



## **DRIVING AND MOTOR VEHICLE POLICY**

*Effective Date:* January 1, 2004

*Revised Date:* March 1, 2012

### ***Purpose:***

The safety of Cleveland State University's students, faculty, staff, and the public is a central concern of this University. This policy is designed to support safe, prudent use of CSU vehicles, and governs the use of CSU vehicles by students, faculty and staff.

### ***Covered University Vehicles:***

This policy is applicable to the drivers of all University owned and leased or locally rented vehicles which are leased or rented in the University's name or used in the course and scope of University business regardless of lessee/renter. It is also applicable to all 15-passenger vans.

### ***Authorized Use:***

Authorized use of CSU vehicles is limited to:

1. Travel between the place where the University vehicle is dispatched and the place where official University business is performed.
2. When on official travel status, between the place of University business and the place of temporary lodging.
3. When on official travel status and not within reasonable walking distance, between either of the above places and places to obtain meals; places to obtain medical assistance (including drugstore); and other places required to
4. Sustain the health, welfare or continued efficient performance of the driver, exclusive of places of entertainment.
5. Transport of other officers, employees or guests of the University when they
6. Are on official University business.
7. Transport of consultants, contractors or commercial firm representatives when such transport is in the direct interest of the University.
8. Travel between the place of dispatch and place of performance of University business to your personal residence when specifically authorized by the proper University authority.
9. Out-of-state travel when authorized by the proper University authority.

### ***Unauthorized Use:***

Use of a CSU vehicle for any of the following purposes shall be considered unauthorized and shall subject the driver to potential disciplinary action up to and including termination:

1. Any use for personal purpose, other than commuting which has been authorized as specified in Authorized Use.
2. Travel or tasks which are beyond the vehicles rated capability.
3. Transport of family, friends, associates or other persons who are not employees of the University or serving the interest of the University.
4. Transport of hitchhikers.
5. Transport of cargo which has no relation to the performance of official University business.
6. Transport of acids, explosives, weapons, ammunition or highly flammable material, except by specific authorization, or in an emergency situation.

7. Transport of any item or equipment projecting from the side, front or rear of the vehicle in a way which constitutes an obstruction to safe driving or a hazard to pedestrians or to other vehicles.
8. When on official University business yourself, transport of other employees from the workplace to restaurants, cafes, drugstores or to other places which are not in the service of University business.
9. Attending sporting events, including hunting and fishing (which are not in the service of University business).
10. Extending the length of time the vehicle is in your possession beyond that which is required to complete the official purpose of the trip.
11. Operating a University vehicle while under the influence of alcohol or drugs.

***Driver Responsibilities:***

Drivers are responsible for inspecting a rented vehicle prior to leaving the place where the vehicle is rented. Once the driver leaves the rental facility with the vehicle, any damages found are the responsibility of the renting party.

Drivers shall not operate a vehicle if the driver suspects it is not operating properly. The driver shall park the vehicle and make appropriate arrangements so that the vehicle can be serviced, otherwise operated safely, or towed.

Drivers must only transport the number of persons for which there are seatbelts in the vehicle. All persons must wear their seatbelts.

Drivers must observe all traffic regulations. Drivers are personally responsible for any traffic citations (tickets) that may be issued as a result of operating a University vehicle.

Drivers must take appropriate precautions when driving conditions are hazardous. (This includes but is not limited to fog, heavy rain, snow, or ice conditions). This includes allowing enough time for travel.

Drivers are responsible for taking appropriate measures to secure and safeguard the vehicle until it is returned to the designated location at the University or the rental company.

Drivers of 15-passenger vans are additionally responsible for:

1. Making sure there are no more than nine passengers, including the driver.
2. Making sure that passengers are positioned as far forward as is reasonable to control the center of gravity.
3. Making sure that the open space is not overloaded with cargo, and that the cargo is restrained and placed lower than seat back height, and is not placed on top of the vehicle.

***Approved Drivers:***

*Employees-* University vehicles may be driven by licensed drivers over 18 years of age who appear as authorized drivers on their departmental reports to the Insurance Administration Consultant. All drivers of University owned vehicles operating off of the University campus must be a minimum of 18 years of age. Students working on campus may be given campus driving privileges. This must be approved by the Motor Pool Coordinator.

