

A. Driving Review Board (DRB)

1. The DRB shall consist of the following positions:
 - i. Risk Management Director (Chairperson; non-voting)
 - ii. Director of Utilities
 - iii. Public Works Director
 - iv. Transit Director
 - v. Fleet Superintendent
 - vi. Fire Chief
 - vii. Police Chief
 - viii. Member at Large
2. Each voting member may designate an alternate to serve in their place with prior approval by the City Manager. The alternate should be at an appropriate management level to serve on the board.

B. General Guidelines

1. The DRB shall meet monthly, or more frequently as determined by the Risk Manager, to review all vehicle and equipment incident reports for City owned vehicles and equipment, referred to hereafter as “vehicles”.
2. The DRB shall review and recommend action for all, city owned and leased, vehicle and equipment incidents involving damage to city vehicle, damage to citizen property, bodily injury, or death.
3. Employees may appear before the DRB when their incident is reviewed for the purposes of presenting information, evidence, and/or witnesses for the DRB’s consideration.
4. Employees involved in a potential Class 3 or 4 rated incident or have received Notices of Violation for the Traffic Signal Safety Program, will be notified by Risk Management, and are required to attend the DRB.
5. All results of department level investigations will be forwarded to the Risk Management Office for analysis and review no later than 24 hours after the incident. The Risk Manager will compile and format information for the DRB.
Note: If a defective product or device failure is suspected as a contributing cause to the incident, injury, or damages, then the vehicle shall be secured and placed off-limits to all personnel, and Legal Department immediately notified to come to

the scene. There shall be no examination or testing of the vehicle or device by any City personnel (because that spoils the evidence as it existed at the time of the incident).

6. Risk Management will provide Department Directors the DRB's dispositions and/or recommendations. A memorandum, detailing incident background, board results, and action required, shall be provided to the affected driver and department head following each DRB meeting.
7. An employee who is the subject of review has the right to seek reconsideration of the decision of the DRB, by submitting a written request for such. The request must explain the alleged error by the DRB and describe any evidence supporting such allegation. The request must be in the Risk Manager's office no later than 4:30 pm Central Time on the third day after the DRB memo is given to the employee. After reconsidering the matter, the DRB shall immediately issue a memo through the Risk Manager stating that it either affirms, reverses, or modifies its prior findings, decision, or recommendations in that matter. If the employee then desires to appeal this final decision of the DRB, then the employee must provide a written appeal to the Risk Manager and Assistant City Manager over risk management. That writing must be delivered no later than 4:30 p.m. Central Time on the third day after the employee receives the DRB memo stating the final decision. This writing must state each alleged error, reason, law or rule in support of the employee's position, and clearly explain why the DRB is alleged to be wrong. If a due date mentioned in this section falls on a weekend or holiday, then it shall automatically be extended to the next regular business day for the Risk Management Office. An employee shall not file a grievance regarding any decision of the DRB or any appeal authority. Such decisions are not grievable. This policy states the sole and exclusive procedure for all proceedings arising out of proceeding conducted under this DRB policy.
8. If more than one employee is held responsible for an incident, the DRB shall determine the proper corrective action for each employee and will consider acting against each appropriately.
9. A copy of any recommended disciplinary actions will be forwarded to the Department of Human Resources and the Department.
10. Disciplinary actions shall be administered in accordance with City Personnel Rules for Disciplinary Suspensions, Terminations, and Demotions. If the affected employee has given timely notice of request for rehearing of the decision of the DRB, then no discipline shall be issued until all such proceedings are disposed of. If the employee desires to appeal any discipline issued in the matter, then that shall be in accordance with City Personnel Rules for Disciplinary Appeals.
11. .
12. The DRB will use Robert's Rules of Order to conduct the review meetings. The

DRB will act on each agenda item by majority rule. The following are options the DRB may take:

- i. Non-preventable
- ii. Preventable
- iii. Tabled
 1. When tabling an agenda item, the board should provide information to Risk Management about what information and which employees they need to hear from.
- iv. No action
 1. If the board chooses this option, the board must provide a reason such as, not enough information, not an incident that should be reviewed, etc.

