OFFICE OF COMPLIANCE SERVICES
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POLICY

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Title: Driver Safety and Motor Vehicle Use

Policy Statement

This University promotes safe driving to protect the health and safety of drivers, their passengers and those with whom they share the road. University automobile insurance coverage is contingent upon adherence to this policy. Additionally, unsafe driving exposes the University to safety, financial, and reputational risks.

Reason for the Policy

This Policy describes the requirements and procedures of becoming an Authorized Driver of UVM owned, leased, or rented vehicles, as well as the safety expectations for drivers, passengers, supervisors, and departments. This Policy also outlines motor vehicle accident reporting procedures and automotive insurance coverage information and limitations.

Applicability of the Policy

This policy applies to drivers of UVM owned, leased, or rented motor vehicles that are registered for on-road use. This policy does not apply to drivers of the following: all terrain or utility vehicles, golf carts, agricultural equipment, lawn tractors, snow removal equipment, or any other equipment not registered for on-road operation.

This policy does not apply to UVM faculty or staff who rent vehicles for UVM-related business less than six times per year, unless they are driving students or driving a 12-passenger van. Any faculty or staff who transports students or operates a 12-passenger van must become an Authorized Driver.

Definitions

Authorized Driver: Current UVM students and employees, only, who are 1) at least 19 years old; 2) hold a valid U.S. or Canadian driver's license; 3) list a current UVM employee as a sponsor, advisor, or supervisor on their Authorized Driver application; 4) pass UVM's motor vehicle record check; 5) successfully complete an online training on UVM's Driver Safety Policy, and 6) successfully complete the National Safety Council Online Defensive Driving course with a passing grade of 80%. Individuals affiliated with UVM may also be Authorized Drivers with the permission of the Director of Risk Management.

Passenger Vans: Vans designed to carry 9 to 12 passengers, including the driver. Minivans or other vehicles designed to carry 7 passengers are not considered passenger vans under this policy due to different safety standards.

Subrogate: UVM may attempt to recover monies paid on a claim by making a claim against the responsible party.

Traffic Violations: Traffic violations are not considered reimbursable costs under UVM's Travel Policy. All violations, including parking tickets and speeding tickets, will be the responsibility of the vehicle driver, not UVM.

University or UVM Vehicle: A vehicle that is owned, leased, or rented for University-related travel.

Procedures

Authorized Driver Eligibility

Anyone seeking to drive a UVM Vehicle must become an Authorized Driver ***before*** driving for University-related purposes. Authorized Drivers must meet the following qualifications:

- Be a current UVM student, employee, or other UVM-affiliated individual approved by the Director of Risk Management through the application and training process.
- Be at least 19 years old.
- Hold a valid U.S. or Canadian driver's license for at least 6 months.
- List a current UVM employee as a sponsor, advisor, or supervisor on their Authorized Driver application.
- Pass a motor vehicle record check (see below for criteria).
- Successfully complete an online training on UVM's Driver Safety Policy.
- Successfully complete the National Safety Council Online Defensive Driving course with a passing grade of 80%. Anyone who starts the online National Safety Council training module and does not complete training before their access code expires (within 1 year of first use) will be assessed a fee of $30 for a new access code assignment.
- Apply for reauthorization each year, which involves another motor vehicle record check. Lapses may result in loss of Authorized Driver status.

To become an Authorized Driver, students and employees must submit an Authorized Driver application found on Risk Management's Driver Safety Training to Become an Authorized Driver web page. In the drop down, click on "Steps to become and UVM certified driver". Other UVM-affiliates must email the Director of Risk Management and request authorization directly at driving@uvm.edu. Failure to become an Authorized Driver before driving a UVM vehicle may result in personal liability for the unauthorized driver.

UVM Departments can use their discretion to set stricter non discriminatory criteria for driver eligibility.

If driving is an essential job function of a position being filled, the job candidate will be subject to a motor vehicle record check, and if hired, must complete all steps to become an Authorized Driver.

Insurance/Indemnification

The University of Vermont, as per the terms of its Officers and Employee Indemnification Policy, will provide its officers and employees a legal defense and pay judgments or settlement expenses incurred in connection with civil claims brought against such persons, provided that the individual was acting within the scope of University employment, in compliance with University Policies, and in good faith.

University insurance or self-insurance shall be used to finance such protection. Any student with claims or actions brought against him/her and resulting from the authorized use of a UVM owned or leased vehicle will be indemnified only to the extent that insurance coverage applies, and only if the student follows the driver safety requirements noted in this policy. UVM reserves its right to subrogate its interest against any personal auto insurance a student may have that would respond to such claims.

