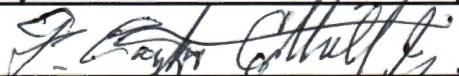


# ADMINISTRATIVE PROCEDURE

## ADMIN-15

### Marshall University Vehicle Use Procedures

Number: ADMIN-15	Name: <b>Marshall University Vehicle Use Procedures.</b>
Purpose: The purpose of this administrative procedure is to establish process regulating the reservation and use of University owned vehicles by Authorized Drivers and Authorized Passengers of Marshall University. The administrative procedures has University wide applicability.	
Responsible Unit: Public Safety/Environmental Health and Safety	
Approved by: 	Approval Date: 11/27/22

#### 1. SCOPE:

This administrative procedure applies to all Marshall Authorized Drivers and Authorized Passengers to whom the University grants the privilege of operating a University owned, leased, or rented vehicle for University business. University Vehicles are available for use by Authorized Drivers and to transport Authorized Passengers traveling on University Business in accordance with these procedures.

#### 2. DEFINITIONS:

- 2.1. **Active/Valid/Appropriate License** – A current motor vehicle operator’s license issued under the laws of the state in which the Authorized Driver resides and used as intended under the law. This includes having any required endorsements for the type of vehicle being operated.
- 2.2. **Authorized Drivers** – Marshall University Employees (faculty and staff) and Marshall University students who have met the requirements as outlined in this procedure and are traveling on University business.
- 2.3. **Authorized Passengers** – Passengers who are Marshall University Employees (faculty and staff), Marshall University Students or visitors to Marshall University traveling with an Authorized Driver for University business.
- 2.4. **Driver’s license loss** – In this procedure, the term “driver’s license loss” refers to expiration, suspension, revocation, cancellation, disqualification and restrictions that prevent the employee from legally operating a motor vehicle.
- 2.5. **Minors Passenger-** Minors are any person under the age of 18.

- 2.6. **Personal Driving Record (PDR)** – The historical record maintained on each driver by the appropriate state agency. It includes violations, revocations and suspensions of the state issued driver’s license.
- 2.7. **Serious Violations** – Serious violations include:
  - 2.6.1. Driving under the influence of alcohol/drug (DUI/DWI);
  - 2.6.2. Hit and Run;
  - 2.6.3. Failure to report an accident;
  - 2.6.4. Negligent homicide using a motor vehicle;
  - 2.6.5. Driving while license is suspended or revoked;
  - 2.6.6. Using a motor vehicle for the commission of a felony;
  - 2.6.7. Permitting an unlicensed person to drive;
  - 2.6.8. Reckless driving;
  - 2.6.9. Speed contest, or speeding;
  - 2.6.10. Illegal passing of a school bus;
  - 2.6.11. Other conduct considered serious by the University including, but not limited to, conduct that is deemed a risk to persons or property;
  - 2.6.12. Two (2) or more “At Fault” accidents; and/or
  - 2.6.13. Four (4) violations (any type).
- 2.8. **University Business** - Activities (including travel) engaged in for or on behalf of Marshall University this includes functions that promote the operations of the institution or enhance the educational process.
- 2.9. **University Vehicle** – Any vehicle owned, leased, or rented by the University <sup>1</sup>or leased or rented by an Authorized Driver for University business.
- 2.10. **Violation** – Any motor vehicle driving violation, citation or parking ticket.

3. PROCEDURE & PROCESS:

- 3.1. Authorized Driver Requirements
  - 3.1.1. Possess and maintain an active, valid and appropriate driver’s license;
  - 3.1.2. Age Requirements
    - 3.1.2.1. 18 years of age or older to operate a University owned vehicle.
    - 3.1.2.2. Meet the age requirements establish by the vehicle leasing or rental company to operate their vehicle. Many vehicle leasing or rental companies require drivers to be 25 years of age. You should check with the vehicle leasing or rental company for their specific requirements.
  - 3.1.3. Successfully complete the on-line driver safety training course, annually, as required by the University.
  - 3.1.4. Driver’s License Verification and Review of PDR
    - 3.1.4.1. Office of Public Safety will perform this search.
    - 3.1.4.2. Authorized Driver status may be denied, rescinded or revoked for any of the following reasons, including but not limited:
      - 3.1.4.3.1. Major Driving Violations
      - 3.1.4.3.2. Conviction of Driving Under the Influence

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<sup>1</sup> The procedures for the rental of a vehicle for University business is governed by the applicable Travel policies and procedures.

