

## **SambaSafety Continuous MVR Monitoring Program**

### **Frequently Asked Questions**

*Updated February 2022*

The below is provided to assist your district in accessing this Pool Member benefit, and to set forth general background on related legal issues. The information below is provided as a general member service and may not be substituted for the opinion of your district's legal counsel or human resource professionals.

#### **Q: If my district wants to participate in SambaSafety's MVR continuous monitoring program, is there anything we need to have in place or understand to participate?**

A: Motor vehicle records (MVRs) are considered consumer reports. Therefore, every employer using MVRs for employment purposes as a "permissible use" must comply with the requirements of the Fair Credit Reporting Act (FCRA), the Driver's Privacy Protection Act (DPPA) and Colorado laws (C.R.S. §§ 24-72-204 and 42-1-206).

If your district wants to use SambaSafety's MVR continuous monitoring program, your district must be able to certify its compliance with these laws to SambaSafety for its service agreement (in a click-through) upon setting up your account. *If you would like to review the service agreement before you set up an account (below), please contact [info@csdpool.org](mailto:info@csdpool.org)*

The threshold issue on compliance with these laws is: did job applicants or employees provide written consent to the employer to pull for pulling their MVRs? If your district has used an applicant's or employee's MVR for possible employment purposes, your district has already had to seek and retain a signed written consent form. Further, before taking adverse action against an applicant or employee based on the MVR, your district must provide a copy of the MVR to the applicant/employee and a copy of "[A Summary of Your Rights Under the Fair Credit Reporting Act.](#)" Upon or after taking adverse action, your district must provide notice to the applicant/ employee, including (but not limited to) the contact information for the reporting company and the methods by which the applicant/employee may dispute the accuracy of the report. The Federal Trade Commission has a helpful resource for employers on these obligations, titled "[Using Consumer Reports: What Employers Need to Know.](#)"

Further, if your district is considering taking adverse action, it should consider whether to request an MVR from the Colorado Department of Revenue, Form DR 2489, "[Driver Record Requestor Release and Affidavit of Intended Use.](#)"

Please note that, if your district chooses to access employee MVRs through SambaSafety, the employees for whom MVRs are pulled are those which you report to the Pool for renewal. If there are any mid-period changes in drivers, your district will need written consent for new employees for its records and to add new employees or remove old employees from the list of drivers which your district reports to the Pool. Please see the FAQ below on how to add or delete drivers from your list reported to the Pool.

Finally, even if your district has employee written consent to pull MVRs, your district's form may not be broad enough to provide adequate disclosure to employees for SambaSafety's MVR continuous monitoring program. If you are not certain, consult with your district's legal counsel or human resource professionals. *If you would like a template for a broad form for an applicant/employee's written consent, [click here.](#)*

**Q: What if I do not have employee permissions on file to view employee MVRs?**

A: Since we cannot assign you to view only certain drivers' MVRs, you will be unable to participate in the program if you do not have permission from all program participants.

For use at your district, a broad form template for an applicant/employee's written consent is available by [clicking here](#).

**Q: How does a district participate in SambaSafety's MVR continuous monitoring program?**

A: An email to activate your SambaSafety Qorta portal was sent to eligible district Property and Liability contacts, Workers' Compensation contacts, and the districts' brokers. **The activation email is only good for seven days** and is being sent via **@id.sambasafety.com**. Please note that your username is your email address and you will be required to set a unique password.

**Q: My email and activation token expired. How can I request a new one?**

If your email has expired, you can request a new activation token by contacting [info@csdpool.org](mailto:info@csdpool.org)

**Q: What is the cost to the District to participate in this service?**

A: The CSD Pool has paid for the baseline MVRs and the monthly monitoring fees. The only cost to the district is when a new MVR is generated. New MVRs are generated when a driver is added, when new MVRs are requested on existing drivers and when there is a change in the MVR status such as a violation, suspended, or expired license. The cost of a new Colorado MVR is \$2.20. In Colorado, the charge for the MVR is the same for drivers with regular licenses as well as those with CDL licenses. Charges for MVRs in other states may be different.

**Q: When will I see an invoice?**

A: Invoices come directly to the CSD Pool, and we pay for them initially. The CSD Pool will only invoice the member for costs incurred through SambaSafety if \$100 or more in charges has accumulated during the billing cycle, which is from July through June of the following year. Most districts will not see a charge. Invoices are issued in July.

**Q: How does a district opt out of participating in the SambaSafety continuous MVR monitoring program?**

A: You simply do not activate your account.

**Q: Is there a penalty for not participating in the MVR monitoring program?**

A: Any member who elects not to participate in SambaSafety, or who does not keep their driver list current, will receive a surcharge against their Automobile Liability and Automobile Physical Damage rates applicable to the district owned autos scheduled.