To be considered for approval to drive, the individual must:

1. All Drivers must be a student or be employed by Cleveland State University.
2. Submit a signed Employee Release for Motor Vehicle Report when requested to do so.
3. Have a valid driving license.
4. Have driving records free of:

- a. A current suspension, license forfeiture or revocation of a state driver's license that restricts an employee's ability to drive at work.
- b. Driving without CSU's authorization.
- c. Willful or wanton disregard of the safety of persons or property (4 point violation).
- d. Major Traffic Offenses (6 points or more) that result in the suspension or revocation of University driving privileges, such as:
  - i. Homicide by vehicle.
  - ii. Operating a motor vehicle while under the influence of alcohol and/or any drug of abuse.
  - iii. Failure to stop and disclose identity at the scene of a collision.
  - iv. Willingly fleeing or eluding a law enforcement officer.
  - v. Racing.
  - vi. Operating a motor vehicle without the consent of the owner.
  - vii. Operating a motor vehicle while the operator's license is under suspension or revocation.
  - viii. Using a motor vehicle in the commission of a felony or committing any crime punishable as a felony under Ohio Motor Vehicle Laws.

If the Motor Vehicle Report reveals citations for traffic offenses, the presence of prohibited conviction(s) or license suspension, forfeiture or revocation as specified above, the Department of Human Resources Development and Labor Relations (Human Resources) shall disapprove an employee's authorization to operate a University vehicle (or drive on University business). In such instances, Human Resources will notify that employee's supervisor that the employee may no longer operate CSU vehicles. A copy of the Motor Vehicle Report will be given to that employee. If that employee disputes the facts shown on the motor vehicle record, he/she may challenge them with the Ohio Bureau of Motor Vehicles.

An employee who drives a vehicle during the course of performing University duties who no longer meets the driver standards of this policy may be given alternative duties for which he/she is qualified, not to exceed six (6) months unless the parties mutually agree in writing to extend the period. If there are no alternative duties for which the employee is qualified as determined by the University, then the employee shall be placed on voluntary layoff for six (6) months. If, within the six month period, the employee has his/her license reinstated and has successfully completed an approved remedial driving course as required by the University, he/she will be reinstated to his/her former job. The employee shall be responsible for any costs associated with license reinstatement including the cost of enrollment in a remedial driving course. If after six (6) months the employee's license is not reinstated or renewed, the employee shall be terminated.

Motor vehicle reports will be run at least on an annual basis for all employees who drive a vehicle during the course of performing University duties and, when feasible, will be run prior to a job offer being made to new applicants whose duties require them to drive. All drivers before being permitted to drive University vehicles shall report any conviction for any Major Traffic Offense (see 2.d. under Approved Drivers) or any change in the status of their license to their supervisor that results in the loss of work driving privileges. This action shall occur on the first working day following the conviction or as soon as possible thereafter. The supervisor shall report such charge or conviction to Human Resources immediately. Human Resources will notify the Insurance Administration Consultant immediately. Failure to comply with this policy shall be considered a willful violation of this policy and may subject an employee to disciplinary action up to and including termination.

### ***Students and Volunteers***

Only students and volunteers who have been approved by the Insurance Administration Consultant are allowed to drive University-owned or rented vehicles or to receive travel reimbursement for the use of their personal vehicles. In order to be approved to drive, the student must:

1. Have submitted a signed Release for Motor Vehicle Report.
2. Have a valid driver's license and a motor vehicle report which does not have six or more points in the last three years. An example of points assigned by the State of Ohio is shown below.

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| 6<br>pts. | Operating a vehicle under the influence of drugs and/or alcohol.<br>Vehicular Assault<br>Vehicular Homicide/Vehicular Manslaughter<br>Fleeing, Eluding, or Ignoring Officer & Failure to Stop at Collision Scene | Underage Drinking & Driving<br>Operating in Willful of Wanton<br>4<br>pts. Disregard of Persons or Property<br>Exceeding the Speed Limit by 30 Miles or More                          |
|           | Driving Under Suspension/Revocation<br>Any Felony Motor Violation or any Felony committed with a Motor Vehicle<br>Unauthorized Use of Motor Vehicle Street Racing  | 2<br>pts.<br>Speeding < 30 miles over speed limit<br>Operating a Vehicle in Violation of Registrars restriction<br>All Other Moving Violations reported but not Covered by this Table |

Students and volunteers who, at any time, do not meet the above qualifications will be prohibited from driving University-owned or leased vehicles. They will not be able to receive travel reimbursement for their personal vehicles.

**15 Passenger Van Driving Course:**

All drivers of 15 & 12 passenger vans (staff, faculty, students, and volunteers) must take and pass the 15-Passenger Van driving course which is offered through a driving school prior to driving such vehicles.