- 3.1.4.3.3. Determination by your personal insurance carrier or the University's insurance carrier that you are a "high-risk" driver.
  - 3.1.4.3.4. Failure to adhere to the procedures for operating a University Vehicle and/or abuse of a University Vehicle
  - 3.1.4.3.5. Misuse of the University fleet gas card.
  - 3.1.4.3.6. Any citation for a Serious Violation within the past 3 years.
- 3.1.5. Authorized Driver Determination
- 3.1.5.1. The determination as to whether an individual is given or retains Authorized Driver status will be made by the Office of Public Safety and the Department of Environmental Health and Safety.
  - 3.1.5.2. An individual who believes they have been wrongly denied Authorized Driver status may make a written appeal of the decision to the Vice President of Executive Affairs within 10 days of notification of denial or rescission of Authorized Driver status.
  - 3.1.5.3. The decision of the Vice President of Executive Affairs is final.

### 3.2. Request to use University Owned Vehicles

- 3.2.1. Submit the Request to Office of Public Safety for Use of University Vehicle on the form approved by the Office of Public Safety.
- 3.2.2. If the request is approved, the reservation will be made and a copy of the reservation as confirmation will be returned.
- 3.2.3. Reservations may be changed or cancelled up to one University business day before the pick-up date noted on the reservation at no cost to the Authorized Driver's department. However, if a cancellation is not received a fee for non-cancellation will be charged. Changes or cancellations may be made by calling (304) 696-6684 by email at [turnerro@marshall.edu](mailto:turnerro@marshall.edu).
- 3.2.4. If a vehicle is unavailable at the time the request is made, the department will be referred to the state contract vehicle rental agency.

### 3.3. Authorized Driver Duties and Responsibilities

- 3.3.1. The Authorized Driver shall return the vehicle with a half of a tank or more of fuel, and in a condition requiring normal cleaning of a vehicle. If a vehicle is returned that requires significant cleaning or repair, the cost may be charged to the Authorized Driver's department.
- 3.3.2. The Authorized Driver shall not permit an unauthorized driver to operate a University vehicle. In case of an emergency, the Authorized Driver shall contact the Office of Public Safety for an authorized exception.
- 3.3.3. The Authorized Driver shall use University Vehicles only for University related business. **Personal use of a University Vehicle is strictly prohibited.**
- 3.3.4. The Authorized Driver shall always use a seat belt, and shall ensure that all occupants use seat belts or other occupant restraints, when operating a

University Vehicle or otherwise transporting others on behalf of the University.

