



Harris County Driver & Vehicle Safety Program

Prepared by HC Human Resources and Risk Management
Updated 03/21

Table of Contents

- Page 1** **A.** Purpose
 B. Driver Qualifications
 C. Driver Training
- Page 2** **C.** Driver Training (Cont.)
 D. Cell Phone use and Distractive Driving
 E. Seat Belts and Safety Equipment
- Page 3** **E.** Seat Belts and Distractive Driving (Cont.)
 F. Insurance
- Page 4** **G.** Accident Reporting
 H. Educational, Corrective or Disciplinary Action
- Page 5** **H.** Educational, Corrective or Disciplinary Action (Cont.)
- Page 6** **I.** Vehicle Inspections and Maintenance
 J. Employees Assigned Use of County Vehicles
- Page 7** **J.** Employees Assigned Use of County Vehicles (Cont.)
- Page 8** **J.** Employees Assigned Use of County Vehicles (Cont.)
- Pages 1-4** Vehicle Accident Claims Procedure

Appendix

- Appendix I** Harris County Defensive Driving Program
Appendix II Requirements For Commercial Drivers License
Appendix III Preventive Maintenance Inspection Form
Appendix IV Harris County Claim Filing Procedure
Appendix V Auto Claim Process

HARRIS COUNTY

DRIVER & VEHICLE SAFETY PROGRAM

A. PURPOSE

This program is to provide Harris County employees (drivers) with uniform guidelines for the safe operation of county provided vehicles or personal vehicles used for county business. The safe operation of vehicles by county employees on county business will help reduce the moving violations and accidents that may occur during a workday or shift.

B. DRIVER QUALIFICATIONS

1. Employees who operate county vehicles or personal vehicles will have a valid Texas Drivers License. Those who operate county vehicles covered by the Department of Transportation Federal Motor Carrier Safety Regulations must have a commercial driver license (CDL) for the class of vehicle operated.
2. Departments are encouraged to obtain **Motor Vehicle Record** (MVR's) reports on all new employees who will operate county vehicles on a regular basis and bi-annually on all current employees who operate county vehicles. Obtaining MVR reports is the responsibility of the Elected Official's office or Department Head.
3. Employees who operate county or personal vehicles for county business should receive a copy of the "**Driver & Vehicle Safety Program**" and are expected to follow these guidelines.
4. Employees must inform their supervisor if their driver license is suspended or revoked, or if they received a traffic citation while driving a county vehicle. Vehicle parking and moving violation citations are the responsibility of the vehicle operator.
5. Drivers who operate county vehicles or their personal vehicles and who drive three or more days per week, or have a CDL, are subject to drug and alcohol screening as required by Harris County Policy on Drug and Alcohol Testing.

C. DRIVER TRAINING

1. Each employee who operates a county vehicle on a regular basis, or receives a car allowance or mileage reimbursement, is encouraged to attend a defensive driving training course:
 - a. Within the first year of employment.
 - b. Every two years as a refresher in defensive driving.
 - c. Within 90 days following the second accident within the previous 12 months that was classified as "preventable".

C. DRIVER TRAINING (Cont.)

2. Departments are encouraged to establish driver safety training requirements for employees who operate county vehicles. The National Safety Council's Defensive Driving Course is recommended. Time off for training and associated costs for driver-training programs are the responsibility of the department.
3. Department management should determine the "preventability" of an accident after review of the accident report(s) and an interview with the employee. Preventability will be determined utilizing the National Safety Council's definition for a preventable accident: ***"A preventable accident is one in which the driver failed to do everything he reasonably could have done to prevent the accident."***
3. The accident review procedure and any corrective action should take place within seven days of the incident.

