

# RISK SIMPLIFIED

## RESOURCES

[PRISM Risk Simplified - California Employer Pull Notice Program](#)

[CA DMV Vehicle or Driver's Records Requests](#)

[PRISM Blog - Navigating Employer Restrictions on Requiring Driver's Licenses](#)

## QUESTIONS

[Email PRISM Risk Control](#)  
or call 916.850.7300

## Driver Eligibility Requirements

by Chandler Wright

Public entities have a responsibility to ensure that employees who operate vehicles on behalf of the agency do so safely and in a manner that minimizes risk to the public, other employees, and agency resources. Establishing clear driver eligibility requirements provides a consistent framework for determining whether current or prospective employees are authorized to operate vehicles on the job. These requirements assist agencies when evaluating driving records and making informed decisions regarding driver authorization, restrictions, or disqualification. Driver eligibility standards are typically incorporated into an agency's broader vehicle use or driving policy and serve as a key component of an effective risk management program. This document provides recommendations for employees that hold a standard (Class C) driver's license and does not include recommendations for employees operating commercial vehicles (Class A or B).

Agencies should obtain a driver's record from the licensing State's Department of Motor Vehicles (DMV) and review what, if any, violations are found. In California, an employee's driving record may be provided as a Motor Vehicle Record (MVR), requested from the DMV with Form INF 70, or an abstract/pull notice if employees are enrolled in an Employer Pull Notice (EPN) program. Written consent from the employee is required before their driving record can be requested. Agencies should review driving records before initial hire/placement, and annually thereafter to maintain a clear understanding of the employee's driving violations and status.

Agencies must carefully consider what type of eligibility requirements they want to establish. Whatever requirements are chosen, they must be clearly outlined in the vehicle use or driving policy as well as immediately enforced. Consider separating the violations that affect driver eligibility into two categories: major and minor violations. Agencies should outline what driving violations constitute as major or minor, as shown in the example lists below.

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## Major driving violations may include:

- Driving under the influence of drugs and/or alcohol
- Reckless driving
- Vehicular manslaughter or assault involving a vehicle
- Hit and run
- Fleeing or evading law enforcement
- Driving with a suspended or revoked license
- Permitting an unlicensed driver to operate the vehicle
- Operating a vehicle without consent of the owner (grand theft auto)
- Using a motor vehicle for the commission of a felony
- Speed contest or exhibition of speed (street racing)

## Minor driving violations may include:

- Speeding
- Failure to yield right-of-way
- Failure to obey traffic signals or signs
- Seatbelt violations
- Distracted driving
- Unsafe starting or backing
- Improper turning or passing
- Any other violations not classified as “Major”

A driver’s eligibility should be directly tied to the type and quantity of violations the driver has on their record. Major violations identified on a driver’s record within the last 3-5 years should result in immediate disqualification from eligibility to drive for the agency.

Minor violations on an employee’s record should be evaluated over a rolling period, such as over 3 years. Agencies should make it clear that they reserve the right to restrict or revoke an employee’s driving privileges at their discretion, based on driver record reviews and overall risk. A driver’s history of accidents, especially at-fault accidents, should also be taken into consideration when determining their eligibility status.

The following tables are intended to assist agencies in reviewing driver records and determining eligibility. They should be adapted to align with the agency’s specific requirements.

Minor Violations in the Last 3 Years	Number of Accidents Within the Last 3 Years			
	0	1	2	3
0	Clear	Clear	Acceptable	Poor
1	Clear	Acceptable	Borderline	Poor
2	Acceptable	Acceptable	Borderline	Poor
3	Borderline	Borderline	Poor	Poor
4	Borderline	Poor	Poor	Poor
5+	Poor	Poor	Poor	Poor
Major Violations	Poor	Poor	Poor	Poor

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	Potential Drivers	Current Drivers
Clear	Eligible	No action required
Acceptable	Eligible	No action required
Borderline	Disqualified	- May have driving privileges revoked or suspended - Supervisor coaching - Remedial training
Poor	Disqualified	- Loss of driving privilege - Discipline up to and including termination

To have an effective policy, agencies must set clear disciplinary guidelines, such as when drivers will receive remedial training, safety coaching, temporary suspension, or more regular reviews of an employee's driving record, which may ultimately result in the driver being deemed ineligible to operate vehicles for agency business.

Agencies across the state rely on their employees to operate vehicles to accomplish an uncounted number of tasks. Due to this need, agencies must do their best to ensure their drivers are operating in the safest manner possible. Regularly reviewing driving records and enforcing driving policies will help to keep the best drivers on the road, while removing those that may cause additional liability concerns. If there are any questions regarding driver eligibility requirements or driving policies, please reach out to [PRISM Risk Control](#).