

Policy Title: Use of State Vehicles			
Policy #:	FA-CPS-012		
Responsible Office:	Campus Public Safety		
Responsible Administrator:	Vice President for Finance and Administration		
Date Reviewed:	Under Review		Revisions Made? Yes ___ No <u>X</u>
Date of Next Review:	Under Review		

PURPOSE

The purpose of this policy is to develop a consistent procedure to limit and reduce liability exposures and promote safe driving behaviors relating to vehicle use on official State business by Western Oregon University employees.

This policy provides oversight for the direction and control of vehicles used in conducting State business. Department of Administrative Services (DAS) Risk Management Division mandates comprehensive oversight of vehicle use rules. This policy accomplishes this by establishing:

- Driver's License History Checks;
- Adoption of the "Department of Administrative Services Vehicles Rules;"
- Defensive Driving requirements for employees driving State vehicles in a 25-point "at risk" category;
- Accident Review Process; and
- Citizen Complaint Review Process.

AUDIENCE

Operators of state owned vehicles

DEFINITIONS

Agent: A person or legal entity who is appointed in writing by a state agency to perform specified functions on behalf of the state.

Official State Business: Any activity conducted in accordance with Oregon Administrative Rules and is directed and controlled by Western Oregon University for the purposes of advancing WOU's Mission. Official State Business means any activity conducted in conformance to these rules and directed and controlled by the university to advance the lawful policies and purposes of the university. State law requires a narrow interpretation of this term. Therefore, university policies and purposes are only those that are official, in writing, and within statutory authority. These may be written in statutes, orders, rules, policy

manuals, procedural guides, and position descriptions.

Private Vehicle: A motor vehicle that is owned, rented, borrowed, leased, or otherwise lawfully in the possession and control of any person other than the state. Private vehicles used for state business are treated as state vehicles unless the context clearly requires otherwise.

State Vehicle: A state vehicle is any vehicle owned by the State of Oregon, including, but not limited to: Motor pool vehicles, Golf / Utility vehicles, three-wheelers, tractors, etc.

Vehicle Accident: An event where an attended or unattended state vehicle causes damage to said vehicle or to another vehicle or object. This may range from minor contact up to major damage.

POLICY STATEMENT

It is the policy of Western Oregon University to provide State vehicles and to provide private vehicle use for official State business for eligible faculty, staff and students requiring travel to conduct business on and off campus on behalf of the university. All persons who operate motor vehicles on official State business must have a valid operator's license or have specific driving privileges from the Department of Transportation, Driver and Motor Vehicles Services (DMV). University administration reserves the right to revoke, restrict or take disciplinary action for violations to this policy.

PROCEDURES

Driver's License History Checks - All employees, students or agents of WOU are to have an annual driver's license check performed prior to operating State owned vehicles.

1. Requests - Departments or employees requesting authorization for employees to operate State vehicles may submit employee information directly to the office of Campus Public Safety, who will review information and DMV records within 48 hours of receipt. (A \$2.00 charge may be assessed for DMV record processing.)

2. Review - An OUS "at risk" point system (based on the DMV point system) will be reviewed for each driving record. In the event the employee, student or agent meets or exceeds 35 points, a recommendation will be made to the Vice President for Finance and Administration that the person not be authorized to operate a State vehicle. At 29-34 points the employee will be contacted by the Vice President for Finance and Administration or his designee and a warning given regarding their driving record and privileges. When a person has between 30-34 points, the person will be authorized to operate a State vehicle, however a second review will occur six months from the date of the first review. If a person has between 20-29 points, the person will be authorized to operate a State vehicle, however, a second review will occur one year from the date of the first review. If a driving privilege is denied, the person will be notified in writing with a copy sent to their supervisor. Persons who have less than 20 points will have an annual license history review.

3. Out of State Licenses - Oregon Revised Statutes require a valid Oregon driver's license for anyone gainfully employed in Oregon. Out-of-State license holders will have the responsibility of providing a certified license history.

4. License Expiration - Authorization to drive a State vehicle will expire annually from the date of issue for employees, agents and students.

