

Roger Williams University Motor Vehicle Use Policy

1.0 Purpose

This Motor Vehicle Use Policy is intended to provide the requirements by which all Roger Williams University and Roger Williams University School of Law employees, students and other authorized individuals are permitted to operate University owned, leased and rented motor vehicles and personal vehicles during the conduct of University business.

2.0 Definitions

University – Roger Williams University and Roger Williams University School of Law.

Motor Vehicle – A motorized form of transportation designed, developed and properly registered for public road transportation and owned, leased or rented by the University. The term “Motor Vehicle” does not include personal vehicles or non-registered vehicles which are not intended for public road transportation, such as golf carts (which are governed by the Roger Williams University Golf Cart Policy). Use of a Motor Vehicle is restricted to University-related activities.

Personal Vehicle – A motorized form of transportation designed, developed and properly registered for public road transportation that is not owned, leased or rented by the University, but rather is owned or leased by a driver qualified under criteria established in this policy. The term “Personal Vehicle” does not include rented vehicles.

Control – An agent of the University responsible for the Motor Vehicle must be able to reach the Motor Vehicle and prevent unauthorized entry and use for them to be deemed in “control” of the Motor Vehicle.

Qualified University Driver - In order to be a Qualified University Driver, individuals must be approved prior to operating a Motor Vehicle utilizing the criteria outlined within this policy.

Department Head – A department head is an employee of the University holding the title of Vice President, Dean, Director or above.

Supervisor – A supervisor is an employee of the University holding the title of Associate Dean, Associate Director or above and who is authorized by the University and designated by a Department Head to permit Motor Vehicle use and/or use of Personal Vehicles for University Business by Qualified University Drivers.

Motor Vehicle Record (“MVR”) - A Motor Vehicle Record, or MVR, details an individual’s past driving history based on accidents and/or citations over a predetermined period.

Authorized Van Driver - In addition to being a Qualified University Driver, an Authorized Van Driver must be at least twenty-one (21) years old, have at least three (3) years of driving

experience and specifically be authorized to drive a 9-12 passenger van through the Department of Environmental Health & Safety. Prior to receiving authorization, each driver must undergo University-specified training and satisfactorily completed a van safety road test, as applicable.

University Business – Activities (including travel) engaged in on behalf of and at the request or authorized by the University, e.g., field trips, experiential learning activities, clubs/organization activities and athletic events.

3.0 Roles and Responsibilities

Motor Vehicle Use Administrator

The Director of Public Safety, or his/her designee, shall serve as the Motor Vehicle Use Administrator to oversee the implementation of the Motor Vehicle Use Policy.

Duties include:

- Ensuring that all applicable drivers are qualified under the Motor Vehicle Use Policy;
- Maintaining a current, approved listing of Qualified University Drivers;
- Maintaining necessary data on all Qualified University Drivers;
- Assisting the Department of Environmental Health & Safety with investigations of accidents involving Motor Vehicles;
- Implementing new policies related to motor vehicle use as established by the University; and
- In cooperation with the Department of Environmental Health & Safety, conducting driver safety training.

Supervisors

Supervisory responsibility is an important component in monitoring vehicle access by Qualified University Drivers. The Supervisor's role includes:

- Permitting only Qualified University Drivers to operate Motor Vehicles or, with respect to students, Personal Vehicles for University Business; and
- Reporting any known changes in Qualified University Driver status to the Motor Vehicle Use Administrator.

Qualified University Drivers

Qualified University Drivers must comply with the following requirements:

- Operate Motor Vehicles and, as it relates to students, Personal Vehicles for University Business only after first being authorized through the Motor Vehicle Use Administrator;
- Operate Motor Vehicles and Personal Vehicles for University Business according to the Motor Vehicle Use Policy;
- Immediately report Motor Vehicle defects and accidents to their Supervisor; and
- Immediately report changes in driving status to their Supervisor.

4.0 University Driver Qualification

It is a privilege, not a right, to be permitted to operate a Motor Vehicle or, with respect to students, a Personal Vehicle for University Business. Before being allowed to drive a Motor Vehicle or, with respect to students, a Personal Vehicle for University Business, individuals must first become a Qualified University Driver.