D. CELL PHONE USE AND DISTRACTED DRIVING

1. Hands-free devices are seen as a solution to the risk of driver distractions. This is a misconception. Drivers using handheld or hands-free cell phones are 4x as likely to have an accident. Driver distractions have joined alcohol and speeding as leading factors in serious and fatal vehicle crashes.
2. Hands-free devices do not remove the the distraction of cognitive thinking- taking your mind off the road. Multitasking while driving is a myth. The human brain does not perform two tasks at the same time. It switches between one task and another. Thus, concentration on driving is compromised.
3. **The State of Texas Distracted Driving Laws: Handheld Ban in school zones. All Cellphone Ban for drivers <18. Text Messaging Ban for all drivers no matter age or experience.**
4. Drivers should refrain from using handheld or hands-free cell phones while operating a county vehicle, personal vehicle during county business.
5. If the need to talk on a cell phone arises, pull into a safe area and conduct the call at that point.
6. Pre-program any GPS device be it a cell phone or installed in the vehicle before putting the vehicle in motion.

E. SEAT BELTS AND SAFETY EQUIPMENT

1. All licensed county vehicles shall be equipped with functional seat belts.

E. SEAT BELTS AND SAFETY EQUIPMENT (Cont.)

2. Seat belts shall be worn while driving or riding as a passenger in a county vehicle.

3. Texas State Law requires the use of seat belts or passive restraint systems for all occupants of a motor vehicle. Riding on public roads on equipment or vehicles not providing proper seating is not a safe practice and is discouraged.
4. ATV, off-road or construction-type equipment with rollover protective cages or guards shall be equipped with seat belts. Drivers are required to use the seat belts while operating such equipment to prevent being thrown from the equipment should an upset or roll-over occur.
5. All safety interlocks, guards and other safety-related items provided by the vehicle or equipment manufacturer shall be maintained in functional condition. These items should not be disabled or removed.

F. INSURANCE

1. Harris County is self-insured for liability exposures under the Texas Tort Claims Act. Employees who operate a county vehicle exclusively on county business would normally be covered if they were at fault in a vehicle accident.

If the employee is determined to be operating the county vehicle outside course and scope of County business and determined at fault in an accident, the county will not be liable, and the employee could be held personally responsible for damages. Operating a county vehicle outside course and scope of County business includes driving to and from work, lunch hour, and any other time the employee is not furthering the business of Harris County. Employees who regularly operate a county vehicle can protect themselves by purchasing a non-owned automobile policy that would cover them during times they are operating a county vehicle outside course and scope. *Peace Officers (as defined in Article 2.12, Code of Criminal Procedure) driving a County vehicle while outside the course and scope are afforded minimum State liability limits as outlined in Chapter 612.005 of the Texas Government Code only when the officer is using the vehicle for a **departmentally authorized** purpose and not committing a criminal offense.* While this Chapter provides additional protection for Peace Officers, it is still **recommended** that the non-owned auto coverage be purchased in order to have the most complete protection. Employees should contact their own insurance agency to obtain this coverage, or may participate in a group policy administered through the Harris County Office of Human Resources & Risk Management. The employee, through payroll deduction, pays the cost of this group coverage. Contact the Risk Management Division at (713) 274-5462 for information regarding this coverage.

2. Employees who only operate county vehicles and equipment larger than pickup truck size, (i.e., dump trucks, tractors, etc.), are exempt from the non-owned insurance recommendation as long as the vehicles are not taken home or used outside of work related duties.
3. Employees who operate their personal automobile for county business must maintain personal automobile liability insurance as required by the Texas State Financial Responsibility Law. The county may request proof of insurance from employees who regularly use their personal vehicle for county business.

-3-

G. ACCIDENT REPORTING

1. Whenever possible, law enforcement officials should be called immediately following a vehicle accident to investigate.
2. All accidents involving a county vehicle must be reported to the employee's immediate

supervisor. A **Vehicle Accident Worksheet** or **County Auditor's Form 118**, should be completed by the driver, or his/her supervisor, and distributed to the Risk Management Division Claims Section and department management within 24 hours. See accident reporting procedures contained in **Claims Guide for Supervisors, Payroll Clerks and Safety Coordinators** available from the Risk Management Division, Claims Section, (713) 274-5470.