C. The following shall be used to guide board members when reviewing incidents for preventability:

1. Non-Preventable:

- i. Non-preventable accidents are those that could not have been avoided or prevented through actions taken by the vehicle operator. To be considered non-preventable, the following elements must be present:
 1. All City/Department policies and guidelines were followed.
 2. City vehicle was legally parked, parked per City policy, and not in motion.
 3. No actions taken by the vehicle operator would have prevented the incident from occurring.
 4. The operator was unable to take action that would have prevented the incident from occurring.

2. Preventable:

- i. The determination of “preventable” is not equivalent to determining fault. The DRB and their determinations do not indicate an admission of fault or guilt for the City of Amarillo. The determination of “preventable” is an attempt to improve the safety of City of Amarillo employees and citizens. Preventability will be used to develop and implement corrective actions that will reduce the number and severity of incidents City of Amarillo vehicles are involved in.

D. Points System

1. Points will be assessed based on the date of review, not the date of the incident. Preventable incidents will be categorized, and points assessed as the following:
2. Class 1: 1 point
 - i. City and Department polices were followed, and
 - ii. No violation of laws occurred, and
 - iii. No injuries occurred, and
 - iv. The vehicle was traveling in a forward motion, and
 - v. Resulting damage is cosmetic or minor in nature and does not exceed \$2000
3. Class 2: 2-3 points
 - i. Minor violation of City and Department polices, and
 - ii. No violation of laws occurred, and
 - iii. No injuries occurred—on scene first-aid excluded, and
 - iv. Resulting damage is more than cosmetic but less than severe
4. Class 3: 4-7 points
 - i. Major violation of City and Department polices, and/or
 - ii. Violation of laws occurred or likely occurred (citation not required), or
 - iii. Incident resulted in injuries requiring medical treatment (on scene first-aid excluded), or
 - iv. Resulting damage is moderate to severe, or
 - v. Operator received a Traffic Signal Safety Program, Notice of Violation for a City vehicle they were operating (Red Light Camera Fine).
5. Class 4: 8-10 points
 - i. City or Department polices were not followed, or
 - ii. Violation of laws occurred or likely occurred (citation not required), or
 - iii. Incident resulted in severe or fatal injuries, or
 - iv. Resulting damage is severe to catastrophic, or
 - v. Operator fails or refuses post-accident drug/alcohol testing in accordance with City Policy 800.
6. Additional Points: The board shall assess the following additional points to each

class of preventable incident.

i. 36 Month History:

1. 1-3 points— 1 additional point
2. 4-6 points— 2 additional points
3. 7-10 points—3 additional points
4. 11-18 points—4 additional points

E. Maximum Driving Points:

1. When an employee receives 10 driving points in a 12-month period or 18 points in a 36-month period, that employee will be suspended from all driving privileges (vehicles and equipment) with the City of Amarillo. The loss of driving privileges may result in termination of employment.

F. Recommended Actions:

1. Class 1: 1 point

- i. This is a minor incident and can be dealt with using coaching and training. Verbal counseling coupled with training such as defensive driving should be effective. A review of internal department processes and procedures should be completed to ensure that employees are being properly trained and equipped.

2. Class 2: 2-3 points

- i. This is a minor incident but more severe than a Class 1. The employee may have had prior collisions that pushed their minor incident up a level, or the damage may have been more severe than a class 1. If this is the employee's first incident, verbal counseling with the employee is recommended. If the employee has a history of collisions prior to the current one, progressive discipline is recommended along with mandatory defensive driving class. A review of internal department processes and procedures should be completed to ensure that employees are being properly trained and equipped.

3. Class 3: 4-7 points

- i. This is a serious incident that involved a violation of City policy, a likely violation of law, and resulted in serious to major damage. If this is the employee's first incident, a written reprimand is recommended. If the

employee has a history of collisions prior to the current one, progressive discipline, up to and including termination, is recommended. A review of internal department processes and procedures should be completed to ensure that employees are being properly trained and equipped.

4. Class 4: 8-10 points

- i. This is a major incident that involved a violation of City policy, a likely violation of law, and resulted in critical injuries and catastrophic damage. Class 4 incidents should be handled with a minimum of three days suspension and may result in immediate termination. A review of internal department processes and procedures should be completed to ensure that employees are being properly trained and equipped.

This policy may be amended by the Risk Manager, Human Resources Director and/or City Manager at any time to promote efficiency and fairness to the process or for management preference. However, any change to this policy shall apply only to DRB cases filed after the date of the policy change, unless such change specifically states that it is to apply to pending cases and that such will causes no prejudice to the rights or interests of the pending party(ies).