Supervisors must ensure that all subordinates with University Business driving responsibilities are qualified to drive in accordance with the Motor Vehicle Use Policy and that, as applicable, driving responsibilities are outlined in employee job descriptions. In order to be a Qualified University Driver, individuals must be approved by the Motor Vehicle Use Administrator utilizing the criteria outlined in this section.

4.1 Qualification Requirements - Qualified University Driver

To be authorized as a Qualified University Driver, individuals must meet the following criteria:

- Must be a University employee or student. Absent written permission from the Department of Environmental Health & Safety, third parties (i.e., non-employees, non-students and/or volunteers) are not permitted to operate Motor Vehicles or Personal Vehicles for University Business.
- Must be at least twenty (20) years of age and have possessed a driver's license issued by any of the United States or the District of Columbia for a minimum of three (3) years.
 - Students also must (1) be enrolled full-time¹, and (2) have attained sophomore status.²
 - Students who have driving responsibilities as part of employment with the University must comply with all student conditions of the Motor Vehicle Use Policy.
- Must complete the Roger Williams University Driver Authorization Form, which form requires the written approval of the head of the employee's/student's supervising department.
 - For employees: Once an employee obtains the approval of the Department Head, the employee should submit the Driver Authorization Form to the Department of Public Safety for further approval.
 - For students: Once the student obtains the approval of the Department Head, the student must complete the mandatory Defensive Driver Training online course before being considered for further approval. After completion of the course, the student must print the certificate of completion and attach it to the Driver Authorization Form; both documents then should be submitted to the Department of Public Safety for further approval. Students must obtain Department Head approval and submit the required documents to the Department of Public Safety at least two weeks before the expected need for driving authorization.

¹ A full-time student is defined as an undergraduate student taking twelve (12) or more credits per semester or a graduate student taking nine (9) or more credits per semester.

² A sophomore student is defined as an undergraduate student who has completed at least one (1) academic year at the University or another accredited college or university.

- Must meet MVR Review Criteria established for Qualified University Drivers as described further in this section.³
- Must participate in vehicle-specific training (e.g., vans, utility vehicles) as required by the Motor Vehicle Use Administrator.
- As it relates to students, must comply with insurance requirements before using Personal Vehicles for University Business as outlined further in this section.
- Must follow appropriate procedures when renting or leasing vehicles for University Business.⁴
- Must comply with all requirements set forth in the Motor Vehicle Use Policy.

Notwithstanding the above-listed criteria, the University reserves the right to grant or deny driving authorization to any driver.

4.2 Motor Vehicle Record Review and Frequency

An MVR details an individual's past driving history over a predetermined time period. Since driving eligibility is subject to change without University notice at any given time, it is critical that MVRs are reviewed on a predetermined basis. At a minimum, MVRs will be reviewed for each Qualified University Driver at the following intervals:

- **Upon hire or placement in a driving position:** Drivers may not, and should not be asked to, drive on University Business until their driving history has been investigated. For new hires with driving responsibilities, Human Resources will submit completed MVR forms to the Motor Vehicle Use Administrator for review.
- **After an accident occurs or a motorist observation report is received:** Obtaining an MVR following an accident or after a call-in report has been received assists in determining if there has been a recent change in driving history.
- **As part of a periodic review:** As part of an ongoing program to re-verify the qualifications of existing drivers, an MVR shall be obtained for all Qualified University Drivers on the following schedule and reviewed to determine if remedial training or other action is necessary, including removal or restriction of driving responsibilities:
 - Students – on an annual basis, provided that the students' supervising departments continue to authorize driving privileges.
 - Employees authorized to drive University commercial motor vehicles (including all Department of Public Safety shuttle drivers) – on an annual basis.
 - All other employees authorized to drive Motor Vehicles – on a biennial basis.

³ Each state charges a fee to obtain a MVR. Such fees will be charged to the department requesting the authorization. Thus, each department should be prudent in determining whether to seek authorization for its employees and students. Authorization should only be provided if there is an absolute need for the employee/student to drive a Motor Vehicle. If an employee's or student's licensing state does not allow the University to obtain a MVR on the employee's or student's behalf, the employee or student is responsible for obtaining a MVR and providing it to the University before the employee or student will be authorized to drive a Motor Vehicle.

