

## MOTOR VEHICLE USE FOR UNIVERSITY BUSINESS

### POLICY SUMMARY

Vehicles driven on Northern Arizona University business shall be operated in a safe manner and in compliance with applicable laws, regulations, and policies. Only properly qualified and authorized individuals may drive on University business, whether operating a motor vehicle owned, leased, or rented by the University or a personal vehicle. University vehicles may only be used for official authorized purposes and may only be driven by authorized University employees and Volunteers. Personal use of University vehicles is prohibited.

### REASON FOR THIS POLICY

Clear standards for driving on University business and use of University owned vehicles promotes individual accountability for lawful use and mitigates liability.

### ENTITIES AFFECTED BY THIS POLICY

- All units that may authorize motor vehicle use for University business
- Risk Management
- University Transit Services

### WHO SHOULD KNOW THIS POLICY

- Individuals who operate motor vehicles for University business
- Supervisors of individuals who operate motor vehicles for University business

### DEFINITIONS

**Authorized Driver:** a University employee (including a student employee), agent, or Volunteer who has completed the applicable training, qualification, and registration requirements necessary to be authorized to drive either a University, rental, personal, or other motor vehicle for the purpose of conducting University business and are, therefore, eligible to receive reimbursement for costs associated with operating a motor vehicle for University Business.

**Volunteer:** a person doing work for the University under the direction and control of University officials and are not being paid by anyone for these activities.

### POLICY

#### A. Applicability

This policy applies to all University community members, including faculty, staff, students, agents, and Volunteers who operate a University motor vehicle, or a rented, personal, or other motor vehicle for the purpose of conducting University business, which for purposes of this policy excludes normal or everyday personal transportation to and from the workplace. As mandated by federal regulations, employees who require a commercial driver license (a "CDL") are subject to additional requirements.

## B. Guiding Principles

Safety and courtesy are the operative elements of when driving a motor vehicle to conduct University business. Doing so is a privilege granted by the University on the condition that such operation adheres to all applicable safety and other requirements while manifesting courtesy for all. Operating a motor vehicle on University business in an unsafe or discourteous manner is prohibited and subject to disciplinary action. Authorization by the University to operate motor vehicles on its behalf is granted solely to persons who adhere to all applicable legal, administrative, and policy requirements.

## C. General Requirements and Prohibitions

1. Only Authorized Drivers may operate motor vehicles for the purpose of conducting University business.
2. Only Authorized Drivers may receive reimbursement for the cost of operating motor vehicles on University business.
3. Smoking, vaping, or any other use of tobacco products in University vehicles is prohibited.
4. In accordance with the University's *Alcohol and Other Drug* policy, no person may operate any motor vehicle for University business after having consumed any amount of alcohol or any illegal drug, or any other controlled substance, including but not limited to, legally obtained and properly administered prescription drugs, that can reasonably be anticipated to impair the driver's ability to operate the vehicle in a safe and reliable manner.
5. Consuming or transporting alcoholic beverages intended for human consumption is prohibited in University vehicles, except that alcoholic beverages purchased as part of an authorized University event or activity may be transported in a University vehicle provided that they remain sealed in their original containers and are secured in the vehicle's trunk or, at a minimum, out of the driver's reach.
6. Only Authorized Drivers who have completed the appropriate training may operate motorized specialty vehicles on University property (e.g., John Deere Gator or Polaris vehicles).
7. Each University department is responsible for ensuring that the University vehicles under their inventory and control are properly cleaned, inspected, and maintained in accordance with the *Motor Vehicle Operating Procedures*.
8. Students may not serve as Volunteers for the purpose of operating motor vehicles in support of academic programs or activities. Students may only operate a motor vehicle on University business if i) they are employed by the University; ii) if operating a motor vehicle falls within the course and scope of their job responsibilities; and iii) prior to operating any vehicle, they have completed all applicable training, qualification, and registration requirements necessary to become Authorized Drivers.
9. As outlined in this policy, supervisors shall confirm that all Authorized Drivers under their supervision who operate personally owned motor vehicles on University business possess and maintain personal vehicle liability insurance that complies with statutory requirements.
10. In the absence of a formal justification signed by a vice president and on file with Risk Management, employees may not park University vehicles overnight at their personal residence or other unauthorized locations.
11. Only Authorized Drivers who have completed applicable U.S. Department of Transportation ("DOT") hazardous materials and Occupational Safety and Health Administration spill response training may transport hazardous materials in University vehicles. Note that the transport of such materials that require appropriate placards may require the driver to possess a CDL with a hazardous materials endorsement if the material is being transported in commerce according to DOT regulations.
12. Authorized Drivers must immediately advise the appropriate supervisor of any change in their driver license status including, but not limited to, suspension or revocation.