3. An employee driving their personal vehicle on county business and involved in an accident, should report the accident to their immediate supervisor and complete a **Vehicle Accident Report** or **Form 118**, in addition to notifying their own insurance company and completing any other required accident reports. The employee's insurance coverage will be the primary insurer in these instances.
4. Employees injured in a vehicle accident while on county business should obtain medical treatment and report the accident and injury to their immediate supervisor. A **First Report of Injury or Illness** form (**DWC-1**) should be completed and forwarded to the Risk Management Division, Claims Section.
5. Failure to report an accident involving a county vehicle may be considered a serious driving offense and subject to disciplinary action as outlined in Section G-3 of this policy.

H. EDUCATIONAL, CORRECTIVE OR DISCIPLINARY ACTION

1. Compliance with **Harris County Driver & Vehicle Safety Program**.
 - a. An employee failing to comply with the **HC Driver & Vehicle Safety Program** should receive counseling from the immediate supervisor on proper procedure and expected behavior while operating a county vehicle.
 - b. Subsequent infractions may result in further counseling, unpaid time off, temporary loss of county vehicle use, permanent loss of county vehicle use and possibly termination of employment, depending upon the seriousness of the infraction and discretion of the Elected Official or Department Head.
2. Unsafe Driving

First Preventable Accident

After an accident in a county vehicle the employee's supervisor is charged with the responsibility of initiating action that he/she feels is appropriate in the particular case, based on the findings of the investigation. This may take the form of one or more of the following steps:

-4-

H. EDUCATIONAL, CORRECTIVE OR DISCIPLINARY ACTION (Cont.)

- a. Discuss safe driving practices with the employee.
- b. Discuss county vehicle program with the employee.
- c. Require the employee take a county-approved defensive driving course within 90 days of the occurrence.

The supervisor should report, in writing to the Elected Official or Department Head, the corrective action taken, and place a copy in the employee's personnel file.

Repeated Preventable Accidents

An employee who continues to have preventable accidents in county vehicles (2 or more in 12 months) should be placed on probation and may at the discretion of the Elected Official or Department Head:

- a. Meet with the Elected Official or Department Head to discuss driving record and corrective/disciplinary actions.
- b. Take a Defensive Driving Course within 90 days.
- c. Lose the privilege of driving a county vehicle.

3. Serious Driving Offenses

A serious driving offense on the part of an employee may result in loss of the privilege of operating a county vehicle and disciplinary action, up to and including employment termination.

The Elected Official or Department Head will determine if an incident is considered a serious driving offense and the appropriate corrective or disciplinary action needed.

A serious driving offense includes but is not limited to:

- a. Hit and run or any other felony involving the use of a county vehicle.
- b. Driving a county vehicle while under the influence of alcohol or drugs.
- c. Citation for excessive speed (20 mph over posted limits), excluding law enforcement vehicles.
- d. Failure to report a vehicle accident to the appropriate personnel.
- e. Allowing an unauthorized person to operate a county vehicle.

I. VEHICLE INSPECTIONS AND MAINTENANCE

1. Drivers should visually inspect county vehicles each day for properly functioning lights, signals, tires and other obvious issues that may affect safe operation. Driver should also test brakes before entering roadway. **(See App III)**
2. Drivers should not knowingly operate any vehicle or equipment with safety defects. Vehicles with defects that can affect safe operation should be taken out of service until repairs are made. Towing service is available 24 hours a day, 7 days a week. Contact Harris County Fleet Services (713-755-5360) or the County Operator (713-755-5000) for the number of the

current towing vendor.

4. Drivers should report all safety defects and maintenance problems to their supervisor, or directly to Harris County Fleet Services or designated repair facility so repairs can be scheduled. The vehicle should not be operated until the reported safety related defect(s) is repaired.
5. Maintenance, fuel and oil shall be provided by sources designated by Harris County Fleet Services or department maintenance manager.
6. A preventive maintenance and safety inspection schedule will be established for each vehicle. **(See App III)** Whenever safety related wear or defects are discovered, repairs should be made before the vehicle is allowed to return to service. Harris County Fleet Services or the department maintenance manager in charge of the repair facility shall be the final authority in deciding when a safety defect needs to be repaired.

