



## Driver eligibility guide

It was once common practice for business owners to request a motor vehicle record (MVR) through their partner insurance agent rather than proactively obtaining and evaluating MVRs themselves. Business owners who do not thoroughly screen and investigate their own drivers are at risk for negligent entrustment liability exposure.

At UFG Risk Control, we require that companies undertake the responsibility of selecting and assigning reliable, competent drivers by implementing a process to obtain and evaluate driver MVRs prior to hiring. Companies should also regularly evaluate driver eligibility for all employees as part of an active, ongoing fleet management program.

This guide was developed to help business owners create and follow a program with a systematic process to evaluate and define each driver's eligibility.

### FUNDAMENTAL DRIVER REQUIREMENTS

When evaluating a person's eligibility to drive a vehicle for business, it is recommended that the following fundamental requirements be evaluated:

- Drivers must have a valid driver's license and appropriate endorsements for the vehicle(s) to be operated.
- Drivers must have the appropriate driver's license documentation in their possession while driving.

### MOTOR VEHICLE RECORD (MVR)

One of the ways to evaluate a person's driving behavior is to review their history as it is reflected in their individual MVR.

UFG Risk Control recommends:

- All individuals must sign a consent form to have their MVR obtained and reviewed against established acceptability standards.
- MVRs should be reviewed before a driver is hired and at least annually thereafter.
- When an individual driver's MVR reflects an adverse history, their MVR should be reviewed on a more frequent cadence.
- Once hired, drivers should be required to provide immediate notification of violations or changes in eligibility status regarding their MVR.
- Review and assess each driver's MVR using the following list of Major and Minor violations, then confirm the driver's status as eligible, at risk or ineligible as identified on the Suggested Driver Eligibility Evaluation chart.
- A continuous MVR monitoring service can be employed to meet each of the suggestions listed above.

### DRIVERS LIST

Maintaining an active drivers list helps fleet managers stay organized and allows them to identify driving eligibility status. UFG recommends all potential drivers be included on a list of drivers that is provided to an insurance agency partner and carrier. The drivers list needs to include part-time drivers, seasonal drivers, employees driving their own vehicles on company business, and family members who might drive a company-owned vehicle. All active owners, officers and LLC members should be included on the drivers list.



### ADDITIONAL RECOMMENDED POLICIES

When evaluating a person's eligibility to begin and/or continue to drive a vehicle for business, UFG Risk Control recommends the following:

- **Drug screening:** All individuals driving on behalf of your company be subject to a structured drug screening program. At a minimum, pre-placement and for-cause screenings should be performed.
- **Progressive discipline:** Most business owners work to cultivate an environment where employees naturally follow written and verbal vehicle-use policies. In the event of a proven policy infraction, it is recommended the infraction be addressed through a structured progressive discipline policy. Usually, the inappropriate behavior will cease with initial counseling.

### SUGGESTED CLASSIFICATION OF COMMON MVR VIOLATIONS

The following classification of driver violations is based upon a compilation of insurance industry norms.

#### Examples of Type A major violations

Type A major violations indicate a disregard for personal and public safety and should not be acceptable if occurring within the last five (5) years.

Alcohol/drugs	Phone wireless device use
Driving while drinking or while under the influence of drugs or alcohol.	Using hand-held phone or wireless device (talking, texting or manipulating) while driving.
Driving while under the influence of alcohol, even if tested and found to be under the legal limit.	<b>Procedural – deliberate disregard for safety</b>
Driving while intoxicated at the legal limit or above.	Conviction of vehicular homicide, assault, manslaughter, hit and run or leaving the scene.
Driving while under the influence of drugs, whether prescription drugs or any controlled/illegal substances (DUI, DWI, etc.).	Fleeing, evading or eluding law enforcement/resisting arrest.
Driving with an open container (alcohol).	Participating in racing.
<b>Speeding</b>	Careless, negligent or reckless driving.
Speeding 15 mph over the limit.	Driving to endanger.
Speeding in school or work zones.	Driving on the wrong side of a road or divided roadway.
<b>Records/license validation</b>	Passing on the wrong side, on a hill or where prohibited.
Driving without a valid license for state of residence.	Passing a school bus or failure to obey school crossing guard.
Driving with a suspended or revoked license.	Railroad crossing violation.
Having license suspended or revoked.	Permitting unauthorized driver/minor driver.
Providing false motor vehicle documents, such as license or registration.	Unauthorized use of a motor vehicle.
Failure to appear (for trial or court appearance).	Shooting from or at a motor vehicle.
Failure to maintain an acceptable MVR.	Vehicle theft due to negligence (including failure to park the vehicle in a secure, well-lit area or parking garage, failure to lock doors, leaving keys/fob in plain view, or leaving a vehicle running while unattended).
<b>Accident/collision</b>	
Operating a vehicle in the commission of a felony.	
Vehicular homicide, manslaughter or assault arising out of the operation of a motor vehicle.	
Hit and run, failure to stop or leaving the scene of an accident.	



### Examples of Type B minor violations

Type B minor violations reflect undesirable driving habits and behavior.

Multiple minor violations and accidents indicate a concerning trend of poor habits and aggressive driving.

<b>Alcohol/drugs</b>	<b>Accident/collision</b>
Refusing to submit to a drug or alcohol test (implied consent).	Failure to report an accident.
<b>Speeding</b>	<b>Moving</b>
Speeding less than 15 mph over the limit.	Failure to stop at a stop sign or stoplight.
Driving too fast for conditions or inability to control vehicle.	Failure to obey traffic signs or signals.
Speeding while towing.	Failure to yield the right of way.
Failure to maintain minimum speed.	Following too close.
<b>Records/license validation</b>	Driving while distracted/drowsy.
Operating an unregistered vehicle.	Improper passing, lane change, turn or U-turn.
Failure to prove financial responsibility (SR-22), except in cases of child support.	Hauling overweight load.
<b>Procedural — deliberate disregard for safety</b>	
Failure to wear a seatbelt.	



### SUGGESTED DRIVER ELIGIBILITY EVALUATION

For drivers operating vehicles less than 16,000 lbs (GVW).

At-fault accidents in 3 years	Type B minor violations in 3 years				
	0	1	2	3	4
0	Eligible	Eligible	Eligible	At risk	Ineligible
1	Eligible	Eligible	At risk	Ineligible	Ineligible
2	At risk	At risk	Ineligible	Ineligible	Ineligible
3	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible

For drivers with a CDL operating vehicles greater than 16,000 lbs (GVW).

At-fault accidents in 3 years	Type B minor violations in 3 years				
	0	1	2	3	4
0	Eligible	Eligible	At risk	At risk	Ineligible
1	At risk	At risk	At risk	Ineligible	Ineligible
2	At risk	At risk	Ineligible	Ineligible	Ineligible
3	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible

- UFG recommends that drivers with a Type A major violation on their MVR within the last five (5) years be disqualified from driving.
- Drivers with at-risk MVRs should be placed on an MVR-monitoring service that provides immediate notification of driver violations and changes in driver's license status.
- Conditions that could also disqualify or declare a driver as ineligible:
  - Commission of a Type A major violation.
  - A combination of three (3) moving violations or preventable accidents in a 12-month period.

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