#### D. Motor Vehicle Operating Procedures

Employees and Volunteers shall comply with or apply as necessary and appropriate the *Motor Vehicle Operating Procedures* that accompany this policy when operating a motor vehicle for University business.

#### E. Age, Experience, and Licensing Requirements

1. Authorized Drivers must possess a valid state-issued driver license that authorizes the driver's operation of the type of vehicle to be driven prior to operating the vehicle for University business.
2. Authorized Drivers operating Class D or Class M vehicles (e.g., sedans, SUV's, pickups, motorcycles) must be at least eighteen (18) years of age and have a minimum of two (2) years of licensed driving experience, which may consist of time driving with a restricted or Class G license.
3. Authorized Drivers operating high occupancy vehicles (defined for this purpose as any vehicle, typically a passenger van, that is designed, modified, or may otherwise be configured with a seating capacity of nine (9) to thirteen (13) persons including the driver) must:
  - a. be at least eighteen (18) years of age and have a minimum of two (2) years of licensed driving experience, which may consist of time driving with a restricted or Class G license;
  - b. have an "Acceptable" driving status; and
  - c. have first successfully completed the University's van training program operated by University Transit Services.
4. Authorized Drivers operating a University bus (defined for this purpose as any passenger vehicle with a capacity greater than thirteen (13) persons including the driver) must:
  - a. be at least eighteen (18) years of age;
  - b. have a minimum of two years of licensed driving experience;
  - c. possess a valid Commercial Driver License (a "CDL") of either Class A, B, or C (an intrastate CDL valid only in Arizona is acceptable);
  - d. have a minimum of two years licensed driving experience prior to driving in a CDL capacity on University business, which may consist of time driving with a restricted or Class G license; and
  - e. comply with all applicable CDL federal requirements, including the alcohol and other drug testing mandates outlined in Human Resources policy 5.06.

#### F. Authorized Driver Classification

In accordance with Arizona Administrative Code ("A.A.C.") R2-10-207, the University reviews each Authorized Driver's Arizona Department of Transportation "Motor Vehicle Record" (or "MVR") annually to evaluate their driver license status and citation history for the most recent thirty-nine (39) months. Based upon these reviews, each Authorized Driver's status is then classified as either Acceptable, Conditional, or Unacceptable. MVR's are evaluated using the following points-based system:

- Acceptable – five (5) or fewer points
- Conditional – six (6) to seven (7) points
- Unacceptable – eight (8) or more points

#### G. Maintaining Authorized Driver Status

1. To maintain Acceptable driver status, an Authorized Driver's MVR must be reviewed and, if they operate a personal vehicle on University business, their possession of qualified vehicle insurance must be confirmed each year.

2. To maintain Conditional driver status, an Authorized Driver's MVR must be reviewed at least twice per calendar year and, if they operate a personal vehicle on University business, their possession of qualified vehicle insurance must be confirmed twice each year. Additionally, the Authorized Driver must complete qualified defensive driving training within thirty (30) days of notification.
3. When an Authorized Driver's status is classified as Unacceptable and their authorization to operate a motor vehicle for University business is thus suspended, the driver, the driver's immediate supervisor, and the appropriate vice president will be notified as outlined in the *Motor Vehicle Operating Procedures*. Any determination to allow an Authorized Driver classified as Unacceptable to regain authorization to operate a motor vehicle on University business will be made by the driver's supervising vice president in consultation with a management team consisting of the Authorized Driver's immediate supervisor, Human Resources, Risk Management, and advised by the Office of General Counsel. If, after appropriate consultations, the driver's vice president determines that the driver will be allowed to continue as an Authorized Driver, Risk Management will document in writing and inform the driver and the driver's supervisor any limitations or special conditions that must be observed.
4. The University will adjust each Authorized Driver's status as appropriate based upon their driving record as determined and maintained by the Arizona Department of Transportation ("ADOT").
5. Under no circumstances will the University ignore or circumvent any valid action or order by ADOT or a competent court of jurisdiction regarding motor vehicle operation. Such actions or orders may include, but are not limited to, driver license suspension or revocation. No individual with a suspended or revoked driver license may drive on University business.

