

MERCY COLLEGE ADMINISTRATIVE SERVICES

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POLICY GOVERNING OCCASIONAL DRIVERS OF COLLEGE VEHICLES

Purpose:

This policy has been adopted to ensure that occasional drivers of College vehicles* are adequately qualified and trained, and follow proper procedures. The policy is designed with the ultimate goal of adequately protecting the safety of drivers and passengers of College vehicles. All College employees and students who occasionally drive College vehicles for College business, events or activities are subject to this policy.

Minimum Eligibility Requirements for Driver Authorization:

Drivers of College vehicles must be at least eighteen (18) years of age, possess a valid U.S. driver's license of the classification appropriate to the vehicle to be used (at least a Class E license), have at least two (2) years of driving experience, and have driven at least 1,500 miles prior to authorization. Student drivers must also have been in attendance as a Mercy student for at least one full year prior to being permitted to drive a College vehicle. Drivers that have a medical or physical condition, or who are or will be taking medication, which may affect their ability to safely and effectively operate a College vehicle, must submit documentation from a qualified health care professional describing how such condition interferes with driving ability and what type of accommodation, if any, is necessary to ensure safe operation. The College reserves the right to prohibit any individual from driving a College vehicle whom it determines to be unsafe, regardless of the basis.

* College vehicles refers to all vehicles that are owned, rented, leased or borrowed for use by the College.

All drivers of College vehicles must complete a Safety Briefing and a College Road Testing Program course prior to authorization. In addition, drivers of College vehicles must not have had more than two (2) accidents or moving violations within the preceding three (3) year period as evidenced by the driving record maintained with the Department of Motor Vehicles. The College reserves the right to perform New York State Department of Motor Vehicles (or home state of driver) license history and record checks upon initial application for authorization to drive, on an annual basis, or periodically as it deems appropriate. Applicants who wish to be initially added to the list of approved drivers must report all license revocation/suspensions, moving violations, accidents involving serious bodily injury or property damage for the previous three (3) year period, and any non-vehicular convictions of misdemeanors or felonies regardless of time period, to the College's Director Administrative Services. If approved and added to the list of authorized drivers, drivers must report any new license revocation/suspensions, moving violations, accidents involving serious bodily injury or property damage, or convictions of non-vehicular misdemeanors or felonies immediately to the Director Administrative Services. The failure to report any of the above violations or convictions within a reasonable time period of occurrence may result in disciplinary action, up to and including termination of employment, with respect to a College employee, or up to and including suspension or dismissal from the College, with respect to a student.

For applicants with a CDL license who apply to drive College regulated commercial vehicles, it is required that such individuals pass the Administrative Services drug and alcohol testing prior to authorization. Such individuals may also be subject to random and post-accident drug and alcohol testing pursuant to the United States Department of Transportation's federal regulations. In addition, only specifically authorized drivers are permitted to drive specially equipped College vehicles, such as emergency vehicles, patrol cars, ambulances, fire response vehicles, or regulated commercial vehicles.

Students or employees who have been disciplined for violating any College policies, including but not limited to, policies regarding alcohol and drug use, may not be permitted to drive College vehicles. The Dean's Office will notify the Director Administrative Services regarding student violations of College policy, the Director of Human Resources or his/her designee will notify the Director Administrative Services regarding staff employee violations of College policy, *and the Provost or his/her designee will notify the Director Administrative Services regarding faculty violations of College policy.* In addition, the Dean must give prior written approval for students to be included on the authorized drivers' list, and the appropriate department must give prior written approval for staff or faculty to be included on the authorized drivers' list. The application to drive College

vehicles includes a line for the Dean (for Students) and department heads (for Faculty/Staff) to indicate their approvals.

College and rented vans (7 and 15 passenger) are to be driven only by “designated drivers” who have been pre-selected as authorized van drivers by department heads and who are included on the L.E.N.S. Program (License Event Notification System) maintained by the Director Administrative Services. In addition, if applying to drive a 15-passenger van or any standard size van, the applicant must undergo a safety briefing and successfully complete the Requisite College road test prior to receiving permission to drive such passenger vans. The road test will be conducted with the driver using one of the 15-passenger vans in order to assess driving ability of that specific type of vehicle.

Individuals may be denied inclusion, removed from the list of approved drivers, or reinstated to the list at the discretion of the Director Administrative Services in consultation with the Dean’s Office, Director of Human Resources, or Provost depending on the status of the driver. None of the foregoing guidelines will be construed as limiting in any way the right of the College to discipline or terminate its own employees at any time with or without cause and without prior notice.

Administration of Policy:

The Director Administrative Services will be responsible for the daily administration of this policy. The Director will notify, in writing, the authorized drivers if they violate the policy, or are removed from the authorized list. The Director Administrative Services will also report such violations and removals to the Director of Human Resources for employees (including officers); the Dean’s Office for students, and the Provost for faculty for further review and possible disciplinary or other appropriate action.

This policy will be maintained by Administrative Services, both in hard copy and on its Web page at the Intra Mercy Web site, upon completion. It will also be included in the College’s Employee Handbook in hard copy and on the Human Resources Web page at the Intra Mercy Web site. This policy will be distributed to all new employees when hired. The policy will also be available for students to review on the Intra Mercy Web site and will be included in the Student Handbook.

