

## MOTOR VEHICLES

### PURPOSE

The safety of college students, faculty, staff, and the public is a central concern of Edison State Community College. The operations of Edison State necessarily involve some employees operating vehicles and other motorized equipment. This creates the potential for accidents that may result in injuries, fatalities, damage to property and reputation, as well as legal claims against the College.

This Motor Vehicles Policy ("Policy") has been adopted to require the safe and prudent use of certain motor vehicles by College employees when driving on College business, and to minimize the risks of unsafe, impaired, or distracted driving.

### POLICY STATEMENT

#### College Owned or Leased Motor Vehicles

College owned or leased motor vehicles may only be operated by individuals who have been approved in accordance with this Policy. An Approved Driver's list shall be maintained by the Human Resources Department. Approved Drivers are subject to the safe driving practices contained in this Policy as well as all applicable traffic laws.

#### Vehicles Obtained under College-contracted Rental Program

Individuals renting vehicles to conduct College business from Enterprise/National or other entity under a College-contracted rental program are not required to complete the Motor Vehicle Use Agreement or be an Approved Driver, but must have a valid driver's license and must adhere to the safe driving practices contained in this Policy as well as all applicable traffic laws.

#### Driver Eligibility

In order to be eligible to drive a College-owned vehicle, an employee must meet the following requirements:

- Have a valid US driver's license. Drivers must present a valid driver's license at time of application to the Approved Drivers List and at time of license renewal. Drivers with a suspended or revoked license are prohibited from driving motorized vehicles for College business. Drivers with limitations or restrictions on their license will be evaluated on a case-by-case basis, taking into consideration the nature of the limitation and the job duties of the individual.
- Be at least 18 years old and have been a licensed driver for at least 12 months.
- Qualify as a covered person under the College's liability and comprehensive automobile coverage.
- Annually consent for the College to perform a motor vehicle records check.
- Have an acceptable driving record in accordance with the standards provided by the insurance company.
- Annually consent to a drug test and submit a negative sample.
- Annually complete defensive driver training provided by the Human Resources Department.

Edison State reserves the right to remove eligibility to operate a College-owned vehicle from any driver who is involved in an accident or commits a violation of this Policy while operating a College-owned or leased vehicle.

### College- Owned or Leased Vehicles

Vehicles assigned for the use of a specific employee ("assigned driver") should only be driven by that specific College employee. It is recognized in limited circumstances that other authorized Edison State drivers may share driving responsibilities for a single vehicle. In these limited circumstances, it is the "assigned driver's" responsibility to verify that the other driver(s) is an Approved Driver before allowing them to drive the assigned vehicle. A College assigned vehicle cannot be driven by an employee's family member, but an employee's family member is permitted to be a passenger in a College assigned vehicle.

### Safe Driving Practices and Driver Responsibilities

When operating a motor vehicle, the driver is ultimately responsible for its safe and legal operation at all times. Safe driving practices and driver responsibilities include, but are not limited to, the following:

- Drivers and passengers are required to wear seat belts at all times that the vehicle is in motion, (e.g., even while driving in and around parking lots).
- Drivers must obey all traffic rules, drive courteously and practice defensive driving techniques.
- Drivers may not drive the vehicle for more than 10 hours in a 24-hour period.
- Drivers must participate in any required driver safety training.
- Drivers must immediately report to Human Resources any change that may affect their eligibility status. Such changes may include, by way of example, a suspension, revocation or loss of their driver's license, or the imposition of restrictions on driving, such as medical restrictions on driving imposed by a medical professional.
  - **Failure to report immediately any such changes shall be grounds for discipline, up to and including termination.**
- Drivers are required to report the following to Human Resources as soon as possible, usually within one business day:
  - Traffic violation(s) they receive during working and nonworking hours while driving on College business.
  - Accidents that occur while driving on College business in vehicles that are owned or leased by Edison State (see the procedure set forth below).
- Drivers may not operate College vehicles or drive during business hours after having consumed alcohol and/or illegal drugs, or after consuming legal drugs or medications that may impair their ability to operate a motor vehicle.
- Drivers may not offer rides to unauthorized passengers (including animals) not related to Edison State business.

- Drivers must remove the keys and lock the vehicle when unattended.
- Drivers, not the College, are solely responsible for payment of all fines for violations committed while operating any vehicle while on College business, including traffic violation fines, parking tickets and/or speeding tickets.
- The College is not responsible for loss or damage to personal belongings inside vehicles.
- Only Approved Drivers may drive an Edison State vehicle. Passengers, even if they are Edison State employees, may not drive an Edison State vehicle unless they are an Approved Driver.
- Drivers are required to observe all rules and regulations for safe driving as defined by the state in which they are driving.
- Drivers are to avoid conditions that may lead to loss of control, including by way of example, driving while drowsy or distracted or driving too fast for road conditions.
- Texting while driving is illegal in Ohio and prohibited by the College. Cell phone use should be minimized. Phone calls should not be conducted while driving a college vehicle or while driving a personal vehicle for college business. Should the driver need to engage in a conversation, the driver should stop the vehicle in a safe area to take or make the call unless hands-free phone operation is available and engaged in the vehicle.
- Drivers are to always perform an inspection of a College owned or leased vehicle both before and after use. Eligible drivers are responsible for reporting any damage and/or any needed maintenance while in the Driver's possession.
- Drivers whose licenses have been suspended are responsible for working with the Human Resources Office to determine if there are other means of performing their job duties related to driving and are responsible for managing their own alternative transportation to and from work. If no alternative work arrangements are reasonably available related to driving for the position, additional action may be required including termination of employment for inability to perform necessary job duties.
- Drivers who are unable to drive due to medical reasons must provide written documentation from a physician to the Human Resources department and are responsible for engaging in an interactive process with Human Resources to determine reasonable accommodations to fulfill their job duties.
- It is recognized and understood that Edison State sworn police officers in performing their job duties and responsibilities must comply with the requirements set forth in the Ohio Revised Code and the Edison State Department of Public Safety Policies. The Ohio Revised Code and ESCC DPS Policies supersede the above policy requirements in the event there is a conflict.