J. EMPLOYEES ASSIGNED USE OF COUNTY VEHICLES

A county vehicle may be assigned to an employee for conducting county business. Vehicles may be assigned full time to a job position, assigned temporarily for a short time period, or assigned on a daily basis.

These guidelines should be followed by those employees operating county vehicles:

1. County vehicles are to be used for county business only. No one other than a county employee is authorized to operate a county vehicle.
2. Only passengers required to be transported for county business purposes within course and scope, or those approved by the Elected Official or Department Head, shall be allowed to ride in a county vehicle.
3. All employees who operate a county vehicle shall have a valid driver license for the class vehicle being operated. Proof of valid and proper type license may be requested by the county before allowing an employee to operate a county vehicle.
4. Seat belts shall be worn by the driver and all passengers while riding in county vehicles in compliance with state law and county policy.

-6-

J. EMPLOYEES ASSIGNED USE OF COUNTY VEHICLES (Cont.)

5. The county's self-funded insurance program will generally cover employees operating a county vehicle within the course and scope of county business should an accident occur. Coverage may not be provided if the driver is involved in an accident that is determined to be outside the course and scope of county business. Examples of this can include but are not limited to; driving to and from work, during lunch and any other time the employee is not furthering the business of Harris County.

Proof of compliance with the State Financial Responsibility Law (insurance requirement law) should be carried in the county vehicle at all times. While the county is exempt from the Financial Responsibility Law, the employee may be required to show proof of insurance by a

law enforcement agency.

6. County vehicles are expected to be operated and parked in a legal manner. Citations resulting from improper operation or parking of a county vehicle are the responsibility of the employee. The employee's supervisor shall be informed when a citation has been received and when paid.
7. If an accident occurs while driving a county vehicle, the employee should take the following steps:
 - a. Remain calm
 - b. Turn off the ignition switch.
 - c. Render aid to injured parties.
 - d. Notify law enforcement.
 - e. Notify immediate supervisor as soon as practical.
 - f. Obtain witness' name(s).
 - g. Don't talk about incident except to law enforcement and supervisor.
 - h. Do not sign any papers.
 - i. Write down facts as soon as possible.
 - j. If injured, obtain necessary medical attention and have a **First Report of Injury** form (**DWC-1**) completed.
 - k. Complete **Auditor's Accident Report (Form 118)** and distribute to Human Resources Risk Management Division, Claims Section and supervisor within 24 hours.
 - l. If damage to county vehicle renders it inoperative, contact Harris County Fleet Services or department designated maintenance facility for assistance or instructions.

-7-

J. EMPLOYEES ASSIGNED USE OF COUNTY VEHICLES (Cont.)

8. County vehicles with safety defects or other maintenance problems should not be operated until repaired. Maintenance should only be provided by the source(s) designated by department management or Fleet Services.
9. Fuel and oil should only be obtained from the source(s) approved by department management or Fleet Services.
10. County vehicles should be kept neat in appearance through periodic washing. Use the source authorized by department management.

NOTE: Departments may add any department specific vehicle operating guidelines to this program if they choose. Each employee who operates a county vehicle should be given a copy of these guidelines. These guidelines are in addition to applicable federal, state or local laws and regulations regarding the operation of a motor vehicle.

-8-

Harris County
Vehicle Accident Claims Procedure
Tort Claims Act Overview

Harris County and the Harris County Flood Control District, herein after referred to as **county**, are self-insured for liability exposures arising out of automobile and general liability exposures. Self-insurance coverage for these exposures is provided for under the Texas Tort Claims Act.

Successful investigation and disposition of claims against the county requires an understanding of governmental immunity. In order to understand the basis for determining the liability of a county government, it is necessary to trace the concept to its origin.

When William the Conqueror proclaimed himself the King of England after the Battle of Hastings in 1066 AD, feudalism was in existence. The poor citizens at the bottom of the feudal ladder had basically no rights. Over a period of time, the King gave these citizens the right to hearings in Common Law Courts to

air their grievances. However, since the King believed himself to be blessed with divine guidance, he exempted himself; thus creating "sovereign immunity." English colonists brought this concept of law to America.