#### H. Motor Vehicle Operation Requirements

1. Use University vehicles for authorized, official purposes only.
2. Drive courteously and exercise reasonable caution to prevent collisions or other accidents or losses.
3. Always possess a valid driver license on your person.
4. Always comply with all applicable laws, regulations, and polices, including local parking regulations.
5. Drive at lawful speeds that are appropriate to specific road, vehicle load, and hazard conditions.
6. Immediately and appropriately address any traffic citation or resulting fine.
7. Do not transport unauthorized passengers.
8. Do not allow unauthorized persons to drive a University vehicle.
9. Comply with all seat belt and mobile device laws.
10. Do not drive and instead immediately advise the appropriate supervisor after having consumed any amount of an alcoholic beverage or any other drug, including legally obtained over the counter or prescription medicines, that may cause impairment.
11. Turn the vehicle off, remove the keys, and lock the vehicle when leaving it unattended.
12. Prior to its use, inspect the vehicle for obvious safety concerns and do not operate any vehicle that you recognize as unsafe to drive.
13. Report vehicle safety concerns or defects in accordance with *Motor Vehicle Operating Procedures*.
14. Immediately report all traffic accidents or citations that arise to the appropriate supervisor.
15. Do not transport illegal items or substances.

16. Except for law enforcement and other authorized activities, do not use a University owned, leased, or rented motor vehicle to transport weapons as defined and prohibited under the *Weapons on Campus* policy.
17. Carefully comply with the *Motor Vehicle Operating Procedures*, including the pre and post-check vehicle inspection and condition reporting requirements.

#### I. Accident Reporting

As outlined in the *Motor Vehicle Operating Procedures*, Authorized Drivers are required to immediately report any accident involving a University vehicle or a vehicle associated with a University event or activity to their supervisor, or to another appropriate University official, and to Risk Management.

#### J. Insurance Coverages

1. In accordance with A.R.S. § 41-621, the University is insured for liability by the State of Arizona. The Arizona Department of Administration's Risk Management Division administers this insurance program. This coverage extends to all Authorized Drivers, including Volunteers, acting within the course and scope of their employment and/or authorization. This coverage does not extend to unauthorized drivers or personal use of University-owned, leased, or rented vehicles. In such cases, the driver is personally liable for any and all damages that may occur.
2. As required by A.R.S. § 28-4009 and A.A.C. R2-10-207, Authorized Drivers who operate personally owned vehicles on University business must maintain statutorily required liability insurance.
3. Authorized Drivers operating personal vehicles on University business are insured for liability incurred on an excess basis. This means that personal insurance or other available insurance coverages must be exhausted before state coverage applies. The mileage reimbursement rate includes a cost factor for personal insurance and the vehicle owner determines whether to insure their vehicle for property damage. Neither the State of Arizona nor the University provide insurance coverage for physical damage to personal vehicles used on University business.
4. Commercial rental or leased vehicle owners/agencies that have incurred damages arising from use of their vehicle for University business may seek compensation through a liability claim in accordance with A.R.S. §12-821.01. Rental agencies and third parties should contact Risk Management for claim forms and information about submitting a liability claim.
5. University employees injured in motor vehicle accidents that occur within the course and scope of their employment are covered by workers' compensation insurance. For Volunteers and students injured in motor vehicle accidents associated with University activities such as field trips, insurance coverage is provided on an excess basis for accidental medical expenses and for accidental death and/or dismemberment. Injuries must be reported in accordance with applicable University policies. Refer to the *Motor Vehicle Operating Procedures* for coverage details.

#### K. Accident Review Committee

1. In consultation with Risk Management and with the concurrence of each supervising vice president of jurisdiction, the Vice President for Capital Planning and Campus Operations shall appoint an Accident Review Committee consisting of a minimum of six (6) members. The Committee will include a representative from Risk Management, who will serve as chair and who shall be responsible for maintaining written records of its activities. The Committee shall have one representative from each the following areas: University Transit Services, Environmental Health and Safety, Student Affairs, Academic Affairs, and Athletics.
2. The Accident Review Committee shall review each vehicle accident that involves collision, damage, and/or injury to determine its cause and preventability and is charged with recommending corrective action with the intent of preventing a recurrence.

