coverage.
 - iv. This insurance must be maintained for the duration of the employee's employment with Medina County.

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v. The County's insurance carrier reserves the right to amend such requirements at any time. Any exception to these requirements must be approved in writing by the County's insurance carrier.

5. An employee involved in an accident that includes damage to a County vehicle, or a vehicle leased or rented in the County's name, or their personal vehicle

while on County business, shall submit to drug and alcohol testing under the post-accident provisions of Medina County's drug testing policy.

I. Annual Driving Record Evaluation

1. The Safety Coordinator will complete an annual driving records check on all employees. This check will cover the employee's driving record for the preceding three (3) years. Each driving abstract will be reviewed to determine whether it meets the County's and CoRSA's driver risk requirements.
2. Any employee deemed to be an unacceptable driver shall have their driving privileges suspended pending a review by the County Administrator, in consultation with Safety Coordinator and Finance Director.
3. An employee will be considered an unacceptable driver if he/she has committed any of the following violations:
 - a. Operating a motor vehicle under the influence or any other drug/alcohol related driving offense;
 - b. Leaving the scene of a vehicular accident;
 - c. Fleeing and/or eluding;
 - d. Vehicular homicide/manslaughter;
 - e. Driving under suspension or revocation;
 - f. Accumulation of twelve (12) points or more in previous thirty-six (36) months.
4. An employee in a driving position who has an unfavorable status change by the Ohio BMV or court of judicial competence in his/her driver's license shall be removed immediately from all driving responsibilities. Alternative employment arrangements and/or disciplinary action up to and including termination shall be reviewed based upon the nature and duration of the loss of driving privileges.

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J. Definitions

1. ***Drug abuse offense*** -- A violation that constitutes theft of drugs; a violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division ORC 2925 et. al.; An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element; a conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense.
2. ***Moving violation*** -- Means any violation of any statute or ordinance that regulates the operation of vehicles.
3. ***Suspend*** or ***suspension*** -- Means the permanent or temporary withdrawal, by action of a court or the bureau of motor vehicles, of a driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of the suspension or the permanent or temporary withdrawal of the privilege to obtain a license, permit, or privilege of that type for the period of the suspension.
4. ***County Vehicle*** -- *Owned*, leased or rented vehicles, or personal vehicle being driven on County business.
5. ***Driving on County Business*** -- The use of a motor vehicle to carry out the duties of the position. Driving on County business includes driving a vehicle owned, leased, rented, or otherwise controlled by the County, as well as the use of a personal vehicle on County business.
6. ***Driving Position*** -- A job that requires driving a vehicle on County business regularly or occasionally as part of the range of duties. This includes permanent, temporary, full-time and/or part –time or intermittent positions requiring driving vehicles on County business.
7. ***Driving Record*** -- The Ohio BMV moving violation record and, for County employees, any chargeable driving incidents.
8. ***Employee*** -- Includes permanent, temporary, full-time, part-time and or intermittent workers.
9. ***Expired*** -- The driver's license is not renewed before its date of termination.

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10. **Acceptable Driving History** -- The employee has the appropriate license and does not have any of the following:
- a. Twelve (12) points or more in the previous 36 months. The employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 - b. More than two chargeable accidents within the previous 36 months. The employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 - c. A conviction of driving under the influence within the previous 36 months. The employee must provide proof of a valid Ohio driver's license free of court ordered restrictions. This applies to an employee arrested and not yet convicted for DUI while driving on County business.
 - d. An employee charged with leaving the scene of an accident. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 - e. An employee charged with fleeing or eluding law enforcement personnel. After one (1) year, the employee must provide proof of a valid Ohio driver's license free of court ordered restrictions.
 - f. An employee charged with vehicular homicide/manslaughter.
11. **Personal Vehicle** -- Personal vehicles being driven on County business are referred to as a County vehicle for that specific period of time.

CERTIFICATION OF COMPLIANCE

WITH OHIO'S FINANCIAL RESPONSIBILITY LAW

I, _____, an employee of _____
(Employee Name) (Office/Department)

under the Medina Ohio County Board of Commissioners do hereby certify that when using my personal vehicle(s) for County business that I am in compliance with Ohio's Financial Responsibility Law. If at any time my insurance is canceled or lapses I will immediately notify my department head. Proof of insurance shall be presented upon request by a department head or by County Administration. I understand that I have a responsibility to report any and all accidents, arrests, violations, license suspensions or revocations to my supervisor and to the Finance Director using the *Traffic Violation/Accident Notice* form. Failure to do so could result in disciplinary action.

Employee Signature

Date

I, _____, hereby attest that I have explained the above
(Immediate Supervisor Name)

conditions to the above named employee and (s)he attests that (s)he understands and is in compliance as stated.

Immediate Supervisor Signature

Office/Department ***Date***

cc: Human Resources – Personnel File
Finance Department

TRAFFIC VIOLATION/ACCIDENT NOTICE

I am hereby submitting a notice of a reportable event as per the Medina County Vehicle Operation policy.

Employee Name: _____

Office/Department: _____

Date Violation/Accident Occurred: _____

Violation/Accident Occurred During Work Time: Yes No

Court Date (If applicable): _____

Conviction Date: _____

Points Applied (If applicable): _____

Description of Violation/Accident:

A copy of the violation/accident citation (if issued) must be attached.

Employee Signature **Date**

Department Director/Department Supervisor **Date**

cc: Human Resources -- Personnel file
Finance Department