### Minors and Motor Vehicles

- Minors can only be transported in College owned or leased vehicles, not personal vehicles.
- The driver must be an Approved Driver and deemed the minor's Responsible Adult.

- If a minor must be transported in College owned or lease vehicles, the driver must transport not less than two passengers (other than the Responsible Adult's own minor children).

### Personal Vehicles

- Drivers of personal vehicles do not need to complete the steps to become an Approved Driver.
- The driver must have a valid driver's license, which is not currently suspended or revoked, while using their personal vehicle on College business.
- The driver must carry the minimum automobile liability coverage that is mandated by the state in which they reside.
- When driving a personal vehicle, even for College business, the owner's insurance policy covering the vehicle is considered primary for both liability and physical damage. Insurance maintained by the College, if it applies, will be excess of the employee's personal automobile liability limits.
  - Please note that immunity is not provided for civil actions that arise out of the operation of a motor vehicle. Thus, an individual employee is not immune from claims that arise out of an automobile accident. Drivers should consider renting a vehicle through a College approved rental contract for higher limits than are generally found in a personal automobile policy.
- Use of personal vehicles to transport passengers while on College business or in connection with a College activity is strongly discouraged. Drivers should consider renting a vehicle through a College approved rental contract.
- Use of personal vehicles to transport minor passengers while on College business or in connection with a College activity is NOT permitted.

### Incurred Costs

- All vehicle charges, tolls, parking, and other incidental charges are the responsibility of the assigned department.
- All parking and moving violations are the responsibility of the driver.
- A department will be charged for any damage that occurs to a College owned, leased, loaned, or rented vehicle while the department is using the vehicle, including insurance deductibles.
- Lost vehicle and fuel keys must be reported immediately to Human Resources. Driver's department may be responsible for any new key fees.

### Accident Reporting - Employees

If a College employee is involved in an accident while operating a College owned or leased vehicle or a vehicle that has been rented in accordance with a College approved rental contract, the following steps must be taken:

- Seek medical attention, if necessary.
- Drivers must notify the appropriate police agency in the jurisdiction in which the accident occurred, as well as the ESCC Department of Public Safety (937-778-7820) as soon as it is safe to do so.
- During normal business hours (8:00 a.m. to 5:00 p.m. Monday through Thursday, 8:00 a.m. to 4:00 p.m. Friday) Drivers must notify Human Resources at 937-778-7834 of any accident. At all other times

drivers should notify ESCC Department of Public Safety (937-778-7820) and their immediate supervisor.

- Accidents that occur on the job or are job related may involve the post-accident drug testing provisions of the college's Drug Free Workplace policy. Employees shall notify their immediate supervisor and Human Resources as soon as possible if they are involved in an on-the-job or job related accident. The employees will be tested for an on-the-job or job related accident or injury involving:
  - A fatality
  - Bodily injury with immediate medical treatment away from the scene
  - Damage to any motor vehicle
  - An accident/incident that may not meet the circumstances noted above, but which resulted in property damage, personal injury, and/or loss of College work time
- The driver must work with the supervisor to submit an Accident Report when the driver or a passenger is injured. Please include all pertinent information from the vehicle accident including photos of the vehicles/accident scene.
- If another party is involved, the College driver should obtain the following information from the driver of the other vehicle:
  - Driver's name, address and phone number
  - Driver's date of birth
  - Driver's insurance carrier and policy number
  - Driver's license number and state of issuance
  - Make, model, color and tag of vehicle
  - Damage to all vehicles (If possible take photographs of any and all damage to vehicles)
  - Any Injuries disclosed
  - Names and addresses of other vehicles' occupants and any other witnesses

Under no circumstances should the Driver argue with, or make statements to, the other party(ies) regarding fault or liability of any of the parties.

#### **For Damages That Occur While Not In Operation of the Vehicle**

The Driver's supervisor and the appropriate police department should be contacted and a Property Damage report should be obtained whenever possible. In addition, an online accident report must be submitted by departmental management or the employee who discovered the damage.

**Additional Notification Requirements for Accidents and Damage Involving Vehicles Rented Through a College Contracted Rental Program**

In addition to the above, all Drivers of vehicles rented under a College contracted rental program must immediately report the accident or vehicle damage to the rental company and follow all rental company requirements regarding police reporting.

**Failure to timely report an accident as set forth may result in the initiation of disciplinary action up to and including termination of employment.**

## **DEFINITIONS**

### **APPROVED DRIVER**

Driver who meets the qualifications set forth in this Policy and is approved to drive a College owned or leased vehicle for College business.

### **MOTOR VEHICLE**

Any vehicle legally permitted to transport a Driver (and where applicable passengers or property) on a public road or thoroughfare, including without limitation, automobiles, vans and trucks (including utility or box).