3. The Accident Review Committee will review the available relevant information to determine whether assigning responsibility for the accident and concluding whether the accident was preventable or non-preventable with reasonable certainty is possible. When the Committee concludes that an accident was preventable, the following corrective actions shall be required:
  - a. First Preventable Accident. At minimum, the Accident Review Committee chair will notify the Authorized Driver's supervisor who shall require the driver to successfully complete the University's defensive driver training program within ninety (90) days. Additionally, the Accident Review Committee may recommend additional special corrective actions, limitations, or conditions it deems warranted given the circumstances.
  - b. Second Preventable Accident. In the event a second preventable accident occurs within twenty-four (24) months of an Authorized Driver's first preventable accident, the Accident Review Committee chair will notify the Authorized Driver and their immediate supervisor that the Committee has suspended the Authorized Driver's authorization to drive on University business. If, after consulting with Human Resources to determine the potential impact on fulfillment of job duties, the supervisor concludes that it is in the best interests of the University that the Authorized Driver be allowed to continue operating motor vehicles for the purpose of conducting University business, the supervisor shall send a written justification to the Accident Review Committee and the supervising vice president for consideration. The final determination of whether an employee who has been involved in two (2) or more preventable accidents (as determined by the Accident Review Committee) should continue as an Authorized Driver will be made by the employee's supervising vice president in consultation with a management team consisting of the Authorized Driver's immediate supervisor, Human Resources, Risk Management, and advised by the Office of General Counsel. If after appropriate consultations, the employee's vice president determines that the employee will be allowed to continue as an Authorized Driver, Risk Management will document the decision and related circumstances in writing and inform the employee and the employee's supervisor of any special limitations or conditions that must be observed.
  - c. Third Preventable Accident. If an Authorized Driver is authorized to continue driving on University business as set forth in Section K(3)(b) above and experiences an additional preventable accident within twenty-four (24) months of the supervising vice president's decision to allow the employee to continue driving, Risk Management will notify the Authorized Driver, their supervisor, the supervising vice president, and Human Resources that the employee's authorization to drive a motor vehicle on University business is terminated.
4. The Accident Review Committee may require any corrective action it deems necessary for any incident, up to terminating the right to drive on University business, based on review of the facts of the incident, which will include but is not limited to severity and cost of the incident.
5. An Authorized Driver involved in a preventable accident may be subject to disciplinary action up to and including termination as determined by the supervisor or appropriate department head. Any disciplinary action resulting from a violation of this policy shall be in accordance with University disciplinary policies and procedures. If, due to time constraints and/or the severity of the incident, disciplinary action is administered prior to the meeting of the Accident Review Committee, the supervisor will notify the Committee chair.
6. The Accident Review Committee chair will forward the Committee's findings and recommendations to the Authorized Driver's supervisor and the appropriate vice president.

#### L. Identification of University Vehicles

In accordance with A.R.S. § 38-538, the Vice President for Capital Planning and Campus Operations shall ensure that all motor vehicles owned or leased by the University for more than six (6) months are marked with the University's official indicia and bear University license plates.

## M. Use of University Vehicles in Mexico

In furtherance of University business and with prior authorization and confirmation of appropriate insurance coverages, the documentation of which shall always be carried in the vehicle, University vehicles may enter and be operated within Mexico. Automobile liability insurance coverage valid in Mexico for University vehicles shall be obtained in accordance with the *Motor Vehicle Operating Procedures*.

## RESPONSIBILITIES

**Authorized Drivers:** always operate vehicles on University business in a safe and courteous manner and in compliance with all provisions of this policy and applicable driving laws.

**Departmental Leadership:** ensure that only properly qualified and authorized individuals are allowed to drive vehicles on official University business for University programs and activities under their direction and control.

**Departmental Supervisors:** review insurance of direct report employees and Volunteers as required by this policy.

**University Transit Services:** ensure annual safety inspections and appropriate repairs are made for all University vehicles.

## PROCEDURES

[Motor Vehicle Operating Procedures](#)

## RELATED INFORMATION

### Forms or Tools

There are no forms or tools associated with this policy.

### Cross-References

[Alcohol and Other Drugs](#)

[Human Resources Policy 5.06](#)

[Weapons on Campus](#)

### Sources

[Arizona Administrative Code R2-10-207](#)

[Arizona Revised Statutes § 12-821.01](#)

[Arizona Revised Statutes § 28-4009](#)

[Arizona Revised Statutes § 38-538](#)

[Arizona Revised Statutes § 41-621](#)

## APPENDIX

None.