

COLGATE UNIVERSITY

Driver Safety and Motor Vehicle Use Policy

Purpose

This policy provides employee and student requirements for operation of Colgate University owned, leased, or rented motor vehicles, and certain requirements for use of personal vehicles on Colgate University business. The policy is designed to optimize the motor vehicle related safety of Colgate University drivers, passengers, and pedestrians. The policy includes requirements related to the authorization, training, safe driving, and accident reporting of employees and students who drive university vehicles.

Definitions

Employee: A staff or faculty member that works full-time or part-time, on record with the Human Resources Department.

Motor Vehicle: A motorized device designed, developed, and properly registered for public road transportation and owned, leased, or rented by the university. The term “Motor Vehicle” does not include non-registered vehicles which are not intended for public road transportation (such as golf carts, lawnmowers, and industrial lift equipment).

Student: A person on record at the Registrar’s Office as currently enrolled either part-time or full-time at the university.

Responsibilities for Departments with Motor Vehicles and/or Drivers

University departments are responsible for ensuring their department-related Motor Vehicle use is in compliance with this policy. Departmental compliance with this policy includes the following:

- **Driver Authorization:** Department-related Motor Vehicle use will only be permitted for employees and students that have successfully completed the driver authorization process.
- **Vehicle Maintenance:** All university owned Motor Vehicles will be serviced by the Facilities Department in accordance with the manufacturer’s recommended maintenance schedule or otherwise in accordance with prudent practice. All maintenance, repairs, and New York State Department of Motor Vehicle (DMV) inspections performed on university vehicles will be documented and retained for the life of the vehicle.
- **Pre-Operating Visual Inspection:** Prior to use, drivers should conduct a brief visual inspection of the vehicle to ascertain the presence of any readily apparent conditions that might affect the vehicle’s operational safety. In the event that any such conditions are observed, the driver should not use the vehicle, and should contact Facilities staff for guidance.

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Driver Authorization Requirements and Procedures

All drivers must be authorized by the university prior to operating a Motor Vehicle. The Human Resources Department is responsible for pre-hire employee Motor Vehicle use authorization and Environmental Health and Safety (EHS) is responsible for all other employee Motor Vehicle use authorizations. Students must first obtain the support of a sponsoring department before requesting a university van driver's license and Motor Vehicle use authorization from the Department of Campus Safety.

Requirements:

- Employees / students must be at least eighteen (18) years old
- Note: For the purposes of Motor Vehicle use authorization, a person who is both an employee and a student will be treated as a student until graduation (unless the person is employed on a full-time basis, in which case the person will be treated as an employee).
- Employees / students must be actively licensed to drive in any of the United States (including U.S. territories and the District of Columbia), and such license must have been valid for a minimum of one (1) year.
- Students are required to complete the mandatory online Defensive Driver Training course and attend a subsequent vehicle road test offered by the Department of Campus Safety.
- Third parties (i.e., non-employees and non-students) are not permitted to operate Motor Vehicles without (1) formal registration as a Colgate Volunteer via the Human Resources Department and (2) completing the Colgate University Driver Authorization process via EHS. The provisions of this policy applicable to employees / students will thereafter govern their use of Motor Vehicles.

Procedures:

Employees: Employees must complete the Colgate University Driver Authorization Request Form. Employees can obtain a Colgate University Driver Authorization Request Form at www.colgate.edu/EHS. The form requires the written approval of the supervisor of the employee's sponsoring department or their authorized designee. Once the employee has completed the Colgate University Driver Authorization Request Form, the employee should submit this document to EHS. Upon submission of the Colgate University Driver Authorization Request Form to EHS, a copy of the employee's motor vehicle report (MVR) will be obtained from the employee's state department of motor vehicles. If the Motor Vehicle Check Criteria and other requirements of this policy are met, EHS will notify the driver of their authorization. Once authorized, the employee will be added to the continuous monitoring system, which automatically reports any new violations, invalid licenses, and approaching license or DOT medical certification expiration dates. Anyone that is not required to drive as a condition of their employment can opt out of continuous monitoring at any time, with the understanding that opting out will immediately revoke authorization to operate a university owned, leased, or rented motor vehicle.