All physical damage claims are subject to a $1,000 deductible to be borne by the department or unit. Risk Management reserves the right to charge all physical damage costs to the employee/student's department or organization if the driver was not authorized to drive. Risk Management may revoke future driving privileges if employee/student no longer meets criteria for driving.

Employees who are furnished with a UVM vehicle are to use the vehicle for University work purposes only. Students who are furnished with a UVM vehicle are to use the vehicle for University related purposes only.

Motor Vehicle Record Check Criteria

Anyone seeking to become an Authorized Driver must pass a motor vehicle record check upon applying and each year thereafter to maintain their driving privileges. The Department of Environmental Health and Safety reserves the right to deny, suspend, or revoke driving privileges based on the initial or subsequent review of the motor vehicle record per the following eligibility criteria.

Anyone with a **combined total of three** of the following violations within a two-year time period is not eligible to become an Authorized Driver for three years from the date of the first violation:

- A moving violation on their motor vehicle record as defined by State statute
- An at-fault accident
- Violation of any of the UVM driver safety requirements noted below

In addition, anyone with **one** of the following violations within the last three years is not eligible to become an Authorized Driver for three years from the date of violation:

- Driving while intoxicated
- Driving under the influence
- Negligent homicide
- Operating with a suspended license
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's consent
- Permitting an unlicensed driver to drive
- Reckless, careless, or negligent driving
- Hit and run
- Leaving the scene of an accident
- Refusal to submit to chemical testing
- Possession of an open container of alcohol or illegal substance while driving

Appeals of this process must be submitted in writing to the Director of Risk Management by emailing driving@uvm.edu.

Trailer Towing

Towing a trailer adds a significant risk to automobile operations. Drivers who anticipate towing a trailer are required to become an Authorized Driver, complete the online Trailer Towing Operations safety course offered by Risk Management, and complete a behind-the-wheel training arranged by the department that owns the trailer.

University-owned trailers are to be towed by University-owned vehicles only at a maximum speed of 55 miles per hour. UVM's insurance coverage will not extend to personal or rental vehicles towing a trailer; therefore, this practice is prohibited. Violation of this section could result in the driver being personally liable.

Specialty Vehicles

Specialty vehicles are road worthy vehicles other than passenger cars or vans that require the owning/sponsoring department to arrange for specific behind the wheel training. Specialty vehicles include box trucks, moving trucks, utility trucks, GEM vehicles, and ambulances.

Passenger Van Safety

UVM departments shall not purchase, lease, rent, or operate passenger vans equal to or greater than 15-passenger capacity due to the increased rollover risks associated with these vehicles.

UVM departments operating passenger vans must comply with the following requirements to reduce the risk of rollover:

- 10-12 passenger vans that are owned, leased, or rented by UVM shall only be operated by a UVM Authorized Driver.
- Drivers need to be familiar with the handling characteristics of vans, especially when fully loaded.
- Evenly load the van, load passengers from the front row of seats first.
- Use of roof racks on passenger vans is prohibited. Roof racks raise the center of gravity, and therefore increases the risk of rollover. Place luggage in the rear behind the back seat.
- Use charter buses or other contracted transport for long trips greater than 200 miles, whenever possible.
- A Commercial Driver's License (CDL) is required of anyone who drives a passenger van in Canada, per Canadian law. Departments are responsible for paying any fines that may result from violating this law.

Responsibilities of Authorized Drivers

Use of a UVM Vehicle is restricted to University-related activities. Any damage and/or liabilities arising out of the personal use of a UVM Vehicle is the sole responsibility of the driver. The driver's personal auto insurance is expected to respond to an accident arising out of personal use of a UVM vehicle.

Authorized Drivers must also adhere to the following responsibilities to maintain driving privileges:

- Must be in possession of a valid United States or Canadian driver's license when operating a UVM Vehicle.
- Must be in possession of a valid CDL if driving a passenger van in Canada.
- Report any moving violations, accidents, and license suspension or revocations to their supervisor/sponsor and to the Director of Risk Management at driving@uvm.edu, including violations that occur when not driving for UVM.

- Stop driving UVM vehicles if they no longer meet the motor vehicle record criteria outlined in this policy.
- Keep all driver profile information up to date, including driver's license expiration date, name, supervisor/advisor information, and address.
- Adhere to the Travel Safety Requirements outlined in this policy.
- Pay all fees related to moving violations, including parking tickets and speeding tickets, incurred while operating a UVM vehicle.
- Report any UVM vehicle damage or needed repairs to their supervisor/sponsor.
- Avoid placing themselves and/or others in dangerous situations. Drivers who feel unfit to safely operate a vehicle must immediately stop driving and must alert their supervisor/sponsor as soon as possible.
- Apply for recertification every year.

