

# UNIVERSITY OF CALIFORNIA

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SANTA BARBARA • SANTA CRUZ

OFFICE OF RISK SERVICES

OFFICE OF THE PRESIDENT  
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Oakland, California 94607-5200

November 14, 2023

CHANCELLORS  
ACADEMIC COUNCIL CHAIR STEINTRAGER  
LABORATORY DIRECTOR WITHERELL  
ANR VICE PRESIDENT HUMISTON

**Re: Systemwide Review of Proposed Presidential Policy BFB-BUS-46 Use of University Vehicles**

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to Presidential Policy BFB-BUS-46 Use of University Vehicles.

The Office of Risk Services (OPRS) partnered with the systemwide UC Driver Vehicle Safety Workgroup (comprised of Risk Management, Environment Health and Safety and Fleet Management staff) to complete a comprehensive review of UC Business and Finance Bulletin 46 (BUS 46). The BUS 46 Policy applies to the use of any UC vehicle (owned or leased) and any personal vehicles used in the course of University business. The following proposed changes to the Policy aim to increase accountability for vehicular usage throughout the UC system to improve safety and reduce vehicular accidents and claims.

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

This policy was distributed for systemwide review in November 2018, but ultimately did not get finalized. Prior comments from this review have been incorporated into this revision. The proposed revisions were presented to the Policy Advisory Committee (PAC) on October 26, 2023, after going through a Consultation Review process with stakeholders from Risk Management, Environment Health and Safety and Fleet Management and the Required Reviewer process, which includes contacts from Systemwide HR, Labor Relations, Academic Personnel and Programs, Academic Senate, and Graduate, Undergraduate and Equity Affairs. The PAC recommended the policy proceed to systemwide comment.

## Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than March 1, 2024. Please submit your comments to [riskservices@ucop.edu](mailto:riskservices@ucop.edu). If you have any questions, please contact Gary Leonard at [gary.leonard@ucop.edu](mailto:gary.leonard@ucop.edu).

Sincerely,

DocuSigned by:

*Kevin Confetti*

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Kevin Confetti, Risk Services

Associate Vice President & Chief Risk Officer

### Enclosures:

- 1) Draft Presidential Policy BFB-BUS-46 Use of University Vehicles (clean copy)
- 2) Draft Presidential Policy BFB-BUS-46 Use of University Vehicles (tracked-changes copy)
- 3) Model Communication

### cc: President Drake

Provost and Executive Vice President Newman  
Executive Vice Chancellors/Provosts  
Executive Vice President and Chief Operating Officer Nava  
Executive Vice President Rubin  
Senior Vice President Bustamante  
Vice President and Vice Provost Gullatt  
Vice Provost Haynes  
Vice President Lloyd  
Vice President Maldonado  
Vice Provosts/Vice Chancellors of Academic Affairs/Personnel  
Associate Vice Provost Lee  
Associate Vice President Matella  
Deputy General Counsel Woodall  
Assistant Vice Provosts/Vice Chancellors for Academic Personnel  
Deputy Chief HR Officer and Chief of Staff Henderson  
Executive Director Leonard  
Executive Director Lin  
Chief of Staff Beechem  
Chief of Staff Kao  
Chief of Staff Levintov  
Chief Policy Advisor McAuliffe  
Director Anders  
Director Chin

Director Weston-Dawkes  
Associate Director Dicaprio  
Associate Director Garcia  
Associate Director Teaford  
Associate Director Woolston  
Assistant Director LaBriola  
Manager Crosson  
Analyst Durrin  
Administrative Officer Babbitt  
Policy Advisory Committee



# BFB-BUS-46: Use of ~~University~~ Vehicles and Driver Authorization

<b>Responsible Officer:</b>	<del>AVP</del> —Chief <del>Procurement Risk</del> Officer
<b>Responsible Office:</b>	<del>PSRK</del> – <del>Risk / EH&amp;S</del> <del>Procurement Services</del>
<b>Issuance Date:</b>	<del>7/31/1994</del> <del>2/28/1978</del>
<b>Effective Date:</b>	<del>7/31/1994</del> <del>TBD</del>
<b><del>Last Review Date:</del></b>	<del>5/23/2019</del> —fixed broken links
<b>Scope:</b>	All Capuses, Medical Centers, <u>Division of Agriculture and Natural Resources (ANR)</u> , and the Lawrence Berkeley National Laboratory.

<b>Contact:</b>	<del>Office of the Chief Procurement Officer</del> <u>Gary Leonard</u>
<b><u>Title:</u></b>	<u>Executive Director, Liability and Property</u>
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## **I. POLICY SUMMARY**

This ~~bulletin establishes the basic guidelines governing the~~ Use of University vehicles and Driver Authorization Policy (Policy) governs the use of vehicles and driver

authorization for University business. The University of California (University) strives to operate its vehicles safely for the protection of all with whom it shares the road. This Policy reflects currently accepted best practices for the authorization and management of drivers operating any vehicle on behalf of the University. These best practices have proven effective in controlling misuse of vehicles and poor driving practices which lead to accidents. This Policy applies to all drivers who may operate any University vehicle, leased or rented vehicle, or privately owned vehicle while on University business.

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## II. DEFINITIONS

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**Alternative/Clean Fuel Vehicles:** Vehicles which operate on alternative/clean fuels other than gasoline or diesel fuel. Clean fuel is defined by the State of California pursuant to the fuel as including, but not limited to, methanol, compressed natural gas, electric power, and liquefied petroleum gas (California Health and Safety Code Section 40603).  
**Authorized Driver:** Any driver who is driving for University business, who has fulfilled all driver requirements and who has been approved to drive by the Executive Officer.

**California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS):** A program created by the California DMV to keep so-called “negligent motor vehicle operators” off the roads. NOTS is based on assigning “points” over time to every California license holder for traffic offense violations to identify careless or negligent drivers.

**Check Ride:** An in vehicle evaluation of a driver’s physical and defensive driving skills. The intent of the check ride is to evaluate the driver’s proficiency at operating the vehicle. A check ride shall be administered by a qualified person trained to conduct such check rides such as a certified Smith System Instructor.

**Commercial Vehicle:** A commercial vehicle is a vehicle as defined by the California Vehicle Code 260. Examples include Bus, 3 axle Truck, Tractor Trailer.

**Conviction:** A conviction includes 1) a finding of guilty by a court or other tribunal as to any charged vehicular offenses, 2) a plea of guilty or no contest (nolo contendere) to such an offense, or 3) a bail forfeiture without entry of a formal plea.

**DMV Employer Pull Notice Program (EPN):** A program that provides employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The EPN program allows your organization to monitor driver’s license records of employees who drive on an organization’s behalf.

**Executive Officer:** Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

**Executive Vehicles:** Any vehicle, owned by the University, and driven by a member of the Senior Management Group (SMG).

**Frequent Driver:** A type of driver who drives for University business more than 10 hours per month and for whom driving is not an essential job function (see also Infrequent Driver and Occupational Driver).

**Infrequent Driver:** A type of driver who drives for University business for less than 10 hours per month and for whom driving is not an essential job function (see also Frequent Driver and Occupational Driver).

**1-Point Offenses:** Violations defined by the California DMV NOTS as 1-Point Offenses include (but are not limited to):

- Driving too fast or over the speed limit
- Running a stop sign or red light
- Improper/illegal or unsafe turn
- Passing across a double yellow line
- Failure to yield right-of-way
- Following too closely
- Illegal use of cell phone while driving

Note: If you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**2-Point Offenses:** Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to):

- Driving under the influence (DUI) of alcohol or drugs
- Evading a peace officer/reckless driving
- Driving with a suspended or revoked license
- Hit and run with injury or property damage
- Speed over 100 MPH
- DUI/causing bodily injury or death
- Explosives transportation

Note: If you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**Location:** Any property or building that is owned or leased by the University where University business or activities take place.

**Motor Vehicle Report (MVR):** A report by the Department of Motor Vehicles that details the driving record, by individual names and driver license numbers, for each request submitted, and indicates the status of the applicable driver licenses.

**Occupational Driver:** A type of driver for whom driving is designated as an “essential job function” regardless of how frequently driving occurs. Drivers of University-owned rideshare vehicles are also considered occupational drivers for the purpose of determining their Driving Requirements. (See also Frequent Driver and Infrequent Driver)

**Preventable Collision:** Any collision that occurs while driving a vehicle on University business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it. See Vehicle Collision Review Committee (VCRC).

**Vehicle<sup>1</sup>:** A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

**Vehicle Collision Review Committee:** A committee at each University Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews most collisions to determine preventability and to determine, in conjunction with Location HR and the employee’s department, the necessary course of action.

**Violation:** An act involving the unsafe operation of a motor vehicle. Types of violations include but are not limited to:

1. Civil: A written allegation by a law enforcement officer claiming a person violated a law (e.g., a traffic ticket).
2. Infraction: A violation punishable by a fine or other penalty, but not by incarceration.
3. Misdemeanor: A violation punishable by imprisonment in a County Jail, by fine, or by both.
- 4.4. Felony: A crime which is punishable by death or by imprisonment in the State Prison. Under certain conditions, a felony crime may be treated as a misdemeanor.

