

# Southern Oregon University Vehicle Use and Operation Policy

## PURPOSE

The purpose of this policy is to establish guidelines for safe vehicular transportation for SOU employees, students, and official volunteers traveling on institution-approved business. This rule applies to State-owned vehicles, hired vehicles, and borrowed vehicles used for University business travel.

## DEFINITIONS

### A. Vehicles

1. *Vehicle* means cars, vans, trucks and buses.
2. *State-owned vehicle* means a vehicle owned by or registered in the name of the State of Oregon, the Board, Southern Oregon University or any of its departments. Smoking is not permitted in state-owned vehicles.
3. *Hired vehicle* means a vehicle that is leased, hired or rented by the State, the Board, Southern Oregon University or any of its departments. This definition excludes borrowed vehicles.
4. *Borrowed vehicle* means a vehicle used on University business travel that is not a State-owned vehicle or a hired vehicle. Borrowed vehicle includes vehicles owned by employees, students, and others participating in Southern Oregon University activities and used on University business travel.

### B. Travel and Usage

1. *University business travel* means travel that is directly related to a University-sanctioned program. Motor vehicles covered by this rule shall not be used to transport Southern Oregon University students, faculty staff, and volunteers when that use is not directly related to an officially-sanctioned program.

### C. Drivers

1. *Faculty* and *staff* mean those persons on Southern Oregon University payroll and volunteers registered with the Department of Business Services.
2. *Student* means a person currently enrolled/registered at Southern Oregon University.

### D. Officially-Sanctioned Programs

1. *Officially-sanctioned program* means any activity or program that is: (a) undertaken to further the instructional, research, service or administrative support mission of Southern Oregon University; or, (b) found by the President or designee upon the recommendation of the recognized student government to be advantageous to the cultural or physical development of Southern Oregon University students. Qualifying as an officially-sanctioned program for purposes of State-owned vehicle usage, hired vehicle usage or borrowed vehicle usage does not constitute an admission or an indication that any such

program necessarily is carrying out State business or acting as an agent of the State in any other activity engaged in by the program or organization.

Officially sanctioned programs include those related to the following:

- Co-curricular programs;
- Recreational sports and club sports;
- Student activities or student programs identified by the Southern Oregon University President or the administrator(s) designated by the President to identify such groups (hereafter *Approving Officials*). Examples of such activities or student programs include Stevenson Union, ASSOU Executive and Student Senate, University Housing and student activities, and student organizations or activities that have been so approved by any of the Approving Officials.

To be eligible for consideration as an officially sanctioned program for the cultural or physical development of students, a program must submit or have on record a published description of the purpose, type of participants and destinations typical of University business trips. To the extent all of this information is expressly included in a program's or an organization's goal statement on file with the ASSOU, it need not be separately submitted. Except as provided above, programs must also present one or more of the following:

- A published goal statement;
- An existing Southern Oregon University order, rule or policy that creates, authorizes or characterizes this specific program;
- A published statement of Southern Oregon University that explicitly states the student activity or activities advances the mission of Southern Oregon University.

2. Verification of status as an ASSOU-recognized program.

In the case of an off-campus University Housing, Outdoor Program or ASSOU student activity where some or all of the destination-site expenses are funded by Housing, Outdoor Program or ASSOU controlled funds, but borrowed vehicle transportation itself is not funded, reimbursed or subsidized by either organization, such travel shall not be deemed directly related to a University sanctioned program and the vehicles so used shall not be deemed borrowed vehicles.

## **POLICY**

It is state policy that all vehicles in use for state business shall be used legally, courteously, and safely. Smoking is not permitted in state-owned vehicles. Those who have a valid driver's license and are acting at the direction and control of SOU may drive for any purpose that is lawful and necessary to carry out the official business of the University. Those who do otherwise are personally liable for all driving costs and related risks. When a borrowed or hired vehicle is used contrary to this policy the driver and vehicle shall not be covered by state insurance or self-insurance coverage. When a state vehicle is used contrary to this policy, the vehicle and its use shall be the personal liability of the driver. The driver shall be personally liable for any damage to the state vehicle or harm to any other parties or property. State tort liability indemnification or self-insurance shall not apply. SOU shall not knowingly allow anyone who does not conform to this policy to drive on state business.

## **Driver Qualifications and Regulations**

1. Only the following are authorized to drive motor vehicles on state business. They are only authorized while driving in conformance to this policy:
  - Adults under the direction and control of a state agency;
  - Anyone specifically authorized by state statute;
  - Students who are participating in an officially sanctioned program;
  - Anyone authorized by this policy.
  