**Use of Personal Vehicles:**

Any individual who drives his or her *personal vehicle* to an activity or on University business is responsible for the safety of himself/herself as well as all passengers. The University bears no responsibility and is not liable for the operation or operating condition of personal vehicles and expects such drivers to comply with state law. The owner of the vehicle must carry automobile liability insurance. The owner's automobile liability insurance coverage is the primary coverage.

There is no physical damage coverage through the University on a personal vehicle. The employee is responsible for the deductible portion of their personal collision coverage and is responsible for any increased personal automobile insurance premiums as the result of an accident.

The driver's personal automobile liability insurance card must be in his/her possession when using a personal vehicle for University business. Claims are to be reported to the Driver's insurance agent. In the event of a very serious claim, also notify the Insurance Administration Consultant.

**Rental Vehicles:**

Use of rental vehicles is limited to University business.

**For Locally Rented Vehicles:**

Effective 3/1/2006, all drivers renting vehicles on behalf of CSU or its student groups are required to obtain the rental vehicle from the University's preferred rental provider, Enterprise Rent-A-Car. The Enterprise agreement provides competitive rental rates which already include automobile liability insurance coverage. A listing of the Enterprise offices in North East Ohio which honor this agreement follows this policy, along with a listing of the agreed rental rates.

Enterprise has required that CSU run Motor Vehicle Reports on all drivers of their rental vehicles and that these drivers comply with this CSU Motor Vehicle and Driving Policy. Two weeks prior to the rental, a Motor Vehicle Release Form must be completed and forwarded to the Insurance Administration Consultant. Once the Insurance Administration Consultant approves the driver, they will notify Enterprise, informing them of the approval. Additionally, the Insurance Administration Consultant will issue a customer number which will allow the driver to reserve the vehicle from Enterprise under the CSU agreement. If the needed vehicles are not available from Enterprise, a waiver must be requested from the Insurance Administration Consultant, Thomas K. Somerville at 216-570-3150 or bsafe@wowway.com in advance of the rental.

Approved drivers should rent the vehicles in the University's name with the approved driver as the named driver. Under no conditions should the approved driver allow another person to operate the rental vehicle. Each renter will be required to arrange for the payment of the rental at the time the reservation is made. Purchase Orders will continue to be accepted for those departments who have POs with Enterprise.

### ***Vehicle Insurance***

#### ***Local Rentals:***

The approved driver should not purchase liability insurance or collision damage waiver (COW) from the rental agency. In the event of an accident, a maximum claim reimbursement amount of up to \$500 per accident may be charged back to the driver's department or sponsoring organization. If the vehicle has not been rented from Enterprise, and a policy waiver has not been granted, then any claims reimbursement amount of up to \$5,000.00 will be charged to the driver's department or sponsoring organization. Notify the Rental Car Agency of any accidents. Also follow the Reporting of Vehicle Accidents shown below.

#### ***Out of Town Rentals:***

Other than International Travel, the driver should only purchase liability insurance coverage. Notify the maximum claim reimbursement amount of up to \$500 per accident may be charged back to the driver's department or sponsoring organization.

#### ***Foreign Business Rentals***

The driver should accept the COW/LOW and liability insurance in the minimum amount offered by the rental agency. Should an accident occur, the driver must follow the rental agency accident report instructions, in addition to forwarding a copy of the report to the Insurance Administration Consultant.

### ***Reporting of Vehicle Accidents:***

All vehicle accidents that occur while driving a University vehicle or a vehicle rented or leased in the name of the University which involve bodily injury or damage to other people's vehicles or property must be reported immediately to St. Paul Travelers Insurance Company at (800)238-6225. A police report must be made in the police jurisdiction where the accident occurred. Additionally in the case of a rented vehicle, all accidents should be reported to the rental car agency. Drivers must report all accidents to Thomas K. Somerville, Insurance Administration Consultant at (216) 570-3150 within 24 hours. A copy of the CSU insurer's accident report should be filled out and sent to the Insurance Administration Consultant. If there is a third party who is at fault in the accident, a copy of the police report should be obtained and sent to the Insurance Administration Consultant when possible.

### ***Deductible:***

The CSU owned and leased vehicle accident deductible is a maximum of \$1,000. The deductible is to be paid by the employee's department or the sponsoring organization. Deductibles for rentals are stated in the above paragraphs under Vehicle Insurance.

***Exceptions:*** Requests for exceptions to any component of this policy must be made through the appropriate department head to the Vice President for Business Affairs and Finance.