

MONMOUTH UNIVERSITY POLICIES AND PROCEDURES

Policy Name: Vehicle Use Policy

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Director of Compliance/Risk Manager

Approved by: President and Direct Reports

I: PURPOSE

- A. The purpose of this Policy is to set forth the requirements for drivers who operate licensed vehicles in connection with University-related activities. This Policy is intended to promote the safety of drivers, passengers, and the public as well as to minimize losses, damages, and claims against Monmouth University.

II: SCOPE

- A. This Policy applies to all faculty, staff, students, and volunteers who operate vehicles in connection with University business and sponsored activities. This Policy does not apply to golf carts/utility vehicles. (Please refer to the Golf Cart/Utility Vehicle Policy)

III: DEFINITIONS

“Accident” - means any crash involving the operation of a vehicle (owned, leased, or rented) that results in bodily injury or property damage of any kind, regardless of extent.

“Authorized Driver” - A driver authorized to operate a vehicle for business on behalf of Monmouth University who has met all requirements of the policy.

“Motor Vehicle Report (MVR)” – MVR means the record of a person’s driving history obtained from the New Jersey Division of Motor Vehicles or another State’s licensing authority.

“Private Vehicle” – A motor or alternative-powered vehicle that can be registered for on-road use including, but not limited to, automobiles, trucks, trailers, and low-speed vehicles and is used primarily for the private purpose of the person who owns it or of a person otherwise having the right to use it. Private Vehicles may occasionally be used for University Business.

“University Business” – Means activities that are performed on behalf of the University or authorized by the University, or in the course and scope of employment, or in one’s role as a volunteer, student, contractor, or employee of contractor. This does not include commuting to or from the University job site and a personal residence.

“University Vehicle” – Means a vehicle owned, leased, or rented by the University, including without limitation automobiles, buses, vans, trucks, or other mobile equipment.

“Valid Driver’s License” – A driver’s license recognized as valid by the state of New Jersey or the driver’s state of residence, and of the proper class for the type of vehicle to be driven.

IV. POLICY

A. Authorized Drivers

1. University and Private Vehicle Qualifications

a. University Vehicles and Private Vehicles may only be used by Authorized Drivers while traveling for University Business.

2. General Driver Qualifications

a. Any person driving a vehicle for University Business must have a valid U.S. driver’s license of the class required for the vehicle being operated and must provide a copy of the license to the Director of Compliance/Risk Manager.

b. Be at least eighteen (18) years of age.

c. Review and sign the University’s Vehicle Usage Agreement, returning a copy to Human Resources, and comply with its requirements.

d. Must obey all laws, regulations, and policies concerning the operation of motor vehicles, include seat belt use and the prohibited use of cell phones and other portable electronic devices.

e. Submit to Human Resources any requested documentation to authorize the release of the individual’s Motor Vehicle Record (“MVR”) and meet this Policy’s requirement regarding motor vehicle records.

f. Any Authorized Driver whose license is subsequently suspended or revoked must promptly report such information to their supervisor or the head of the department. The supervisor or department head should then promptly notify Human Resources and the Director of Compliance/Risk Manager.

g. Self-report major motor vehicle-related violations to their supervisor or the head of the department. The supervisor or head of department should then promptly notify Human Resources and the Director of Compliance/Risk Manager.

h. Such individuals must also complete vehicle safety training before driving on University Business, for the first time, and every three (3) years thereafter. Such training will be tracked and renewed by the Office of Compliance.

3. To initiate the process of becoming an Authorized Driver, contact the Director of Compliance/Risk Manager. The Director of Compliance/Risk Manager will maintain a list of Authorized Drivers.

4. An individual who has not been identified as an Authorized Driver may not drive any vehicle on University Business. For individuals whose duties and responsibilities for the University require that individuals to drive a vehicle on University Business as an essential function of their position, failure to be designated as an Authorized Driver or loss of Authorized Driver status may carry consequences, including, but not limited to revocation of an offer of employment or termination of employment.
5. Training
 - a. To become an Authorized Driver, individuals must complete a Driver Safety Training course offered by the Office of Compliance. Authorized Drivers are required to complete a Defensive Driving Training Course every three (3) years thereafter offered by the Office of Compliance.

B. Motor Vehicle Record (MVR) Standards

1. Driver Authorizations may be denied or revoked for failing to meet or maintain the University's MRV standards.
2. Driver Authorizations will be denied or revoked if convictions of the following Type A violations appear in the driver's MRV within the past five (5) years:
 - Aggravated assault with a motor vehicle
 - Negligent homicide with a motor vehicle
 - Driving while intoxicated or driving under the influence
 - Reckless, careless, and negligent driving (including racing)
 - Hit and run or leaving the scene of an accident
 - Attempting to elude a police officer
 - Permitting an unlicensed minor to operate a vehicle
3. Driver Authorizations will be denied or revoked if a combined total of more than three (3) of the following Type B violations appear in the driver's MVR within the past three (3) years:
 - All moving violation convictions (not Type A)
 - At-fault accidents
4. Driver Authorization will also be denied or revoked if an MVR review establishes that an individual's driver's license has been revoked, suspended, expired or otherwise restricted.
5. Upon notification of a failure to meet or maintain MVR standards, the Office of Compliance will provide written notification to the driver, the driver's supervisor, and Human Resources of the denied or revoked Driver Authorization.