- USE OF STATE MOTORPOOL

Departments and persons using State Motorpool vehicles are responsible for reading and adhering to the information in the Western Oregon University Vehicular Transportation Policy.

SECTION I

MOTORPOOL RESERVATIONS

Each WOU department is responsible for reserving State Motorpool vehicles for use on State Business.

Before calling for a reservation, apply for a motorpool checkout card for every index number to which you will be charging vehicle use. (Their Web address is: <http://www.oregon.gov/DAS/SSD/FLEET/docs/checkout.pdf>)

After receiving your State Motorpool checkout card, call the State Motorpool and reserve a vehicle. The following information will be needed:

1. Time/date needed, time/date vehicle will be returned
2. Driver's name and driver's license number
3. WOU index number to be charged

Reservations are taken no more than two (2) months in advance. The reservation is not confirmed until all of the above information has been given.

When picking up your reserved vehicle, you must have your State Motorpool checkout card and your driver's license in your possession. There is a fee charged for late cancellations, or "no shows" on a vehicle reservation.

STATE DRIVERS

All State employees and Western Oregon University students who wish to drive a State vehicle must apply at Campus Public Safety for a driving record evaluation before using a vehicle. The form is available at the Campus Public Safety web site: www.wou.edu/admin/safety and click on the link "vehicle use authorization form."

VANS

Anyone – faculty, staff, students, or authorized volunteers – driving a van with one (1) or more passengers must have completed Oregon Safety Council-sanctioned defensive driver class within the last three (3) years. Western Oregon University employees must also submit their drivers' license to Campus Public Safety so that their driving record can be evaluated. In the event the Safety Council course is unavailable, operators may take and must

successfully complete the OSU on-line course which can be found at motorpool.oregonstate.edu/safety/vansafety.cfm.

SECTION II

1. Use of vehicles by students is regulated as follows:

Reservations for student groups are made by the group advisor, department head or secretary with authorization for index number use.

Use by student drivers on State business should be restricted to activities necessary to daily operation of school, such as delivery or pick-up of supplies, mail, publications, etc. Students pursuing studies, even between schools in different locations, should not be provided transportation.

Field trips and extra-curricular travel, such as transportation to athletic events, should be limited to direct participants. Vehicle occupants should comply with all State and Department of Motor Vehicle policies while traveling.

Departments wishing to utilize students, graduate assistants, or authorized volunteers as drivers of State vehicles must fill out the form titled "Western Oregon University Driver Authorization Form (for Students and Authorized Volunteers)." See Appendix B.

All students driving State vehicles should have a current driver's license in good standing. Such students should be carefully selected drivers. Students and authorized volunteers need to apply at the Campus Public Safety office for a State Driving Authorization before driving a State vehicle. Any student driving a State van carrying one (1) or more passengers must possess an Oregon Safety Council-sanctioned Defensive Driver Card dated within the last three (3) years or the OSU on-line course successful completion on file at Campus Public Safety.

USE OF PERSONAL VEHICLES

When vehicle use is justified, employees on "official" State business may use their private vehicle at their discretion. All employees who desire mileage reimbursement must have approval in advance. Reimbursement for private mileage is allowed for official State travel over the most direct and common route. Travel between the place of residence and official work station is not reimbursable.

Private Vehicle Use Insurance Required. Personnel authorized to use a privately owned vehicle for official State travel are required to carry personal auto liability insurance for the use of the vehicle.

Conditions of Use of Private Vehicles. For personnel authorized to use a private vehicle on official State business, the following conditions and/or State coverage apply:

There is no State coverage for (1) uninsured motorists, (2) personal injury protection which includes

medical payments, or (3) aircraft passenger medical payments. This coverage must be provided through the individual's personal policies.

Workers' compensation insurance is provided the same as if the individual is using a State owned vehicle on official State business.

Collision and comprehensive physical damage losses to the private vehicle are not covered by the State.

Liability to other persons, including the individual's passengers, must be covered by the individual's personal auto policy. If losses exceed the individual's policy limits, the State will cover the excess liability under the terms of the State's Liability Policy Manual, which is available in the Risk Management Division, Department of Administrative Services.

