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Purpose

The purpose of this policy is to set forth the requirements applicable to all drivers of Clark University owned, leased, or rented vehicles or of personal vehicles while on University business.

The intent of this policy is to ensure the safety of drivers, passengers, and the public as well as minimize losses, damages, and claims against the University.

Driving a Clark University owned, leased, or rented vehicle is a privilege and the University reserves the right to deny or revoke the driving privileges of any driver in the event that the driver does not meet the requirements of this policy.

Definitions

For the purposes of this policy, a University (or Clark) vehicle is defined as a motor vehicle that is owned, leased, or rented by the University. This includes vehicles that are rented by employees while conducting University-related business.

Scope

This policy applies to all University faculty, staff and students to whom the University grants the privilege of operating a University vehicle. Those granted permission by a sponsoring department to operate a golf cart and/ or low speed vehicle (collectively referred to as “carts”) must also abide by a separate [Golf/ Utility Cart Policy](#).

Driver Eligibility

Drivers must be at least eighteen (18) years of age, have at least one year of driving experience, and possess a valid US driver’s license or an International Driving Permit (IDP) and have an acceptable driver’s record as described below.

Drivers are required to report any change in license status (e.g., convictions, license suspended or revoked) to their supervisor immediately.

Van Policy

The University prohibits Clark faculty, staff, or students from driving 15 passenger vans on Clark-related business. 12 passenger vans are permitted subject to additional certification requirements listed below. Departments or groups needing transportation for large groups (7 or more) are encouraged to contract with a Clark-approved transportation company that will provide trained, insured drivers.

Authorization Procedures

To start the authorization process, faculty, staff and student must complete an [Authorization to Obtain a Motor Vehicle Record](#) online. A review of the driver’s records will be conducted through the Department of Motor Vehicles covering the most recent 3---year period. Approval/denial will be communicated, by email, to the sponsoring department and applicant. Reauthorization for students is required at the beginning of each academic year.

The University reserves the right to deny, suspend or revoke privileges to drive a University vehicle, based on the initial or subsequent review of the motor vehicle record for any faculty, staff or student requesting driving privileges, per the eligibility criteria below.

Driving privileges will be denied or revoked if convictions for any of the following violations appear in the applicant’s Motor Vehicle Record (MVR) within the past three (3) years from the date of the first violation:

1. Two or more speeding violations
2. Three or more non-speeding moving violations
3. License revocation or suspension
4. Leaving the scene of an accident

In addition, the driver must have no convictions within the past 10 years for:

1. Reckless driving/driving to endanger
2. Driving with suspended license
3. Hit and run
4. Fleeing from a police officer
5. DUI, DWI, or drug violation

Anyone with two or more at-fault accidents or moving violations, in any combination, within the last 12 months, may result in the denial or revoking of driving privileges.

Driver Safety Training

Employees who operate a vehicle as a requirement of their job or are who assigned a University vehicle, must successfully complete the online Driver Safety Training course offered by the University’s Insurance Carrier, United Educators, every 2 years, and following any at-fault accident.

Additionally, any students who apply to become an authorized driver must successfully complete the training as part of their annual authorization process.

Drivers who wish to be certified to drive a 12-passenger van must also undergo road training and testing. Please contact the Business Manager to arrange van certification testing.

Revoking Driving Privileges

Authorized drivers may have their driving privileges revoked at any time for the following reasons:

- Failure to maintain the University’s MVR Standard.
- Failure to follow the vehicle use requirements outlined in this policy.
- Operating a University vehicle outside the scope of the Clark-related activity.
- Operating a vehicle in a reckless or unsafe manner.

Upon notification of breach of this policy or MVR standard, the University will provide written notification to driver, driver’s supervisor and Human Resources (for employees) or Dean of Students (for students) of revoked

driving privileges. In cases of exigent circumstances, verbal notifications of revoked driving privileges are permitted, then followed in writing.

Employees Required to Drive

Employees who are required to operate a University vehicle as part of their essential job functions are subject to the same eligibility requirements as outlined in this policy. Prospective employees, whose position requires a valid driver's license as an essential function of the job, may be offered a position, contingent upon passing MVR standards.

Passengers

All passengers must be participating in a University business or sponsored activity or event at the time they are traveling in a University vehicle. Passengers should be limited to employees and students, unless approved by the sponsoring Department

All occupants of the vehicle are not permitted to smoke and must wear seat belts whenever seatbelts are available in accordance with applicable laws. It is the driver's responsibility to make sure that all passengers wear their seat belts.

Vehicle Use Requirements

Drivers must comply with the following when using University vehicles:

- Operate vehicles in accordance with applicable local, state and federal laws and University's regulations, at all times.
- Report any vehicle accident to Department Supervisor and Business Services immediately. Failure to report may result in the loss of driving privileges.
- Comply with applicable seat belt laws for driver and passengers.
- Smoking by drivers and passengers is prohibited in all Clark vehicles.
- Drivers are not allowed to use handheld electronic devices (cell phones/texting) while driving.
- Drivers assume the responsibility for payment of all driver related traffic violations and citations received.
- Agree that any unauthorized use of Clark vehicles for non-University related purposes would result in revocation of driving privileges.
- Drivers are not to exceed maximum capacity seating in the vehicles used for transport.