Students: Once a student obtains authorization from their sponsoring department in writing via the Colgate University Driver Authorization Request Form, the student must complete the following requirements:

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1. Submit a Colgate University Driver Authorization Form and photocopy of a valid 'Gate Card and driver's license to the Department of Campus Safety. Students can obtain a Colgate University Driver Authorization Request Form at www.colgate.edu/campussafety. Upon submission of these documents to the Department of Campus Safety, a copy of the student's MVR will be obtained from the student's state department of motor vehicles.
2. Successfully complete the online Colgate University driver safety training courses at www.colgate.edu/campussafety.
3. Successfully complete the vehicle road test administered by the Department of Campus Safety.

After completion of these requirements, the Department of Campus Safety will issue a student Motor Vehicle license valid for one year. Student Motor Vehicle authorization renewal is required every year and consists of repeating steps one (1) and two (2) of the student Motor Vehicle use authorization process detailed above. Students can opt out of continuous monitoring at any time, with the understanding that opting out will immediately revoke authorization to operate a university owned, leased, or rented motor vehicle.

If an employee's / student's state does not allow the university to obtain a MVR on their behalf, the employee / student is responsible for obtaining a MVR and providing it to the university before the employee / student will be authorized to drive a Motor Vehicle.

Drivers who have been actively licensed outside the United States for more than one (1) year may:

- Make a good faith effort to submit a MVR or equivalent document from the licensing country's authorizing body for university review or attest to meeting the check criteria outlined below if an MVR cannot be obtained. Attestation form is available upon request to Campus Safety.
- Apply for authorization 6 months after obtaining a United States driver's license.

Motor Vehicle Check Criteria:

To be authorized, drivers shall not have exceeded two (2) "at-fault" accidents or violations within the last eighteen (18) months, had any violation in the past thirty-six (36) months for driving while intoxicated, driving while ability impaired by alcohol and/or drug, or reckless driving, had a non-administrative license suspension or revocation in the past thirty-six (36) months, or have violated this policy more than once in the past twelve (12) months. "At fault" accidents are those resulting in bodily injury, or property damage of more than \$1,000, where the individual seeking authorization was more than 50 percent at fault.

For the safety of university community members, authorized drivers must immediately report to EHS (or, if the authorized driver is an EHS employee, to the Vice President of Finance and Administration) any change in driving status that places the driver outside of the requirements of this Motor Vehicle use policy, including, but not limited to, accidents, violations, or surrender, suspension, or revocation of their driver's license. Failure to report such incidents subjects the driver to disciplinary action, as well as permanent revocation of driver authorization.

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Commercial Driver's License Requirement:

In addition to the requirements of this Motor Vehicle use policy, drivers must hold an active New York Commercial Driver's License to operate the following:

- A Motor Vehicle designed to transport sixteen (16) or more passengers (Note: Also requires a valid medical examiner's certificate and passenger endorsement)
- A single Motor Vehicle with a gross weight rating (GVWR) in excess of 26,000 pounds
- A trailer with a GVWR in excess of 10,000 pounds if the gross combination weight is in excess of 26,000 pounds
- Any vehicle that requires hazardous materials placards

Drivers operating university vehicles that meet any of these criteria are required to contact the Facilities Work Control Manager for additional commercial driver's safety information and licensure procedures.

