



RiskWise



A Guide to Controlling Risk

Drivers' License Checks

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Drivers' License Checks

[OAR 125-155-0300](#) requires agencies to make sure all drivers are eligible who drive for official state business. All drivers must meet authorized driver qualifications as well as verify the driver's license is acceptable. Agencies can do this by checking the driving records of employees, agents, volunteers, and students.

These checks can happen:

- Before hiring someone,
- During an employee's tenure at work,
- Quarterly, yearly or on a set schedule,
- When investigating a vehicle crash or incident.



Agencies may ask applicants or employees to submit copies of their driving records by securing these records from [Oregon's Department of Motor Vehicles](#) (DMV) or the appropriate state for their license of record.

*Note: Some departments might not share these records with employers.

Oregon's DMV offers ways for state agencies to obtain Oregon driving records. As a government entity, state agencies may access these records online, through fax, or by mail, though they [must pay](#) for these services. Check [DMV's Records page](#) for more details.

Risks to Agencies

- Unmitigated auto liability exposures.
- Unmitigated auto or other property costs.
- Unmitigated exposure to motor vehicle accident workers' compensation costs.

Agency Options and Risks for Authorizing Drivers

While OAR 125-155-0300 requires agencies to verify driver qualifications, it also allows some flexibility in how they do this. This includes:

"Verifying drivers' qualifications at any reasonable schedule or time and by any reasonable means, including direct DMV checks, review of records supplied by the driver, or accepting drivers' signed statements."

As agencies decide the method(s) of verification to adopt into their policies, procedures and processes it is important to understand the risk with each verification option. The [DAS Risk Management Vehicle Use and Access Toolkit](#) is a resource guide that can help assist with this.

High Risk Do Nothing/No Driver Verification	Not checking a driver's qualifications puts an agency at risk of liability for failing to perform its requirement to verify driver qualifications reasonably.
Medium Risk Accept Driver Signed Statement or Acknowledgement	Using a signed statement without verifying a driver's record can let drivers falsely claim their driving status. This should only be used in special situations where no other methods are possible.
Medium Risk Accept and Review Records Supplied by the Driver	Accepting records from the driver can give detailed information about their status, but there's still a chance those records could be false. For drivers from other states, this might be the best option available.
Low Risk Obtain Driver Records Directly from Oregon DMV (and other applicable jurisdictions)	This approach takes more time and costs more, but it gives agencies the most accurate information for checking driver qualifications. Agency policies and bargaining agreements must align with this option so as not to create other potential risks.

Recommended Best Practices

If an agency is creating a new requirement for driver's license checks, it should:

- Notify labor relations and Human Resources.
- Inform employees about the changes and when they will start.
- Give employees time to make their driving record compliant.
- Determine how to keep documents related to record checks meeting [state record retention schedules](#), recruitment processes and personnel records management ([Workday](#)).

Agencies should decide what a satisfactory driving record looks like. DAS Risk Management suggests the following for an unacceptable driving record:

- A major traffic offense in the last 24 months. Examples would be drunk driving, reckless driving, or fleeing police, etc.
- Any felony revocation of driving privileges or license suspension in the last 24 months.
- More than three moving traffic violations in the last year.
- A careless driving conviction, major traffic infraction in the last year, or a Class A moving traffic infraction in the last 12 months..

Agencies should also establish when a driver's status may need to be reevaluated, and this should be included in agency policy.

- Consider checking driving records regularly or getting drivers to [sign agreements](#) acknowledging their status and awareness of driver requirements, agency policies and state rules.
- Detail other times when a driver reevaluation may occur. This includes driver license restriction or driving related issues discovered. This may also include when a vehicle crash occurs.
- If driving restrictions or problems come up, or if a crash occurs, both the employee and employer should know the next steps to take.

To check driving records online through DMV, agencies can create a [DMV2U account](#). For less frequent requests, agencies can use the Request for Information [form](#) to get records by mail.



Utilizing the Vehicle Use and Access Toolkit

Agencies can find useful tools in the [DAS Risk Management Vehicle Use and Access Toolkit](#) to create or review their driving policies and procedures. These tools aid agencies in setting standards for authorizing drivers or verifying their driving status.

Vehicle Use and Access Toolkit (VUAT) 1 - Authorizing Drivers - Provides agency's with processes and guides for determining when a driver is authorized or not, and what steps to take in both scenarios.

VUAT 2 - Adverse Drivers - Includes documents and guidance for when drivers have an adverse status.

VUAT 5 - Exceptions - These tools help when an agency is needing to request a rule variance.

VUAT 6 - Policy - This template provides a framework for agencies to refine or develop a driver policy.

DAS RISK MANAGEMENT
www.oregon.gov/das/Risk/Pages/index.aspx

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*We commit to be KNOWLEDGEABLE, RESPECTFUL AND
RESPONSIVE in business and interactions.*

Additional Resources, Links and Information

DAS Risk Management - [Vehicle Use/Access Toolkit Index](#)

- VUAT - 7A [State driver/vehicle use and access FAQs](#)
- [Portal for Risk Management Requests](#)

Oregon DMV - [Records-Related FAQs](#)

- ORS 802.175-802.191 and OAR 735-010-0200 through 0230
[General Records and Privacy Information](#)

[\[https://www.oregon.gov/das/Risk/Pages/PubsToolsRes.aspx\]](https://www.oregon.gov/das/Risk/Pages/PubsToolsRes.aspx)