

Title:	Vehicle Safety	
Purpose:	To provide a remedy for drivers required to operate motor vehicles they deem unsafe.	
Issued by:	Industrial Safety and Workers' Compensation	Date: February 15, 2005
References:	CS Circulars 775 (6-18-71) and 884 (4-4-73)	

I. POLICY

Drivers shall not be required to operate motor vehicles they deem unsafe.

II. RESPONSIBILITIES

Any driver determining that the vehicle assigned is unsafe to operate shall report the unsafe condition(s) to his or her immediate supervisor. The supervisor shall take action to remedy the unsafe condition(s).

III. PROCEDURES

In the event a dispute arises as to whether the vehicle is in fact unsafe, the employee or his or her representative and the respective City department or agency head shall submit the dispute to a mutually agreed upon third party qualified to evaluate the safety of the vehicle.

The agencies or individuals that shall be considered to act as the third party are listed below in the order of preference:

- A qualified technician from the maintenance shop responsible to maintain the motor vehicle.
- A qualified technician from another City maintenance shop that maintains similar equipment.
- A safety specialist from the Industrial Safety Branch, Department of Human Resources.
- A qualified representative of the Division of Highway Safety, State Department of Transportation.
- A qualified representative of the Hawaii Occupational Safety and Health Division (HIOSH), State Department of Labor and Industrial Relations.

If the third party decides that the vehicle is unsafe, the employee shall not be required to operate the vehicle and the unsafe condition will be corrected before being put back into service. If the third party decides that the vehicle is safe to operate, the employee may be required to operate the vehicle.

The decision of the third party shall be final and binding upon the parties.