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### **III. POLICY TEXT STATEMENT**

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#### **A. Registration and Identification of University Vehicles REGISTRATION AND IDENTIFICATION:**

1. University ~~V~~ehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the

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<sup>1 1</sup> As defined in California Vehicle Code Section 670

University of California and licensed in accordance with Registration and Licensing of University-Owned Vehicles (BFB-BUS-19).

2. University Vehicles, except Executive Vehicles and Vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), ~~shall~~ must be conspicuously identified as the property of the University of California and are to be operated for business or official use only.
- ~~2.3.~~ Identification of these Vehicles shall be achieved by use of a decal or other device attached to the front and/or rear of each vehicle. These ~~se~~ decals or other devices shall be standardized on a University-wide basis.
- ~~3.4.~~ No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University Vehicle, except that an Chancellor/Executive Officer may authorize exceptions on a case-by-case basis.

**B. OFFICIAL Vehicle Use**

1. University ~~of of California vehicles; shall be used only for official University of California business (BFB BUS-81)~~
  - a. Responsibility for determining, ~~authorizing~~ approving, and controlling official university vehicle use is the responsibility of the Chancellors and designee(s)/Executive Officer.
  - a-b. No University Vehicle will be released by Fleet Operations or any other unit or department unless the Executive Officer has verified that the driver meets all requirements and has been informed of their responsibilities. Upon verification that the driver meets all requirements and has been informed of their responsibilities, then the Executive Officer can approve the driver for driving University vehicles.
- ~~2.1. The use of privately owned vehicles for University business is generally encouraged, and Business and Finance Bulletin G-28/Policy and Regulations Governing Travel, Business and Finance Bulletin BUS-74/Business Travel Accident Insurance, and Business and Finance Bulletin BUS-81/Insurance Programs should be consulted regarding applicable travel and insurance regulations.~~
  - c. University Vehicles are provided to support official University business and are to be used only by Authorized Drivers. University Vehicles will not be used by employees for personal reasons. Subject to individual Location policies, employees who use assigned vehicles on a 24-hour basis or are on-call will drive such vehicles directly home after work and leave them parked until needed for “call-out.”
  - a-d. University Vehicles ~~must~~ shall not be used regularly for transportation between personal residences and University campuses/Locations or other work locations, except those Vehicles:



University of California – Policy BFB-BUS-46  
Use of University Vehicles

- i. Assigned to senior University executives (See [Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles](#));
  - ii. Used in conjunction with authorized ridesharing programs which include, but are not limited to, vanpools, carpools bus-pools, and guaranteed ride home programs; or
  - iii. Used occasionally for transportation to and from personal residences in connection with departure and return from official University business trips, when the appropriate department official has determined that such use is more efficient and economical than available alternatives.
- ~~b.~~ Any use of a Vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the ~~Chancellor~~ Executive Officer, as an exception to this Policy and justified by a special and/or frequent work requirement of the University that which cannot reasonably be met by other means of transportation ~~(BFB-BUS-81)~~.
- e. Drivers using Vehicles under this section ~~wi~~shall be subject to campus parking regulations.
- f. Vehicles are to be operated in strict compliance with the applicable state Vehicle Code and with the utmost regard for their care and cost-efficient and sustainable use.
- g. Authorized Drivers will not transport persons other than on-duty University employees in a University-owned Vehicle, unless the persons are being transported in connection with official University business, are an approved participant of an authorized Rideshare Program, or as authorized by the Executive Officer.
- h. Except in the case of an emergency, a driver will not allow a Vehicle to which they have been assigned to be driven by any person not authorized to drive the University-owned Vehicle.
- i. In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University will:
- i. Suspend the purchase of additional 15-passenger vans;
  - ii. Initiate a plan to phase out existing fleets of 15-passenger vans;
  - iii. Require a Class B Driver License for all persons operating 15-passenger vans; and,
  - iv. Not transport preschool and K-12 aged children in 15-passenger vans.
2. 2. Privately Owned Vehicles: The use of privately owned Vehicles for University business is ~~generally encouraged~~ allowed, and Travel Regulations (BFB-G-28), Business and Finance Bulletin BUS-74/Business Travel Accident Insurance, and Insurance Programs (BFB-BUS-81) should be consulted regarding applicable travel and insurance regulations.

3. Rented or Leased Vehicles: Whenever possible travelers are expected to use rental agencies with which the University has University of California's Connexus Travel Program Systemwide Agreements that include insurance coverage in accordance with BFB-G-28.
4. **Rideshare Vehicles:** As provided by the delegated Executive Officer non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.

**C. DriversRIVERS:**

1. Driver Eligibility: Employees, students, volunteers and non-University persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the Executive Officer. Eligible drivers must be a minimum of 18 years of age. Authorized drivers shall include faculty, staff, students, and non-University persons, including consultants, provided they have been approved by the appropriate campus official, and the vehicle use is for official University business. As provided by the **Delegation of Authority (DA1064)–Third Party Agreements, University Vanpool Programs, March 31, 1992**, on-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.
2. Driver Responsibilities: When driving on University business, the authorized driver acknowledges that they understand their duties and obligations and assumes responsibility for operating the Vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
  - a. Submit to and comply with all Driver Requirements (See Section III.C.3. below).
  - b. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The driver will be responsible for any fines or penalties incurred, including parking violations, and/or towing and impound fees levied upon the Vehicle;
  - c. Having the appropriate class of a valid driver license in their possession at all times while operating the vehicle on University business;
  - d. Operating the Vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
  - e. Practicing safe driving techniques pursuant to the UC Code Plus Driver Safety Training Program (available through specific location Risk Management) and adhering to current safety requirements, including the Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources (BFB-G-46) (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);

- f. Restricting the operation of Vehicles to Authorized Drivers only;
- g. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on University business, to the Executive Officer within twenty-four (24) hours; in the case of University employees, accidents should be reported before the end of their shift; and,
- h. Ensuring the cleanliness of University Vehicles both inside and out.
- i. Successfully complete any Location required driver safety training such as the UC Core Plus Driver Safety Training Program prior to Vehicle use.

Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.

3. Driver Requirements: The following driver requirements will be enforced by the Executive Officer. Driver requirements vary by type of driver.

a. Infrequent Drivers

- i. Infrequent Drivers must have a valid United States driver license for the class of Vehicle being operated and must have successfully completed any driver training/safety course required by Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
- ii. Infrequent Drivers of University-owned Vehicles must submit a Motor Vehicle Record (MVR) for evaluation by the Executive Officer and receive approval prior to driving a University-owned Vehicle. This process must be repeated annually or the driver must be enrolled in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System.
- iii. Check Rides may be conducted based upon the type of Vehicle driven and/or reported/observed unsafe driving behavior.

b. Frequent Drivers

- i. Frequent Drivers must have a valid United States license for the class of Vehicle being operated and shall have successfully completed any driver training/safety course required by the Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated
- ii. Each University Location is required to enroll Frequent Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards (See Section III.D. below).
- iii. Frequent Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.

- iv. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.
- c. Occupational Drivers
  - i. Occupational Drivers must have a valid United States license for the class of Vehicle being operated and shall have successfully completed any driver training/safety course required by the Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated. Please note that 15-passenger vans are not a University-authorized Vehicle.
  - ii. Prior to driving on University business, Occupational Drivers must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days. An acceptable current MVR is a condition of employment for Occupational Drivers. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
  - iii. Each University Location is required to enroll Occupational Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
  - iv. It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a Vehicle (whether the University's or their own) on behalf of the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees.
  - v. An Occupational Driver may have their employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University in the event that their license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum Driving Standards.
  - vi. A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that they have not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years. (California Vehicle Code 12804.9(J)).

- vii. Occupational Drivers must be capable of demonstrating experience with the type of Vehicles assigned.
  - viii. Occupational Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
  - ix. Check Rides may be conducted based upon the type of Vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.
- ~~2. Drivers shall hold the valid license/endorsements for the type of vehicle to be used and shall have successfully completed any driver training/safety course required by the campus or State/Federal law, except that short-term (less than 2 weeks) visitors/guests who use a vehicle only for the duration of their stay. University employees who use a vehicle infrequently (e.g., for occasional travel, emergency departmental needs, etc.) are exempt from the training/safety course requirement.~~
  - ~~3. No vehicle will be released by Fleet Operations unless it has been verified that the proposed driver has been authorized, holds the valid license/endorsement for the type of vehicle to be used, and meets all other requirements.~~
  - ~~4. No vehicle assigned to a department on a periodic basis will be driven unless it has been verified by the appropriate department official that the proposed driver holds a valid license for the vehicle to be used, and meets all other requirements.~~
  - ~~5. Each campus shall obtain, from the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System, a periodic report of each drivers' public driving record for all University employees who are hired specifically as drivers, for any other University employees who routinely drive a University vehicle in the course of their regular employment and for all drivers of University-owned rideshare vehicles. Criminal penalties may be assigned against the University for hiring, continuing to employ, or permitting to continue to operate as a driver, any person who has had a disqualifying action taken against his/her license or certificate (e.g., DMV suspension or revocation).~~
  - ~~6. All drivers of University-owned rideshare vehicles, which require a Class B or a Class C License and other specialized vehicles shall be required to pass a physical examination every two years.~~
  - ~~7. All drivers of University-owned rideshare vehicles shall authorize the University to review their driving records by means of the DMV's Employer's Pull Notice (EPN) System.~~

#### **D. Driving Standards:**

The following driving standards will be enforced by the Executive Officer.

