



ADMINISTRATIVE DIRECTIVE

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I. PURPOSE

To set forth a commercial driver policy for City employees who operate a commercial vehicle requiring a commercial driver's license (CDL) as defined in the City's job classification.

This Administrative Directive (AD) is designed to supplement and complement Administrative Directive 6.01-6 Driver's License Policy. CDL holders are considered primary drivers by designation and definition.

II. POLICY

Employees operating a commercial vehicle for City business will obtain and maintain a valid Arizona driver's license and required endorsement(s) for the position.

A City employee whose license is restricted, suspended, revoked, cancelled or expired will be placed into a non-driving status until the license is legally restored. Implications to the employee and department of the non-driving status will be determined specifically for each situation and handled by the department, in consultation with Human Resources (HR) and/or Central Safety Services (CSS). Any violation of this policy may result in discipline up to and including discharge from employment.

III. DEFINITIONS

- A. **ACCIDENT** – An event or incident involving a city employee, facility, or equipment that results in a loss of or damage to property, person, animal, or fixed object.
- B. **ADOT** – Arizona Department of Transportation.
- C. **Central Safety Services (CSS)** – The City's Safety Manager and Staff whose responsibilities include overall City safety policies, training requirements, accident and injury prevention, general OSHA compliance and related reporting.
- D. **Commercial Driver's License (CDL)** – A driver's license required in the United States to operate any type of vehicle weighing 26,001 or more pounds for commercial use, that transports quantities of hazardous materials that require warning placards under Department of Transportation regulations, or that is designed to transport 16 or more passengers, including the driver. This includes, but is not limited to tow trucks, tractor trailers, and buses.
- E. **CDL Endorsement** – Authorization added to a CDL permitting operation of specified commercial vehicles. Endorsements include tank vehicle, passenger bus, hazardous material, and double/triple trailer.
- F. **Human Resources (HR)** – For purposes of this AD, Human Resources refers to the City Human Resources Department, not an individual department's HR section or division.



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- G. **Ignition Interlock Device (IID)** – A protective device mandated by law and required to be installed on vehicles that will be driven by a person convicted of an alcohol-related DUI. An IID prevents the operation of the vehicle while under the influence of alcohol.
- H. **Invalid License** – A driver’s license which is restricted, suspended, revoked, canceled, expired, or any other condition that prevents a person from legally operating a motor vehicle.
- I. **Motor Vehicle** – For purposes of this AD, all motor vehicles (to include City vehicles and POV) and motorized equipment operated on City business by employees while in the public right-of-way or on private property, including all City-owned property.
- J. **MVR** – Motor Vehicle Record is the official 39-month printout of a driving or vehicle record obtained through the Arizona Department of Transportation.
- K. **NIDA** – National Institute on Drug Abuse (NIDA) Drug Screen is regulated by the Federal Government and the drug screen includes testing for the following five categories: Marijuana, Cocaine, Phencyclidine, Amphetamines and Opiates.
- L. **Non-Driving Status** – A status in which an employee is prohibited from operating a City motor vehicle, motorized equipment or POV while on City business.
- M. **Primary Driver** – A designation assigned to a position/classification for which the ability to operate a motor vehicle or operate motorized equipment is an essential function of that classification. All CDL operators are considered Primary Drivers.
- N. **Valid License** – A driver’s license without restriction, suspension, revocation, cancellation, expiration, or any other condition that would prevent a person from legally operating a motor vehicle.

IV. **RESPONSIBILITIES**

A. **Department Responsibility**

1. In consultation with HR, departments will identify and maintain a list of classifications requiring a CDL.
2. In consultation with HR, departments may change license requirements specific to positions/classifications. In the event a license requirement is changed, affected incumbent employees will be given no less than 90 calendar days and no more than 120 calendar days to achieve compliance.
3. Incumbent employees may apply for a promotional opportunity if they meet all of the position requirements except for a CDL or required CDL endorsement. An employee who does not have the required license may be conditionally selected and advised of the requirement that they obtain the required license within 60 calendar days of the conditional notification of selection. Conditional



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notifications will be in accordance with Administrative Directive 2.02-1, Certification of Equal Employment Opportunity (CEEO). The approved CEEO and Personnel Action Request Form (PARF) will be forwarded to HR. The PARF will be processed upon notification from the department that the employee has obtained the required driver's license or endorsements.

4. Appointing authorities will not hire or promote *any* candidate or employee (including intermittent, temporary or seasonal) into a position requiring a CDL until the following documents required for the CDL Driver Qualification File have been received and reviewed by Central Safety Services:

- Driver-specific application for employment
- Photocopy of a valid Arizona driver's license
- Original 39-month Motor Vehicle Record (MVR)
- Medical Examiner's Certificate showing medically qualified
- Negative NIDA drug test
- Safety Performance History Data form

Non-cooperation or misinformation on the part of a prospective employee may result in termination of the application process by the department in consultation with HR.

5. Candidates applying for positions carrying a CDL driving designation are required to possess a CDL permit at the time of application, and must obtain a valid Arizona CDL within 60 days of hire. The CDL must be of the appropriate classification, with endorsements as required by the job classification.