- 3.3.5. The Authorized Driver shall be responsible for ensuring that the total number of passengers does not exceed the number of seat belts available in the vehicle.
- 3.3.6. The Authorized Driver shall operate the University Vehicle (or other vehicle when in use to transport others on behalf of the University) in accordance with University regulations, shall know and observe all applicable traffic laws, ordinances, and regulations, and shall use safe driving practices at all times.
- 3.3.7. The Authorized Driver shall assume all responsibility for any and all fines, traffic violations or parking tickets associated with the use of a University Vehicle or other vehicle used to transport others on behalf of the University.
- 3.3.8. The Authorized Driver shall not drive under the influence of drugs or alcohol.
- 3.3.9. The Authorized Driver nor any Authorized Passenger shall use tobacco products in a University Vehicle.
- 3.3.10. The Authorized Driver shall not allow alcohol or controlled substances to be present in the vehicle.
- 3.3.11. **The consumption or use of tobacco products, illegal drugs or alcohol is not permitted in University Vehicles.**
- 3.3.12. The Authorized Driver shall only transport Authorized Passengers.
- 3.3.13. The Authorized Driver shall turn off the vehicle's engine, remove the keys and lock the vehicle whenever the driver leaves the vehicle unattended.
- 3.3.14. The Authorized Driver shall observe all posted speed limits, and shall travel at speeds slower than posted limits when justified by weather or road conditions.
- 3.3.15. The Authorized Driver shall drive a University Vehicle only on roads approved for use by passenger vehicles.
- 3.3.16. The Authorized Driver will refrain from using a cell phone while driving. Cell phones may only be used while driving in conjunction with hands-free equipment and must comply with all applicable state laws and regulations. Texting while driving is strictly prohibited.
- 3.3.17. The Authorized Driver shall be responsible for evaluating the condition of the University vehicle. Before leaving the parking area, the Authorized Driver shall inspect the vehicle for safety issues by checking tires, wiper blades, lights, and other safety equipment. Any problems or concerns shall be reported immediately to the Office of Public Safety before the driver begins operation of the vehicle.
- 3.3.18. The Authorized Driver shall report all accidents or moving violations involving the use of a University Vehicle or other vehicle used in transporting others on behalf of the University to the Office of Public Safety.
- 3.3.19. The Authorized Driver shall be subject to applicable University disciplinary procedures for failure to comply with this list of driver obligations.

3.3.20. Any violation of these rules will be reported to the department head and a service/clean-up charge will be billed and the suspension of use of state vehicles for that driver.

3.3.21. Continuing violations of these rules can be grounds for revocation of Authorized Driver status.

#### 3.4 Minors in University Vehicles

3.4.1 Minor Passengers may be transported only when their presence is necessary to the primary purpose of the trip.

3.4.2 Prior to transporting Minor passengers, written approval must be granted by the Office of Public Safety and the Office of Environmental Health and Safety.

3.4.3 The use of a cell phone in any manner is strictly prohibited if there are Minor Passengers being transported.

3.4.4 If a passenger van is used for the transportation of minors, it must comply with W. Va. Code §17C-12-7a, when applicable.

3.4.5 The Authorized Drives is responsible to insure that all laws related to the safety of minors are followed including any child safety seat requirements.

3.4.6 The Authorized Drives must have emergency contact information for each Minor Passenger with them at all times.

#### 4. ACCIDENT PROCEDURES:

4.1. **IMMEDIATELY CONTACT: Local Law Enforcement (9-11);** and

4.2. As soon as possible contact: The Marshall University Public Safety Dispatch at (304) 696-4357. The Dispatch Office is open 24 hours a day/7 days a week.

4.2.1. Provide the following information to the Dispatch Office:

4.2.1.1. Explain the problem and details, if known.

4.2.1.2. Please state if there are injuries.

4.2.1.3. Your exact location and a phone number where you can be reached.

4.2.1.4. Has the vehicle been secured/towed/ be or not be repaired at or near your location.

4.2.1.5. Are police reports being taken and by which agency.

4.2.1.6. Do we need to contact the department and/or family members.

#### 5. UNSAFE DRIVING REPORTS:

All University Vehicles are marked with the University's name and a unique license plate number. If an unsafe driving report is received, the report will be documented, investigated, and reported to the driver's supervisor/department head. Reports of unsafe driving may result in disciplinary action, including the suspension or revocation of Authorized Driver privileges on behalf of the University.

## **6. EXCEPTIONS:**

Requests for exceptions to any part of this procedure must be made in writing to the Sr. Vice President for Executive Affairs and General Counsel.

## **7. PROHIBITED CONDUCT:**

7.1 The following conduct may result in immediate suspension of Authorized Driver privileges or status.

- 7.1.1 Being charged with the commission of a Serious Offense while operating a University Vehicle.
- 7.1.2 Using a University Vehicle for personal use or non-University related business.
- 7.1.3 Having unauthorized passengers in the vehicle.

## **8. RESPONSIBILITY:**

The Offices of Public Safety and Environmental Health and Safety are responsible for the implementation and updating of this procedure. Authorized Drivers are responsible for complying with all laws, rules and regulations associated with the use of a University vehicle. University employees who misuse University vehicles are also subjected to disciplinary action.