1. The Location Vehicle Collision Review Committee (VCRC) has the authority to deem any employee in violation of University driving standards ineligible to drive (See Section B. VCRC).

2. The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. A mechanism must be in place to review and address motor vehicle reports activity that are sent to the University. General information on enrollment and operation of the University's use of the EPN Program are included in Appendix A of this Policy.
3. All traffic violations that occur regardless of whether the Violations occur during personal time or when driving for University business or during non-business hours may affect driving privileges and are subject to review.
4. Any or all of the following Violations showing on the driver's MVR shall be cause for suspending authorization to drive on behalf of the University:
  - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
  - b. One 2-Point Offense as defined in this Policy within the past 36 months  
Three or more preventable collisions within the past 36 months shall be cause of recommending suspension of authorization to drive on behalf of the University of California as described in the VCRC Guidelines of Authorized Drivers involved in Preventable Collisions under IV. B. 10.
5. Any Frequent Driver, Infrequent Driver or Occupational Driver will not be allowed to drive on University of California business if they do not fulfill all driving requirements and driving standards.
6. Departments that allow operation of Vehicles on their behalf by drivers who do not meet the Driving Standards, as defined above, may be held financially accountable for personal injury and property damage arising from incidents involving that driver.

**D.E. Fleet Operations**~~LEET OPERATIONS~~:

1. Each ~~Chancellor~~Executive Officer shall establish a Fleet Operations Unit to manage all University-owned and ~~o~~-operated vehicles at that ~~campus~~Location.
- 4.2. Each Fleet Operations Unit shall establish equipment operating parameters, procedures and rules regarding specific maintenance and regulatory reporting responsibilities for each Location. Operating parameters may include requirements to include car-sharing or telematics technology in University Vehicles, as practicable.
- 2.3. The ~~F~~leet ~~O~~perations ~~U~~nit shall be responsible for establishing all ~~V~~ehicle rental rates. Such rates shall be established at levels sufficient to recover all allowable costs of operation and may be set at levels sufficient to establish a reserve for ~~V~~ehicle and other equipment acquisition and/or replacement, and facility renovation and/or construction. As appropriate, fees charged to Federal contract accounts must be in accordance with University Direct Costing Procedures (BFB-A-47).



~~3.4.~~ The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned Vehicles, at that campusLocation, including those rented/operated by other departments on a long-term basis.

**E.F. INSURANCE**Insurance: University insurance programs provide coverage for the following:

~~1. Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ covers personal injury and property damage to others ~~which~~that is caused by University Vehicles when they are operated in the course of official University business, including authorized ridesharing programs. This coverage is in effect whether or not the driver is a University employee. Additionally, this

~~2.1. Business and Finance Bulletin BUS-74/Business Travel Accident Insurance~~ coverages is in effect for personal injuries to University employees resulting from Vehicle accidents occurring during the course of authorized trips on official University business.

~~3.2. Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ covers employees for injuries sustained during the direct round-trip commute between home and the authorized worksite for all University employees participating in vanpools, bus-pools, guaranteed ride home programs, and other ridesharing program utilizing University vehicles.

~~3. Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University departments. Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.

4. BFB-G-28 provides details on insurance coverage for personal Vehicles used for University business.

5. University insurance programs do not provide coverage for the following:

a. Personal injuries sustained by non-University employees driving University vanpools.

b. Personal injuries sustained by students and non-University ~~employees~~individuals driving ~~general purpose~~ non-University Vehicles.

~~When damage to a University vehicle is caused by a third party, the University will attempt to recover full damage costs from the third party.~~

Payment/ reimbursement of all costs associated with the damage to any University Vehicle resulting from misuse or careless operation by an Authorized driver will be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs ~~sh~~awill not be covered by University Insurance Programs.

**F.G. Traffic/Parking Citations**~~TRAFFIC/PARKING CITATIONS:~~

1. Traffic/parking citations shall not be paid from any source of University funds.

2. The driver of a University ~~V~~vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that ~~said~~ driver is responsible for the operations of the vehicle. University parking citations have the same legal authorization as those issued by municipal or ~~State~~ law enforcement authorities.
3. Guidelines on preparing reports of moving violations and on disciplining repeated violators can be found in [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

**~~G.H. ALTERNATIVE Sustainable Transportation Programs~~TRANSPORTATION PROGRAMS:** ~~The University of~~The University -California encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs, ~~etc...~~); to encourage use of public transit, and to participate in transportation management organizations or other appropriate cooperative arrangements for the purposes of furthering such activities.

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#### IV. COMPLIANCE / RESPONSIBILITIES

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**A. ~~UC Location~~LOCATION RESPONSIBILITYESPONSIBILITY:** ~~Chancellors~~The Executive Officer ~~is~~are responsible for:

1. The control and use of University ~~V~~vehicle under his ~~or her~~their custody;
2. Developing and maintaining local procedures that approve Authorized Drivers and enforce Driver Requirements and Driver Standards.
- 1.—
2. ~~Establishing and maintaining procedures for approving authorized drivers;~~
3. Appropriate campus delegations, directives, and procedures to implement University policy; and
4. ~~The provision of supplemental campus policy as needed; and~~
4. Forwarding a copy of campus policies and procedures ~~which that are~~ implemented as a result of this BulletinPolicy, and any future modifications, to the ~~Office of the Assistant Vice President—Facilities Administration~~ Office of the Chief Office of the Chief Financial Officer – Capital Asset Strategies & Finance, attention Director ~~Business Analysis~~of the Operating Budget.

**B. Vehicle Collision Review Committee (VCRC):**

1. VCRC Mission: The mission of the Location Vehicle Collision Review Committee (VCRC) is to review most collisions involving Authorized Drivers operating any Vehicle on University business, thereby creating a means to monitor collision frequency and trends and to assist in the development of programs to promote safety, mitigate risk and reduce liability for the University.



2. VCRC Overview: Each UC Location shall implement and maintain its own Vehicle Collision Review Committee. The charge of the committee is to determine if a collision was a Preventable Collision.

A key element of a Safe Driver Program involves establishing a mechanism for actively assessing the preventability of each vehicle collision. The collision review process is based on the premise that, after training in defensive driving, Authorized Drivers are expected to meet a higher standard of safety than the average motorist not so trained. Furthermore, to ensure that all vehicle collisions are reviewed fairly, the University has adopted review procedures established by the National Safety Council (NSC), using the NSC reference A Guide to Determine Motor Vehicle Accident Preventability.

Promoting safe driving practices and holding drivers accountable for their driving behavior will contribute to a successful driving and Vehicle safety program and provide a method to measure the effectiveness of pre- and post-collision driver safety training programs as well as other safety-related outreach efforts.

3. VCRC Goals:

- a. Promote driver safety awareness;
- b. Reduce frequency and severity of Vehicle collisions;
- c. Maintain standardized procedures for determining preventability of collisions; and
- d. Reduce the financial impact of property and liability losses related to Vehicle collisions.

4. VCRC Membership: The membership of each committee shall be determined by the Location and may include representatives from the following (and other) University departments/groups:

- a. Risk Management;
- b. Environmental Health & Safety;
- c. Transportation/Fleet & Transit;
- d. University Police;
- e. Human Resources/Labor Relations;
- f. Employees; and
- g. Students.

The chair must be elected by majority vote of the VCRC Committee.

5. VCRC Member Length of Service: Appointment terms should be for a minimum of 12 months; re-appointments may be approved.