**Q: Is there a deadline to choose to participate in this SambaSafety continuous MVR monitoring program?**

A: No, you can choose to participate at any time. Please contact [info@csdpool.org](mailto:info@csdpool.org) to get set up.

**Q: How far back will the MVR report violations?**

A: Colorado MVRs will report violations back seven years. Other states are different.

**Q: If an employee receives a violation, is an MVR automatically ordered?**

A: Yes

**Q: Can I get notifications for MVRs that are ordered?**

A: Yes!

1. From home screen
2. Select your email address in the upper right hand corner
3. Select User Preference from the drop down menu
4. Select daily notifications

**Q: Can one-time pre-employment MVRs be run?**

A: Yes. You can run a one-time MVR for pre-employment purposes. If you hire that person, you would simply turn on continuous monitoring.

**Q: Do we report new drivers to CSD Pool?**

A: If you are participating in the SambaSafety continuous MVR program, you will simply keep your SambaSafety Qorta portal current by removing drivers that are no longer employed and adding new drivers. If you are not participating in the SambaSafety program, you will email driver changes to [pc@csdpool.org](mailto:pc@csdpool.org) as they occur.

**Q: One of my driver's has a red box and/or a poor score. Why is this and does it penalize me?**

A: A driver with a red box or a poor score may indicate a reckless driving conviction, DUI conviction, or more times than not, an expired license. Currently, these scores do not penalize the district. However, we ask that districts manage their own drivers according to the district's fleet safety program which should include the minimum standards an employee must meet to be an authorized driver for district business, whether driving a district owned or personal vehicle.

**Q: Does a new MVR need to be ordered by the member in order to update an expired license?**

A: Yes. In the case of an expired license, the State of Colorado does not automatically notify Samba of the renewal, only the expiration.

**Q: How do I add or delete a driver?**

A: Once you access your SambaSafety Qorta portal, following the instructions below. Full instructions for Qorta are available by [clicking here](#).

To delete a driver:

- Go to “People Page”
- In the upper right-hand corner, search for the driver
- Click on the driver
- Turn off Monitoring
- Click on the first Pencil icon to edit the driver status
- In the status box, change active to archive
- Click on “Save Person”

To add a driver:

- Go to “People” Page 4 of 5
- In the upper right-hand corner click on the Add New button and select New Person
- Complete required information as it appears on the license
  - First Name, Middle Name, Last Name and Suffix
  - Date of Birth
  - License State
  - License Number
- PA and AZ require that last four of the Social Security Number
- NJ requires the entire Social Security Number

**Q: Is MVR monitoring available in all states?**

A: No, we are not monitoring drivers in California due to the state’s requirements. We encourage district drivers to obtain a Colorado license as soon as possible. If this is an issue for your district, please reach out to [info@csdpool.org](mailto:info@csdpool.org). Monitoring Pennsylvania drivers may not be immediately available as it required special paperwork to be submitted to the state.

**Q: Is the Pool charging or excluding drivers based on their MVR status?**

A: Not at this time. The CSD Pool does not exclude drivers and at this time we are not charging for drivers with poor MVR status. We will encourage districts with poor drivers to implement driver training for those poor drivers to improve their overall MVR status. In SambaSafety’s Qorta portal, you have the ability to add credits for training which will reduce the overall score. We ask that districts manage their own drivers according to the district’s fleet safety program.

**Q: Is there a limit to the number of district employees who can have access to the SambaSafety portal?**

A: No, we automatically provided eligible Property and Liability contacts, Workers' Compensation contacts, and brokers access to SambaSafety's Qorta portal. District employees have manager's rights and can view all information in the portal. Brokers were given limited access. If you have others in your district that need access, or you wish to remove access, please email [info@csdpool.org](mailto:info@csdpool.org)

**Q: Will the MVR report medical card information?**

A: In Colorado, yes. Other states may be different. We encourage those drives with licenses issued in other states to obtain a Colorado license.

**Q: We use a consultant to manage our CDL drivers. Will this program replace those services?**

A: No, this is only an MVR monitoring program. CDL drivers have other requirements that are beyond the scope of MVRs.

**Q: Is SambaSafety's point system the same as Colorado's MVR point system?**

A: No. SambaSafety has developed its own point system based on the number and types of violations. The criteria for SambaSafety's point system is posted on our website. SambaSafety has developed three categories for drivers: Red—drivers with 15 points and above; Yellow—drivers with one to 14 points; and Green—drivers with no violations.

**Q: Are there any other trainings or resources available?**

A: SambaSafety holds a weekly [Driver Record Monitoring Training](#) every Thursday at 10:30 MT.

You can also sign up for a [live training or pre-recorded training session](#).

For more resources, review our [recent article](#) or visit our website at [csdpool.org/safety/mvr](https://csdpool.org/safety/mvr)