Sovereign (or governmental) immunity is a legal concept used by governmental entities to defend themselves against claims. The basic idea is that the public may not bring suit against a governmental unit unless given permission to do so by that governmental unit. The concept of sovereign immunity was observed to mean "the King could do no wrong." To coincide with this concept, was the belief that it would be contradictory to the King's authority to be sued in his own court; therefore, not only was it impossible to find the King negligent, it was impossible to use the King's court to attempt to prove him negligent.

In the 1820's, the U. S. Supreme Court established that the federal government could not be sued without its consent. Sovereign immunity likewise carried over to states, counties and cities as an extension of the federal government's power and authority.

In all states, consent has been given to a greater or lesser degree to grant local governing units some degree of immunity. However, the doctrine of governmental immunity has come under criticism. Consequently, a number of states have enacted statutes that have either abolished or limited its application. The application of this defense has been modified in Texas. The Texas Tort Claims Act was first introduced in 1953 and subsequently amended on May 22, 1969. The current Act became effective on January 1, 1970.

The Texas Tort Claims Act limited sovereign immunity for all governmental units in Texas; meaning persons were given permission to sue the state or other governmental units. The Act limited the areas in which government entities could be sued, as well as setting a dollar limit on its liability in areas where claims were allowed. The term governmental unit is defined as "all of several agencies of government that collectively constitute the government of the State of Texas."

REPORTING OF CLAIMS AND ACCIDENT SITUATIONS

Any time there is an incident which may give rise to a potential claim, (i.e. automobile accidents, citizen injury incidents, etc.) certain steps must be undertaken to protect the county from a liability standpoint, as well as preserving county property and gathering information. This allows the Human Resources Risk Management Division, Claims Section to make a claim against the damaging parties or gather information to defend the county from a claim for damages.

Whenever a situation arises in which either county equipment, or a party outside of the county's employ sustains damages (property or bodily), a report shall be made to the Risk Management Division Claims Section. Prompt, efficient reporting of potential claim situations or incidents increases the opportunity to either build a strong defense, or to align facts in order to request reimbursement for county damages.

In the event of an occurrence that may lead to a claim, it is the responsibility of the supervisor to visit with the involved county employee(s) to obtain information for completing **County Auditor's Form 118**. The supervisor shall, within departmental channels, have the report of the incident routed to the Risk Management Division Claims Section. It is essential that potential claim situations be reported shortly

after their occurrence as delays may compromise the county's ability to determine potential liability through early investigation.

A report of a potential claim situation should be forwarded within 24 hours of the occurrence. Form 118 should be completed as fully as possible. If there is additional information to supplement Form 118, additional pages may be attached. An incomplete report should not be delayed pending completion as any report may always be supplemented at a later time as information becomes available. Additionally, most reports received will result in departmental personnel being contacted by Risk Management Division Claims Section personnel conducting an investigation.

Each county vehicle and piece of equipment, and vehicles of those who receive car allowances, should be equipped with a **Vehicle Accident Reporting Kit** that contains a Vehicle Accident Report, and Procedure for Submitting Damage Claims. The **Vehicle Accident Reporting Kit** is designed to assist the operator in obtaining information regarding vehicular accidents. The instructions on the envelope should be followed as closely as possible. The information may then be used in completing Form 118. Vehicle Accident Reporting Kits may be obtained from Fleet Services or the Risk Management Division Claims Section.

All accidents involving county vehicles should be reported to law enforcement authorities. If no on-site investigation is conducted, the involved employee should file a **Driver's Confidential Accident Report, Blue Form ST-2**, available at all local police and Department of Public Safety substations.

If an accident occurs where there is a loss of life or serious injury occurs, the Risk Management Division Claims Section should immediately be contacted by telephone at (713) 274-5470. This is regardless of the time of occurrence, as the Risk Management Division maintains an overnight recording with emergency instructions and an on-call adjuster. However, the telephone call does not relieve the involved department of the responsibility of filing Form 118 with the Risk Management Division Claims Section.