6. VCRC Training Requirements: Prior to serving, each committee member should be trained in the following:

- a. Overview and goals of the collision review process and explanation of local committee procedures;
  - b. Introduction to defensive driving techniques and safe driving practices (including behind-the-wheel instruction and skill evaluation) utilizing a University-approved driver training program; and,
  - c. Introduction to the preventability determination process as outlined in the NSC resource *A Guide to Determine Motor Vehicle Accident Preventability*.
7. VCRC Meeting Frequency: The VCRC must meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes will be kept of each meeting.
8. VCRC Review Process: All reports of accidents/collisions resulting in any property damage or personal injury will be pre-screened by a designated member of the Vehicle Collision Review Committee (VCRC), for “obvious” preventability prior to submission to the committee. The Committee shall see all such reports and has the option to independently review any pre-screening determination. A driver may request committee review of any collision determined by the pre-screening to be preventable. The VCRC will consider all information pertaining to each collision it reviews and make a determination as to its preventability.
- a. Preparing the case:
    - i. The name of the driver involved in the case will not be revealed to the committee members. The committee will use a case number or collision number to identify the case.
    - ii. The driver involved should not be called before the committee to discuss the case. The driver’s collision report should represent the driver.
  - b. Presenting the case: The committee may consider the following sources of facts related to the case:
    - i. Driver’s collision report, which includes description of events, diagrams, etc.
    - ii. Witness statements.
    - iii. Photos of vehicle damage and/or property damage.
    - iv. Known amount in dollars (\$’s) of liability/property loss incurred as a result of the collision.
    - v. Police investigation reports.
    - vi. Collision investigation reports and summaries.
    - vii. Any supplemental reports pertaining to the collision.
    - viii. Driving record summary.
  - c. Reaching a decision:

- i. The committee will consider recognized safe driving practices, training the driver has received, and University and Location policies and procedures pertaining to Vehicle operations when making its decision.
    - ii. The committee will vote by open ballot with the decision reached by a simple majority vote.
    - iii. The decision will be entered into the meeting minutes.
  - d. Department notification: The driver and the department manager will be notified in writing as to whether the collision was determined to be non-preventable or preventable. If the collision was determined to have been preventable, the committee notification will include the following:
    - i. Reasons for classifying the case as preventable;
    - ii. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
    - iii. Determination for post-collision training; and
    - iv. Determination for suspension of driving privileges as outlined in Section IV.B.10. below and consistent with applicable University personnel policies and collective bargaining agreements.
- 9. VCRC Periodic Reports: Periodic summary reports may be completed by the committee to indicate findings such as:
  - a. Collision trends;
  - b. Collision frequency by department/driver/Vehicle type;
  - c. Outreach program opportunities; and
  - d. Safe driving practices sources.
- 10. **VCRC Guidelines for Authorized Drivers Involved in Preventable Collisions:**  
VCRC recommendations may include but not be limited to the following, based on all the facts and circumstances. These recommended actions may be accompanied by appropriate performance management. VCRC recommendations are referred to the appropriate personnel office for review and implementation, consistent with University personnel policies and collective bargaining agreements, up to and including disciplinary action.  
  
Drivers wishing to appeal the determination that a collision was preventable may submit such appeal to the appropriate department such as University Location Human Resources.

<b><u># of Preventable Collisions Within 36 months*</u></b>	<b><u>Recommendation</u></b>	<b><u>Completion Timeline</u></b>
1	<u>Classroom refresher training</u>	<u>Within 90 days of VCRC Notice of Decision date</u>
2	<u>Refresher training &amp; satisfactory completion of behind the wheel instruction</u>	<u>Within 90 days of VCRC Notice of Decision date</u>

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3	<u>Suspend University driving privilege for minimum 30 days &amp; attend refresher training; satisfactory completion of behind the wheel instruction and evaluation</u>	<u>Immediately upon VCRC Notice of Decision</u>
4	<u>Suspend University driving privilege for a minimum of 1 year</u>	<u>Immediately upon VCRC Notice of Decision</u>

\* The Department Vehicle’s criterion for the length of time an accident stays on the driving record is 36 months. The University follows the same criteria when considering the consequences for drivers involved in a preventable collision

- a. The VCRC may recommend immediate suspension of driving privileges following any collision based on the severity and preventability of the collision pending further administrative action.
- b. Drivers involved in another preventable collision, who have previously had their University driving privileges suspended, and then reinstated, may be subject to permanent revocation of driving privileges.

**Reinstatement:** A driver whose driving privilege has been suspended may apply to the VCRC for reinstatement. The request must be submitted in writing by the driver’s department manager. All drivers applying for reinstatement must have attended refresher training and satisfactorily completed behind the wheel instruction and evaluation. Any reinstatement would be effective no sooner than after the minimum period of suspension.

If the driving privileges have been suspended for 1 year or more, then the driver’s overall driving record, the department manager’s feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. Additionally, the driver must successfully complete an approved online defensive driving course and be enrolled in the University’s DMV driving record monitoring Program.

The cost of any driver training will be recharged to the driver’s department.

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## V. REQUIRED PROCEDURES

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### A. Fleet Operations~~LEET OPERATIONS~~:

1. The Fleet Operations Unit ~~sh~~will be responsible for the acquisition, inspection, and record keeping for all ~~general purpose V~~vehicles, ~~including those assigned for long term use to other departments, equipment registered with the Department of Motor Vehicles,~~ and specialized vehicles and equipment. The Fleet Operations may delegate these responsibilities concerning specialized equipment to the user department, as appropriate.
2. The Fleet Operations Unit ~~sh~~will assign general purpose ~~V~~vehicles to most users on a trip-by-trip basis. ~~However, d~~Departments may be assigned a ~~V~~vehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. ~~Such Each~~ exceptional assignments ~~s~~ must be approved by the ~~Chancellor or~~

~~designee~~Executive Officer and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the Fleet Operations Unit.

3. The Fleet Operations Unit ~~sh~~will be responsible for the maintenance and service of all ~~general purpose~~Vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments ~~sh~~will be required to adhere to maintenance schedules established by the Fleet Operations Unit unless different arrangements are approved in writing by the ~~Chancellor or designee~~Executive Officer. ~~Vehicles at field offices or remote locations may be excluded from this requirement by special approval of the Chancellor or designee.~~

Responsibility for the regular ~~M~~maintenance and servicing of specialized vehicles and equipment ~~shall may be the responsibility of~~delegated to the user department ~~unless such responsibility is specifically transferred by the user department to the Fleet Operations Unit by the Executive Officer.~~

4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts, and farm tractors, ~~and motor scooters~~), ~~if that are~~ used by a single department, may be designated by the ~~Executive Officer~~Chancellor or designee for permanent assignment to that department.

#### **B. Procedures for Vehicle Use****PROCEDURES FOR VEHICLE USE:**

1. Each ~~campus~~Location ~~sh~~will establish procedures to ~~identify properly authorized, trained, and licensed~~enforce Driver Requirements and Driving Standards and to approve drivers, and to provide a record of each trip. In developing ~~campus~~Location policies and procedures, the following items should be considered:
  - a. Delegations of ~~A~~authority to appropriate department officials;
  - b. Procedures for authorizing and controlling vehicle use;
  - c. Provisions regarding certain types of use (e.g., out-of-state, foreign travel, various rideshare programs) or certain types of users (e.g., students or non-University employees);
  - d. Requirements for reporting vehicle accidents and moving violations;
  - e. Requirements of the ~~DMV's Employer's Pull Notice (EPN) System~~DMV's Employer's Pull Notice (EPN) System; and
  - f. Programs to foster traffic safety consciousness.
2. Departments with assigned ~~V~~vehicles and departments responsible for rideshare ~~V~~vehicles ~~must~~shall maintain records ~~which that~~ document vehicle users and uses and ~~which that~~ demonstrate compliance with ~~State~~State and ~~Federal~~Federal laws and University policies and procedures. Usage reports ~~shall~~must be prepared periodically, ~~but and~~ at least annually, and sent to the ~~F~~fleet ~~O~~operations Unit and to other appropriate campus administrative officials, and

~~shall~~must be reviewed to verify both the proper use and the continued need for the assignment of such ~~V~~vehicles.

3. Each ~~campus-Location~~ shall~~must~~ establish methods to inform ~~V~~vehicle users of their responsibilities and of the limits of appropriate use.
4. Each ~~campus-Location~~ shall~~must~~ establish procedures for reviewing instances of possible misuse of a ~~V~~vehicle by drivers and/or responsible authorizing officials, and ~~shall~~must take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University through misuse; withdrawing or limiting permission to use a University fleet vehicle; and/or canceling authority to authorize use of vehicles. Reimbursement of any associated costs may be obtained from the driver, the authorizing official, and/or the budget of the using/responsible department.

**C. ~~ALTERNATIVE Sustainable Transportation Programs~~TRANSPORTATION PROGRAMS:**

1. To ensure growth in ridesharing programs and use of public transit, specific incentives may be developed. Such incentives may include, but are not limited to, the following: discounted rates for riders, ~~cash compensation~~discounted rates for drivers, personal use mileage for drivers, guaranteed ride-home programs, transit pass subsidies, and use of University-owned vehicles (those assigned to a department on a long-term basis) as authorized carpool vehicles in conjunction with ridesharing programs.
2. Participation in University ridesharing programs by non-University employees is permitted provided the ~~University~~ Location maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.
3. ~~The University~~The University supports ~~UC~~ Locations' development of various guaranteed ride home programs. Such programs may include limited use of University-owned vehicles by public transit riders, or participants in authorized ridesharing programs (including non-University employees) who need to leave the work-place for emergency reasons in advance of normally scheduled departures, or who must work late.

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## VI. RELATED INFORMATION

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Policy on Use of University Vehicles, February 28, 1978.

University Policy Concerning Executive Automobiles, 1988.