6. Driver Authorization may be restored once five (5) years have elapsed for Type A violations. For Type B violations, Driver Authorization may be restored provided the driver's MVR has no more than three (3) Type B violations in the current three (3) year period.
7. In addition to the MVR standards, the following actions may result in suspension or revocation of Driver Authorization and may also result in appropriate disciplinary action up to and including termination:
 - Operating a vehicle for non-University related Business
 - Operating a vehicle in a reckless or unsafe manner
 - Failing to report an accident involving a University Vehicle or Private Vehicle being used for University Business to the appropriate law enforcement agency and the Director of Compliance/Risk Manager
 - Operating a vehicle while under the influence of alcohol or drugs

C. Use of University Vehicles

1. The use of University Vehicles by individuals who have a vehicle assigned to them is restricted to travel for legitimate University business purposes. Individuals are not authorized to use University vehicles for personal purposes including but not limited to commuting from home unless the individual is on emergency recall.
2. While operating a University Vehicle, individuals agree to abide by all motor vehicle rules and regulations.
3. Drivers are expected to safeguard and maintain University Vehicles in good condition. Before each use, drivers must inspect vehicles for safety issues, including tires, wipers, lights, and other safety equipment and report any issues immediately to their supervisor as soon as possible.

D. Use of Private Vehicles

1. While the use of a Private Vehicle for University Business is allowed, the use of a University Vehicle is highly recommended over a Private Vehicle. Drivers who use a Private Vehicle for Official University Business must first receive authorization to do so from their respective department head and must comply with the applicable sections of this policy.
2. While operating a Private Vehicle, individuals agree to abide by all motor vehicle rules and regulations.
3. Individuals who choose to use their Private Vehicle on University Business are responsible for maintaining automobile liability insurance in accordance with state law, maintaining current state vehicle inspections when required, and maintaining the vehicle in a safe operating condition.

- a. If the individual chooses to use a privately-owned vehicle, the individual's personal automobile insurance will be primary at all times. It is the responsibility of the individual to ensure that there is no business use exclusion on their personal auto insurance policy.
- b. The University will not reimburse an individual, or other private owner, or their insurer for any deductible or liability claim paid by their personal auto insurance policy or for any damage done to the vehicle.
- c. Individuals who operate a Private Vehicle for University Business must carry proof of personal auto liability insurance. Individuals must carry liability insurance with the state minimum limits of \$15,000 per person/\$30,000 per accident.
- d. While the State of New Jersey does not require any coverage that protects an individual's own vehicle, Monmouth University requires that all individuals and authorized drivers must be in possession of insurance plans that provide coverage of private vehicles.
- e. New Jersey is a no-fault state, which means that drivers must have Personal Injury Protection (PIP) on their car insurance policy. PIP ensures that an individual is reimbursed for their medical bills, regardless of who is at fault in an accident.
- f. Monmouth University will not be responsible for any increases in insurance rates that occurs due to an accident taking place while on University Business.
- g. If any personal property is damaged or stolen as a result of being transported or stored in a privately-owned vehicle, the property is not covered by the University's insurance. Individuals are encouraged to consult with their personal insurance provider to determine if coverage for property in vehicles is included in their insurance policy.
- h. Individuals are eligible to receive mileage reimbursement for the use of authorized Private Vehicles in accordance with the University's Travel, Entertainment and Food Policies and Procedures. The University is not responsible for the cost of gas, maintenance and wear-and-tear of Private Vehicles.

E. General Vehicle Use Requirements and Restrictions

1. University vehicles must at all times be operated in full compliance with all applicable federal, New Jersey State, and local laws and regulations, as well as University policies and procedures.
2. Unauthorized drivers are prohibited from operating University Vehicles or Private Vehicles for University Business.
3. Do not transport unauthorized passengers such as hitchhikers, family or friends.