Federal and State Motor Carrier Safety Regulations

In addition to the requirements of this policy, drivers must comply with the federal and state Motor Carrier safety regulations when operating the following:

- A Motor Vehicle with a GVWR or gross combination weight rating, or gross vehicle weight or gross combination weight in excess of 10,000 pounds
- A vehicle designed or used to transport more than 8 passengers (including the driver) for compensation
- A vehicle designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation
- Any vehicle that requires hazardous materials placards

Drivers operating university vehicles that meet any of these criteria are required to contact Environmental Health and Safety for additional federal and state Motor Carrier safety information and licensure procedures.

University Discretion

Notwithstanding the above criteria, the university reserves the right to revoke or deny (temporarily or permanently) authorization to any driver, at any time and in its sole discretion. An individual who does not meet the minimum criteria listed above may, with the support of his or her home department, request an exception from the policy by submitting a memorandum outlining the reason for the desired exception to EHS. EHS in consultation with Human Resources and the sponsoring department's Vice President will review the request and determine whether the request will be granted. Restrictions or specific conditions may be placed on the individual's driving privileges.

Driver and Passenger Regulations and Safety Guidelines

All drivers of Motor Vehicles must abide by the following regulations and guidelines, and are responsible for the compliance of any and all passengers with such regulations and guidelines:

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- Drivers must operate Motor Vehicles in accordance with the manufacturer's user manual, all applicable federal, state, and local laws, and university policies.
- Drivers must have in their possession their valid driver's license from any of the United States or District of Columbia while operating Motor Vehicles.
- Drivers must not allow unauthorized persons to operate Motor Vehicles.
- Drivers may only transport university employees, students, or other authorized individuals in Motor Vehicles.
- Drivers and all passengers must use seat belts at all times, regardless of whether the Motor Vehicle is being operated on or off campus. The number of passengers permitted in any Motor Vehicle may not exceed the number of seat belts. Passengers are not permitted to ride in the rear cargo areas of pickup trucks or sport utility vehicles.
- Smoking is prohibited in all Motor Vehicles.
- Cell phone use is prohibited while operating Motor Vehicles, unless a hands-free device is utilized, and then only to the extent permitted by applicable law. Drivers are not permitted to type or read text messages or emails while operating Motor Vehicles.
- Drinking and/or possession of alcohol, other intoxicating substances, or illegal drugs in Motor Vehicles; driving Motor Vehicles while under the influence of alcohol or illegal drugs; or driving Motor Vehicles in violation of professional guidance for users of prescription or over-the-counter drugs, is prohibited.
- Any Motor Vehicle which will be out of the immediate sight and/or control of the operator shall have the ignition keys removed and the engine shut down. The doors of unattended Motor Vehicles, if so equipped, should be locked.
- Fines, penalties, fees, and surcharges for traffic and parking violations are not considered reimbursable costs under this Motor Vehicle use policy or the university's Travel Policy. All traffic and parking violations are the sole responsibility of the driver.
- Motor Vehicles should not be driven more than three hundred (300) miles one-way from the university's main campus whenever practicable. For trips that exceed this distance, a rental vehicle or charter service is recommended.
- The university recommends at least two (2) authorized drivers for trips greater than two hundred (200) miles in a twenty-four (24) hour period. No driver should drive more than eight (8) hours during any twenty-four (24) hour period if reasonably possible. Except for employees in the Department of Campus Safety and Department of Facilities, driving between 11:00 PM and 5:00 AM should be avoided if reasonably possible.

Personal Use of Motor Vehicles

- Use of a Motor Vehicle is restricted to authorized university related activities. Personal use of Motor Vehicles is not permitted under any circumstances.
- Any damages and/or liabilities arising out of the personal use, or other use in violation of this Motor Vehicle use policy, of a Motor Vehicle are the sole responsibility of the driver. The driver's personal automobile insurance is expected to respond in the event of an accident or any other event arising out of such use.

Use of Rented Motor Vehicles

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In addition to the university's Travel Policy, which governs the use of rented Motor Vehicles, drivers of rented Motor Vehicles, must abide by the regulations and guidelines of this Motor Vehicle use policy. Such drivers must complete the university driver authorization process before renting Motor Vehicles to conduct university business. Rental of fifteen (15) passenger vans is prohibited absent written authorization obtained from both the Department of Environmental Health and Safety and the Risk Management Office.