[Business and Finance Bulletin A-47/University Direct Costing Procedures.](#)

[Business and Finance Bulletin BUS-8/Acquisition and Disposition of University Vehicles.](#)

[Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles.](#)



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~~Business and Finance Bulletin BUS-74/Business Travel Accident Insurance~~  
~~Business and Finance Bulletin BUS-74/Business Travel Accident Insurance.~~  
~~(Rescinded 6/2013). Information incorporated into Business and Finance Bulletin BUS-81/Insurance Programs.~~

[Business and Finance Bulletin BUS-81/Insurance Programs.](#)

~~Business and Finance Bulletin G-28/Policy and Regulations Regarding Travel~~  
~~Business and Finance Bulletin G-28/Travel Regulations~~

~~Business and Finance Bulletin G-46: Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources.~~

[Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles.](#)

~~University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures~~  
~~University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures~~

~~Facilities Manual, Volume 6 – Energy Conservation~~  
~~Facilities Manual, Volume 6 - Energy and Water Conservation and Management~~

[University of California Sustainable Practices Policy](#)

[Regents Policy 7709/Senior Management Group Automobile Allowance](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

~~Delegation of Authority DA1064 --Third Party Agreements, University Vanpool Programs from the President to the Chancellors, Senior Vice President-Business and Finance, and Directors of Lawrence Livermore National Laboratory and Lawrence Berkeley Laboratory, March 31, 1992.~~

Letter from President Gardner to Chancellors and Laboratory Directors, August 8, 1985,

Delegation of Authority ~~DA0878~~--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (~~Rescinded DA0878, June 19, 1995 and Replaced with superseded by DA2045~~  
~~DA 2045 Delegation of Authority— Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Materials, Goods, and Services to be Supplied to the University)~~

Letter from President Atkinson to Chancellors and Laboratory Directors, June 19, 1995, Delegation of Authority ~~DA 2045~~-- Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (~~DA2045, Rescinded June 11 1998 and replaced with superseded by DA2100~~  
~~DA 2100—Execution of Purchase Contracts, Subcontracts,~~

and Standard Purchase Orders for Goods and Services to be Supplied to the University)

Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (DA2100)  
Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University

State of California Vehicle Code, Section 15200/California Commercial Motor Vehicles Safety Act of 1988.

Federal Motor Carrier Safety Administration, United States Department of Transportation, Federal Motor Vehicle Safety Improvement Act of 1999, Public Law 106-159, December 9, 1999.

Federal Commercial Motor Vehicle Safety Act of 1986.

Americans with Disabilities Act of 1990.

Americans with Disabilities Act of 1990 Amended, January 1, 2009.

Appendix A: THE EMPLOYER PULLNOTICE (EPN) PROGRAM/California Vehicle Code Section 1808.1. (See attached).

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## VII. FREQUENTLY ASKED QUESTIONS

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Not applicable.

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## VIII. REVISION HISTORY

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TBD: Major revisions include:

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- Reorganized order and expanded sections related to Vehicle Use and Drivers
- Added a Drivers Standards Section
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.



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- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

May 23, 2019: technical edits--fixed the broken links.

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Revision to BUS-46/Use of University Vehicles, August 1, 1994.

Issuance of BUS-46/ Use of University Vehicles, February 28, 1978.

**APPENDIX A**  
**THE EMPLOYER PULL NOTICE (EPN) PROGRAM**  
**California Vehicle Code Section 1808.1**

The Employer Pull Notice (EPN) Program was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The following is a brief history of the EPN program and when legislation was enacted:

1. 1982 – Law enforcement and government employers began to enroll their drivers into the program voluntarily.
2. 1989 – All Class A (formerly known as Class 1), Class B (formerly known as Class 2), transit authority, certified, and The Public Utilities Commission (PUC) regulated drivers (limousine drivers, charter party carriers, etc.) were enrolled pursuant to California Vehicle Code (CVC) Section 1808.1.
3. 1990 – The Public Utilities Commission (PUC) began enrolling owner operators.
4. 1998 – California DMV, Motor Carrier Branch, began enrolling owner operators who transport property. PUC continued to regulate owner operators who transport passengers and household goods.

The EPN program allows an organization to monitor DL records of employees who drive on the organization's behalf. This monitoring accomplishes the following:

1. Improves public safety.
2. Determines if each driver has a valid DL.
3. Reveals problem drivers or driving behavior.
4. Helps to minimize an employer's liability.

When an employer enrolls in the EPN program, they are assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

1. Upon enrollment of driver in the EPN program.
2. Annually from the date of enrollment or 12 months from the last action/activity printout.
3. When a driver has any of the following actions/activities added to his/her driver record:
  - a. Convictions of a violation
  - b. Failures to Appear
  - c. Accidents
  - d. Driver's License Suspensions or Revocations
  - e. Any other actions taken against the driving privilege

For additional information refer

to: [https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path:/dmv\\_content\\_en/dmv/vehindustry/epn/epngeninfo](https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path:/dmv_content_en/dmv/vehindustry/epn/epngeninfo)



# BFB-BUS-46: Use of Vehicles and Driver Authorization

<b>Responsible Officer:</b>	Chief Risk Officer
<b>Responsible Office:</b>	RK – Risk / EH&S
<b>Issuance Date:</b>	2/28/1978
<b>Effective Date:</b>	TBD
<b>Scope:</b>	All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory.

<b>Contact:</b>	Gary Leonard
<b>Title:</b>	Executive Director, Liability and Property
<b>Email:</b>	<a href="mailto:Gary.Leonard@ucop.edu">Gary.Leonard@ucop.edu</a>
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## I. POLICY SUMMARY

This Use of Vehicles and Driver Authorization Policy (Policy) governs the use of vehicles and driver authorization for University business. The University of California (University) strives to operate its vehicles safely for the protection of all with whom it shares the road. This Policy reflects currently accepted best practices for the authorization and management of drivers operating any vehicle on behalf of the University. These best practices have proven effective in controlling misuse of vehicles

and poor driving practices which lead to accidents. This Policy applies to all drivers who may operate any University vehicle, leased or rented vehicle, or privately owned vehicle while on University business.

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## II. DEFINITIONS

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**Authorized Driver:** Any driver who is driving for University business, who has fulfilled all driver requirements and who has been approved to drive by the Executive Officer.

**California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS):** A program created by the California DMV to keep so-called “negligent motor vehicle operators” off the roads. NOTS is based on assigning “points” over time to every California license holder for traffic offense violations to identify careless or negligent drivers.

**Check Ride:** An in-vehicle evaluation of a driver’s physical and defensive driving skills. The intent of the check ride is to evaluate the driver’s proficiency at operating the vehicle. A check ride shall be administered by a qualified person trained to conduct such check rides such as a certified Smith System Instructor.

**Commercial Vehicle:** A [commercial vehicle](#) is a vehicle as defined by the California Vehicle Code 260. Examples include Bus, 3 axle Truck, Tractor Trailer.

**Conviction:** A conviction includes 1) a finding of guilty by a court or other tribunal as to any charged vehicular offenses, 2) a plea of guilty or no contest (nolo contendere) to such an offense, or 3) a bail forfeiture without entry of a formal plea.

**DMV Employer Pull Notice Program (EPN):** A program that provides employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The EPN program allows an organization to monitor driver’s license records of employees who drive on an organization’s behalf.

**Executive Officers:** Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

**Executive Vehicles:** Any vehicle, owned by the University, and driven by a member of the Senior Management Group (SMG).

**Frequent Driver:** A type of driver who drives for University business more than 10 hours per month and for whom driving is not an essential job function (see also Infrequent Driver and Occupational Driver).

**Infrequent Driver:** A type of driver who drives for University business for less than 10 hours per month and for whom driving is not an essential job function (see also Frequent Driver and Occupational Driver).

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**1-Point Offenses:** Violations defined by the California DMV NOTS as 1-Point Offenses include (but are not limited to):

- Driving too fast or over the speed limit
- Running a stop sign or red light
- Improper/illegal or unsafe turn
- Passing across a double yellow line
- Failure to yield right-of-way
- Following too closely
- Illegal use of cell phone while driving

Note: If you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**2-Point Offenses:** Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to):

- Driving under the influence (DUI) of alcohol or drugs
- Evading a peace officer/reckless driving
- Driving with a suspended or revoked license
- Hit and run with injury or property damage
- Speed over 100 MPH
- DUI/causing bodily injury or death
- Explosives transportation

Note: If you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**Location:** Any property or building that is owned or leased by the University where University business or activities take place.

**Motor Vehicle Report (MVR):** A report by the Department of Motor Vehicles that details the driving record, by individual names and driver license numbers, for each request submitted, and indicates the status of the applicable driver licenses.

**Occupational Driver:** A type of driver for whom driving is designated as an “essential job function” regardless of how frequently driving occurs. Drivers of University-owned rideshare vehicles are also considered occupational drivers for the purpose of determining their Driving Requirements. (See also Frequent Driver and Infrequent Driver)

**Preventable Collision:** Any collision that occurs while driving a vehicle on University business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which

the driver in question failed to exercise every reasonable precaution to prevent it. See Vehicle Collision Review Committee (VCRC).