CLAIMS AGAINST HARRIS COUNTY

Generally, the public's perception is that if they are involved in an accident with a county vehicle, injure themselves on county property, or county equipment damages their property, the county is responsible for their damages. This is a false presumption. As with most any situation, legal liability must be established prior to payment of any damages. Under no circumstances should any county employee encourage this line of thinking, nor should a county employee indicate that the county will "take care" of any injured party's damages.

The Texas Tort Claims Act sets forth certain notice requirements that must be followed in order to place the county on notice of a claim for damages. The county is entitled to receive notice of a claim not later than six months after the day of the incident.

It is imperative that the party seeking payment of damages file their claim with the county as prescribed by law. The Texas Tort Claims Act mandates that a party seeking to recover damages from the county must file a notice of their claim directly with the Commissioners Court.

In the event a party inquires as to how to file a claim with the Commissioners Court, they should be supplied with the information from, or a copy of the **Claim Filing Procedure. (Appendix IV)** This set of instructions complies with the notice provisions of the Texas Tort Claims Act.

When Commissioners Court receives written notice from the damaged party, their claim is placed on the Commissioners Court Agenda for acceptance and the claim is then referred to the Risk Management Division, Claims Section for investigation.

The claims staff in the Risk Management Division investigates each claim to determine what, if any, liability the county may hold. If the investigation indicates the county is liable for damages, the claims staff attempts to negotiate an agreement in principle with the damaged party. If the claims staff can reach an agreement, a recommendation to settle the claim is then presented to Commissioners Court for approval.

If Commissioners Court concurs with the recommendation of the Risk Management Division, a release is secured, payment made and the claim is retired.

On occasion, the recommendation to Commissioners Court will be to deny a claim for damages. There may also be a breakdown in the negotiations when the claims staff's evaluation of damages differs from that of the damaged party or their representatives. The claims staff then prepares the file for referral to the Harris County Attorney's Office for litigation.

When a damaged party has not been able to reach an agreement with the claims staff, they may bring suit against the county. All departments and individuals need to be aware of this possibility. The service of a lawsuit places the county under certain time constraints. If a department or employee is served with a lawsuit, a telephone call should be placed to the County Attorney's Office (Chief, Trial Section) at (713) 755-5101 and/or the Risk Management Division, Claims Section (713) 274-5470.

CLAIMS MADE ON BEHALF OF HARRIS COUNTY

The Risk Management Division Claims Section is staffed by licensed claims personnel who are charged by Commissioners Court with handling claims for and against Harris County. When notice of a claim is received from a county department (Form 118, a phone call, or narrative report) a review is conducted and a preliminary determination is established as to the potential liability exposure for the county. If county equipment has been damaged and it is apparent that the county operator was not at fault, a file is established and efforts initiated to recover for the damage to the county property.

During the course of investigating claim situations, various departments and individuals are contacted. These contacts may come in the form of informal conversations, written or recorded statements, or the request for certain documents or items. These requests will not always be convenient but the staff of the claims section shall endeavor to work with the department's respective schedules. However, it is imperative that information and cooperation is provided for a timely investigation.

In situations involving damage to county property, be it real property or county equipment, it will be necessary to obtain an appraisal of damage. Currently, Harris County Fleet Services provides vehicular

appraisals through an independent appraiser. This is done on site at a Fleet Services location by appointment. These appraisals are then forwarded to the Risk Management Division Claims Section to become part of the claim file.

Not all county departments utilize Fleet Services for maintenance and repair. It is requested that those departments that do not use Fleet Services, forward to the Risk Management Division, Claims Section a copy of their damage estimate sheet along with a photo (if possible) depicting the damage to the county equipment. If assistance is needed with the investigation or obtaining estimates, please notify the Claims Section.

In situations involving damage to county real property (i.e. buildings, parks, roadways) or contents, a damage appraisal will be coordinated with the individual department. This may also be accomplished through consultation with the Facilities and Property Management Department and/or the County Engineer's Office.

WHERE TO OBTAIN DOCUMENTS AND FORMS

Documents referred to in this procedure can be obtained from the following:

Auditor's Form 118 may be obtained from the Harris County Auditor's Office

Vehicle Accident Reporting Kits may be obtained from Fleet Services or Human Resource Risk Management Division, Claims Section.