Responsibilities of Supervisors or Academic Sponsors/Advisors of UVM Authorized Drivers

- Ensure their employees or advisees have completed all the steps necessary to become Authorized Drivers before driving for UVM.
- Ensure employees or advisees continue to meet the requirements to maintain their driving privileges, including annual reauthorization.
- Regularly do a visual check of employees' or advisees' driver licenses to assure they possess a current driver's license.
- Stop employees or advisees from driving UVM Vehicles when they are no longer in compliance with the motor vehicle record check criteria outlined in this policy and notify the Director of Risk Management (driving@uvm.edu).
- Immediately suspend a driver's driving duties and privileges if they believe that driver is under the influence of drugs or alcohol; is mentally, emotionally, or physically impaired; lacks proficiency; or is operating the vehicle in an unsafe or irresponsible manner. Supervisors and/or the Director of Risk Management may suspend UVM driving privileges of any driver due to repeat or serious reports of unsafe driving, even if those reports are not found to be in violation of motor vehicle regulations.

Responsibilities of Departments with UVM Vehicles and/or Authorized Drivers

Departments or units who own or lease UVM vehicles must designate someone who is responsible for overseeing maintenance and upkeep of the vehicle(s). Departments must follow the manufacturer's recommended maintenance schedule for each vehicle and conduct routine maintenance on:

- Oil/fuel levels
- Windshield wiper fluid levels
- Tire inflation and tire condition (worn or underinflated tires increase the risk of vehicle rollover)
- Lights
- Horn
- Leaks (check for coolant or oil on the ground under the vehicle)

Department heads or department vehicle coordinators must instruct Authorized Drivers to report any damage or needed repairs of UVM vehicles. Departments that rent vehicles must adhere to the University Operating Procedure on Automobile Rentals for UVM Faculty, Staff and Students.

Departments must also keep vehicle registration, inspection, and insurance information up to date. New auto insurance ID cards are sent to department heads or department vehicle coordinators in July of each year and must be kept inside the vehicle.

Travel Safety Requirements

- Authorized Drivers shall observe all rules and regulations for safe driving as defined by the State of Vermont Department of Motor Vehicles, or by the Department in whose state or country the vehicle is operated.

- Safety belts shall be used by all occupants traveling in UVM Vehicles at all times, and in private vehicles while on University business.

- Possession, use, or being under the influence of alcohol or other controlled substances is prohibited. Driving motor vehicles in violation of professional guidance for users of prescription or over-the-counter drugs is also prohibited.

- Avoid conditions that lead to loss of control such as driving while feeling sleepy, distracted or inattentive driving, or driving too fast for road conditions.

- If the weather is inclement, stop and stay overnight in a safe place. The additional lodging cost is worth avoiding the risk of an accident.

- In compliance with Vermont law, the use of hand-held electronic devices, including music players, laptops, tablets, and phones is prohibited while driving.

- A commercial driver's license (CDL) is required of anyone who:

    - drives a vehicle with a gross vehicle weight of more than 26,000 pounds; a vehicle designed to transport more than 16 passengers, including driver, or any size vehicle that requires a hazardous materials placard; or

    - drives a passenger van in Canada, per Canadian law.

Safety Recommendations for Long Trips

- Plan to have more than one Authorized Driver on longer trips. Drivers should consider rotating every two hours. No Authorized Driver should drive for more than 10 hours during a 24-hour period.
- If there are not enough drivers to rotate, an overnight stay should be planned. Avoid driving past midnight.
- The front passenger should remain awake to help keep the driver alert on long distance trips.
- If the trip would normally utilize a passenger van, use charter buses or other contracted transport for long trips greater than 200 miles, whenever possible.

Use of Personal Vehicles

Mileage Reimbursement for use of an employee's personal vehicle to conduct University business is outlined in the University's Travel policy.

This reimbursement is intended to cover the costs of operating an employee's vehicle, including insurance costs. UVM's insurance is always excess over any personal automobile insurance carried by the employee, who uses their personal auto on UVM business. UVM recommends that employees who regularly use their vehicles on University business maintain auto liability insurance with limits of at least $100,000 for bodily injury and property damage liability. Employees driving personal vehicles are prohibited from transporting hazardous materials on behalf of UVM.

UVM strongly discourages students from driving their own vehicles for any University-related purpose. Students are not covered under UVM's auto insurance policy when using their own vehicles to drive for UVM-related activities. However, on certain occasions, students may use their personal vehicles for UVM club

activities only after receiving approval from Student Life, Student Governmental Association, or department for which they are driving, and must become Authorized Drivers.