**Vehicle<sup>1</sup>:** A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

**Vehicle Collision Review Committee:** A committee at each University Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews most collisions to determine preventability and to determine, in conjunction with Location HR and the employee's department, the necessary course of action.

**Violation:** An act involving the unsafe operation of a motor vehicle. Types of violations include but are not limited to:

1. Civil: A written allegation by a law enforcement officer claiming a person violated a law (e.g., a traffic ticket).
2. Infraction: A violation punishable by a fine or other penalty, but not by incarceration.
3. Misdemeanor: A violation punishable by imprisonment in a County Jail, by fine, or by both.
4. Felony: A crime which is punishable by death or by imprisonment in the State Prison. Under certain conditions, a felony crime may be treated as a misdemeanor.

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### III. POLICY STATEMENT

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#### A. Registration and Identification of University Vehicles:

1. University Vehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the University of California and licensed in accordance with [Registration and Licensing of University-Owned Vehicles \(BFB-BUS-19\)](#).
2. University Vehicles, except Executive Vehicles and Vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), must be conspicuously identified as the property of the University of California and are to be operated for business or official use only.
3. Identification of these Vehicles shall be achieved by use of a decal or other device attached to the front and/or rear of each vehicle. These decals or other devices shall be standardized on a University-wide basis.

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<sup>1</sup> As defined in [California Vehicle Code Section 670](#)

4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University Vehicle, except that an Executive Officer may authorize exceptions on a case-by-case basis.

**B. Vehicle Use:**

1. University Vehicles:
  - a. Responsibility for determining, approving, and controlling official university vehicle use is the responsibility of the Executive Officer.
  - b. No University Vehicle will be released by Fleet Operations or any other unit or department unless the Executive Officer has verified that the driver meets all requirements and has been informed of their responsibilities. Upon verification that the driver meets all requirements and has been informed of their responsibilities, then the Executive Officer can approve the driver for driving University vehicles.
  - c. University Vehicles are provided to support official University business and are to be used only by Authorized Drivers. University Vehicles will not be used by employees for personal reasons. Subject to individual Location policies, employees who use assigned vehicles on a 24-hour basis or are on-call will drive such vehicles directly home after work and leave them parked until needed for “call-out.”
  - d. University Vehicles must not be used regularly for transportation between personal residences and Locations or other work locations, except those Vehicles:
    - i. Assigned to senior University executives (See [Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles](#));
    - ii. Used in conjunction with authorized ridesharing programs which include, but are not limited to, vanpools, carpools bus-pools, and guaranteed ride home programs; or
    - iii. Used occasionally for transportation to and from personal residences in connection with departure and return from official University business trips, when the appropriate department official has determined that such use is more efficient and economical than available alternatives.
  - e. Any use of a Vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the Executive Officer, as an exception to this Policy and justified by a special and/or frequent work requirement of the University that cannot reasonably be met by other means of transportation. Drivers using Vehicles under this section will be subject to campus parking regulations.
  - f. Vehicles are to be operated in strict compliance with the applicable state Vehicle Code and with the utmost regard for their care and cost-efficient and sustainable use.

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- g. Authorized Drivers will not transport persons other than on-duty University employees in a University-owned Vehicle, unless the persons are being transported in connection with official University business, are an approved participant of an authorized Rideshare Program, or as authorized by the Executive Officer.
  - h. Except in the case of an emergency, a driver will not allow a Vehicle to which they have been assigned to be driven by any person not authorized to drive the University-owned Vehicle.
  - i. In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University will:
    - i. Suspend the purchase of additional 15-passenger vans;
    - ii. Initiate a plan to phase out existing fleets of 15-passenger vans;
    - iii. Require a Class B Driver License for all persons operating 15-passenger vans; and,
    - iv. Not transport preschool and K-12 aged children in 15-passenger vans.
2. **Privately Owned Vehicles:** The use of privately owned Vehicles for University business is allowed. [Travel Regulations \(BFB-G-28\)](#) and [Insurance Programs \(BFB-BUS-81\)](#) should be consulted regarding applicable travel and insurance regulations.
3. **Rented or Leased Vehicles:** Whenever possible travelers are expected to use rental agencies with which the University has [University of California's Connexus Travel Program Systemwide Agreements](#) that include insurance coverage in accordance with [BFB-G-28](#).
4. **Rideshare Vehicles:** As provided by the delegated Executive Officer non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.

**C. Drivers:**

- 1. **Driver Eligibility:** Employees, students, volunteers and non-University persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the Executive Officer. Eligible drivers must be a minimum of 18 years of age.
- 2. **Driver Responsibilities:** When driving on University business, the authorized driver acknowledges that they understand their duties and obligations and assumes responsibility for operating the Vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
  - a. Submit to and comply with all Driver Requirements (See Section III.C.3. below).
  - b. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The driver will be



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- responsible for any fines or penalties incurred, including parking violations, and/or towing and impound fees levied upon the Vehicle;
- c. Having the appropriate class of a valid driver license in their possession at all times while operating the vehicle on University business;
  - d. Operating the Vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
  - e. Practicing safe driving techniques pursuant to the UC Core Plus Driver Safety Training Program (available through specific location Risk Management) and adhering to current safety requirements, including the [Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources \(BFB-G-46\)](#) (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);
  - f. Restricting the operation of Vehicles to Authorized Drivers only;
  - g. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on University business, to the Executive Officer within twenty-four (24) hours; in the case of University employees, accidents should be reported before the end of their shift; and,
  - h. Ensuring the cleanliness of University Vehicles both inside and out.
  - i. Successfully complete any Location required driver safety training such as the UC Core Plus Driver Safety Training Program prior to Vehicle use.

Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.

3. Driver Requirements: The following driver requirements will be enforced by the Executive Official. Driver requirements vary by type of driver.

a. Infrequent Drivers

- i. Infrequent Drivers must have a valid United States driver license for the class of Vehicle being operated and must have successfully completed any driver training/safety course required by Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
- ii. Infrequent Drivers of University-owned Vehicles must submit a Motor Vehicle Record (MVR) for evaluation by the Executive Officer and receive approval prior to driving a University-owned Vehicle. This process must be repeated annually or the driver must be enrolled in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System.
- iii. Check Rides may be conducted based upon the type of Vehicle driven and/or reported/observed unsafe driving behavior.

b. Frequent Drivers

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- i. Frequent Drivers must have a valid United States license for the class of Vehicle being operated and shall have successfully completed any driver training/safety course required by the Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
  - ii. Each University Location is required to enroll Frequent Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards (See Section III.D. below).
  - iii. Frequent Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
  - iv. Check Rides may be conducted based upon the type of Vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.
- c. Occupational Drivers
- i. Occupational Drivers must have a valid United States license for the class of Vehicle being operated and shall have successfully completed any driver training/safety course required by the Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated. Please note that 15-passenger vans are not a University-authorized Vehicle.
  - ii. Prior to driving on University business, Occupational Drivers must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days. An acceptable current MVR is a condition of employment for Occupational Drivers. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
  - iii. Each University Location is required to enroll Occupational Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
  - iv. It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a Vehicle (whether the University's or their own) on behalf of the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees.

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- v. An Occupational Driver may have their employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University in the event that their license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum Driving Standards.
- vi. A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that they have not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years ([California Vehicle Code 12804.9\(J\)](#)).
- vii. Occupational Drivers must be capable of demonstrating experience with the type of Vehicles assigned.
- viii. Occupational Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
- ix. Check Rides may be conducted based upon the type of Vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

**D. Driving Standards:**

The following driving standards will be enforced by the Executive Officer.

1. The Location Vehicle Collision Review Committee (VCRC) has the authority to deem any employee in violation of University driving standards ineligible to drive (See Section B. VCRC).
2. The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. A mechanism must be in place to review and address motor vehicle reports activity that are sent to the University. General information on enrollment and operation of the University's use of the EPN Program are included in Appendix A of this Policy.
3. All traffic violations that occur regardless of whether the Violations occur during personal time or when driving for University business or during non-business hours may affect driving privileges and are subject to review.
4. Any or all of the following Violations showing on the driver's MVR shall be cause for suspending authorization to drive on behalf of the University:
  - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
  - b. One 2-Point Offense as defined in this Policy within the past 36 months

Three or more preventable collisions within the past 36 months will be cause of recommending suspension of authorization to drive on behalf of the University as

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described in the VCRC Guidelines of Authorized Drivers involved in Preventable Collisions under Section IV.B.10.

5. Any Frequent Driver, Infrequent Driver, or Occupational Driver will not be allowed to drive on University business if they do not fulfill all driving requirements and driving standards.
6. Departments that allow operation of Vehicles on their behalf by drivers who do not meet the Driving Standards, as defined above, may be held financially accountable for personal injury and property damage arising from incidents involving that driver.