Volunteers, acting within the scope of their duties, are covered under the Oregon Tort Claims Act (ORS 30.260-.300) in the same manner and to the same extent that State employees are covered.

OCCUPATIONAL HARDSHIP PERMITS

No university employee may operate a State vehicle or private vehicle for State business if they have a "hardship permit" issued by the DMV as a result of driving problems. This includes suspended license, uninsured accidents, habitual traffic offenders or other incidents that have resulted in driving limitations or restrictions resulting from DMV/Oregon law violations.

Employees with hardship licenses must notify their supervisor and the University Risk Management division for authorization and to receive a State approved coverage. Before this happens, the university must:

1. Prepare a written plan with the employee to resolve the problem that caused the loss of driving privileges and to assure public and employee safety. It should state consequences for plan failure.
2. Send a letter to the Campus Public Safety Office, signed by the president or appropriate vice president, which briefly outlines the corrective plan and requests approval on a DMV "Certification of Self-Insurance Coverage" form, arranged by Campus Public Safety.

DEPARTMENT OF ADMINISTRATIVE SERVICES VEHICLE RULES

It is up to each driver to read and adhere to the Department of Administrative Services (DAS) vehicle rules dated January 2006. There is a fact sheet located in each State vehicle rented through the State Motorpool.

DEFENSIVE DRIVER TRAINING

The State of Oregon through the National Traffic Safety Institute provides a four-hour defensive driving course designed for State drivers. It is strongly recommended that all university persons who drive on official business take the course. To find out when classes

are offered go to <https://ilearn.oregon.gov/ORCustom/utilities/coursecatalog.aspx>.)

All persons who request authorization to operate a State vehicle and have 25 or more points against their record on the OUS "at risk" scale are required to attend driver training. Persons who do not participate in this training session within 60 days of their license check will not be authorized to drive a State vehicle.

Alternative training is available on-line through the OSU motorpool site. This should be used by anyone who will be operating any size van, transporting students, or is unable to schedule the four hour defensive driving course.

ACCIDENTS

Reporting - Persons involved in accidents are to notify Campus Public Safety personnel at (503) 838-8481 immediately or as soon as practical and advise them of the incident including details, injuries and damage. The person's immediate supervisor or department chair is to be notified at the earliest convenience.

The person is to complete a State accident report if the estimated damage to either vehicle is \$1,500 or more.

A WOU Campus Public Safety Accident Report is to be filed on all University approved travel accidents with Campus Public Safety **within 72 hours of the accident**.

2. Accident Review - Oregon Occupational Safety and Health Administration requires a review of all vehicle accidents. The Campus Safety Committee, comprised of faculty, staff and students, will review all vehicle accidents and recommend remedial action to the Vice President for Finance and Administration:

- Defensive Driving Course;
- Driving probation, consultation or reprimand;
- Driving Contract;
- Revocation of State driving privileges (may impact condition of employment).

CITIZEN COMPLAINTS

1 Reporting - Complaints filed by citizens against Western drivers will be reviewed by the Vice President for Finance and Administration, Designee, or the Safety Committee, depending on expediency.

2 Complaint Review - The Safety Committee will review all vehicle citizen complaints and recommend remedial action, as noted in Accident Review above, to the Vice President for Finance and Administration or Provost.

CONDITIONS OF EMPLOYMENT

Employees who drive specialized vehicles as a condition of employment and have been determined to have more than 35 points may not drive a State vehicle or will have a driving contract developed by the Safety Committee to reduce the risk. The driving contract will be submitted to the Vice President for Finance and Administration for approval and implementation. In the event the employee chooses not to participate in the driving contract, the Vice President for Finance and Administration may revoke their State driving privileges.