Rules and Regulations for Vehicle Use:

Requests for College vehicles must be submitted, in writing, by the requesting department to the Director Administrative Services at least thirty (30) days in advance of the requested vehicle use date. Requests must be made by the employee responsible for the College-related business, event or activity that the vehicle is requested for, or his or her supervisor. The Loaner Vehicle Request Form must be used for requests. Copies of such form can be downloaded from the Administrative Services Web page when complete or can be obtained in hard copy from Administrative Services directly.

Use of College owned, leased or rented vehicles is permitted only for College-sponsored functions, activities and programs. Side trips of a personal nature are strictly prohibited. Any employee or student that is found using, or attempting to use, a College vehicle for a non-College purpose will be in violation of this policy and shall be appropriately disciplined, up to and including termination for employees, or dismissal for students. In addition, College vehicles must only be used for the activity for which the approval by the Director Administrative Services was granted. Any additional uses even if for College-sponsored activity, must be pre-approved.

To facilitate safe operation of its vehicles, the College requires that authorized drivers strictly adhere to the following hours and mileage limitation rules:

- **The Ten/Eight Hour Rule** – A driver may not drive more than (10) hours in any trip, unless preceded by at least eight (8) hours of non-driving. The ten hours of driving need not be consecutive; driving hours can be accumulated for each leg of a trip, so long as they do not exceed ten hours total.
- **The Fifteen Hour Rule** – A driver may not drive a College vehicle if the driver will be engaged in fifteen (15) hours of continuous service to the College, either in any employment, attendance in classes or at College events, etc. Thus, an employee or student cannot drive a College vehicle if the scheduling of such driving trip would cause the driver to exceed fifteen (15) hours of continuous service within or outside the College.
- **The 150/300 Mile Rule** - Trips in excess of 150 miles, or 300 miles round trip, require an overnight stay, unless a second authorized driver shares the driving responsibilities pursuant to a multiple driver arrangement that has been pre-approved by the Director Administrative Services for that trip.

- **The 400 Mile Rule** - No more than 400 miles may be driven in any one day (twenty-four hour period) regardless of the number of authorized drivers that share the driving responsibilities.

A driver who violates the College's hours or mileage limitation rules will be appropriately sanctioned, including withdrawal of driving privileges. Questions regarding the hours or mileage limitation driving rules should be directed to the Director Administrative Services.

Authorized drivers granted use of a College vehicle are responsible for the safe operation and securing of the vehicle while the vehicle is in their custody. Custody is defined for the purposes of this policy to mean the time the authorized driver accepts the keys for the vehicle until the vehicle and keys are returned to the regular custodian of the vehicle, which will generally be the Administrative Services. Authorized drivers granted use of a College vehicle shall not permit unauthorized drivers to operate the vehicle while the vehicle is in their custody.

Authorized drivers must perform a vehicle inspection prior to each trip with a College vehicle. Such inspection shall include checking the oil and other fluid levels, the windshield wipers, tire inflation, mirrors, lights, horn, leaks, existing vehicle damage, and verifying that the Accident Report Form and instructions are in the glove compartment. A checklist for such inspection will be provided to every driver that is granted a College vehicle for a pre-approved trip.

Drivers of College vehicles must operate the vehicle in conformance with College rules and regulations, and all relevant motor vehicle laws of any jurisdictions in which the vehicle will be driven. For vehicles equipped with seat belts, the number of occupants in a College vehicle shall not exceed the number of available and operational seat belts. All occupants must wear seat belts at all times while a College vehicle is in motion. Occupants of a College vehicle must be fully seated within a seat at all times the vehicle is in motion or temporarily stopped for traffic signals.

For trips which require a rental vehicle, either because of the type of vehicle to be used or because there is limited availability of College vehicles for such dates, only rental agencies approved by the College are to be used. A list of College approved van rental agencies is available at the Administrative Services. If a rental vehicle is used, the College strongly suggests additional collision damage coverage be obtained if available. The department and driver renting the vehicle must comply with the individual rental agency's policies.

Accident/Moving Violations Reporting and Investigation:

An Accident Report Form, insurance identification card, and the vehicle's registration is stored in the glove compartment of each College vehicle. Authorized drivers are required to immediately report any accidents involving College vehicles in their custody to the Director Administrative Services, whose telephone number is listed on the Accident Report Form. In the event the Director is unreachable, such accident must be reported to Campus Security. Authorized drivers must secure and report information necessary to complete the College's Accident Report Form. In addition, authorized drivers are responsible for reporting any accidents to local law enforcement authorities as required by the locality in which the accident occurred. Upon return of the vehicle to the Administrative Services, authorized drivers must report any damage to College vehicles that occurred while the vehicle was in the driver's custody regardless of the reason for such damage.

All accidents involving College vehicles which occurred during use by an authorized driver are investigated for cause and preventability. Authorized drivers incurring accidents with liability or collision losses in excess of \$500 will be removed from the authorized driver's list for a minimum of one calendar year from date of removal.

The requesting department/program is responsible for handling all tickets and traffic violations, including corresponding fees, resulting from the use of a College vehicle in the custody of an authorized driver from that department/program. In addition, a \$100 fee will be charged to the requesting department/program for a vehicular accident, which occurred during such authorized driver's use of the vehicle regardless of fault.