**E. Fleet Operations:**

1. Each Executive Officer shall establish a Fleet Operations Unit to manage all University-owned and -operated vehicles at that Location.
2. Each Fleet Operations Unit shall establish equipment operating parameters, procedures, and rules regarding specific maintenance and regulatory reporting responsibilities for each Location. Operating parameters may include requirements to include car-sharing or telematics technology in University Vehicles, as practicable.
3. The Fleet Operations Unit shall be responsible for establishing all Vehicle rental rates. Such rates shall be established at levels sufficient to recover all allowable costs of operation and may be set at levels sufficient to establish a reserve for Vehicle and other equipment acquisition and/or replacement, and facility renovation and/or construction. As appropriate, fees charged to Federal contract accounts must be in accordance with [University Direct Costing Procedures \(BFB-A-47\)](#).
4. The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned Vehicles, at that Location, including those rented/operated by other departments on a long-term basis.

**F. Insurance:** University insurance programs provide coverage for the following:

1. [BFB-BUS-81](#) covers personal injury and property damage to others that is caused by University Vehicles when they are operated in the course of official University business, including authorized ridesharing programs. This coverage is in effect whether or not the driver is a University employee. Additionally, this coverage is in effect for personal injuries to University employees resulting from Vehicle accidents occurring during the course of authorized trips on official University business.
2. [BFB-BUS-81](#) covers employees for injuries sustained during the direct round-trip commute between home and the authorized worksite for all University employees participating in vanpools, bus-pools, guaranteed ride home programs, and other ridesharing program utilizing University vehicles.
3. [BFB-BUS-81](#) covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University departments.

Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.

4. BFB-G-28 provides details on insurance coverage for personal Vehicles used for University business.
5. University insurance programs do not provide coverage for the following:
  - a. Personal injuries sustained by non-University employees driving University vanpools.
  - b. Personal injuries sustained by students and non-University employees driving non-University Vehicles.

Payment/ reimbursement of all costs associated with the damage to any University Vehicle resulting from misuse or careless operation by an Authorized Driver will be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs will not be covered by University Insurance Programs.

#### **G. Traffic/Parking Citations:**

1. Traffic/parking citations shall not be paid from any source of University funds.
2. The driver of a University Vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that driver is responsible for the operation of the Vehicle. University parking citations have the same legal authorization as those issued by municipal or State law enforcement authorities.
3. Guidelines on preparing reports of moving violations and on disciplining repeated violators can be found in [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

**H. Sustainable Transportation Programs:** The University encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs) to encourage use of public transit, and to participate in transportation management organizations or other appropriate cooperative arrangements for the purposes of furthering such activities.

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## **IV. COMPLIANCE / RESPONSIBILITIES**

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**A. Location Responsibility:** The Executive Officer is responsible for:

1. The control and use of University Vehicles under their custody;
2. Developing and maintaining local procedures that approve Authorized Drivers and enforce Driver Requirements and Driver Standards.
3. Appropriate campus delegations, directives, and procedures to implement University policy; and

4. Forwarding a copy of campus policies and procedures that are implemented as a result of this Policy, and any future modifications, to the [Office of the Chief Financial Officer – Capital Asset Strategies & Finance](#), attention Director of the Operating Budget.

**B. Vehicle Collision Review Committee (VCRC):**

1. VCRC Mission: The mission of the Location Vehicle Collision Review Committee (VCRC) is to review most collisions involving Authorized Drivers operating any Vehicle on University business, thereby creating a means to monitor collision frequency and trends and to assist in the development of programs to promote safety, mitigate risk, and reduce liability for the University.
2. VCRC Overview: Each Location shall implement and maintain its own Vehicle Collision Review Committee. The charge of the committee is to determine if a collision was a Preventable Collision.

A key element of a Safe Driver Program involves establishing a mechanism for actively assessing the preventability of each vehicle collision. The collision review process is based on the premise that, after training in defensive driving, Authorized Drivers are expected to meet a higher standard of safety than the average motorist not so trained. Furthermore, to ensure that all vehicle collisions are reviewed fairly, the University has adopted review procedures established by the National Safety Council (NSC), using the NSC reference *A Guide to Determine Motor Vehicle Accident Preventability*.

Promoting safe driving practices and holding drivers accountable for their driving behavior will contribute to a successful driving and Vehicle safety program and provide a method to measure the effectiveness of pre- and post-collision driver safety training programs as well as other safety-related outreach efforts.

3. VCRC Goals:
  - a. Promote driver safety awareness;
  - b. Reduce frequency and severity of Vehicle collisions;
  - c. Maintain standardized procedures for determining preventability of collisions; and
  - d. Reduce the financial impact of property and liability losses related to Vehicle collisions.
4. VCRC Membership: The membership of each committee shall be determined by the Location and may include representatives from the following (and other) University departments/groups:
  - a. Risk Management;
  - b. Environmental Health & Safety;
  - c. Transportation/Fleet & Transit;
  - d. University Police;

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- e. Human Resources/Labor Relations;
- f. Employees; and
- g. Students.

The chair must be elected by majority vote of the VCRC Committee.

5. VCRC Member Length of Service: Appointment terms should be for a minimum of 12 months; re-appointments may be approved.
6. VCRC Training Requirements: Prior to serving, each committee member should be trained in the following:
  - a. Overview and goals of the collision review process and explanation of local committee procedures;
  - b. Introduction to defensive driving techniques and safe driving practices (including behind-the-wheel instruction and skill evaluation) utilizing a University-approved driver training program; and,
  - c. Introduction to the preventability determination process as outlined in the NSC resource *A Guide to Determine Motor Vehicle Accident Preventability*.
7. VCRC Meeting Frequency: The VCRC must meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes will be kept of each meeting.
8. VCRC Review Process: All reports of accidents/collisions resulting in any property damage or personal injury will be pre-screened by a designated member of the Vehicle Collision Review Committee (VCRC), for “obvious” preventability prior to submission to the committee. The Committee shall see all such reports and has the option to independently review any pre-screening determination. A driver may request committee review of any collision determined by the pre-screening to be preventable. The VCRC will consider all information pertaining to each collision it reviews and make a determination as to its preventability.
  - a. Preparing the case:
    - i. The name of the driver involved in the case will not be revealed to the committee members. The committee will use a case number or collision number to identify the case.
    - ii. The driver involved should not be called before the committee to discuss the case. The driver’s collision report should represent the driver.
  - b. Presenting the case: The committee may consider the following sources of facts related to the case:
    - i. Driver’s collision report, which includes description of events, diagrams, etc.
    - ii. Witness statements.
    - iii. Photos of vehicle damage and/or property damage.

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- iv. Known amount in dollars (\$'s) of liability/property loss incurred as a result of the collision.
  - v. Police investigation reports.
  - vi. Collision investigation reports and summaries.
  - vii. Any supplemental reports pertaining to the collision.
  - viii. Driving record summary.
- c. Reaching a decision:
- i. The committee will consider recognized safe driving practices, training the driver has received, and University and Location policies and procedures pertaining to Vehicle operations when making its decision.
  - ii. The committee will vote by open ballot with the decision reached by a simple majority vote.
  - iii. The decision will be entered into the meeting minutes.
- d. Department notification: The driver and the department manager will be notified in writing as to whether the collision was determined to be non-preventable or preventable. If the collision was determined to have been preventable, the committee notification will include the following:
- i. Reasons for classifying the case as preventable;
  - ii. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
  - iii. Determination for post-collision training; and
  - iv. Determination for suspension of driving privileges as outlined in Section IV.B.10. below and consistent with applicable University personnel policies and collective bargaining agreements.
9. VCRC Periodic Reports: Periodic summary reports may be completed by the committee to indicate findings such as:
- a. Collision trends;
  - b. Collision frequency by department/driver/Vehicle type;
  - c. Outreach program opportunities; and
  - d. Safe driving practices sources.
10. VCRC Guidelines for Authorized Drivers Involved in Preventable Collisions: VCRC recommendations may include but not be limited to the following, based on all the facts and circumstances. These recommended actions may be accompanied by appropriate performance management. VCRC recommendations are referred to the appropriate personnel office for review and implementation, consistent with University personnel policies and collective bargaining agreements, up to and including disciplinary action.



Drivers wishing to appeal the determination that a collision was preventable may submit such appeal to the appropriate department such as University Location Human Resources.

# of Preventable Collisions Within 36 months*	Recommendation	Completion Timeline
1	Classroom refresher training	Within 90 days of VCRC Notice of Decision date
2	Refresher training & satisfactory completion of behind the wheel instruction	Within 90 days of VCRC Notice of Decision date
3	Suspend University driving privilege for minimum 30 days & attend refresher training; satisfactory completion of behind the wheel instruction and evaluation	Immediately upon VCRC Notice of Decision
4	Suspend University driving privilege for a minimum of 1 year	Immediately upon VCRC Notice of Decision

\* The Department Vehicle’s criterion *for the length of time an accident stays on the driving record is 36 months. The University follows the same criteria when considering the consequences for drivers involved in a preventable collision*

- a. The VCRC may recommend immediate suspension of driving privileges following any collision based on the severity and preventability of the collision pending further administrative action.
- b. Drivers involved in another preventable collision, who have previously had their University driving privileges suspended, and then reinstated, may be subject to permanent revocation of driving privileges.