Claim Filing Procedure may be obtained from Human Resource Risk Management Division, Claims Section.

Appendix

APPENDIX I

HARRIS COUNTY DEFENSIVE DRIVING PROGRAM

Harris County has established a defensive driving program to improve driver skills and reduce accidents.

The National Safety Council Defensive Driving Course (DDC) was selected because of its excellent track record in improving driving skills and approval for its graduates to obtain an insurance discount upon completion.

Harris County Human Resource Risk Management Division, Safety Section administers the DDC program. Instructors from various county departments are available to conduct classes.

The DDC course consists of six hours of instruction combining lecture, discussion and audio-visual material. The class can be presented in 1 six-hour period or split into 2 three-hour blocks. Cost per student for training materials is nominal.

The Risk Management Division, Safety Section may be contacted to arrange for DDC courses at (713) 274-5459.

APPENDIX II

COMMERCIAL DRIVERS LICENSE

Effective April 1, 1992 all drivers of commercial vehicles in Texas were required to obtain a commercial driver's license (CDL) for the class of vehicle they normally operate. This requirement is to comply with the Federal Commercial Motor Vehicle Safety Act of 1986 and includes county vehicles that meet the criteria below.

Operators of the following classes of vehicles are required to have a commercial license:

- Class A-** Any combination of vehicles with a GCWR of 26,001 or more pounds provided the GVWR of the vehicle(s) being towed is in excess of 10,000 pounds.
- Class B-** Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.
- Class C-** Any single vehicle, or combination of vehicles, that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is transporting material that has been designated as hazardous under 49U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR Part 172, or is transporting any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

Endorsements and Restrictions

Drivers who operate special types of CMV's also need to pass additional tests to obtain any of the following endorsements on their CDL:

- T- Double/Triple Trailers (Knowledge Test only)
- P- Passenger (Knowledge and Skills Test)
- N- Tank Vehicle (Knowledge Test only)
- H- Hazardous Material (Knowledge Test and TSA Threat Asses.)
- X- Combination of Tank Vehicle and Hazardous Materials
- S- School Bus (Knowledge and Skills Test)

Drivers who operate vehicles in the above classifications will be required to take one or more skills tests, pass a vision test and possibly a road test. It is mandated by federal guidelines that all commercial drivers pass the DOT health exam. The goal of this exam is to determine whether a potential driver is physically capable of driving safely at the present time as well as in the foreseeable future. Successfully passing the exam usually means you only have to take the exam in 24-month time, although in some instances this period might be decreased if serious health problems might arise in the future.

Alcohol and Drug screening is required for drivers with a CDL in conformance with Federal Department of Transportation laws, regulations and the Harris County Drug and Alcohol Policy.

It is unlawful for an employer to knowingly allow an improperly licensed driver to operate a commercial vehicle. Each county department is responsible for compliance with this regulation.

Information on the requirements of this law and information needed to take the necessary tests to acquire a commercial driver license may be found in the Texas Commercial Motor Vehicle Drivers Handbook available from any Texas Department of Public Safety Office or the Federal Motor Carrier Safety Administration.

APPENDIX III

PREVENTIVE MAINTENANCE INSPECTION FORM

DATE _____

EQUIPMENT NUMBER _____

MILEAGE _____
(No 10th of miles)

STATE INSPECTION DUE DATE _____

NEXT PM DUE DATE _____

PM TYPE _____

BODY

EXTERIOR CONDITION _____
INTERIOR CONDITION _____
REAR VIEW MIRRORS _____
DOOR LATCHES, LOCKS & HANDLES _____
WINDSHIELD/GLASS _____
WINDSHIELD WIPERS _____
SEAT BELTS _____
HORN _____

LIGHTS

HEAD LIGHTS _____
TAIL LIGHTS _____
STOP LIGHTS _____
PARKING LIGHTS _____
TURN INDICATOR LIGHTS _____
LICENSE PLATE LIGHTS _____
4 WAY FLASHER _____
SPOT LIGHT _____
EMERGENCY LIGHTING _____