B. Employee Responsibility

1. Employees operating a commercial vehicle while on City business will have in their possession a valid unrestricted Arizona Driver's License for the class of vehicle being driven. Employees occupying positions/classifications identified by departments as requiring a CDL must possess the appropriate endorsement(s).
2. Employees will not operate a commercial vehicle while impaired by alcohol or drugs; operate a commercial vehicle with a breath alcohol concentration of greater than .02. Reference Administrative Directive 2.02-22, Drug and Alcohol Use: Impaired Employees, Physical Evaluation; Applicant Testing and S-030 CDL and Safety Sensitive Random Drug/Alcohol Testing Procedure, for further guidelines on City policy. *NOTE: Federal laws may preempt some protections for card holders under the Arizona Medical Marijuana Act.*



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V. **DRIVER'S LICENSE MONITORING**

- A. CSS will monitor the licenses of employees in a CDL assignment to ensure compliance with state law. In addition to the criteria specified in AD 6.01-6, CSS will complete a MVR check on employees in these assignments by electronically accessing the Arizona State Department of Transportation (ADOT) Motor Vehicle Records, through the Arizona Secure Access Gateway. This check will be performed at the time of CDL medical certification renewal.
- B. Employees with a CDL medical revocation, who still maintain a valid Class D license, may operate a non-commercial motor vehicle or motorized equipment if there are no other driving restrictions. For questions on employees' driving status, contact CSS.

VI. **DRIVING UNDER THE INFLUENCE (DUI) POLICY**

Citation/Arrest - In addition to Administrative Directive 6.01-6 and specific to CDL holders, subsequent to any legal hearing or conviction, the court will *usually* impose license suspension and/or restrictions including an Ignition Interlock Device (IID) requirement for a specified period of time and the removal of a CDL endorsement for a period of 12-months from the date of the citation. The consequences of this incident will have the effect of a continued non-driving status for the City of Tucson.

VII. **TRAINING**

Departments will ensure CDL drivers complete the CityLearn "CDL Drug Abuse and Alcohol Misuse" training course within 60 days of hire.

VIII. **CDL MEDICAL EXAMINATION PROCESS**

- A. Employees and new applicants must be examined and medically cleared by the City Physician to determine whether Federal Motor Carrier Safety Administration (FMCSA) physical requirements for CDL licensing are met.
1. All physical examinations conducted by the City Physician as a required condition of the Medical Examiner's Certificate process will be conducted on City time, at City expense. Any additional examination, testing or documentation required by the City Physician to complete the Medical Examiner's Certificate process are subject to the employee's health insurance, if applicable, and on the employee's own time.
 2. For new applicants, the City Physician will provide results of the physical examination to the applicant and CSS. CSS will notify HR who will notify the applicant's department representative of the results. If hired, the results will be maintained in both the CDL driver qualification file and the individual's permanent medical record.



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3. For existing employees, the City Physician will provide results of the physical exam to the employee and CSS. CSS will maintain the results in the CDL driver qualification file. The employee will provide a copy of their Medical Examiner's Certificate to their department. CSS will provide a copy to HR for inclusion in the employee's permanent City medical record.
4. Employees who fail to maintain the requisite license for their position because of a medical disability, will be evaluated under Administrative Directive 2.05-2, Reasonable Accommodation of Applicants and Employees with Disabilities.

IX. CDL REQUIRED TESTING (NON-MEDICAL)

- A. CDL applicants will be tested by ADOT on the type(s) of commercial vehicle operated in performance of City job duties.
- B. If the City determines an employee is qualified to operate a commercial vehicle, the employee will be allowed to use a City vehicle for the ADOT testing process.
- C. Departments will make necessary arrangements for City vehicle use for license testing.
- D. All portions of CDL testing will be conducted during working hours and within the employee's regularly assigned shift. Overtime and/or Compensatory Time are not authorized for this purpose.

X. LICENSE FEES AND RENEWALS

- A. Employees are responsible for all costs and fees required to obtain and renew a Class D driver's license.
- B. When required to obtain a CDL within 60 days of hire or promotion, employees are responsible for all associated license costs and fees.
- C. Employees who are required to maintain a CDL and specific endorsements as a condition of continuing employment will be on paid time for required written exams and/or road testing and reimbursed by the City for all fees and associated costs.



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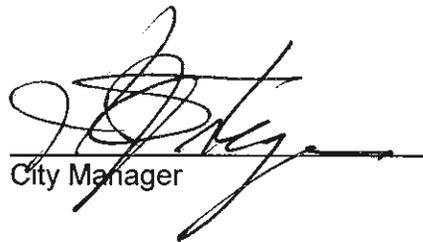
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Attachments City of Tucson Vehicle Operator Record

References 2.02-1 Certification of Equal Employment Opportunity
2.02-22 Drug and Alcohol Use: Impaired Employees Physical Evaluation;
Applicant Testing
2.05-2 Reasonable Accommodation of Applicants and Employees with
Disabilities
6.01-6 Driver's License Policy

Review Responsibility and Frequency The Finance Director will review this directive as needed.

Authorized



City Manager



Date

City of Tucson Uniform Vehicle Operator Record

Last Name (please print or type) First Name (on driver's license) Middle Initial

Date of Birth Driver's License Number Employee No.

Driver's License Class **Restrictions** **Endorsements**
(CDL, D, D/M, M) **(D,H,M,N,P,T, or X)** **(A,B,C)**

Expiration Date: _____

Department: _____ Division: _____

Job title Vehicles Regularly Driven (i.e. passenger car, light truck, motor grader, Lodal, TFD Paramedic van, TPD uniform patrol car, etc.)

Driving Assignment (Primary, CDL, Secondary): _____

Initial Fleet Driving Safety Class Date: _____

I _____ am asking for permission to drive my personally-owned vehicle while on city business and have provided proof of insurance or insurance bond (copy attached) to my Department. I also understand that should my driver's license be rendered invalid by the State of Arizona (or any other jurisdiction), that I am required to inform my Department supervisor of my driver's license status within one (1) working day of such notice and I am prohibited from operating any motorized equipment, including my personally-owned vehicle while on City business, until my license is reinstated by the jurisdiction that rendered the license invalid.

Employee Signature

Department Director or Designee