ADMINISTRATIVE SUPPORT

1. Driver's License History Validation - Departments that wish to have employees drive State vehicles or private vehicles for State business, must submit a completed application form to Campus Public Safety, who review the submitted names and driver's license numbers within 48 hours and send a copy of the approval to the department if the person has fewer than 35 points. (All drivers are required to have this review prior to operating a vehicle for State business purposes.) If a person has over 35 points, the person and supervisor will be notified in writing of the outcome and the date he or she will be eligible to be authorized to operate a State vehicle.
2. Defensive Driving Course locations will be available by contacting Campus Public Safety.
3. Accident and Incident Review - All driving incidents and accidents must be reviewed by the Safety Committee. The committee minutes will refer to persons involved as "Person 1, Person 2, etc." The official record and recommendations will be submitted to the Vice President for Finance and Administration or Provost accordingly. Person(s) involved in an incident or accident may appear before the committee to provide information. Persons involved in accidents may either write a letter or appear before the committee to tell their side.
4. Appeals - Persons may appeal a committee recommendation directly to the Vice President for Finance and Administration.

LOSS OF DRIVING PRIVILEGE

An employee who is not allowed to operate a State vehicle based on unacceptable "at risk" history, incidents or accidents may use his or her own vehicle for State business if approved by their department head and they meet the conditions under private vehicle use. The employee's own insurance will be the primary coverage with additional insurance provided by the State of Oregon. The employee's department will be required to pay the State rate for mileage reimbursement.

Private Vehicle Use - Persons who are qualified to operate a State vehicle and use a privately owned vehicle with mileage reimbursement may do so only under this policy or as approved by the Vice President for Finance and Administration, Provost or the department head.

FORMS

WOU Event with Minor(s) under age 18 to be transported on State Business

University Program: _____
Purpose of Trip: _____
Destination(s): _____
Date(s) of Trip: _____

Authorized/Approved Van Driver: _____ (Must be faculty or staff member. Student drivers not allowed.)

Valid drivers license clearance expiration date: _____
(Validated/processed through Campus Public Safety.)

Check off:

Parental Authorization/Waiver form required of all participants. _____ (Available through Campus Risk Management.)

Special Events Insurance Coverage requested through Business Office. _____

Group leaders will take all reasonable precautions to minimize liability and risk to group and University.

I hereby certify that the items in the check-off have been completed and this is a recommended trip.

President

Date

(Completed copies to be sent to: Department.)

**Western Oregon University Driver Authorization Form (For Students and Authorized Volunteers)
For State Vehicles**

This form must be completed before a vehicle can be released.

Instructions: Prepare one (1) authorization form for each driver. Only authorized person may drive State vehicles.

Student Authorized Volunteer Driver's Name: _____

Driver's License #: _____

Expiration Date: _____ Campus Public Safety Clearance:

Yes ___ No ___ Expiration Date: _____ Van Defensive Driver Card: Yes ___ No ___

Expiration Date: _____ (Van drivers only)

Sponsoring Organization: _____ Faculty/Staff

Supervision: Yes ___ No ___ Destination: _____

Purpose: _____

Authorized Faculty/Coach/Advisor Signature Date Driver Authorization is for the following period: _____
to _____.

I am familiar with the Policies and Procedures governing the use of State vehicles. I also accept responsibility for the proper care and operation of the vehicle.

Driver's Signature

Date

In accordance with Oregon State Law and Western Oregon University regulations, I hereby authorize the above-named driver to operate a State-owned vehicle. In case of an accident, damage costs not covered by the Restoration Fund are to be charged to index number _____. A trip itinerary and a list of travelers and family member contacts are in my possession for this trip.

Vice President/Director/Division Chair Signature

Date

This completed form is kept in the _____ office.

AUTHORITY

Name & URL of authority:

Department of Administrative Services / Oregon Administrative Rules DAS OAR 125-155-0000 through 125-155-0900 (http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_125/125_155.html)

RESPONSIBILITY

The Office of Campus Risk Management and Campus Public Safety is responsible for the implementation, monitoring, tracking of and compliance with State statutes/OAR as they relate to campus driving privileges and employment. This responsibility is in cooperation with the Salem Motor Pool and the Campus Safety Committee.

The responsibility includes DMV driving checks, license validation, insurance verification, OUS "at risk" point factoring and timely filing of safety reports with the appropriate State agencies.

Campus Public Safety is responsible for this policy and may be contacted at 503-838-8481 or safety@wou.edu.

Alternate formats of this policy may be requested from the Office of Human Resources.