⁴ Students are not permitted to rent vehicles to be operated on University Business.

4.3 Motor Vehicle Record Evaluation Criteria – All Qualified University Drivers

In its efforts to consistently review MVRs for all Qualified University Drivers, the University has defined a standard threshold for evaluating eligibility for driving responsibilities at the University.

Upon each MVR review, driver records will be classified as Clear, Acceptable, Borderline and Prohibited. *Clear*, *Acceptable* and *Borderline* drivers may be eligible to drive under the Motor Vehicle Use Policy, given completion of other criteria. Drivers with a *Prohibited* MVR rating will be ineligible to participate as a Qualified University Driver.

To assist in determining eligibility, MVR classifications are based on at fault accident and citation history over the prior three years. Individuals will not be authorized as Qualified University Drivers and will be classified as Prohibited if they meet any of the following criteria in the last three years:

Motor Vehicle Record Citations/At Fault Accidents

<u>Major Citations</u>	<u>Minor Citations</u>	<u>Technical Citations</u>	<u>At Fault Accidents</u>
One (1) or more in the last 3 years.	Three (3) or more minor citations or combination of three (3) minor and technical citations in the last 3 years. * Driver will be classified as Borderline with any combination of two (2) minor or technical violations in last 3 years.	Three (3) or more technical citations or combination of three (3) minor and technical citations in the last three years. * Driver will be classified as Borderline with any combination of two (2) minor or technical violations in last 3 years.	Two (2) or more at fault accidents or a combination of one (1) at fault accident plus two (2) technical or minor citations in the last three years. * Driver will be classified as Borderline with any combination of one (1) at fault accident and one (1) minor or technical citation in last three years.
Including, but not limited to: • Driving under the influence • Driving while impaired • Careless/Reckless driving • Failure to report an accident • Making a false accident report • Vehicular homicide/manslaughter • Attempting to elude a police officer • Driving while license is suspended	Involve any moving violations that are not major citations, including, but not limited to: • Suspended license due to minor citation • Speeding • Running a stop sign/red light • Improper turn • Passing across a double yellow line • Failure to yield • Following too close • Failure to wear a seat belt • Load or size violations • Illegal possession of alcohol or drugs	Including, but not limited to: • Failure to display proof of registration • Failure to possess driver's license • Improper display of license plates • Motor vehicle equipment violations	Driver is fully or partially responsible for the accident.

4.4 Motor Vehicle Record Evaluation Criteria – Student Drivers

The criteria for evaluating MVRs of student drivers will be the same as utilized to evaluate employee drivers.

4.5 Driver Authorization

The Motor Vehicle Use Administrator will notify, via email, the Department Head listed on the Driver Authorization Form as to whether driving authorization has been granted or denied, and the Department Head then will notify the employee or student of the decision. Employees and students may not drive Motor Vehicles or, with respect to students, Personal Vehicles for University Business until email notification of authorization has been provided to the Department Head by the Motor Vehicle Use Administrator

4.6 Change in Driving Status

Any change in driving status that places a driver outside of the requirements of this Motor Vehicle Use Policy, including, but not limited to, surrender, suspension or revocation of a driver's license, must be reported immediately by the driver, or his/her Supervisor possessing knowledge of such change in status, to the Motor Vehicle Use Administrator. Failure to report such change subjects the driver to disciplinary action, as well as permanent revocation of driving authorization for the University.

4.7 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, in violation of this Motor Vehicle Use Policy, of a Motor Vehicle are the sole responsibility of the driver. The University expects the driver's personal automobile insurer to respond in the event of an accident or any other event arising out of such personal use. Sanctions may be imposed upon violators including, but not limited to, termination of employment for employees and suspension or expulsion for students.

5.0 Specialty Fleet Driver Qualification
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5.1 16+ Passenger Commercial Motor Vehicle Drivers

In addition to the requirements of this Motor Vehicle Use Policy, drivers of University-owned 16+ passenger commercial motor vehicles must hold an active Rhode Island Commercial Driver's License, including a passenger endorsement, and a valid medical examiner's certificate. Such drivers are subject to additional regulations for Motor Vehicle use, including those included in the University's Shuttle Driver Handbook, and must be specifically authorized to drive 16+ passenger commercial motor vehicles through the Department of Public Safety. Drivers also must comply with all applicable requirements of the Federal Motor Carriers Safety Regulations.