Use of Personally Owned Motor Vehicles

Employees and students are solely responsible for determining whether they will travel in vehicles personally owned by themselves or others on university business. Colgate University does not evaluate, inspect or maintain such vehicles and, accordingly, makes no representations or recommendations with respect to, and assumes no responsibility for determining or ensuring, the suitability or safety of any such vehicle. Persons traveling in such vehicles on university business do so entirely at their own risk, and the university will not be liable for personal injury or property damage resulting from such use.

Additional requirements for employees and students, respectively, using personal motor vehicles on university business are as follows:

- Mileage reimbursement for use by an employee of a personal motor vehicle to conduct university business is outlined in the university's Travel Policy. This reimbursement is intended to cover the costs to operate the vehicle, including maintenance and insurance costs. Therefore, the vehicle owner's insurance policy will always provide the primary liability coverage. Furthermore, the university will not provide reimbursement for the deductibles associated with the primary insurance in the event of an accident. Property and collision damage is the sole responsibility of the motor vehicle's owner. The university requires employees who use personal motor vehicles on university business to maintain (or cause to be maintained) automobile liability insurance. The university recommends limits of at least \$100,000 for bodily injury for each person and \$300,000 for bodily injury for each occurrence.
- If a student uses a personal motor vehicle to conduct university business, the vehicle owner's insurance policy will always provide the primary liability coverage. Furthermore, the university will not provide reimbursement for the deductibles associated with the primary insurance in the event of an accident. Property and collision damage is the sole responsibility of the motor vehicle's owner. Students who use personal motor vehicles on university business are required to maintain (or cause to be maintained) automobile liability insurance. The university recommends limits of at least \$100,000 for bodily injury for each person and \$300,000 for bodily injury for each occurrence.

Accidents Involving Motor Vehicles

If an accident occurs with a Motor Vehicle, the following steps should be taken by the driver:

- If an accident occurs on-campus, do not leave the scene of the accident. Call the Department of Campus Safety at extension 315-228-7911.
- If an accident occurs off-campus, do not leave the scene of the accident. Call 911 or the local police department. You should request that a police report be completed to

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document the accident.

- Contact your supervisor immediately after calling 911 or the Department of Campus Safety.
- Avoid making statements regarding responsibility or fault.
- Provide the other party with the insurance information contained in the Motor Vehicle, as well as your name, address, and telephone number.
- As soon as practicable, notify the Colgate University Risk Manager at 315-228-7765.
- Accidents involving rented Motor Vehicles must also be reported to the rental agency.
- Accidents involving university-owned Motor Vehicles must also be reported to the Department of Facilities.
- In accordance with New York State (NYS) Vehicle and Traffic Law, any driver involved in an accident resulting in injuries and/or property damage in excess of \$1,000 is required to file a Report of Motor Vehicle Accident Form (MV-104) to the NYS Department of Motor Vehicles (DMV) within ten (10) days. The form is available at <http://www.dmv.ny.gov/forms/mv104.pdf>. A copy of this report should also be provided to the Colgate University Risk Manager.

Roadside Assistance

Roadside assistance for Motor Vehicles in the immediate campus area is available Monday through Friday between the hours of 7:00 a.m. to 4:30 p.m. by contacting the Department of Facilities at 315-228-7130. Roadside assistance for Motor Vehicles in the immediate campus area during all other times is obtained by contacting the Department of Campus Safety at 315-228-7333. Roadside assistance for Motor Vehicles outside the immediate campus area is provided 24/7 by AAA at (800) AAA-HELP or (800) 222-4357.

Policy Enforcement

Violation of this policy may result in revocation of driving privileges and/or other sanctions up to and including termination of employment for employees and suspension or expulsion for students.