ELECTRICAL

BATTERY _____
CABLES _____
CHARGING SYSTEM _____
CLEAN BATTERY TERMINALS _____

STEERING

STEERING COLUMN _____
STEERING LINKAGE _____
STEERING GEAR _____
STEERING PUMP _____

HOSES & LINES _____
PITMAN ARM _____
IDLER ARM _____
DRAG LINK _____
TIE RODS _____
BALL JOINTS _____

SUSPENSION

CONTROL ARMS _____
SWAY BARS _____
STABILIZER LINKS & BUSHINGS _____
SPRINGS _____
SHOCKS _____
SPINDLES _____
AXLES _____

COOLING SYSTEM

COOLANT LEVEL _____
RADIATOR _____
HOSES _____
BELTS _____
LEAKS _____

WHEELS

TIRES _____
WHEELS _____
LUGS _____
ALIGNMENT _____

BRAKES

PARKING BRAKE _____
FLUID LEVEL _____
LINES & HOSES _____
BRAKE LINING _____
ROTORS & DRUMS _____
BRAKE OPERATION _____
BRAKE PERFORMANCE _____

MISCELLANEOUS

ENGINE PERFORM. & OIL LEVEL _____
TRANSMISSION PERFORM. & FLUID LEVEL _____
DIFFERENTIAL PERFORM. & FLUID LEVEL _____
GEAR SHIFT ADJUSTMENT _____
NEUTRAL SAFETY SWITCH ADJUST _____
FUEL SYSTEM _____
EXHAUST SYSTEM _____
DRIVE LINE _____
ENGINE & TRANSMISSION MOUNTS _____

REMARKS

MECHANIC'S SIGNATURE

CODE: (OK) EXAMINED & OK (A) ADJUSTED (F) REPAIRED (R) REPLACED (S) SEE REMARKS

APPENDIX IV

HARRIS COUNTY
CLAIM FILING PROCEDURE

The procedure below must be followed before any claim against Harris County can be resolved. This procedure is required by law, as well as by the governmental bodies concerned.

Written notice of your claim must be mailed or delivered in person within 180 days of the occurrence to:

Harris County Commissioners Court
1001 Preston, 9th Floor
Houston, Texas 77002
Attn: Clerk of Commissioners Court

Your claim should supply the Court with a detailed account of the occurrence including:

- Date, time and place of occurrence.
- Description of occurrence.
- Names of all persons involved in the occurrence.
- Description of damaged property, identity of owner and location where property may be inspected, if necessary.
- Description of any injuries, if applicable.
- Total amount of claim including any incidental expenses which you anticipate you will incur.
- Documented support for your claim, including but not limited to, invoices, estimates, etc. All invoices and estimates should indicate the provider's name, address and phone number. When submitting estimates, the Court requires at least two written estimates.
- Name, address and telephone number of any witnesses.

The Commissioners Court meets every other Tuesday. Once the Court has received your claim, it will be referred to the Human Resource Risk Management Division, Claims Section for investigation. The claim will then be assigned to an Adjuster who will contact you concerning your claim.

Should you have any additional questions concerning the status of your claim, or how to file your claim, please call Risk Management Division, Claims Section at (713) 274-5470.

NOTHING CONTAINED HEREIN, NOR THE TRANSMISSION OF THIS DOCUMENT SHALL EVER BE CONSTRUED AS AN ADMISSION OF LIABILITY, NOR SHALL IT BE CONSTRUED THAT ACTUAL OR CONSTRUCTIVE NOTICE OF ANY CLAIM HAS BEEN GIVEN, OR THAT NOTICE WAS RECEIVED, ACTUAL OR CONSTRUCTIVE, BY ANY GOVERNMENTAL ENTITY. THE INFORMATION PROVIDED HEREIN IS MERELY A GRATUITOUS ACCOMMODATION.

AUTO CLAIM PROCESSING

The most typical claim asserted by the County and against the County or the District involves liability growing out of the use of automobiles. A flow chart illustrating the progression of a typical auto claim is provided for your information. The chart does not anticipate all variations which may occur but does reflect the typical claim progression.