5.2 10,001+ lbs. GVR/GVW/GVCW Commercial Motor Vehicle Drivers

In addition to the requirements of this Motor Vehicle Use Policy, drivers of University-owned 10,001+ GVR/GVW/GVCW commercial motor vehicles must be specifically authorized to drive such vehicles and must comply with all applicable requirements of the Federal Motor Carriers Safety Regulations, including holding a valid medical examiner's certificate.

5.3 9-12 Passenger Van Drivers

In addition to the requirements of this Motor Vehicle Use Policy, drivers of University-owned 9-12 passenger vans must be at least twenty-one (21) years old, have at least three (3) years of driving experience and be specifically authorized to drive such vehicles through Motor Vehicle Use Administrator to be designated as Authorized Van Drivers. Prior to receiving such authorization, each driver must undergo University-specified training and, as applicable, satisfactorily complete a van safety road test.

- **Driving To and From Sports Events – Student Drivers**

Coaches who are Authorized Van Drivers should drive all sports teams whenever possible. If a coach is not available, then a student who is an Authorized Van Driver may drive, provided that said driver is not a participant in the athletic event for which transportation is required.

5.4 Non-Registered Vehicle Drivers (Golf Carts, Gators)

Authorization of drivers of non-registered vehicles which are not intended for public road transportation, such as golf carts and gators, is governed by the Roger Williams University Golf Cart Policy.

6.0 Personal Vehicles/Rental Vehicles Used for University Business
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6.1 Authorization for Student Use of Personal Vehicles for University Business

Any student who drives his/her own Personal Vehicle to conduct University Business must meet the following criteria:

- Follow all University vehicle safety policies and procedures.
- Receive authorization to be a Qualified University Driver.
- Receive authorization to operate a Personal Vehicle for University Business.
- Provide to the Motor Vehicle Use Administrator a certificate of insurance for the Personal Vehicle naming the University as additional insured and with limits of liability of at least:
 - \$100,000 Bodily Injury coverage per person
 - \$300,000 Bodily Injury coverage per accident
 - \$100,000 Property Damage coverage per accident
 - \$ 5,000 Medical Payments coverage per person

Requests for an exception to this criteria may be approved only by the Provost or Vice President of the divisional unit requesting such exception.

Students may not transport passengers while using Personal Vehicles for University Business. Requests for an exception to this restriction may be approved only by the Provost or Vice President of the divisional unit requesting such exception.

6.2 Mileage Reimbursement for Use of Personal Vehicles for University Business

Mileage reimbursement for use of a Personal Vehicle to conduct University Business is outlined in the University's Travel and Entertainment Policy. This reimbursement is intended to cover the costs to operate a driver's motor vehicle, including insurance costs.

6.3 Insurance for Use of Personal Vehicles for University Business

The University's automobile liability insurance is always excess over any personal automobile insurance carried by an operator who uses a Personal Vehicle for University Business. Property and collision damage is the sole responsibility of the motor vehicle's owner. Any damages and/or liabilities arising out of the unauthorized use, in violation of the Motor Vehicle Use Policy, of a Personal Vehicle for University Business is the sole responsibility of the driver.

6.4 Use of Rented Motor Vehicles

In addition to the University's Travel and Entertainment Policy, which governs the use of rented Motor Vehicles, drivers of rented Motor Vehicles also must abide by this Motor Vehicle Use Policy and meet the same requirements noted above for those driving University-owned vehicles. Such drivers must obtain authorization from the University before renting Motor Vehicles to conduct University Business. Students may not rent Motor Vehicles to conduct University Business.

The rental of fifteen (15) passenger vans is strictly prohibited. The rental of other commercial motor vehicles requires prior authorization from the University and compliance with all applicable Federal Motor Carriers Safety Regulations.

6.5 Exclusive-Use Motor Vehicles

The University provides a limited number of Motor Vehicles for exclusive-use by certain employees. Such employees are authorized to use exclusive-use Motor Vehicles for University Business only. Personal use of exclusive-use Motor Vehicles is not permitted, except for commuting to and from work, which is considered taxable income and must be reported to the University as such on a quarterly basis. Accessory or after-market items (i.e., trailer hitches, roof racks, etc.) may not be installed on such vehicles.