Fleet Vehicle Use:

In addition to the vehicle uses outlined above, the following is expected when using University owned/leased vehicles:

- Routine vehicle maintenance and inspections will be completed or arranged by Department that owns or leases the vehicle.
- Vehicle registration and insurance will be maintained by the Business Manager.
- At the end of vehicle use, vehicle should be cleared of any trash or debris.
- Vehicle warm-up-time is to be limited to 10 minutes.

Rental Vehicles

The University's insurance provides for both liability and physical damage for employees and students who rent vehicles while on authorized University business. The coverage extends for car rentals in the U.S., Canada, Puerto Rico and U.S. territories therefore, please waive the rental agency's insurance coverage. Please note, however, if renting a vehicle from Clark's preferred vendor, Enterprise, the cost of insurance is included in the low price so the insurance coverage should not be waived.

Personal Vehicle Use

- a. Individuals who drive his or her personal vehicle on University business or to/from a University activity is responsible for his or her own safety as well as the safety of any passengers. The University bears no responsibility for the operation or operating condition of personal vehicles and expects drivers of personal vehicles to comply with applicable local, state and federal laws as well as the conditions of this policy.
- b. The owner of the vehicle must carry at least the minimum automobile liability limits required by state law. The owner's automobile liability coverage shall be the primary insurance coverage. The owner of the vehicle is responsible for any applicable deductible (e.g., liability or collision coverage) and is responsible for any increased personal automobile insurance premiums as a result of any accidents. There is no physical damage coverage through the University for personal vehicles. The University reimburses the use of a personal vehicle for official University business at the standard mileage rate published annually by the University. The rate is intended to cover all costs associated with owning a vehicle, including physical damage insurance.
- c. Claims arising from use of a personal vehicle are to be reported to the owner's insurance agent. In the event of a serious or potentially serious claim, the Business Manager should also be notified.

Driving Outside of the United States

Clark University students are prohibited from driving while they are abroad as part of a Clark-related program. Employees are discouraged from driving. Every effort should be explored to utilize alternate transportation, such as, but not limited to, public transit and car hires.

If an employee chooses to rent a vehicle while abroad on Clark business, the employee must secure both liability and physical damage coverage with the rental agency. If any rental vehicle will be in your custody for a continuous period of time (in excess of 30 days), please notify the Business Manager. The employee must also follow the University's Driver Policy as outlined in this document.

Accident Procedures

In the event of an accident the following procedures must be followed:

- Obtain any medical attention that is necessary. Any accident that involves personal injury or property damage in excess of \$1000 must be reported to the police. In the event that it is not possible to determine the cost of damages, please report the accident to the police.
- Exchange information with the other operator involved (if applicable), minimally obtaining Driver's License and registration information, insurance company information and contact numbers. Also, obtain the names, addresses, and telephone numbers of all witnesses.

- Don't admit fault or liability for the accident.
- Complete an Accident Report Form located in all University owned vehicle glove boxes or available at University Police. The form can also be [found online](#).
- Notify the driver's supervisor and Clark's Business Manager (x7769) of the accident as soon as possible. If the accident occurs on campus, contact University Police (x7575)
- The University's insurance company may contact you to obtain accident information, please respond as promptly as possible. Failure to cooperate with an insurance company inquiry may result in the loss of driving privileges.

Information and records regarding accidents will be maintained by the Business Manager.

Other considerations when involved in a vehicle accident:

- Be courteous
- Don't discuss any conditions or defects of the automobile
- Don't express any opinion or make any statement to anyone about the accident except to law officers and University representatives
- Don't discuss the accident with anyone over the phone or in person unless they represent the University.

Post-Accident Review

Vehicle accidents may undergo a post-accident review to determine the cause and preventability of an accident. Reviews could consist of representatives from the Safety Committee, University Police, and the vehicle operators department or Student Affairs (in the case of an accident involving a student. Once a determination as to cause and preventability is established, findings and recommendation will be forwarded to Human Resources & the vehicle operators' Supervisor (for employees) or Student Affairs (for students) for any corrective action (e.g. temporary or permanent denial of University driving privileges, required attendance at additional training program, etc).

Departmental Responsibilities

Department is defined as the department/organizational unit that either owns or leases a vehicle.

- The Department is responsible for providing a safe and secure area for vehicle storage when the vehicle is not in use.
- The Department is responsible for regular maintenance and repairs and for keeping the vehicle in safe operating condition.
- Departments may develop additional policies regarding use of vehicles, not in conflict with this policy.
- Supervisors shall ensure that every employee or student within their department who is authorized to operate a Clark vehicle is appropriately advised of all the requirements of this Policy and the related safety procedures.