

Administrative Policy 3-5-7

DISTRIBUTION: City Manager, All Departments

SUBJECT: Seatbelt Use

PURPOSE: To establish the policies, procedures and guidelines for seatbelt use to those employees who may be authorized to operate or be a passenger in a City of Muskogee vehicle and who are required to acquire and maintain an Oklahoma driver's license. It is a requirement for staff to follow safe driving practices to enhance and protect the lives and safety of its employees, and to reduce the losses in work hours and productivity resulting from injuries from vehicle/equipment accidents, and in order to better serve its employees and the citizens of the City of Muskogee.

BACKGROUND: see purpose

POLICY/

PROCEDURES: **Seatbelt Use**

A. Program Administration

1. Each department head or designee given control of City vehicles/equipment shall be responsible for properly maintaining and/or installing the required seatbelts.
2. Seatbelts that are not operational shall be grounds for removing a City vehicle or piece of equipment from service temporarily until maintenance, repair or installation has been satisfactorily completed.

B. Enforcement and Disciplinary Actions

1. An employee who fails to use the seatbelt during the operation of, or as a passenger in, a City of Muskogee vehicle/equipment shall be considered a violation of Work Rule 19 Section H (Violation of a safety rule or the performance of unsafe work practices) of the Forced Separations, Discipline and Pre-Disciplinary Processes Administrative Policy 3-4-1, and shall be subject to disciplinary action up to and including termination.
2. An employee not wearing a seatbelt, who is injured in an accident/incident during operation of, or as a passenger in a City vehicle/equipment, shall be subject to disciplinary action.
3. If and when it is appropriate for a non-City employee(s) to be allowed to be a passenger in a City vehicle, it shall be the responsibility of the City employee operating the vehicle to ensure the proper use of seatbelts by all occupants prior to moving the vehicle. This provision shall not apply to Police Officers transporting individuals being arrested or held for possible crimes.

C. Exemptions to the Seatbelt Policy

1. Whenever a police officer may reasonably anticipate an emergency exit from the police unit due to a pursuit by foot, the officer shall be considered exempt from the seatbelt usage policy. This would necessitate a decision on the officer's part when to remove the seatbelt within a reasonable distance (normally within two hundred feet from any type of call).
2. Refuse collection vehicles (in the collection area only) where the operator stands to operate the vehicle or rides the rear of a standard refuse vehicle will be exempt from the seatbelt policy. This does not exempt the driver from seatbelt use.
3. Small garden tractors, riding mowers or other small equipment not designed or equipped with seatbelts will be exempt from the seatbelt policy.
4. All off-road equipment such as standard tractor mowers, dozers, backhoes, etc., will be required to have roll-over protection and seatbelts as required by federal law. The only exemption will be when a backhoe unit is positioned and digging is being accomplished or a gradall type vehicle is in a digging operation.
5. The Street Maintenance Division's paving machine and asphalt rollers will be exempt from the seatbelt policy.
6. Water Supply and Waste Water section vehicles operating inside water and waste water treatment plant grounds and Airport vehicles operating inside airport operating area will be exempt from the seatbelt policy when employees are making frequent exits from the vehicle and where the speed limit does not exceed 15 mph.
7. Employees in the process or layout of work and/or striping of the City streets will be exempt from the seatbelt policy when City ordinance limits speed to be below 15 mph.

REFERENCES: Forced Separations, Discipline and Pre-Disciplinary Processes
Administrative Policy 3-4-1

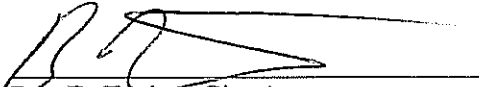
EFFECTIVE DATE: This policy shall be effective on and after October 1, 2012.

RESPONSIBLE DEPARTMENT: Human Resources


Greg Buckley, City Manager

12/26/12
Date

APPROVED as to form and legality this 2 day of January ²⁰¹³~~2012.~~



Roy D. Tucker, City Attorney