

# The MVR: An essential risk management tool for qualifying drivers



Why every organization should review their drivers' MVRs

Whether you have one vehicle or a large fleet, auto accidents pose a significant liability exposure to an organization. Reviewing a motor vehicle record (MVR) on every driver at hire and at least annually thereafter has long been a standard practice, and organizations that fail to do so risk more accidents and increased liability.

Pulling an MVR:

- Validates that the driver has the correct license and that it has not been revoked, suspended, or withdrawn.
- Identifies unsafe driving behavior that is likely to result in future accidents.
- Is a requirement for organizations regulated by the Federal Motor Carrier Safety Administration (DOT) as well as some states and public agencies.

## Obtaining MVRs and costs

An MVR is a state-issued summary of past moving violations and police-reported collisions. Although the time period varies, most states report on at least the most recent three-year period of violation activity. MVRs can be obtained directly from a state department of motor vehicles (DMV) or through a vendor. Vendors offer the advantages of obtaining MVRs from every state, ease of ordering, and providing a consistent format. Some provide online MVR screening tools, normalizing data from different states; and driver training related to violations.

Depending on the state, MVRs can cost between \$3 and \$28. Vendors typically add an additional \$2 to \$7 service fee. Organizations may also be charged a one-time account set-up fee. Written driver permission is required, with permission forms generally available from the state or vendor. Drivers can often obtain their own MVR from the DMV for a lower fee; however, it is poor practice to obtain MVRs directly from a driver as they are easy to digitally forge or alter.

Insurance companies often run MVRs on your drivers but are prohibited from sharing them with customers due to the Fair Credit Reporting Act. Also, many states restrict MVR information they provide to insurers. "Employment" MVRs are often more thorough or provide a longer history of violations, an advantage for the employer.

## Frequency of obtaining MVRs

MVRs should be pulled at hire and at least annually thereafter. Seventeen states have "pull notice" program available in which an organization is sent an updated MVR when the driver's MVR has changed for any reason: new violation, suspension, upgraded class, etc. Many third-party vendors provide continuous monitoring as well at an additional cost. Continuous MVR monitoring is becoming a best practice, particularly for drivers transporting passengers or operating heavier vehicles. Organizations cannot afford to wait 11 months to find out a driver lost their license due to a DUI 30 days after the previous MVR was pulled.

For DOT-regulated vehicles the DOT requires organizations to pull MVRs upon hire (\$391.23) and at least annually thereafter (\$391.25). Drivers must submit a separate list of violations (\$391.27) annually (sample form) which should coincide with the annual MVR pull. Management should investigate any discrepancies.

## Defining your company's violation threshold

Every organization must establish its own standards regarding an acceptable and unacceptable driving record. Major violations indicate a disregard for safety and should not be acceptable if occurring within the last three to five years. Multiple minor violations and accidents indicate a trend of aggressive driving. Best practice is to limit them to two within the last 12 months and no more than three in the last 36 months. The following matrix is a best practice for organizations operating vehicles such as sedans, SUVs, pick-ups, and light vans.

#	Moving violations and preventable accidents combined*		Major violations	Drug or Alcohol Related
	Last 12 months	Last 36 months	Last 36 months	Last 60 months
0	Acceptable	Acceptable	Acceptable	Acceptable
1	Acceptable	Acceptable	Unacceptable	Unacceptable
2	At-Risk	Acceptable	Unacceptable	Unacceptable
3	Unacceptable	At-Risk	Unacceptable	Unacceptable
4+	Unacceptable	Unacceptable	Unacceptable	Unacceptable

\* A violation received because of an accident would be considered one incident.

Many organizations hold inexperienced drivers, drivers of large trucks, drivers transporting passengers and drivers hauling hazardous materials to a higher standard. For example: No more than one violation/accident in the last 12 months and no more than two in the last 36 months.

Major Violations	Minor Violations/Accidents
<ul style="list-style-type: none"> <li>Excessive speeding—15 mph or more over the posted speed limit</li> <li>Racing or exhibition driving</li> <li>Careless/reckless/imprudent driving</li> <li>Attempting to elude a police officer</li> <li>Failure to stop/report an accident</li> <li>Making a false accident report</li> <li>Failure to stop for a school bus</li> <li>Vehicular homicide, manslaughter or assault resulting from a vehicle-related incident</li> <li>Driving with a suspended or revoked license</li> <li>Other violations of a similarly severe nature</li> </ul>	<ul style="list-style-type: none"> <li>Any moving violation not listed under major violations</li> <li>All accidents, except verifiable not-at-fault accidents; animal collisions; broken windshields</li> <li>Organizations may want to establish more defined criteria as to what constitutes an accident.</li> <li>Non-moving violations are not typically included but should be reviewed individually as some may indicate a disregard for safety.</li> </ul>

### Additional considerations:

- An organization’s MVR policy and screening criteria should be in writing and shared with all drivers. It is important that a driver understand the consequences of having accidents or violations.
- The MVR policy should apply to staff or volunteers who:
  - Drive organization vehicles
  - Drive their own vehicles or rentals on behalf of the organization.
- Drivers identified as “Unacceptable” should have their driving privileges removed.
- If an exception is made to the policy, the decision should be discussed with legal counsel and additional controls should be put in place for that driver: training, more frequent monitoring, drug and alcohol testing, etc.
- Drivers identified as “At-Risk” should be warned of their status and repercussions of another violation/accident. It is also best practice to conduct a ride-along with these individuals to observe and coach them on driving improvements.
- Some organizations prohibit hiring a new driver that is already in the “At-Risk” category, as one more incident will make them unacceptable.
- Organizations should be more concerned about a recent frequency of violations, signaling a recent trend of unfavorable driving behavior.
- States often assign different points to similar violations so best practice is to use a minor/major violation weighting system, like described above, instead of a state point system.
- Legal counsel should review your MVR policy before implementing it.