2. Driver's must possess a valid driver's license. Persons convicted in the past five years of a major traffic offense as defined in Oregon Statute or convicted of a number of offenses that total 30 or more points as defined in the Southern Oregon University Driving Evaluation Scale shall not be permitted to drive on University-approved business. Major traffic offenses as defined in Oregon Revised Statutes include:
  - Reckless driving;
  - Driving while under the influence of intoxicants;
  - Failure to perform the duties of a driver involved in an accident or collision;
  - Driving while license is suspended or revoked;
  - Fleeing or attempting to elude a police officer;
  - Driving after being declared to be a habitual offender.
  
3. Drivers are expected to observe all applicable speed limits and to operate their vehicles in accordance with all applicable laws and regulations.
  
4. Potential drivers shall not be certified to drive or may lose their certification if they have committed the following:
  - A major traffic offense in the last 24 months. Felony revocation of driving privileges or felony or misdemeanor driver's license suspension within the last 24 months;
  - More than three moving traffic violations in the last 12 months;
  - A careless driving conviction in the last 12 months;
  - A Class A moving traffic infraction in the last 12 months.
  
5. Drivers are responsible for notifying their supervisors and the Associate Vice President for FMP of any accident, citation, Class A moving infraction, or any other activity that affects the driving record or causes loss of the driver's license. Drivers shall report all collisions or accidents occurring to any vehicle while on state business to the Business Services Department within 72 hours. SOU shall review each collision or accident involving any vehicle in use on state business. The review shall determine whether the collision or accident was preventable by reasonable safe driving techniques and recommend action to prevent recurrences.
  
6. When carrying passengers on institution-approved business in borrowed vehicles, drivers shall carry insurance at the minimum legal level of \$25,000 single person and \$50,000 single occurrence for public liability and \$10,000 for property damage. The driver's (employee's) insurance is the primary coverage. No collision or comprehensive coverage

is provided by the state for borrowed vehicles, and medical coverage is limited to any coverage provided through SAIF.

### **DRIVER CLEARANCE PROCEDURE**

Facilities Management & Planning is responsible for certifying drivers. FMP may verify driver qualifications at any reasonable schedule or time and by any reasonable means. Means might include direct checks, review of copies of records supplied by the driver, or accepting driver signed statements. Drivers shall present evidence of meeting qualifications upon request.

Employees are recertified every five years. Students are recertified every two years. Departments are responsible for requesting and paying for recertification. Based upon a reported pattern of inappropriate driving, the director of Campus Public Safety and the Associate Vice President for FMP shall review of the record of any certified driver. Failure to successfully pass the review may result in cancellation of the driver's certification.

Travel reimbursement requests for uncertified drivers will not be processed until drivers successfully complete the certification process. Drivers who do not successfully complete the certification process are not authorized to use vehicles for official business and are, therefore, ineligible for travel reimbursement costs incurred when using a vehicle for official business.

### **Insurance and Collisions**

Drivers are responsible for providing proof of legally adequate insurance for all uses they make of borrowed vehicles and vehicles they rent for any mixture of state and personal uses. The driver's insurance is the primary insurance when using borrowed vehicles for a mixture of state and personal uses.

When carrying passengers on institution-approved business in borrowed vehicles, drivers shall carry insurance at the minimum legal level of \$25,000 single person and \$50,000 single occurrence for public liability and \$10,000 for property damage. The driver's (employee's) insurance is the primary coverage. No collision or comprehensive coverage is provided by the state for borrowed vehicles, and medical coverage is limited to any coverage provided through SAIF.

For purposes of all state insurances or self-insurance coverage, while transporting prohibited passengers or material in a borrowed vehicle or otherwise using a borrowed vehicle contrary to this policy, the driver shall be deemed in all respects to be driving on personal business not official state business. Borrowed car drivers on official business may be subject to discipline or penalty for acting in violation of SOU policies or supervisory directives.

### **Reporting**

Within 60 days of the close of each fiscal year, the Director of Campus Public Safety will prepare an annual report which reviews the effectiveness of institutional travel rules and summarizes vehicular accidents, injuries, and other relevant information for signature by the vice president for administration and submittal to the vice chancellor for administration.

### **References**

OAR 580-040-0030

ORS 184.305, 184.340, 278.405 & 351.070, ORS 283.310, 283.340, 283.345 & 283.395

HB 3705

5/17/99BAdministration & Finance

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