7.0 Operational Requirements & Safe Practices

The following guidelines have been established to reduce the risk of incident and injury in the operation and use of Motor Vehicles by Qualified University Drivers.⁵

7.1 General Operational Guidelines

- Drivers must operate Motor Vehicles in a safe and courteous manner and in accordance with all applicable federal, state and local laws and University policies.
- The maximum speed for operation of Motor Vehicles shall not exceed the posted speed limits.
- Drivers must have in their possession their valid United States driver's license while operating Motor Vehicles.
- Drivers must not allow unauthorized drivers to operate Motor Vehicles.
- Drivers may only transport University employees, students or other authorized individuals in Motor Vehicles.
- Cell phones, headsets and the use of two earphones are prohibited while operating Motor Vehicles, unless such use, e.g., a hands-free device, is allowed by state law.
- Drivers are not permitted to type or read text messages or emails while operating a Motor Vehicle. Additionally, drivers may not use iPods, MP3 players or similar devices while operating Motor Vehicles.
- All drivers and passengers, with the limited exception of passengers in shuttle buses which are not required to have seat belts, 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, vans or sport utility vehicles, nor are they allowed to stand in shuttles unless such shuttles are equipped with standee bars.
- All doors (cargo, tail and lift gates) shall be closed at all times when a Motor Vehicle is in motion.
- Drivers must clean the Motor Vehicle's hood, windows and roof of snow and ice before operating it.
- When backing a Motor Vehicle such as a truck, delivery van or vehicle carrying heavy equipment into a parking space, loading dock or similar, any passenger should, when necessary, exit the Motor Vehicle and provide assistance for the operator as a spotter. If the driver of the Motor Vehicle does not have a passenger who can perform this service, the driver must perform one of the following:
 - Exit the vehicle and check the space before backing up; or
 - Drive by the space, checking for any hazards, before backing up.
- Drinking and/or possession of alcohol, other intoxicating substances or illegal drugs in Motor Vehicles or driving while under the influence of alcohol or drugs is prohibited.
- Traffic violations are not considered reimbursable costs under the Motor Vehicle Use

⁵ These guidelines apply equally and as applicable to the use of Personal Vehicles for University Business.

Policy or the University's Travel & Entertainment Policy. All traffic violations, including parking and speeding tickets, are the sole responsibility of the driver. Any citations received while operating a Motor Vehicle should be immediately reported to the Motor Vehicle Use Administrator.

- Drivers may not tow anything behind a Motor Vehicle without prior authorization.
- Drivers are prohibited from transporting DOT-regulated hazardous materials in a Motor Vehicle.
- Drivers shall not drive on grass, landscaping, sidewalks or other unapproved vehicle access lanes, streets, driveways or roads, and rights of way, unless it is specifically required to perform their job duties and there are no other means available to access the building, facility or work site.
- Drivers must report any Motor Vehicle equipment or operational issues to Facilities.
- Drivers must return Motor Vehicles with interiors in a clean condition and free of trash.
- Accessory or after-market items (i.e., trailer hitches, roof racks, etc.) may not be installed on Motor Vehicles without express prior approval of the University's Mechanics Shop.
- Except as provided below, any Motor Vehicle which will be out of the immediate sight and Control of the Qualified University Driver shall have the ignition keys removed and the engine shut down. A Motor Vehicle must never be left running merely for convenience (i.e., running the heater to keep it warm or the air conditioner to keep it cool). It is strongly recommended that any unattended Motor Vehicle be secured with the windows closed, and the doors, if so equipped, locked. Limited exceptions are as follows:
 - A Public Safety emergency Motor Vehicle may be left running while unattended but only if the doors are locked.
 - Any Motor Vehicle which, because of the purpose it is serving (i.e., running a pump) must be running, may be left running while unattended, but only if the doors are locked.