Automobile Accident Claim Procedures

If an Accident Occurs:

1. Call 911 if there are any injuries.
2. Notify the local police. If on campus, notify UVM Police Services at (802) 656-3473. Risk Management must have a UVM or local police report verifying that an accident occurred.
3. If possible, take photos of damages for all vehicles involved and document the license plate number, year/make/model/color of all vehicles involved including the names of the drivers.
4. Notify the Risk Management Department within THREE days of the accident at (802) 656-3242. UVM's in-house claims adjuster will take your statement to obtain details of the accident, parties involved, and estimates of the cost to repair the UVM vehicle.
5. Notify your supervisor or sponsor/advisor.
6. If the accident has caused injury to an employee during normal working hours, that employee must complete a First Report of Injury Form and return it to Risk Management within 72 hours.
7. Do not admit fault, or liability. Do not sign a statement admitting responsibility for damage or injury.

To file a Claim:

1. Risk Management's claims adjuster will take your statement to obtain details of the accident, parties involved, and estimates of the cost to repair the UVM vehicle.
2. If the vehicle is a leased or rented vehicle, notify the rental company immediately. Failure to do so will void the terms of your rental contract, including any insurance coverage provided under the contract. This may in turn jeopardize UVM's insurance coverage, making the Department responsible for the entire loss.
3. If short-term rental vehicle, and Department did not buy collision damage waiver from the rental company, the $1,000 deductible applies. Otherwise, submit the bill to the rental company.
4. Damage to UVM-owned and long-term lease vehicles are subject to a $1,000 deductible per occurrence. The Department to whom the vehicle is assigned is responsible for the deductible.

Contacts

Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):	
Title(s)/Department(s):	**Contact Information:**
For training registration: UVM Driver Safety Administrator	driving@uvm.edu
For reporting accidents: Assistant Director Insurance/Claims Management	(802) 656-0307
For reporting accidents: Risk Management Claims Analyst	(802) 656-3242 Risk.Management@uvm.edu
Appeals regarding denial of driving privileges: Director of Risk Management	driving@uvm.edu

Forms/Flowcharts/Diagrams

- Automobile Accident Claims Reporting Procedure
- Incident Reporting Form

Related Documents/Policies

- Automobile Rental for UVM Faculty, Staff and Students Procedure
- Commercial Driver and Coast Guard Employee Testing for Alcohol and Controlled Substances Policy
- General Institutional Insurance Protection Policy
- Indemnification - Officer and Employee Policy
- Travel Policy

Regulatory References/Citations

- Vermont Statutes Title 23: Motor Vehicles: https://legislature.vermont.gov/statutes/title/23
- Transport Canada, 12-15 Passenger Van Driver Vehicle Requirements: https://tc.canada.ca/en/road-transportation/publications/12-15-passenger-large-vans/driver-vehicle-requirements

Training/Education

Training/education related to this policy is as follows:

Training Topic:	Driver Safety and Motor Vehicle Use - First Training		
Training Audience:	All UVM Faculty, Staff or Students Operating a University Vehicle	**Delivered By:**	Risk Management
Method of Delivery:	On-Line: https://riskmgmt.w3.uvm.edu/drivers/course/Driver1.php	**Frequency:**	Once

Training Topic:	National Safety Council Defensive Driving Course - Second Training		
Training Audience:	All UVM Faculty, Staff or Students Operating a University Vehicle	**Delivered By:**	Risk Management
Method of Delivery:	On-Line: https://www.uvm.edu/riskmanagement/defensive-driving-course-overview	**Frequency:**	Once, after completing Driver Safety and Motor Vehicle Use training

Training Topic:	Trailer Towing Operations		
Training Audience:	All UVM Faculty, Staff or Students Operating a University vehicle and towing a trailer or towing a UVM owned trailer	**Delivered By:**	Risk Management
Method of Delivery:	On-Line: https://riskmgmt.w3.uvm.edu/SafetyCourseSignup.php	**Frequency:**	Before towing a trailer behind a UVM vehicle or before towing a UVM owned trailer

Testing/Licensure/Certification

Testing/Licensure/Certification related to this policy is as follows:

Audience:	All UVM employees who are required to hold a CDL as part of their job	**Type of Testing, License or Certification Required:**	Commercial driver's license (CDL)
Delivered/ Administered by:	State of Vermont Department of Motor Vehicles	**Frequency:**	Upon hire if required for employment. Employees must keep the CDL current for the duration of employment

About This Policy

Responsible Official:	Chief Safety and Compliance Officer	**Approval Authority:**	Chief Safety and Compliance Officer
Policy Number:	V. 3.7.3	**Effective Date:**	June 9, 2023
Revision History:	• V. 4.1.17.1 originally approved April 16, 2003. Revised July 28, 2004. • V. 3.7.2/V. 5.7.2/ V. 4.1.17.2 approved August 27, 2010. Responsible official officially changed from the Vice President for University Relations and Administration to the Vice President for Operations and Public Safety on October 1, 2019. Title of VPOPS changed to Chief Safety and Compliance Officer July 2022.		

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