4. Use of seat belts in University vehicles by drivers and all passengers, regardless of seating location, is mandatory.
5. No person driving a University vehicle may use a mobile telephone or other electronic device while driving unless the mobile telephone or other electronic device is used in hands-free mode. Even hands-free use should be conducted only if it does not interfere with the safe operation of the vehicle. Because of the inherent dangers of distracted driving, all drivers are strongly encouraged to use mobile telephones and other electronic devices only while the vehicle is safely off the road and not in motion.
6. No person driving a University vehicle may send or view e-mails or text messages while driving.
7. No person driving a University vehicle may use alcohol or drugs that would impair driving. Possession of alcohol, illegal drugs, or other intoxicating substances by any person in a University vehicle is strictly prohibited.
8. Smoking in University vehicles is strictly prohibited.
9. All persons are prohibited from carrying, possessing, or transporting firearms, other weapons, or explosive devices in a University vehicle unless expressly authorized to do so in connection with carrying out their official University duties.
10. The use of radar detectors in University vehicles is strictly prohibited.
11. Keep all items that are in a truck bed, on a roof rack, or being trailered behind the vehicle, tied down securely to ensure they do not become dislodged while driving.
12. Unless expressly authorized by Monmouth University, no banners, advertising, placards, decals, stickers, or unauthorized equipment may be installed on a University vehicle.
13. Except as otherwise required by traffic, weather, or road conditions, travel should be by the most direct route possible taking into consideration cost-effectiveness, actual distance traveled, and the time to travel such distance.
14. Turn off the vehicle, remove the keys, and lock the vehicle when it is left unattended. Keys must be kept in a secure location.
15. Due to warnings and reports issued by the National Transportation Safety Board about 15-passenger vans regarding their rollover propensity, the operation of 15-passenger vans is prohibited.
16. Individuals are prohibited from operating motorcycles, motor scooters or motor bikes when traveling on University Business.

17. Written parental/guardian consent is necessary and adequate supervision must be provided when transporting any minor as part of a University youth program, including avoiding one-on-one interactions as outlined in the University's Protection of Minors Policy.

F. Accidents

1. In the event that an individual is involved in a motor vehicle accident while operating a University Vehicle or a Private Vehicle on University Business, they are expected to remain at the scene of the accident, contact local authorities, and provide full cooperation with investigating agencies. The individual must also notify Michael Wunsch, Director of the Office of Compliance and at 732-263-5355.
2. At the time of the accident, the driver must note the following information and provide it to the Director of Compliance/Risk Manager:
 - a. Name and extent of damage to vehicles and other property.
 - b. Name and address of the legal owner of the other vehicle or vehicles, if any.
 - c. Name, address, driver's license number and state, and date of birth of the driver of the other vehicle or vehicles, if any.
 - d. License number, make and model of the other vehicle or vehicles, if any.
 - e. Name of the insurance company of any other driver or drivers, policy number and expiration date, and policy holder's name and address.
3. Any damage sustained from an accident while operating a University Vehicle on University Business will be covered by the University's Insurance policy. The responsible department must pay the first \$500 in damages.
 - a. The driver shall not jeopardize the University's position regarding its insurance by admitting fault of liability, nor shall any reimbursement or other payment be offered or made.
 - b. When renting a vehicle outside of the U.S., the local compulsory coverage must always be purchased from the rental company and acts as primary. University insurance may be excess for liability.
4. Where bodily injury is sustained by an employee, the University's Workers' Compensation insurance policy is the primary source of coverage for resulting injuries. Should such an event occur, the employee shall contact as soon as possible:
 - Human Resources
 - Director of Compliance/Risk Manager
 - The employee's supervisor

MONMOUTH UNIVERSITY VEHICLE USAGE AGREEMENT

As a function of your employment at Monmouth University, you may be asked to drive University vehicles or a privately owned vehicle used for University business. ***Improper use or dangerous operation of any vehicle used for Monmouth University business may result in revocation of your University driving privileges. It may also result in disciplinary action leading up to and including termination of employment.*** Your signature below verifies that you understand the obligations outlined in the vehicle usage agreement and you agree to comply with them.

I, _____ (the Driver) agree that I will:

1. Have a valid driver's license.
2. Use University vehicles for authorized business only.
3. Not permit any unauthorized person to drive the vehicle.
4. Operate the University vehicle in accordance with University regulations and know and observe all applicable traffic laws, ordinances and regulations.
5. Operate University motor vehicles or personal vehicles being used in conducting of University business so as to reduce the likelihood of accidents and ensure the safety of the University employee, passengers, public and University property; use safe driving principals, practices and techniques at all times.
6. Use seat belts or other available occupant restraints and require all occupants to also use occupant restraints, in accordance with state laws and not operate the vehicle unless all occupants are wearing the appropriate restraints.
7. Not use a mobile phone or other electronic device while driving unless the device is used in hands-free mode.
8. Not drive under the influence of drugs or alcohol (except any medications as long as they do not impair driving ability or cause drowsiness).
9. Not transport unauthorized passengers such as hitchhikers, family or friends.
10. Not drive the vehicle at speeds that are inappropriate for road conditions.
11. Not drive the vehicle "off road".
12. Assume all responsibility for any and all fines or traffic violations associated with my use of a University vehicle or privately owned vehicle on University business.
13. Before leaving the parking area, inspect the vehicle for safety concerns, checking tires, wipers, lights and other safety equipment for observable defects. Report any defects immediately to your supervisor to determine if the vehicle is safe to operate.
14. Turn the vehicle off, remove the keys, and lock the vehicle when it is left unattended.
15. Immediately report all accidents to the local authorities and the Director of Compliance/ Risk Manager.
16. Immediately report to your supervisor and the Office of Compliance if any changes in driving status that place the driver outside the University's driving qualifications. Examples include any moving violations on a license, or suspension or revocation of a license.
17. Be subject to applicable disciplinary procedures for violations of University policy or rules.

Driver's Signature

Date

Driver's Printed Name