7.2 Guidelines for Trips to High-Volume Traffic Areas and Trips of Significant Distance

- For trips to out-of-state destinations with regularly reported high-volume traffic (i.e., rush hour traffic), such as Logan Airport, transportation by bus, train or charter service must be used.
- For trips greater than two hundred (200) miles in a twenty-four (24) hour period, the University recommends at least two (2) Qualified University Drivers.
- Except for employees in the Department of Public Safety, driving Motor Vehicles between 11:00p.m. and 5:00a.m. is prohibited without the prior approval of the driver's up line Vice President (or their designee).
- Motor Vehicles may not be driven more than three hundred (300) miles one-way from the University's Bristol campus. For trips to exceed this distance, a charter service or other transportation methods (i.e., airplane, train or bus) must be used.
 - Any exception to the 300-mile limitation must be approved in writing by the senior executive (Vice President or above) that is sponsoring the trip, in consultation with the Department of Environmental Health & Safety and in compliance with any applicable Federal Motor Carrier Safety Regulations.
 - The following factors shall be considered in granting an exception:

- The necessity of using a Motor Vehicle for the trip (i.e., is there a need to transport equipment, or is there a need to use a Motor Vehicle on site at the destination?);
- The potential hazards of driving in severe weather should be assessed depending on the time of year and trip location;
- The number of University employees that would be accompanying the trip; no such trip should be authorized in which only students are attending, as there should be sufficient faculty/staff for both chaperone and driving purposes;
- Usage should be limited to the newer Motor Vehicles; and
- A financial and risk evaluation should be undertaken that weighs the total costs of utilizing the Motor Vehicle (i.e., gasoline and wear and tear), as well as the potential risks of driving such distance as compared to other options (i.e., airplane, train or bus).
- Additional distance and use restrictions apply to the University's commercial motor vehicles, including that University 16+ passenger commercial motor vehicles may not be driven more than 100 miles (one way) from the Bristol campus and University 10,001+ lbs. GVR/GVW/GVCW commercial motor vehicles may not be driven more than 150 miles (one way) from the Bristol campus.

8.0 Accident Reporting

Qualified University Drivers must report all accidents involving Motor Vehicles to their Supervisor within twenty-four (24) hours. Supervisors must ensure that a completed Vehicle Accident Report is promptly forwarded to the Department of Environmental Health & Safety.

8.1 Vehicle Accident Procedures

In the event that a Qualified University Driver is involved in an automobile accident while operating a Motor Vehicle, the following steps should be followed:

- If an accident occurs on campus, do not leave the scene of the accident. Call the Department of Public Safety at extension 4357 or 401-254-3333.
- If an accident occurs off campus, do not leave the scene of the accident. Call 911 or the local police department.
- Take necessary precautions to protect the accident scene. Vehicles should not be moved until after the police arrive unless they present a safety hazard.
- Obtain name, address, phone number and insurance information of the other party. Also obtain contact information for any witnesses.
- Provide the other party with the insurance information contained in the Motor Vehicle, as well as your name, address and telephone number.
- Cooperate fully with the investigating law enforcement officer and request that a police report be taken to document the accident.
- Obtain the name of the investigating officer and law enforcement agency.
- Do not discuss the details of the accident with others at the scene.
- Do not admit liability or fault, make offers, or agree to settle on behalf of the University. It is important that such admissions and decisions be reserved for the insurance carriers.

- Do not sign any document other than those required by a law enforcement official.
- If the Motor Vehicle must be towed from the scene, remove keys and University property, and lock the vehicle.
- Stay with your group. Unless an ambulance has responded to transport an individual for medical attention, the driver and any passengers should determine safe transport and leave the accident scene together.
- Notify your Supervisor and the Motor Vehicle Use Administrator as soon as possible.
- Accidents involving rented Motor Vehicles also must be reported to the rental agency.

9.0 Roadside Assistance

9.1 Roadside Assistance

The University has obtained 24-hour roadside assistance for certain Motor Vehicles assigned to the Departments of Athletics, Student Programs & Leadership, Marine and Natural Sciences, Feinstein Center for Service Learning & Community Engagement, Community Partnerships Center and the Intercultural Center. Information on the roadside assistance service is located in each Motor Vehicle. Qualified University Drivers should access this service when they are off-campus and encounter a need for roadside assistance (i.e., vehicle will not start, break down, lock out, flat tire, etc.)

Adopted April 14, 2009 by President Roy J. Nirschel, Ph.D.

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