Reinstatement: A driver whose driving privilege has been suspended may apply to the VCRC for reinstatement. The request must be submitted in writing by the driver’s department manager. All drivers applying for reinstatement must have attended refresher training and satisfactorily completed behind the wheel instruction and evaluation. Any reinstatement would be effective no sooner than after the minimum period of suspension.

If the driving privileges have been suspended for 1 year or more, then the driver’s overall driving record, the department manager’s feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. Additionally, the driver must successfully complete an approved online defensive driving course and be enrolled in the University’s DMV driving record monitoring Program.

The cost of any driver training will be recharged to the driver’s department.

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## V. REQUIRED PROCEDURES

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### A. Fleet Operations:

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1. The Fleet Operations Unit will be responsible for the acquisition, inspection, and record keeping for all Vehicles, equipment registered with the Department of Motor Vehicles, and specialized vehicles and equipment. The Fleet Operations may delegate these responsibilities concerning specialized equipment to the user department, as appropriate.
2. The Fleet Operations Unit will assign general purpose Vehicles to most users on a trip-by-trip basis. Departments may be assigned a Vehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. Each exceptional assignment must be approved by the Executive Officer and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the Fleet Operations Unit.
3. The Fleet Operations Unit will be responsible for the maintenance and service of all Vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments will be required to adhere to maintenance schedules established by the Fleet Operations Unit unless different arrangements are approved in writing by the Executive Officer.

Responsibility for the regular maintenance and servicing of specialized vehicles and equipment may be delegated to the user department by the Executive Officer.

4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts, and farm tractors), that are used by a single department, may be designated by the Executive Officer for permanent assignment to that department.

**B. Procedures for Vehicle Use:**

1. Each Location will establish procedures to enforce Driver Requirements and Driving Standards and to approve drivers. In developing Location policies and procedures, the following items should be considered:
  - a. Delegations of Authority to appropriate department officials;
  - b. Procedures for authorizing and controlling vehicle use;
  - c. Provisions regarding certain types of use (e.g., out-of-state, foreign travel, various rideshare programs) or certain types of users (e.g., students or non-University employees);
  - d. Requirements for reporting Vehicle accidents and moving violations;
  - e. Requirements of the [DMV's Employer's Pull Notice \(EPN\) System](#); and
  - f. Programs to foster traffic safety consciousness.
2. Departments with assigned Vehicles and departments responsible for rideshare Vehicles must maintain records that document vehicle users and uses and that demonstrate compliance with State and Federal laws and University policies and procedures. Usage reports must be prepared periodically, and at least annually, and sent to the Fleet Operations Unit and to other appropriate campus

administrative officials, and must be reviewed to verify both the proper use and the continued need for the assignment of such Vehicles.

3. Each Location must establish methods to inform Vehicle users of their responsibilities and of the limits of appropriate use.
4. Each Location must establish procedures for reviewing instances of possible misuse of a Vehicle by drivers and/or responsible authorizing officials, and must take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University through misuse; withdrawing or limiting permission to use a University fleet vehicle; and/or canceling authority to authorize use of vehicles. Reimbursement of any associated costs may be obtained from the driver, the authorizing official, and/or the budget of the using/responsible department.

### **C. Sustainable Transportation Programs:**

1. To ensure growth in ridesharing programs and use of public transit, specific incentives may be developed. Such incentives may include, but are not limited to, the following: discounted rates for riders, discounted rates for drivers, personal use mileage for drivers, guaranteed ride-home programs, transit pass subsidies, and use of University-owned vehicles (those assigned to a department on a long-term basis) as authorized carpool vehicles in conjunction with ridesharing programs.
2. Participation in University ridesharing programs by non-University employees is permitted provided the Location maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.
3. The University supports Locations' development of various guaranteed ride home programs. Such programs may include limited use of University-owned vehicles by public transit riders, or participants in authorized ridesharing programs (including non-University employees) who need to leave the workplace for emergency reasons in advance of normally scheduled departures, or who must work late.

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## **VI. RELATED INFORMATION**

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- Policy on Use of University Vehicles, February 28, 1978.
- University Policy Concerning Executive Automobiles, 1988.
- [Business and Finance Bulletin A-47/University Direct Costing Procedures.](#)
- [Business and Finance Bulletin BUS-8/Acquisition and Disposition of University Vehicles.](#)
- [Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles.](#)
- Business and Finance Bulletin BUS-74/Business Travel Accident Insurance.(Rescinded 6/2013). Information incorporated into Business and Finance Bulletin BUS-81/Insurance Programs.

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- [Business and Finance Bulletin BUS-81/Insurance Programs.](#)
- [Business and Finance Bulletin G-28/Travel Regulations](#)
- [Business and Finance Bulletin G-46: Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources.](#)
- [Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles.](#)
- University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures
- [Facilities Manual, Volume 6 - Energy and Water Conservation and Management](#)
- [University of California Sustainable Practices Policy](#)
- [Regents Policy 7709/Senior Management Group Automobile Allowance](#)
- [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)
- [Delegation of Authority DA1064 --Third Party Agreements, University Vanpool Programs from the President to the Chancellors, Senior Vice President-Business and Finance, and Directors of Lawrence Livermore National Laboratory and Lawrence Berkeley Laboratory, March 31, 1992.](#)
- Letter from President Gardner to Chancellors and Laboratory Directors, August 8, 1985,
- Delegation of Authority DA0878--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (Rescinded June 19, 1995 and Replaced with [DA 2045 Delegation of Authority— Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Materials, Goods, and Services to be Supplied to the University](#))
- Letter from President Atkinson to Chancellors and Laboratory Directors, June 19, 1995, Delegation of Authority DA 2045-- Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (Rescinded June 11 1998 and replaced with [DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University](#))
- [Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University](#)
- [State of California Vehicle Code, Section 15200/California Commercial Motor Vehicles Safety Act of 1988.](#)
- [Federal Motor Carrier Safety Administration, United States Department of Transportation, Federal Motor Vehicle Safety Improvement Act of 1999, Public Law 106-159, December 9, 1999.](#)
- [Federal Commercial Motor Vehicle Safety Act of 1986.](#)
- [Americans with Disabilities Act of 1990.](#)
- [Americans with Disabilities Act of 1990 Amended, January 1, 2009.](#)

- Appendix A: THE EMPLOYER PULLNOTICE (EPN) PROGRAM/California Vehicle Code Section 1808.1. (See attached).

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## VII. FREQUENTLY ASKED QUESTIONS

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Not applicable.

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## VIII. REVISION HISTORY

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**TBD:** Major revisions include:

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- Reorganized order and expanded sections related to Vehicle Use and Drivers
- Added a Drivers Standards Section
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

**May 23, 2019:** technical edits--fixed the broken links.

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Revision to BUS-46/Use of University Vehicles, August 1, 1994.

Issuance of BUS-46/ Use of University Vehicles, February 28, 1978.

**APPENDIX A**  
**THE EMPLOYER PULL NOTICE (EPN) PROGRAM**  
**California Vehicle Code Section 1808.1**

[The Employer Pull Notice \(EPN\) Program](#) was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The following is a brief history of the EPN program and when legislation was enacted:

1. 1982 – Law enforcement and government employers began to enroll their drivers into the program voluntarily.
2. 1989 – All Class A (formerly known as Class 1), Class B (formerly known as Class 2), transit authority, certified, and [The Public Utilities Commission \(PUC\)](#) regulated drivers (limousine drivers, charter party carriers, etc.) were enrolled pursuant to California Vehicle Code (CVC) Section 1808.1.
3. 1990 – [The Public Utilities Commission \(PUC\)](#) began enrolling owner operators.
4. 1998 – [California DMV, Motor Carrier Branch](#), began enrolling owner operators who transport property. PUC continued to regulate owner operators who transport passengers and household goods.

The EPN program allows an organization to monitor DL records of employees who drive on the organization's behalf. This monitoring accomplishes the following:

1. Improves public safety.
2. Determines if each driver has a valid DL.
3. Reveals problem drivers or driving behavior.
4. Helps to minimize an employer's liability.

When an employer enrolls in the EPN program, they are assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

1. Upon enrollment of driver in the EPN program.
2. Annually from the date of enrollment or 12 months from the last action/activity printout.
3. When a driver has any of the following actions/activities added to his/her driver record:
  - a. Convictions of a violation
  - b. Failures to Appear
  - c. Accidents
  - d. Driver's License Suspensions or Revocations
  - e. Any other actions taken against the driving privilege

*For additional information refer*

to: [https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path:/dmv\\_content\\_en/dmv/vehindustry/epn/epngeninfo](https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path:/dmv_content_en/dmv/vehindustry/epn/epngeninfo)

## MODEL COMMUNICATION

The University of California Office of the President invites comments on a proposed Presidential Policy BFB-BUS-46 Use of University Vehicles. The policy is proposed to be revised and includes the following key issues:

- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

If you have any questions or if you wish to comment, please contact \_\_\_\_\_ at \_\_\_\_\_, no later than \_\_\_\_\_, 2024.